

**SUBURBAN MUNICIPAL JOINT INSURANCE FUND  
OPEN MINUTES  
FEBRUARY 11, 2021  
VIA TELECONFERENCE  
8:00AM**

Meeting of the Fund Commissioners called to order by Chairwoman Champney. Open Public Meetings notice read into record.

**ROLL CALL OF 2021 FUND COMMISSIONERS:**

Megan Champney, Chairwoman	City of Summit	Present
Alexander Mirabella, Secretary	Township of Scotch Plains	Present
James Gildea	Borough of Westfield	Present
Judy Sullivan	Township of Bedminster	Present
James Damato	Borough of Watchung	Present
Sean McCarthy	Township of Bernards	Present
Lorene K. Wright	Township of Harding	Absent

**EXECUTIVE COMMITTEE ALTERNATES:**

Anthony Suriano	Borough of Bernardsville	Present
Joseph Carty	Borough of Far Hills	Absent
Glenn Mortimer	Borough of Mountainside	Absent

**ALTERNATE FUND COMMISSIONERS:**

Margaret Heisey	Township of Scotch Plains	Absent
Sheila Tweedie	Borough of Far Hills	Present
Pat Monaco	Township of Bernards	Absent
Robin Ray	Township of Bedminster	Present

**APPOINTED OFFICIALS PRESENT:**

Executive Director/Administrator	PERMA Risk Management Services <b>Cathleen Kiernan, Joseph Hrubash, Nancy A. Ghani, Robyn Wyckoff, Jennifer Conicella, Brandon Tracy</b>
Attorney	DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis & Leher <b>Stephen Davis, Esq.</b>
Treasurer	<b>Ralph Maresca</b>
Claims Service	Qual-Lynx <b>Claudia Acosta</b>
Underwriting Manager	Conner Strong & Buckelew <b>Edward Cooney</b>
Safety Director/Law Enforcement Risk Consulting	J.A. Montgomery <b>Brian Maitland, John Schwartz, Matthew Genna</b>
Managed Care Provider	FMCO <b>Alyssa Hrubash</b>

**ALSO PRESENT:**

Lindsay Travali, **Acrisure**  
Amy Pieroni, **Acrisure**  
Dominic Cinelli, **Brown & Brown**

Crystal Robinson, **Brown & Brown**  
Rich Duthie, **Pinnacle Risk Solutions**  
Hallee Cramer, **Meeker, Sharkey & Hurley**  
Craig Sutherland, **Meeker, Sharkey & Hurley**  
Renee Bays, **Meeker, Sharkey & Hurley**  
Tom Sharkey, **Meeker, Sharkey & Hurley**

**MINUTES:** Open and Closed Minutes of January 14, 2021.

**MOTION TO APPROVE OPEN AND CLOSED MINUTES FOR JANUARY 14, 2021 AS PRESENTED:**

Moved: Commissioner Mirabella  
Second: Commissioner Damato  
Vote: Unanimous

**CORRESPONDENCE:**

NONE

**EXECUTIVE DIRECTOR:**

**CONTRACTS REVIEW COMMITTEE:** Executive Director said the Contracts Review Committee met on February 9<sup>th</sup> to consider a recommendation submitted by the Defense Counsel, and included in the agenda, to increase the hourly rates. The Contracts Review Committee recommended increasing the billing rate increase for the defense panel.

**MOTION TO AUTHORIZE BILLING RATE INCREASE FOR THE DEFENSE PANEL**

Moved: Commissioner Mirabella  
Second: Commissioner Sullivan  
Roll Call: 7 Ayes – 0 Nays

**NOVEMBER MEETING:** The November JIF meeting falls on Veterans Day and it would be appropriate to move the meeting to either November 10<sup>th</sup> or November 12<sup>th</sup> at 8:00 AM based on the Board's availability. The Board confirmed the change of the November JIF meeting to November 12<sup>th</sup>. Executive Director said the Fund office will advertise the date change, and send an updated 2021 Meeting Schedule notice.

