

RESOLUTION NO. 2021 - 37

**RESOLUTION TO RENEW MEMBERSHIP IN THE
MUNICIPAL EXCESS LIABILITY RESIDUAL CLAIMS FUND**

WHEREAS, the Municipal Excess Liability Residual Claims Fund ("RCF"), 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 residual risk management to its member Joint Insurance Funds ("JIF"); and

WHEREAS, in accordance with N.J.S.A. 40A:10-42, the RCF may provide coverage to its member JIFs by self-insurance, the purchase of commercial insurance or reinsurance, or any combination thereof; and

WHEREAS, the purchase of such coverage by the RCF 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 RCF, if necessary, shall obtain coverage and fund approved claims 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 RCF to obtain the benefits of joint public entity membership may do so by adopting a resolution; and

WHEREAS, the Executive Committee of the **Atlantic County Municipal Joint Insurance Fund** has determined that renewing their membership in the Residual Claims Fund is in the best interests of the member local units.

NOW, THEREFORE, BE IT RESOLVED that the Fund Commissioners of the **Atlantic County Municipal Joint Insurance Fund** does hereby resolve and agree to renew its membership in the Residual Claims Fund for a period of three (3) years, the commencement of which shall be January 1, 2022. For the purpose of determining the term, any portion of the Fund year shall be considered a full year; and

BE IT FURTHER RESOLVED that the **Atlantic County Municipal Joint Insurance Fund** hereby adopted the Bylaws of the Residual Claims Fund. Coverage will be provided in accordance with the terms, conditions and limitations as contained in the Residual Claim Fund's Commercial Excess Insurance or Reinsurance, and Bylaws; and,

BE IT FURTHER RESOLVED that the Chairman of the **Atlantic County Municipal Joint Insurance Fund**, or other authorized representative, is authorized and directed to execute any and all written agreements necessary for membership in the Residual Claims Fund 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 Residual Claims Fund according to its Bylaws, N.J.S.A. 40A:10-36 et seq.), administrative regulations, and any other statutes or regulations pertaining thereto.

MUNICIPAL EXCESS LIABILITY RESIDUAL CLAIMS JOINT INSURANCE FUND

BY: _____
Chairperson

DATE: _____

Atlantic County Municipal Joint Insurance Fund

Janie A. Seib

Chairperson

[Signature]

Secretary

Date: 9/15/21