

**BOROUGH OF MIDLAND PARK
280 GODWIN AVENUE
MIDLAND PARK, NJ 07432
AUGUST 11, 2022**

7:00 P.M. WORK SESSION AGENDA

On August 11, 2022 at 7:00 P.M., the Mayor and Council of Midland Park will conduct a meeting in Borough Hall located at 280 Godwin Avenue. Agenda items for this meeting will be listed on the Borough website. There is also an option for the public to access the meeting electronically by dialing this Toll-Free number 1-866-899-4679, Access Code: 355-352-949.

Council President Peet calls the Meeting to Order at 7:00 P.M.

The Council President reads the Sunshine Law Statement: This meeting is being held in accordance with the Sunshine Law, notice having been published according to law with a copy on file in the Borough Clerk's Office and a copy posted on the bulletin board in the Municipal Building.

Roll Call: Mayor Shortway
Councilman DeBlasio
Councilman Damiano
Councilman Iannone
Councilman Kruis
Councilwoman DeLuca
Council President Peet

Also Present: Borough Attorney Regan and Borough Administrator/Clerk Martin

Borough Administrator/Clerk Martin will take a roll call of the public

DISCUSSION ITEMS:

- 1. Oppose NJ Transit's Gas Plant in Kearny –Midland Park passed Resolution # 043-19 January 24, 2019- Received a request to participate in Sign-On Letter-see attached.**
- 2. Permit Fee Refund Request – 157 Prospect Street – Walker Property**

OPEN TO THE PUBLIC:

Members of the Public will be asked to speak individually

ATTORNEY REGAN WILL READ THE RESOLUTION

Resolution #139-2022 Closed Session 8-11-2022

Introduced by:

Seconded by:

Roll Call: Councilman DeBlasio
Councilman Damiano
Councilman Iannone
Councilman Kruis

**Councilwoman DeLuca
Council President Peet**

At this time the public is notified that Council will be going into Closed Session and no further action will be taken. They are invited to attend the 8:00 P.M. Open Public Meeting in person. There is also an option for the public to access the meeting electronically by dialing this Toll-Free number 1-866-899-4679, Access Code: 776-030-917.

CLOSED SESSION AGENDA

Council President Peet calls the Meeting to Order

DISCUSSION ITEMS:

- 1. No Items Scheduled**

ADJOURNMENT:

Wendy Martin

From: Vaibhav Shetty <vshetty@fwwlocal.org>
Sent: Tuesday, August 2, 2022 12:33 PM
To: rsansone@midlandparknj.org; Ken Kruis; Lorraine Deluca; Jerry Iannone; Nancy Peet; rkamp@midlandparknj.org; Wendy Martin; Harry Shortway
Subject: NJ TransGrid Sign-On Letter

Greetings Mayor and Council of Midland Park ,

Thank you all for passing a strong resolution opposing NJ TRANSIT's methane gas plant sited in Kearny and calling for a clean renewable energy alternative.

In 2020 Governor Murphy directed NJT to shelve their plans for a gas plant and redesign the project in a way that would use as close to 100% renewable energy as possible. Since then, NJ Transit has reverted back to pursuing a massive gas plant that would spew toxic pollution in our region for decades to come.

Will you join Mayor Santos of Kearny in signing onto a new letter to Governor Murphy expressing concerns with this plan and asking him to intervene and direct NJ Transit revise their RFP to get their project back on track for delivering the best solution for NJ Transit and our NJ residents?

You can read and sign onto the letter

here: https://docs.google.com/forms/d/e/1FAIpQLSeYIaKEAcYqxbnlY5zgtEHpWHeOTxXMB9AaGwBZ8jDcDtyJ0g/viewform?usp=sf_link

A version of this letter signed by Mayor Santos is [here](#).

BACKGROUND:

In 2020, the Midland Park Council passed a resolution opposing NJ Transit's plans to build a gas fired power plant in the Kearny Meadowlands and in support of a renewable alternative for public transportation resiliency. Thank you for your leadership on this issue. This resolution was one of twenty others which came alongside 14 state legislators, and thousands of residents across NJ who voiced their opposition to the gas plant. Because of this advocacy, in the Fall of 2020, Governor Murphy intervened and directed NJ Transit to shelve their plans for a gas plant and redesign the project in a way that would use as close to 100% renewable energy as possible. NJ Transit spent the last year "re-envisioning" the project and issued the RFP (request for proposals) in December of 2021. However, the RFP failed to solicit proposals that maximize the use of clean renewable energy and energy storage technologies today. Instead, it is strongly biased in favor of a fossil fuel power plant.

Siting a new gas fired power plant in Kearny, in a region of our state already overburdened with harmful pollution would violate the spirit of our states landmark Environmental Justice law and our states climate goals to reduce greenhouse gas emissions. We must get NJ Transit back on track to prioritize renewable energy in their project, not a polluting power plant. The longer it takes NJ Transit to fix this project the more time and taxpayer dollars will be spent on what will become a stranded asset. We would once again appreciate your support on this critical issue for our state.

