

MUNICIPAL EXCESS RESIDUAL CLAIMS LIABILITY FUND
MINUTES
October 21, 2020
VIA TELECONFERENCE
10:30 AM

Meeting of Executive Committee called to order by Secretary Clarke, who read the Open Public Meeting Notice as follows: In accordance with the Open Public Meetings Act, notice of this meeting was provided by:

- I. sending sufficient notice to The Star Ledger
- II. advance written notice of this meeting was filed with the member Joint Insurance Funds,
- III. posting this notice on the Public Bulletin Board of all members

Secretary Clarke led Commissioners in the Pledge of Allegiance.

ROLL CALL OF 2020 EXECUTIVE COMMITTEE / FUND COMMISSIONERS:

Gregory Franz	Chairman	South Bergen	Present
John Clarke	Secretary	MEL	Present
Paul Tomasko	Executive Committee	Bergen	Present
Tom Nolan	Executive Committee	Monmouth	Present
Joseph Wolk	Executive Committee	Camden	Present
Brian Bigler	Executive Committee	NJUA	Present
Joseph Catenaro	Executive Committee	Sub Essex	Present
David Matchett	Alternate #1	Burlco	Present
Richard Hirsch	Alternate #2	Atlantic	Present
Jon Rheinhardt	Alternate #3	Morris	Present
Tom Merchel	Alternate #4	PMM	Present
Sherry Sims	Alternate #5	PHA	Present
Veronica Laureigh	Alternate #6	Ocean	Absent
William Northgrave	Alternate #7	Central	Present
Megan Champney	Alternate #8	SubMuni	Present
Robert Law	Alternate #9	Trico	Present

Executive Director

PERMA Risk Management Services

Joseph Hrubash, Cathleen Kiernan

Deputy Executive Director

Arthur J. Gallagher RMS, Inc.

Paul Miola

Attorney

Dorsey & Semrau

Fred Semrau, Esq.,

Treasurer

Charles Cuccia

Claims Supervisor

CB Claims

Christopher Botta

Actuary

The Actuarial Advantage

Kyle Mrotek, Eric Bause

Auditor

Wielkottz & Company, LLC

Jim Cerullo

ALSO PRESENT:

Don Sciolaro, Waldwick Borough
Ezio Altamura, GJEM Insurance Agency
John Casagrande, Danskin Insurance Agency
Frank Covelli, P.I.A
Katherine Young, Alamo Insurance Group
Kathy Kissane, Qual-Lynx
Michael Avalone, Conner Strong & Buckelew
Ed Cooney, Conner Strong & Buckelew
Dave Grubb, PERMA
Brad Stokes, PERMA
Steve Sacco, PERMA
Pauline Kontomanolis, PERMA
Robyn Walcoff, PERMA
Jennifer Conicella, PERMA
Jason Thorpe, PERMA
Nancy Ghani, PERMA
Brandon Tracy, PERMA,
Sandra Cantwell, PERMA

APPROVAL OF MINUTES: September 2, 2020 Open Session

MOTION TO APPROVE SEPTEMBER 2, 2020 OPEN MINUTES:

Moved: Commissioner Sims

Second: Commissioner Hirsch

Vote: 13 Ayes – 2 Abstention (Commissioners Sims and Northgrave)

CORRESPONDENCE:

None.

TREASURER:

RESOLUTION 16-20 APPROVING OCTOBER 2020 VOUCHER PAYMENTS (BILLS LIST):

2020	\$45,420.71
TOTAL	\$45,420.71

MOTION TO ADOPT RESOLUTION 16-20 APPROVING THE OCTOBER 2020 VOUCHER LIST AS SUBMITTED:

Moved: Commissioner Hirsch

Second: Commissioner Wolk

Roll Call Vote: Unanimous

EXECUTIVE DIRECTOR REPORT

Executive Director noted that Chairman Franz was calling from the road and asked that Secretary Clarke run the meeting.

2021 Budget: The Executive Director said at the September 2nd meeting the 2021 Budget was introduced and that there have been no budget changes since introduction. Executive Director said the public hearing is scheduled for this meeting and that the 2021 budget was enclosed in the agenda for review.

MOTION TO OPEN THE PUBLIC HEARING ON THE 2021 BUDGET:

Moved:	Commissioner Rheinhardt
Second:	Commissioner Sims
Vote:	Unanimous

DISCUSSION OF AMENDMENTS TO BUDGET & ASSESSMENTS; SEEING NONE...

