

**MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND
OPEN MINUTES MEETING – MARCH 9, 2022
HANOVER MUNICIPAL BUILDING
12:00 PM**

Meeting of Fund Commissioners was called to order by Chairwoman Rinaldi.

Account Manager 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

Chairwoman Rinaldi led the board in the Pledge of Allegiance.

Chairwoman Rinaldi asked for 2022 Roll Call.

ROLL CALL OF 2022 FUND COMMISSIONERS:

Mount Arlington	Carolyn Rinaldi	Present
Pequannock	Adam Brewer	Present
Netcong	Ralph Blakeslee	Present
East Hanover	Joseph Tempesta	Present
Mountain Lakes	Mitchell Stern	Present
Rockaway Township	Lisa Palmieri	Present

Andover	Patricia Bussow	Absent
Bloomingtondale	Mike Sondermeyer	Absent
Boonton Town	Neil Henry	Present
Boonton Township	Douglas Cabana	Absent
Butler	Jim Lampmann	Absent
Chatham Township	Robert Hoffmann	Present
Chatham Borough	Stephen Williams	Present
Chester	Margaret Nordstrom	Present
Denville	Steven Ward	Present
Dover	John Schmidt	Present (arrived after roll call; Alt. voted)
Essex Fells	Francine Paserchia	Absent
Florham Park	Bill Huyler	Present
Frelinghuysen	Donna Zilberfarb	Absent
Hanover	Silvio Esposito	Present
Hawthorne	Eric Maurer	Present
Hopatcong	Ronald Tappan	Present
Kinnelon	James Freda	Absent
Lincoln Park	Perry Mayers	Present
Long Hill	Nancy Malool	Absent

Madison	James Burnet	Absent
Mendham Borough	Joyce Bushman	Absent
Mendham Township	Jason Gabloff	Present
Millburn	Shelini Parikh	Absent
Montville	June Hercek	Present
Morris Plains	Rosanne Denman	Absent
Mount Olive	Claudia Tomasello	Present
North Caldwell	Kevin O'Sullivan	Absent
Pompton Lakes	Kevin Boyle	Absent
Randolph	Debbie Bonanno	Present
Ringwood	Scott Heck	Absent
Riverdale	Paul Carelli	Absent
Rockaway Borough	Patricia Reiche	Absent
South Orange Village	Adam Loehner	Present
Sparta	Neil Spidaletto	Absent
Stanhope	Brian McNeilly	Present
Washington Twp	Andrew Coppola	Absent
West Caldwell	Nikole Baltycki	Present
West Milford	William Senande	Absent
Wharton	Joseph Kovalcik	Absent

2022 FUND COMMISSIONER ALTERNATES:

Mount Arlington	Lauren Schaeffner (Alt.)	Absent
Netcong	Elmer Still (Alt.)	Absent
East Hanover	Kenneth Huelbig (Alt.)	Absent
Mountain Lakes	Chief Shawn Bennett (Alt.)	Present
Rockaway Township	Patricia Seger (Alt.)	Present

Andover	Toni Grisaffi (Alt.)	Absent
Bloomington	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
Denville	Jessica Falce (Alt.)	Absent
Dover	John Bennett (Alt.)	Present
Florham Park	Cindy Phillips (Alt.)	Absent
Hanover	Mark Roddy (Alt.)	Absent
Hawthorne	Jennifer Scully (Alt.)	Absent
Kinnelon	Charlie Daniel (Alt.)	Absent
Lincoln Park	Dina Valente-Stoel (Alt.)	Absent

Madison	Chrissy Mahler	Absent
Mendham Borough	Jeff Cooper (Alt.)	Absent
Mendham Township	Ross Johnson (Alt.)	Absent
Millburn	Jesse Moehlman (Alt.)	Absent
Montville	Nicholas Breiner (Alt.)	Absent
Morris Plains	Chief Michael Koroski (Alt.)	Present
Mount Olive	Andrew Tatarenko (Alt.)	Absent
North Caldwell	Tami Michelotti (Alt.)	Absent
Riverdale	Lisa O'Neill (Alt.)	Absent
Rockaway Borough	Robert O'Connor (Alt.)	Absent
Sparta	Michele Landtau (Alt.)	Absent
Stanhope	Dana Mooney (Alt.)	Absent
Washington Twp	Roger Read (Alt.)	Absent
West Caldwell	William Wallace (Alt.)	Absent
West Milford	Catherine Shanahan (Alt.)	Absent
Wharton	Bill Hamilton (Alt.)	Absent

