

**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**

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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 8<sup>th</sup> 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 19<sup>th</sup> 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.

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**Donnelly Amico  
Municipal Clerk  
Borough of Lavallette**

**BOROUGH OF LAVALLETTE**

**NOTICE**

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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 8<sup>th</sup> day of August, 2016. It was further considered for second reading and final passage at a meeting of the Borough Council held on the 19<sup>th</sup> day of September, 2016 at 7pm in the Lavallette Municipal Building, Council Chambers located at 1306 Grand Central Avenue, Lavallette, NJ at which time and place persons desiring to be heard upon the same were given the opportunity to be heard.

Said ordinance was duly adopted on the 19<sup>th</sup> day of September, 2016 and shall take effect upon publication as required by law.

(SEAL)

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DONNELLY AMICO  
MUNICIPAL CLERK

Mayor's Approval

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WALTER G. LACICERO, MAYOR

DATE: SEPTEMBER 19, 2016