

RESOLUTION NO. R-15-62

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
LIVINGSTON OPPOSING PROPOSED PILGRIM PIPELINE PROJECT**

WHEREAS, the Pilgrim Pipeline Holdings, LLC (Pilgrim) is proposing to build a bidirectional pipeline for the purposes of transporting crude oil and other refined petroleum products between Albany, New York and the refineries in Linden, New Jersey that would traverse Township of Livingston, New Jersey; and

WHEREAS, the pipeline will carry oil that has been extracted from North Dakota's Bakken shale through the process of hydraulic fracturing, or fracking; and

WHEREAS, The Pilgrim Pipeline raises significant safety concerns for the Township of Livingston, as well as potential harm to municipal and county infrastructure, and likely negative impact upon future development in the community; and

WHEREAS, the Livingston Township Council is concerned that temporary workspace usage will also severely impact the existing soil reducing water absorption and may increase future flooding possibilities;

WHEREAS, the proposed route for the pipeline also crosses the Buried Valley Aquifer, which was designated in 1980 by the United States Environmental Protection Agency (EPA) as a "Sole Source Aquifer" because of the high percentage of residents in the region who are dependent on the aquifer for potable water, including the Township of Livingston, which obtains its water from wells that draw from the Buried Valley Aquifer; and

WHEREAS, the EPA has identified the Buried Valley Aquifer as being vulnerable to contamination through its recharge zone; and the EPA identified the leaching of discharges to streams and rivers in the recharge and stream flow source zones as potential threats to this aquifer's water quality. And

WHEREAS, the Livingston Environmental Commission (LEC) has reviewed the environmental safety and health implications of the Pilgrim Pipeline which would be transporting bakken crude through portions of the Township of Livingston via PSE&G easements and right of ways and other properties within the municipality and oppose the Pilgrim pipeline installation for the following reasons:

1. The North Dakota bakken shale produced via hydraulic fracturing or fracking is an extreme form of oil and gas extraction that it extremely volatile and flammable.

2. Regardless of tougher enforcement and improved pipe inspection and tracking procedures in recent years it is understood that the Pipeline and Hazardous Materials Administration (PHMA) have very few inspectors to provide oversight and inspect all types of above and underground pipes hence, the risk of corroded or fatigued piping systems due to a lack of routine inspection could increase the potential for accidental fluid spill incidents into the soil, ground water and atmosphere.

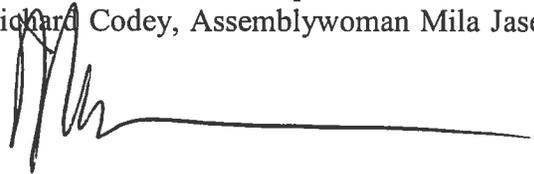
3. There could be structural integrity failures during contractor utility construction repair or servicing with these underground or above ground pipes. Such pipe breaks could potentially cause fluid leaks and release potential semi-volatile and volatile organic compounds of explosive nature into the atmosphere. Such an accidental or slow oil leaks from these pipes could also raise the risk of elevated airborne semi-volatile and volatile organic compounds into the atmosphere. In addition, the oils could leach into the Township's above ground and underground water supplies, including the Buried Valley Sole Source Aquifer; and

WHEREAS, the Township Council of the Township of Livingston is charged with the wise stewardship of our natural resources for future generations and has long recognized the importance of preserving and protecting its open space and water resources and has a responsibility to provide a safe environment for all its residents; and

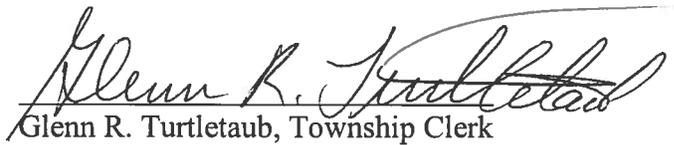
WHEREAS, the Township Council is concerned about the hazard the project may create due to the nature and volume highly volatile crude oil and crude oil products floating through the pipeline as well as the proposed route which crosses through residential neighborhoods and passes by schools should an explosion or leak occur.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Livingston, County of Essex and State of New Jersey, that the Township Council joins the LEC in opposing the construction of the Pilgrim Pipeline and calls for a moratorium on any and all planning, surveying or construction of said pipeline through the Township of Livingston as the project will negatively impact the Township's sole source of water as well as other valuable natural resources.

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to Governor Chris Christie, Congressman Rodney Frelinghuysen, Senate President Stephen M. Sweeney, Assembly Speaker Vincent Prieto, State Senator Richard Codey, Assemblywoman Mila Jasey and Assemblyman John McKeon.

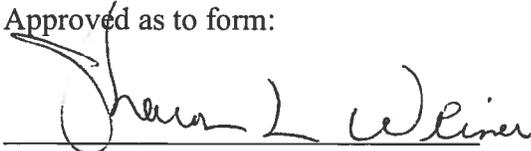


Michael M. Silverman, Mayor



Glenn R. Turteltaub, Township Clerk

Approved as to form:



Sharon L. Weiner, Township Attorney

Adopted: 1/12/15