

**RESOLUTION NO. 1-21**  
**MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND**  
**(Hereinafter referred to as the “FUND”)**  
**AWARDING COMPETITIVE CONTRACTS 20-03 THROUGH 20-06 VARIOUS**  
**PROFESSIONALS AND INSURANCE RELATED SERVICES**

**WHEREAS** the Morris County Municipal Joint Insurance Fund (hereinafter the Fund) authorized the competitive contract process to be administered by the Qualified Purchasing Agent through resolution 29-20 on June 10, 2020 for the positions of:

EXECUTIVE DIRECTOR  
FUND ATTORNEY  
TREASURER  
UNDERWRITING MANAGER

and

**WHEREAS** services were procured according to the competitive contracting process under N.J.S.A. 40A:11-4.1 et. Seq., and

**WHEREAS** a notice advising of competitive contracts was published in the July 14, 2020 edition of the Star Ledger, and the Daily Record and posted on the Morris JIF website [www.mcjif.org](http://www.mcjif.org) under the Public Bids section.

**WHEREAS** the Fund received Competitive Contract responses were received from professional service providers and service organizations on September 3, 2020 at 10:00 AM.

**WHEREAS** the Fund’s Management, Contracts and Rules Committees served as the Evaluation Committees for the respective Professional Service Provider and Service Organization to rate the proposals upon the standards of factors being Technical, Managerial and Cost factors in accord with N.J.A.C.5:34-4.3(d); and

**WHEREAS** the Evaluation Committees made recommendations on the award of contracts to the below listed Professional Service Providers and Service Organizations based on a review of their responses, experience and prior service provided at the rates established by the Board of Fund Commissioners; and

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

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

**WHEREAS** the Board of Fund Commissioners of the Morris County Municipal Joint Insurance Fund resolves to appoint the Fund Professionals – noted below – to three-year terms commencing on January 1, 2021 and ending on December 31, 2023 (unless otherwise noted) at

its January 2021 Reorganization Meeting in accordance with a fair and open process pursuant to N.J.S.A. 19:44A-20.4 et. Seq.

**NOW, THEREFORE BE IT RESOLVED**, by the FUND's Governing Body that:

- I. PERMA Risk Management Services** is hereby appointed as **Administrator**, **Cathleen Kiernan** is appointed as **Executive Director**, and **Joseph Hrubash** as **Deputy Executive Director**, as **agent for process of services**. \$1,100,165.82 is the estimated dollars that will be expended in connection with this contract over its three-year term. The annual amount of \$359,484.32 has been appropriated in the Administration Line Item of the 2021 budget. Fund year 2021 is the first year of a three-year term.
  
- II. Fred Semrau, Esquire of Dorsey & Semrau** is hereby appointed as **Litigation Management**. \$617,083.69, is the estimated dollars that will be expended for **Litigation Management** in connection with this contract over its three-year term. The annual amount of \$201,634.98 has been appropriated in the Litigation Management Line Item of the 2021 budget. Fund year 2021 is the first of a three year term for Litigation Management.
  
- III. Grace Brennan** is hereby appointed as **Fund Treasurer**. \$80,462.29 is the estimated dollars that will be expended in connection with this contract over its three-year term. The annual amount of \$26,291.43 has been appropriated in the Treasurer Line Item of the 2021 budget. Fund year 2021 is the first of a three-year term.
  
- IV. Conner Strong & Buckelew** is hereby appointed **Underwriting Manager**. \$38,239.00 is the estimated dollars that will be expended in connection with this contract over its three-year term. The annual amount of \$12,494.77 has been appropriated in the Underwriting line item of the 2021 budget. Fund Year 2021 is the first year of a three year term.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, which will be entered into, a copy of which are or will be on file in the Fund office, located at 9 Campus Drive, Suite 216, Parsippany, NJ 07504.

Adopted by the Governing Body this 13th day of January 2021.

Morris County Municipal Joint Insurance Fund

By: Brian McNeilly  
Chairperson

Attest:  
Carolyn Rinaldi  
Secretary

**RESOLUTION #2-21**  
**of the**  
**MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND**  
**DESIGNATION OF INVESTORS BANK AS BANKING MANAGER**

**WHEREAS**, the Morris County Municipal 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 .50%. - 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 Morris County Municipal 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 .50%. - 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 13<sup>th</sup> day of January, 2021 before the Governing Body:

Brian McNeilly, Chairman  
Carolyn Rinaldi, Secretary

**RESOLUTION NO. 3-21**

**MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND  
(hereafter referred to as "THE FUND")**

**ESTABLISHING A FISCAL MANAGEMENT PLAN**

**FOR THE 2021 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 2021 Fund Year:

**I.** The following financial institutions are hereby declared as THE FUND's Official Depositories:

- a) Those banks or institutions identified through the Governmental Unit Depository Protection Act (GUDPA )
- b) New Jersey Cash Management Plan
- c) Investors Bank

**II.** 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.

Brian McNeilly	CHAIR
Carolyn Rinaldi	SECRETARY
Grace Brennan	TREASURER
Jon Rheinhardt	COMMISSIONER

- III.** All funds for Claims payments shall be withdrawn from the Official Depository(ies) by check, which shall bear the signatures of at least two (2) of the following Workers Compensation TPA representatives, and at least two (2) of the following General Liability, Auto Liability, Property, Auto Physical Damage, and Fidelity TPA representatives, duly authorized pursuant to this Resolution.

**Workers Compensation TPA Signatories:**

Dave Ruber, Qual Lynx  
Alice Lihou, Qual Lynx  
Grace Brennan, Fund Treasurer

**General Liability, Auto Liability, Property, Auto Physical Damage,  
and Fidelity TPA Signatories:**

Lauren Jensen, Lenape Claims Management, Inc.  
Susan Hammer, Lenape Claims Management, Inc.  
Grace Brennan, Fund Treasurer

- 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 for the year 2021 shall be ten (10) percent per annum, from the due date for any such assessment and imposed when installment assessments are received after February 1st for the first installment and August 15th for the second 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.
- VIII.** In accordance with the MEL's Retrospective Rating Program, the FUND does hereby transfer the aggregate excess contingency line item collected with 2021 Fund assessments to the Aggregate Loss Fund Contingency Account.

Adopted by the Governing Body this 13th day of January 2021.

Morris County Municipal Joint Insurance Fund By:

Brian McNeilly  
Chairperson

Attest:

Carolyn Rinaldi, Secretary

**RESOLUTION NO. 4-21**

**MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND  
(hereafter the “FUND”)**

**ESTABLISHING PUBLIC MEETING PROCEDURES**

WHEREAS, the FUND must establish meeting procedures for Fund Year 2021, and

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the FUND that:

- I. The Governing Body shall conduct Public Meetings virtually via Zoom conference to conduct the official business of the FUND on the second Wednesday of each month from February 2021 through May 2021. Meetings starting in June 2021 through January 12, 2022 are anticipated to be held at the Hanover Municipal Building but are subject to change.
- II. Each Public Comments session is limited to thirty (30) minutes; any one person may address the Chairperson for a maximum of five (5) minutes; once a particular topic has been addressed by a member of the public, subsequent comments on that same topic by other people is limited to a maximum of two (2) minutes; citizens who have spoken once during the session will not be recognized a second time; and speakers are required to state their names and address.
- III. The following is hereby designated the official newspaper (s) of the Fund:  
  
The Daily Record, Parsippany, New Jersey 07054 and The Star Ledger, Newark, New Jersey 07101. In addition, the Morris JIF’s webpage is designated for official notices – [www.mcjif.org](http://www.mcjif.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 by the Governing Body this 13th day of January 2021.

Morris County Municipal Joint Insurance Fund By:

Brian McNeilly  
Chairperson

Attest: Carolyn Rinaldi, Secretary

**RESOLUTION NO. 5-21**

**MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND  
(Hereinafter the "FUND")**

**ESTABLISHING A FUND RECORDS PROGRAM**

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

NOW, THEREFORE BE IT RESOLVED, by the FUND's Governing Body that:

- I. Carolyn Rinaldi, Fund Secretary, is hereby designated as custodian of the FUND records, which shall be kept at the office of the Fund Administrator, located at 9 Campus Drive, Suite 216, Parsippany, NJ 07054.
- II. The Account Manager designated by the Executive Director is hereby appointed as **Assistant Fund Secretary**.
- III. The records of the FUND shall be retained in accordance with the municipal records retention schedule as promulgated by the New Jersey Division of Archives and Records Management, and/or otherwise specified by the New Jersey Department of Insurance and Community Affairs.
- IV. Each fund professional and service organization shall have the duty and obligation to maintain such records as are entrusted to him/her and to relinquish such records to the Fund Secretary upon termination of services or otherwise upon request.

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

Adopted by the Governing Body this 13th day of January 2021.