MOTION TO CLOSE THE PUBLIC HEARING:

Moved:	Commissioner Wolk
Second:	Commissioner Law
Vote:	Unanimous

Executive Director suggested and Secretary Clarke agreed that the 2021 budget and the remaining action items can be rolled into a consent agenda with a roll call.

2020 Fiscal Management Plan Amendment: Executive Director reported that the Fund Office has been notified that Ms. Janet Buggle has retired from Qual-Lynx. Ms. Buggle is an authorized signer on the Qual-Lynx claims accounts therefore Resolution 17-20 is put forth to remove Ms. Buggle as a signatory for the Fund.

Request for Qualifications (RFQ): Executive Director noted that the RFQs for professional services for the 2021-2023 contract term were released on July 22, 2020 with a response deadline of September 9, 2020. The responses have been reviewed and scored by the Contract Review Committee. Their recommendations on the awards will be confirmed at reorganizational meeting scheduled on January 6, 2021.

2020 Commissioner Compensation: Executive Director reported that the 2020 commissioner attendance record as of the September meeting was listed in the agenda. In order to be compensated, the motion for Resolution 18-20 will be added to the consent agenda authorizing the Treasurer to make payments to the Fund Commissioners for the 2020 meeting attendance.

2016 Claim Transfers: Executive Director stated that members of the RCF Fund will be asked to adopt the resolution included in the agenda at their October / November meeting to transfer their 2016 claim liabilities to the RCF. Executive Director added that assessments to local JIFs will be determined by the valuation as of December 31, 2020.

MOTION TO MOVE ON ADOPTING THE 2021 BUDGET, RESOLUTION 17-20 UPDATING THE SIGNATORIES LIST IN THE 2020 FISCAL MANAGEMENT PLAN, THE 2021 – 2023 PROFESSIONAL CONTRACTS TO BE AWARDED AT REORGANIZATION, RESOLUTION 18-20 AUTHORIZING PAYMENTS FOR

**2020 FUND COMMISSIONER MEETING ATTENDANCE, AND THE 2016
CLAIMS TRANSFERS FOR RCF MEMBERS:**

Moved:	Commissioner Hirsch
Second:	Commissioner Wolk
Roll Call Vote:	Unanimous

Claims Committee: Executive Director noted that the Claims Review Committee met on September 2nd and also today prior to this Fund meeting. The Claims Committee will meet again at 3:00 p.m. on December 2nd, please note the time change for the December meeting.

Next Meeting: Executive Director indicated that the next meeting is the Fund reorganizational meeting, scheduled for January 6, 2021 at 10:30AM. The meeting will be held virtually.

Pro-Forma Monitoring Report: Executive Director referred to the Regulatory Check List as of 10/14/20 is included for informational purposes.

ATTORNEY REPORT: Fund Attorney Semrau said the claims committee met this morning and they are doing very good work presenting the claims.

OLD BUSINESS:

NONE

NEW BUSINESS:

In response to Commissioner Hirsch, Executive Director confirmed that the vouchers for Commissioner's meeting attendance can be emailed or faxed to the Parsippany office, to the attention of Sandra Cantwell. The Fund office will email the voucher with instructions.

In response to Executive Director, Fund Attorney said he is working with MEL Executive Committee on a memo and resolution addressing the changes to the public meeting protocol for conducting meetings during a state of emergency. In response to Commissioner Clarke, the Fund Attorney said the resolution would stand in the future as well addressing the current pandemic, and should be renewed annually.

PUBLIC COMMENT:

NONE

MOTION TO ADJOURN:

Moved:	Commissioner Merchel
Second:	Commissioner Rheinhardt
Vote:	Unanimous

MEETING ADJOURNED: 10:41AM

Sandra Cantwell, Assisting Secretary
for
John Clarke, SECRETARY

MUNICIPAL EXCESS LIABILITY RESIDUAL CLAIMS FUND

BILLS LIST

RESOLUTION 16-20

OCTOBER 2020

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

BE IT RESOLVED that the Municipal Excess Liability Residual Claim Fund's Executive Board, hereby authorizes the Fund treasurer to issue warrants in payment of the following claims; and

