

MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND

OPEN MINUTES

JANUARY 6, 2022

VIA TELECONFERENCE - 11:15 AM

Chairman Tom Merchel called the meeting to order and read the statement of compliance open public meeting act.

ROLL CALL OF 2021 BOARD OF FUND COMMISSIONERS

Thomas Merchel	Township of Moorestown- PMM JIF	Present
Joy Tozzi	Township of Robbinsville - Mid-Jersey JIF	Present
Robert Law	Woodbury City - Trico 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	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	Present
Veronica Laureigh	Township of Lacey – Ocean JIF	Absent
William Northgrave	Township of Edison – Central JIF	Absent
Megan Champney Kweselait	City of Summit- Suburban Municipal JIF	Present
Kevin Davis	Hunterdon County – PAIC JIF	Present
Megan Jack	Riverside Twp- Burlco JIF	Present
Steven Scholey	Bordentown Fire Company - District #1- FRESP JIF	Present
Joseph Zanga	Borough of South River – Middlesex JIF	Present
Adam Brewer – alternate	Pequannock Township – Morris JIF	Present

APPOINTED OFFICIALS PRESENT:

Executive Director/Adm	PERMA Risk Management Services David N. Grubb, Joseph Hrubash, Cate Kiernan Nancy A. Ghani
Attorney	Dorsey & Semrau Fred Semrau, Esq., Sue Sharpe, Esq.
Deputy Attorney	Huntington Bailey Russell Huntington, Esq, William Bailey, Esq.
Producer	Arthur J. Gallagher Paul Forlenza, Paul Miola, Kamini Patel
Auditor	Nisivoccia LLP Bud Jones
Actuary	The Actuarial Advantage Kyle Mrotek
Ex Worker’s Comp Claims Administrator	Qual-Lynx Kathy Kissane, Chris Healey

Safety Director	JA Montgomery Risk Control Services Paul Shives
Treasurer	Mike Zambito
Excess Liability Claims Administrator	CB Claims LLC Christopher Botta, Laura Sable
Underwriting Manager	Conner Strong & Buckelew Edward Cooney, Jonathon Tavares
Lobbyist	Pathways Paul Bent
Managed Care	QualCare Donna Setzer, Stephen McNamara
Marketing Coordinator	Acrisure Amy Pieroni, Lindsay Travali
Marketing Manager	Princeton Strategic Communications Stacey Ehling
Strategic Communications	LaMendola Associates Clark LaMendola
Asset Manager	Clearbrook Fernando Garip

ALSO PRESENT:

Tom Rogers, Toms River Fund Commissioner
Brad Stokes, PERMA Risk Management Services
Tracy Lopez, PERMA Risk Management Services
Robyn Walcoff, PERMA Risk Management Services
Elizabeth Randell, MEL Audit Committee Board member
George DeStafney, MEL Audit Committee Board member
Charles Hartsoe, PEGAS
Robin Racioppi, Acrisure
Meredith Storch, Conner Strong & Buckelew
Glen Kurtz, Governmental Risk Management Associates
David Vozza, The Vozza Agency
Kathy Tyler Scohl
Ezio Altamura, GJEM Otterstedt
Halle Cramer, Meeker Sharkey Agency
Don Sciolaro, P.I.A
Brian McNeilly, Stanhope
Pauline Kontomanolis, PERMA Risk Management Services
Barbara Murphy, RLM
Steve Sacco, PERMA Risk Management Services
Alison Kelly, Danskin Insurance Agency
Charles Casagrande, Danskin Insurance Agency
John Casagrande, Danskin Insurance Agency

Jason Thorpe, PERMA Risk Management Services
 Sandra Cantwell, PERMA Risk Management Services
 Michael Avalone, Conner Strong & Buckelew
 Willard Young, PEGAS

MINUTES: Included in the agenda were the open minutes of November 17, 2021.

MOTION TO APPROVE NOVEMBER 17, 2021 OPEN MINUTES:

Moved: Commissioner Cuccia
 Second: Commissioner Clarke
 Vote: Unanimous – 1 Abstain (Chairman Merchel)

CORRESPONDENCE:

NONE

Before proceeding with the 2022 Reorganization, Executive Director Grubb commended and thanked Chairman Tom Merchel for his MEL leadership over these past two years, which presented challenges due to Covid-19, the volatile excess insurance market and legislative changes. Executive Director Grubb said the January League of Municipalities magazine would feature the MEL Chair to recognize their efforts of the past two years. Chairman Tom Merchel thanked him for the kind words, as well as, thanked the professionals for their services provided and Board of Fund Commissioners for their support and efforts.

MOTION TO ADJOURN SINE DINE MEETING:

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

Executive Director Grubb called the meeting to order and asked for a roll call of the 2022 Fund Commissioners.

