

**RESOLUTION NO. 1-2013-17**

**RESOLUTION APPOINTING COUNCILMAN SHAWN LUDWIG AS A CLASS III MEMBER TO  
THE PLANNING BOARD**

**WHEREAS**, at the Annual Reorganization Meeting held January 6, 2013, Councilman Shawn Ludwig was erroneously appointed as a Class III member to the planning board as a Mayor's appointment rather than a council appointment; and

**WHEREAS**, NJSA 40:55D-23 clearly states that the Class III member of the planning board is appointed by council for a one-year term;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Borough Council of the Borough of Barrington, that the appointment of Councilman Shawn Ludwig by the Mayor as a Class III Member to the planning board is hereby rescinded; and

**BE IT FURTHER RESOLVED**, that Councilman Shawn Ludwig is hereby appointed by council as a Class III Member to the planning board for a one year term ending 12/31/13.

**BOROUGH OF BARRINGTON  
January 15, 2013**

By: \_\_\_\_\_

  
**Robert Klaus, Mayor**

Attest: \_\_\_\_\_

**Terry Shannon, Clerk**

**RESOLUTION 1-2013-18**  
**RESOLUTION OF THE BOROUGH OF BARRINGTON, COUNTY**  
**OF CAMDEN AND STATE OF NEW JERSEY, AUTHORIZING**  
**THE BARRINGTON PLANNING BOARD TO REVIEW THE**  
**REQUESTED AMENDMENT TO ORDINANCE NO. 753**  
**REGARDING THE BARRINGTON ECONOMIC**  
**REDEVELOPMENT - PHASE I AND II PROJECT AREA**  
**REDEVELOPMENT PLAN**

**WHEREAS**, pursuant to the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (“Local Redevelopment and Housing Law”), set forth at N.J.S.A. 40A:12A-6(a), the Borough Council of the Borough of Barrington (“Council”), by Resolution dated July 11, 2000, directed the Planning Board of the Borough of Barrington, (“Planning Board”) to conduct a preliminary investigation to determine whether a certain area is an area in need of redevelopment in accordance with the criteria set forth in the Local Redevelopment and Housing Law; and

**WHEREAS**, the Planning Board conducted a preliminary investigation in accordance with the guidelines set forth in the Local Redevelopment and Housing Law at N.J.S.A. 40A:12A-6, and held a public hearing on this matter on June 25, 2001; and

**WHEREAS**, by Ordinance No. 753, the Council adopted the Redevelopment Plan of the Borough of Barrington for the Real Property commonly known as Barrington Economic Redevelopment - Phase I and II Project Area Redevelopment Plan for the Borough of Barrington (“Redevelopment Plan”);

**WHEREAS**, the property subject to this Redevelopment Plan is known and designated as Block 57, Lots 1, 2.02, 3.02, 3.03, 4.02, 5.02, 6.02, 6.03, 6.04, 7.01, 7.02, 7.03, 8.01, 8.02, 9.01, 9.03, 10.01, 10.02, 11.01, 12.01 and 13.01 and Block 124, Lot 1 of the Official Tax Maps of the Borough (hereinafter designated as the (“Real Property”)); and

**WHEREAS**, the Borough Council of the Borough of Barrington recognizes that an amendment to the Barrington Economic Redevelopment - Phase I and II Project Area Redevelopment Plan, attached hereto as Exhibit “A,” needs to be made; and

**WHEREAS**, the Mayor and Borough Council of the Borough of Barrington now desire to authorize the Planning Board of the Borough of Barrington to review the aforesaid requested amendment to Ordinance No. 753, regarding the Barrington Economic Redevelopment - Phase I and II Project Area Redevelopment Plan, to determine its appropriateness;

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, by Mayor and Borough Council of the Borough of Barrington, that the Planning Board of the Borough of Barrington be and hereby is authorized to review the requested amendment to Ordinance No. 753 regarding the Barrington Economic Redevelopment - Phase I and II Project Area Redevelopment Plan, attached hereto as Exhibit "A," to determine its appropriateness; and

**BE IT FURTHER HEREBY RESOLVED** by the Mayor and Borough Council of the Borough of Barrington that the Planning Board of the Borough of Barrington shall report its findings to the Mayor and Borough Council on the appropriateness of this amendment within forty-five (45) days of the date of this Resolution.

