

**MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND
OPEN MINUTES
JANUARY 6, 2020
FORSGATE COUNTRY CLUB, JAMESBURG, NJ
11:15 AM**

ROLL CALL OF 2019 BOARD OF FUND COMMISSIONERS

Richard Hirsch, Chair	Borough of Longport - Atlantic JIF	Present
Mauro Tucci, Secretary	Township of Nutley – Sub Essex JIF	Absent
Joseph Wolk	Borough of Mount Ephraim- Camden JIF	Present
Charles Cuccia	Borough of Little Falls –S. Bergen JIF	Present
Robert Law	Woodbury City - Trico JIF	Present
Jon Rheinhardt	Borough of Wharton – Morris JIF	Present
Thomas Nolan	Borough of Brielle - Monmouth JIF	Present
Joseph D’Arco	Borough of Paramus - NJMSI JIF	Present
Bernard Rutkowski	NJUA JIF – Toms River MUA	Present
Paul Tomasko	Borough of Alpine – Bergen JIF	Present
John Clarke	New Brunswick Housing Authority- PHA JIF	Absent
Joy Tozzi	Township of Robbinsville - Mid-Jersey JIF	Present
Veronica Laureigh	Township of Lacey – Ocean JIF	Present
William Northgrave	Township of Edison – Central JIF	Present
Megan Champney	City of Summit- Suburban Municipal JIF	Present
Cynthia Ege	Lambertville – PAIC JIF	Absent
Tom Merchel	Township of Moorestown- PMM JIF	Present
Megan Jack	Riverside Twp- Burlco JIF	Present
Mark Antozzeski	Hamilton Township Fire District 9- FRESP JIF	Absent

APPOINTED OFFICIALS PRESENT:

Executive Director/Adm	PERMA Risk Management Services David N. Grubb, Joseph Hrubash, Cate Kiernan
Attorney	Dorsey & Semrau Fred Semrau, Esquire
Producer	Arthur J. Gallagher Paul Miola
Actuary	The Actuarial Advantage Dennis Henry, Eric Bause Kyle Mrotek, Michael Soloman
Excess Public Officials Claims Administrator	Dorsey & Semrau Kathleen Tyler Schohl
Ex Worker’s Comp Claims Administrator	Qual-Lynx Kathy Kissane
Safety Director	JA Montgomery Risk Control Services Paul Shives
Treasurer	Mike Zambito

Excess Liability
Claims Administrator

CB Claims LLC
Christopher Botta

Underwriting Manager

Conner Strong & Buckelew
Edward Cooney

Lobbyist

Pathways
Paul Bent

Managed Care

QualCare
Donna Setzer, Steve McNamara

Marketing Coordinator

Acrisure
Amy Pieroni, Lindsay Travali

ALSO PRESENT:

Sharon Fallon, P.I.A.

Frank Covelli, P.I.A

Sue Sharpe, Esq. Dorsey & Semrau

Alison Kelly, Danskin Insurance Agency

Charles Casagrande, Danskin Insurance Agency

John Casagrande, Danskin Insurance Agency

Ezio Altamura, GJEM Otterstedt

Pauline Kontomanolis, PERMA Risk Management Services

Barbara Murphy, RLM

Robyn Walcoff, PERMA Risk Management Services

Stephen Sacco, PERMA Risk Management Services

Bradford Stokes, PERMA Risk Management Services

Nancy Ghani, PERMA Risk Management Services

MINUTES: Included in the agenda were the open minutes of November 20, 2019 and December 30, 2019

MOTION TO APPROVE NOVEMBER 20, 2019 AND DECEMBER 30, 2019

OPEN MINUTES:

Moved: Commissioner Tomasko

Second: Commissioner Wolk

Vote: Unanimous

CORRESPONDENCE:

NONE

SPECIAL PRESENTATIONS: Executive Director began the meeting with special presentations to Chairman Richard Hirsch, Secretary Mauro Tucci and Dennis Henry-Fund Actuary.

Executive Director presented outgoing Chairman Richard Hirsch with an engraved paperweight and Secretary Mauro Tucci with an engraved desk clock expressing the MEL's appreciation of their services. Executive Director thanked Mr. Hirsch for his leadership and engagement in the operations of the MEL. Executive Director said the MEL established a practice to rotate the Chair position every 2 years; result has been consistent and exceptional leadership since inception. Executive Director said Commissioner Tucci would still be involved in the MEL and would assume responsibilities of Alternate Fund Commissioner for Suburban Essex JIF.

Executive Director read the following Resolution 1-20 into the record:

MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND
HONORING DENNIS HENRY

Whereas, In 1993 DENNIS HENRY was appointed as the Actuary for the MEL and most of the affiliated local JIFs that are MEL members: and

Whereas, during his over a quarter of a century as Actuary, Mr. Henry helped the program grow into the largest and financially the strongest Property & Casualty pooling program in the United States; and

Whereas, since Dennis became Actuary, the program has saved New Jersey taxpayers over \$2 billion dollars, and

Whereas, this success was due in no small measure to his guidance, and

Whereas, as Actuary, Mr. Henry developed a deep understanding of the underlying risk management issues facing New Jersey local governments was especially adept at applying this knowledge in his projections, and

Whereas, Mr. Henry is also highly respected for his ability to work closely with the Commissioners and the other members of the professional team.

NOW THEREFORE be it resolved by the Board of Fund Commissioners of the Municipal Excess Liability Joint Insurance Fund that:

The MEL honors DENNIS HENRY for his leadership, professionalism and dedication and congratulates him on his retirement.

The Forgoing Resolution was moved, seconded and unanimously approved this 6th day of January 2020.

MOTION TO ADOPT RESOLUTION 1-20:

Moved: Commissioner Cuccia
Second: Commissioner Tomasko
Roll Call Vote: Unanimous

MOTION TO ADJOURN SINE DINE MEETING:

Moved: Commissioner Law
Second: Commissioner Jack
Roll Call Vote: Unanimous

Executive Director called the meeting to order and asked for a roll call of the 2020 Fund Commissioners.

ROLL CALL OF 2020 BOARD OF FUND COMMISSIONERS

Tom Merchel	Township of Moorestown- PMM JIF	Present
Joy Tozzi	Township of Robbinsville - Mid-Jersey JIF	Present
Robert Law	Woodbury City - Trico JIF	Present
Jon Rheinhardt	Borough of Wharton – Morris JIF	Present
Charles Cuccia	Borough of Little Falls –S. Bergen JIF	Present
Richard Hirsch	Borough of Longport - Atlantic JIF	Present
Joseph Wolk	Borough of Mount Ephraim- Camden JIF	Present
Joseph Catenaro	Township of Fairfield – Sub Essex JIF	Absent
Thomas Nolan	Borough of Brielle - Monmouth JIF	Present
Joseph D’Arco	Borough of Paramus - NJMSI JIF	Present
Bernard Rutkowski	NJUA JIF – Toms River MUA	Present
Paul Tomasko	Borough of Alpine – Bergen JIF	Present
John Clarke	New Brunswick Housing Authority- PHA JIF	Absent
Veronica Laureigh	Township of Lacey – Ocean JIF	Present
William Northgrave	Township of Edison – Central JIF	Present
Megan Champney	City of Summit- Suburban Municipal JIF	Present
Cynthia Ege	Lambertville – PAIC JIF	Absent
Megan Jack	Riverside Twp- Burlco JIF	Present
Mark Antozzeski	Hamilton Township Fire District 9- FRESP JIF	Absent

ELECTION OF CHAIRMAN, SECRETARY, FIVE MEMBER EXECUTIVE COMMITTEE AND EXECUTIVE ALTERNATES. Executive Director said the MEL JIF conducts meeting as a Board of Fund Commissioners rather than Executive Committee when quorum of Board is achieved.

NOMINATIONS OPENED FOR CHAIRMAN, SECRETARY, FIVE MEMBER EXECUTIVE COMMITTEE AND SEVEN ALTERNATES.

Nominating Committee Chair Commissioner Cuccia presented its slate in the following motion:
THOMAS MERCHEL AS CHAIR, JOY TOZZI AS SECRETARY, COMMISSIONERS ROBERT LAW, JOHN RHEINHARDT, CHARLES CUCCIA, RICHARD HIRSCH AND JOSEPH WOLK AS FIVE MEMBER EXECUTIVE COMMITTEE AND; COMMISSIONERS JOSEPH CATENARO, TOM NOLAN, JOSEPH D'ARCO, BERARD RUTKOWSKI, PAUL TOMASKO, JOHN CLARKE, VERONICA LAUREIGH AS SEVEN ALTERNATES AND; COMMISSIONERS WILLIAM NORTHGRAVE, MEGAN CHAMPNEY, CYNTHIA EGE, MEGAN JACK AND MARK ANTOZZESKI AS REMAING ALTERNATES FOR FUND YEAR 2020:

Moved: Commissioner Northgrave
 Second: Commissioner Laureigh
 Vote: Unanimous

Hearing no other nominations

MOTION TO CLOSE NOMINATIONS AND CONFIRM ELECTIONS:

Moved: Commissioner Wolk
 Second: Commissioner Jack
 Vote: 15 Ayes – 0 Nays

FUND ATTORNEY ADMINISTERED OATH OF OFFICE

2020 REORGANIZATION

RESOLUTION 2-20 FUND PROFESSIONAL APPOINTMENT AND PROFESSIONAL SERVICE AGREEMENTS: Resolution 2-20 was included in the agenda to confirm appointments of Fund Professionals and approval of Professional Service Agreements in in accordance with a fair and open process for Fund years 2018, 2019 and 2020 unless otherwise noted in the resolution. Resolution was updated to reflect the 2020 compensation amounts, as well as, formatted to include the estimated 3-year contract amount as per a recent NJ Local Finance Board Notice. A revised resolution was distributed which reflected corrected amounts of compensation to vendor.

TITLE	PROFESSIONAL
EXECUTIVE DIRECTOR	PERMA Risk Management Services
ATTORNEY	Fred Semrau, Esq.
EXCESS LIABILITY CLAIMS	CB Claims LLC
ACTUARY	The Actuarial Advantage
DEPUTY ATTORNEY	Russell Huntington
ASSET MANAGER	Wilmington Trust
BANKING SERVICES MANAGER	Investors Bank
AUDITOR	Nisivoccia LLP
TREASURER	Michael Zambito
UNDERWRITING MANAGER	Conner Strong & Buckelew
PRODUCER/REINSURANCE MANAGER	Arthur J. Gallagher Risk Management Services
SAFETY CONSULTANT/TRAINING CONSULTANT	JA Montgomery Risk Control

EXCESS WC CLAIMS ADMINISTRATOR	Qual-Lynx
EXCESS PROPERTY CLAIMS ADMINISTRATOR	York Risk Services Group
CLAIMS ADMINISTRATOR CIVIL RIGHTS RUN – OFF CLAIMS	Dorsey & Semrau
MANAGED CARE PROVIDER	QualCare
LOBBYIST	Pathways Government Relations
INTERNAL AUDITOR – Financial Services	Carr, Riggs & Ingram
STRATEGIC PLANNING/ COMMUNICATIONS CONSULTANT	LaMendola Associates
SUPERVISORY TRAINING CONSULTANT	LaMendola Associates
TECHNICAL WRITER	Stradley Ronan
GRAPHIC DESIGNER	E. Fitz Art
WEBSITE MANAGER	NewTech Inc.
INTERNAL AUDITOR – Insurance Services	Baker Tilly Virchow Krause
LEARNING MANAGEMENT SYSTEM	FirstNet Learning, Inc.
RISK MANAGEMENT INFORMATION SYSTEM/ONLINE UNDERWRITING DATABASE & CLAIMS SYSTEM	Origami
MARKETING MANAGER	Princeton Strategic Communications
MARKETING COORDINATOR	Acrisure
CYBER SECURITY COVERAGE GUIDANCE	Bloustein Local Government Research Center

RESOLUTION 3-20 ESTABLISHING A FISCAL MANAGEMENT PLAN: Resolution submitted designating Official Depositories and approving a Cash Management Plan; authorizing Signatories on Administrative Accounts; and authorizing Signatories on Claim Accounts; establishing a rate of interest for delinquent assessments; and certifying Approval Officer for all Fund expenses. Commissioner Charles Cuccia was designated as the additional MEL Commissioner signatory under item I noting those authorized to sign checks from the official depository.

