

MONROE TOWNSHIP, MIDDLESEX COUNTY

ORDINANCE NO.: O-3-2019-011

**AN ORDINANCE AUTHORIZING THE TOWNSHIP OF MONROE
TO ESTABLISH A GOVERNMENT ENERGY AGGREGATION PROGRAM FOR
ELECTRICITY PURSUANT TO P.L. 2003, c. 24 AND N.J.A.C. 14:4-6**

WHEREAS, the State of New Jersey has been engaged in a process to establish a competitive marketplace through deregulation and restructuring of the electricity supply market;

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, the New Jersey Board of Public Utilities ("BPU") has adopted regulations governing the Implementation of government energy aggregation programs codified at N.J.A.C. 14:4-6,1 et seq.; and

WHEREAS, pursuant to the Government Energy Aggregation Act, N.J.S.A. 48:3-93,1 et seq., the Township of Monroe ("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 participants; and

WHEREAS, the Township Council intends to serve as the Lead Agency conducting a Government Energy Aggregation Program in the Township and, in that capacity and consistent with applicable rules, to solicit proposals and enter into a contract for the provision of electric generation services on behalf of residential and commercial customers within the boundaries of the Township, to the extent that such a contract will produce power supply cost savings to residents properties; and

WHEREAS, the Township Council will from time to time during the effective period as defined below solicit proposals from electric power suppliers for electric generation services through the Program in which the Township Council will act as Lead Agency of the Monroe Community Energy Aggregation ("MCEA"); and

WHEREAS, the Township Council will from time to time during the effective period as defined below issue one or more Request for Proposals for electric generation services and energy aggregation services on behalf of the MCEA pursuant to the Local Public Contract Law Regulations, the Government Energy Aggregation Act, and the Electric Discount and Energy Competition Act; and

WHEREAS, the Township Council will only award contracts for electric generation services and energy aggregation services to electric power suppliers that are deemed qualified and who submit price bids lower than the prevailing price for utility-provided basic generation service; and

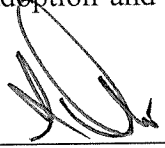
WHEREAS, residential customers will be permitted the opportunity to opt-out of the Program and commercial customers will be required to opt-in should they determine to participate; and

WHEREAS, pursuant to applicable BPU regulations, the Township will enter into an Electric Distribution Company Aggregation Agreement with the local electric distribution company, Jersey Central Power and Light Company ("JCP&L"); and

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

NOW, THEREFORE, BE IT ORDAINED by the Township Council as follows:

1. There is hereby established a Government Energy Aggregation Program, in accordance with the provisions of the Government Energy Aggregation Act, N.J.S.A. 48:3-93.1 et seq.
2. The Mayor is authorized to execute and the Township Clerk to attest to the execution of an Electric Distribution Aggregation Agreement, in a form acceptable to the Township, with JCP&L.
3. The Township Council will act as Lead Agency of the MCEA and, in that capacity, and consistent with applicable rules, will solicit proposals for electric generation service and energy aggregation services on behalf of Township residents, and enter into a contract for such services provided that the lowest qualified bid price is below the prevailing price for utility-provided basic generation service.
4. As Lead Agency, the Mayor is authorized to execute and the Township Clerk is authorized to attest to the execution of a master performance agreement that obligates the participants in the MCEA to purchase electricity at terms and conditions stated therein with a third party supplier who has been awarded the contract by the Lead Agency on behalf of participating members of the MCEA, and provided that such contract shall be at prices reasonably estimated by the Township Council to provide savings to participants relative to the price charged for basic generation service by JCP&L.
5. The authorization provided to the lead agent shall be valid until May 31, 2021 (the "Effective Period"), at which time the MCEA will be subject to renewal for an additional 2-year period at the discretion of the Township Council.
6. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.
7. If any portion of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, the remainder shall survive in full force and effect.
8. This ordinance shall take effect upon adoption and twenty days after publication as required by law.




STEPHEN DALINA, Council President

RECORDED VOTE – INTRODUCTION – March 4, 2019						
COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Councilman Baskin			X			
Councilwoman Cohen	X		X			
Councilman Dipierro			X			
Council V. President Schneider		X	X			
Council President Dalina			X			

NOTICE

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at a meeting of the Monroe Township Council held on March 4, 2019. Said Ordinance will again be read and considered for final passage at a meeting of the Monroe Township Council to be held on April 1, 2019 at 7:00 p.m. in the Municipal Complex, 1 Municipal Plaza, Monroe Township, New Jersey. At said time and place all persons having an interest in the foregoing ordinance will be granted an opportunity to be heard concerning the same prior to consideration for final passage by the Council.



