

RESOLUTION NO. 14 OF 2014

TOWNSHIP OF MOUNT JOY, ADAMS COUNTY, PENNSYLVANIA

**A RESOLUTION AUTHORIZING PARTICIPATION IN THE MUNICIPAL RISK
MANAGEMENT WORKERS' COMPENSATION POOLED TRUST**

WHEREAS, Section 501 of Pennsylvania's Workers' Compensation Act, 77 P.S. §501, requires that every employer liable under the Act to pay workers' compensation shall insure the payment of compensation; and

WHEREAS, Section 305 of The Pennsylvania Occupational Disease Act, Act of 1939, P.L. 566, requires employers liable to pay compensation for occupational disease contracted by an employee arising out of and in the course of employment to insure the payment of compensation

WHEREAS, Section 1512(a) of the Second Class Township Code, 53 P.S. §1512(a), requires that the Township Board of Supervisors secure workers' compensation insurance for its employees; and

WHEREAS, the Board of Supervisors has heretofore and further intends to meet its future obligations under the aforementioned statutes; and

WHEREAS, the Board of Supervisors believes it to be in the interest of its employees, the Township and the public and to be fiscally prudent to contract for such insurance through participation in the Municipal Risk Management Workers' Compensation Pooled Trust (Trust); and

WHEREAS, the Board of Supervisors understands the purposes of the Trust to be:

- (a) to provide adequate and affordable coverage for each participant at the lowest possible cost by the pooling or sharing of certain liability risks;
- (b) to reduce the amount and frequency of losses incurred by each participant by utilizing loss control procedures;

- (c) to minimize costs incurred by participants in the handling and litigation of claims;
- (d) to protect each participant from the volatility and high premiums of the commercial insurance markets; and
- (e) to take whatever other action which may be necessary to preserve and protect the fiscal and actuarial integrity of the Trust, as required in the Trust Agreement and By-laws; and

WHEREAS, the Board of Supervisors understands and agrees to the powers and scope of authority delegated to the Trust as set forth in Articles V, VI and VII of the proposed Municipal Risk Management Workers' Compensation Pooled Trust Agreement (Agreement) attached to this Resolution ; and

WHEREAS, the Board of Supervisors understands and agrees that the organizational structure necessary to implement the Agreement consists of the Trust, Trustees, Service Agents and Fiscal Agents created by the Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Mt. Joy Township:

1. The Township shall enter into the Agreement with the Trust for the provision of worker's compensation insurance for the Township employees.
2. The Chairman of the Board of Supervisors is hereby authorized to execute on behalf of the Township and the Township Secretary is hereby authorized to attest and deliver to the Trust the following documents:
 - a. Municipal Risk Management Workers' Compensation Pooled Trust Agreement substantially in the form attached hereto and made a part hereof; and
 - b. Participant's Application.
3. The duration of the term of the Agreement shall be four years from the date of admission of the Township to the Trust as a participant.

4. The funds for meeting the obligations of Mount Joy Township under the Agreement shall be appropriated from the general funds of Mount Joy Township.
5. Property acquired for purposes of the Trust shall be acquired, managed and disposed of under the terms of the Agreement.

ADOPTED, by official action of the Mount Joy Township Board of Supervisors in open session at a duly advertised meeting of the Board, this the 17th day of April 2014.

ATTEST:

MT. JOY TOWNSHIP

Sheri L. Moyer, Secretary

By: _____
John Gormont
Chairman, Board of Supervisors