APPOINTED OFFICIALS PRESENT:

Executive Director/Administrator

PERMA Risk Management Services
Cathleen Kiernan

Attorney/Litigation Management

Dorsey & Semrau, Esq.
Fred Semrau, Esq.

Safety Director

J.A. Montgomery Consulting
Brian Maitland
Matt Genna
John Schwartz
Michael Thompson

Liability Claims Service

Lenape Claims Management
Theresa Laoudis

Workers Compensation
Claim Service

Qual-Lynx
Claudia Acosta

Managed Care

FMCO
Mary Bresadola

ALSO PRESENT:

John Tort, Leitner Tort DeFazio & Brause, P.C.
David Vozza, The Vozza Agency
Halee Cramer, Meeker & Sharkey
Renee Bays, Meeker Sharkey & Hurley
Karen Waters, IMAC Insurance Company
Amy Pieroni, Acrisure

Lindsay Travali, Acrisure
Frank Covelli, P.I.A.
Don Sciolaro, P.I.A.
Sandy Cantwell, PERMA

Chairwomen Rinaldi thanked Commissioner McNeilly for his service as Fund Chairman over the past two very challenging years and said she is pleased to continue working with him. A token of the Fund's appreciation was presented. Commissioner McNeilly thanked everyone for their support over the past two years and said he enjoys and appreciates being part of an organization that truly works.

APPROVAL OF MINUTES -

MOTION TO APPROVE OPEN MINUTES OF FEBRUARY 9, 2022:

Motion: Commissioner Willams
Second: Commissioner Stern
Vote: 18 Ayes, 0 Nays, 7 Abstains
(Commissioners Tempesta, Palmieri, Nordstrom, Huyler,
Gabloff, Hercek, Bennett (Alt.))

CORRESPONDENCE – None

MONTHLY COMMITTEE REPORTS:

Membership, Marketing & Coverage Committee, Jim Lampmann, Chair – No report.

Finance Committee, Jason Gabloff, Chair – No report.

Safety Committee, Bill Huyler, Chair – The committee met today; no report.

Contracts and Rules Committee, Ralph Blakeslee, Chair – No report.

Legal Review Committee, Adam Brewer, Chair – No report.

Claims Review Committee, Mitchell Stern, Chair – Commissioner Stern said the committee met on March 7 at PERMA offices and via teleconference. The committee recommended approval of payment authority requests for 7 Workers' Compensation Claims totaling Payment Authority Requests of \$890,977.94, 4 Property Claims totaling of Payment Authority Requests of \$54,962.75, 3 Liability Claims totaling Payment Authority Requests of \$43,880.00 and 1 Subrogation to be litigated on contingency for \$15,217.70.

EXECUTIVE DIRECTOR/ADMINISTRATOR REPORT:

2022 MEL/RCF/EJIF March 25th Meeting & Retreat: The MEL, RCF and EJIF will be holding their March meetings in conjunction with the MEL Annual Retreat. This year's retreat will be held on March 25th at the Princeton Marriott. The purpose of the retreat is to provide the sub-committees of the MEL an expanded opportunity to report directly to the Boards of the MEL, RCF and EJIF. All commissioners are welcome to attend.

2022 MEL, MR HIF & NJCE JIF Educational Seminar: The 11th annual seminar will be conducted virtually on 2 half-day sessions: Friday, April 29th and Friday, May 6th from 9AM to 12PM. The seminar qualifies for Continuing Educational Credits including CFO/CMFO, Public Works, Clerks, Insurance Producers and Purchasing Agents. There is no fee for employees, insurance producers, as well as

personnel who work for services companies associated with the Municipal Excess Liability Joint Insurance Fund (MEL JIF), Municipal Reinsurance Health Insurance Fund (MR HIF) and New Jersey Counties Excess Joint Insurance Fund (NJCE JIF). A notice was distributed to all members, risk managers and professionals. The remote format for this seminar has been very well received. Fund Attorney said the program content is very good and the remote option makes it very accessible.