RESOLUTION 4-20 ESTABLISHING PUBLIC MEETING PROCEDURES: Resolution submitted to establish that the FUND shall hold public meetings during the year 2020 as follows:

March 27, 2020 (Friday)	Princeton Marriott at Forrestal	9:00 am
June 3, 2020 (Wed)	Forsgate Country Club	11:15 am
September 2, 2020 (Wed)	Forsgate Country Club	11:15 am
October 21, 2020 (Wed)	Forsgate Country Club	11:15 am
November 18, 2020 (Wed)	Sheraton Hotel, Atlantic City	12:30 pm
January 6, 2021 (Wed)	Forsgate Country Club	11:15 am

The MEL Claims Committee will meet on the same days as the Executive Committee at the above listed locations immediately following the Fund meeting with the exception of the March and November meeting dates. The MEL Claims Committee will meet in person at PERMA’s Camden office at 2 Cooper Street, Camden, NJ and via teleconference at 10:30 AM on March 4, 2020, May 6, 2020, July 16, 2020 and December 2, 2020.

The Fund newspapers are the Atlantic City Press (Pleasantville), the Star Ledger (Newark), the Asbury Park Press (Neptune) and the Courier Post (Cherry Hill). In addition, the MEL’s webpage is designated for official notices – www.njmel.org.

RESOLUTION 5-20 ESTABLISHING A FUNDS RECORDS PROGRAM: Resolution submitted to establish a Fund Records program appointing the Fund Secretary as custodian of records and Account Manager as Assistant Secretary.

MOTION TO ADOPT RESOLUTION 2-20 AS AMENDED THRU 5-20:

Moved: Commissioner Nolan

Second: Commissioner Tomasko
Vote: Unanimous

RESOLUTION 11-20 2020 RISK MANAGEMENT PLAN: 2020 Risk Management Plan prepared by the MEL Underwriting Manager and was included in the agenda for review. The plan has been amended to reflect excess rates and carriers for 2020.

RESOLUTION 12-20 NAMED STORM DEDUCTIBLE: Included in the agenda was a resolution of the MEL entering into an agreement as respects loss or damage caused by or resulting from named storm and is specific to covered properties in certain Counties and JIFs.

MOTION TO ADOPT RESOLUTION 11-20 2020 RISK MANAGEMENT PLAN AND RESOLUTION 12-20 NAMED STORM DEDUCTIBLE:

Moved: Commissioner Nolan
Second: Commissioner Tomasko
Roll Call Vote: 15 Ayes – 0 Nays

2020 COMMITTEE APPOINTMENTS: Fund Commissioners and Risk Management Consultants are encouraged to volunteer on standing committees. Chairman Merchel said the standing Committee Chairs would be as follows for 2020:

Management Committee	Thomas Merchel
Marketing Committee	Richard Hirsch
Coverage Committee	Joy Tozzi
Investment Committee	Jon Rheinhardt
Legislative Committee	Charles Cuccia
Nominating Committee	Charles Cuccia
Safety & Education Committee	Bernard Rutkowski
Audit Committee	Jon Rheinhardt
Claims Review Committee	Richard Hirsch

EXECUTIVE DIRECTOR REPORT:

2020 RENEWAL OF EXCESS AND REINSURANCE COVERAGES: Executive Director said the Board of Fund Commissioners met via teleconference on December 30, 2019 to authorize the renewal of excess and reinsurance coverages. Minutes of the meeting were distributed for information. The MEL commercial carrier for excess workers' compensation is Safety National, Brit is the excess liability and optional pol/epl carrier, Munich Reinsurance provides the optional excess liability and ACE provides the optional shared aggregate; Endurance American provides the non-owed aircraft and the commercial carrier for excess property and boiler/machinery is Zurich.

Copies of Resolution awarding Extraordinary Unspecifiable Services were distributed, which complied with the State Comptroller's requirements. Those resolutions were as follows:

RESOLUTION 6-20 OF THE MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND AWARDING AN EXTRAORDINARY UNSPECIFIABLE SERVICES CONTRACT WITH ZURICH AMERICAN INSURANCE COMPANY (HEREINAFTER "ZURICH") FOR EXCESS PROPERTY COVERAGE

RESOLUTION 7-20 OF THE MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND AWARDING AN EXTRAORDINARY UNSPECIFIABLE SERVICES CONTRACT WITH SAFETY NATIONAL WORKER'S COMPENSATION CORP.

(HEREINAFTER “SAFETY”) FOR EXCESS WORKER’S COMPENSATION INSURANCE

RESOLUTION 8-20 OF THE MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND AWARDING AN EXTRAORDINARY UNSPECIFIABLE SERVICES CONTRACTS FOR EXCESS INSURANCE COVERAGE

RESOLUTION 9-20 OF THE MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND AWARDING AN EXTRAORDINARY UNSPECIFIABLE SERVICES CONTRACT WITH ENDURANCE AMERICAN INSURANCE CO. (HEREINAFTER “ENDURANCE”) FOR NON-OWNED AIRCRAFT COVERAGE

RESOLUTION 10-20 OF THE MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND AWARDING AN EXTRAORDINARY UNSPECIFIABLE SERVICES CONTRACT WITH UNDERWRITERS AT LLOYDS (HEREINAFTER “LLOYDS”) FOR EXCESS CASUALTY REINSURANCE

RESOLUTION 20-20 OF THE MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND AWARDING AN EXTRAORDINARY UNSPECIFIABLE SERVICES CONTRACT WITH MUNICH REINSURANCE AMERICA, INC. (HEREINAFTER “MUNICH”) FOR EXCESS CASUALTY INSURANCE

MOTION TO ADOPT RESOLUTIONS 6-20, 7-20, 8-20, 9-20, 10-20 AND 20-20 RENEWING EXCESS PROPERTY, LIABILITY, WORKERS’ COMPENSATION AND PRIMARY NON-OWNED AUTO:

Moved: Commissioner Nolan
Second: Commissioner Tomasko
Roll Call Vote: 15 Ayes – 0 Nays

COMPETITIVE CONTRACTS - PROFESSIONALS SERVICES, CONSULTING AND SOFTWARE FIRMS: Executive Director said in June 2019, the Board adopted a resolution to procure professional services and/or software that was set to expire 12/31/19 for 1) Risk Management & Information System, 2) Management and Safety Training Consultant, 3) Marketing Consultant and 4) Marketing Manager.

Executive Director said the Management Committee reviewed responses for Marketing Manager, Marketing Consultant and Risk Management Information Systems and recommends awarding to Princeton Communications, Acrisure and Origami, as reflected in the professional appointment resolution. MEL Safety & Education Committee respectively reviewed the Manager & Supervisory Training response and recommends awarding to LaMendola Associates, as reflected in the resolution. Summary of evaluations have been posted to the MEL’s webpage.

Enclosed in the agenda were memorandums prepared by the MEL’s QPA, a summary of evaluation scores for each position and a resolution of award for each service.

RESOLUTION 13-20 AUTHORIZING THE AWARD OF THE SUPPLY AND MAINTENANCE OF A RISK MANAGEMENT INFORMATION SYSTEM TO ORIGAMI RISK THROUGH THE COMPETITIVE CONTRACTING PROCESS CC #19-01.

RESOLUTION 14-20 AUTHORIZING THE AWARD OF MANAGEMENT AND SUPERVISORY TRAINING CONSULTANT TO LAMENDOLA ASSOCIATES THROUGH THE COMPETITIVE CONTRACTING PROCESS CC #19-02.

RESOLUTION 15-20 AUTHORIZING THE AWARD OF A MARKETING CONSULTANT TO ACRISURE THROUGH THE COMPETITIVE CONTRACTING PROCESS CC #19-03.

RESOLUTION 16-20 AUTHORIZING THE AWARD OF A MARKETING MANAGER TO PRINCETON STRATEGIC COMMUNICATIONS THROUGH THE COMPETITIVE CONTRACTING PROCESS CC #19-04.

MOTION TO ADOPT RESOLUTION 13-20, 14-20, 15-20 AND 16-20:

Moved: Commissioner Law
Second: Commissioner Jack
Roll Call Vote: 15 Ayes – 0 Nays

Executive Director said the contract for the MEL Safety Institute’s Learning Management System (LMS) has expired and it would be appropriate to authorize the release of a competitive contract to procure this services for a 3-year term; enclosed is a Resolution 17-20 authorizing this procurement process.

MOTION TO ADOPT RESOLUTION 17-20 AUTHORIZING THE RELEASE OF A COMPETITIVE CONTRACT BID FOR THE LEARNING MANAGEMENT SYSTEM:

Moved: Commissioner Law
Second: Commissioner Tomasko
Vote: Unanimous

MEMBERSHIP: Executive Director reported the MEL and its affiliated local Joint Insurance Funds accepted eight new members as of January 1, 2020.

EMERGENCY RESTORATION SERVICES: In October 2014, the Board adopted a policy to seek qualified emergency restoration service vendors on behalf of its members through Request for Qualifications (RFQ). As recommended by the MEL’s QPA these services can be obtained by issuing a bid. The QPA has drafted the bid specifications, which will be available for release on January 6th with responses due on January 30th. Responders that comply with the bid specifications will be posted on the MEL website.

ANNUAL COMMISSIONER RETREAT: The Board of Fund Commissioners Annual Retreat has been scheduled for March 27, 2020 starting at 9:00AM and will be held at the Princeton Marriot at Forrestal located at 100 College Road East – Princeton, NJ08540. Registration information and agenda will be distributed prior to the Retreat. Deputy Executive Director encouraged Commissioners to suggest topics to be addressed at the retreat.

RCF: The Residual Claims Fund scheduled its 2020 Reorganization meeting for Monday, January 6, 2020 at 10:30 am in the Forsgate Country Club located in Monroe Twp., NJ. Commissioner John Clarke is the designated MEL representative for the 2020 Fund Year.

In addition, included in the agenda was Resolution 18-20 authorizing the transfer of the Municipal Excess Liability JIF’s Fund Year 2015 liabilities to the Residual Claims Fund as of December 31, 2019 valuation.

MOTION TO ADOPT RESOLUTION 18-20 AUTHORIZING THE TRANSFER OF FUND YEAR 2015 LIABILITIES TO THE RESIDUAL CLAIMS FUND:

Moved: Commissioner Law
Second: Commissioner Tomasko
Roll Call Vote: 15 Ayes – 0 Nays

LEGISLATIVE COMMITTEE: The committee met on November 20, 2019; enclosed in the agenda were the minutes of the meeting for information. Committee is scheduled to meet on February 13, 2020 at 10:00AM via teleconference.

SAFETY & EDUCATION COMMITTEE: The committee met on December 13, 2019; enclosed in the agenda were the minutes of that meeting for information. Committee is scheduled to meet next on February 21, 2020; location to be determined.

COVERAGE COMMITTEE: The committee is in the process of scheduling a meeting in February to review the MEL Excess Crime Policy rewrite.

CYBER TASK FORCE: This committee met on December 4, 2019; enclosed in the agenda were the minutes for information.

SPECIAL AD-HOC CLAIMS MINUTES: The initial meeting of the Special Ad-Hoc Claims Committee was held on December 4, 2020. Deputy Executive Director said the Committee reviewed its mission, elected a Chair and reviewed claims handling and litigation management process; enclosed in the agenda were the minutes for information.

POWER OF COLLABORATION: Enclosed in the agenda was the latest in the series of “Power of Collaboration” ads that will appear in the League of Municipalities magazine. The first highlights the savings to MEL members and taxpayers since its inception (January Ad) and the second highlights the program to address the protection and safe treatment of minors (February Ad).

CLAIMS COMMITTEE: The Claims Review Committee met on December 4, 2019 and is scheduled to meet immediately following today’s board meeting. Minutes of the December 4th meeting are enclosed under separate cover.

