

For the Period February 1, 2017 to January 31, 2018

NEW JERSEY
PUBLIC POWER AUTHORITY

(Name)

Authority Budget

director@NJPPA.net

(Authority Web Address)

Department Of



**Community
Affairs**

Division of Local Government Services

2018 AUTHORITY BUDGET

Certification Section

2018

NEW JERSEY PUBLIC POWER AUTHORITY

(Name)

AUTHORITY BUDGET

FISCAL YEAR: FROM FEBRUARY 1, 2017 TO JANUARY 31, 2018

For Division Use Only

CERTIFICATION OF APPROVED BUDGET

It is hereby certified that the approved Budget made a part hereof complies with the requirements of law and the rules and regulations of the Local Finance Board, and approval is given pursuant to N.J.S.A. 40A:5A-11.

*State of New Jersey
Department of Community Affairs
Director of the Division of Local Government Services*

By: _____ Date: _____

CERTIFICATION OF ADOPTED BUDGET

It is hereby certified that the adopted Budget made a part hereof has been compared with the approved Budget previously certified by the Division, and any amendments made thereto. This adopted Budget is certified with respect to such amendments and comparisons only.

*State of New Jersey
Department of Community Affairs
Director of the Division of Local Government Services*

By: _____ Date: _____

2018 PREPARER'S CERTIFICATION

NEW JERSEY PUBLIC POWER AUTHORITY

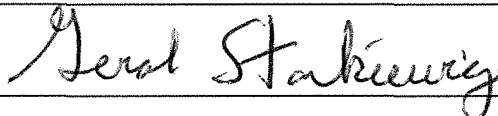
(Name)

AUTHORITY BUDGET

FISCAL YEAR: **FROM:** FEBRUARY 1, 2017 **TO:** JANUARY 31, 2018

It is hereby certified that the Authority Budget, including both the Annual Budget and the Capital Budget/Program annexed hereto, represents the members of the governing body's resolve with respect to statute in that: all estimates of revenue are reasonable, accurate and correctly stated; all items of appropriation are properly set forth; and in itemization, form and content, the budget will permit the exercise of the comptroller function within the Authority.

It is further certified that all proposed budgeted amounts and totals are correct. Also, I hereby provide reasonable assurance that all assertions contained herein are accurate and all required schedules are completed and attached.

| | | | |
|-----------------------|---|-------------|--------------|
| Preparer's Signature: |  | | |
| Name: | Gerard Stankiewicz | | |
| Title: | Partner, CPA, RMA, PSA | | |
| Address: | Samuel Klein and Company 36 West Main Street, Suite 303 Freehold, NJ 07728 | | |
| Phone Number: | 732-780-2600 | Fax Number: | 732-780-1030 |
| E-mail address | gstank@sklein-cpa.com | | |

2018 APPROVAL CERTIFICATION

NEW JERSEY PUBLIC POWER AUTHORITY

(Name)

AUTHORITY BUDGET

FISCAL YEAR: **FROM:** FEBRUARY 1, 2017 **TO:** JANUARY 31, 2018

It is hereby certified that the Authority Budget, including all schedules appended hereto, are a true copy of the Annual Budget and Capital Budget/Program approved by resolution by the governing body of the New Jersey Public Power Authority, at an open public meeting held pursuant to N.J.A.C. 5:31-2.3, on the 5th day of June, 2017.

It is further certified that the recorded vote appearing in the resolution represents not less than a majority of the full membership of the governing body thereof.

| | | | |
|----------------------|---|-------------|--|
| Officer's Signature: | | | |
| Name: | Brian M. Vayda | | |
| Title: | Executive Director | | |
| Address: | c/o Borough of Butler One Ace Road Butler, NJ 07405 | | |
| Phone Number: | 973-750-1134 | Fax Number: | |
| E-mail address | bvayda@NJPPA.net | | |

INTERNET WEBSITE CERTIFICATION

| | |
|--------------------------|--|
| Authority's Web Address: | Estimate Activation Date is June 1, 2017 |
|--------------------------|--|

All authorities shall maintain either an Internet website or a webpage on the municipality's or county's Internet website. The purpose of the website or webpage shall be to provide increased public access to the authority's operations and activities. N.J.S.A. 40A:5A-17.1 requires the following items to be included on the Authority's website at a minimum for public disclosure. Check the boxes below to certify the Authority's compliance with N.J.S.A. 40A:5A-17.1.

- ☐ A description of the Authority's mission and responsibilities
- N/A ☐ Commencing with 2013, the budgets for the current fiscal year and immediately preceding two prior years
- N/A ☐ The most recent Comprehensive Annual Financial Report (Unaudited) or similar financial information
- N/A ☐ Commencing with 2012, the annual audits of the most recent fiscal year and immediately two prior years
- ☐ The Authority's rules, regulations and official policy statements deemed relevant by the governing body of the authority to the interests of the residents within the authority's service area or jurisdiction
- ☐ Notice posted pursuant to the "Open Public Meetings Act" for each meeting of the Authority, setting forth the time, date, location and agenda of each meeting
- ☐ Beginning January 1, 2013, the approved minutes of each meeting of the Authority including all resolutions of the board and their committees; for at least three consecutive fiscal years
- ☐ The name, mailing address, electronic mail address and phone number of every person who exercises day-to-day supervision or management over some or all of the operations of the Authority
- ☐ A list of attorneys, advisors, consultants and any other person, firm, business, partnership, corporation or other organization which received any remuneration of \$17,500 or more during the preceding fiscal year for any service whatsoever rendered to the Authority.

It is hereby certified by the below authorized representative of the Authority that the Authority's website or webpage as identified above complies with the minimum statutory requirements of N.J.S.A. 40A:5A-17.1 as listed above. A check in each of the above boxes signifies compliance.

Name of Officer Certifying compliance

Brian M. Vayda

Title of Officer Certifying compliance

Executive Director

Signature

NOTE TO NJDCA: Will update the website as the Authority progresses.

2018 AUTHORITY BUDGET RESOLUTION

NEW JERSEY PUBLIC POWER AUTHORITY

(Name)

FISCAL YEAR: **FROM:** FEBRUARY 1, 2017 **TO:** JANUARY 31, 2018

WHEREAS, the Annual Budget and Capital Budget for the New Jersey Public Power Authority for the fiscal year beginning, February 1, 2017 and ending, January 31, 2018 has been presented before the governing body of the New Jersey Public Power Authority at its open public meeting of June 5, 2017; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$ 133,100.00, Total Appropriations, including any Accumulated Deficit if any, of \$ 133,100.00 and Total Unrestricted Net Position utilized of None; and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$ None and Total Unrestricted Net Position planned to be utilized as funding thereof, of \$ None; and

WHEREAS, the schedule of rates, fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves, all as may be required by law, regulation or terms of contracts and agreements; and

WHEREAS, the Capital Budget/Program, pursuant to N.J.A.C. 5:31-2, does not confer any authorization to raise or expend funds; rather it is a document to be used as part of the said Authority's planning and management objectives. Specific authorization to expend funds for the purposes described in this section of the budget, must be granted elsewhere; by bond resolution, by a project financing agreement, by resolution appropriating funds from the Renewal and Replacement Reserve or other means provided by law.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the New Jersey Public Power Authority, at an open public meeting held on June 5, 2017 that the Annual Budget, including all related schedules, and the Capital Budget/Program of the New Jersey Public Power Authority for the fiscal year beginning, February 1, 2017 and ending, January 31, 2018 is hereby approved; and

BE IT FURTHER RESOLVED, that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the said Authority's outstanding debt obligations, capital lease arrangements, service contracts, and other pledged agreements; and

BE IT FURTHER RESOLVED, that the governing body of the New Jersey Public Power Authority will consider the Annual Budget and Capital Budget/Program for adoption on July 20, 2017.

| | | | | | | |
|------------------------|-------------------------|---------------------------------|-----|-----|---------|---------------|
| _____ | | | | | | June 5, 2017 |
| Beattie | (Secretary's Signature) | | | | | (Date) |
| | | Motion | | | | Recorded Vote |
| | | 1 st 2 nd | Aye | Nay | Abstain | Absent |
| Governing Body Member: | | | | | | |
| Akers | | | | | | |
| Beattie | | | | | | |
| Biancamano | | | | | | |
| Borowski | | | | | | |
| Burnet | | | | | | |
| Lampmann | | | | | | |
| Lillie | | | | | | |
| Mull | | | | | | |
| Zanga | | | | | | |

2018 ADOPTION CERTIFICATION

NEW JERSEY PUBLIC POWER AUTHORITY

(Name)

AUTHORITY BUDGET

FISCAL YEAR: **FROM:** FEBRUARY 1, 2017 **TO:** JANUARY 31, 2018

It is hereby certified that the Authority Budget and Capital Budget/Program annexed hereto is a true copy of the Budget adopted by the governing body of the New Jersey Public Power Authority, pursuant to N.J.A.C. 5:31-2.3, on the 20th day of July, 2017.

| | | | |
|----------------------|---|-------------|--|
| Officer's Signature: | | | |
| Name: | Brian M. Vayda | | |
| Title: | Executive Director | | |
| Address: | c/o Borough of Butler One Ace Road Butler, NJ 07405 | | |
| Phone Number: | 973-750-1134 | Fax Number: | |
| E-mail address | <u>bvayda@njppa.net</u> | | |

2018 ADOPTED BUDGET RESOLUTION

NEW JERSEY PUBLIC POWER AUTHORITY

(Name)

FISCAL YEAR: **FROM:** FEBRUARY 1, 2017 **TO:** JANUARY 31, 2018

WHEREAS, the Annual Budget and Capital Budget/Program for the New Jersey Public Power Authority for the fiscal year beginning February 1, 2017 and ending, January 31, 2018 has been presented for adoption before the governing body of the New Jersey Public Power Authority at its open public meeting of June 5, 2017; and

WHEREAS, the Annual Budget and Capital Budget as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services; and

WHEREAS, the Annual Budget as presented for adoption reflects Total Revenues of \$ 133,100.00, Total Appropriations, including any Accumulated Deficit, if any, of \$ None and Total Unrestricted Net Position utilized of \$ 133,100.00; and

WHEREAS, the Capital Budget as presented for adoption reflects Total Capital Appropriations of \$ None and Total Unrestricted Net Position planned to be utilized of \$ None; and

NOW, THEREFORE BE IT RESOLVED, by the governing body of New Jersey Public Power Authority, at an open public meeting held on July 20, 2017 that the Annual Budget and Capital Budget/Program of the New Jersey Public Power Authority for the fiscal year beginning, February 1, 2017 and ending, January 31, 2018 is hereby adopted and shall constitute appropriations for the purposes stated; and

BE IT FURTHER RESOLVED, that the Annual Budget and Capital Budget/Program as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services.

Beattie (Secretary's Signature)

July 20, 2017
(Date)

| | Motion | | Recorded Vote | | | |
|------------------------|-----------------------|-----------------------|---------------|------------|----------------|---------------|
| | <u>1st</u> | <u>2nd</u> | <u>Aye</u> | <u>Nay</u> | <u>Abstain</u> | <u>Absent</u> |
| Governing Body Member: | | | | | | |

Akers
Beattie
Biancamano
Borowski
Burnet
Lampmann
Lillie
Mull
Zanga

2018 AUTHORITY BUDGET

Narrative and Information Section

2018 AUTHORITY BUDGET MESSAGE & ANALYSIS NEW JERSEY PUBLIC POWER AUTHORITY

(Name)

AUTHORITY BUDGET

FISCAL YEAR: **FROM:** FEBRUARY 1, 2017 **TO:** JANUARY 31, 2018

Answer all questions below. Attach additional pages and schedules as needed.

1. Complete a brief statement on the 2018 proposed Annual Budget and make comparison to the 2016 adopted budget for each operation. Explain any variances over +/-10% for each line item by operation. Explanations of variances should include a description of the reason for the increase/decrease in the budgeted line item, not just an indication of the amount and percent of the change. Attach any supporting documentation that will help to explain the reason for the increase/decrease in the budgeted line item. For example, if anticipated service charges have increased 15% due to an increase in rates, provide a copy of the resolution authorizing the rate increase. **2017-2018 Inception fiscal year.**
2. Complete a brief statement on the impact the proposed Annual Budget will have on Anticipated Revenues, especially service charges and on the general purpose/component unit financial statements. Explain significant increases or decreases, if any. An increase or decrease is considered significant if it is over +/-10% from the current year adopted budget. **Service charge will support the administration.**
3. Describe the state of the local/regional economy and how it may impact the proposed Annual Budget, including the planned Capital Budget/Program. **Not significant, mostly recurring formula driven revenue.**
4. Describe the reasons for utilizing Unrestricted Net Position in the proposed Annual Budget, i.e. rate stabilization, debt service reduction, to balance the budget, etc. If the Authority's budget anticipates a use of Unrestricted Net Position, this question must be answered. **N/A for 2018 Inception year.**
5. Identify any sources of funds transferred to the County/Municipality as a budget subsidy or a shared service and explain the reason for the transfer (i.e.: to balance the County/Municipality budget, etc.). **N/A for 2018.**
6. The proposed budget must not reflect an anticipated deficit from 2017 operations. If there exists an accumulated deficit from prior years' budgets (and funding is included in the proposed budget as a result of a prior deficit) explain the funding plan to eliminate said deficit (N.J.S.A. 40A:5A-12). If the Authority has a net deficit reported in its most recent audit, it must provide a deficit reduction plan in response to this question. **N/A.**
7. Attach a schedule of the Authority's existing rate structure (connection fees, parking fees, service charges, etc.) and a schedule of the proposed rate structure for the upcoming fiscal year. Explain any proposed changes in the rate structure and attach the resolution approving the change in the rate structure, if applicable. **See Attachment.**
8. Attach a copy of the Authority's most recent Annual Operating Data submission to the Municipal Securities Rulemaking Board's Electronic Municipal Marketplace Access (EMMA) under the Authority's Continuing Disclosure Agreements for any debt issuances outstanding. Examples of Annual Operating Data may include sewer and water billings; parking rents and collections; number of customers; number of available parking spaces; etc. See Local Finance Notice 2014-9 for more information. **N/A.**

AUTHORITY CONTACT INFORMATION

2018

Please complete the following information regarding this Authority. All information requested below must be completed.

| | | | |
|---------------------------|---------------------------------------|-------------|-------|
| Name of Authority: | NEW JERSEY PUBLIC POWER AUTHORITY | | |
| Federal ID Number: | 82-0664214 | | |
| Address: | c/o Borough of Butler One Ace Road | | |
| City, State, Zip: | Butler | NJ | 07405 |
| Phone: (ext.) | 973-838-7200 | Fax: | |

| | | | |
|----------------------------|---|-------------|--------------|
| Preparer's Name: | Gerard Stankiewicz, Partner, CPA, RMA, PSA Of Samuel Klein & Company | | |
| Preparer's Address: | 36 West Main Street, Suite 303 | | |
| City, State, Zip: | Freehold | NJ | 07728 |
| Phone: (ext.) | 732-780-2600 | Fax: | 732-780-1030 |
| E-mail: | gstank@sklein-cpa.com | | |

| | | | |
|---------------------------------|------------------|-------------|--|
| Chief Executive Officer: | Brian M. Vayda | | |
| Phone: (ext.) | 973-750-1134 | Fax: | |
| E-mail: | bvayda@njppa.net | | |

| | | | |
|---------------------------------|--|-------------|--|
| Chief Financial Officer: | | | |
| Phone: (ext.) | | Fax: | |
| E-mail: | | | |

| | | | |
|--------------------------|--|-------------|--|
| Name of Auditor: | | | |
| Name of Firm: | | | |
| Address: | | | |
| City, State, Zip: | | | |
| Phone: (ext.) | | Fax: | |
| E-mail: | | | |

AUTHORITY INFORMATIONAL QUESTIONNAIRE

NEW JERSEY PUBLIC POWER AUTHORITY

(Name)

FISCAL YEAR: **FROM:** FEBRUARY 1, 2017 **TO:** JANUARY 31, 2018

Answer all questions below completely and attach additional information as required.

- 1) Provide the number of individuals employed in calendar year 2015 as reported on the Authority's Form W-3, Transmittal of Wage and Tax Statements: N/A
- 2) Provide the amount of total salaries and wages for calendar year 2015 as reported on the Authority's Form W-3, Transmittal of Wage and Tax Statements: N/A
- 3) Provide the number of regular voting members of the governing body: 9
- 4) Provide the number of alternate voting members of the governing body: 0
- 5) Did any person listed on Page N-4 have a family or business relationship with any other person listed on Page N-4 during the current fiscal year? No *If "yes," attach a description of the relationship including the names of the individuals involved and their positions at the Authority.*
- 6) Did all individuals that were required to file a Financial Disclosure Statement for the current fiscal year because of their relationship with the Authority file the form as required? N/A *If "no," provide a list of those individuals who failed to file a Financial Disclosure Statement and an explanation as to the reason for their failure to file.*
- 7) Does the Authority have any amounts receivable from current or former commissioners, officers, key employees or highest compensated employees? N/A *If "yes," attach a list of those individuals, their position, the amount receivable, and a description of the amount due to the Authority.*
- 8) Was the Authority a party to a business transaction with one of the following parties:
 - a. A current or former commissioner, officer, key employee, or highest compensated employee? N/A
 - b. A family member of a current or former commissioner, officer, key employee, or highest compensated employee? No
 - c. An entity of which a current or former commissioner, officer, key employee, or highest compensated employee (or family member thereof) was an officer or direct or indirect owner? N/A*If the answer to any of the above is "yes," attach a description of the transaction including the name of the commissioner, officer, key employee, or highest compensated employee (or family member thereof) of the Authority; the name of the entity and relationship to the individual or family member; the amount paid; and whether the transaction was subject to a competitive bid process.*
- 9) Did the Authority during the most recent fiscal year pay premiums, directly or indirectly, on a personal benefit contract? A personal benefit contract is generally any life insurance, annuity, or endowment contract that benefits, directly or indirectly, the transferor, a member of the transferor's family, or any other person designated by the transferor. N/A *If "yes," attach a description of the arrangement, the premiums paid, and indicate the beneficiary of the contract.*
- 10) Explain the Authority's process for determining compensation for all persons listed on Page N-4. Include whether the Authority's process includes any of the following: 1) review and approval by the commissioners or a committee thereof; 2) study or survey of compensation data for comparable positions in similarly sized entities; 3) annual or periodic performance evaluation; 4) independent compensation consultant; and/or 5) written employment contract; and/or 5) written employment contract..

Initial year of operation; policies and procedures will be developed as the entity develops.

No compensation for Board Members (per Enabling Statute)

AUTHORITY INFORMATIONAL QUESTIONNAIRE
(CONTINUED)
NEW JERSEY PUBLIC POWER AUTHORITY
(Name)

FISCAL YEAR: FROM: FEBRUARY 1, 2017 TO: JANUARY 31, 2018

- 11) Did the Authority pay for meals or catering during the current fiscal year? N/A If "yes," attach a detailed list of all meals and/or catering invoices for the current fiscal year and provide an explanation for each expenditure listed.
- 12) Did the Authority pay for travel expenses for any employee or individual listed on Page N-4? N/A If "yes," attach a detailed list of all travel expenses for the current fiscal year and provide an explanation for each expenditure listed.
- 13) Did the Authority provide any of the following to or for a person listed on Page N-4 or any other employee of the Authority:
- a. First class or charter travel N/A
 - b. Travel for companions N/A
 - c. Tax indemnification and gross-up payments N/A
 - d. Discretionary spending account N/A
 - e. Housing allowance or residence for personal use N/A
 - f. Payments for business use of personal residence N/A
 - g. Vehicle/auto allowance or vehicle for personal use N/A
 - h. Health or social club dues or initiation fees N/A
 - i. Personal services (i.e.: maid, chauffeur, chef) N/A
- If the answer to any of the above is "yes," attach a description of the transaction including the name and position of the individual and the amount expended.
- 14) Did the Authority follow a written policy regarding payment or reimbursement for expenses incurred by employees and/or commissioners during the course of Authority business and does that policy require substantiation of expenses through receipts or invoices prior to reimbursement? N/A If "no," attach an explanation of the Authority's process for reimbursing employees and commissioners for expenses.
- 15) Did the Authority make any payments to current or former commissioners or employees for severance or termination? N/A If "yes," attach explanation including amount paid.
- 16) Did the Authority make any payments to current or former commissioners or employees that were contingent upon the performance of the Authority or that were considered discretionary bonuses? N/A If "yes," attach explanation including amount paid.
- 17) Did the Authority comply with its Continuing Disclosure Agreements for all debt issuances outstanding by submitting its audited annual financial statements, annual operating data, and notice of material events to the Municipal Securities Rulemaking Board's Electronic Municipal Marketplace Access (EMMA) as required? N/A If "no," attach a description of the Authority's plan to ensure compliance with its Continuing Disclosure Agreements in the future.
- 18) Did the Authority receive any notices from the Department of Environmental Protection or any other entity regarding maintenance or repairs required to the Authority's systems to bring them into compliance with current regulations and standards that it has not yet taken action to remediate? N/A If "yes," attach explanation as to why the Authority has not yet undertaken the required maintenance or repairs and describe the Authority's plan to address the conditions identified.
- 19) Did the Authority receive any notices of fines or assessments from the Department of Environmental Protection or any other entity due to noncompliance with current regulations (i.e.: sewer overflow, etc.)? N/A If "yes," attach a description of the event or condition that resulted in the fine or assessment and indicate the amount of the fine or assessment.

**AUTHORITY SCHEDULE OF COMMISSIONERS, OFFICERS, KEY EMPLOYEES,
HIGHEST COMPENSATED EMPLOYEES AND INDEPENDENT CONTRACTORS
NEW JERSEY PUBLIC POWER AUTHORITY**

(Name)

FISCAL YEAR: FROM: FEBRUARY 1, 2017 TO: JANUARY 31, 2018

Complete the attached table for all persons required to be listed per #1-4 below.

- 1) List all of the Authority's current commissioners and officers and amount of compensation from the Authority and any other public entities as defined below. Enter zero if no compensation was paid.
- 2) List all of the Authority's key employees and highest compensated employees other than a commissioner or officer as defined below and amount of compensation from the Authority and any other public entities.
- 3) List all of the Authority's former officers, key employees and highest compensated employees who received more than \$100,000 in reportable compensation from the Authority and any other public entities during the most recent fiscal year completed.
- 4) List all of the Authority's former commissioners who received more than \$10,000 in reportable compensation from the Authority and any other public entities during the most recent fiscal year completed.

Commissioner: A member of the governing body of the authority with voting rights. Include alternates for purposes of this schedule.

Officer: A person elected or appointed to manage the authority's daily operations at any time during the year, such as the chairperson, vice-chairperson, secretary, or treasurer. For the purposes of this schedule, treat the authority's top management official and top financial official as officers. A member of the governing body may be both a commissioner and an officer for the purposes of this schedule.

Key employee: An employee or independent contractor of the authority (other than a commissioner or officer) who meets both of the following criteria:

- a) The individual received reportable compensation from the authority and other public entities in excess of \$150,000 for the most recent fiscal year completed; and
- b) The individual has responsibilities or influence over the authority as a whole or has power to control or determine 10% or more of the authority's capital expenditures or operating budget.

Highest compensated employee: One of the five highest compensated employees or independent contractors of the authority other than current commissioners, officers, or key employees whose aggregate reportable compensation from the authority and other public entities is greater than \$100,000 for the most recent fiscal year completed.

Compensation: All forms of cash and non-cash payments or benefits provided in exchange for services, including salaries and wages, bonuses, severance payments, deferred payments, retirement benefits, fringe benefits, and other financial arrangements or transactions such as personal vehicles, meals, housing, personal and family education benefits, below-market loans, payment of personal or family travel, entertainment, and personal use of the Authority's property. Compensation includes payments and other benefits provided to both employees and independent contractors in exchange for services.

Reportable compensation: The aggregate compensation that is reported (or is required to be reported) on Form W-2, box 1 or 5, whichever amount is greater, and/or Form 1099-MISC, box 7, for the most recent calendar year ended 60 days before the start of the proposed budget year. For example, for fiscal years ending December 31, 2016, the calendar year 2014 W-2 and 1099 should be used (60 days prior to start of budget year is November 1, 2015, with 2014 being the most recent calendar year ended), and for fiscal years ending June 30, 2017, the calendar year 2015 W-2 and 1099 should be used (60 days prior to start of budget year is May 1, 2016, with 2015 being the most recent calendar year ended).

Other Public Entity: Any municipality, county, local authority, fire district, or other government unit, regardless of whether it is related in any way to the Authority either by function or by physical location.

Authority Schedule of Commissioners, Officers, Key Employees, Highest Compensated Employees and Independent Contractors (Continued)

For the Period February 1, 2017 to January 31, 2018

| Reportable Compensation from Authority (W-2/ 1099) | | | | | | | | | | | | | | | | | | |
|--|--------------------|--|--------------|---------|--------------|------------------------------|----------------------|-------|---|--|-----------------------------------|---|---|--|---|--|--|--|
| Name | Title | Average Hours per Week Dedicated to Position | Position | | | | Base Salary/ Stipend | Bonus | Other (auto allowance, expense account, payment in lieu of health benefits, etc.) | Estimated amount of other compensation from the Authority (health benefits, pension, etc.) | Total Compensation from Authority | Names of Other Public Entities where Individual is an Employee or Member of the Governing Body (1) See note below | | Positions held at Other Public Entities Listed in Column O | Average Hours per Week Dedicated to Positions at Other Public Entities Listed in Column O | Reportable Compensation from Other Public Entities (W-2/ 1099) | Estimated amount of other compensation from Other Public Entities (health benefits, pension, payment in lieu of health benefits, etc.) | Total Compensation All Public Entities |
| | | | Commissioner | Officer | Key Employee | Highest Compensated Employee | | | | | | Former | Employee or Member of the Governing Body (1) See note below | | | | | |
| 1 James Jablonski | Executive Director | 35 | | X | | | \$ 12,943 | | | \$ 19,415 | \$ 32,358 | | | | | | | \$ 32,358 |
| 2 (to 8/3/2017) | | | | | | | | | | | 0 | | | | | | | 0 |
| 3 Brian Vayda | Executive Director | 35 | | X | | | 28,793 | | | 15,504 | 44,297 | | | | | | | 44,297 |
| 4 (effective 4/1/2017) | | | | | | | | | | | 0 | | | | | | | 0 |
| 5 Unnamed | Clerk | 5 | | X | | | 965 | | | 80 | 1,045 | | | | | | | 1,045 |
| 6 (effective 4/1/2017) | | | | | | | | | | | 0 | | | | | | | 0 |
| 7 | | | | | | | | | | | 0 | | | | | | | 0 |
| 8 | | | | | | | | | | | 0 | | | | | | | 0 |
| 9 | | | | | | | | | | | 0 | | | | | | | 0 |
| 10 | | | | | | | | | | | 0 | | | | | | | 0 |
| 11 | | | | | | | | | | | 0 | | | | | | | 0 |
| 12 | | | | | | | | | | | 0 | | | | | | | 0 |
| 13 | | | | | | | | | | | 0 | | | | | | | 0 |
| 14 | | | | | | | | | | | 0 | | | | | | | 0 |
| 15 | | | | | | | | | | | 0 | | | | | | | 0 |
| Total: | | | | | | | \$ 42,701 | \$ - | \$ - | \$ 34,999 | \$ 77,700 | ↑ | | | | \$ - | \$ - | \$ 77,700 |

(1) Insert "None" in this column for each individual that does not hold a position with another Public Entity

Schedule of Health Benefits - Detailed Cost Analysis

NEW JERSEY PUBLIC POWER AUTHORITY

For the Period February 1, 2017 to January 31, 2018

| | # of Covered Members (Medical & Rx) Proposed Budget | Annual Cost Estimate per Employee Proposed Budget | Total Cost Estimate Proposed Budget | # of Covered Members (Medical & Rx) Current Year | Annual Cost per Employee Current Year | Total Prior year Year Cost | \$ Increase (Decrease) | % Increase (Decrease) |
|---|--|---|--|---|---|-------------------------------|---------------------------|--------------------------|
| Active Employees - Health Benefits - Annual Cost | | | | | | | | |
| Single Coverage | | | \$ - | | | \$ - | \$ - | #DIV/0! |
| Parent & Child | | | - | | | - | - | #DIV/0! |
| Employee & Spouse (or Partner) | | | - | | | - | - | #DIV/0! |
| Family | 2 | 15,654 | 31,308 | | | - | 31,308 | #DIV/0! |
| Employee Cost Sharing Contribution (enter as negative -) | | | | | | | - | #DIV/0! |
| Subtotal | 2 | | 31,308 | 0 | | - | 31,308 | #DIV/0! |
| Commissioners - Health Benefits - Annual Cost | | | | | | | | |
| Single Coverage | | | - | | | - | - | #DIV/0! |
| Parent & Child | | | - | | | - | - | #DIV/0! |
| Employee & Spouse (or Partner) | | | - | | | - | - | #DIV/0! |
| Family | | | - | | | - | - | #DIV/0! |
| Employee Cost Sharing Contribution (enter as negative -) | | | | | | | - | #DIV/0! |
| Subtotal | 0 | | - | 0 | | - | - | #DIV/0! |
| Retirees - Health Benefits - Annual Cost | | | | | | | | |
| Single Coverage | | | - | | | - | - | #DIV/0! |
| Parent & Child | | | - | | | - | - | #DIV/0! |
| Employee & Spouse (or Partner) | | | - | | | - | - | #DIV/0! |
| Family | | | - | | | - | - | #DIV/0! |
| Employee Cost Sharing Contribution (enter as negative -) | | | | | | | - | #DIV/0! |
| Subtotal | 0 | | - | 0 | | - | - | #DIV/0! |
| GRAND TOTAL | <u>2</u> | | <u>\$ 31,308</u> | <u>0</u> | | <u>\$ -</u> | <u>\$ 31,308</u> | #DIV/0! |

Is medical coverage provided by the SHBP (Yes or No)? (Place Answer in Box)

Yes Yes or No

Is prescription drug coverage provided by the SHBP (Yes or No)? (Place Answer in Box)

Yes Yes or No

Note: Remember to Enter an amount in rows for Employee Cost Sharing

Schedule of Accumulated Liability for Compensated Absences

NEW JERSEY PUBLIC POWER AUTHORITY
For the Period February 1, 2017 to January 31, 2018

Complete the below table for the Authority's accrued liability for compensated absences.

