

NOTICE OF PENDING ORDINANCE

ORDINANCE NO. 10-1296

The ordinance published herewith was introduced and passed upon first reading at a meeting of the Borough Council of the Borough of Tinton Falls, in the County of Monmouth, State of New Jersey, held on May 4, 2010. This Ordinance will be further considered for adoption, after the public hearing is held thereon, at a meeting of the Borough Council to be held on Tuesday, May 18, 2010, located in the Municipal Building, 556 Tinton Avenue, Tinton Falls, New Jersey, beginning at 7:30 o'clock P.M. During the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available in the Clerk's Office to the members of the general public who shall request the same.

KAREN MOUNT-TAYLOR, RMC, CMC

ORDINANCE REQUIRING EMPLOYEE CONTRIBUTIONS TOWARDS HEALTH BENEFITS PROVIDED BY THE BOROUGH

WHEREAS, the Borough of Tinton Falls and the majority of its collective bargaining units have established new terms of compensation and benefits for the period beginning June 1, 2010 through December 31, 2013, including 2.5% contributions towards employee health benefits effective June 1, 2010 and a 1.5% contribution towards retiree health benefits effective January 1, 2011; and

WHEREAS, it has been the past practice for non-union employees to be subject to the same general terms and conditions of compensation as similarly situated unionized employees in the Borough; and

WHEREAS, the Mayor has adopted Executive Order 2010-03 requiring that all non-union employees not subject to the provisions of N.J.S.A. 40A:9-165, which shall govern in such instances, shall contribute:

- 1) A total of 2.5% of base salary towards health benefits coverage effective June 1, 2010; and
- 2) A total of 1.5% of pension towards retiree health benefits provided through the Borough for any applicable employee retiring after January 1, 2011; and

WHEREAS, it has been recommended by Special Labor Counsel and the Director of Law to adopt these provisions by ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Tinton Falls in the County of Monmouth, State of New Jersey that section 9-7.7 of the Revised General Ordinances of the Borough of Tinton Falls are hereby amended and supplemented as follows:

9-7.7 Medical Insurance.

- 1) **Notwithstanding any collective bargaining agreement or contract to the contrary**, the Borough shall provide a health insurance program for all **eligible** full-time regular and part-time regular employees who have been employed by the Borough for a period of more than two (2) months, which program shall include coverage for hospitalization, medical-surgical and major medical and shall be provided to conform with contractual employees.
- 2) **Notwithstanding any collective bargaining agreement or contract to the contrary, any eligible employee participating in the Borough's health insurance program shall contribute a total of 2.5% of their base salary for the receipt of such benefits.**

9-7.7A Medical Insurance - Retiree.

- 1) **Notwithstanding any collective bargaining agreement or contract to the contrary**, the Borough shall provide health benefits for all **eligible** full-time regular employees who retire with twenty-five (25) or more years of service credited in the pension system and for those approved for disability retirement under the provisions of Chapter 88, P.L. 1974.
- 2) **Notwithstanding any collective bargaining agreement or contract to the contrary, any eligible Borough retiree continuing participation in the Borough's health insurance program shall contribute a total of 1.5% of their pension for the receipt of such health benefits.**

Repealer.

Any ordinances, or portions thereof, which are inconsistent with the provisions of this ordinance shall and are hereby repealed to the extent of any such inconsistency.

Severability.

The provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited to its effect only to the portion of the Ordinance actually adjudged

invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

Effective Date.

This Ordinance shall be enacted twenty (20) days after action or inaction by the Mayor as approved by law or an override of a mayoral veto by the Council, whichever is applicable; and upon publication according to law, to be effective on June 1, 2010, whichever is earlier.