Morris County Municipal Joint Insurance Fund

By: Brian McNeilly , Chairperson

Attest: Carolyn Rinaldi, Secretary

---

**RESOLUTION NO. 6-21**

**RESOLUTION OF THE MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND  
AWARDING AN EXTRAORDINARY UNSPECIFIABLE SERVICES CONTRACT WITH QBE  
SPECIALTY INSURANCE COMPANY FOR PRIMARY PUBLIC OFFICIALS/EMPLOYMENT  
PRACTICES LIABILITY**

**WHEREAS**, there is a need for public officials/employment practices coverage for the Morris County Municipal Joint Insurance Fund (FUND); and

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

**WHEREAS**, the Underwriting Manager is recommending award to QBE Specialty Insurance Company for primary public officials/employment practices liability coverage in the amount of \$2,180,506.00 inclusive of commission; and

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

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

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

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

**WHEREAS**, the Treasurer has certified that funds are available, subject to approval by the board of commissioners in the 2021 budget in the amount of \$2,096,109 inclusive of commission from:

Line Items: POL/EPL Premium and Land Use Liability

**NOW, THEREFORE, BE IT RESOLVED**, that the Morris County Municipal Joint Insurance Fund authorizes the Executive Director to enter into a contract with QBE Specialty Insurance Company for the 2021 budget year for primary public officials/employment practices liability coverage in the amount of not to exceed \$2,096,109 inclusive of commission.

Adopted by the Governing Body this 13th day of January 2021.

Morris County Municipal Joint Insurance Fund

By: Brian McNeilly, Chairperson

Attest: Carolyn Rinaldi, Secretary



**RESOLUTION NO. 7-21**

**RESOLUTION OF THE MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND AWARDING AN EXTRAORDINARY UNSPECIFIABLE SERVICES CONTRACT WITH QBE SPECIALTY INSURANCE COMPANY FOR OPTIONAL VOLUNTEER DIRECTOR'S AND OFFICER'S LIABILITY COVERAGE**

**WHEREAS**, there is a need for optional volunteer director's and officer's liability coverage for the Morris County Municipal Joint Insurance Fund (FUND); and

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

**WHEREAS**, the Underwriting Manager is recommending award to QBE Specialty Insurance Company for optional volunteer director's and officer's liability coverage in the amount of \$ 15,466 inclusive of commission; and

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

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

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

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

**WHEREAS**, the Treasurer has certified that funds are available, subject to approval by the board of commissioners in the 2021 budget in the amount of \$16,996 inclusive of commissions from:

Line Items: Volunteer Director's and Officer's Liability

**NOW, THEREFORE, BE IT RESOLVED**, that the Morris County Municipal Joint Insurance Fund authorizes the Executive Director to enter into a contract with QBE Specialty Insurance Company for the 2021 budget year for optional volunteer director's and officer's liability coverage in the amount of not to exceed \$16,996 inclusive of commissions.

Adopted by the Governing Body this 13th day of January 2021.

Morris County Municipal Joint Insurance Fund

By: Brian McNeilly, Chairperson

Attest: Carolyn Rinaldi, Secretary

**RESOLUTION NO. 8-21**

**RESOLUTION OF THE MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND AWARDING AN EXTRAORDINARY UNSPECIFIABLE SERVICES CONTRACT WITH INDIAN HARBOR INSURANCE COMPANY FOR PRIMARY CYBER SECURITY LIABILITY COVERAGE**

**WHEREAS**, there is a need for primary cyber security liability coverage for the Morris County Municipal Joint Insurance Fund (FUND); and

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

**WHEREAS**, the Underwriting Manager is recommending award to Indian Harbor Insurance Company for primary cyber security liability coverage in the amount of \$67,230 inclusive of commission; and

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

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

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

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

**WHEREAS**, the Treasurer has certified that funds are available, subject to approval by the board of commissioners in the 2021 budget in the amount of \$ 67,230 inclusive of commission from:

Line Items: Cyber Security Liability

**NOW, THEREFORE, BE IT RESOLVED**, that the Morris County Municipal Joint Insurance Fund authorizes the Executive Director to enter into a contract with Indian Harbor Insurance Company for the 2021 budget year for primary cyber security liability coverage in the amount of not to exceed \$67,230 inclusive of commission.

Adopted by the Governing Body this 13th day of January 2021.

**Morris County Municipal Joint Insurance Fund**

By: Brian McNeilly, Chairperson

Attest: Carolyn Rinaldi, Secretary

**RESOLUTION 9-21**  
**RESOLUTION OF THE COMMISSIONERS OF THE MORRIS COUNTY**  
**MUNICIPAL JOINT INSURANCE FUND REVISING THE LEGAL DEFENSE**  
**PANEL FOR THE YEAR 2021**

**WHEREAS**, the Morris County Municipal 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-12 et. seq.), to review the Fund’s procurement procedures; and

**WHEREAS**, the Commissioners of the Morris Joint Insurance Fund adopted a resolution establishing the 2021 defense panel of attorneys to handle the various claims and litigation asserted against the insured of the Morris Joint Insurance Fund at its January 13, 2021 Reorganization; 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 Commissioners of the Morris County Municipal Joint Insurance Fund that the following attorneys are hereby designated as the JIF’s defense panel for the year 2021 at the rates herein specified:

**Worker’s Compensation – Hourly Rate of \$140**

Joseph V. Biancamano, Esq  
Kathleen A. Hart., Esq.  
John R. Tort, Esq., Steven M. Leitner, Esq. & Joseph S. Defazio, Esq.  
Christopher Wood, Esq

**Workers’ Compensation Special Litigation – Hourly Rate of \$140**

James G. Pietras, Esq

**General Liability – Hourly Rate of \$165**

**TIER ONE**

Robert J. Greenbaum, Esq.  
Eric Harrison, Esq.  
William Johnson, Esq.

TIER TWO

Donald S. Dinsmore, Esq  
Catherine Flynn, Esq.  
Matthew Giacobbe, Esq.  
Peter King, Esq.  
Brian Mason, Esq. (Police Claims)  
David Pennella, Esq.  
Carl A. Perrone, Esq.

TIER THREE

Thomas Ryan, Esq (Sussex County)  
Mark J. Semeraro, Esq. (Passaic County)  
Pending (Essex County)

FUND ATTORNEY:

Dorsey & Semrau

CONFLICT COUNSEL

Russell R. Huntington, Esq.

BE IT FURTHER RESOLVED, by the Commissioners of the Morris County Municipal Joint Insurance Fund that the above attorneys are also hereby designated to be assigned subrogation matters – on a contingency basis of 25% unless required to take the matter to trial, in which case contingency basis will be 33%. In matters of subrogation, Claims Administrator is authorized to allow up to \$2,500 in costs to secure expert witness/testimony. If additional funds are required, Claims Administrator will seek authority of the Fund.

Adopted by the Governing Body this 13<sup>th</sup> of January 2021

**Morris County Municipal Joint Insurance Fund**

By: Brian McNeilly, Chairperson

Attest: Carolyn Rinaldi, Secretary

**RESOLUTION NO. 10-21**

**MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND  
(Hereinafter referred to as the “FUND”)**

**INFORMAL MEDIATION PROCESS  
FOR DISPUTES BY MEMBERS AGAINST THE FUND**

**WHEREAS**, Members of the Morris County Municipal Joint Insurance Fund (“Fund”) may have differences of opinion or disputes with respect to coverage determinations; and

**WHEREAS**, in the history of the Fund has been fortunate to only be the recipient of two requests for arbitration to resolve such disputes; and

**WHEREAS**, these disputes are costly to the Fund and its membership; and

**WHEREAS**, the Fund, after consulting with the Executive Director, Chairman and the Fund Attorney, has suggested an informal process to review any potential claims or disputes against the Fund with respect to coverage or any terms of the policy; and

**WHEREAS**, this process is informal, not binding and is to allow Members a better understanding of whatever disputes exist between the Fund and a particular Member.

**NOW, THEREFORE, BE IT RESOLVED**, by the Morris County Joint Insurance Fund that the following informal process shall take place when a Member has a claim or dispute against the Fund with respect to coverage or any terms of the policy:

1. A Member will notify the Chairman, Executive Director, or Fund attorney that a dispute has occurred and the Member would like to conference the dispute with the Executive Director, Chairman and Fund Attorney of the Morris County Municipal Joint Insurance Fund.
2. Ten (10) days prior to said conference, which will be schedule at the mutual convenience of all parties, the Member will provide information in writing, to the Executive Director, which will set forth the claim, the basis for the claim and the requested relief.
3. After said conference with the Executive Director, Chairman and Fund Attorney, if the matter is not resolved, the Member may request that the matter be presented to the Morris County Joint Insurance Fund Claims Committee.
4. Ten (10) days prior to meeting with the Morris County Municipal Joint Insurance Fund Claims Committee, the Member shall submit information in writing, to the Executive Director, pertaining to the nature of the claim, the basis for the dispute and the requested relief.
5. If the Morris County Municipal Joint Insurance Fund Claims Committee cannot resolve the dispute, then the Member will then have the right to make a plea to the entire Board of Fund Commissioners.
6. Fifteen (15) days prior to the meeting with the entire Board of Fund Commissioners, the Member shall submit a letter, to the Executive Director, detailing the nature of the claim, the basis for the dispute and the requested relief.

