

**MONROE TOWNSHIP, MIDDLESEX COUNTY**

**ORDINANCE NO.: O-3-2021-004**

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

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**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**, the Township has, through the passage of several ordinances, most recently Ordinance No. O-3-2019-011, authorized the formation of and re-authorized a Government Energy Aggregation Program ("Program"), referred to as the Monroe Community Energy Aggregation ("MCEA"), pursuant to the Government Energy Aggregation Act, N.J.S.A. 48:3-93.1 et seq., for the provision of electricity within the Township, for the purpose of obtaining power supply cost savings for residential participants and, through several rounds of the MCEA program the program has resulted in significant electricity cost savings for participating residents; 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 re-authorize 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 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 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

**WHEREAS**, pursuant to applicable BPU regulations, the Township has previously entered 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 re-authorized 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 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.

3. 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.

4. The authorization provided to the lead agent shall be valid until May 31, 2023 (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.

5. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

6. 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.

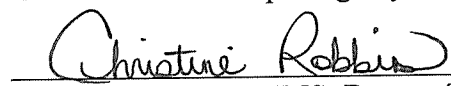
7. This ordinance shall take effect upon adoption and twenty days after publication as required by law.

  
 MIRIAM COHEN, Council President

RECORDED VOTE – INTRODUCTION – March 1, 2021						
COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Councilman Baskin	X		X			
Councilman Dipierro		X	X			
Councilman Van Dzura			X			
Council V. President Schneider			X			
Council President Cohen			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 1, 2021. Said Ordinance will again be read and considered for final passage at the next scheduled meeting of the Monroe Township Council to be held on May 3, 2021 at 6:30 p.m. via Zoom at <https://us04web.zoom.us/j/106827708>. 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.

  
 CHRISTINE ROBBINS, Deputy Township Clerk

RECORDED VOTE – SECOND READING & FINAL ADOPTION– May 3, 2021						
COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Councilman Baskin			X			
Councilman Dipierro		X	X			
Councilman Van Dzura	X		X			
Council V. President Schneider			X			
Council President Cohen			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.



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STEPHEN DALINA, Mayor

Date Signed May 4, 2021