

**MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND
OPEN MINUTES
MARCH 25, 2022**

PRINCETON MARRIOT AT FORRESTAL – PRINCETON, NJ – 9:20 AM

Chairwoman Tozzi called the meeting to order and read the statement of compliance open public meeting act.

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	Absent
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	Absent
Tom Merchel	Township of Moorestown- PMM JIF	Present
Joseph Catenaro	Township of Fairfield – Sub Essex JIF	Absent
Thomas Nolan	Borough of Brielle - Monmouth 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	Absent
Megan Champney	City of Summit- Suburban Municipal JIF	Present
Kevin Davis	Hunterdon County – PAIC JIF	Absent
Megan Jack	Riverside Twp- Burlco JIF	Absent
Steven Scholey	Bordentown Fire Company - District #1- FRESP JIF	Absent
Joseph Zanga	Borough of South River – Middlesex JIF	Absent
Adam Brewer	Pequannock Township – Morris JIF	Present
Sherry Sims	Boonton Housing Authority*	Absent

NJSI JIF Representative - *As of mid-January, Commissioner D'Arco retired and a representative from NJSI will be determined.*

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

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
Actuary	The Actuarial Advantage Kyle Mrotek, Eric Bause
Ex Worker’s Comp Claims Administrator	Qual-Lynx Alice Lihou, 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

Underwriting Manager

Conner Strong & Buckelew
Edward Cooney

Lobbyist

Pathways
Paul Bent

Managed Care

QualCare
Donna Setzer, Stephen McNamara

Marketing Coordinator

Acrisure
Gary Taffet, Amy Pieroni, Lindsay Travali

Marketing Manager

Princeton Strategic Communications
Stacey Ehling, Norris Clark

Strategic Communications

LaMendola Associates
Clark LaMendola

Asset Manager

Clearbrook
Fernando Garip

ALSO PRESENT:

Christa DiBenedetto, Suburban Metro JIF Commissioner - Hudson Regional Health Commission

Jim Maley, Camden JIF Commissioner - Collingswood

Jeanette Larrison, Middlesex County Municipal JIF Commissioner - Milltown

Paul Hoelscher, Bergen JIF Commissioner – Harrington Park

Diane Camelo Didio, Bergen JIF Commissioner – Oradell

Leonard Grilletto, Ocean JIF Commissioner - Plumsted Township

Claudia Acosta, Qual-Lynx

Lisa Gallo, Qual-Lynx

Jim Renner, Qual-Lynx

Rich Erickson, First Environment

Charles Hartsoe, PEGAS

Glen Kurtz, Governmental Risk Mgmt. Associates

Ellie Moss, J.A. Montgomery

Michael Thomson, J.A. Montgomery

Brian Maitland, J.A. Montgomery

Mathew T. McArow, GJEM – Otterstedt Insurance Agency

Ezio Altamura, GJEM – Otterstedt Insurance Agency

Sean R. Kelly, CBIZ Borden Perlman

Don Sciolaro, P.I.A

Frank Covelli, P.I.A

Charles Casagrande, Danskin Agency

John Casagrande, Danskin Agency

Meredith Storch, Conner Strong & Buckelew

Katie Walters, Conner Strong & Buckelew
Michael Avalone, Conner Strong & Buckelew
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
Tracy Lopez, PERMA Risk Management Services
Jason Thorpe, PERMA Risk Management Services
Sandra Cantwell, PERMA Risk Management Services
Brandon Tracy, PERMA Risk Management Services

MINUTES: Included in the agenda were the open minutes of January 6, 2022.

MOTION TO APPROVE JANUARY 6, 2022 OPEN MINUTES:

Moved:	Commissioner Merchel
Second:	Commissioner Clarke
Vote:	Unanimous

CORRESPONDENCE:

NONE

EXECUTIVE DIRECTOR REPORT:

2022 MEL, MR HIF & NJCE JIF EDUCATIONAL SEMINAR: Executive Director reported the 11th annual seminar will be conducted virtually on 2 half-day sessions: Friday, April 29th and Friday, May 6th from 9AM to 12PM. 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). A notice was distributed to members, risk managers and professionals via email.

2021/2022 ELECTED OFFICIALS SEMINAR: The MEL's Annual Elected Officials Seminar is available through the MEL Safety Institute. Included with the agenda was a copy of the flyer with instructions to complete the course; flyer has been distributed to commissioners via email.

The MEL will provide a credit of \$250 against each member's assessment for each municipal elected official and authority commissioner who completes the course by May 1, 2022. The credit will continue to be extended to the member's CEO (i.e. municipal manager/administrator or authority executive director). The maximum credit is approximately 5% of the member's assessment.

