



SPECIAL COUNCIL MEETING - JUNE 12, 2025 AGENDA

Thursday, June 12, 2025 at 5:00 PM

Online via Zoom

CALL TO ORDER - Mayor Davy

ROLL CALL - Borough Clerk - Betty Sterling

Angarone; Chandler; Marciante; Rubenstein; Stern; Valenza; Mayor Davy

OPEN PUBLIC MEETINGS STATEMENT

Notice of this meeting has been given to the Hopewell Valley News, Trenton Times and was posted on the bulletin board at Borough Hall at 30 North Main Street and on the Borough website according to the regulations of the Open Public Meetings Act.

OPEN TO THE PUBLIC

The Meeting is now open to the public for comment. In an effort to provide everyone interested an opportunity to address his or her comments to the Governing Body, a public comment time limit has been instituted for each speaker. Please raise your hand and when the Borough Clerk acknowledges you state your name and address for the record. Please limit comments to the Governing Body to a maximum of 2 minutes.

NEW BUSINESS

- 1.** Resolution 2025-6.9 - A RESOLUTION OF THE BOROUGH OF PENNINGTON AUTHORIZING IT TO JOIN THE NJ SOLUTIONS JOINT HEALTH INSURANCE FUND

- 2.** Resolution 2025-6.10 - RESOLUTION AUTHORIZING THE BOROUGH OF PENNINGTON TO ENTER INTO INDEMNITY AND TRUST AGREEMENT AS CONDITION OF MEMBERSHIP IN THE NJ SOLUTIONS JOINT HEALTH INSURANCE FUND

- 3.** Resolution 2025-6.11 - Resolution Terminating Enrollment in the State Health Benefits Plan

OPEN TO THE PUBLIC

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ADJOURNMENT

**BOROUGH OF PENNINGTON
RESOLUTION 2025-6.9**

**A RESOLUTION OF THE BOROUGH OF PENNINGTON
AUTHORIZING IT TO JOIN THE NJ SOLUTIONS
JOINT HEALTH INSURANCE FUND**

WHEREAS, a number of public entities in the State of New Jersey have joined together to form the NJ Solutions Joint Health Insurance Fund, hereafter referred to as the “Fund”, as permitted by N.J.A.C. 11:15-3.1 et. seq., N.J.S.A. 17:1-8.1 et. seq., and N.J.S.A. 40A:10-36 et. seq.; and

WHEREAS, the Fund was approved to become operational by the Department of Banking and Insurance and the Department of Community Affairs (collectively, the “Departments”) and has been operational since that date; and

WHEREAS, the statutes and regulations governing the creation and operation of a joint insurance fund in the State of New Jersey contain certain restrictions and safeguards in connection with the administration of the public interest entrusted to such a Fund; and

WHEREAS, the governing body of the Borough of Pennington hereinafter referred to as “Local Unit” has studied the feasibility of joining the Fund and has determined that membership in the Fund is in the best interest of the Local Unit.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Local Unit hereby agrees and authorizes the following:

- i. Execution of the application for membership to the Fund, including any and all documents and/or certifications as may be necessary, in order for the Local Unit to complete the application process and join the Fund.
- ii. The Local Unit shall become a member of the Fund for an initial period outlined in the Local Unit’s Indemnity and Trust Agreement, subject to the approval of the Fund Commissioners, which in no event shall exceed three (3) years as prescribed in N.J.A.C. 11:15-3.3(a).
- iii. The Local Unit shall participate in the following type(s) of coverage(s) offered by the Fund: Health Insurance and/or Prescription Insurance and/or Dental Insurance and/or Medicare Advantage/Employer Group Waiver Program as defined pursuant to N.J.S.A. 17B:17-4, the Fund’s Bylaws, and Plan of Risk Management.
- iv. Adoption and approval of the Fund’s Bylaws, a true and correct copy of which is annexed hereto as Attachment A, which has been approved by the Departments.
- v. Execution of the Local Unit’s Indemnity and Trust Agreement, a true and correct copy of which is annexed hereto as Attachment B, which has been approved by the Departments.

BE IT FURTHER RESOLVED that the governing body of the Local Unit certifies, pursuant to N.J.A.C. 11:15-3.3(a), that the Local Unit has never defaulted on claims under a self-insured plan and that it has not had its insurance canceled for nonpayment of premium for a period of at least two (2) years prior to this application.

BE IT FURTHER RESOLVED that the governing body of the Local Unit is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the Fund as required by the Fund's Bylaws, and to deliver these documents to the Fund's Executive Director with the express reservation that these documents shall become effective only upon on acceptance of the Fund's By-laws as prescribed in N.J.A.C. 11:15-3.3(a).

BE IT FURTHER RESOLVED that this resolution shall take effect upon its passage.

Record of Council Vote on Passage

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone					Rubenstein				
Chandler					Stern				
Marciante					Valenza				

I, Elizabeth Sterling, Municipal Clerk of the Borough of Pennington, County of Mercer, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Borough Council on this 12th Day of June 2025.

