

# **BOROUGH OF FANWOOD, UNION COUNTY, NEW JERSEY**

**RESOLUTION: 2022-04-86**

**ADOPTED: April 18, 2022**

## **RESOLUTION URGING THE STATE OF NEW JERSEY TO HOLD FOSSIL FUEL COMPANIES ACCOUNTABLE FOR FLOODING AND HURRICANE-CAUSED DAMAGES AND MITIGATION COSTS ARISING FROM CLIMATE CHANGE AND SEA-LEVEL RISE**

**WHEREAS**, Borough of Fanwood has been impacted by flooding due to hurricanes, thunderstorms, storm surge, and severe winter storms, and its proximity to major rivers such as the Hackensack and Hudson River, amounting to significant costs in national flood insurance policies repetitive claims; and

**WHEREAS**, Hurricane Sandy alone was estimated to cost the State of New Jersey \$36.8 billion; and

**WHEREAS**, in alignment with the need for the Borough to protect itself against future super storms, in October 2019, Executive Order 89 outlined a statewide resilience plan to address the state's vulnerability to severe weather events, precipitation, and wind damage that cause disastrous consequences for public health and safety; and

**WHEREAS**, based on data from policy experts, economic analysts, energy modelers, data engineers, and environmental scientists, the 2019 Rhodium Report indicated that the sea surface temperature in the Northeast United States has warmed faster than 99% of the global ocean since 2004; and that New Jersey sea levels are rising by more than twice the global average; and

**WHEREAS**, studies indicate that New Jersey is second in the nation at risk of chronic inundation by 2045 with 62,000 properties exposed worth \$27 billion and third in the nation for highest flood insurance claims with twice the global averages for surface temperature and sea-level rise, and hurricane-force wind and flood intensity and frequency are projected to increase with estimated damages likely to increase from \$1.3 to \$3.1 billion in 2050; and

**WHEREAS**, it is known that in the United States carbon dioxide (CO<sub>2</sub>) emissions from burning fossil fuels amounted to 76% of total human-caused greenhouse gases (GHGs) and NASA explains the "greenhouse effect" as when carbon dioxide, methane and nitrous oxides trap heat in the atmosphere and cause temperatures to rise, known as "global warming;" and

**WHEREAS**, in January of 2018 the City of New York filed a lawsuit for damages against companies that produce, market, sell and profit from the sale of fossil fuels, under public nuisance, private nuisance, and trespass claims inasmuch as fossil fuel companies have knowingly produced, marketed, promoted, and sold fossil fuels despite knowing that the combustion and use of fossil fuels emit greenhouse gases, including carbon dioxide; and

**WHEREAS**, in September of 2020 the City of Hoboken, New Jersey, filed a lawsuit against Exxon Mobil and other oil and gas companies alleging that major oil companies have engaged in a decades-long campaign of misinformation related to climate change, directly resulting in adverse impacts including rising sea levels that jeopardize the long-term health of the City of Hoboken; and


**WHEREAS**, despite their knowledge of the dangers associated with their products, fossil fuel companies produced, marketed, promoted, and sold fossil fuel over the past 50 years, while failing to warn or otherwise protect their consumers from these dangers and spending millions of dollars on campaigns to deceive consumers of the known causes and consequences of climate change; and

**WHEREAS**, several major fossil fuel companies are advocating for immunity from lawsuits over climate change-related costs and damages and trying to eliminate municipalities' power to bring suit or assert specific causes of action; and

**WHEREAS**, Borough of Fanwood is dedicated to taking serious steps to reduce carbon pollution within our borders and has already taken significant steps to reduce greenhouse gas emissions.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fanwood, in the County of Union and State of New Jersey hereby urges Governor Murphy to hold the fossil fuel industry financially accountable for their role in creating and perpetuating the climate crisis to ensure that the cost of adaptation and mitigation does not fall solely on the shoulders of taxpayers.

**BE IT FURTHER RESOLVED** that a copy of this Resolution shall be forwarded to the New Jersey State Senate and General Assembly, the Lieutenant Governor, the Governor of the State of the New Jersey and to the Attorney General of the State of New Jersey.

<b>Certified to be a true copy of a Resolution adopted by the Governing Body of the Borough of Fanwood at the duly held Meeting on the 18<sup>th</sup> day of April, 2022.</b>  <b>Kathleen Holmes, Borough Clerk</b>	<b>MOTION:</b> Councilmember Patricia Walsh
	<b>SECOND:</b> Councilmember Erin McElroy-Barker
	<b>YES:</b> Councilmembers, Banks, Carter, Glaser, McElroy-Barker, Mitchell and Walsh
	<b>NO:</b> None
	<b>ABSTAIN:</b> None
	<b>ABSENT:</b> None