

**SUBURBAN MUNICIPAL JOINT INSURANCE FUND
OPEN MINUTES
JANUARY 13, 2022
VIA ZOOM
8:00AM**

Meeting of the Fund Commissioners called to order by Acting Chairman Mirabella. Open Public Meetings notice read into record.

ROLL CALL OF 2021 FUND COMMISSIONERS:

Megan Champney, Chairwoman	City of Summit	Absent
Alexander Mirabella, Secretary	Township of Scotch Plains	Present
James Gildea	Borough of Westfield	Present
Robin Ray	Township of Bedminster	Absent
James Damato	Borough of Watchung	Present
Sean McCarthy	Township of Bernards	Present
Vincent Denave	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	Borough of Bernards	Absent
Trina Lindsey	Township of Bedminster	Absent

APPOINTED OFFICIALS PRESENT:

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

ALSO PRESENT:

Amy Pieroni, Acrisure LLC
Lindsey Travali, Acrisure LLC
Hallee Cramer, Meeker, Sharkey & Hurley
Tom Sharkey, Meeker, Sharkey & Hurley
Craig Sutherland, Meeker, Sharkey & Hurley
Renee Bays, Meeker, Sharkey & Hurley
Dominick Cinelli, Brown & Brown
Suzanne Bridge, Brown & Brown
Rich Duthie, Pinnacle Risk Solutions

MINUTES: Open and Closed Minutes of November 12, 2021

**MOTION TO APPROVE OPEN AND CLOSED MINUTES FOR NOVEMBER 12, 2021
AS PRESENTED:**

Moved: Commissioner Gildea
Second: Commissioner McCarthy
Roll Call Vote: 6 Ayes – 0 Nays

CORRESPONDENCE: NONE

MOTION TO ADJOURN SINE DIE MEETING:

Moved: Commissioner Gildea
Second: Commissioner Damato
Roll Call Vote: 6 Ayes – 0 Nays

Executive Director called the 2022 reorganization meeting of the Suburban Municipal Joint Insurance Fund to order and asked for a roll call of 2022 Fund Commissioners.

ROLL CALL OF 2022 FUND COMMISSIONERS:

Alexander Mirabella	Township of Scotch Plains	Present
James Gildea	Borough of Westfield	Present
Sean McCarthy	Township of Bernards	Present
James Damato	Borough of Watchung	Present
Megan Champney	City of Summit	Absent
Robin Ray	Township of Bedminster	Present
Vincent Denave	Township of Harding	Present

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

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 2022:

MOTION TO NOMINATE COMMISSIONER ALEXANDER MIRABELLA OF SCOTCH PLAINS TOWNSHIP AS CHAIR AND COMMISSIONER JAMES GILDEA OF WESTFIELD TOWNSHIP AS SECRETARY AND;

MOTION TO NOMINATE COMMISSIONER SEAN MCCARTHY-TOWNSHIP OF BERNARDS, JAMES DAMATO -BOROUGH OF WATCHUNG, MEGAN CHAMPNEY-CITY OF SUMMIT, COMMISSIONER ROBIN RAY-TOWNSHIP OF BEDMINSTER, AND COMMISSIONER VINCENT DENAVE – TOWNSHIP OF HARDING 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 Suriano
Second:	Commissioner Damato
Vote:	Unanimous

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

Moved:	Commissioner Suriano
Second:	Commissioner Damato
Vote:	Unanimous

FUND ATTORNEY ADMINISTERED OATH OF OFFICE TO THE FUND COMMISSIONERS.

COMPETITIVE CONTRACTS REQUEST FOR PROPOSALS (CCRFP) AND PROFESSIONAL SERVICE AGREEMENTS: The Fund procures contracts and services via the competitive contract process and/or professional services as guided by the NJ Local Public Contracts Law.

Executive Director said historically the Fund adopts a resolution each year re-confirming contract awards. However, this action is not necessary for competitive contracts as the initial resolution adopted confirms the procurement of those services for the noted contract terms. Included with the reorganization resolutions in the agenda was a memorandum confirming 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 4th or 5th year. The Resolution reflects 2% fee increases as recommended by the Contracts Review Committee.

