

October 5, 2020  
COMMISSION MEETING MINUTES  
BOROUGH OF COLLINGSWOOD, NJ

A regular meeting of the Board of Commissioners was held remotely, at 7:00 P.M. Mayor M. James Maley, Jr. called the meeting to order, with Commissioner Joan Leonard present and Commissioner Robert Lewandowski present.

Mayor Maley read the Sunshine Notice stating that the Borough has complied with provisions of the Sunshine Law by adopting before January 10 of this year, a resolution prescribing the dates, times and locations of all regular meetings of the Commission. The Mayor stated there was a change in meeting format from in person to remote-conference. Written advanced notice of the change in format of at least 48 hours was supplied to two local newspapers. Mayor Maley led the Pledge of Allegiance.

Mayor Maley explained this meeting is being held by remote conference because of the stay-at-home order due to the COVID 19 virus. Mayor Maley explained how questions and comments can be submitted.

The CFO, Tax Collector and Municipal Court reports were approved.

**The Commissioners called for the Second Reading and Public Hearing of Ordinance 1690**

**AN ORDINANCE OF COLLINGSWOOD, 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 Collingswood Borough Council ("Borough Council") and the Mayor ("Mayor") of Collingswood (Borough) 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 Borough of Collingswood; 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 Borough seeks to establish a Government Energy Aggregation Program (“Program”) for the provision of electricity within the Borough, for the purpose of obtaining power supply cost savings for residential and business participants in the Borough; and

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

**WHEREAS**, the Borough 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 Borough 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 Borough 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 nonresidential 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 BOROUGH COUNCIL OF COLLINGSWOOD, IN THE COUNTY OF CAMDEN, NEW JERSEY, AS FOLLOWS:**

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. To affect the foregoing, the Municipal Council has determined to add Chapter 24 to the Code of the Borough of Collingswood to read as follows:

## **Chapter 24. Energy**

### **§ 24-1. Community Energy Aggregation**

**§ 24-1.1. Authorization** the Collingswood Borough 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.*

**§ 24-1.2. Lead Agency.** The Collingswood Borough 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 Borough.

### **§ 24-1.3. Electric Distribution Aggregation Agreement; Terms; Master Performance**

09-08-2020

**Agreement.**

A. The Mayor of Collingswood Borough (“Mayor”) shall be and is authorized to execute and the Borough Clerk to attest to the execution of and Electric Distribution Aggregation Agreement, in a form acceptable to Borough, 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 Collingswood Borough (“Borough”) 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 Borough’s residents and businesses. The Mayor may execute and enter into a contract for such services, subject to § 24-1.3(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 § 24-1.3(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 Borough on behalf of participating members of the CEA program, and provided that such contract shall be at prices reasonably forecast and estimated by the Borough 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 Borough Clerk.

6. This Ordinance shall take effect after twenty (20) days of its final passage by the Collingswood Borough Council, upon approval by the Mayor and publication as required by law.

**Mayor Maley opened the Ordinance to the public:**

***With no comments Mayor Maley moved the public hearing closed and the ordinance be adopted on second and final reading which was seconded and approved by the call of the roll:***

**Aye: M. James Maley, Jr.**  
**Aye: Joan Leonard**  
**Aye: Robert Lewandowski**

## **The Commissioners called for the Second Reading and Public Hearing of Ordinance 1691**

APPROPRIATING \$600,000 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR THE COMPLETION OF CONSTRUCTING THE EMERGENCY RESPONSE BUILDING AND RELATED ACQUISITION AND IMPROVMENTS IN AND FOR THE BOROUGH OF COLLINGSWOOD

**Mayor Maley made a motion to withdraw**

**Aye:** *M. James Maley, Jr.*

**Aye:** *Joan Leonard*

**Aye:** *Robert Lewandowski*

## **The Commissioners called for the First Reading of Ordinance 1692**

**AN ORDINANCE AMENDING CHAPTER 141 OF THE CODE OF THE BOROUGH OF COLLINGSWOOD AND GRANTING TO THE PLANNING BOARD OF THE BOROUGH OF COLLINGSWOOD THE POWERS FORMERLY HELD BY THE BOROUGH OF COLLINGSWOOD ZONING BOARD OF ADJUSTMENT**