**THE BOROUGH OF BARRINGTON**

BY:   
\_\_\_\_\_

**ROBERT KLAUS, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**TERRY SHANNON, BOROUGH CLERK**

I, **TERRY SHANNON**, Borough Clerk for the Borough of Barrington, do hereby certify the foregoing to be a true and correct copy of the Resolution adopted by the Mayor and Borough Council of the Borough of Barrington, at a meeting held on January 15, 2013, and that said Resolution was adopted by a majority vote of the Borough Council of the Borough of Barrington.

\_\_\_\_\_  
**TERRY SHANNON, BOROUGH CLERK**

**RESOLUTION NO. 1-2013-19**

**RESOLUTION APPROVING AGREEMENT WITH DELAWARE VALLEY SODA SYSTEMS**

**WHEREAS**, in July, 2012, the Borough of Barrington assumed ownership of the former VFW building, now named the VFW Memorial Senior Center; and

**WHEREAS**, Delaware Valley Soda Systems was under contract to maintain and service the soda dispensing equipment; and

**WHEREAS**, Delaware Valley Soda Systems has submitted a proposal to continue to service and maintain the soda equipment at the price of \$57.00 per month, \$684.00 annually; and

**WHEREAS**, the Governing Body wants to continue with the services provided Delaware Valley Soda Systems as it is both expedient and cost effective; and

**WHEREAS**, the Finance Officer has certified funds are available for this purpose; and

**NOW, THEREFORE, BE IT RESOLVED**, that the agreement with Delaware Valley Soda Systems is hereby approved in the amount of \$57.00 per month, \$684.00 annually, and the Mayor and/or Clerk are authorized to execute the agreement.

**BOROUGH OF BARRINGTON**  
**January 15, 2013**

By: \_\_\_\_\_

  
**Robert Klaus, Mayor**

Attest: \_\_\_\_\_

**Terry Shannon, Clerk**

**RESOLUTION NO. 1-2013-20**

**RESOLUTION AUTHORIZING EXECUTION OF THE MODIFICATION AGREEMENT WITH  
NJDOT FOR THE STREETScape PROJECT**

**WHEREAS**, on December 19, 2012, the Federal Highway Administration authorized additional funds in the amount of \$80,000.00 for the Streetscape Improvements to Clements Bridge Road, Phases 2 and 3; and

**WHEREAS**, the Federal funds are administered through the New Jersey Department of Transportation and the NJDOT has submitted a Modification Agreement to the Borough to accept the funds;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Borough Council of the Borough of Barrington, that the Mayor is hereby authorized to execute the Modification Agreement submitted by NJDOT to accept the additional funds for the project Streetscape Improvements to Clements Bridge Road, Phases 2 and 3.

**BOROUGH OF BARRINGTON  
January 15, 2013**

By:   
\_\_\_\_\_ **Robert Klaus, Mayor**

Attest: \_\_\_\_\_  
**Terry Shannon, Clerk**

RESOLUTION 1-2013-21

SUPPORTING ASSEMBLY BILL A-2753 REQUIRING DIRECT PAYMENT OF ENERGY TAXES TO MUNICIPAL GOVERNMENT

WHEREAS, taxes on gas and electric utilities were originally collected by the host municipalities, and when the State made itself the collection agent for these taxes, it promised to dedicate the proceeds to municipal property tax relief; and

WHEREAS, just as municipalities collect property taxes for the benefit of school districts, counties and other entities; the State is supposed to collect Energy Taxes for the benefit of municipal governments; and

WHEREAS, for years, though, State officials have diverted funding from Energy Taxes to plug holes in the State budget and to fund State programs; and