MEL CYBER LIABILITY JIF: A committee was formed at the MEL's 2022 Reorganization meeting to research the creation of a special JIF to insure Cyber Liability. The committee is comprised of MEL Commissioners, Executive Directors and Professionals; to date the full committee has met twice to meet the target start-up date of January 1, 2023. Enclosed in the agenda was a memorandum on the progress to date. Executive Director said the topic will be more fully discussed during the retreat.

2022 FINANCIAL DISCLOSURES: JIF Commissioners should anticipate the online filing of the Financial Disclosure forms inclusive of any other municipal related positions that require filing. It is anticipated the Division of Local Government Services will distribute a notice with filing instruction in March with a deadline to file by April 30th.

SEXUAL MOLESTATION CLAIMS: Executive Director said local affiliated JIF members are beginning to see claims filed alleging sexual molestation with occurrence dates preceding JIF formation and/or membership terms. Fund Attorney conducted a search to find an Archivist Firm. Fund Attorney said the EJIF had hired a firm with great success in helping the EJIF recover from policies predating the JIF; however, that firm is no longer in existence. Fund Attorney said a firm called PolicyFind has history and experience locating prior policies with a 90% success rate. Included in the agenda was a Resolution awarding a contract to Policy Find to help members identify prior policies to submit these claims for coverage.

MOTION TO ADOPT RESOLUTION 20-22 AWARDING A CONTRACT TO POLICY FIND.

Moved: Commissioner Brewer
Second: Commissioner Merchel
Roll Call Vote: 11 Ayes – 0 Nays

ANDERSON KILL: Fund Attorney reported the MEL is still working with Anderson Kill in the matter of Covid claims and recommended renewing the contract to continue services. Resolution 21-22 was included in the agenda to renew the arrangement.

MOTION TO ADOPT RESOLUTION 21-22 AUTHORIZING AWARD OF CONTRACT TO ANDERSON KILL P.C.

Moved: Commissioner Clarke
Second: Commissioner Nolan
Roll Call Vote: 11 Ayes – 0 Nays

RCF: Included in the agenda was a copy of Commissioner Clarke’s report on the RCF’s January Reorganization.

SEPTEMBER MEETING: Executive Director said the scheduled meeting dates for the MEL were reset to avoid conflicts with holidays; however, the September 8th meeting date conflicts with other JIF meetings. Executive Director said the Board may consider rescheduling this meeting and indicated this could be addressed at the June meeting.

ADDITIONAL ITEMS THAT WILL BE DISCUSSED IN MORE DETAIL DURING THE RETREAT SESSION:

MANAGEMENT COMMITTEE: Committee met on January 14th to confirm excess insurance placements, the Middlesex Joint Insurance Fund, Enlyte purchase of Quani (Qual-lynx and Qualcare) and pilot program for tabletop property appraisals. Minutes of the meeting were included in the agenda.

LEGISLATIVE COMMITTEE: Committee met on February 25th; minutes of the meeting were included in the agenda.

MARKETING COMMITTEE: We are in the process of scheduling a meeting of the Marketing Committee for early April.

SAFETY & EDUCATION COMMITTEE: Committee met on February 4th; minutes of the meeting were included in the agenda. FirstNet is no longer able to support the MEL’s current Learning Management System. A competitive contracting RFP has been issued with a March 23rd due date. We hope to have a new vendor in place by July 1, 2022 to allow for a smooth transition.

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

CLAIMS COMMITTEE: The Claims Review Committee met on January 6th and March 18th; minutes of these meetings were sent to the full MEL Board separately from the agenda. The Claims Review Committee is scheduled to meet next on May 5th.

FINANCIAL FAST TRACK AS OF 12/31/21: Executive Director noted this report was not available yet and reviewed the various items that have impacted the MEL Financials, such as the change in accidental disability pension offsets, Covid 19 claims for 2020 and 2021, and Hurricane Ida.

UNDERWRITING MANAGER:

REPORT: Underwriting Manager said there was nothing to report for this meeting.

TREASURER:

CONFIRMATION OF PAYMENTS

February 2022 \$21,393,088.74
 February 2022 Supplemental \$2,186,690.03

RESOLUTIONS 22-22 AND 23-22 FOR MARCH 2022 VOUCHERS:

March 2022 \$3,199,300.36
 March 2022 Supplemental \$103,373.12

CONFIRMATION OF JANUARY 2022 CLAIMS PAYMENTS/CERTIFICATION OF CLAIMS TRANSFERS:

SURPLUS TRIGGER	0.00
1988 WC	61,248.15
CLOSED	0.00
2018	85,381.43
2019	23,648.12
2020	244,347.97
2021	4,351,015.44
2022	5,467.23
TOTAL	\$4,771,108.34

CONFIRMATION OF FEBRUARY 2022 CLAIMS PAYMENTS/CERTIFICATION OF CLAIMS TRANSFERS:

SURPLUS TRIGGER	0.00
1988 WC	1,747.09
CLOSED	0.00
2018	124,414.34
2019	41,580.25
2020	8,199.92
2021	391,688.14
2022	0.00
TOTAL	\$567,629.74

MOTION TO CONFIRM PAYMENTS OF FEBRUARY 2022, APPROVE MARCH 2022 BILLS LIST RESOLUTIONS 22-22 AND 23-22 AND TO APPROVE TREASURER’S REPORT; CURRENT AND CONFIRMING EXPENSES AS PRESENTED:

Moved: Commissioner Merchel
 Second: Commissioner Laureigh
 Roll Call Vote: 11 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 for this meeting.

