

**MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND**

**OPEN MINUTES**

**MARCH 26, 2021**

**VIA TELECONFERENCE – 9:40 AM**

**ROLL CALL OF 2020 BOARD OF FUND COMMISSIONERS**

Tom Merchel	Township of Moorestown- PMM JIF	Absent
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	Absent
Paul Tomasko	Borough of Alpine – Bergen JIF	Present
John Clarke	New Brunswick Housing Authority- PHA 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
Kevin Davis	Hunterdon County – PAIC JIF	Absent
Megan Jack	Riverside Twp- Burlco JIF	Present
Steven Scholey	Bordentown Fire Company - District #1- FRESP JIF	Absent

**APPOINTED OFFICIALS PRESENT:**

Executive Director/Adm	PERMA Risk Management Services <b>David N. Grubb, Joseph Hrubash, Cate Kiernan Nancy A. Ghani</b>
Attorney	Dorsey & Semrau <b>Fred Semrau, Esq.</b>
Producer	Arthur J. Gallagher <b>Paul Forlenza, Paul Miola</b>
Auditor	Nisivoccia LLP <b>Bud Jones</b>
Actuary	The Actuarial Advantage <b>Kyle Mrotek, Eric Bause</b>
Ex Worker’s Comp Claims Administrator	Qual-Lynx <b>Kathy Kissane, Chris Healey</b>
Safety Director	JA Montgomery Risk Control Services <b>Paul Shives</b>
Treasurer	<b>Mike Zambito</b>

Excess Liability Claims Administrator	CB Claims LLC <b>Christopher Botta</b>
Underwriting Manager	Conner Strong & Buckelew <b>Edward Cooney, Jonathan Taveras</b>
Lobbyist	Pathways <b>Paul Bent</b>
Managed Care	QualCare <b>Donna Setzer, Steve McNamara</b>
Marketing Coordinator	Acrisure <b>Amy Pieroni</b>
Asset Manager	Clearbrook <b>Fernando Garip</b>
Supervisory/Training Consultant Strategic Planner	LaMendola Associates <b>Clark LaMendola</b>

**ALSO PRESENT:**

Dave Matchett, Alternate MEL Commissioner Burlco JIF & RCF Commissioner  
 Don Sciolaro, Bergen JIF Commissioner  
 Elizabeth Randall, MEL Audit Committee Board member  
 Michael Avalone, Conner Strong & Buckelew  
 Frank Covelli, P.I.A  
 Charles Hartsoe, PEGAS  
 Ezio Altamura, GJEM Otterstedt  
 Barbara Murphy, RLM  
 Robin Racioppi, Acrisure  
 Claudia Acosta, Qual-Lynx  
 Caty Lame, Qual-Lynx  
 Alison Kelly, Danskin Insurance Agency  
 Charles Casagrande, Danskin Insurance Agency  
 John Casagrande, Danskin Insurance Agency  
 Pauline Kontomanolis, PERMA Risk Management Services  
 Steve Sacco, PERMA Risk Management Services  
 Brad Stokes, PERMA Risk Management Services  
 Robyn Walcoff, PERMA Risk Management Services  
 Jennifer Conicella, PERMA Risk Management Services  
 Karen Read, PERMA Risk Management Services  
 Jason Thorpe, PERMA Risk Management Services  
 Rachel Chwastek, PERMA Risk Management Services  
 Sandra Cantwill, PERMA Risk Management Services

**MINUTES:** Included in the agenda were the open minutes of January 6, 2021.

**MOTION TO APPROVE JANUARY 6, 2021 OPEN MINUTES:**

Moved:	Commissioner Hirsch
Second:	Commissioner Nolan
Vote:	Unanimous – 1 Abstain (Commissioner Tozzi)

**EXECUTIVE DIRECTOR REPORT:**

**MANAGEMENT COMMITTEE:** Executive Director Grubb reported the Management Committee met on March 9<sup>th</sup> and approved the following items; minutes of the meeting were included in the agenda for information.

**Employment Practices Program:** Extend the deadline for EPL Compliance from June 1<sup>st</sup> to November 1<sup>st</sup> to provide MEL members’ additional time to complete the program requirements.

**York (Sedgwick):** York is the third party administrator managing the MEL’s property claims and made requests for contract language changes as part of their RFP response for the current contract period. Fund Attorney had reviewed the changes and accepted all changes with the exception of the performance bond requirement.

Executive Director Hrubash reported a confidential memo was submitted to the Board of Commissioners, which noted concerns as respects to services provided by York. Fund Attorney provided a summary review and recommend the Board authorize the release of a Competitive Contract RFP for Property Claims Administrator.

