



## ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE  
offered and moved adoption of the following ordinance:

CITY ORDINANCE 11-008

**TITLE:**

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 53 (PERSONNEL) OF THE JERSEY CITY MUNICIPAL CODE, IMPLEMENTING ARTICLE XIII (RETIREE HEALTH AND MEDICAL BENEFITS) CONFIRMING THE PROVISION OF MEDICAL AND HEALTH INSURANCE BENEFITS TO CERTAIN ACTIVE EMPLOYEES AND RETIREES WITH 25 YEARS OF SERVICE CREDIT IN A STATE OR LOCALLY ADMINISTERED RETIREMENT SYSTEM, PURSUANT TO N.J.S.A. 40A:10-23, BUT LIMITING THE BENEFITS IN THE FUTURE TO ONLY THOSE EMPLOYEES WHO ALSO RETIRE WITH AT LEAST 25 YEARS OF SERVICE WITH THE CITY OF JERSEY CITY**

**THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:**

**WHEREAS**, New Jersey law authorizes local governments such as the City of Jersey City, to pay the cost of medical and health insurance coverage, including premiums for Part B of the Federal Medicare Program, for certain eligible retired employees, including their spouses and dependents, as defined therein; and

**WHEREAS**, the statutory authorization to pay for such coverage extends both to municipalities which are members of the New Jersey State Health Benefits Commission, pursuant to N.J.S.A. 52:14-17.38 and to those municipalities which are not members, pursuant to N.J.S.A. 40A:10-23; and

**WHEREAS**, in 1973 pursuant to N.J.S.A. 52:14-17.38, the City of Jersey City adopted a resolution, as a then member of the New Jersey State Health Benefits Commission, and committed itself to paying the cost of such coverage for eligible retirees, their spouses and dependents; and

**WHEREAS**, in 1973, N.J.S.A. 52:14-17.38 stated that retiree health benefits were available upon "retirement from a State or locally administered retirement system . . . based on 25 or more years of service credited in such retirement system"; and

**WHEREAS**, in 1999, N.J.S.A. 52:14-17.38 was amended to allow a municipality to provide such benefits to employees who had 25 years of service credit in one or more State or locally administered retirement systems, and a period of service of "up to" 25 years, unless the municipality adopted a resolution requiring that all or a portion of 25 years of actual service, to be with it; and

**WHEREAS**, the City of Jersey City did not adopt a resolution or ordinance restricting actual service to the City of Jersey City, and appears to have provided medical and health benefits for retirees with less than 25 years of actual service to the City, so long as they had at least 25 years of service credit, in one or more State or locally administered retirement systems; and

**WHEREAS**, pursuant to N.J.S.A. 40A:10-23, the City of Jersey City is authorized to pay the cost of medical and health insurance coverage for employees, including their dependents and the premium charges under Part B of the Federal Medicare Program, who have "retired after 25 or more years of service... and a period of up to 25 years with the [City] at the time of retirement, such period of service to be determined by the [City], and set forth in an ordinance, or resolution, as appropriate"; and

**WHEREAS**, the City Council needs to reaffirm its commitment to pay the cost of providing medical and health insurance coverage for its eligible employees, including the premium charges under Part B of the Federal Medicare Program, including their spouses and dependents, pursuant to N.J.S.A. 40A:10-23; and

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 53 (PERSONNEL) OF THE JERSEY CITY MUNICIPAL CODE, IMPLEMENTING ARTICLE XIII (RETIREE HEALTH AND MEDICAL BENEFITS) CONFIRMING THE PROVISION OF MEDICAL AND HEALTH INSURANCE BENEFITS TO CERTAIN ACTIVE EMPLOYEES AND RETIREES WITH 25 YEARS OF SERVICE CREDIT IN A STATE OR LOCALLY ADMINISTERED RETIREMENT SYSTEM, PURSUANT TO N.J.S.A. 40A:10-23, BUT LIMITING THE BENEFITS IN THE FUTURE TO ONLY THOSE EMPLOYEES WHO ALSO RETIRE WITH AT LEAST 25 YEARS OF SERVICE WITH THE CITY OF JERSEY CITY**

