

ORDINANCE RECORD**VILLAGE OF NEWBURGH HEIGHTS, OHIO****ORDINANCE NO. 2022-37****INTRODUCED BY: Mayor Traore**

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH LOVE INSURANCE AGENCY TO PROCURE COMPREHENSIVE INSURANCE COVERAGE THROUGH POLICIES BROKERED BY LOVE INSURANCE AGENCY AND UNDERWRITTEN BY TOKIO MARINE HCC PUBLIC RISK OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, the Village wishes to obtain various forms of insurance coverage including, but not necessarily limited to, General Liability, Property, Inland Marine, and Automobile coverage;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF NEWBURGH HEIGHTS, CUYAHOGA COUNTY, OHIO, that:

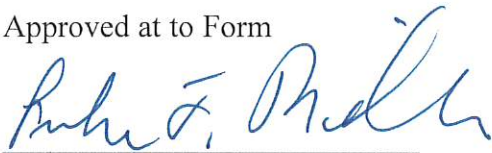
Section 1. The Village Council hereby authorizes the Mayor to enter into an agreement with Love Insurance Agency and or Tokio Marine/HCC Public Risk Ohio for the procurement and brokering of insurance policies underwritten by Tokio Marine and/or HCC Public Risk Ohio, pursuant to the quotation provided by Tokio Marine and HCC Public Risk Ohio, a copy of which is set forth in Exhibit A hereof and which is incorporated herein by reference as if fully rewritten.

Section 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in such formal action occurred in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

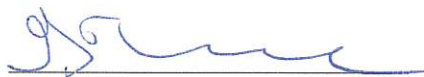
Section 3. This Ordinance is hereby determined to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the Village and its residents, the emergency being the need to obtain the necessary insurance coverage insuring the Village's various risks and operations at reasonable cost and at a large cost savings. Therefore, provided it receives two-thirds (2/3) of the vote of all members of Council elected thereto, said Ordinance shall be in full force and effect immediately upon its adoption by the Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: May 12, 2022

Approved at to Form



Solicitor



Gigi Traore, Mayor
Village of Newburgh Heights, Ohio



Cathleen Nagorski, Fiscal Officer
Village of Newburgh Heights, Ohio

1ST Reading: 5-3-2022

2ND Reading: 5-12-2022

3RD Reading: 5-12-2022



TOKIO MARINE
HCC

HCC Public Risk Ohio

Quote Date: **April 4, 2022**
Quote for: **VILLAGE OF NEWBURGH HEIGHTS**
Policy Term: **04/18/2022 - 04/18/2023**
Payment Plan: **Annual**
Company: **U.S. Specialty Insurance Company**
Policy #: **PKG80610791**

General Liability - Occurrence Form

Subject to \$1,000,000 per Occurrence / \$3,000,000 Aggregate

Subject to \$0 Deductible

Sexual Abuse Endorsement \$1,000,000 / \$1,000,000

Damage to Premises Rented to you \$50,000 – Subject to General Liability Deductible

Medical Payments \$10,000

Cemetery Professional - No Coverage

Pesticide or Herbicide \$50,000 per Occurrence / \$50,000 Aggregate

Nurses Professional Liability - No Coverage

Failure of Dam, Reservoir, Levee, Dike Coverage - No Coverage

Ohio Stop Gap Limit - \$1,000,000

Emergency Response Operations – Included

Mutual Aid Property Damage - \$10,000

Sewer Backup Liability - Included

Special Events: Subject to receipt of Special Events Application, Risk Control review and Underwriting approval (Additional Premium may apply)

Fireworks Liability: Subject to receipt of Special Events Application, Risk Control review and Underwriting approval prior to binding coverage. All fireworks displays must be ignited/discharged by a licensed and insured pyro technician . Additional Premium will Apply.