Elizabeth Sterling, Borough Clerk

James Davy, Mayor

**BOROUGH OF PENNINGTON
RESOLUTION 2025-6.10**

**RESOLUTION AUTHORIZING THE BOROUGH OF
PENNINGTON TO ENTER INTO INDEMNITY AND
TRUST AGREEMENT AS CONDITION OF
MEMBERSHIP IN THE NJ SOLUTIONS JOINT HEALTH
INSURANCE FUND**

WHEREAS, a number of public entities in the State of New Jersey have joined together to form the NJ Solutions Joint Health Insurance Fund, hereafter referred to as the “Fund”, as permitted by N.J.A.C. 11:15-3.1 et. seq., N.J.S.A. 17:1-8.1 et. seq., and N.J.S.A. 40A:10-36 et. seq.; and

WHEREAS, the Fund was approved to become operational by the Department of Banking and Insurance and the Department of Community Affairs (collectively, the “Departments”) and has been operational since that date; and

WHEREAS, the statutes and regulations governing the creation and operation of a joint insurance fund in the State of New Jersey contain certain restrictions and safeguards in connection with the administration of the public interest entrusted to such a Fund;

WHEREAS, Borough Council has studied the feasibility of joining the Fund, has determined that membership in the Fund is in the best interest of the Borough of Pennington, and by Resolution on this date has authorized joining the fund effective September 1, 2025;

WHEREAS, a condition of membership in the Fund is execution of the attached Indemnity and Trust Agreement by which each member in the Fund agrees that it shall jointly and severally assume and discharge the liabilities of the other members as set forth in paragraph 5 of the Agreement, subject to the limitations also set forth therein;

WHEREAS, the form of the Indemnity and Trust Agreement has been approved by the Departments;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Pennington, that the Mayor, with the attestation of the Borough Clerk, is hereby authorized to execute, enter into and deliver to NJ Solutions Joint Health Insurance Fund, on behalf of the Borough of Pennington, the attached Indemnity and Trust Agreement.

Record of Council Vote on Passage

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone					Rubenstein				
Chandler					Stern				
Marciante					Valenza				

I, Elizabeth Sterling, Municipal Clerk of the Borough of Pennington, County of Mercer, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Borough Council on this 12th Day of June 2025.

Elizabeth Sterling, Borough Clerk

James Davy, Mayor

**BOROUGH OF PENNINGTON
RESOLUTION 2025-6.11**

**RESOLUTION AUTHORIZING TERMINATION OF BOROUGH
MEMBERSHIP IN STATE HEALTH BENEFITS PLAN**

WHEREAS, a number of public entities in the State of New Jersey have joined together to form the NJ Solutions Joint Health Insurance Fund, hereafter referred to as the “Fund”, as permitted by N.J.A.C. 11:15-3.1 et. seq., N.J.S.A. 17:1-8.1 et. seq., and N.J.S.A. 40A:10-36 et. seq.; and

WHEREAS, the Fund was approved to become operational by the Department of Banking and Insurance and the Department of Community Affairs (collectively, the “Departments”) and has been operational since that date; and

WHEREAS, the statutes and regulations governing the creation and operation of a joint insurance fund in the State of New Jersey contain certain restrictions and safeguards in connection with the administration of the public interest entrusted to such a Fund;

WHEREAS, Borough Council has studied the feasibility of joining the Fund, has determined that membership in the Fund is in the best interest of the Borough of Pennington, and by Resolution on this date has authorized joining the Fund effective **on September 1, 2025**;

WHEREAS, membership in the Fund will require the Borough to withdraw from its existing membership in the State Health Benefits Plan (“SHBP”) **effective 11:59 PM on August 31, 2025**;

WHEREAS, withdrawal from the SHBP requires Borough Council adoption of the following Resolution:

BE IT RESOLVED:

1. The Borough of Pennington, SHBP/SEBP Employer Location Number 025700, hereby resolves to terminate its participation in the Program (Medical Plan, Prescription Drug Plan, and/or Dental Plan coverage) thereby canceling coverage provided by the SHBP and/or SEBP (N.J.S.A. 52:14-17.25 et seq.) for all its active and retired employees.
2. We shall notify all active employees of the date of their termination of coverage under the Program.
3. We understand that the New Jersey Division of Pensions & Benefits (NJDPB)

will notify retired employees of the cancellation of their coverage.

4. We understand that all COBRA participants will be notified by the NJDPB and advised to contact our office concerning a possible alternative health, prescription drug, and dental insurance plan.

5. We understand that this resolution shall take effect the first of the month following a 60-day period beginning with the receipt of the resolution by the State Health Benefits Commission or School Employees' Health Benefits Commission.

BE IT FURTHER RESOLVED, that the intent of this Resolution is that termination of Borough membership in the SHBP be effective September 1, 2025.

BE IT FURTHER RESOLVED, that the Borough Administrator and Borough Clerk are hereby authorized to take all such additional steps as needed to effectuate the timely termination of SHBP membership and seamless transition to the Fund, including execution of the attached "RESOLUTION" document certifying the adoption of the above resolution.

Record of Council Vote on Passage

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone					Rubenstein				
Chandler					Stern				
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Elizabeth Sterling, Borough Clerk

James Davy, Mayor