

**RESOLUTION 177-21
GREEN PURCHASING POLICY**

WHEREAS, the Mayor and Council of the Borough of Franklin Lakes is desirous of adopting a policy to encourage the Borough's use of environmentally preferable products and services;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen and State of New Jersey, that the following Green Purchasing Policy be and is hereby adopted:

Green Purchasing Policy

I. Statement of the policy.

It is the policy and practice of the Borough to:

- A. Institute practices that reduce waste by increasing product efficiency and effectiveness;
- B. Purchase products that minimize environmental impacts, toxics, pollution, and hazards to worker and community safety to the greatest extent practicable; and
- C. Purchase products that include recycled content, are durable and long-lasting, conserve energy and water, use agricultural fibers and residues, reduce greenhouse gas emissions, use unbleached or chlorine free manufacturing processes, are lead-free and mercury-free, and use wood from sustainably harvested forests (FSC) when & where possible.

II. Purpose and objectives of the policy.

The goal of this policy is to encourage and increase the use of environmentally preferable products and services in the Borough. By including environmental considerations in purchasing decisions, the Borough can promote practices that improve public and worker health, conserve natural resources, and reward environmentally conscious manufacturers, while remaining fiscally responsible.

The policy objectives are to:

- A. Conserve natural resources;
- B. Minimize environmental impacts such as pollution and use of water and energy;
- C. Eliminate or reduce toxics that create hazards to workers and our community;
- D. Support strong recycling markets;
- E. Reduce materials that are routinely land filled or disposed of;
- F. Increase the use and availability of environmentally preferable products that protect the environment;
- G. Identify environmentally preferable products and associated distribution systems;
- H. Reward manufacturers & vendors with contracts that reduce environmental impacts in their production & distribution systems or services;
- I. Collect & maintain up-to-date information regarding manufacturers, vendors and other sources for locating/ordering environmentally preferable products; and

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- J. Create a model for successfully purchasing environmentally preferable products that encourages other purchasers in our community to adopt similar goals.

III. Definitions.

AMERICAN SOCIETY FOR TESTING AND MATERIALS

ASTM International, an open forum for the development of high quality, market relevant international standards use around the globe.

BIO-BASED PRODUCTS

Commercial or industrial products (other than food or feed) that utilize agricultural crops or residues but does not include products made from forestry materials.

BIODEGRADABLE PLASTIC

The degradation of the plastic must occur as a result of the action of naturally occurring microorganisms.

BIODEGRADABLE PRODUCTS INSTITUTE (BPI)

A multi-stakeholder association of key individuals and groups from government, industry and academia, which promotes the use, and recycling of biodegradable polymeric materials (via composting). BPI does not create standards but certifies products that demonstrate they meet the requirements in ASTM D6400 or D6868, based on testing in an approved laboratory.

BUYER

Anyone authorized to purchase or contract for purchases on behalf of the Borough.

THE CARPET AND RUG INSTITUTE (CRI)

The national trade association representing the carpet and rug industry. CRI has developed and administered the “Green Label” indoor air quality testing and labeling program for carpet, adhesives, cushion materials and vacuum cleaners.

CHLORINE FREE

Products processed without chlorine or chlorine derivatives.

COMPOSTABLE PLASTIC

Plastic that is biodegradable during composting to yield carbon dioxide, water and inorganic compounds and biomass, at a rate consistent with other known compostable materials and leaves no visually distinguishable or toxic residues.

CONTRACTOR

Any person, group of persons, business, consultant, designing architect, association, partnership, corporation, supplier, vendor or other entity that has a contract with the Borough or serves in a subcontracting capacity with the Borough or with an entity having a contract with the Borough for the provision of any goods or services.

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DEGRADABLE PLASTIC

Plastic that undergoes significant changes in its chemical structure under specific environmental conditions.

DIOXINS AND FURANS

A group of chemical compounds that are classified as persistent, bioaccumulative, and toxic by the U.S. Environmental Protection Agency (EPA).

