



**TOWNSHIP OF NORTH BRUNSWICK**

710 HERMANN ROAD  
NORTH BRUNSWICK, NJ 08902

Tel.: (732) 247-0922, ext. 470

Fax: (732)-214-8812

Website: [WWW.NORTHBRUNSWICKNJ.GOV](http://WWW.NORTHBRUNSWICKNJ.GOV)

Lisa Russo, Municipal Clerk

August 6, 2021

Ron Rivers, 478 Whitney Ct. North Brunswick NJ 08902  
Ariel Pina, 780 Nassau Street North Brunswick, NJ 08902  
Carmelo J. Cintron-Vivas, 309 Constitution Circle North Brunswick, NJ 08902  
Maron Soueid 9 Lake Farrington Drive North Brunswick, NJ 08902  
Barbara Russell 11 Sassafras Court North Brunswick, NJ 08902

**Re: PETITION REVIEW**

Dear Committee of Petitioners:

The undersigned is the Clerk for the Township of North Brunswick (the "Township"). Please be advised that the Clerk's Office is in receipt of your initiated petition (the "petition"). The submitted petition was received on July 6, 2021. Your petition has been reviewed by this office in accordance with the law. This letter will serve as the certification regarding the submitted petition.

In your cover letter it is stated that you were looking to attain 482 signatures which would represent the 10% of voters required to meet your burden pursuant to N.J.S.A. 40:69A-184. After a thorough and careful review of the 495 submitted petitions, it is my determination that the number of signatures required to satisfy the statutory requirement has been met.

My office currently arranging the public hearing for the ordinance. It is our intent to have the public hearing on August 30, 2021. If you have any questions, please do not hesitate to contact my office.

Respectfully submitted,

\_\_\_\_\_  
Lisa Russo, Municipal Clerk

G



Friday, August 13, 2021 at 6:25:51 PM Eastern Daylight Time

**Subject:** RE: Certificate  
**Date:** Monday, August 9, 2021 at 6:41:39 AM Eastern Daylight Time  
**From:** MITCH, JOHN  
**To:** Charlie Kratovil

See below:

**DATE:** July 30, 2021  
**TO:** Municipal Council  
**FROM:** John M. Mitch, RMC, Municipal Clerk

**SUBJ:** **CERTIFICATION OF SUFFICIENT INITIATIVE PETITION**

As you are aware, I am in receipt of an **Initiative Petition** (*hand-delivered July 13, 2021 @ 10:45 a.m.*). I am also in receipt of supplemental Initiative Petitions (*hand delivered July 28, 2021 @ 11:21 a.m.*) that was submitted to my office seeking Woodbridge Township to create a community aggregation program.

In accordance with N.J.S.A. 40:69A-184 et seq., the petition was required to be signed by a number of legal voters in Woodbridge Township equal to at least 10% of the total votes cast in the last election at which members of the General Assembly were elected. That number is 1,526. After my initial review, I had qualified 1,421 legal voters; leaving the petition 105 short of what is required. The supplemental petitions have satisfied the deficiency.

Therefore, I hereby certify that the Initiative Petition is sufficient and will present my findings to you at your next Regular Meeting.

I further certify that the statements made by me in this certification are true and accurate to the best of my knowledge. I am aware that I may be subject to punishment for any false statements made in this certification.

C: John E. McCormac, Mayor  
Vito Cimilluca, Business Administrator  
Caroline Ehrlich, Chief of Staff  
James P. Nolan, Law Director  
Eric Lange, Municipal Counselor  
Craig Coughlin, Municipal Counselor  
JMM/gs

**From:** Charlie Kratovil <ckratovil@fwwatch.org>  
**Sent:** Wednesday, August 4, 2021 8:40 PM  
**To:** MITCH, JOHN <john.mitch@twp.woodbridge.nj.us>  
**Subject:** Certificate

Dear Mr Mitch:

Can you kindly send via email a copy of the certificate that you filed regarding the initiative petition?  
Thanks very much.

Sincerely,  
Charlie Kratovil

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OFFICE OF THE CITY CLERK  
344 BROADWAY  
LONG BRANCH, NJ 07740  
732-571-5686 732-222-8835 (fax)



Heather Capone, RMC  
City Clerk  
[hcapone@longbranch.org](mailto:hcapone@longbranch.org)

Mary Moss, RMC  
Deputy Municipal Clerk  
[mmoss@longbranch.org](mailto:mmoss@longbranch.org)

Amanda Caldwell  
Clerk Transcriber  
[acaldwell@longbranch.org](mailto:acaldwell@longbranch.org)

August 9, 2021

Council Members  
Long Branch City Hall  
344 Broadway, 2<sup>nd</sup> Floor  
Long Branch, New Jersey 07740

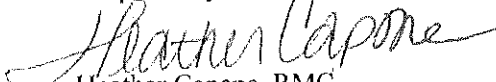
**Re: INITIATED PETITION**

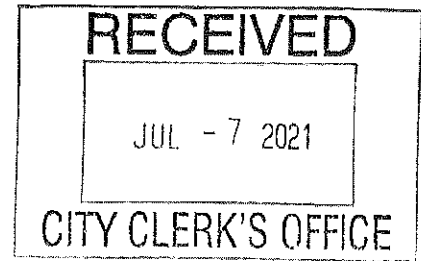
Dear Council Members:

Please be advised that the Clerk's Office is in receipt of a petition (the "petition") seeking adoption of an ordinance that would establish an energy aggregation program. The petition has been reviewed by this office within the mandatory twenty days (20) pursuant to N.J.S.A 40:69A-187. This letter will serve as the certification regarding the submitted petition.

After a thorough and careful review of the petition, this office received 394 valid signatures. The Committee of Petitioners needed 358 signatures, which represents 10% of the total votes cast in the last election for the General Assembly, to file this petition. Therefore, the Committee of Petitioners have met the statutory requirements set forth in N.J.S.A 40:69A-184. A copy of the petition is attached hereto as Exhibit "A" for your review and consideration.

Respectfully submitted,

  
Heather Capone, RMC  
City Clerk



To the Long Branch City Clerk,

The below-signed Committee of Petitioners hereby submits approximately 395 signatures, where 358 are required, regarding a Faulkner Act Initiative Petition on the following question:

Shall the attached Ordinance, submitted by initiative petition and amending the Code of the City of Long Branch, be adopted so that the City of Long Branch will create a community aggregation program under which the City will purchase renewable electricity at discounted bulk rates and provide customers within its jurisdiction an opportunity to select a 100% renewable electricity alternative by 2030, preferably from regional sources?

The Committee of Petitioners seeks that this issue be taken up by the City Council immediately after the City Clerk has verified the signatures for voter registration accuracy. The Committee seeks that this issue be voted on in the November 2021 General Election if the Council does not adopt the Initiative Petition after 2nd Reading.

Pursuant to Governor Murphy's Executive Order (EO) No. 132, issued on April 29, 2020, 294 petitions included herein were circulated electronically and were not notarized, and that all petitions collected electronically can be done by way of a form created by the Secretary of State.

Pursuant to Governor Murphy's Executive Order (EO) No. 216, issued on January 25, 2021, all petitions are being submitted in person by hand to the Municipal Clerk's office.

Pursuant to Charlie Kratovil's April 26, 2021 email communication with the Long Branch Township Clerk and Municipal Attorney, we are submitting a number petitions herein that were circulated using the DocuSign platform in accordance with EO's No. 132 and 216. Finally, we are submitting approximately 101 petition signatures collected on paper with notarized circulator signatures.

Committee of Petitioners:

- 1) Sheera Brisman, 633 Westwood Ave., Apt. 5, Long Branch, NJ 07740
- 2) Michael Runk, 633 Westwood Ave., Apt. 6, Long Branch, NJ 07740
- 3) Donna Lloyd, 63 Washington St., Long Branch, NJ 07740
- 4) Anna Sweeney, 270 MacArthur Ave., Long Branch, NJ 07740
- 5) Enis Begul, 96 Lippincott Ave., Long Branch, NJ 07740

to me, Piscataway

Dated: July 31, 2021

Renee - FYI. The Township is accepting font signatures up to July 3rd, 2021 as part of these petitions as long as the voter is an eligible voter in Piscataway and the audit trail is provided, which seems to have been provided for both petition packages submitted. So I think that resolves the issue that we talked about.

**Rajvir S. Goomer | Partner**  
Hoagland, Longo, Moran, Dunst & Doukas, LLP  
40 Paterson Street | P.O. Box 480 | New Brunswick, NJ 08903  
T: 732-545-4717 | F: 732-545-4579  
rgoomer@hoaglandlongo.com | www.hoaglandlongo.com

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H





**Email Thread 1**

**From:** Paula Rogovin <paularogovin3@gmail.com>  
**To:** Doug Ruccione <druccione@teanecknj.gov>  
**Sent:** 6/22/2021 4:04 PM  
**Subject:** Community Choice Aggregation petition

Hello again Doug,  
Just wondering if we can set up a meeting any time between 11:30 and 2:30 on Wednesday, June 30 so that we can submit completed petitions for the 100% Renewable Energy CCA campaign. We're happy to meet you outside the Municipal building or inside, which works better for you.  
Thanks  
Paula  
201 248 3169

On Tue, Jun 22, 2021 at 4:08 PM Doug Ruccione <druccione@teanecknj.gov> wrote:

Good evening, Ms. Rogovin.  
You may drop it off whenever you wish. God willing, I will be in on the 30th.

