

**SUBURBAN MUNICIPAL JOINT INSURANCE FUND  
OPEN MINUTES  
JANUARY 14, 2021  
VIA ZOOM  
8:00AM**

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

**ROLL CALL OF 2020 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 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	Present

**ALTERNATE FUND COMMISSIONERS:**

Margaret Heisey	Township of Scotch Plains	Absent
Sheila Tweedie	Borough of Far Hills	Present
Pat Monaco	Borough 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, Brandon Tracy, Robyn Walcoff, Jennifer Conicella</b>
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Attorney Davis & Leher	DiFrancesco, Bateman, Coley, Yospin, Kunzman, <b>Stephen Davis, Esq.</b>
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Treasurer	<b>Ralph Maresca</b>
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Claims Service	Qual-Lynx <b>Claudia Acosta, Karen Hinkley</b>
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Safety Director/Law Enforcement Risk Control <b>Schwartz</b>	J.A. Montgomery <b>Brian Maitland, Matt Genna, John</b>
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Underwriting Manager	Conner Strong & Buckelew <b>Ed Cooney</b>
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Managed Care Provider	FMCO <b>Kelly Royce</b>
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Actuary

The Actuarial Advantage

**Kyle Mrotek**

**ALSO PRESENT:**

Robin Ray, Bedminster Alternate Fund Commissioner

Amy Pieroni, Acrisure LLC

Lindsey Travali, Acrisure LLC

Hallee Cramer, Meeker, Sharkey & Hurley

Craig Sutherland, Meeker, Sharkey & Hurley

Renee Bays, Meeker, Sharkey & Hurley

Dominick Cinelli, Brown & Brown

Rich Duthie, Pinnacle Risk Solutions

**MINUTES:** Open and Closed Minutes of November 12, 2020

**MOTION TO APPROVE OPEN AND CLOSED MINUTES FOR**

**NOVEMBER 12, 2020 AS PRESENTED:**

Moved: Commissioner Mirabella

Second: Commissioner Gildea

Vote: 8 Ayes – 0 Nays – 1 Abstain (Commissioner  
McCarthy)

**CORRESPONDENCE:**

Included in the agenda was correspondence noting that Kelly Royce, Senior Vice President of Managed Care Services will be taking over as the Account Manager for the Managed Care services of the Fund effectively immediately.

**MOTION TO ADJOURN SINE DIE MEETING:**

Moved: Commissioner Gildea

Second: Commissioner McCarthy

Vote: Unanimous

Executive Director called the 2021 reorganization meeting of the Suburban Municipal Joint Insurance Fund to order and asked for a roll call of 2021 Fund Commissioners.

**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 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	Present

**ALTERNATE FUND COMMISSIONERS:**

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

**ELECTION OF CHAIRPERSON, SECRETARY, FIVE MEMBER EXECUTIVE COMMITTEE AND EXECUTIVE ALTERNATES.** Executive Director said the Suburban JIF conducts meetings as a Board of Fund Commissioners rather than Executive Committee when quorum is achieved. Executive Director said nominations are open for Chairperson, Secretary and five member executive committee and executive alternates.

Commissioner Gildea provided the following nominations for 2021:

**MOTION TO NOMINATE COMMISSIONER MEGAN CHAMPNEY-SUMMIT AS CHAIR AND COMMISSIONER ALEXANDER MIRABELLA-SCOTCH PLAINS TOWNSHIP AS SECRETARY AND;**

**MOTION TO NOMINATE COMMISSIONER JAMES GILDEA-TOWN OF WESTFIELD, COMMISSIONER JUDY SULLIVAN-BEDMINSTER, COMMISSIONER JAMES DAMATO-BOROUGH OF WATCHUNG, COMMISSIONER SEAN MCCARTHY-BERNARDS AND COMMISSIONER LORENE WRIGHT-HARDING TOWNSHIP AS FIVE MEMBER EXECUTIVE COMMITTEE AND;**

**MOTION TO NOMINATE COMMISSIONER ANTHONY SURIANO-BERNARDSVILLE AS ALTERNATE #1, JOSEPH CARTY/ALTERNATE SHEILA TWEEDIE – FAR HILLS AS ALTERNATE #2 AND COMMISSIONER GLENN MORTIMER-MOUNTAINSIDE AS ALTERNATE #3.**

Moved: Commissioner Mirabella  
Second: Chairwoman Champney  
Vote: Unanimous

**HEARING NO OTHER NOMINATIONS FOR CHAIR, SECRETARY, EXECUTIVE COMMITTEE OR ALTERNATES, MOTION TO CLOSE NOMINATIONS AND CONFIRM ELECTIONS:**

Moved: Commissioner Mirabella  
Second: Chairwoman Champney  
Vote: Unanimous

**FUND ATTORNEY ADMINISTERED OATH OF OFFICE TO THE FUND COMMISSIONERS.**

**RESOLUTION 1-21 FUND PROFESSIONAL APPOINTMENT AND PROFESSIONAL SERVICE AGREEMENTS:** Included with the reorganization resolutions in the agenda was Resolution 1-21 which confirms the board's decision to award professional service agreements in accordance with a fair and open process pursuant to N.J.S.A. 19:44A-20.4 et. Seq. for fund years 2021, 2022 and 2023, and may be extending for a 4<sup>th</sup> or 5<sup>th</sup> year. The Resolution reflects 2% fee increases as recommended by the Contracts Review Committee as well as estimated 3-year contact amounts as per Local Finance Notice 2017-10.