2021/2022 Elected Officials Seminar: The MEL’s Annual Elected Officials Seminar is available through the MEL Safety Institute. Directions on how to access the course were distributed via email to commissioners.

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

MEL Cyber Liability JIF: A committee was formed at the MEL’s 2022 Reorganization meeting to research the creation of a special JIF to insure Cyber Liability. The committee is comprised of MEL Commissioners, Executive Directors and Professionals. To date the full committee has met twice to meet the target start-up date of January 1, 2023. A memorandum was included in the agenda to outline their progress to date. Cyber claims continue to outpace the premium. The Cyber JIF, if formed, will serve much like the Environmental JIF, providing resources and services to members to help them control exposure and manage claim events.

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

Due Diligence Reports: The accounting staff is focused on preparing the documents needed for the annual audit and therefore the January Fast Track will be included in next month’s agenda. Fund Year 2017 is transferring to the RCF and will carry \$1.9 million to the Closed Year account. Those funds are available if needed to support a deficit year. The Loss ratio analysis are at or below where the actuary would expect their development which results in our current surplus of approximately \$13 million. Accident frequency stands at zero which indicates there are no claims with 8 or more lost days of work, which triggers temporary disability payments. Note that claims can still develop as the year progresses. The Lost Time Accident report in the initial agenda distributed showed years 2020 and 2021 overstated; copies of the corrected report were available at the meeting.

The EPL compliance deadline was January 1st and all members of the Morris Fund met the deadline and are able to enjoy the same lower deductible. This is also true for Millburn this year, as their loss ratio over the past five years has shown improvement and therefore the carrier reduced their deductible.

Executive Director’s Report Made Part of Minutes.

TREASURER:

Resolution 15-22 for March 2022 bills list was included for approval on the consent motion.

March 2022	
2021	\$26.95
2022	\$190,238.24

Total	\$190,265.19
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CLAIMS PAYMENT AND IMPREST TRANSFERS AS OF JANUARY 2022:

CLOSED	\$0
2018	\$142,029.65
2019	\$258,214.15
2020	\$30,600.20
2021	\$244,594.02
2022	\$24,813.98
TOTAL	\$700,252.00

Treasurer’s Report Made Part of Minutes.

ATTORNEY’S REPORT:

Fund Attorney introduced John Tort, the lead workers compensation attorney for the Fund and asked him to speak on the matter of Lapsley vs. Sparta. Mr. Tort has been a workers compensation attorney for the fund for approximately 20 years. Mr. Tort said he shared this hard-fought success in this case with Bill Johnson, the Fund’s lead liability attorney. Fund Attorney offered his congratulations.

Mr. Tort said he appreciated the opportunity to share the case with the board and gave an overview of the progression through the courts, up to and including the Supreme Court. The case involves a slip and fall in a municipal parking lot, which is a common claim seen in all municipalities. The plaintiff’s attorney wanted to move the case to liability court, which has a much larger payout than what is typical for worker’s compensation. The team argued case law which centers on the location of the accident and the level of control the municipality has over the location to determine if the case is compensable in workers’ compensation court. The NJ Supreme Court decided the claim was to be kept in the worker’s compensation courts. This result will set precedence for future claims of this sort. Mr. Tort gave credit to his associate Brian Ruiz, who had a court commitment and was not able attend today’s meeting. Fund Attorney thanked the counsel team again and said that Mr. Johnson and Mr. Tort both gave excellent arguments and their efforts help confirm the law and will be referenced for years to come.

UNDERWRITING MANAGER:

Executive Director said the Cyber report shows the current compliance tier for all members. Based on a member’s completed compliance tier, some or all of the \$25,000 deductible can be recovered in event of a claim. As stated earlier, members all need to work to establish at least the minimum compliance level to increase our opportunity to find coverage for Cyber claims.

CERTIFICATES OF INSURANCE: Monthly insurance certificates report included.