ROLL CALL OF 2022 BOARD OF FUND COMMISSIONERS

Joy Tozzi	Township of Robbinsville - Mid-Jersey JIF	Present
Paul Tomasko	Borough of Alpine – Bergen JIF	Present
Robert Law	Woodbury City - Trico 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
Tom Merchel	Township of Moorestown- PMM JIF	Present
Joseph Catenaro	Township of Fairfield – Sub Essex 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
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	Present
Megan Jack	Riverside Twp- Burlco JIF	Present
Steven Scholey	Bordentown Fire Company - District #1- FRESP JIF	Present
Joseph Zanga	Borough of South River – Middlesex JIF	Present
Adam Brewer	Pequannock Township – Morris JIF	Present
Sherry Sims	Boonton Housing Authority*	Absent

**Special Commissioner – to vote in the event of a tie vote.*

ELECTION OF CHAIRMAN, SECRETARY, FIVE MEMBER EXECUTIVE COMMITTEE AND EXECUTIVE ALTERNATES. Executive Director Grubb 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:

JOY TOZZI AS CHAIR, PAUL TOMASKO AS SECRETARY; COMMISSIONERS ROBERT LAW, CHARLES CUCCIA, RICHARD HIRSCH, JOSEPH WOLK, THOMAS MERCHEL AS FIVE MEMBER EXECUTIVE COMMITTEE AND COMMISSIONERS JOSEPH CATENARO, TOM NOLAN, JOSEPH D'ARCO, BERARD RUTKOWSKI, JOHN CLARKE, VERONICA LAUREIGH AND WILLIAM NORTHGRAVE AS SEVEN ALTERNATES AND; COMMISSIONERS MEGAN CHAMPNEY, KEVIN DAVIS, MEGAN JACK AND STEVEN SCHOLEY, JOSEPH ZANGA, ADAM BREWER AND SHERRY SIMS AS REMAING ALTERNATES FOR FUND YEAR 2022:

Moved: Commissioner Jack
Second: Commissioner Wolk
Vote: Unanimous

Hearing no other nominations

MOTION TO CLOSE NOMINATIONS AND CONFIRM ELECTIONS:

Moved: Commissioner Nolan
Second: Commissioner Clarke
Roll Call Vote: 20 Ayes – 0 Nays

FUND ATTORNEY ADMINISTERED OATH OF OFFICE

Chairwoman Tozzi thanked outgoing chair Thomas Merchel for the service he provided as Chairman through 2020 and 2021, which were 2 very challenging years. Chairwoman Tozzi said she was able to learn from watching him during her time serving as Secretary.

2022 REORGANIZATION

FUND PROFESSIONAL APPOINTMENTS AND PROFESSIONAL SERVICE AGREEMENTS: In 2020, the MEL authorized the use of Competitive Contracting RFPs for the majority of the MEL's contracts that were set to expire December 31, 2020. In 2021, the Board adopted a resolution to confirm appointments of Fund Professionals and approval of Professional Service Agreements in in accordance of the competitive contract process. Historically the MEL adopts a resolution each year re-confirming contract awards. However, this action is not necessary for competitive contracts as the initial resolution from 2021 confirms the procurement. Included in the agenda was a memorandum providing a summary of contracts that are currently in force.

List of Professional Awards and Contracts in Force

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	Qual-Lynx
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 US LLP
LEARNING MANAGEMENT SYSTEM	FirstNet Learning, Inc.
RISK MANAGEMENT INFORMATION SYSTEM/ONLINE UNDERWRITING DATABASE & CLAIMS SYSTEM	Origami Risk
MARKETING MANAGER	Princeton Strategic Communications
MARKETING COORDINATOR	Acrisure
ONLINE TRAINING WEBINARS	VCS Video
SPECIAL LEGAL SERVICES	Craig Domalewski, Esq.

RESOLUTION 1-22 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 and item III as authorized to sign checks from the official depository. An amended Resolution 1-22 was distributed to reflect the addition of Edward Koreivo of Qual-Lynx as an authorized signatory under item II.

RESOLUTION 2-22 ESTABLISHING PUBLIC MEETING PROCEDURES: Resolution submitted to establish that the FUND shall hold public meetings during the year 2022 as follows:

March 25, 2022 (Friday)	Princeton Marriott	9:40 am
June 2, 2022 (Thurs)	Forsgate Country Club	11:15 am
September 8, 2022 (Thurs)	Forsgate Country Club	11:15 am
October 19, 2022 (Wed)	Forsgate Country Club	11:15 am
November 16, 2022 (Wed)	Sheraton Hotel, Atlantic City	12:30 pm
January 5, 2023 (Thurs)	Forsgate Country Club	11:15 am

The MEL Claims Committee will meet on the same days as the Board of Fund Commissioners 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 also meet via teleconference or Zoom at 10:30AM March 2, 2022, May 4, 2022, July 20, 2022 and December 7, 2022.

The Fund newspapers are the Star Ledger (Newark) and the Courier Post (Cherry Hill). In addition, the MEL's webpage is designated for official notices – www.njmel.org.

RESOLUTION 3-22 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.

RESOLUTION 4-22 2022 RISK MANAGEMENT PLAN: The 2022 Risk Management Plan prepared by the MEL Underwriting Manager and was distributed for review. The plan has been amended to reflect excess rates and carriers for 2022.

RESOLUTION 5-22 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.

RESOLUTION 6-22 ESTABLISHING REMOTE MEETING PROCEDURES DURING A DECLARED STATE OF EMERGENCY: Included in the agenda was a resolution establishing remote meeting procedures for public comment during a declared state of emergency.

