

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 11/09/20 07:00 PM  
Department: Clerk of the Borough  
Category: Council Ordinance  
Prepared By: Sallie Graziano

Initiator: Sallie Graziano  
Sponsors:

**SCHEDULED**

**ORDINANCE 2020-20**

DOC ID: 3337

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**First Reading: an Ordinance of the Borough of Flemington  
Establishing an Electric Aggregation Program**

**WHEREAS**, the State of New Jersey has been engaged in a process to establish a competitive market place through deregulation and restructuring the electric utility market; and

**WHEREAS**, the establishment of a government aggregator and an energy aggregation program to purchase electric generation service pursuant to N.J.S.A. 48:3-93.1 et seq. and N.J.A.C. 14:4-6.1 et seq. will increase competition for the provision of electric power to residential and non-residential users, thereby increasing the likelihood of lower electric rates for these users without causing any interruption in service; and

**WHEREAS**, the Borough is interested in ensuring that a greater percentage of energy provided by the Program comes from renewable energy sources, and will therefore include provisions for the inclusion of renewable energy in the proposals for energy aggregation services; and

**WHEREAS**, the purchase of renewable energy will reduce the dependence on fossil fuels and under the aggregation process the residential and non-residential ratepayers will likely receive a direct reduction in their electric bills; and

**WHEREAS**, the realization of energy cost savings is in the interests of the health, safety and welfare of the residents and non-residents of the Borough of Flemington (“Borough”); and

**WHEREAS**, the Borough hereby finds that it is in the best interests of residential ratepayers for the Borough to create the opportunity for them to enter into an aggregation agreement in order to seek savings on electric rates.

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

1. The Borough publicly declares its intent to become an aggregator of electric power on behalf of its residential users of electricity pursuant to the Government Energy Act of 2003, N.J.S.A. 48:3-91.3 to -98, and implementing regulations.
2. The Borough will become a member of the Hunterdon Area Energy Cooperative and utilize its energy consultants, Commercial Utility Consultants, Inc. and Concord

Engineering Group dba Concord Energy Services to administer and manage the Borough's electric aggregation program.

3. The Mayor and Municipal Clerk are hereby authorized and directed to execute any documents necessary to carry out the purpose of the Ordinance.
4. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
5. If any portion of this ordinance shall be deemed invalid by any court of competent jurisdiction, the remainder shall survive in full force and effect.
6. This ordinance shall be effective immediately upon adoption and publication in accordance with law.

Date Introduced:

Date Advertised:

Date Adopted:

Attest:

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Betsy Driver  
Mayor

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Sallie Graziano  
Borough Clerk

### NOTICE

**NOTICE IS HEREBY GIVEN** that the above Ordinance was introduced and passed on first reading at the Regular Meeting of the Borough Council of Flemington in the County of Hunterdon, State of New Jersey held in the Borough's Municipal Building on \_\_\_\_\_, 2020 and the same came up for final passage at the Regular Meeting of the Borough Council held on \_\_\_\_\_, 2020, at which time, after persons interested were given an opportunity to be heard concerning said Ordinance, the same was passed and will be in full force in the Borough of Flemington according to law.