ENERGY STAR

The U.S. EPA's energy efficiency product labeling program.

ENERGY EFFICIENT PRODUCT

A product that is in the upper twenty-five (25%) percent of energy efficiency for all similar products, or that is at least ten (10%) percent more efficient than the minimum level that meets Federal standards and guidelines.

ELECTRONIC PRODUCT ENVIRONMENTAL ASSESSMENT TOOL (EPEAT)

A procurement tool to help institutional purchasers in the public and private sectors evaluate, compare and select desktop computers, notebooks and monitors based on their environmental attributes.

FEDERAL ENERGY MANAGEMENT PROGRAM

A program of the Department of Energy that issues a series of *Product Energy Efficiency Recommendations* that identify recommended efficiency levels for energy-using products.

FOREST STEWARDSHIP COUNCIL (FSC)

A global organization that certifies responsible, on-the-ground forest management according to rigorous standards developed by a broad variety of stakeholder groups.

GREEN BUILDING PRACTICES

A whole-systems approach to the design, construction, and operation of buildings and structures that helps mitigate the environmental, economic, and social impacts of construction, demolition, and renovation. Green Building Practices such as those described in the LEED IM Rating System, recognize the relationship between natural and built environments and seeks to minimize the use of energy, water, and other natural resources and provide a healthy productive environment.

GREEN SEAL

An independent, non-profit environmental labeling organization. Green Seal standards for products and services meet the U.S. EPA's criteria for third-party certifiers. The Green Seal is a registered certification mark that may appear only on certified products.

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INTEGRATED PEST MANAGEMENT (IPM)

An ecosystem-based strategy that focuses on long-term prevention of pests or their damage through a combination of techniques such as biological control, habitat manipulation, modification of cultural practices, and use of resistant varieties. Pesticides are used only after monitoring indicates they are needed according to established guidelines, and treatments are made with the goal of removing only the target organism. Pest control materials are selected and applied in a manner that minimizes risks to human health, beneficial and non-target organisms, and the environment.

LEED IM RATING SYSTEM

The most recent version of the Leadership in Energy and Environmental Design (LEED™) Commercial Green Building Rating System, or other related LEED IM Rating System, approved by the U.S. Green Building Council and designed for rating new and existing commercial, institutional, and high-rise residential buildings.

ORGANIC PEST MANAGEMENT

Prohibits the use and application of toxic chemical pesticides and strives to prevent pest problems through the application of natural, organic horticultural and maintenance practices. All pest control products shall be in keeping with, but not limited to, those products on the approved list of New Jersey Certified Organic Foods (NJOF).

POSTCONSUMER MATERIAL

A finished material which would normally be disposed of as a solid waste, having reached its intended end-use and completed its life cycle as a consumer item, and does not include manufacturing or converting wastes.

PRACTICAL and PRACTICABLE

Whenever possible and compatible with local, state and federal law, without reducing safety, quality, or effectiveness and where the product or service is available at a reasonable cost in a reasonable period of time.

PRECONSUMER MATERIAL

Material or by-products generated after manufacture of a product is completed but before the product reaches the end-use consumer. Preconsumer material does not include mill and manufacturing trim, scrap or broke which is generated at a manufacturing site and commonly reused on-site in the same or another manufacturing process.

RECOVERED MATERIAL

Fragments of products or finished products of a manufacturing process, which has converted a resource into a commodity of real economic value, and includes pre-consumer and postconsumer material but does not include excess resources of the manufacturing process.

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RECYCLED CONTENT

The percentage of recovered material, including pre-consumer and postconsumer materials, in a product.

RECYCLED CONTENT STANDARD

The minimum level of recovered material and/or postconsumer material necessary for products to qualify as “recycled products.”

RECYCLED PRODUCT

A product that meets Borough’s recycled content policy objectives for postconsumer and recovered material.