-

Doug Ruccione  
Township Clerk  
Clerk's Office  
Township of Teaneck  
818 Teaneck Road  
T. 201-837-1600, Ext. 1028

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**From:** Paula Rogovin <paularogovin3@gmail.com>  
**To:** Doug Ruccione <druccione@teanecknj.gov>  
**Cc:** clerk <clerk@teanecknj.gov>  
**Sent:** 6/22/2021 4:12 PM  
**Subject:** Re: Community Choice Aggregation petition 2021

Let's set 11:30 am, just to be sure. We'll come up to your office? Does that work for you?  
Paula

On Tue, Jun 22, 2021 at 4:16 PM Doug Ruccione <druccione@teanecknj.gov> wrote:

I

If you're coming with a squad lets meet outside and just give me a call when you arrive

-

Doug Ruccione  
Township Clerk  
Clerk's Office  
Township of Teaneck  
818 Teaneck Road  
T. 201-837-1600, Ext. 1028

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**From:** Paula Rogovin <paularogovin3@gmail.com>  
**To:** Doug Ruccione <druccione@teanecknj.gov>  
**Cc:** clerk <clerk@teanecknj.gov>  
**Sent:** 6/22/2021 4:18 PM  
**Subject:** Re: Community Choice Aggregation petition 2021

A small group. What's your phone number?  
Paula

On Tue, Jun 22, 2021 at 4:20 PM Doug Ruccione <druccione@teanecknj.gov> wrote:

township number ext 1028!

-

Doug Ruccione  
Township Clerk  
Clerk's Office  
Township of Teaneck  
818 Teaneck Road  
T. 201-837-1600, Ext. 1028

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**From:** Paula Rogovin <paularogovin3@gmail.com>  
**To:** Doug Ruccione <druccione@teanecknj.gov>  
**Cc:** clerk <clerk@teanecknj.gov>

**Sent:** 6/22/2021 4:21 PM

**Subject:** Re: Community Choice Aggregation petition 2021

See you on Wednesday. Thanks

Paula

On Tue, Jun 22, 2021 at 4:23 PM Doug Ruccione <druccione@teanecknj.gov> wrote:

Be safe!

-  
Doug Ruccione

Township Clerk

Clerk's Office

Township of Teaneck

818 Teaneck Road

T. 201-837-1600, Ext. 1028

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**From:** Paula Rogovin <paularogovin3@gmail.com>

**To:** Doug Ruccione <druccione@teanecknj.gov>

**Cc:** clerk <clerk@teanecknj.gov>

**Sent:** Tuesday, June 29, 2021 at 12:46 PM

**Subject:** Re: Community Choice Aggregation petition 2021

Doug. Hi we're switching to July 9 for delivery of the petitions re CCA. Take care.

Paula

---

***Email Thread 2***

**From:** Paula Rogovin <paularogovin3@gmail.com>

**To:** Doug Ruccione <druccione@teanecknj.gov>

**Sent:** 7/8/2021 11:20 AM

**Subject:** Need to postpone again

Doug,

I'm dealing with an allergic reaction to getting poked in the face by a Tree of Heaven (Ailanthus) which I was cutting down. It had grown in our hedges. It actually can be dangerous. My face has

been swollen around my eye for a few days already. I'm starting on some strong meds for the next few days. So, we have to postpone handing in the CCA petitions until next week.

Will let you know when. Thank you for your work.  
Paula

**From:** Doug Ruccione <druccione@teanecknj.gov>  
**Date:** Thu, Jul 8, 2021 at 2:06 PM  
**Subject:** Re: Need to postpone again  
**To:** Paula Rogovin <paularogovin3@gmail.com>

Dang feel better Ms. Rogovin!

-

Doug Ruccione  
Township Clerk  
Clerk's Office  
Township of Teaneck  
818 Teaneck Road  
T. 201-837-1600, Ext. 1028

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***Email Thread 3***

**From:** Paula Rogovin <paularogovin3@gmail.com>  
**To:** Doug Ruccione <druccione@teanecknj.gov>  
**Sent:** 7/13/2021 10:25 AM  
**Subject:** Thursday

Doug, will you be available to receive the CCA petitions on Thursday, July 15, in the morning?  
Paula

On Tue, Jul 13, 2021 at 4:59 PM Doug Ruccione <druccione@teanecknj.gov> wrote:

Happy Tuesday, Ms. Rogovin. I hope you're feeling better!

I'm sorry I missed you today. Very swamped right now.

Yes, anytime that works for you to drop off - someone here will be able to accept it.

-

Doug Ruccione  
Township Clerk  
Clerk's Office  
Township of Teaneck  
818 Teaneck Road  
T. 201-837-1600, Ext. 1028

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**INITIATIVE PETITION**

To the Teaneck Clerk and the Council of the Township of Teaneck, County of Bergen:

We, the undersigned, registered voters of the Township of Teaneck, Bergen County, New Jersey, under the power of initiative granted to voters of this Township by N.J.S.A. 40:69A-184, hereby propose the Ordinance attached hereto as Exhibit A and made a part hereof. If this Ordinance is not passed by the Council of the Township of Teaneck within the time prescribed by N.J.S.A. 40:69A-184 et seq., the undersigned voters demand that the same be submitted to the electorate for a vote in accordance with N.J.S.A. 40:69A-192b, with the question to be put to the voters in this manner:

**QUESTION.** Shall the attached Ordinance, submitted by initiative petition and amending the Code of Teaneck, be adopted so that **Teaneck will create a community energy aggregation program under which the Township will purchase renewable electricity at discounted bulk rates and provide customers within its jurisdiction an opportunity to select a 100% renewable electricity alternative by 2030, preferably from regional sources?**

This Ordinance establishes a Government Energy Aggregation Program, the "Community Energy Aggregation" program ("CEA"), in accordance with state law. Under the ordinance, the CEA will solicit requests for proposals for electric generation services and energy aggregation services on behalf of Township's residents and businesses. Public notice will allow non-residential energy consumers to opt into the program and residential customers to opt out. In addition to taking advantage of discounted rates through bulk purchasing, the program will help improve New Jersey's air quality and public health, while reducing harmful climate pollution and decreasing its reliance on fossil fuels, as no contract will be awarded unless it contains an option for customers to opt up to 100% renewable electricity and a minimum percentage of renewable electricity for all program participants meeting the following milestones: 50% from program inception through December 31, 2021; 60% from January 1, 2022 through December 31, 2023; 70% from January 1, 2024 through December 31, 2025; 80% from January 1, 2026 through December 31, 2027; 90% from January 1, 2028 through December 31, 2029; and 100% after December 31, 2029. The renewable electricity will be NJ PJM Renewable Energy Credits from the current calendar year, unless the municipality opts to enter into a power purchase agreement with a solar or wind energy provider to provide both energy and attributes together to meet some or all of the requirements of § 11B-3(c).within the area serviced by the current regional transmission organization to the maximum extent possible. Under state law, prices for electric generation services shall not exceed the cost of providing the service to each rate class and the pro rata value of the cost of compliance with the state's renewable energy portfolio standards, except where the electricity provided contains a greater percentage of renewable energy, as may be the case herein, and customers are provided notice and opportunity to opt out. A "Yes" vote is a vote to approve the Ordinance. A "No" vote is a vote against the Ordinance.

Print Name

Janice Dabney

Residence Address (Teaneck)

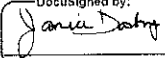
647 Howard St

Teaneck

New Jersey

07666

Signature of Registered Voter

DocuSigned by:  
  
D4561073339B467...

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

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

- 1) **Elissa Schwartz, 698 Larch Ave, Teaneck, NJ 07666**
- 2) **Bettina Hempel, 300 Frances Street, Teaneck NJ 07666**
- 3) **Paula Rogovin , 625 Linden Avenue, Teaneck NJ 07666**
- 4) **Lisa Rose, 575 Northumberland Rd, Teaneck, NJ 07666**
- 5) **Laurie Ludmer, 264 Sherman Ave, Teaneck, NJ 07666**

J

**EXHIBIT A**

Teaneck Township New Jersey

ORDINANCE No. \_\_\_\_\_

**AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF TEANECK, COUNTY OF BERGEN, STATE OF NEW JERSEY, BY ADDING CHAPTER 11B, AUTHORIZING THE ESTABLISHMENT OF A COMMUNITY ENERGY AGGREGATION PROGRAM THAT CREATES AN OPTION FOR 100% REGIONALLY SOURCED RENEWABLES**

**WHEREAS**, there is broad scientific consensus that Earth’s climate is warming, and this warming is being caused by human activities that cause the release of greenhouse gases due to use of fossil fuels; and

**WHEREAS**, climate change has far reaching impacts, including increasing the likelihood of extreme weather events, sea level rise, flooding, drought, and mass extinctions; and

**WHEREAS**, co-pollutants from burning fossil fuels create significant respiratory ailments and deaths; and

**WHEREAS**, the impact of climate change can cause damage to public parks, roads, municipal properties, and equipment; and

**WHEREAS**, the cost of providing basic public services such as water treatment and snow removal can increase with climate change; and

**WHEREAS**, resources for first responders can be strained when climate change related extreme weather events arise; and

**WHEREAS**, it is less expensive to plan for and mitigate the impacts of climate change, rather than respond to emergencies when they happen; and

**WHEREAS**, many of the costs associated with the impacts of climate change or mitigating those impacts will be borne by state and local budgets, putting further strain on overstressed budgets; and

**WHEREAS**, studies show the feasibility of creating an energy system that uses 100% renewable energy, while creating jobs and improving public health; and

**WHEREAS**, many municipalities currently lack the professional expertise and resources to mitigate climate change; and

**WHEREAS**, the United States was signatory to the Paris agreement that is working to strengthen the global response to the threat of climate change; and

**COMMITTEE OF PETITIONERS pursuant to N.J.S.A. 40:69A-186 Page 2 of 5**

- 1) **Elissa Schwartz, 698 Larch Ave, Teaneck, NJ 07666**
- 2) **Bettina Hempel, 300 Frances Street, Teaneck NJ 07666**
- 3) **Paula Rogovin , 625 Linden Avenue, Teaneck NJ 07666**
- 4) **Lisa Rose, 575 Northumberland Rd, Teaneck, NJ 07666**
- 5) **Laurie Ludmer, 264 Sherman Ave, Teaneck, NJ 07666**