X Box if Authority has no Compensated Absences ☐ X

| | | | Legal Basis for Benefit (check applicable items) | | |
|---|---|--|---|------------|---------------------------------------|
| Individuals Eligible for Benefit | Gross Days of Accumulated Compensated Absences at beginning of Current Year | Dollar Value of Accrued Compensated Absence Liability | Approved Labor Agreement | Resolution | Individual Employment Agreement |
| | | | | | |
| NONE | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| Total liability for accumulated compensated absences at beginning of current year | | \$ - | | | |

The total Amount Should agree to most recently issued audit report for the Authority

Schedule of Shared Service Agreements

NEW JERSEY PUBLIC POWER AUTHORITY

For the Period

February 1, 2017

to

January 31, 2018

Enter the shared service agreements that the Authority currently engages in and identify the amount that is received/paid for those services.

| Name of Entity Providing Service | Name of Entity Receiving Service | Type of Shared Service Provided | Comments (Enter more specifics if needed) | Agreement Effective Date | Agreement End Date | Amount to be Received by/ Paid from Authority |
|-----------------------------------|----------------------------------|--|---|--------------------------|--------------------|--|
| Basic-Business Operating Services | Borough of Butler | Normal Business Services (See attached) | Normal Business Services | 4/3/2017 | N/A | \$ - |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

If No Shared Services X this Box

☐

2018 AUTHORITY BUDGET

Financial Schedules Section

SUMMARY

NEW JERSEY PUBLIC POWER AUTHORITY
For the Period February 1, 2017 to January 31, 2018

| | <i>FY 2018 Proposed Budget</i> | | | | | | <i>FY 2017 Adopted Budget</i> | <i>\$ Increase (Decrease) Proposed vs. Adopted</i> | <i>% Increase (Decrease) Proposed vs. Adopted</i> |
|--|--------------------------------|--------------|------|------|------|------|-------------------------------|--|---|
| | #1 - Electric | Operation #2 | N/A | N/A | N/A | N/A | Total All Operations | Total All Operations | All Operations All Operations |
| REVENUES | | | | | | | | | |
| Total Operating Revenues | \$ 133,100 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 133,100 | \$ - | \$ 133,100 #DIV/0! |
| Total Non-Operating Revenues | - | - | - | - | - | - | - | - | - #DIV/0! |
| Total Anticipated Revenues | 133,100 | - | - | - | - | - | 133,100 | - | 133,100 #DIV/0! |
| APPROPRIATIONS | | | | | | | | | |
| Total Administration | 133,100 | - | - | - | - | - | 133,100 | - | 133,100 #DIV/0! |
| Total Cost of Providing Services | - | - | - | - | - | - | - | - | - #DIV/0! |
| Total Principal Payments on Debt Service in Lieu of Depreciation | - | - | - | - | - | - | - | - | - #DIV/0! |
| Total Operating Appropriations | 133,100 | - | - | - | - | - | 133,100 | - | 133,100 #DIV/0! |
| Total Interest Payments on Debt | - | - | - | - | - | - | - | - | - #DIV/0! |
| Total Other Non-Operating Appropriations | - | - | - | - | - | - | - | - | - #DIV/0! |
| Total Non-Operating Appropriations | - | - | - | - | - | - | - | - | - #DIV/0! |
| Accumulated Deficit | - | - | - | - | - | - | - | - | - #DIV/0! |
| Total Appropriations and Accumulated Deficit | 133,100 | - | - | - | - | - | 133,100 | - | 133,100 #DIV/0! |
| Less: Total Unrestricted Net Position Utilized | - | - | - | - | - | - | - | - | - #DIV/0! |
| Net Total Appropriations | 133,100 | - | - | - | - | - | 133,100 | - | 133,100 #DIV/0! |
| ANTICIPATED SURPLUS (DEFICIT) | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - #DIV/0! |

Revenue Schedule

NEW JERSEY PUBLIC POWER AUTHORITY

For the Period February 1, 2017 to January 31, 2018

| | FY 2018 Proposed Budget | | | | | | FY 2017 Adopted Budget | \$ Increase (Decrease) Proposed vs. Adopted | % Increase (Decrease) Proposed vs. Adopted |
|--|--------------------------------|--------------|-------------|-------------|-------------|-------------|-------------------------------|--|---|
| | Operation #1 - Electric Power | Operation #2 | N/A | N/A | N/A | N/A | Total All Operations | Total All Operations | All Operations |
| OPERATING REVENUES | | | | | | | | | |
| <i>Service Charges</i> | | | | | | | | | |
| Residential | | | | | | | \$ - | \$ - | #DIV/0! |
| Business/Commercial | | | | | | | - | - | #DIV/0! |
| Industrial | | | | | | | - | - | #DIV/0! |
| Intergovernmental | 133100 | | | | | | 133,100 | - | 133,100 |
| Other | | | | | | | - | - | #DIV/0! |
| Total Service Charges | 133,100 | - | - | - | - | - | 133,100 | - | 133,100 |
| <i>Connection Fees</i> | | | | | | | | | |
| Residential | | | | | | | - | - | #DIV/0! |
| Business/Commercial | | | | | | | - | - | #DIV/0! |
| Industrial | | | | | | | - | - | #DIV/0! |
| Intergovernmental | | | | | | | - | - | #DIV/0! |
| Other | | | | | | | - | - | #DIV/0! |
| Total Connection Fees | - | - | - | - | - | - | - | - | #DIV/0! |
| <i>Parking Fees</i> | | | | | | | | | |
| Meters | | | | | | | - | - | #DIV/0! |
| Permits | | | | | | | - | - | #DIV/0! |
| Fines/Penalties | | | | | | | - | - | #DIV/0! |
| Other | | | | | | | - | - | #DIV/0! |
| Total Parking Fees | - | - | - | - | - | - | - | - | #DIV/0! |
| <i>Other Operating Revenues (List)</i> | | | | | | | | | |
| Type in (Grant, Other Rev) | | | | | | | - | - | #DIV/0! |
| Type in (Grant, Other Rev) | | | | | | | - | - | #DIV/0! |
| Type in (Grant, Other Rev) | | | | | | | - | - | #DIV/0! |
| Type in (Grant, Other Rev) | | | | | | | - | - | #DIV/0! |
| Type in (Grant, Other Rev) | | | | | | | - | - | #DIV/0! |
| Type in (Grant, Other Rev) | | | | | | | - | - | #DIV/0! |
| Type in (Grant, Other Rev) | | | | | | | - | - | #DIV/0! |
| Type in (Grant, Other Rev) | | | | | | | - | - | #DIV/0! |
| Type in (Grant, Other Rev) | | | | | | | - | - | #DIV/0! |
| Type in (Grant, Other Rev) | | | | | | | - | - | #DIV/0! |
| Type in (Grant, Other Rev) | | | | | | | - | - | #DIV/0! |
| Total Other Revenue | - | - | - | - | - | - | - | - | #DIV/0! |
| Total Operating Revenues | 133,100 | - | - | - | - | - | 133,100 | - | 133,100 |
| NON-OPERATING REVENUES | | | | | | | | | |
| <i>Other Non-Operating Revenues (List)</i> | | | | | | | | | |
| Type in | | | | | | | - | - | #DIV/0! |
| Type in | | | | | | | - | - | #DIV/0! |
| Type in | | | | | | | - | - | #DIV/0! |
| Type in | | | | | | | - | - | #DIV/0! |
| Type in | | | | | | | - | - | #DIV/0! |
| Type in | | | | | | | - | - | #DIV/0! |
| Total Other Non-Operating Revenue | - | - | - | - | - | - | - | - | #DIV/0! |
| <i>Interest on Investments & Deposits (List)</i> | | | | | | | | | |
| Interest Earned | | | | | | | - | - | #DIV/0! |
| Penalties | | | | | | | - | - | #DIV/0! |
| Other | | | | | | | - | - | #DIV/0! |
| Total Interest | - | - | - | - | - | - | - | - | #DIV/0! |
| Total Non-Operating Revenues | - | - | - | - | - | - | - | - | #DIV/0! |
| TOTAL ANTICIPATED REVENUES | \$ 133,100 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 133,100 | \$ - | \$ 133,100 |

Prior Year Adopted Revenue Schedule

NEW JERSEY PUBLIC POWER AUTHORITY

FY 2017 Adopted Budget

| | Operation | | | | | | Total All |
|---|---------------|-----------|------|------|------|------|------------|
| | #1 - Electric | Operation | | | | | Operations |
| | Power | #2 | N/A | N/A | N/A | N/A | |
| OPERATING REVENUES | | | | | | | |
| <i>Service Charges</i> | | | | | | | |
| Residential | \$ | - | | | | | \$ - |
| Business/Commercial | | | | | | | - |
| Industrial | | | | | | | - |
| Intergovernmental | | | | | | | - |
| Other | | | | | | | - |
| Total Service Charges | - | - | - | - | - | - | - |
| <i>Connection Fees</i> | | | | | | | |
| Residential | | | | | | | - |
| Business/Commercial | | | | | | | - |
| Industrial | | | | | | | - |
| Intergovernmental | | | | | | | - |
| Other | | | | | | | - |
| Total Connection Fees | - | - | - | - | - | - | - |
| <i>Parking Fees</i> | | | | | | | |
| Meters | | | | | | | - |
| Permits | | | | | | | - |
| Fines/Penalties | | | | | | | - |
| Other | | | | | | | - |
| Total Parking Fees | - | - | - | - | - | - | - |
| <i>Other Operating Revenues (List)</i> | | | | | | | |
| Type in (Grant, Other Rev) | | | | | | | - |
| Type in (Grant, Other Rev) | | | | | | | - |
| Type in (Grant, Other Rev) | | | | | | | - |
| Type in (Grant, Other Rev) | | | | | | | - |
| Type in (Grant, Other Rev) | | | | | | | - |
| Type in (Grant, Other Rev) | | | | | | | - |
| Type in (Grant, Other Rev) | | | | | | | - |
| Type in (Grant, Other Rev) | | | | | | | - |
| Type in (Grant, Other Rev) | | | | | | | - |
| Type in (Grant, Other Rev) | | | | | | | - |
| Type in (Grant, Other Rev) | | | | | | | - |
| Total Other Revenue | - | - | - | - | - | - | - |
| Total Operating Revenues | - | - | - | - | - | - | - |
| NON-OPERATING REVENUES | | | | | | | |
| <i>Other Non-Operating Revenues (List)</i> | | | | | | | |
| Type in | | | | | | | - |
| Type in | | | | | | | - |
| Type in | | | | | | | - |
| Type in | | | | | | | - |
| Type in | | | | | | | - |
| Type in | | | | | | | - |
| Other Non-Operating Revenues | - | - | - | - | - | - | - |
| <i>Interest on Investments & Deposits</i> | | | | | | | |
| Interest Earned | | | | | | | - |
| Penalties | | | | | | | - |
| Other | | | | | | | - |
| Total Interest | - | - | - | - | - | - | - |
| Other Non-Operating Revenues | - | - | - | - | - | - | - |
| Total Non-Operating Revenues | - | - | - | - | - | - | - |
| TOTAL ANTICIPATED REVENUES | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |

Appropriations Schedule

NEW JERSEY PUBLIC POWER AUTHORITY

For the Period February 1, 2017 to January 31, 2018

| | FY 2018 Proposed Budget | | | | | | | FY 2017 Adopted Budget | \$ Increase (Decrease) Proposed vs. Adopted | % Increase (Decrease) Proposed vs. Adopted |
|--|--|---------------------|------------|------------|------------|------------|-----------------------------|-------------------------------|--|---|
| | Operation #1 Electric Power | Operation #2 | N/A | N/A | N/A | N/A | Total All Operations | Total All Operations | All Operations | All Operations |
| OPERATING APPROPRIATIONS | | | | | | | | | | |
| <i>Administration - Personnel</i> | | | | | | | | | | |
| Salary & Wages | \$ 42,701 | | | | | | \$ 42,701 | \$ - | \$ 42,701 | #DIV/0! |
| Fringe Benefits | 34,999 | | | | | | 34,999 | - | 34,999 | #DIV/0! |
| Total Administration - Personnel | 77,700 | - | - | - | - | - | 77,700 | - | 77,700 | #DIV/0! |
| <i>Administration - Other (List)</i> | | | | | | | | | | |
| Legal | 40,000 | | | | | | 40,000 | - | 40,000 | #DIV/0! |
| Audit | 9,000 | | | | | | 9,000 | - | 9,000 | #DIV/0! |
| Other | 6,400 | | | | | | 6,400 | - | 6,400 | #DIV/0! |
| Type in Description | | | | | | | - | - | - | #DIV/0! |
| Miscellaneous Administration* | | | | | | | - | - | - | #DIV/0! |
| Total Administration - Other | 55,400 | - | - | - | - | - | 55,400 | - | 55,400 | #DIV/0! |
| Total Administration | 133,100 | - | - | - | - | - | 133,100 | - | 133,100 | #DIV/0! |
| <i>Cost of Providing Services - Personnel</i> | | | | | | | | | | |
| Salary & Wages | | | | | | | - | - | - | #DIV/0! |
| Fringe Benefits | | | | | | | - | - | - | #DIV/0! |
| Total COPS - Personnel | - | - | - | - | - | - | - | - | - | #DIV/0! |
| <i>Cost of Providing Services - Other (List)</i> | | | | | | | | | | |
| Type in Description | | | | | | | - | - | - | #DIV/0! |
| Type in Description | | | | | | | - | - | - | #DIV/0! |
| Type in Description | | | | | | | - | - | - | #DIV/0! |
| Type in Description | | | | | | | - | - | - | #DIV/0! |
| Miscellaneous COPS* | | | | | | | - | - | - | #DIV/0! |
| Total COPS - Other | - | - | - | - | - | - | - | - | - | #DIV/0! |
| Total Cost of Providing Services | - | - | - | - | - | - | - | - | - | #DIV/0! |
| Total Principal Payments on Debt Service in Lieu of Depreciation | - | - | - | - | - | - | - | - | - | #DIV/0! |
| Total Operating Appropriations | 133,100 | - | - | - | - | - | 133,100 | - | 133,100 | #DIV/0! |
| NON-OPERATING APPROPRIATIONS | | | | | | | | | | |
| Total Interest Payments on Debt | - | - | - | - | - | - | - | - | - | #DIV/0! |
| Operations & Maintenance Reserve | | | | | | | - | - | - | #DIV/0! |
| Renewal & Replacement Reserve | | | | | | | - | - | - | #DIV/0! |
| Municipality/County Appropriation | | | | | | | - | - | - | #DIV/0! |
| Other Reserves | | | | | | | - | - | - | #DIV/0! |
| Total Non-Operating Appropriations | - | - | - | - | - | - | - | - | - | #DIV/0! |
| TOTAL APPROPRIATIONS | 133,100 | - | - | - | - | - | 133,100 | - | 133,100 | #DIV/0! |
| ACCUMULATED DEFICIT | | | | | | | | | | |
| TOTAL APPROPRIATIONS & ACCUMULATED DEFICIT | 133,100 | - | - | - | - | - | 133,100 | - | 133,100 | #DIV/0! |
| UNRESTRICTED NET POSITION UTILIZED | | | | | | | | | | |
| Municipality/County Appropriation | - | - | - | - | - | - | - | - | - | #DIV/0! |
| Other | | | | | | | - | - | - | #DIV/0! |
| Total Unrestricted Net Position Utilized | - | - | - | - | - | - | - | - | - | #DIV/0! |
| TOTAL NET APPROPRIATIONS | \$ 133,100 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 133,100 | \$ - | \$ 133,100 | #DIV/0! |

* Miscellaneous line items may not exceed 5% of total operating appropriations shown below. If amount in miscellaneous is greater than the amount shown below, then the line item must be itemized above.

5% of Total Operating Appropriations \$ 6,655.00 \$ - \$ - \$ - \$ - \$ - \$ - \$ 6,655.00

Prior Year Adopted Appropriations Schedule

NEW JERSEY PUBLIC POWER AUTHORITY

FY 2017 Adopted Budget

| | Operation #1 - Electric Power | Operation #2 | N/A | N/A | N/A | N/A | Total All Operations |
|---|-------------------------------------|-----------------|------|------|------|------|-------------------------|
| OPERATING APPROPRIATIONS | | | | | | | |
| <i>Administration - Personnel</i> | | | | | | | |
| Salary & Wages | | | | | | | \$ - |
| Fringe Benefits | | | | | | | - |
| Total Administration - Personnel | - | - | - | - | - | - | - |
| <i>Administration - Other (List)</i> | | | | | | | |
| Type In Description | | | | | | | - |
| Type In Description | | | | | | | - |
| Type In Description | | | | | | | - |
| Type In Description | | | | | | | - |
| Miscellaneous Administration* | | | | | | | - |
| Total Administration - Other | - | - | - | - | - | - | - |
| Total Administration | - | - | - | - | - | - | - |
| <i>Cost of Providing Services - Personnel</i> | | | | | | | |
| Salary & Wages | | | | | | | - |
| Fringe Benefits | | | | | | | - |
| Total COPS - Personnel | - | - | - | - | - | - | - |
| <i>Cost of Providing Services - Other (List)</i> | | | | | | | |
| Type In Description | | | | | | | - |
| Type In Description | | | | | | | - |
| Type In Description | | | | | | | - |
| Type In Description | | | | | | | - |
| Miscellaneous COPS* | | | | | | | - |
| Total COPS - Other | - | - | - | - | - | - | - |
| Total Cost of Providing Services | - | - | - | - | - | - | - |
| Total Principal Payments on Debt Service in Lieu of Depreciation | - | - | - | - | - | - | - |
| Total Operating Appropriations | - | - | - | - | - | - | - |
| NON-OPERATING APPROPRIATIONS | | | | | | | |
| Total Interest Payments on Debt | - | - | - | - | - | - | - |
| Operations & Maintenance Reserve | | | | | | | - |
| Renewal & Replacement Reserve | | | | | | | - |
| Municipality/County Appropriation | | | | | | | - |
| Other Reserves | | | | | | | - |
| Total Non-Operating Appropriations | - | - | - | - | - | - | - |
| TOTAL APPROPRIATIONS | - | - | - | - | - | - | - |
| ACCUMULATED DEFICIT | | | | | | | - |
| TOTAL APPROPRIATIONS & ACCUMULATED DEFICIT | - | - | - | - | - | - | - |
| UNRESTRICTED NET POSITION UTILIZED | | | | | | | |
| Municipality/County Appropriation | - | - | - | - | - | - | - |
| Other | | | | | | | - |
| Total Unrestricted Net Position Utilized | - | - | - | - | - | - | - |
| TOTAL NET APPROPRIATIONS | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |

* Miscellaneous line items may not exceed 5% of total operating appropriations shown below. If amount in miscellaneous is greater than the amount shown below, then the line item must be itemized above.

5% of Total Operating Appropriations \$ - \$ - \$ - \$ - \$ - \$ - \$ -

Debt Service Schedule - Principal

NEW JERSEY PUBLIC POWER AUTHORITY

If Authority has no debt X this box

X

Fiscal Year Ending in

| | Adopted Budget Year 2017 | Proposed Budget Year 2018 | 2019 | 2020 | 2021 | 2022 | 2023 | Thereafter | Total Principal Outstanding |
|---------------------------------------|-----------------------------|---------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|--------------------------------|
| <i>Operation #1 - Electric Power</i> | | | | | | | | | |
| Type in Issue Name | | | | | | | | | \$ - |
| Type in Issue Name | | | | | | | | | - |
| Type in Issue Name | | | | | | | | | - |
| Type in Issue Name | | | | | | | | | - |
| Total Principal | - | - | - | - | - | - | - | - | - |
| <i>Operation #2</i> | | | | | | | | | |
| Type in Issue Name | | | | | | | | | - |
| Type in Issue Name | | | | | | | | | - |
| Type in Issue Name | | | | | | | | | - |
| Type in Issue Name | | | | | | | | | - |
| Total Principal | - | - | - | - | - | - | - | - | - |
| <i>N/A</i> | | | | | | | | | |
| Type in Issue Name | | | | | | | | | - |
| Type in Issue Name | | | | | | | | | - |
| Type in Issue Name | | | | | | | | | - |
| Type in Issue Name | | | | | | | | | - |
| Total Principal | - | - | - | - | - | - | - | - | - |
| <i>N/A</i> | | | | | | | | | |
| Type in Issue Name | | | | | | | | | - |
| Type in Issue Name | | | | | | | | | - |
| Type in Issue Name | | | | | | | | | - |
| Type in Issue Name | | | | | | | | | - |
| Total Principal | - | - | - | - | - | - | - | - | - |
| <i>N/A</i> | | | | | | | | | |
| Type in Issue Name | | | | | | | | | - |
| Type in Issue Name | | | | | | | | | - |
| Type in Issue Name | | | | | | | | | - |
| Type in Issue Name | | | | | | | | | - |
| Total Principal | - | - | - | - | - | - | - | - | - |
| <i>N/A</i> | | | | | | | | | |
| Type in Issue Name | | | | | | | | | - |
| Type in Issue Name | | | | | | | | | - |
| Type in Issue Name | | | | | | | | | - |
| Type in Issue Name | | | | | | | | | - |
| Total Principal | - | - | - | - | - | - | - | - | - |
| TOTAL PRINCIPAL ALL OPERATIONS | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |

Indicate the Authority's most recent bond rating and the year of the rating by ratings service.

| | <i>Moody's</i> | <i>Fitch</i> | <i>Standard & Poors</i> |
|---------------------|----------------|--------------|-----------------------------|
| Bond Rating | | | |
| Year of Last Rating | | | |

Debt Service Schedule - Interest

NEW JERSEY PUBLIC POWER AUTHORITY

If Authority has no debt X this box

X

| | | | Fiscal Year Ending in | | | | | | | Total Interest Payments Outstanding |
|-------------------------------|-----------------------------|---------------------------------|-----------------------|------|------|------|------|------------|------|---|
| | Adopted Budget Year 2017 | Proposed Budget Year 2018 | 2019 | 2020 | 2021 | 2022 | 2023 | Thereafter | | |
| Operation #1 - Electric Power | | | | | | | | | | |
| Type in Issue Name | | | | | | | | | \$ | - |
| Type in Issue Name | | | | | | | | | | - |
| Type in Issue Name | | | | | | | | | | - |
| Type in Issue Name | | | | | | | | | | - |
| Total Interest Payments | - | - | - | - | - | - | - | - | - | - |
| Operation #2 | | | | | | | | | | |
| Type in Issue Name | | | | | | | | | | - |
| Type in Issue Name | | | | | | | | | | - |
| Type in Issue Name | | | | | | | | | | - |
| Type in Issue Name | | | | | | | | | | - |
| Total Interest Payments | - | - | - | - | - | - | - | - | - | - |
| N/A | | | | | | | | | | |
| Type in Issue Name | | | | | | | | | | - |
| Type in Issue Name | | | | | | | | | | - |
| Type in Issue Name | | | | | | | | | | - |
| Type in Issue Name | | | | | | | | | | - |
| Total Interest Payments | - | - | - | - | - | - | - | - | - | - |
| N/A | | | | | | | | | | |
| Type in Issue Name | | | | | | | | | | - |
| Type in Issue Name | | | | | | | | | | - |
| Type in Issue Name | | | | | | | | | | - |
| Type in Issue Name | | | | | | | | | | - |
| Total Interest Payments | - | - | - | - | - | - | - | - | - | - |
| N/A | | | | | | | | | | |
| Type in Issue Name | | | | | | | | | | - |
| Type in Issue Name | | | | | | | | | | - |
| Type in Issue Name | | | | | | | | | | - |
| Type in Issue Name | | | | | | | | | | - |
| Total Interest Payments | - | - | - | - | - | - | - | - | - | - |
| N/A | | | | | | | | | | |
| Type in Issue Name | | | | | | | | | | - |
| Type in Issue Name | | | | | | | | | | - |
| Type in Issue Name | | | | | | | | | | - |
| Type in Issue Name | | | | | | | | | | - |
| Total Interest Payments | - | - | - | - | - | - | - | - | - | - |
| TOTAL INTEREST ALL OPERATIONS | | | | | | | | | | |
| | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |

Net Position Reconciliation

NEW JERSEY PUBLIC POWER AUTHORITY

For the Period February 1, 2017 to January 31, 2018

FY 2018 Proposed Budget

| | Operation #1 - Electric Power | Operation #2 | N/A | N/A | N/A | N/A | Total All Operations |
|--|-------------------------------------|--------------|------|------|------|------|-------------------------|
| TOTAL NET POSITION BEGINNING OF CURRENT YEAR (1) | \$ - | | | | | | \$ - |
| Less: Invested in Capital Assets, Net of Related Debt (1) | - | | | | | | - |
| Less: Restricted for Debt Service Reserve (1) | | | | | | | - |
| Less: Other Restricted Net Position (1) | | | | | | | - |
| Total Unrestricted Net Position (1) | - | - | - | - | - | - | - |
| Less: Designated for Non-Operating Improvements & Repairs | | | | | | | - |
| Less: Designated for Rate Stabilization | | | | | | | - |
| Less: Other Designated by Resolution | | | | | | | - |
| Plus: Accrued Unfunded Pension Liability (1) | | | | | | | - |
| Plus: Accrued Unfunded Other Post-Employment Benefit Liability (1) | | | | | | | - |
| Plus: Estimated Income (Loss) on Current Year Operations (2) | | | | | | | - |
| Plus: Other Adjustments (attach schedule) | | | | | | | - |
| UNRESTRICTED NET POSITION AVAILABLE FOR USE IN PROPOSED BUDGET | - | - | - | - | - | - | - |
| Unrestricted Net Position Utilized to Balance Proposed Budget | - | - | - | - | - | - | - |
| Unrestricted Net Position Utilized in Proposed Capital Budget | - | - | - | - | - | - | - |
| Appropriation to Municipality/County (3) | - | - | - | - | - | - | - |
| Total Unrestricted Net Position Utilized in Proposed Budget | - | - | - | - | - | - | - |
| PROJECTED UNRESTRICTED UNDESIGNATED NET POSITION AT END OF YEAR (4) | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |

(1) Total of all operations for this line item must agree to audited financial statements.

(2) Include budgeted and unbudgeted use of unrestricted net position in the current year's operations.

(3) Amount may not exceed 5% of total operating appropriations. See calculation below.

Maximum Allowable Appropriation to Municipality/County \$ 6,655 \$ - \$ - \$ - \$ - \$ - \$ 6,655

(4) If Authority is projecting a deficit for any operation at the end of the budget period, the Authority must attach a statement explaining its plan to reduce the deficit, including the timeline for elimination of the deficit, if not already detailed in the budget narrative section.

2018

NEW JERSEY PUBLIC
POWER AUTHORITY
(Name)

AUTHORITY
CAPITAL
BUDGET/
PROGRAM

2018 CERTIFICATION OF AUTHORITY CAPITAL BUDGET/PROGRAM

NEW JERSEY PUBLIC POWER AUTHORITY

(Name)

FISCAL YEAR: FROM: FEBRUARY 1, 2017 TO: JANUARY 31, 2018

[] It is hereby certified that the Authority Capital Budget/Program annexed hereto is a true copy of the Capital Budget/Program approved, pursuant to N.J.A.C. 5:31-2.2, along with the Annual Budget, by the governing body of the New Jersey Public Power Authority, on the 5th day of June, 2017.

OR

[X] It is hereby certified that the governing body of the New Jersey Public Power Authority have elected **NOT** to adopt a Capital Budget/Program for the aforesaid fiscal year, pursuant to N.J.A.C. 5:31-2.2 for the following reason(s): **Inception year – Entity is not capital intensive but more of a service organization at this time.**

| | | | |
|----------------------|---|-------------|--|
| Officer's Signature: | | | |
| Name: | Brian M. Vayda | | |
| Title: | Executive Director | | |
| Address: | c/o Borough of Butler One Ace Road Butler, NJ 07405 | | |
| Phone Number: | 973-750-1134 | Fax Number: | |
| E-mail address | bvayda@njppa.net | | |

2018 CAPITAL BUDGET/PROGRAM MESSAGE

NEW JERSEY PUBLIC POWER AUTHORITY

(Name)

FISCAL YEAR: FROM: FEBRUARY 1, 2017 TO: JANUARY 31, 2018

1. Has each municipality or county affected by the actions of the authority participated in the development of the capital plan and reviewed or approved the plans or projects included within the Capital Budget/Program?

N/A

2. Has each capital project/project financing been developed from a specific capital improvement plan or report; does it include full lifecycle costs; and is it consistent with appropriate elements of Master Plans or other plans in the jurisdiction(s) served by the authority?

N/A

3. Has a long-term (10-20 years) infrastructure needs assessment or other capital plan with a horizon beyond six years been prepared?

N/A

4. Describe the projected impact of the proposed capital projects, including impact on the schedule of rates, fees, and service charges and the impact on current and future year's schedules.

N/A

5. Please indicate which capital projects/project financings are being undertaken in the Metropolitan or Suburban Planning Areas as defined in the State Development and Redevelopment Plan.

N/A

6. Please indicate which capital projects/project financings are being undertaken within the boundary of a State Planning Commission-designated Center and/or Endorsed Plan and if the project was included in the Plan Implementation Agenda for that Center/Endorsed Plan.

N/A

Add additional sheets if necessary.

Proposed Capital Budget

NEW JERSEY PUBLIC POWER AUTHORITY

For the Period February 1, 2017 to January 31, 2018

| | | Funding Sources | | | | |
|--------------------------------------|----------------------|------------------------------------|-------------------------------|--------------------|----------------|---------------|
| | Estimated Total Cost | Unrestricted Net Position Utilized | Renewal & Replacement Reserve | Debt Authorization | Capital Grants | Other Sources |
| <i>Operation #1 - Electric Power</i> | | | | | | |
| Type in Description | \$ - | NONE | | | | |
| Type in Description | - | | | | | |
| Type in Description | - | | | | | |
| Type in Description | - | | | | | |
| Total | - | - | - | - | - | - |
| <i>Operation #2</i> | | | | | | |
| Type in Description | - | | | | | |
| Type in Description | - | | | | | |
| Type in Description | - | | | | | |
| Type in Description | - | | | | | |
| Total | - | - | - | - | - | - |
| <i>N/A</i> | | | | | | |
| Type in Description | - | | | | | |
| Type in Description | - | | | | | |
| Type in Description | - | | | | | |
| Type in Description | - | | | | | |
| Total | - | - | - | - | - | - |
| <i>N/A</i> | | | | | | |
| Type in Description | - | | | | | |
| Type in Description | - | | | | | |
| Type in Description | - | | | | | |
| Type in Description | - | | | | | |
| Total | - | - | - | - | - | - |
| <i>N/A</i> | | | | | | |
| Type in Description | - | | | | | |
| Type in Description | - | | | | | |
| Type in Description | - | | | | | |
| Type in Description | - | | | | | |
| Total | - | - | - | - | - | - |
| <i>N/A</i> | | | | | | |
| Type in Description | - | | | | | |
| Type in Description | - | | | | | |
| Type in Description | - | | | | | |
| Type in Description | - | | | | | |
| Total | - | - | - | - | - | - |
| <i>N/A</i> | | | | | | |
| Type in Description | - | | | | | |
| Type in Description | - | | | | | |
| Type in Description | - | | | | | |
| Type in Description | - | | | | | |
| Total | - | - | - | - | - | - |
| TOTAL PROPOSED CAPITAL BUDGET | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |

Enter brief description of up to four projects for each operation above. For operations with more than four budgeted projects, please attach additional schedules. Input total amount of all projects for the operation on single line and enter "See Attached Schedule" instead of project description.

5 Year Capital Improvement Plan

NEW JERSEY PUBLIC POWER AUTHORITY

For the Period February 1, 2017 to January 31, 2018

Fiscal Year Beginning in

| | Estimated Total Cost | Current Budget Year 2018 | 2019 | 2020 | 2021 | 2022 | 2023 |
|--------------------------------------|-------------------------|-----------------------------|------|------|------|------|------|
| Operation #1 - Electric Power | | | | | | | |
| Type in Description | \$ - | \$ - | NONE | | | | |
| Type in Description | - | - | | | | | |
| Type in Description | - | - | | | | | |
| Type in Description | - | - | | | | | |
| Total | - | - | - | - | - | - | - |
| Operation #2 | | | | | | | |
| Type in Description | - | - | | | | | |
| Type in Description | - | - | | | | | |
| Type in Description | - | - | | | | | |
| Type in Description | - | - | | | | | |
| Total | - | - | - | - | - | - | - |
| N/A | | | | | | | |
| Type in Description | - | - | | | | | |
| Type in Description | - | - | | | | | |
| Type in Description | - | - | | | | | |
| Type in Description | - | - | | | | | |
| Total | - | - | - | - | - | - | - |
| N/A | | | | | | | |
| Type in Description | - | - | | | | | |
| Type in Description | - | - | | | | | |
| Type in Description | - | - | | | | | |
| Type in Description | - | - | | | | | |
| Total | - | - | - | - | - | - | - |
| N/A | | | | | | | |
| Type in Description | - | - | | | | | |
| Type in Description | - | - | | | | | |
| Type in Description | - | - | | | | | |
| Type in Description | - | - | | | | | |
| Total | - | - | - | - | - | - | - |
| N/A | | | | | | | |
| Type in Description | - | - | | | | | |
| Type in Description | - | - | | | | | |
| Type in Description | - | - | | | | | |
| Type in Description | - | - | | | | | |
| Total | - | - | - | - | - | - | - |
| TOTAL | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |

Project descriptions entered on Page CB-3 will carry forward to Pages CB-4 and CB-5. No need to re-enter project descriptions above.

5 Year Capital Improvement Plan Funding Sources

NEW JERSEY PUBLIC POWER AUTHORITY

For the Period February 1, 2017 to January 31, 2018

| | | Funding Sources | | | | |
|--------------------------------------|-------------|--|-------------------------------|--------------------|----------------|---------------|
| Estimated Total Cost | | Unrestricted Net Position Utilized | Renewal & Replacement Reserve | Debt Authorization | Capital Grants | Other Sources |
| <i>Operation #1 - Electric Power</i> | | | | | | |
| Type in Description | \$ - | NONE | | | | |
| Type in Description | - | | | | | |
| Type in Description | - | | | | | |
| Type in Description | - | | | | | |
| Total | - | - | - | - | - | - |
| <i>Operation #2</i> | | | | | | |
| Type in Description | - | | | | | |
| Type in Description | - | | | | | |
| Type in Description | - | | | | | |
| Type in Description | - | | | | | |
| Total | - | - | - | - | - | - |
| <i>N/A</i> | | | | | | |
| Type in Description | - | | | | | |
| Type in Description | - | | | | | |
| Type in Description | - | | | | | |
| Type in Description | - | | | | | |
| Total | - | - | - | - | - | - |
| <i>N/A</i> | | | | | | |
| Type in Description | - | | | | | |
| Type in Description | - | | | | | |
| Type in Description | - | | | | | |
| Type in Description | - | | | | | |
| Total | - | - | - | - | - | - |
| <i>N/A</i> | | | | | | |
| Type in Description | - | | | | | |
| Type in Description | - | | | | | |
| Type in Description | - | | | | | |
| Type in Description | - | | | | | |
| Total | - | - | - | - | - | - |
| <i>N/A</i> | | | | | | |
| Type in Description | - | | | | | |
| Type in Description | - | | | | | |
| Type in Description | - | | | | | |
| Type in Description | - | | | | | |
| Total | - | - | - | - | - | - |
| <i>N/A</i> | | | | | | |
| Type in Description | - | | | | | |
| Type in Description | - | | | | | |
| Type in Description | - | | | | | |
| Type in Description | - | | | | | |
| Total | - | - | - | - | - | - |
| TOTAL | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Total 5 Year Plan per CB-4 | \$ - | | | | | |
| Balance check | - | - If amount is other than zero, verify that projects listed above match projects listed on CB-4. | | | | |

Project descriptions entered on Page CB-3 will carry forward to Pages CB-4 and CB-5. No need to re-enter project descriptions above.