ATTORNEY:

REPORT: Fund Attorney said there was nothing additional to report for this meeting.

MANAGED CARE:

REPORT: Managed Care Provider said there was nothing to report for this meeting.

OLD BUSINESS:

NONE

NEW BUSINESS:

NONE

PUBLIC COMMENT:

NONE

CLOSED SESSION: There was no need for Closed Session.

MOTION TO ADJOURN:

Moved:	Commissioner Laureigh
Second:	Commissioner Merchel
Vote:	Unanimous

MEETING ADJOURNED: 9:36AM

NEXT MEETING: June 2, 2022 – 11:15AM
Forsgate Country Club – Monroe, NJ

Nancy A. Ghani, Assisting Secretary

For

PAUL TOMASKO, SECRETARY

RESOLUTION 20-22

**OF THE
MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND
AUTHORIZING THE REQUIRED DISCLOSURE AWARD TO
POLICYFIND
FOR CONFIDENTIAL INSURANCE ARCHEOLOGY SERVICES**

WHEREAS, the Municipal Excess Liability Joint Insurance Fund (FUND) has a need for confidential insurance archeology services supplied by PolicyFind 825 North Capital Ave Indianapolis, IN. 46204, as a required disclosure contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, PolicyFind in the aggregate is expected to be in excess of the play threshold of \$17,500.00 with a quote for services for two (2) years not to exceed \$42,000.00; and

WHEREAS, subject to the board of fund commissioners approving future budgets, the Fund Treasurer hereby certifies that funds NOT TO EXCEED \$42,000.00 are available as follows;

2022 Line Item: Miscellaneous Contingency

2023 Line Item: Miscellaneous Contingency

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Excess Liability Joint Insurance Fund hereby authorizes the Executive Director to enter into a contract with PolicyFind 825 North Capital Ave Indianapolis, IN. 46204, as a required disclosure contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; for a two (2) year period, not to exceed \$42,000.00 in the aggregate.

**MUNICIPAL EXCESS LIABILITY
JOINT INSURANCE FUND**

Attest:

Joy Tozzi, Chair

Paul Tomasko, Secretary

RESOLUTION #21-22

**of the
Municipal Excess Liability Joint Insurance Fund**

**RESOLUTION AUTHORIZING THE AWARD OF PROFESSIONAL SERVICES CONTRACT
WITHOUT COMPETITIVE BIDDING TO ANDERSON KILL P.C. TO SERVE AS THE FUND'S
SPECIAL COUNSEL FOR LEGAL SERVICES IN COVERAGE DISPUTE**

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.), provide legal services representing the MEL’s interest in a coverage dispute with an insurance carrier, and

WHEREAS, the Fund Attorney recommended the necessity to continue to consult with an Attorney with experience with coverage disputes; and

WHEREAS, the Executive Director, Underwriting Manager and Fund Attorney interviewed several law firms and recommends Anderson Kill, P.C. to provide these legal services, and

WHEREAS, the Fund desires to retain the services of Anderson Kill, 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 for the contract term of January 1, 2022 through December 31, 2022, 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 Anderson Kill P.C. in an amount not to exceed \$100,000 to provide legal services to the Fund.
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 Anderson Kill P.C, 1760 Market Street, Suite 600, Philadelphia, PA 19103 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.

Joy Tozzi, Chairperson

Dated

Paul Tomasko, Secretary

Dated

March 25, 2022

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MEL Open Minutes

MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND BILLS LIST

Resolution No. 22-22

MARCH 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>
002927			
002927	BAKER TILLY US LLP	INTERNAL AUDIT 2021	5,280.00
002927	BAKER TILLY US LLP	INTERNAL AUDIT 2021	43,381.43
			48,661.43
002928			
002928	NEWTECH SERVICES, INC.	STREAMING VIDEO SERVICES 11/21	164.50
			164.50
		Total Payments FY 2021	48,825.93

