



TOWN OF ULYSSES

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SUPPORTING CONSTITUTIONAL AMENDMENT FOR A RIGHT TO CLEAN WATER AND AIR

RESOLUTION 2019-87: IN SUPPORT OF THE NEW YORK STATE ASSEMBLY AND SENATE BILLS TO ESTABLISH A PROCESS FOR THE ADOPTION OF AN ENVIRONMENTAL BILL OF RIGHTS

Whereas the Town Board of the Town of Ulysses supports the right of each resident to clean air and water; and

Whereas, in the United States there are many states/commonwealths with Constitutions that contain some form of “environmental rights” or expression of environmental values; and

Whereas, it is the constitutional duty of all levels of government within New York State to protect the health, safety and welfare of their residents giving residents a right to live and work in a clean environment; and

Whereas communities in NYS like Hoosick Falls, Long Island and Newburgh, along with many other communities throughout the United States like Flint, Michigan and Toledo, Ohio have suffered contaminated water systems caused by lack of intervention and/or protection by either government and/or private interests; and

Whereas in watersheds throughout the Finger Lakes, municipalities and individuals draw drinking water that has in recent years been affected by Harmful Algal Blooms making treatment more expensive for municipal water supplies, and sometimes impossible for individual households that draw water directly from the lake; and

Whereas, there is at present a uniform bill before both the New York State Assembly (A. 2064 [Englebright, Gottfried, et al.]) and the New York State Senate (S. 2072 [Carlucci et al.]) to add the following language to the New York State Constitution that will formally establish in the New York State Constitution a right to clean water, clean air, and a healthful environment:

Resolved, that article 1 of the constitution be amended by adding a new section 19 to read as follows: “§ 19. Environmental rights. Each person shall have a right to clean air and water, and a healthful environment”;

Whereas, formally establishing such a civil environmental right will help drive better government decision-making at all levels, helping prevent conditions in which land, water and air become contaminated; and

Whereas establishing such a right will also affect individuals and private enterprise and promote better decision-making based on the New York Constitution’s acknowledgement that all residents have environmental rights; and

Whereas, passing these bills will address a gap in the state’s legal foundations and provide an expression of values that other states have already seen fit to establish,

Whereas, the Conservation and Sustainability Advisory Council has reviewed and unanimously endorsed this legislation,

Now therefore be it hereby

Resolved that the Town Board of the Town of Ulysses supports a New York Environmental Bill of Rights Amendment, Assembly Bill 2064 and Senate Bill 2072, amending Article 1, the Bill of Rights, of the New York State Constitution by inserting a new Section 19, reading: “Each person shall have a right to clean air and water, and a healthful environment.” which recognizes the inalienable and self-executing right of all New Yorkers to clean water, clean air, and a healthful environment; and further

Resolved, this right be as fundamental as a person’s right to freedom of speech and assembly; and further

Resolved that this resolution be sent to Governor Andrew Cuomo, State Senate Leader Andrea Stewart-Cousins, State Assembly Leader Carl Heastie, State Assemblywoman Barbara Lifton, State Senator Tom O’Mara, State Senator Carlucci, State Assembly people Englebright and Gottfried, County Legislative Chair Martha Robertson; Senators Gillibrand and Schumer; and Congressman Reed.

Vote: 3-0

Date Adopted: 4/23/19

CLERK’S CERTIFICATION:

STATE OF NEW YORK}
COUNTY OF TOMPKINS} SS:
TOWN OF ULYSSES:

I, the undersigned Deputy Clerk of the Town of Ulysses, County of Tompkins, DO HEREBY CERTIFY that the above resolution is an exact copy of the same adopted by the Ulysses Town Board at a meeting on the 23rd day of April, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Ulysses, New York, on this 24th day of April, 2019.



Sarah Koski, Ulysses Deputy Town Clerk

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