

RESOLUTION NO. 2021 - 36

**ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND  
RESOLUTION TO RENEW MEMBERSHIP IN THE  
MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND**

**WHEREAS**, the **Atlantic County Municipal Joint Insurance Fund**, a nonprofit public entity in the State of New Jersey, was formed pursuant to N.J.S.A. 40A:10-36 et seq. to provide risk management to its member municipalities in the form of General Liability, Auto Liability, Property and Workers' Compensation coverage; and

**WHEREAS**, it has been determined that excess coverage is available from the Municipal Excess Liability Joint Insurance Fund, hereinafter referred to as MEL, as established pursuant to N.J.S.A. 40A:10-36 et seq., provided in accordance with N.J.S.A. 40A:10-42; and

**WHEREAS**, the purchase of such coverage by the MEL is exempt from public advertising and bidding requirements pursuant to N.J.S.A. 40A:11-5(1)(a)(ii) and 40A:11-5(1)(m) as an extraordinary unspecifiable service ("EUS") so long as the contract entered into is awarded in accordance with the requirements for EUSs; and

**WHEREAS**, pursuant to N.J.S.A. 40A:65-14, the governing bodies of two or more Local Units may enter into an agreement to provide for the formation of the joint operation of any public services, public improvements, works, facilities, or undertakings which the local units are empowered to operate; and

**WHEREAS**, pursuant to N.J.S.A. 40A:65-9 et seq. the MEL shall obtain coverage on behalf of its members JIFs in accordance with the Local Public Contracts Law; and

**WHEREAS**, in accordance with N.J.S.A. 40A:10-36 et seq., a JIF wishing to join the MEL to obtain the benefits of joint public entity membership may do so by adopting a resolution; and

**WHEREAS**, the Board of Fund Commissioners of the **Atlantic County Municipal Joint Insurance Fund** has determined that membership in the MEL is in the best interests of the member municipalities:

**NOW THEREFORE BE IT RESOLVED** that the Board of Fund Commissioners of the **Atlantic County Municipal Joint Insurance Fund** does hereby resolve and agree to renew membership in the MEL for a period of three (3) years, the commencement of which shall be January 1, 2022 and

**BE IT FURTHER RESOLVED** that the application for membership is for the purpose of obtaining the following types of coverages:



- 1) Excess Workers' Compensation and Employers' Liability Insurance and,
- 2) Excess Liability Insurance excess of the Primary Liability provided by the above mentioned Joint Insurance Fund as indicated on the application previously submitted and,
- 3) Excess Property, including Crime.

**BE IT FURTHER RESOLVED** that the **Atlantic County Municipal Joint Insurance Fund** hereby adopts the Bylaws of the MEL and in accordance therewith, it is understood that coverage is not effective until membership is approved by the MEL Commissioners/Executive Committee, State Department of Banking & Insurance and State Department of Community Affairs and that coverage is subject to the terms, conditions and limitations as contained in the MEL's Coverage Manual and its Commercial Excess Insurance, if any; and,

**BE IT FURTHER RESOLVED** that the Board of Fund Commissioners, or other authorized representative, is authorized and directed to execute any and all written agreements necessary for membership in the MEL including, but not limited to, the Indemnity and Trust Agreement in order to implement membership by the **Atlantic County Municipal Joint Insurance Fund** in the MEL according to its Bylaws, N.J.S.A. 40A:10-36 et seq., N.J.A.C. 11:15-2 and any other statutes or regulations pertaining thereto.

This resolution was duly adopted by the Atlantic County Municipal Joint Insurance Fund at a public meeting held on September 15, 2021

**ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND**

BY:  CHAIRPERSON      ATTEST:  SECRETARY

**DATED:** *September 15, 2021*