

**MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND
OPEN MINUTES MEETING – MARCH 11, 2020
HANOVER TOWNSHIP MUNICIPAL BUILDING
12:00 PM**

Meeting of Fund Commissioners called to order by Chairman McNeilly. Open Public Meeting Notice read into records. Chairman McNeilly led Commissioners in the Pledge of Allegiance.

ROLL CALL OF 2020 EXECUTIVE COMMITTEE:

Stanhope	Brian McNeilly, Chairman	Present
Mount Arlington	Carolyn Rinaldi, Secretary	Present
Denville	Michael Guarino	Present
Netcong	Ralph Blakeslee	Absent
Wharton	Jon Rheinhardt	Present
East Hanover	Joseph Tempesta	Present
Pequannock	Adam Brewer	Present

ROLL CALL OF 2020 FUND COMMISSIONERS:

Andover	Diana Francisco	Present
Bloomingtondale	Jon Dunleavy	Present
Boonton Town	Neil Henry	Present
Boonton Township	Douglas Cabana	Present
Butler	Jim Lampmann	Present
Chatham	Robert Hoffmann	Present
Chatham Borough	Stephen Williams	Absent
Chester	Margaret Nordstrom	Present
Dover	Carlos N. Sanchez	Absent
Essex Fells	Francine Paserchia	Absent
Florham Park	Bill Huyler	Absent
Frelinghuysen	Donna Zilberfarb	Absent
Hanover	Silvio Esposito	Present
Hawthorne	Eric Maurer	Present
Hopatcong	Ronald Tappan	Present
Kinnelon	James Frieda	Absent
Lincoln Park	Perry Mayers	Absent
Long Hill	Nancy Malool	Absent
Madison	James Burnet	Absent
Mendham Borough	Joyce Bushman	Absent
Mendham Township	Karen Fornaro	Absent
Millburn	Jason Gabloff	Present
Montville	Victor Canning	Absent
Morris Plains	June Uhrin	Absent
Mount Olive	Claudia Tomasello	Present
Mountain Lakes	Mitchell Stern	Present
North Caldwell	Kevin O'Sullivan	Absent

Pompton Lakes	Kevin Boyle	Absent
Randolph	Darren Maloney	Present
Ringwood	Scott Heck	Absent
Riverdale	Paul Carelli	Absent
Rockaway Borough	Patricia Bussow	Absent
Rockaway Twp.	Lisa Palmieri	Absent
South Orange Village	Adam Loehner	Present
Sparta	Bill Close	Absent
Washington Twp	Andrew Coppola	Absent
West Caldwell	Nikole Baltycki	Present
West Milford	Catherine Shanahan	Present

2020 FUND COMMISSIONER ALTERNATES:

Stanhope	Dana Mooney	Absent
Mount Arlington	Kayleen Knight	Absent
Denville	Steven Ward	Absent
Netcong	Elmer Still	Absent
Wharton	Bill Hamilton	Absent
East Hanover	Kenneth Huelbig	Absent
Andover	Toni Grisaffi	Absent
Bloomington	Sherry Gallagher	Absent
Boonton Town	Cynthia Oravits	Absent
Butler	James Kozimor	Absent
Chatham Township	Debra King	Present
Chatham Borough	Thaddeus Kobylkarz	Absent
Chester	Denean Probosco	Absent
Dover	John Schmidt	Present
Florham Park	Cindy Phillips	Absent
Hanover	Mark Roddy	Absent
Hawthorne	Jennifer Scully	Absent
Kinnelon	Charlie Daniel	Absent
Lincoln Park	Dina Valente-Stoel	Absent
Mendham Borough	Jeff Cooper	Present
Mendham Township	Debra Bonanno	Present
Millburn	Alex McDonald	Absent
Montville	June Hercek	Absent
Morris Plains	Michael Koroski	Absent
Mount Olive	Andrew Tatarenko	Absent
Mountain Lakes	Marcy Gianattasio	Absent
North Caldwell	Tami Michelotti	Absent
Rockaway Borough	Patricia Reiche	Absent
Rockaway Township	Patricia Seger	Absent

Sparta	Michele Landtau	Present
Washington Twp	Roger Read	Present
West Caldwell	William Wallace	Absent
West Milford	Catherine Shanahan	Absent

APPOINTED OFFICIALS PRESENT:

Executive Director/Administrator

PERMA Risk Management Services
Cathleen Kiernan

Attorney/Litigation Management

Dorsey & Semrau, Esq.
Fred Semrau, Esq.

