

**BERGEN COUNTY MUNICIPAL JOINT INSURANCE FUND  
MINUTES  
MEETING – MARCH 19, 2020  
VIA TELECONFERENCE**

Meeting of Fund Commissioners called to order by Chairman Paul Hoelscher. Open Public Meetings notice read into record.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL OF 2020 EXECUTIVE COMMITTEE:**

Paul Hoelscher, Chairman	Borough of Harrington Park	Present
Paul Tomasko, Secretary	Borough of Alpine	Present
Robert Shannon	Township of Wyckoff	Present
Don Sciolaro	Borough of Waldwick	Present
Ted Preusch	Borough of Upper Saddle River	Present
Lenora Benjamin	Borough of Glen Rock	Present
Diane Didio	Borough of Oradell	Present

**EXECUTIVE COMMITTEE ALTERNATES:**

James Cleary	Borough of Cresskill	Present
Fred Pitofsky	Borough of Closter	Present
Quentin Wiest	Township of Mahwah	Present
Tomas Padilla	Borough of Woodcliff Lake	Present

**APPOINTED OFFICIALS PRESENT:**

Executive Director/Administrator	PERMA Risk Management Services <b>David N. Grubb, Joseph Hrubash, Nancy A. Ghani, Brandon Tracy</b>
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Attorney	Huntington Bailey LLP <b>Russ Huntington, Esq.</b>
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Liability Claims Service	JIF Claims, L.L.C. <b>Dawn Mulligan</b>
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Workers Compensation Claim Service & Managed Care	Bergen Risk Managers <b>Kathleen Cosimano, Rose Bozzone Jason Cosimano</b>
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Treasurer	<b>Matthew Laracy</b>
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Safety Director/Law Enforcement Risk Control	J.A. Montgomery <b>Brian Maitland, Ken Schulz, Scott Thompson</b>
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**PRESENT:**

Lynn Vanderlinden, Tenafly Fund Commissioner  
Jennifer Conicella, PERMA  
Brian Eifert, **Eifert French**  
Ezio Altamura, **GJEM Otterstedt**  
Gerard Quinn, **Conklin and Kraft Agency**  
Dominick Cinelli, **Brown & Brown**  
Dan Larsen, **Johl & Company**  
Frank Covelli, **P.I.A.**

Matt McArow Sr., **GJEM Otterstedt**  
Arthur Caughlan, **Nelson-Patterson**  
Stephen Puntasecca, **The Height Agency**  
Linda D'Alessio, **Eifert French**

**MINUTES:** Open and Closed Minutes of February 20, 2020.

**MOTION TO APPROVE OPEN AND CLOSED MINUTES FROM FEBRUARY 20, 2020:**

Moved: Commissioner Preusch  
Second: Commissioner Pitofsky  
Roll: Unanimous

**CORRESPONDENCE:**

NONE

**CLOSED SESSION:**

Executive Director said it would be appropriate to schedule a Claims Review Committee separately from this meeting in order to review and discuss pending claims. Discussion ensued and a majority of Executive Committee members, as well as the Fund Attorney and the Third-Party Administrators, were available to meet on Friday March 20, 2020 at 10AM via conference to review claims.

**COMMITTEE REPORTS:**

**SAFETY & AWARD COMMITTEE - ROBERT SHANNON, CHAIR:** The Safety Committee met last month; enclosed in the agenda were the minutes from the February meeting for information. Committee Chairman Shannon said the annual Safety Breakfast was held on March 10<sup>th</sup> and thirty-five out of thirty-eight members received a safety award.

**EXECUTIVE DIRECTOR:**

**DUE DILIGENCE REPORTS:** Monthly reports submitted to the Executive Committee including monthly Financial Fast Track, Loss Ratio, Lost Time Accident Frequency, Investment Summary and Rate Comparison, Expected Loss Ratio by Town Report and the Claim Activity Report.

Executive Director said the Financial Fast was not available for the month since PERMA's accounting staff is working with the Fund's Auditors to provide them information. Executive Director referred to the other tracking reports as of January 31<sup>st</sup> and said the numbers were green to indicate any trends, but noted the Fund is in a stable financial position.

**PROPOSED BYLAW AMENDMENT:** Executive Director said as previously discussed, Bergen Risk Managers Inc. (BRM) merged with Acrisure LLC, which owns an agency that acts as a Risk Manager for a Fund member. This created a conflict with the JIF Bylaws and at the February meeting, the Board agreed to recommendations made by the Management Committee to introduce a bylaw amendment regarding revising language in *Article III Risk Managers Section 1*. Enclosed in the agenda was the proposed language revision, which was shaded for reference.

Executive Director said this meeting serves as the Public Hearing on the bylaw amendment. If approved then member municipalities have six months to approve the proposed bylaw amendment, which require 75% member approval.