REMANUFACTURED PRODUCT

Any product diverted from the supply of discarded materials by refurbishing and marketing said product without substantial change to its original form.

REUSED PRODUCT

Any product designed to be used many times for the same or other purposes without additional processing except for specific requirements such as cleaning, painting or minor repairs.

SOURCE REDUCTION

Products that result in a net reduction in the generation of waste compared to their previous or alternate version and includes durable, reusable and remanufactured products; products with no, or reduced, toxic constituents; and products marketed with no, or reduced packaging.

U.S. EPA GUIDELINES

The Comprehensive Procurement Guidelines established by the U.S. Environmental Protection Agency for federal agency purchases as of May 2002 and any subsequent versions adopted.

WATER-SAVING PRODUCTS

Those products that are in the upper twenty-five (25%) percent of water conservation for all similar products, or at least ten (10%) percent more water-conserving than the minimum level that meets the Federal standards.

IV. Research, evaluation and implementation of the policy.

The Borough’s purchasing agent and members of the Borough’s Green Team shall research, evaluate, and implement the environmental purchasing objectives. They shall focus its research, evaluation and the implementation of the Green Purchasing Policy in the following areas:

- A. Recycled content products (e.g. paper products, playground/recreation equipment, toner/printer cartridges, motor oils and lubricants, furniture, carpets and flooring materials, matting, plastic/composite lumber/building materials, trash bags, parking stops, ceiling tiles);

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- B. Less harmful and non-toxic materials and processes (e.g. janitorial/cleaning products, pest management chemicals, phosphates, paint, solvents, fuels and lubricants);
- C. Energy and water efficient products and processes (e.g. solar applications, energy efficient lighting, energy star appliances, water saving devices, vehicles and motorized equipment);
- D. Natural resource and landscaping management (e.g. integrated pest and vegetation management, drought tolerant/indigence plants and shrubs, recycled mulches and natural composts);
- E. Renewable products (e.g. FSC certified forests products, renewable energy resources);
- F. Disposal and pollution reduction (e.g. integrated waste management, duplex copies, retread tires, reusable holiday trees, recycling programs for used ceiling tiles and flooring materials);
- G. Packaging (e.g. bulk packaging, reusable boxes, recycled packing materials, shipping pallets); and
- H. Green building program (e.g. using recycled products in the construction and renovation, disposal of building materials in an environmentally sensitive manner, designing and renovating for energy and resource conservation)

The evaluation and implementation phases of the project will require changes in awareness, behaviors, practices and operating procedures. To the extent possible, it is the Borough's intention to have a participative process as it researches, evaluates and implements the policy recommendations. It is also the Borough's intention for the purchasing agent and Green Team to meet at least annually after implementation to monitor and evaluate the Borough's progress in this area.

V. Specifications.

A. Source reduction

- (1) To the extent practicable, the Borough shall institute practices that reduce waste and result in the purchase of fewer products whenever practicable and cost-effective, but without reducing safety or overall workplace quality.
- (2) To the extent practicable, the Borough shall purchase remanufactured products such as toner/printer cartridges, retread tires, furniture, equipment and automotive parts whenever practicable, but without reducing safety, quality or effectiveness.
- (3) To the extent practicable, the Borough shall require all equipment bought after the adoption of this policy to be compatible with source reduction goals as referred to in the policy, when and where practicable.
- (4) All buyers shall consider short-term and long-term costs in comparing product alternatives, when feasible. This includes the evaluation of the total costs expected during the lifetime of the product, including, but not limited to, acquisition, extended warranties, operation, supplies, maintenance, disposal costs and expected lifetime compared to other alternatives.
- (5) Products that are durable, long lasting, reusable or refillable shall be preferred whenever available and practicable.