Employee Benefits - Occurrence Form

Subject to \$1,000,000 per Occurrence / \$3,000,000 Aggregate

Subject to \$1,000 Deductible Including Claims Expense

Liquor Liability - Coverage limited to Host Liquor

Public Officials Wrongful Acts Liability - Occurrence Form

Subject to \$1,000,000 per Occurrence / \$1,000,000 Aggregate

Subject to \$25,000 Deductible - Including Claims Expense

Non-Monetary Damage \$25,000 Per Suit / \$50,000 Per Policy Limit – Subject to Deductible

Private Property Use Restriction Sublimit \$1,000,000 per Occurrence / \$1,000,000 Aggregate - Defense inside Limit – Subject to Public Officials Wrongful Acts Deductible

Employment Practices Liability Insurance - Occurrence Form

Subject to \$1,000,000 per Occurrence / \$1,000,000 Aggregate

Subject to \$25,000 Deductible - Including Claims Expense

Non-Monetary Damage \$25,000 Per Suit / \$50,000 Per Policy Limit – Subject to Deductible



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Law Enforcement Liability - Occurrence Form

Subject to \$1,000,000 per Occurrence / \$1,000,000 Aggregate
Subject to \$25,000 Deductible - Including Claims Expense
 Non-Monetary Damage - No Coverage

Excess Liability

Coverage applies to General Liability, Employee Benefits, Public Officials Wrongful Acts, Employment Practices, Law Enforcement, Auto Liability and Stop Gap Liability
 Excludes Uninsured Motorist and Underinsured Motorist Coverage
 Subject to \$2,000,000 per Occurrence / \$2,000,000 Aggregate
 Excludes Zoning, Regulation, and Permissive Use of Property
 Failure to Supply Exclusion Applies
 Pollution Exclusion Exception - Pollution with Hostile Fire
 Dam, Reservoir, Levee, Dike: No Coverage

Property

Total Building and Contents Limit	\$5,903,248
	Coinsurance - N/A
Subject to:	\$1,000 Deductible
Blanket Basis	Included
Agreed Amount	Included
Building Valuation—per schedule on file with company	Replacement Cost,
Special Form	Included
Accounts Receivable	\$250,000 any one occurrence
Animal Mortality	\$10,000 any one occurrence
Building Ordinance or Law	\$250,000 Undamaged portion / or demolition 10% of reported values (Increased cost of construction)
Business Income	\$100,000 any one occurrence
Extra Expense	\$500,000 any one occurrence
Communication Towers	\$100,000 any one occurrence
Debris Removal	25% of Loss +\$10,000 any one occurrence
Electrical Utility Service Interruption	\$25,000 any one occurrence
EDP Coverage	No Coverage – See EDP Section Below
Fairs or Exhibitions	\$50,000 any one occurrence
Fine Arts	\$5,000 any one item, \$25,000 any one occurrence
Fire Department Service Charge	\$5,000 for your liability
Foundations of Machinery	\$500,000 any one occurrence
Fire Equipment Recharge	\$5,000 for each separate 12 month period
Golf Course Greens	\$100,000 any one occurrence
Grounds Maintenance Equipment	\$100,000 any one occurrence
Inventory or Appraisal	\$10,000 any one claim
Newly Acquired or Constructed Prop – Building	\$1,000,000 at each building
Newly Acquired or Constructed Prop – Contents	\$250,000 at each building
Paved Surfaces	\$100,000 any one occurrence
Personal Property of Others	\$15,000 any one Occurrence
Property in Transit	\$25,000 any one occurrence
Property off Premises	\$100,000 any one occurrence
Underground Pipes, Flues or Drains	\$1,000,000 any one occurrence
Valuable Papers & Records – Cost of Research	\$250,000 any one occurrence
Water Back Up – Sewer or Drain	\$50,000 for direct physical loss or damage
Unnamed Locations	\$250,000 any location not on file with Company



HCC Public Risk Ohio

Expediting Expense	\$25,000 any one occurrence
Earthquake Coverage	No Coverage
Flood Coverage	No Coverage
Equipment & Mechanical Breakdown (Boiler)	Included
	Subject to \$1,000 Deductible

Automobile

Based on 26 vehicles - Schedule on file with Company
 Subject to \$1,000,000 Liability Limit
Subject to \$0 Deductible
 Emergency Vehicle Endorsement - Broad Form
 Fellow Employee Coverage
 Rental Reimbursement - PPT Only - \$30 per day / 30 days / \$900 any one period
 Hired and Non Owned Automobile Liability
 Employee Hired Auto Physical Damage - \$35,000 Each Covered Auto, \$500 Deductible applies
 Physical Damage per schedule on file with company
 Comprehensive Deductible: \$500
 Collision Deductible: \$1,000
 Physical Damage to Volunteers or Employees Personal Auto
 Auto Catastrophic Coverage - No Coverage
 Garage Keepers Legal - No Coverage
 Impound Vehicles Coverage - No Coverage