UNDERWRITING MANAGER:

REPORT: Distributed for information was the Underwriting Manager memorandum on the reinsurance/excess renewal. Underwriting Manager said the MEL will continue in its review of deductible and retention structure and noted that the property renewal is based on the MEL assuming a 10% coinsurance. Underwriting Manager said the commercial market is hardening and said the MEL carriers were able to maintain capacity. Mr. Miola agreed and said Underwriting Manager did a great job with the renewal in light of market difficulty.

Underwriting Manager highlighted the MEL JIF’s cyber security experience over the last two years and said the carrier renewed at a modest increase in premium and deductible relative to the JIFs’ loss ratio.

TREASURER:

CONFIRMATION OF PAYMENTS

November 2019 \$675,251.44
December 2019 \$498,060.20

RESOLUTION 19-20 FOR JANUARY 2020 VOUCHERS:

January 2020 \$15,025,501.26

Confirmation Of October 2019 Claims Payments/Certification Of Claims Transfers:

1988 WC	20,300.28
CLOSED	0.00
2015	99,491.96
2016	89,475.41
2017	10,422.41
2018	29,160.82
2019	185,951.42
TOTAL	\$434,802.30

Confirmation Of November 2019 Claims Payments/Certification Of Claims Transfers:

1988 WC	21,180.04
CLOSED	0.00
2015	711,419.19
2016	266,805.85
2017	280,962.44
2018	86,916.00
2019	70,269.86
TOTAL	\$1,437,553.38

MOTION TO CONFIRM PAYMENTS OF NOVEMBER 2019, DECEMBER 2019, APPROVE JANUARY 2019 BILLS LIST RESOLUTION 19-20 AND TO APPROVE TREASURER'S REPORT; CURRENT AND CONFIRMING EXPENSES AS PRESENTED:

Moved: Commissioner Rheinhardt
Second: Commissioner Tomasko
Roll Call Vote: 15 Ayes – 0 Nays

CLAIMS – EXCESS WORKERS COMPENSATION:

CLAIMS – EXCESS LIABILITY:

REPORT: Claims Administrators said there would be a MEL Claims Committee following this meeting.

ATTORNEY:

REPORT: Fund Attorney provided the board with an overview of 2019 and noted it was a busy year, particular regarding legislative changes impacting members. Fund Attorney complimented the efforts of several PERMA staff, Fund Professionals and Fund Commissioners for their efforts over the past year.

MANAGED CARE:

REPORT: A report was included in the agenda showing the Savings and Penetration report as of November 2019 and copies of the report as of December 2019 were distributed. The total billed was \$7.7 million with approved bills of \$2.7 million for a total savings of 65% and network penetration of 77%.

OLD BUSINESS:

NONE

NEW BUSINESS:

NONE

PUBLIC COMMENT:

NONE

CLOSED SESSION: There was no need for Closed Session.

MOTION TO ADJOURN:

Moved:	Commissioner Clarke
Second:	Commissioner Cuccia
Vote:	Unanimous

MEETING ADJOURNED: 11:56 AM

NEXT MEETING: March 27, 2020
Princeton, NJ
9:00 AM

Nancy A. Ghani, Assisting Secretary

For

JOY TOZZI, SECRETARY

RESOLUTION NO. 1-20

**MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND
HONORING**

DENNIS HENRY

Whereas, In 1993 DENNIS HENRY was appointed as the Actuary for the MEL and most of the affiliated local JIFs that are MEL members: and

Whereas, during his over a quarter of a century as Actuary, Mr. Henry helped the program grow into the largest and financially the strongest Property & Casualty pooling program in the United States; and

Whereas, since Dennis became Actuary, the program has saved New Jersey taxpayers over \$2 billion dollars, and

Whereas, this success was due in no small measure to his guidance, and

Whereas, as Actuary, Mr. Henry developed a deep understanding of the underlying risk management issues facing New Jersey local governments was especially adept at applying this knowledge in his projections, and

Whereas, Mr. Henry is also highly respected for his ability to work closely with the Commissioners and the other members of the professional team.

NOW THEREFORE be it resolved by the Board of Fund Commissioners of the Municipal Excess Liability Joint Insurance Fund that:

The MEL honors **DENNIS HENRY** for his leadership, professionalism and dedication and congratulates him on his retirement.

The Forgoing Resolution was moved, seconded and unanimously approved this 6th day of January 2020.

MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND

By _____
MEL Chair

MEL Secretary

Resolution No. 2-20
of the
MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND
CONCERNING CERTAIN PROFESSIONALS AND SERVICE ORGANIZATIONS

WHEREAS, the Municipal Excess Liability Joint Insurance Fund (hereinafter the Fund) found it necessary and appropriate to obtain certain professional services and other extraordinary and other unspecifiable services, as defined in the Local Public Contracts Law, (N.J.S.A. 40A-12 et. seq.) for the 2018, 2019 & 2020 Fund years and for 2020, 2021 and 2022; and,

WHEREAS, NJSA 40a11-16 (6) allows for a contract duration of three (3) years; and,

WHEREAS, the Fund resolved to award Professional Service Agreements commencing January 1, 2018 or January 1, 2019 or January 1, 2020 in accordance with a fair and open process pursuant to NJSA 19:44A-20.4 et. seq.; and,

WHEREAS, a notice soliciting proposals was published in the Star Ledger 2017 issue of the June 30th edition and posted on the MEL website www.njmel.org under the Public Bids section; a notice advising of competitive contracts was published in the Star Ledger 2019 issue of the August 14th edition; and,

WHEREAS, responses were received from professional service providers and service organizations on July 21, 2017 at 2 pm; competitive contract responses were received from software and consulting firms on September 19, 2019 starting at 9:00AM through 10:30AM; and,

WHEREAS, the Fund's Management, Claims Review, Audit, Coverage, Legislative and Safety & Education Committees served as the Evaluation Committees for the respective Professional Service Provider and Service Organization and made recommendations on the award of contracts to the below listed Professional Service Providers and Service Organizations based on a review of their responses, experience and prior service provided at the rates established by the Board of Fund Commissioners; and,

WHEREAS, the Fund Treasurer has indicated that sufficient funds exist for the award of these contracts in the usual and customary accounts.

WHEREAS, the Board of Fund Commissioners of the Municipal Excess Liability Joint Insurance Fund resolved to appoint the Fund Professionals – noted below – to three year terms commencing on January 1, 2018 and ending on December 31, 2020 (unless otherwise noted) at its January 2018 Reorganization Meeting in accordance with a fair and open process pursuant to N.J.S.A. 19:44A-20.4 et. Seq.;

- 1) **PERMA Risk Management Services as Administrator, David N. Grubb** is appointed as **Executive Director, Joseph P. Hrubash** as **Deputy Executive Director & Cathleen Kiernan** as **Assistant Executive Director** and as **agents for process of service**. \$4,009,422 is the estimated dollars that will be expended in connection with this contract over its three-year term. The annual amount of \$1,336,299.31 has been appropriated in the Administration Line Item of the 2020 budget.
- 2) **Fred Semrau, Esq. of Dorsey & Semrau** as **Fund Attorney providing General Counsel, Litigation Management and OPRA requests**. \$128,537 is the estimated dollars that will be expended in connection with the General Counsel contract over its three-year term. The annual amount of \$43,696.80 has been appropriated in the Attorney Line Item of the 2020 budget. \$55,087 is the estimated dollars that will be expended in connection with OPRA requests over the three-year term. The annual amount of \$18,727.20 has been appropriated in the OPRA Line Item of the 2020 budget. \$60,000 is the estimated dollars that will be expended in connection with Litigation

Management over the three-year term. The annual amount of \$20,000 has been appropriated in the Liability Claims Fund Line Item of the 2020 budget.

- 3) **Christopher Botta, Esq. of CB Claims LLC as Administrator of Excess Liability Claims.** \$1,215,722 is the estimated dollars that will be expended in connection with the Excess Liability Claims Administrator contract over its three-year term. The annual fee of \$406,152 plus hourly rate of \$197 for excess crime and expenses (estimated at \$7,000) has been appropriated in the Claims Administration Line Item of the 2020 budget.
- 4) **Russell R. Huntington, Esq. of Huntington Bailey as Deputy Fund Attorney.** \$4,606 is the estimated dollars that will be expended in connection with the Deputy Attorney contract over its three-year term. The annual amount of \$1,565.95 has been appropriated in the Deputy Attorney Line Item of the 2020 budget.
- 5) **Michael Zambito as Fund Treasurer.** \$77,003 is the estimated dollars that will be expended in connection with the Treasurer contract over its three-year term. The annual amount of \$26,177.50 has been appropriated in the Treasurer Line Item of the 2020 budget.
- 6) **The Actuarial Advantage as Fund Actuary.** \$153,375 is the estimated dollars that will be expended in connection with the Actuary contract over its three-year term. The annual amount of \$52,140.69 has been appropriated in the Actuary Line Item of the 2020 budget.
- 7) **Nisivoccia LLP as Fund Auditor.** \$88,335 is the estimated dollars that will be expended in connection with the Auditor contract over its three-year term. The annual amount of \$30,030.06 has been appropriated in the Auditor Line Item of the 2020 budget.
- 8) **Conner Strong & Buckelew Companies as Underwriting Manager.** \$1,618,995 is the estimated dollars that will be expended in connection with the Underwriting Manager contract over its three-year term. The annual amount of \$550,386.50 has been appropriated in the Underwriting Manager Line Item of the 2020 budget.
- 9) **Arthur J. Gallagher Risk Management Services, Inc as Producer/ Reinsurance Manager.** \$934,902 is the estimated dollars that will be expended in connection with the Producer contract over its three-year term. The annual amount of \$317,825.10 has been appropriated in the Reinsurance Manager Line Item of the 2020 budget.
- 10) **JA Montgomery Risk Control as Fund Safety Consultant** at a fee of \$105,320.73 & \$18.22 per Video for Video Library and Training Consultant at a fee of \$64,190.60 for Administration of MSI; \$2.51 per participant for the 1st 25,000 enrollees; \$1.25 for the next \$25,000 and \$0.96 per over 50,000; \$49.76 per class administration fee and \$269.89 per class cancellation fee; class fees ranging from \$399.71 for one-hour class to \$1,451.18 for eight-hour class; \$11.26 per hit for on-line training and \$1.08 per hit for non-MSI on-line training. \$3,511,809 is the estimated dollars that will be expended in connection with this contract over its three-year term. The annual amount of \$1,193,859 has been appropriated in the Safety Consultant, Video Library and MEL Safety Institute Line Items of the 2020 budget.
- 11) **Qual-Lynx as the Claims Administrator for Excess Workers Compensation.** \$1,902,452.39 is the estimated dollars that will be expended in connection with the Claims Administrator for Excess Workers Compensation contract over its three-year term. The annual amount of \$658,300 has been appropriated in the Claims Administration Line Item of the 2020 budget.