NEW JERSEY PUBLIC POWER AUTHORITY

**ATTACHMENT TO THE
2017-2018 BUDGET**

**VARIOUS BUDGET
RELATED
RESOLUTIONS &
DETAIL BUDGET
INFORMATION**

**NEW JERSEY PUBLIC POWER AUTHORITY (“AUTHORITY”)
LATE FILING OF THE AUTHORITY’S
2017-2018 (INCEPTION YEAR) AUTHORITY BUDGET**

WHEREAS, according to N.J.A.C. 5:31-2.5, an Authority which does not introduce its Budget at least sixty (60) days prior to its fiscal year end must set forth its reasons for such delay; and

WHEREAS, the Authority did not formally organize until January 26, 2017; and

WHEREAS, the Commissioners of the Authority in conjunction with its Director(s) completed its 2017-2018 (Inception Year) Budget on Friday, May 13, 2017; and

WHEREAS, a preliminary (Draft) budget was submitted in October of 2016 with the Local Finance Board Application requesting approval for the formation of the Authority; and

WHEREAS, the Commissioners of the Authority were unable to assemble with quorum until June 5, 2017; and

NOW, THEREFORE, BE IT RESOLVED that the Authority Commissioners of the New Jersey Public Power Authority requests the Director of the Division of Local Government Services accept the late filing of the New Jersey Public Power Authority’s 2017-2018 (Inception Year) Authority Budget:

BE IT FURTHER RESOLVED, by the governing body of the Commissioners of the New Jersey Public Power Authority that the secretary be and he is hereby authorized to forward copies of the within Resolution, certified to be true copies to the Director of the Division of Local Government Services Department of Community Affairs.

DATED: JUNE 5, 2017

Beattie (Secretary’s Signature)

| Motion | | Recorded Vote | | | |
|-----------------|-----------------|---------------|-----|---------|--------|
| 1 st | 2 nd | Aye | Nay | Abstain | Absent |

Governing Body Member:

Akers
Beattie
Biancamano
Borowski
Burnet
Lampmann
Lillie
Mull
Zanga

**RESOLUTION OF THE NEW JERSEY PUBLIC
POWER AUTHORITY SETTING FISCAL YEAR END**

WHEREAS, in 2016 several municipalities banded together to form the New Jersey Public Power Authority ("Authority") which is empowered to operate under the Local Authorities Fiscal Control Law of New Jersey Law, Section 40A-5A-et seq.; and

WHEREAS, the State of New Jersey Local Finance Board has approved the Authority's application to aggregate their ability to purchase power and other related services for the benefit of the nine (9) member municipalities; and

WHEREAS, the Authority is required to select a fiscal yearend; and

WHEREAS, the Commissioners being approved by the respective municipalities may not occur during January of each fiscal year and the Authority may not have its annual reorganization until either late January or early February of each year; and

WHEREAS, we believe that it is in the best interest of the Authority to adopt a fiscal year beginning on February 1st and ending the following January 31st commencing with the fiscal year ending January 31, 2018; and

NOW, THEREFORE, BE IT RESOLVED, that the Authority selects January 31st as its authorized fiscal year.

DATE: JUNE 5, 2017

Beattie (Secretary's Signature)

| Motion | | Recorded Vote | | | |
|-----------------|-----------------|---------------|-----|---------|--------|
| 1 st | 2 nd | Aye | Nay | Abstain | Absent |

Governing Body Member:

Akers
Beattie
Biancamano
Borowski
Burnet
Lampmann
Lillie
Mull
Zanga

NEW JERSEY PUBLIC POWER AUTHORITY
2017 BUDGET ESTIMATE
(Inception Year)

Income

| | |
|-------------------------------|-------------------------|
| Annual Dues <i>(Attached)</i> | \$133,100 |
| Miscellaneous | |
| Total | <u><u>\$133,100</u></u> |

Expenses

| | |
|---------------------------|-------------------------|
| Administrative * | \$77,700 |
| Professional Services | \$1,250 |
| Insurance | \$1,900 |
| Legal | \$40,000 |
| Accounting/Audit | \$9,000 |
| Dues, Fees & Subscription | \$0 |
| Travel & Conference | \$1,250 |
| Postage | \$250 |
| Office Supplies | \$1,250 |
| Miscellaneous | <u>\$500</u> |
| Total | <u><u>\$133,100</u></u> |

* Administrative Expenses

| | <u>Old ED</u> | <u>New ED</u> | <u>Other</u> | <u>Total</u> |
|-----------|------------------------|------------------------|-----------------------|------------------------|
| SW | <u>\$12,943</u> | <u>\$28,793</u> | <u>\$965</u> | <u>\$42,701</u> |
| Fringe: | | | | |
| FICA | \$991 | \$2,203 | \$80 | \$3,274 |
| UCC 1% | \$129 | \$288 | | \$417 |
| HB & PERS | <u>\$18,295</u> | <u>\$13,013</u> | | <u>\$31,308</u> |
| | <u>\$19,415</u> | <u>\$15,504</u> | <u>\$80</u> | <u>\$34,999</u> |
| | <u><u>\$32,358</u></u> | <u><u>\$44,297</u></u> | <u><u>\$1,045</u></u> | <u><u>\$77,700</u></u> |

NJPPA Assessments

2017

| | 2017 Assessments | 33% Equal | 33% NYPA % | NYPA \$ | 2015 Sales (kWh) | 33% 2015 Sales % | 2015 Sales \$ |
|-----------------|---------------------|-------------------|---------------|--------------------|--------------------|---------------------|--------------------|
| | (a) | (b) | (c) | (d) | (e) | (f) | (g) |
| | b+d+g | \$44,366.04 | | \$44,367 *(c) | | | \$44,367*(f) |
| Butler | \$18,780.34 | \$4,929.56 | 17.55% | \$7,786.41 | 158,593,669 | 13.6687% | \$6,064.37 |
| Lavallette | \$7,537.24 | \$4,929.56 | 4.51% | \$2,000.95 | 15,867,000 | 1.3675% | \$606.73 |
| Madison | \$14,413.01 | \$4,929.56 | 10.37% | \$4,600.86 | 127,688,000 | 11.0050% | \$4,882.59 |
| Milltown | \$8,542.19 | \$4,929.56 | 4.88% | \$2,165.11 | 37,855,000 | 3.2626% | \$1,447.52 |
| Park Ridge | \$9,226.87 | \$4,929.56 | 4.01% | \$1,779.12 | 65,854,919 | 5.6758% | \$2,518.19 |
| Pemberton | \$5,529.78 | \$4,929.56 | 1.14% | \$505.78 | 2,469,738 | 0.2129% | \$94.44 |
| Seaside Heights | \$7,632.86 | \$4,929.56 | 3.66% | \$1,623.83 | 28,230,000 | 2.4330% | \$1,079.47 |
| South River | \$12,109.57 | \$4,929.56 | 11.12% | \$4,933.61 | 58,747,212 | 5.0632% | \$2,246.40 |
| Vineland | <u>\$49,328.18</u> | <u>\$4,929.56</u> | <u>42.76%</u> | <u>\$18,971.33</u> | <u>664,966,870</u> | <u>57.3113%</u> | <u>\$25,427.29</u> |
| Totals | \$133,100.04 | \$44,366.04 | 100.00% | \$44,367.00 | 1,160,272,408 | 100.00% | \$44,367.00 |

NEW JERSEY PUBLIC POWER AUTHORITY

**ATTACHMENT TO THE
2017-2018 BUDGET**

**LOCAL ORDINANCES
SUPPORTING
AUTHORITY**

Ordinance No. 2016- 18

**AN ORDINANCE AUTHORIZING THE EXECUTION OF AN
INTER-MUNICIPAL AGREEMENT
ESTABLISHING THE
NEW JERSEY PUBLIC POWER AUTHORITY,
A MUNICIPAL SHARED SERVICES ENERGY AUTHORITY**

WHEREAS, the Mayor and Council of the Borough of Butler find that the Borough will benefit by joining other municipalities to establish a municipal shared services energy authority according to the provisions set forth in The Municipal Shared Services Energy Authority Act, N.J. Stat. Ann. §40A:66-1(2015) for the purpose of acting jointly to promote the stability and viability of the Member systems and to achieve efficiencies and savings for the retail customers of the Member systems; and

WHEREAS, the creation of this municipal shared services energy authority, to be known as the New Jersey Public Power Authority ("NJPPA"), will be governed by an Inter-Municipal Agreement ("IMA") between the member municipalities; and

WHEREAS, the purposes for which NJPPA is organized are to act jointly and perform according to standard electric industry practices all authorized endeavors to achieve savings and efficiencies for retail customers in Member systems through coordinated bulk power and fuel supply programs; undertake the planning, financing, development, acquisition, construction, reconstruction, improvement, enlargement, betterment, operation and maintenance of a project or projects to supply electric power and/or energy for the present and future needs of its Members; and to effect joint development of electric energy resources or production, distribution, and transmission of electric power and/or energy in whole or in part for the benefit of the contracting Members; and to do and perform all acts and things for the benefit of its Members and others, which by law, expressed or implied, it is authorized, empowered or permitted to do and perform

WHEREAS, the Mayor and Council find that it would be in the best interest of the Borough of Butler to enter into the IMA in the form attached hereto.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Butler, County of Morris, and State of New Jersey as follows:

Butler
143

Section 1. The Borough of Butler shall become a member of a municipal shared services energy authority to be known as the New Jersey Public Power Authority ("NJPPA").

Section 2. The appropriate municipal officials are hereby authorized to execute the Inter-municipal agreement attached hereto.

Section 3. Any and all other ordinances inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistencies.

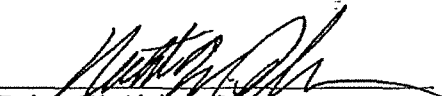
Section 4. In the event that any section paragraph, clause phrase, term, provision or part of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

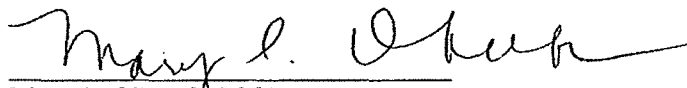
Section 5. This Ordinance shall take effect immediately upon final passage, approval, publication and the posting of the appropriate signs as required by law.

NOTICE IS HEREBY GIVEN, that the foregoing Ordinance was introduced in writing at a meeting of the Borough Council of the Borough of Butler, County of Morris and State of New Jersey, held on the 1st day of August, 2016 introduced and read by title and passed on the first reading and that the said Governing Body will further consider the same for second reading and final passage thereon at a meeting to be held on the 7th day of November, 2016 at 7:00 p.m., prevailing time, at the Municipal Building in said Borough, at which time and place a public hearing will be held thereon by the Governing Body and all persons and citizens in interest shall have an opportunity to be heard concerning same.

INTRODUCED: August 1, 2016

ADOPTED:


Robert W. Alviene, Mayor


Mary A. O'Keefe, RMC
Borough Clerk

Butler
2-13

I, Mary A. O'Keefe, Borough Clerk of the Borough of Butler, do hereby certify this to be a true copy of an Ordinance adopted by the Borough Council of the Borough of Butler at a meeting held on November 7, 2016.

| | Moved | Second | Yes | No | Abstain | Absent |
|------------------------|-------|--------|-----|----|---------|--------|
| Councilman Fox | X | | X | | | |
| Councilman McNear | | | | | | X |
| Councilman Meier | | | X | | | |
| Councilman Regis | | | X | | | |
| Councilman Verdonik | | | X | | | |
| Council President Vath | | X | X | | | |

Butler
318

ORDINANCE NO. 2016-02 (1146)

**AN ORDINANCE OF THE BOROUGH OF LAVALLETTE, COUNTY OF OCEAN,
STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF AN INTER-
MUNICIPAL AGREEMENT ESTABLISHING THE NEW JERSEY PUBLIC POWER
AUTHORITY, A MUNICIPAL SHARED SERVICES ENERGY AUTHORITY**

WHEREAS, the Mayor and Council of the Borough of Lavallette find that the Borough will benefit by joining other municipalities to establish a municipal shared services energy authority according to the provisions set forth in The Municipal Shared Services Energy Authority Act, N.J. Stat. Ann. §40A:66-1(2015) for the purpose of acting jointly to promote the stability and viability of the Member systems and to achieve efficiencies and savings for the retail customers of the Member systems; and

WHEREAS, the creation of this municipal shared services energy authority, to be known as the New Jersey Public Power Authority ("NJPPA"), will be governed by an Inter-Municipal Agreement ("IMA") between the member municipalities; and

WHEREAS, The purposes for which NJPPA is organized are to act jointly and perform according to standard electric industry practices all authorized endeavors to achieve savings and efficiencies for retail customers in Member systems through coordinated bulk power and fuel supply programs; undertake the planning, financing, development, acquisition, construction, reconstruction, improvement, enlargement, betterment, operation and maintenance of a project or projects to supply electric power and/or energy for the present and future needs of its Members; and to effect joint development of electric energy resources or production, distribution, and transmission of electric power and/or energy in whole or in part for the benefit of the contracting Members; and to do and perform all acts and things for the benefit of its Members and others, which by law, expressed or implied, it is authorized, empowered or permitted to do and perform

WHEREAS, the Mayor and Council find that it would be in the best interest of the Borough of Lavallette to enter into the IMA in the form attached hereto.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Lavallette, County of Ocean, and State of New Jersey as follows:

Section 1. The Borough of Lavallette shall become a member of a municipal shared services energy authority to be known as the New Jersey Public Power Authority ("NJPPA").

Section 2. The appropriate municipal officials are hereby authorized to execute the Inter-municipal agreement attached hereto.

Section 3. Any and all other ordinances inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistencies.

Section 4. In the event that any section paragraph, clause phrase, term, provision or part of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

Section 5. This Ordinance shall take effect immediately upon final passage, approval, publication and the posting of the appropriate signs as required by law.

BOROUGH OF LAVALLETTE

NOTICE

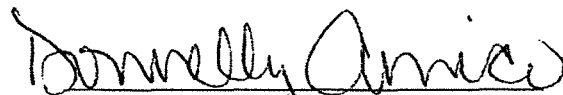
ORDINANCE NO. 2016-02 (1146)

**AN ORDINANCE OF THE BOROUGH OF LAVALLETTE, COUNTY OF OCEAN,
STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF AN INTER-
MUNICIPAL AGREEMENT ESTABLISHING THE NEW JERSEY PUBLIC
POWER AUTHORITY, A MUNICIPAL SHARED SERVICES ENERGY
AUTHORITY**

NOTICE IS HEREBY GIVEN, that the foregoing ordinance was introduced and passed by the Borough Council on first reading at a meeting held on the 8th day of August, 2016. The Public Hearing took place on September 19, 2016 at the Lavallette Municipal Building, Council Chambers, 1306 Grand Central Avenue at which time and place persons desiring to be heard were given the opportunity. It was further considered for second reading and final passage at a meeting of the Borough Council held on the 14th day of November, 2016 at 7pm in the Lavallette Municipal Building, Council Chambers located at 1306 Grand Central Avenue, Lavallette, NJ.

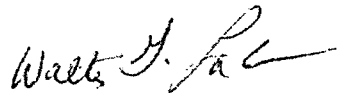
Said ordinance was duly adopted on the 14th day of November, 2016 and shall take effect upon publication as required by law.

(SEAL)



DONNELLY AMICO
MUNICIPAL CLERK

Mayor's Approval



WALTER G. LACICERO, MAYOR

DATE: November 14, 2016

| LaCicero | Moved | Second | Aye | Nay | Abstain | Absent |
|-----------|-------|--------|-----|-----|---------|--------|
| Borowski | ✓ | | ✓ | | | |
| Filippone | | | ✓ | | | |
| Zalom | | | ✓ | | | |
| Stogdill | | | ✓ | | | |
| Finter | | ✓ | ✓ | | | |
| Lamb | | | ✓ | | | |

ORDINANCE 59-2016

AN ORDINANCE OF THE BOROUGH OF MADISON AUTHORIZING THE EXECUTION OF AN INTER-MUNICIPAL AGREEMENT ESTABLISHING THE NEW JERSEY PUBLIC POWER AUTHORITY, A MUNICIPAL SHARED SERVICES ENERGY AUTHORITY

WHEREAS, the Mayor and Council of the Borough of Madison find that the Borough will benefit by joining other municipalities to establish a municipal shared services energy authority according to the provisions set forth in The Municipal Shared Services Energy Authority Act, N.J. Stat. Ann. §40A:66-1(2016) for the purpose of acting jointly to promote the stability and viability of the Member systems and to achieve efficiencies and savings for the retail customers of the Member systems; and

WHEREAS, the creation of this municipal shared services energy authority, to be known as the New Jersey Public Power Authority ("NJPPA"), will be governed by an Inter-Municipal Agreement ("IMA") between the member municipalities; and

WHEREAS, The purposes for which NJPPA is organized are to act jointly and perform according to standard electric industry practices all authorized endeavors to achieve savings and efficiencies for retail customers in Member systems through coordinated bulk power and fuel supply programs; undertake the planning, financing, development, acquisition, construction, reconstruction, improvement, enlargement, betterment, operation and maintenance of a project or projects to supply electric power and/or energy for the present and future needs of its Members; and to effect joint development of electric energy resources or production, distribution, and transmission of electric power and/or energy in whole or in part for the benefit of the contracting Members; and to do and perform all acts and things for the benefit of its Members and others, which by law, expressed or implied, it is authorized, empowered or permitted to do and perform

WHEREAS, the Mayor and Council find that it would be in the best interest of the Borough of Madison to enter into the IMA in the form attached hereto.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Madison, County of Morris, and State of New Jersey as follows:

Section 1. The Borough of Madison shall become a member of a municipal shared services energy authority to be known as the New Jersey Public Power Authority ("NJPPA").

Section 2. The appropriate municipal officials are hereby authorized to execute the Inter-municipal agreement attached hereto.

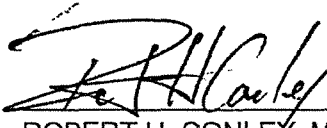
MAD
1/2

Section 3. Any and all other ordinances inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistencies.

Section 4. In the event that any section paragraph, clause phrase, term, provision or part of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

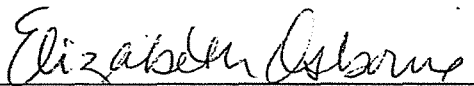
Section 5. This Ordinance shall take effect immediately upon final passage, approval, publication and the posting of the appropriate signs as required by law.

ADOPTED AND APPROVED
November 14, 2016



ROBERT H. CONLEY, Mayor

Attest:



ELIZABETH OSBORNE, Borough Clerk

Introduced and passed: August 8, 2016

Published, Madison Eagle: August 11, 2016

Hearing and consideration for final adoption: November 14

Published upon final adoption, Madison Eagle: November 17, 2016

**BOROUGH OF PARK RIDGE
ORDINANCE NO. 2016-019**

**AN ORDINANCE AUTHORIZING THE EXECUTION OF
AN INTER-MUNICIPAL AGREEMENT ESTABLISHING
THE NEW JERSEY PUBLIC POWER AUTHORITY,
A MUNICIPAL SHARED SERVICES ENERGY AUTHORITY**

WHEREAS, the Board of Public Works and Mayor and Council of the Borough of Park Ridge find that the Borough will benefit by joining other municipalities to establish a municipal shared services energy authority according to the provisions set forth in The Municipal Shared Services Energy Authority Act, N.J. Stat. Ann. §40A:66-1(2016) for the purpose of acting jointly to promote the stability and viability of the Member systems and to achieve efficiencies and services for the retail customers of the Member systems; and,

WHEREAS, the creation of this municipal shared services energy authority, to be known as the New Jersey Public Power Authority ("NJPPA"), will be governed by an Inter-Municipal Agreement ("IMA") between the member municipalities; and

WHEREAS, the purposes for which NJPPA is organized are to act jointly and perform according to standard electric industry practices all authorized endeavors to achieve savings and efficiencies for retail customers in Member systems through coordinated bulk power and fuel supply programs; undertake the planning, financing, development, acquisition, construction, reconstruction, improvement, enlargement, betterment, operation and maintenance of a project or projects to supply electric power and/or energy for the present and future needs of its Members; and to effect joint development of electric energy resources or production, distribution, and transmission of electric power and/or energy in whole or in part for the benefit of the contracting Members; and to do and perform all acts and things for the benefit of its Members and others, which by law, expressed or implied, it is authorized, empowered or permitted to do and perform; and

WHEREAS, the Board of Public Works and Mayor and Council find that it would be in the best interest of the Borough of Park Ridge to enter into the IMA in the form attached hereto.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Park Ridge, County of Bergen, and State of New Jersey as follows:

SECTION ONE. The Borough of Park Ridge shall become a member of a municipal shared services energy authority to be known as the New Jersey Public Power Authority ("NJPPA").

SECTION TWO. The Mayor and Council and Borough Clerk are hereby authorized to execute the Inter-Municipal Agreement attached hereto.

SECTION THREE. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION FOUR: The provisions of this ordinance are hereby declared to be severable. Should any section, paragraph, subparagraph, provision, sentence, or part hereof be declared invalid or unconstitutional, said finding shall not affect any other section, paragraph, subparagraph, provision, sentence, or part thereof and the remainder of this ordinance shall be deemed valid and effective.

SECTION FOUR: This Ordinance shall take effect immediately following final passage, adoption and publication as provided by law."

PR
1/2

Adopted 10/25/16 on roll call vote as follows:

| | Introduced | Seconded | AYES | NAYES | ABSENT | ABSTAIN |
|-----------|------------|----------|------|-------|--------|---------|
| Misciagna | | | ✓ | | | |
| Bosi | ✓ | | ✓ | | | |
| Oppelt | | ✓ | ✓ | | | |
| Bertini | | | ✓ | | | |
| Capilli | | | ✓ | | | |
| Szot | | | | | ✓ | |

APPROVED:

Terence P. Maguire
TERENCE P. MAGUIRE, MAYOR

Attest:

Kelley R. O'Donnell
Kelley R. O'Donnell, RMC *for*
Borough Clerk / Administrator

I hereby certify that the foregoing is a
true copy of a resolution adopted by
the Mayor and Council on October 25, 2016

Francesca Maragliano
Francesca Maragliano
Deputy Borough Clerk

10/11/16
2/7

Ordinance No. 2016-5

**AN ORDINANCE AUTHORIZING THE EXECUTION OF AN
INTER-MUNICIPAL AGREEMENT
ESTABLISHING THE
NEW JERSEY PUBLIC POWER AUTHORITY,
A MUNICIPAL SHARED SERVICES ENERGY AUTHORITY**

WHEREAS, the Mayor and Council of the Borough of Pemberton find that the Borough will benefit by joining other municipalities to establish a municipal shared services energy authority according to the provisions set forth in The Municipal Shared Services Energy Authority Act, N.J. Stat. Ann. §40A:66-1(2015) for the purpose of acting jointly to promote the stability and viability of the Member systems and to achieve efficiencies and savings for the retail customers of the Member systems; and

WHEREAS, the creation of this municipal shared services energy authority, to be known as the New Jersey Public Power Authority ("NJPPA"), will be governed by an Inter-Municipal Agreement ("IMA") between the member municipalities; and

WHEREAS, The purposes for which NJPPA is organized are to act jointly and perform according to standard electric industry practices all authorized endeavors to achieve savings and efficiencies for retail customers in Member systems through coordinated bulk power and fuel supply programs; undertake the planning, financing, development, acquisition, construction, reconstruction, improvement, enlargement, betterment, operation and maintenance of a project or projects to supply electric power and/or energy for the present and future needs of its Members; and to effect joint development of electric energy resources or production, distribution, and transmission of electric power and/or energy in whole or in part for the benefit of the contracting Members; and to do and perform all acts and things for the benefit of its Members and others, which by law, expressed or implied, it is authorized, empowered or permitted to do and perform

WHEREAS, the Mayor and Council find that it would be in the best interest of the Borough of Pemberton to enter into the IMA in the form attached hereto.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Pemberton, County of Burlington, and State of New Jersey as follows:

Section 1. The Borough of Pemberton shall become a member of a municipal shared services energy authority to be known as the New Jersey Public Power Authority ("NJPPA").

Section 2. The appropriate municipal officials are hereby authorized to execute the Inter-municipal agreement attached hereto.

Section 3. Any and all other ordinances inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistencies.

Section 4. In the event that any section paragraph, clause phrase, term, provision or part of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

Section 5. This Ordinance shall take effect immediately upon final passage, approval, publication and the posting of the appropriate signs as required by law.

NOTICE IS HEREBY GIVEN, that the foregoing Ordinance was introduced in writing at a meeting of the Borough Council of the Borough of Pemberton, County of Burlington and State of New Jersey, held on the 15th day of August, 2016 introduced and read by title and passed on the first reading and that the said Governing Body will further consider the same for second reading and final passage thereon at a meeting to be held on the 21st day of November, 2016 at 7:00 p.m., prevailing time, at the Municipal Building in said Borough, at which time and place a public hearing will be held thereon by the Governing Body and all persons and citizens in interest shall have an opportunity to be heard concerning same.

Record of Council Vote on Introduction

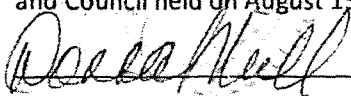
*Motion Robin Mosher

*Second Norma Ward

| COUNCIL PERSON | AYE | NAY | Abstain | Absent | COUNCIL PERSON | AYE | NAY | Abstain | Absent |
|----------------|-----|-----|---------|--------|----------------|-----|-----|---------|--------|
| Mrs. Haines | x | | | | Mr. Quinlan | x | | | |
| Mr. Jerome | x | | | | Mr. Stockton | x | | | |
| Mr. Mosher | x | | | | Mrs. Ward | x | | | |
| Mayor Griffin | | | | | | | | | |

CERTIFICATION

I, Donna J. Mull, RMC Clerk of the Borough of Pemberton, herein certify that the foregoing ordinance was duly adopted by the Governing Body of the Borough of Pemberton at a regular meeting of the Mayor and Council held on August 15, 2016.



DONNA J. MULL, RMC MUNICIPAL CLERK

Record of Council Vote on Passage

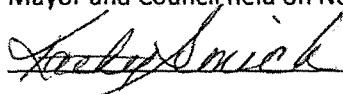
*Motion EM

*Second BH

| COUNCIL PERSON | AYE | NAY | Abstain | Absent | COUNCIL PERSON | AYE | NAY | Abstain | Absent |
|----------------|-----|-----|---------|--------|----------------|-----|-----|---------|--------|
| Mrs. Haines | ✓ | | | | Mr. Quinlan | ✓ | | | |
| Mr. Jerome | ✓ | | | | Mr. Stockton | ✓ | | | |
| Mr. Mosher | ✓ | | | | Mrs. Ward | ✓ | | | |
| Mayor Griffin | | | | | | | | | |

CERTIFICATION

I, Kathy Smick, Deputy Clerk of the Borough of Pemberton, herein certify that the foregoing ordinance was duly adopted by the Governing Body of the Borough of Pemberton at a regular meeting of the Mayor and Council held on November 21, 2016.



KATHY SMICK, DEPUTY CLERK

ORDINANCE 16-13

**ORDINANCE OF THE BOROUGH OF SEASIDE HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE EXECUTION OF AN INTER-
MUNICIPAL AGREEMENT ESTABLISHING THE NEW
JERSEY PUBLIC POWER AUTHORITY, A MUNICIPAL
SHARED SERVICES ENERGY AUTHORITY**

WHEREAS, the Mayor and Council of the Borough of Seaside Heights find that the Borough will benefit by joining other municipalities to establish a municipal shared services energy authority according to the provisions set forth in The Municipal Shared Services Energy Authority Act, N.J. Stat. Ann. §40A:66-1(2016) for the purpose of acting jointly to promote the stability and viability of the Member systems and to achieve efficiencies and savings for the retail customers of the Member systems; and

WHEREAS, the creation of this municipal shared services energy authority, to be known as the New Jersey Public Power Authority ("NJPPA"), will be governed by an Inter-Municipal Agreement ("IMA") between the member municipalities; and

WHEREAS, the purposes for which NJPPA is organized are to act jointly and perform according to standard electric industry practices all authorized endeavors to achieve savings and efficiencies for retail customers in Member systems through coordinated bulk power and fuel supply programs; undertake the planning, financing, development, acquisition, construction, reconstruction, improvement, enlargement, betterment, operation and maintenance of a project or projects to supply electric power and/or energy for the present and future needs of its Members; and to effect joint development of electric energy resources or production, distribution, and transmission of electric power and/or energy in whole or in part for the benefit of the contracting Members; and to do and perform all acts and things for the benefit of its Members and others, which by law, expressed or implied, it is authorized, empowered or permitted to do and perform.

WHEREAS, the Mayor and Council find that it would be in the best interest of the Borough of Seaside Heights to enter into the IMA in the form attached hereto.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Seaside Heights, County of Ocean, and State of New Jersey, as follows:

Section 1. The Borough of Seaside Heights shall become a member of a municipal shared services energy authority to be known as the New Jersey Public Power Authority ("NJPPA").

Section 2. The Mayor and Borough Clerk are hereby authorized to execute the Inter-municipal agreement attached hereto.

Section 3. Any and all other ordinances inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistencies.

Section 4. In the event that any section paragraph, clause phrase, term, provision or part of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

Section 5. This Ordinance shall take effect immediately upon final passage, approval, publication and the posting of the appropriate signs as required by law.

| | | | |
|-------------------------------|---------------|-------------------------------|------------|
| Council Woman Graichen | AYE | Council Woman Graichen | AYE |
| Councilman Smith | AYE | Councilman Smith | AYE |
| Council Woman Polhemus | AYE | Council Woman Polhemus | AYE |
| Councilman DiGuilio | AYE | Councilman DiGuilio | AYE |
| Councilman Carbone | AYE | Councilman Carbone | AYE |
| Councilman Tompkins | ABSENT | Councilman Tompkins | AYE |

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Borough Council on first reading at a meeting of the Borough Council of the Borough of Seaside Heights held on the 17th day of August, 2016, and will be considered for second reading and final passage at a regular meeting of the Borough Council to be held on the 19th day of October, 2016, at 5:00 p.m., at the Municipal Courtroom located at 116 Sherman Avenue in Seaside Heights, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

DIANE B. STABLEY, RMC

Clerk, Borough of Seaside Heights

First Reading 8/8/16
Final Reading 11/14/16

ORDINANCE 2016-13

**AN ORDINANCE OF THE BOROUGH OF SOUTH
RIVER, COUNTY OF MIDDLESEX, STATE OF
NEW JERSEY, AUTHORIZING THE EXECUTION
OF AN INTER-MUNICIPAL AGREEMENT
ESTABLISHING THE NEW JERSEY PUBLIC
POWER AUTHORITY, A MUNICIPAL SHARED
SERVICES ENERGY AUTHORITY**

WHEREAS, the Mayor and Council of the Borough of South River find that the Borough will benefit by joining other municipalities to establish a municipal shared services energy authority according to the provisions set forth in The Municipal Shared Services Energy Authority Act, N.J. Stat. Ann. §40A:66-1(2016) for the purpose of acting jointly to promote the stability and viability of the Member systems and to achieve efficiencies and savings for the retail customers of the Member systems; and

WHEREAS, the creation of this municipal shared services energy authority, to be known as the New Jersey Public Power Authority ("NJPPA"), will be governed by an Inter-Municipal Agreement ("IMA") between the member municipalities; and

WHEREAS, the purposes for which NJPPA is organized are to act jointly and perform according to standard electric industry practices all authorized endeavors to achieve savings and efficiencies for retail customers in Member systems through coordinated bulk power and fuel supply programs; undertake the planning, financing, development, acquisition, construction, reconstruction, improvement, enlargement, betterment, operation and maintenance of a project or projects to supply electric power and/or energy for the present and future needs of its Members; and to effect joint development of electric energy resources or production, distribution, and transmission of electric power and/or energy in whole or in part for the benefit of the contracting Members; and to do and perform all acts and things for the benefit of its Members and others, which by law, expressed or implied, it is authorized, empowered or permitted to do and perform

WHEREAS, the governing body find that it would be in the best interest of the Borough of South River to enter into the IMA in the form attached hereto.

SR
1/2

NOW, THEREFORE, BE IT ORDAINED BE IT ORDAINED, by the governing body of the Borough of South River, County of Middlesex, State of New Jersey, as follows:

Section 1. The Borough of South River shall become a member of a municipal shared services energy authority to be known as the New Jersey Public Power Authority ("NJPPA").

Section 2. The Mayor and Borough Clerk are hereby authorized to execute the Inter-municipal agreement attached hereto.

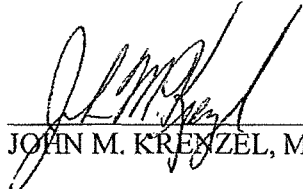
Section 3. Any and all other ordinances inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistencies.

Section 4. In the event that any section paragraph, clause phrase, term, provision or part of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

Section 5. This Ordinance shall take effect immediately upon final passage, approval, publication and the posting of the appropriate signs as required by law.

Dated: 11/18/16
ATTEST:


PATRICIA O'CONNOR, BOROUGH CLERK

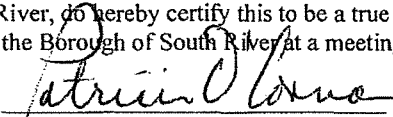

JOHN M. KRENZEL, Mayor

ROLL CALL VOTE

YEAS: Gurchensky, Haussermann, Jones, Trenga
NAYS: None
ABSENT: Ciulla, Hutchison

CERTIFICATION

I, Patricia O'Connor, Borough Clerk of the Borough of South River, do hereby certify this to be a true copy of Ordinance 2016-13 finally adopted by the Borough Council of the Borough of South River at a meeting held on November 14, 2016.