WHEREAS, the cumulative impact of years of underfunding has left many municipalities with serious needs and burdensome property taxes; and

WHEREAS, municipalities lost \$331 million in combined Energy Tax and Consolidated Municipal Property Tax Relief Aid (CMPTRA) funding in Fiscal Years 2009, 2010, and 2011, while also being denied scheduled incremental funding; and

WHEREAS, as a result of these cuts, in a number of municipalities property taxes are higher now, despite the fact that they are spending less, proving that the State's diversion of tax relief funding has contributed to higher municipal property taxes; and

WHEREAS, A-2753, sponsored by Assemblymen Daniel Benson and Wayne DeAngelo, and S-1923, sponsored by Senator Linda Greenstein, would restore the \$331 million in municipal property tax relief funding, ensure that each municipality will be restored to the 2007 (SFY 2008) Energy Tax Receipts/CMPTRA level and adjust that amount to account for inflation.; and

WHEREAS, the bills would require certain energy tax receipts to be paid directly to municipalities and, thereby, would assure local property taxpayers compensation for hosting transmission facilities and lines that allow gas and electric energy corporations to serve customers and conduct business in our Garden State; and

WHEREAS, the time has come to restore to local budgets the millions in property tax relief that have been annually diverted to meet State needs; now therefore be it

RESOLVED, that the Mayor and Council of the Borough of Barrington salutes the sponsors for listening to the Mayors in their districts and all around New Jersey and for advancing this legislation; and be it further

RESOLVED, that we enthusiastically support and urge our State Legislators to pass A- 2753/S-1923; and be it finally

RESOLVED, that certified copies of this Resolution be forwarded to Governor Chris Christie, Lieutenant Governor Kim Guadagno, New Jersey Senate President Steve Sweeney, New Jersey Senate Republican Leader Thomas Kean, Jr., New Jersey Assembly Speaker Sheila Oliver, New Jersey Assembly Republican Leader Jon Bramnick, our State Senator Donald Norcross, our Assemblymen Whip Wilson and Angel Fuentes and, and to the New Jersey League of Municipalities.

BOROUGH OF BARRINGTON  
JANUARY 15, 2013

BY:   
Robert Klaus, Mayor

ATTEST: \_\_\_\_\_  
Terry Shannon, Borough Clerk

## Resolution 1-2013-22

### Opposition to the Approval Process for Non-SHBP Health Insurance Plans As Proposed By N.J.A.C. 5:30-18.1 through 18.4 and N.J.A.C. 6A:23A

**Whereas**, the New Jersey Local Finance Board and the New Jersey Department of Education have proposed rules requiring that all labor contracts providing for health insurance outside the State Health Benefits Program need to be approved by the State and requiring that local entities and school boards perform a static comparison of health insurance costs to State Health Benefit Program costs; and

**Whereas**, these rules are in conflict with Section 42.c of Chapter. 78, which is ostensibly used as authority for the regulation, but is actually meant only to apply to public entities wishing to enter into contract that included a contribution schedule from employees that substitutes for that as laid out in the statute; and

**Whereas**, the regulations, as proposed, extends this authority to require all public entities electing not to provide health benefits through the State Health Benefits Plan (SHBP) and the School Employees' Health Benefits Program (SEHBP) to submit to the process established under the proposed regulation; and

**Whereas**, this interpretation that is contrary to the regulations is supported by:

- The plain reading of the statute;
- The explanation contained in Local Finance Notice (LFN) 2011-20R, Section VI. Alternate Employee Health Care Contribution; and
- The following language from the "Statement" found at page 121, line 35 of the Bill (underlining added)::

*The bill allows boards of education and units of local government, that do not participate in the SHBP or SEHBP, to enter into contracts for health care benefits coverage, as may be required to implement a collective negotiations agreement, and agree to different employee contribution rates if certain cost savings in the aggregate over the period of the agreement can be demonstrated. The savings must be certified to the Department of Education or the Department of Community Affairs, as appropriate.*

; and

**Whereas**, the proposed regulation is cumbersome and places a significant burden on any public body intending to utilize the employee contribution schedule contained within the law, but wishing obtain health benefits outside the SHBP or SEHBP; and

**Whereas**, the de facto effect of this regulation, if adopted, will be to drive public bodies into the SHBP or SEHBP and stifle competition; and

**Whereas**, New Jersey already has one of the nation's most uncompetitive health insurance markets according to the Henry J. Kaiser Family Foundation (October 2011):

- In the individual market, one carrier, Horizon BCBS, controls 73% of the

market with only two carriers having 5% or more of the market.