Resolution 1-21 listed the following re-appointments for 2021:

Administrator PERMA Risk Management Services  
Cathleen A. Kiernan, Executive Director  
Joseph Hrubash, Deputy Executive Director

David Grubb, Deputy Executive Director

Attorney	Stephen Davis, Esquire
Treasurer	Ralph Maresca
Actuary	The Actuarial Advantage
Auditor	Suplee, Clooney & Company
Internal Auditor	Russo & Associates LLC
Safety Director	J.A. Montgomery Consulting
Claims Administrator	Qual-Lynx
Managed Care	First Managed Care Option

Resolution 1-21 sets forth the results of the Fund's issuance of Competitive Contract Requests for Proposal for those services where agreements expired at year-end. Resolutions for Professional Service Agreements and Inter local Agreements were also separately identified in the agenda. Contract with Conner Strong & Buckelew as the Underwriting Manager is currently in force and as such was not part of the Reorganization Resolutions.

**RESOLUTION 2-21 ESTABLISHING A FISCAL MANAGEMENT PLAN:**

Resolution submitted designating Official Depositories and approving a Cash Management Plan; authorizing Signatories on Administrative Accounts; and authorizing Signatories on Claim Accounts; establishing a rate of interest for delinquent assessments; and certifying Approval Officer for all Fund expenses. Executive Director said the resolution would note Commissioner Sean McCarthy and Anthony Suriano as additional signatories.

**RESOLUTION 3-21 ESTABLISHING PUBLIC MEETING PROCEDURES:**

Executive Director amended Resolution 3-21 by establishing 2021 Meeting Dates to be held virtually via Zoom Conference on the second Thursday of every month at 8:00 am from February 2021 through May 2021. Meetings starting in June 2021 through the reorganization meeting, January 13, 2022 are anticipated to be held at the Scotch Plains Municipal Building with exception of no meetings scheduled in August and December; resolution also designates the official newspaper as Star Ledger, and Courier News; and the Suburban Municipal JIF's webpage [www.smjif.org](http://www.smjif.org) for official notices.

**RESOLUTION 4-21 ESTABLISHING FUND RECORDS PROGRAM:** Resolution presented establishing a formal records retention program for Fund year 2021.

**RESOLUTION 5-21 RISK MANAGEMENT PLAN:** The 2021 Risk Management Plan prepared by the Underwriting Manager was included in the agenda for review. Underwriting Manager reviewed key changes in the plan such as the primary and excess cyber coverage. The current market; cyber coverage for Public entities was almost non-existent, but Mr. Cooney was able to leverage the Fund's long standing relationship with primary insurer, XL to secure primary layers. The Joint Insurance Fund's primary limits are \$3 Million each occurrence, and \$6 Million aggregate. The retention increased to \$200,000, but member's retention remains at \$25,000 and the MEL will cover the \$175,000 difference. Previously each Joint Insurance Fund purchased their own excess limits, but due to the current hard market, the MEL purchased \$6 Million per occurrence and \$9 million aggregate. .

Mr. Sutherland, of Meeker, Sharkey & Hurley, asked if the limit per Joint Insurance Fund eliminated individual member limits. Underwriting Manager said per member limits did not exist, and the occurrence/aggregate noted in the Risk Management Plan is dedicated to the Suburban Municipal Joint Insurance Fund. The excess layer - \$6 Million per occurrence and \$9 million aggregate – is shared across the MEL program.

Executive Director said Resolution 5-21 Risk Management Plan should be amended to clarify language in the Commercial Insurance/ Reinsurance Purchased section regarding (no. 9) Environmental Impairment.

Executive Director said the following resolutions have been included to meet regulatory compliance as respects placement of insurance coverages. Included in the agenda were resolutions authorizing extraordinary unspecifiable services for public officials/employment practices liability, land use liability, volunteer director's and officer's liability and cyber liability coverages. In addition, resolutions designating an Official Depository, and establishing Remote Meeting Procedures Applicable during a Declared State of Emergency were included in the agenda.

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

**RESOLUTION 7-21 AWARDING EXTRAORDINARY UNSPECIFIABLE SERVICES CONTRACT WITH QBE SPECIALTY INSURANCE COMPANY FOR OPTIONAL VOLUNTEER DIRECTOR'S AND OFFICER'S LIABILITY COVERAGE.**

**RESOLUTION 8-21 AWARDING EXTRAORDINARY UNSPECIFIABLE SERVICES CONTRACT WITH INDIAN HARBOR INSURANCE COMPANY FOR PRIMARY CYBER SECURITY LIABILITY COVERAGE.**

**RESOLUTION 9-21 DESIGNATION OF OFFICIAL DEPOSITORY**

**RESOLUTION 10-21 ESTABLISH REMOTE MEETING PROCEDURES APPLICABLE DURING A DECLARED STATE OF EMERGENCY**

**MOTION TO ADOPT RESOLUTIONS 1-21 THROUGH 10-21 WITH AMENDMENTS TO 3-21 AND 5-21:**

Moved:	Commissioner Gildea
Second:	Commissioner Mirabella
Roll Call Vote:	9 Ayes - 0 Nays

Resolutions Made Part of Minutes.

**COMMITTEE APPOINTMENTS:** Executive Director said the Fund has four standing committees. Included in the agenda was a listing of the standing committees from 2020. Fund Commissioners are encouraged to volunteer to serve in the upcoming year.

**EXECUTIVE DIRECTOR:**

**REPORT:** Monthly reports submitted to Fund Commissioners including monthly Fast-track Accident Frequency, Fast-track financial report, 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 October 31, 2020 and November 30, 2020; Executive Director referred to the tracking reports as of November 30<sup>th</sup> and noted the Fund's statutory surplus stands at \$3.9 million. Executive Director reviewed the Lost Time Accident Frequency (LTAF) as of November 30, 2020 and said the JIF's rate is

1.53. Executive Director said the Fund is anticipating the Covid-19 claims to be covered as one occurrence with a shared retention of \$300,000 across all Joint Insurance Funds. The “Same Communicable Disease” endorsement will be removed in the next policy, and each employee that contracts the virus will be its own occurrence.

**RCF 2021 REORGANIZATION MEETING:** The Residual Claims Fund’s 2021 Reorganization meeting was held on January 6, 2021 at 10:30 a.m. via Zoom. A copy of Chairwoman Champney’s report was included in the agenda.