**WHEREAS**, the Municipal Land Use Law, N.J.S.A. 40:55D-25c, specifically allows municipalities having a population of 15,000 or less by Ordinance to grant to the Planning Board, to the same extent and subject to the same restrictions, all the powers of a Zoning Board of Adjustment operating within such a municipality; and

**WHEREAS**, the Borough of Collingswood ("Borough") has a population of less than 15,000 ; and

**WHEREAS**, it is the desire of the Board of Commissioners ("Commissioners") of the Borough to reduce tax burdens on the taxpayers within the Borough by eliminating the dual expenses of having both a Planning Board and a Zoning Board of Adjustment; and

**WHEREAS**, it is further the desire of the Commissioners to consolidate zoning matters in one body to advance more efficient , cost effective, uniform and consistent land use administration in accordance with the Municipal Land Use Law and to the benefit of the Borough; and

**WHEREAS**, when a Planning Board exercises the powers of a former Zoning Board of Adjustment, any Class I and Class III member of said Planning Board may not participate in the consideration of any applications for development which involve relief pursuant to subsection (d) of N.J.S.A. 40:55D-70; and

**WHEREAS**, any matters pending before a Zoning Board of Adjustment prior to consolidation of Boards may be heard by that Zoning Board of Adjustment in accordance with N.J.S.A. 40:55D-72.1; and

**WHEREAS**, the Code of the Borough will have to be amended to incorporate the changes as contemplated by this Ordinance.

**NOW, THEREFORE, BE IT ORDAINED**, by the Commissioners of the Borough as follows:

**SECTION 1:** As of the adoption of this Ordinance, the Zoning Board of the Borough ("Zoning Board") is hereby abolished except that any applications then pending before the Zoning Board may continue to be heard in accordance with N.J.S.A. 40:55D-72.1.

**SECTION 2:** All powers of the former Zoning Board are hereby vested in the Borough Planning Board ("Planning Board"). To that extent, this Ordinance may not be all inclusive so that if there is any ordinance, whether the same be a Municipal Land Use ordinance or otherwise, which grants powers to the Zoning Board, said powers shall now lie with the Planning Board.

**SECTION 3:** Any Class I and Class III member of the Planning Board shall not participate in the consideration of any applications of development which involve relief pursuant to subsection (d) of N.J.S.A. 40:55D-70.

**SECTION 4:** Chapter 141, Development Regulations, Article III, Sections 141-7 A-F shall be deleted and any powers, criteria and jurisdiction contained in Article III, Sections 141-7 G-K shall now lie with the Planning Board.

**SECTION 5:** Any references, in Chapter 141 to Zoning Board of Adjustment shall be revised to Planning Board.

SECTION 6: When necessary for the purposes of implementing this Ordinance, the term "Planning Board" shall be substituted for the term "Zoning Board of Adjustment" or equivalent in each and every instance where "Zoning Board of Adjustment" or equivalent appears in any ordinance, resolution, rule, regulation or amendments thereto.

SECTION 7: Where the substitution of "Planning Board" for "Zoning Board of Adjustment" or equivalent results in an apparent duplication, redundancy, or conflict in any ordinance, resolution, rule or regulation, the same shall be liberally construed and interpreted in accordance with the intent and purpose of N.J.S.A. 55D-25c, whereby the Planning Board replaces and to the same extent and subject to the same restrictions exercises all the powers of the Zoning Board.

SECTION 8: All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 9: Should any sentence, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

SECTION 10: This Ordinance shall take effect immediately upon final adoption and publication according to

***Mayor Maley moved the ordinance be approved on first reading, published, and the second reading and public hearing to be held on November 2, 2020 which was seconded and approved by the following call of the roll:***

***Aye: M. James Maley, Jr.***

***Aye: Joan Leonard***

***Aye: Robert Lewandowski***

***Public Comment on Resolution Items: None***

***The Following Resolutions were Approved without a Dissenting Vote***

157. Appointing Geoffrey T. Joyce as Deputy Chief to the Borough of Collingswood Fire Department

158. Appointing Stephen Reustle as Lieutenant to the Borough of Collingswood Fire Department

159. Appointing Christian Santos as Firefighter / EMT to the Borough of Collingswood Fire Department

160. Appointing Aidan Eccleston as a Junior Fire Fighter to the Borough of Collingswood Fire Department

161. Appointing Christopher Badecki as Special Law Enforcement Officer Class II to the Borough of Collingswood Police Department