- The same carrier controls over 75% of the governmental market, largely by virtue of its relationship with the SHBP and SEHBP.
- Finally, Horizon controls 43% of the small group market; and

**Whereas**, if the regulation causes a significant number of local entities to move to the SHBP and SEHBP, a negative result will be to increase market concentration and further reduce carrier competition in the State; and

**Whereas**, this will result in an increase in fully insured costs for other persons, governmental entities, not for profits, and business in the State; and

**Whereas**, the regulations' definition of "net employer cost" is not inclusive of all relevant items and should be modified:

- For instance, members of JIFs own a proportionate share of fund surplus that should be included in a valid comparison.
- Likewise, JIF members receive dividends that reduce net employer cost.
- Finally, JIF rates could include supplemental assessments that represent a liability to the member regardless of whether it stays in the joint insurance fund or moves to the SHBP.; and

**Whereas**, most local entity labor contracts cover multiple year periods:

- A comparison using the most current year is misleading and invalid because the comparison can change in subsequent years.
- In addition, school districts that belong to health JIFs renew on July 1 of each year.
- The differences in renewal cycles between the health JIF, the SEHBP, and the commercial market will further complicate comparisons; and

**Whereas**, the regulations do not address differences in plan design between an employer plan and the plan or plans offered by the SHBP and the SEHBP and such differences are critical to any valid comparison of plan economics; and

**Whereas**, the regulations do not address legal restraints on local entities considering their obligations to retirees, and obligations to employee groups that are not a part of the contract in question; and

**Whereas**, in situations where a local health plan has negotiated benefits that are richer than, or even different than, those provided by the SHBP and SEHBP, the local unit will be subject to sanctions for failing to honor its labor agreements; and

**Whereas**, the comparison is burdensome to local units and of limited use given that the requested details do not allow for a valid comparison of net cost and benefits; and

**Whereas**, SEHBP rates are reduced by the amount of the A4 retiree surcharge paid by entities not in the state plan and the rates for local school districts not in the SEHBP are increased by the surcharge further limiting the fairness and utility of the comparison; and

**Whereas**, SEHBP and SHBP rates in the past have been impacted by one time sources of revenue such as the Tobacco settlement and the use of one time sources of revenue that are not available to local units does not permit for a fair and valid comparison; and

**Whereas**, the regulations favor the SEHBP and SHBP to the exclusion of health joint insurance funds (JIFs) that have faithfully served New Jersey local government, under enabling statutes, for over 20 years:

- Health JIFs are a valid alternative for entities with unique plan designs, good loss experience, and a willingness to participate in JIF governance.
- Health JIFs are the largest “shared services” effort in the State for local government from a revenue standpoint.
- To the extent that the regulations operate to the disadvantage of health JIFs, the regulations are in opposition to, and indeed are hostile to, statutes that authorize JIF creation and operation.
- By extension, the regulations foster a “big government” mentality and are hostile to both “shared services” and “home rule” concepts.
- If the regulation seeks to encourage “due diligence”, then members of the SEHBP and SHBP should also be required to compare their claims and cost to the health JIF and commercially insured alternatives.