- 12) **York Risk Services Group (Sedgewick) as Excess Property Adjuster.** \$412,662 is the estimated dollars that will be expended in connection with the Claims Administrator for Excess Property contract over its three-year term. Contract includes one (1) license for FOCUS Risk Management Information System Platform and additional licenses are \$750 per license per year. Contract was a 1-year award and has been extended for a 2nd year with an option for a 3rd year. The annual amount of \$136,292 has been appropriated in the Claims Administration Line Item of the 2020 budget.
- 13) **Dorsey & Semrau as Claims Administrator Civil Rights Litigation** run-off claims at an hourly rate of \$195.28 for Partners, hourly rate of \$160.81 for Associates and hourly rate of \$86.15 for Paralegal/Claims Adjuster. \$45,000 is the estimated dollars that will be expended in connection with this contract over its three-year term. The annual amount of \$15,000 has been appropriated in the Claims Administration Line Items of the 2020 budget.
- 14) **QualCare as Managed Care Provider.** \$1,607,628 is the estimated dollars that will be expended in connection with the Managed Care Provider contract over its three-year term. The annual amount of \$546,522.10 has been appropriated in the Workers Compensation Claims Fund Line Item of the 2020 budget.
- 15) **Pathways Government Relations, LLC as Lobbyist.** \$92,036 is the estimated dollars that will be expended in connection with the Lobbyist contract over its three-year term. The annual amount of \$27,208.54 has been appropriated in the Legislative Committee Line Item of the 2020 budget.
- 16) **Stradley Ronan as Technical Writer.** \$75,000 is the estimated dollars that will be expended in connection with the Technical Writer contract over its three-year term. Contract is at an hourly fee of \$322.52 not to exceed annually. Contract was a 1-year award and has been extended for a 2nd year and a 3rd year. The annual amount of \$25,000 has been appropriated in the Coverage Committee Line Item of the 2020 budget.
- 17) **LaMendola Associates as Strategic Planning/Communications Consultant.** \$93,000 is the estimated dollars that will be expended in connection with the Strategic Planning/Communications Consultant contract over its three-year term. The annual not to exceed amount of \$31,000 at an hourly rate of \$169.59 has been appropriated in the Strategic Planning Committee and Communications Committee Line Items of the 2020 budget.
- 18) **LaMendola Associates as Supervisory Training Consultant.** \$36,750 is the estimated dollars that will be expended in connection with the Safety Training Consultant contract over its three-year term. The annual not to exceed amount of \$12,250 at an hourly rate of \$153 has been appropriated in the Safety and Education Committee Line Item of the 2020 budget.
- 19) **E.Fitz Art for Graphics Design.** \$17,400 is the estimated dollars that will be expended in connection with the Graphics Design contract over its three-year term. The 2020 contract is at an hourly rate of \$117.30 not to exceed \$4,500 for the annual report and not to exceed \$1,300 for newsletters plus 17% of the agency fee to manage printing of both publications. The annual not to exceed amount of \$1,800 has been appropriated in the Communications Committee Line Item of the 2020 budget.
- 20) **Baker Tilly Virchow Krause as Internal Auditor of Insurance Services** for a fee not to exceed \$13,000 for Actuarial Second Opinion; \$6,000 Actuarial Peer Review on Reserves; \$14,750 for Actuarial Peer Review on Pricing; \$18,750 for Underwriting; \$25,750 for Reinsurance Audit; \$38,850 for Claims Audit; \$4,150 for Reinsurance Checklist and \$6,000 General Planning/Board/Committee Meetings and Administration over the term of the contract. Fees as

submitted in RFQ. \$147,550 is the estimated dollars that will be expended in connection with the Internal Auditor Insurance Services contract over its three-year term. The annual amount of \$20,750 has been appropriated in the Internal Audit Committee Line Item of the 2020 budget.

- 21) **Carr, Riggs & Ingram LLC as Internal Auditor for Financial Services** at a fee of \$11,000 per Internal Audit for: Contract Management/Conflict of Interest, Electronic Data Process, Treasury & Investment, and Accounting & Reporting over the term of the contract. \$44,000 is the estimated dollars that will be expended in connection with the Internal Auditor Financial Services contract over its three-year term. The annual amount of \$22,000 has been appropriated in the Internal Audit Committee Line Item of the 2020 budget.
- 22) **Wilmington Trust as the Asset Manager** - .05% of the market value of the FUND's invested assets on a month to month basis until a successor is duly appointed.
- 23) **Investors Bank for Banking Manager** at an earnings rate based on a combined average balance of \$20,000,000 of participating joint insurance funds which will earn the federal funds rate less .25%.
- 24) **NewTech as Website Manager** at an hourly rate of \$149.38. \$25,707 is the estimated dollars that will be expended in connection with the Website Manager contract over its three-year term. The annual amount of \$8,568 has been appropriated in the Communications Line Item of the 2020 budget.
- 25) **Origami** to develop and provide **Risk Management Information System to include an Online Underwriting Database and Claims System**. \$696,750 is the estimated dollars that will be expended in connection with the Risk Management Information System/Online Underwriting Database and Claims System contract over its three-year term. Contract term is January 1, 2020 through December 31, 2022. The annual amount of \$232,250 has been appropriated in the Computer Services Line Item of the 2020 budget.
- 26) **Princeton Strategic Communications as Marketing Manager**. \$214,215.76 is the estimated dollars that will be expended in connection with the Marketing Manager contract over its three-year term beginning in January 1, 2020. The annual amount of \$69,996 has been appropriated in the Communications Committee Line Item of the 2020 budget. \$3,268.51 is the estimated dollars that will be expended in connection with website hosting over the three-year term; \$1,068 has been appropriated in the communications line item of the 2020 budget.
- 27) **Acrisure as Marketing Coordinator**. \$229,226 is the estimated dollars that will be expended in connection with the Marketing Coordinator contract over its three-year term beginning on January 1, 2020. The annual amount of \$65,000 plus \$10,000 for estimated new members and \$5,000 for estimated membership retention has been appropriated in the Communications Committee Line Item of the 2020 budget.
- 28) **State University of Rutgers - Bloustein Local Government Research Center to provide Cyber Security Coverage Guidance**. \$25,000 is the estimated dollars that will be expended in connection with this contract over its one-year term. Contract term is January 1, 2020 to January 1, 2021. The annual amount of \$25,000 has been appropriated in the Coverage Line Item of the 2020 Budget
- 29) **The Canning Group as Qualified Purchasing Agent**. The annual amount of \$15,000 has been appropriated in the administrative line items of the 2020 budget.

30) **FirstNet Learning, Inc** for the **Learning Management System** at a fee of \$8,280 Annual License Operating & Maintenance, \$2,020 for annual redevelopment of online university & upgrade to NextGen, \$25,000 Annual Hosting & Customer Support Costs for up to 50,000 users (\$0.50 per user for additional users), \$500 Annual Resource Management Hosting, \$250 Online Custom Course per course to upload or make available and \$1,000 for the KwikCourse Annual License & Maintenance on a month to month basis until a successor is duly appointed.

BE IT FURTHER RESOLVED, all Professional Service Providers and Service Organizations appointed pursuant to this Resolution shall service the Fund in accordance with the terms and conditions of the Professional Service Agreements.

BE IT FURTHER RESOLVED, that in accordance with NJSA 19:44A-20.7, the decision of the Fund's Board of Fund Commissioners that the procurement process utilized, constitutes a fair and open process, shall be final.

ADOPTED:
this day before the Governing Body:

Chairman

date

Secretary

date

RESOLUTION NO: 3-20
MUNICIPAL EXCESS LIABILITY MUNICIPAL JOINT INSURANCE FUND
(hereafter referred to as "THE FUND")
ESTABLISHING A FISCAL MANAGEMENT PLAN
FOR THE 2020 FUND YEAR

WHEREAS, THE FUND is duly constituted as a Municipal Joint Insurance Fund, as permitted under the laws promulgated by the State of New Jersey, (N.J.S.A. 40A-36, et.seq.); and

WHEREAS, THE FUND is subject to the requirements contained within the Local Fiscal Affairs Law (N.J.S.A. 40A-5, et.seq.); and

NOW, THEREFORE BE IT RESOLVED, THE FUND's Governing Body hereby appoints the following professionals for the 2020 Fund Year:

- I.** All funds for Administrative Expenses, Reinsurance, Dividends and Miscellaneous Expenses, shall be withdrawn from the official named Depository (ies) by check, which shall bear the signatures of at least two (2) of the following persons, duly authorized pursuant to this resolution.

_____ CHAIRMAN

_____ SECRETARY

MICHAEL ZAMBITO, TREASURER

_____, MEL FUND COMMISSIONER

- II.** All funds for Claims payments handled by Qual-Lynx shall be withdrawn from the Official Depository(ies) by check, which shall bear the signatures of at least two (2) of the following persons, duly authorized pursuant to this Resolution.

Dave S. Ruber, Qual-Lynx
Alice H. Lihou, Qual-Lynx
Janet Buggle, Qual-Lynx
Michael Zambito, Fund Treasurer

- III.** All funds for Claims payments handled by CB Claims shall be withdrawn from the Official Depository(ies) by check, which shall bear the signatures of at least two (2) of the following persons, duly authorized pursuant to this Resolution.

Christopher Botta, Esquire
Georganne Jussel
Robert Fisher, Esquire
Michael Zambito, Fund Treasurer
_____, MEL Fund Commissioner

- IV.** All funds for Claims payments handled by York Risk Services Group shall be withdrawn from the Official Depository(ies) by check, which shall bear the signatures of at least two (2) of the following persons, duly authorized pursuant to this Resolution.

_____, York Risk Services Group

_____, York Risk Services Group

Michael Zambito, Fund Treasurer

- V. FOR WIRE TRANSFERS - that the FUND does hereby require that Investors Bank obtain voice confirmation prior to executing wire transfers to external accounts from the Fund Treasurer
- VI. The Cash and Investment Policy attached herewith, shall be adopted.
- VII. The rate of interest assessed by the Fund, for delinquent assessments shall be ten (10) percent per annum, from the due date for any such assessment.
- VIII. Certifying and Approval Officer for all FUND expenses shall be the FUND's Executive Director and/or the Account Manager so designated by the Executive Director.

ADOPTED:

this day before the Governing Body:

Chairman

date

Secretary

date

RESOLUTION NO: 4-20

**MUNICIPAL EXCESS LIABILITY MUNICIPAL JOINT INSURANCE FUND
(hereafter the “FUND”)**

ESTABLISHING PUBLIC MEETING PROCEDURES

WHEREAS, the FUND must establish meeting procedures for Fund Year 2020, and

NOW, THEREFORE BE IT RESOLVED BY the Fund’s Governing Body

- I.** That the FUND shall hold public meetings during the year 2020 as follows: 9:00AM on March 27, 2020 at the Princeton Marriot at Forrestal located at 100 College Road East – Princeton, NJ 08540; meetings for June 3, 2020, September 2, 2020 and October 21, 2020 will be held in the Forsgate Country Club, Monroe Twp. NJ at 11:15AM, as well as, November 18, 2020 at 12:30PM at the Steel Pier Room - Sheraton Hotel Atlantic City. The 2021 Reorganization will be scheduled for Wednesday January 6, 2021 at 11:15AM in the Forsgate Country Club, Monroe Twp. NJ.

- II.** The MEL Claims Committee will meet on the same days as the Executive Committee at the above listed locations immediately following the Fund meeting with the exception of the March and November meeting dates. The MEL Claims Committee will meet in person at PERMA’s Camden office at 2 Cooper Street, Camden, NJ and via teleconference at 10:30 AM on March 4, 2020, May 6, 2020, July 16, 2020 and December 2, 2020.

- III.** The following is hereby designated the official newspaper (s) of the FUND: The Star Ledger, Newark, NJ; the Asbury Press, Neptune NJ; the Courier Post, Cherry Hill, NJ; and the Atlantic City Press; Atlantic City, NJ. In addition, the MEL’s webpage is designated for official notices – www.njmel.org.

- IV.** The FUND Secretary or designated assistant shall provide notice of any and all meetings, including special or emergency meetings, to each official newspaper and shall issue all official notices required to be published in at least one of the official newspapers.

ADOPTED this day;

Chairman

date

Secretary

date

RESOLUTION NO: 5-20

MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND
(Hereinafter the "FUND")

ESTABLISHING A FUND RECORDS PROGRAM

WHEREAS: The FUND must establish a formal record retention program for the 2020 fund year.

NOW, THEREFORE BE IT RESOLVED, by the Board of Fund Commissioners that:

I. _____, **Fund Secretary**, is hereby designated as custodian of the FUND records, which shall be kept at the office of the Fund Administrator, located at 9 Campus Drive, Suite 216, Parsippany, NJ 07054.

II. The Account Manager designated by the Executive Director is hereby appointed as **Assistant Fund Secretary**.

III. The records of the FUND shall be retained in accordance with the municipal records retention schedule as promulgated by the New Jersey Division of Archives and Records Management, and/or otherwise specified by the New Jersey Department of Insurance and Community Affairs.

IV. Each fund professional and service organization shall have the duty and obligation to maintain such records as are entrusted to him/her and to relinquish such records to the Fund Secretary upon termination of services or otherwise upon request.

Records and files not required to support current operations, but which must otherwise be retained, shall be stored in the record retention facility, located at Allstate Archives, 24 Beckwith Avenue, Paterson, New Jersey. The FUND's Executive Director shall coordinate the archive process and shall insure that all records are properly indexed and accessible.