162. Appointing Ashley Surgner as Special Law Enforcement Officer Class II to the Borough of Collingswood Police Department

163. Accepting the 2019 Audit and Signing of the Group Affidavit

164. Approving a Lien Certification Pursuant to Chapter 227 of the Borough Code  
Block 109 lot 19

165. Authorizing a Refund of a Tax Overpayment for Block 19.08 Lot 9

166. Authorizing a Cooperative Pricing Agreement with Camden County -Copy Paper

167. Authorizing a Cooperative Pricing Agreement with Camden County -Sodium Chloride

168. Authorizing Purchase Under State Contract- Laptops for Patrol Vehicles

169. Authorizing an Emergency Appropriation – Foundation for the Arts

170. Authorization to Solicit for RFP- Professional Services

## 171. Authorizing Payment of Bills as Presented by the Treasurer

**Commissioner Lewandowski**, invited residents to participate in the online experience “Collingswood Conversations” in respect to the issues of race and inequity. Commissioner Lewandowski encouraged residents to take the Collingswood Conversations survey and directed residents to where the information can be found on the Borough website. Commissioner Lewandowski talked about some of the great ideas and fun events the Borough staff is coming up with to help folks celebrate Halloween safely this year. Commissioner Lewandowski announced the Borough received the operation permit from DEP for Water Well #8. Commissioner Lewandowski asked folks to support the local restaurants and businesses during the upcoming restaurant week. Commissioner Lewandowski thanked all involved with the online Collingswood Book Festival.

**Commissioner Leonard**, expressed her thanks to all the Haddon Avenue businesses that have welcomed the thousands of visitors on Halloween to Collingswood over the years. Commissioner Leonard explained the businesses have given out thousands of pieces of candy on Halloween. But this year because of safety concerns we will not be doing that. Commissioner Leonard reminded residents to vote in November and directed any resident with questions to the Borough Clerk’s office. Commissioner Leonard talked about the Borough tree plantings being a little different due to COVID but reminded residents that planting is still taking place. Commissioner Leonard talked about some of the events that we were able to hold while following safe practices such as the electronic recycling, the shred event and our bike share program. Commissioner Leonard thanked everyone who helped us work through the changes on how we do these things because of COVID. Commissioner Leonard told everyone to continue to be safe and to please let us know if there is anything we can do to help you, we can be reached by email, a phone call or stop in Borough Hall.

### **Oaths of Office**

Geoffrey Joyce  
Stephen Reustle  
Christian Santos

**Mayor Maley** thanked all the Fire Fighters and EMT’s for the work they do especially during these difficult times during the COVID pandemic.

Commissioner Lewandowski reminded residents to bring their kids out the Collingswood Police bike rodeo for bicycle safety.

**Mayor Maley**, talked about the upcoming Presidential election. He informed residents whom normally vote at McLaughlin Hall that they will be voting at the Collingswood Senior Community Center for this election. Mayor Maley also shared information about mail in voting, where voters can deliver their vote by mail ballot in person and what to do if a vote by mail ballot has been lost or misplaced. Mayor Maley also explained how provisional ballots are used and that any voters with a disability that prevents them from using a paper ballot will be able to use the voting machines.

Mayor Maley opened the meeting to the public

Kate Delany, 126 E Palmer Ave. suggested instead of combining the planning and zoning boards that public education and communication would address any confusion. Ms. Delany said she does not feel this is a good way to trim the fat from the budget. Mayor Maley responded that we did not state the combining of the boards was being done because of budgetary reasons. Mayor Maley explained the confusion has been because board attorneys have heard cases in the past and it has been determined the applicant should have gone before another board. Commissioner Lewandowski explained this is not a unique problem, this happens in other towns as well. Ms. Delany asked for information on what is being done to address the algae in Knight Park. Mayor Maley said he will reach out to the Knight Park Trustees.

Jenn Rossi, 114 East Palmer Ave. thanked the Commissioners for passing ordinance 1690. Ms. Rossi commented on litter in Knight Park and if there could be some public education addressing it. Mayor Maley said he would refer her idea to the Collingswood Green Team.

With no other comments, Mayor Maley moved the meeting be adjourned at 7:33 PM, which was seconded.

Approved: January 4, 2020

Commissioners	Present	Absent	Aye	Nay	Abstain
Mayor M. James Maley	x		x		
Commissioner Joan Leonard	x		x		
Commissioner Lewandowski	x		x		