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- (6) To the extent practicable, the Borough requests vendors to eliminate excess packaging or to utilize the minimum amount necessary for product protection, to the greatest extent practicable.
- (7) Packaging that is reusable, recyclable or compostable shall be preferred, when suitable uses and programs readily exist.
- (8) Vendors shall be encouraged to take back and reuse wooden pallets and other shipping and packaging materials when and where practicable.
- (9) Suppliers of electronic equipment, including but not limited to computers, monitors, printers, fax machines and photocopiers, shall be required to take back the equipment for reuse or environmentally safe recycling when the Borough discards or replaces such equipment, whenever and where practicable.
- (10) To the extent practicable, the Borough shall consider provisions in contracts with suppliers of non-electronic equipment that require suppliers to take back equipment for reuse or environmentally safe recycling when the (Insert Borough, City or Township) discards or replaces such equipment, whenever practicable.
- (11) All documents shall be printed and photocopied on both sides (duplex) to reduce the use and purchase of photocopy paper, whenever and where practicable.

B. Recycled content products.

- (1) All products for which the United States Environmental Protection Agency (U.S. EPA) has established minimum recycled content standard guidelines in the Agency's Comprehensive Procurement Guidelines, such as those for printing paper, photocopy paper, janitorial paper products, construction, landscaping, parks and recreation, transportation, vehicles, miscellaneous and non-paper office products, shall contain the highest postconsumer content practicable to the application, but no less than the minimum recycled content standards established by the U.S. EPA Guidelines.
- (2) Photocopiers and printers purchased or leased by the Borough shall be compatible with the use of recycled content and remanufactured products.
- (3) To the extent practicable, the Borough shall purchase re-refined lubricating and industrial oil for use in its vehicles and other motorized equipment, as long as it is certified by the American Petroleum Institute (API) as appropriate for use in such equipment.
- (4) When specifying asphalt concrete, aggregate base or Portland Cement Concrete for road construction projects, the Borough shall utilize recycled, reusable or reground materials when and where practicable.
- (5) To the extent practicable, the Borough shall specify and purchase recycled content transportation products, including signs, traffic cones, parking stops, delineators, channelizers and barricades, which shall contain the highest postconsumer content practicable, but no less than the minimum recycled content standards established by the U.S. EPA Comprehensive Procurement Guidelines.
- (6) All pre-printed recycled content papers intended for distribution that are purchased or produced shall contain a statement that the paper is recycled content of a minimum of thirty (30%) percent recycled postconsumer content. Whenever feasible, the statement should indicate the percentage of postconsumer recycled content that the paper contains.

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C. Energy and water savings

- (1) Where applicable, energy-efficient equipment shall be purchased with the most up-to-date energy efficiency functions. This includes, but is not limited to, high efficiency space heating systems and high efficiency space cooling equipment.
- (2) When practicable, the Borough shall replace inefficient interior lighting with energy-efficient equipment and bulbs.
- (3) When practicable, the Borough shall replace inefficient exterior lighting, street lighting and traffic signal lights with energy-efficient equipment and bulbs. Exterior lighting shall be minimized when and where possible to avoid unnecessary lighting of architectural and landscape features while providing adequate illumination for safety and accessibility.
- (4) All products purchased by the Borough and for which the U.S. EPA Energy Star certification is available shall meet Energy Star certification, when practicable and available. When Energy Star labels are not available, the Borough shall choose energy-efficient products that are in the upper 25% of energy efficiency as designated by the Federal Energy Management Program.
- (5) To the extent practicable, the Borough shall purchase water-saving/conservation products. This includes, but is not limited to, high-performance fixtures such as toilets, low-flow faucets and aerators, and upgraded landscape irrigation systems.

D. Green buildings and LEED IM ratings. All building and renovations undertaken by the Borough shall follow Green Building Practices for design, construction, and operation, where appropriate and practicable, as described in the LEED IM Rating System. Architects and engineers procured for said work shall be required to have LEED certified members on their staff assigned to the project when & where practicable.