ADOPTED:

this day by the Board of Fund Commissioners

Chair

date

Secretary

date

**RESOLUTION 6-20
OF THE MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND
AWARDING AN EXTRAORDINARY UNSPECIFIABLE SERVICES CONTRACT WITH
ZURICH AMERICAN INSURANCE COMPANY (HEREINAFTER "ZURICH") FOR EXCESS
PROPERTY COVERAGE**

WHEREAS, there is a need for excess property coverage for the Municipal Excess Liability Joint Insurance Fund (FUND); and

WHEREAS, the Fund has sought and received proposals in accord with N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, the Fund is recommending award to Zurich for excess property coverage in the amount of \$9,500,000; and

WHEREAS, the services qualify as an award of a contract without the receipt of formal bids as an Extraordinary Unspecifiable Service N.J.S.A. 18A:18A-5(a)(ii) and N.J.A.C. 5:34-2.3(b); and

WHEREAS, the certification of an Extraordinary Unspecifiable Service as demanded by to N.J.A.C. 5:34-2.1 et. seq. must be complied with and attached to this resolution; and

WHEREAS, Zurich will submit a Business Entity Disclosure Certification and a Political Contribution Disclosure form which certifies that Zurich has not made any reportable contributions to a political or candidate committee to the Fund in the previous one year, and that the contract will prohibit Zurich from making any reportable contributions through the term of the contract, and

WHEREAS, the purchasing agent has concurred with the legality of the purchase in accord with the New Jersey Local Publics Contract Law (N.J.S.40A:11-1 et. Seq); and

WHEREAS, the Treasurer has certified that funds are available, subject to approval by the board of commissioners in the 2020 budget in the amount of \$9,500,000 from:

Line Item: Excess Property Premiums

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Excess Liability Joint Insurance Fund authorizes the Executive Director to enter into a contract with Zurich for the 2020 budget year for excess property coverage in the amount of not to exceed \$9,500,000.

Chairman

Date

Secretary

Date

**RESOLUTION 7-20
OF THE MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND AWARDING AN
EXTRAORDINARY UNSPECIFIABLE SERVICES CONTRACT WITH SAFETY NATIONAL
WORKER'S COMPENSATION CORP. (HEREINAFTER "SAFETY") FOR
EXCESS WORKER'S COMPENSATION INSURANCE**

WHEREAS, there is a need for excess worker's compensation insurance for the Municipal Excess Liability Joint Insurance Fund (FUND); and

WHEREAS, the Fund has sought and received proposals in accord with N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, the Fund is recommending award to Safety for excess worker's compensation insurance in the amount of \$2,628,247; and

WHEREAS, the services qualify as an award of a contract without the receipt of formal bids as an Extraordinary Unspecifiable Service N.J.S.A. 18A:18A-5(a)(ii) and N.J.A.C. 5:34-2.3(b); and

WHEREAS, the certification of an Extraordinary Unspecifiable Service as demanded by to N.J.A.C. 5:34-2.1 et. seq. must be complied with and attached to this resolution; and

WHEREAS, Safety will submit a Business Entity Disclosure Certification and a Political Contribution Disclosure form which certifies that Safety has not made any reportable contributions to a political or candidate committee to the Fund in the previous one year, and that the contract will prohibit Safety from making any reportable contributions through the term of the contract, and

WHEREAS, the purchasing agent has concurred with the legality of the purchase in accord with the New Jersey Local Publics Contract Law (N.J.S..40A:11-1 et. Seq); and

WHEREAS, the Treasurer has certified that funds are available, subject to approval by the board of commissioners in the 2020 budget in the amount of \$2,628,247 from:

Line Item: Excess Workers' Compensation Premiums

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Excess Liability Joint Insurance Fund authorizes the Executive Director to enter into a contract with Safety for the 2020 budget year for excess worker's compensation insurance in the amount of not to exceed \$2,628,247.

Chairman

Date

Secretary

Date

**RESOLUTION 8-20
OF THE MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND AWARDING AN
EXTRAORDINARY UNSPECIFIABLE SERVICES CONTRACTS FOR EXCESS INSURANCE
COVERAGE**

WHEREAS, there is a need for excess insurance coverage for the Municipal Excess Liability Joint Insurance Fund (FUND); and

WHEREAS, the Fund has sought and received proposals as required from the following entities in accord with N.J.S.A. 19:44A-20.4 et. seq.:

Landmark American Insurance Company	Excess Flood	\$78,000.00
Aspen Specialty Insurance Company	Excess Flood	\$56,175.00
Everest Indemnity Insurance Company	Excess Flood	\$319,200.00
Westchester Surplus Lines Insurance Company	Excess Flood	\$119,902.00
Arch Specialty Insurance Company	Excess Flood	\$150,000.00
Lloyds of London	Excess Flood	\$246,250.00

WHEREAS, the Fund is recommending award of these contracts; and

WHEREAS, the services qualify as an award of a contract without the receipt of formal bids as an Extraordinary Unspecifiable Service N.J.S.A. 18A:18A-5(a)(ii) and N.J.A.C. 5:34-2.3(b); and

WHEREAS, the certification of an Extraordinary Unspecifiable Service as demanded by to N.J.A.C. 5:34-2.1 et. seq. must be complied with and attached to this resolution; and

WHEREAS, these entities will submit a Business Entity Disclosure Certification and a Political Contribution Disclosure form which certifies that they have not made any reportable contributions to a political or candidate committee to the Fund in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract, and

WHEREAS, the purchasing agent has concurred with the legality of the purchase in accord with the New Jersey Local Publics Contract Law (N.J.S..40A:11-1 et. Seq); and

WHEREAS, the Treasurer has certified that funds are available, subject to approval by the board of commissioners in the 2020 budget from:

Line Item: Excess Property Premiums

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Excess Liability Joint Insurance Fund authorizes the Executive Director to enter into contracts with the following entities for the 2020 budget year in the amount of not to exceed \$969,527.

Chairman Date

Secretary Date

**RESOLUTION 9-20
OF THE MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND AWARDING AN
EXTRAORDINARY UNSPECIFIABLE SERVICES CONTRACT WITH ENDURANCE
AMERICAN INSURANCE CO. (HEREINAFTER "ENDURANCE") FOR NON-OWNED
AIRCRAFT COVERAGE**

WHEREAS, there is a need for non-owned aircraft coverage for the Municipal Excess Liability Joint Insurance Fund (FUND); and

WHEREAS, the Fund has sought and received proposals in accord with N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, the Fund is recommending award to Endurance for non-owned aircraft coverage in the amount of \$37,461; and

WHEREAS, the services qualify as an award of a contract without the receipt of formal bids as an Extraordinary Unspecifiable Service N.J.S.A. 18A:18A-5(a)(ii) and N.J.A.C. 5:34-2.3(b); and

WHEREAS, the certification of an Extraordinary Unspecifiable Service as demanded by to N.J.A.C. 5:34-2.1 et. seq. must be complied with and attached to this resolution; and

WHEREAS, Endurance will submit a Business Entity Disclosure Certification and a Political Contribution Disclosure form which certifies that Endurance has not made any reportable contributions to a political or candidate committee to the Fund in the previous one year, and that the contract will prohibit Endurance from making any reportable contributions through the term of the contract, and

WHEREAS, the purchasing agent has concurred with the legality of the purchase in accord with the New Jersey Local Publics Contract Law (N.J.S..40A:11-1 et. Seq); and

WHEREAS, the Treasurer has certified that funds are available, subject to approval by the board of commissioners in the 2020 budget in the amount of \$37,461 from:

Line Item: Excess Liability Premiums

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Excess Liability Joint Insurance Fund authorizes the Executive Director to enter into a contract with Endurance for the 2020 budget year for non-owned aircraft coverage in the amount of not to exceed \$37,461.

Chairman

Date

Secretary

Date

**RESOLUTION 10-20
OF THE MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND AWARDING AN
EXTRAORDINARY UNSPECIFIABLE SERVICES CONTRACT WITH UNDERWRITERS AT
LLOYDS (HEREINAFTER “LLOYDS”) FOR EXCESS CASUALTY REINSURANCE**

WHEREAS, there is a need for excess casualty reinsurance insurance for the Municipal Excess Liability Joint Insurance Fund (FUND); and

WHEREAS, the Fund has sought and received proposals in accord with N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, the Fund is recommending award to Lloyds for excess casualty reinsurance insurance in the amount of \$5,176,492; and

WHEREAS, the services qualify as an award of a contract without the receipt of formal bids as an Extraordinary Unspecifiable Service N.J.S.A. 18A:18A-5(a)(ii) and N.J.A.C. 5:34-2.3(b); and

WHEREAS, the certification of an Extraordinary Unspecifiable Service as demanded by to N.J.A.C. 5:34-2.1 et. seq. must be complied with and attached to this resolution; and

WHEREAS, Lloyds will submit a Business Entity Disclosure Certification and a Political Contribution Disclosure form which certifies that Lloyds has not made any reportable contributions to a political or candidate committee to the Fund in the previous one year, and that the contract will prohibit Lloyds from making any reportable contributions through the term of the contract, and

WHEREAS, the purchasing agent has concurred with the legality of the purchase in accord with the New Jersey Local Publics Contract Law (N.J.S..40A:11-1 et. Seq); and

WHEREAS, the Treasurer has certified that funds are available, subject to approval by the board of commissioners in the 2020 budget in the amount of \$5,176,492 from:

Line Item: Excess Liability Premiums and Optional POLEPL Premiums

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Excess Liability Joint Insurance Fund authorizes the Executive Director to enter into a contract with Lloyds for the 2020 budget year for excess casualty reinsurance insurance in the amount of not to exceed \$5,176,492.

Chairman _____
Date

Secretary _____
Date

Resolution 11-20

Municipal Excess Liability Joint Insurance Fund

(hereinafter the "Fund" or the "MEL")

ESTABLISHING THE 2020 PLAN OF RISK MANAGEMENT

BE IT RESOLVED by the Fund's Executive Committee the 2020 Plan of Risk Management shall be:

Definitions

Commissioners mean: The Board of Fund Commissioners or the Executive Committee thereof as appropriate.

Member means: A Joint Insurance Fund that is a member of the MEL.

Insurance Coverages

The following coverages are provided to the Fund's member joint insurance funds, effective January 1, 2020:

1. Excess Workers' Compensation
2. Excess Liability
3. Optional Excess Liability
4. Non-Owned Aircraft Liability
5. Crime including excess public employee coverage, excess public officials coverage and Statutory Positions coverage
6. Optional Excess Public Officials Liability / Employment Practices Liability
7. Annual Aggregate Stop Loss
8. Excess Property & Equipment Breakdown (effective December 31, 2019)
9. NJHMFA Excess Insurance

Limits of Coverage

Unless otherwise stated, all limits shown apply less any local member JIFs' and local member units' SIRs/deductibles, or excess of 125% of the member JIFs' actuarial projected loss funds as respects Annual Aggregate Stop Loss. **Please note, other coverages, limits, sublimits deductibles, SIRs, terms or conditions may apply; please refer to the policy documents for full details.**

1. **Excess Workers' Compensation**
 - Workers' Compensation: Statutory
 - Employer's Liability: \$7,000,000
 - USL&H: Included in Workers' Compensation
 - Harbor Marine/Jones Act: Included in Employer's Liability
 - Incidental Foreign Workers Compensation: Included
 - Communicable Disease Coverage: Included
2. **Excess Liability** (*includes General, Automobile and Law Enforcement Liability*)
 - Excess Limit: \$5,000,000 annual aggregate per member entity
 - The annual aggregate does not apply to Business Automobile Liability
 - An occurrence involving multiple member entities: \$35,000,000; and
 - An occurrence involving multiple member entities for Certified Acts of Terrorism: \$10,000,000
 - Sublimits: The following sublimits are part of, and not in addition to, the Excess limit:
 - Fungus or Spores: \$1,000,000
 - Disinfectants Release Hazard Coverage: \$1,000,000
 - Dam and Reservoir: \$5,000,000
 - a. \$5,000,000 for any dam or reservoir owned, operated, maintained, constructed or controlled by any member entity;
 - b. Included for premises owned, occupied or controlled by the member entity on which a dam or reservoir is located, or from the operations conducted on such premises;

- c. \$5,000,000 per occurrence for any member entity owned dams defined as Class III or IV in New Jersey Administrative Code, Title 7, Department of Environmental Protection, Chapter 20, 7:20-1.8;
 - d. \$2,000,000 per occurrence for any member entity owned dam defined as Class I or II in New Jersey Administrative Code, Title 7, Department of Environmental Protection, Chapter 20, 7:20-1.8; and
 - e. \$2,000,000 per occurrence for any Class III or IV member entity owned dam involved with a Class I or II member entity owned dam.
- Garagekeepers Liability: \$2,000,000 Per Occurrence.
 - Sanitary/Storm Water System Sewerage Backup and/or Sanitary System Sewerage Backup, Escape or Release: \$3,000,000 Per Occurrence and \$4,000,000 Annual Aggregate for all member entities.
 - Subsidence: \$3,000,000 Per Occurrence and \$4,000,000 Annual Aggregate for all member entities.
 - Quasi Entities Coverage: \$5,000,000 Per Occurrence.
 - Skateboard Facilities: \$5,000,000 Per Occurrence.
 - Riot, Civil Commotion or Mob Action: \$5,000,000 Per Occurrence.
 - Failure to Supply Utility: \$5,000,000 Per Occurrence.