Underwriting Manager

Conner Strong & Buckelew

Safety Director

J.A. Montgomery Risk Control
Brian Maitland
Scott Thompson
Matt Genna
Mike Palsi

Treasurer

Grace Brennan

Liability Claims Service

D&H Alternative Risk Solutions, Inc.
Mary Ann Maitilasso

Workers Compensation
Claim Service

Qual-Lynx
Claudia Acosta

Managed Care

FMCO
Suzanne Rajsteter

Auditor

Nisivoccia LLP

ALSO PRESENT:

Sharon Cooper, Public Entity Advocates
Ernie Reigstad, Skylands Risk Management, Inc.
David Vozza, The Vozza Agency
Lindsay Tiawali, Acrisure
Amy Pieroni, Acrisure
Patty Esposito, Marsh USA
Charlotte Wendland, Henry O. Baker Inc
Jennifer Matos, Henry O. Baker Inc
David Sgalia, Cupo Insurance Agency
Patrick Cassidy, RD Parisi Associates
Adam Baker, Brown and Brown
Charlene Oselador, Town of Boonton
Matthew Struck, Treadstone Risk Management
Sandy Cantwell, PERMA

APPROVAL OF MINUTES -

February 12, 2020 Open & Closed minutes:

MOTION TO APPROVE OPEN & CLOSED MINUTES OF FEBRUARY 12, 2020

Commissioner Schmidt asked if the votes for each member for approving the minutes should be recorded to identify who voted aye / nay / abstain. Fund Attorney said that the individuals who abstain are listed, and no one voted ‘no’, therefore all remaining votes were affirmative, and attendance is always included in the minutes.

Commissioner Schmidt asked if the start and end times for closed session should be listed in the minutes. Fund Attorney said the times are listed for the board meeting, however he recommended we continue with the approval of the minutes and he will research if the times for closed session also need to be reported.

Motion: Commissioner Henry
Second: Commissioner Stern
Vote: 22 Ayes, 0 Nays, 6 Abstains
(Commissioners Tempesta, Francisco, Lampmann, Baltycki, Schmidt(Alt.), Cooper (Alt.))

CORRESPONDENCE – None.

MONTHLY COMMITTEE REPORTS:

Membership, Marketing & Coverage Committee, John Dunleavy, Chair, Bloomingdale Borough – No report.

Finance Committee, Jon Rheinhardt, Chair, Wharton Borough – No report.

Safety Committee, Carolyn Rinaldi, Chair, Mount Arlington Borough – Commissioner Rinaldi said one of the discussion items was the Safety Incentive Awards report, and noted there may be some changes in the numbers. Executive Director said the office will verify if past vouchers have been processed, and will note any outstanding award amounts due from prior year when sending to members with 2019 safety incentive award letters.

Contracts and Rules Committee, Ralph Blakeslee, Chair, Netcong Borough –Chairman McNeilly said the Contracts and Rules Committee released Competitive Contracting RFps for Safety Director and Cyber Security training; both are due March 16th.

Legal Review Committee, William Close, Chair, Sparta Township – No report.

Claims Review Committee, Mitchell Stern, Chair, Stanhope Borough – The committee met on February 10th at PERMA’s office, in Parsippany and recommended approval of payment authority requests for 16 workers’ compensation claims totaling \$1,174,049.93, 5 property claims totaling \$85,181.87, and 3 liability claims totaling \$481,326.00.

EXECUTIVE DIRECTOR/ADMINISTRATOR REPORT:

2020 MEL/RCF/EJIF March 27th Meeting & Retreat: The MEL, RCF and EJIF are scheduled to hold their March meetings in conjunction with the MEL Annual Retreat. However

due to the current concerns over the Coronavirus, this meeting will most likely be either canceled or modified and held as a conference call. There usually over 50 attendees.

2020 MEL & MR HIF Educational Seminar: The 10th annual seminar is scheduled for Friday, May 1, 2020, beginning at 9:00 AM at the National Conference Center, 399 Monmouth Street, in East Windsor, NJ. This meeting has not yet been canceled; however, it is being evaluated given the current conditions. The MEL Safety Institute is also evaluating on a daily basis potentially canceling their class schedule, as there are many classroom trainings currently scheduled across the state.

Elected Officials Training: This year's elected officials training program will focus on *Preventing Child Abuse and Protecting Public Entities from the liabilities imposed by new legislation concerning sexual molestation*. This course is now available on-line and attendees receive a \$250 credit through May 1st.

