

INITIATIVE PETITION

To the Township Clerk and the Township Council of Cherry Hill Township, Camden County:

We, the undersigned, registered voters of Cherry Hill Township, Camden 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 Township Council of the Cherry Hill Township 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 the Township of Cherry Hill, be adopted so that **Cherry Hill Township 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 sourced from 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.

Signature and residence address of registered voters

Print Name

Residence Address (Cherry Hill)

Signature of Registered Voter

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

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

- 1) Tiffany Hare, 115 Ramble Rd, Cherry Hill, NJ
- 2) Kristen Affrime, 1111 Graham Ave, Cherry Hill, NJ
- 3) Thomas Tudor, 121 Garfield Ave, Cherry Hill, NJ
- 4) Susan Druckenbrod, 162 Valley Run Dr, Cherry Hill, NJ
- 5) Dennis Valenti, 300 Kings Hwy S, Cherry Hill, NJ

EXHIBIT A

Ordinance No. _____

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF CHERRY HILL, COUNTY OF

CAMDEN, STATE OF NEW JERSEY, BY ADDING CHAPTER 18,

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 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; and

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

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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 Cherry Hill Township 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 Township Council of Cherry Hill Township, in the County of Camden, New Jersey, that the Code of the Township of Cherry Hill is amended by adding Chapter 18 as follows:

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

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Chapter 18. Community Energy Aggregation

§ 18-1 Authorization.

The Cherry Hill Township (“Township”) 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.*

§ 18-2. 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.

§ 18-3. Electric Distribution Aggregation Agreement; Terms; Master Performance Agreement.

- a. The Mayor of Cherry Hill 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 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 Township’s residents and businesses. The Mayor may execute and enter into a contract for such services, subject to § 18-3(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 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 § 18-3(c).

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- 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, 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.

BE IT FURTHER ORDAINED that if any article, section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this ordinance and they shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable.

BE IT FURTHER ORDAINED that all other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this ordinance and any prior ordinance of the Township, the provisions hereof shall be determined to govern hereof.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon final passage and publication as required by law.

VERIFIED STATEMENT OF CIRCULATOR pursuant to Executive Order 132 and N.J.S.A. 40:69A-186

I _____ (print name) certifies that (1) s/he and only s/he personally circulated the foregoing paper; and (2) s/he believes them to be the genuine signatures of the persons whose names they purport to be.

(Circulator's signature)

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