3. **Optional Excess Liability Limit**

The MEL offers Optional Excess Liability Limits excess of the Excess Limit.

- No aggregate applies to Business Automobile Liability.
- The following limits are the Optional Excess Limits:
 - \$2,000,000 (equals \$7,000,000 total);
 - \$5,000,000 (equals \$10,000,000 total);
 - \$10,000,000 (equals \$15,000,000 total); and
 - \$15,000,000 (equals \$20,000,000 total).
- Annual aggregate: \$50,000,000

The MEL also offers Optional JIF Shared Aggregate Excess Liability Limits excess of \$20,000,000.

- \$10,000,000 aggregate (equals \$30,000,000 total)

4. **Non-Owned Aircraft Liability**

- \$5,000,000; and
- Medical Expense for each passenger: \$5,000

5. **Crime**

- MEL Crime Excess:
 - \$1,000,000
 - Coverage includes employee dishonesty; forgery or alteration; theft, disappearance and destruction; robbery and safe burglary; and computer fraud with funds transfer
- MEL Crime Statutory Position:
 - The MEL provides primary employee dishonesty and faithful performance coverage for those employed positions which are required by law to be individually bonded and where they have applied and have been approved for coverage at a limit of \$1,000,000 per occurrence per position
 - The MEL will provide MEL Crime Statutory Position limits, based on underwriting and via endorsement, above \$1,000,000, matching the member's auditor's recommendation, but no more than \$2,000,000.
- MEL Crime Excess Public Officials:
 - The MEL provides excess employee dishonesty and faithful performance coverage for those employed positions which are required by law to be individually bonded and where they have not applied and have not been approved for coverage under the MELJIF Statutory Position Program at a limit of \$1,000,000
 - Each member local unit that has not applied for coverage under the Fund's Statutory Position Bond is required to continue to purchase via the commercial market individual bonds providing primary coverage up to "at least the minimum limit required by law" for those employed positions required by law to be individually bonded

6. **Optional Excess Public Officials Liability / Employment Practices Liability**

The MEL offers Optional Excess Public Officials Liability / Employment Practices Liability limits excess of the local member units' primary \$2,000,000 Public Officials Liability / Employment Practices Liability policies with QBE Specialty Insurance Company.

- The following limits are the Optional Excess Limits:
 - \$1,000,000 (equals \$3,000,000 total);
 - \$2,000,000 (equals \$4,000,000 total);
 - \$3,000,000 (equals \$5,000,000 total);
 - \$4,000,000 (equals \$6,000,000 total); and
 - \$8,000,000 (equals \$10,000,000 total).

7. **Annual Aggregate Stop Loss**

- Suburban Municipal JIF: \$1,000,000
- First Responder Joint Insurance Fund: \$1,000,000

8. **Excess Property**

- \$125,000,000, including certain sublimits, including, but not limited, to:
 - Aggregate, Earth Movement: \$100,000,000
 - Aggregate, Flood (includes Storm Surge): \$100,000,000
 - a. Per Location, Special Flood Hazard Area (SFHA): \$52,500,000
 - b. Per Occurrence, Pumping Stations: \$2,500,000
 - c. Per Occurrence, Property Located Outside Building or Structure, but Not Defined as Outdoor Property: \$1,000,000
 - Named Storm: Included
 - Miscellaneous Personal Property: \$10,000,000
 - Vehicles: \$15,000,000
 - Terrorism: Included
 - Unmanned Aircraft Systems: Excluded

9. **NJHMFA Excess Insurance**

The Municipal Excess Liability Joint Insurance Fund (MEL) provides excess insurance coverages with respect to those properties financed by the New Jersey Housing and Mortgage Finance Agency (NJHMFA) or are subject to requirements contained within a Financing, Deed Restriction and Regulatory Agreement with the NJHMFA and are insured by the New Jersey Public Housing Authority Joint Insurance Fund (NJPHA JIF) and/or the MEL so that all applicable insurance coverages with respect to such properties shall be in full compliance with all applicable NJHMFA Insurance Specifications / Minimum Requirements (NJHMFA Insurance Requirements), as may be amended from time to time, on a per property/per occurrence basis, except the NJPHA JIF does not provide primary flood insurance for properties in flood zones A, V and shaded X as defined by the Federal Emergency Management Agency (FEMA) (including all variations of A, V and shaded X), if applicable. In such cases, it is the property owner's responsibility to obtain primary flood coverages through the National Flood Insurance Program (NFIP) to the maximum extent of coverages available under the NFIP. The MEL provides flood coverage in excess of the NFIP maximum coverage limits up to a per property sub-limit of \$2.5 million. The NJPHA JIF and the MEL are not responsible for determining whether or not a property is located in a flood zone or for procuring primary flood insurance for such property. Except with respect to the requirement for a property owner to obtain primary flood insurance through NFIP as noted herein, should any insurance coverages, including excess flood coverages, provided by the NJPHA JIF and/or the MEL not meet any of the applicable NJHMFA Insurance Requirements, the NJPHA JIF and/or the MEL will provide insurance coverages, excess insurance coverages and/or difference-in-conditions coverages (DIC) as applicable to meet all applicable NJHMFA Insurance Requirements to the sole satisfaction of the NJHMFA.

NOTICE: The above description is a general discussion of the coverage and limits provided by the FUND. However, the actual terms and conditions are defined in the policy documents and all issues shall be decided on the policy documents.

The Amount of Risk to be Retained by the Fund

Unless otherwise stated, all limits shown apply less any local member JIFs' and local member units' SIRs/deductibles, or excess of 125% of the member JIFs' actuarial projected loss funds as respects Optional Annual Aggregate Stop Loss.

1. **Workers' Compensation:** \$2,000,000
2. **Excess Liability:** \$2,000,000
 - Quota Share: 20% of \$3,000,000 excess of \$2,000,000
3. **Optional Excess Liability:** \$0
4. **Non-Owned Aircraft Liability:** \$0
5. **Crime:**
 - MEL Crime Excess: \$1,000,000
 - MEL Crime Excess Public Officials: \$1,000,000
 - Deductible: The greater of:
 1. the amount said persons are required by law to be individually bonded, whether or not such individual bond is in place; or
 2. the amount of the individual bond in place.
 - MEL Crime Statutory Position: \$1,000,000
 - Deductible: \$1,000
 - The MEL will provide MEL Crime Statutory Position limits, based on underwriting and via endorsement, above \$1,000,000, matching the member's auditor's recommendation, but no more than \$2,000,000.
6. **Optional Public Officials Liability / Employment Practices Liability:** \$0
 - Does not cover any of the coverages with sublimits in the primary policy, including Land Use Claims
 - **Quota Share: 20%**
7. **Annual Aggregate Stop Loss:**
 - Suburban Municipal JIF: \$1,000,000
 - First Responder Joint Insurance Fund: \$1,000,000
8. **Excess Property:**
 - All Other: \$500,000
 - Equipment Breakdown: \$50,000
 - Flood for Locations in a Special Flood Hazard Area: \$0
 - Named Storm for locations in Monmouth, Ocean, Atlantic and Burlington counties east of the Garden State Parkway and all locations in Cape May County: \$0
 - Unmanned Aircraft Systems: Excluded
 - 10% of Limits above Excess Property Deductible
9. **NJHMFA Excess Insurance:** Unlimited less all other valid and collectible insurance (including any bond or other mechanism for funding of loss)

Commercial Insurance / Reinsurance Purchased

The insurance/reinsurance listed below may contain sublimits, retentions and deductibles in addition to such already stated.

1. **Excess Workers' Compensation:** The MEL purchases an excess workers' compensation policy from Safety National, as follows:
 - a. Workers' Compensation: Statutory;
 - b. Employer's Liability: \$5,000,000; and
 - c. Self-Insured Retention: \$2,000,000
2. **Non-Owned Aircraft Liability:** The MEL purchases a non-owned aircraft liability policy from Endurance with a limit of \$5,000,000
3. **Excess Property & Equipment Breakdown** (effective December 31, 2019): **The MEL purchases an excess property policy from Zurich with a limit of 90% of \$125,000,000**
4. **Excess Flood and Earth Movement** (effective December 31, 2019): The MEL purchases excess Flood/Earth Movement policies from numerous insurers with limits totaling \$50,000,000 excess of Zurich's respective sublimits
5. **Excess Liability:** The MEL has entered into a reinsurance treaty with Brit:
 - a. Excess Liability: \$3,000,000
 - Self-Insured Retention: \$2,000,000
 - Quota Share: 20% of \$3,000,000 excess of \$2,000,000
 - b. Optional Excess Public Officials Liability / Employment Practices Liability: up to \$8,000,000
 - Self-Insured Retention: \$2,000,000
 - Does not cover any sublimits in the primary policy, including Land Use Claims
 - **Quota Share: 20%** of \$3,000,000 excess of \$2,000,000

6. **Optional Excess Liability:** The MEL has entered into a reinsurance treaty with Munich: up to \$15,000,000, and a reinsurance treaty with Chubb for the \$10,000,000 excess \$20,000,000 layer.

The Amount of Unpaid Claims to be Established

1. The general reserving philosophy is to set reserves based upon the probable total cost of the claim at the time of conclusion. Historically, on claims aged eighteen (18) months, the Fund expects the claims servicing company to set reserves at 85% accuracy. The Fund also establishes reserves recommended by the Fund's actuary for claims that have been incurred but not yet reported so that the Fund has adequate reserves to pay all claims and allocated loss adjusted expense liability.
2. Claims reserves are subject to regular review by the Fund's Executive Director/Administrator, Attorney, Executive Committee and claims servicing company. Reserves on large or unusual claims are also subject to review by the claims departments of the commercial insurance companies or reinsurance companies providing primary or excess coverages to the Fund.

The Method of Assessing Contributions to be Paid by Each Member of the Fund

1. The actuary computes the probable net cost for the upcoming Fund year by line of coverage and for each prior Fund year by November 15th of each year. The actuary includes all budget items in these computations. The annual assessment of each participating municipality is its pro rata share of the probable net cost of the upcoming Fund year for each line of coverage as computed by the actuary.
2. The calculation of pro rata shares is based on each municipality's experience modified manual premium for that line of coverage. The total amount of each member's annual assessment is certified by majority vote of the Fund's Executive Committee at least one (1) month prior to the beginning of the next fiscal year (usually at the MEL's budget hearing at the League of Municipalities Convention).
3. The treasurer deposits each member's assessment into the appropriate accounts, including the administrative account, and the claim or loss retention trust fund account by Fund year for each type of coverage in which the member participates.
4. A participant's assessments and supplement assessments are reduced in proportion to that part of the year which had elapsed if such local unit becomes a member of the Fund or elects to participate in a line of coverage after the start of the Fund year.
5. The Fund's Executive Committee may, by majority vote, levy upon the participating municipalities additional assessments wherever needed or so ordered by the Commissioner of Insurance to supplement the Fund's claim, loss retention or administrative accounts to assure the payment of the Fund's obligations. All supplemental assessments are charged to the participating municipalities by applicable Fund year, and shall be apportioned by the year's assessments for that line of coverage.
6. The Fund chairman, or in the event by his or her failure to do so the custodian of the Fund's assets, shall notify the Commissioner of Insurance and the Director of Community Affairs should any member fail or refuse to pay its assessments or supplemental assessments, or should the Fund fail to assess funds required to meet its obligations. Past due assessments shall bear interest at the rate established annually by the Fund's Executive Committee.
7. After the end of the year before the Fund has finalized its year end accounting, the Fund's Commissioners shall levy an additional supplementary assessment so that the Fund's statutory surplus for all fund years combined is no less than 12.5 percent of unpaid claims including IBNR.
8. At the discretion of the Commissioners, any supplemental assessments may be payable in equal annual installments for up to ten years. Deferred assessments shall become due and immediately payable if a member leaves the Fund.