Please sign onto the letter here:

https://docs.google.com/forms/d/e/1FAIpQLSeYIaKEAcYqxbnlY5zgtEHpWHeOTxXMB9AaGwBZ8jDcDtyJ0g/viewform?usp=sf_link

Thanks again for your leadership. Please don't hesitate to reach out with any questions or considerations you may have.

Sincerely,

Vaibhav Shetty
On behalf of Food & Water Watch

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.



TOWN OF KEARNY

HUDSON COUNTY, NEW JERSEY

402 Kearny Avenue
Kearny, New Jersey 07032

Alberto G. Santos
Mayor

Tel: (201) 955-7979
Fax: (201) 998-6069

May 12, 2022

Dear Governor Murphy,

We the undersigned elected officials are writing to express our concerns with the current direction of NJ Transit's TRANSITGRID project. In the fall of 2020, after widespread public opposition, you directed NJ Transit to halt their plans to build and operate a methane gas-fired power plant and to redesign this project to maximize the use of 100% clean renewable energy technologies in their upcoming request for proposals (RFP). NJ Transit spent the last year "re-envisioning" the project and issued the RFP in December of 2021. However, the RFP failed to solicit proposals that maximize the use of clean renewable energy and energy storage technologies today. Instead, it is strongly biased in favor of a fossil fuel power plant. The following critical flaws undermine your administration's commitment to reinvision this project:

- The RFP as written still favors the siting of a large methane gas-fired power plant that would emit tons of toxic pollutants annually in and near Black and Brown, low income and working class communities in Hudson County and the Meadowlands region, many of whom already suffer a disproportionate burden of toxic pollution.
- It only asks for proposals to transition to a carbon-neutral solution by 2050, instead of maximum investment in clean renewable energy technology today.
- It ignores the feedback from energy industry professionals who have demonstrated how multiple renewable energy and energy storage technologies working synergistically as part of a hybrid microgrid can meet virtually all of the TRANSITGRID project goals and specifications while providing superior economic value than would be derived from a methane gas-fired power plant.
- It does not allow for the comparison of the financial and environmental costs of a fossil fuel plant versus one based on renewable energy technologies.
- It fails to follow a fundamental tenet of climate change and pollution mitigation strategies, that the best opportunity to incorporate low or zero GHG emission technology is during new construction.
- It allows NJ Transit to spend more than \$500 Million in federal and state tax payer dollars in what is likely to become a stranded fossil fuel based asset under the guise that it will somehow be able to convert the gas plant to a renewable energy system, which could ultimately be paid for by NJ taxpayers.
- It ignores the opportunity to invest its one-time grant into a much more valuable, revenue generating renewable energy asset that will not require a costly transition.

- It allows for a massive gas-fired power plant to be sited in a flood-prone, riverfront former superfund site.
- It allows for a methane gas fired power plant that would emit nearly 600,000 tons of greenhouse gasses (GHGs) every year in direct opposition to our state policy of cutting GHGs 50% by 2030.

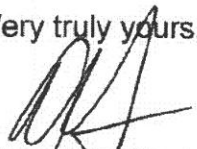
Allowing NJ TRANSIT to invest tax payer money into a major new fossil fuel plant sited in an overburdened community would seriously undermine our collective commitments to fight climate change and would violate the spirit of our state's environmental justice law. Therefore, we request your immediate intervention to ensure this project upholds our collective commitments to fight climate change and reverse the pollution burden disproportionately harming Black and Brown, low income and working class communities in our state.

Though this project's purpose is to power selected trains in the event of an emergency, NJ Transit intends to operate this power generating facility 24/7 to meet their power needs and to sell power to Amtrak and the PJM interstate energy distribution grid. This would be acceptable if NJ Transit pursued these goals using renewable energy sources, but NJ Transit should not be incentivized to generate revenue at the expense of clean air and public health.

The failure of NJ TRANSIT to uphold your administration's previous commitment to re-design the project to maximize renewable energy was further emphasized by Chair Gutierrez-Scaccetti in her comments on the TRANSITGRID project during a May 2, 2022 Assembly Budget Committee hearing: "It's not so much that it makes natural gas the first option. It just recognizes that today the alternative fuel options, to power what we are looking to power, do not exist, and solar is not at the moment a practical technology just because of the sheer acreage." She further went on to say: "If somebody comes back to us with something that miraculously doesn't use natural gas, we're not going to force that." Clearly, NJ TRANSIT leadership anticipates their current RFP process will result in a gas power plant as the centerpiece of this project.

NJ Transit has stated that rather than intervene and make preemptive changes to the RFP, they want to wait for the process to play out and see what RFP submissions look like at the end of this year. NJ Transit has a truly unique and amazing opportunity to be an innovative leader in the use of renewable energy for rail systems as well as an opportunity to significantly cut climate pollution in New Jersey by using a large-scale renewable and energy storage based solution. We are asking you to direct NJ Transit to incorporate this feedback into a newly issued RFP that will get this project back on track for delivering the best solution for NJ Transit and our State.