EPL Compliance Program: A memorandum outlining this year's Employment Practices Liability Program, including manual/handbook updates and training requirements, is included in the agenda. The MEL contracted with a law firm to conduct a comprehensive review of the model personnel manual and handbook. As a result, the deadline to become compliant for all elements of the program have been pushed back to June of 2021. Managers and Supervisors training and Police command staff training will soon be released. Non-supervisory training will be available later on in the year. The video does not have an EPL component. In response to Commissioner Rheinhardt, Executive Director said a memo is being drafted to communicate what types of employees and volunteers will be expected to take the training as not all employees are in contact with children. However, because the topic is far reaching, it can be recommended to everyone. Fund Attorney said he appreciates all feedback as it helps them fine tune the message of the program.

Employees and Volunteers protecting Children Training: The MEL developed a new training program on protecting children which is already on the Learning Management System. Directions to take the course are included in the agenda. We are in the process of drafting a notice informing members of the materials on our webpage for Protecting Our Children which includes this training, model documents and resource guide.

D2 Cybersecurity Status Report—The monthly status report for February from the cyber security provider which recaps member participation and training to date is included in the agenda. Note the number of employees submitted can be adjusted to reflect only the number of employees that have access to the member's computers / server. This will affect the ratio for number of trained employees. Commissioner Rheinhardt commended Chatham Township for bringing their training ratio up to 95%.

Inclement Weather Procedure - A procedure has been instituted for Commissioners to confirm whether a meeting has been cancelled. The Executive Director will talk to the Chair to determine if a meeting should be cancelled. In the case of an early morning or evening meeting, PERMA will leave a message, which can be obtained by dialing the Fund's main number (201) 881-7632. For meetings that occur during normal business hours, meeting status can also be obtained by dialing the Fund office.

Resolution 20-20 is also being presented today to allow the fund to make payments of contracted amounts and the claim review committee to approve payment authority requests in the event the

coronavirus prevents the fund from meeting in April. This resolution is similar to the resolution typically presented in July when we anticipate not meeting in August, and will be added to the consent agenda.

Financial Disclosures: Commissioners should anticipate the online filing of the Financial Disclosure forms inclusive of the MEL/EJIF/RCF Commissioner and any municipal related positions that require filing. The 2020 roster has been updated and we will issue an email to fund commissioners with instructions once the State issues its notice.

Due Diligence Reports: The January Financial Fast Track will be available next month, along with February. Delay allow Fund Administrator’s accounting team to completing year end financials and prepare materials for Fund Auditor. Loss Ratio report shows paid claims and case reserves are below the actuarial targets, with exception of 2016. The Fund’s Lost Time Accident report shows only one claim in January resulting in lost time; low claim count may be the result of a mild winter. The POL/EPL report shows member compliance, deductibles & coinsurance. Membership will have until June 2021 to update their EPL Compliance program. The RMC Agreement report shows contract expiration dates; RMCs will need to have an executed agreement on file to receive payment.

In response to Commissioner Guarino, Executive Director said that anyone that attended the POL/EPL training at the League in November or through any other venue will receive the \$250 credit for attendance and will not need to take the class again for meet with compliance requirements. The course being offering online is the same class that was delivered at the League.

Executive Director’s Report Made Part of Minutes.

TREASURER:

The following March 2020 bills list was included for approval on the consent motion as Resolution 18-20. In addition, Resolution 19-20 for a March Supplemental Bills list was distributed and included in the consent motion.

March 2020	
2020	\$196,902.67
Total	\$196,902.67

March 2020 Supplemental	
CLOSED	\$2,810.00
2019	\$1,905.00
2020	\$96,400.20
Total	\$101,115.20

CLAIMS PAYMENT AND IMPREST TRANSFERS AS OF JANUARY 2020:

CLOSED	(\$3,990.07)
2016	\$55,093.25
2017	\$31,192.59
2018	\$78,384.25
2019	\$304,959.61
2020	\$7,320.43
TOTAL	\$472,960.06

Treasurer's Report Made Part of Minutes.

ATTORNEY:

Fund Attorney distributed a memo that discusses vendor contract liability limits. When a member signs a contract with a vendor, they should be aware if the contract limits the vendor liability to the amount of the contract, or to a specified amount. Members should share this memo with their municipal attorney and consider striking any wording in contracts that limit vendor liability.

Secondly, the MEL hot line is available and fielding basic questions concerning employees and concerns over the virus. The first responsibility for elected officials is public safety, and the law supports and protects you when acting on the interests of the public. Title 59 provision 3-2 states this clearly. Unless a decision can be argued as palpably unreasonable, you are protected when taking actions and using resources that aid in public safety.

UNDERWRITING MANAGER:

CERTIFICATES OF INSURANCE: Report on Certificates issued and Cyber report submitted for information.