Underwriting manager’s report and Certificates made part of minutes

SAFETY DIRECTOR: Safety Director gave an overview of the safety report and the various trainings being used and available to members.

Safety Director’s Report Made Part of Minutes.

MANAGED CARE: Managed Care Provider gave

Managed Care Provider’s Report Made Part of Minutes

Executive Session: Executive Director confirmed that the claims information had been sent to the board and the Claims Committee recommends approval.

Fund Attorney asked if there were any questions or concerns that need to be reviewed in Executive Session and there were none.

MOTION TO APPROVE RESOLUTION 15-22 MARCH BILLS LIST, CLAIM AUTHORITY PAYMENTS AS SUBMITTED, 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 Williams
Second: Commissioner Stern
Roll call Vote: Unanimous

OLD BUSINESS:

None.

NEW BUSINESS:

None.

PUBLIC COMMENT:

None.

MOTION TO ADJOURN:

Moved: Commissioner Mayers
Second: Commissioner Stern
Vote: Unanimous

Meeting Adjourned: 12:41 PM
Sandy Cantwell, Assisting Secretary
For Adam Brewer, Secretary

**MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND
BILLS LIST**

Resolution No. 15-22

MARCH 2022

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

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
002503			
002503	PERMA RISK MANAGEMENT SERVICES	1099 FILINGS	26.95
			26.95
		Total Payments FY 2021	26.95

FUND YEAR 2022

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
002504			
002504	FIRST MCO	MANAGED CARE 2/22	25,448.95
			25,448.95
002505			
002505	FRED SEMRAU ESQ.	LITIGATION MGT 3/22	17,138.97
			17,138.97
002506			
002506	QUAL-LYNX	TPA 3/22	24,836.93
			24,836.93
002507			
002507	J.A. MONTGOMERY RISK CONTROL	SAFETY DIRECTOR 3/22	18,344.61
002507	J.A. MONTGOMERY RISK CONTROL	LAW ENFORCEMENT 3/22	1,313.28
			19,657.89
002508			
002508	LENAPE CLAIMS MANAGEMENT INC.	TPA 3/22	21,417.31
			21,417.31
002509			
002509	PERMA RISK MANAGEMENT SERVICES	POSTAGE 1/22	134.83
002509	PERMA RISK MANAGEMENT SERVICES	EXEC DIRECTOR 3/22	30,556.17
			30,691.00
002510			
002510	THE ACTUARIAL ADVANTAGE	ACTUARY 3/22	3,808.18
			3,808.18
002511			
002511	FRED SEMRAU, ESQUIRE	ATTORNEY FEE 3/22	2,167.50
			2,167.50
002512			
002512	GRACE BRENNAN	TREASURER FEE 3/22	2,234.77
			2,234.77
002513			
002513	THE RODGERS GROUP, LLC	POLICE ACCRED POPTON LKS & HOPATCONG #8	5,816.67
			5,816.67
002514			
002514	DAILY RECORD	AD 2.01.22	52.55
002514	DAILY RECORD	AD 1.22.22	68.54

			121.09
002515			
002515	CONNER STRONG & BUCKELEW	UNDERWRITING MGR 3/22	1,062.00
			1,062.00
002516			
002516	NEWTECH SERVICES INC.	WEBSITE 3/22	175.00
			175.00
002517			
002517	NJ ADVANCE MEDIA	OUTSTANDING ADV. BALANCE 3/22	43.14
			43.14
002518			
002518	ACCESS	ARC SERVICE & STORAGE 1.31.22	89.84
			89.84
002519			
002519	HENRY O. BAKER INC.	ROCKAWAY BORO 1ST INSTALL 2022	7,403.00
			7,403.00
002520			
002520	BROWN & BROWN METRO, LLC	SOUTH ORANGE 1ST INSTALL 2022	28,126.00
			28,126.00
		Total Payments FY 2022	190,238.24
		TOTAL PAYMENTS ALL FUND YEARS	\$190,265.19

Carolyn Rinaldi
Chairperson

Attest:

Adam Brewer Dated: March 9,2022

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

Grace Brennan, Treasurer