**MOTION TO OPEN THE PUBLIC HEARING ON THE BYLAWS:**

Moved: Commissioner Preusch  
Second: Commissioner Hoelscher  
Roll: Unanimous

**DISCUSSION OF BYLAWS**

*Hearing no comments or questions...*

**MOTION TO CLOSE THE PUBLIC HEARING AND AUTHORIZE THE FUND OFFICE TO DISTRIBUTE THE PROPOSED AMENDMENT TO MEMBERS:**

Moved: Commissioner Sciolaro  
Second: Commissioner Didio  
Roll: Unanimous

**CONTINUANCE OF CONTRACTUAL PAYMENTS AND AUTHORIZATION FOR ALL PROFESSIONALS:** Due to the State-wide emergency it is important for the fund to issue a resolution for the continuance of payment. Enclosed in the agenda was a resolution approving Claim Authority Payments as Presented in Executive Session, Executive Director's Report;

**MOTION TO ADOPT RESOLUTION 18-20 AUTHORIZING THE CONTINUANCE OF CONTRACTUAL AND CLAIM PAYMENTS UNTIL THE MAY 21, 2020 MEETING:**

Moved: Commissioner Sciolaro  
Second: Commissioner Pitofsky  
Roll: 11 Ayes – 0 Nays

**APRIL 16, 2020 MEETING:** Executive Director said in response to the State-wide emergency, and if the April 16, 2020 meeting is cancelled the Treasurer is directed to continue to make, during the month of April, all contractual payments which customarily become due and the professionals are directed to continue to perform their services, with the understanding that any and all actions that they take shall be confirmed at the May 21, 2020 meeting. Enclosed is the resolution.

**MOTION TO ADOPT RESOLUTION 19-20 APPROVING THE APRIL BILLS LIST; TREASURER'S REPORTS; ATTORNEY'S REPORTS; UNDERWRITING MANAGER'S REPORTS; MONTHLY CERTIFICATES; SAFETY DIRECTOR'S REPORTS; AND MANAGED CARE PROVIDER'S REPORTS:**

Moved: Commissioner Preusch  
Second: Commissioner Pitofsky  
Roll: 11 Ayes – 0 Nays

**BERGEN COUNTY JIF EXECUTIVE COMMITTEE MEETINGS:** In light of the concerns surrounding the Covid-19 virus, Executive Director suggested that future Bergen JIF meetings be telephonic until further notice. A copy of a template public notice was distributed, which was prepared by the MEL Attorney for telephonic meetings. Also, previously attached and referred to was a resolution allowing claims payments be made in the event we need to cancel a meeting. The Executive Committee agreed that future meetings be held telephonically until further notice.

**2020 MEL/RCF/EJIF MARCH 27TH MEETING & RETREAT:** The MEL, RCF and EJIF will be holding their March meetings telephonically on March 27<sup>th</sup>. An official notice is forthcoming. The MEL Annual Retreat has been cancelled and may be rescheduled at a later date.

**ELECTED OFFICIALS TRAINING:** This year's elected officials training program will focus on Preventing Child Abuse and Protecting Public Entities from the liabilities imposed by new legislation concerning sexual molestation. Instructor-led sessions have been cancelled due to the state wide emergency. The \$250 credit may still be earned until May 1<sup>st</sup> online at NJMEL.org; directions for the online course were enclosed in the agenda.

**2020 MEL & MRHIF & NJCE EDUCATIONAL SEMINAR:** The 10th annual seminar scheduled for Friday, May 1, 2020 has been postponed and will be rescheduled at a later date.

**EPL COMPLIANCE PROGRAM:** Enclosed in the agenda was a memorandum outlining this year's Employment Practices Liability Program, including manual/handbook updates and training requirements. The MEL contracted with a law firm to conduct a comprehensive review of the model personnel manual/handbook. As a result, the compliance deadline for all elements of the compliance program have been pushed back to June of 2021.

**EMPLOYEES AND VOLUNTEERS PROTECTING CHILDREN TRAINING:** The MEL developed a new training program on protecting children which is already on the Learning Management System. Enclosed in the agenda were the directions to take the course. We are in the process of drafting a notice informing members of the materials on our webpage for Protecting Our Children which includes this training, model documents and resource guide.

**LEAGUE MAGAZINE:** Enclosed in the agenda was the latest in the series of "Power of Collaboration" to appear in the League magazine. Each of the MEL advertisements highlights activities of the MEL and JIFs, as well as, people who have rendered significant service. This advertisement highlights the upcoming three-day course, which focuses on basic managerial responsibilities, leadership strategies and supervisory skills. The course also includes interactive group exercises, case studies and self-assessments.