7. The Morris County Joint Insurance Fund Claims Committee Chair, the Executive Director and the Fund Attorney will also provide information in writing relating to the dispute and the basis for the Claims Committee's recommendation.
8. The discussion with respect to disputes will occur in Executive Session.
9. All of said discussions throughout the process will be designated as "Settlement Discussions" and not admissible in any subsequent proceedings.
10. Any resolutions of disputes pursuant to this informal process will be done only by a formal vote of the Board of Fund Commissioners.

This Resolution shall take effect immediately.

Adopted by the Governing Body this 13th day of January, 2021.

**Morris County Municipal Joint Insurance Fund**

By: Brian McNeilly, Chairperson  
Attest: Carolyn Rinaldi, Secretary

## RESOLUTION NO. 11-21

### RESOLUTION OF THE MORRIS COUNTY MUNICIPAL 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 Morris County Municipal 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](mailto:catek@permainc.com) or [scantwell@permainc.com](mailto:scantwell@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 effect immediately.

Adopted by the Governing Body this 13th day of January, 2021.

## **MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND**

By: Brian McNeilly, Chairperson  
Attest: Carolyn Rinaldi, Secretary



**Resolution 12-21**  
**Morris County Municipal Joint Insurance Fund**

**(hereinafter the "Fund" or the "MOR JIF")**

**ESTABLISHING THE 2021 PLAN OF RISK MANAGEMENT**

BE IT RESOLVED by the Fund's Commissioners that the 2021 Plan of Risk Management shall be:

Definitions:

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

“Member” means: A local unit of government that has joined the Fund

“Sexual Abuse” means: An action brought pursuant to Section 1 of P.L. 1992, c.109 (C.2A:61B-1), paragraph (1) of subsection c. of section 1 of P.L.1959 (C.2A:53A-7) or section 1 of P.L.2005, c.264 (C.2A:53A-7.4)

## Section I – Coverage

### Insurance Coverages

The following coverages are provided to the Fund's members, effective January 1, 2021:

- Workers' Compensation
- Liability (including optional excess)
- Public Officials Liability / Employment Practices Liability (including optional excess)
- Optional Volunteer Directors & Officers Liability
- Crime
- Non-Owned Aircraft Liability
- Environmental Impairment Liability
- Cyber
- Property & Equipment Breakdown (effective December 31, 2020)
- Emergency Service Volunteer Automobile Physical Damage

### Limits of Coverage

Unless otherwise stated, all limits shown apply less any local member unit's SIRs/deductibles . All references to the “MEL” stand for the “Municipal Excess Liability Joint Insurance Fund”. **Please note, the following is a general discussion of the coverages and limits provided via the Fund; however, the actual terms and conditions are defined in the policy documents and all issues shall be decided on such. Additional coverages, limits and conditions may apply. Please also note, deductibles may differ for individual members; please refer to your policy(ies) for full details.**

#### 1. Workers' Compensation

- Workers' Compensation: \$300,000
- Employer's Liability: \$300,000
- USL&H, Harbor Marine/Jones Act, Incidental Foreign Workers' Compensation, Communicable Disease: **Per Person**
- MEL Excess Limit: Statutory
- Employer's Liability Excess Limit: \$6,700,000

## 2. **Liability** (includes General, Automobile, Employee Benefits and Law Enforcement Liability)

- Fund Limit: \$300,000
- MEL Excess Limit: \$4,700,000
  - The \$3,000,000 layer excess of \$2,000,000 is subject to a \$3,000,000 per local member unit annual aggregate (Automobile Liability is not aggregated)
- Sublimits: The following sublimits are part of, and not in addition to, the limits above:
  - Good Samaritan Liability: Included
  - Quasi Municipal Organization Liability: Included (if approved)
  - Fungus or Spores: \$1,000,000
  - Disinfectants Release Hazard Coverage: \$1,000,000
  - Dam and Reservoir: \$5,000,000
    - a. \$5,000,000 per occurrence for any member entity owned dams defined as Class III or IV in New Jersey Administrative Code, Title 7, Department of Environmental Protection, Chapter 20, 7:20-1.8;
    - b. Included for premises owned, occupied or controlled by the member entity on which a dam or reservoir is located, or from the operations conducted on such premises;
    - c. \$2,000,000 per occurrence for any member entity owned dam defined as Class I or II in New Jersey Administrative Code, Title 7, Department of Environmental Protection, Chapter 20, 7:20-1.8; and
    - d. \$2,000,000 per occurrence for any Class III or IV member entity owned dam involved with a Class I or II member entity owned dam.
  - Sanitary/Storm Water System Sewerage Backup and/or Sanitary System Sewerage Backup, Escape or Release: \$3,000,000 Per Occurrence and \$4,000,000 Annual Aggregate for all member entities
  - Subsidence: \$3,000,000 Per Occurrence and \$4,000,000 Annual Aggregate for all member entities
  - Quasi Entities Coverage: \$5,000,000
  - Skateboard Facilities: \$5,000,000 Per Occurrence (where approved)
    - a. Subject to 0% member coinsurance of the first \$100,000
  - Riot, Civil Commotion or Mob Action: \$5,000,000 Per Occurrence
  - Failure to Supply Utility: \$5,000,000 Per Occurrence
  - Garagekeepers Liability: \$2,000,000 Per Occurrence
  - New Jersey Personal Injury Protection (NJ PIP): \$250,000
  - New Jersey Uninsured/Underinsured Motorist (NJ UM/UIM): \$15,000 / \$30,000 / \$5,000

## 3. **Optional Excess Liability Limit**

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

- The following limits are the Optional Excess Limits:
  - \$2,000,000 (equals \$7,000,000 total);
  - \$5,000,000 (equals \$10,000,000 total);
  - \$10,000,000 (equals \$15,000,000 total); and
  - \$15,000,000 (equals \$20,000,000 total);

The Fund purchases Optional JIF Shared Aggregate Excess Liability Limits excess of \$20,000,000 from the MEL. This coverage is only available to members of the Fund who purchase all \$20,000,000 available to them from the Optional Excess Liability Limits.

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

**4. Public Officials Liability / Employment Practices Liability**

Each local member unit is 100% commercially insured with QBE Specialty Insurance Company for \$2,000,000 in the aggregate per member on a claims made and reported basis for each Fund year.

- Retentions and Coinsurance:
  - \$20,000 is the standard retention per claim and 20% of the first \$250,000 of the loss is the standard coinsurance, although other retentions and coinsurances may apply.
  - Local member units may qualify based on certain criteria to have options to purchase a lower retention and/or coinsurance contribution.
  - Members with adverse loss experience may be subject to higher retention and/or coinsurance.
- 

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

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

- \$1,000,000 (equals \$3,000,000 total);
- \$2,000,000 (equals \$4,000,000 total);
- \$3,000,000 (equals \$5,000,000 total);
- \$4,000,000 (equals \$6,000,000 total); and
- \$8,000,000 (equals \$10,000,000 total).

**6. Optional Volunteer Directors & Officers Liability**

Fire companies and Emergency Service Units have the option of purchasing optional Volunteer Directors & Officers Liability coverage. The coverage is 100% commercially insured with QBE Specialty Insurance Company and applies to the non-firematic/emergency activities of such entity per the following options:

<b>Option</b>	<b>Limit of Liability</b>	<b>Deductible</b>
1	\$1,000,000	\$1,000
2	\$1,000,000	\$2,000
3	\$1,000,000	\$5,000
4	\$2,000,000	\$1,000
5	\$2,000,000	\$2,000
6	\$2,000,000	\$5,000

**7. Crime**

- The Fund provides Crime coverage with a limit of \$50,000 for: Loss of Assets, Credit Card Forgery, Loss of Employee Benefit Plan Assets and Public Employee Dishonesty
- The member deductible is \$1,250
- MEL Crime
  - MEL Crime Excess: \$950,000 excess of the Fund Crime limit
  - MEL Crime Statutory Position:
    - a. The MEL provides primary employee dishonesty and faithful performance coverage for those employed positions which are required by law to be individually bonded and where they have applied and have been approved for coverage at a limit of \$1,000,000 per occurrence per position. The MEL can provide MEL Crime Statutory Position limits, based on underwriting and via endorsement, above \$1,000,000, matching the member's auditor's recommendation, but no more than \$2,000,000. Such additional limit is available upon request and approval by the MEL.
    - b. The deductible is \$1,000
  - MEL Crime Excess Public Officials:
    - a. The MEL provides excess employee dishonesty and faithful performance coverage for those employed positions which are required by law to be individually bonded and where they have not applied or have not been approved for coverage under the MELJIF Statutory Position Program at a limit of \$1,000,000
    - b. The deductible is the greater of the underlying bond/policy in place or the statutory limit required

#### 8. Non-Owned Aircraft Liability

- \$5,000,000; and
- Medical Expense for each passenger: \$5,000
- The coverage is 100% commercially insured with Endurance

#### 9. Environmental Impairment Liability

- Environmental Impairment Liability is provided to the Fund's local member units by the New Jersey Environmental Risk Management Fund (EJIF). Please refer to the EJIF's Plan of Risk Management.