Memo listed the fees for the following professionals in 2022:

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 1-22 ESTABLISHING A FISCAL MANAGEMENT PLAN: Resolution submitted designating Official Depositories, approving a Cash Management Plan; authorizing Signatories on Administrative Accounts, 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 be amended to include Commissioner Sean McCarthy and Anthony Suriano as additional signatories.

RESOLUTION 2-22 ESTABLISHING PUBLIC MEETING PROCEDURES.

RESOLUTION 3-22 ESTABLISHING FUND RECORDS PROGRAM.

RESOLUTION 4-22 RISK MANAGEMENT PLAN.

RESOLUTION 5-22 AWARDING EXTRAORDINARY UNSPECIFIABLE SERVICES CONTRACT WITH QBE SPECIALTY INSURANCE COMPANY FOR PRIMARY PUBLIC OFFICIALS/EMPLOYMENT PRACTICES LIABILITY COVERAGE.

RESOLUTION 6-22 AWARDING EXTRAORDINARY UNSPECIFIABLE SERVICES CONTRACT WITH QBE SPECIALTY INSURANCE COMPANY FOR OPTIONAL VOLUNTEER DIRECTOR'S AND OFFICER'S LIABILITY COVERAGE.

RESOLUTION 7-22 AWARDING EXTRAORDINARY UNSPECIFIABLE SERVICES CONTRACT WITH INDIAN HARBOR INSURANCE COMPANY FOR PRIMARY CYBER SECURITY LIABILITY COVERAGE.

RESOLUTION 8-22 DESIGNATION OF OFFICIAL DEPOSITORY.

RESOLUTION 9-22 ESTABLISH REMOTE MEETING PROCEDURES APPLICABLE DURING A DECLARED STATE OF EMERGENCY

MOTION TO ADOPT RESOLUTIONS 1-22 THROUGH 9-22 WITH AMENDMENTS TO 1-22:

Moved:	Commissioner Gildea
Second:	Commissioner McCarthy
Roll Call Vote:	6 Ayes - 0 Nays

Resolutions Made Part of Minutes.

*Commissioner Robin Ray of Bedminster joined the Zoom call at 8:19 a.m.
Commissioner Vincent Denave of Harding joined the Zoom call at 8:24 a.m.*

COMMITTEE APPOINTMENTS: Executive Director said the Fund has four standing committees. Included in the agenda was a listing of the standing committees from 2021. 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, 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, 2021 and November 30, 2021; Executive Director referred to the tracking reports as of November 30th and noted the Fund's statutory surplus stands at \$3.9 million. Executive Director reviewed the Surplus (Deficits) by Fund Year section of the Financial Fast Track noting Year 2020 and Year 2021 are in a deficit. Executive Director said it is normal to show a deficit in the beginning of the year and that Year 2020 had a small number of significant claims that were not Covid related. Executive Director added the MEL will be covering the 2020 and 2021 Covid-19 claims as one occurrence with a shared retention of \$300,000 across all Joint Insurance Funds.

Executive Director reviewed the Lost Time Accident Frequency (LTAF) as of November 30, 2021 and said the JIF's rate is 1.22. Executive Director noted many of the Funds are averaging below 2 lost days, but cautioned this is due to many factors such as the loss control efforts, member's employees working remotely and the removal of Covid-19 claims from the count.

Competitive Contracts Request for Proposals (CCRF) and Professional Services: Executive Director said the Fund procures contracts and services via the competitive contract process and/or professional services as guided by the NJ Local Public Contracts Law.

Historically the Fund adopts a resolution each year re-confirming contract awards. However, this action is not necessary for competitive contracts as the initial resolution adopted confirms the procurement of those services for the noted contract terms. Included in the agenda was a memorandum providing a summary of contracts that are currently in force.

RCF 2022 Reorganization Meeting: Executive Director said the Residual Claims Fund's 2022 Reorganization meeting was held on January 6, 2022 at 10:30 a.m. via Zoom. Included in the agenda was a copy of Commissioner Champney's report of the meeting.

EJIF 2022 Reorganization Meeting: Executive Director said the EJIF 2022 Reorganization meeting was held on January 6, 2022 at 10:50 a.m. via Zoom. Included in the agenda was a copy of Commissioner Champney's reports of the meeting.