Underwriting manager's report made part of minutes

SAFETY DIRECTOR:

Safety Director's Report Made Part of Minutes.

MANAGED CARE:

Managed Care Provider's Report Made Part of Minutes

MOTION FOR EXECUTIVE SESSION FOR CERTAIN SPECIFIED PURPOSES: PERSONNEL- SAFETY & PROPERTY OF PUBLIC LITIGATION:

Motion: Commissioner Guarino
Second: Commissioner Stern
Vote: Unanimous

MOTION TO RETURN TO OPEN SESSION:

Motion: Commissioner Stern
Second: Commissioner Guarino

Vote: Unanimous

MOTION TO APPROVE CLAIM AUTHORITY PAYMENTS AS PRESENTED IN EXECUTIVE SESSION, EXECUTIVE DIRECTOR'S REPORT, RESOLUTION 18-20 APPROVING THE MARCH BILLS LIST, RESOLUTION 19-20 APPROVING THE MARCH SUPPLEMENTAL BILLS LIST, RESOLUTION 20-20 AUTHORIZING THE CONTINUANCE OF CONTRACTUAL AND CLAIM PAYMENTS UNTIL THE MAY 13, 2020 MEETING, ATTORNEY'S REPORTS, UNDERWRITING MANAGER'S REPORTS, SAFETY DIRECTOR'S REPORTS, AND MANAGED CARE PROVIDER'S REPORTS

Moved: Commissioner Brewer
Second: Commissioner Mauer
Roll call Vote: Unanimous

OLD BUSINESS:

None

NEW BUSINESS:

None.

PUBLIC COMMENT:

None

MOTION TO ADJOURN:

Moved: Commissioner Brewer
Second: Commissioner Dunleavy
Vote: Unanimous

Meeting Adjourned: 12:27 PM
Sandy Cantwell, Assisting Secretary
For Carolyn Rinaldi, Secretary
Date prepared: March 25, 2020

MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND BILLS LIST

Resolution No. 18-20

MARCH 2020

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

BE IT RESOLVED that the Morris County Municipal 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>
001931			
001931	FIRST MCO	MANAGED CARE FEE 2/20	24,460.74
			24,460.74
001932			
001932	QUAL-LYNX	CLAIM ADJUSTING SERVICES 3/20	23,872.49
			23,872.49
001933			
001933	J.A. MONTGOMERY RISK CONTROL	LOSS CONTROL SERVICES 3/20	18,284.86
			18,284.86
001934			
001934	THE ACTUARIAL ADVANTAGE	ACTUARY FEE 3/20	3,527.08
			3,527.08
001935			
001935	GRACE BRENNAN	TREASURER FEE 3/19	2,147.99
			2,147.99
001936			
001936	IMAC INSURANCE AGENCY	PRO RATE FOR DOVER 2/20	6,470.45
001936	IMAC INSURANCE AGENCY	LINCOLN PARK - RMC - 1ST HALF 2020	11,991.00
001936	IMAC INSURANCE AGENCY	W. CALDWELL - RMC - 1ST HALF 2020	13,211.00
001936	IMAC INSURANCE AGENCY	DOVER - RMC - 1ST HALF 2020	23,218.00
001936	IMAC INSURANCE AGENCY	EAST HANOVER - RMC - 1ST HALF 2020	17,208.00
001936	IMAC INSURANCE AGENCY	FLORHAM PARK - RMC - 1 ST HALF 2020	15,031.00
			87,129.45
001937			
001937	CONNER STRONG & BUCKELEW	UNDERWRITING FEE 3/20	1,021.00
			1,021.00
001938			
001938	ALLSTATE INFORMATION MANAGEMNT	ACCT#417 - ARC & STOR - 1.31.20	87.06
			87.06
001939			
001939	HENRY O. BAKER INC.	ROCKAWAY - RMC - 1/2 2020	6,938.00
			6,938.00
001940			

001940	WEST MILFORD TOWNSHIP	RMC FEE - 1ST HALF 2020	27,125.00
			27,125.00
001941			
001941	LISA A PFENNINGER INSURANCE AGENCY, LLC	CHESTER - RMC - 1ST HALF 2020	2,309.00
			2,309.00
		Total Payments FY 2020	196,902.67
		TOTAL PAYMENTS ALL FUND YEARS	\$196,902.67

Brian McNeilly
Chairperson

Attest:

Carolyn Rinaldi, Secretary

Dated: 3/11/2020

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

Grace Brennan
Treasurer

MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND SUPPLEMENTAL BILLS LIST

Resolution No. 19-20

MARCH 2020

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

BE IT RESOLVED that the Morris County Municipal 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 CLOSED