#### 10. Cyber

The Fund purchases Cyber insurance with Indian Harbor Insurance Company (primary insurer) for the following limits:

- Limits:
  - Fund Annual Aggregate: \$6,000,000
  - Third Party, Per Claim: \$3,000,000
  - First Party, Per Claim: \$3,000,000
- Retention, Per Claim: \$200,000

The MEL provides \$175,000 excess of the member's deductible of \$25,000.

The Fund also purchases Excess Cyber limits via the MEL with total limits of \$6,000,000 Each Claim / \$9,000,000 Aggregate.

#### 11. Property & Equipment Breakdown

- The Fund provides a \$100,000 limit per occurrence (Property & Time Element combined)
- The MEL provides a \$900,000 limit excess of the Fund's limit

- The MEL purchases additional excess property limits, as follows: \$125,000,000, including certain sublimits, including, but not limited, to:
  - Aggregate, Earth Movement: \$100,000,000
  - Aggregate, Flood (includes Storm Surge): \$100,000,000
    - a. Per Location, Special Flood Hazard Area (SFHA): \$52,500,000
  - Named Storm: Included
  - Vehicles: \$15,000,000
- Unmanned Aircraft Systems: \$100,000
- Member deductibles:
  - All Other: \$1,250
  - Automobile Physical Damage: \$1,250
  - Equipment Breakdown: \$5,000
  - SFHA Flood :
    - a. Building: \$500,000
    - b. Contents: \$500,000
    - c. Time Element: \$500,000
  - Named Storm (Covered Property in Atlantic, Ocean, Monmouth and Burlington counties east of the Garden State Parkway, and any covered property in Cape May County):
    - a. Property Damage: 1% of TIV at location, per occurrence
    - b. Time Element: 1% of 12 months gross earnings at location, per occurrence
    - c. Minimum, per location: \$1,000,000
    - d. Maximum, per occurrence: \$2,500,000

## 12. Emergency Service Volunteer Automobile Physical Damage

- The Fund provides Automobile Physical Damage Reimbursement Coverage to all Emergency Service Volunteers of Fund members, including police auxiliary, firefighters, members of the first aid or rescue squads, and CERT teams for collision and comprehensive damages to their personal vehicles, which arise out of and in the course of the volunteer's emergency service duties which have been authorized prior to any such occurrence by a senior officer.

The maximum reimbursement to the volunteer will be \$2,500; however, if the volunteer has Personal Automobile Physical Damage coverage, the JIF will pay 100% of the volunteer's collision or comprehensive deductible, but no more than \$2,500.

- The Fund provides Automobile Physical Damage Reimbursement Coverage to all Emergency Service Volunteers, including police auxiliary, firefighters and members of the first aid or rescue squads, CERT Teams, etc. for collision and comprehensive damages to their personal vehicle, which arises out of and in the course of the emergency service volunteer's duties associated with an authorized activity and/or duly sponsored or sanctioned event on behalf of the member entity/organization.
- Where personal auto physical damage insurance coverage is applicable to the volunteer's vehicle, the extent of this reimbursement coverage shall not exceed 100% of the volunteer's collision or comprehensive deductible

amount, up to a maximum of \$2,500 OR in the absence of any applicable personal collision or comprehensive insurance coverage, reimbursement of damages shall not exceed \$2,500.

## Amount of Risk to be Retained by the Fund

Unless otherwise stated, all limits shown apply less any local member unit's SIRs/deductibles.

1. **Workers' Compensation:** \$300,000
2. **Liability:** \$300,000
  - NJ Uninsured/Underinsured Motorist: \$15,000 / \$30,000 / \$5,000
  - NJ Personal Injury Protection: \$250,000
3. **Optional Excess Liability Limit:** \$0
4. **Public Officials Liability / Employment Practices Liability:** \$0
5. **Optional Excess Public Officials Liability / Employment Practices Liability:** \$0
6. **Optional Volunteer Directors & Officers Liability:** \$0
7. **Crime:** \$50,000
  - MEL Crime Excess: None
  - MEL Crime Statutory Position: None
  - MEL Crime Excess Public Officials: None
8. **Non-Owned Aircraft Liability:** \$0
9. **Environmental Impairment Liability :** \$0
10. **Cyber:** \$0
11. **Property:** \$100,000
  - Equipment Breakdown: \$0
  - SFHA Flood: \$0
  - Named Storm (Covered Property in Atlantic, Ocean, Monmouth and Burlington counties east of the Garden State Parkway, and any covered property in Cape May County): \$0
  - Unmanned Aircraft Systems (UAS):\$100,000
12. **Emergency Service Volunteer Automobile Physical Damage** \$2,500

## Commercial Insurance / Reinsurance Purchased

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

1. **Non-Owned Aircraft Liability:** The Fund purchases this coverage through the MEL from Endurance
2. **Excess Property & Equipment Breakdown:** The Fund purchases this coverage from the MEL
3. **Excess Liability:** The Fund purchases this coverage from the MEL
4. **Excess Workers' Compensation:** The Fund purchases this coverage from the MEL
5. **Excess Crime:** The Fund purchases this coverage from the MEL
6. **Public Officials Liability / Employment Practices Liability:** The Fund purchases this coverage from QBE Specialty Insurance Company

7. **Optional Volunteer Directors & Officers Liability:** The Fund purchases this coverage from QBE Specialty Insurance Company
8. **Cyber:** The Fund purchases this coverage from Indian Harbor Insurance Company and the MEL
9. **Environmental Impairment Liability:** EJIF
10. **Emergency Service Volunteer Automobile Physical Damage :** None

## Section II – Conditions

### **The Amount of Unpaid Claims to be Established**

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

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

1. By November 15th of each year, the actuary computes the probable net cost for the upcoming Fund year by line of coverage and for each prior Fund year. The actuary includes all budget items in these computations. The annual assessment of each participating member is its pro rata share of the probable net cost of the upcoming Fund year for each line of coverage as computed by the actuary.
2. The calculation of pro rata shares is based on each member's experience modified manual premium for that line of coverage. The Commissioners also adopts a capping formula which limits the increase of any member's assessment from the preceding year to the Fund wide average increase plus a percentage selected by the Commissioners. The total amount of each member's annual assessment is certified by majority vote of the Commissioners at least one (1) month prior to the beginning of the next fiscal year.
3. The treasurer deposits each member's assessment into the appropriate accounts, including the administrative account, and the claim or loss retention trust fund account by Fund year for each type of coverage in which the member participates.
4. If a local unit becomes a member of the Fund or elects to participate in a line of coverage after the start of the Fund year, such participant's assessments and supplement assessments are reduced in proportion to that part of the year which had elapsed.
5. The Commissioners may by majority vote levy upon the participating members additional assessments wherever needed or so ordered by the Commissioner of Insurance to supplement the Fund's claim, loss retention or administrative accounts to assure the payment of the Fund's obligations. All supplemental assessments are charged to the participating members by applicable Fund year, and shall be apportioned by the year's assessments for that line of coverage.
6. Should any member fail or refuse to pay its assessments or supplemental assessments, or should the Fund fail to assess funds required to meet its obligations, the chairman or in the event by his or her failure to do so, the custodian of the Fund's assets, shall notify the Commissioner of Insurance and the Director of Community Affairs. Past due assessments shall bear interest at the rate established annually by the Commissioners.
7. **Sexual Abuse Liability Account:** The Commissioners may establish a sexual abuse liability account. Reserves, IBNR, expenses, assets, assessments and other assets for this account shall be accounted for separately. After the end of the year before the Fund has finalized its year end accounting, the Commissioners may levy a supplementary assessment if the sexual abuse claims account is negative on a statutory basis.
8. At the discretion of the Commissioners, any supplemental assessments may be payable in equal installments for up to ten years. Deferred assessments shall become due and immediately payable if a member leaves the Fund.

## **Procedures Governing Loss Adjustment and Legal Expenses**

1. The Fund engages a claims service company to handle all claims, except for the JIF's POL/EPL and Volunteer D&O, which are handled by Summit Risk Services representing QBE Specialty Insurance Company. The performance of the claims adjusters is monitored and periodically audited by the Executive Director's office, the Fund attorney, the MEL's attorney's office, as well as the claims department of the MEL's three major liability insurers/re-insurers (i.e. General Re and Munich Re for liability, and Safety National for workers' compensation). Every three years, the MEL's internal auditors also conduct an audit.
2. Each member is provided with a claims reporting procedure and appropriate forms.
3. In order to control workers' compensation medical costs, the Fund has engaged a managed care organization (MCO) whose procedures are integrated into the Fund's claims process.
4. To provide for quality defense and control costs, the Fund has established an approved defense attorney panel with firms which specialize in governmental claims. The performance of the defense attorneys is overseen by the Fund attorney, as well as the various firms which audit the claims adjusters.

