

BOROUGH OF LEONIA
ORDINANCE # 2021-11

AN ORDINANCE TO AMEND AND SUPPLEMENT THE CODE OF THE BOROUGH OF LEONIA WITH THE ADDITION OF CHAPTER 31 ENTITLED “ENERGY CONSERVATION”

BE IT ORDAINED by the Mayor and Council of the Borough of Leonia, County of Bergen, State of New Jersey, as follows:

Section 1.

The Code of the Borough of Leonia, be and is hereby amended and supplemented with the addition of Chapter 31 entitled “Energy Conservation”, Article I, Government Energy Aggregation Program as follows:

ARTICLE I
GOVERNMENT ENERGY AGGREGATION PROGRAM

§31-1 Establishment - The Borough hereby establishes a Government Energy Aggregation Program, in accordance with the provisions of the Government Energy Aggregation Act, N.J.S.A. 48:3-93.1 et seq.

§31-2 Distribution Agreement - The Mayor is authorized to execute and the Borough Clerk to attest to the execution of an energy distribution aggregation agreement, in a form acceptable to the Borough.

§31-3 Lead Agency - The Leonia Mayor and Council are permitted to act as lead agency, and, in that capacity, and consistent with applicable rules, solicit proposals for electric generation service and/or other energy aggregation services on behalf of Borough residents, and enter into a contract for such services, provided that the lowest qualified bid price is below the prevailing price for utility-provided basic generation service.

§31-4 Member Agency - The Leonia Mayor and Council are permitted to act as a member agency, and in that capacity, and consistent with applicable rules, another agency, acting as lead agent, will solicit proposals for electric generation service and/or energy aggregation services on behalf of the Government Energy Aggregation Program, and enter into a contract for such services. The Mayor and Council shall then be permitted to enter into a contract with said lead agency, provided that the lowest qualified bid price is below the prevailing price for utility-provided basic generation service.

§31-5 Master Performance Agreement - The Leonia Mayor and Council will authorize the execution of a master performance agreement that will obligate the participants in the Government Energy Aggregation Program to purchase electricity or gas at terms and conditions stated therein with a third-party supplier who has been awarded the contract by the lead agency on behalf of participating members of the Government Energy Aggregation Program, and

provided that such contract shall be at prices reasonably forecast and estimated by the Leonia Mayor and Council to provide savings to participants relative to the price charged for basic generation service by PSE&G. If acting as a member agency, and not lead agency, the Mayor and Council shall be authorized to enter into an agreement with another Government Energy Aggregation Program should the same be in the best interests of the residents of the Borough of Leonia and follow the same policy as if the Borough were the lead agency.

§31-6 Effective Period; Renewal - The authorization provided under any master performance agreement or Government Energy Aggregation Program, shall be established by contract and will be subject to renewal at the discretion of the Leonia Mayor and Council.


Section 2. Severability

If any article, section, sub-section, sentence, clause or phrase of this Ordinance is, for any reason, deemed to be unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

Section 3. Effect

This Ordinance will take effect upon publication as required by law.

	Motion	Second	Yes	No	Abstain	Absent
Terrell						✓
Davis		✓	✓			
Flaim			✓			
Fusco			✓			
Grandelis				✓		
Ziegler	✓		✓			
Mayor Zeigler	---	---				




 Judah Zeigler, Mayor

ATTEST:


 Anne Dodd, RMC
 Borough Clerk

I hereby certify the foregoing to be a true copy of Ordinance No. 2021-11 adopted by the Governing Body of the Borough of Leonia on October 4, 2021.



 Anne Dodd, RMC
 Borough Clerk