

# GENESEE SUN

## Fracking Saga Continues in Avon as Sides Collide

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<http://www.geneseesun.com/2013/12/13/local-law-examined-lengthy-moratorium-committee-hearing/>



AVON — Pro and anti-frackers collided at Thursday's public hearing where the Avon town board was scheduled to vote on a proposed new 1-year moratorium to prevent horizontal fracking.

The town hall meeting room was extended to the courtroom where both were filled to near capacity. In attendance were many Town of Avon residents as well as people in the natural resources industry that do not reside in Avon including John Holko, President of Lenape Resources Inc.

Much to the dismay of the attendees the public hearing has now been scheduled to remain open until Thursday January 9.

"Always remember that if in the future changes are made to technology to make horizontal hydrofracking safer that the restrictions can always be removed," said Chuck Morgan, former Chairman for the Town of Avon Moratorium Committee, after giving a ten minute speech.

Opinions on whether to vote yes on the new one year moratorium committee or not had the same consensus from the residents in attendance, at least from the ones that spoke which was the majority, however the mood in the room quickly shifted as Holko asked to speak.

"This moratorium has been and will continue to prevent me from operating my business that I have had in this town for 30 years," said Holko. "Fracking is a much more effective antipoverty industry than anything else. Essentially if you're saying that you are in support this moratorium than you're saying that you are in support of poverty."

According to Jim Campbell, Town of Avon Attorney, the intent has been all along to not place any undue hardship on Lenape Resources Inc.

"I have no reason to believe that anything will end up being worse for him," said Campbell.

It was during this point in the public hearing that the attention rested on Campbell and Holko who had a lengthy and candid back and forth interaction.

"I'm not here to harm anybody, if I thought I was doing something evil I would stop, I just know more about it than others do," said Holko. "It's not an easy situation and it is certainly not black and white."

Holko was not met with support of the residents in attendance as during this conversation with Campbell, residents were shouting at Holko that he is not a resident of the Town of Avon and was asked to not bring court litigations up during the hearing, that this hearing was for the residents not him.

The synopsis of Holko's issue is that according to him the local law says that he can not continue operating his business, however Campbell disagrees saying that his interpretation of the local law is that he can continue working on existing vertical wells but can't drill any new wells.

"My business is the development of natural gas but that includes drilling new wells," said Holko.

The consensus of the board was that a conversation needed to take place between Campbell and Holko to verify and if need make changes to the language of the local law.

"I don't think it is fair to vote until we verify the language," said Richard Steen, Avon Town Councilman.

Councilman Robert Ayers concurred.

"I would like to find out if Holko can drill in the wells that he already has," said Thomas Mairs, Avon Town Deputy Supervisor.

A meeting was set up for Monday, January 6 between Campbell and Holko to discuss the language of the local law.

According to Holko, a well has not been drilled in Avon for eight years, he has no plans to drill within the next year and at no point has any plans to horizontally drill.

"We anticipate some kind of report at our next board meeting," said David LeFeber, Avon Town Supervisor.

The public hearing for the new moratorium committee was left open until Thursday, January 9.