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ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS
COUNTY OF ESSEX

ORDINANCE NO. O-2026-00013

AUTHORITY FOR RESOLUTION: N.J.S.A. 40:41A-38

PROPOSED BY: COUNTY EXECUTIVE

AUTHORITY FOR ACTION: N.J.S.A. 40:41A-36

SUBJECT: AMENDMENT TO ESSEX COUNTY'S INSURANCE FUND ORDINANCE NUMBER O-93-0001 FOR THE INCLUSION OF COUNTY SELF-FUNDED HEALTH INSURANCE BENEFITS.

WHEREAS, N.J.S.A. 40A:10-6 authorizes the establishment of a County of Essex ("County") self-insurance fund; and

WHEREAS, pursuant to N.J.S.A. 40A:10-6, adopted January 28, 1993, ("Ordinance"), amended by Ordinance 08-0021, the County established an insurance fund responsible for insuring and covering any and all risks permissible pursuant to said statute; and

WHEREAS, the County of Essex currently participates in the State of New Jersey Health Insurance Benefits Program "State Plan" for health benefits for both active employees and retired County employees. The County desires to self-fund a health insurance benefits program effective January 1, 2027; and

WHEREAS, the Ordinance requires amendment to include in the County's self-insurance fund health benefits coverage in amounts deemed necessary and appropriate; and

WHEREAS, the County Executive through the Office of the County Administrator has submitted for Commissioners' approval an amendment to include the County's self-insurance program for the provision of health benefits; now, therefore, be it

ORDAINED, by the Essex County Board of Commissioners that:

1. Ordinance No. O-93-0001, which was amended by Ordinance No. O-08-0021, is hereby amended by including in the County's self-insurance fund ("Fund") health benefits coverage. The insurance fund Ordinance shall be amended as follows:

§55-10 "Health Insurance Benefits."

§55-10.1 Purpose. The purpose of this section shall be to provide self-funded (or partially self-funded) health benefits to County employees, their dependents, or both under N.J.S.A. 40A:10-6, et seq., in accordance with the rules and regulations of the Division of Local Government Services in the Department of Community Affairs.

§55-10.2 Fund. The governing body shall appropriate such funds as are necessary and appropriate and as established by statute to accomplish the purpose of this section.

2. The Clerk of the Board is hereby directed to publish and distribute this Ordinance in accordance with law.
3. A public hearing on this Ordinance shall be held on:
Wednesday, October 21, 2026, at 5:00 pm at the Hall of Records,
Room 506, 465 Dr. Martin Luther King, Jr. Blvd., Newark, New Jersey
4. Upon adoption, the Clerk of the Board shall forward one (1) certified copy to the County Administrator, Robert D. Jackson, two (2) copies to County Counsel, Jerome M. St. John.

Approved as to form and legality _____

ESSEX COUNTY COUNSEL

RECEIVED
CLERK OF THE BOARD
2020 OCT -7 AM 11:14

RECORD OF VOTE: X=Vote N.V.=Abstention ABS=Absent

FIRST READING

Moved by Commissioner Murray-Thomas
Seconded by Commissioner Mercado

SECOND READING

Moved by Commissioner _____
Seconded by Commissioner _____

Commissioner	Yes	No	N.V.	ABS	Commissioner	Yes	No	N.V.	ABS
COOPER				✓	COOPER				
GILL	✓				GILL				
LUCIANO	✓				LUCIANO				
MERCADO	✓				MERCADO				
MURRAY-THOMAS, V.P.	✓				MURRAY-THOMAS, V.P.				
POMARES, President	✓				POMARES, President				
RICHARDSON				✓	RICHARDSON				
SEBOLD	✓				SEBOLD				
SERMONS				✓	SERMONS				

Date Mailed to Municipal Clerks 10-9-26
Date Public Hearing 10-21-26
Date Published 10-9-26

Date Mailed to Municipal Clerks _____
Date Published _____

It is hereby certified that the foregoing Ordinance was

☒ adopted () defeated () tabled by roll call vote at
Regular meeting of the Board of County
Commissioners of the County of Essex, New Jersey, held
on 10-7-26

Carlos M. Pomares, President

It is hereby certified that the foregoing Ordinance

was () adopted () defeated () tabled by roll
call vote at _____ meeting of the
Board of County Commissioners of the County of
Essex, New Jersey, held on _____

Carlos M. Pomares, President

The foregoing Ordinance has been duly presented to me on
I hereby () approve () disapprove the same on
Returned and filed _____

Kathy R. Brown, Deputy Clerk

Joseph N. DiVincenzo Jr., County Executive

October 7, 2026
Meeting Back-up
Documentation for
Ordinance No. 2

**COUNTY OF ESSEX****DECISION MEMORANDUM**

COUNTY EXECUTIVE

BOARD AGENDA ITEM

COUNTY ADMINISTRATOR

DEPARTMENT: _____

DIVISION: _____

TO: Robert Jackson, County Administrator**FROM: Frank J. Del Gaudio – County Risk Manager** (FJD)
THRU: Jerome M. St. John, County Counsel**DATE: October 2, 2026****RE: AMENDMENT TO ESSEX COUNTY'S INSURANCE FUND ORDINANCE
NUMBER O-93-0001 FOR THE INCLUSION OF COUNTY SELF FUNDED
HEALTH INSURANCE BENEFITS COVERAGE IN THE COUNTY'S SELF-
INSURANCE PROGRAM.****INTRODUCTION**

The County of Essex's Ordinance No. O-93-0001, adopted January 28, 1993, which as amended by Ordinance 08-0021 ("Ordinance"), established an insurance fund responsible for insuring and covering any and all risks permissible pursuant to N.J.S.A. 40A:10-6. The County of Essex ("County") currently participates in the State of New Jersey Health Insurance Benefits Program "State Plan" for health benefits for both employees and retired County employees. The County desires to self fund a health insurance benefits program for the effective date January 1, 2027.

BACKGROUND

Pursuant to N.J.S.A. 40A § 10-6, the governing body of a local unit may establish an insurance fund for the following applicable purpose:

To provide contributory or noncontributory self-funded, or partially self-funded, health benefits to employees or their dependents, or both, in accordance with rules and regulations of the Director of the Division of Local Government Services in the Department of Community Affairs. The establishment and operation of a fund to provide health benefits by a local unit prior to the effective date of P.L.2000, c. 126 (C.52:13H-21 et al.) is hereby validated; however, any such health benefits fund shall comply with all rules and regulations promulgated by the director pursuant to this subsection.

The governing body may appropriate the moneys necessary for the purposes of this section.

Ordinance No. O-93-001 established an insurance fund responsible for insuring and covering any and all risks permissible; pursuant to N.J.S.A. 40A:10-6, the Ordinance should be amended to include in the County's self-funded insurance for health benefits coverage in amounts necessary, appropriate and established by statute effective as of the adoption of this Ordinance.

With the adoption of this amendment to Ordinance No. O-93-0001, the County shall proceed with a self-funded health benefits insurance program in accordance with N.J.S.A. 40A § 10-6(e).

FISCAL IMPACT

The fiscal impact of adoption of this amendment would be to provide protection of the County's assets involving all insured health benefits claims and the monitoring and supervision of the self-funded health insurance program.

RECOMMENDATION

It is recommended that the Board of County Commissioners authorize the amendment of Essex County Ordinance No. O-93-0001, adopted January 28, 1993 (amended by No. O-08-0021), to include self-funded health insurance benefits coverage in amounts necessary to appropriately fund the program.