Inland Marine

Subject to \$1,000 Deductible

Scheduled Contractors Equipment – Per Schedule on file with company	\$1,052,809
Valuation: Replacement Cost - per schedule on file	
	90% Coinsurance
Misc. Property & Equipment	\$50,000
No single item to exceed \$10,000 in value	
Emergency Portable Equipment	\$100,000
Valuation Replacement Cost applies to Misc. Property & Equipment and Emergency Portable Equipment	
Contractors Equipment Rented From Others	\$50,000
less than 90 days	
Rental Reimbursement	\$2,500
Flood Limit	No Coverage
Earth Movement Limit	No Coverage
Total Limit	\$1,252,809

EDP

Total Limit	\$100,000
Subject to \$500	
System Breakdown Coverage	Included
Loss of Business Income	\$10,000
Extra Expense	\$10,000
Media Coverage	\$10,000
Earth Movement Limit	No Coverage
Flood Limit	No Coverage



TOKIO MARINE
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Crime - No Coverage

Annual Package Premium

\$ 65,998.00

****Note:** Terrorism option and optional quoted premiums are not included in installment plan premiums.

****Note:** Mold, Fungi & Bacterial Exclusion Included

****Note:** All SIR's Include Loss, Loss Adjustment Expense and Supplementary Payments

****Note:** Failure of any Dam, Levee or Dike Exclusion Included

****Note:** Accounts cannot be brokered

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You declined terrorism coverage for the expiring policy period. We have, therefore, not included a quotation for terrorism coverage for the renewal period and your signed declination of terrorism insurance will remain in effect as long as you are insured by this company and until you rescind the declination in writing. If you would like the above quotation to include insurance for terrorism, or if you would like to know more about terrorism coverage options available to you, please advise your agent.

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NOTE: The following forms need to be signed and returned prior to binding coverage:
~ Application Declaration

Special Conditions:

As indicated herein, this quote remains valid until 4/18/2022 and cannot be amended or altered without express written consent of TMHCC. Also, please be aware that any required subjectivities must be received, reviewed and approved, prior to binding this risk.



TOKIO MARINE
HCC

Applicant Name: **VILLAGE OF NEWBURGH HEIGHTS - CUYAHOGA**
Policy Effective Date: 04/18/2022
Application Number: T002750004709

Tokio Marine HCC Public Risk APPLICATION DECLARATION

After complete investigation and inquiry, to the best of applicant's knowledge and belief, no principals, partners, directors, officers, employees, or insurance managers have knowledge of any act, error, omission, fact, incident, situation, unresolved job dispute, accident, or any other circumstance that is or could be the basis for a claim under this proposed insurance policy.

Report knowledge of all such incidents to your current carrier prior to your current policy expiration. The proposed insurance being applied for will not respond to incidents about which you had knowledge prior to the effective date of the policy nor will coverage apply to any claim or circumstance identified or that should have been identified in this application.

The applicant has read the foregoing and understands that completion of this Application does not bind the Underwriter or other party to provide coverage. It is agreed, however, that this Application is complete and correct to the best of applicant's knowledge and belief and that all particulars which may have a bearing upon acceptability as an insurance risk have been revealed. It is understood that this Application shall form the basis of the contract should the Underwriter approve coverage and should the applicant be satisfied with the Underwriter's quotation.

It is further agreed that, if in the time between submission of this Application and the requested date for coverage to be effective, the applicant becomes aware of any information which would change the answers furnished in response to any question of this Application, such information shall be revealed immediately in writing to the Underwriter.

Signature of authorized official: _____ Date _____

Print name of authorized official: _____

Title of authorized official: _____

Client Name: **VILLAGE OF NEWBURGH HEIGHTS**
Application #: T002750004709
Ohio - HCC Public Risk

4/4/2022 11:33:15 AM