**Now, Therefore, Be It Resolved**, that, for the foregoing reasons, we respectfully beseech that the Departments modify and reissue the proposed regulations to:

- Apply only when a local unit proposes an employee contribution schedule different from that contained in the statute;
- Require any comparison to take into consideration differences in plan design and eligibility;
- Require the evaluation criteria to consider dividends received from a health JIF and shares of surplus retained by the health JIF;
- Promote, rather than undermine, healthy competition among the various options available to local units shopping for health insurance;

**Be It Further Resolved** that certified copies of this resolution be forwarded to Governor Christie, the NJ Local Finance Board, the NJ Department of Education, and to local legislative representatives.

**BOROUGH OF BARRINGTON  
JANUARY 15, 2013**

BY:   
Robert Klaus, Mayor

ATTEST: \_\_\_\_\_  
Terry Shannon, Borough Clerk

**BOROUGH OF BARRINGTON BILL LIST SUMMARY**

11-Jan-13

1-2013-23

**CURRENT FUND**

CHECKS CURRENT FUND	2012 BUDGET	64,191.80
	2013 BUDGET	256,651.41
	GRANTS	2,790.57
	DEBT SERVICE	91,699.05
	BOARD OF EDUCATION*	0.00
	CAMDEN COUNTY QTRLY PAYMENT**	0.00
WIRE TRANSFERS PAYROLL		184,878.21
WIRES / MANUAL CHECKS		4,152.87
<b>TOTAL CURRENT</b>		<b>604,363.91</b>

**SEWER UTILITY**

CHECKS SEWER FUND	2012 BUDGET	5,665.81
	2013 BUDGET	5,285.22
	DEBT SERVICE	12,962.92
WIRE TRANSFERS PAYROLL		24,422.79
WIRE NJEIT LOAN		0.00
WIRES TO CURRENT FUND		0.00
WIRES / MANUAL CHECKS		52.42
<b>TOTAL SEWER</b>		<b>48,389.16</b>

**CAPITAL FUND**

CHECK CAPITAL FUND		10,364.95
MANUAL CHECK		0.00
DELCO REDEVELOPMENT AGREEMENT		0.00
WIRE TRANSFERS PAYROLL		0.00
WIRE TRANSFER TO CURRENT		2,434.58
<b>TOTAL CAPITAL</b>		<b>12,799.53</b>

**CONSTRUCTION FUND**

CHECK CONSTRUCTION		1,463.00
WIRE TRANSFERS PAYROLL		9,304.71
MANUAL CHECKS		0.00
WIRE TO CURRENT		0.00
<b>TOTAL CONSTRUCTION</b>		<b>10,767.71</b>

**TRUST FUND**

CHECK TRUST OTHER FUND		2,232.50
WIRE TRANSFERS PAYROLL		472.31
WIRES / MANUAL CHECKS		2,728.25
<b>TOTAL TRUST</b>		<b>5,433.06</b>

**SEWER CAPITAL FUND**

CHECK SEWER CAPITAL	BILL LIST CHECKS	2,407.50
	MANUAL CHECKS	0.00
WIRE TRANSFERS PAYROLL		0.00
WIRE TO SEWER UTILITY 2012 INTEREST		20.95
<b>TOTAL SEWER CAPITAL</b>		<b>2,428.45</b>

**ANIMAL TRUST FUND**

ANIMAL TRUST CHECK	NET AMOUNT	260.00
WIRE TRANSFERS PAYROLL		0.00
WIRE TO CURRENT INT		0.00
<b>TOTAL ANIMAL TRUST</b>		<b>260.00</b>

**DEVELOPER TRUST FUND**

DEVELOPER TRUST CHECK		5,167.50
WIRE TO CURRENT INT		0.00
<b>TOTAL DEVELOPER TRUST</b>		<b>5,167.50</b>

**REGIONAL FIRE PREVENTION ALLIANCE**

CHECK FIRE PREVENTION FUND		263.20
WIRE TRANSFERS PAYROLL		6,073.08
WIRES / MANUAL CHECKS		0.00
<b>TOTAL TRUST</b>		<b>6,336.28</b>