**EJIF 2020 NOVEMBER MEETING & 2021 REORGANIZATION MEETING:** The EJIF met on November 18, 2020 via Zoom and the 2021 Reorganization meeting was held on January 6, 2021 at 10:50 a.m. via Zoom. A copy of Chairwoman Champney’s reports was included in the agenda.

**MEL 2020 NOVEMBER MEETING & 2021 REORGANIZATION MEETING:** The MEL met on November 18, 2020 via Zoom and the MEL 2021 Reorganization meeting was held on January 6, 2021 at 11:15 am via Zoom. A copy of Chairwoman Champney’s report was included in the agenda. Executive Director added that after a number of requests the MEL completed a first draft of a policy similar to personnel manuals, and employee handbooks regarding volunteers.

**2020/2021 Elected Officials Seminar:** This year’s Elected Officials Seminar focused on ways to prevent employment practices lawsuits. The course was conducted as part of the League of Municipalities Virtual Conference. In addition to holding this seminar at the Virtual Conference conducted by League of Municipalities, we have now posted the course to the MEL’s Learning Management System. Included in the agenda were directions 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.

**2021 ASSESSMENTS:** Executive Director said the 2021 assessments were mailed out via certified mail on 12/17/20, as well as, emailed to Fund Commissioners and Risk Managers. As a reminder, first installment payments are due to Treasurer, Ralph Maresca, by January 31, 2021.

**2021 BUDGET:** In accordance with the regulations, the budget adopted by the Fund has been advertised in the Fund’s official newspaper. In addition, PERMA has sent the budget to member municipalities and has filed the budget with the State.

**EPL COMPLIANCE PROGRAM:** Executive Director said the EPL program is being updated to include the new additions to the personnel policy manual, and Managers & Supervisors training. The updated models have been added to the MEL website. J.A. Montgomery has been conducting several instructor led courses, and has an upcoming Managers and Supervisors training on January 25<sup>th</sup>. The webinar schedule is also available on the MEL website.

Executive Director said the Fund Attorney is prepared to conduct virtual trainings or in person trainings in June if permissible. Chairwoman Champney asked for the EPL

compliance program deadline. Executive Director said the deadline to complete the Employment Practices Liability Risk Control program is June 1<sup>st</sup>.

**TREASURER:**

**VOUCHER LIST:**

**CONFIRMATION DECEMBER 2020 PAYMENTS- DIVIDENDS**

Total: \$3,752.47

**CONFIRMATION DECEMBER 2020 PAYMENTS**

2020: \$47,362.00

**JANUARY 2021 VOUCHER PAYMENTS, RESOLUTION 11-21**

Fund Year 2020: \$97.40

Fund Year 2021: \$463,957.42

Total: \$464,054.82

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

Fund Year 2020: \$137,126.02

Fund Year 2019: \$31,035.89

Fund Year 2018: \$7,288.41

Fund Year 2017: \$5,144.30

Fund Year 2016: \$1,138.12

Closed: \$0.00

**Total: \$181,732.74**

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

Fund Year 2020: \$147,919.36

Fund Year 2019: \$1,223.15

Fund Year 2018: \$2,001.00

Fund Year 2017: \$12,808.72

Fund Year 2016: \$1,705.12

Closed: \$0.00

**Total: \$165,657.35**

**MOTION TO CONFIRM DECEMBER 2020 PAYMENTS, DECEMBER 2020 DIVIDEND CHECKS AND ADOPT RESOLUTION 11-21 APPROVING JANUARY 2021 BILLS LIST AND APPROVE CONFIRMATION & CERTIFICATION OF OCTOBER 2020 AND NOVEMBER 2020 CLAIM TRANSFERS AS SUBMITTED:**

Moved: Commissioner Mirabella

Second: Commissioner McCarthy

Roll Call Vote: 9 Ayes-0 Nays

Voucher List and Treasurer's Report Made Part of Minutes.

**ATTORNEY:**

**REPORT:** Included in the agenda was a report of appellate decisions affecting municipalities and a letter from Todd Conn, Esq., the Worker Compensations Counsel for the Fund, explaining the impact of Covid-19 on the Workers' Compensation Court System. Fund attorney encouraged members to review the letter, and contact himself, Qual Lynx or Todd Conn Esq., with any questions or concerns regarding the status of their employee's cases.

## Monthly Report Made Part of Minutes.

### **UNDERWRITING MANAGER:**

**REPORT:** Underwriting Manager said the MEL program was able to achieve an endorsement that combines all occurrences of the same communicable diseases as a single occurrence and retention. Mr. Cooney is working with Safety National to establish Covid-19 claims as one occurrence. After this year, the endorsement establishing diseases as a single occurrence will be removed, and each employees contracting a disease will have its own occurrence.

Also included was a list of members that completed the checklists to achieve Tier 1 or Tier 2 status as part of the Cyber Compliance Program, which allows members to receive retention reimbursements in the event of cyber incident. In order to meet compliance with Tier 1 or Tier 2, all questions must be “Yes”. If any questions are answered “No” or are blank, this is grounds for being Incomplete. Also, Tier 2 cannot be in compliance without Tier 1 being in compliance. If any members believe any questions that are blank or answered “No” should be granted an exception, the member must submit the details as to why the exception should be granted in the Additional Comments section.

Executive Director said the Underwriting Manager began working on the remarketing in June, and included in appendix II of the agenda was a market renewal update highlighting important changes in the program. Executive Director said when the JIF first formed, it was decided that the Fund would retain as much coverage as needed, but would buy additional commercial coverages in a soft market. Executive Director commended the Underwriting Manager, and his team for their work.

Monthly Report Made Part of Minutes.

### **MANAGED CARE:**

**MONTHLY REPORT:** Included in the agenda was the December 2020 report submitted by FMCO. Managed Care Provider said the total provider billed amount for year-end was \$2,085,851, was re-priced to \$635,523 for a total savings of 71% and a PPO penetration of 93%.

