

RESOLUTION 2016-096

RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS AND STATE OF NEW JERSEY, AUTHORIZING THE TOWNSHIP OF CHATHAM TO JOIN AS A MEMBER OF THE MUNICIPAL PIPELINE GROUP AND ENTER INTO A LEGAL RETAINER AGREEMENT TO RETAIN JOHN M. SCAGNELLI, ESQ. TO REPRESENT THE INTERESTS OF THE MUNICIPAL PIPELINE GROUP

WHEREAS, certain pipelines are not public utilities that distribute service to end users and are unregulated by the State of New Jersey Board of Public Utilities; and

WHEREAS, these pipelines are designed to transport a variety of materials, including hazardous substances which, if a discharge occurred, result in environmental degradation to the environment, including the land, water and air; and

WHEREAS, these pipelines do not directly provide the public with necessities, such as electricity, gas, telephone, water or wastewater service; and

WHEREAS, these pipelines may pose a threat to the infrastructure that provides these public utility services; and

WHEREAS, these pipelines are not public utilities that distribute services to end users and are unregulated by the Board of Public Utilities; and

WHEREAS, as these pipelines are not regulated by the New Jersey Board of Public Utilities, there is limited accountability to the public; and

WHEREAS, Pilgrim Pipeline has proposed to build two pipelines that will run between Albany, New York and Linden, New Jersey, known as the Pilgrim Oil Pipeline Project; and

WHEREAS, the Pilgrim Oil Pipeline Project will run through the Township of Chatham;

WHEREAS, the Township of Chatham opposes the Pilgrim Oil Pipeline Project due to the threat posed by these unregulated pipelines; and

WHEREAS, a number of municipalities in New Jersey are also opposed to the Pilgrim Oil Pipeline Project and accordingly, have agreed to join together in opposition to the Project (the "Municipal Pipeline Group"); and

WHEREAS, the Municipal Pipeline Group seeks to retain legal environmental services to represent its interests; and

WHEREAS, John M. Scagnelli, Esq. of Scarinci Hollenbeck has provided a proposal and retainer agreement to provide legal environmental services to the Municipal Pipeline Group, dated March 11, 2016; and

WHEREAS, the Township of Chatham would be responsible for an amount not to

exceed \$4,706.67 to join the Municipal Pipeline Group and retain Mr. Scagnelli; and

WHEREAS, funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Chatham, in the County of Morris, and State of New Jersey as follows:

1. The Township of Chatham is hereby authorized to join the Municipal Pipeline Group.
2. The Township of Chatham hereby accepts the terms of the Retainer Agreement of John M. Scagnelli, Esq. of Scarinci Hollenbeck, dated March 11, 2016, for Mr. Scagnelli to provide legal environmental services to the Municipal Pipeline Group, for a fee not to exceed \$4,706.67 for the Township of Chatham.
3. The Mayor and Clerk are hereby authorized to take any actions necessary to carry out this Resolution.
4. A copy of this resolution shall be provided to the Township Chief Financial Officer, the Municipal Pipeline Group and John M. Scagnelli, Esq. of Scarinci Hollenbeck, for their information and guidance.
5. This Resolution shall take effect immediately.

Adopted: April 7, 2016

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Curt Ritter, Mayor

Gregory J. LaConte, Clerk