Very truly yours,


Alberto G. Santos
Mayor

NJ TransitGrid Sign on Letter for Elected Officials

Governor Phil Murphy
Office of the Governor
225 W State Street
Trenton, NJ 08625

May 12, 2022

Dear Governor Murphy,

We the undersigned elected officials are writing to express our concerns with the current direction of NJ Transit's TRANSITGRID project. In the fall of 2020, after widespread public opposition, you directed NJ Transit to halt their plans to build and operate a methane gas-fired power plant and to redesign this project to maximize the use of 100% clean renewable energy technologies in their upcoming request for proposals (RFP). NJ Transit spent the last year "re-envisioning" the project and issued the RFP in December of 2021. However, the RFP failed to solicit proposals that maximize the use of clean renewable energy and energy storage technologies today. Instead, it is strongly biased in favor of a fossil fuel power plant. The following critical flaws undermine your administration's commitment to reinvision this project:

The RFP as written still favors the siting of a large methane gas-fired power plant that would emit tons of toxic pollutants annually in and near Black and Brown, low income and working class communities in Hudson County and the Meadowlands region, many of whom already suffer a disproportionate burden of toxic pollution. It only asks for proposals to transition to a carbon-neutral solution by 2050, instead of maximum investment in clean renewable energy technology today. It ignores the feedback from energy industry professionals who have demonstrated how multiple renewable energy and energy storage technologies working synergistically as part of a hybrid microgrid can meet virtually all of the TRANSITGRID project goals and specifications while providing superior economic value than would be derived from a methane gas-fired power plant. It does not allow for the comparison of the financial and environmental costs of a fossil fuel plant versus one based on renewable energy technologies. It fails to follow a fundamental tenet of climate change and pollution mitigation strategies, that the best opportunity to incorporate low or zero GHG emission technology is during new construction. It allows NJ Transit to spend more than \$500 Million in federal and state tax payer dollars in what is likely to become a stranded fossil fuel based asset under the guise that it will somehow be able to convert the gas plant to a renewable energy system, which could ultimately be paid for by NJ taxpayers. It ignores the opportunity to invest its one-time grant into a much more valuable, revenue generating renewable energy asset that will not require a costly transition. It allows for a massive gas-fired power plant to be sited in a flood-prone, riverfront former superfund site. It allows for a methane gas fired power plant that would emit nearly 600,000 tons of greenhouse gasses (GHGs) every year in direct opposition to



our state policy of cutting GHGs 50% by 2030.

Allowing NJ TRANSIT to invest tax payer money into a major new fossil fuel plant sited in an overburdened community would seriously undermine our collective commitments to fight climate change and would violate the spirit of our state's environmental justice law. Therefore, we request your immediate intervention to ensure this project upholds our collective commitments to fight climate change and reverse the pollution burden disproportionately harming Black and Brown, low income and working class communities in our state.

Though this project's purpose is to power selected trains in the event of an emergency, NJ Transit intends to operate this power generating facility 24/7 to meet their power needs and to sell power to Amtrak and the PJM interstate energy distribution grid. This would be acceptable if NJ Transit pursued these goals using renewable energy sources, but NJ Transit should not be incentivized to generate revenue at the expense of clean air and public health.

The failure of NJ TRANSIT to uphold your administration's previous commitment to re-design the project to maximize renewable energy was further emphasized by Chair Gutierrez-Scaccetti in her comments on the TRANSITGRID project during a May 2, 2022 Assembly Budget Committee hearing: "It's not so much that it makes natural gas the first option. It just recognizes that today the alternative fuel options, to power what we are looking to power, do not exist, and solar is not at the moment a practical technology just because of the sheer acreage." She further went on to say: "If somebody comes back to us with something that miraculously doesn't use natural gas, we're not going to force that." Clearly, NJ TRANSIT leadership anticipates their current RFP process will result in a gas power plant as the centerpiece of this project.

NJ Transit has stated that rather than intervene and make preemptive changes to the RFP, they want to wait for the process to play out and see what RFP submissions look like at the end of this year. NJ Transit has a truly unique and amazing opportunity to be an innovative leader in the use of renewable energy for rail systems as well as an opportunity to significantly cut climate pollution in New Jersey by using a large-scale renewable and energy storage based solution. We are asking you to direct NJ Transit to incorporate this feedback into a newly issued RFP that will get this project back on track for delivering the best solution for NJ Transit and our State.

Very Truly Yours,

Mayor Alberto G. Santos, Kearny
Council-member Emily B. Jabbour, City of Hoboken
Council-member Phil Cohen, City of Hoboken
City Council-member James Solomon, Jersey City Ward E
Council-member Matthew Hersh, Highland Park
City Council-member Joseph Quintero, City of Hoboken

 boroughofmidlandparknj@gmail.com (not shared)  Switch account



* Required

Your Name: *

Your answer

Your Elected Office and Municipality/County/District *

Your answer

Can you share your support with your colleagues and invite them to join you in signing on?