Monthly Activity Report Made Part of Minutes.

### **SAFETY DIRECTOR:**

**MONTHLY REPORT:** Included in the agenda was the January 2021 report noting the activities/trainings, MSI classes and a Safety Director bulletin distributed during that time. Safety Director said despite the Pandemic J.A. Montgomery was able to complete all of its contracted visits for 2020. Safety Director highlighted the rebranding of the MEL safety Institute (MSI), and noted the new categories:

- MSI Now: Viewers can access 180 on-demand streaming videos and online classes that can be viewed 24/7.
- MSI DIVD: Includes a vast library of DVDs topics on many aspects of safety, risk control, employment practices.
- MSI LIVE: Features real-time, instructor-led classes and webinars. The MSI live schedule is available for registration through the MEL website.

Safety Director noted J.A. Montgomery is adding three D.E.R trainings, which are scheduled for January 14<sup>th</sup>, April 22<sup>nd</sup>, and September 23<sup>rd</sup>. Attendees need to register two weeks in advance. If attendees are more than five minutes late they will not receive continuing education credits.

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 Gildea  
Second: Commissioner McCarthy  
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 McCarthy  
Roll Call Vote: Unanimous

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

Moved: Commissioner Gildea  
Second: Commissioner Mirabella  
Roll Call Vote: 9 Ayes - 0 Nays

**OLD BUSINESS:**

NONE

**NEW BUSINESS:**

Commissioner Judy Sullivan announced she will be retiring May 1, 2021, and introduced Robin Ray as Bedminster's next Fund Commissioner. Ms. Ray will serve as Bedminster's Alternate Fund Commissioner until May 1, 2021.

**MOTION TO ADJOURN:**

Moved: Commissioner Mirabella  
Second: Commissioner Gildea  
Vote: Unanimous

**MEETING ADJOURNED:** 9:15 AM

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

Brandon Tracy, Account Analyst

for

ALEXANDER MIRABELLA, SECRETARY

**SUBURBAN MUNICIPAL JOINT INSURANCE FUND  
APPOINTING CERTAIN PROFESSIONALS AND SERVICE ORGANIZATIONS**

**WHEREAS** the Suburban Municipal Joint Insurance Fund (hereinafter the Fund) authorized the competitive contract process to be administered by the Executive Director through resolution 19-20 on June 11, 2020 for the positions of:

ACTUARY  
EXECUTIVE DIRECTOR  
AUDITOR  
CLAIMS ADMINISTRATOR  
FUND ATTORNEY  
INTERNAL AUDITOR  
MANAGED CARE  
SAFETY DIRECTOR  
TREASURER

and

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

**WHEREAS** a notice advising of competitive contracts was published in the July 16, 2020 edition of the Star Ledger and posted on the Suburban Municipal JIF website [www.smjif.org](http://www.smjif.org) under the Public Bids section.

**WHEREAS** the Fund received Competitive Contract responses were received from professional service providers and service organizations on September 9, 2020 at 9:00AM.

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

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

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

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

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

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

1. **PERMA Risk Management Services as Administrator**, Cathleen A. Kiernan is appointed as **Executive Director**, and Joseph Hrubash and David N. Grubb as **Deputy Executive Directors**, and both as **agents for process of service**. \$573,694.64 is the estimated dollars that will be expended in connection with this contract over its three-year term. The annual amount of \$187,457.71 has been appropriated in the Administration Line Item of the 2021 budget.
2. **Stephen Davis, Esquire as Fund Attorney**: \$206,899.14 is the estimated dollars that will be expended in connection with this contract over its three-year term. The annual amount of \$67,605.26 has been appropriated in the Attorney Line Item of the 2021 budget.
3. **Ralph Maresca as Fund Treasurer**: \$59,801.69 is the estimated dollars that will be expended in connection with this contract over its three-year term. The annual amount of \$19,540.48 has been appropriated in the Treasurer Line Item of the 2021 budget.
4. **The Actuarial Advantage as Fund Actuary**: \$102,465.60 is the estimated dollars that will be expended in connection with this contract over its three-year term. The annual amount of \$33,481.11 has been appropriated in the Actuary Line Item of the 2021 budget.
5. **Suplee, Clooney, et al as Fund Auditor**: \$40,596.51 is the estimated dollars that will be expended in connection with this contract over its three-year term. The annual amount of \$13,265.10 has been appropriated in the Auditor Line Item of the 2021 budget.
6. **Russo & Associates, LLC as Internal Auditor**. \$25,918.21 is the estimated dollars that will be expended in connection with the Internal Auditor Insurance Services contract over its three-year term. The annual amount of \$8,468.90 has been appropriated as the fee not to exceed in the Internal Auditor Line Item of the 2021 budget.
7. **J.A. Montgomery Consulting as Fund Safety Service Provider**: \$207,217.39 is the estimated dollars that will be expended in connection with the Safety Director contract over its three-year term. The annual amount of \$67,709.25 has been appropriated in the Safety Director Line Item of the 2021 budget.
8. **Qual-Lynx as the Claims Service Organization**: \$663,959.53 is the estimated dollars that will be expended in connection with the Claims Service contract over its three-year term. The annual amount of \$216,951.88 has been appropriated in the Claims Adjuster Line Item of the 2021 budget.
9. **FMCO as the Managed Care Organization**: \$256,852.54 is the estimated dollars that will be expended in connection with the Managed Care Provider contract over its three-year term. The annual amount of \$83,927.77 has been appropriated in the Workers Compensation Claims Fund Line Item of the 2021 budget.

**NOW, THEREFORE, BE IT RESOLVED** by the Suburban Municipal Joint Insurance Fund as follows: The Fund's Executive Director is hereby authorized to enter into a contract with the above professionals for a period of three (3) years with an option to

renew for a 4<sup>th</sup> and 5<sup>th</sup> year encompassing the scope of work as outlined within CC#20-01.