RESOLUTION 7-22 AUTHORIZING THE AWARD OF PROFESSIONAL SERVICES CONTRACT TO THE CLEARBROOK TO SERVE AS THE FUND'S ASSET MANAGER; BANK OF NEW YORK FOR CUSTODIAL SERVICES AND ACCOUNTING AND NW FINANCIAL SERVICES AS FINANCIAL ADVISOR;

RESOLUTION 8-22 DESIGNATING INVESTORS BANK AS THE OFFICIAL DEPOSITORY OF THE FUND;

RESOLUTION 9-22 RESOLUTION AUTHORIZING AN AGREEMENT FOR PROFESSIONAL SERVICES WITH SEAN P. CANNING, QPA OF THE CANNING GROUP LLC;

RESOLUTION 10-22 AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO THOMAS J. GERMINARIO, ESQ, TO PERFORM SPECIAL LEGAL COUNSEL SERVICES FOR THE MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND IN CONNECTION WITH LAND USE MATTERS;

RESOLUTION #11-22 AUTHORIZING THE AWARD OF PROFESSIONAL SERVICES CONTRACTS WITHOUT COMPETITIVE BIDDING TO MATTHEW GIACOBBE, ESQ. TO PROVIDE THE MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND LEGAL SERVICES;

Copies of Resolutions 13-22 thru 19-22 reflecting the purchase of 2022 excess insurance coverages were previously distributed separately from the agenda. Deputy Executive Director said the Underwriting Manager submitted premiums reflective of rates adopted at the October 2021 meeting; however, resolutions 14-22 thru 19-22 did not include any new members. Deputy Executive Director said resolutions 14-22 thru 19-22 have been amended to include the following additional language: "Any additional payments and/or credits will be the result of modifications in exposures and membership and will be based on rates included in Resolution #13-22." Copies of amended resolutions 14-22 thru 19-22 were distributed for information.

RESOLUTION #13-22 AUTHORIZING THE PURCHASE OF EXCESS INSURANCE COVERAGE AND RATES FOR FUND YEAR 2022;

RESOLUTION #14-22 AWARDING AN EXTRAORDINARY UNSPECIFIABLE SERVICES CONTRACT WITH ZURICH AMERICAN INSURANCE COMPANY (HEREINAFTER “ZURICH”) FOR EXCESS PROPERTY COVERAGE;

RESOLUTION #15-22 AWARDING AN EXTRAORDINARY UNSPECIFIABLE SERVICES CONTRACT WITH SAFETY NATIONAL WORKER’S COMPENSATION CORP. (HEREINAFTER “SAFETY”) FOR EXCESS WORKER’S COMPENSATION INSURANCE;

RESOLUTION 16-22 AWARDING AN EXTRAORDINARY UNSPECIFIABLE SERVICES CONTRACTS FOR EXCESS PROPERTY INSURANCE COVERAGE;

RESOLUTION 17-22 AWARDING AN EXTRAORDINARY UNSPECIFIABLE SERVICES CONTRACT WITH ENDURANCE AMERICAN INSURANCE CO. (HEREINAFTER “ENDURANCE”) FOR NON-OWNED AIRCRAFT COVERAGE;

RESOLUTION 18-22 AWARDING AN EXTRAORDINARY UNSPECIFIABLE SERVICES CONTRACTS FOR OPTIONAL EXCESS LIABILITY INSURANCE COVERAGE;

RESOLUTION 19-22 AWARDING AN EXTRAORDINARY UNSPECIFIABLE SERVICES CONTRACT FOR EXCESS CYBER INSURANCE;

MOTION TO ADOPT RESOLUTIONS 1-22 AS AMENDED, RESOLUTIONS 2-22 THRU 11-22 AS PRESENTED, RESOLUTION 13-22 AS PRESENTED AND RESOLUTIONS 14-22 THRU 19-22 AS AMENDED:

Moved:	Commissioner Clarke
Second:	Commissioner Cuccia
Vote:	20 Ayes – 0 Nays

2021 COMMITTEE APPOINTMENTS: Fund Commissioners and Risk Management Consultants are encouraged to volunteer on standing committees. In accordance with prior practice, Chairwoman to serve as Chair of Management Committee and Secretary to serve as Chair of Coverage Committee. Chairwoman asked existing Chairs for remainder of committee to contact her if they needed to make any changes.

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

Chairwoman Tozzi reported the MEL previously discussed forming a committee to research the creation of a special JIF to insure cyber liability. Volunteers were Commissioners Tozzi, Brewer, Champney, Cuccia, Hirsch, Jack, Merchel, as well as, Executive Directors and Professionals.

Chairwoman Tozzi requested the formation of the special committee to be formalized via a motion.

MOTION TO FORM A COMMITTEE TO RESEARCH THE CREATION OF A JIF TO INSURE CYBER LIABILITY:

Moved: Commissioner Hirsch
Second: Commissioner Champney
Vote: Unanimous

EXECUTIVE DIRECTOR REPORT:

2022 MEMBERSHIP: Effective January 1st, South Bound Brook and Metuchen Parking Authority joined the Central Jersey JIF, the Borough of East Newark joined the Suburban Metro JIF, Washington Township BOFC joined First Responders JIF, Atlantic City MUA joined the NJUA JIF, Pennsauken in Camden JIF and Middlesex JIF's membership is now expanded to include all lines. Executive Director Grubb reported we are waiting on final membership count for Middlesex JIF before we compute the 2022 assessment.

2022 RENEWAL OF EXCESS AND REINSURANCE: Underwriting Manager reported the 2022 renewal faced a very difficult market and said negotiations would normally have concluded sooner. Despite the challenges, Underwriting Manager said the overall rate increase for insurances purchased was less than 11%, which is extraordinary in this market.

Underwriting Manager said it is important to note the rates and coverages of the past few years were successfully renewed in hard markets. In addition, there is no equitable comparison of coverages of a JIF program versus the commercial market. Underwriting Manager said he also plans to conduct several webinars to review changes with members and risk management consultants. Executive Director Grubb said a meeting of the Management Committee would be scheduled to review any policy issues as a result of the 2022 renewal.

