

BOROUGH OF MILFORD
RESOLUTION No. RE2014-095
MONDAY, OCTOBER 20, 2014

**RESOLUTION OF THE BOROUGH OF MILFORD, COUNTY OF HUNTERDON,
STATE OF NEW JERSEY, OPPOSING, AT THIS TIME, THE INSTALLATION
OF ANY GAS PIPELINE THROUGH THE BOROUGH OF MILFORD.**

WHEREAS, PennEast Pipeline Company, LLC, a joint project of AGL Resources; NJR Pipeline company, a subsidiary of New Jersey Resources; South Jersey Industries; and UGI Energy Services, a subsidiary of UGI corporation; (hereafter collectively referred to as “PennEast”) have proposed the construction of a new pipeline for the transmission and delivery of natural gas generated by deep well “fracking” in areas of Marcellus Shale in Pennsylvania; and

WHEREAS, the proposed pipeline is approximately one hundred (100) miles long and of either thirty (30”) or thirty-six (36”) diameter buried pipe which is to cross Luzerne, Carbon, Northampton and Bucks Counties in Pennsylvania, and Hunterdon and Mercer Counties in New Jersey; and

WHEREAS, as PennEast’s currently proposed plans for the pipeline indicate that the pipeline will circumvent the physical municipal boundaries of the Borough of Milford, PennEast has indicated that the pipeline’s ultimate design and physical location are in flux and subject to change; and

WHEREAS, both members of Milford Borough’s Common Council as well as residents of the Borough have expressed opposition to the Pipeline based on safety concerns, its potential harm to the Borough’s and Hunterdon County’s infrastructure, and its likely adverse impact upon future development within the Borough, especially along areas adjacent to the Delaware River where it is reasonably expected, for both economic and logistical reasons, that the Pipeline would be installed; and

WHEREAS, the Milford Borough’s Common Council reasonably believes that should the Pipeline be situated along the Delaware River, either above ground or buried beneath an existing rail line, would cut across Quequacommissaong Creek a “C-1” stream including several of its tributaries, as well as Bridge Street, a heavily travelled thoroughfare linking New Jersey to Pennsylvania; and

WHEREAS, the Pipeline, should it pass through the Borough’s borders, would likely be in close proximity to the Borough’s critical infrastructure including the Borough’s Water and Sewer treatment plant, the Borough’s water and sewer lines, the Borough’s fresh water wells and pumps, the Borough’s water holding tanks, all of which serve not only the Borough’s residents but the residents of both Holland and Alexandria Townships; and

WHEREAS, the wise stewardship of our natural resources involves protection of Milford Borough’s water, water supply, and other natural resources for generations to come;

WHEREAS, protection of Milford Borough’s water supply and resources is better accomplished by prevention of contamination and environmental degradation, rather than attempting to clean up contamination and restoring degraded environments after the fact;

WHEREAS, the Milford Borough Common Council is concerned about the hazards potentially created by the Pipeline due to the nature and volume of the flammable gases flowing through the pipeline in a

community of approximately 1.3 square miles and a population density of 919 persons per square mile; and

WHEREAS, the New Jersey Board of Public Utilities and New Jersey Administrative Code, Title 14, Chapter 7, Subchapter 1 states, "No person shall install...a natural gas pipeline with a maximum operating pressure in excess of 250 psig within one hundred feet (100') feet of any building intended for human occupancy" and the Borough's Common Council believes that the Pipeline because of the Borough's limited physical envelope and population density will situate the Pipeline near to structures which are inhabited by residents and others which are operated as commercial establishments; and;

WHEREAS, the potential for a pipeline explosion could harm hundreds of people, the Milford Borough Common Council has grave concerns about the safety of this project in its proposed form and demand assurances that the project will be protective of the health, safety, and welfare of our citizens; and

WHEREAS, the proposed Pipeline, should same run through the Borough of Milford, may result in a loss of tax revenue for Milford Borough based on a decline in the property values of homes along and adjacent to the new Pipeline and surrounding neighborhoods as a direct result; and

WHEREAS, the Council's responsibility is to provide a safe environment for its residents, and this pipeline raises serious safety concerns as described above; and

WHEREAS the pipeline project is being proposed based on speculative consumer demand and a glut of natural gas being supplied by drillers in the Marcellus Shale region; and

NOW, THEREFORE, BE IT RESOLVED by the Milford Borough Common Council, in the County of Hunterdon, New Jersey, as follows:

1. The previous recitals be and hereby are incorporated herein; and
2. The Milford Borough Common Council opposes, at this time, the transmission of any gas, via either above-ground or buried pipeline, within the Borough of Milford as the construction and operation of the Pipeline may: Significantly damage C-1 protected streams, wildlife habitat, existing both residential and commercial structures within the Borough; imperil critical physical plants of the Borough including the water and sewer treatment plants and fresh-water wells; erode property values within the Borough; adversely impact the ability of both residents and non-residents, alike, to utilize the Delaware River for recreation; and, affect the overall quality of life within the Borough; and
3. The Milford Borough Common Council, because this Pipeline may traverse and negatively impact numerous significant natural areas and the resources of the Borough, the Delaware River, and areas situate within the Highlands region, the Council requests that the Federal Energy Regulatory Commission ("FERC") prepare a full Environmental Impact Statement ("EIS") to assess the myriad environmental consequences attendant to this Pipeline should the Pipeline run through the Borough; and
4. The Milford Borough Common Council, while cognizant of the fact that the Pipeline is currently not envisioned to pass through the Borough's boundaries, is prepared to act as an Intervener and /or Objector to the Pipeline, should any modified Pipeline design entail the Pipeline's passage through the Borough; and

5. The Milford Borough Common Council shall exercise careful fiscal oversight with respect to any opposition deemed necessary by the Borough, and will, to that end, utilize to the greatest extent possible, any non-profit partners, local groups, and other similarly-situated municipalities in the opposition of the Pipeline; and

6. This resolution shall also be distributed to:
- A. Senator Michael Doherty;
 - B. State Assemblyman John DeMaio;
 - C. State Assemblyman Eric J. Peterson;
 - D. Congressman Leonard Lance;
 - E. Delaware Riverkeeper Network, 300 Pond Street, 2nd Floor, Bristol, PA 19007;
 - F. The Hunterdon County Board of Chosen Freeholders; and
 - G. All Hunterdon County Municipalities.

This being submitted at the Council meeting held on Monday, October 20, 2014.

CERTIFICATION

I, Karen Dysart, Municipal Clerk of the Borough of Milford, County of Hunterdon, State of New Jersey do hereby certify that the foregoing Resolution to be a true and exact copy of the Resolution adopted by the Milford Borough Common Council at the Council meeting held on Monday, October 20, 2014.

Karen Dysart
 Karen Dysart, RMC
 Municipal Clerk

10/30/14
 Date of Certification

ROLL CALL VOTE

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent/Ineligible
Russel Bigley			x			
Robert Castagna	x		x			
Carole Heller			x			
Noralie LaFevre		x	x			
Donald Pursell				x		
George Sniffin					x	