Patricia O'Connor, RMC
Borough Clerk

SR/2

**BOROUGH OF MILLTOWN
ORDINANCE 16-1437**

**AN ORDINANCE AUTHORIZING THE EXECUTION OF AN INTER-MUNICIPAL AGREEMENT
ESTABLISHING THE NEW JERSEY PUBLIC POWER AUTHORITY,
A MUNICIPAL SHARED SERVICES ENERGY AUTHORITY**

WHEREAS, the Mayor and Council of the Borough of Milltown find that the Borough will benefit by joining other municipalities to establish a municipal shared services energy authority according to the provisions set forth in The Municipal Shared Services Energy Authority Act, N.J. Stat. Ann. §40A:66-1(2016) for the purpose of acting jointly to promote the stability and viability of the Member systems and to achieve efficiencies and savings for the retail customers of the Member systems; and

WHEREAS, the creation of this municipal shared services energy authority, to be known as the New Jersey Public Power Authority ("NJPPA"), will be governed by an Inter-Municipal Agreement ("IMA") between the member municipalities; and

WHEREAS, The purposes for which NJPPA is organized are to act jointly and perform according to standard electric industry practices all authorized endeavors to achieve savings and efficiencies for retail customers in Member systems through coordinated bulk power and fuel supply programs; undertake the planning, financing, development, acquisition, construction, reconstruction, improvement, enlargement, betterment, operation and maintenance of a project or projects to supply electric power and/or energy for the present and future needs of its Members; and to effect joint development of electric energy resources or production, distribution, and transmission of electric power and/or energy in whole or in part for the benefit of the contracting Members; and to do and perform all acts and things for the benefit of its Members and others, which by law, expressed or implied, it is authorized, empowered or permitted to do and perform

WHEREAS, the Mayor and Council find that it would be in the best interest of the Borough of Milltown to enter into the IMA in the form attached hereto.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Milltown, County of Middlesex, and State of New Jersey as follows:

Section 1. The Borough of Milltown shall become a member of a municipal shared services energy authority to be known as the New Jersey Public Power Authority ("NJPPA").

Section 2. The appropriate municipal officials are hereby authorized to execute the Inter-municipal agreement attached hereto.

Section 3. Any and all other ordinances inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistencies.

Section 4. In the event that any section paragraph, clause phrase, term, provision or part of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

Section 5. This Ordinance shall take effect immediately upon final passage, approval, publication and the posting of the appropriate signs as required by law.

Introduced: September 12, 2016

Recorded Vote

Motion made by Councilman Farkas


Second by Councilman Ligotti

Roll Call

| | Aye | Nay | Abstain | Absent |
|-------------------------|------------|------------|----------------|---------------|
| Council President Dixon | X | | | |
| Councilman Farkas | X | | | |
| Councilman Guthlein | X | | | |
| Councilman Guyette | X | | | |
| Councilwoman Kerber | X | | | |
| Councilman Ligotti | X | | | |

Adopted on First Reading

Dated: September 12, 2016



Gabriella Siboni, RMC
Borough Clerk

Adopted: November 14, 2016

Recorded Vote

Motion Made by Council President Dixon

Second by Councilman Guthlein

Aye

Nay

Abstain

Absent

*mill
1/2*

systems through coordinated bulk power and fuel supply programs; undertake the planning, financing, development, acquisition, construction, reconstruction, improvement, enlargement, betterment, operation and maintenance of a project or projects to supply electric power and/or energy for the present and future needs of its Members; and to effect joint development of electric energy resources or production, distribution, and transmission of electric power and/or energy in whole or in part for the benefit of the contracting Members; and to do and perform all acts and things for the benefit of its Members and others, which by law, expressed or implied, it is authorized, empowered or permitted to do and perform

WHEREAS, the Mayor and Council find that it would be in the best interest of the Borough of Milltown to enter into the IMA in the form attached hereto.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Milltown, County of Middlesex, and State of New Jersey as follows:

Section 1. The Borough of Milltown shall become a member of a municipal shared services energy authority to be known as the New Jersey Public Power Authority ("NJPPA").

Section 2. The appropriate municipal officials are hereby authorized to execute the Inter-municipal agreement attached hereto.

Section 3. Any and all other ordinances inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistencies.

Section 4. In the event that any section paragraph, clause phrase, term, provision or part of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

Section 5. This Ordinance shall take effect immediately upon final passage, approval, publication and the posting of the appropriate signs as required by law.

Introduced: September 12, 2016

Recorded Vote

Motion made by Councilman Farkas

Second by Councilman Ligotti

Roll Call

| | Aye | Nay | Abstain | Absent |
|-------------------------|------------|------------|----------------|---------------|
| Council President Dixon | X | | | |
| Councilman Farkas | X | | | |
| Councilman Guthlein | X | | | |
| Councilman Guyette | X | | | |
| Councilwoman Kerber | X | | | |
| Councilman Ligotti | X | | | |

Adopted on First Reading

Dated: September 12, 2016



Gabriella Siboni, RMC
Borough Clerk

Adopted: November 14, 2016

Recorded Vote

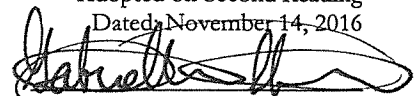
Motion Made by Council President Dixon

Second by Councilman Guthlein

| | Aye | Nay | Abstain | Absent |
|-------------------------|------------|------------|----------------|---------------|
| Council President Dixon | X | | | |
| Councilman Farkas | X | | | |
| Councilman Guthlein | X | | | |
| Councilman Guyette | | | | X |
| Councilwoman Kerber | X | | | |
| Councilman Ligotti | X | | | |

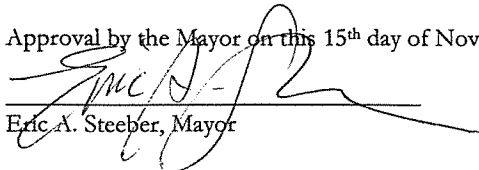
Adopted on Second Reading

Dated: November 14, 2016



Gabriella Siboni, RMC
Borough Clerk

Approval by the Mayor on this 15th day of November, 2016.



Eric A. Steeber, Mayor

mill
2/2

CITY OF VINELAND

ORDINANCE NO. 2016- 33

ORDINANCE AUTHORIZING THE EXECUTION OF AN
INTER-MUNICIPAL AGREEMENT ESTABLISHING THE
NEW JERSEY PUBLIC POWER AUTHORITY, A
MUNICIPAL SHARED SERVICES ENERGY AUTHORITY
PURSUANT TO THE MUNICIPAL SHARED SERVICES
ENERGY AUTHORITY ACT, NJSA 40A:66-1 ET SEQ.

WHEREAS, the City Council of the City of Vineland finds that the City will benefit by joining other municipalities to establish a municipal shared services energy authority according to the provisions set forth in The Municipal Shared Services Energy Authority Act, N.J.S.A. 40A:66-1 et seq. for the purpose of acting jointly, to promote the stability and viability of the members systems and to achieve deficiencies and savings for the retail customers of the members systems; and

WHEREAS, the creation of this municipal shared services energy authority, to be known as the New Jersey Public Power Authority (NJPPA), will be governed by an Inter-Municipal Agreement (IMA) between the member municipalities; and

WHEREAS, the purposes for which the NJPPA is organized are to act jointly and perform according to standard electric industry practices for all authorized endeavors, to achieve savings and deficiencies for retail customers in member systems through coordinated bulk power and fuel supply programs; undertake the planning, financing, development, acquisition, construction, reconstruction, improvement, enlargement, betterment, operation and maintenance of a project or projects to supply electric power and/or energy for the present and future needs of its members; and to affect joint development of electric energy resources or production, distribution, and transmission of electric power and/or energy, in whole or in part for the benefit of the contracting members; and to do and perform all acts and things for the benefit of its members and others, which by law, expressed or implied, it is authorized, empowered or permitted to do and perform.

WHEREAS, the City Council finds that it would be in the best interest of the City of Vineland to enter into the IMA in the form attached hereto.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vineland as follows:

1. The City of Vineland shall become a member of a municipal shared services energy authority to be known as the New Jersey Public Power Authority (NJPPA)
2. The Mayor and Clerk are hereby authorized to execute the Inter-Municipal Agreement attached hereto.

BE IT FURTHER ORDAINED that any Ordinance or portions thereof that are inconsistent herewith shall be deleted and void to the extent of such inconsistencies and the terms of this Ordinance shall supersede the same.

BE IT FURTHER ORDAINED that in the event any section, paragraph, clause, phrase, term, provision or part of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

This Ordinance shall take effect upon adoption and publication according to Law.

Councilman John Procopio.
Councilwoman Maritza Gonzalez.
Councilwoman Angela Calakos
Council Vice President Paul Spinelli.
Council President Anthony Fanucci

Vine
1/

CITY OF VINELAND

Passed First Reading: September 13, 2016

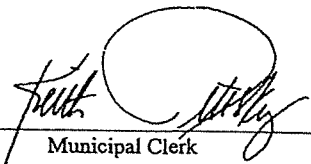
Passed Final Reading:

Approved by the Mayor:

Mayor

President of Council

ATTEST:



Municipal Clerk

Vine
21

NEW JERSEY PUBLIC POWER AUTHORITY

**ATTACHMENT TO THE
2017-2018 BUDGET**

**LOCAL FINANCE BOARD
APPLICATION DATED
SEPTEMBER 21, 2016**

APPROVED BY THE LFB ON OCTOBER 19, 2016

AND

**LOCAL FINANCE BOARD
APPROVAL RESOLUTION
DATED OCTOBER 19, 2016**



State of New Jersey

DEPARTMENT OF COMMUNITY AFFAIRS

101 SOUTH BROAD STREET

PO BOX 803

TRENTON, NJ 08625-0803

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

CHARLES A. RICHMAN
Commissioner

LOCAL FINANCE BOARD RESOLUTION

WHEREAS, N.J.S.A. 40A:66-1 et seq. (the "Municipal Shared Services Energy Authority Act," hereinafter the "Act") authorizes qualified municipalities to create a municipal shared services energy authority; and

WHEREAS, creation of a municipal shared services energy authority is permitted to promote the stability and viability of the member systems, as well as achieve efficiencies and savings for the member systems and their retail customers; and

WHEREAS, the Boroughs of Butler, Lavallette, Madison, Milltown, Park Ridge, Pemberton, Seaside Heights, and South River, New Jersey and the City of Vineland, New Jersey (the "Members") propose to create the New Jersey Public Power Authority (the "NJPPA") pursuant to the Act to enable the Members to jointly procure electric capacity and energy in quantities and for durations that achieve greater efficiency and economies of scale for the Members; and

WHEREAS, the Members affirm that it would be in their best individual and collective interest to enter into an Inter-Municipal Agreement to accomplish NJPPA creation; and

WHEREAS, the Members have jointly organized individual procurement of electricity since 2009, to the extent permitted by law, but have represented to the Board that the limitations on such contracts have diminished the Members' access to the best wholesale prices in the marketplace; and

WHEREAS, the Members anticipate incurring no creation costs for this undertaking; and

WHEREAS, the Members presently include all municipal-owned utility systems in New Jersey; and

WHEREAS, the NJPPA would, together with Sussex Rural Electric Cooperative, comprise the membership of the Public Power Association of New Jersey.

NOW, THEREFORE, BE IT RESOLVED that the Members' application seeking approval for the creation of the NJPPA is approved pursuant to N.J.S.A. 40A:66-1 because creation of the NJPPA is anticipated to serve the public interest by promoting the stability and viability of the member systems and achieving efficiencies and savings for the member systems and their retail customers; and



BE IT FURTHER RESOLVED that the NJPPA shall constitute a “contracting unit” for purposes of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

BE IT FURTHER RESOLVED that the NJPPA will persist in perpetuity until its membership decreases to fewer than three members, pursuant to N.J.S.A. 40A:66-5; and

BE IT FURTHER RESOLVED that the NJPPA commissioners shall serve on a volunteer basis; and

BE IT FURTHER RESOLVED that the NJPPA shall promulgate rules and procedures governing how additional municipal utilities and rural electrical cooperatives may become NJPPA members in the future, should occasion arise, which rules shall comply with the Act; and

BE IT FURTHER RESOLVED the NJPPA must seek Local Finance Board approval for any borrowing; and


BE IT FURTHER RESOLVED that the NJPPA shall, within 60 days, file with the Executive Secretary of the Local Finance Board its formation documents, bylaws, and rules; and

BE IT FURTHER RESOLVED that the Executive Secretary of the Local Finance Board is hereby authorized and directed to certify or endorse such documents or instruments as may be necessary, convenient or desirable in order to carry out the purpose and the provisions of the Act in this resolution; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

APPROVED BY:
THE LOCAL FINANCE BOARD

DATE: October 19, 2016



PATRICIA PARKIN MCNAMARA
EXECUTIVE SECRETARY
LOCAL FINANCE BOARD

STATE OF NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF LOCAL GOVERNMENT SERVICES
LOCAL FINANCE BOARD

APPLICATION

New Jersey Public Power Authority
("NJPPA")

NEW JERSEY LOCAL FINANCE BOARD
TIMOTHY CUNNINGHAM

STATE OF NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF LOCAL GOVERNMENT SERVICES
LOCAL FINANC EBOARD
APPLICATION DATA

James A. Jablonski, on behalf of the Boroughs of Butler, Lavallette, Madison, Milltown, Park Ridge, Pemberton, Seaside Heights, and South River, and the City of Vineland, New Jersey apply to form the New Jersey Public Power Authority ("NJPPA").

ADDRESS: Public Power Association of New Jersey
P.O. Box 206, Seaside Heights, New Jersey 08751
Individual Borough representative contacts are listed on next page.

COUNTIES: Atlantic (Vineland), Bergen (Park Ridge) Burlington (Pemberton), Ocean (Seaside Heights and Lavallette), Middlesex (Milltown and South River), and Morris (Butler, Madison).

YEAR 2016

APPLICABLE STATUTE TO WHICH APPLICATION IS BEING SUBMITTED:

Municipal Shared Services Energy Authority, N.J.S.A. Ann. §40A:66-1, *et. seq.* (2016)

AMOUNT FOR WHICH APPLICATION IS BEING SUBMITTED \$N/A

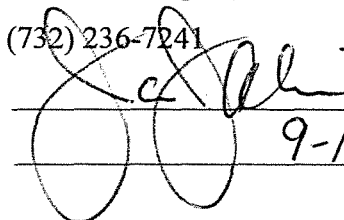
CONTACT PERSON: James A. Jablonski
TITLE: Executive Director
ORGANIZATION/FIRM: Public Power Association of New Jersey

ADDRESS: P.O. Box 206
Seaside Heights, NJ 08751

PHONE NUMBER: (732) 236-7241

SIGNATURE:

DATE:


9-16-16

RESOLUTION SERVICE LIST

~~SECRETARY/CLERK~~ PRESIDENT

NAME: Frederick C. Carr, Borough Administrator, Borough of South River;
President, PPANJ

ADDRESS: 48 Washington St. South River, NJ 08882-1247

MAYOR/EXEC. DIR.

NAME: Jim Jablonski, Executive Director, Public Power Association of New Jersey

ADDRESS: P.O. Box 206 Seaside Heights, NJ 08751

BOND COUNSEL Not Applicable at this time

FINANCIAL ADVISOR Not applicable at this time

AUDITOR To be determined

BOROUGH REPRESENTATIVES NAMES/ADDRESSES:

James Lampmann, Administrator
Borough of Butler
One Ace Road
Butler, NJ 07405

Bill Beattie, Supt. Dept. of Public Works
Borough of Park Ridge
53 Park Avenue
Park Ridge, NJ 07656

Donna Mull, Borough Clerk
Borough of Pemberton
P.O. Box 261
Pemberton, NJ 08068

Denise Biancamano, Business
Administrator
Borough of Milltown
39 Washington Avenue
Milltown, NJ 08850

Joseph Isabella, Utility Director
City of Vineland Electric Utility
640 E. Wood Street, PO Box 1508
Vineland, NJ 08360-1508

Christopher Vaz, Borough Administrator
Borough of Seaside Heights
901 Boulevard
Seaside Heights, NJ 08751

Frederick Carr, Borough Administrator
Borough of South River
48 Washington Street
South River, NJ 08882

Jim Burnet, Asst. Borough Administrator &
Chief Financial Officer
Borough of Madison
50 Kings Road
Madison, NJ 07940

James G. Borowski, Council Member
Borough of Lavallette
1306 Grand Central Ave
Lavallette, NJ 08735

EXECUTIVE SUMMARY

DETAILED DESCRIPTION OF APPLICATION

James A. Jablonski on behalf of the Boroughs of Butler, Lavallette, Madison, Milltown, Park Ridge, Pemberton, Seaside Heights and South River, New Jersey and the City of Vineland, New Jersey ("Applicants"), respectfully submits this application to form the New Jersey Public Power Authority (NJPPA) pursuant to the newly enacted Municipal Shared Services Energy Authority, N.J. Stat. Ann. §40A:66-1 *et. seq.* (2016). The named municipalities comprise the entire universe of municipally owned utility systems in New Jersey and, together with Sussex Rural Electric Cooperative, comprise the membership of the Public Power Association of New Jersey ("PPANJ"), of which Mr. Jablonski is Executive Director.

The Applicants respectfully submit for approval this application, the required parallel ordinances (Part I), and the proposed Inter-Municipal Agreement ("IMA") (Attachment A) in conformance with the requirements of N.J. Stat. Ann. §40A:66-4 (b) (2016). In addition, the Applicants submit the proposed Bylaws of the NJPPA as Attachment B hereto.

The primary purpose of the NJPPA is to jointly procure electric capacity and energy for the Members in the quantities and duration designated by each Member, and at a competitively determined price with greater efficiency and economies of scale than each municipality can procure individually.

Although the statute authorizes the construction of new generating stations, and the IMA is written to allow it, such new construction is not contemplated immediately. Construction of new generation would require a separate contract among NJPPA and the Members, as well as separate approvals from each Members' governing body and from this Local Finance Board.

Unlike other authorities in New Jersey, the Board of the NJPPA will not be able to bind any of its members to make purchases of electricity or to enter into construction of generation absent a separate contract that has been approved by the Member's governing body. Each Member has a single vote on the board even though the members differ considerably in the size of their loads, and this is equitable because the Board of NJPPA cannot force any Member to purchase energy or capacity from NJPPA.

Instead of every Member participating in every joint purchase and project, each Member will instruct NJPPA as to the amount and the delivery dates of energy and/or generation that the Member wishes to purchase from NJPPA. NJPPA in turn will consolidate the requests in a mutually beneficial organized manner, and present the request to the wholesale marketplace through a competitive solicitation. Most electricity purchases are procured in a tiered fashion from 12 to 36 months in advance of the delivery dates, so this contemplated procedure is industry standard.

The City of Vineland is one of nine municipalities eligible for membership in the NJPPA. Vineland will not immediately require NJPPA services. Its electric utility is able to serve its customers with City-owned generation and wholesale supply arrangements for the present, but Vineland anticipates active participation in NJPPA procurement opportunities in the future.

The NJPPA will provide wholesale services to the Members, and the Members will retain responsibility to serve their retail customers. For example, each Member municipal utility will continue to provide billing, metering and distribution of electricity to its residential and commercial customers. The NJPPA will not have any retail billing responsibilities, or any obligations to serve the retail customers of the NJPPA Members. NJPPA's obligations will be strictly at wholesale, as described in contracts between the NJPPA and the Member.

In addition, NJPPA will provide strategic joint planning and advice to the Members as to the optimal times to make purchases, as well as advice on whether to consider the construction of new generation. NJPPA will also, if the Members so instruct, have the ability to provide a single interface to the regulated inter-state transmission grid operator PJM Interconnection, LLC, a large multi-state utility that is regulated by the Federal Energy Regulatory Commission (FERC) and which controls access to electricity transmission services through its tariffs.

Cost savings are anticipated from joint procurement by increasing the size of the solicitations, providing a single point of contact to the market, and by providing economies and efficiencies by increasing the scale. In addition, NJPPA will also be able to provide joint solicitations for other products and services such as utility poles, trucks, and training from which further cost savings are expected.

SUBMISSION REQUIREMENTS

(Only Part I and Part VI are Pertinent to this Application.
The other Parts are not applicable and are not included.)

- PART I APPLICATION RESOLUTION AND CERTIFICATION**
- PART II PROPOSED ISSUANCE OF OBLIGATIONS (Not Applicable)**
- PART III TRANSACTIONS TO FINANCE CONSTRUCTION, IMPROVEMENTS, ETC.**
(Not Applicable)
- PART IV REFUNDING BOND ISSUE (Not Applicable)**
- PART V PROPOSED SECURITY AGREEMENT (Not Applicable)**
PROPOSED FINANCING AGREEMENT (Not Applicable)
- PART VI CREATION OF AUTHORITY**
- PART VII DISSOLUTION OF AUTHORITY (Not Applicable)**
- PART VIII QUALIFIED BOND ISSUE (Not Applicable)**
- PART IX MUNICIPAL APPLICATION (Not Applicable)**
 (A) MUNICIPAL AID APPLICATION
 (B) MUNICIPAL AND COUNTY BUDGET
 REQUIREMENTS AND EXCEPTIONS
- PART X APPEALS OF DIRECTOR'S DETERMINATION (Not Applicable)**
- PART XI SCHOOL BOND ISSUE (Not Applicable)**
- PART XII APPLICATION REQUIREMENTS: (Not Applicable)**
NJ WATER SUPPLY PUBLIC-PRIVATE CONTRACTING ACT
- PART XIII APPLICATION REQUIREMENTS: (Not Applicable)**
NJ WASTEWATER TREATMENT PUBLIC-PRIVATE
CONTRACTING ACT

PART I

(Part 1)

STATE OF NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF LOCAL GOVERNMENT SERVICES
LOCAL FINANCE BOARD
APPLICATION CERTIFICATION

APPLICANTS' NAMES: The Boroughs of Butler, Lavallette, Madison, Milltown, Park Ridge Pemberton, Seaside Heights, South River and the City of Vineland, New Jersey apply to form the New Jersey Public Power Association.

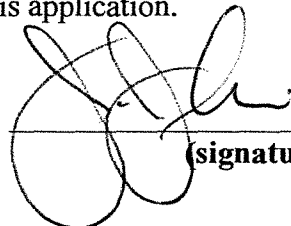
I, James A. Jablonski, Executive Director of the Public Power Association of New Jersey,
(name) (title)
on behalf of the Boroughs of Butler, Lavallette, Madison, Milltown, Park Ridge, Pemberton,
Seaside Heights, South River and the City of Vineland, New Jersey,
(applicant)

DO HEREBY DECLARE:

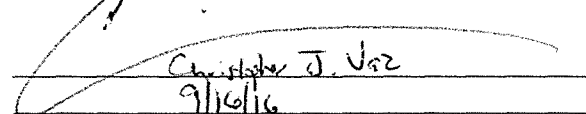
That the documents submitted herewith and the statements contained herein are true to the best of my knowledge and belief; and

That this application was considered and its submission to the Local Finance Board approved by the governing bodies of nine above named municipal utility applicants on dates between August 1, 2016 and September 20, 2016; and

That the governing bodies of the nine above named municipal utility applicants are on notice of the submission of this application to the Local Finance Board and each member of each governing board has received a true copy of this application.


(signature)

ATTEST:


Christopher J. Vaz
9/16/16
(date)

**RESOLUTIONS MAKING APPLICATION TO THE LOCAL FINANCE BOARD
PURSUANT TO N.J.S.A. Stat. Ann. §40A:66-1 (2016), *et. seq.***

Resolutions in support of the formation of the New Jersey Public Power Authority have been combined in a PDF file as **Attachment C**.

Borough of Butler
Borough of Lavallette
Borough of Madison
Borough of Milltown
Borough of Park Ridge
Borough of Pemberton
Borough of Seaside Heights
Borough of South River
City of Vineland

PART VI

CREATION OF AN AUTHORITY

Copies of the proposed ordinance of the local units for the creation of the New Jersey Public Power Authority are attached hereto as **Attachment D**.

Borough of Butler
Borough of Lavallette
Borough of Madison
Borough of Milltown
Borough of Park Ridge
Borough of Pemberton
Borough of Seaside Heights
Borough of South River
City of Vineland

- A) Provide a statement, in brief and general terms, of the project or projects to be undertaken, the estimated project cost including, but not limited to cost of appraisals, engineering design, environmental impact and feasibility studies, financing and construction, the manner of proposed project financing, and the area to be served by the project.

The predominant purpose of the NJPPA will be to operate as an aggregator of the wholesale loads of the municipal utility Members of the NJPPA for the purpose of jointly procuring electric energy and/or capacity at wholesale. (Even though the statute and the Inter-Municipal Agreement (“IMA”) attached hereto as Attachment A allow the construction of a new generation station, such is not contemplated at this time. If the Members decide to pursue this option in the future, such construction and financing would require separate approvals from the LFB and the governing bodies of the Members. *See* IMA §7.2.3 and N.J. Stat. Ann. §40A:66-11.)

The NJPPA provides wholesale (not retail) services to the Members. Members retain the obligation for billing, metering and distributing electricity to their residential and commercial retail customers.

The IMA and the Bylaws (Attachment B) explain that the NJPPA provides only those services requested by each Member. The Board of the NJPPA is not able to bind Members to make purchases of energy and/or capacity against the wishes of the Member Governing Bodies. Each Member must enter into a Master Energy Services Contract setting forth the terms and conditions of any procurement from the NJPPA. Such contract must be approved by each Member’s governing body in advance of the procurement.

The wholesale electric procurement will follow these sequential steps.

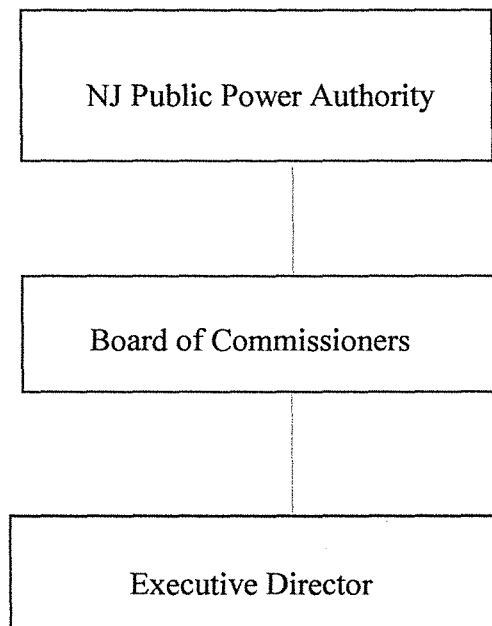
1. NJPPA will enter into industry-standard umbrella agreements known Edison Electric Institute (“EEI”) Master Power Energy and Sale Contracts with multiple suppliers such as Exelon, NextEra, PSE&G and others. The counterparties are screened for their creditworthiness and ability to perform. NJPPA’s ability to post collateral to secure these contracts, together with the increased load size and single point of contact should provide better pricing than the Members can now obtain individually. Additionally, the individual Transaction Confirmations, defining the quantity, duration, price and other terms of each purchase shall be secured by pledging the revenues from a “matching” contract between the NJPPA and the affected Members.
2. NJPPA will enter into an umbrella contract, the Master Energy Services Contract, with each of its Members. These umbrella agreements provide for a menu of services that the Members may request from NJPPA, especially the procurement of electricity, but also including procurement of other services such as utility poles, utility trucks, training, and meters, as well as transmission and energy procurement advice and assistance.

3. At such time as the NJPPA Board decides, annually at least, the NJPPA shall solicit from the Members interest in procuring electricity and/or capacity in named quantities, duration and at estimated price points. The NJPPA shall consolidate all the requests for purchasing into combined solicitation(s).
 4. The NJPPA shall then solicit bids for the combined load(s) from among the pre-qualified suppliers with whom the NJPPA has already entered into an umbrella agreement. Once the winning bidder is determined, NJPPA shall simultaneously enter into Transaction Confirmations with the supplier and with the participating Members. The two sets of contracts shall “match” such that the Members collectively reimburse NJPPA for the entire cost of the procurement.
- B) Provide copies of any appraisals, estimates, computations or calculations made in connection with estimated cost of constructing or acquiring and financing the proposed project or projects. *Not Applicable*
- C) A **proposed budget** of operating costs, including depreciation on physical assets, for the first year of the authority operations, and the proposed source or sources of the authority’s funding of such operations (such as user fees, rentals, service contracts, etc.) is attached hereto as **Attachment E**.

- D) Provide a table of organization, indicating proposed personnel requirements and the level of staff required for supervision of the operation of the authority. *See below chart.*

NEW JERSEY PUBLIC POWER AUTHORITY

ORGANIZATIONAL CHART



- E) Provide a statement indicating that the local unit or units have considered alternate means, including but not limited to private enterprise, of undertaking and financing the proposed project or projects and have determined that the creation of the authority is the most feasible means of providing services and financing the proposed project or projects.

The Members of PPANJ (except Vineland) have jointly organized individual procurements of electricity since 2009, to the extent permitted by the New Jersey Code, but certain limitations have diminished the municipalities' ability to obtain the best pricing on the wholesale market. These limitations will be solved by purchasing through the NJPPA. These limitations include the requirement for individual contracts and points of contact between each municipality and the wholesale counterparty; the inability of municipal utilities to post credit to secure the contracts, and the small load sizes of each individual municipality. If this NJPPA is not approved, the existing arrangements will continue.

(part VI)

Proposed Creation Costs*

| Name | | Amount |
|-----------------------------|----------------|-----------------------|
| Financial Advisor: | Not applicable | \$ _____ |
| Bond Counsel: | Not applicable | \$ _____ |
| Local Attorney: | Not applicable | \$ _____ |
| Engineer: | Not applicable | \$ _____ |
| Architect: | Not applicable | \$ _____ |
| Accountant: | Not applicable | \$ _____ |
| Auditor: | Not applicable | \$ _____ |
| Underwriter: | Not applicable | \$ _____ |
| Appraiser: | Not applicable | \$ _____ |
| Trustee: | Not applicable | \$ _____ |
| Special Consultants: | _____ | \$ _____ |
| | _____ | \$ _____ |
| | _____ | \$ _____ |
| | _____ | \$ _____ |
| Other Expenses: | _____ | \$ _____ |
| Total Creation Costs | | \$ <u> N/A </u> _____ |

*All creation costs have been or will be paid by the Public Power Association of New Jersey.

List of Attachments

| | |
|---------------------|--|
| Attachment A | Inter-Municipal Agreement To be Approved by LFB and each Governing Body |
| Attachment B | Bylaws of NJPPA To be adopted by the Board of NJPPA |
| Attachment C | Resolutions in Support of Authority Formation |
| Attachment D | Ordinance in Support of Inter-Municipal Agreement |
| Attachment E | Budget and Funding in Support of Authority |

Attachment A.

INTER-MUNICIPAL AGREEMENT
ESTABLISHING
NEW JERSEY PUBLIC POWER AUTHORITY,
A MUNICIPAL SHARED SERVICES ENERGY AUTHORITY

THIS IS AN AGREEMENT to create the New Jersey Public Power Authority (“NJPPA”), a municipal shared services energy authority formed by a combination of the following municipalities of the State of New Jersey, together with other municipalities or rural electric cooperatives that become parties hereto, the “Members”: [to be determined -- City of Vineland, and the Boroughs of Butler, Lavallette, Madison, Milltown, Park Ridge, Pemberton, Seaside Heights, and South River].

WHEREAS, the aforementioned municipalities are desirous of contracting to establish a municipal shared services energy authority according to the provisions set forth in The Municipal Shared Services Energy Authority Act, N.J. Stat. Ann. §40A:66-1(2016), *et seq.* (hereinafter referred to as the “Act”), for the purpose of acting jointly to promote the stability and viability of the Member systems and to achieve efficiencies and savings for the retail customers of the Member systems;

WHEREAS, the aforementioned municipality governing bodies have adopted ordinances approving this Inter-Municipal Agreement (“IMA”); and

WHEREAS, this IMA and the pertinent ordinances were submitted to the Local Finance Board (“LFB”) of the New Jersey Division of Local Governmental Services as an application for approval of this IMA, and the LFB either approved this IMA or did not disapprove this IMA within sixty days of a completed application; and

NOW, THEREFORE, in consideration of the mutual covenants hereinafter expressed and other good and valuable consideration, the municipalities listed above hereby agree as follows:

ARTICLE I - NAME

The name of this municipal shared services energy authority shall be the New Jersey Public Power Authority ("NJPPA") or the Authority.

ARTICLE II – PURPOSES

The purposes for which NJPPA is organized are to act jointly and perform according to standard electric industry practices all authorized endeavors to achieve savings and efficiencies for retail customers in Member systems through coordinated bulk power and fuel supply programs; undertake the planning, financing, development, acquisition, construction, reconstruction, improvement, enlargement, betterment, operation and maintenance of a project or projects to supply electric power and/or energy for the present and future needs of its Members; and to effect joint development of electric energy resources or production, distribution, and transmission of electric power and/or energy in whole or in part for the benefit of the contracting Members; and to do and perform all acts and things for the benefit of its Members and others, which by law, expressed or implied, it is authorized, empowered or permitted to do and perform.

ARTICLE III – REGISTERED OFFICE

The registered office of NJPPA is located at 420 Boardwalk, P.O. Box 206, Seaside Heights, New Jersey 08751 and the Registered Agent is James A. Jablonski.