LEARNING MANAGEMENT SYSTEM (LMS): Executive Director Grubb reported the MEL awarded a 3-year contract (2020-2022) to FirstNet Learning to provide an LMS for MEL members. FirstNet provided notification that they are phasing out the current platform as of 12/31/22. Included in the agenda was a memorandum submitted by Paul Shives, Safety Director on recommended next steps. Safety Director said the current LMS is being phased out by the current vendor as of 12/31/22 and there is a need to procure a different vendor to support an LMS to meet the training needs of MEL members.

MOTION TO AUTHORIZE THE RELEASE A COMPETITIVE CONTRACT REQUEST FOR PROPOSALS IN ACCORDANCE WITH RESOLUTION 17-20 (ADOPTED 1/6/20) WHICH PROVIDES THE INITIAL AUTHORIZATION TO PROCURE THIS SERVICE VIA COMPETITIVE CONTRACT:

Moved: Commissioner Clarke
Second: Commissioner Cuccia
Vote: Unanimous

2021/2022 ELECTED OFFICIALS SEMINAR: The MEL's Annual Elected Officials Seminar was held as part of the League of Municipalities Conference. Executive Director said directions for the online version will be published shortly and distributed for information.

RCF: The Residual Claims Fund held its 2022 Reorganization meeting on Thursday January 6, 2022 at 10:30AM via Zoom audio/video. Commissioner John Clarke is the designated MEL representative for the 2022 Fund Year.

LEGISLATIVE COMMITTEE: Committee met on November 17, 2021; included in the agenda were the minutes for information.

SAFETY & EDUCATION COMMITTEE: Committee is scheduled to meet next on February 4, 2022.

COVERAGE COMMITTEE: Committee met on November 12, 2021; included in the agenda were the minutes for information.

CYBER TASK FORCE: On March 8, 2021 the Task Force issued the 2nd edition of the MEL Cyber Risk Management Program, which provided clarity and added a Tier 3. Any members already in compliance with either Tier 1 or Tier 2 prior to March 8, 2021 will have their compliance grandfathered until January 1, 2022. As always, you must be in compliance with the tiers at the time of the claim in order to be eligible for reimbursement. We are asking for volunteers to serve on a special committee to research the creation of a special JIF to insure cyber beginning in 2023.

CLAIMS COMMITTEE: The Claims Review Committee met on December 1, 2021 and is scheduled to meet immediately following today’s board meeting.

UNDERWRITING MANAGER:

REPORT: Underwriting Manager said the annual 2022 Coverage Bulletins would be posted to the MEL website.

TREASURER:

CONFIRMATION OF PAYMENTS

November 2021	\$524,106.81
November 2021 Supplemental	\$75,548.82
November 2021 Supplemental #2	\$5,715.00
December 2021	\$452,912.91

RESOLUTION 12-22 FOR JANUARY 2022 VOUCHERS:

January 2022	\$ 293,731.76
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Confirmation Of October 2021 Claims Payments/Certification Of Claims Transfers:

1988 WC	40,925.48
CLOSED	0.00
2017	12,278.39
2018	39,804.27
2019	27,587.15
2020	465,919.33
2021	1,419,296.09
TOTAL	2,005,782.71

Confirmation Of November 2021 Claims Payments/Certification Of Claims Transfers:

1988 WC	2,037.80
CLOSED	0.00
2017	31,991.45
2018	35,270.51
2019	72,877.80

2020	759,088.27
2021	2,912,836.06
TOTAL	3,814,101.89

MOTION TO CONFIRM PAYMENTS OF NOVEMBER 2021, DECEMBER 2021, APPROVE JANUARY 2022 BILLS LIST RESOLUTIONS 12-22 AND TO APPROVE TREASURER’S REPORT; CURRENT AND CONFIRMING EXPENSES AS PRESENTED:

Moved: Commissioner Tomasko
 Second: Commissioner Nolan
 Roll Call Vote: 20 Ayes – 0 Nays

CLAIMS – EXCESS WORKERS COMPENSATION:

REPORT: Workers’ Compensation Claims Manager said they continue to track Covid-19 related claims for 15 JIFs.

CLAIMS – EXCESS LIABILITY:

REPORT: Claims Administrator said there was nothing to report.

ATTORNEY:

REPORT: Fund Attorney recognized Russell Huntington – who was participating in the MEL call. Mr. Huntington served as the Fund Attorney for the Bergen JIF and was instrumental in its formation – setting forth a process where fund professionals are in constant communication with each other in the operations of the Joint Insurance Funds. Fund Attorney briefly commented on the 2021 accomplishments of the MEL despite the challenges brought on by Covid-19 and legislative actions. In addition, Fund Attorney thanked Ms. Sue Sharpe, Esq. and Brad Stoke of PERMA in handling OPRA requests.

MANAGED CARE:

REPORT: A copy of the Savings and Penetration report as of November 2021 was included in the agenda for information. The total billed was \$7.0 million with approved bills of \$2.5 million for a total savings of 64% and network penetration of 79%.

OLD BUSINESS:

NONE

NEW BUSINESS:

NONE

PUBLIC COMMENT:

NONE

CLOSED SESSION: There was no need for Closed Session.

MOTION TO ADJOURN:

Moved: Commissioner Cuccia
 Second: Commissioner Clarke
 Vote: Unanimous

MEETING ADJOURNED: 12:00PM

NEXT MEETING: March 25, 2022 at 9:00AM
 Princeton Marriot at Forrestal – Princeton, NJ

Nancy A. Ghani, Assisting Secretary

For

PAUL TOMASKO, SECRETARY

RESOLUTION NO: #1-22
MUNICIPAL EXCESS LIABILITY MUNICIPAL JOINT INSURANCE FUND
(hereafter referred to as "THE FUND")
ESTABLISHING A FISCAL MANAGEMENT PLAN
FOR THE 2022 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 2022 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.