Yes

No

Maybe

Your Email: *

Your answer

Anything Else You'd Like to Share?

Your answer

Submit

Clear form



Never submit passwords through Google Forms.

This form was created inside of Food & Water Watch. [Report Abuse](#)

Google Forms



BOROUGH OF MIDLAND PARK
Resolution #043-19
January 24, 2019

**RESOLUTION OPPOSING CONSTRUCTION OF THE NORTH BERGEN LIBERTY
GENERATING GAS-FIRED POWER PLANT**

WHEREAS, Los Angeles-based Diamond Generating Corporation, a subsidiary of Mitsubishi, has proposed and has requested permits to build a \$1.5B, 1,200-MW natural gas-fired power plant (aka North Bergen Liberty Generating Station) in North Bergen, NJ on a 15-acre parcel near Railroad Avenue on the banks of Bellman's Creek. The electric energy produced by this plant would be transmitted by a 6.5 mile, 345-kV underground and submarine cable through North Bergen, Fairview, Cliffside Park and Edgewater and a new cable trench under the Hudson River to connect with ConED's substation on West 49th Street in Manhattan. All of this electricity would be used by ConED in New York. The project is anticipating permit approvals by the Environmental Protection Agency and the New Jersey Department of Environmental Protection by the end of 2019, and to be operational by 2022;¹ and

WHEREAS, this natural gas plant would be one of the largest sources of air pollution and greenhouse gas emissions in New Jersey;² and

WHEREAS, the municipality and Borough Council of Midland Park has a principal responsibility to protect the health and safety of its residents, businesses and institutions; and

WHEREAS, the people and environment of New Jersey have been increasingly subjected to a build-out of natural gas infrastructure, including but not limited to pipelines and distribution networks, compressor stations, power plants, combustion heating systems, metering and regulation stations, and pigging stations; and

WHEREAS, peer-reviewed scientific studies³ link exposure between air pollutants emitted from natural gas infrastructure facilities and neurological, cardiovascular and respiratory disease, cancer, birth defects, and other adverse health impacts. Acute health impacts from these toxic exposures can cause burning eyes, headaches, breathing difficulty and nausea for nearby populations and can exacerbate health problems. Chronic health impacts can include certain types of cancer as well as damage to lungs, liver, kidneys, reproductive, nervous and cardiovascular systems; and

WHEREAS, the American Medical Association acknowledges the hazards of natural gas infrastructure and associated adverse health impacts; and

WHEREAS, the National Ambient Air Quality Standards (NAAQS) are based on average population risks across a large area over a long period of time but do not adequately address human toxicity for residents living in close proximity to natural gas infrastructure or where they are subject to episodic high exposures during events such as blowdowns; and

WHEREAS, on Feb. 7, 2010 a gas blow operation was being performed at the Kleen Energy Systems LLC power plant construction site in Middletown, Conn. in which flammable natural gas was pumped under high pressure through new fuel gas lines to remove debris. During this operation, an extremely large amount of natural gas was vented into areas where it could not easily disperse. Welding and other work was being performed nearby, creating an extremely

dangerous situation. An explosion occurred when the gas contacted an ignition source taking the lives of six workers and injuring 50 others⁴; and

WHEREAS, the top 11 electric plant operators in the U.S. have been fined over \$13.3B since 2000 for 161 environmental violations, and⁵

WHEREAS, current protocols used for assessing compliance with ambient air quality standards do not adequately determine intensity, frequency or durations of actual human exposures to pollutants and mixtures of pollutants emitted from natural gas infrastructure, noting that periodic 24-hour average measures can underestimate actual exposures by an order of magnitude; and

WHEREAS, gas infrastructure facilities can annually emit into the air hundreds of tons of pollutants including particulate matter, toxic chemicals such as sulfur dioxide, mercury, and criteria pollutants (such as nitrogen oxides which cause smog, acid rain and contribute to ozone production),⁶ some of which are known carcinogens such as benzene and formaldehyde, and can also be sources of radioactive contamination⁷ and are known to increase the severity of asthma and other respiratory diseases. Particulate matter, once inhaled, can affect the heart and lungs and cause serious health effects including lung cancer. Long-term exposure to ozone is linked to aggravation of asthma, emphysema, and chronic bronchitis, and it is likely to be one of many causes of asthma development. Long-term exposures to ozone may also be linked to permanent lung damage, such as abnormal lung development in children. Both ozone and particulate pollution have been linked to premature death, cardiovascular harm and increased susceptibility to infections. Recent studies have also linked air pollution to increases in obesity, diabetes, Parkinson's disease, Alzheimer's and other forms of dementia and stroke.⁸ People most at risk from breathing air containing ozone include people with asthma, children, older adults, and people who are active outdoors, especially outdoor workers; and