ARTICLE IV – TERM, MEMBERSHIP AND OBLIGATIONS

Section 1. Eligibility for Membership. The initial Members of the NJPPA shall be:[to be determined -- City of Vineland, and the Boroughs of Butler, Lavallette, Madison, Milltown, Park Ridge, Pemberton, Seaside Heights, and South River.] To become a Member of NJPPA, the municipality or rural electric cooperative must negotiate an amended IMA and present it to the LFB together with an approved ordinance of its governing body pursuant to the Act.

Section 2. Term of IMA. The IMA shall continue until such time as Membership declines to fewer than three Members.

Section 3. Withdrawal of Membership. Membership may be withdrawn by any Member, acting through its governing body, by giving written notice of such termination six (6) months prior to the effective date of the withdrawal. Liabilities under contract in force at the time of such withdrawal shall not be affected except as provided in such contract. A withdrawing Member's withdrawal obligations include defeasance of the Member's *pro rata* share of any bonds issued by NJPPA. Any withdrawal under Section 3 shall not relieve that Member of a legal commitment or liability under contract entered into with NJPPA or by NJPPA with other entities, such as, power purchase contracts for energy and/or capacity to be delivered in the future.

Section 4. Termination of Membership. A Member may be terminated by two-thirds (2/3) vote of the Members, acting through their Commissioners. Liabilities under contract in force at the time of such termination shall not be affected except as provided in such contract. A terminated Member shall be obligated to defease the Member's *pro rata* share of any bonds issued by NJPPA. Any termination under Section 4 shall not relieve that Member of a legal commitment or liability under contract entered into with NJPPA or by NJPPA with other entities.

Section 5. First Rights. The Members of NJPPA shall have a first right to the purchase of all electric capacity and/or energy generated by, contracted for, or owned by NJPPA. The amount

of electric capacity and energy to which each Member is entitled shall be computed in accordance with plans or formulae, if any, adopted by two-thirds (2/3) vote of the Members, acting through their Commissioners. Notwithstanding anything which might indicate a different intention, NJPPA may enter into contracts of such duration as it deems advisable for sale to its Members of the electric capacity and/or energy to which they are entitled and elect to purchase, and for the sale of surplus electric capacity and energy (that is, electric capacity and energy not contracted for or contracted for and not currently used by Members) to non-members.

Section 6. Members not to be Assessed. No Member may be assessed for any purpose by NJPPA without the Member's consent evidenced in writing from the Member's governing body.

Section 7. Obligations of Members. It is specifically agreed that membership in NJPPA shall not commit any Member to purchase power and/or energy or to incur any other liability unless such Member shall specifically agree to such cost, purchase or other liability pursuant to a separate contract approved by its governing body.

7.1 Administrative Costs. Members promise to pay such tariff rates, fees, dues, assessments and/or capital contributions as established by the Members, acting through their Commissioners in accordance with the bylaws, to support the operations of NJPPA.

7.2 Purchase and Sale of Electricity; Generation Projects.

7.2.1 Members agree that to purchase products and services from NJPPA, Member must first enter into a Master Energy Services Contract(s).

7.2.2. Terms of Purchase and Sale Must Recover NJPPA Costs. Any contract between Member and NJPPA shall bind the Member(s) to make payments to NJPPA for commodities to be procured and services to be rendered by the Authority in such amounts as to enable NJPPA to meet its expenses, to satisfy any collateral requirements to

preserve the contracts, and to make payments on interest and principal of any bonds, plus reserves for debt service, if any. Such Member-NJPPA contract(s) may contain “take or pay” provisions obligating Member(s) to pay for energy and/or capacity purchased on Member’s behalf, regardless of whether such energy and/or capacity was consumed by the Member(s). The Member-NJPPA contract(s) may further provide that if one or more Member(s) default(s) in its payments under the contract(s), that the remaining Members agreeing to be so bound may be required to accept and pay for, or to otherwise dispose of the power and/or energy of such defaulting Member(s).

7.2.3 Terms of Generation Project Contracts Must Recover NJPPA Costs Including Debt Service. A Member and the NJPPA may collaborate to construct or jointly own a power supply project and/or the purchase and sale of electricity therefrom only if the Member and the NJPPA first enter into a separate Master Energy Services Contract or other contract pursuant to which Member agrees to compensate NJPPA for such project in such amounts as to recover NJPPA costs, including debt service on the issuance of any bonds, under terms compliant with the Act.

7.3. Member agrees to take other actions as are necessary and desirable to diligently uphold the integrity and purposes of the NJPPA, especially the obligation to provide reliable and low cost electricity to the NJPPA Members and their customers.

7.4 Assignment. Neither Member nor NJPPA may assign this IMA in whole or in part.

ARTICLE V – BOARD OF COMMISSIONERS

Section 1. Composition. The governing body of NJPPA shall be a Board of Commissioners, in which all powers of NJPPA are vested. The Board of Commissioners shall have the power to

create an executive committee of the Board, to which powers and duties may be delegated, as the Board shall specify. The number of Commissioners of NJPPA at any time shall equal the number of Members at that time. Each Member shall have the power to appoint one (1) Commissioner to the Board of Commissioners and shall be entitled to remove that Commissioner at will. Each Member shall, from time to time, designate one Commissioner, which designation shall be in writing and filed with the NJPPA. Each member may, from time to time, designate an Alternate Commissioner, which designation shall be in writing and filed with NJPPA. The alternate Commissioner in the absence of the first named Commissioner, may vote and act with full authority. A Commissioner's or Alternate Commissioner's vote shall be valid unless a writing from the Member is received by NJPPA revoking said Commissioner's or Alternate Commissioner's authority. Commissioners shall not be compensated.

Section 2. Quorum and Voting.

Quorum. A majority of Commissioners shall constitute a quorum. A majority of the quorum is necessary for any action taken by the Board. A majority of less than a quorum may postpone to a new time or place, any meeting and the adjourned meeting may be held with such notice, if any, as is required by law.

Voting. Each Member shall have one vote.

Section 3. Vacancies. Each Member shall appoint a successor to fill any vacancy created by the resignation or removal of its appointee to the Board of Commissioners. No vacancy in the membership of the Board of Commissioners shall impair the right of a quorum to exercise the power of the Board.

Section 4. Resignation. Any Commissioner may at any time resign his or her office by submitting a written notice to the NJPPA President or Secretary. Such resignation shall be

effective upon receipt, and acceptance thereof shall not be necessary to make it effective unless the motion so states. NJPPA shall notify the Member within seventy-two (72) hours of its receipt of a resignation from that Member's Commissioner.

Section 5. Duties. It shall be the duty of the Board to comply or cause compliance with the applicable laws of the State of New Jersey, including the Act, the Local Authorities Fiscal Control Law, or any future corresponding provision of the New Jersey Code, and to comply or cause compliance with each and every term, provision and covenant in this IMA on its part to be performed.

Section 6. Notice. Notices shall, unless otherwise specified herein, be in writing and may be delivered by hand delivery, United States mail, overnight courier service, facsimile or e-mail to NJPPA at the address provided herein. Notice by facsimile, e-mail, or hand delivery shall be effective at the close of business on the day actually received, if received during business hours on a Business Day, and otherwise shall be effective at the close of business on the next Business Day. Notice by overnight United States mail or courier shall be effective on the next Business Day after it was deposited in the United States mail or sent.

To NJPPA:

Executive Director
420 Boardwalk
PO Box 206
Seaside Heights, NJ 08751.

To Member:

[name and address]

ARTICLE VI – EXECUTIVE DIRECTOR AND STAFF

Section 1. Executive Director. An Executive Director shall be selected by majority vote of the Board of Commissioners as set forth in the bylaws. Unless the Board of Commissioners otherwise provides, the Executive Director shall be the chief operating officer of the NJPPA and shall have such general executive powers and duties of supervision and management as are usually vested in the office of the chief operating officer of a corporation, including carrying into effect all directions and resolutions of the Board of Commissioners. The Executive Director may, together with the President, Secretary, and other persons authorized by the Board, execute all bonds, notes, debentures, mortgages, and other contracts requiring a seal, under the seal of the Corporation, may cause the seal to be affixed thereto, and may execute all other contracts and instruments for and in the name of NJPPA that the Board of Commissioners has authorized to be executed. The Executive Director shall direct the day-to-day affairs of NJPPA including supervising all employees of NJPPA, reporting to the Board of Commissioners any violation of the rules and regulations (if any), collecting any charges or fees, and keeping records in the form prescribed from time to time by the Board of Commissioners and reporting thereon whenever so requested by the Board of Commissioners. The Executive Director shall be directly responsible to the Board of Commissioners and shall report directly to the Board of Commissioners.

Section 2. Staff. Staff of the NJPPA shall be selected by the Executive Director as may be authorized by the Board of Commissioners pursuant to budgetary approvals and in conformance with the Act.

ARTICLE VII – CORPORATE POWERS

Section 1. Body Politic. The Authority shall be a public body politic and corporate, established as an instrumentality exercising public and essential governmental functions to provide for the public health and welfare. The Authority shall have the duties, privileges,

immunities, rights, liabilities, and disabilities of a public body politic and corporate but shall not have taxing power. The authority shall be a "contracting unit" for purposes of the "Local Public Contracts Law," N.J. Stat. Ann. §40A:11-1 *et seq.*

Section 2. Powers. The Authority shall have perpetual succession, and shall have the following powers as specifically enumerated in the Act:

1. To adopt and have a common seal and to alter the same at pleasure;
2. To sue and be sued;
3. To acquire, own, rent, hold, lease, as lessor or lessee, use and sell or otherwise dispose of, mortgage, pledge, or grant a security interest in, any real or personal property, commodity, or service or interest therein;
4. To hold or place collateral with a counterparty to a wholesale power supply contract and to account for value, and use such collateral as provided in the power supply contract, notwithstanding any other law or regulation to the contrary;
5. To plan, develop, acquire, construct, reconstruct, operate, manage, dispose of, participate in, maintain, repair, extend, or improve one or more electric supply projects within the corporate limits and franchise areas of the Members, and act as agent, or designate one or more other persons participating in an electric supply project to act as its agent, in connection with the planning, acquisition, construction, operation, maintenance, repair, extension, or improvement of such electric supply project for generation, production, transmission, and provision to the Members of electrical power and energy at wholesale, to meet the electric power or energy needs of the Members, provided that NJPPA shall not sell electric power or energy at the retail level;
6. To enter into franchises, exchange, interchange, pooling, wheeling, or transmission agreements with any person, firm, entity, or public agency in order to purchase wholesale electric power and energy for the Members, or to sell excess power and energy purchased or produced by the Members' generation assets and not needed to serve the load within the corporate limits and franchise areas of the Members, and to negotiate for, and buy fuels necessary for the production of electric power and energy within the corporate limits and franchise areas of the Members, to develop bulk power and fuel supply programs, and to implement energy conservation measures within the corporate limits and franchise areas of the Members as necessary or appropriate, to meet the electric power or energy needs of its Members;

7. To negotiate and enter into power supply contracts defined in the Act and to take such actions as are necessary to remain in compliance with the terms of those contracts;
8. To make and execute additional contracts and other instruments necessary or convenient to the exercise of its powers;
9. To employ agents and employees;
10. To contract with any person, entity or public agency within or outside the State of New Jersey for the construction of any electric supply project within the corporate limits and franchise area of its Members or for the purchase, sale or transmission of electric power and energy generated by any electric supply project located within the corporate limits and franchise area of its Members, in whole or in part, for the benefit of its Members, or for any interest or share therein, or any right to capacity thereof, on terms and for a period of time as its board shall determine, provided that NJPPA shall not enter into any contract that speculates in the energy markets and NJPPA shall not construct or contract for the construction of any electric supply project that, when added to the existing NJPPA-owned or co-owned generation assets, will produce more than 105 percent of the power and energy requirements of the Members;
11. To purchase and sell, exchange or transmit electric power and energy at wholesale within and outside the State of New Jersey consistent with federal law, in amounts as it shall determine to be necessary or appropriate to make the most effective use of its powers and to meet its responsibilities, to sell, exchange, or transmit excess electric power purchased or produced by electric generation facilities within the corporate limits and franchise areas of its Members that is not needed to serve load within those corporate limits and franchise areas;
12. To co-own an electric generating facility project initiated by any person and constructed outside the corporate limits and franchise area of the members, provided that: (1) the share of NJPPA co-ownership shall be restricted to supply the electric and power needs of the Members ; and (2) when added to the aggregate of existing NJPPA-owned or Member-owned generation facilities together with co-ownership of facilities outside of the corporate limits and franchise areas of the Members, the aggregate produces no more than 105 percent of the power and energy needs of the Members;
13. To provide for and secure the payment of any bonds and the rights of the holders thereof, and to purchase, hold, and dispose of any bonds;
14. To accept gifts or grants of real or personal property, money, material, labor, or supplies solely for the purposes and exclusive use and benefit of the NJPPA, and to make and perform those agreements and contracts as may be necessary or

- convenient in connection with the procuring, acceptance, or disposition of the gifts or grants;
15. To make, amend and enforce bylaws or rules and regulations for the management and regulation of its business and affairs and for the use, maintenance, and operation of its properties;
 16. To do and perform any acts and things authorized by the Act through or by means of its own Board, officers, agents, and employees, or by contract with any person;
 17. To enter into any and all contracts, execute any and all instruments, and do and perform any and all things or acts necessary, convenient, or desirable for the purposes of NJPPA, or to carry out any power expressly authorized under the Act.;
 18. To exercise powers which are granted to municipalities under N.J. Stat. Ann. § 40:62-12 *et seq.*;
 19. To join organizations, including private or trade organizations, that the Board has deemed to be beneficial to the accomplishment of the NJPPA's purposes;
 20. To enter into one or more power supply contract, lease, operation contract, or contract for management of electric generation within the corporate limits and franchise areas of its members, or for the purchase of fuel for electric generation within the corporate limits and franchise areas of the Members, to meet the electric power or energy needs of its Members, for a term not to exceed forty ("40") years; and
 21. To invest any funds held in reserve or sinking funds, or any funds not required for immediate disbursement, including the proceeds from the sale of any bonds, in those obligations, securities, and other investments as the authority deems to be proper and as the members of the authority are authorized pursuant to law.

ARTICLE VIII – INDEMNIFICATION OF COMMISSIONERS

Any person made a party to any action, suit or proceeding by reason of the fact that he or she is or was a Commissioner, officer, employee or agent of the NJPPA or of any organization, joint action agency, or corporation which he or she served at the request of the NJPPA, shall be indemnified by NJPPA against the reasonable expenses, including attorney's fees, actually and necessarily incurred by him or her in connection with said action, suit or proceeding including any appeal therein, except in relation to matters as to which it shall be adjudicated in such action,

suit or proceedings that such Commissioner, officer, employee, or agent was not acting in good faith in the reasonable belief that his or her action was in the best interests of NJPPA. The term “expenses” includes amounts paid in satisfaction of judgments or in settlement of any action, suit or proceeding other than amounts paid to NJPPA itself. Such right of indemnification shall not be deemed exclusive of any other rights to which such Commissioner, officer, employee, or agent may be entitled apart from this Article.

Anyone seeking indemnification who proposes to settle litigation or who proposes to settle prior to litigation shall obtain the approval of the Board on all matters pertaining to the settlement prior to having the right to indemnification under this Article. If settlement is not approved by NJPPA, NJPPA will continue to be responsible for indemnification and expenses as heretofore set forth.

ARTICLE IX – BUDGETS AND AUDITS

Section 1. Budget. The Treasurer shall cause to be prepared a budget for each year and submit the same to the Board for approval. The budget shall include an estimate of the amount of receipts and expenditures for the ensuing year including expenses of officers and employees, legal, engineering, power supply, and other expenses and contingencies, and shall be conformed to the requirements of the LFB or its successor, and other New Jersey law. The Treasurer shall cause to be prepared quarterly unaudited financial reports, and shall submit the same to the Board as soon as practical following the end of each quarter of the applicable fiscal year.

Section 2. Annual Audit. Within ninety (90) days after the end of each fiscal year, the Board shall cause the books, accounts and records of NJPPA to be audited by an independent, certified public accountant, licensed, registered or entitled to practice and practicing as such under the laws of the State of New Jersey and in accordance with the Act.

Section 3. Member Audit Rights. Each Member has the right to examine NJPPA records related to the IMA to verify compliance with the IMA and to resolve or decide any claim or dispute arising under this IMA. NJPPA shall grant a Member reasonable access to these records at all reasonable times during the IMA term and for three (3) years after its termination.

ARTICLE X – TERMINATION AND DISSOLUTION

The term of this IMA shall be until such time as it is terminated by the affirmative vote of two-thirds (2/3) of the total authorized vote, or is dissolved due to having fewer than three Members. This IMA may not be terminated so long as NJPPA has bonds outstanding, unless provision for full payment of such bonds from escrow or otherwise, has been made pursuant to the terms of the bonds or the resolution authorizing the issuance of such bonds, trust indenture or security instruments securing the bonds.

Upon termination or dissolution of NJPPA, the title to all funds and other properties owned by it which remain after payment or the making of provision for payment of all bonds and other obligations of NJPPA shall vest in the Members, as their interests may appear, and as agreed upon by the Members.

NJPPA shall take whatever action may be necessary, including the execution and delivery of conveyances therefor, by quitclaim or other appropriate deed to the end of effecting such vesting and allocation as is agreed upon by the Members.

ARTICLE XI – AMENDMENT

This IMA may be amended only by the affirmative vote of two-thirds (2/3) of all the votes of Commissioners and approval by the LFB. Notwithstanding the provisions of this paragraph, this IMA may be modified, amended or changed concerning the matters of (i) voting

by Commissioners or (ii) assessment of Members except by the unanimous approval of the Members only upon written agreement signed by all Members and upon approval by the LFB.

ARTICLE XII – CONSTRUCTION AND BINDING EFFECT

It is mutually agreed that this IMA shall be construed according to the laws of the State of New Jersey, venue lying in the courts of the State of New Jersey.

This IMA, with attachments, where applicable, shall be considered and construed as a whole, each paragraph in context with the others, and no paragraph shall be read to the exclusion of any other paragraph. If any terms, covenant, or condition herein shall be deemed to be unenforceable or illegal, such unenforceability or illegality shall be of no force or effect with respect to any other paragraph, provision, term, or covenant herein.

The parties hereto agree that they will execute any document reasonably required to carry out the terms of this IMA.

References to the singular shall include the plural and references to gender shall be without regard to male.

IN WITNESS WHEREOF, the aforementioned Members have set their hand and seal this ____ day of ____ 2016.

Draft Dated August 26, 2016

Attachment B

BYLAWS OF THE
NEW JERSEY PUBLIC POWER AUTHORITY
EFFECTIVE ____ __, 201X

BYLAWS OF THE
NEW JERSEY PUBLIC POWER AUTHORITY

ARTICLE I – OFFICES

Section 1- Registered Office and Agent. The registered office of the New Jersey Public Power Authority (“NJPPA”) in the State of New Jersey is located at 420 Boardwalk, P.O. Box 206, Seaside Heights, New Jersey 08751 and the Registered Agent is James A. Jablonski.

Section 2 - Other Places of Business. Branches or subordinate offices or places of business may be established at any time by the Board of Commissioners at any place or places where NJPPA is authorized to do business.

ARTICLE II – MEMBERS

All municipal utilities and rural electric cooperatives that have signed the original Inter-Municipal Agreement (“IMA”) shall be Members of NJPPA unless any one or more should withdraw or be terminated. Additional municipal utilities and rural electric cooperatives may become Members upon compliance with the requirements of the IMA and the Municipal Shared Services Energy Authority Act, N.J. Stat. Ann. §40A:66-1 *et seq.* (2016) (hereafter referred to as “Act”).

ARTICLE III – BOARD OF COMMISSIONERS

Section 1 – General. The affairs of NJPPA shall be managed by its Board of Commissioners, and its Board shall be responsible for adopting an annual budget of expenditures and revenue sources for NJPPA.

Section 2 – Composition. The number of Commissioners of NJPPA at any time shall be equal to the number of Members at that time. Each Member shall have the power to appoint one (1) Commissioner to the Board of Commissioners and shall be entitled to remove that Commissioner at will. Each Member shall, from time to time, designate by a writing filed with NJPPA the name of its Commissioner. Each Member may, from time to time, designate an Alternate Commissioner who shall, in the absence of the first named Commissioner, vote and act with full authority. No Commissioner’s or Alternate Commissioner’s vote will be void until a writing by the Member is received by NJPPA revoking said Commissioner’s or Alternate Commissioner’s authority. Each Member shall have one vote, as set forth in the IMA.

Section 3 – Withdrawal of Membership. Any Member may withdraw from NJPPA as provided in the IMA upon a minimum of six months’ written notice. Notice of such withdrawal shall be provided to the Secretary, which notice shall be presented to the Board of Commissioners at its first regularly scheduled meeting thereafter.

Section 4 – Termination of Membership. Any Member may be terminated from NJPPA as provided in the IMA, provided that a statement of the reasons for termination are mailed, via registered mail, to the Member at its last recorded address at least fifteen (15) days prior to final action being taken on such termination motion. The statement of good cause for the termination shall be accompanied by a notice of a time and place at which the Board of Commissioners shall meet to consider the termination motion and shall provide an opportunity for the Member subject to the termination to present a defense.

ARTICLE IV - MEETINGS

Section 1 – Annual Meeting. The annual meeting of the Board of Commissioners shall be held on the third Thursday in January of each year, or if that day is a legal holiday in the place where the meeting is to be held, then on the next succeeding business day, at a time and place fixed by the Board of Commissioners, or the President. If such meeting is not held, or if a quorum is not present, the annual meeting of the Board of Commissioners shall be called in the manner hereinafter provided for special meetings.

At the Annual Meeting, the Board of Commissioners shall elect from the Commissioners a President, Vice President, Secretary and Treasurer, and conduct such other business as the Board may then determine.

Section 2 – Regular Meetings. The Commissioners shall meet not less than quarterly with the first meeting to be held during the month of January, which shall constitute the annual meeting of Members. The date, time and place within the State of New Jersey of each meeting for the following (12) month period shall be fixed at the annual meeting. The notice of meeting shall be delivered to each Commissioner at least ten business days before the time scheduled for said meeting. A report of the previous year's activities shall be presented by the President or Executive Director at the first quarterly meeting of Members of the New Year.

Section 3 – Special Meetings. Special meetings of the Board of Commissioners may be called by the President or upon the written request to the Secretary by any three (3) Commissioners. Notice of such special meetings shall be given in the same manner as for regular and annual meetings, except in emergencies when actual notice shall suffice. No other business than that specified in the notice of meeting shall be transacted at any special meeting of the Commissioners.

Section 4 – Quorum. A quorum shall be as established in the IMA. The presence in person or by proxy of a majority of the Board of Commissioners shall constitute a quorum for the transaction of business, but a lesser number may adjourn to some future date not less than six (6) days nor more than twenty (20) days thereafter. The Secretary shall thereupon mail notice of the adjourned meeting at least three (3) days before the adjourned meeting to each Commissioner entitled to vote who has not waived the notice in writing.

Section 5 – Majority Rules. Each Member shall be entitled to one (1) vote. Only the Commissioner designated in writing by a particular Member (or his/her alternate designated in writing) shall have the right to cast the vote for the Member whom he or she represents. All questions coming before the Board shall be decided by a majority vote of the Commissioners present except as explicitly stated herein. The act of a majority of the Commissioners present at a meeting at which a quorum is present shall be the act of the Board of Commissioners.

Section 6 – Action Without Meeting. The Board of Commissioners may act without a meeting if, prior to such action, each Commissioner shall consent in writing thereto. Such consent or consents shall be filed by the Secretary in the minutes.

Section 7 – Waiver of Notice. Any notice required by these bylaws, the IMA or the laws of the State of New Jersey, may be waived in writing by any person entitled to notice. The waiver or waivers may be executed before, at, or after the event with respect to which notice is waived. Each Commissioner attending a meeting without protesting the lack of proper notice prior to the conclusion of the meeting shall be deemed conclusively to have waived such notice.

ARTICLE V – OFFICERS

Section 1 – Election and Term. The Board of Commissioners shall elect from among the Commissioners a President, Vice-President, Secretary and Treasurer. Officers so elected shall serve for a term of one (1) year or until a qualified successor is elected.

Section 2 – President. The President shall preside at all meetings of the Commissioners. The President, together with the Secretary, Executive Director, or any other person authorized by the Board of Commissioners, may execute all bonds, notes, debentures, mortgages, and other contracts requiring a seal, under the seal of the Corporation, may cause the seal to be affixed thereto, and may execute all other contracts and instruments for and in the name of NJPPA that the Board of Commissioners has authorized to be executed. The President shall perform all duties incident to the office President and such other duties as may be prescribed by the Board from time to time.

Section 3 – Vice-President. The Vice-President, in the absence of the President, or in the event of his inability or refusal to act, shall perform the duties of the President, and when so acting, will have all of the powers of and be subject to all the restrictions on the President.

Section 4 – Treasurer. The Treasurer shall, if required by the Board of Commissioners, give a bond for the faithful discharge of the Treasurer's duties in form and amount suitable to the Commissioners. The Treasurer shall have charge and custody and be responsible for all funds and securities of the organization and shall receive and give receipts for all monies due and payable, and shall deposit all such monies in the name of the corporation in such banks or other depositories as shall be selected by the Board of Commissioners.

Section 5- Secretary. The Secretary shall keep the minutes of the meetings of the Board of Commissioners, except that the Secretary may delegate keeping of the minutes and issuance of notices to the Executive Director, shall ensure proper notice is given as required by law and these bylaws, shall be custodian of the corporate records and the seal of the corporation, and shall affix the seal to all documents, the execution of which is duly authorized; the Secretary shall keep a register of the addresses of Members and Commissioners and generally shall perform all of the duties incident to the office of Secretary and such other duties as may from time to time be assigned by the President for the Board of Commissioners. The Secretary shall be a resident of the State of New Jersey.

Section 6 – Other Officers. The Board of Commissioners may, if they deem it appropriate, elect assistant treasurers and assistant secretaries as the needs of the NJPPA may require. The office of the Secretary and Treasurer may not be held by the same person, unless there are fewer than four Members

Section 7 – Vacancies. A vacancy in any office may be filled by the Board of Commissioners by the election of a successor to hold office for the unexpired terms of the officer whose position is vacant and until a successor is chosen and qualified.

Section 8 – Removal. Any officer may be removed from his or her office with or without cause by a vote of the majority of the Board of Commissioners then in office at any regular or special meeting of the Board of Commissioners.

Section 9 – Resignation. Any officer may at any time resign his or her office by a resignation in writing delivered to NJPPA at its principal office or to the President or Secretary. Such resignation shall be effective upon receipt, and acceptance thereof shall not be necessary to make it effective unless it so states.

ARTICLE VI – EXECUTIVE DIRECTOR

Section 1 – Appointment Powers and Duties. The Board of Commissioners may appoint a person to exercise all of the powers and perform all of the duties set forth in this Article and shall designate such person so appointed as the Executive Director. Unless the Board of Commissioners otherwise provides, the Executive Director shall be the chief executive officer of the NJPPA and shall have such general executive powers and duties of supervision and management as are usually vested in the office of the chief operating officer of a corporation, including carrying into effect all directions and resolutions of the Board of Commissioners. The Executive Director may execute all bonds, notes, debentures, mortgages, and other contracts requiring a seal, under the seal of the Corporation, may cause the seal to be affixed thereto, and may execute all other contracts and instruments for and in the name of NJPPA that the Board of Commissioners has authorized to be executed. The Executive Director shall direct the day-to-day affairs of NJPPA including supervising all employees of NJPPA, reporting to the Board of Commissioners any violation of the rules and regulations (if any), collecting any charges or fees,

and keeping records in the form prescribed from time to time by the Board of Commissioners and reporting thereon whenever so requested by the Board of Commissioners. The Executive Director shall be directly responsible to the Board of Commissioners and shall report directly to the Board of Commissioners.

Section 2 - Budgets and Revenue. The Executive Director shall, in collaboration with the Treasurer, cause to be prepared and shall submit to the Board of Commissioners for its approval an annual budget and all supplements thereto for each fiscal year. The budget shall include revenue sources sufficient to fund the budget and may include tariff rates, fees, dues, assessments and/or capital contributions from Members; fee schedules associated with services provided under the Master Energy Services Contracts; as well as other sources of funding.

Section 3. Reports. The Executive Director shall submit to the Board of Commissioners at its annual meeting a report summarizing the operations and affairs of NJPPA and its activities during the preceding year and setting forth the plans, programs or projects for future development, with such suggestions and recommendations as the Executive Director shall deem appropriate. The Executive Director shall also make such reports to the Board of Commissioners as may be appropriate, or which may be required by these Bylaws, or by the Board of Commissioners.

Section 4 – Agents and Employees. The Executive Director shall have the power to employ, remove and suspend all agents and employees not elected or appointed by the Board of Commissioners, to determine the duties and responsibilities of such persons, to create such titles for such persons as the Executive Director may deem desirable to enable the person(s) to execute their duties and responsibilities, and to fix and change the compensation of such persons, within the limits of the annual budget approved by the Board of Commissioners.

Section 5 – Participation at Board and Committee Meetings. The Executive Director may be invited to participate in any meeting of the Board of Commissioners and any committee thereof, whether or not a member thereof; provided, however, that the Executive Director shall not be entitled to vote at, and shall not be counted for purposes of determining whether a quorum is present at, any meeting of (i) the Board of Commissioners, if the Executive Director is not a Commissioner, or (ii) a committee, if the Executive Director is not a member of such committee.

Section 6 – Further Duties and Authority. The Executive Director shall have such other duties and authority as may be prescribed elsewhere in these Bylaws or the rules and regulations (if any) or from time to time authorized by the Board of Commissioners.

Section 7 – Absence. In the event of the death or during the absence, incapacity, or inability or refusal to act of the Executive Director, the Board of Commissioners shall designate some other person to exercise, and in the absence of such designation the President may exercise all of the powers and perform all of the duties of the Executive Director.

ARTICLE VII-COMMITTEES

Section 1 – Special Purpose Committees. The President shall have the power to appoint, committees to investigate matters of interest to NJPPA and for such other purposes. The President shall appoint a committee chair from among the Board of Commissioners, and in default of such designation, a chair shall be chosen by the committee.

Section 2 – Standing Committees. The Standing Committees shall be the Executive Committee, the Finance Committee, the Administration Committee, and the Power Procurement Committee. Each Standing Committee shall be chaired by a Commissioner.

Executive Committee. The purpose of the Executive Committee is to exercise powers of the Board which arise between regularly scheduled Board meetings or when it is not practical or feasible for the Board to meet. The Executive Committee shall consist of the President, Vice-President, Treasurer, and Secretary. A majority of the Committee shall constitute a quorum. The Executive Committee shall meet at such times and places and by such means as the President shall determine. The Executive Committee shall report regularly about its activities to the Board. The Executive Committee shall undertake such other tasks as the Committee members shall designate that support the purpose of the Committee. Decisions of the Executive Committee shall be reviewed at the next regularly scheduled Board meeting.

Finance Committee. The Treasurer is chair of the Finance Committee. The purpose of the Finance Committee is to oversee NJPPA's financial performance and establish financial management practices as needed. The Finance Committee members shall make recommendations to the Board to ensure the following duties are fulfilled:

- establish the annual general budget of expenses and revenue sources at least one month prior to the end of each fiscal year;
- provide for the collection and dissemination of financial and other data to support the purposes of the NJPPA;
- recommend salary and compensation of Executive Director, if any;
- ensure that financial reports for the preceding month are created per the agreed schedule;
- on a monthly basis, review the financial reports, make recommendations, and prepare and present a financial summary report at each Board meeting;
- direct NJPPA staff and/or bookkeeping firm to make changes in data reporting as needed;
- establish boundaries for spending outside of the General Budget;
- ensure annual audit is conducted by certified public accountants, review audit recommendations and implement the audit recommendations;
- assure financial procedures are current; and

- such other tasks as the Committee members shall determine that support the purpose of the Committee.

Administration Committee. The purpose of the Administration Committee is to oversee NJPPA's human resources and to provide policy guidance and recommend revisions and changes in governing authority as needed, and to nominate new officers to the Board. The Administration Committee members shall make recommendations to the Board to ensure fulfillment of the following Board duties:

- review appointment of Executive Director;
- annual evaluation of Executive Director;
- ensure Executive Director or other supervisor conducts annual review of other paid staff;
- establish and ensure compliance with Staff Guidelines and Employee Handbook;
- nominate officers to the Board of Commissioners;
- review existing bylaws and IMA annually for legal sufficiency under current law and recommend changes as needed for Board approval;
- advise Board President on ways to enhance and implement Board member effectiveness;
- review with individual Board members their continuing interest, term of service, participation, training, skills, attendance, and adherence to legal norms;
- such other tasks as the Committee members shall determine that support the purpose of the Committee.

Power Procurement Committee. The purpose of the Power Procurement Committee is to oversee NJPPA's power procurement protocols, contracts, and practices. The Power Procurement Committee shall make recommendations to the Board to ensure fulfillment of the following Board duties:

- review existing contracts for power supply annually and recommend to Board of Commissioners changes or improvements;
- annually review competitive procurement principles and risk management policies to ensure use of best practices, and recommend any changes to Board of Commissioners;
- oversee, maintain and supervise all NJPPA contracts and property;
- oversee the purchase or acquisition of future properties of NJPPA;
- report annually to the Board on the state of the NJPPA property, equipment, investments and resources;
- ensure responsible use of all NJPPA property;
- and such other tasks as the Committee members shall designate that support the purpose of the Committee.

