

Township of West Milford

Passaic County, New Jersey

~ Resolution 2021 – 371 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING AN ADDENDUM TO THE EXISTING AGREEMENT WITH TENNESSEE GAS PIPELINE COMPANY LLC

WHEREAS, Tennessee Gas Pipeline Company, L.L.C. (hereinafter “Tennessee”) is a “natural gas company” under the Natural Gas Act of 1938, 15 U.S.C. §717 et seq. (“Natural Gas Act”), and, as such, is regulated by the Federal Energy Regulatory Commission (“FERC”) as to facilities, construction, rates, and types of service, and regulated by the United States Department of Transportation’s Pipeline and Hazardous Materials Safety Administration under the Natural Gas Pipeline Safety Act, 49 U.S.C. §60101, et seq. (“Pipeline Safety Act”), as to minimum safety standards; and

WHEREAS, as part of Tennessee’s proposed East 300 Upgrade Project (the “Project”), Tennessee is proposing to construct Compressor Station 327 on property identified as Block 4601, Lot 17, in the Township (“Property”); and

WHEREAS, on June 30, 2020, Tennessee filed an application for a Certificate of Public Convenience and Necessity (“Certificate”) with the FERC for authorization to construct, operate, and maintain the Project, with an anticipated in-service date of November 1, 2022; and

WHEREAS, without prejudice to its rights and obligations under the Natural Gas Act, the Pipeline Safety Act, and their implementing regulations, Tennessee has entered into an Agreement with Township in reference to the Compressor Station; and

WHEREAS, the Township acknowledges that Congress, through the Natural Gas Act, has regulated comprehensively the siting, construction and operation of natural gas facilities, state and local regulations pertaining to these same issues are preempted; and

WHEREAS, the Township wishes to further memorialize its intention to work with Tennessee throughout the course of the Project by entering into an Addendum to the above reference Agreement, to address replacement of equipment and as to notice for planned and unplanned “blow downs.” The Addendum is on file in the Clerk’s Office.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Township Council of the Township of West Milford, in the County of Passaic, and State of New Jersey as follows:

1. The Mayor is hereby authorized and directed to execute said Addendum, and take all actions as necessary thereafter to effectuate its terms.
2. This Resolution, along with the Agreement, shall be available for public inspection in the office of the Township Clerk.
3. This Resolution shall take effect immediately.

Adopted: October 6, 2021

Adopted this 6th day of October, 2021
and certified as a true copy of an original.

William Senande, Township Clerk