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
001942			
001942	MUNICIPAL EXCESS LIABILITY RCF	WHARTON - DOL 6/1/2015	2,130.00
001942	MUNICIPAL EXCESS LIABILITY RCF	RANDOLPH - DOL 6/1/2011 PROPERTY	600.00
001942	MUNICIPAL EXCESS LIABILITY RCF	WHARTON PROPERTY VAMM049732	80.00
			2,810.00
		Total Payments FY Closed	2,810.00

FUND YEAR 2019

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
001943			
001943	MORRIS COUNTY PUBLIC SAFETY	SCHOOL CROSSING GUARD CLASS 8/19	1,905.00
			1,905.00
		Total Payments FY 2019	1,905.00

FUND YEAR 2020

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
001944			
001944	FIRST MCO	MANAGED CARE SERVICES FEE 3/20	24,460.74
			24,460.74
001945			
001945	FRED SEMRAU ESQ.	LITIGATION MANAGEMENT 3/20	16,473.45
			16,473.45
001946			
001946	LENAPE CLAIMS MANAGEMENT INC.	CLAIMS FEES 3/20	20,585.64
			20,585.64
001947			
001947	PERMA RISK MANAGEMENT SERVICES	POSTAGE 2/20	82.65
001947	PERMA RISK MANAGEMENT SERVICES	ADMIN FEE 3/20	29,369.63
			29,452.28
001948			
001948	FRED SEMRAU, ESQUIRE	ATTORNEY FEE 3/20	2,083.33
			2,083.33
001949			
001949	THE RODGERS GROUP, LLC	POL ACCRED MAIN PROG 1/4 2020	3,000.00
			3,000.00
001950			
001950	DAILY RECORD	ACCT:ASB-70026874 - AD - 2.24.20	84.88
001950	DAILY RECORD	ACCT:ASB-70026874 - AD - 2.24.20	84.88
			169.76
001951			
001951	NEWTECH SERVICES INC.	WEB MAINT/HOST & DR 3/20	175.00

	175.00
Total Payments FY 2020	96,400.20
TOTAL PAYMENTS ALL FUND YEARS	\$101,115.20

Brian McNeilly
Chairperson

Attest:

Carolyn Rinaldi, Secretary

Dated: 3/11/20

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

Grace Brennan
Treasurer

RESOLUTION 20-20
RESOLUTION OF THE MORRIS COUNTY MUNICIPAL JOINT
INSURANCE FUND AUTHORIZING THE CONTINUANCE OF
CONTRACTUAL AND CLAIM PAYMENTS
UNTIL THE MAY 13, 2020 MEETING

WHEREAS, by way of this resolution, in the event that the April 8, 2020 meeting is canceled, the Treasurer is directed to continue to make, during the month of April, all contractual payments which customarily become due and the professionals are directed to continue to perform their services, with the understanding that any and all actions that they take shall be confirmed at the May 13, 2020 meeting, except in the case of emergency or a matter which would be deemed by General Counsel to be extraordinary, authorization shall be sought from the Chairman and/or Secretary of the Morris JIF.

WHEREAS, the Morris County Municipal Joint Insurance Fund has a Claims Review Committee that meets on a monthly basis and makes its recommendations to the Board of Fund Commissioners for payment of claims; and

WHEREAS, the Claims Review Committee has set forth a schedule for its meetings and has advertised that schedule in accordance with the Open Public Meetings Act,

BE IT RESOLVED, by the Commissioners of the Morris County Municipal Joint Insurance Fund as follows:

In the event the regular scheduled meeting for April 8, 2020 is cancelled,

The Treasurer is authorized to make payment for all contracted services for April as same are usually paid for notwithstanding that there will not be a meeting in April to confirm those payments.

All professionals are directed to proceed in the normal course to take any and all steps necessary to resolve cases which are outstanding for which the Morris JIF will confirm their actions at the May 13, 2020 meeting, the only exception being if there is an item which is deemed to be extraordinary by General Counsel, authorization shall be sought either by the Chairman or the Secretary of the Morris JIF before that action is taken by the professional.

The Claims Review Committee is hereby authorized the approve payment authority requests submitted by the Fund's Claims Administrators at the Committee's duly scheduled and advertised April 6, 2020 meeting.

The foregoing resolution was duly adopted by the Morris County Municipal Joint Insurance Fund at a public meeting held on March 11, 2020.

Morris County Municipal Joint Insurance Fund

By:
Brian McNeilly, Chairperson

Attest:
Carolyn Rinaldi, Secretary