

## **Council Meeting Instructions for the public meeting on 08/12/2020**

The Municipal Council of the Township of Edison's has scheduled a Special Meeting on August 12, 2020. This meeting will be held by means of electronic communications equipment, as authorized by applicable law. The meeting will be held and conducted via Zoom video communications system.

Due to the COVID-19 pandemic, no members of the public shall be permitted to physically attend the meeting. The public, however, is invited to attend the meeting electronically, and will also include provision for the receipt of public comment.

### **Please click the link below to join the webinar:**

<https://zoom.us/j/97305833209?pwd=bFVwWitQd3YzSIVSTUc2U0ZOelBCQT09>

Passcode: 605676

Or iPhone one-tap:

US: +16465588656,,97305833209#,,,,,0#,,605676# or +16465189805,,97305833209#,,,,,0#,,605676#

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 646 558 8656 or +1 646 518 9805

Webinar ID: 973 0583 3209

Passcode: 605676

\*Members of the public will be permitted to speak during the public sessions by raising your hand in the Zoom App or website. For instructions on how to do so, please see the link below.

\*If you would like to raise your hand to speak by phone, press \*9

[https://support.zoom.us/hc/en-us/articles/205566129-Raising-your-hand-In-a-webinar#h\\_12b8d38d-8d78-4e5b-95f9-f43bac647f2b](https://support.zoom.us/hc/en-us/articles/205566129-Raising-your-hand-In-a-webinar#h_12b8d38d-8d78-4e5b-95f9-f43bac647f2b)

## **AGENDA BELOW**

**AGENDA  
MUNICIPAL COUNCIL  
SPECIAL MEETING  
Wednesday, August 12, 2020  
6:00 p.m.**

1. Call to Order and Pledge of Allegiance.
2. Roll Call.
3. Adequate Notice of this meeting as required by the Open Public Meetings Act of 1975, has been provided by a Special Notice was published in The Home News Tribune on August 3, 2020 and posted in the Main Lobby of the Municipal Complex on the same date.
4. PUBLIC HEARING ON PROPOSED ORDINANCE:

Proposed Ordinance submitted by Initiative Petition, filed pursuant to N.J.S.A.40:69A-184 on June 8, 2020 to “Authorizing the establishment of a community Energy aggregation program that requires 100% regionally sourced renewables” to have been introduced for first reading as set forth in N.J.S.A 40:69A-190 on July 20, 2020 with a public hearing to be scheduled by the council on or before August 12, 2020.
5. Such other matters as the Council President deems necessary to bring before the Council at this time.
6. Oral Petitions and Remarks
7. Adjournment

ORDINANCE O. \_\_\_\_\_-2020

**AN ORDINANCE OF EDISON TOWNSHIP, NEW JERSEY  
AUTHORIZING THE ESTABLISHMENT OF  
A COMMUNITY ENERGY AGGREGATION PROGRAM THAT REQUIRES 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 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 is 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;

**WHEREAS**, the Edison Township Township Council ("Township Council") and the Mayor ("Mayor") of Edison Township ("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 Edison 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 Edison Township Community Energy Aggregation (“CEA”).

**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 IT ORDAINED AND ENACTED BY THE TOWNSHIP COUNCIL OF EDISON TOWNSHIP, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, AS FOLLOWS:**

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. To effect the foregoing, the Municipal Council has determined to amend Chapter XXVI, of the Township of Edison Code of General Ordinances to read as follows:

## **Chapter 26. Energy**

### **§ 26-1. Community Energy Aggregation**

**§ 26-1.1. Authorization** The Edison Township hereby establishes a Government 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.*

**§ 26-1.2. Lead Agency.** The Edison Township shall be the lead agency and any agreements entered into in connection with the Government Energy Aggregation Program by authorized personnel shall be subject to review by the Township.

### **§ 26-1.3. Electric Distribution Aggregation Agreement; Terms; Master Performance Agreement.**

- a. The Mayor of Edison 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 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 Edison Township (“Township”) shall oversee the Community Energy Aggregation (“CEA”) Program 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 Township's residents and businesses. The Mayor may execute and enter into a contract for such services, subject to § 26-1.3(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 program will be issued whereby non-residential energy consumers may opt into the CEA program, and residential customers may opt out.

- c. The CEA program must be fully implemented within 1 year of the passage of this ordinance. Request for proposals for electricity generating services must state that no contract will be awarded unless that electricity contain 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 program should be sourced from within the region served by PJM to the maximum extent possible. The Mayor may not execute and enter into a contract for electricity generating services unless it meets the renewable percentages specified in § 26-1.3(c).
  - e. The Mayor may also execute a master performance agreement that obligates the participants in the CEA to purchase electricity at terms and conditions stated therein with a third party supplier who has been awarded the contract by Township on behalf of participating members of the CEA program, and provided that such contract shall be at prices reasonably forecast and estimated by the Township to provide for basic generation service by PSE&G.
3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.
  4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.
  5. A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.
  6. This Ordinance shall take effect after twenty (20) days of its final passage by the Municipal Council, upon approval by the Mayor and publication as required by law.

Proposed Ordinance submitted by Initiative Petition, filed pursuant to N.J.S.A.40:69A-184 on June 8, 2020 to "Authorizing the establishment of a community Energy aggregation program that requires 100% regionally sourced renewables" to have been introduced for first reading as set forth in N.J.S.A 40:69A-190 on July 20, 2020 with the public hearing set for August 12, 2020 . The meeting will be begin at 6 p.m. and will be held in the Council Chambers of the Municipal Complex, 100 Municipal Boulevard, Edison, New Jersey.