

SENATE NATURAL RESOURCES AND ECONOMIC
DEVELOPMENT COMMITTEE

STATEMENT TO

SENATE, No. 1465

STATE OF NEW JERSEY

DATED: OCTOBER 7, 1996

The Senate Natural Resources and Economic Development Committee favorably reports Senate Bill No. 1465.

This bill would provide that any municipality bordering on a municipality wherein a resource recovery facility is located shall be entitled to an annual economic benefit, provided that the municipal boundary of the contiguous municipality is within one-half mile of the incinerator building of the facility. The bill defines "contiguous municipality" as the municipality within which public roads or highways provide the only vehicular access to the resource recovery facility.

The amount of the annual economic benefit accorded a contiguous municipality would be negotiated by its governing body and the person holding the franchise for the facility and the contracting unit, or both, as the case may be. If the parties fail to agree upon an annual economic benefit, any party to the failed negotiations may request the Department of Environmental Protection to determine an appropriate benefit, in which case the Commissioner of Environmental Protection would determine the amount and the terms and conditions of the annual economic benefit. In making that determination, the commissioner would consider the level of truck traffic in the contiguous municipality, the proximity of the incinerator building to inhabited areas of the contiguous municipality and the type of land use in the contiguous municipality surrounding the facility.

The contiguous municipality's annual economic benefit would be separate and distinct from the "host municipality" benefit provided by existing law (i.e. subsection a. of the bill). The bill would also exempt those contracting units which have already negotiated contracts for resource recovery facilities and services, and held public hearings thereon, from the contiguous municipality benefit provisions of the bill.

Finally, the bill would exempt from its provisions: any publicly-owned resource recovery facility; any person holding the franchise for the resource recovery facility which is a pollution control financing authority created pursuant to the "New Jersey Pollution Control Financing Law," P.L.1973, c.376 (C.40:37C-1 et seq.); and any

contracting unit which has negotiated a contract for resource recovery facilities or services with a vendor pursuant to the provisions of P.L.1985, c.38 (C.13:1E-136 et al.).

This bill would provide an annual economic benefit for the Borough of Westville, Gloucester county.