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

1. The Fund utilizes the Municipal Excess Liability Residual Claims Fund (RCF) to facilitate the closure of Fund years.
2. Upon the transfer of outstanding liabilities of a Fund year to the RCF, the Fund adopts a resolution closing that year and transfers all remaining assets to the closed Fund year account. This amount is allocated by member local units using the same procedure as is used to calculate a dividend. Each month, interest is credited to the closed Fund year account by member.
3. Each year, the Commissioners will determine if a dividend is appropriate from the closed Fund year account, and will make application to the Department of Banking and Insurance as appropriate. Further, in the event an open Fund year incurs a deficit, the Fund's governing body will consider an inter-year transfer from the closed Fund year account to offset the deficit. In either case, the dividend or inter-Fund year transfer will be calculated on a member by member basis.
4. In the event a member leaves the Fund, the Commissioners may assess the member's closed Fund Year account an amount not exceeding three (3) years stranded costs that the Fund incurs as a result of the member's withdraw. Stranded costs are those expenses incurred by the Fund that would otherwise have been paid from the withdrawing member's assessments had the member remained in the Fund. The dividend of any member that is no longer a member of the Fund and that member's share of the closed fund year account shall be held in escrow until the later of the tolling of the statute of limitations for all potential claims incurred during the membership period or the closure of all incurred claims by the Fund during the period of membership. A former member may apply to the Commissioners for a return of that member's remaining share of the closed Fund year account no sooner than when five (5) years have passed since the last Fund year in which the member participated has been closed. The Commissioners will decide on the former member's request after evaluating the likelihood of any additional assessments from the RCF.
5. All dividends from the RCF will be deposited in the closed Fund year account on a member by member basis.
6. The Fund will retain all records in accordance with the Fund's record retention program.

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

1. The general approach in estimating the loss reserves of the Fund is to project ultimate losses for each Fund year using paid and incurred loss data. Two traditional actuarial methodologies are used: the paid loss development method and the incurred loss development method. From the two different indications resulting from these methods the Fund Actuary chooses a "select" estimate of ultimate losses. Subtraction of the paid losses from the select ultimate losses yields the loss reserve liability or funding requirement.
2. The following is an overview of the two actuarial methods used to project the ultimate losses.
  - a. Paid Loss Development Method - This method uses historical accident year paid loss patterns to project ultimate losses for each accident year. Because this method does not use case reserve data, estimates from it are not affected by changes in case reserving practices. However, the results of this method are sensitive to changes



in the rate of which claims are settled and losses are paid, and may underestimate ultimate losses if provisions are not included for very large open claims.

- b. Case Incurred Loss Development Method - This method is similar to the paid loss development method except it uses historical case incurred loss patterns (paid plus case outstanding reserves) to estimate ultimate losses. Because the data used includes case reserve estimates, the results from this method may be affected by changes in case reserve adequacy.

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

1. \$10,000 for General and automobile liability
2. \$10,000 for workers compensation
3. With the advance approval of the Fund Attorney or Executive Director, the certifying and approving officer may also pay hospital bills if waiting until after the next regularly scheduled FUND meeting would result in the loss of a discount on such bills. When the certifying and approving officer utilizes this authority, a report shall be made to the Commissioners at their next meeting.
4. Defense Panel Attorneys are attorneys are also designated to be assigned subrogation matters – on a contingency basis of 25% unless required to take the matter to trial, in which case contingency basis will be 33%. In matters of subrogation, Claims Administrator is authorized to allow up to \$2,500 in costs to secure expert witness/testimony. If additional funds are required, Claims Administrator will seek authority of the Fund.
5. \$50,000 Emergency Court House Authority upon the joint authorization of the Fund Attorney and Executive Director. Whenever this procedure is used, the claim shall be reported to the Commissioners at their next meeting

**ADOPTED:** *this 13<sup>TH</sup> day of January, 2021 by the Commissioners:*

### **Morris County Municipal Joint Insurance Fund**

By: Brian McNeilly, Chairperson  
Attest: Carolyn Rinaldi, Secretary

# MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND BILLS LIST

**Resolution No. 13-21**

**JANUARY 2021**

**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>
002157			
002157	FIRST MCO	MANAGED CARE FEE 12/20	24,460.74
			<b>24,460.74</b>
002158			
002158	PERMA RISK MANAGEMENT SERVICES	POSTAGE DEC 2020	380.50
002158	PERMA RISK MANAGEMENT SERVICES	REIMBURSE DOMAIN NAME RENEWAL	130.65
002158	PERMA RISK MANAGEMENT SERVICES	POSTAGE JULY 2020	32.95
			<b>544.10</b>
002159			
002159	DAILY RECORD	AD 12.17.2020	46.18
002159	DAILY RECORD	AD 11.28.2020	60.80
			<b>106.98</b>
002160			
002160	ALLSTATE INFORMATION MANAGEMNT	ARC SERVICE&STORAGE 11.30.2020	95.38
			<b>95.38</b>
002161			
002161	NJ ADVANCE MEDIA	AD 12.18.2020	31.00
002161	NJ ADVANCE MEDIA	AD 11.26.2020	27.90
002161	NJ ADVANCE MEDIA	AD 12.02.2020	93.38
			<b>152.28</b>
002162			
002162	RD PARISI ASSOCIATES	DOVER RMC 12/20	23,217.00
			<b>23,217.00</b>
		<b>Total Payments FY 2020</b>	<b>48,576.48</b>

**FUND YEAR 2021**

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
002163			
002163	MUNICIPAL EXCESS LIABILITY JIF	FPB Q1 2021	5,192.25
			<b>5,192.25</b>
002164			
002164	MUNICIPAL EXCESS LIABILITY JIF	MEL PROPERTY Q1 2021	388,547.00
002164	MUNICIPAL EXCESS LIABILITY JIF	MEL JIF Q1 2021	845,740.50
			<b>1,234,287.50</b>
002165			
002165	NJ MUNICIPAL ENVIRONMENTAL	FIRST INSTALLMENT 2021	246,826.00
			<b>246,826.00</b>
002166			
002166	FRED SEMRAU ESQ.	LITIGATION MGMT 1/21	16,802.91
			<b>16,802.91</b>
002167			

002167	J.A. MONTGOMERY RISK CONTROL	SAFETY DIRECTOR 1/21	17,897.18
002167	J.A. MONTGOMERY RISK CONTROL	LAW ENFORCEMENT 1/21	1,281.25
			<b>19,178.43</b>
002168			
002168	LENAPE CLAIMS MANAGEMENT INC.	CLAIMS MGMT 1/21	20,997.36
			<b>20,997.36</b>
002169			
002169	PERMA RISK MANAGEMENT SERVICES	ADMIN FEES 01/21	29,957.00
			<b>29,957.00</b>
002170			
002170	THE ACTUARIAL ADVANTAGE	ACTUARY FEE 1/21	3,597.53
			<b>3,597.53</b>
002171			
002171	FRED SEMRAU, ESQUIRE	LEGAL COUNCIL 1/21	2,125.00
			<b>2,125.00</b>
002172			
002172	MUNICIPAL EXCESS LIABILITY JIF	MSI Q1 2021	26,486.50
			<b>26,486.50</b>
002173			
002173	CONNER STRONG & BUCKELEW	UNDERWRITING MGR 1/21	1,042.00
			<b>1,042.00</b>
002174			
002174	NEWTECH SERVICES INC.	WEBSITE 01/21	175.00
			<b>175.00</b>
		<b>Total Payments FY 2021</b>	<b>1,606,667.48</b>
		<b>TOTAL PAYMENTS ALL FUND YEARS</b>	<b>1,655,243.96</b>

Brian McNeilly,  
Chairperson

Attest:  
Carolyn Rinaldi, Secretary      Dated: January 13, 2021

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  
BILLS LIST**

**Resolution No. 14-21**

**JANUARY 2021**

**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 2021**

<b><u>Check Number</u></b>	<b><u>Vendor Name</u></b>	<b><u>Comment</u></b>	<b><u>Invoice Amount</u></b>
002175			
002175	QUAL-LYNX	TPA 1/21	24,349.94
			<b>24,349.94</b>
002176			
002176	GRACE BRENNAN	TREASURER 1/21	2,190.92
			<b>2,190.92</b>
		<b>Total Payments FY 2021</b>	<b>26,540.86</b>
		<b>TOTAL PAYMENTS ALL FUND YEARS</b>	<b>26,540.86</b>

Brian McNeilly,  
Chairperson

Attest:  
Carolyn Rinaldi, Secretary      Dated: January 13, 2021

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  
OPEN MINUTES MEETING – JANUARY 13, 2021  
VIA TELECONFERENCE CALL  
12:00 PM**

Meeting of Fund Commissioners was called to order by Chairman McNeilly, who read the Open Public Meeting Notice as follows: In accordance with the Open Public Meetings Act, notice of this meeting was provided by:

- I. sending sufficient notice to the Daily Record and The Star Ledger
- II. advance written notice of this meeting was filed with the Clerk/Administrator of each member municipality and,
- III. posting this notice on the Public Bulletin Board of all member municipalities

Chairman McNeilly reminded all that participants on the call will enter the meeting muted, and asked that participants unmute themselves only for roll call, voting, giving reports and when asking questions / comments to the board.

