

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP  
OF MOUNT OLIVE REQUIRING THE FIRE COMPANIES AND THE  
BUDD LAKE RESCUE SQUAD TO OBTAIN INSURANCE  
FOR EMPLOYMENT PRACTICES LIABILITY AND TO  
PROVIDE THAT THE TOWNSHIP SHALL BE AN ALSO  
INSURED PARTY**

WHEREAS, the relationship between the volunteer firemen and the Township is one that is in the process of evolution in the law; and

WHEREAS, at one point in time, the volunteer firemen were simply considered to be volunteers, but the law has developed several theories by which volunteer firemen have become, under the law, hybrid employees of the Township based upon the fact that the Township essentially funds or substantially funds all of the operations of the fire companies; the Township provides workers' compensation coverage or insurance for all volunteer firemen, and the Township also maintains and provides a retirement fund for volunteer firemen; and

WHEREAS, it has come to the attention of the Township that some of the fire companies may not be maintaining insurance coverage for their own benefit, but more importantly, that the fire companies should have such insurance coverage and should, under the circumstances, have the Township of Mount Olive named as an also insured party under those policies; and

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Mount Olive that it shall require, on a going forward basis, that the fire companies and the Budd Lake Rescue Squad shall maintain insurance coverage, generally referred to as Employment Practice Liability Insurance Coverage, which shall provide for both defense and indemnification of the fire companies, and on such policies, the Township shall be named as an also insured party.

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I, Lisa M. Lashway, Township Clerk of the Township of Mount Olive do hereby certify that the foregoing Resolution is a true and correct copy of a resolution adopted at a legally convened meeting of the Mount Olive Township Council held on \_\_\_\_\_, 2008.

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Lisa M. Lashway, Clerk