**TOTAL BILL LIST & MANUAL CHECKS/WIRE 695,945.60**

**RESOLUTION NO. 1-2013-124**

**RESOLUTION OF THE BOROUGH OF BARRINGTON, COUNTY OF  
CAMDEN AND STATE OF NEW JERSEY AUTHORIZING A SHARED  
SERVICES AGREEMENT WITH THE BOROUGH OF HADDON  
HEIGHTS RELATIVE TO EMERGENCY MEDICAL SERVICES**

**WHEREAS**, the Borough of Haddon Heights (hereinafter "Haddon Heights") is a municipal entity organized under the laws of the State of New Jersey and located in Camden County; and

**WHEREAS**, the Borough of Barrington (hereinafter "Barrington") is a municipal entity organized under the laws of the State of New Jersey and located in Camden County; and

**WHEREAS**, the Borough of Barrington (hereinafter "BAA") is a not for profit corporation organized under the laws of the State of New Jersey and located in Camden County; and

**WHEREAS**, the Borough of Barrington, within its Department of Public Safety, renders support to the Barrington Ambulance Association, which provides certain emergency medical services to the residents of the Borough of Barrington; and

**WHEREAS**, the Borough of Barrington and the Borough of Haddon Heights wish to enter into a Shared Services Agreement pursuant to the New Jersey Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., relative to the providing of certain emergency medical services to the residents of the Borough of Haddon Heights; and

**WHEREAS**, Barrington has agreed to permit the Barrington Ambulance Association to provide the same emergency medical services to the residents of the Borough of Haddon Heights as it provides to the residents of the Borough of Barrington, for the period of time commencing January 1, 2013 through December 31, 2015; and

**WHEREAS**, Barrington Ambulance Association has agreed to provide the same emergency medical services to the residents of the Borough of Haddon Heights as it provides to the residents of the Borough of Barrington, for the period of time commencing January 1, 2013 through December 31, 2015; and

**WHEREAS**, Haddon Heights has agreed to pay Barrington the sum of Five Thousand Dollars (\$5,000.00) per annum during the pendency of this Agreement, payable in accordance with the payment schedule as set forth in the Agreement; and

**WHEREAS**, Haddon Heights, Barrington and the Barrington Ambulance Association intend by virtue of the document, attached hereto as Exhibit "A," to set forth the terms and conditions of this Agreement; and

**WHEREAS**, Barrington, by virtue of the document, attached hereto as Exhibit "A," wish to authorize its proper and respective municipal officials to execute this Shared Services Agreement on behalf of the Borough of Barrington.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Barrington, County of Camden, State of New Jersey, that the Shared Services Agreement, pursuant to the New Jersey Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., by and between the Borough of Haddon Heights, the Borough of Barrington and the Barrington Ambulance Association, relative to the providing of certain emergency medical services to the residents of the Borough of Haddon Heights, be and hereby is approved; and

**BE IT FURTHER RESOLVED**, that Robert Klaus, Mayor of the Borough of Barrington and Terry Shannon, Borough Clerk of the Borough of Barrington be and hereby are authorized to execute the Shared Services Agreement, attached hereto as Exhibit "A," under the terms and conditions as set forth above; and

**AND BE IT FURTHER RESOLVED**, that this Resolution will become effective upon the adoption of a similar Resolution by the Borough Council of the Borough of Haddon Heights authorizing its Mayor and Borough Clerk to execute the Shared Services Agreement, attached hereto as Exhibit "A," on behalf of the Borough of Haddon Heights, within thirty (30) days of the adoption of this Resolution.

**THE BOROUGH OF BARRINGTON**

BY:   
\_\_\_\_\_ **ROBERT KLAUS, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**TERRY SHANNON, BOROUGH CLERK**

I, **TERRY SHANNON**, Borough Clerk of the Borough of Barrington, do hereby certify the foregoing to be a true and correct copy of the Resolution adopted by Borough Council at a meeting of said Borough Council on January 15, 2013, and that said Resolution passed by a majority vote of the members of Borough Council.

\_\_\_\_\_  
**TERRY SHANNON, BOROUGH CLERK**