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

**WHEREAS**, PJM Interconnection (PJM) is a regional transmission organization that coordinates the movement of wholesale electricity in all or parts of Delaware, Illinois, Indiana, Kentucky, Maryland, Michigan, New Jersey, North Carolina, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia, and the District of Columbia, but renewable electricity created outside of the PJM grid cannot be directly utilized by residents of the Township; and

**WHEREAS**, prioritizing generation of renewable electricity in the region served by the PJM grid will help improve local air quality, improve public health impacts, and decrease costs; and

**WHEREAS**, the Government Energy Aggregation Act, N.J.S.A. 48:3-93.1 *et seq.* governs the establishment of a government energy aggregation program, which is a government-operated purchasing cooperative through which multiple energy consumers purchase energy together under the auspices of a government aggregator; and

**WHEREAS**, pursuant to the Government Energy Aggregation Act, N.J.S.A. 48:3-93.1 *et seq.*, the Township seeks to establish a Government Energy Aggregation Program (“Program”) for the provision of electricity within the Township, for the purpose of obtaining power supply cost savings for residential and business participants in the Township; and

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

**WHEREAS**, the Township will from time to time issue one or more Request for Proposals for electric generation services and energy aggregation services on behalf of the CEA pursuant to the Local Public Contract Law, the Government Energy Aggregation Act, and the Electric Discount and Energy Competition Act; and

**WHEREAS**, the Township is interested that the energy provided by CEA entirely come from renewable energy sources as soon as practicable, and the CEA will therefore include provisions requiring the inclusion of renewable energy in the request for proposals for electric generation services and energy aggregation services; and

**WHEREAS**, the Township will only award contracts for said electric generation service and energy aggregation services to electric power suppliers that are deemed qualified; and

**WHEREAS**, state regulations at N.J.A.C. § 14:4-6.9 governs rates for services provided to residential and non-residential customers under a government-private energy aggregation program, including when the electricity provided to residential customers is from a percentage of renewable energy exceeding the applicable percentage required under the state’s renewable portfolio standards at N.J.A.C. 14:8-2; and

**WHEREAS**, N.J.S.A. 48:3-93.1 *et seq.* requires the Program to be established by ordinance.

**NOW, THEREFORE, BE ORDAINED** and enacted by the Council of the Township of Teaneck, in the County of Bergen, New Jersey, that the Code of the Township of Teaneck is amended by adding Chapter 11B as follows:

### **Chapter 11B. Community Energy Aggregation**

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

- 1) **Elissa Schwartz, 698 Larch Ave, Teaneck, NJ 07666**
- 2) **Bettina Hempel, 300 Frances Street, Teaneck NJ 07666**
- 3) **Paula Rogovin , 625 Linden Avenue, Teaneck NJ 07666**
- 4) **Lisa Rose, 575 Northumberland Rd, Teaneck, NJ 07666**
- 5) **Laurie Ludmer, 264 Sherman Ave, Teaneck, NJ 07666**

**§ 11B-1 Authorization.**

The Township of Teaneck hereby establishes a Community Energy Aggregation Program for residential and non-residential customers, in accordance with the provisions of the Government Energy Aggregation Act, N.J.S.A. 48:3-93.1 et seq., and the rules promulgated thereunder, N.J.A.C. 14:4-6.1, *et seq.*

**§ 11B-2. Lead Agency.**

The Township shall be the lead agency and any agreements entered into in connection with the Community Energy Aggregation Program by authorized personnel shall be subject to review by the Township.

**§ 11B-3. Electric Distribution Aggregation Agreement; Terms; Master Performance Agreement.**

- (a) The Mayor of the Township (“Mayor”) shall be and is authorized to execute and the Clerk to attest to the execution of and Electric Distribution Aggregation Agreement, in a form acceptable to the Township, with PSE&G.
- (b) Pursuant to the terms and conditions of the Government Energy Aggregation Act and the rules promulgated thereunder, and specifically N.J.A.C. 14:4-6.2, the Township shall oversee the Community Energy Aggregation Program (“CEA”) as lead agency and, in that capacity, and consistent with applicable rules, shall solicit requests for proposals for electric generation service and energy aggregation services on behalf of the Township’s residents and businesses. The Mayor may execute and enter into a contract for such services, subject to § 11B-3(c)-(d), and provided that the lowest qualified bid price for electricity generation service is consistent with N.J.A.C. § 14:4-6.9 and notice is provided to residential customers should the price exceed the benchmark price, as required by N.J.A.C. § 14:4-6.9(g). Pursuant to the regulations of the Government Energy Aggregation Act, a public notice of the CEA will be issued whereby non-residential energy consumers may opt into the CEA and residential customers may opt out.
- (c) The CEA must be fully implemented within one (1) year of the passage of this ordinance. Request for proposals for electricity generating services must state that no contract will be awarded unless it has an option for customers to opt up to 100% renewable electricity and a minimum percentage of renewable electricity for all program participants of:
- 50% from program inception through December 31, 2021;
  - 60% from January 1, 2022 through December 31, 2023;
  - 70% from January 1, 2024 through December 31, 2025;
  - 80% from January 1, 2026 through December 31, 2027;
  - 90% from January 1, 2028 through December 31, 2029; and
  - 100% after December 31, 2029.
- (d) The renewable electricity attributes for the CEA will be NJ PJM Renewable Energy Credits from the current calendar year, unless the municipality opts to enter into a power purchase agreement with a solar or wind energy provider to provide both energy and attributes together to meet some or all of the requirements of § 11B-3(c). The Mayor may not execute and enter into a contract for electricity generating services unless it meets the renewable percentages specified in § 11B-3(c).

**COMMITTEE OF PETITIONERS pursuant to N.J.S.A. 40:69A-186 Page 4 of 5**

- 1) **Elissa Schwartz, 698 Larch Ave, Teaneck, NJ 07666**
- 2) **Bettina Hempel, 300 Frances Street, Teaneck NJ 07666**
- 3) **Paula Rogovin , 625 Linden Avenue, Teaneck NJ 07666**
- 4) **Lisa Rose, 575 Northumberland Rd, Teaneck, NJ 07666**
- 5) **Laurie Ludmer, 264 Sherman Ave, Teaneck, NJ 07666**

(e) The Mayor may also execute a master performance agreement that obligates the participants in the CEA to purchase electricity at terms and conditions stated therein with a third-party supplier who has been awarded the contract by the Township on behalf of participating members of the CEA, and provided that such contract shall be at prices reasonably forecast and estimated by the Township to provide for basic generation service by PSE&G.

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

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

**BE IT FURTHER ORDAINED** that nothing in the passage of this ordinance shall be construed as preventing the Township of Teaneck from making its CEA inoperable during the Faulkner Act's 3-year repose period, if applicable, by entering into a regional CEA that has equivalent or higher renewable energy percentages and the same or shorter timeframes for milestones as set forth in § 11B-3(c).

**BE IT FURTHER ORDAINED** that this Ordinance shall take effect 20 days after passage and publication, as provided by law.

---

**AFFIDAVIT OF CIRCULATOR** pursuant to N.J.S.A. 40:69A-186

STATE OF NEW JERSEY :

: ss.

COUNTY OF BERGEN:

I \_\_\_\_\_ (print name) certifies that (1) s/he and only s/he personally circulated the foregoing paper; (2) all the signatures appended thereto were made in his/her presence; and (3) s/he believes them to be the genuine signatures of the persons whose names they purport to be.

\_\_\_\_\_  
(Circulator's signature)

Sworn to and subscribed  
before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

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

- 1) **Elissa Schwartz, 698 Larch Ave, Teaneck, NJ 07666**
- 2) **Bettina Hempel, 300 Frances Street, Teaneck NJ 07666**
- 3) **Paula Rogovin , 625 Linden Avenue, Teaneck NJ 07666**
- 4) **Lisa Rose, 575 Northumberland Rd, Teaneck, NJ 07666**
- 5) **Laurie Ludmer, 264 Sherman Ave, Teaneck, NJ 07666**



**Certificate Of Completion**

Envelope Id: 3CDA2D494071487585B7250ECC0ABEB4  
 Subject: Please DocuSign: Teaneck CEA Petition  
 Source Envelope:  
 Document Pages: 5  
 Certificate Pages: 1  
 AutoNav: Enabled  
 EnvelopeId Stamping: Enabled  
 Time Zone: (UTC-05:00) Eastern Time (US & Canada)

Status: Completed

Envelope Originator:  
 Sam DiFalco  
 sdifalco@fwwatch.org  
 IP Address: 74.105.248.214

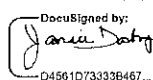
**Record Tracking**

Status: Original  
 4/29/2021 12:08:49 PM  
 Holder: Sam DiFalco  
 sdifalco@fwwatch.org  
 Location: DocuSign

**Signer Events**

Janice Dabney  
 jedabney@aol.com  
 Security Level:  
 DocuSign.email  
 ID: 1  
 4/29/2021 12:08:51 PM

**Signature**



Signature Adoption: Drawn on Device  
 Using IP Address: 74.105.248.214  
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 Viewed: 4/29/2021 12:09:01 PM  
 Signed: 4/29/2021 12:11:10 PM

**Electronic Record and Signature Disclosure:**  
 Not Offered via DocuSign

**In Person Signer Events**

**Signature**

**Timestamp**

**Editor Delivery Events**

**Status**

**Timestamp**

**Agent Delivery Events**

**Status**

**Timestamp**

**Intermediary Delivery Events**

**Status**

**Timestamp**

**Certified Delivery Events**

**Status**

**Timestamp**

**Carbon Copy Events**

**Status**

**Timestamp**

FWW Petition Collection  
 fwwpetition@fwwatch.org



Sent: 4/29/2021 12:11:11 PM

Security Level: Email, Account Authentication  
 (None)

**Electronic Record and Signature Disclosure:**  
 Not Offered via DocuSign

**Witness Events**

**Signature**

**Timestamp**

**Notary Events**

**Signature**

**Timestamp**

**Envelope Summary Events**

**Status**

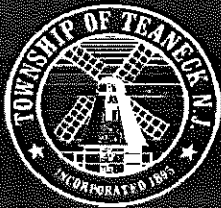
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Certified Delivered	Security Checked	4/29/2021 12:09:01 PM
Signing Complete	Security Checked	4/29/2021 12:11:10 PM
Completed	Security Checked	4/29/2021 12:11:11 PM

**Payment Events**

**Status**

**Timestamps**



August 4, 2021

Elissa Schwartz, 698 Larch Ave, Teaneck, NJ 07666  
Bettina Hempel, 300 Frances Street, Teaneck NJ 07666  
Paula Rogovin, 625 Linden Avenue, Teaneck NJ 07666  
Lisa Rose, 575 Northumberland Rd, Teaneck, NJ 07666  
Laurie Ludmer, 264 Sherman Ave, Teaneck, NJ 07666

Re: 2021 Initiative Petition to Create a Community Energy Aggregation Program

Dear Committee of Petitioners:

On July 15, 2021, your Committee of Petitioners submitted an Initiative Petition to initiate "An Ordinance to Amend the Code of the Township of Teaneck, County of Bergen, State of New Jersey, by Adding Chapter 11B, Authorizing the establishment of a Community Energy Aggregation Program that Creates an Option for 100% Regionally Sourced Renewables" (hereinafter referred to as the "Petition"). The Petition was accompanied by supporting documents including both electronic and handwritten signatures.