PATRICIA REID, Township Clerk

RECORDED VOTE – SECOND READING & FINAL ADOPTION– April 1, 2019						
COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Councilman Baskin			X			
Councilwoman Cohen	X		X			
Councilman Dipierro			X			
Council V. President Schneider		X	X			
Council President Dalina			X			

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MAYORAL APPROVAL

By virtue of the Optional Municipal Charter Law of 1950 and Chapter 3, Section 19 of the Code of the Township of Monroe, my approval of this Ordinance is effected by the affixing of my signature hereto.



GERALD W. TAMBURRO, Mayor

Date Signed 4/2/19



Township of Monroe


County of Middlesex

PATRICIA REID
Township Clerk

Municipal Complex
1 Municipal Plaza
Monroe Township, NJ
08831-1900
Phone (732) 656-4573
Fax (732) 521-3190

Affidavit of Publication

I, Patricia Reid, Township Clerk, of the Township of Monroe, County of Middlesex, State of New Jersey, do hereby certify that the attached legal notice is a true copy of such notice, which was published in the Home News Tribune, the official newspaper of Monroe Township and a newspaper of general circulation in the County of Middlesex on March 8, 2019.



Patricia Reid, Township Clerk

Ad Number: 0003424473

Run Dates: 03/08/19

MONROE TOWNSHIP
NOTICE OF PENDING
ORDINANCE

ORDINANCE NO.: O-3-2019-011

NOTICE IS HEREBY GIVEN THAT AN ORDINANCE ENTITLED "ORDINANCE OF THE TOWNSHIP OF MONROE AUTHORIZING THE TOWNSHIP OF MONROE TO ESTABLISH A GOVERNMENT ENERGY AGGREGATION PROGRAM FOR ELECTRICITY PURSUANT TO P.L. 2003, c.24 AND N.J.A.C. 14:4-6" has been introduced and passed on first reading at the regular meeting of the Monroe Township Council held on March 4, 2019 and will be further considered for final passage after a Public Hearing during the council meeting to be held on April 1, 2019 at 7:00 p.m. in the Monroe Twp. Municipal Building, One Municipal Plaza, Monroe Twp., N.J. 08831. At said time and place, all persons will be granted the opportunity to be heard concerning this Ordinance prior to its consideration for adoption by Council.

The purpose of this Ordinance is to establish a Government Energy Aggregation Program for the provision of electricity within the Township, for the purpose of obtaining power supply cost savings for residential participants.

The proposed Ordinance in its entirety can be viewed on the Township website, www.monroetwp.com and is on file in the Municipal Clerk's Office. Copies may be obtained without charge between the hours of 8:30am and 4:30pm. Monday through Friday.

Patricia Reid, Municipal Clerk
(\$24.64)

0003424473-01



Township of Monroe

County of Middlesex

PATRICIA REID
Township Clerk

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1 Municipal Plaza
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Affidavit of Publication

I, Patricia Reid, Township Clerk, of the Township of Monroe, County of Middlesex, State of New Jersey, do hereby certify that the attached legal notice is a true copy of such notice, which was published in the Home News Tribune, the official newspaper of Monroe Township and a newspaper of general circulation in the County of Middlesex on April 5, 2019.



Patricia Reid, Township Clerk

Ad Number: 0003481454

Run Dates: 04/05/19

MONROE TOWNSHIP,
MIDDLESEX COUNTY
NOTICE OF FINAL ADOPTION

Notice is hereby given that the following entitled Ordinance was introduced and passed on First Reading at the regular meeting of the Monroe Township Council held on March 4, 2019. Furthermore, this Ordinance was adopted after a Public Hearing was held at the April 1, 2019 regular meeting of the Monroe Township Council at One Municipal Plaza, Monroe Township, N.J. 08831 and was thereafter approved and signed by the Mayor on April 2, 2019.

ORDINANCE NO.: O-3-2019-011

"ORDINANCE OF THE TOWNSHIP OF MONROE AUTHORIZING THE TOWNSHIP OF MONROE TO ESTABLISH A GOVERNMENT ENERGY AGGREGATION PROGRAM FOR ELECTRICITY PURSUANT TO P.L. 2003, c.24 AND N.J.A.C. 14:4-6"

PATRICIA REID, R.M.C
Monroe Township
Municipal Clerk

(\$15.84)

0003481454-01