Section 3. Conducting Business of Committees. Members of standing committees and special purpose Committees shall serve for terms of one year. These by-laws place no limit on the number of one year terms that may be served on Committees or Functions. The Presiding Officer shall serve as the chair of the Committee. Vacancies in the membership of any committee may be filled by designation by the Presiding Officer. The majority of the members of a committee shall constitute a quorum. Each Committee may adopt rules for its own conduct that do not conflict with these bylaws or with the rules adopted by the Board.

ARTICLE VIII – AMENDMENTS

Section 1 – Force and Effect of Bylaws. These bylaws are subject to the laws of the State of New Jersey and to the IMA as the same may be amended from time to time. If any provision in these bylaws is inconsistent with a provision in the New Jersey Code or with the IMA, the New Jersey Code and the IMA shall govern.

Section 2 – Amendment. These bylaws may be altered, amended or repealed by a majority of all the votes of the Board of Commissioners which are entitled to be cast.

ARTICLE IX – ROBERTS' RULES

Robert's Rules of Order shall be the governing parliamentary law of NJPPA.

Attachment C

Resolutions in Support of Formation of the NJ Public Power Authority

Borough of Butler

Borough of Lavallette

Borough of Madison

Borough of Milltown

Borough of Park Ridge

Borough of Pemberton

Borough of Seaside Heights

Borough of South River

City of Vineland

BOROUGH OF BUTLER
RESOLUTION NO. 2016-86

RESOLUTION OF THE BOROUGH OF BUTLER, IN THE COUNTY OF MORRIS,
MAKING APPLICATION TO THE LOCAL FINANCE BOARD, PURSUANT TO N.J.S.A.
40A:66-1, et. seq

WHEREAS, the Borough Council of the Borough of Butler, in the County of Morris, State of New Jersey (the "Borough") desires to submit an Application to the Local Finance Board for its review and approval of a proposed establishment of the New Jersey Public Power Authority (NJPPA), a Municipal Shared Services Energy Authority; and

WHEREAS, the Borough Council believes that:


- a. it is in the public interest to accomplish such purpose;
- b. said purpose or improvements are for the health, welfare, convenience or betterment of the inhabitants of the Borough;
- c. the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant; and
- d. the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Borough and will not create an undue financial burden to be placed upon the Borough.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Butler, in the County of Morris, State of New Jersey as follows:

Section 1. The application to the Local Finance Board for the purpose described in the preamble hereof is hereby approved, and that James Jablonski, Executive Director of the Public Power Association of New Jersey (PPANJ) on behalf of the membership and specifically, Butler, along with other representatives of the Borough, are hereby authorized to prepare such application, to file such application with the Local Finance Board and to represent the Borough in matters pertaining thereto.

Section 2. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

Dated: September 6, 2016



Robert W. Alviene, Mayor

| I, Mary A. O'Keefe, Borough Clerk of the Borough of Butler, do hereby certify this to be a true copy of a Resolution adopted by the Borough Council of the Borough of Butler at a meeting held on September 6, 2016. | | | | | | |
|--|-------|--------|-----|----|---------|--------|
| | Moved | Second | Yes | No | Abstain | Absent |
| Councilman Fox | | | X | | | |
| Councilman McNear | | | X | | | |
| Councilman Meier | | | X | | | |
| Councilman Regis | | | X | | | |
| Councilman Verdonik | X | | X | | | |
| Council President Vath | | X | X | | | |

Mary A. O'Keefe
 Mary A. O'Keefe, RMC
 Borough Clerk

**RESOLUTION OF THE BOROUGH OF LAVALLETTE, COUNTY OF OCEAN,
STATE OF NEW JERSEY, MAKING APPLICATION TO THE LOCAL
FINANCE BOARD PURSUANT TO N.J.S.A. 40A:66-1(2016) ET. SEQ.**

**RESOLUTION NO: 2016-252
DATE OF ADOPTION: 9/6/2016**

WHEREAS, the Governing Body of the Borough of Lavallette, County of Ocean, State of New Jersey desires to submit an application to the Local Finance Board for its review and approval of a proposed establishment of the New Jersey Public Power Authority (NJPPA), a Municipal Shared Services Energy Authority; and

WHEREAS, the Governing Body believes that it is in the public interest to accomplish such purpose; and

WHEREAS, said purpose and improvements are for the health, welfare, convenience or betterment of the inhabitants of the Borough of Lavallette

WHEREAS, the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant; and

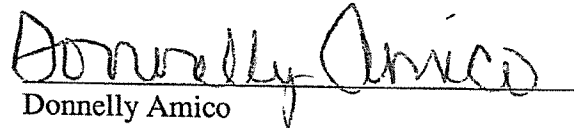
WHEREAS, the proposal in an efficient and feasible means of providing services for the needs of the inhabitants of the Borough of Lavallette and will not create an undue financial burden to be placed upon the Borough of Lavallette.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Lavallette, County of Ocean, State of New Jersey as follows:

- 1) the application to the Local Finance Board for the purpose described in the preamble hereof is hereby approved, and that James Jablonski, Executive Director of the Public Power Association of New Jersey (PPANJ) on behalf of the membership and specifically, the Borough of Lavallette, along with other representatives of the Borough, are hereby authorized to prepare such application, to file such application with the Local Finance Board and to represent the Borough in matters pertaining thereto.
- 2) The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

CERTIFICATION

I, Donnelly Amico, Municipal Clerk of the Borough of Lavallette, County of Ocean, State of New Jersey, does hereby certify that the foregoing resolution is a true copy adopted by Council at their caucus/regular meeting held on the 6th day of **September 2016**


Donnelly Amico
Municipal Clerk

| LaCicero | Moved | Second | Aye | Nay | Abstain | Absent |
|-----------|-------|--------|-----|-----|---------|--------|
| Borowski | ✓ | | ✓ | | | |
| Filippone | | | ✓ | | | |
| Zalom | | | ✓ | | | |
| Stogdill | | | ✓ | | | |
| Finter | | ✓ | ✓ | | | |
| Lamb | | | ✓ | | | |

RESOLUTION OF THE BOROUGH OF MADISON , IN THE COUNTY OF MORRIS, NEW JERSEY, MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-26(e)

WHEREAS, the Borough Council of the Borough of Madison, in the County of Morris, New Jersey (the "Borough") desires to submit an Application to the Local Finance Board for its review and approval of a proposed establishment of the New Jersey Public Power Authority (NJPPA), a Municipal Shared Services Energy Authority; and

WHEREAS, the Borough Council believes that:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose or improvements are for the health, welfare, convenience or betterment of the inhabitants of the Borough;
- (d) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant; and
- (e) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Borough and will not create an undue financial burden to be placed upon the Borough.

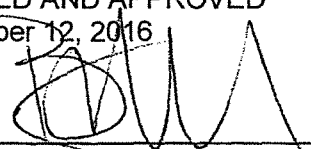
NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Madison, in the county of Morris, New Jersey, as follows:

Section 1. The application to the Local Finance Board for the purpose described in the preamble hereof is hereby approved, and that James Jablonski, Executive Director of the Public Power Association of New Jersey (PPANJ) on behalf of the membership and specifically, the Borough of Madison, along with other representatives of the Borough, are hereby authorized to prepare such application, to file such application with the Local Finance Board and to represent the Borough in matters pertaining thereto.

Section 2. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

ADOPTED AND APPROVED

September 12, 2016


BENJAMIN WOLKOWITZ, Acting Mayor

Attest:

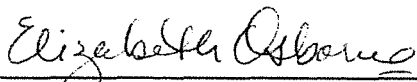

ELIZABETH OSBORNE, Borough Clerk

ROLL CALL VOTE

AYES: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe
NAYS: None
ABSENT: None

CERTIFICATION

I, Elizabeth Osborne, Borough Clerk of the Borough of Madison, do hereby certify this to be a true copy of a Resolution adopted by the Borough Council of the Borough of Madison at a meeting held on September 12, 2016.



Elizabeth Osborne, RMC
Borough Clerk

BOROUGH OF MILLTOWN

RESOLUTION # R16-200

**A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MILLTOWN
MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A.
40A:66-1(2016),ET SEQ**

WHEREAS, The Borough Council of the Borough of Milltown, in the County of Middlesex, State of New Jersey (the "Borough") desires to submit an application to the Local Finance Board for its review and approval of a proposed establishment of the New Jersey Public Power Authority (NJPPA), a municipal Shared Services Energy Authority, and;

WHEREAS, the Borough Council believes that:

- (a) It is in the public interest to accomplish such purpose;
- (b) Said purpose or improvements are for the health, welfare, convenience or betterment of the inhabitants of the Borough;
- (c) The amounts to be expended for said purpose or improvements are not unreasonable or exorbitant, and;
- (d) The proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Borough and will not create an undue financial burden to be placed upon the Borough.

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Milltown, County of Middlesex, State of New Jersey as follows:

Section 1 The application to the Local Finance Board for the purpose described in the preamble hereof is hereby approved and that James Jablonski, Executive Director of the Public Power Association of New Jersey (PPANJ) on behalf of the membership and specifically, Milltown, along with other representatives of the Borough, are hereby authorized to prepare such application, to file such application with the Local Finance Board and to represent the Borough in matters pertaining thereto

Section 2 The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/ or approvals as provided by the applicable New Jersey Statute.

I, Gabriella Siboni, Borough Clerk of Milltown, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of Milltown, New Jersey at a regular meeting held on September 12, 2016.



Gabriella Siboni, RMC
Municipal Clerk

Motion made by Council President Dixon
Second by Councilman Guyette

Roll Call

| | Aye | Nay | Abstain | Absent |
|-------------------------|------------|------------|----------------|---------------|
| Council President Dixon | X | | | |
| Councilman Farkas | X | | | |
| Councilman Guthlein | X | | | |
| Councilman Guyette | X | | | |
| Councilwoman Kerber | X | | | |
| Councilman Ligotti | X | | | |

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 016-257**

**RESOLUTION OF THE BOROUGH OF PARK RIDGE, IN
THE COUNTY OF BERGEN, NEW JERSEY, MAKING
APPLICATION TO THE LOCAL FINANCE BOARD
PURSUANT TO N.J.S.A. 40A:66-1(2016), et. seq**

WHEREAS, the Borough Council of the Borough of Park Ridge, in the County of Bergen, New Jersey (the "Borough") desires to submit an Application to the Local Finance Board for its review and approval of a proposed establishment of the New Jersey Public Power Authority (NJPPA), a Municipal Shared Services Energy Authority; and

WHEREAS, the Borough Council believes that:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose or improvements are for the health, welfare, convenience or betterment of the inhabitants of the Borough;
- (c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant; and
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Borough and will not create an undue financial burden to be placed upon the Borough.

**NOW THEREFORE, BE IT RESOLVED BY THE BOROUGH
COUNCIL OF THE BOROUGH OF PARK RIDGE, IN THE COUNTY OF
BERGEN, NEW JERSEY, AS FOLLOWS:**

Section 1. The application to the Local Finance Board for the purpose described in the preamble hereof is hereby approved, and that James Jablonski, Executive Director of the Public Power Association of New Jersey (PPANJ) on behalf of the membership and specifically, Park Ridge, along with other representatives of the Borough, are hereby authorized to prepare such application, to file such application with the Local Finance Board and to represent the Borough in matters pertaining thereto.

Section 2. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

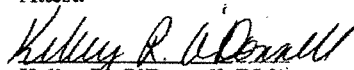
Adopted 09/13/16 on roll call vote as follows:

| | Introduced | Seconded | AYES | NAYES | ABSENT | ABSTAIN |
|-----------|------------|----------|------|-------|--------|---------|
| Misciagna | | | ✓ | | | |
| Bosi | ✓ | | ✓ | | | |
| Oppelt | | ✓ | ✓ | | | |
| Bertini | | | ✓ | | | |
| Capilli | | | ✓ | | | |
| Szot | | | ✓ | | | |

APPROVED:


TERENCE P. MAGUIRE, MAYOR

Attest:


Kelley R. O'Donnell, RMC
Borough Clerk / Administrator

RESOLUTION NO. 2016-72

**RESOLUTION OF THE BOROUGH OF PEMBERTON, IN THE
COUNTY OF BURLINGTON, NEW JERSEY, MAKING
APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT
TO N.J.S.A. 40A:66-1 (2016), ET.SEQ.**

WHEREAS, the Borough Council of the Borough of Pemberton, in the County of Burlington, New Jersey (the "Borough") desires to submit an Application to the Local Finance Board for its review and approval of a proposed establishment of the New Jersey Public Power Authority (NJPPA), a Municipal Shared Services Energy Authority; and

WHEREAS, the Borough Council believes that:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose or improvements are for the health, welfare, convenience or betterment of the inhabitants of the Borough;
- (d) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant; and
- (e) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Borough and will not create an undue financial burden to be placed upon the Borough.

NOW THEREFORE, BE IT RESOLVED this 19 day of September, 2016 by the Borough Council of the Borough of Pemberton, County of Burlington, New Jersey, as follows:

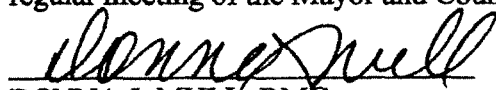
Section 1. The application to the Local Finance Board for the purpose described in the preamble hereof is hereby approved, and that James Jablonski, Executive Director of the Public Power Association of New Jersey (PPANJ) on behalf of the membership and specifically, Pemberton Borough, along with other representatives of the Borough, are hereby authorized to prepare such application, to file such application with the Local Finance Board and to represent the Borough in matters pertaining thereto.

Section 2. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

Record of Council Vote on Passage

| *Motion BH | | | | | *Second RM | | | | |
|----------------|-----|-----|---------|--------|----------------|-----|-----|---------|--------|
| COUNCIL PERSON | AYE | NAY | Abstain | Absent | COUNCIL PERSON | AYE | NAY | Abstain | Absent |
| Mrs. Haines | X | | | | Mr. Quinlan | | | | X |
| Mr. Jerome | X | | | | Mr. Stockton | X | | | |
| Mr. Mosher | X | | | | Mrs. Ward | X | | | |
| Mayor Griffin | | | | | | | | | |

ATTEST: I, Donna J. Mull, RMC of the Borough of Pemberton, herein certify that the foregoing resolution was duly adopted by the Governing Body of the Borough of Pemberton at a regular meeting of the Mayor and Council held on September 19, 2016.


DONNA J. MULL, RMC

RESOLUTION NO. 16-235

RESOLUTION OF THE BOROUGH OF SEASIDE HEIGHTS, IN THE
COUNTY OF OCEAN, STATE OF NEW JERSEY, MAKING
APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO
N.J.S.A. 40A:2-26(e)

WHEREAS, the Borough Council of the Borough of Seaside Heights, in the County of Ocean, State of New Jersey (the "Borough") desires to submit an Application to the Local Finance Board for its review and approval of a proposed establishment of the New Jersey Public Power Authority (NJPPA), a Municipal Shared Services Energy Authority; and

WHEREAS, the Borough Council believes that:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose or improvements are for the health, welfare, convenience or betterment of the inhabitants of the Borough;
- (d) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant; and
- (e) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Borough and will not create an undue financial burden to be placed upon the Borough.

NOW THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SEASIDE HEIGHTS, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. The application to the Local Finance Board for the purpose described in the preamble hereof is hereby approved, and that James Jablonski, Executive Director of the Public Power Association of New Jersey (PPANJ) on behalf of the membership and specifically, Seaside Heights, along with other representatives of the Borough, are hereby authorized to prepare such application, to file such application with the Local Finance Board and to represent the Borough in matters pertaining thereto.

Section 2. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

ROLL CALL VOTE

AYES:

Graichen, Tompkins, Smith, Polhemus, DiGuilio, Carbone

NAYS:

0

CERTIFICATION

I, Diane B. Stabley, RMC, Borough Clerk of the Borough of Seaside Heights, do hereby certify this to be a true copy of a Resolution adopted by the Borough Council of the Borough of Seaside Heights at a meeting held on September 7, 2016.

Diane B. Stabley
Diane B. Stabley, RMC
Borough Clerk

RESOLUTION OF THE BOROUGH OF SOUTH RIVER, IN THE
COUNTY OF MIDDLESEX, NEW JERSEY, MAKING
APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO
N.J.S.A. 40A:66-1(2016), et. seq.

WHEREAS, the Borough Council of the Borough of South River, in the County of Middlesex, New Jersey (the "Borough") desires to submit an Application to the Local Finance Board for its review and approval of a proposed establishment of the New Jersey Public Power Authority (NJPPA), a Municipal Shared Services Energy Authority; and

WHEREAS, the Borough Council believes that:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose or improvements are for the health, welfare, convenience or betterment of the inhabitants of the Borough;
- (d) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant; and
- (e) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Borough and will not create an undue financial burden to be placed upon the Borough.

NOW THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SOUTH RIVER, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, AS FOLLOWS:

Section 1. The application to the Local Finance Board for the purpose described in the preamble hereof is hereby approved, and that James Jablonski, Executive Director of the Public Power Association of New Jersey (PPANJ) on behalf of the membership and specifically, South River, along with other representatives of the Borough, are hereby authorized to prepare such application, to file such application with the Local Finance Board and to represent the Borough in matters pertaining thereto.

Section 2. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

DATED: AUGUST 22, 2016

/s/ Jim Hutchison
Councilmember

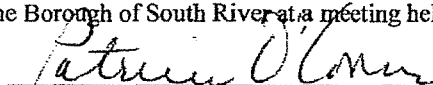
/s/ Tony Ciulla
Councilmember

ROLL CALL VOTE

YEAS: Ciulla, Gurchensky, Haussermann, Jones, Trenga, Hutchison
NAYS: None

CERTIFICATION

I, Patricia O'Connor, Borough Clerk of the Borough of South River, do hereby certify this to be a true copy of a Resolution adopted by the Borough Council of the Borough of South River at a meeting held on August 22, 2016.


Patricia O'Connor, RMC
Borough Clerk

CITY OF VINELAND

RESOLUTION NO. 2016- 285

RESOLUTION OF SUPPORT FOR THE CREATION OF THE
NEW JERSEY PUBLIC POWER AUTHORITY

WHEREAS, the Legislature of the State of New Jersey recognizes the benefits of the creation of a municipal shared services energy authority and therefore adopted the Municipal Shared Services Energy Authority Act , N.J.S.A. 40A:66-1 et seq. (the Act); and

WHEREAS, the several New Jersey municipalities which own and operate electric generation facilities for their residents have expressed an interest in forming and authority to be known as the New Jersey Public Power Authority (NJ PPA), to which an offer to become a member is extended to the City of Vineland; and

WHEREAS, the purpose of the Act and NJ PPA is to achieve savings and efficiencies for retail customers through coordinating bulk power and fuel supply programs; undertaking the planning, financing, development, acquisition, construction, reconstruction, improvement, enlargement, betterment, operation, and maintenance of a project or projects to supply electric power and/or energy resources, or production, distribution, and transmission of electric power and/or energy, in whole or in part for the benefit of the members; and

WHEREAS, the City Council finds it to be in the best interest of the City of Vineland to support the creation of the New Jersey Public Power Authority.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Vineland as follows:

1. The City approves the application to the Local Finance Board of the State of New Jersey for the purpose as hereinabove set forth and for the appropriate authority of the Public Power Association of New Jersey (PPA NJ), on behalf of its members, including the City of Vineland is requested to make such application and file the same with the Local Finance Board.

Councilman John Procopio.

Councilwoman Maritza Gonzalez.

Councilwoman Angela Calakos

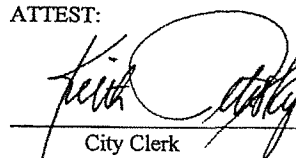
Council Vice President Paul Spinelli.

Council President Anthony Fanucci

Adopted: September 13, 2016


President of Council arf

ATTEST:


City Clerk kp

Attachment D

Ordinances in Support of Inter-Municipal Agreement

Borough of Butler

Borough of Lavallette

Borough of Madison

Borough of Milltown

Borough of Park Ridge

Borough of Pemberton

Borough of Seaside Heights

Borough of South River

City of Vineland

Ordinance No. 2016- 18

**AN ORDINANCE AUTHORIZING THE EXECUTION OF AN
INTER-MUNICIPAL AGREEMENT
ESTABLISHING THE
NEW JERSEY PUBLIC POWER AUTHORITY,
A MUNICIPAL SHARED SERVICES ENERGY AUTHORITY**

WHEREAS, the Mayor and Council of the Borough of Butler find that the Borough will benefit by joining other municipalities to establish a municipal shared services energy authority according to the provisions set forth in The Municipal Shared Services Energy Authority Act, N.J. Stat. Ann. §40A:66-1(2015) for the purpose of acting jointly to promote the stability and viability of the Member systems and to achieve efficiencies and savings for the retail customers of the Member systems; and

WHEREAS, the creation of this municipal shared services energy authority, to be known as the New Jersey Public Power Authority ("NJPPA"), will be governed by an Inter-Municipal Agreement ("IMA") between the member municipalities; and

WHEREAS, the purposes for which NJPPA is organized are to act jointly and perform according to standard electric industry practices all authorized endeavors to achieve savings and efficiencies for retail customers in Member systems through coordinated bulk power and fuel supply programs; undertake the planning, financing, development, acquisition, construction, reconstruction, improvement, enlargement, betterment, operation and maintenance of a project or projects to supply electric power and/or energy for the present and future needs of its Members; and to effect joint development of electric energy resources or production, distribution, and transmission of electric power and/or energy in whole or in part for the benefit of the contracting Members; and to do and perform all acts and things for the benefit of its Members and others, which by law, expressed or implied, it is authorized, empowered or permitted to do and perform

WHEREAS, the Mayor and Council find that it would be in the best interest of the Borough of Butler to enter into the IMA in the form attached hereto.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Butler, County of Morris, and State of New Jersey as follows:

Section 1. The Borough of Butler shall become a member of a municipal shared services energy authority to be known as the New Jersey Public Power Authority ("NJPPA").

Section 2. The appropriate municipal officials are hereby authorized to execute the Inter-municipal agreement attached hereto.

Section 3. Any and all other ordinances inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistencies.


Section 4. In the event that any section paragraph, clause phrase, term, provision or part of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

Section 5. This Ordinance shall take effect immediately upon final passage, approval, publication and the posting of the appropriate signs as required by law.

NOTICE IS HEREBY GIVEN, that the foregoing Ordinance was introduced in writing at a meeting of the Borough Council of the Borough of Butler, County of Morris and State of New Jersey, held on the 1st day of August, 2016 introduced and read by title and passed on the first reading and that the said Governing Body will further consider the same for second reading and final passage thereon at a meeting to be held on the 16th day of August, 2016 at 7:00 p.m., prevailing time, at the Municipal Building in said Borough, at which time and place a public hearing will be held thereon by the Governing Body and all persons and citizens in interest shall have an opportunity to be heard concerning same.

INTRODUCED: August 1, 2016

ADOPTED:


Robert W. Alviene, Mayor


Mary A. O'Keefe, RMC
Borough Clerk

I, Mary A. O'Keefe, Borough Clerk of the Borough of Butler, do hereby certify this to be a true copy of an Ordinance introduced by the Borough Council of the Borough of Butler at a meeting held on August 1, 2016.

| | Moved | Second | Yes | No | Abstain | Absent |
|------------------------|-------|--------|-----|----|---------|--------|
| Councilman Fox | ✓ | | ✓ | | | |
| Councilman McNear | | | | | | ✓ |
| Councilman Meier | | | ✓ | | | |
| Councilman Regis | | | ✓ | | | |
| Councilman Verdonik | | | ✓ | | | |
| Council President Vath | | ✓ | ✓ | | | |

Mary A. O'Keefe

Mary A. O'Keefe, RMC
Borough Clerk

ORDINANCE NO. 2016-02 (1146)

**AN ORDINANCE OF THE BOROUGH OF LAVALLETTE, COUNTY OF OCEAN,
STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF AN INTER-
MUNICIPAL AGREEMENT ESTABLISHING THE NEW JERSEY PUBLIC POWER
AUTHORITY, A MUNICIPAL SHARED SERVICES ENERGY AUTHORITY**

WHEREAS, the Mayor and Council of the Borough of Lavallette find that the Borough will benefit by joining other municipalities to establish a municipal shared services energy authority according to the provisions set forth in The Municipal Shared Services Energy Authority Act, N.J. Stat. Ann. §40A:66-1(2015) for the purpose of acting jointly to promote the stability and viability of the Member systems and to achieve efficiencies and savings for the retail customers of the Member systems; and

WHEREAS, the creation of this municipal shared services energy authority, to be known as the New Jersey Public Power Authority ("NJPPA"), will be governed by an Inter-Municipal Agreement ("IMA") between the member municipalities; and

WHEREAS, The purposes for which NJPPA is organized are to act jointly and perform according to standard electric industry practices all authorized endeavors to achieve savings and efficiencies for retail customers in Member systems through coordinated bulk power and fuel supply programs; undertake the planning, financing, development, acquisition, construction, reconstruction, improvement, enlargement, betterment, operation and maintenance of a project or projects to supply electric power and/or energy for the present and future needs of its Members; and to effect joint development of electric energy resources or production, distribution, and transmission of electric power and/or energy in whole or in part for the benefit of the contracting Members; and to do and perform all acts and things for the benefit of its Members and others, which by law, expressed or implied, it is authorized, empowered or permitted to do and perform

WHEREAS, the Mayor and Council find that it would be in the best interest of the Borough of Lavallette to enter into the IMA in the form attached hereto.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Lavallette, County of Ocean, and State of New Jersey as follows:

Section 1. The Borough of Lavallette shall become a member of a municipal shared services energy authority to be known as the New Jersey Public Power Authority ("NJPPA").

Section 2. The appropriate municipal officials are hereby authorized to execute the Inter-municipal agreement attached hereto.

Section 3. Any and all other ordinances inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistencies.

Section 4. In the event that any section paragraph, clause phrase, term, provision or part of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

Section 5. This Ordinance shall take effect immediately upon final passage, approval, publication and the posting of the appropriate signs as required by law.

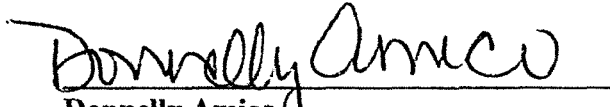
NOTICE OF PENDING ORDINANCE

ORDINANCE NO. 2016-02 (1146)

AN ORDINANCE OF THE BOROUGH OF LAVALLETTE, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF AN INTER- MUNICIPAL AGREEMENT ESTABLISHING THE NEW JERSEY PUBLIC POWER AUTHORITY, A MUNICIPAL SHARED SERVICES ENERGY AUTHORITY

The ordinance published herewith was introduced and passed upon first reading at a meeting of the governing body of the Borough of Lavallette, County of Ocean, State of New Jersey, held on the 8th day of August, 2016. It will be further considered for final passage after the public hearing thereon, at a meeting of said governing body to be held in Council Chambers, 1306 Grand Central Avenue, Lavallette, NJ on the 19th day of September, 2016 at 7pm or soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning the same.

A copy of this ordinance has been posted on the bulleting board upon which public notices are being posted in the Administration Office of the Borough Hall located at 1306 Grand Central Avenue during the week prior to and up to and including the date of such meeting; copies of the ordinance are available to the general public of the Borough who shall request such copies, at the office of the Borough Clerk in said Borough of Lavallette, County of Ocean, State of New Jersey.


Donnelly Amico
Municipal Clerk
Borough of Lavallette

| LaCicero | Moved | Second | Aye | Nay | Abstain | Absent |
|-----------|-------|--------|-----|-----|---------|--------|
| Borowski | | | ✓ | | | |
| Filippone | | ✓ | ✓ | | | |
| Zalom | | | ✓ | | | |
| Stogdill | | | ✓ | | | |
| Finter | | | ✓ | | | |
| Lamb | ✓ | | | ✓ | | |

ORDINANCE 59-2016

AN ORDINANCE OF THE BOROUGH OF MADISON AUTHORIZING THE EXECUTION OF AN INTER-MUNICIPAL AGREEMENT ESTABLISHING THE NEW JERSEY PUBLIC POWER AUTHORITY, A MUNICIPAL SHARED SERVICES ENERGY AUTHORITY

WHEREAS, the Mayor and Council of the Borough of Madison find that the Borough will benefit by joining other municipalities to establish a municipal shared services energy authority according to the provisions set forth in The Municipal Shared Services Energy Authority Act, N.J. Stat. Ann. §40A:66-1(2016) for the purpose of acting jointly to promote the stability and viability of the Member systems and to achieve efficiencies and savings for the retail customers of the Member systems; and

WHEREAS, the creation of this municipal shared services energy authority, to be known as the New Jersey Public Power Authority ("NJPPA"), will be governed by an Inter-Municipal Agreement ("IMA") between the member municipalities; and

WHEREAS, The purposes for which NJPPA is organized are to act jointly and perform according to standard electric industry practices all authorized endeavors to achieve savings and efficiencies for retail customers in Member systems through coordinated bulk power and fuel supply programs; undertake the planning, financing, development, acquisition, construction, reconstruction, improvement, enlargement, betterment, operation and maintenance of a project or projects to supply electric power and/or energy for the present and future needs of its Members; and to effect joint development of electric energy resources or production, distribution, and transmission of electric power and/or energy in whole or in part for the benefit of the contracting Members; and to do and perform all acts and things for the benefit of its Members and others, which by law, expressed or implied, it is authorized, empowered or permitted to do and perform

WHEREAS, the Mayor and Council find that it would be in the best interest of the Borough of Madison to enter into the IMA in the form attached hereto.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Madison, County of Morris, and State of New Jersey as follows:

Section 1. The Borough of Madison shall become a member of a municipal shared services energy authority to be known as the New Jersey Public Power Authority ("NJPPA").

Section 2. The appropriate municipal officials are hereby authorized to execute the Inter-municipal agreement attached hereto.

Section 3. Any and all other ordinances inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistencies.

Section 4. In the event that any section paragraph, clause phrase, term, provision or part of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

Section 5. This Ordinance shall take effect immediately upon final passage, approval, publication and the posting of the appropriate signs as required by law.

ROLL CALL VOTE

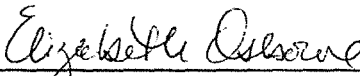
AYES: Mr. Catalanello, Mr. Landrigan, Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

NAYS: None

ABSENT: Mrs. Vitale

CERTIFICATION

I, Elizabeth Osborne, Borough Clerk of the Borough of Madison, do hereby certify this to be a true copy of an Ordinance introduced by the Borough Council of the Borough of Madison at a meeting held on August 8, 2016.



Elizabeth Osborne, RMC
Borough Clerk

**BOROUGH OF MILLTOWN
ORDINANCE 16-1437**

**AN ORDINANCE AUTHORIZING THE EXECUTION OF AN INTER-MUNICIPAL AGREEMENT
ESTABLISHING THE NEW JERSEY PUBLIC POWER AUTHORITY,
A MUNICIPAL SHARED SERVICES ENERGY AUTHORITY**

WHEREAS, the Mayor and Council of the Borough of Milltown find that the Borough will benefit by joining other municipalities to establish a municipal shared services energy authority according to the provisions set forth in The Municipal Shared Services Energy Authority Act, N.J. Stat. Ann. §40A:66-1(2016) for the purpose of acting jointly to promote the stability and viability of the Member systems and to achieve efficiencies and savings for the retail customers of the Member systems; and

WHEREAS, the creation of this municipal shared services energy authority, to be known as the New Jersey Public Power Authority ("NJPPA"), will be governed by an Inter-Municipal Agreement ("IMA") between the member municipalities; and

WHEREAS, The purposes for which NJPPA is organized are to act jointly and perform according to standard electric industry practices all authorized endeavors to achieve savings and efficiencies for retail customers in Member systems through coordinated bulk power and fuel supply programs; undertake the planning, financing, development, acquisition, construction, reconstruction, improvement, enlargement, betterment, operation and maintenance of a project or projects to supply electric power and/or energy for the present and future needs of its Members; and to effect joint development of electric energy resources or production, distribution, and transmission of electric power and/or energy in whole or in part for the benefit of the contracting Members; and to do and perform all acts and things for the benefit of its Members and others, which by law, expressed or implied, it is authorized, empowered or permitted to do and perform

WHEREAS, the Mayor and Council find that it would be in the best interest of the Borough of Milltown to enter into the IMA in the form attached hereto.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Milltown, County of Middlesex, and State of New Jersey as follows:

Section 1. The Borough of Milltown shall become a member of a municipal shared services energy authority to be known as the New Jersey Public Power Authority ("NJPPA").

Section 2. The appropriate municipal officials are hereby authorized to execute the Inter-municipal agreement attached hereto.

Section 3. Any and all other ordinances inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistencies.

Section 4. In the event that any section paragraph, clause phrase, term, provision or part of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

Section 5. This Ordinance shall take effect immediately upon final passage, approval, publication and the posting of the appropriate signs as required by law.