**BE IT FURTHER RESOLVED**, all Professional Service Providers and Service Organizations appointed pursuant to this Resolution shall service the Fund in accordance with the terms and conditions of the Professional Service Agreements.

**BE IT FURTHER RESOLVED**, that in accordance with NJSA 19:44A-20.7, the decision of the Fund's Board of Fund Commissioners that the procurement process utilized, constitutes a fair and open process, shall be final.

**ADOPTED:**

**This 14 day January before the Governing Body:**

**Megan Champney, Chair**

**Alexander Mirabella, Secretary**

**SUBURBAN MUNICIPAL JOINT INSURANCE FUND**  
(Hereafter referred to as "THE FUND")  
**ESTABLISHING A FISCAL MANAGEMENT PLAN**  
**FOR THE 2021 FUND YEAR**

**WHEREAS**, THE FUND is duly constituted as a Municipal Joint Insurance Fund, as permitted under the laws promulgated by the State of New Jersey, (N.J.S.A. 40A-36, et.seq.); and

**WHEREAS**, THE FUND is subject to the requirements contained within the Local Fiscal Affairs Law (N.J.S.A. 40A-5, et.seq.); and

**NOW, THEREFORE BE IT RESOLVED** by the Board of Fund Commissioners that for the 2021 Fund Year:

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

Megan Champney CHAIR

Alexander Mirabella SECRETARY

Ralph Maresca TREASURER

Anthony Suriano COMMISSIONER

Sean McCarthy COMMISSIONER

2. 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 persons, duly authorized pursuant to this Resolution.

Ralph Maresca, Treasurer

Dave S. Ruber, Qual-Lynx

Alice H. Lihou, Qual-Lynx

3. For Wire Transfers - that the FUND does hereby require that Investors Bank obtain voice confirmation prior to executing wire transfers to external accounts from the Fund Treasurer.
4. The Cash and Investment Policy attached herewith, shall be adopted.
5. The rate of interest assessed by the Fund, for delinquent assessments shall be ten (10) percent per annum, from the due date for any such assessment.
6. 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.

7. In accordance with the MEL's Retrospective Rating Program, the FUND does hereby transfers the aggregate excess contingency line item collected with 2020 Fund assessments to the Aggregate Loss Fund Contingency Account.

**ADOPTED:**

**This 14 day January before the Governing Body:**

**Megan Champney, Chair**

**Alexander Mirabella, Secretary**

**SUBURBAN MUNICIPAL JOINT INSURANCE FUND  
2021 CASH MANAGEMENT AND INVESTMENT POLICY**

1.) **Cash Management and Investment Objectives**

The Suburban 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:

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 Fund's 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.

**SUBURBAN MUNICIPAL JOINT INSURANCE FUND  
(hereafter the "FUND")**

**ESTABLISHING PUBLIC MEETING PROCEDURES**

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

**NOW, THEREFORE BE IT RESOLVED**, by the Board of Fund Commissioners that:

- I. The Board of Fund Commissioners/Executive Committee shall conduct Public Meetings via Zoom to conduct the official business of the FUND on the second Thursday of each month at 8AM except August and December. The reorganization meeting on January 13, 2022 will be held at the Scotch Plains Municipal Building at 8AM.
  
- II. The following is hereby designated the official newspaper (s) of the Fund: The Star Ledger, Newark, New Jersey 07101 and Somerville Courier News, Somerville NJ. The Fund's webpage is designated for official notices [www.smjif.org](http://www.smjif.org).
  
- III. 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:**

**This 14 day January before the Governing Body:**

**Megan Champney, Chair**

**Alexander Mirabella, Secretary**

**RESOLUTION NO. 4-21**

**SUBURBAN MUNICIPAL JOINT INSURANCE FUND**

(Hereinafter the "FUND")

**ESTABLISHING A FUND RECORDS PROGRAM**

**WHEREAS:** The FUND must establish a formal record retention program for the 2021 fund year.

**NOW, THEREFORE BE IT RESOLVED,** by the Board of Fund Commissioners that:

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

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

**ADOPTED:**

**This 14 day January before the Governing Body:**

**Megan Champney, Chair**

**Alexander Mirabella, Secretary**

## RESOLUTION 5-21

### Suburban Municipal Joint Insurance Fund (hereinafter the "Fund" or the "SBMU JIF") ESTABLISHING THE 2021 PLAN OF RISK MANAGEMENT

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

Definitions:

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

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

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

## Section I – Coverage

### Insurance Coverages

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

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

### Limits of Coverage

Unless otherwise stated, all limits shown apply less any local member unit's SIRs/deductibles , or excess of 125% the JIFs' actuarial projected loss funds as respects Annual Aggregate Stop Loss. 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: \$250,000
- Employer's Liability: \$250,000
- USL&H, Harbor Marine/Jones Act, Incidental Foreign Workers' Compensation, Communicable Disease:  
Per Person
- MEL Excess Limit: Statutory
- Employer's Liability Excess Limit: \$6,750,000