FUND YEAR 2022

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
002929			
002929	CONNER STRONG & BUCKELEW	ZURICH PROP 2022 ADD MIDDLESEX JIF	900,000.00
002929	CONNER STRONG & BUCKELEW	LEXINGTON PRIMARY PROP 2022	632,277.00
			1,532,277.00
002930			
002930	CONNER STRONG & BUCKELEW	SAFETY NATIONAL WC 2022 INSTALL 3/3	1,196,260.00
			1,196,260.00
002931			
002931	QUALCARE, INC.	MANAGED CARE 3/22	46,454.38
			46,454.38
002932			
002932	CB CLAIMS LLC	TPA 2/22	37,284.79
002932	CB CLAIMS LLC	DISBURSEMENTS 2/22	90.00
			37,374.79
002933			
002933	J. A. MONTGOMERY RISK CONTROL	POSTAGE FOR TRAINING WORKBOOKS 1/22	305.33
002933	J. A. MONTGOMERY RISK CONTROL	MSI ADMIN 3/22	113,977.01
002933	J. A. MONTGOMERY RISK CONTROL	POWER OF COLLABORATION TRAINING 2/15/22	217.29
			114,499.63
002934			
002934	PERMA	POSTAGE 2/22	32.07
002934	PERMA	ADMIN FEES 3/22	115,857.15
002934	PERMA	POSTAGE 1/22	0.53
			115,889.75
002935			
002935	MICHAEL S. ZAMBITO	TREASURER 3/22	6,675.26
			6,675.26
002936			
002936	DORSEY & SEMRAU ESQ.	MEL SPECIAL LITIGATION 2/22	1,336.48
002936	DORSEY & SEMRAU ESQ.	MEL EPL ROLLOFF 2/22	1,535.48
002936	DORSEY & SEMRAU ESQ.	LITIGATION - LINDEN HA 2/22	170.50
			3,042.46
002937			
002937	NEWTECH SERVICES, INC.	STREAMING VIDEO SERVER 3/22	77.00
002937	NEWTECH SERVICES, INC.	STREAMING VIDEO SERVER 122	77.00
			154.00
002938			
002938	COURIER POST	AD 3.1.22	47.84
			47.84
002939			
002939	NJ ADVANCE MEDIA	AD 2.10.22	157.78
			157.78
002940			

002940	ARTHUR J. GALLAGHER RMS, INC.	REINSURANCE MGR 3/22	27,015.14 27,015.14
002941			
002941	THE ACTUARIAL ADVANTAGE	ACTUARY 3/22	4,431.90 4,431.90
002942			
002942	THE CANNING GROUP LLC	QPA 2/22	1,250.00 1,250.00
002943			
002943	LaMENDOLA ASSOCIATES, INC.	SAFETY TRAINING 2/22	1,326.00
002943	LaMENDOLA ASSOCIATES, INC.	COMMUNICATIONS 2/22	259.50 1,585.50
002944			
002944	CONNER STRONG & BUCKELEW	UNDERWRITING MGR 3/22	46,784.00 46,784.00
002945			
002945	ACRISURE LLC	MARKETING MGR Q1 2022	16,575.00 16,575.00
		Total Payments FY 2022	3,150,474.43
		TOTAL PAYMENTS ALL FUND YEARS	3,199,300.36

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 SUPPLEMENTAL BILLS LIST

Resolution No. 23-22

MARCH 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 2020

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
002946	VINELAND CITY	REIMBURSE POLICE ACCRED 2020	1,000.00
			1,000.00
Total Payments FY 2020			1,000.00

FUND YEAR 2021

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
002947	CONNER STRONG & BUCKELEW	RIDGEFIELD BUILDERS RISK 2021	15,054.79
			15,054.79
002948	CONNER STRONG & BUCKELEW	CYBER ADD'L MIDDLESEX MEMBERS 2021	5,500.00
			5,500.00
002949	GLOUCESTER, SALEM, CUMBERLAND JIF	REIMB. HOPEWELL EO ONLINE ATTEND. 2021	1,000.00
			1,000.00
Total Payments FY 2021			21,554.79

FUND YEAR 2022

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
002950	QUAL-LYNX	EXCESS WC TPA 3/22	54,468.00
002950	QUAL-LYNX	PROP TPA 3/22	14,875.00
002950	QUAL-LYNX	COMPUTER FEES 1/22	1,500.00
002950	QUAL-LYNX	COMPUTER FEES 2/22	1,500.00
002950	QUAL-LYNX	COMPUTER FEES 3/22	1,500.00
			73,843.00
002951	DUGHI, HEWIT & DOMALWESKI, P.C.	COVERAGE ADVICE 1/22	1,053.00
			1,053.00
002952	PRINCETON STRATEGIC COMMUNICATIONS GROUP LLC	MARKETING & APP HOSTING FEES 3/22	5,922.33
			5,922.33
Total Payments FY 2022			80,818.33
TOTAL PAYMENTS ALL FUND YEARS			103,373.12

Chairperson

Attest:

Dated: _____

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

Treasurer