E. Landscaping and hardscaping.

- (1) All landscape renovations, construction and maintenance performed by the Borough, including workers and contractors providing landscaping services for the Borough, shall employ sustainable landscape management techniques for design, construction and maintenance whenever and where possible, including, but not limited to, integrated pest management (IPM), grass recycling, drip irrigation, composting, and the procurement and use of mulch and compost that give preference to those products produced from regionally generated plant debris and/or food and sludge waste programs.
- (2) Plants should be selected to minimize waste by choosing species for purchase that are appropriate to the microclimate, species that can grow to their natural size in the space allotted to them, and perennials rather than annuals for color variations should be utilized. Native and drought-tolerant plants that require no or minimal watering once established are preferred over others when & where practicable.
- (3) Hardscapes and landscape structures constructed of recycled content materials are encouraged to be utilized. The (Insert Borough, City or Township) shall limit the amount of impervious surfaces in the landscape, when & where practicable. Permeable substitutes, such as permeable asphalt or pavers, are encouraged for walkways, patios and driveways.

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F. Toxins and pollution.

- (1) To the extent practicable, the Borough shall purchase, or require janitorial contractors to supply, industrial and institutional cleaning products that meet and/or exceed the Green Seal Certification Standards for environmental preferability and performance.
- (2) To the extent practicable, the Borough shall purchase, or require janitorial contractors to supply, vacuum cleaners that meet the requirements of the Carpet and Rug Institute “Green Label” Testing Program — Vacuum Cleaner Criteria, are capable of capturing 96% of particulates 0.3 microns in size, and operate with a sound level less than 70dBA. Where possible and as applicable, other janitorial cleaning equipment shall be capable of capturing fine particulates, removing sufficient moisture so as to dry within twenty-four (24) hours, operate with a sound level less than 70dBA, and use high-efficiency, low-emissions engines.
- (3) The use of chlorofluorocarbon, Halon and Freon containing refrigerants, solvents and other products shall be phased out and new purchases of heating/ventilating/air conditioning, refrigeration, insulation and fire suppression systems shall not contain them.
- (4) All surfactants and detergents shall be readily biodegradable and, where practicable, shall not contain phosphates.
- (5) When maintaining buildings and landscapes, the Borough shall manage pest problems through prevention and physical, mechanical and biological controls. The Borough may either adopt and implement an organic pest management policy and practices or adopt and implement an Integrated Pest Management (IPM) policy and practices using the least toxic pest control method as a last resort.
- (6) When maintaining buildings, the Borough shall utilize products with the lowest amount of volatile organic compounds (VOCs), highest recycled content, and low or no formaldehyde or lead when practicable when purchasing materials such as paint, carpeting, flooring materials, adhesives, furniture, filing cabinetry, ceiling tiles, coving, moldings and casework.
- (7) To the extent practicable, the Borough shall reduce or eliminate its use of products that contribute to the formation of dioxins and furans. This includes, but is not limited to:
 - a. Photocopier paper, paper products, and janitorial paper products that are unbleached or that are processed without chlorine or chlorine derivatives, whenever & where possible and that possess a minimum of thirty (30%) percent recycled postconsumer waste content.
 - b. Prohibiting purchase of products that use halogens, polyvinyl chloride (PVC), lead, phthalates and asbestos such as, but not limited to, office binders, chair/floor mats, casework, moldings, furniture, carpeting, flooring materials, ceiling tiles and medical supplies whenever and where practicable.
- (8) To the extent practicable, the Borough shall purchase products and equipment with no lead or mercury whenever possible. For products that contain lead or mercury, the Borough shall give preference to those products with lower quantities of these metals and to vendors with established lead and mercury recovery programs.
- (9) To the extent practicable, the Borough shall specify that desktop computers, notebooks and monitors purchased shall meet, at a minimum, all Electronic Product Environmental

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Assessment Tool (EPEAT) environmental criteria designated as “required” as contained in the IEEE 1680 Standard for the Environmental Assessment of Personal Computer Products, whenever practicable.