**MOTION TO CHANGE THE NOVEMBER JIF MEETING DATE TO NOVEMBER 12<sup>TH</sup> AT 8:00 AM.**

Moved: Commissioner Mirabella  
Second: Commissioner McCarthy  
Vote: 7 Ayes – 0 Nays

**2021 MEL/RCF/EJIF MARCH 26<sup>th</sup> VIRTUAL MEETING & RETREAT:** Executive Director said the MEL, RCF and EJIF will hold their March meetings in conjunction with the MEL Annual Retreat. This year's retreat will be held on March 26<sup>th</sup> via Zoom. The purpose of the retreat is provide the sub-committees of the MEL an expanded opportunity to report directly to the Boards of the MEL, RCF and EJIF. Executive Director encouraged members to attend the meetings in March, and noted instructions to access the virtual meeting will be posted on njmel.org.

**2021 MEL & MRHIF EDUCATIONAL SEMINAR:** Executive Director said for 10 years, the MEL Joint Insurance Fund (MEL) and Municipal Reinsurance Health Insurance Fund (MRHIF) have been holding an Educational Seminar on property/casualty and health insurance matters that also provided members and insurance producers the opportunity to earn as much as 5 Continuing Education Credits. Executive Director reported the Fund office is discussing the best method to present this seminar in 2021.

**2020/2021 ELECTED OFFICIALS SEMINAR:** The MEL's Annual Elected Officials Seminar is available through the MEL Safety Institute. Included in the agenda were directions to follow to complete the course.

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, 2021. 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 5% of the member's assessment.

**MANDATORY VACCINATION OF EMPLOYEES:** In response to the dissemination of the Covid-19 vaccines and questions asked by members, the MEL Fund Attorney issued a bulletin, and consulted with the MEL Safety Director, Executive Directors of our Member Funds, and Labor expert, Matthew Giacobbe, Esq., to develop a memorandum anticipating several policy decisions on the issuance of the vaccine. Included in the agenda was the bulletin and memorandum.

Executive Director said the most frequently asked question focused on the impact of mandating the vaccine for member's employees. Per the memo, members should consult with their municipal counsel on these policy decisions. Chairwoman Champney asked if a municipality required the vaccination of their staff, and an allergic reaction were to occur causing an employee to miss time would it be covered under Workers Compensation. Executive Director said if it was made mandatory than it would likely be covered under Workers Compensation.

**EMPLOYMENT PRACTICES COMPLIANCE PROGRAM:** Executive Director encouraged members to visit the MEL webpage to review all the elements of the MEL's EPL Compliance Program; deadline for updates and training are due by June 1, 2021. Members can use the following link to locate the outline of program and model documents: <https://njmel.org/insurance/public-officials/risk-management-program/>. Executive Director said there are discussions on delaying the June 1<sup>st</sup> deadline to complete the training requirements; more information will be provided if the deadline is extended.

Executive Director added to be compliant with the EPL program members need to update the personnel policy manual, and complete the training requirement. J.A. Montgomery will be hosting a webinar, Protecting our Children from Abuse, in September. This satisfies the managers and supervisors training for employment practices. J.A. Montgomery is determining how, and when to hold the Police Command Staff training.

**VIRTUAL SAFETY KICKOFF:** This year's Safety Kickoff has been scheduled as a virtual meeting for Thursday March 11 2021 at 9 A.M. in order to announce 2020 awards and review the 2021 Safety Incentive Program.

**REPORT:** Monthly reports submitted to Fund Commissioners including monthly Fast-track Accident Frequency, Fast-track Financial report, Fixed Income Portfolio Summary, Claim Activity Report, Interest Rate Summary Comparison, Monthly Loss Ratio by fund year and line of coverage and the Monthly and Annual Regulatory Checklist.

Included in the agenda were tracking reports as of December 31, 2020. Executive Director referred to the Financial Fast Track and noted the Fund's statutory surplus stands at \$3.5 million. Executive Director said the decrease in surplus is typical for year-end, is due in part to a number of claims with high reserves. Two of the claims with high reserves are Covid-19 related. Mr. Sutherland asked if Safety National will treat Covid-19 claims as one occurrence. Executive Director said the MEL is continuing to work with Safety National to determine if Covid-19 cases will be treated as one occurrence. If Safety National does not treat the Covid-19 claims as one occurrence, the MEL has enough surplus to handle the claims.

Executive Director reviewed the Lost Time Accident Frequency (LTAF), which does not include Covid-19 claims, and said the JIF's rate is 1.46; the overall MEL/JIF rate is 1.25. Executive Director said the low lost time accident frequency is a result of reduced activity due in part to COVID-19.