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

- Fund Limit: \$250,000

- MEL Excess Limit: \$4,750,000
  - The \$3,000,000 layer excess of \$2,000,000 is subject to a \$3,000,000 per local member unit annual aggregate (Automobile Liability is not aggregated)
- Sublimits: The following sublimits are part of, and not in addition to, the limits above:
  - Good Samaritan Liability: Included
  - Quasi Municipal Organization Liability: Included (if approved)
  - Fungus or Spores: \$1,000,000
  - Disinfectants Release Hazard Coverage: \$1,000,000
  - Dam and Reservoir: \$5,000,000
    - a. \$5,000,000 per occurrence for any member entity owned dams defined as Class III or IV in New Jersey Administrative Code, Title 7, Department of Environmental Protection, Chapter 20, 7:20-1.8;
    - b. Included for premises owned, occupied or controlled by the member entity on which a dam or reservoir is located, or from the operations conducted on such premises;
    - c. \$2,000,000 per occurrence for any member entity owned dam defined as Class I or II in New Jersey Administrative Code, Title 7, Department of Environmental Protection, Chapter 20, 7:20-1.8; and
    - d. \$2,000,000 per occurrence for any Class III or IV member entity owned dam involved with a Class I or II member entity owned dam.
  - Sanitary/Storm Water System Sewerage Backup and/or Sanitary System Sewerage Backup, Escape or Release: \$3,000,000 Per Occurrence and \$4,000,000 Annual Aggregate for all member entities
  - Subsidence: \$3,000,000 Per Occurrence and \$4,000,000 Annual Aggregate for all member entities
  - Quasi Entities Coverage: \$5,000,000
  - Skateboard Facilities: \$5,000,000 Per Occurrence (where approved)
    - a. Subject to 0% member coinsurance of the first \$100,000
  - Riot, Civil Commotion or Mob Action: \$5,000,000 Per Occurrence
  - Failure to Supply Utility: \$5,000,000 Per Occurrence
  - Garagekeepers Liability: \$2,000,000 Per Occurrence
  - New Jersey Personal Injury Protection (NJ PIP): \$250,000
  - New Jersey Uninsured/Underinsured Motorist (NJ UM/UIM): \$15,000 / \$30,000 / \$5,000

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

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

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

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

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

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

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

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

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

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

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

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

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

Option	Limit of Liability	Deductible
1	\$1,000,000	\$1,000
2	\$1,000,000	\$2,000
3	\$1,000,000	\$5,000
4	\$2,000,000	\$1,000
5	\$2,000,000	\$2,000
6	\$2,000,000	\$5,000

**7. Crime**

- The Fund provides Crime coverage with a limit of \$50,000 for: Loss of Assets, Credit Card Forgery, Loss of Employee Benefit Plan Assets and Public Employee Dishonesty
- The member deductible is \$2,500
- 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. **Annual Aggregate Stop Loss**

- **\$1,000,000** , subject to sublimits of: \$250,000 each occurrence for Workers' Compensation, General Liability, Law Enforcement Liability and Automobile Liability; and \$100,000 each occurrence for Property and Crime

#### 10. **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.

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.

#### 11. **Cyber**

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

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

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

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

#### 12. **Property & Equipment Breakdown**

- The Fund provides a \$100,000 limit per occurrence (Property & Time Element combined)
- The MEL provides a \$900,000 limit excess of the Fund's limit
- The MEL purchases additional excess property limits, as follows: \$125,000,000, including certain sublimits, including, but not limited, to:
  - Aggregate, Earth Movement: \$100,000,000
  - Aggregate, Flood (includes Storm Surge): \$100,000,000
    - a. Per Location, Special Flood Hazard Area (SFHA): \$52,500,000
  - Named Storm: Included
  - Vehicles: \$15,000,000
- Member deductibles:

- All Other: \$2,500
- Automobile Physical Damage: \$2,500
- Equipment Breakdown: \$5,000
- SFHA Flood :
  - a. Building: \$500,000
  - b. Contents: \$500,000
  - c. Time Element: \$500,000
- Named Storm (Covered Property in Atlantic, Ocean, Monmouth and Burlington counties east of the Garden State Parkway, and any covered property in Cape May County):
  - a. Property Damage: 1% of TIV at location, per occurrence
  - b. Time Element: 1% of 12 months gross earnings at location, per occurrence
  - c. Minimum, per location: \$1,000,000
  - d. Maximum, per occurrence: \$2,500,000

### 13. **Emergency Service Volunteer Automobile Physical Damage**

The Suburban Fund provides for deductible reimbursement coverage to *Title 34 Volunteers* for collision and comprehensive damages resulting from motor vehicle accident while volunteering services to the town not to exceed \$2,500 or the deductible on the volunteers' auto policy whichever is less.

- The Fund provides Automobile Physical Damage Reimbursement Coverage to all Emergency Service Volunteers, including police auxiliary, firefighters and members of the first aid or rescue squads, CERT Teams, etc. for collision and comprehensive damages to their personal vehicle, which arises out of and in the course of the emergency service volunteer's duties associated with an authorized activity and/or duly sponsored or sanctioned event on behalf of the member entity/organization.
- Where personal auto physical damage insurance coverage is applicable to the volunteer's vehicle, the extent of this reimbursement coverage shall not exceed 100% of the volunteer's collision or comprehensive deductible amount, up to a maximum of \$2,500 OR in the absence of any applicable personal collision or comprehensive insurance coverage, reimbursement of damages shall not exceed \$2,500.

### **Amount of Risk to be Retained by the Fund**

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

1. **Workers' Compensation:** \$250,000
2. **Liability:** \$250,000
  - NJ Uninsured/Underinsured Motorist: \$15,000 / \$30,000 / \$5,000
  - NJ Personal Injury Protection: \$250,000
3. **Optional Excess Liability Limit:** \$0
4. **Public Officials Liability / Employment Practices Liability:** \$0
5. **Optional Excess Public Officials Liability / Employment Practices Liability:** \$0
6. **Optional Volunteer Directors & Officers Liability:** \$0
7. **Crime:** \$50,000
  - MEL Crime Excess: None
  - MEL Crime Statutory Position: None
  - MEL Crime Excess Public Officials: None
8. **Non-Owned Aircraft Liability:** \$0
9. **Annual Aggregate Stop Loss** 125% of the JIF's actuarial projected loss funds



10. **Environmental Impairment Liability** : \$0
11. **Cyber**: \$0
12. **Property**: \$100,000
  - Equipment Breakdown: \$0
  - SFHA Flood: \$0
  - Named Storm (Covered Property in Atlantic, Ocean, Monmouth and Burlington counties east of the Garden State Parkway, and any covered property in Cape May County): \$0
13. **Emergency Service Volunteer Automobile Physical Damage** \$2,500