- (10) When replacing vehicles, the Borough shall consider less-polluting alternatives to diesel such as bio-based fuels, hybrids, electric batteries, and fuel cells, as may be available for the application.

G. Forest conservation.

- (1) To the extent practicable, the Borough shall not procure wood products such as lumber and paper that originate from forests harvested in an environmentally unsustainable manner. When possible, the Borough shall give preference to wood products that are certified to be sustainably harvested by a comprehensive, performance-based certification system. The certification system shall include independent third-party audits, with standards equivalent to, or stricter than, those of the Forest Stewardship Council (FSC) certification.
- (2) To the extent practicable, the Borough encourages the purchase or use of previously utilized and/or salvaged wood and wood products whenever practicable & where available.

H. Bio-based products.

- (1) Vehicle fuels made from non-wood, plant-based contents such as vegetable oils are encouraged whenever practicable and available.
- (2) Paper and construction products made from non-wood, plant-based contents such as agricultural crops and residues are encouraged whenever practicable.
- (3) Bio-based plastic products that are biodegradable and compostable, such as bags, film, food and beverage containers, and cutlery, are encouraged whenever practicable.
- (4) Compostable plastic products purchased shall meet American Society for Testing and Materials (ASTM) standards as found in ASTM D6400-04. Biodegradable plastics used as coatings on paper and other compostable substrates shall meet ASTM D6868-03 standards.
- (5) Proof of compliance with ASTM standards for compostable, biodegradable and degradable plastic products shall be provided by vendors of such products, upon request. One acceptable proof of compliance for compostable plastic products shall be the certification by the Biodegradable Products Institute (BPI).

VI. Priorities.

- A. The health and safety of workers and citizens is of the utmost importance and takes precedence over all other policies and practices.
- B. To the extent practicable, the Borough has made significant investments in developing a successful recycling system and recognizes that recycled content products are essential to the continuing viability of that recycling system and for the foundation of an environmentally

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sound production system. Therefore, to the greatest extent practicable, recycled content shall be included in products that also meet other specifications, such as chlorine free or bio-based.

- C. Nothing contained in this policy shall be construed as requiring a department, purchaser or contractor to procure products that do not perform adequately for their intended use, exclude adequate competition, or are not available at a reasonable price in a reasonable period of time.
- D. Nothing contained in this policy shall be construed as requiring the Borough, department, purchaser or contractor to take any action that conflicts with local, state or federal requirements.

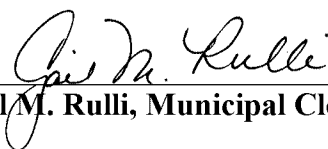
VII. Implementation of the policy.

- A. The Borough Administrator, Purchasing Agent, Chief Financial Officer, Superintendent of Public Works and other responsible department heads shall implement this policy in coordination with other appropriate Borough personnel.
- B. As applicable, successful bidders shall certify in writing that the environmental attributes claimed in competitive bids are accurate. In compliance with New Jersey State Law, vendors shall be required to specify the minimum or actual percentage of recovered and postconsumer material in their products, even when such percentages are zero.
- C. Upon request, buyers making the selection from competitive bids shall be able to provide justification for product choices that do not meet the environmentally preferable purchasing criteria in this policy.
- D. Vendors, contractors and grantees shall be encouraged to comply with applicable sections of this policy for products and services provided to the Borough, where practicable.

VIII. Program evaluation.

The Borough Administrator, Purchasing Agent, Chief Financial Officer, the Green Team and other positions responsible for implementing this policy, shall periodically meet and evaluate the success of this policy's implementation.

I, Gail M. Rulli, Municipal Clerk for the Borough of Franklin Lakes, do hereby certify that the above is a certified true copy of a resolution passed by the Mayor and Council on the 15th day of June 2021, at 7:30 P.M. in the Council Chambers of the Municipal Building, a quorum being present.



Gail M. Rulli, Municipal Clerk

June 15, 2021

Date