The Petition states the following:

To the Teaneck Clerk and the Council of the Township of Teaneck, County of Bergen:

We, the undersigned, registered voters of the Township of Teaneck, Bergen County, New Jersey, under the power of initiative granted to voters of this Township by N.J.S.A. 40:69A-184, hereby propose the Ordinance attached hereto as Exhibit A and made a part hereof. If this Ordinance is not passed by the Council of the Township of Teaneck within the time prescribed by N.J.S.A. 40:69A-184 et seq., the undersigned voters demand that the same be submitted to the electorate for a vote in accordance with N.J.S.A. 40:69A-192b, with the question to be put to the voters in this manner:

QUESTION. Shall the attached Ordinance, submitted by initiative petition and amending the Code of Teaneck, be adopted so that Teaneck will create a community energy aggregation program under which the Township will purchase renewable electricity at discounted bulk rates and provide customers within its jurisdiction an opportunity to select a 100% renewable electricity alternative by 2030, preferably from regional sources?

This Ordinance establishes a Government Energy Aggregation Program, the "Community Energy Aggregation" program ("CEA"), in accordance with state law. Under the ordinance, the CEA will solicit requests for proposals for electric generation services and energy aggregation services on behalf of Township's residents and businesses. Public notice will allow non-residential energy consumers to opt into the program and residential customers to opt out. In addition to taking advantage of

Township of Teaneck

PAUL A. VOLCKER  
MUNICIPAL GREEN

818 TEANECK ROAD  
TEANECK,  
NEW JERSEY 07666

201-837-1600

FAX (201) 837-9547

E-MAIL:  
[admin@teanecknj.gov](mailto:admin@teanecknj.gov)

COUNCIL

DR. JAMES DUNLEAVY  
MAYOR

ELIE Y. KATZ  
DEPUTY MAYOR

MARK J. SCHWARTZ  
DEPUTY MAYOR

KEITH KAPLAN  
KAREN ORGEN  
MICHAEL PAGAN  
GERVONN ROMNEY RICE

DEAN B. KAZINCI  
TOWNSHIP MANAGER

DOUGLAS RUCCIONE  
TOWNSHIP CLERK

JOHN L. SHAHDANIAN II, ESQ.  
TOWNSHIP ATTORNEY

K



discounted rates through bulk purchasing, the program will help improve New Jersey's air quality and public health, while reducing harmful climate pollution and decreasing its reliance on fossil fuels, as no contract will be awarded unless it contains an option for customers to opt up to 100% renewable electricity and a minimum percentage of renewable electricity for all program participants meeting the following milestones: 50% from program inception through December 31, 2021; 60% from January 1, 2022 through December 31, 2023; 70% from January 1, 2024 through December 31, 2025; 80% from January 1, 2026 through December 31, 2027; 90% from January 1, 2028 through December 31, 2029; and 100% after December 31, 2029. The renewable electricity will be NJ PJM Renewable Energy Credits from the current calendar year, unless the municipality opts to enter into a power purchase agreement with a solar or wind energy provider to provide both energy and attributes together to meet some or all of the requirements of § 11B-3(c), within the area serviced by the current regional transmission organization to the maximum extent possible. Under state law, prices for electric generation services shall not exceed the cost of providing the service to each rate class and the pro rata value of the cost of compliance with the state's renewable energy portfolio standards, except where the electricity provided contains a greater percentage of renewable energy, as may be the case herein, and customers are provided notice and opportunity to opt out. A "Yes" vote is a vote to approve the Ordinance. A "No" vote is a vote against the Ordinance.

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

The Petition then recited the full text of the proposed ordinance. The Petition also contained the names and addresses of five voters, designated as the Committee of Petitioners.

Before conducting an examination of the sufficiency of the Petition, I determined that the Committee submitted a total of 877 signatures consisting of 614 electronic digital signatures and 263 handwritten signatures.

Initially, for any petition or initiative, my office is required to determine what number of signatures is required. The Petition was submitted pursuant to N.J.S.A. 40:69A-184. This statute provides that:

Any initiated ordinance may be submitted to the municipal council by a petition signed by a number of the legal voters of the municipality equal in number to at least 15% of the total votes cast in the municipality at the last election at which members of the General Assembly were elected. An initiated ordinance may be submitted to the municipal council by a number of the legal voters of the municipality equal in number to at least 10% but less than 15% of the total votes cast in the municipality at the last election at which members of the General Assembly were elected, subject to the restrictions set forth in section 17-43 (C. 40:69A-192) of this act.

In Teaneck, the last election at which members of the General Assembly were elected was in 2019. There exists a legitimate question of what the statute means by the

“total number of votes cast” but giving the statute the most liberal reading possible, the best reading for the Committee would be based on the total number of voters who voted at the last election at which members of the General Assembly were elected in Teaneck, which figure was 7908. Thus, the total number of signatures required to submit an initiated ordinance pursuant to N.J.S.A. 40A:69A-184 is 10% of 7908 or 791 signatures.

As a result of my examination of the Petition signatures pursuant to N.J.S.A. 40:69A-187, I have determined that the Petition is insufficient for the following reasons.

Initially, I have determined that the electronic signatures submitted by the Committee are all invalid. The basis for the acceptance of electronic signatures was set forth in Executive Order 132, which was effective April 29, 2020, which was modified by Executive Order 216 on January 25, 2021, and which was terminated by Executive Order 244 on June 4, 2021. Executive Order 244, which terminated the Public Health Emergency, was supplemented by PL 2021, C. 103, which provided for a thirty-day expiration period for all previously enacted Executive Orders. Thus, as of July 4, 2021, the relaxation of petition requirements, which permitted my office to accept electronic signatures, ended. Since the Committee did not submit any electronic petitions until July 15, 2021, my office is unable to accept them, and they are all deemed invalid.

After deducting the electronic signatures (614) from the total signatures submitted (877), the remaining number of signatures submitted (263) is well below the required number of signatures (791) required to initiate an ordinance. Furthermore, notwithstanding same, and to provide the Committee with further direction, my office has reviewed all of the signatures that were submitted and provides the additional information.

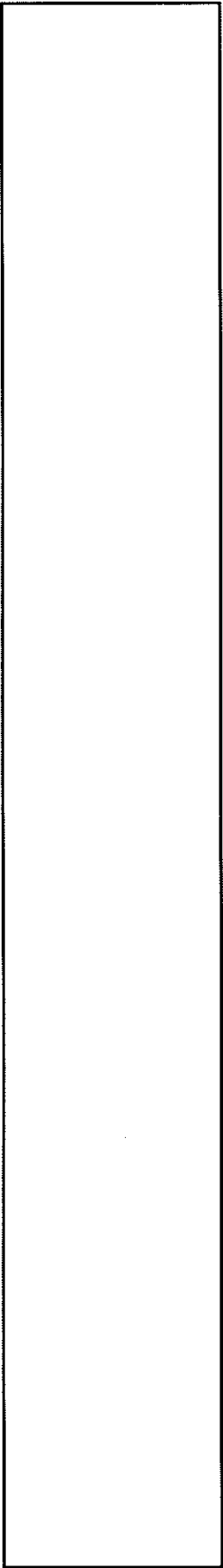
Of the petitions with electronic signatures submitted (614), (1) was deficient for not being fully completed (e.g. missing printed name, address, signature); (8) were deficient for providing information not corresponding with voter registration information (e.g. name, address); (32) were deficient for not being registered voters or not being registered voters in Teaneck; and (11) were deficient for being duplicates, for a total of (52) deficiencies, leaving a balance of (562) petitions with valid electronic signatures (assuming same had been submitted on or before July 4, 2021). (See the attached spreadsheet of deficient petitions with E-signatures.)

Of the petitions with handwritten signatures submitted (263), (2) were deficient for not being fully completed (e.g. missing printed name, address, signature); (50) were deficient for providing information not corresponding with voter registration information (e.g. name, address); (17) were deficient for not being registered voters or not being registered voters in Teaneck; (3) were deficient for being duplicates; and (4) were deficient for being illegible, for a total of (76) deficiencies, leaving a balance of (187) petitions with valid handwritten signatures. (See the attached spreadsheet of deficient petitions with handwritten signatures.)

The total number petitions submitted with valid electronic signatures (562) (assuming same were submitted on or before July 4, 2021) and with valid handwritten signatures (187) had totaled only (749) which was insufficient as being below of the number of valid petitions (791) required to initiate an ordinance pursuant to N.J.S.A. 40:69A-184.