**MOTION TO AUTHORIZE THE RELEASE OF A COMPETITIVE CONTRACT RFP FOR PROPERTY CLAIMS ADMINISTRATOR:**

Moved: Commissioner Nolan  
Second: Commissioner Wolk  
Vote: Unanimous

**Legislative Issues:** Award a Professional Services contract to Princeton Public Affairs Group (PPAG) to begin work on a bill introduced by Senator Troy Singleton that will significantly impact the costs of workers’ compensation. Fees are \$5,000 a month not to exceed \$40,000. *Executive Director Grubb noted this item will be discussed in more detail during the Retreat session.*

**Legalization of Cannabis:** Adopt Resolution 17-21 to appoint Matthew Giacobbe, Esquire, as a professional service to provide support in addresses question raised by member concerning personnel matters and cannabis. Fees are hourly rate of \$190 not to exceed \$7,500. *Executive Director Grubb noted this item will be discussed in more detail during the Retreat session.*

**Background Checks:** The “Protecting our Children” model policy calls for expanded background checks for employees and volunteers. Committee authorized the MEL to issue an RFQ for Background Checks; the bid specification was drafted by the Fund Attorney and the QPA. *Executive Director Grubb noted this item will be discussed in more detail during the Retreat session.*

**MOTION TO MEMORIALIZE THE ACTIONS AND RECOMMENDATIONS OF THE MANAGEMENT COMMITTEE:**

Moved: Commissioner Cuccia  
Second: Commissioner Wolk  
Vote: Unanimous

**ASSOCIATION OF GOVERNMENTAL RISK POOLS (AGRIP) REPRESENTATIVE AND POINT OF CONTACT:** Executive Director Hrubash reported the MEL is a member of AGRIP and Executive Director Grubb currently serves as both a representative and point of contact. Executive Director Hrubash said he conferred with Executive Director Grubb and it

would be appropriate Executive Director Hrubash serve as the MEL’s representative and point of contact to AGRIP subject to the Board’s approval.

**MOTION TO AUTHORIZE MEL EXECUTIVE DIRECTOR JOSEPH HRUBASH TO SERVE AS AGRIP MEL REPRESENTATIVE AND POINT OF CONTACT:**

Moved: Commissioner Cuccia  
Second: Commissioner Hirsch  
Vote: Unanimous

**RCF:** The RCF met at 9:20AM. In addition, the RCF held its 2021 reorganization meeting on January 6, 2021; enclosed in the agenda was a copy of Commissioner Clarke’s report of the meeting.

**2020/2021 ELECTED OFFICIALS SEMINAR:** Executive Director Grubb said the MEL’s Annual Elected Officials Seminar was held as part of the League of Municipalities Virtual Conference. The program has now been uploaded and can be accessed through the MEL Safety Institute. Enclosed in the agenda were directions to take the course.

**2021 MEL, MR HIF & NJCE JIF EDUCATIONAL SEMINAR:** Executive Director Grubb said the 10<sup>th</sup> annual seminar will be conducted virtually on 2 half-day sessions: Friday, May 14<sup>th</sup> and Friday, May 21 from 9 am to 12 noon. The seminar qualifies for Continuing Educational Credits including CFO/CMFO, Public Works, Clerks, Insurance Producers and Purchasing Agents. There is no fee for employees, insurance producers, as well as personnel who work for services companies associated with the Municipal Excess Liability Joint Insurance Fund (MEL JIF), Municipal Reinsurance Health Insurance Fund (MR HIF) and New Jersey Counties Excess Joint Insurance Fund (NJCE JIF).

Enclosed with the agenda was the seminar agenda; this will also be the topic of the MEL’s “Power of Collaboration” Ad in the League of Municipalities magazine. A Zoom invite with registration instructions has been emailed; please contact the Fund office for more information.

**CYBER CLAIMS:** Effective January 1, 2021 the MEL will participate in the \$175,000 excess of a local JIF’s retention of \$25,000 for cyber liability. A memo outlining the claims handling procedure to manage the new structure for cyber liability coverage was distributed for information. Although bills will be issued to members, the MEL (liability claims adjuster) will pay the deductible and MEL retention & bill back the deductible to members.

**JUNE MEETING:** Executive Director Grubb said currently, the June meeting has been scheduled as an “in person” meeting at the Forsgate Country Club. Executive Director Grubb recommended the Board change this to a virtual meeting – effectively delaying MEL “in person” meetings to September.