### **Commercial Insurance / Reinsurance Purchased**

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

1. **Non-Owned Aircraft Liability**: The Fund purchases this coverage through the MEL from Endurance
2. **Excess Property & Equipment Breakdown**: The Fund purchases this coverage from the MEL
3. **Excess Liability**: The Fund purchases this coverage from the MEL
4. **Excess Workers' Compensation**: The Fund purchases this coverage from the MEL
5. **Excess Crime**: The Fund purchases this coverage from the MEL
6. **Public Officials Liability / Employment Practices Liability**: The Fund purchases this coverage from QBE Specialty Insurance Company
7. **Optional Volunteer Directors & Officers Liability**: The Fund purchases this coverage from QBE Specialty Insurance Company
8. **Cyber**: The Fund purchases this coverage from Indian Harbor Insurance Company and the MEL
9. **Environmental Impairment Liability**: The Fund purchases this insurance through the Environmental Joint Insurance Fund
10. **Annual Aggregate Stop Loss**: MEL
11. **Emergency Service Volunteer Automobile Physical Damage** : None

## Section II – Conditions

### The Amount of Unpaid Claims to be Established

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

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

1. By November 15th of each year, the actuary computes the probable net cost for the upcoming Fund year by line of coverage and for each prior Fund year. The actuary includes all budget items in these computations. The annual assessment of each participating member is its pro rata share of the probable net cost of the upcoming Fund year for each line of coverage as computed by the actuary.
2. The calculation of pro rata shares is based on each member's experience modified manual premium for that line of coverage. The Commissioners also adopts a capping formula which limits the increase of any member's assessment from the preceding year to the Fund wide average increase plus a percentage selected by the Commissioners. The total amount of each member's annual assessment is certified by majority vote of the Commissioners at least one (1) month prior to the beginning of the next fiscal year.
3. The treasurer deposits each member's assessment into the appropriate accounts, including the administrative account, and the claim or loss retention trust fund account by Fund year for each type of coverage in which the member participates.
4. If a local unit becomes a member of the Fund or elects to participate in a line of coverage after the start of the Fund year, such participant's assessments and supplement assessments are reduced in proportion to that part of the year which had elapsed.
5. The Commissioners may by majority vote levy upon the participating members additional assessments wherever needed or so ordered by the Commissioner of Insurance to supplement the Fund's claim, loss retention or administrative accounts to assure the payment of the Fund's obligations. All supplemental assessments are charged to the participating members by applicable Fund year, and shall be apportioned by the year's assessments for that line of coverage.
6. Should any member fail or refuse to pay its assessments or supplemental assessments, or should the Fund fail to assess funds required to meet its obligations, the chairman or in the event by his or her failure to do so, the custodian of the Fund's assets, shall notify the Commissioner of Insurance and the Director of Community Affairs. Past due assessments shall bear interest at the rate established annually by the Commissioners.
7. The method of collecting assessment contributions to be paid by each member of the Fund is shown below:

Mail Bill	Due Date	Amount Due
December 15 <sup>th</sup>	January 31 <sup>st</sup>	1 <sup>st</sup> quarter
	April 30 <sup>th</sup>	2 <sup>nd</sup> quarter
	July 31 <sup>st</sup>	3 <sup>rd</sup> quarter
December 15 <sup>th</sup>	January 31 <sup>st</sup>	4 <sup>th</sup> quarter plus any adjustments
	Etc.	

8. The Fund has also adopted a loss sensitive retrospective rating plan and has filed the endorsement with the Department of Banking and Insurance and the Department of Community Affairs.
9. 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.
10. At the discretion of the Commissioners, any supplemental assessments may be payable in equal installments for up to ten years. Deferred assessments shall become due and immediately payable if a member leaves the Fund.

### Procedures Governing Loss Adjustment and Legal Expenses

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

4. To provide for quality defense and control costs, the Fund has established an approved defense attorney panel with firms which specialize in governmental claims. The performance of the defense attorneys is overseen by the Fund attorney, as well as the various firms which audit the claims adjusters.

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

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

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

1. The general approach in estimating the loss reserves of the Fund is to project ultimate losses for each Fund year using paid and incurred loss data. Two traditional actuarial methodologies are used: the paid loss development method and the incurred loss development method. From the two different indications resulting from these methods the Fund Actuary chooses a "select" estimate of ultimate losses. Subtraction of the paid losses from the select ultimate losses yields the loss reserve liability or funding requirement.
2. The following is an overview of the two actuarial methods used to project the ultimate losses.
  - a. Paid Loss Development Method - This method uses historical accident year paid loss patterns to project ultimate losses for each accident year. Because this method does not use case reserve data, estimates from it are not affected by changes in case reserving practices. However, the results of this method are sensitive to changes in the rate of which claims are settled and losses are paid, and may underestimate ultimate losses if provisions are not included for very large open claims.
  - b. Case Incurred Loss Development Method - This method is similar to the paid loss development method except it uses historical case incurred loss patterns (paid plus case outstanding reserves) to estimate ultimate losses. Because the data used includes case reserve estimates, the results from this method may be affected by changes in case reserve adequacy.

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

1. \$10,000 for General and automobile liability
2. \$10,000 for workers compensation
3. With the advance approval of the Fund Attorney, the certifying and approving officer may also pay provider 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. \$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 14 day January before the Governing Body:**

**Megan Champney, Chair**

**Alexander Mirabella, Secretary**

**SUBURBAN MUNICIPAL JOINT INSURANCE FUND  
AWARDING AN EXTRAORDINARY UNSPECIFIABLE SERVICES CONTRACT WITH  
QBE SPECIALTY INSURANCE COMPANY  
FOR PRIMARY PUBLIC OFFICIALS/EMPLOYMENT PRACTICES LIABILITY**

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

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

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

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

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

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

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

**WHEREAS**, the Treasurer has certified that funds are available, subject to approval by the board of commissioners in the 2021 budget in the amount of \$636,044.00 inclusive of commission from:

Line Items: POL/EPL Premium and Land Use Liability

**NOW, THEREFORE, BE IT RESOLVED**, that the Suburban Municipal Joint Insurance Fund authorizes the Executive Director to enter into a contract with QBE Specialty Insurance Company for the 2021 budget year for primary public officials/employment practices liability coverage in the amount of not to exceed \$636,044.00 inclusive of commission.

