

**INITIATIVE PETITION**

To the Teaneck Clerk and the Council of the Township of Teaneck, County of Bergen:

We, the undersigned, registered voters of the Township of Teaneck, Bergen County, New Jersey, under the power of initiative granted to voters of this Township by N.J.S.A. 40:69A-184, hereby propose the Ordinance attached hereto as Exhibit A and made a part hereof. If this Ordinance is not passed by the Council of the Township of Teaneck within the time prescribed by N.J.S.A. 40:69A-184 et seq., the undersigned voters demand that the same be submitted to the electorate for a vote in accordance with N.J.S.A. 40:69A-192b, with the question to be put to the voters in this manner:

**QUESTION. Shall the attached Ordinance, submitted by initiative petition and amending the Code of Teaneck, be adopted so that Teaneck will create a community energy aggregation program under which the Township will purchase renewable electricity at discounted bulk rates and provide customers within its jurisdiction an opportunity to select a 100% renewable electricity alternative by 2030, preferably from regional sources?**

This Ordinance establishes a Government Energy Aggregation Program, the “Community Energy Aggregation” program (“CEA”), in accordance with state law. Under the ordinance, the CEA will solicit requests for proposals for electric generation services and energy aggregation services on behalf of Township’s residents and businesses. Public notice will allow non-residential energy consumers to opt into the program and residential customers to opt out. In addition to taking advantage of discounted rates through bulk purchasing, the program will help improve New Jersey’s air quality and public health, while reducing harmful climate pollution and decreasing its reliance on fossil fuels, as no contract will be awarded unless it contains an option for customers to opt up to 100% renewable electricity and a minimum percentage of renewable electricity for all program participants meeting the following milestones: 50% from program inception through December 31, 2021; 60% from January 1, 2022 through December 31, 2023; 70% from January 1, 2024 through December 31, 2025; 80% from January 1, 2026 through December 31, 2027; 90% from January 1, 2028 through December 31, 2029; and 100% after December 31, 2029. The renewable electricity will be NJ PJM Renewable Energy Credits from the current calendar year, unless the municipality opts to enter into a power purchase agreement with a solar or wind energy provider to provide both energy and attributes together to meet some or all of the requirements of § 11B-3(c).within the area serviced by the current regional transmission organization to the maximum extent possible. Under state law, prices for electric generation services shall not exceed the cost of providing the service to each rate class and the pro rata value of the cost of compliance with the state’s renewable energy portfolio standards, except where the electricity provided contains a greater percentage of renewable energy, as may be the case herein, and customers are provided notice and opportunity to opt out. A “Yes” vote is a vote to approve the Ordinance. A “No” vote is a vote against the Ordinance.

Print Name

Residence Address (Teaneck)

\_\_\_\_\_

\_\_\_\_\_

Signature of Registered Voter

Teaneck

New Jersey

07666

\_\_\_\_\_

\_\_\_\_\_

**Before signing, please read the Ordinance as summarized and set forth in Exhibit A.**

**COMMITTEE OF PETITIONERS pursuant to N.J.S.A. 40:69A-186 Page 1 of 5**

- 1) **Elissa Schwartz, 698 Larch Ave, Teaneck, NJ 07666**
- 2) **Bettina Hempel, 300 Frances Street, Teaneck NJ 07666**
- 3) **Paula Rogovin , 625 Linden Avenue, Teaneck NJ 07666**
- 4) **Lisa Rose, 575 Northumberland Rd, Teaneck, NJ 07666**
- 5) **Laurie Ludmer, 264 Sherman Ave, Teaneck, NJ 07666**

**EXHIBIT A**

Teaneck Township New Jersey

ORDINANCE No. \_\_\_\_\_

**AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF TEANECK, COUNTY OF BERGEN, STATE OF NEW JERSEY, BY ADDING CHAPTER 11B, AUTHORIZING THE ESTABLISHMENT OF A COMMUNITY ENERGY AGGREGATION PROGRAM THAT CREATES AN OPTION FOR 100% REGIONALLY SOURCED RENEWABLES**

**WHEREAS**, there is broad scientific consensus that Earth’s climate is warming, and this warming is being caused by human activities that cause the release of greenhouse gases due to use of fossil fuels; and

**WHEREAS**, climate change has far reaching impacts, including increasing the likelihood of extreme weather events, sea level rise, flooding, drought, and mass extinctions; and

**WHEREAS**, co-pollutants from burning fossil fuels create significant respiratory ailments and deaths; and

**WHEREAS**, the impact of climate change can cause damage to public parks, roads, municipal properties, and equipment; and

**WHEREAS**, the cost of providing basic public services such as water treatment and snow removal can increase with climate change; and

**WHEREAS**, resources for first responders can be strained when climate change related extreme weather events arise; and

**WHEREAS**, it is less expensive to plan for and mitigate the impacts of climate change, rather than respond to emergencies when they happen; and

**WHEREAS**, many of the costs associated with the impacts of climate change or mitigating those impacts will be borne by state and local budgets, putting further strain on overstressed budgets; and

**WHEREAS**, studies show the feasibility of creating an energy system that uses 100% renewable energy, while creating jobs and improving public health; and

**WHEREAS**, many municipalities currently lack the professional expertise and resources to mitigate climate change; and

**WHEREAS**, the United States was signatory to the Paris agreement that is working to strengthen the global response to the threat of climate change; and

**COMMITTEE OF PETITIONERS pursuant to N.J.S.A. 40:69A-186 Page 2 of 5**

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**WHEREAS**, the Council and the Mayor (“Mayor”) of the Township of Teaneck (“Township”) are interested in mandating 100% renewable electricity; and