MEL 2021 November Meeting & 2022 Reorganization Meeting: Executive Director said the MEL Board of Fund Commissioners held a meeting on November 17, 2021 at the League of Municipalities. In addition, the MEL's 2022 Reorganization meeting was held on January 6, 2022 at 11:15 am via Zoom. Included in the agenda were copies of Commissioner Champney's reports of the meetings.

Employment Practices Compliance Program: Executive Director said the Fund office is in the final stages of updating the EPL Compliance Program report and were not able to distribute the report prior to meeting. It appears that almost all, if not all, Suburban Municipal JIF members have met the deadline for compliance.

2021/2022 Elected Officials Seminar: The MEL's Annual Elected Officials Seminar was held as part of the League of Municipalities Conference. Executive Director said the MEL will shortly publish directions for the online version.

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.

2022 ASSESSMENTS: Executive Director said the 2022 assessments were mailed out via certified mail on 12/16/21, 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, 2022.

2022 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.

TREASURER:

VOUCHER LIST:

CONFIRMATION DECEMBER 2021 PAYMENTS

2020: \$24,765.00
2021: \$455,353.79
Total: \$480,118.79

CONFIRMATION DECEMBER 2021 PAYMENTS - DIVIDENDS

2021: \$65,629.00

JANUARY 2022 VOUCHER PAYMENTS, RESOLUTION 10-22

Fund Year 2021: \$211.45
Fund Year 2022: \$548,671.45
Total: \$548,882.90

CONFIRMATION OF CLAIMS PAYMENTS/CERTIFICATION OF CLAIMS' TRANSFERS FOR MONTHS OF OCTOBER 2021:

Fund Year 2021: \$86,137.87
Fund Year 2020: \$10,609.71
Fund Year 2019: \$8,053.00
Fund Year 2018: \$1,760.66
Fund Year 2017: \$0.00
Closed: \$0.00
Total: \$106,561.24

CONFIRMATION OF CLAIMS PAYMENTS/CERTIFICATION OF CLAIMS' TRANSFERS FOR MONTHS OF NOVEMBER 2021:

Fund Year 2021: \$189,164.11
Fund Year 2020: \$35,887.80
Fund Year 2019: \$2,142.00
Fund Year 2018: \$6,674.66
Fund Year 2017: \$15.00
Closed: \$0.00
Total: \$233,883.57

MOTION TO CONFIRM DECEMBER 2021 PAYMENTS, DECMEBER 2021 DIVIDEND CHECKS AND ADOPT RESOLUTION 10-22 APPROVING JANUARY 2022 BILLS LIST AND APPROVE CONFIRMATION & CERTIFICATION OF OCTOBER 2021 AND NOVEMBER 2021 CLAIM TRANSFERS AS SUBMITTED:

Moved: Commissioner McCarthy
Second: Commissioner Gildea
Roll Call Vote: 8 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.
Monthly Report Made Part of Minutes.

UNDERWRITING MANAGER:

REPORT: Underwriting Manager said the 2022 MEL Renewal has been completed. Certificates of Insurance, Auto ID Cards and policies have been distributed to members.

Underwriting Manager reminded members effective January 1, 2022 only compliance with the 2nd edition of the MEL Cyber Risk Management Program will qualify for deductible recoveries if a member suffers a cyber claim. The cyber report, which was included in the agenda, tracked members level of compliance with Tier 1, Tier 2 and Tier 3 status as part of the Cyber Compliance Program. The program 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.

Underwriting Manager added the MEL has established a Cyber Joint Insurance Fund. Executive Director said this would be set up similar to the EJIF and could provide a platform for coverages and cyber professional services.

Monthly Report Made Part of Minutes.

MANAGED CARE:

MONTHLY REPORT: Included in the agenda was the December 2021 report submitted by FMCO. Managed Care Provider said the total provider billed amount for December 2021 was \$90,907 was repriced to \$31,950 for a total savings of 65% and a PPO penetration of 97% and year-end was \$1,821,064 was re-priced to \$623,910 for a total savings of 66% and a PPO penetration of 96%.

Monthly Activity Report Made Part of Minutes.

SAFETY DIRECTOR:

MONTHLY REPORT: Included in the agenda was the January 2022 report noting the activities/trainings, MSI classes and a Safety Director bulletin distributed during that time. Safety Director added the MSI Live schedule through February has been posted.