**ADOPTED:**

**This 14 day January before the Governing Body:**

**Megan Champney, Chair**

**Alexander Mirabella, Secretary**

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

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

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

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

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

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

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

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

**WHEREAS**, the Treasurer has certified that funds are available, subject to approval by the board of commissioners in the 2020 budget in the amount of \$4,114 inclusive of commissions from:

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Suburban Municipal Joint Insurance Fund authorizes the Executive Director to enter into a contract with QBE Specialty Insurance Company for the 2020 budget year for optional volunteer director's and officer's liability coverage in the amount of not to exceed \$4,114 inclusive of commissions.

**ADOPTED:**

**This 14 day January before the Governing Body:**

**Megan Champney, Chair**

**Alexander Mirabella, Secretary**

**Resolution 8-21**

**SUBURBAN MUNICIPAL JOINT INSURANCE FUND  
AWARDING AN EXTRAORDINARY UNSPECIFIABLE SERVICES CONTRACT WITH INDIAN  
HARBOR INSURANCE COMPANY FOR  
PRIMARY CYBER SECURITY LIABILITY COVERAGE**

**WHEREAS**, there is a need for primary Cyber Security Liability coverage for the Suburban Municipal Joint Insurance Fund (FUND); and

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

**WHEREAS**, the Underwriting Manager is recommending award to Indian Harbor Insurance Company for primary cyber security liability coverage in the amount of \$14,679.75 inclusive of commission; and

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

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

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

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

**WHEREAS**, the Treasurer has certified that funds are available, subject to approval by the board of commissioners in the 2021 budget in the amount of \$14,940 inclusive of commission from:

Line Items:    Cyber Security Liability

**NOW, THEREFORE, BE IT RESOLVED**, that the Suburban Municipal Joint Insurance Fund authorizes the Executive Director to enter into a contract with Indian Harbor Insurance Company for the 2021 budget year for primary cyber security liability coverage in the amount of not to exceed \$14,940 inclusive of commission.

**ADOPTED:**

**This 14 day January before the Governing Body:**

**Megan Champney, Chair**

**Alexander Mirabella, Secretary**

**RESOLUTION 9-21**

**of the  
SUBURBAN MUNICIPAL JOINT INSURANCE FUND  
DESIGNATION OF OFFICIAL DEPOSITORY**

**WHEREAS**, the Suburban Municipal Joint Insurance Fund (hereinafter the Fund), finds it necessary for the proper conduct and order of business that official depositories for the Fund be designated and named; and

**WHEREAS** Investors Bank for Banking Manager - at an earnings rate based on a combined average balance of \$20,000,000 of participating joint insurance funds which will earn the higher end federal funds rate less .25% with a floor of .50%. - is hereby proposed by the Board of Fund Commissioners as the official designated depository in accord with N.J.S.A. 40A:11-5-15.1(f)

**NOW, THEREFORE, BE IT RESOLVED**, by the Suburban Municipal Joint Insurance Fund, that Investors Bank for Banking Manager - at an earnings rate based on a combined average balance of \$20,000,000 of participating joint insurance funds which will earn the higher end federal funds rate less .25% with a floor of .50%. - is hereby approved by the Board of Fund Commissioners as the official designated depository in accord with N.J.S.A. 40A:11-5-15.1(f) and that sums so deposited may be withdrawn upon a check, draft or order of the Board of Fund Commissioners; and

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

**ADOPTED:**

**This 14 day January before the Governing Body:**

**Megan Champney, Chair**

**Alexander Mirabella, Secretary**

**RESOLUTION NO. 10-21**

**SUBURBAN 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 Suburban Municipal Joint Insurance Fund (“Fund”), have continued to hold public meetings via remote platforms to ensure the continued operation of local government with participation by the public, in a way that limits public health risk; and

**WHEREAS**, in March 2020, the New Jersey Department of Community Affairs, Division of Local Government Services (“DLGS”) issued “Local Operational Guidance – COVID-19: Guidance for Remote Public Meetings in New Jersey,” which provided specific guidance regarding holding remote public meetings under the OPMA; and

**WHEREAS**, on September 24, 2020, the DLGS issued Local Finance Notice 2020-21 (“LFN 2020-21”), which provided a synopsis of newly promulgated emergency regulations N.J.A.C. 5:39-1.1 through 1.7, which establish standard protocols for remote public meetings governed by the OPMA and held during a Governor-declared state of emergency; and

**WHEREAS**, LFN 2020-21 additionally stated that the emergency regulations presently in effect are proposed for permanent adoption in the October 19, 2020 New Jersey Register, with comments submitted no later than November 18, 2020; and

**WHEREAS**, under emergency regulation N.J.A.C. 5:39-1.4(h), a local government unit is required to adopt by resolution standard procedures and requirements for public comment made during remote public meetings, as well as for public comments submitted in writing ahead of the remote public meeting.

**NOW THEREFORE BE IT RESOLVED** that the Executive Director’s Office of the Fund, does hereby resolve and agree to adopt the following procedures regarding public comments during remote public meetings:

1. Public comments for a remote public meeting shall be limited to 5 minutes for each speaker and may be made during the designated public comment section of the meeting or submitted in writing to the Executive Director’s Office of the Fund no later than four (4) hours prior to published start time of the remote meeting. Written public comments must be emailed to the Executive Director’s Office at: [catek@permainc.com](mailto:catek@permainc.com) & [nancyg@permainc.com](mailto:nancyg@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, except at the sole discretion of the Executive Director, Chair or presiding officer.
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:**

**This 14 day January before the Governing Body:**

**Megan Champney, Chair**

**Alexander Mirabella, Secretary**