**ANNUAL SAFETY BREAKFAST:** The Safety Breakfast was held on March 10, 2020 and 35 of the 38 members qualified for an award based on participation in the 2019 Safety Incentive Program. The 2020 Safety Incentive Program has been distributed to Safety Coordinators, Fund Commissioners and Risk Managers and is also available at [www.bcjif.org](http://www.bcjif.org).

**2020 FINANCIAL DISCLOSURES:** JIF Commissioners should anticipate the online filing of the Financial Disclosure forms inclusive of any other municipal related positions that require filing. It is anticipated the Division of Local Government Services will distribute a notice with filing instruction in March with a deadline to file by April 30<sup>th</sup>.

Executive Director said in closing it is unknown what will emerge from this public health emergency, but stressed that the MEL and the Bergen JIF have financial and personnel resources in place. Executive Director said COVID-19 related work exposures are being submitted and tracked.

Executive Director's Report Made Part of Minutes.

**TREASURER:**

**REPORT:** Included in the agenda were the March 2020 Bills List as Resolution, 12-20, the Treasurer's Report for month ending January 31st reflecting the January Bills List, Claims Payments and Cash Position, as well as, Assessment Status by member. Also included were the January and February Summary of Cash Transactions reports.

**Approving Payments of March 2020 Vouchers Resolution 20-20**

<b>TOTAL 2019</b>	28,250.00
<b>TOTAL 2020</b>	258,570.12
<b>TOTAL</b>	\$286,820.12

**MOTION TO APPROVE RESOLUTION 20-20 VOUCHER LIST FOR MARCH 2020 AND TREASURER'S REPORTS AS PRESENTED:**

Motion: Commissioner Tomasko  
Second: Commissioner Pitofsky  
Vote: 11 Ayes – 0 Nays

Treasurer's Reports Made Part of Minutes.

**FUND ATTORNEY:**

**REPORT:** Fund Attorney said due to the public health emergency there has been temporary relief on restrictions related to OPRA response times. Fund Attorney said members may contact his office if they need additional information.

**UNDERWRITING MANAGER:**

**LIST OF CERTIFICATES ISSUED:** Included as part of the report was a List of Certificates issued for the period of 1/22/2020 to 2/22/2020.

**CYBER COMPLIANCE REPORT:** Included as part of the report was a list of members that submitted a questionnaire in order to achieve Tier 1 or Tier 2 status in the event of a cyber-related claim where a deductible may be eligible for reimbursement.

**SAFETY DIRECTOR:**

**REPORT:** Safety Director said due the current health emergency all MEL Safety Institute in-person classes have been cancelled; however, the MEL Safety Institutes has an extensive online trainings available. Safety Director's report was included in the agenda for review; report included February activities, and copies of distributed Safety Director Bulletins.

Monthly Activity Report Made Part of Minutes.

**MANAGED CARE:**

**REPORT:** Managed Care Provider reviewed the February 2020 report, which was included in the agenda; report indicated a saving of 68% for the month and 62% since inception.

Monthly Activity Report Part of Minutes.

**CLAIMS:**

**REPORT:** Included in the agenda was a report on case law pertaining to public entities.

Monthly Activity Report Part of Minutes.

**OLD BUSINESS:**

NONE

**NEW BUSINESS:**

NONE

**PUBLIC COMMENT:**

NONE

**MOTION TO ADJOURN:**

Motioned:	Commissioner Didio
Second:	Commissioner Preusch
Vote:	Unanimous

**MEETING ADJOURNED: 5:57PM**

Nancy A. Ghani, Assisting Secretary

For

**Paul Tomasko, SECRETARY**

**BERGEN COUNTY MUNICIPAL JOINT INSURANCE FUND**

**RESOLUTION AUTHORIZING THE CONTINUANCE OF CONTRACTUAL PAYMENTS AND AUTHORIZATION FOR ALL PROFESSIONALS TO CONTINUE SERVICES**

**WHEREAS**, the Bergen County Municipal Joint Insurance Fund (hereinafter “the Fund”) is duly constituted as an insurance Fund and is subject to all applicable laws and regulations of the State of New Jersey; and

**WHEREAS**, the Fund Commissioners have deemed it necessary and appropriate to provide authorization to the Fund Professionals to pay certain Fund contracted payments and claim expenses during the month(s) when the Fund does not meet; and

**NOW THEREFORE, BE IT RESOLVED**, by the Fund Commissioners of the Bergen County Municipal Joint Insurance Fund as follows:

The Fund Treasurer is authorized to make all contracted payments and expenses for the month(s) in which the Fund does not meet for which shall be ratified by the Fund at its next regularly scheduled meeting, and

All professionals are directed to proceed in the normal course to take any and all steps necessary to resolve cases which are outstanding for which the JIF will confirm their actions at the next regularly scheduled meeting, the only exception being if there is an item which is deemed to be extraordinary by General Counsel, authorization shall be sought either by the Chairman, Vice Chairman or the Secretary of the Fund before that action is taken by the professional.