_____ CHAIR

_____ 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

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

Laura Sable

Michael Zambito, Fund Treasurer

_____, MEL Fund Commissioner

- IV.** 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

- V.** The Cash and Investment Policy attached herewith, shall be adopted.

- VI.** 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.

- VII.** 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:

Chair

date

Secretary

date

**MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND
2022 CASH MANAGEMENT AND INVESTMENT POLICY**

1.) **Cash Management and Investment Objectives**

The Municipal Excess Liability Joint Insurance Fund (hereinafter referred to as the FUND) objectives in this area are:

- a) Preservation of capital.
- b) Adequate safekeeping of assets.
- c) Maintenance of liquidity to meet operating needs, claims settlements and dividends.
- d) Diversification of the FUND's portfolio to minimize risks associated with individual investments.
- e) Maximization of total return, consistent with risk levels specified herein.
- f) Investment of assets in accordance with State and Federal Laws and Regulations.
- g) Accurate and timely reporting of interest earnings, gains and losses by line of coverage in each Fund year.
- h) Where legally permissible, cooperation with other local municipal joint insurance funds, and the New Jersey Division of Investment in the planning and execution of investments in order to achieve economies of scale.
- i) Stability in the value of the FUND's economic surplus.

2.) **Permissible Investments**

Investments shall be limited to investments authorized under N.J.S.A. 40A:5-15.1 Joint Insurance Funds and Chapter 38, Joint Insurance Funds, Subchapter 1. Investments 5:38-1.1, 5:38-1.2 and 5:38-1.3 of the New Jersey Administrative Code.

3.) **Authorized Depositories**

In addition to the above, the FUND is authorized to deposit funds in certificates of deposit and other time deposits in banks covered by the Governmental Unit Depository Protection Act, NJSA 17:9-14 et seq. (GUDPA). Specifically authorized depositories include but are not limited to:

Investors Bank
Republic Bank

The FUND is also authorized to invest its assets in the New Jersey Cash Management Fund.

4.) **Authority for Investment Management**

The Treasurer is authorized and directed to make investments, with a maturity of three months or longer, through asset managers that may be selected by the Executive Board. Such asset managers shall be discretionary trustees of the FUND.

Their actions and decisions shall be consistent with this plan and all appropriate regulatory constraints.

In executing investments, asset managers shall identify the investment that is the most advantageous to the fund, unless otherwise directed by the operating committee. Transactions may also be processed through the New Jersey Division of Investment by the Fund's asset managers.

5.) **Preservation of Capital**

Securities shall be purchased with the ability to hold until maturity.

6.) **Safekeeping**

Securities purchased on behalf of the FUND shall be delivered electronically or physically to the FUND's custodial bank, which shall maintain custodial and/or safekeeping accounts for such securities on behalf of the FUND.

7.) **Selection of Asset Managers, Custodial Banks and Operating Banks**

Asset managers, custodial banks and operating banks shall be retained for contract periods of one (1) year. Additionally, the FUND shall maintain the ability to change asset managers and/or custodial banks more frequently based upon performance appraisals and upon reasonable notice, and based upon changes in policy or procedures.

8.) **Reporting**

Asset managers will submit written statements to the treasurer and executive director describing the proposed investment strategy for achieving the objectives identified herein. Asset managers shall also submit revisions to strategy when justified as a result of changing market conditions or other factors. Such statements shall be provided to the Treasurer and Executive Director. The statements shall also include confirmation that all investments are made in accordance with this plan. Additionally, the Investment Manager shall include a statement that verifies the Investment Manager has reconciled and determined the appropriate fair value of the Funds portfolio based on valuation guidelines that shall be kept on file in the Executive Director's office.

The Treasurer shall report to the Executive Committee at all regular meetings on all investments. This report shall include information on the balances in all bank and investment accounts, and purchases, sales, and redemptions occurring in the prior month.

9.) **Audit**

This plan, and all matters pertaining to the implementation of it, shall be subject to the FUND's annual audit.

10.) **Cash Flow Projections**

Asset maturity decisions shall be guided by cash flow factors payout factors supplied by the Fund Actuary and reviewed by the Executive Director and the Treasurer.

11.) **Cash Management**

All moneys turned over to the Treasurer shall be deposited within forty-eight (48) hours in accordance with NJSA 40A:5-16.

In the event a check is made payable to the Treasurer rather than the Fund, the following procedure is to be followed:

- a.) The Treasurer endorses the check to the Fund and deposits it into the Fund account.
- b.) The Treasurer notifies the payer and requests that in the future any check be made payable to the Fund.

Cash may be withdrawn from investment pools under the discretion of asset managers only to fund operations, claims impress accounts, or approved dividend payments.

The Treasurer shall escheat to the State of New Jersey checks which remain outstanding for twelve or more months after the date of issuance. However, prior to implementing

such procedures, the Treasurer, with the assistance of the claims agent, as needed, shall confirm that the outstanding check continues to represent a valid claim against the FUND.