**WHEREAS**, PJM Interconnection (PJM) is a regional transmission organization that coordinates the movement of wholesale electricity in all or parts of Delaware, Illinois, Indiana, Kentucky, Maryland, Michigan, New Jersey, North Carolina, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia, and the District of Columbia, but renewable electricity created outside of the PJM grid cannot be directly utilized by residents of the Township; and

**WHEREAS**, prioritizing generation of renewable electricity in the region served by the PJM grid will help improve local air quality, improve public health impacts, and decrease costs; and

**WHEREAS**, the Government Energy Aggregation Act, N.J.S.A. 48:3-93.1 et seq. governs the establishment of a government energy aggregation program, which is a government-operated purchasing cooperative through which multiple energy consumers purchase energy together under the auspices of a government aggregator; and

**WHEREAS**, pursuant to the Government Energy Aggregation Act, N.J.S.A. 48:3-93.1 et seq., the Township seeks to establish a Government Energy Aggregation Program (“Program”) for the provision of electricity within the Township, for the purpose of obtaining power supply cost savings for residential and business participants in the Township; and

**WHEREAS**, the Township will from time to time solicit proposals from electric power suppliers for electric generation services through the Program, in which the Township and its authorized personnel will be lead agents in administering the Teaneck Community Energy Aggregation Program (“CEA”); and

**WHEREAS**, the Township will from time to time issue one or more Request for Proposals for electric generation services and energy aggregation services on behalf of the CEA pursuant to the Local Public Contract Law, the Government Energy Aggregation Act, and the Electric Discount and Energy Competition Act; and

**WHEREAS**, the Township is interested that the energy provided by CEA entirely come from renewable energy sources as soon as practicable, and the CEA will therefore include provisions requiring the inclusion of renewable energy in the request for proposals for electric generation services and energy aggregation services; and

**WHEREAS**, the Township will only award contracts for said electric generation service and energy aggregation services to electric power suppliers that are deemed qualified; and

**WHEREAS**, state regulations at N.J.A.C. § 14:4-6.9 governs rates for services provided to residential and non-residential customers under a government-private energy aggregation program, including when the electricity provided to residential customers is from a percentage of renewable energy exceeding the applicable percentage required under the state’s renewable portfolio standards at N.J.A.C. 14:8-2; and

**WHEREAS**, N.J.S.A. 48:3-93.1 et seq. requires the Program to be established by ordinance.

**NOW, THEREFORE, BE ORDAINED** and enacted by the Council of the Township of Teaneck, in the County of Bergen, New Jersey, that the Code of the Township of Teaneck is amended by adding Chapter 11B as follows:

**Chapter 11B. Community Energy Aggregation**

**COMMITTEE OF PETITIONERS pursuant to N.J.S.A. 40:69A-186 Page 3 of 5**

- 1) **Elissa Schwartz, 698 Larch Ave, Teaneck, NJ 07666**
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**§ 11B-1 Authorization.**

The Township of Teaneck hereby establishes a Community Energy Aggregation Program for residential and non-residential customers, in accordance with the provisions of the Government Energy Aggregation Act, N.J.S.A. 48:3-93.1 et seq., and the rules promulgated thereunder, N.J.A.C. 14:4-6.1, *et seq.*

**§ 11B-2. Lead Agency.**

The Township shall be the lead agency and any agreements entered into in connection with the Community Energy Aggregation Program by authorized personnel shall be subject to review by the Township.

**§ 11B-3. Electric Distribution Aggregation Agreement; Terms; Master Performance Agreement.**

- (a) The Mayor of the Township (“Mayor”) shall be and is authorized to execute and the Clerk to attest to the execution of and Electric Distribution Aggregation Agreement, in a form acceptable to the Township, with PSE&G.
- (b) Pursuant to the terms and conditions of the Government Energy Aggregation Act and the rules promulgated thereunder, and specifically N.J.A.C. 14:4-6.2, the Township shall oversee the Community Energy Aggregation Program (“CEA”) as lead agency and, in that capacity, and consistent with applicable rules, shall solicit requests for proposals for electric generation service and energy aggregation services on behalf of the Township’s residents and businesses. The Mayor may execute and enter into a contract for such services, subject to § 11B-3(c)-(d), and provided that the lowest qualified bid price for electricity generation service is consistent with N.J.A.C. § 14:4-6.9 and notice is provided to residential customers should the price exceed the benchmark price, as required by N.J.A.C. § 14:4-6.9(g). Pursuant to the regulations of the Government Energy Aggregation Act, a public notice of the CEA will be issued whereby non-residential energy consumers may opt into the CEA and residential customers may opt out.
- (c) The CEA must be fully implemented within one (1) year of the passage of this ordinance. Request for proposals for electricity generating services must state that no contract will be awarded unless it has an option for customers to opt up to 100% renewable electricity and a minimum percentage of renewable electricity for all program participants of:
- 50% from program inception through December 31, 2021;
  - 60% from January 1, 2022 through December 31, 2023;
  - 70% from January 1, 2024 through December 31, 2025;
  - 80% from January 1, 2026 through December 31, 2027;
  - 90% from January 1, 2028 through December 31, 2029; and
  - 100% after December 31, 2029.
- (d) The renewable electricity attributes for the CEA will be NJ PJM Renewable Energy Credits from the current calendar year, unless the municipality opts to enter into a power purchase agreement with a solar or wind energy provider to provide both energy and attributes together to meet some or all of the requirements of § 11B-3(c). The Mayor may not execute and enter into a contract for electricity generating services unless it meets the renewable percentages specified in § 11B-3(c).

**COMMITTEE OF PETITIONERS pursuant to N.J.S.A. 40:69A-186 Page 4 of 5**

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