Procedures Governing Loss Adjustment and Legal Expenses

1. The Fund engages a claims service company to handle all claims. The performance of the claims adjusters is monitored and periodically audited by the Executive Director's office, the MEL attorney's office, and the claims department of the MEL's three major excess liability insurers/reinsurers (i.e. Genesis and Munich for liability and Safety National for workers' compensation). The MEL's internal auditors also conduct an audit every three years.
2. Each member local unit is provided with claims reporting procedures and appropriate forms.
3. To provide for quality defense and control costs, the Fund has established an approved defense attorney panel with firms specializing in Title 59 matters. The performance of the defense attorneys is overseen by the Fund attorney, as well as the various firms which audit the claims adjusters.

4. The Fund may establish a separate contract with a claims service company specializing in sexual abuse claims and may require members to also utilize this service company at the MEL's expense to administer sexual abuse claims that are within the member's retention. In this event, The Fund Attorney shall establish a committee of member fund attorneys, commissioners or MEL professionals to periodically review the performance to periodically review the performance of a special panel of defense attorneys appointed by the MEL for sexual abuse claims.

Procedures for the Closure of Fund Years, including the Maintenance of All Relevant Accounting Records

1. The Fund utilizes the Municipal Excess Liability Residual Claims Fund (RCF) to facilitate the closure of Fund years.
2. The Fund adopts a resolution closing that year and transfers all remaining assets to the closed Fund year account upon the transfer of outstanding liabilities of a Fund year to the RCF. This amount is allocated by member local units using the same procedure as is used to calculate a dividend. Each month, interest is credited to the closed Fund year account by member.
 - a. Each year, the Fund's Executive Committee will determine if a dividend is appropriate from the closed Fund year account, and will make application to the Department of Insurance as appropriate. Further, in the event an open Fund year incurs a deficit, the Fund's Executive Committee will consider an inter-year transfer from the closed Fund year account to offset the deficit. In either case, the dividend or inter-Fund year transfer will be calculated on a member by member basis.
 - b. A member may apply to the Fund's Executive Committee for a return of that member's remaining share of the closed Fund year account when five (5) years have passed since the last Fund year in which the member participated has been closed. The Fund's Executive Committee will decide on the former member's request after evaluating the likelihood of any additional assessments from the RCF.
 - c. All dividends from the RCF will be deposited in the closed Fund year account on a member by member basis.
 - d. The Fund will retain all records in accordance with the Fund's record retention program.

Assumptions and Methodology Used for the Calculation of Appropriate Reserve Requirements to be Established and Administered in Accordance with Sound Actuarial Principles

1. The general approach in estimating the loss reserves of the Fund is to project ultimate losses for each Fund year using paid and incurred loss data. Two traditional actuarial methodologies are used: the paid loss development method and the incurred loss development method. From the two different indications resulting from these methods the Fund Actuary chooses a "select" estimate of ultimate losses. Subtraction of the paid losses from the select ultimate losses yields the loss reserve liability or funding requirement.
2. The following is an overview of the two actuarial methods used to project the ultimate losses.
3. Paid Loss Development Method - This method uses historical accident year paid loss patterns to project ultimate losses for each accident year. Because this method does not use case reserve data, estimates from it are not affected by changes in case reserving practices. However, the results of this method are sensitive to changes in the rate of which claims are settled and losses are paid, and may underestimate ultimate losses if provisions are not included for very large open claims.
4. Case Incurred Loss Development Method - This method is similar to the paid loss development method except it uses historical case incurred loss patterns (paid plus case outstanding reserves) to estimate ultimate losses. Because the data used includes case reserve estimates, the results from this method may be affected by changes in case reserve adequacy.
5. The following shall be the payment schedule for assessments:

Mail Bill	Due Date	Amount Due
December 15th	January 31 st	1st quarter
	April 30 th	2nd quarter
	July 31 st	3rd quarter
December 15th	January 31 st	4th quarter plus any adjustments
	Etc.	

The Maximum Amount a Certifying and Approving Officer May Approve Pursuant to N.J.A.C. 11:15-2.22

1. With the advance approval of the Fund Attorney, the certifying and approving officer may also pay hospital bills if waiting until after the next regularly scheduled FUND meeting would result in the loss of a discount on such bills. When the certifying and approving officer utilizes this authority, a report shall be made to the Commissioners at their next meeting.
2. General Liability, Auto Liability, Workers' Compensation and Property: Any claim in excess of \$10,000 must be reviewed by the Fund's Executive Director/Administrator, and approved by the Board of Fund Commissioner/Executive Committee. The Board of Fund Commissioners has established a claims subcommittee comprised of at least three of its members to exercise this power. This subcommittee may meet telephonically when required.
3. Public Officials and Employment Practices Liability: Any claim in excess of \$10,000 must be approved by the Fund Attorney and Executive Director. All such approvals shall be reported to the claims sub-committee at their next meeting.
4. Property Claims from Super Storm Sandy: Authority to approve claims from Super Storm Sandy shall be exercised by a special claims committee comprised of one representative appointed by each of the following JIFs: Atlantic, Central, Monmouth, Mid Jersey, New Jersey Housing Authorities, Ocean and South Bergen. The Committee shall be chaired by the Fund Chairperson, or designee who shall only vote in case of a tie. The Special Committee shall have the following powers:
 - a. Establish timelines for the filing of claims
 - b. Take appropriate actions to maximize the recovery for the members from all sources
 - c. Apportion the aggregate recovery in an equitable manner among eligible flood claims.
 - d. Hear appeals in accordance with the FUND's bylaws.
 - e. Take necessary action to effectuate the review, determination and processing of such claims.
5. Appoint Counsel and other professional support as needed

ADOPTED this _____ day of _____, _____;

MEL Chairman

Date

MEL Secretary

Date

RESOLUTION NO 12-20

MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND

NAMED STORM DEDUCTIBLE RISK SHARING PROGRAM

A RESOLUTION OF THE MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND ENTERING INTO AN AGREEMENT WITH RESPECT TO NAMED STORM DEDUCTIBLES.

WHEREAS, The Municipal Excess Liability Joint Insurance Fund (hereinafter the “MEL”) provides excess property coverage underwritten by Zurich Insurance Company to various member Joint Insurance Funds.

WHEREAS, as respects loss or damage caused by or resulting from “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”.

WHEREAS, as respects loss or damage caused by or resulting from “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”.

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

WHEREAS, for purposes of this resolution, “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. Named Storm also includes “Storm Surge”.

WHEREAS, for purposes of this resolution, covered property shall not include Vehicles.

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

WHEREAS, the Executive Committees of these Joint Insurance Funds recognize that its members could bear a financial hardship in event of a “Named Storm” as a result of this deductible.

NOW, THEREFORE BE IT RESOLVED that the Board of Fund Commissioners of the **Municipal Excess Liability Joint Insurance Fund** resolves to act as a lead agency to administer

an agreement amongst 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.
2. The first \$5,000 of loss from each member location shall not be subject to this sharing provision.
3. This sharing provision shall be subject to only insured property at insured locations.
4. To be eligible for reimbursement under this agreement, the member shall file a claim with FEMA and the reimbursement under this agreement shall be reduced by the amount of the FEMA reimbursement.
5. This agreement is contingent on the JIFs joining the agreement, adopting a mutually acceptable indemnification agreement and upon the MEL adopting an appropriate resolution agreeing to be the lead agency to administer this agreement.

**Municipal Excess Liability
Joint Insurance Fund:**

Attest:

Chairperson

Secretary

RESOLUTION 13-20
OF THE MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND
AUTHORIZING THE AWARD OF THE SUPPLY AND MAINTENANCE OF A RISK
MANAGEMENT OPERATING SYSTEM/ RISK MANAGEMENT INFORMATION SYSTEM
THROUGH THE COMPETITIVE CONTRACTING PROCESS CC# 19-01

WHEREAS, the Fund has a desire to provide for the supply and maintenance of a risk management operating system/ risk management information system for its operations; and

WHEREAS, such services are currently available to be provided through the competitive contracting process under the New Jersey Local Publics Contract Law, N.J.S.A. 40A:11-4.2, for a period of up to five (5) years; and

WHEREAS, the Fund received Competitive Contract proposals, CC# 19-01 on September 19, 2019 at 9:00 A.M.; and

WHEREAS, the Fund authorized the competitive contract process though Fund commissioner approved resolution, in accord with the prescripts of N.J.S.A.40A:11-4.1; and

WHEREAS, the Fund established a rating committee rating the proposals upon the standards of price and other factors, those factors being Technical, Managerial and Cost factors in accord with N.J.A.C.5:34-4; and

WHEREAS, Origami Risk 222 N. LaSalle St., Ste. 2125 Chicago, IL 60601; has provided a proposal deemed responsive and responsible under the New Jersey Local Publics Contract Law (N.J.S.A.40A:11-1 et. Seq.); and

WHEREAS, the report produced by the committee, recommending Origami Risk, was made available to the public and governing body at least 48 hours prior to the meeting of the governing body in accord with N.J.S.A 40A:11-4.1 and N.J.A.C 5:34-4; and

NOW, THEREFORE, BE IT RESOLVED by the Municipal Excess Liability Fund as follows:

The Funds Executive Director is hereby authorized to enter into a contract with Origami Risk 222 N. LaSalle St., Ste. 2125 Chicago, IL 60601, for a period of five (5) years encompassing the scope of work and cost proposal as outlined within CC# 19-01.

**Municipal Excess Liability
Joint Insurance Fund:**

Attest:

Chairperson

Secretary

RESOLUTION 14-20
OF THE MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND
AUTHORIZING THE AWARD OF MANAGEMENT AND SUPERVISORY TRAINING
CONSULTANT THROUGH THE COMPETITIVE CONTRACTING PROCESS CC# 19-02

WHEREAS, the Fund has a desire to provide for the supply and maintenance of a risk management operating system/ risk management information system for its operations; and

WHEREAS, such services are currently available to be provided through the competitive contracting process under the New Jersey Local Publics Contract Law, N.J.S.A. 40A:11-4.2, for a period of up to five (5) years; and

WHEREAS, the Fund received Competitive Contract proposals, CC# 19-02 on September 19, 2019 at 9:30 A.M.; and

WHEREAS, the Fund authorized the competitive contract process though Fund commissioner approved resolution, in accord with the prescripts of N.J.S.A.40A:11-4.1; and

WHEREAS, the Fund established a rating committee rating the proposals upon the standards of price and other factors, those factors being Technical, Managerial and Cost factors in accord with N.J.A.C.5:34-4; and

WHEREAS, LaMendola Associates Inc. 8 Poplar Road Demarest NJ 07627; has provided a proposal deemed responsive and responsible under the New Jersey Local Publics Contract Law (N.J.S.A.40A:11-1 et. Seq.); and

WHEREAS, the report produced by the committee, recommending LaMendola Associates Inc. 8 Poplar Road Demarest NJ 07627, was made available to the public and governing body at least 48 hours prior to the meeting of the governing body in accord with N.J.S.A 40A:11-4.1 and N.J.A.C 5:34-4; and

NOW, THEREFORE, BE IT RESOLVED by the Municipal Excess Liability Fund as follows:
The Funds Executive Director is hereby authorized to enter into a contract with LaMendola Associates Inc. 8 Poplar Road Demarest NJ 07627, for a period of five (5) years encompassing the scope of work and cost proposal as outlined within CC# 19-02.