RESOLUTION NO: #2-22

**MUNICIPAL EXCESS LIABILITY MUNICIPAL JOINT INSURANCE FUND
(hereafter the "FUND")**

ESTABLISHING PUBLIC MEETING PROCEDURES

WHEREAS, the FUND must establish meeting procedures for Fund Year 2022, and

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

- I.** That the FUND shall hold public meetings during the year 2022 as follows: 9:40AM on Friday March 25, 2022 and a MEL Retreat at 10:00AM on Friday March 25, 2022 to be held at the Princeton Marriott at Forrestal, Princeton, N.J. Meetings for June 2, 2022, September 8, 2022 and October 19, 2022 will be held at 11:15AM at the Forsgate Country Club-Monroe, Twp. NJ, as well as, November 16, 2022 at 12:30PM at the Steel Pier Room - Sheraton Hotel Atlantic City. The 2023 Reorganization is scheduled for Thursday January 5, 2023 at 11:15AM in the Forsgate Country Club, Monroe Twp. NJ.
- II.** The MEL Claims Committee will meet on the same days as the Board of Fund Commissioners 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 also meet via teleconference or Zoom at 10:30AM March 2, 2022, May 4, 2022, July 20, 2022 and December 7, 2022.
- III.** The following is hereby designated the official newspaper (s) of the FUND: The Star Ledger, Newark, NJ and the Courier Post, Cherry Hill, 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;

Chair

date

Secretary

date

RESOLUTION NO: #3-22

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 2022 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 Access, 80 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 NO: #5-22
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 \$1,000,000 for Property Damage and Time Element, combined, per Location, and a maximum deductible of \$2,500,000 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:

Chair

Secretary

RESOLUTION NO. #6-22

RESOLUTION OF THE MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND TO ESTABLISH REMOTE MEETING PROCEDURES APPLICABLE DURING A DECLARED STATE OF EMERGENCY

WHEREAS, on March 9, 2020 in response to COVID-19, Governor Phil Murphy issued Executive Order 103, which declared a state of emergency that has been extended by the Governor and remains in full force to this day; and

WHEREAS, by way of additional Executive Orders, the Governor has established extensive social distancing protocols to protect the health, safety and welfare of New Jersey citizens; and

WHEREAS, in accordance with the Executive Orders relating to COVID-19 and the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq. (“OPMA”), local government units, including the Municipal Excess Liability Joint Insurance Fund (“Fund”), have continued to hold public meetings via remote platforms to ensure the continued operation of local government with participation by the public, in a way that limits public health risk; and

WHEREAS, in March 2020, the New Jersey Department of Community Affairs, Division of Local Government Services (“DLGS”) issued “Local Operational Guidance – COVID-19: Guidance for Remote Public Meetings in New Jersey,” which provided specific guidance regarding holding remote public meetings under the OPMA; and

WHEREAS, on September 24, 2020, the DLGS issued Local Finance Notice 2020-21 (“LFN 2020-21”), which provided a synopsis of newly promulgated emergency regulations N.J.A.C. 5:39-1.1 through 1.7, which establish standard protocols for remote public meetings governed by the OPMA and held during a Governor-declared state of emergency; and

WHEREAS, LFN 2020-21 additionally stated that the emergency regulations presently in effect are proposed for permanent adoption in the October 19, 2020 New Jersey Register, with comments submitted no later than November 18, 2020; and

WHEREAS, under emergency regulation N.J.A.C. 5:39-1.4(h), a local government unit is required to adopt by resolution standard procedures and requirements for public comment made during remote public meetings, as well as for public comments submitted in writing ahead of the remote public meeting.

NOW THEREFORE BE IT RESOLVED that the Executive Director’s Office of the Fund, does hereby resolve and agree to adopt the following procedures regarding public comments during remote public meetings:

1. Public comments for a remote public meeting shall be limited to 5 minutes for each speaker and may be made during the designated public comment section of the meeting or submitted in writing to the Executive Director’s Office of the Fund no later than four (4) hours prior to published start time of the remote meeting. Written public comments must be emailed to the Executive Director’s Office at: catek@permainc.com & nancyg@permainc.com or mailed to the Executive Director’s Office at: 9 Campus Drive – Suite 216, Parsippany, NJ 07054. Written public comments may not be submitted via any other form of electronic communication.

2. Written public comments submitted via email or mail must include the individual's name, full address and contact information (telephone number and/or email address), as the Executive Director's Office reserves the right to verify the submitter's identity.
3. Written public comments submitted in accordance with this resolution shall be read into the remote meeting record at the end of the last public comment section, subject to the time limit in place for in-person comments. Written public comments containing profanity or vulgarity will not be read into the record. The chair and/or presiding officer of the remote meeting reserves the right to read similar or duplicative comments into the record in a summary fashion and will do so uniformly for all similar/duplicative comments.
4. Members of the public who submit written public comments regarding a specific agenda item that is scheduled for public hearing (such as a budget or bylaws amendment, etc.), should designate the agenda item and title to which their written public comments apply. Written public comments received after the four (4) hour deadline set forth by this resolution will not be read into the record or become part of the meeting record.
5. The procedures and requirements for making public comments during a remote meeting, along with an explanation of the audio muting function of the electronic communications platform being used, shall be announced at the beginning of the remote public meeting.
6. With respect to public participation at a remote public meeting, the following procedures shall be incorporated:
 - a. A member of the public who has submitted written comments prior to the meeting in accordance with this resolution, attends the remote public meeting, and wishes to participate during the public comment portion, will be deemed and treated as having already had the floor once.
 - b. If a member of the public disrupts a remote public meeting, the chair and/or presiding officer of the remote public meeting shall facilitate a dialogue with that member of the public to the extent reasonably permitted by the electronic communications technology.
 - c. The chair and/or presiding officer of the meeting shall mute or continue muting, or direct appropriate staff to mute or continue muting, the disruptive member of the public and warn them that continued disruption may result in their being prevented from speaking during the remote public meeting or removed from the remote public meeting. Disruptive conduct includes sustained inappropriate behaviors such as, but not necessarily limited to, shouting, interruption and use of profanity.
 - d. A member of the public who continues to act in a disruptive manner after receiving an initial warning shall be muted while other members of the public are allowed to proceed with their questions or comments. If time permits, the disruptive individual shall be allowed to speak after all other members of the public have been given the opportunity to make comment. Should the person remain disruptive, the individual may be muted or kept on mute for the remainder of the remote public meeting, or removed from the remote public meeting.
 - e. The chair and/or presiding officer of the remote meeting shall reserve the right to

take necessary action to protect the rights of the public to participate in the remote public meeting.