WHEREAS, the best estimates of annual emission from the proposed power plant are based on a careful sample set of EPA data on U.S. gas-fired power plants of the same type (combined-cycle), similar vintage (online since 2012) and comparable size (complexes of over 300 megawatts) but nevertheless may differ from actual results due to a number of variations in the periodicity of EPA data collection and plant operating conditions. However, reasonable annual estimates are expected to be in the range of the amounts shown below. (Note: NO_x refers to nitrogen dioxide and nitric oxide, SO_x refers to many types of sulfur and oxygen compounds such as sulfur monoxide, sulfur dioxide, higher sulfur oxides, and disulfur oxides):⁹

- CO₂ = 3.5 million metric tonnes^{10 11}
- NO_x = up to 375,000 pounds
- Methane = 73 metric tonnes¹²
- SO_x = up to 30,000 pounds; and

WHEREAS, people who live or work in close proximity to natural gas infrastructure facilities such as power plants and compressors are most at risk—particularly developing fetuses, children, the elderly, and those with cardiovascular, lung or respiratory problems and other vulnerable subpopulations, although under certain weather and terrain conditions, these pollutants can have a wider impact. Some homes in New Jersey are within 3,000 feet of the proposed plant and Harlem/Upper Manhattan (where one in four children suffers from asthma), which is downwind of the prevailing winds, is within 3.6 miles; and

WHEREAS, based on the American Lung Association “State of the Air 2018” report, the counties of Bergen and Hudson, which will be most impacted by emissions from this power plant already have significant populations (in some cases the largest in New Jersey), with pediatric and adult asthma, COPD, lung cancer, cardiovascular disease and diabetes,¹³ whose conditions will only be exacerbated by additional volumes of air pollution; and

WHEREAS, developing fetuses and children are uniquely vulnerable to exposures as they receive proportionally greater doses of pollutants than adults and have immature organs and detoxification systems¹⁴; and

WHEREAS, methane is the primary ingredient of natural gas and leaks at every system stage, including extraction, processing, transmission, distribution, and end-use consumption; and

WHEREAS, methane is an extremely potent greenhouse gas with a global warming potential that is 34 times that of carbon dioxide over a 100-year timeframe and 86 times that of carbon dioxide over a 20-year timeframe; and

WHEREAS, methane emissions from gas power plants may be considerably higher than previously thought. A 2017 study^{15 16} found that gas-fired power plants released more than 20 times more methane than the facilities had estimated; and

WHEREAS, Bergen and Hudson Counties (proposed site of the North Bergen plant) already receive grades of ‘F’ from the American Lung Association for ozone air pollution,¹⁷ the new plant will increase the concentration of ground ozone, increase the health hazards and risks from this pollutant and make it even more difficult to reduce the level of this pollutant. Conditions such as chronic obstructive pulmonary disease (COPD)—a long-lasting obstruction of the airways—can be exacerbated by even small increases in elevated ozone levels (e.g., an increment of 10 ppb), with a corresponding effect on public health and health care costs. As with chronic lung disease, even a small increase in the previous week’s average ozone level has substantial effects on death rates. One study showed that a small (10 ppb) increase in ozone pollution was associated with a 0.52 percent increase in deaths per day. This study found that an estimated 3,700 deaths annually in the U.S. could be attributed to this small increase in daily ozone levels;¹⁸ and

WHEREAS, New Jersey’s environmental justice communities already have some of the worst air quality in the nation, building another massive gas power plant will only exacerbate their plight; and

WHEREAS, municipalities to the North and Northeast of the proposed gas-fired plants will be particularly impacted by the Palisades ridge to the East that will prevent pollution from being easily dispersed to the East on prevailing westerly winds; and

WHEREAS, the proposed gas-fired electric plant will be approximately one mile from an existing gas-fired electric plant operated by PSE&G that is already one of the largest sources of air pollution in New Jersey and which already produces over 2 million metric tons of CO₂ annually,

WHEREAS, of the top 10 companies (parent corporations) most penalized for environmental violations in the US, nine are in the petroleum and energy industry and five are in the electric energy production industry (American Electric Power, Duke Energy, Dominion Energy, FirstEnergy and Alliant Energy);¹⁹ and,

WHEREAS, the proposed gas-fired plant will produce limited economic benefits to the town of North Bergen and, to a lesser degree, surrounding towns, this will primarily occur during the construction phase²⁰ (due, in part, to the fact that NJ electrical generating equipment is exempt from property tax) and after that the residents of these towns will continue to incur the health care costs associated with increased pollution for another 30 to 40 years; and

WHEREAS, the annual health impacts of burning 1 (one) Bcf/day of gas in the NY/NJ metropolitan area are estimated to be:²¹ ; and

Impact	Incidents per year	Societal Value*	Direct Medical and Other Costs
Premature Mortality	35.3	\$238,712,000	\$10,585,000
Chronic Bronchitis	22.3	\$10,554,000	\$2,700,000
Hospital+ER visits	32.8	\$432,000	\$345,000
Asthma Attacks	724.5	\$43,000	\$42,000
Respiratory Symptoms	32,720	\$1,190,000	\$1,190,000
Work Loss Days	6,374	\$1,160,000	\$1,079,000
Mercury Related	NA	\$12,277,000	\$13,277,000
Total		\$265,369,000	\$29,217,000

*Costs to consumers for which they are not reimbursed.