**MOTION TO CHANGE THE LOCATION OF THE JUNE 2, 2021 JIF MEETING FROM THE FORSGATE COUNTRY CLUB TO VIRTUAL.**

Moved: Commissioner Tomasko  
Second: Commissioner D’Arco  
Vote: Unanimous

*Executive Director noted the following items that will be discussed in more detail during the Retreat session:*

**2021-2022 INSURANCE CRISIS AND ACCIDENTAL DISABILITY PENSIONS:** Attached are two memorandums prepared by David Grubb, MEL Executive

Director, concerning emerging issues that will increase insurance costs. The MEL has begun working with various professionals in an effort to control the impact of these matters. This will be discussed at the MEL Retreat by the Management Committee in greater detail.

**LEGISLATIVE COMMITTEE:** Committee met on March 18, 2021; enclosed are the minutes for information.

**MARKETING COMMITTEE:** Committee met on March 18, 2021; enclosed are the minutes for information.

**SAFETY & EDUCATION COMMITTEE:** Committee met on January 22, 2021; enclosed are the minutes for information.

**COVERAGE COMMITTEE:** Committee is in the process of scheduling a meeting for April.

**CYBER TASK FORCE:** The MEL’s Cyber Task Force completed the modifications to the MEL’s Cyber Risk Management Program and released the second version on Monday, March 8<sup>th</sup>. Included with the Underwriting Manager’s report was a memorandum summarizing the new program.

**CLAIMS COMMITTEE:** The Claims Review Committee met on January 6<sup>th</sup> and March 3<sup>rd</sup>; minutes of these meetings are sent to the full MEL Board separately from the agenda. The Claims Review Committee is scheduled to meet next on May 5<sup>th</sup>.

**UNDERWRITING MANAGER:**

**REPORT:** Underwriting Manager reported the MEL’s Cyber Task Force completed the modifications to the MEL’s Cyber Risk Management Program and released the second version on Monday, March 8<sup>th</sup>. Included with the Underwriting Manager’s report was a memorandum summarizing the new program.

**TREASURER:**

**CONFIRMATION OF PAYMENTS**

January 2021 #2	\$433,777.41
February 2021	\$737,199.70
February 2021 Supplemental	\$2,165.50

**RESOLUTION 18-21 FOR MARCH 2021 VOUCHERS & RESOLUTION 19-21 FOR MARCH 2021 SUPPLEMENTAL VOUCHERS:**

Resolution 18-21	\$2,742,860.56
Resolution 19-21	\$390,245.39

**Confirmation Of December 2020 Claims Payments/Certification Of Claims Transfers:**

<b>1988 WC</b>	20,234.76
<b>CLOSED</b>	0.00
<b>2016</b>	512,110.91
<b>2017</b>	11,143.44
<b>2018</b>	75,839.80
<b>2019</b>	76,413.22
<b>2020</b>	1,369,855.82
<b>TOTAL</b>	<b>2,065,597.95</b>

**Confirmation Of January 2021 Claims Payments/Certification Of Claims Transfers:**

<b>1988 WC</b>	1756.11
<b>CLOSED</b>	0.00
<b>2017</b>	143,297.20
<b>2018</b>	291,103.10
<b>2019</b>	89,257.01
<b>2020</b>	700,954.05
<b>2021</b>	0.00
<b>TOTAL</b>	<b>1,226,367.47</b>

**Confirmation Of February 2021 Claims Payments/Certification Of Claims Transfers:**

<b>1988 WC</b>	1,760.60
<b>CLOSED</b>	0.00
<b>2017</b>	19,003.14
<b>2018</b>	10,674.12
<b>2019</b>	269,425.77
<b>2020</b>	1,059,667.49
<b>2021</b>	827.00
<b>TOTAL</b>	<b>1,361,358.12</b>

Included with the report was the Joint Cash Management and Investment Program as of February 28, 2021.

**MOTION TO CONFIRM THE PAYMENTS OF JANUARY 2021 SUPPLEMENTAL #2, FEBRUARY 2021 & FEBRUARY 2021 SUPPLEMENTAL; APPROVE RESOLUTION 18-21 MARCH 2021 BILLS LISTS, RESOLUTION 19-21 MARCH 2021 SUPPLEMENTAL BILLS LIST; CONFIRM THE CLAIMS ACCOUNT TRANSFERS AS PRESENTED:**

Moved: Commissioner Tomasko  
Second: Commissioner Hirsch  
Roll Call Vote: 14 Ayes – 0 Nays

**CLAIMS – EXCESS WORKERS COMPENSATION:**

**REPORT:** Claims Administrator said there was nothing to report for the month.

**CLAIMS – EXCESS LIABILITY:**

**REPORT:** Claims Administrator said there was nothing to report for the month.

**ATTORNEY:**

**REPORT:** Fund Attorney submitted a bulletin and model ordinance with respects to the recent NJ Cannabis legislation. Fund Attorney said this matter would be discussed in additional detail during the MEL retreat.