Executive Director discussed the feasibility of hosting a Safety Breakfast in February or March. The Board discussed and agreed to hold the Safety Breakfast in March.

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: Chairman 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: Chairman Mirabella
Roll Call Vote: 9 Ayes - 0 Nays

OLD BUSINESS:

NONE

NEW BUSINESS:

FEBRUARY MEETING: Executive Director said Resolution 2-22 notes the February 10th meeting will be held in person and suggested the Fund Office poll the Board of Fund Commissioners whether or not to hold the meeting in person at the end of the month. Chairman Mirabella opened the floor to the board and Commissioner Gildea agreed to the Executive Director's suggestion.

MOTION TO ADJOURN:

Moved: Chairman Mirabella
Second: Commissioner Gildea
Vote: Unanimous

MEETING ADJOURNED: 8:45 AM

NEXT MEETING: February 10, 2022 - 8:00 AM

Brandon Tracy, Account Analyst

for

JAMES GILDEA, SECRETARY

RESOLUTION NO. 1-22

SUBURBAN MUNICIPAL JOINT INSURANCE FUND
(Hereafter referred to as "THE FUND")
ESTABLISHING A FISCAL MANAGEMENT PLAN
FOR THE 2022 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 2022 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.

CHAIR

SECRETARY

TREASURER

COMMISSIONER

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
Edward Koreivo, 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.

ADOPTED:
this day before the Board of Fund Commissioners:

Chair

date

Secretary

date

Signatures are in reference to resolution 1-22

RESOLUTION NO: 2-22

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

ESTABLISHING PUBLIC MEETING PROCEDURES

WHEREAS, the FUND must establish meeting procedures for Fund Year 2022; 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 to conduct the official business of the FUND on the second Thursday of each month at 8AM except August and December. Meetings are anticipated to be held at the Scotch Plains Municipal Building but are subject to change. The reorganization meeting on January 12, 2023 will be held at Scotch Plains Municipal Building at 8AM.

- II.** Each Public Comments session is limited to thirty (30) minutes; any one person may address the Chairperson for a maximum of five (5) minutes; once a particular topic has been addressed by a member of the public, subsequent comments on that same topic by other people is limited to a maximum of two (2) minutes; citizens who have spoken once during the session will not be recognized a second time; and speakers are required to state their names and address.

- III.** The following is hereby designated the official newspaper (s) of the Fund: The Star Ledger, Newark, New Jersey 07101 and Somerville Courier News, Somerville NJ. The Fund's webpage is designated for official notices www.smjif.org.

- IV.** The FUND Secretary or designated assistant shall provide notice of any and all meetings, including special or emergency meetings, to each official newspaper and shall issue all official notices required to be published in at least one of the official newspapers.

ADOPTED this day;

Chair

date

Secretary

date

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 2022 fund year.

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

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

Records and files not required to support current operations, but which must otherwise be retained, shall be stored in the record retention facility, located at Access, 80 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 day by the Board of Fund Commissioners

Chair

date

Secretary

date

RESOLUTION 4-22

Suburban Municipal Joint Insurance Fund (hereinafter the "Fund" or the "SBMU JIF") ESTABLISHING THE 2022 PLAN OF RISK MANAGEMENT

BE IT RESOLVED by the Fund's Commissioners that the 2022 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, 2022:

- 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, 2021)
- Emergency Service Volunteer Automobile Physical Damage
- Terrorism

Limits of Coverage

Unless otherwise stated, all limits shown apply less any local member unit's SIRs/deductibles , 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: \$300,000
- Employer's Liability: \$300,000
- USL&H, Harbor Marine/Jones Act, Incidental Foreign Workers' Compensation, Communicable Disease: Per Person
- MEL Excess Limit: Statutory
- Employer's Liability Excess Limit: \$6,700,000

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

- Fund Limit: \$300,000

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

3. **Optional Excess Liability Limit**

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

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

The MEL also offers Optional JIF Shared Aggregate Excess Liability coverage, with limits of \$10,000,000 from the MEL. This coverage is only available to members of the Fund who purchase all \$20,000,000 available to them from the Optional Excess Liability Limits.

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

4. Public Officials Liability / Employment Practices Liability

Each local member unit is 100% commercially insured with 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: \$300,000 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.

