

**BOARD OF SUPERVISORS OF  
AMITY TOWNSHIP**

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**RESOLUTION # 2019- 22**

**A RESOLUTION AUTHORIZING THE PUBLIC ENTITY MEMBERSHIP IN, THE PENNSYLVANIA PUBLIC ENTITY ENERGY CONSORTIUM ("PPEEC"), AND PARTICIPATION IN ITS CONSORTIUM ENERGY SERVICES**

**INTRODUCTION**

This Resolution describes the Consortium efforts of public entities across the Commonwealth of Pennsylvania to create the Pennsylvania Public Entity Energy Consortium ("PPEEC"), and to establish Consortium Services *for* the coordinated purchase and/or management of natural gas, electricity, transportation fuel services, and any goods or services (the "Energy Services") necessary and useful for the operation or administration of a public entity under the auspices of PPEEC. By this Resolution, the Board of Supervisors authorizes membership of the Public Entity in the PPEEC and, subject to determinations of the Chairman or the Official within the Public Entity who is responsible for reviewing the PPEEC Energy Services, as to timing, economic and other interests of the public entity, the participation of the Public Entity in the Energy/Consortium Services.

**PREMISES**

A. A Consortium of public entities has organized, under the provisions of the Pennsylvania Public School Code, the Pennsylvania Procurement Code, the Pennsylvania Utility Commissions Act, the Intergovernmental Cooperation Act, and other applicable law, an Energy Consortium to be known as the Pennsylvania Public Entity Energy Consortium ("PPEEC").

B. The PPEEC will provide its members with:

1. A coordinated and proactive voice for the members interests during ongoing energy deregulation and utility negotiations.
2. A central resource that allows members to share contracts, energy strategies, and information regarding deregulated energy purchasing.
3. A means to aggregate loads and energy-supplied bids so that members can take full advantage of their combined purchasing power.
4. A common administrative framework that provides all members with access to deregulated energy expertise and services; and, enables members to share the savings from avoiding the duplication of the administrative efforts associated with effective deregulated Energy Services.

- C. The PPEEC has retained through a negotiation process the services of experienced and expert energy advisers who will structure and administer the Energy Services, and recommend competitive bid processes, timing, purchasing and pricing strategies.
- D. The Member Representative's Position within the Public Entity who is responsible for reviewing the PPEEC Energy Services of the member has the opportunity to consider and advise the Board concerning:
  1. The governance and oversight of PPEEC by its participating members;
  2. The tests which would be performed by PPEEC on behalf of the member; and
  3. The commitments and obligations of the Public Entity to the PPEEC for the coordination and purchasing of fuel and any other goods and services and the purchase of natural gas and/or electricity by the member for minimum terms if the member, in addition to its membership in PPEEC, becomes a participant in such Energy/Consortium Services.

NOW, THEREFORE, the Board of Supervisors of the Public Entity hereby resolves:

#### **MEMBERSHIP IN PPEEC**

1. The Board supports the establishment of a separate legal entity to be known as the Pennsylvania Public Entity Energy Consortium ("PPEEC"), and the Board hereby approves membership by the Public Entity in the PPEEC, and the Official within the Public Entity who is responsible for reviewing the PPEEC Energy Services is hereby authorized to execute the Intergovernmental Agreement establishing the PPEEC, and to take any additional steps or execute any related documents necessary for the Public Entity to become a member of the PPEEC.
2. The Public Entity's Representative on the PPEEC Board of Directors shall be:

Troy S. Bingaman  
Township Manager

The named Representative, with a signed concurrence of the member's Board of Supervisors authorize signatory thereon, may give a proxy to another person affiliated with the Township to attend and vote at the PPEEC Board of Director's Meeting instead of the named Representative, if necessary.

3. Pre-Payment.

There shall be no initiation fee for joining PPEEC.

#### **AUTHORIZATION FOR PARTICIPATION IN ENERGY/CONSORTIUM PURCHASE SERVICES**

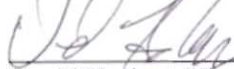
If the Official in the Public Entity who is responsible for reviewing the PPEEC Energy/Consortium Services for the member, based upon financial information and projections provided to the member by the PPEEC and its Energy Advisors, and such other information, documentation and advice from such other sources as the Official deemed necessary or desirable, determine that the Energy

Services will be conducted by the PPEEC in terms and conditions which are competitive with the most favorable conditions reasonably available, and that such Energy/Consortium Services are otherwise in the economic interest of the Public Entity, then the Official is hereby authorized to execute coordinated financial management, purchase, transportation, transmission, storage, nomination, energy information requests, and similar or related energy contracts, certificates, instruments or papers necessary or convenient to effectuate the Public Entity's participation in the Energy/Consortium Services, including Agreements directly with the PPEEC Energy Advisors or local energy distribution companies/organizations by and through the authority of the PPEEC within an agency relationship.

DULY ADOPTED AND APPROVED this 4<sup>th</sup> day of December 2019.

TOWNSHIP OF AMITY

  
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Kim McGrath, Chairperson

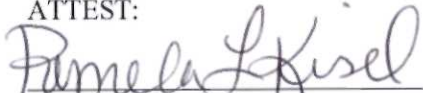
  
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David Hackett, Vice Chairman

  
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Paul Weller

  
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Terry Jones

  
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Kevin Keifrider

ATTEST:

  
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Pamela L. Kisch, Secretary

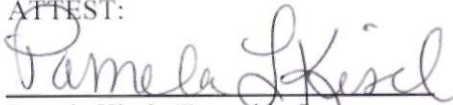
**CERTIFICATE**

I certify that the foregoing is a true and complete copy of a Resolution adopted by the Board of Supervisors of Amity Township, Berks County, Commonwealth of Pennsylvania, at a meeting held on the 4th, day of December 2019 and that the meeting was conducted and Public Notice of the meeting was given pursuant to and in full compliance with the Pennsylvania Sunshine Act, and that the Minutes of the meeting were kept and have been made available as required by the Act.

I further certify that a vote for the adoption of the Resolution was taken with the approval being made by 5 votes "yes" and 0 votes "no".

APPROVED this 4<sup>th</sup> day of December 2019.

ATTEST:

  
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Pamela Kisch, Township Secretary