Pursuant to N.J.S.A. 40:69A-188, the Committee may amend the Petition at any time within ten days from this Notice of Insufficiency.

Respectfully,  
Doug Ruccione, Township Clerk of the Township of Teaneck





Petition Not Fully Completed (i.e. missing printed name, address, signature)	Information Provided not Corresponding with VR Info (name, address)	Not Registered / Not Registered in Teaneck	Duplicate
Anna Kurz	Ben Hutt Charisse Lawson-LeMaitre Elizabeth Cruz Esther Schorr gabrielle scott Miriam Stern Michael Goins Rick Mckay	Aaliyah Guzman Alfredo Arcon Anne Hunt Avi Fisher Azy Frazer Bruno Rondinelli Cheryl Porter Corey Brown Dafna Schlosberg david drapkin Denise Bernard Eltan Davidovics Ellezer Diamond ephraim matkovitz erica markovitz Ilyssa oghlian Imani ackerman Jan Myers jasire lemaître Kevin Chu Leela Persaud Lena Jack Lexi Hayles Libby Klein Sam Magid Mart Mitchell Jessica Howson Pena Jordan ramos Judania Mejia Pilita Sunga Randall Corbo Ranny Pierce	Kayla Style (counted HC Signature) Areeba Siddiqi (counted HC signature) Abner Strauss (counted HC signature) Cynthia Soriano (counted HC signature) Ethel Ortiz (counted HC signature) Caryn Diuguid (counted HC signature) Jason Marrero (counted HC signature) Lucrila Ortiz (counted HC signature) Judith Green (counted HC signature) Adolfo Gil (esigned twice, counted first) Sandra Carstensen (esigned twice, counted second)



INITIATIVE PETITION

To the Teaneck Clerk and the Council of the Township of Teaneck, County of Bergen:

We, the undersigned, registered voters of the Township of Teaneck, Bergen County, New Jersey, under the power of initiative granted to voters of this Township by N.J.S.A. 40:69A-184, hereby propose the Ordinance attached hereto as Exhibit A and made a part hereof. If this Ordinance is not passed by the Council of the Township of Teaneck within the time prescribed by N.J.S.A. 40:69A-184 et seq., the undersigned voters demand that the same be submitted to the electorate for a vote in accordance with N.J.S.A. 40:69A-192b, with the question to be put to the voters in this manner:

**QUESTION.** Shall the attached Ordinance, submitted by initiative petition and amending the Code of Teaneck, be adopted so that **Teaneck will create a community energy aggregation program under which the Township will purchase renewable electricity at discounted bulk rates and provide customers within its jurisdiction an opportunity to select a 100% renewable electricity alternative by 2030, preferably from regional sources?**

This Ordinance establishes a Government Energy Aggregation Program, the "Community Energy Aggregation" program ("CEA"), in accordance with state law. Under the ordinance, the CEA will solicit requests for proposals for electric generation services and energy aggregation services on behalf of Township's residents and businesses. Public notice will allow non-residential energy consumers to opt into the program and residential customers to opt out. In addition to taking advantage of discounted rates through bulk purchasing, the program will help improve New Jersey's air quality and public health, while reducing harmful climate pollution and decreasing its reliance on fossil fuels, as no contract will be awarded unless it contains an option for customers to opt up to 100% renewable electricity and a minimum percentage of renewable electricity for all program participants meeting the following milestones: 50% from program inception through December 31, 2021; 60% from January 1, 2022 through December 31, 2023; 70% from January 1, 2024 through December 31, 2025; 80% from January 1, 2026 through December 31, 2027; 90% from January 1, 2028 through December 31, 2029; and 100% after December 31, 2029. The renewable electricity will be NJ PJM Renewable Energy Credits from the current calendar year, unless the municipality opts to enter into a power purchase agreement with a solar or wind energy provider to provide both energy and attributes together to meet some or all of the requirements of § 11B-3(c).within the area serviced by the current regional transmission organization to the maximum extent possible. Under state law, prices for electric generation services shall not exceed the cost of providing the service to each rate class and the pro rata value of the cost of compliance with the state's renewable energy portfolio standards, except where the electricity provided contains a greater percentage of renewable energy, as may be the case herein, and customers are provided notice and opportunity to opt out. A "Yes" vote is a vote to approve the Ordinance. A "No" vote is a vote against the Ordinance.




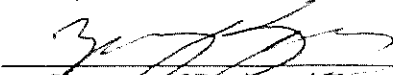
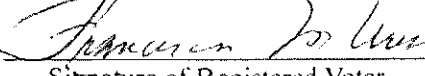
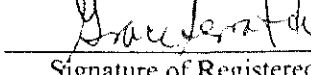
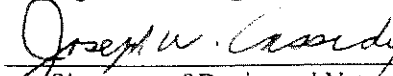
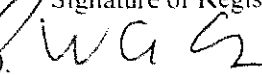

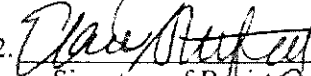
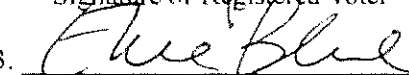
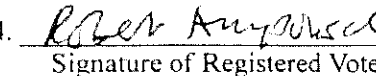

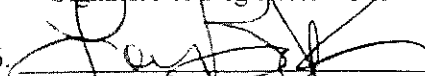

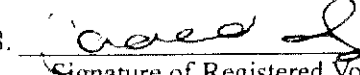
Signature and residence address of registered voters (all entries must be made in ink)

- |    |                               |             |                             |
|----|-------------------------------|-------------|-----------------------------|
| 1. | <i>Peter Glick</i>            | PETER GLICK | 266 WINTHROP RD             |
|    | Signature of Registered Voter | Print Name  | Residence Address (Teaneck) |
| 2. | <i>Toby Glick</i>             | Toby Glick  | 266 WINTHROP RD             |
|    | Signature of Registered Voter | Print Name  | Residence Address (Teaneck) |

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

- 1) Elissa Schwartz, 698 Larch Ave, Teaneck, NJ 07666
- 2) Bettina Hempel, 300 Frances Street, Teaneck NJ 07666
- 3) Paula Rogovin, 625 Linden Avenue, Teaneck NJ 07666
- 4) Lisa Rose, 575 Northumberland Rd, Teaneck, NJ 07666
- 5) Laurie Ludmer, 264 Sherman Ave, Teaneck, NJ 07666

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3.		Dany Pulaw	670 Palisade Ave
	Signature of Registered Voter	Print Name	Residence Address (Teaneck)
4.		Erica Lebron	654 Lacey Ave
	Signature of Registered Voter	Print Name	Residence Address (Teaneck)
5.		Joseph Becker	298 CARLTON Terr.
	Signature of Registered Voter	Print Name	Residence Address (Teaneck)
6.		ZACHARY DEROCHE	63 FAIRVIEW AVE
	Signature of Registered Voter	Print Name	Residence Address (Teaneck)
7.		FRANCESCA WILSON	115 Tuxedo Sq Teaneck
	Signature of Registered Voter	Print Name	Residence Address (Teaneck)
8.		GRACIELA SERRALLA	573 Chestnut Pl Teaneck
	Signature of Registered Voter	Print Name	Residence Address (Teaneck)
9.		Joseph W. Cassidy	563 River Rd, Teaneck
	Signature of Registered Voter	Print Name	Residence Address (Teaneck)
10.		William Shaker	17 BRINKERTON AVE
	Signature of Registered Voter	Print Name	Residence Address (Teaneck)
11.		Rosemarie Hagg	271 Willow Street
	Signature of Registered Voter	Print Name	Residence Address (Teaneck)
12.		Elaine Setford	729 Glenwood Ave
	Signature of Registered Voter	Print Name	Residence Address (Teaneck)
13.		ERIC Blue	1494 Buffet TRL.
	Signature of Registered Voter	Print Name	Residence Address (Teaneck)
14.		Robert Aupousoa	620 Chestnut Ave
	Signature of Registered Voter	Print Name	Residence Address (Teaneck)
15.		Marilyn F. King	537 Center Pl.
	Signature of Registered Voter	Print Name	Residence Address (Teaneck)
16.		Lori Bullock	130 Herma Ave
	Signature of Registered Voter	Print Name	Residence Address (Teaneck)
17.		Anum Khan	264 Hemlock Terrace
	Signature of Registered Voter	Print Name	Residence Address (Teaneck)
18.		Corinne ISC	645 Chestnut Ave
	Signature of Registered Voter	Print Name	Residence Address (Teaneck)

COMMITTEE OF PETITIONERS pursuant to N.J.S.A. 40:69A-186 Page 2 of 5

- 1) Elissa Schwartz, 698 Larch Ave, Teaneck, NJ 07666
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- 4) Lisa Rose, 575 Northumberland Rd, Teaneck, NJ 07666
- 5) Laurie Ludmer, 264 Sherman Ave, Teaneck, NJ 07666

19. [Signature] GERALD RODRIGUEZ 39 Bergen Ave  
Signature of Registered Voter Print Name Residence Address (Teaneck)

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

**EXHIBIT A**

Teaneck Township New Jersey

ORDINANCE No. \_\_\_\_\_

**AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF TEANECK, COUNTY OF BERGEN, STATE OF NEW JERSEY, BY ADDING CHAPTER 11B, AUTHORIZING THE ESTABLISHMENT OF A COMMUNITY ENERGY AGGREGATION PROGRAM THAT CREATES AN OPTION FOR 100% REGIONALLY SOURCED RENEWABLES**

**WHEREAS**, there is broad scientific consensus that Earth's climate is warming, and this warming is being caused by human activities that cause the release of greenhouse gases due to use of fossil fuels; and

**WHEREAS**, climate change has far reaching impacts, including increasing the likelihood of extreme weather events, sea level rise, flooding, drought, and mass extinctions; and

**WHEREAS**, co-pollutants from burning fossil fuels create significant respiratory ailments and deaths; and

**WHEREAS**, the impact of climate change can cause damage to public parks, roads, municipal properties, and equipment; and

**WHEREAS**, the cost of providing basic public services such as water treatment and snow removal can increase with climate change; and

**WHEREAS**, resources for first responders can be strained when climate change related extreme weather events arise; and

**WHEREAS**, it is less expensive to plan for and mitigate the impacts of climate change, rather than respond to emergencies when they happen; and

**WHEREAS**, many of the costs associated with the impacts of climate change or mitigating those impacts will be borne by state and local budgets, putting further strain on overstressed budgets; and

**WHEREAS**, studies show the feasibility of creating an energy system that uses 100% renewable energy, while creating jobs and improving public health; and

**WHEREAS**, many municipalities currently lack the professional expertise and resources to mitigate climate change; and

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

- 1) Elissa Schwartz, 698 Larch Ave, Teaneck, NJ 07666
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- 3) Paula Rogovin, 625 Linden Avenue, Teaneck NJ 07666
- 4) Lisa Rose, 575 Northumberland Rd, Teaneck, NJ 07666
- 5) Laurie Ludmer, 264 Sherman Ave, Teaneck, NJ 07666

- 100% after December 31, 2029.