Introduced: September 12, 2016

Recorded Vote

Motion made by Councilman Farkas

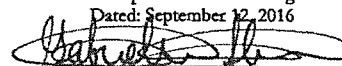
Second by Councilman Ligotti

Roll Call

| | Aye | Nay | Abstain | Absent |
|-------------------------|-----|-----|---------|--------|
| Council President Dixon | X | | | |
| Councilman Farkas | X | | | |
| Councilman Guthlein | X | | | |
| Councilman Guyette | X | | | |
| Councilwoman Kerber | X | | | |
| Councilman Ligotti | X | | | |

Adopted on First Reading

Dated: September 12, 2016



Gabriella Siboni, RMC
Borough Clerk

Adopted: November 14, 2016

Recorded Vote

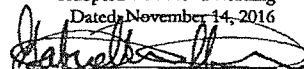
Motion Made by Council President Dixon

Second by Councilman Guthlein

| | Aye | Nay | Abstain | Absent |
|-------------------------|-----|-----|---------|--------|
| Council President Dixon | X | | | |
| Councilman Farkas | X | | | |
| Councilman Guthlein | X | | | |
| Councilman Guyette | | | | X |
| Councilwoman Kerber | X | | | |
| Councilman Ligotti | X | | | |

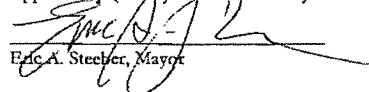
Adopted on Second Reading

Dated: November 14, 2016



Gabriella Siboni, RMC
Borough Clerk

Approval by the Mayor on this 15th day of November, 2016.



Eric A. Stecher, Mayor

**BOROUGH OF PARK RIDGE
ORDINANCE NO. 2016-019**

**AN ORDINANCE AUTHORIZING THE EXECUTION OF
AN INTER-MUNICIPAL AGREEMENT ESTABLISHING
THE NEW JERSEY PUBLIC POWER AUTHORITY,
A MUNICIPAL SHARED SERVICES ENERGY AUTHORITY**

WHEREAS, the Board of Public Works and Mayor and Council of the Borough of Park Ridge find that the Borough will benefit by joining other municipalities to establish a municipal shared services energy authority according to the provisions set forth in The Municipal Shared Services Energy Authority Act, N.J. Stat. Ann. §40A:66-1(2016) for the purpose of acting jointly to promote the stability and viability of the Member systems and to achieve efficiencies and services for the retail customers of the Member systems; and

WHEREAS, the creation of this municipal shared services energy authority, to be known as the New Jersey Public Power Authority ("NJPPA"), will be governed by an Inter-Municipal Agreement ("IMA") between the member municipalities; and

WHEREAS, the purposes for which NJPPA is organized are to act jointly and perform according to standard electric industry practices all authorized endeavors to achieve savings and efficiencies for retail customers in Member systems through coordinated bulk power and fuel supply programs; undertake the planning, financing, development, acquisition, construction, reconstruction, improvement, enlargement, betterment, operation and maintenance of a project or projects to supply electric power and/or energy for the present and future needs of its Members; and to effect joint development of electric energy resources or production, distribution, and transmission of electric power and/or energy in whole or in part for the benefit of the contracting Members; and to do and perform all acts and things for the benefit of its Members and others, which by law, expressed or implied, it is authorized, empowered or permitted to do and perform; and

WHEREAS, the Board of Public Works and Mayor and Council find that it would be in the best interest of the Borough of Park Ridge to enter into the IMA in the form attached hereto.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Park Ridge, County of Bergen, and State of New Jersey as follows:

SECTION ONE. The Borough of Park Ridge shall become a member of a municipal shared services energy authority to be known as the New Jersey Public Power Authority ("NJPPA").

SECTION TWO. The Mayor and Council and Borough Clerk are hereby authorized to execute the Inter-Municipal Agreement attached hereto.

SECTION THREE. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION FOUR: The provisions of this ordinance are hereby declared to be severable. Should any section, paragraph, subparagraph, provision, sentence, or part hereof be declared invalid or unconstitutional, said finding shall not affect any other section, paragraph, subparagraph, provision, sentence, or part thereof and the remainder of this ordinance shall be deemed valid and effective.

SECTION FOUR: This Ordinance shall take effect immediately following final passage, adoption and publication as provided by law."

Introduced 09/13/16 on roll call vote as follows:

| | Introduced | Seconded | AYES | NAYES | ABSENT | ABSTAIN |
|-----------|------------|----------|------|-------|--------|---------|
| Misciagna | | | ✓ | | | |
| Bosi | ✓ | | ✓ | | | |
| Oppelt | | ✓ | ✓ | | | |
| Bertini | | | ✓ | | | |
| Capilli | | | ✓ | | | |
| Szot | | | ✓ | | | |

APPROVED:

TERENCE P. MAGUIRE, MAYOR

Attest:

Kelley R. O'Donnell, RMC
Borough Clerk / Administrator

Ordinance No. 2016-5

**AN ORDINANCE AUTHORIZING THE EXECUTION OF AN
INTER-MUNICIPAL AGREEMENT
ESTABLISHING THE
NEW JERSEY PUBLIC POWER AUTHORITY,
A MUNICIPAL SHARED SERVICES ENERGY AUTHORITY**

WHEREAS, the Mayor and Council of the Borough of Pemberton find that the Borough will benefit by joining other municipalities to establish a municipal shared services energy authority according to the provisions set forth in The Municipal Shared Services Energy Authority Act, N.J. Stat. Ann. §40A:66-1(2015) for the purpose of acting jointly to promote the stability and viability of the Member systems and to achieve efficiencies and savings for the retail customers of the Member systems; and

WHEREAS, the creation of this municipal shared services energy authority, to be known as the New Jersey Public Power Authority ("NJPPA"), will be governed by an Inter-Municipal Agreement ("IMA") between the member municipalities; and

WHEREAS, The purposes for which NJPPA is organized are to act jointly and perform according to standard electric industry practices all authorized endeavors to achieve savings and efficiencies for retail customers in Member systems through coordinated bulk power and fuel supply programs; undertake the planning, financing, development, acquisition, construction, reconstruction, improvement, enlargement, betterment, operation and maintenance of a project or projects to supply electric power and/or energy for the present and future needs of its Members; and to effect joint development of electric energy resources or production, distribution, and transmission of electric power and/or energy in whole or in part for the benefit of the contracting Members; and to do and perform all acts and things for the benefit of its Members and others, which by law, expressed or implied, it is authorized, empowered or permitted to do and perform

WHEREAS, the Mayor and Council find that it would be in the best interest of the Borough of Pemberton to enter into the IMA in the form attached hereto.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Pemberton, County of Burlington, and State of New Jersey as follows:

Section 1. The Borough of Pemberton shall become a member of a municipal shared services energy authority to be known as the New Jersey Public Power Authority ("NJPPA").

Section 2. The appropriate municipal officials are hereby authorized to execute the Inter-municipal agreement attached hereto.

Section 3. Any and all other ordinances inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistencies.

Section 4. In the event that any section paragraph, clause phrase, term, provision or part of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

Section 5. This Ordinance shall take effect immediately upon final passage, approval, publication and the posting of the appropriate signs as required by law.

NOTICE IS HEREBY GIVEN, that the foregoing Ordinance was introduced in writing at a meeting of the Borough Council of the Borough of Pemberton, County of Burlington and State of New Jersey, held on the 15th day of August, 2016 introduced and read by title and passed on the first reading and that the said Governing Body will further consider the same for second reading and final passage thereon at a meeting to be held on the 19th day of September, 2016 at 7:00 p.m., prevailing time, at the Municipal Building in said Borough, at which time and place a public hearing will be held thereon by the Governing Body and all persons and citizens in interest shall have an opportunity to be heard concerning same.

Record of Council Vote on Introduction

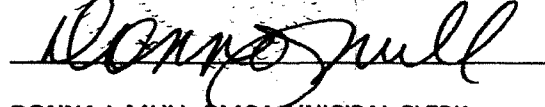
*Motion Robin Mosher

*Second Norma Ward

| COUNCIL PERSON | AYE | NAY | Abstain | Absent | COUNCIL PERSON | AYE | NAY | Abstain | Absent |
|----------------|-----|-----|---------|--------|----------------|-----|-----|---------|--------|
| Mrs. Haines | x | | | | Mr. Quinlan | x | | | |
| Mr. Jerome | x | | | | Mr. Stockton | x | | | |
| Mr. Mosher | x | | | | Mrs. Ward | x | | | |
| Mayor Griffin | | | | | | | | | |

CERTIFICATION

I, Donna J. Mull, RMC Clerk of the Borough of Pemberton, herein certify that the foregoing resolution was duly adopted by the Governing Body of the Borough of Pemberton at a regular meeting of the Mayor and Council held on August 15, 2016.



DONNA J. MULL, RMC MUNICIPAL CLERK

Record of Council Vote on Passage

*Motion _____

*Second _____

| COUNCIL PERSON | AYE | NAY | Abstain | Absent | COUNCIL PERSON | AYE | NAY | Abstain | Absent |
|----------------|-----|-----|---------|--------|----------------|-----|-----|---------|--------|
| Mrs. Haines | | | | | Mr. Quinlan | | | | |
| Mr. Jerome | | | | | Mr. Stockton | | | | |
| Mr. Mosher | | | | | Mrs. Ward | | | | |
| Mayor Griffin | | | | | | | | | |

CERTIFICATION

I, Kathy Smick, Deputy Clerk of the Borough of Pemberton, herein certify that the foregoing resolution was duly adopted by the Governing Body of the Borough of Pemberton at a regular meeting of the Mayor and Council held on September 19, 2016.

KATHY SMICK, DEPUTY CLERK

ORDINANCE 16-13

**ORDINANCE OF THE BOROUGH OF SEASIDE HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE EXECUTION OF AN INTER-
MUNICIPAL AGREEMENT ESTABLISHING THE NEW
JERSEY PUBLIC POWER AUTHORITY, A MUNICIPAL
SHARED SERVICES ENERGY AUTHORITY**

WHEREAS, the Mayor and Council of the Borough of Seaside Heights find that the Borough will benefit by joining other municipalities to establish a municipal shared services energy authority according to the provisions set forth in The Municipal Shared Services Energy Authority Act, N.J. Stat. Ann. §40A:66-1(2016) for the purpose of acting jointly to promote the stability and viability of the Member systems and to achieve efficiencies and savings for the retail customers of the Member systems; and

WHEREAS, the creation of this municipal shared services energy authority, to be known as the New Jersey Public Power Authority ("NJPPA"), will be governed by an Inter-Municipal Agreement ("IMA") between the member municipalities; and

WHEREAS, the purposes for which NJPPA is organized are to act jointly and perform according to standard electric industry practices all authorized endeavors to achieve savings and efficiencies for retail customers in Member systems through coordinated bulk power and fuel supply programs; undertake the planning, financing, development, acquisition, construction, reconstruction, improvement, enlargement, betterment, operation and maintenance of a project or projects to supply electric power and/or energy for the present and future needs of its Members; and to effect joint development of electric energy resources or production, distribution, and transmission of electric power and/or energy in whole or in part for the benefit of the contracting Members; and to do and perform all acts and things for the benefit of its Members and others, which by law, expressed or implied, it is authorized, empowered or permitted to do and perform.

WHEREAS, the Mayor and Council find that it would be in the best interest of the Borough of Seaside Heights to enter into the IMA in the form attached hereto.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Seaside Heights, County of Ocean, and State of New Jersey, as follows:

Section 1. The Borough of Seaside Heights shall become a member of a municipal shared services energy authority to be known as the New Jersey Public Power Authority ("NJPPA").

Section 2. The Mayor and Borough Clerk are hereby authorized to execute the Inter-municipal agreement attached hereto.

Section 3. Any and all other ordinances inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistencies.

Section 4. In the event that any section paragraph, clause phrase, term, provision or part of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

Section 5. This Ordinance shall take effect immediately upon final passage, approval, publication and the posting of the appropriate signs as required by law.

Council Woman Graichen AYE

Councilman Smith AYE

Council Woman Polhemus AYE

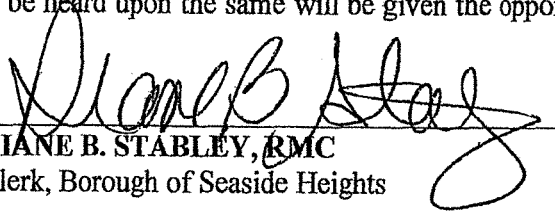
Councilman DiGuilio AYE

Councilman Carbone AYE

Councilman Tompkins ABSENT

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Borough Council on first reading at a meeting of the Borough Council of the Borough of Seaside Heights held on the 17th day of August, 2016, and will be considered for second reading and final passage at a regular meeting of the Borough Council to be held on the 19th day of October, 2016, at 5:00 p.m., at the Municipal Courtroom located at 116 Sherman Avenue in Seaside Heights, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.


DIANE B. STABLEY, RMC
Clerk, Borough of Seaside Heights

ORDINANCE 2016-13

**AN ORDINANCE OF THE BOROUGH OF SOUTH
RIVER, COUNTY OF MIDDLESEX, STATE OF
NEW JERSEY, AUTHORIZING THE EXECUTION
OF AN INTER-MUNICIPAL AGREEMENT
ESTABLISHING THE NEW JERSEY PUBLIC
POWER AUTHORITY, A MUNICIPAL SHARED
SERVICES ENERGY AUTHORITY**

WHEREAS, the Mayor and Council of the Borough of South River find that the Borough will benefit by joining other municipalities to establish a municipal shared services energy authority according to the provisions set forth in The Municipal Shared Services Energy Authority Act, N.J. Stat. Ann. §40A:66-1(2016) for the purpose of acting jointly to promote the stability and viability of the Member systems and to achieve efficiencies and savings for the retail customers of the Member systems; and

WHEREAS, the creation of this municipal shared services energy authority, to be known as the New Jersey Public Power Authority ("NJPPA"), will be governed by an Inter-Municipal Agreement ("IMA") between the member municipalities; and

WHEREAS, The purposes for which NJPPA is organized are to act jointly and perform according to standard electric industry practices all authorized endeavors to achieve savings and efficiencies for retail customers in Member systems through coordinated bulk power and fuel supply programs; undertake the planning, financing, development, acquisition, construction, reconstruction, improvement, enlargement, betterment, operation and maintenance of a project or projects to supply electric power and/or energy for the present and future needs of its Members; and to effect joint development of electric energy resources or production, distribution, and transmission of electric power and/or energy in whole or in part for the benefit of the contracting Members; and to do and perform all acts and things for the benefit of its Members and others, which by law, expressed or implied, it is authorized, empowered or permitted to do and perform

WHEREAS, the governing body find that it would be in the best interest of the Borough of South River to enter into the IMA in the form attached hereto.

NOW, THEREFORE, BE IT ORDAINED BE IT ORDAINED, by the governing body of the Borough of South River, County of Middlesex, State of New Jersey, as follows:

Section 1. The Borough of South River shall become a member of a municipal shared services energy authority to be known as the New Jersey Public Power Authority ("NJPPA").

Section 2. The Mayor and Borough Clerk are hereby authorized to execute the Inter-municipal agreement attached hereto.

Section 3. Any and all other ordinances inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistencies.

Section 4. In the event that any section paragraph, clause phrase, term, provision or part of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

Section 5. This Ordinance shall take effect immediately upon final passage, approval, publication and the posting of the appropriate signs as required by law.

Dated:

ATTEST:

JOHN M. KRENZEL, Mayor

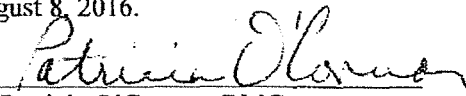
PATRICIA O'CONNOR, BOROUGH CLERK

ROLL CALL VOTE

YEAS: Ciulla, Gurchensky, Haussermann, Jones, Trenga, Hutchison
NAYS: None

CERTIFICATION

I, Patricia O'Connor, Borough Clerk of the Borough of South River, do hereby certify this to be a true copy of Ordinance 2016-13 Introduced on First Reading by the Borough Council of the Borough of South River at a meeting held on August 8, 2016.



Patricia O'Connor, RMC
Borough Clerk

CITY OF VINELAND

ORDINANCE NO. 2017- 9

ORDINANCE AUTHORIZING THE EXECUTION OF AN
INTER-MUNICIPAL AGREEMENT ESTABLISHING THE
NEW JERSEY PUBLIC POWER AUTHORITY, A
MUNICIPAL SHARED SERVICES ENERGY AUTHORITY
PURSUANT TO THE MUNICIPAL SHARED SERVICES
ENERGY AUTHORITY ACT, NJSA 40A:66-1 ET SEQ.

WHEREAS, the City Council of the City of Vineland finds that the City will benefit by joining other municipalities to establish a municipal shared services energy authority according to the provisions set forth in The Municipal Shared Services Energy Authority Act, N.J.S.A. 40A:66-1 et seq. for the purpose of acting jointly, to promote the stability and viability of the members systems and to achieve deficiencies and savings for the retail customers of the members systems; and

WHEREAS, the creation of this municipal shared services energy authority, to be known as the New Jersey Public Power Authority (NJPPA), will be governed by an Inter-Municipal Agreement (IMA) between the member municipalities; and

WHEREAS, the purposes for which the NJPPA is organized are to act jointly and perform according to standard electric industry practices for all authorized endeavors, to achieve savings and deficiencies for retail customers in member systems through coordinated bulk power and fuel supply programs; undertake the planning, financing, development, acquisition, construction, reconstruction, improvement, enlargement, betterment, operation and maintenance of a project or projects to supply electric power and/or energy for the present and future needs of its members; and to affect joint development of electric energy resources or production, distribution, and transmission of electric power and/or energy, in whole or in part for the benefit of the contracting members; and to do and perform all acts and things for the benefit of its members and others, which by law, expressed or implied, it is authorized, empowered or permitted to do and perform.

WHEREAS, the City Council finds that it would be in the best interest of the City of Vineland to enter into the IMA in the form attached hereto.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vineland as follows:

1. The City of Vineland shall become a member of a municipal shared services energy authority to be known as the New Jersey Public Power Authority (NJPPA)
2. The Mayor and Clerk are hereby authorized to execute the Inter-Municipal Agreement attached hereto.

BE IT FURTHER ORDAINED that any Ordinance or portions thereof that are inconsistent herewith shall be deleted and void to the extent of such inconsistencies and the terms of this Ordinance shall supersede the same.

BE IT FURTHER ORDAINED that in the event any section, paragraph, clause, phrase, term, provision or part of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

This Ordinance shall take effect upon adoption and publication according to Law.


Councilman President Paul Spinelli.
Council Vice President David Acosta.
Councilwoman Angela Calakos.
Councilman Ronald Franceschini, Jr.
Councilman Albert Vargas.

CITY OF VINELAND

Passed First Reading: January 24, 2017

Passed Final Reading: February 14, 2017

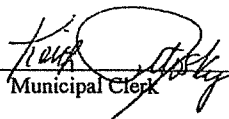
Approved by the Mayor: February 16, 2017



Mayor arf

President of Council pfs

ATTEST:

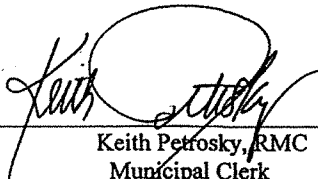


Municipal Clerk kp

CERTIFICATION

I, Keith Petrosky, RMC, Municipal Clerk of the City of Vineland, Cumberland County, New Jersey, do hereby certify that the foregoing Ordinance is a true and correct copy of an Ordinance adopted by the Council of the City of Vineland at a meeting held on February 14, 2017, at City Hall, Vineland, New Jersey, and approved by the Mayor of the City of Vineland, New Jersey, on February 16, 2017.

(S E A L)



Keith Petrosky, RMC
Municipal Clerk

NEW JERSEY PUBLIC POWER AUTHORITY

**ATTACHMENT TO THE
2017-2018 BUDGET**

**INTER-MUNICIPAL
AGREEMENT ESTABLISHING
NEW JERSEY PUBLIC POWER
AUTHORITY, A MUNICIPAL
SHARED SERVICES ENERGY
AUTHORITY**

INTER-MUNICIPAL AGREEMENT
ESTABLISHING
NEW JERSEY PUBLIC POWER AUTHORITY,
A MUNICIPAL SHARED SERVICES ENERGY AUTHORITY

THIS IS AN AGREEMENT to create the New Jersey Public Power Authority (“NJPPA”), a municipal shared services energy authority formed by a combination of the following municipalities of the State of New Jersey, together with other municipalities or rural electric cooperatives that become parties hereto, the “Members”: City of Vineland, and the Boroughs of Butler, Lavallette, Madison, Milltown, Park Ridge, Pemberton, Seaside Heights, and South River.

WHEREAS, the aforementioned municipalities are desirous of contracting to establish a municipal shared services energy authority according to the provisions set forth in The Municipal Shared Services Energy Authority Act, N.J. Stat. Ann. §40A:66-1(2016), *et seq.* (hereinafter referred to as the “Act”), for the purpose of acting jointly to promote the stability and viability of the Member systems and to achieve efficiencies and savings for the retail customers of the Member systems;

WHEREAS, the aforementioned municipality governing bodies have adopted ordinances approving this Inter-Municipal Agreement (“IMA”); and

WHEREAS, this IMA and the pertinent ordinances were submitted to the Local Finance Board (“LFB”) of the New Jersey Division of Local Governmental Services as an application for approval of this IMA, and the LFB either approved this IMA or did not disapprove this IMA within sixty days of a completed application; and

NOW, THEREFORE, in consideration of the mutual covenants hereinafter expressed and other good and valuable consideration, the municipalities listed above hereby agree as follows:

ARTICLE I - NAME

The name of this municipal shared services energy authority shall be the New Jersey Public Power Authority ("NJPPA") or the Authority.

ARTICLE II – PURPOSES

The purposes for which NJPPA is organized are to act jointly and perform according to standard electric industry practices all authorized endeavors to achieve savings and efficiencies for retail customers in Member systems through coordinated bulk power and fuel supply programs; undertake the planning, financing, development, acquisition, construction, reconstruction, improvement, enlargement, betterment, operation and maintenance of a project or projects to supply electric power and/or energy for the present and future needs of its Members; and to effect joint development of electric energy resources or production, distribution, and transmission of electric power and/or energy in whole or in part for the benefit of the contracting Members; and to do and perform all acts and things for the benefit of its Members and others, which by law, expressed or implied, it is authorized, empowered or permitted to do and perform.

ARTICLE III – REGISTERED OFFICE

The registered office of NJPPA is located at 420 Boardwalk, P.O. Box 206, Seaside Heights, New Jersey 08751 and the Registered Agent is James A. Jablonski.

ARTICLE IV – TERM, MEMBERSHIP AND OBLIGATIONS

Section 1. Eligibility for Membership. The initial Members of the NJPPA shall be: City of Vineland, and the Boroughs of Butler, Lavallette, Madison, Milltown, Park Ridge, Pemberton,

Seaside Heights, and South River. To become a Member of NJPPA, the municipality or rural electric cooperative must negotiate an amended IMA and present it to the LFB together with an approved ordinance of its governing body pursuant to the Act.

Section 2. Term of IMA. The IMA shall continue until such time as Membership declines to fewer than three Members.

Section 3. Withdrawal of Membership. Membership may be withdrawn by any Member, acting through its governing body, by giving written notice of such termination six (6) months prior to the effective date of the withdrawal. Liabilities under contract in force at the time of such withdrawal shall not be affected except as provided in such contract. A withdrawing Member's withdrawal obligations include defeasance of the Member's *pro rata* share of any bonds issued by NJPPA. Any withdrawal under Section 3 shall not relieve that Member of a legal commitment or liability under contract entered into with NJPPA or by NJPPA with other entities, such as, power purchase contracts for energy and/or capacity to be delivered in the future.

Section 4. Termination of Membership. A Member may be terminated by two-thirds (2/3) vote of the Members, acting through their Commissioners. Liabilities under contract in force at the time of such termination shall not be affected except as provided in such contract. A terminated Member shall be obligated to defease the Member's *pro rata* share of any bonds issued by NJPPA. Any termination under Section 4 shall not relieve that Member of a legal commitment or liability under contract entered into with NJPPA or by NJPPA with other entities.

Section 5. First Rights. The Members of NJPPA shall have a first right to the purchase of all electric capacity and/or energy generated by, contracted for, or owned by NJPPA. The amount of electric capacity and energy to which each Member is entitled shall be computed in accordance with plans or formulae, if any, adopted by two-thirds (2/3) vote of the Members,

acting through their Commissioners. Notwithstanding anything which might indicate a different intention, NJPPA may enter into contracts of such duration as it deems advisable for sale to its Members of the electric capacity and/or energy to which they are entitled and elect to purchase, and for the sale of surplus electric capacity and energy (that is, electric capacity and energy not contracted for or contracted for and not currently used by Members) to non-members.

Section 6. Members not to be Assessed. No Member may be assessed for any purpose by NJPPA without the Member's consent evidenced in writing from the Member's governing body.

Section 7. Obligations of Members. It is specifically agreed that membership in NJPPA shall not commit any Member to purchase power and/or energy or to incur any other liability unless such Member shall specifically agree to such cost, purchase or other liability pursuant to a separate contract approved by its governing body.

7.1 Administrative Costs. Members promise to pay such tariff rates, fees, dues, assessments and/or capital contributions as established by the Members, acting through their Commissioners in accordance with the bylaws, to support the operations of NJPPA.

7.2 Purchase and Sale of Electricity; Generation Projects.

7.2.1 Members agree that to purchase products and services from NJPPA, Member must first enter into a Master Energy Services Contract(s).

7.2.2. Terms of Purchase and Sale Must Recover NJPPA Costs. Any contract between Member and NJPPA shall bind the Member(s) to make payments to NJPPA for commodities to be procured and services to be rendered by the Authority in such amounts as to enable NJPPA to meet its expenses, to satisfy any collateral requirements to preserve the contracts, and to make payments on interest and principal of any bonds, plus reserves for debt service, if any. Such Member-NJPPA contract(s) may contain "take or

pay” provisions obligating Member(s) to pay for energy and/or capacity purchased on Member’s behalf, regardless of whether such energy and/or capacity was consumed by the Member(s). The Member-NJPPA contract(s) may further provide that if one or more Member(s) default(s) in its payments under the contract(s), that the remaining Members agreeing to be so bound may be required to accept and pay for, or to otherwise dispose of the power and/or energy of such defaulting Member(s).

7.2.3 Terms of Generation Project Contracts Must Recover NJPPA Costs Including Debt Service. A Member and the NJPPA may collaborate to construct or jointly own a power supply project and/or the purchase and sale of electricity therefrom only if the Member and the NJPPA first enter into a separate Master Energy Services Contract or other contract pursuant to which Member agrees to compensate NJPPA for such project in such amounts as to recover NJPPA costs, including debt service on the issuance of any bonds, under terms compliant with the Act.

7.3. Member agrees to take other actions as are necessary and desirable to diligently uphold the integrity and purposes of the NJPPA, especially the obligation to provide reliable and low cost electricity to the NJPPA Members and their customers.

7.4 Assignment. Neither Member nor NJPPA may assign this IMA in whole or in part.

ARTICLE V – BOARD OF COMMISSIONERS

Section 1. Composition. The governing body of NJPPA shall be a Board of Commissioners, in which all powers of NJPPA are vested. The Board of Commissioners shall have the power to create an executive committee of the Board, to which powers and duties may be delegated, as the Board shall specify. The number of Commissioners of NJPPA at any time shall equal the

number of Members at that time. Each Member shall have the power to appoint one (1) Commissioner to the Board of Commissioners and shall be entitled to remove that Commissioner at will. Each Member shall, from time to time, designate one Commissioner, which designation shall be in writing and filed with the NJPPA. Each member may, from time to time, designate an Alternate Commissioner, which designation shall be in writing and filed with NJPPA. The Alternate Commissioner in the absence of the first named Commissioner, may vote and act with full authority. A Commissioner's or Alternate Commissioner's vote shall be valid unless a writing from the Member is received by NJPPA revoking said Commissioner's or Alternate Commissioner's authority. Commissioners shall not be compensated.

Section 2. Quorum and Voting.

Quorum. A majority of Commissioners shall constitute a quorum. A majority of the quorum is necessary for any action taken by the Board. A majority of less than a quorum may postpone to a new time or place, any meeting and the adjourned meeting may be held with such notice, if any, as is required by law.

Voting. Each Member shall have one vote.

Section 3. Vacancies. Each Member shall appoint a successor to fill any vacancy created by the resignation or removal of its appointee to the Board of Commissioners. No vacancy in the membership of the Board of Commissioners shall impair the right of a quorum to exercise the power of the Board.

Section 4. Resignation. Any Commissioner may at any time resign his or her office by submitting a written notice to the NJPPA President or Secretary. Such resignation shall be effective upon receipt, and acceptance thereof shall not be necessary to make it effective unless

the motion so states. NJPPA shall notify the Member within seventy-two (72) hours of its receipt of a resignation from that Member's Commissioner.

Section 5. Duties. It shall be the duty of the Board to comply or cause compliance with the applicable laws of the State of New Jersey, including the Act, the Local Authorities Fiscal Control Law, or any future corresponding provision of the New Jersey Code, and to comply or cause compliance with each and every term, provision and covenant in this IMA on its part to be performed.

Section 6. Notice. Notices shall, unless otherwise specified herein, be in writing and may be delivered by hand delivery, United States mail, overnight courier service, facsimile or e-mail to NJPPA at the address provided herein. Notice by facsimile, e-mail, or hand delivery shall be effective at the close of business on the day actually received, if received during business hours on a Business Day, and otherwise shall be effective at the close of business on the next Business Day. Notice by overnight United States mail or courier shall be effective on the next Business Day after it was deposited in the United States mail or sent.

To NJPPA:

Executive Director
420 Boardwalk
PO Box 206
Seaside Heights, NJ 08751.

To Member:

James Lampmann, Administrator
Borough of Butler
One Ace Road
Butler, NJ 07405
973-838-7200
admin@butlerborough.com

Bill Beattie
Borough of Park Ridge
53 Park Avenue
Park Ridge, NJ 07656
201-391-2129
bbeattie@parkridgeboro.com

Donna Mull
Borough of Pemberton
50 Egbert Street
Pemberton, NJ 08068-1209
609-894-8222
dmull@pemberton.comcastbiz.net

Denise Biancamano
Borough of Milltown
39 Washington Avenue
Milltown, NJ 08850
732-828-2100 ext. 122
dbiancamano@milltownboro.com

John Lillie
City of Vineland/Electric Utility
P.O. Box 1508
Vineland, NJ 08362-1508
856-794-4000
jlillie@vinelandcity.org

Chris Vaz
Borough of Seaside Heights
901 Boulevard
Seaside Heights, NJ 08751
732-793-9100
administrator@seaside-heightsnj.org

Fred Carr
Borough of South River
48 Washington Street
South River, NJ 08882
732-257-1999 ex. 120
fcarr@southrivernj.org

Jim Burnet
Borough of Madison
Hartley Dodge Memorial
50 Kings Road
Madison, NJ 07940
973-593-8496
burnetj@rosenet.org

Jim Borowski, Councilman
Borough of Lavallette
1306 Grand Central Ave.
Lavallette, NJ 08735
732-793-7477
Jimborowski1@yahoo.com

ARTICLE VI – EXECUTIVE DIRECTOR AND STAFF

Section 1. Executive Director. An Executive Director shall be selected by majority vote of the Board of Commissioners as set forth in the bylaws. Unless the Board of Commissioners otherwise provides, the Executive Director shall be the chief operating officer of the NJPPA and shall have such general executive powers and duties of supervision and management as are usually vested in the office of the chief operating officer of a corporation, including carrying into effect all directions and resolutions of the Board of Commissioners. The Executive Director may,

together with the President, Secretary, and other persons authorized by the Board, execute all bonds, notes, debentures, mortgages, and other contracts requiring a seal, under the seal of the Corporation, may cause the seal to be affixed thereto, and may execute all other contracts and instruments for and in the name of NJPPA that the Board of Commissioners has authorized to be executed. The Executive Director shall direct the day-to-day affairs of NJPPA including supervising all employees of NJPPA, reporting to the Board of Commissioners any violation of the rules and regulations (if any), collecting any charges or fees, and keeping records in the form prescribed from time to time by the Board of Commissioners and reporting thereon whenever so requested by the Board of Commissioners. The Executive Director shall be directly responsible to the Board of Commissioners and shall report directly to the Board of Commissioners.

Section 2. Staff. Staff of the NJPPA shall be selected by the Executive Director as may be authorized by the Board of Commissioners pursuant to budgetary approvals and in conformance with the Act.

