

**SPECIAL TOWN OF MARCELLUS
TOWN BOARD MEETING MINUTES**

August 26, 2010

A special meeting of the Town Board of the Town of Marcellus, County of Onondaga, State of New York was held on at 7:00 P.M. in the Town Hall, 24 East Main Street, Marcellus, New York. Those present were:

Daniel J. Ross, Supervisor
James A. Sheridan, Councilor
Thomas C. Lathrop, Councilor
Kevin F. O'Hara, Councilor

Absent: Donald G. Sherman, Councilor

Also present: Karen R. Pollard, Town Clerk; Sandy Taylor, Deputy Town Clerk; Wendy Reese, Counsel; Donald MacLachlan, Highway Superintendent; Phil Coccia, Recreation Leader, Vincent Murphy, Mary Murphy, Mary Flynn, Joe Flynn, Steve Lloyd, Kim Lloyd, Bernie Montgomery, Stephan Knapp, Anita Williams and Walter Kaser.

Supervisor Ross opened the meeting at 7 P.M. with the Pledge of Allegiance to the Flag.

Supervisor Ross explained the purpose of the Special Meeting is to set a public hearing for the possible enactment of a local law calling for a six (6) month moratorium on hydraulic fracturing or hydrofracking in the Town of Marcellus. It was noted that the notice of the special meeting was published in August 18th edition of the Marcellus Observer. A draft local law has been presented to the Councilors for their review. A draft of the local law will be available at the Town Clerk's office and will be on the Marcellus web site.

#011-10

**TOWN BOARD RESOLUTION
TOWN OF MARCELLUS**

At a special meeting of the Town Board of the Town of Marcellus, held at the Town Hall, 24 East Main Street, in said Town, County of Onondaga and State of New York on August 26, 2010, at 7:00 P.M., there were:

PRESENT:	Daniel J. Ross	Supervisor
	James A. Sheridan	Councilor
	Thomas C. Lathrop	Councilor
	Kevin O'Hara	Councilor

WHEREAS, Councilor Lathrop introduced proposed Local Law No. B-2010, to impose a moratorium on hydraulic fracturing and/or hydrofracking in the Town of Marcellus, and made the following motion, which was seconded by Councilor Sheridan; and

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law in the Town of Marcellus, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQR) with respect to the proposed enactment of

said Local Law, with the result that the Town Board shall act as lead agency in this matter.

NOW, THEREFORE, BE IT RESOLVED, that this Board shall act as lead agency, the enactment of proposed Local Law No. B-2010 is Type II action and therefore will have no significant effect on the environment, thus concluding environmental review under SEQR; and it is further

RESOLVED, that the Town Board conduct a public hearing as to the enactment of proposed Local Law No. B-2010 at the Town Hall located at 24 East Main Street in the Town of Marcellus on September 13, 2010 at 7:00 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.

VOTE:	Daniel J. Ross	Aye
	James A. Sheridan	Aye
	Thomas C. Lathrop	Aye
	Kevin O'Hara	Aye

Resolution duly adopted.

Dated: August 26, 2010

Supervisor Ross explained the procedure to enact a local law to those present. At the that September 13th public hearing public comments would be heard. Mr. Ross did offer to take short comments at this time. Mr. Joe Flynn, from the Town of Camillus, did present to the Board a documentary DVD entitled "Split Estate" that deals with the issue of hydrofracking.

Councilor Lathrop made a motion seconded by Councilor Sheridan to adjourn the Marcellus Town Board meeting at 7:09 P.M. All voted aye. Carried.

Respectfully submitted,

Karen R. Pollard, Town Clerk