(d) The renewable electricity attributes for the CEA will be NJ PJM Renewable Energy Credits from the current calendar year, unless the municipality opts to enter into a power purchase agreement with a solar or wind energy provider to provide both energy and attributes together to meet some or all of the requirements of § 11B-3(c). The Mayor may not execute and enter into a contract for electricity generating services unless it meets the renewable percentages specified in § 11B-3(c).

(e) The Mayor may also execute a master performance agreement that obligates the participants in the CEA to purchase electricity at terms and conditions stated therein with a third-party supplier who has been awarded the contract by the Township on behalf of participating members of the CEA, and provided that such contract shall be at prices reasonably forecast and estimated by the Township to provide for basic generation service by PSE&G.

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

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

**BE IT FURTHER ORDAINED** that nothing in the passage of this ordinance shall be construed as preventing the Township of Teaneck from making its CEA inoperable during the Faulkner Act's 3-year repose period, if applicable, by entering into a regional CEA that has equivalent or higher renewable energy percentages and the same or shorter timeframes for milestones as set forth in § 11B-3(c).

**BE IT FURTHER ORDAINED** that this Ordinance shall take effect 20 days after passage and publication, as provided by law.

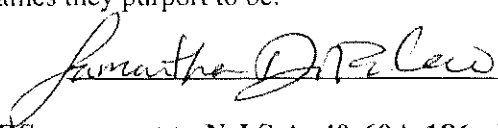
**AFFIDAVIT OF CIRCULATOR** pursuant to N.J.S.A. 40:69A-186

STATE OF NEW JERSEY :

: ss.

COUNTY OF BERGEN:

I Samantha Di Falco (print name) certifies that (1) s/he and only s/he personally circulated the foregoing paper; (2) all the signatures appended thereto were made in his/her presence; and (3) s/he believes them to be the genuine signatures of the persons whose names they purport to be.



**COMMITTEE OF PETITIONERS** pursuant to N.J.S.A. 40:69A-186 Page 6 of 5

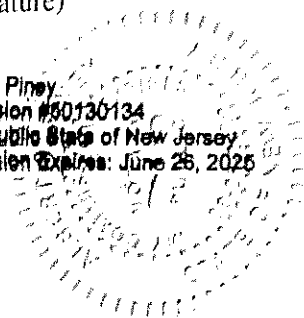
- 1) **Elissa Schwartz, 698 Larch Ave, Teaneck, NJ 07666**
- 2) **Bettina Hempel, 300 Frances Street, Teaneck NJ 07666**
- 3) **Paula Rogovin, 625 Linden Avenue, Teaneck NJ 07666**
- 4) **Lisa Rose, 575 Northumberland Rd, Teaneck, NJ 07666**
- 5) **Laurie Ludmer, 264 Sherman Ave, Teaneck, NJ 07666**

(Circulator's signature)

Sworn to and subscribed  
before me this 4 day of August, 2021.

Albert S. Piney  
NOTARY PUBLIC

Albert S. Piney  
Commission #50130134  
Notary Public State of New Jersey  
Commission Expires: June 26, 2025



**COMMITTEE OF PETITIONERS pursuant to N.J.S.A. 40:69A-186 Page 7 of 5**

- 1) Elissa Schwartz, 698 Larch Ave, Teaneck, NJ 07666
- 2) Bettina Hempel, 300 Frances Street, Teaneck NJ 07666
- 3) Paula Rogovin, 625 Linden Avenue, Teaneck NJ 07666
- 4) Lisa Rose, 575 Northumberland Rd, Teaneck, NJ 07666
- 5) Laurie Ludmer, 264 Sherman Ave, Teaneck, NJ 07666







August 5, 2021

Via E-mail and hand delivery

Doug Ruccione  
Township Clerk  
Teaneck Township Municipal Bldg.  
818 Teaneck Rd.  
Teaneck, NJ 07666  
[druccione@teanecknj.gov](mailto:druccione@teanecknj.gov)

Re: Petition Initiating an Ordinance Authorizing the Establishment of a  
Community Energy Aggregation Program that Creates an Option for 100%  
Regionally Sourced Renewables.

Dear Mr. Ruccione:

We are writing to you on behalf of Food & Water Watch, the sponsor of the aforementioned ordinance, and the Committee of Petitioners, in response to your letter on August 4, 2021, refusing to accept 614 electronically collected petitions, because they were submitted on July 15, 2021, after the expiration of the Governor's Public Health Emergency. As detailed below, this refusal is contrary to the law, the Governor's two executive orders establishing the right of citizens to electronically collect signatures and submit petitions during the COVID-19 public emergency, and the practice of several municipal clerks throughout the State. Accordingly, we respectfully request that you accept these signatures as both lawfully collected and submitted.

We take as our starting point that the political power of New Jersey voters to initiative and referendum is a statutory right. Wright v. South Orange, 79 N.J. Super. 96 (App. 1963) (stating that non-Faulkner community had no right of referendum, and there was no constitutional violation).<sup>1</sup> The New Jersey Supreme Court has acknowledged the importance of

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<sup>1</sup> As you know, New Jersey's referendum laws--which grant citizens the right to initiate ordinances, to repeal ordinances and/or to approve or disapprove ordinances proposed by local government were the product of a larger reform movement during the Progressive Era of the late Nineteenth and early Twentieth Centuries that promoted direct democracy "as an antidote against

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M

such statutory right by consistently directing courts to liberally construe the statutes that provide such rights in a manner that promotes their “beneficial effects.” D’Ercole v. Mayor and Council of Norwood, 198 N.J. Super. 531 (App. Div. 1984) (quoting Retz v. Mayor & Council Tp. of Saddle Brook, 69 N.J. 563 (1976)); see also Redd v. Bowman, 223 N.J. 87 (2015) (applying a liberal construction and flexibility to promote purpose); In re Petition for Referendum on Trenton Ordinance 09-02, 201 N.J. 349 (2010) (same); Ordinance 04-75, *supra*, 192 N.J. at 446 (same). The right of referendum is direct democracy in its purest sense, allowing citizens to take an appeal above the heads of their elected officials and directly to the voters who can then approve or reject the ordinance at the polls. See In re Trenton Ordinance 09-02, *supra*, 201 N.J. at 353 (stating that referendum power is an exercise in democracy that profoundly affects the relationship between the citizens and their government by affording the people the last word).

**These principles of participatory democracy and liberal construction of initiative and referendum laws informed the Governor’s executive orders during the emergency and must govern your interpretation thereof.**

In order to permit the petitioning process to continue safely, the Governor issued Executive Order 132 (“EO 132”) on April 29, 2020. He issued that EO after declaring that the COVID-19 pandemic was not just an un-precedented threat to the lives and health of New Jersey citizens, but also presented “the reality that exercising their statutory right to engage in direct democracy through collecting or filling out petitions may endanger their health and safety.” In order to facilitate the signature process and “help limit unnecessary person to-person contact[,]” the EO allowed voters to fill out and submit initiative and referendum petitions electronically, employing a template form suggested by the state. EO 132 at ¶¶ 1-2. The EO also suspended all other Faulkner Act requirements for the collection, verification, and notarization of signatures submitted during the pendency of the emergency. *Id.* ¶ 4.

On January 25, 2021, the Legislature codified EO 132, but it also made some important changes. It expressly extended EO 132 so that it would “be implemented to include any pending petition . . . for any other election taking place thereafter for the duration of the COVID-19 Public Health Emergency and State of Emergency declared by the Governor under Executive Order No. 103 (2020).” P.L. 2020, Ch. 55 §1.a. Likewise, instead of simply suspending the Faulkner Act’s requirements for the collection, verification, and notarization of signatures submitted during the Public Health Emergency, as EO 132 ¶ 4 had, the law imposed a duty upon clerks to develop “electronic procedures for signature verification, petition notarization, and submission of oaths to meet the requirements of current law.” *Id.* at § 1.c. It should be noted that pursuant to § 1.b.3, clerks were also directed to accept, either electronically or in person, handwritten signatures that were collected prior to the effective date of EO 132.

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special-interest control of the legislative process.” Tumpson v. Farina, 218 N.J. 450, 454 (2014). It is through the petition processes provided in the various acts, including the Faulkner Act, that a majority of New Jersey residents can now engage in the referendum process, allowing them “the right to [initiate] or test a challenged ordinance in the crucible of the democratic process.” In re Petition to Repeal Ordinance 04-75, 192 N.J. 446, 450 (2007) (“Ordinance 04-75”).