**WHEREAS**, accordingly, as to all new employees hired after the adoption of the within Ordinance, the City of Jersey City has determined to clarify by Ordinance that the City shall pay the cost of such medical and health benefits to its eligible retirees but only if they have at least 25 years of actual service with the City of Jersey City including a public body, corporate and politic, established by the City of Jersey City, at the time of retirement, pursuant to N.J.S.A. 40A:10-23; and

**NOW, THEREFORE, BE IT ORDAINED** by the Municipal Council of the City of Jersey City that:

A. The following amendments and supplements to Chapter 53 (Personnel) and of the Jersey City Code are adopted.

### ARTICLE XIII

#### Retiree Medical and Health Benefits

#### §53-84 Provision of Retiree Medical and Health Benefits.

The City will pay the entire cost of medical and health benefits, including the premium charges for Part B of the Federal Medicare Program, for certain Eligible Employees, as defined hereinafter, who retire or have already retired from the City, pursuant to N.J.S.A. 40A:10-23.

#### §53-84.1 Eligibility for Retiree Medical and Health Benefits.

"Eligible Employees" are defined as employees, including their spouses and dependents, who retire with:

1. At least 25 years of credited service in a State or locally administered pension system at the time of retirement; and
2. At least 25 years of actual service with the City of Jersey City, which may include prior actual service with a public body, corporate and politic, that it has been established by the City of Jersey City.

The additional requirement of retirement with at least 25 years of actual service credit with the City of Jersey City, will only apply: 1) to new Eligible Employees, that is, those hired after the effective date of this ordinance, and 2) upon successful negotiation with each collective bargaining unit of the City of Jersey City.

B. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

C. This ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

D. This ordinance shall take effect at the time and in the manner as provided by law.

E. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

**NOTE:** All material is new, therefore, underlining has been omitted.

12/14/10; 1/05/11

APPROVED AS TO LEGAL FORM

\_\_\_\_\_  
Corporation Counsel

APPROVED: \_\_\_\_\_

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
Business Administrator

Certification Required ☐

Not Required ☐

# Ordinance of the City of Jersey City, N.J.

ORDINANCE NO.

Ord. 11-008

TITLE:

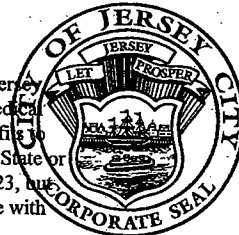
3.H.

JAN 12 2011

4.G.

JAN 26 2011

Ordinance amending and supplementing Chapter 53 (Personnel) of the Jersey City Municipal Code, implementing Article XIII (Retiree Health and Medical Benefits) confirming the provision of medical and health insurance benefits to certain active employees and retirees with 25 years of service credit in a State or Locally Administered Retirement System, pursuant to N.J.S.A. 40A:10-23, and limiting the benefits in the future to only those employees who also retire with at least 25 years of service with the City of Jersey City.



RECORD OF COUNCIL VOTE ON INTRODUCTION											
JAN 12 2011 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			FLOOD	ABSENT		
LOPEZ	✓			RICHARDSON	✓			VELAZQUEZ	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
JAN 26 2011 8-0											
Councilperson <u>SOTTOLANO</u> moved, seconded by Councilperson <u>VELAZQUEZ</u> to close PH.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			FLOOD	✓		
LOPEZ	✓			RICHARDSON	ABSENT			VELAZQUEZ	✓		

✓ Indicates Vote JOHN SEBOROWSKI

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson moved to amend* Ordinance, seconded by Councilperson & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
DONNELLY				FULOP				FLOOD			
LOPEZ				RICHARDSON				VELAZQUEZ			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE											
JAN 26 2011 5-3											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO		✓		GAUGHAN		✓		BRENNAN	✓		
DONNELLY	✓			FULOP	✓			FLOOD	✓		
LOPEZ	✓			RICHARDSON	ABSENT			VELAZQUEZ		✓	

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JAN 12 2011  
Adopted on second and final reading after hearing on JAN 26 2011

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JAN 26 2011

Robert Byrne  
Robert Byrne, City Clerk

APPROVED:

Peter M. Brennan  
Peter M. Brennan, Council President

\*Amendment(s):

Date:

JAN 26 2011

APPROVED:

Jerramiah T. Healy  
Jerramiah T. Healy, Mayor

Date

JAN 31 2011

01/12/11

Date to Mayor

JAN 27 2011