Chairman McNeilly asked for Roll Call.

**ROLL CALL OF 2020 EXECUTIVE COMMITTEE:**

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

**ROLL CALL OF 2020 FUND COMMISSIONERS:**

Andover	Patricia Bussow	Present
Bloomingtondale	Mike Sodermeyer	Present
Boonton Town	Neil Henry	Present
Boonton Township	Douglas Cabana	Present
Butler	Jim Lampmann	Present
Chatham Township	Robert Hoffmann	Present
Chatham Borough	Stephen Williams	Present
Chester	Margaret Nordstrom	Absent
Dover	John Schmidt	Present
Essex Fells	Francine Paserchia	Absent
Florham Park	Bill Huyler	Present
Frelinghuysen	Donna Zilberfarb	Present
Hanover	Silvio Esposito	Present
Hawthorne	Eric Maurer	Present
Hopatcong	Ronald Tappan	Absent
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	Absent
Montville	Victor Canning	Present
Morris Plains	Rosanne Denman	Absent
Mount Olive	Claudia Tomasello	Present
Mountain Lakes	Mitchell Stern	Present
North Caldwell	Kevin O'Sullivan	Absent
Pompton Lakes	Kevin Boyle	Present
Randolph	Darren Maloney	Present
Ringwood	Scott Heck	Present
Riverdale	Paul Carelli	Absent
Rockaway Borough	Patricia Reiche	Present
Rockaway Township	Lisa Palmieri	Present
South Orange Village	Adam Loehner	Present
Sparta	Bill Close	Present
Washington Twp	Andrew Coppola	Absent
West Caldwell	Nikole Baltycki	Present
West Milford	William Senande	Present

**2020 FUND COMMISSIONER ALTERNATES:**

Stanhope	Dana Mooney (Alt.)	Absent
Mount Arlington	Kayleen Knight (Alt.)	Absent
Denville	Steven Ward (Alt.)	Absent
Netcong	Elmer Still (Alt.)	Absent
Wharton	Bill Hamilton (Alt.)	Absent
East Hanover	Kenneth Huelbig (Alt.)	Absent

Andover	Toni Grisaffi (Alt.)	Absent
Bloomingtondale	Sherry Gallagher (Alt.)	Absent
Boonton Town	Cynthia Oravits (Alt.)	Absent
Butler	James Kozimor (Alt.)	Absent
Chatham Township	Debra King (Alt.)	Absent
Chatham Borough	Karen Fornaro (Alt.)	Absent
Chester	Denean Probosco (Alt.)	Absent
Dover	John Bennett (Alt.)	Absent
Florham Park	Cindy Phillips (Alt.)	Absent
Hanover	Mark Roddy (Alt.)	Absent
Hawthorne	Jennifer Scully (Alt.)	Absent
Lincoln Park	Dina Valente-Stoel (Alt.)	Absent
Mendham Borough	Jeff Cooper (Alt.)	Present
Mendham Township	Debra Bonanno (Alt.)	Absent
Millburn	Alex McDonald (Alt.)	Absent

Montville	June Hercek (Alt.)	Present
Morris Plains	Michael Koroski (Alt.)	Present
Mount Olive	Andrew Tatarenko (Alt.)	Absent
Mountain Lakes	Monica Goscicki (Alt.)	Absent
North Caldwell	Tami Michelotti (Alt.)	Absent
Rockaway Borough	Kimberly Cuspilich (Alt.)	Absent
Rockaway Township	Patricia Seger (Alt.)	Absent
Sparta	Michele Landtau (Alt.)	Present
Washington Twp	Roger Read (Alt.)	Present
West Caldwell	William Wallace (Alt.)	Absent
West Milford	Catherine Shanahan	Present

**APPOINTED OFFICIALS PRESENT:**

Executive Director/Administrator

PERMA Risk Management Services  
**Cathleen Kiernan**  
**Joseph Hrubash**

Attorney/Litigation Management

Dorsey & Semrau, Esq.  
**Fred Semrau, Esq.**

Underwriting Manager

Conner Strong & Buckelew  
**Ed Cooney**

Safety Director

J.A. Montgomery Consulting  
**Brian Maitland**  
**Matt Genna**  
**Michael Palsi**

Treasurer

**Grace Brennan**

Liability Claims Service

Lenape Claims Management  
**Theresa Laoudis**

Workers Compensation  
Claim Service

Qual-Lynx  
**Claudia Acosta**  
**Caty Lambe**

Managed Care

FMCO  
**Mary Bresadola**

Auditor

Nisivoccia LLP  
**Bud Jones**

Payroll Auditor

Russo & Associates  
**Stacy Russo**

**ALSO PRESENT:**

Matthew Struck, Treadstone Risk Management  
Karen Waters, IMAC Insurance Agency, LLC  
David Vozza, The Vozza Agency

Wayne F. Dietz, Skylands Risk Management, Inc.  
 Patty Esposito, Marsh USA  
 Jennifer Matos, Henry O. Baker Insurance Group  
 Lindsay Travali, Acrisure  
 Amy Pieroni, Acrisure  
 Charlotte Wendland, Henry O. Baker Insurance Group  
 Craig Josephsen, David M. Hundertmark Agency Inc.  
 Dominick Cinelli, Brown & Brown  
 David Sgalia, Cupo Insurance Agency  
 Mark Todisco, Chandler Solutions  
 Pat Cassidy, RD Parisi  
 Sandy Cantwell, PERMA

**APPROVAL OF MINUTES -**  
 December 9, 2020 Open minutes:

**MOTION TO APPROVE OPEN MINUTES OF DECEMBER 9, 2020**

Motion: Commissioner Esposito  
 Second: Commissioner Guarino  
 Vote: 24 Ayes, 0 Nays, 12 Abstains  
 (Commissioners Blakeslee, Bussow, Sodermeyer, Henry,  
 Lampmann, Huyler, Canning, Boyle, Heck, Palmieri,  
 Senande, Cooper (Alt.))

**CORRESPONDENCE – None**

Chairman McNeilly adjourned the sine die meeting.

**ADJOURN SINE DIE MEETING:**

Chairs vacated - Executive Director asked to run meeting. Executive Director called the 2021 Reorganization meeting to order. The Morris Joint Insurance Fund has a policy to meet as a Board of Fund Commissioners unless a quorum is not achieved, in which case the fund could revert to a quorum of the Executive Committee. As the JIF added a new member, the total members comes to 45, and using the formula as defined in the bylaws, 17 members are required for a quorum. A quorum was confirmed, and Executive Director asked for a roll call for the 2021 Fund Commissioners.

**ROLL CALL OF 2021 FUND COMMISSIONERS:**

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

Andover	Patricia Bussow	Present
Bloomingtondale	Mike Sodermeyer	Present
Boonton Town	Neil Henry	Present
Boonton Township	Douglas Cabana	Present
Butler	Jim Lampmann	Present



Chatham Township	Robert Hoffmann	Present
Chatham Borough	Stephen Williams	Present
Chester	Margaret Nordstrom	Absent
Dover	John Schmidt	Present
Essex Fells	Francine Paserchia	Absent
Florham Park	Bill Huyler	Present
Frelinghuysen	Donna Zilberfarb	Present
Hanover	Silvio Esposito	Present
Hawthorne	Eric Maurer	Present
Hopatcong	Ronald Tappan	Absent
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		Absent
Millburn	Jason Gabloff	Absent
Montville	Victor Canning	Present
Morris Plains	Rosanne Denman	Absent
Mount Olive	Claudia Tomasello	Present
Mountain Lakes	Mitchell Stern	Present
North Caldwell	Kevin O'Sullivan	Absent
Pompton Lakes	Kevin Boyle	Present
Randolph	Darren Maloney	Present
Ringwood	Scott Heck	Present
Riverdale	Paul Carelli	Absent
Rockaway Borough	Patricia Reiche	Present
Rockaway Township	Lisa Palmieri	Present
South Orange Village	Adam Loehner	Present
Sparta	Bill Close	Present
Washington Twp	Andrew Coppola	Absent
West Caldwell	Nikole Baltycki	Present
West Milford	William Senande	Present