The Governor followed suit on the passage of this law by extending and expanding upon EO 132 with Executive Order 216 (“EO 216”). It pointedly directed clerks, in no uncertain terms, that they must still allow electronic petition submissions and “shall accept petitions . . . collected via an online form created by the Secretary of State.” EO 216 ¶ 2. It also imposed a duty upon clerks to develop electronic procedures for signature verification, petition notarization, and submission of oaths, in accord with P.L. 2020, Ch. 55. *Id.* at § 1.c. Finally, it declared that the order “shall take effect immediately and shall apply to any petition that is due or may be submitted during the Public Health Emergency, first declared in Executive Order No. 103 (2020).” What was important about EO 216 is that it permitted petitions to be circulated in person with handwritten signatures that could be submitted in person—something explicitly prohibited by EO 132.

On June 4, 2021, the Governor signed P.L. 2021, Ch. 103 (C. 26:13-32 et. seq.) and then signed Executive Order 244 (“EO 244”) that terminated the Public Health Emergency but maintained the State of Emergency. Pursuant to P.L. 2021, Ch. 103, all previous executive orders, with few exceptions, were set to “expire 30 days from the effective date of this act.” As a result, EO 216 remained in effect until July 4, 2021. That is, petitioners could collect electronic signatures and could submit petitions to the clerk electronically until that date. After July 4, 2021, petitioners could no longer collect electronic signatures and clerks could no longer accept petitions electronically; in this way, electronic signatures collected prior to and on July 4 were deemed valid, though after that date, they could no longer be submitted electronically to the petition’s respective filing officer.

In your August 4, 2020, letter, your office indicates that it rejected more than 614 electronically collected signatures because Executive Order 244 and P.L. 2021, Ch. 103 terminated “as of July 4, 2021, the relaxation of petition requirements, which permitted my office to accept electronic signatures...” But, as indicated above, neither EO 244 nor P.L. 2021, Ch. 103 terminated the “relaxation of petition requirements” so as to prevent your office from accepting electronic signatures. It just said that collection of electronic signatures would no longer be valid and clerks would no longer have the authority to accept any petition electronically after 30 days from June 4.

Indeed, we are aware of electronically collected petitions that were submitted after July 4 in Piscataway, New Brunswick, North Brunswick, Long Branch and Woodbridge, where clerks have accepted paper printouts of electronic petitions, so long as the audit trail indicated that they were signed on or before July 4.

Emphatically, EO 216, remained in full force and effect until July 4, allowing the electronic collection of signatures until that date. Nothing in EO 216 indicates that electronic signatures had to be submitted during the Public Health Emergency in order to be deemed valid, nor does EO 216 have any cut-off date for the clerk’s acceptance of such signatures. It merely stated in ¶ 2 that electronically collected signatures and handwritten petitions must be accepted by all clerks.

The clerk’s interpretation of the relevant executive orders and laws to the contrary makes little sense. It allows the valid collection of electronic signatures before July 4, only to have

them become invalid immediately upon submission at a later date. This undermines the Faulkner Act, which itself has no due date for petition signatures collected pursuant to an initiative effort, as courts have allowed the submission as late as 18 months after the collection “in the absence of an express legislative direction and in view of the liberality to be accorded” the Falkner Act. D’Ascensio v. Benjamin, 137 N.J. Super. 155 (Ch. Div. 1975), *aff’d*, 142 N.J. Super. 52 (App. Div. 1976). Accordingly, it makes no sense why P.L. 2020, Ch. 55 and EO 216 would require clerks to establish procedures for signature verification, petition notarization, and submission of oaths for electronic signatures, only to immediately render such procedures invalid, *sub silencio*, by lifting the Public Health Emergency. Simply put, the signatures are not “stale”, and their validity did not expire when EO 216 expired. They are valid signatures that must be counted; and, if submitted after July 4, they must be printed out and hand delivered to the clerk.

There is little doubt that your interpretation creates an obstacle out of whole cloth to prevent the collection and submission of signatures under the Faulkner Act. This undermines the spirit and intent of EO 216 ¶ 8 that declared that “no municipality... shall enact or enforce any order, rule, regulation, ordinance, or resolution that will or might in any way conflict with any of the provisions of this Order, or that will or might in any way interfere with or impede its achievement.” As noted above, statutes and executive orders that govern the statutory right of initiative must be liberally construed to facilitate the petition process and encourage voter participation in local government. See e.g., Redd v. Bowman, *supra*, 223 N.J. at 87 (liberal construction and flexibility to promote public purpose); D’Ercole v. Mayor and Council of Norwood, *supra*, 198 N.J. Super. at 531(construed to promote “beneficial effects”).

Because this obstacle to FWW’s and the COP’s initiative petition is not permitted under the law, we respectfully request that you count the 614 electronically collected signatures previously submitted, and that the petition may be found sufficient, ready for Township Council review and consideration. In order to ensure that our proposed question is submitted to a referendum vote this November, we note that this matter must be dealt with expeditiously.

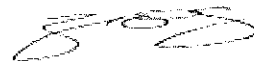
Respectfully submitted,

NEW JERSEY APPLESEED PUBLIC  
INTEREST LAW CENTER

/s/Renée Steinhagen  
Renée Steinhagen, Ex. Dir.

-and

FOOD & WATER WATCH




---

Zachery Corrigan, Esq.

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Trenton, NJ 08608  
[Robert.Giles@sos.nj.gov](mailto:Robert.Giles@sos.nj.gov)

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August 9, 2021

**VIA E-MAIL**

Renee Steinhagen  
Executive Director  
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Public Interest Law Center of New Jersey  
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Newark, NJ 07102  
[renee@njappleseed.org](mailto:renee@njappleseed.org)

Zachery Corrigan, Esq.  
Food & Water Watch New Jersey  
100 Bayard Street, Suite 202  
New Brunswick, NJ 08901

**Re: Initiative Petition for Community Energy Aggregation Program  
Township of Teaneck  
File No. T1207-001**

Dear Ms. Steinhagen and Mr. Corrigan:

Our Firm serves as Township Counsel to the Township of Teaneck. We write in response to your August 5, 2021, letter to Township Clerk Ruccione regarding the above-mentioned Petition on behalf of Food & Water Watch and the Committee of Petitioners.

The whole of your letter challenges Clerk Ruccione's denial of the belatedly filed electronic digital signature petitions submitted by the Committee. Essentially, the argument suggested in your letter is that because election statutes should be interpreted liberally and, because other clerks have improperly accepted electronic petition signatures after the July 4, 2021, cutoff date, Teaneck's clerk should have done the same. While we acknowledge that in the ever-changing landscape of COVID-19, municipal and county clerks were dealing with new requirements on a daily basis, the mistake of another jurisdiction does not create binding precedent. Absent explicit statutory authority, a clerk may not act.

By way of background, of the 877 signatures submitted by the Committee 614 were electronic digital signatures. Based on the references to the various Executive Orders contained in your letter, it is clear that you understand that the basis for the acceptance, by a clerk, of electronic signatures was set forth in Executive Order 132, which was effective April 29, 2020, and which was modified by Executive Order 216 on January 25, 2021, and which was terminated by Executive Order 244 on June 4, 2021. Executive Order 244, which terminated the Public Health Emergency, was



Renee Steinhagen  
Zachery Corrigan, Esq.  
August 9, 2021  
Page 2

supplemented by PL 2021, C. 103, which provided for a thirty-day expiration period for all previously enacted Executive Orders. Thus, as of July 4, 2021, the relaxation of petition requirements, which permitted a municipal clerk office to accept electronic signatures, ended.

By way of further background, we also draw your attention to the public Facebook posting on June 9, 2021, by Samantha DiFalco. It is our understanding that Ms. DiFalco was one of the persons who spearheaded the Food and Water Watch Effort regarding this Petition. In her posting, she states that “we’re officially more than halfway towards our petition goal!!! We’ve got 3 more weeks till our first petition delivery deadline on July 1 (we’ve got a few weeks after that to submit additional petitions as well), and still, need nearly 500 more. That posting clearly reflects Food & Water Watch’s understanding that the Petition submission deadline was July 4, 2021. Ms. DiFalco also reflects her in-depth knowledge of the petition process when she states that additional petitions can be submitted later. Thus, it is completely disingenuous for Food & Water Watch, or the Committee which they represent, to now take the position that they were unaware of the submission deadline. This is clearly false.

Although nearly every case on point discusses election statutes, it has previously been determined that a gubernational executive order is to be treated as the equivalent of a statute enacted by the Legislature. See *Talmadge Vill. LLC v. Wilson*, 2021 N.J. Super. LEXIS 89 at \*3 (App. Div. 2021). While New Jersey Courts have consistently indicated that election laws and specifically the right of initiative and referendum, are to be construed liberally, we are always guided by the unaltered legal maxim that statutes should be given their plain meaning. Indeed, our courts have routinely held that in analyzing statutes, a court’s “task is to discern and give effect to the Legislature’s intent.” In doing so, the court is directed to look at the plain language of the statute “which is typically the best indicator of the intent.” The court further stated that “when the language clearly reveals the meaning of the statute, the court’s sole function is to enforce the statute in accordance with those terms.” See *State v. L.D.* 444 N.J. Super 45, 59-60 (App. Div. 2016).

The court in *McCann v. Clerk of Jersey City*, also determined that it is a “cardinal rule” of statutory construction that full effect should be given, if possible, to every word of a statute.” See *McCann v. Clerk of Jersey City*, 167 N.J. 311, 321 (2001). In *D’Ercole v. Norwood*, the court determined that “liberality in construction is not, however, a substitute for this court’s duty to give effect to the intent of the Legislature as we can reasonably discern it.” (Emphasis added). See *D’Ercole v. Norwood*, 198 N.J. Super. 531, 543 (App. Div. 1984).