ARTICLE VII – CORPORATE POWERS

Section 1. Body Politic. The Authority shall be a public body politic and corporate, established as an instrumentality exercising public and essential governmental functions to provide for the public health and welfare. The Authority shall have the duties, privileges, immunities, rights, liabilities, and disabilities of a public body politic and corporate but shall not have taxing power. The authority shall be a “contracting unit” for purposes of the "Local Public Contracts Law," N.J. Stat. Ann. §40A:11-1 *et seq.*

Section 2. Powers. The Authority shall have perpetual succession, and shall have the following powers as specifically enumerated in the Act:

1. To adopt and have a common seal and to alter the same at pleasure;

2. To sue and be sued;
3. To acquire, own, rent, hold, lease, as lessor or lessee, use and sell or otherwise dispose of, mortgage, pledge, or grant a security interest in, any real or personal property, commodity, or service or interest therein;
4. To hold or place collateral with a counterparty to a wholesale power supply contract and to account for value, and use such collateral as provided in the power supply contract, notwithstanding any other law or regulation to the contrary;
5. To plan, develop, acquire, construct, reconstruct, operate, manage, dispose of, participate in, maintain, repair, extend, or improve one or more electric supply projects within the corporate limits and franchise areas of the Members, and act as agent, or designate one or more other persons participating in an electric supply project to act as its agent, in connection with the planning, acquisition, construction, operation, maintenance, repair, extension, or improvement of such electric supply project for generation, production, transmission, and provision to the Members of electrical power and energy at wholesale, to meet the electric power or energy needs of the Members, provided that NJPPA shall not sell electric power or energy at the retail level;
6. To enter into franchises, exchange, interchange, pooling, wheeling, or transmission agreements with any person, firm, entity, or public agency in order to purchase wholesale electric power and energy for the Members, or to sell excess power and energy purchased or produced by the Members' generation assets and not needed to serve the load within the corporate limits and franchise areas of the Members, and to negotiate for, and buy fuels necessary for the production of electric power and energy within the corporate limits and franchise areas of the Members, to develop bulk power and fuel supply programs, and to implement energy conservation measures within the corporate limits and franchise areas of the Members as necessary or appropriate, to meet the electric power or energy needs of its Members;
7. To negotiate and enter into power supply contracts defined in the Act and to take such actions as are necessary to remain in compliance with the terms of those contracts;
8. To make and execute additional contracts and other instruments necessary or convenient to the exercise of its powers;
9. To employ agents and employees;
10. To contract with any person, entity or public agency within or outside the State of New Jersey for the construction of any electric supply project within the corporate limits and franchise area of its Members or for the purchase, sale or transmission of electric power and energy generated by any electric supply project located

within the corporate limits and franchise area of its Members, in whole or in part, for the benefit of its Members, or for any interest or share therein, or any right to capacity thereof, on terms and for a period of time as its board shall determine, provided that NJPPA shall not enter into any contract that speculates in the energy markets and NJPPA shall not construct or contract for the construction of any electric supply project that, when added to the existing NJPPA-owned or co-owned generation assets, will produce more than 105 percent of the power and energy requirements of the Members;

11. To purchase and sell, exchange or transmit electric power and energy at wholesale within and outside the State of New Jersey consistent with federal law, in amounts as it shall determine to be necessary or appropriate to make the most effective use of its powers and to meet its responsibilities, to sell, exchange, or transmit excess electric power purchased or produced by electric generation facilities within the corporate limits and franchise areas of its Members that is not needed to serve load within those corporate limits and franchise areas;
12. To co-own an electric generating facility project initiated by any person and constructed outside the corporate limits and franchise area of the members, provided that: (1) the share of NJPPA co-ownership shall be restricted to supply the electric and power needs of the Members ; and (2) when added to the aggregate of existing NJPPA-owned or Member-owned generation facilities together with co-ownership of facilities outside of the corporate limits and franchise areas of the Members, the aggregate produces no more than 105 percent of the power and energy needs of the Members;
13. To provide for and secure the payment of any bonds and the rights of the holders thereof, and to purchase, hold, and dispose of any bonds;
14. To accept gifts or grants of real or personal property, money, material, labor, or supplies solely for the purposes and exclusive use and benefit of the NJPPA, and to make and perform those agreements and contracts as may be necessary or convenient in connection with the procuring, acceptance, or disposition of the gifts or grants;
15. To make, amend and enforce bylaws or rules and regulations for the management and regulation of its business and affairs and for the use, maintenance, and operation of its properties;
16. To do and perform any acts and things authorized by the Act through or by means of its own Board, officers, agents, and employees, or by contract with any person;
17. To enter into any and all contracts, execute any and all instruments, and do and perform any and all things or acts necessary, convenient, or desirable for the purposes of NJPPA, or to carry out any power expressly authorized under the Act.;

18. To exercise powers which are granted to municipalities under N.J. Stat. Ann. § 40:62-12 *et seq.*;
19. To join organizations, including private or trade organizations, that the Board has deemed to be beneficial to the accomplishment of the NJPPA's purposes;
20. To enter into one or more power supply contract, lease, operation contract, or contract for management of electric generation within the corporate limits and franchise areas of its members, or for the purchase of fuel for electric generation within the corporate limits and franchise areas of the Members, to meet the electric power or energy needs of its Members, for a term not to exceed forty ("40") years; and
21. To invest any funds held in reserve or sinking funds, or any funds not required for immediate disbursement, including the proceeds from the sale of any bonds, in those obligations, securities, and other investments as the authority deems to be proper and as the members of the authority are authorized pursuant to law.

ARTICLE VIII – INDEMNIFICATION OF COMMISSIONERS

Any person made a party to any action, suit or proceeding by reason of the fact that he or she is or was a Commissioner, officer, employee or agent of the NJPPA or of any organization, joint action agency, or corporation which he or she served at the request of the NJPPA, shall be indemnified by NJPPA against the reasonable expenses, including attorney's fees, actually and necessarily incurred by him or her in connection with said action, suit or proceeding including any appeal therein, except in relation to matters as to which it shall be adjudicated in such action, suit or proceedings that such Commissioner, officer, employee, or agent was not acting in good faith in the reasonable belief that his or her action was in the best interests of NJPPA. The term "expenses" includes amounts paid in satisfaction of judgments or in settlement of any action, suit or proceeding other than amounts paid to NJPPA itself. Such right of indemnification shall not be deemed exclusive of any other rights to which such Commissioner, officer, employee, or agent may be entitled apart from this Article.

Anyone seeking indemnification who proposes to settle litigation or who proposes to settle prior to litigation shall obtain the approval of the Board on all matters pertaining to the settlement prior to having the right to indemnification under this Article. If settlement is not approved by NJPPA, NJPPA will continue to be responsible for indemnification and expenses as heretofore set forth.

ARTICLE IX – BUDGETS AND AUDITS

Section 1. Budget. The Treasurer shall cause to be prepared a budget for each year and submit the same to the Board for approval. The budget shall include an estimate of the amount of receipts and expenditures for the ensuing year including expenses of officers and employees, legal, engineering, power supply, and other expenses and contingencies, and shall be conformed to the requirements of the LFB or its successor, and other New Jersey law. The Treasurer shall cause to be prepared quarterly unaudited financial reports, and shall submit the same to the Board as soon as practical following the end of each quarter of the applicable fiscal year.

Section 2. Annual Audit. Within ninety (90) days after the end of each fiscal year, the Board shall cause the books, accounts and records of NJPPA to be audited by an independent, certified public accountant, licensed, registered or entitled to practice and practicing as such under the laws of the State of New Jersey and in accordance with the Act.

Section 3. Member Audit Rights. Each Member has the right to examine NJPPA records related to the IMA to verify compliance with the IMA and to resolve or decide any claim or dispute arising under this IMA. NJPPA shall grant a Member reasonable access to these records at all reasonable times during the IMA term and for three (3) years after its termination.

ARTICLE X – TERMINATION AND DISSOLUTION

The term of this IMA shall be until such time as it is terminated by the affirmative vote of two-thirds (2/3) of the total authorized vote, or is dissolved due to having fewer than three Members. This IMA may not be terminated so long as NJPPA has bonds outstanding, unless provision for full payment of such bonds from escrow or otherwise, has been made pursuant to the terms of the bonds or the resolution authorizing the issuance of such bonds, trust indenture or security instruments securing the bonds.

Upon termination or dissolution of NJPPA, the title to all funds and other properties owned by it which remain after payment or the making of provision for payment of all bonds and other obligations of NJPPA shall vest in the Members, as their interests may appear, and as agreed upon by the Members.

NJPPA shall take whatever action may be necessary, including the execution and delivery of conveyances therefor, by quitclaim or other appropriate deed to the end of effecting such vesting and allocation as is agreed upon by the Members.

ARTICLE XI – AMENDMENT

This IMA may be amended only by the affirmative vote of two-thirds (2/3) of all the votes of Commissioners and approval by the LFB. Notwithstanding the provisions of this paragraph, this IMA may be modified, amended or changed concerning the matters of (i) voting by Commissioners or (ii) assessment of Members except by the unanimous approval of the Members only upon written agreement signed by all Members and upon approval by the LFB.

ARTICLE XII – CONSTRUCTION AND BINDING EFFECT

It is mutually agreed that this IMA shall be construed according to the laws of the State of New Jersey, venue lying in the courts of the State of New Jersey.

This IMA, with attachments, where applicable, shall be considered and construed as a whole, each paragraph in context with the others, and no paragraph shall be read to the exclusion of any other paragraph. If any terms, covenant, or condition herein shall be deemed to be unenforceable or illegal, such unenforceability or illegality shall be of no force or effect with respect to any other paragraph, provision, term, or covenant herein.

The parties hereto agree that they will execute any document reasonably required to carry out the terms of this IMA.

References to the singular shall include the plural and references to gender shall be without regard to male.

IN WITNESS WHEREOF, the aforementioned Members have set their hand and seal this ____ day of ____ 2017.

Attest:

Borough of Butler, New Jersey

Signed

Print Name/Title

Attest:

Borough of Lavallette, New Jersey

Signed

Print Name/Title

Attest:

Borough of Madison, New Jersey

Signed

Print Name/Title

Attest:

Borough of Milltown, New Jersey


Signed

Eric A. Steeber, Mayor
Print Name/Title

Attest:

Borough of Park Ridge, New Jersey

Signed

Print Name/Title

Attest:

Borough of Pemberton, New Jersey

Signed

Print Name/Title

Attest:

Borough of Seaside Heights, New Jersey

Signed

Print Name/Title

Attest:

Borough of South River, New Jersey

Signed

Print Name/Title

Attest:

City of Vineland, New Jersey

Signed

Print Name/Title

NEW JERSEY PUBLIC POWER AUTHORITY

**ATTACHMENT TO THE
2017-2018 BUDGET**

**MINUTES OF
ORGANIZATIONAL
MEETING
JANUARY 26, 2017**

MINUTES

New Jersey Public Power Authority

January 26, 2017

The meeting at the Borough of Lavallette Municipal Building was called to order at 1:00 PM by Fred Carr, Borough Administrator of the Borough of South River. Carr stated, "Notice of the meeting was provided by prospective Authority members to their newspaper of record not less than 48 hours in advance of the meeting. Notice was not provided by the Authority as this was its initial formation meeting following approval to form by unanimous vote of the Local Finance Board on October 19, 2016.

In addition to Carr, the following were present for the meeting: William Akers for the Borough of Seaside Heights; Donna Mull for the Borough of Pemberton; Jim Burnet (via phone) for the Borough of Madison; Jim Lampmann for the Borough of Butler; Denise Biancamano for the Borough of Milltown; Bill Beattie for the Borough of Park Ridge; Jim Borowski for the Borough of Lavallette. The City of Vineland was not represented. Jim Jablonski executive director of the Public Power Association of New Jersey was also present.

There were no minutes, claims, or treasurer report for consideration.

The following municipalities, having enacted the required ordinance in support of formation of the New Jersey Public Power Authority and found to have met the requirements for Authority membership under N.J.S.A. Ann. 40A:66-1, *et seq.* were admitted as members: The Boroughs of Butler, Lavallette, Madison, Milltown, Park Ridge, Pemberton, Seaside Heights, and South River. Admission of the City of Vineland is pending second and final reading of the required ordinance and is scheduled before the Mayor and Council on Tuesday, February 7, 2017.

The following persons, having been duly appoint by their local governing bodies were admitted as members of the Authority Board of Commissioners: William Akers for the Borough of Seaside Heights; Donna Mull for the Borough of Pemberton; Jim Burnet (via phone) for the Borough of Madison; Jim Lampmann for the Borough of Butler; Denise Biancamano for the Borough of Milltown; Bill Beattie for the Borough of Park Ridge; Jim Borowski for the Borough of Lavallette. Admission of a commissioner to represent the City of Vineland is expected to follow adoption of the required ordinance by the City Council on February 7, 2017.

Borowski made a motion to elect the following slate of officers: Fred Carr, president; Donna Mull, vice-president; Jim Lampmann, Treasurer; and Bill Beattie, secretary; that nominations be closed; and that a unanimous ballot be cast for this initial election. Burnet offered a second to the motion and the voice vote was unanimous.

As this was the formation meeting of the Authority no minutes, claims, or Treasurer's Report were available for action.

There was no Executive Director's Report or Unfinished Business.

New Business:

Resolution 2017-1 to Adopt Authority Bylaws as approved by the Local Finance Board was moved by Akers. Mull seconded the motion. Akers expressed concern with language in Article V Officers, Section 8 – Removal and Article VI Executive Director, Section 6 – Further Duties and Authority. The consensus of those present was that amendments would be considered in the future. The voice vote to adopt the Resolution was unanimous.

Per Article V Officers, Section 5 – Secretary, Jablonski was directed by Secretary Beattie to record minutes of the meeting.

Resolution 2017-2 to Appoint an Executive Director was tabled until a special meeting to be scheduled in February. A motion was made by Biancamano. Lampmann offered a second to the motion. The voice vote was unanimous.

Resolution 2017-3 Designating Legal Depositories of the Authority for 2017 was moved for adoption by Lampmann. Biancamano offered a second to the motion. The voice vote was unanimous.

Resolution 2017-4 to Set Meeting Dates was moved for adoption by Lampmann and seconded by Biancamano. The Resolution was amended to set a Special Meeting for February 22, 2017 for 10:30 A.M. at the Borough of Butler Electric Department Offices at 12 Belleview Avenue, Butler, NJ. Lampmann moved the amendment and Biancamano offered a second. The voice vote on the amendment was unanimous. The voice vote on the Resolution was unanimous.

Lampmann moved that the agenda be amended to allow consideration of Resolutions 2017-5 to Secure Banking, Bookkeeping, and Related Services; 2017-8 to Secure Agreement to Provide a Registered Office; 2017-9 to Secure Provision of Payroll Services and Benefits for the Executive Director; and 2017-10 to Secure a Crime Policy (Surety Bond). Biancamano seconded the motion. The voice vote was unanimous.

Lampmann made a motion that Resolutions 2017-5, 2017-8, 2017-9, and 2017-10 be combined under Resolution 2017-13 to Secure an Inter-Municipal Agreement between the Borough of Butler and the Authority for Banking, Bookkeeping, and Related Services; Provision of a Registered Office; Provision of Payroll Services and Benefits for the Executive Director; and Provision of a Crime Policy (Surety Bond). Biancamano seconded the motion. The voice vote to create Resolution 2017-13 was unanimous. A voice vote to adopt Resolution 2017-13 was moved by Lampmann followed by a second from Biancamano. The voice vote to adopt 2017-13 was unanimous.

Resolution 2017-6 to Secure Statutory Compliance Services was moved for adoption by Lampmann and a second by Biancamano. Mull and Beattie offered to provide these services to ensure that the Authority comply with applicable statutes -- especially the Open Public Meetings and Open Public Records Acts. Lampmann moved that 2017-6 be amended to

memorialize the offer. Biancamano seconded the motion. A voice vote on the amendment was unanimous. A voice vote to adopt the amended resolution was unanimous.

Resolution 2017-7 to Issue and RFQ for Legal Services was moved for adoption by Lampmann. A second was offered by Biancamano. The voice vote was unanimous.

Resolution 2017-11 to Authorize Execution of Inter-Municipal Agreements Between the NJPPA and Members was tabled following a motion by Beattie and a second offered by Borowski. The voice vote was unanimous.

Resolution 2017-12 to Adopt 2017 Budget and Assessments was tabled following a motion by Akers and a second by Mull. The voice vote was unanimous.

The Commissioners discussed membership in standing committees as required under Article VII of the bylaws. These include the Executive Committee, the members of which are Authority officers. The remaining standing committees are: Finance, Administration, and Power Procurement. It was the consensus of the Commissioners that each should study Article VII and return to the next meeting to finalize membership in each.

It was the consensus of the Commissioners that the Proposal for Risk Assessment Services offered by ACES should be reviewed by an executive director to begin employment on April 3, 2017.

Lampmann made a motion to adjourn. Mull seconded the motion. The vote was unanimous.

Respectfully Submitted,

/James A. Jablonski/

On behalf of the Secretary.

NEW JERSEY PUBLIC POWER AUTHORITY

**ATTACHMENT TO THE
2017-2018 BUDGET**

**BYLAWS OF THE NEW
JERSEY PUBLIC POWER
AUTHORITY**

**EFFECTIVE
JANUARY 26, 2017**

BYLAWS OF THE
NEW JERSEY PUBLIC POWER AUTHORITY
EFFECTIVE JANUARY 26, 2017

BYLAWS OF THE
NEW JERSEY PUBLIC POWER AUTHORITY

ARTICLE I – OFFICES

Section 1- Registered Office and Agent. The registered office of the New Jersey Public Power Authority (“NJPPA”) in the State of New Jersey is located at 420 Boardwalk, P.O. Box 206, Seaside Heights, New Jersey 08751 and the Registered Agent is James A. Jablonski.

Section 2 - Other Places of Business. Branches or subordinate offices or places of business may be established at any time by the Board of Commissioners at any place or places where NJPPA is authorized to do business.

ARTICLE II – MEMBERS

All municipal utilities and rural electric cooperatives that have signed the original Inter-Municipal Agreement (“IMA”) shall be Members of NJPPA unless any one or more should withdraw or be terminated. Additional municipal utilities and rural electric cooperatives may become Members upon compliance with the requirements of the IMA and the Municipal Shared Services Energy Authority Act, N.J. Stat. Ann. §40A:66-1 *et seq.* (2016) (hereafter referred to as “Act”).

ARTICLE III – BOARD OF COMMISSIONERS

Section 1 – General. The affairs of NJPPA shall be managed by its Board of Commissioners, and its Board shall be responsible for adopting an annual budget of expenditures and revenue sources for NJPPA.

Section 2 – Composition. The number of Commissioners of NJPPA at any time shall be equal to the number of Members at that time. Each Member shall have the power to appoint one (1) Commissioner to the Board of Commissioners and shall be entitled to remove that Commissioner at will. Each Member shall, from time to time, designate by a writing filed with NJPPA the name of its Commissioner. Each Member may, from time to time, designate an Alternate Commissioner who shall, in the absence of the first named Commissioner, vote and act with full authority. No Commissioner’s or Alternate Commissioner’s vote will be void until a writing by the Member is received by NJPPA revoking said Commissioner’s or Alternate Commissioner’s authority. Each Member shall have one vote, as set forth in the IMA.

Section 3 – Withdrawal of Membership. Any Member may withdraw from NJPPA as provided in the IMA upon a minimum of six months’ written notice. Notice of such withdrawal shall be provided to the Secretary, which notice shall be presented to the Board of Commissioners at its first regularly scheduled meeting thereafter.

Section 4 – Termination of Membership. Any Member may be terminated from NJPPA as provided in the IMA, provided that a statement of the reasons for termination are mailed, via registered mail, to the Member at its last recorded address at least fifteen (15) days prior to final action being taken on such termination motion. The statement of good cause for the termination shall be accompanied by a notice of a time and place at which the Board of Commissioners shall meet to consider the termination motion and shall provide an opportunity for the Member subject to the termination to present a defense.

ARTICLE IV - MEETINGS

Section 1 – Annual Meeting. The annual meeting of the Board of Commissioners shall be held on the third Thursday in January of each year, or if that day is a legal holiday in the place where the meeting is to be held, then on the next succeeding business day, at a time and place fixed by the Board of Commissioners, or the President. If such meeting is not held, or if a quorum is not present, the annual meeting of the Board of Commissioners shall be called in the manner hereinafter provided for special meetings.

At the Annual Meeting, the Board of Commissioners shall elect from the Commissioners a President, Vice President, Secretary and Treasurer, and conduct such other business as the Board may then determine.

Section 2 – Regular Meetings. The Commissioners shall meet not less than quarterly with the first meeting to be held during the month of January, which shall constitute the annual meeting of Members. The date, time and place within the State of New Jersey of each meeting for the following (12) month period shall be fixed at the annual meeting. The notice of meeting shall be delivered to each Commissioner at least ten business days before the time scheduled for said meeting. A report of the previous year's activities shall be presented by the President or Executive Director at the first quarterly meeting of Members of the New Year.

Section 3 – Special Meetings. Special meetings of the Board of Commissioners may be called by the President or upon the written request to the Secretary by any three (3) Commissioners. Notice of such special meetings shall be given in the same manner as for regular and annual meetings, except in emergencies when actual notice shall suffice. No other business than that specified in the notice of meeting shall be transacted at any special meeting of the Commissioners.

Section 4 – Quorum. A quorum shall be as established in the IMA. The presence in person or by proxy of a majority of the Board of Commissioners shall constitute a quorum for the transaction of business, but a lesser number may adjourn to some future date not less than six (6) days nor more than twenty (20) days thereafter. The Secretary shall thereupon mail notice of the adjourned meeting at least three (3) days before the adjourned meeting to each Commissioner entitled to vote who has not waived the notice in writing.

Section 5 – Majority Rules. Each Member shall be entitled to one (1) vote. Only the Commissioner designated in writing by a particular Member (or his/her alternate designated in writing) shall have the right to cast the vote for the Member whom he or she represents. All questions coming before the Board shall be decided by a majority vote of the Commissioners present except as explicitly stated herein. The act of a majority of the Commissioners present at a meeting at which a quorum is present shall be the act of the Board of Commissioners.

Section 6 – Action Without Meeting. The Board of Commissioners may act without a meeting if, prior to such action, each Commissioner shall consent in writing thereto. Such consent or consents shall be filed by the Secretary in the minutes.

Section 7 – Waiver of Notice. Any notice required by these bylaws, the IMA or the laws of the State of New Jersey, may be waived in writing by any person entitled to notice. The waiver or waivers may be executed before, at, or after the event with respect to which notice is waived. Each Commissioner attending a meeting without protesting the lack of proper notice prior to the conclusion of the meeting shall be deemed conclusively to have waived such notice.

ARTICLE V – OFFICERS

Section 1 – Election and Term. The Board of Commissioners shall elect from among the Commissioners a President, Vice-President, Secretary and Treasurer. Officers so elected shall serve for a term of one (1) year or until a qualified successor is elected.

Section 2 – President. The President shall preside at all meetings of the Commissioners. The President, together with the Secretary, Executive Director, or any other person authorized by the Board of Commissioners, may execute all bonds, notes, debentures, mortgages, and other contracts requiring a seal, under the seal of the Corporation, may cause the seal to be affixed thereto, and may execute all other contracts and instruments for and in the name of NJPPA that the Board of Commissioners has authorized to be executed. The President shall perform all duties incident to the office President and such other duties as may be prescribed by the Board from time to time.

Section 3 – Vice-President. The Vice-President, in the absence of the President, or in the event of his inability or refusal to act, shall perform the duties of the President, and when so acting, will have all of the powers of and be subject to all the restrictions on the President.

Section 4 – Treasurer. The Treasurer shall, if required by the Board of Commissioners, give a bond for the faithful discharge of the Treasurer's duties in form and amount suitable to the Commissioners. The Treasurer shall have charge and custody and be responsible for all funds and securities of the organization and shall receive and give receipts for all monies due and payable, and shall deposit all such monies in the name of the corporation in such banks or other depositories as shall be selected by the Board of Commissioners.

Section 5- Secretary. The Secretary shall keep the minutes of the meetings of the Board of Commissioners, except that the Secretary may delegate keeping of the minutes and issuance of notices to the Executive Director, shall ensure proper notice is given as required by law and these bylaws, shall be custodian of the corporate records and the seal of the corporation, and shall affix the seal to all documents, the execution of which is duly authorized; the Secretary shall keep a register of the addresses of Members and Commissioners and generally shall perform all of the duties incident to the office of Secretary and such other duties as may from time to time be assigned by the President for the Board of Commissioners. The Secretary shall be a resident of the State of New Jersey.

Section 6 – Other Officers. The Board of Commissioners may, if they deem it appropriate, elect assistant treasurers and assistant secretaries as the needs of the NJPPA may require. The office of the Secretary and Treasurer may not be held by the same person, unless there are fewer than four Members

Section 7 – Vacancies. A vacancy in any office may be filled by the Board of Commissioners by the election of a successor to hold office for the unexpired terms of the officer whose position is vacant and until a successor is chosen and qualified.

Section 8 – Removal. Any officer may be removed from his or her office with or without cause by a vote of the majority of the Board of Commissioners then in office at any regular or special meeting of the Board of Commissioners.

Section 9 – Resignation. Any officer may at any time resign his or her office by a resignation in writing delivered to NJPPA at its principal office or to the President or Secretary. Such resignation shall be effective upon receipt, and acceptance thereof shall not be necessary to make it effective unless it so states.

ARTICLE VI – EXECUTIVE DIRECTOR

Section 1 – Appointment Powers and Duties. The Board of Commissioners may appoint a person to exercise all of the powers and perform all of the duties set forth in this Article and shall designate such person so appointed as the Executive Director. Unless the Board of Commissioners otherwise provides, the Executive Director shall be the chief executive officer of the NJPPA and shall have such general executive powers and duties of supervision and management as are usually vested in the office of the chief operating officer of a corporation, including carrying into effect all directions and resolutions of the Board of Commissioners. The Executive Director may execute all bonds, notes, debentures, mortgages, and other contracts requiring a seal, under the seal of the Corporation, may cause the seal to be affixed thereto, and may execute all other contracts and instruments for and in the name of NJPPA that the Board of Commissioners has authorized to be executed. The Executive Director shall direct the day-to-day affairs of NJPPA including supervising all employees of NJPPA, reporting to the Board of Commissioners any violation of the rules and regulations (if any), collecting any charges or fees,

and keeping records in the form prescribed from time to time by the Board of Commissioners and reporting thereon whenever so requested by the Board of Commissioners. The Executive Director shall be directly responsible to the Board of Commissioners and shall report directly to the Board of Commissioners.

Section 2 - Budgets and Revenue. The Executive Director shall, in collaboration with the Treasurer, cause to be prepared and shall submit to the Board of Commissioners for its approval an annual budget and all supplements thereto for each fiscal year. The budget shall include revenue sources sufficient to fund the budget and may include tariff rates, fees, dues, assessments and/or capital contributions from Members; fee schedules associated with services provided under the Master Energy Services Contracts; as well as other sources of funding.

Section 3. Reports. The Executive Director shall submit to the Board of Commissioners at its annual meeting a report summarizing the operations and affairs of NJPPA and its activities during the preceding year and setting forth the plans, programs or projects for future development, with such suggestions and recommendations as the Executive Director shall deem appropriate. The Executive Director shall also make such reports to the Board of Commissioners as may be appropriate, or which may be required by these Bylaws, or by the Board of Commissioners.

Section 4 – Agents and Employees. The Executive Director shall have the power to employ, remove and suspend all agents and employees not elected or appointed by the Board of Commissioners, to determine the duties and responsibilities of such persons, to create such titles for such persons as the Executive Director may deem desirable to enable the person(s) to execute their duties and responsibilities, and to fix and change the compensation of such persons, within the limits of the annual budget approved by the Board of Commissioners.

Section 5 – Participation at Board and Committee Meetings. The Executive Director may be invited to participate in any meeting of the Board of Commissioners and any committee thereof, whether or not a member thereof; provided, however, that the Executive Director shall not be entitled to vote at, and shall not be counted for purposes of determining whether a quorum is present at, any meeting of (i) the Board of Commissioners, if the Executive Director is not a Commissioner, or (ii) a committee, if the Executive Director is not a member of such committee.

Section 6 – Further Duties and Authority. The Executive Director shall have such other duties and authority as may be prescribed elsewhere in these Bylaws or the rules and regulations (if any) or from time to time authorized by the Board of Commissioners.

Section 7 – Absence. In the event of the death or during the absence, incapacity, or inability or refusal to act of the Executive Director, the Board of Commissioners shall designate some other person to exercise, and in the absence of such designation the President may exercise all of the powers and perform all of the duties of the Executive Director.

ARTICLE VII-COMMITTEES

Section 1 – Special Purpose Committees. The President shall have the power to appoint, committees to investigate matters of interest to NJPPA and for such other purposes. The President shall appoint a committee chair from among the Board of Commissioners, and in default of such designation, a chair shall be chosen by the committee.

Section 2 – Standing Committees. The Standing Committees shall be the Executive Committee, the Finance Committee, the Administration Committee, and the Power Procurement Committee. Each Standing Committee shall be chaired by a Commissioner.

Executive Committee. The purpose of the Executive Committee is to exercise powers of the Board which arise between regularly scheduled Board meetings or when it is not practical or feasible for the Board to meet. The Executive Committee shall consist of the President, Vice-President, Treasurer, and Secretary. A majority of the Committee shall constitute a quorum. The Executive Committee shall meet at such times and places and by such means as the President shall determine. The Executive Committee shall report regularly about its activities to the Board. The Executive Committee shall undertake such other tasks as the Committee members shall designate that support the purpose of the Committee. Decisions of the Executive Committee shall be reviewed at the next regularly scheduled Board meeting.

Finance Committee. The Treasurer is chair of the Finance Committee. The purpose of the Finance Committee is to oversee NJPPA's financial performance and establish financial management practices as needed. The Finance Committee members shall make recommendations to the Board to ensure the following duties are fulfilled:

- establish the annual general budget of expenses and revenue sources at least one month prior to the end of each fiscal year;
- provide for the collection and dissemination of financial and other data to support the purposes of the NJPPA;
- recommend salary and compensation of Executive Director, if any;
- ensure that financial reports for the preceding month are created per the agreed schedule;
- on a monthly basis, review the financial reports, make recommendations, and prepare and present a financial summary report at each Board meeting;
- direct NJPPA staff and/or bookkeeping firm to make changes in data reporting as needed;
- establish boundaries for spending outside of the General Budget;
- ensure annual audit is conducted by certified public accountants, review audit recommendations and implement the audit recommendations;
- assure financial procedures are current; and

- such other tasks as the Committee members shall determine that support the purpose of the Committee.

Administration Committee. The purpose of the Administration Committee is to oversee NJPPA's human resources and to provide policy guidance and recommend revisions and changes in governing authority as needed, and to nominate new officers to the Board. The Administration Committee members shall make recommendations to the Board to ensure fulfillment of the following Board duties:

- review appointment of Executive Director;
- annual evaluation of Executive Director;
- ensure Executive Director or other supervisor conducts annual review of other paid staff;
- establish and ensure compliance with Staff Guidelines and Employee Handbook;
- nominate officers to the Board of Commissioners;
- review existing bylaws and IMA annually for legal sufficiency under current law and recommend changes as needed for Board approval;
- advise Board President on ways to enhance and implement Board member effectiveness;
- review with individual Board members their continuing interest, term of service, participation, training, skills, attendance, and adherence to legal norms;
- such other tasks as the Committee members shall determine that support the purpose of the Committee.

Power Procurement Committee. The purpose of the Power Procurement Committee is to oversee NJPPA's power procurement protocols, contracts, and practices. The Power Procurement Committee shall make recommendations to the Board to ensure fulfillment of the following Board duties:

- review existing contracts for power supply annually and recommend to Board of Commissioners changes or improvements;
- annually review competitive procurement principles and risk management policies to ensure use of best practices, and recommend any changes to Board of Commissioners;
- oversee, maintain and supervise all NJPPA contracts and property;
- oversee the purchase or acquisition of future properties of NJPPA;
- report annually to the Board on the state of the NJPPA property, equipment, investments and resources;
- ensure responsible use of all NJPPA property;
- and such other tasks as the Committee members shall designate that support the purpose of the Committee.

Section 3. Conducting Business of Committees. Members of standing committees and special purpose Committees shall serve for terms of one year. These by-laws place no limit on the number of one year terms that may be served on Committees or Functions. The Presiding Officer shall serve as the chair of the Committee. Vacancies in the membership of any committee may be filled by designation by the Presiding Officer. The majority of the members of a committee shall constitute a quorum. Each Committee may adopt rules for its own conduct that do not conflict with these bylaws or with the rules adopted by the Board.

ARTICLE VIII – AMENDMENTS

Section 1 – Force and Effect of Bylaws. These bylaws are subject to the laws of the State of New Jersey and to the IMA as the same may be amended from time to time. If any provision in these bylaws is inconsistent with a provision in the New Jersey Code or with the IMA, the New Jersey Code and the IMA shall govern.

Section 2 – Amendment. These bylaws may be altered, amended or repealed by a majority of all the votes of the Board of Commissioners which are entitled to be cast.

ARTICLE IX – ROBERTS’ RULES

Robert’s Rules of Order shall be the governing parliamentary law of NJPPA.

NEW JERSEY PUBLIC POWER AUTHORITY

**ATTACHMENT TO THE
2017-2018 BUDGET**

**INTER-MUNICIPAL
AGREEMENT ESTABLISHING
BASIC BUSINESS OPERATING
SERVICES**

RESOLUTION 2017-13

To Secure an Inter-Municipal Agreement between the Borough of Butler and the Authority for Banking, Bookkeeping, and Related Services; Provision of a Registered Office; Provision of Payroll Services and Benefits for the Executive Director; and Provision of a Crime Policy (Surety Bond)

WHEREAS, the Commissioners require banking, bookkeeping, and related services for the Authority; and

WHEREAS, the Commissioners desire to establish a registered office for the Authority; and

WHEREAS, the Commissioners desire to secure payroll services and benefits for the executive director. And

WHEREAS, the Commissioners desire to secure a Crime Policy (Surety Bond) for its officers and employees,

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the New Jersey Public Power Authority they do and hereby seek an Inter-Municipal Agreement with the Borough of Butler for provision of the above via shared services, and

BE IT FURTHER RESOLVED that said agreement be presented for approval by the Commissioners of the Authority so that said agreement will be in place prior to April 3, 2017.

ADOPTED AND APPROVED
January 26, 2017

/Fred Carr/
Fred Carr, President

ATTEST:

/Bill Beattie/
Bill Beattie, Secretary