**MANAGED CARE:**

**REPORT:** A copy of the Savings and Penetration report as of February 2021 was distributed for information. The total billed was \$1,034,445.98 with approved bills of \$303,484.68 for a total savings of 71% and network penetration of 80%.

**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:** 9:57AM

**NEXT MEETING:** June 2, 2021 at 11:15AM via Zoom

Nancy A. Ghani, Assisting Secretary

For

---

JOY TOZZI, SECRETARY

**MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND  
BILLS LIST**

**RESOLUTION 18-21**

**MARCH 2021**

**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 2019**

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
002632			
002632	MCMANIMON, SCOTLAND & BAUMANN, LLC	PROFESSIONAL SERVICES - INV OPINION	2,193.00
			<b>2,193.00</b>
		<b>Total Payments FY 2019</b>	<b>2,193.00</b>

**FUND YEAR 2020**

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
002633			
002633	DUGHY, HEWIT & DOMALWESKI, P.C.	PROFESSIONAL SERVICES 12/20	1,365.00
002633	DUGHY, HEWIT & DOMALWESKI, P.C.	PROFESSIONAL SERVICES 12/20	1,950.00
			<b>3,315.00</b>
002634			
002634	E. FITZ ART, INC.	ANNUAL REPORT 2/21	8,300.00
			<b>8,300.00</b>
		<b>Total Payments FY 2020</b>	<b>11,615.00</b>

**FUND YEAR 2021**

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
002635			
002635	APEX INSURANCE SERV c/o XL INS	TEC ERR & OMM INS-INDIAN HARB INS 2021	305,532.00
			<b>305,532.00</b>
002636			
002636	CONNER STRONG & BUCKELEW	EX WC SNCC 2/3 2021 #SP4059716	1,091,231.00
			<b>1,091,231.00</b>
002637			
002637	QUALCARE, INC.	MANAGED CARE FEES 3/21	45,543.51
			<b>45,543.51</b>
002638			
002638	CONNER STRONG & BUCKELEW	OE POL/EPL REIN - MUNICH 1/2 2021	869,841.00
			<b>869,841.00</b>
002639			
002639	QUAL-LYNX	CLAIM ADJ SERVICES 3/21	53,400.00
			<b>53,400.00</b>
002640			
002640	CB CLAIMS LLC	CLAIMS SERVICES 2/21	36,643.72
			<b>36,643.72</b>
002641			
002641	J. A. MONTGOMERY RISK CONTROL	MSI 3/21	111,742.17
			<b>111,742.17</b>
002642			
002642	FIRSTNET LEARNING, INC.	COURSE QA & UPLOAD 2/21	3,250.00
			<b>3,250.00</b>
002643			
002643	PERMA	POSTAGE 2/21	38.87
002643	PERMA	EXEC DIRECTOR 3/21	113,585.44
			<b>113,624.31</b>