**2021 FUND COMMISSIONER ALTERNATES:**

Stanhope	Dana Mooney (Alt.)	Absent
Mount Arlington	Kayleen Knight (Alt.)	Absent
Denville	Steven Ward (Alt.)	Absent
Netcong	Elmer Still (Alt.)	Absent
Wharton	Bill Hamilton (Alt.)	Absent
East Hanover	Kenneth Huelbig (Alt.)	Absent

Andover	Toni Grisaffi (Alt.)	Absent
---------	----------------------	--------

Bloomingtondale	Sherry Gallagher (Alt.)	Absent
Boonton Town	Cynthia Oravits (Alt.)	Absent
Butler	James Kozimor (Alt.)	Absent
Chatham Township	Debra King (Alt.)	Absent
Chatham Borough	Karen Fornaro (Alt.)	Absent
Chester	Denean Probosco (Alt.)	Absent
Dover	John Bennett (Alt.)	Absent
Florham Park	Cindy Phillips (Alt.)	Absent
Hanover	Mark Roddy (Alt.)	Absent
Hawthorne	Jennifer Scully (Alt.)	Absent
Lincoln Park	Dina Valente-Stoel (Alt.)	Absent
Mendham Borough	Jeff Cooper (Alt.)	Present
Mendham Township	Debra Bonanno (Alt.)	Absent
Millburn	Alex McDonald (Alt.)	Absent
Montville	June Hercek (Alt.)	Present
Morris Plains	Michael Koroski (Alt.)	Present
Mount Olive	Andrew Tatarenko (Alt.)	Absent
Mountain Lakes	Monica Goscicki (Alt.)	Absent
North Caldwell	Tami Michelotti (Alt.)	Absent
Rockaway Borough	Kimberly Cuspilich (Alt.)	Absent
Rockaway Township	Patricia Seger (Alt.)	Absent
Sparta	Michele Landtau (Alt.)	Absent
Washington Twp	Roger Read (Alt.)	Present
West Caldwell	William Wallace (Alt.)	Absent
West Milford	Catherine Shanahan	Present

---

**ELECTION OF OFFICERS AND FIVE-MEMBER EXECUTIVE COMMITTEE**

Regulations governing Joint Insurance Funds require that an Executive Committee be elected once membership exceeds seven municipalities. Committee Chairman Commissioner Tempesta, gave the report of the Nominating Committee and recommended the following slate for 2021 Officers and Executive Committee:

Brian McNeilly, Chairman	Borough of Stanhope
Carolyn Rinaldi, Secretary	Borough of Mt. Arlington
Michael Guarino	Township of Denville
Ralph Blakeslee	Borough of Netcong
Adam Brewer	Township of Rockaway
Jonathan Rheinhardt	Borough of Wharton
Joseph Tempesta	Township of East Hanover

**MOTION TO NOMINATE 2021 CHAIRMAN, SECRETARY AND FIVE MEMBER EXECUTIVE COMMITTEE AS PRESENTED:**

Motion: Commissioner Blakeslee  
Second: Commissioner Esposito

**MOTION TO CLOSE NOMINATIONS AND ELECT THE SLATE AS PROPOSED:**

Motion: Commissioner Blakeslee  
Second: Commissioner Esposito  
Vote: 36 Ayes, 0 Nays

Executive Director asked the Fund Attorney to administer the Oath of Office to the Fund Commissioners. Signed oaths should be returned electronically to the Fund Office.

Executive Director turned the meeting over to Chairman McNeilly.

**MONTHLY COMMITTEE REPORTS:**

**Membership, Marketing & Coverage Committee, Michael Guarino, Vice-Chair, Denville** – Committee Vice-Chairman Guarino asked for an update on the new member bids. Executive Director said there were four new member bids. Our offer to Parsippany and Roxbury was higher than their expiring premiums. Although our initial offerings to Franklin and Byram were lower, their current fund renegotiated to keep them in their fund.

**Finance Committee, Jon Rheinhardt, Chair, Wharton Borough** – no report.

**Safety Committee, Carolyn Rinaldi, Chair, Mount Arlington Borough** – no report.

**Contracts and Rules Committee, Ralph Blakeslee, Chair, Netcong Borough** – no report.

**Legal Review Committee, William Close, Chair, Sparta Township** —Fund Attorney reported that the committee met last week to review and evaluate the panel attorneys, which resulted in Resolution 9-21 being presented today for approval. The Committee also interviewed with Catherine Flynn who was added to the panel. Ms. Flynn offered significant litigation experience and medical insurance background. In response to Commissioner Schimdt, Committee Chairman Close said the committee meets with the panel attorneys once or twice a year. Their performance is evaluated by the Fund Attorney and that evaluation is reviewed by the committee before reappointment. New candidates for the panel are interviewed for their background and experience.

**Claims Review Committee, Mitchell Stern, Chair, Mountain Lakes** – The committee met on January 11<sup>th</sup> via Zoom and recommended approval of payment authority requests for 7 workers’ compensation claims totaling \$456,382.14; 4 property claims totaling \$74,537.39 and 5 liability claims totaling \$493,630.82. Executive Director said the PARS were emailed to the Commissioners and there were no questions.

With Chairman McNeilly’s permission, Executive Director began a review of the 2021 Reorganization Resolutions, which were included in the agenda packet distributed to commissioners.

**RESOLUTION 1-21: AWARDING COMPETITIVE CONTRACTS 20-03 THROUGH 20-06 VARIOUS PROFESSIONALS AND INSURANCE RELATED SERVICES:** Resolution presented to confirm contracts awarded through the Competitive Contracts process.

Executive Director said Morris JIF has staggered its multi-year contracts with the fund professionals, so all contracts do not come up for RFQ in the same year. This year the Rules and Contracts Committee issued competitive contract solicitations for the following four contracts that were in their third and final year.

Executive Director  
Attorney  
Treasurer

PERMA Risk Management Services  
Fred Semrau, Esquire  
Grace Brennan

Executive Director said the amount of the contract for this year and the anticipated three-year amount of the contract is referenced, as is required. The process this year was to ask professionals to accept the fees as offered by the fund. No competitive responses were received. All other amounts for existing contracts are also listed.

**RESOLUTION 2-21: DESIGNATION OF INVESTORS BANK AS BANKING MANAGER** – Establishing Investors Bank as our bank depository.

**RESOLUTION 3-21 ESTABLISHING A FISCAL MANAGEMENT PLAN** – Resolution presented designating Signatories, Official Depositories, assessment due dates and penalties as well as approving a Cash Management Plan. Commission Rheinhardt agreed to continue as a signatory. The resolution is being amended for the consent agenda, as Lenape Claims is removing Lauren Jensen from the signatories and adding Patricia Muldoon.

**RESOLUTION 4-20 ESTABLISHING PUBLIC MEETING PROCEDURES** - Resolution presented establishing 2021 Meeting Dates as the second Wednesday of every month at 12:00 noon. Meetings are scheduled to be held remote via Zoom from January through May, and anticipate being able to hold in-person meetings from June through December at the Hanover Township Municipal Building (including January of 2022), however this is subject to change. Note that Morris Claims Review meetings, which are scheduled for the Monday before the Board meeting, has a holiday conflict in September and October. We anticipate presenting the claims to the full board for those months, unless the board meetings are being held remotely.

**RESOLUTION 5-21 ESTABLISHING FUND RECORDS PROGRAM** - Resolution presented establishing a formal records retention program for Fund year 2021.

**RESOLUTION 6-21 AWARDED AN EXTRAORDINARY UNSPECIFIABLE SERVICES CONTRACT WITH QBE SPECIALTY INSURANCE COMPANY FOR PRIMARY PUBLIC OFFICIALS/EMPLOYMENT PRACTICES LIABILITY.**

**RESOLUTION 7-21 AWARDED AN EXTRAORDINARY UNSPECIFIABLE SERVICES CONTRACT WITH QBE SPECIALTY INSURANCE COMPANY FOR OPTIONAL VOLUNTEER DIRECTOR'S AND OFFICER'S LIABILITY COVERAGERESOLUTION 7-20 SERVICES CONTRACT WITH INDIAN HARBOR INSURANCE COMPANY FOR PRIMARY CYBER SECURITY LIABILITY COVERAGE.**

**RESOLUTION 8-21 RESOLUTION OF THE MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND AWARDED AN EXTRAORDINARY UNSPECIFIABLE SERVICES CONTRACT WITH INDIAN HARBOR INSURANCE COMPANY FOR PRIMARY CYBER SECURITY LIABILITY COVERAGE**– primary cyber coverage. Note excess cyber policy is being handled by the MEL this year and the Underwriting Manager will give us more information during his report.