7. If this resolution conflicts with any other policy or procedures of the Fund, the terms herein shall prevail.

This Resolution shall take affect immediately.

Chair

Secretary

RESOLUTION No. #7-22
MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND
AUTHORIZING THE AWARD OF PROFESSIONAL SERVICES CONTRACT TO THE
CLEARBROOK TO SERVE AS THE FUND’S ASSET MANAGER; BANK OF NEW YORK FOR
CUSTODIAL SERVICES AND ACCOUNTING AND NW FINANCIAL SERVICES AS FINANCIAL
ADVISOR

WHEREAS, the Municipal Excess Liability Joint Insurance Fund (hereinafter “the Fund”) finds it necessary and appropriate to obtain certain professional services, as defined in the Local Public Contracts Law, (N.J.S.A. 40A-11-1 et. seq.), to serve as the Fund’s Asset Manager, Custodian and Financial Advisor; and

WHEREAS, the ad-hoc sub-committee reviewed all responses and conducted interviews and recommends appointing Clearbrook Investment Consultants as the Asset Manager, Bank of New York for Custodial Services and JCMi Accounting and NW Financial Services as Financial Advisor at a fee of 3 basis points

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

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., requires that the resolution authorizing the award of a contract for professional services without competitive bidding, and the contract itself, be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Fund Commissioners of the Municipal Excess Liability Joint Insurance Fund (“the Fund”) as follows:

1. The Fund hereby awards and authorizes execution of a professional service agreement with **Clearbrook Investment Consultants** in an amount of 7 basis points of the market value of the FUND’s invested assets to serve as the Asset Manager; and
2. The Fund hereby awards and authorizes execution of a professional service agreement with **Bank of New York Mellon** amount of 3 basis points of the market value of the FUND’s invested assets (minimum annual fee \$125,000) to serve as the Custodian; and
3. The Fund hereby awards and authorizes execution of a professional service agreement with **NW Financial Services** in an amount of 3 basis points of the market value of the FUND’s invested assets to serve as Financial Advisor, and
4. These contracts are awarded for a 1-year term effective March 27, 2022.
5. These contracts are awarded without competitive bidding as a professional services contract in accordance with the provisions of the Local Public Contracts Law at N.J.S.A.40A:11-5.
6. Notice of this action shall be published as required by law.
7. A copy of this resolution shall be provided to the Fund Treasurer.
8. A copy of this resolution and contract will be on file in the Fund office, located at 9 Campus Drive, Suite 216, Parsippany, NJ 07504.

Chair

Dated

Secretary

Dated

RESOLUTION #8-22
of the
MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND

WHEREAS, the Municipal Excess Liability Joint Insurance Fund (hereinafter the Fund), finds it necessary for the proper conduct and order of business that official depositories for the Fund be designated and named; and

WHEREAS 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 higher end federal funds rate less .25% with a floor of .40%. - is hereby proposed by the Board of Fund Commissioners as the official designated depository in accord with N.J.S.A. 40A:11-5-15.1(f)

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Excess Liability Joint Insurance Fund, that 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 higher end federal funds rate less .25% with a floor of .40%. - is hereby approved by the Board of Fund Commissioners as the official designated depository in accord with N.J.S.A. 40A:11-5-15.1(f) and that sums so deposited may be withdrawn upon a check, draft or order of the Board of Fund Commissioners; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution, duly executed, be delivered to the proper officers of Investor Bank.

ADOPTED:

this day before the Governing Body:

Chair

date

Secretary

date

Resolution #9-22
MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND
RESOLUTION AUTHORIZING AN AGREEMENT FOR PROFESSIONAL SERVICES
WITH SEAN P. CANNING, QPA OF THE CANNING GROUP LLC

WHEREAS, the Municipal Excess Liability Joint Insurance Fund (Hereinafter the Fund) has a need for a Qualified Purchasing Agent duly licensed through the State of New Jersey as a professional services agreement in accord with N.J.S.A. 40A:11-5; and

WHEREAS Sean P. Canning, QPA of The Canning Group LLC, has submitted a proposed contract indicating that he will provide the professional services; and

WHEREAS the availability of funds for said Professional Services Contract to be awarded herein have been certified by the Treasurer; and

WHEREAS, the Local Public Contract Law (N.J.S.A. 40A:11-1, et seq.) requires that the Resolution authorizing the award of contract for Professional Services without competitive bidding and the contract itself must be available for public inspection; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Fund Commissioners of the Municipal Excess Liability Joint Insurance Fund as follows:

1. That Sean P. Canning, QPA of The Canning Group LLC is hereby appointed as the Qualified Purchasing Agent for the Fund in the amount of \$15,000.00

Chair

Dated

Secretary

Dated

**RESOLUTON #10-22
AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES
CONTRACT WITHOUT COMPETITIVE BIDDING TO
THOMAS J. GERMINARIO, ESQ,
TO PERFORM SPECIAL LEGAL COUNSEL SERVICES FOR THE
MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND IN
CONNECTION WITH LAND USE MATTERS**