WHEREAS, an alternative approach to producing electricity from solar panels which would avoid all of the environmental and health issues noted in this resolution while still providing new jobs and other financial benefits to local towns and would be in conformance with Governor Murphy’s goal to increase the use of renewable energy even if all of the electricity was sold to New York City, could potentially gain local support and should be considered; and

WHEREAS, the NJ Work Environmental Council has stated, “Climate justice is worker justice. We stand together for both worker protections and strong climate policies because we can’t have one without the other. An injury to the planet is an injury to us all;”²² and

WHEREAS, the proposed gas-fired plant will provide electric energy to New York only, residents of Hudson and Bergen Counties and the rest of New Jersey will only incur the health care costs and environmental degradation caused by the plant during construction and operation; and

WHEREAS, the gas-fired power plant represents a direct threat to one of the state’s most crucial ecological resources. Wetlands such as the Meadowlands serve many beneficial functions. They are a natural filtration system, purifying our water. They preserve biodiversity by hosting a number of plant and animal species. They play a crucial role in flood mitigation by absorbing storm waters, protecting urban or residential communities in nearby flood zones. The construction of and pollution from the proposed plant could affect quantity and quality of water

flows, thereby harming the delicate animal and plant habitats in the wetlands and undermining their critical hydrological functions. The rehabilitation of the Meadowlands, which has been a triumph for the local groups that have worked hard to recover this area, would be squandered in order to provide power to New York City residents; and

WHEREAS, the plant will be within the half mile US DOT Evacuation Zone for oil train derailments which have been known to explode and can only be handled by letting them burn out; and

WHEREAS, location of the plant conflicts with the Regional Plan Association's 2017 finding of the Meadowlands being at risk from sea level rise. The RPA's Fourth Regional Plan²³ found that "of all the places in the tri-state region challenged by increased flooding from climate change, the New Jersey Meadowlands is at greatest risk." It also concluded that "The Meadowlands are also likely to be one of the first places to be permanently inundated from sea-level rise."; and

WHEREAS, geological changes along the East Coast are causing land to sink along the seaboard. This is exacerbating the flood-inducing effects of sea level rise, which has been occurring faster in the western Atlantic Ocean than elsewhere in recent years. A 2016 article in Scientific American²⁴ reported that Sandy Hook is sinking at the rate of over one inch per decade while regional sea level is rising at over three inches per decade; and

WHEREAS, construction would require digging a 40 foot trench through the Meadowlands to connect to Williams' Transco Pipeline, thus risking damage to sensitive wetlands. The connection to the Williams pipeline may require upgrades to the line and expansion of its compressor station at Riverdale risking increases in dangerous emissions from the compressor station; and

WHEREAS, the owners of the proposed gas-fired plant have stated this is being built to replace the energy that will be lost when the Indian Point Nuclear Plant is closed,²⁵ a 2017 study by Hudson Riverkeeper and the Natural Resources Defense Council states, "By 2023, assumed new energy efficiency and required new renewable energy [will] provide as much output as IPEC would have produced."²⁶; and

WHEREAS, the proposed gas-fired plant will require 8.6M gallons of sewage discharge wastewater per day which will allow evaporation of chemicals in the water to contribute to the existing levels of air pollution; and

WHEREAS, the proposed plant will require diesel generator backups for winter gas shortage situations which in turn will require storage of 1M gallons of diesel fuel onsite which has inherent risks of spills and leakage which would produce additional air pollution as well as ground pollution to sensitive wetlands and nearby water bodies; and

WHEREAS, the gas-fired plant will require on site storage of chemicals such as ammonia, bleach and acids as well as trucks to supply these products this increases the potential for spills into nearby wetlands and streams; and

WHEREAS, the proposed gas-fired plant will increase the volume of fracked-gas used in New Jersey which will also increase the drilling and associated environmentally destructive activities associated with its production and transport²⁷ as well as increased pressure on New Jersey and the Delaware River Basin Commission to accept fracked waste water for disposal; and

WHEREAS, the proposed gas-fired plant will utilize fracked natural gas thus increasing the amount of energy produced by fossil fuels in direct opposition to Governor Murphy’s commitment to moving New Jersey to 100% clean renewable energy usage. This type of massive fossil fuel infrastructure will last for several decades due to its large sunk costs (\$1.5B). This will increase long-term dependence on dirty fossil fuels and their associated environmental damage and health risks and is incompatible with the administration’s energy goals. The average New Jersey gas-fired power plants went online 23 years ago and 13 percent of the state’s gas plants went online more than 40 years ago.