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

FUND YEAR 2020

<u>CheckNumber</u>	<u>VendorName</u>	<u>Comment</u>	<u>InvoiceAmount</u>
001534			
001534	PERMA RISK MANAGEMENT	POSTAGE 8/20	6.50
	SERVICES		
001534	PERMA RISK MANAGEMENT	EXEC DIRECTOR/ADMIN 10/20	17,050.99
	SERVICES		
			17,057.49
001535			
001535	THE ACTUARIAL ADVANTAGE	ACTUARY FEE 10/20	3,516.17
			3,516.17
001536			
001536	DORSEY & SEMRAU	ATTORNEY - 4TH QTR 2020	10,143.90
			10,143.90
001537			
001537	CHARLES CUCCIA	TREASURER FEE 10/20	3,334.16
			3,334.16
001538			
001538	NJ ADVANCE MEDIA	ACCT#XMUNI0555929 - AD - 8.14.20	440.10
			440.10
001539			
001539	CB CLAIMS, LLC	CLAIMS SUPERVISION/ADMIN 9.24.20	5,133.61
			5,133.61
001540			
001540	ALLSTATE INFORMATION	ACCT#809 - ARC & STOR - 8.31.20	31.31
	MANAGEMNT		31.31
001541			
001541	ARTHUR J. GALLAGHER RISK MSI	DEPUTY ADMIN/EXEC 10/20	5,763.97
			5,763.97
		Total Payments FY 2020	45,420.71
	TOTAL	PAYMENTS ALL FUND YEARS	\$45,420.71

Chairperson

Attest: _____

Dated: _____

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

Treasurer

RESOLUTION NO. 17-20

MUNICIPAL EXCESS LIABILITY RESIDUAL CLAIMS FUND

(hereafter referred to as “THE FUND”)

AMENDING FISCAL MANAGEMENT PLAN

FOR THE 2020 FUND YEAR

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

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

NOW, THEREFORE BE IT RESOLVED, THE FUND’s Executive Committee that:

- I. 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;

Gregory Franz, CHAIRMAN

John Clarke, SECRETARY

Charles Cuccia, TREASURER

Joseph Catenaro, COMMISSIONER

- II. All funds for Claims payments handled by the applicable Claims Administrator noted below 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. The Chairman and Secretary or designated Commissioner shall also be a signatory.

Charles Cuccia	Fund Treasurer
Fred Semrau	Dorsey & Semrau
Kathie Tyler Schohl	Dorsey & Semrau
Dave S. Ruber	Qual-Lynx
Alice H. Lihou	Qual-Lynx
Russell Huntington	JIF Claims L.L.C.
Dawn Mulligan	JIF Claims L.L.C.
Kathleen McGuire	Bergen Risk Managers
Jason Cosimano	Bergen Risk Managers
Jennifer Dittmer	Bergen Risk Managers
John Markel	Bergen Risk Managers
Christopher Botta, Esq.	CB Claims, LLC
Georganne Jussel	CB Claims, LLC
Robert Fisher	Robert Fisher, Esq.
Susan C. Hammer	Lenape Claims Management
Lauren Jensen	Lenape Claims Management

Juan Lopez
Michael Sullivan
Benjamin Hilton
Debra Davenport
Bob Blankenship
Joseph House

AmeriHealth Casualty Services
AmeriHealth Casualty Services
Sedgwick CMS
Sedgwick CMS
Sedgwick CMS
Sedgwick CMS

- III. 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.
- IV. The Cash and Investment Policy attached herewith, shall be adopted.
- V. 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.
- VI. 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 21st day of October, 2020.

Chairman

Secretary

RESOLUTION 18-20

**AUTHORIZING THE MUNICIPAL EXCESS LIABILITY RESIDUAL CLAIMS FUND
TO PAY COMMISSIONERS FOR ATTENDANCE
AT FUND COMMISSIONER MEETINGS
FOR THE FUND YEAR 2020**

WHEREAS, N.J.S.A. 40A:10-36 permits the creation of a Joint Insurance Fund for Local Public Entities, and

WHEREAS, said Statute permits the Board of Commissioners to vote to allow those Fund Commissioners who serve on the Board of Fund Commissioners or Executive Committee to receive up to \$150 per regular Meeting attended,

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Municipal Excess Liability Residual Claims Fund as follows:

Each regular and alternate member of the Board of Fund Commissioners of the Municipal Excess Liability Residual Claims Fund is permitted to receive \$150 per regular monthly Board Meetings attended by said member.

**MUNICIPAL EXCESS LIABILITY
RESIDUAL CLAIMS FUND**

Chairman

Dated

Secretary

Dated