**RESOLUTION 9-21 ESTABLISHING A LEGAL DEFENSE PANEL FOR THE YEAR 2020.**

**RESOLUTION NO. 10-21 INFORMAL MEDIATION PROCESS FOR DISPUTES BY MEMBERS AGAINST THE FUND**

**RESOLUTION NO. 11-21 RESOLUTION OF THE MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND TO ESTABLISH REMOTE MEETING PROCEDURES**

## **APPLICABLE DURING A DECLARED STATE OF EMERGENCY**

**RESOLUTION 12-21 ESTABLISHING THE 2021 PLAN OF RISK MANAGEMENT**– Executive Director said there are several changes and sked the Underwriting Manager to comment. Underwriting Manager said there were several changes made at the MEL level because they chose to increase retention in various areas. At the JIF level there was a change of note made to cyber coverage, as cyber insurance is a growing concern due to the increase in claims. The primary is kept at \$3 million each occurrence and \$6 million aggregate primary with XL. Excess coverage had become unaffordable for each JIF to purchase their own limits, so they made a MEL wide shared program. The shared limits are \$6 million each claim and \$9 million in the aggregate. The result is \$9 million each claim and \$12 million in the aggregate, which is a strong amount of coverage, shared with the entire MEL system.

In response to Executive Director, Underwriting Manager explained that coverage for communicable diseases are typically handled with each occurrence standing alone, requiring each to have a retention. Due to the size of the insurance, the MEL had secured an endorsement to make all individual occurrences into one single occurrence, if caused by the same communicable disease. After the pandemic, the entire market place is no longer offering that endorsement. So this year we are reverted back to handling every disease to an individual as its own occurrence and retention. Executive Director said at this point the JIFs are going to share \$300,000 of the \$12 million, and the MEL will take the next layer, and then to the excess carrier. This Fund's share will be around \$16,000.

Executive Director said an additional point concerning the cyber budgeting: when the budget was passed, the monies for cyber excess was held in the Fund budget. Since then, as explained the MEL has secured the cyber excess, therefore those monies will to the MEL for our share of the coverage.

Hearing no further comments, Chairman McNeilly agreed the reorganization resolutions 1-21 through 12-21 will be included in the consent motion.

### **EXECUTIVE DIRECTOR/ADMINISTRATOR REPORT:**

**Committee Appointments** – A brief description of the Fund's standing committees is included in the agenda. Chairman will review and make appointments for 2021.

**2021 1<sup>st</sup> Installment Billings** – The 2021 1<sup>st</sup> installment billings were mailed out last month and are due by January 15<sup>th</sup>. There is a grace period until February 1<sup>st</sup>, however any payments made after the grace period will have penalties that go back to January 15<sup>th</sup>. As the Fund has moved to four billing installments, a reminder will be sent when the 2<sup>nd</sup> billing due date is approaching.

**RCF, EJIF and MEL Reorganizational meetings** - The RCF, EJIF and the MEL held their 2021 reorganizational meetings on Wednesday, January 6, 2021 remotely, via Zoom. A copy of Commissioner Rheinhardt's report for each meeting was distributed. Executive Director said a volunteer version of the employment practices program, which was requested by Commissioner Rheinhardt, is in first draft, and is anticipated to be adopted at the MEL March meeting.

**2020/2021 Elected Officials Seminar:** The MEL's Annual Elected Officials Seminar was held as part of the League of Municipalities Virtual Conference. The program has now been uploaded and can be accessed through the MEL Safety Institute. Directions to take the course are enclosed in the agenda. Participants are eligible for a \$250 credit, which will be applied to the fourth installment.

**Cyber Task Force:** The MEL's Cyber Task Force met on October 30<sup>th</sup> to finalize clarifications on Tier 1, Tier 2 and Tier 3 of the Cyber Risk Management Program. Members can recover part of the deductible by completing the Tiers. The Committee anticipates release of the updated program during 1<sup>st</sup> quarter of 2021. Executive Director said the total deductible is \$200,000, with

the JIF having the first \$25,000, and the next layer the MEL is ensuring. The details for this are currently under discussion.

**D2 Cybersecurity-Status Report**—Attached is the monthly status report for December from the cyber security provider which recaps member participation and training to date.

**Due Diligence Reports:** Reports are included in the agenda. Statutory surplus at the end of November stands at \$9.9 million, up from 6.4 million at year-end, which is mostly the result of some changes in the IBNR from the actuary. Although most years are showing positive, the negative years are offset by looking at a longer time span. When we transfer to the RCF, the Fund will rely on the closed year accounts. Loss ratio analysis with exception of 2016 are at or below where the actuary would expect their development. Accident frequency stands at 1.09, compared to last year at this time was 1.44, which may be due to the reduced activity during this past year. The reports do not include Covid claims, however we are tracking them and the Claims Administrator is reporting an uptick in claims in November again. The POL / EPL compliance report shows current limits, members will have until June 1<sup>st</sup> to update their program compliance. The webinar explaining the changes is posted on the MEL website. All changes going forward will be using the new model. Note managers and supervisors must take the course titled “Protecting our Children from Abuse”, offered by JA Montgomery, as a part of the meeting the POL compliance. The next webinar is scheduled for January 25<sup>th</sup>, and members are encouraged to schedule their staff for the classes.

Executive Director’s Report Made Part of Minutes.

**TREASURER:**

The following January 2021 bills list Resolution 13-21 and January 2021 Supplemental bills list Resolution 14-21 was included for approval on the consent motion.

<b>January 2021</b>	
<b>2020</b>	\$48,576.48
<b>2021</b>	\$1,606,667.48
<b>Total</b>	\$1,655,243.96

<b>January Supplemental 2021</b>	
<b>2021</b>	\$ 26,540.86
<b>Total</b>	\$1,655,243.96

**CLAIMS PAYMENT AND IMPREST TRANSFERS AS OF NOVEMBER 2020:**

<b>CLOSED</b>	<b>\$0</b>
<b>2016</b>	\$40,125.17
<b>2017</b>	\$68,328.88
<b>2018</b>	\$172,422.03
<b>2019</b>	\$141,302.30
<b>2020</b>	\$235,342.68
<b>TOTAL</b>	\$657,521.06

Assessment bills were mailed to members and are due by January 15<sup>th</sup>, please remember to mail them to the lockbox, and not to her home address.

Treasurer’s Report Made Part of Minutes.

**ATTORNEY:**

Fund Attorney thanked the Fund for re-appointment, and he gives a lot of credit to the Legal Committee, the Claims Committee, and the Claims Administrators for their oversight, and clear and effective discussions and recommendations. Fund Attorney said to its credit, the Morris Count JIF has in its history never back-assessed members.

Fund Attorney says he and the Executive Director will be meeting with the carrier to overview any pending EPL claims to get overall updates.

Fund Attorney said at the MEL level they are hearing questions about the workers comp implications of mandating employees to receive the Covid vaccine, and they expect to have a communication regarding this soon.

Fund Attorney said this year there were 13 cases dismissed either by court, summary judgement or on appeal, which represents 30% of our cases. This is again because of the hard working professionals. And a word of recognition and thanks to Chairmen McNeilly for his leadership during this difficult year.

**UNDERWRITING MANAGER:**

Underwriting Manager said the changes discussed here today and in the market will be distributed in a report from the MEL for review; feel free to ask the underwriting team any questions. The revised cyber risk management is anticipated release will be in February.

Executive Director said she wanted to recognize and thank the Underwriting Manager for his efforts this year during a very difficult renewal period. In addition, there are specific filings that he and the Fund Attorney now need to do as well.

**CERTIFICATES OF INSURANCE:** Monthly insurance certificates report for the November – December timeframe was not available for distribution.

Underwriting manager’s report made part of minutes

**SAFETY DIRECTOR:** Safety Director said despite the challenges of this year, they were able to complete all the required visits with all the members, and look forward to continuing in 2021. There are also now three sections of training offerings MSI Live, which is the real-time instructor lead classes. They continue to offer the ‘On Demand’ classes, 170 streaming videos, and the mail media library has been rebranded as MSI DVD. Note that to keep the integrity of the MSI Live classes, attendees will not be able to join a class if they are more than 5 minutes late.

Safety Director’s Report Made Part of Minutes.

**MANAGED CARE:**

Managed Care Provider’s Report Made Part of Minutes

**MOTION TO APPROVE RESOLUTIONS 1-21 THROUGH 14-21, CLAIM AUTHORITY PAYMENTS AS PRESENTED, EXECUTIVE DIRECTOR’S REPORT, TREASURER’S REPORTS, ATTORNEY’S REPORTS, UNDERWRITING MANAGER’S REPORTS - MONTHLY CERTIFICATES, SAFETY DIRECTOR’S REPORTS, AND MANAGED CARE PROVIDER’S REPORTS**

Moved: Commissioner Blakeslee  
Second: Commissioner Guarino  
Roll call Vote: 35 Ayes, 1 Nay, 0 Abstain  
(Commissioner Schmidt: Nay only Resolution 9-21, appointment of Carl Perrone)

**OLD BUSINESS:**

None

**NEW BUSINESS:**

None

**PUBLIC COMMENT:**

None

**MOTION TO ADJOURN:**

Moved: Commissioner Stern

Second: Commissioner Guarino

Vote: Unanimous

Meeting Adjourned: 12:47 PM  
Sandy Cantwell, Assisting Secretary  
For Carolyn Rinaldi, Secretary