THEREFORE, BE IT RESOLVED that the municipality and Borough Council of the Borough of Midland Park, in the interest of protecting its residents, businesses and institutions, as of January 24, 2019, strongly opposes construction of the North Bergen Liberty Generating power plant.

BE IT FURTHER RESOLVED that the Borough Clerk shall forward this Resolution to

- New Jersey Governor Phil Murphy
- Commissioner of the NJ Department of Environmental Protection
- State Senator Kristin M. Corrado
- State Assemblypersons Christopher P. DePhillips and Kevin J. Rooney
- Food and Water Watch, 100 Bayard Street, Suite 310, New Brunswick, NJ 08901
- The Sierra Club – New Jersey Chapter, 145 W. Hanover Street, Trenton NJ 08618
- Hackensack Riverkeeper
- Hudson County Freeholders and Administration and all Hudson County Municipal Councils, Boards of Health and Environmental Commissions
- Bergen County Freeholders and Administration and all Bergen County Municipal Councils, Boards of Health and Environmental Commissions
- League of New Jersey Municipalities
- NJ Advance Media

Wendy Martin, Acting Borough Clerk

Harry Shortway Jr., Mayor

Member	Motion	Second	Aye	Nay	Abstain	Absent
Kamp						
Iannone						
Kruis						
DeLuca						
Peet						
Sansone						

This is to certify this document is a true copy of a Resolution passed and adopted on first reading by the Midland Park Borough Council at a meeting held on January 24, 2019.

Wendy Martin, Acting Borough Clerk

¹ <https://www.northjersey.com/story/news/environment/2018/04/10/new-power-plant-meadowlands-electricity-nyc/503255002/>
<http://newyork.cbslocal.com/2018/04/25/meadowlands-natural-gas-plant-proposal/>

² New Jersey Sierra Club May 2018 E-newsletter,
<https://spark.adobe.com/page/1cwq37BdNLoxg/>

³ PSE for Healthy Energy Repository for Oil and Gas Energy
Research: <https://www.psehealthyenergy.org/our-work/shale-gas-research-library/>

⁴ <https://www.osha.gov/news/newsreleases/national/08052010>

⁵

https://violationtracker.goodjobsfirst.org/prog.php?major_industry_sum=utilities+and+power+generation

⁶ Criteria air Pollutants (CAP), or criteria pollutants, are a set of air pollutants that cause smog, acid rain, and other health hazards. CAPs are typically emitted from many sources in industry, mining, transportation, electricity generation and agriculture. In many cases they are the products of the combustion of fossil fuels or industrial processes.

⁷ Environmental Health Project Report, October 2017: Health Effects Associated with Stack Chemical Emissions from NYS Compressor Stations: 2008-2014: <http://www.environmentalhealthproject-ny.org/>

⁸ <https://www.sciencenews.org/article/list-diseases-linked-air-pollution-growing>

⁹ Food & Water Watch

¹⁰ Letter from NJDEP dated 10/17/18 to William Sheehan, Hackensack Riverkeeper

¹¹ For reference, total NJ greenhouse gas emissions in 2015 were equivalent to 101M metric tons of CO₂ and electricity production in New Jersey currently generates 18M metric tons of CO₂. 3.5M tons is equivalent to a 19.4% increase in CO₂ from electric generation.
<https://www.state.nj.us/dep/aqes/climate/data.html>

¹² This is an estimate provided by the applicant in their DEP permit application and was provided in the NJDEP letter above. However, studies of similar power plants produced an estimate of **1,000 tons per year**. Recent studies of methane emissions from power plants have shown under-reporting by factors ranging from 21 to 120 by the power plant operators.
<http://blogs.edf.org/energyexchange/2017/03/16/study-emissions-from-power-plants-refineries-may-be-far-higher-than-reported/>

¹³ Numbers of residents in 2017 in each county with the diseases shown:

County	Pediatric Asthma	Adult Asthma	COPD	Lung Cancer	Cardiovascular Disease	Diabetes	Poverty Estimate
Bergen	16,376*	61,021*	47,586*	525*	62,375*	70,715*	63,789
Hudson	11,286	44,533	29,582	379	36,091	40,122	104,660
*Highest volume in New Jersey							

¹⁴ Reducing the staggering costs of environmental disease in children, estimated at \$76.6 billion in 2008, Trasande, L, et al, Health Affairs, May 2011: <https://www.ncbi.nlm.nih.gov/pubmed/21543421>

¹⁵ Food & Water Watch

¹⁶ <https://www.desmogblog.com/2017/03/20/natural-gas-power-plants-fracking-methane>

¹⁷ American Lung Association 2018 State of the Air report <http://www.lung.org/our-initiatives/healthy-air/sota/city-rankings/states/new-jersey/> Shows Hudson and Bergen Counties with grade of F for high ozone days and 22 orange days each