11. Cyber

The Fund purchases Cyber insurance

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

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, High Hazard Flood Zone: \$52,500,000
 - a. Aggregate : \$75,000,000
 - Named Storm: Included
 - Vehicles: \$10,000,000
- Member deductibles:
 - All Other: \$2,500
 - Automobile Physical Damage: \$2,500
 - Equipment Breakdown: \$5,000
 - SFHA Flood Maximum available NFIP limit, per location, regardless if member purchases it or not, but no less than \$500,000 building / \$500,000 contents (\$250,000 / \$100,000 for housing

- authorities and related non-profit buildings), but no more than the value of the building and contents.
- Named Storm (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.

14. **Terrorism**

Aggregate: \$125,000,000

Individual Self-Insured Retentions

Optional Individual Self-Insured Retentions:

Amount of Risk to be Retained by the Fund

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

1. **Workers' Compensation:** \$300,000
2. **Liability:** \$300,000
 - NJ Uninsured/Underinsured Motorist: \$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
14. **Terrorism**: \$0

Commercial Insurance / Reinsurance Purchased

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

1. **Non-Owned Aircraft Liability**: The Fund purchases this coverage through the MEL from Endurance
2. **Excess Property & Equipment Breakdown**: The Fund purchases this coverage from the MEL
3. **Excess Liability**: The Fund purchases this coverage from the MEL
4. **Excess Workers' Compensation**: The Fund purchases this coverage from the MEL
5. **Excess Crime**: The Fund purchases this coverage from the MEL
6. **Public Officials Liability / Employment Practices Liability**: The Fund purchases this coverage from 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
9. **Environmental Impairment Liability**: EJIF}
10. **Annual Aggregate Stop Loss**: MEL
11. **Emergency Service Volunteer Automobile Physical Damage** : None
12. **Terrorism**: The Fund purchases this coverage from the MEL

Section II – Conditions

The Amount of Unpaid Claims to be Established

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

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

1. By November 15th of each year, the actuary computes the probable net cost for the upcoming Fund year by line of coverage and for each prior Fund year. The actuary includes all budget items in these computations. The annual assessment of each participating member is its pro rata share of the probable net cost of the upcoming Fund year for each line of coverage as computed by the actuary.
2. The calculation of pro rata shares is based on each member's experience modified manual premium for that line of coverage. The Commissioners also adopts a capping formula which limits the increase of any member's assessment from the preceding year to the Fund wide average increase plus a percentage selected by the Commissioners. The total amount of each member's annual assessment is certified by majority vote of the Commissioners at least one (1) month prior to the beginning of the next fiscal year.
3. The treasurer deposits each member's assessment into the appropriate accounts, including the administrative account, and the claim or loss retention trust fund account by Fund year for each type of coverage in which the member participates.
4. If a local unit becomes a member of the Fund or elects to participate in a line of coverage after the start of the Fund year, such participant's assessments and supplement assessments are reduced in proportion to that part of the year which had elapsed.
5. The Commissioners may by majority vote levy upon the participating members additional assessments wherever needed or so ordered by the Commissioner of Insurance to supplement the Fund's claim, loss retention or administrative accounts to assure the payment of the Fund's obligations. All supplemental assessments are charged to the participating members by applicable Fund year, and shall be apportioned by the year's assessments for that line of coverage.
6. Should any member fail or refuse to pay its assessments or supplemental assessments, or should the Fund fail to assess funds required to meet its obligations, the chairman or in the event by his or her failure to do so, the custodian of the Fund's assets, shall notify the Commissioner of Insurance and the Director of Community Affairs. Past due assessments shall bear interest at the rate established annually by the Commissioners.
7. 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 th	January 31 st	1 st quarter
	April 30 th	2 nd quarter
	July 31 st	3 rd quarter
December 15 th	January 31 st	4 th quarter plus any adjustments
	<u>Etc.</u>	

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. 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 13 day of January, 2022 by the Commissioners:*

Suburban Municipal JOINT INSURANCE FUND

Chairperson

Secretary

Resolution 5-22

**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 \$596,260.00 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 2022 budget in the amount of \$596,260.00 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 2022 budget year for primary public officials/employment practices liability coverage in the amount of not to exceed \$596,260.00 inclusive of commission.