**Municipal Excess Liability
Joint Insurance Fund:**

Attest:

Chairperson

Secretary

**RESOLUTION 15-20
OF THE MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND
AUTHORIZING THE AWARD OF MARKETING CONSULTANT
THROUGH THE COMPETITIVE CONTRACTING PROCESS CC# 19-03**

WHEREAS, the Fund has a need for a marketing consultant for its operations; and

WHEREAS, such services are currently available to be provided through the competitive contracting process under the New Jersey Local Publics Contract Law, N.J.S.A. 40A:11-4.2, for a period of up to five (5) years; and

WHEREAS, the Fund received Competitive Contract proposals, CC# 19-03 on September 19, 2019 at 10:00 A.M.; and

WHEREAS, the Fund authorized the competitive contract process though Fund commissioner approved resolution, in accord with the prescripts of N.J.S.A.40A:11-4.1; and

WHEREAS, the Fund established a rating committee rating the proposals upon the standards of price and other factors, those factors being Technical, Managerial and Cost factors in accord with N.J.A.C.5:34-4; and

WHEREAS, Acrisure 1460 Route 9 North, Suite 310 Woodbridge, New Jersey 07095.; has provided a proposal deemed responsive and responsible under the New Jersey Local Publics Contract Law (N.J.S.A.40A:11-1 et. Seq.); and

WHEREAS, the report produced by the committee, recommending Acrisure was made available to the public and governing body at least 48 hours prior to the meeting of the governing body in accord with N.J.S.A 40A:11-4.1 and N.J.A.C 5:34-4; and

NOW, THEREFORE, BE IT RESOLVED by the Municipal Excess Liability Fund as follows:
The Funds Executive Director is hereby authorized to enter into a contract with Acrisure 1460 Route 9 North, Suite 310 Woodbridge, New Jersey 07095, for a period of five (5) years encompassing the scope of work and cost proposal as outlined within CC# 19-03.

**Municipal Excess Liability
Joint Insurance Fund:**

Attest:

Chairperson

Secretary

**RESOLUTION 16-20
OF THE MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND
AUTHORIZING THE AWARD OF MARKETING MANAGER
THROUGH THE COMPETITIVE CONTRACTING PROCESS CC# 19-04**

WHEREAS, the Fund has a need for a marketing manager consultant for its operations; and

WHEREAS, such services are currently available to be provided through the competitive contracting process under the New Jersey Local Publics Contract Law, N.J.S.A. 40A:11-4.2, for a period of up to five (5) years; and

WHEREAS, the Fund received Competitive Contract proposals, CC# 19-04 on September 19, 2019 at 10:30 A.M.; and

WHEREAS, the Fund authorized the competitive contract process though Fund commissioner approved resolution, in accord with the prescripts of N.J.S.A.40A:11-4.1; and

WHEREAS, the Fund established a rating committee rating the proposals upon the standards of price and other factors, those factors being Technical, Managerial and Cost factors in accord with N.J.A.C.5:34-4; and

WHEREAS, Princeton Strategic Communications 160 West State Street, Trenton, N.J. 08608 has provided a proposal deemed responsive and responsible under the New Jersey Local Publics Contract Law (N.J.S.A.40A:11-1 et. Seq.); and

WHEREAS, the report produced by the committee, recommending Princeton Strategic Communications was made available to the public and governing body at least 48 hours prior to the meeting of the governing body in accord with N.J.S.A 40A:11-4.1 and N.J.A.C 5:34-4; and

NOW, THEREFORE, BE IT RESOLVED by the Municipal Excess Liability Fund as follows:
The Funds Executive Director is hereby authorized to enter into a contract with Princeton Strategic Communications 160 West State Street, Trenton, N.J. 08608, for a period of five (5) years encompassing the scope of work and cost proposal as outlined within CC# 19-04.

**Municipal Excess Liability
Joint Insurance Fund:**

Attest:

Chairperson

Secretary

RESOLUTION 17-20

**MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND
RESOLUTION AUTHORIZING THE HIRING
OF SOFTWARE APPLICATION PROGRAM FIRM FOR
THE LEARNING MANAGEMENT SYSTEM THROUGH THE COMPETITIVE CONTRACTING
PROCESS**

WHEREAS, the Municipal Excess Liability Joint Insurance Fund (Hereinafter the “Fund”) has a need for the procurement of proprietary software for the learning management system for the efficient operation of the Fund; and

WHEREAS, the Fund under the authority of (N.J.S.A. 11:15-2.4) is subject to the auspices of the New Jersey Local Publics Contract Law for its procurement at (N.J.S.A.40A:11-1); and

WHEREAS, such desired services are currently available to be provided through the competitive contracting process under the New Jersey Local Publics Contract Law, (N.J.S.A. 40A:11-4.1(a)); and

WHEREAS, the Fund desires to evaluate such service offerings from Vendors within the procedures as set forth in the New Jersey Local Publics Contract Law (N.J.S.A.40A:11-4.1 et. Seq., and N.J.A.C. 5:34-4 et. Seq.); and

WHEREAS, the competitive contracting process satisfies the fair and open requirement as established under (N.J.S.A. 19:44A-20.4 et. Seq.), and

WHEREAS, the Fund desires to enter into a contract that will satisfy the needs of the Fund; and

WHEREAS, as per statute the process will be administered by the Qualified Purchasing Agent (N.J.S.A. 40A:11-4.5(d));

NOW, THEREFORE, BE IT RESOLVED by the Board of Fund Commissioners of the Municipal Excess Liability Joint Insurance Fund resolve to authorize the Qualified Purchasing Agent to procure the proprietary software for the learning management system through the competitive contacting process in accord with (N.J.S.A. 40A:11-4.1 et. Seq.,

Chair

Date

Secretary

Date

**RESOLUTION NO. 18-20
OF THE
MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND
TO TRANSFER TO
MUNICIPAL EXCESS LIABILITY RESIDUAL CLAIMS FUND**

WHEREAS, the Municipal Excess Liability Residual Claims Fund was organized pursuant to N.J.S.A. 40A:10-36, et seq., to provide residual risk coverage to its member joint insurance funds; and,

WHEREAS, the Board of Fund Commissioners of the **Municipal Excess Liability Joint Insurance Fund** determined that membership in the Residual Claims Fund is in the best interest of the member local units and joined the Residual Claims Fund.

NOW, THEREFORE, BE IT RESOLVED that the Board of Fund Commissioners of the **Municipal Excess Liability Joint Insurance Fund** does hereby resolve and agree to transfer the following residual risks.

<u>Fund Year</u>	<u>Lines of Coverage</u>	<u>Member Fund S.I.R.</u>
2015	Property Liability Workers' Compensation Public Official/Employment Practices	Varies

BE IT FURTHER RESOLVED that the actual transfer of claim liabilities to the Municipal Excess Liability Residual Claims Fund shall be based upon the following formula:

Case Reserves and IBNR as of 12/31/19

**MUNICIPAL EXCESS LIABILITY
JOINT INSURANCE FUND**

Attest:

_____ Chairman

_____ Secretary

MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND BILLS LIST

Resolution No. 19-20

WHEREAS, the Treasurer has certified that funding is available to pay the following bills:

BE IT RESOLVED that the Municipal Excess Liability Joint Insurance Fund’s Executive Board, hereby authorizes the Fund treasurer to issue warrants in payment of the following claims; and

FURTHER, that this authorization shall be made a permanent part of the records of the Fund.

FUND YEAR

<u>2019</u>			
<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
002280			
002280	CB CLAIMS LLC	CLAIMS ADMIN 12/19	35,503.11
			35,503.11
002281			
002281	DORSEY & SEMRAU ESQ.	MEL SPECIAL LITIGATION 12/19	5,185.98
002281	DORSEY & SEMRAU ESQ.	MEL EPL ROLLOFF 12/19	916.66
			6,102.64
002282			
002282	FORSGATE COUNTRY CLUB	SAFETY & EDU COMM 12.13.19	1,667.65
			1,667.65
002283			
002283	THE CANNING GROUP LLC	QPA SERVICES 12/19	1,250.00
			1,250.00
002284			
002284	PERMA	POSTAGE 12/19	65.15
			65.15
		Total Payments FY 2019	44,588.55

FUND YEAR

<u>2020</u>			
<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
002285			
002285	CONNER STRONG & BUCKELEW	PROP/BOILER & MACH 1/20	9,483,680.00
002285	CONNER STRONG & BUCKELEW	EXCESS PROP - DIFF IN COND 2020	821,669.00
			10,305,349.00
002286			

002286	CONNER STRONG & BUCKELEW	OPT EX LIAB - MUN REINS 2020	2,216,434.00
002286	CONNER STRONG & BUCKELEW	OPT EX LIAB - ACE AMER INS COMP 2020	203,516.00
002286	CONNER STRONG & BUCKELEW	EXC LIAB REINS 2020	876,029.20
002286	CONNER STRONG & BUCKELEW	NONOWNED AIR - END AMER INS COMP 2020	37,461.00
			3,333,440.20
002287			
002287	CONNER STRONG & BUCKELEW	EX WC SAFTY NATL CAS CORP 2020	928,736.00
			928,736.00
002288			
002288	QUALCARE, INC.	MANAGED CARE FEES 1/20	44,650.50
			44,650.50
002289			
002289	CONNER STRONG & BUCKELEW	OPT EX POL/EPL REINS - BRIT 2020	167,194.20
			167,194.20
002290			
002290	PERMA	EXEC DIRECTOR 1/20	113,585.44
			113,585.44
002291			
002291	DORSEY & SEMRAU ESQ.	1ST QTR RETAINER 2020	10,924.20
002291	DORSEY & SEMRAU ESQ.	1ST QTR RETAINER OPRA 2020	4,681.75
			15,605.95
002292			
002292	ARTHUR J. GALLAGHER RMS, INC.	REINSURANCE MANAGER 1/20	26,485.42
			26,485.42
002293			
002293	CONNER STRONG & BUCKELEW	UNDERWRITING FEE 1/20	45,866.00
			45,866.00
		Total Payments FY 2020	14,980,912.71

TOTAL PAYMENTS ALL FUND YEARS

Chairperson

Attest:

Dated: _____

I hereby certify the availability of sufficient unencumbered funds in the proper accounts to fully pay the above claims.

Treasurer

RESOLUTION 20-20

OF THE MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND AWARDING AN EXTRAORDINARY UNSPECIFIABLE SERVICES CONTRACT WITH MUNICH REINSURANCE AMERICA, INC. (HEREINAFTER “MUNICH”) FOR EXCESS CASUALTY INSURANCE

WHEREAS, there is a need for excess casualty insurance for the Municipal Excess Liability Joint Insurance Fund (FUND); and

WHEREAS, the Fund has sought and received proposals in accord with N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, the Fund is recommending award to Munich for excess casualty insurance in the amount of \$2,202,236; and

WHEREAS, the services qualify as an award of a contract without the receipt of formal bids as an Extraordinary Unspecifiable Service N.J.S.A. 18A:18A-5(a)(ii) and N.J.A.C. 5:34-2.3(b); and

WHEREAS, the certification of an Extraordinary Unspecifiable Service as demanded by to N.J.A.C. 5:34-2.1 et. seq. must be complied with and attached to this resolution; and

WHEREAS, Munich will submit a Business Entity Disclosure Certification and a Political Contribution Disclosure form which certifies that Munich has not made any reportable contributions to a political or candidate committee to the Fund in the previous one year, and that the contract will prohibit Munich from making any reportable contributions through the term of the contract, and

WHEREAS, the purchasing agent has concurred with the legality of the purchase in accord with the New Jersey Local Publics Contract Law (N.J.S..40A:11-1 et. Seq); and

WHEREAS, the Treasurer has certified that funds are available, subject to approval by the board of commissioners in the 2020 budget in the amount of \$2,202,236 from:

Line Item: Optional Liability Premiums

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Excess Liability Joint Insurance Fund authorizes the Executive Director to enter into a contract with Munich for the 2020 budget year for excess casualty insurance in the amount of not to exceed \$2,202,236.

Chairman _____ Date

Secretary _____ Date