

RESOLUTION NO. 2022 - 14

**RESOLUTION AUTHORIZING THE BURLINGTON COUNTY MUNICIPAL
JOINT INSURANCE FUND'S PARTICIPATION IN THE NEW JERSEY
MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND
NAMED STORM DEDUCTIBLE RISK SHARING PROGRAM**

Whereas, the Burlington County Municipal Joint Insurance Fund (hereinafter the "BURLCO JIF") is a member the of the Municipal Excess Liability Joint Insurance Fund (hereinafter the "MEL")

Whereas, the MEL provides excess property coverage underwritten by Zurich Insurance Company to various member Joint Insurance Funds; and

Whereas, as respects loss or damage caused by or resulting from a "Named Storm", any covered property in Atlantic, Ocean, Monmouth, and Burlington Counties located east of the Garden State Parkway, and any covered property in Cape May County is subject to a Property Damage deductible of 1% of the value per the Schedule of Values for the "Location" where the direct physical loss or damage occurred, per "occurrence"; and

Whereas, as respects loss or damage caused by or resulting from a "Named Storm", any covered property in Atlantic, Ocean, Monmouth, and Burlington Counties located east of the Garden State Parkway, and any covered property in Cape May County is subject to a Time Element deductible of 1% of the full 12 months Gross Earnings or Gross Profit values that would have been earned following the "Occurrence" by use of the facilities at the "Location" where the direct physical loss or damage occurred and all other "Locations" where Time Element loss ensues, per "occurrence"; and

Whereas, the above deductibles (hereinafter the "NAMED STORM DEDUCTIBLE RISK SHARING PROGRAM") are subject to a minimum deductible of \$1,000,000 for Property Damage and Time Element, combined, per Location, and a maximum deductible of \$2,500,000 per occurrence; and

Whereas, for purposes of this resolution, a "Named Storm" means: Any storm or weather disturbance that is named by the U.S. National Oceanic and Atmospheric Administration (NOAA) or the U.S. National Weather Service or the National Hurricane Center or any comparable worldwide equivalent; and

Whereas, a "Named Storm" also includes "Storm Surge"; and

Whereas, for purposes of this resolution, covered property shall not include vehicles; and

Whereas, the Atlantic, Burlington, Central, FIRST, Mid Jersey, Monmouth, NJPHA, and Ocean JIFs have members subject to this deductible; and

Whereas, the Board of Fund Commissioners of the BURLCO JIF recognizes that its members could bear a financial hardship in event of a "Named Storm" as a result of this deductible; and

Whereas, the MEL has agreed to act as a lead agency to administer an agreement between member JIFs subject to this deductible.

Now, Therefore Be It Resolved that the Board of Fund Commissioners of the BURLCO JIF resolve to enter into an agreement with other members JIFs subject to the NAMED STORM DEDUCTIBLE RISK SHARING PROGRAM subject to the following provisions:

1. In the event of a covered loss subject to the NAMED STORM DEDUCTIBLE RISK SHARING PROGRAM, the JIFs that are parties to this agreement shall contribute to the total amount of the deductible pro rata based on each JIFs reported values for all properties subject to the NAMED STORM DEDUCTIBLE RISK SHARING PROGRAM. The reported values for all properties subject to the NAMED STORM DEDUCTIBLE RISK SHARING PROGRAM will be established in May of each year; and
2. The first \$5,000 of loss from each member location shall not be subject to this sharing provision; and
3. This sharing provision shall be subject to only insured property at insured locations; and
4. To be eligible for reimbursement under this agreement, the member shall file a claim with FEMA, including any National Flood Insurance Program policies, and the reimbursement under this agreement shall be reduced by the amount of such reimbursement.

Be it further resolved that a copy of this Resolution be provided to the BURLCO JIF Executive Director's office, the BURLCO JIF Underwriter, the MEL Executive Director, the MEL Underwriting Office.

This Resolution was duly adopted by the Burlington County Municipal Joint Insurance Fund at a public meeting held on January 18, 2022.

BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND

BY:  _____

CHAIR

ATTEST:  _____

SECRETARY, Acting

DATE: Jan. 18 2022