In the current matter, the issue is not the petition itself, but the authority to accept the electronic signatures submitted in support of same and the Executive Orders could not be clearer in this regard. On April 29, 2020, Governor Murphy signed Executive Order 132 permitting county and municipal clerks to accept initiative and referendum petitions electronically through an electronically created form approved by the State. The EOs specifically state that “temporarily modifying the requirements of statutory provision, including but not limited to N.J.S.A. 40:69A-186, to allow for electronic submission of petitions is needed to ensure voters can safely exercise their democratic rights during this unprecedented public health crisis.” Executive Order 132 directed county and municipal clerks to accept hand delivery of initiative and referendum petitions and allow for these petitions to be submitted electronically. County and municipal clerks were



Renee Steinhagen  
Zachery Corrigan, Esq.  
August 9, 2021  
Page 3

also directed to accept petitions with signatures (such as those at issue here) collected via an online form. The Executive Order also made clear at paragraph 3 that once the online form template was available the clerks “shall require that signatures be gathered via the online template form.” It goes further stating, “[h]and signatures obtained prior to the effective date of this Order shall also be accepted.” Thus, it is patently obvious that the Governor understood that what he was doing was altering the type of petitions and the manner of signatures that a clerk could accept post April 29, 2020.

Governor Murphy next passed Executive Order 216 on January 25, 2021. That Executive Order extended Executive Order 132 and made clear that municipal clerks shall allow for petitions required to be filed prior to an election to be submitted by hand delivery and electronically. It also notes that any provision that is inconsistent with the Order is suspended for “the duration of the Public Health Emergency.” (Emphasis Added)

On June 4, 2021, as vaccination numbers were increasing and New Jersey was emerging from the Public Health Emergency, Governor Murphy declared, by way of Executive Order 244, that the Public Health Emergency was terminated. In so doing, except in very limited areas as expressed in Executive Order 244 and accompanying legislation, all of the terms of the prior Executive Orders which were passed during the pandemic, and which relied upon the Public Health Emergency were revoked. In order to remedy the potentially harsh results that the sudden termination of the Public Health Emergency might cause, the New Jersey Legislature then passed P.L. 2021, Ch. 103 which provided a 30-day extension to the terms of all previous Executive Orders, i.e., all of the terms of said Orders would expire on July 4, 2021.

Your argument that post July 4, petitioners could no longer collect electronic signatures for submission, is correct. Your argument that post July 4, 2021, clerks could accept petitions electronically is not. The Executive Orders which were relied upon during the pandemic to permit the submission of electronic signatures, in particular EO 132, specifically loosened the rules of N.J.S.A. 40:69A-186 which statute requires that “[e]ach signer of any such petition paper shall sign his name in ink or indelible pencil and shall indicate after his name his place of residence by street and number, or other description sufficient to identify the place.” In other words, EO 132 permitted clerks to accept petition signatures that were not, in fact, signatures at all. After July 4, 2021, however, the only type of signature a clerk can accept and which are legally permissible are physical signatures, typically called “wet pen” signatures. Indeed, post July 4, 2021, the ability of a clerk to accept any other type of signature or petition was extinguished.

The reason petitions cannot be submitted owes to the fact that signing a petition has no force and effect. As aforementioned, N.J.S.A. 40:69A-186 contains requirements for the signer of a petition. “Each signer of any such petition paper shall sign his name in ink or indelible pencil and shall indicate after his name his place of residence by street and number, or other description sufficient to identify the place. There shall appear on each petition paper the names and addresses of five voters, designated as the Committee of the Petitioners, who shall be regarded as responsible for the circulation and filing of the petition and for its possible withdrawal as hereinafter provided. Attached to each separate petition paper there shall be an affidavit of the circulator thereof that he, and he only, personally circulated the foregoing paper, that all the signatures appended thereto

Renee Steinhagen  
Zachery Corrigan, Esq.  
August 9, 2021  
Page 4

were made in his presence, and that he believes them to be the genuine signatures of the persons whose names they purport to be.”

Nowhere in the requirements of N.J.S.A. 40:69A-186 will one find a time or date requirement. a petition may be signed a day, a week or a month before petitioners submit the petitions. In fact, “signatures to initiative or referendum petitions need not all be appended to one paper, but to each separate petition there shall be attached a statement of the circulator thereof as provided by this section.”

The requirements, as far as timing, all deal with submission, not collection. Petitioners could indeed collect petitions today, via electronic means. However, even by your own standards, they cannot submit them. The collection and the submission are two different requirements.

In the current situation, it is beyond dispute that the Committee submitted their petition papers, and all signatures, including the electronically obtained signatures, on July 15, 2021. This date was 11 days past the deadline imposed by the Governor and legislature for the ability of clerks to accept electronic signatures. Clerk Ruccione has not taken a position that the signatures are stale or outdated as in the D’Ascencio case cited by the Committee, but rather, that he has no statutory or other legal authority to accept same. Simply stated, post July 4, 2021, no clerk, municipal or otherwise had the legal authority to accept electronic signature submissions. Indeed, nowhere in your letter do you provide any authority to contravene this glaring issue.

While you state that other clerks have accepted similar signatures, a simple review of the websites of numerous County Clerks offices reflect that there is nearly universal agreement that the acceptance of electronic petitions was dependent upon the continuing of the Public Health Emergency and that now that it has terminated electronic petitions are no longer applicable and only traditional “wet pen” paper petitions are legal and acceptable.

For example, the Burlington County Clerk’s website states:

Petition Filing Governor Murphy’s Executive Order providing for the filing of petitions in both traditional paper form and in electronic form, for State, County, Municipal, School Board or Fire Commission offices is no longer in effect with the signing of A-5820 and the issue of Executive Order 244 ending the COVID 19 Public Health Emergency. After July 2, 2021, only traditional paper petitions with all applicable notarized signatures may be submitted as hard copies by mail, courier or personal delivery. (Emphasis in original)

And the Ocean County Clerk’s website states:

Please be advised that ALL of the Dates listed in this brochure are subject to change due to an Executive Order issued by the Governor or an ACT signed into law which could revise the deadline dates as a result of the ongoing COVID-19 Pandemic. We strongly advise everyone to contact our Election Office at (732) 929-2153 to confirm any of the dates listed.

Renee Steinhagen  
Zachery Corrigan, Esq.  
August 9, 2021  
Page 5

And the Camden County Clerk's website states:

With the Governor's signing of Executive Order 244 ending the Public Health Emergency, the provisions previous Executive Orders and recently enacted legislation allowing electronic collection and transmission of petitions have terminated. To be valid, wet ink signatures on petitions must be collected in person and the physical petitions must be filed directly with the accepting office.

Ultimately, Clerk is a creature of statute and is bound to follow the statutes that govern his actions. With respect to the issue at bar, the Clerk is bound by the rules set forth in the Executive Orders signed by Governor Murphy. Those Executive Orders made clear that the Public Health Emergency was completely over by June 4, 2021, with widely publicized provisions extended for 30 days. Other than in extremely limited areas, which are not relevant to the matter at issue, none of the terms of the Executive Orders mentioned in EO 244 and extended via PL 2021, C. 103 control after July 4, 2021. Therefore, Clerk Ruccione was correct in denying the acceptance of electronic signatures collected and submitted by the Committee.

Very truly yours,

A handwritten signature in black ink, appearing to read "John L. Shahdanian II". The signature is written in a cursive style with a horizontal line at the end.

John L. Shahdanian II

JLS/bak

cc: Dean Kazinci, Township Manager  
Douglas Ruccione, Township Clerk





August 12, 2021

Elissa Schwartz, 698 Larch Ave, Teaneck, NJ 07666  
Bettina Hempel, 300 Frances Street, Teaneck NJ 07666  
Paula Rogovin, 625 Linden Avenue, Teaneck NJ 07666  
Lisa Rose, 575 Northumberland Rd, Teaneck, NJ 07666  
Laurie Ludmer, 264 Sherman Ave, Teaneck, NJ 07666

Re: 2021 Initiative Petition to Create a Community Energy Aggregation Program

Dear Committee of Petitioners:

On July 15, 2021, your Committee of Petitioners submitted an Initiative Petition to initiate "An Ordinance to Amend the Code of the Township of Teaneck, County of Bergen, State of New Jersey, by Adding Chapter 11B, Authorizing the establishment of a Community Energy Aggregation Program that Creates an Option for 100% Regionally Sourced Renewables" (hereinafter referred to as the "Petition"). The Petition was accompanied by supporting documents including both electronic and handwritten signatures.

After conducting a thorough and complete review of the Petition, on August 4, 2021, I wrote to the Committee and advised that as a result of my examination of the Petition signatures pursuant to N.J.S.A. 40:69A-187, I had determined that the Petition was insufficient. Specifically, the Petition was insufficient as the total number of valid signatures totaled 187, which total was below the 791 signatures required for the Petition. I also advised the Committee that pursuant to N.J.S.A. 40:69A-188, it could amend the Petition at any time within ten days from this Notice of Insufficiency.

Thereafter, on Thursday, August 5, 2021, the Committee filed an Amended Petition with an additional 276 signatures. I note that even had all 276 signatures been deemed valid, the Petition would still remain insufficient as the total number of valid signatures would only be 463. After conducting a thorough and complete review of the Amended Petition, I have determined that there were an additional 188 valid signatures. Thus, between the Petition and the Amended Petition there were a total of 375 valid signatures, which number is below the 791 signatures required to initiate an ordinance pursuant to N.J.S.A. 40:69A-184. I have filed a final Certificate of Insufficiency in my office.

Respectfully,  
Doug Ruccione  
Township Clerk of the Township of Teaneck

**Township  
of Teaneck**

PAUL A. VOLCKER  
MUNICIPAL GREEN

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TEANECK,  
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201-837-1600

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E-MAIL:  
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**COUNCIL**

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MAYOR

ELIE Y. KATZ  
DEPUTY MAYOR

MARK J. SCHWARTZ  
DEPUTY MAYOR

KEITH KAPLAN  
KAREN ORGEN  
MICHAEL PAGAN  
GERVONN ROMNEY RICE

DEAN B. KAZINCI  
TOWNSHIP MANAGER

DOUGLAS RUCCIONE  
TOWNSHIP CLERK

JOHN L. SHAHDANIAN II, ESQ.  
TOWNSHIP ATTORNEY

