

At a meeting of the Town Board of the Town of Newburgh, held at the Town Hall, 1496 Route 300, in the Town of Newburgh, Orange County, New York on the 1st day of June, 2015 at 7:00 o'clock p.m.

PRESENT:

Gilbert J. Piaquadio, Supervisor
Elizabeth J. Greene, Councilwoman
Paul I. Ruggiero, Councilman
James E. Presutti, Councilman

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF NEWBURGH REGARDING THE PILGRIM PIPELINE

Councilwoman Greene presented the following resolution which was seconded by Councilman Ruggiero.

WHEREAS, Pilgrim Pipeline Holdings, LLC is proposing to build a bi-directional pipeline in close proximity to the NY State Thruway, through Rockland, Orange, Ulster, Greene and Albany counties and in New Jersey, that would transport crude oil and refined petroleum products between Albany, NY and Linden, NJ; and

WHEREAS, the NY State Thruway runs through the Town of Newburgh between its northern and southern boundaries and also between Orange Lake to the west and the Chadwick Lake Reservoir to the east in the Quassaick Creek watershed; and

WHEREAS, the Town of Newburgh already hosts petroleum transportation and storage infrastructure including the West Shore Hudson River freight line and a storage and barge terminal on its Hudson River shoreline, as well as two electric generating stations fueled primarily by natural gas delivered by pipeline; and

WHEREAS, a lateral offshoot from the proposed Pilgrim pipeline is planned to travel east from the NY State Thruway right-of-way to the Buckeye Storage Facility on the Hudson River in the Town of Newburgh to carry refined petroleum products; and

WHEREAS, according to U.S. Department of Transportation's Pipeline and Hazardous Material Safety Administration, pipeline operators have reported numerous spills and significant incidents nationwide, resulting in over 44 million gallons of oil being spilled between 2003 and 2013; and

WHEREAS, the Town of Newburgh Consolidated Water District's water system depends on surface water resources, including the Chadwick Lake Reservoir and its tributaries, for its water supplies; and

WHEREAS, the Town of Newburgh has worked diligently over decades to protect these surface water resources through designation of the closest portion of the Reservoir's watershed area in the Town as a Critical Environmental Area, protective Reservoir Residential (RR) zoning, land acquisitions, stormwater management, clearing and grading, and reservoir regulations and permitting procedures and other protective measures; and

WHEREAS, the proposed lateral would pass through the Chadwick Lake Reservoir watershed and cross the Reservoir's tributaries; and

WHEREAS, Town of Newburgh residents who do not receive municipal water service depend on ground water from individual wells for potable water; and

WHEREAS, the Pilgrim Pipeline is proposed to be laid in areas containing aquifers upon which residents depend for drinking water; and

WHEREAS, any rupture or compromise of the proposed pipeline and lateral, even without an explosion or fire, will require extraordinary cleanup efforts, could force residents from their homes, endanger the Town's reservoir water supply and tax the resources of the Town's emergency responders, including its police and volunteer fire and ambulance agencies, whose safety is paramount; and

WHEREAS, Pilgrim Pipeline Holdings, LLC has not presented sufficient information nor demonstrated to the Town Board's satisfaction that adequate and sufficient safety measures will be taken and installed to prevent leaks and ruptures in the first place, with inevitable corrosion of the pipeline over time and storm and similar natural disasters, such as those the Town has recently experienced seemingly becoming more frequent, the Board being particularly concerned with the Chadwick Lake Reservoir watershed and the crossings of the Reservoir's tributary streams by the proposed lateral; and

WHEREAS, due to the uncertainty regarding the adequacy of safety measures to prevent leaks and ruptures in the first place, the Town Board of the Town of Newburgh finds that the proposed Pilgrim Pipeline and its lateral routing through the Chadwick Lake Reservoir watershed potentially threaten the health, safety, and welfare of the community, and also could decrease the values of homes located along their routes and in surrounding neighborhoods.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Newburgh, New York, that the Town Board calls upon the New York State Thruway Authority to reject use of its right-of-way for the Pilgrim Pipeline, and further calls upon the New York State Department of Transportation (DOT) to deny an exception to its Accommodation Plan for said purpose; and

BE IT FURTHER RESOLVED that the Town Board of the Town of Newburgh urges Governor Cuomo and the State Legislature to oppose construction of the Pilgrim Pipeline and its lateral along their current proposed routes through the Town of Newburgh and the Chadwick Lake Reservoir watershed; and


BE IT FURTHER RESOLVED that the Town Clerk forward copies of this resolution to the NYS Thruway Authority Chair Howard P. Milstein, NYS DOT Commissioner Joan McDonald, the Hon. Charles Schumer, United States Senator, the Hon. Kirsten Gillibrand, United States Senator the Hon. Sean Patrick Maloney, U.S. Representative, the Hon. Andrew Cuomo, Governor, New York Public Service Commission Chairwoman Audrey Zibelman, the Hon. William J. Larkin, Senator for the 39th Senate District and Assistant Majority Leader for House Operations, the Hon. Frank Skartados, Assemblyman for the 104th Assembly District and New York State DEC Commissioner Joseph Martens.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

<u>George Woolsey, Councilman</u>	voting	<u>ABSENT</u>
<u>Elizabeth J. Greene, Councilwoman</u>	voting	<u>AYE</u>
<u>Paul I. Ruggiero, Councilman</u>	voting	<u>AYE</u>
<u>James E. Presutti, Councilman</u>	voting	<u>AYE</u>
<u>Gilbert J. Piaquadio, Supervisor</u>	voting	<u>AYE</u>

The resolution was thereupon declared duly adopted.

THIS IS TO CERTIFY THAT THIS IS A TRUE COPY OF A RECORD ON FILE IN THE TOWN CLERK'S OFFICE, TOWN OF NEWBURGH, NEWBURGH, NY.


ANDREW J. ZARUTSKIE, TOWN CLERK