WHEREAS, there exists a need for special legal counsel services to be rendered to the Municipal Excess Liability Joint Insurance Fund (“MEL”) in connection with land use matters; and

WHEREAS, the MEL wishes to retain Thomas J. Germinario, Esq. to perform such services; and

WHEREAS, the fee for services under this contract shall be \$180 per hour, not to exceed a total of \$7,000; and

WHEREAS, funds are available for this purpose; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. §40A:11-1 et seq.) requires that the resolution authorizing the award of contract for professional services without competitive bids and the contract itself be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the Board of Fund Commissioners of the Municipal Excess Liability Joint Insurance Fund that:

1. A contract with Thomas J. Germinario, Esq. is awarded without competitive bidding as a professional service in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because the contract is for a service performed by a person authorized by law to practice a recognized profession that is regulated by law.
2. Thomas J. Germinario, Esq. shall provide special legal counsel services to the MEL in connection with land use matters.
3. A notice of this action shall be printed once in the legal newspaper of the MEL as required by law.
4. A copy of this Resolution shall be provided to Fund Treasurer and to Thomas J. Germinario, Esq., 154 Route 206 S, Chester, NJ 07930, for their information and guidance.

This Resolution shall take effect immediately.

ADOPTED this day:

Chair

Date

Secretary

Date

**RESOLUTION #11-22
OF THE
MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND**

**RESOLUTION AUTHORIZING THE AWARD OF PROFESSIONAL SERVICES CONTRACTS
WITHOUT COMPETITIVE BIDDING TO PROVIDE THE MUNICIPAL EXCESS LIABILITY
JOINT INSURANCE FUND LEGAL SERVICES**

WHEREAS, the Municipal Excess Liability Joint Insurance Fund (hereinafter “the Fund”) finds it necessary and appropriate to obtain certain professional services, as defined in the Local Public Contracts Law, (N.J.S.A. 40A-11-1 et. seq.), to provide as Legal Services, and

WHEREAS, the Fund Attorney and Executive Director recommends that the MEL engage the services of a law firm to assist the MEL with guidance on employment matters arising from legalization of cannabis; and

WHEREAS, a proposal was received from Matthew Giacobbe, Esquire, to provide such services based on an hourly rate of \$190, and

WHEREAS, the Fund desires to retain the services of Matthew Giacobbe, Esquire; and

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

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., requires that the resolution authorizing the award of a contract for professional services without competitive bidding, and the contract itself, be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Fund Commissioners of the Municipal Excess Liability Joint Insurance Fund (“the Fund”) as follows:

1. The Fund hereby awards and authorizes execution of a professional service agreement with Matthew Giacobbe, Esquire in an amount not to exceed \$5,500 for 2022 and \$2,000 for the period of May 27, 2021 through December 31, 2021.
2. The contract is awarded without competitive bidding as a professional services contract in accordance with the provisions of the Local Public Contracts Law because said services are performed by a person licensed under law to practice a recognized profession.
3. Notice of this action shall be published as required by law.
4. A copy of this resolution shall be provided to the Fund Treasurer and to Matthew Giacobbe, Esquire for their information and guidance.
5. A copy of this resolution and contract will be on file in the Fund office, located at 9 Campus Drive, Suite 216, Parsippany, NJ 07504.

Chair

Dated

Secretary

Dated

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

RESOLUTION 12-22

JANUARY 2022

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 2021

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
002871			
002871	CB CLAIMS LLC	XS TPA Q4 2021	8,214.90
002871	CB CLAIMS LLC	DISBURSEMENTS (PHOTOCOPY, POSTAGE, ETC)	90.00
002871	CB CLAIMS LLC	TPA 12/21	36,553.72
			44,858.62
002872			
002872	PERMA	REIMBURSE BALANCE DUE - LOM BOOTH 2021	1,600.00
			1,600.00
002873			
002873	DORSEY & SEMRAU ESQ.	LINDEN HA VS ZURICH 9/21	356.50
			356.50
002874			
002874	PRINCETON PUBLIC AFFAIRS GROUP INC.	RETAINER 12/21	5,000.00
			5,000.00
002875			
002875	VIDEO COMMUNICATION SERVICES	SCORM PROGRAMMING- EO SEMINAR 2021	950.00
			950.00
002876			
002876	INFINITY PHOTOGRAPHY LLP	HEAD SHOTS FOR ADAM BREWER 12/15/2021	85.00
			85.00
002877			
002877	THE CANNING GROUP LLC	QPA 12/21	1,250.00
			1,250.00
		Total Payments FY 2021	54,100.12

FUND YEAR 2022

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
002878			
002878	QUALCARE, INC.	MANAGED CARE 1/22	45,543.51
			45,543.51
002879-002882	VOID	INCORRECT CHECK #s IN SYSTEM	0.00
002883			
002883	PERMA	EXEC DIRECTOR FEE 1/22	115,857.15
			115,857.15
002884			
002884	ARTHUR J. GALLAGHER RMS, INC.	REINSURANCE MGR 1/22	27,015.08
			27,015.08
002885			
002885	THE ACTUARIAL ADVANTAGE	ACTUARY 1/22	4,431.90
			4,431.90
002886			
002886	CONNER STRONG & BUCKELEW	UNDERWRITING MGR 1/22	46,784.00
			46,784.00
		Total Payments FY 2022	239,631.64
		TOTAL PAYMENTS ALL FUND YEARS	293,731.76

Chairperson

Attest:

Dated: _____

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

Treasurer