

# Borough of Union Beach

**ORDINANCE NO. 2017-251:**

**MEETING OF MARCH 16, 2017**

## **AN ORDINANCE OF THE BOROUGH OF UNION BEACH ESTABLISHING AN ENERGY 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 and 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 users, thereby increasing the likelihood of lower electric rates for these users without causing any interruption in service; and

**WHEREAS**, under the aggregation process the residential ratepayers will receive a direct reduction in their electric bills and

**WHEREAS**, the realization of energy costs savings is in the interests of the health, safety and welfare of the residents of the Borough of Union Beach (the "Borough"); and

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

**NOW, THEREFORE BE IT ORDAINED**, by the Borough Council of the Borough of Union Beach in the County of Monmouth 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 utilize Commercial Utility Consultants and Concord Energy Services Reverse Energy Auction Platform pursuant to the NJ E-PROCUREMENT Pilot program (P.L. 2001, c.30) under the NJ Department of Community Affairs. The Reverse Energy auction will seek bids from licensed and appropriate third party suppliers. If such winning bid is selected and agreement executed, individual residential consumers would retain the option not to participate and to choose any alternatives they desire.
- 3- The Mayor and Borough 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.

Attest:

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Anne Marie Friscia, Municipal Clerk

Approved:

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Paul J. Smith, Jr., Mayor

Introduced on First Reading: March 16, 2017  
Final Adoption: