

**MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND
OPEN MINUTES MEETING – JANUARY 11, 2023
HANOVER MUNICIPAL BUILDING
12:00 PM**

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

Chairwoman Rinaldi led the board in the Pledge of Allegiance and asked for 2022 Roll Call.

ROLL CALL OF 2022 EXECUTIVE COMMITTEE:

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

ROLL CALL OF 2022 FUND COMMISSIONERS:

Andover	Patricia Bussow	Absent
Bloomingtondale	Mike Sondermeyer	Present
Boonton Town	Neil Henry	Absent
Boonton Township	Douglas Cabana	Absent
Butler	Jim Lampmann	Present
Chatham Township	Ziad Shehady	Absent
Chatham Borough	Stephen Williams	Present
Chester	Margaret Nordstrom	Present
Denville	Steven Ward	Present
Dover	Jonathan Delaney	Present
Essex Fells	Francine Paserchia	Absent
Florham Park	Bill Huyler	Absent
Frelinghuysen	Donna Zilberfarb	Absent
Hanover	Silvio Esposito	Present
Hawthorne	Eric Maurer	Present
Hopatcong	David Fanslau	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	Absent
Millburn	Matthew Laracy	Present
Montville	June Hercek	Present
Morris Plains	Rosanne Denman	Absent
Mount Olive	Claudia Quinn	Absent
North Caldwell	Kevin O'Sullivan	Absent
Pompton Lakes	Paula Cozzarelli	Present
Randolph	Debbie Bonanno	Present
Ringwood	Scott Heck	Absent
Riverdale	Paul Carelli	Absent
Rockaway Borough	Patricia Reiche	Present
South Orange Village	Julie Doran	Present
Sparta	Neil Spidaletto	Absent
Washington Twp	Andrew Coppola	Absent
West Caldwell	Nikole Baltycki	Absent
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	Shawn Bennett (Alt.)	Absent
Rockaway Township	Patricia Seger (Alt.)	Absent

Andover	Toni Grisaffi (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	Dena Dziergoski (Alt.)	Absent
Denville	Jessica Falce (Alt.)	Absent
Dover	Reynaldo Julve (Alt.)	Absent
Florham Park	Cindy Phillips (Alt.)	Present
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 (Alt.)	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	Michael Koroski (Alt.)	Absent
Mount Olive	Andrew Tatarenko (Alt.)	Absent
North Caldwell	Tami Michelotti (Alt.)	Absent
Randolph	Greg Poff (Alt.)	Absent
Ringwood	Zachary Faiola (Alt.)	Present
Riverdale	Lisa O'Neill (Alt.)	Absent
Rockaway Borough	Robert O'Connor (Alt.)	Absent
Sparta	Sharon Hoeland (Alt.)	Present
Washington Twp	Roger Read (Alt.)	Absent
West Caldwell	William Wallace (Alt.)	Present
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.

Underwriting Manager

Conner Strong & Buckelew

Safety Director

J.A. Montgomery Consulting
Brian Maitland
Mike Thompson
John Schwartz

Treasurer

Grace Brennan

Liability Claims Service

Lenape Claims Management
Theresa Laoudis

Workers Compensation
Claim Service

Qual-Lynx
Claudia Acosta

Managed Care

FMCO
Mary Bresadola

ALSO PRESENT:

Michael Cassidy, President of West Orange PBA Superior Officers Association
David Vozza, The Vozza Agency
Renee Bays, Meeker, Sharkey & Hurley
Hallee Cramer, Meeker, Sharkey & Hurley
Amy Pieroni, Acrisure
Lindsay Travali, Acrisure
Joe Gentile, GJEM Insurance Agency
Wayne Ring, Brown & Brown
Frank Covelli, P.I.A.

Don Sciolaro, P.I.A.
 David Sgalia, Cupo Insurance Agency
 Pat Cassidy, RD Parisi
 Giovanni Mancini, Treadstone Risk Management
 Craig Josephsen, David M. Hundertmark Agency
 Sandy Cantwell, PERMA

APPROVAL OF MINUTES -

December 14, 2022 Open minutes:

MOTION TO APPROVE OPEN MINUTES OF DECEMBER 14, 2022

Motion: Commissioner McNeilly
 Second: Commissioner Stern
 Vote: 14 Ayes, 0 Nays, 12 Abstains
 (Commissioners Tempesta, Palmieri, Esposito, Maurer, Fanslau,
 Laracy, Hercek, Reiche, Doran, Phillips (Alt.), Faiola (Alt.),
 Wallace (Alt.))

CORRESPONDENCE – None

Chairwoman Rinaldi adjourned the sine die meeting.

ADJOURN SINE DIE MEETING:

Chairs vacated - Executive Director asked to run meeting. Executive Director called the 2023 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. 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 2023 Fund Commissioners.

ROLL CALL OF 2023 FUND COMMISSIONERS:

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

Andover	Patricia Bussow	Absent
Bloomingtondale	Mike Sondermeyer	Present
Boonton Town	Neil Henry	Absent
Boonton Township	Douglas Cabana	Absent
Butler	Jim Lampmann	Present
Chatham Township	Ziad Shehady	Absent
Chatham Borough	Stephen Williams	Present
Chester	Margaret Nordstrom	Present
Denville	Steven Ward	Present
Dover	Jonathan Delaney	Present

Essex Fells	Francine Paserchia	Absent
Florham Park	Bill Huyler	Absent
Frelinghuysen	Donna Zilberfarb	Absent
Hanover	Silvio Esposito	Present
Hawthorne	Eric Maurer	Present
Hopatcong	David Fanslau	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	Absent
Millburn	Matthew Laracy	Present
Montville	June Hercek	Present
Morris Plains	Rosanne Denman	Absent
Mount Olive	Claudia Quinn	Absent
North Caldwell	Kevin O'Sullivan	Absent
Pompton Lakes	Paula Cozzarelli	Present
Randolph	Debbie Bonanno	Present
Ringwood	Scott Heck	Absent
Riverdale	Paul Carelli	Absent
Rockaway Borough	Patricia Reiche	Present
South Orange Village	Julie Doran	Present
Sparta	Neil Spidaletto	Absent
Washington Twp	Andrew Coppola	Absent
West Caldwell	Nikole Baltycki	Absent
West Milford	William Senande	Absent
Wharton	Joseph Kovalcik	Absent

2023 FUND COMMISSIONER ALTERNATES:

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

Andover	Toni Grisaffi (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	Dena Dziergoski (Alt.)	Absent
Denville	Jessica Falce (Alt.)	Absent

Dover	Reynaldo Julve (Alt.)	Absent
Florham Park	Cindy Phillips (Alt.)	Present
Hanover	Michael Looock (Alt.)	Absent
Hawthorne	Jennifer Scully (Alt.)	Absent
Kinnelon	Charlie Daniel (Alt.)	Absent
Lincoln Park	Dina Valente-Stoel (Alt.)	Absent
Long Hill	Colette Armenti (Alt.)	Absent
Madison	Chrissy Mahler (Alt.)	Absent
Mendham Borough	Eric Mesias (Alt.)	Present
Mendham Township	Ross Johnson (Alt.)	Absent
Millburn	Jesse Moehlman (Alt.)	Absent
Montville	Nicholas Breiner (Alt.)	Absent
Morris Plains	Michael Koroski (Alt.)	Absent
Mount Olive	Andrew Tatarenko (Alt.)	Absent
North Caldwell	Tami Michelotti (Alt.)	Absent
Randolph	Greg Poff (Alt.)	Absent
Ringwood	Zachary Faiola (Alt.)	Present
Riverdale	Lisa O'Neill (Alt.)	Absent
Rockaway Borough	Robert O'Connor (Alt.)	Absent
Sparta	Sharon Hoeland (Alt.)	Present
Washington Twp	Roger Read (Alt.)	Absent
West Caldwell	William Wallace (Alt.)	Present
West Milford	Catherine Shanahan (Alt.)	Absent
Wharton	Bill Hamilton (Alt.)	Absent

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 2023 Officers and Executive Committee:

Carolyn Rinaldi, Chairwoman	Borough of Mt. Arlington
Adam Brewer, Secretary	Pequannock Township
Ralph Blakeslee	Borough of Netcong
Joseph Tempesta	Township of East Hanover
Mitchell Stern	Mountain Lakes
Lisa Palmieri	Rockaway Twp.
Brian McNeilly	Borough of Stanhope

MOTION TO NOMINATE 2023 CHAIRWOMAN, SECRETARY AND FIVE MEMBER EXECUTIVE COMMITTEE

Motion: Commissioner Tempesta
Second: Commissioner Williams
Vote: Ayes, 0 Nays

MOTION TO CLOSE NOMINATIONS AND ELECT THE SLATE AS PROPOSED:

Motion: Commissioner Cozzarelli
Second: Commissioner Tempesta
Roll Call Vote: Ayes, 0 Nays

Executive Director asked the Fund Attorney to administer the Oath of Office to the Fund Commissioners. The form was given to every Commissioner and were signed and passed to the Fund Attorney.

Executive Director turned the meeting over to Chairwoman Rinaldi. Chairwoman Rinaldi said she looks forward to continuing this work into 2023 and she welcomed to the JIF Cindy Phillips, Florham Park, Matt Laracy, Millburn, Eric Mesias, Mendham Borough and David Fanslau, Hopatcong.

MONTHLY COMMITTEE REPORTS:

Membership, Marketing & Coverage Committee, James Lampmann, Chair, Butler – Executive Director said that the town of Jefferson, whom the Board approved for membership last month, elected to renew membership with their incumbent JIF, although they will be paying more than what they would have if they had jointed the Morris JIF.

Finance Committee, Jason Gabloff, Chair, Mendham Township – 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, Adam Brewer, Chair, Pequannock - The committee met on December 9, 2022. Committee recommends the defense panel included with reorg resolutions.

Claims Review Committee, Mitchell Stern, Chair, Mountain Lakes – The committee met on January 9th and recommends approval of payment authority requests for 14 Workers’ Compensation Claims totaling Payment Authority Requests of \$807,382.76 and 1 Informational PAR (RCF), 4 Property Claims totaling of Payment Authority Requests of \$74,318.04, 4 Liability Claims totaling Payment Authority Requests of \$164,850 and 1 Subrogation Compromise.

With Chairwoman Rinaldi’s consent, Executive Director began a review of the 2023 Reorganization Resolutions, which were included in the agenda packet distributed to commissioners.

Executive Director said this JIF rotates the professional contract renewals and this is the first year that the Fund can exercise the option to extend a professional contract into a fourth year. There are six contracts that ended their 3-year term at the end of 2022. The Contracts and Rules Committee met in November of last year and recommended extending all six contracts to a fourth year. Resolutions 1 through 6 reflect the recommendations and were added to the consent agenda.

RESOLUTION 1-22: AUTHORIZING THE EXTENSION OF AWARD OF FUND ACTUARY THROUGH THE COMPETITIVE CONTRACTING PROCESS CC# 19-01

RESOLUTION 2-23: AUTHORIZING THE EXTENSION OF AWARD OF FUND ATTORNEY THROUGH THE COMPETITIVE CONTRACTING PROCESS CC# 19-02

RESOLUTION 3-23: AUTHORIZING THE EXTENSION OF AWARD OF FUND AUDITOR THROUGH THE COMPETITIVE CONTRACTING PROCESS CC# 19-03

RESOLUTION 4-23: AUTHORIZING THE EXTENSION OF AWARD OF CDL DRUG AND ALCOHOL MONITOR THROUGH THE COMPETITIVE CONTRACTING PROCESS CC# 19-04

RESOLUTION 5-23: AUTHORIZING THE EXTENSION OF AWARD OF PREMIUM AUDITOR THROUGH THE COMPETITIVE CONTRACTING PROCESS CC# 19-05

RESOLUTION 6-23: AUTHORIZING THE EXTENSION OF AWARD OF SAFETY DIRECTOR AND LAW ENFORCEMENT RISK CONTROL THROUGH THE COMPETITIVE CONTRACTING PROCESS CC# 19-06

RESOLUTION 7-23: MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND DESIGNATION OF BANKING MANAGER

The banking manager is now Citizen's Bank, formerly known as Investors Bank.

RESOLUTION NO. 8-23: ESTABLISHING A FISCAL MANAGEMENT PLAN FOR THE 2023 FUND YEAR

The Cash Management Plan states the change in the banking manager name – Citizen's Bank, formerly known as Investors Bank. Brian McNeilly remains as the Commissioner signatory.

RESOLUTION NO. 9-23: ESTABLISHING PUBLIC MEETING PROCEDURES

The 2023 meeting dates for the Board and the Claims Committee will be published in the Fund's designated newspapers.

RESOLUTION NO. 10-23: ESTABLISHING A FUND RECORDS PROGRAM

RESOLUTION NO. 11-23: AWARDING AN EXTRAORDINARY UNSPECIFIABLE SERVICES CONTRACT WITH LEXINGTON INSURANCE COMPANY FOR PRIMARY PUBLIC OFFICIALS/EMPLOYMENT PRACTICES LIABILITY

The carrier for POL / EPL coverage has changed from QBE to Lexington. This new carrier provides an option for VD&O coverage (fire companies, first aid squads, etc.) as an endorsement (as opposed to a separate policy) and they will share the same limit with the town. The change in carrier was prompted when QBE announced they would no longer offer this coverage last fall (QBE is no longer engaging with "program markets"). The Underwriting Manager was able to secure coverage with Lexington, which is part of the AIG Group. The overall increase for all affiliated JIFs for this coverage had been projected to be a 2% - with actual increases varying by JIF. Lexington offer is based on an overall 5.1% increase. The difference will be taken from contingencies.

RESOLUTION 12-23: FUND REVISING THE LEGAL DEFENSE PANEL FOR THE YEAR 2023

A fee was added for paralegal services which was not defined in the past, which will allow a lower hourly billing rate when applicable. One change was made in the panel. Fund Attorney said that Carl Perone has been taking on more cases with increasing difficulty and the committee has recommended to move Mr. Perone from Teir 2 to Teir 1.

RESOLUTION NO. 13-23: INFORMAL MEDIATION PROCESS FOR DISPUTES BY MEMBERS AGAINST THE FUND

RESOLUTION NO. 14-23: ESTABLISH REMOTE MEETING PROCEDURES APPLICABLE DURING A DECLARED STATE OF EMERGENCY

Remote Meeting Procedures was updated to recognize that the Executive Order is no longer in place but the JIF reserves the right to meet virtually when it deems warranted.

RESOLUTION NO. 15-23: ESTABLISHING THE 2023 PLAN OF RISK MANAGEMENT

The Risk Management plan was distributed at today's meeting and via email. There are changes in the plan and the Underwriting Manager will be offering a webinar to explain changes in more detail, including the circumstances surrounding the larger increase in property for this year. The carrier has increased the amount to attach from \$1million to \$2.5 million. However the JIF limit will remain at \$100,000 and the MEL will now assume a retention of \$2.5 million. The carrier has also introduced deductibles that we did not have before. There were no options in the market and the Underwriting Manager continues to work to find ways to keep numbers flat. Given the increasing number of property damage due to weather, this will definitely continue to be a challenge.

Resolutions 7-22 through 15-22 were added to the consent agenda.

EXECUTIVE DIRECTOR/ADMINISTRATOR REPORT:

Committee Appointments - The Fund Committees are appointed by the Fund Chair. Chairwomen Rinaldi said she is not proposing any changes to the committees from last year, and read the committees, members and general timing of meetings. She asked that if there are any changes, to please contact her, and she appreciates the commitment of the committee members.

2023 1st Installment Billings – The 2023 installment billings, noting quarterly due dates, were mailed out last month and are due by January 15th.

Employment Practices Compliance Program: As noted earlier, the premium for this coverage is higher than budgeted and the monies will be taken out of contingencies. The carrier has not requested any increases in deductibles for Fund members. The MEL has begun a review of the personnel manual and there will be supervisor and non-supervisor training offered this year that will be mandatory to retain current deductibles for 2024.

RCF / EJIF / MEL - The RCF, EJIF and MEL conducted their 2023 re-organizational meeting on January 5, 2023 via Zoom audio/video conference. A copy of Commissioner McNeilly's report for RCF and EJIF, and Commissioner Brewer's report for the MEL is enclosed. Executive Director said that the Middlesex JIF was not able to meet the MEL's requirements and as of 12/31/2022, they are no longer affiliated with the MEL.

2022/2023 Elected Officials Seminar: The MEL's Annual Elected Officials Seminar was held as part of the League of Municipalities Conference. The MEL will shortly publish directions for the online version. Fund Attorney confirmed that he would like to schedule this training as a live Zoom presentation for the Morris JIF Commissioners, date to be scheduled.

Cyber JIF: The Cyber JIF met virtually for their first reorganizational meeting on January 6, 2023. An RFP was sent out for various cyber services and due to the very technical nature of the services, the Chertoff Group was engaged to help evaluate the RFPs. The Fund currently has services through D2 until June of this year. Cyber premiums is the only coverage that remained flat this year, and that is due to the formation of the Cyber JIF and the collaboration with Chertoff.

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

Due Diligence Reports: Reports are included in the agenda. The Financial Fast Track reflects the status as of November 30, 2022. Fund year 2018 will be transferred to the Residual Claims Fund at the close of 2022 and \$61k will be moved to closed year accounts, which will most likely be needed for 2019. There are 20 claims over \$200K in 2019 so it is not a good year. Loss ratio analysis are at or below where the actuary would expect their development with exception of 2019. The JIF is 3rd out of 19 JIFs on the accident frequency report, which is favorably low.

Executive Director's Report Made Part of Minutes.

TREASURER:

Resolution 16-23 for January 2023 bills list was included for approval on the consent motion.

January 2022	
2022	\$1,570,616.71
2023	\$2,290,100.37
Total	\$3,860,717.08

CLAIMS PAYMENT AND IMPREST TRANSFERS AS OF NOVEMBER 2022:

CLOSED	\$164
2018	\$40,172.18
2019	\$103,774.94
2020	\$26,543.07
2021	\$69,403.06
2022	\$195,901.96
TOTAL	\$435,959.21

Treasurer's Report Made Part of Minutes.

ATTORNEY:

Fund Attorney thanked the Fund for the opportunity to continue to work with the Morris JIF and he is especially grateful for the level of participation in the Fund. He recognized that the Commissioners and the Chair are here on a volunteer basis. Attendance at the meetings is important and appreciated because of all the information that is shared.

Fund Attorney gave an accounting of general liability claims for 2022: 60 cases were pending, 29 new, 30 in litigation and 9 dismissals, and is approaching a high success rate of 33% dismissal rate. The professionals, TPAs and legal counsel advocate for the Fund and is based on the Fund's direction. It's a strong and committed group of individuals.

During Claims Committee meetings the PARs are being approved to hold monies in reserve for claim payments. Some claims are closed and do not use the full reserve, returning funds back to the surplus Fund Attorney suggested the TPAs provide periodic reports on claims that closed below the reserves.

Please remember to report any employment practice issues that may have occurred in December. If members have any questions concerning coverage or maybe any correspondence they received, please do not hesitate to reach out to the Executive Director or his office. Executive Director said the claims sweep letter that was sent out last month to all members stated the deadline was the end of December, however there is an extended reporting period and claims from last year need to be reported immediately. In response to Commissioner Cozzarelli, Executive Director suggested to ask the various town supervisors to make sure they are not holding onto any correspondence that may indicate a claim. In response to Commissioner Segar, if there is any doubt that a claim has been filed, then do not hesitate to reach out again.

Fund Attorney said the fund is seeing some general liability cases concerning contractors and in response next month he will be distributing a memo suggesting insurance requirements to add to contractor bids. These suggestions will definitely help protect the municipality and the Fund, however be prepared for push back as the contractors may not want to abide by increased stipulations.

UNDERWRITING MANAGER:

Executive Director said the Underwriting Manager is still working to finalize coverage, as the market is very difficult. The new compliance program for cyber was distributed. Members that had met a Tier level 1 and 2 in last year's program will be grandfathered into this year's program as applicable and enjoy the lower or no deductible. Many members made the push at the end of last year to comply with a higher tier. Members should review the new program and begin working on compliance in the new program.

CERTIFICATES OF INSURANCE: Monthly insurance certificates report for the November – December timeframe included.

Underwriting manager's report and Certificates made part of minutes

SAFETY DIRECTOR: Safety Director reviewed his report and said MSI Live schedule for February has been posted.

Safety Director's Report Made Part of Minutes.

MANAGED CARE:

Managed Care Provider's Report Made Part of Minutes

EXECUTIVE SESSION:

Chairwomen Rinaldi confirmed there were no questions submitted to discuss in Executive Session.

Motion to Approve Claim Authority Payments as Presented in Executive Session, Executive Director's Report, Resolutions 1-23 through 6-23 for Professional Services; Resolution 7-23 Designating Banking Manager; Resolution 8-23 Establishing a Fiscal Management Plan; Resolution 9-23 Establishing Public Meeting Procedures; Resolution 10-23 Establishing a Fund Records Program; Resolution 11-23 Resolution Awarding Service Contract for POL/EPL Liability coverage and Optional Volunteer Directors and Officers Liability coverage; Resolution 12-23 Establishing a Legal Defense Panel; Resolution 13-23 Informal Mediation Process; 14-23 Establishing Remote Meeting Procedures; Resolution 15-23 Establishing the 2023 Plan of Risk Management; Resolution 16-23 Approving the January Bill Lists; Treasurer's Reports, Attorney's Reports, Underwriting Manager's Reports - Monthly Certificates, Safety Director's Reports, and Managed Care Provider's Reports

Moved: Commissioner Mayers
Second: Commissioner Williams
Vote: 26 Ayes, 0 Nays, 0 Abstains

OLD BUSINESS:

None

NEW BUSINESS:

In response to Commissioner Cozzarelli, Executive Director said there were a number of requirements that were not completed by Middlesex JIF to cause the MEL to discontinue their affiliation, including management change, a claims audit, and a cash flow projections, etc. Fund Attorney suggested that we send a copy of the letter that was sent to the Department of Banking and Insurance outlining the conditions and reasons for discontinuing our relationship.

Fund Attorney said he would like to thank J.A. Montgomery for their excellent safety training this past year.

PUBLIC COMMENT:

Michael Cassidy, President of West Orange PBA Superior Officers Association said “As a Morris County resident he has a vested interest that the Morris JIF operates with the utmost integrity. No member should be able to ignore policies and procedures and put other members at risk. According to the Morris County JIF bylaws, article 11, Conflicts of Interest, section A: All officials or employees of a member local unit or any members of the family of such officials or employees shall comply with N.J.S.A. 40A: 22.1 et. seq. (The “Local Government Ethics Law”). Today I implore the Morris JIF to investigate the town of Dover to determine if the town is in compliance with the local Government Ethics Laws and Article 11 in selecting it’s interim CFO and it’s Shared Services Agreement with the township of West Orange. I also request the results of this investigation be made public.”

Commissioner Delaney said their CFO is also the Business Administrator of West Orange.

MOTION TO ADJOURN:

Moved: Commissioner Brewer
Second: Commissioner Stern
Vote: Unanimous

Meeting Adjourned: 12:51 PM
Sandy Cantwell, Assisting Secretary
For Adam Brewer, Secretary

**RESOLUTION 1-23
OF THE
MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND
AUTHORIZING THE EXTENSION OF AWARD OF FUND ACTUARY
THROUGH THE COMPETITIVE CONTRACTING PROCESS CC# 19-01**

WHEREAS, the Fund has a desire for the services of a Fund Actuary for its operations; and

WHEREAS such services were procured through the competitive contracting process under the New Jersey Local Publics Contract Law, N.J.S.A. 40A:11-4.2, for a period of up to five (5) years; and

WHEREAS, the Fund received Competitive Contract proposals, CC# 19-01 on September 17, 2019; and

WHEREAS, the Fund awarded The Actuarial Advantage for an initial period of three (3) years through Resolution #17-19; and

WHEREAS the New Jersey Local Publics Contract Law at N.J.S.A 40A:11-4.2 allows for a contract award of up to five (5) years under the competitive contract process; and

WHEREAS, it is the desire of the Fund to extend the contract as authorized for an additional one (1) year, from January 1, 2023 through December 31, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Morris County Municipal Joint Insurance Fund as follows:

The Fund hereby authorizes a contract extension with The Actuarial Advantage, Inc. 227 Market Street, Suite B, Camden, NJ 08102 for an additional period of one (1) year encompassing the scope of work and cost proposal as outlined within CC# 19-01.

Adopted by the Governing Body this 11th day of January 2023.

Morris County Municipal Joint Insurance Fund

By:
Carolyn Rinaldi, Chairperson

Attest:
Adan Brewer, Secretary

**RESOLUTION 2-23
OF THE
MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND
AUTHORIZING THE EXTENSION OF AWARD OF FUND ATTORNEY
THROUGH THE COMPETITIVE CONTRACTING PROCESS CC# 19-02**

WHEREAS, the Fund has a desire for the services of a Fund Attorney for its operations; and

WHEREAS such services were procured through the competitive contracting process under the New Jersey Local Publics Contract Law, N.J.S.A. 40A:11-4.2, for a period of up to five (5) years; and

WHEREAS, the Fund received Competitive Contract proposals, CC# 19-02 on September 17, 2019; and

WHEREAS, the Fund awarded Dorsey and Semrau, Esq. LLC for an initial period of three (3) years through Resolution #17-19; and

WHEREAS the New Jersey Local Publics Contract Law at N.J.S.A 40A:11-4.2 allows for a contract award of up to five (5) years under the competitive contract process; and

WHEREAS, it is the desire of the Fund to extend the contract as authorized for an additional one (1) year, from January 1, 2023 through December 31, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Morris County Municipal Joint Insurance Fund as follows:

The Fund hereby authorizes a contract extension with Dorsey and Semrau, Esq. LLC, 714 Main Street, Boonton, NJ 07005 for an additional period of one (1) year encompassing the scope of work and cost proposal as outlined within CC# 19-02.

Adopted by the Governing Body this 11th day of January 2023.

Morris County Municipal Joint Insurance Fund

By Carolyn Rinaldi, Chairperson

Attest:

Adam Brewer, Secretary

**RESOLUTION 3-23
OF THE
MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND
AUTHORIZING THE EXTENSION OF AWARD OF FUND AUDITOR
THROUGH THE COMPETITIVE CONTRACTING PROCESS CC# 19-03**

WHEREAS, the Fund has a desire for the services of a Fund Auditor for its operations; and

WHEREAS such services were procured through the competitive contracting process under the New Jersey Local Publics Contract Law, N.J.S.A. 40A:11-4.2, for a period of up to five (5) years; and

WHEREAS, the Fund received Competitive Contract proposals, CC# 19-03 on September 17, 2019; and

WHEREAS, the Fund awarded Nisivoccia LLP for an initial period of three (3) years through Resolution #17-19; and

WHEREAS the New Jersey Local Publics Contract Law at N.J.S.A 40A:11-4.2 allows for a contract award of up to five (5) years under the competitive contract process; and

WHEREAS, it is the desire of the Fund to extend the contract as authorized for an additional one (1) year, from January 1, 2023 through December 31, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Morris County Municipal Joint Insurance Fund as follows:

The Fund hereby authorizes a contract extension with Nisivoccia LLP, Mt. Arlington Corporate Center, 200 Valley Road Suite 300, Mt. Arlington, NJ 07856-1320 for an additional period of one (1) year encompassing the scope of work and cost proposal as outlined within CC# 19-03.

Adopted by the Governing Body this 11th day of January 2023.

Morris County Municipal Joint Insurance Fund

By Carolyn Rinaldi, Chairperson

Attest:

Adam Brewer, Secretary

**RESOLUTION 4-23
OF THE
MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND
AUTHORIZING THE EXTENSION OF AWARD OF CDL DRUG AND ALCOHOL
MONITOR THROUGH THE COMPETITIVE CONTRACTING PROCESS CC# 19-04**

WHEREAS, the Fund has a desire for the services of a CDL Drug and Alcohol Monitor for its operations; and

WHEREAS such services were procured through the competitive contracting process under the New Jersey Local Publics Contract Law, N.J.S.A. 40A:11-4.2, for a period of up to five (5) years; and

WHEREAS, the Fund received Competitive Contract proposals, CC# 19-04 on September 17, 2019; and

WHEREAS, the Fund awarded Valley Physician Services for an initial period of three (3) years through Resolution #17-19; and

WHEREAS the New Jersey Local Publics Contract Law at N.J.S.A 40A:11-4.2 allows for a contract award of up to five (5) years under the competitive contract process; and

WHEREAS, it is the desire of the Fund to extend the contract as authorized for an additional one (1) year, from January 1, 2023 through December 31, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Morris County Municipal Joint Insurance Fund as follows:

The Fund hereby authorizes a contract extension with Valley Physician Services, 15 Essex Road, Suite 506, Paramus, NJ 07652 for an additional period of one (1) year encompassing the scope of work and cost proposal as outlined within CC# 19-04.

Adopted by the Governing Body this 11th day of January 2023.

Morris County Municipal Joint Insurance Fund

By Carolyn Rinaldi, Chairperson

Attest:

Adam Brewer, Secretary

**RESOLUTION 5-23
OF THE
MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND
AUTHORIZING THE EXTENSION OF AWARD OF PREMIUM AUDITOR THROUGH
THE COMPETITIVE CONTRACTING PROCESS CC# 19-05**

WHEREAS, the Fund has a desire for the services of a Premium Auditor for its operations;
and

WHEREAS such services were procured through the competitive contracting process under the New Jersey Local Publics Contract Law, N.J.S.A. 40A:11-4.2, for a period of up to five (5) years; and

WHEREAS, the Fund received Competitive Contract proposals, CC# 19-05 on September 17, 2019; and

WHEREAS, the Fund awarded Russo & Associates, LLC for an initial period of three (3) years through Resolution #17-19; and

WHEREAS the New Jersey Local Publics Contract Law at N.J.S.A 40A:11-4.2 allows for a contract award of up to five (5) years under the competitive contract process; and

WHEREAS, it is the desire of the Fund to extend the contract as authorized for an additional one (1) year, from January 1, 2023 through December 31, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Morris County Municipal Joint Insurance Fund as follows:

The Fund hereby authorizes a contract extension with Russo & Associates, LLC, 14 Main Street, Madison, NJ 07940 for an additional period of one (1) year encompassing the scope of work and cost proposal as outlined within CC# 19-05.

Adopted by the Governing Body this 11th day of January 2023.

Morris County Municipal Joint Insurance Fund

By Carolyn Rinaldi, Chairperson

Attest:

Adam Brewer, Secretary

**RESOLUTION 6-23
OF THE
MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND
AUTHORIZING THE EXTENSION OF AWARD OF SAFETY DIRECTOR AND LAW
ENFORCEMENT RISK CONTROL THROUGH THE COMPETITIVE CONTRACTING
PROCESS CC# 19-06**

WHEREAS, the Fund has a desire for the services of a Safety Director And Law Enforcement Risk Control for its operations; and

WHEREAS such services were procured through the competitive contracting process under the New Jersey Local Publics Contract Law, N.J.S.A. 40A:11-4.2, for a period of up to five (5) years; and

WHEREAS, the Fund received Competitive Contract proposals, CC# 19-06 on September 17, 2019; and

WHEREAS, the Fund awarded JA Montgomery Consulting for an initial period of three (3) years through Resolution #17-19; and

WHEREAS the New Jersey Local Publics Contract Law at N.J.S.A 40A:11-4.2 allows for a contract award of up to five (5) years under the competitive contract process; and

WHEREAS, it is the desire of the Fund to extend the contract as authorized for an additional one (1) year, from January 1, 2023 through December 31, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Morris County Municipal Joint Insurance Fund as follows:

The Fund hereby authorizes a contract extension with JA Montgomery Consulting, TRIAD Center, 1828 Centre, 2 Cooper Street, Camden, NJ 08101 for an additional period of one (1) year encompassing the scope of work and cost proposal as outlined within CC# 19-06.

Adopted by the Governing Body this 11th day of January 2023.

Morris County Municipal Joint Insurance Fund

By Carolyn Rinaldi, Chairperson

Attest:

Adam Brewer, Secretary

RESOLUTION #7-23
of the
MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND
DESIGNATION OF 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 Citizens Bank (formerly 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 base of 1.50% as of 9/2/2022 plus 50% beta on Federal Fund Target Rate increase/decrease with a floor of .40%. - is hereby proposed by the Board of Fund Commissioners as the official designated depository in accord with N.J.S.A. 40A:11-5-15.1(f).

NOW, THEREFORE, BE IT RESOLVED, by the Morris County Municipal Joint Insurance Fund, that Citizens 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 base of 1.50% as of 9/1/2022 plus 50% beta on Federal Fund Target Rate increase/decrease with a floor of .40%. - is hereby approved by the Board of Fund Commissioners as the official designated depository in accord with N.J.S.A. 40A:11-5-15.1(f) and that sums so deposited may be withdrawn upon a check, draft or order of the Board of Fund Commissioners; and

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

ADOPTED:
this 11th day of January 2023 before the Governing Body:

By Carolyn Rinaldi, Chairperson

Attest:
Adam Brewer, Secretary

**MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND
2023 CASH MANAGEMENT AND INVESTMENT POLICY**

1.) Cash Management and Investment Objectives

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

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

2.) Permissible Investments

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

3.) Authorized Depositories

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

Citizens Bank (formerly Investors Bank)

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

4.) Authority for Investment Management

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

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

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

5.) **Preservation of Capital**

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

6.) **Safekeeping**

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

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

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

8.) **Reporting**

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

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

9.) **Audit**

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

10.) **Cash Flow Projections**

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

11.) **Cash Management**

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

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

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

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

The Treasurer shall escheat to the State of New Jersey checks which remain outstanding for twelve or more months after the date of issuance. However, prior to implementing such procedures, the Treasurer, with the assistance of the claims agent, as needed, shall confirm that the outstanding check continues to represent a valid claim against the FUND.

RESOLUTION NO. 8-23

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

ESTABLISHING A FISCAL MANAGEMENT PLAN

FOR THE 2023 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 2023 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) Citizens Bank (formerly Investors Bank)

II. All funds for Administrative Expenses, Reinsurance, Dividends and Miscellaneous Expenses, shall be withdrawn from the Official named Depository (ies) by check, wire or ACH, which shall bear the signatures and/or electronic approvals of at least two (2) of the following persons, duly authorized pursuant to this Resolution.

Carolyn Rinaldi	CHAIR
Adam Brewer	SECRETARY
Grace Brennan	TREASURER
Brian McNeilly	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
Edward Koreivo, Qual-Lynx
Grace Brennan, Fund Treasurer

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

Patricia Muldoon, 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 Citizens 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 2023 shall be ten (10) percent per annum, from the due date for any such assessment and imposed when installment assessments are received 15 days after the due date.
- VII.** Certifying and Approval Officer for all FUND expenses shall be the FUND's Executive Director and/or the Account Manager so designated by the Executive Director.

Adopted by the Governing Body this 11th day of January 2023.

Morris County Municipal Joint Insurance Fund

By: Carolyn Rinaldi
Chairperson

Attest:
Adam Brewer, Secretary

RESOLUTION NO. 9-23

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

ESTABLISHING PUBLIC MEETING PROCEDURES

WHEREAS, the FUND must establish meeting procedures for Fund Year 2023, and

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

- I. The Governing Body shall conduct Public Meetings to conduct the official business of the FUND at 12 noon on the second Wednesday of each month from February 2023 through January 10, 2024. Meetings are scheduled to be held at the Hanover Municipal Building but are subject to change.
- II. The Morris County Municipal Joint Insurance Fund Claims Review Committee will meet on the second Monday of each month from February 6, 2023, with the exception of October, through January 8, 2024 at 11:00 a.m. at the office of PERMA Risk Management Services, 9 Campus Drive, 2nd Floor, Parsippany, NJ 07054 and are subject to change.
- III. 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.
- IV. 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.
- V. 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 11th day of January 2023.

Morris County Municipal Joint Insurance Fund

By: Carolyn Rinaldi
Chairperson

Attest:
Adam Brewer, Secretary

RESOLUTION NO. 10-23

**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 2023 fund year.

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

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

Records and files not required to support current operations, but which must otherwise be retained, shall be stored in the record retention facility, located at Access Corp., 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 11th day of January 2023.

Morris County Municipal Joint Insurance Fund

By: Carolyn Rinaldi
Chairperson

Attest:
Adam Brewer, Secretary

RESOLUTION NO. 11-23

**RESOLUTION OF THE MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND
AWARDING AN EXTRAORDINARY UNSPECIFIABLE SERVICES CONTRACT WITH
LEXINGTON 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 Lexington Insurance Company for primary public officials/employment practices liability coverage (inclusive of optional volunteer director's and officer's liability) in the amount of \$2,395,387.83 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, Lexington Insurance Company will submit a Business Entity Disclosure Certification and a Political Contribution Disclosure form which certifies that Lexington 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 Lexington 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 2023 budget in the amount of \$2,395,387.83 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 Lexington Insurance Company for the 2023 budget year for primary public officials/employment practices liability coverage (inclusive of optional volunteer director's and officer's liability) in the amount of not to exceed \$2,395,387.83 inclusive of commission.

Adopted by the Governing Body this 11th day of January 2023.

Morris County Municipal Joint Insurance Fund

By: Carolyn Rinaldi
Chairperson

Attest:
Adam Brewer, Secretary

RESOLUTION 12-23
RESOLUTION OF THE COMMISSIONERS OF THE
MORRIS COUNTY MUNICIPAL JOINT INSURANCE
FUND REVISING THE LEGAL DEFENSE PANEL FOR
THE YEAR 2023

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 11, 2023. 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 2023 at the rates herein specified:

Worker’s Compensation – Hourly Rate of \$140 and \$80 for paralegal

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

General Liability – Hourly Rate of \$165 and \$80 for paralegal

TIER ONE
Robert J. Greenbaum, Esq.
Eric Harrison, Esq.
William Johnson, Esq.
Carl A. Perrone, Esq

TIER TWO

Catherine Flynn
Matthew Giacobbe, Esq.
Peter King, Esq.
Brian Mason, Esq. (Police Claims)
David Pennella, Esq.
Mark J. Semeraro, Esq.

TIER THREE (reg'l & other)

John Ursin (Sussex County)
Donald S. Dinsmore, Esq. (subrogation)
Pending (Essex County)

FUND ATTORNEY:

Fred Semrau of Dorsey & Semrau

CONFLICT COUNSEL

William Bailey, 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 11th of January 2023

Morris County Municipal Joint Insurance Fund

By: Carolyn Rinaldi, Chairperson

Attest: Adam Brewer, Secretary

RESOLUTION NO. 13-23

**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 11th day of January, 2023.

Morris County Municipal Joint Insurance Fund

By: Carolyn Rinaldi
Chairperson

Attest:
Adam Brewer, Secretary

RESOLUTION NO. 14-23

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.

WHEREAS, although the emergency regulations requiring this resolution expired on January 1, 2022, the Morris County Municipal Joint Insurance Fund desires to memorialize standard procedures and requirements for public comment for remote meetings for 2023.

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 or 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 11th day of January, 2023.

MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND

By: Carolyn Rinaldi
Chairperson

Attest:
Adam Brewer, Secretary

Resolution 15-23

Morris County Municipal Joint Insurance Fund

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

ESTABLISHING THE 2023 PLAN OF RISK MANAGEMENT

BE IT RESOLVED by the Fund's Commissioners that the 2023 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, 2023:

- 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, 2022)
- Emergency Service Volunteer Automobile Physical Damage
- Terrorism

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
 - 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): Statutory Minimum
 - New Jersey Uninsured/Underinsured Motorist (NJ UM/UIM): **Statutory Minimum**

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 MEL also offers Optional JIF Shared Aggregate Excess Liability coverage, with limits of \$10,000,000 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 **Lexington 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 Lexington 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 Lexington Insurance Company and applies to the non-firematic/emergency activities of such entity per the following options:

Option	Deductible
1	\$1,000
2	\$2,000
3	\$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 from the New Jersey Cyber Risk Management Fund

- Limits and Retention: Please contact your Risk Manager or the Cyber JIF

11. Property & Equipment Breakdown

- The Fund provides a \$100,000 limit per occurrence (Property & Time Element combined)
- The MEL provides a \$2,400,000 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: \$75,000,000
 - Aggregate, Flood (includes Storm Surge): \$75,000,000
 - a. Per Location, High Hazard Flood Zone: \$27,500,000
 - a. Aggregate : \$50,000,000
 - Named Storm: Included
 - Vehicles: \$10,000,000
- Unmanned Aircraft Systems: \$100,000

- Member deductibles:
 - All Other: \$1,250
 - Automobile Physical Damage: \$1,250
 - Equipment Breakdown: \$5,000
 - SFHA Flood Maximum available NFIP limit, per location, regardless if member purchases it or not, but no less than \$500,000 building / \$500,000 contents (\$250,000 / \$100,000 for housing authorities and related non-profit buildings), but no more than the value of the building and contents.
 - Named Storm : \$1,250

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.

13. Terrorism

Aggregate: \$125,000,000

Individual Self-Insured Retentions

Optional Individual Self-Insured Retentions:

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: **Statutory minimum**
 - 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: \$100,000
 - Unmanned Aircraft Systems (UAS):\$100,000
12. **Emergency Service Volunteer Automobile Physical Damage** \$2,500
13. **Terrorism:** \$0

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 Lexington Insurance Company
7. **Optional Volunteer Directors & Officers Liability:** The Fund purchases this coverage from Lexington Insurance Company
8. **Cyber:** The Fund purchases this coverage from the New Jersey Cyber Risk Management Fund
9. **Environmental Impairment Liability:** EJIF}
10. **Emergency Service Volunteer Automobile Physical Damage :** None
11. **Terrorism:** The Fund purchases this coverage from the MEL

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 **Lexington** 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. 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 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 11th day of January, 2023 by the Commissioners*

Morris County Municipal JOINT INSURANCE FUND

Carolyn Rinaldi
Chairperson

Adam Brewer,
Secretary

MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND BILLS LIST

Resolution No. 17-23

FEBRUARY 2023

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

2022

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
002756			
002756	VALLEY MEDICAL GROUP	DOT TESTING TRAINING & MRO Q4 2022	11,031.70
			11,031.70
002757			
002757	PERMA RISK MANAGEMENT SERVICES	AATRIX 1099 FILINGS	27.50
			27.50
002758			
002758	VITALE'S DELI	FOOD FOR MEETING ON 12/14/22	595.45
			595.45
002759			
002759	MGL PRINTING SOLUTIONS	500 CHECKS PRINTED 10/10/22	287.00
			287.00
002760			
002760	ACCESS	ACCT #417 ARC/STORE CUST224 12/31/22	107.37
			107.37
		Total Payments FY 2022	12,049.02

FUND YEAR

2023

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
002761			
002761	FIRST MANAGED CARE OPTION	MANAGED CARE 2/23	25,957.93
002761	FIRST MANAGED CARE OPTION	MANAGED CARE 1/22	25,957.93
			51,915.86
002762			
002762	APEX INSURANCE AGENCY, LLC	POL/EPL AND LAND USE 1ST INSTALL 2023	1,163,401.00
			1,163,401.00
002763			
002763	FRED SEMRAU, ESQ.	LITIGATION MGMT 02/23	17,481.75
			17,481.75
002764			
002764	QUAL-LYNX	TPA 02/23	25,333.67
			25,333.67
002765			
002765	J.A. MONTGOMERY RISK CONTROL	SAFETY DIRECTOR 02/23	18,803.23
002765	J.A. MONTGOMERY RISK CONTROL	LAW ENFORCEMENT 02/23	1,346.11
			20,149.34

002766			
002766	LENAPE CLAIMS MANAGEMENT, INC.	TPA 02/23	21,845.65
			21,845.65
002767			
002767	PERMA RISK MANAGEMENT SERVICES	ADMIN FEE 02/23	31,167.29
			31,167.29
002768			
002768	THE ACTUARIAL ADVANTAGE	ACTUARIAL SERVICE 02/23	3,884.35
			3,884.35
002769			
002769	FRED SEMRAU, ESQ.	ATTORNEY FEES 02/23	2,210.85
			2,210.85
002770			
002770	GRACE BRENNAN	TREASURER FEE 02/23	2,279.47
			2,279.47
002771			
002771	IMAC INSURANCE AGENCY	W CALDWELL RMC 1ST INSTALL 2023	14,255.00
002771	IMAC INSURANCE AGENCY	LINCOLN PARK RMC 1ST INSTALL 2023	13,631.00
002771	IMAC INSURANCE AGENCY	EAST HANOVER RMC 1ST INSTALL 2023	19,584.00
002771	IMAC INSURANCE AGENCY	FLORHAM PARK RMC 1ST INSTALL 2023	17,532.00
			65,002.00
002772			
002772	DAILY RECORD	AD 1/25/23 MEETING DATES	68.54
			68.54
002773			
002773	CONNER STRONG & BUCKELEW	UNDERWRITING MGMT FEE 2 OF 12 02/23	1,084.00
			1,084.00
002774			
002774	VITALE'S DELI	LUNCH MEETING 01/11/23	851.90
			851.90
002775			
002775	NEWTECH SERVICES INC.	WEBSITE MAINT/ DIS RECOVERY 02/23	175.00
			175.00
002776			
002776	THE VOZZA AGENCY	NETCONG RMC 1ST INSTALL 2023	3,930.00
002776	THE VOZZA AGENCY	BLOOMINGDALE RMC 1ST INSTALL 2023	10,067.00
			13,997.00
002777			
002777	LISA A PFENNINGER INSURANCE AGENCY, LLC	CHESTER RMC FEE 1ST INSTALL 2023	2,664.00
			2,664.00
		Total Payments FY	1,423,511.67
		TOTAL PAYMENTS ALL FUND YEARS	\$1,435,560.69

Chairperson
Carolyn Rinaldi

Attest:

Adam Brewer, Fund Secretary

Dated: January 11, 2023

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

Grace Brennan, Treasurer