**TREASURER:**

**VOUCHER LIST:**

**FEBRUARY 2021 VOUCHER PAYMENTS, RESOLUTION 12-21**

Fund Year 2020:	\$166.07
Fund Year 2021:	\$410,772.63
Total:	\$410,938.70

**CONFIRMATION OF CLAIMS PAYMENTS/CERTIFICATION OF CLAIMS' TRANSFERS FOR MONTHS OF DECEMBER 2020:**

Fund Year 2020:	\$142,273.70
Fund Year 2019:	\$993.00
Fund Year 2018:	\$5,900.98
Fund Year 2017:	\$243.00
Fund Year 2016:	\$28,667.99
Closed:	\$0.00
<b>Total:</b>	<b>\$178,078.67</b>

**MOTION TO ADOPT DECEMBER 2020 BILLS, RESOLUTION 12-21 APPROVING FEBRUARY 2021 BILLS LIST, AND APPROVE CONFIRMATION & CERTIFICATION OF DECEMBER 2020 CLAIM TRANSFERS AS SUBMITTED:**

Moved: Commissioner Gildea  
Second: Commissioner Mirabella  
Roll Call Vote: 7 Ayes-0 Nays  
Voucher List and Treasurer's Report Made Part of Minutes.

*Commissioner James Gildea of the Borough of Westfield joined the call at 8:12 AM*

**DECEMBER 2020 VOUCHER PAYMENTS, CONFIRMATION OF PAYMENTS**

Fund Year 2020:	\$404,981.42
Total:	\$404,981.42

**MOTION TO CONFIRM DECEMBER 2020 BILLS AS SUBMITTED:**

Moved: Commissioner Mirabella  
Second: Commissioner Gildea  
Roll Call Vote: 8 Ayes-0 Nays

**ATTORNEY:**

**REPORT:** Fund Attorney thanked the board for approving the fee requests for defense panel. Included in the agenda was a report of appellate decisions affecting municipalities. Fund Attorney emphasized pending Legislation-S771, which was included in the report. The legislation would amend New Jersey current workers compensation law to make an injury compensable if it occurs in a parking area provided or designated by the employer, or it occurs when an employee is traveling directly between the parking area and the place of employment. Fund Attorney said the Bill appears to be expedited, as it has been passed through the Senate, and is pending in the Assembly Labor Committee. Executive Director said the MEL Legislative Committee is opposing the bill.

Monthly Report Made Part of Minutes.

**UNDERWRITING MANAGER:**

**CERTIFICATE REPORT:** Included in the agenda was the certificate report for the period 11/22/20 to 1/22/21. Underwriting Manager said his team is continuing to work closely with the MEL regarding Safety National’s stance on COVID-19 claims.

**CYBER COMPLIANCE REPORT:** Included in the agenda was the cyber compliance report as of 1/31/21. Executive Director noted that the report reflected a “Denied” status; however, this is not an indication of denied coverage.

Monthly Report Made Part of Minutes.

**MANAGED CARE:**

**MONTHLY REPORT:** Included in the agenda was the January 2021 report submitted by FMCO. Managed Care Provider said the total provider billed amount to date was \$273,284 and was re-priced to \$74,019 for a total savings of 73% and a PPO penetration of 97%.

Monthly Activity Report Made Part of Minutes.

**SAFETY DIRECTOR:**

**MONTHLY REPORT:** Included in the agenda was the February 2021 report noting the activities/trainings, MSI classes and a Safety Director bulletin distributed during that time. Safety Director said J.A. Montgomery is adding nine more sessions for Protecting Children that will run through September; announcements with registration link will be distributed. An announcement with a link to register for the Virtual Safety Breakfast will be distributed following the meeting.

Monthly Report Made Part of the Minutes.

**CLAIMS:**

**REPORT:** Claims Administrator said they have Payment Authority Requests to present during Closed Session.

**RESOLUTION - EXECUTIVE SESSION FOR CERTAIN SPECIFIED PURPOSES: PERSONNEL - SAFETY & PROPERTY OF PUBLIC LITIGATION AND CONTRACT MATTERS:**

Moved: Commissioner Mirabella  
Second: Commissioner Gildea  
Vote: Unanimous

**PAYMENT AUTHORIZATION REQUESTS:** Executive Committee reviewed payment authorization requests presented by Claims Service in Executive Session.

