

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 12/14/20 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano

Initiator: Sallie Graziano

Sponsors: Council Member Christopher Runion

SCHEDULED

RESOLUTION 2020-207

DOC ID: 3383

**Authorizing the Signing of Government Energy Aggregation
Program Agreements**

BOROUGH OF FLEMINGTON, COUNTY OF HUNTERDON

WHEREAS, the State of New Jersey has been engaged in a process to establish a competitive marketplace through deregulation and restructuring of the electric and natural gas utility markets; and

WHEREAS, the establishment of a governmental energy aggregation program ("GEA Program") to purchase electric generation service and natural gas pursuant to the Government Energy Act of 2003, N.J.S.A. 48:3-93.1 et seq. ("Act") and the New Jersey Board of Public Utilities' implementing rules at N.J.A.C. 14:4-6.1 et seq. ("Rules") will increase competition for the provision of electric power and natural gas to residential and non-residential electricity and gas ratepayers, thereby increasing the likelihood of lower electric rates and natural gas rates for these users without causing an interruption in service; and

WHEREAS, under a GEA Program the residential ratepayers may have the opportunity to receive a direct reduction in their electric bills through the bulk purchase of energy from a third-party energy supplier; and

WHEREAS, pursuant to Ordinance 2020-20, adopted by the Council of the Borough of Flemington on December 14, 2020, the Borough of Flemington publicly declared its intent to commence a GEA Program; and

WHEREAS, the Borough of Califon is the Lead Agency for the Hunterdon Area Energy Cooperative (HAEC) and shall accept or reject pricing on behalf of the Cooperative and its participant members; and

WHEREAS, the Borough of Flemington wishes to be a participating member of the HAEC and hereby agrees to proceed with the program, by signing the Supplier Agreement, should the Borough of Califon accept pricing, which provides a savings on the supply portion of the electric bill for the residential energy aggregation program; and

WHEREAS, the Borough of Califon appointed Commercial Utility Consultants, Inc. (CUC) and Concord Engineering Group dba Concord Energy Services (CES) for the HAEC to serve as the Energy Agents to assist and administer the GEA program at no cost to the Borough of Califon or HAEC or its participating members;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Flemington, in the County of Hunterdon, New Jersey, duly assembled in public session, as follows:

Pursuant to the provisions of N.J.S.A.40A:11-11(5), the Mayor is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

1. The Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

2. The Borough of Flemington, as a participating member of the HAEC, hereby agrees to proceed with the program by signing the Supplier Agreement should the Borough of Califon accept pricing which provides a reduction on the supply portion of the electric bill for the residential energy aggregation program.

3. The Mayor, Chief Financial Officer, Treasurer or other municipal officer is hereby authorized and directed to execute on behalf of the Borough of Flemington any documents necessary to carry out the purpose of this Resolution including the Supplier Services Agreement providing a reduction is achieved at the time of auction.

Adopted:

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

CLERK'S CERTIFICATION

I HEREBY CERTIFY this to be a true and correct Resolution of the Council of the Borough of Flemington, adopted on December 14, 2020.

Sallie Graziano, RMC, Borough Clerk