Chair

date

Secretary

date

**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 \$4,114 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 2022 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 2022 budget year for optional volunteer director’s and officer’s liability coverage in the amount of not to exceed \$4,114 inclusive of commissions.

Chair

date

Secretary

date

Resolution 7-22

**SUBURBAN MUNICIPAL JOINT INSURANCE FUND
AWARDING AN EXTRAORDINARY UNSPECIFIABLE SERVICES CONTRACT WITH
XL INSURANCE 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 XL Insurance for primary cyber security liability coverage in the amount of \$29,880.00 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, XL Insurance will submit a Business Entity Disclosure Certification and a Political Contribution Disclosure form which certifies that XL Insurance 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 XL Insurance 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 2022 budget in the amount of \$29,880.00 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 XL Insurance for the 2022 budget year for primary cyber security liability coverage in the amount of not to exceed \$29,880.00 inclusive of commission.

Chair

date

Secretary

date

RESOLUTION 8-22

**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 .40%. - is hereby proposed by the Board of Fund Commissioners as the official designated depository in accord with N.J.S.A. 40A:11-5-15.1(f)

NOW, THEREFORE, BE IT RESOLVED, by the 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 .40%. - is hereby approved by the Board of Fund Commissioners as the official designated depository in accord with N.J.S.A. 40A:11-5-15.1(f) and that sums so deposited may be withdrawn upon a check, draft or order of the Board of Fund Commissioners; and

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

ADOPTED:

this day before the Governing Body:

Chairman

date

Secretary

date

RESOLUTION NO. 9-22

**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 2020-22 (“LFN 2020-22”), 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 2020-22 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 & 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 affect immediately.

Chair

Secretary

**SUBURBAN MUNIICIPAL JOINT INSURANCE FUND
BILLS LIST**

Resolution No. 10-22

January 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 treasure to issue warrants in payment of the following claims; and

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

FUND YEAR 2021

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
002037			
002037	NEWTECH SERVICES INC.	MONTHLY WEBSITE MAINT & DR 12/21	175.00
			175.00
002038			
002038	ACCESS	ACCT #416 - ARC. AND STOR. - 11.30.21	36.45
			36.45
		Total Payments FY 2021	211.45

FUND YEAR 2022

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
002039			
002039	MUNICIPAL EXCESS LIABILITY JIF	FPB - MEL 2022 - 1ST QUARTER	1,423.25
			1,423.25
002040			
002040	FIRST MANAGED CARE OPTION	MANAGED CARE SERVICES 1/22	7,133.86
			7,133.86
002041			
002041	MUNICIPAL EXCESS LIABILITY JIF	PROPERTY - MEL 2022 - 1ST QUARTER	117,551.00
002041	MUNICIPAL EXCESS LIABILITY JIF	MEL - MEL 2022 - 1ST QUARTER	303,210.18
			420,761.18
002042			
002042	N.J. MUNICIPAL ENVIRONMENTAL JIF	2022 EJIF - 1ST INSTALLMENT	65,401.00
			65,401.00
002043			
002043	QUAL-LYNX	CLAIM ADJUSTING SERVICES 1/22	18,440.91
			18,440.91
002044			
002044	J.A. MONTGOMERY RISK CONTROL	SAFETY DIRECTOR - LOSS CONT. SERV. 1/22	5,755.29
			5,755.29
002045			
002045	PERMA RISK MANAGEMENT SERVICES	EXECUTIVE DIRECTOR FEE 1/22	15,933.88
			15,933.88
002046			
002046	THE ACTUARIAL ADVANTAGE	FUND ACTUARY FEE 1/22	2,845.89
			2,845.89
002047			
002047	RALPH A MARESCA, JR	TREASURER FEE 1/22	1,660.94
			1,660.94

002048			
002048	MUNICIPAL EXCESS LIABILITY JIF	MSI - MEL 2022 - 1ST QUARTER	7,406.25
			7,406.25
002049			
002049	NEWTECH SERVICES INC.	MONTHLY WEBSITE MAINT & DR 1/22	175.00
			175.00
002050			
002050	CONNER STRONG & BUCKELEW	UNDERWRITING MANAGER FEE 1/22	1,734.00
			1,734.00
		Total Payments FY 2022	548,671.45
		TOTAL PAYMENTS FUND YEARS	548,882.90

Chairperson

Attest:

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

Treasurer