**MOTION TO RETURN TO OPEN SESSION:**

Moved: Commissioner Mirabella  
Second: Commissioner Gildea  
Vote: Unanimous

**MOTION TO APPROVE PAYMENT AUTHORIZATION REQUEST PRESENTED IN EXECUTIVE SESSION BY QUAL-LYNX:**

Moved: Commissioner Gildea  
Second: Commissioner Mirabella  
Roll Call Vote: 8 Ayes - 0 Nays

**OLD BUSINESS:**

NONE

**NEW BUSINESS:**

NONE

**PUBLIC COMMENT:**

NONE

**MOTION TO ADJOURN:**

Moved: Commissioner Mirabella  
Second: Commissioner Gildea  
Vote: Unanimous

**MEETING ADJOURNED: 8:33AM**

**NEXT MEETING: March 11, 2021 - 8:00 AM**

Brandon Tracy, Account Analyst

for

ALEXANDER MIRABELLA, SECRETARY

**SUBURBAN MUNICIPAL JOINT INSURANCE FUND  
BILLS LIST**

Resolution No. 12-21

FEBRUARY 2021

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

**BE IT RESOLVED** that the Suburban Municipal Joint Insurance Fund's Executive Board, hereby authorizes the Fund treasurer to issue warrants in payment of the following claims; and

**FURTHER**, that this authorization shall be made a permanent part of the records of the Fund.

**FUND YEAR 2020**

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
001865			
001865	PERMA RISK MANAGEMENT SERVICES	REIM. RENEWAL OF DOM. NAME REG. 12/20	130.65
			<b>130.65</b>
001866			
001866	ALLSTATE INFORMATION MANAGEMNT	ACCT#416 - ARC & STOR - 11.30.20	35.42
			<b>35.42</b>
		<b>Total Payments FY 2020</b>	<b>166.07</b>

**FUND YEAR 2021**

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
001867			
001867	FIRST MANAGED CARE OPTION	MANAGED CARE SERVICES 2/21	6,993.98
001867	FIRST MANAGED CARE OPTION	MANAGED CARE SERVICES 1/21	6,993.98
			<b>13,987.96</b>
001868			
001868	APEX INSURANCE SVCS c/o XL INSURANCE	POLICY# MTP0039497-08 - 2021	7,470.00
			<b>7,470.00</b>
001869			
001869	APEX INSURANCE SVCS c/o QBE INS	POLICY# QVR01005-05 - 2021	2,057.00
001869	APEX INSURANCE SVCS c/o QBE INS	POLICY# QJR01005-05 - 2021	318,022.00
			<b>320,079.00</b>
001870			
001870	QUAL-LYNX	CLAIM ADJ SERVICES 2/21	18,079.32
			<b>18,079.32</b>
001871			
001871	J.A. MONTGOMERY RISK CONTROL	SAFETY DIRECTOR FEE 2/21	5,642.44
			<b>5,642.44</b>
001872			
001872	PERMA RISK MANAGEMENT SERVICES	EXECUTIVE DIRECTOR FEE 2/21	15,621.45
			<b>15,621.45</b>
001873			
001873	THE ACTUARIAL ADVANTAGE	ACTUARY FEE 2/21	2,790.09
			<b>2,790.09</b>
001874			
001874	RALPH A MARESCA, JR	TREASURER FEE 2/21	1,628.37
			<b>1,628.37</b>

001875			
001875	MEEKER SHARKEY & HURLEY	RMC - 1ST INS 2021 - HARDING TWP	2,161.00
001875	MEEKER SHARKEY & HURLEY	RMC - 1ST INS 2021 - FAR HILLS BOR	768.00
001875	MEEKER SHARKEY & HURLEY	RMC - 1ST INS 2021 - BEDMINSTER TWP	4,807.00
001875	MEEKER SHARKEY & HURLEY	RMC - 1ST INS 2021 - BERNARDS TWP	10,328.00
001875	MEEKER SHARKEY & HURLEY	RMC - 1ST INS 2021 - BERNARDSVILLE BOR	5,534.00
			<b>23,598.00</b>
001876			
001876	NEWTECH SERVICES INC.	MONTHLY MAINT & DR 2/21	175.00
			<b>175.00</b>
001877			
001877	CONNER STRONG & BUCKELEW	UNDERWRITING MANAGER FEE 2/21	1,701.00
			<b>1,701.00</b>
		<b>Total Payments FY 2021</b>	<b>410,772.63</b>
		<b>TOTAL PAYMENTS FUND YEARS</b>	<b>410,938.70</b>

\_\_\_\_\_  
Chairperson

Attest:

Dated:

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

\_\_\_\_\_  
Treasurer