¹⁸https://www.ucsusa.org/sites/default/files/legacy/assets/documents/global_warming/climate-change-and-ozone-pollution.pdf

¹⁹

https://violationtracker.goodjobsfirst.org/prog.php?parent=&major_industry_sum=utilities+and+power+generation&primary_offense_sum=environmental+violation&agency_sum=&hq_id_sum=&company_op=starts&company=&major_industry%5B%5D=&all_offense%5B%5D=&penalty_op=%3E&penalty=&agency_code%5B%5D=&pen_year%5B%5D=&pres_term=&free_text=&case_type=&ownership%5B%5D=&hq_id=&naics%5B%5D=&state=&city=

²⁰ North Bergen Liberty Generating, LLC, Economic and Fiscal Analysis https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=2ahUKEwj702U8ezaAhXPwVkJKHbRSAJAQFjAAegQIABAQ&url=http%3A%2F%2Fdocuments.dps.ny.gov%2Fpublic%2FCommon%2FViewDoc.aspx%3FDocRefId%3D%257BCF578449-B169-4EAF-9661-BE1A91A35A3B%257D&usq=AOvVaw2pa9fo0UCw9omDPB_Zv620 Shows assumptions and model for financial benefits from the plant.

²¹ <https://www.sierraclub.org/sites/www.sierraclub.org/files/sce-authors/u1997/HCWH%20pipeline%20health%20impacts.pdf>

²² <http://www.njspotlight.com/stories/18/04/30/op-ed-workers-and-environmentalists-stand-in-solidarity-on-climate/>

²³ <http://library.rpa.org/pdf/RPA-4RP-Places.pdf>

²⁴ <https://www.scientificamerican.com/article/sinking-atlantic-coastline-meets-rapidly-rising-seas/>

²⁵ <https://www.utilitydive.com/news/mitsubishi-subsiary-seeks-permits-for-15b-gas-plant-to-send-power-to-ny/521146/>

²⁶ <https://www.riverkeeper.org/wp-content/uploads/2017/03/Clean-Energy-for-New-York-16-121-02-23-2017.pdf>

Important caveat: New York will require an aggressive energy efficiency policy framework in order to secure the improvements needed to obtain the energy efficiency levels modeled in this analysis. Critically, such a policy framework is not currently in place in New York for attaining the levels of energy efficiency contemplated.

²⁷ PSR/CHPNY Compendium 5th Edition (March 2018): http://concernedhealthny.org/wp-content/uploads/2018/03/Fracking_Science_Compendium_5FINAL.pdf

**BOROUGH OF MIDLAND PARK
RESOLUTION #139-2022
AUGUST 11, 2022**

BEFORE AUGUST 11, 2022

WHEREAS, N.J.S.A. 10:4-12 allows for a Public Body to go into closed session during a Public Meeting; and

WHEREAS, the Governing Body of Midland Park has deemed it necessary to go into closed session to discuss certain matters which are exempted from the Public; and

WHEREAS, the regular meeting of this Governing Body will reconvene;

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of Midland Park will go into closed session for the following reason (s) as outlined in N.J.S.A. 10:4-12:

Any matter which, by express provision of Federal Law, State Statute or Rule of Court shall be rendered confidential or excluded from discussion in public (Provision relied upon):

_____ Any matter in which the release of information would impair a right to receive funds from the federal government;

_____ Any matter the disclosure of which constitutes an unwarranted invasion of individual privacy;

_____ Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body (Specify contract): _____.

_____ Any matter involving the purchase, lease, or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed;

_____ Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection;

_____ Any investigations of violations or possible violations of the law;

_____ Any pending or anticipated litigation or contract negotiation in which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer (If pending or anticipated litigation, the matter is: _____ contract negotiations the nature of the contract and interested party is _____ in

circumstances, if public disclosure of the matter would have a potentially negative impact on the Borough's position in the litigation or negotiation, this information may be withheld until such time that the matter is concluded, or the circumstances no longer present a potential impact);

_____Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting (Subject to the balancing of the public's interest and the employee's privacy rights under South Jersey Publishing, 124 N. J. 478, the employee(s) and nature of discussion is _____.

_____Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act of omission for which the responding party bears responsibility;

BE IT FURTHER RESOLVED, that the Borough Council hereby declares that its discussion of the aforementioned subject(s) may be made public at a time when the Borough Attorney advises the Borough Council that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Borough, or any other entity, with respect to said discussion. That time is currently estimated as the time of said matter.

BE IT FURTHER RESOLVED, that the Borough Council, for the aforementioned reasons, hereby declares that the public is excluded from the portion of the meeting during which the above discussion shall take place, and hereby directs the Borough Clerk to take the appropriate action to effectuate the terms of this resolution.

Wendy Martin, Borough Clerk

Harry Shortway Jr., Mayor

Member	Motion	Second	Aye	Nay	Abstain	Absent
DeBlasio						
Damiano						
Iannone						
Kruis						
DeLuca						
Peet						