002644				
002644	MICHAEL S. ZAMBITO	TREASURER FEE - 1ST QTR 2021	6,544.37	
			<b>6,544.37</b>	
002645				
002645	DORSEY & SEMRAU ESQ.	MEL EPL ROLLOFF 2/21	587.58	
002645	DORSEY & SEMRAU ESQ.	MEL SPECIAL LITIGATION 1/21	5,411.09	
002645	DORSEY & SEMRAU ESQ.	PROFESSIONAL SERVICES 2/21	62.00	
			<b>6,060.67</b>	
002646				
002646	NEWTECH SERVICES, INC.	STREAMING VIDEO 3/21	77.00	
			<b>77.00</b>	
002647				
002647	COURIER POST	ACCT:CHL-079881 - AD - 3.1.21	25.84	
002647	COURIER POST	ACCT:CHL-071051 - AD - 2.10.21	29.80	
002647	COURIER POST	ACCT:CHL-071051 - AD - 1.26.21	25.96	
002647	COURIER POST	ACCT: CHL-071051 - AD - 1.26.21	19.36	
			<b>100.96</b>	
002648				
002648	NJ ADVANCE MEDIA	ACCT# 10000867512 - AD - 2.10.21	63.55	
			<b>63.55</b>	
002649				
002649	PRINCETON STRATEGIC COMMUNICATIONS GROUP LLC	MARKETING MANAGER FEE 2/21	5,833.33	
002649	PRINCETON STRATEGIC COMMUNICATIONS GROUP LLC	HOSTING FEE 2/21	89.00	
			<b>5,922.33</b>	
002650				
002650	ALLSTATE INFORMATION MANAGEMNT	ACCT#224 - ARC & STOR - 2.28.21	251.33	
002650	ALLSTATE INFORMATION MANAGEMNT	ACCT#224 - ARC & STOR - 2.28.21	250.54	
			<b>501.87</b>	
002651				
002651	ARTHUR J. GALLAGHER RMS, INC.	REINSURANCE MANAGER 3/21	26,485.42	
			<b>26,485.42</b>	
002652				
002652	THE ACTUARIAL ADVANTAGE	ACTUARY FEE 3/21	4,345.00	
			<b>4,345.00</b>	
002653				
002653	THE CANNING GROUP LLC	QPA SERVICES 2/21	1,250.00	
			<b>1,250.00</b>	
002654				
002654	LaMENDOLA ASSOCIATES, INC.	SAFETY TRAINING 3/21	688.50	
002654	LaMENDOLA ASSOCIATES, INC.	COMMUNICATIONS 3/21	169.59	
			<b>858.09</b>	
002655				
002655	CONNER STRONG & BUCKELEW	UNDERWRITING FEE 3/21	45,866.00	
			<b>45,866.00</b>	
002656				
002656	LaMENDOLA ASSOCIATES, INC.	COMMUNICATIONS 3/21_ADJUSTMENT	169.59	
			<b>169.59</b>	
		<b>Total Payments FY 2021</b>	<b>2,729,052.56</b>	
		<b>TOTAL PAYMENTS ALL FUND YEARS</b>	<b>2,742,860.56</b>	

\_\_\_\_\_  
Chairperson

Attest:

Dated:

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

\_\_\_\_\_  
Treasurer

**MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND  
BILLS LIST**

**RESOLUTION 19-21**

**MARCH 2021 SUPPLEMENTAL**

**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 2020**

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
002665			
002665	MIDDLE TOWNSHIP	COMPLETION-POLICE RE-ACCREDITATION 3/20	1,000.00
			<b>1,000.00</b>
		<b>Total Payments FY 2020</b>	<b>1,000.00</b>

**FUND YEAR 2021**

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
002638			
002638	CONNER STRONG & BUCKELEW	VOID	-869,841.00
			<b>-869,841.00</b>
002657			
002657	CONNER STRONG & BUCKELEW	BUILDER RISK-RIDGEFIELD-BORO HALL 21-22	46,554.66
			<b>46,554.66</b>
002658			
002658	CONNER STRONG & BUCKELEW	OPTL EX LIAB - ACE - ADDITIONAL 2021	15,513.00
			<b>15,513.00</b>
002659			
002659	CONNER STRONG & BUCKELEW	EX WC - SNCC - 3/3 2021 - #SP4059716	1,091,231.00
			<b>1,091,231.00</b>
002660			
002660	QUAL-LYNX	COMPUTER ACCESS FEES 3/21	1,377.00
002660	QUAL-LYNX	COMPUTER ACCESS FEES 1/21	1,377.00
002660	QUAL-LYNX	COMPUTER ACCESS FEES 2/21	1,377.00
			<b>4,131.00</b>
002661			
002661	FIRSTNET LEARNING, INC.	CAMPUS DESIGN WORK 3/21	750.00
002661	FIRSTNET LEARNING, INC.	PROFESSIONAL SERVICES 3/21	79,300.00
			<b>80,050.00</b>
002662			
002662	DORSEY & SEMRAU ESQ.	MEL SPECIAL LITIGATION 2/21	4,416.02
			<b>4,416.02</b>
002663			
002663	AGRIP	AGRIP MEMBERSHIP DUES 2/21	6,658.21
			<b>6,658.21</b>
002664			
002664	VIDEO COMMUNICATION SERVICES	SCORM REPROGRAMMING 3/21	10,532.50
			<b>10,532.50</b>
		<b>Total Payments FY 2021</b>	<b>389,245.39</b>
		<b>TOTAL PAYMENTS ALL FUND YEARS</b>	<b>390,245.39</b>

\_\_\_\_\_  
Chairperson

Attest:

Dated:

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

\_\_\_\_\_  
Treasurer