**BERGEN COUNTY MUNICIPAL JOINT INSURANCE FUND**

**ADOPTED: *this day 19<sup>th</sup> of March 2020 by the Executive Committee:***

**Paul Hoelscher,  
Chairperson**

**Paul Tomasko  
Secretary**

**RESOLUTION 19-20**

**RESOLUTION OF THE BERGEN COUNTY MUNICIPAL JOINT  
INSURANCE FUND AUTHORIZING THE CONTINUANCE OF  
CONTRACTUAL AND CLAIM PAYMENTS  
UNTIL THE MAY 21, 2020 MEETING**

**WHEREAS**, by way of this resolution, in the event that the April 16, 2020 meeting is canceled, cted to continue to make, during the month of April, all contractual payments which customarily become due and the professionals are directed to continue to perform their services, with the understanding that any and all actions that they take shall be confirmed at the May 21, 2020 meeting, except in the case of emergency or a matter which would be deemed by General Counsel to be extraordinary, authorization shall be sought from the Chairman and/or Secretary of the Bergen JIF.

**WHEREAS**, the Bergen County Municipal Joint Insurance Fund has a Claims Review Committee that meets on a monthly basis and makes its recommendations to the Board of Fund Commissioners for payment of claims; and

**WHEREAS**, the Claims Review Committee has set forth a schedule for its meetings and has advertised that schedule in accordance with the Open Public Meetings Act,

**BE IT RESOLVED**, by the Commissioners of the Bergen Count Municipal Joint Insurance Fund as follows:

In the event the regular scheduled meeting for April 16, 2020 is cancelled,

The Treasurer is authorized to make payment for all contracted services for April as same are usually paid for notwithstanding that there will not be a meeting in April to confirm those payments.

All professionals are directed to proceed in the normal course to take any and all steps necessary to resolve cases which are outstanding for which the Bergen JIF will confirm their actions at the May 21, 2020 meeting, the only exception being if there is an item which is deemed to be extraordinary by General Counsel, authorization shall be sought either by the Chairman or the Secretary of the Bergen JIF before that action is taken by the professional.

The Claims Review Committee is hereby authorized the approve payment authority requests submitted by the Fund's Claims Administrators at the Committee's duly scheduled and advertised April 18, 2020 meeting.

The foregoing resolution was duly adopted by the Bergen County Municipal Joint Insurance Fund at a public meeting held on March 19, 2020.

**BERGEN COUNTY MUNICIPAL JOINT INSURANCE FUND**

**ADOPTED: *this day 19<sup>th</sup> of March 2020 by the Executive Committee:***

**Paul Hoelscher,  
Chairperson**

**Paul Tomasko  
Secretary**

**BERGEN COUNTY MUNICIPAL JOINT INSURANCE FUND  
BILLS LIST**

Resolution No. 20-20

MARCH 2020

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

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

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

<u>FUND YEAR 2019</u>			
<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
002253			
002253	EMERSON BOROUGH	SAFETY INCENTIVE PROGRAM 2019	1,750.00
			<b>1,750.00</b>
002254			
002254	LEONIA BOROUGH	SAFETY INCENTIVE PROGRAM 2019	1,000.00
			<b>1,000.00</b>
002255			
002255	ORADELL BOROUGH	SAFETY INCENTIVE PROGRAM 2019	1,750.00
			<b>1,750.00</b>
002256			
002256	PARK RIDGE BOROUGH	SAFETY INCENTIVE PROGRAM 2019	2,500.00
			<b>2,500.00</b>
002257			
002257	WOODCLIFF LAKE BOROUGH	SAFETY INCENTIVE PROGRAM 2019	1,750.00
			<b>1,750.00</b>
002258			
002258	OLD TAPPAN BOROUGH	SAFETY INCENTIVE PROGRAM 2019	2,500.00
			<b>2,500.00</b>
002259			
002259	ALPINE BOROUGH	SAFETY INCENTIVE PROGRAM 2019	2,500.00
			<b>2,500.00</b>
002260			
002260	MIDLAND PARK BOROUGH	SAFETY INCENTIVE PROGRAM 2019	2,500.00
			<b>2,500.00</b>
002261			
002261	CRESSKILL BOROUGH	SAFETY INCENTIVE PROGRAM 2019	750.00
			<b>750.00</b>
002262			
002262	BERGENFIELD BOROUGH	SAFETY INCENTIVE PROGRAM 2019	2,500.00
			<b>2,500.00</b>
002263			
002263	GLEN ROCK BOROUGH	SAFETY INCENTIVE PROGRAM 2019	2,500.00
			<b>2,500.00</b>
002264			
002264	MAHWAH TOWNSHIP	SAFETY INCENTIVE PROGRAM 2019	1,000.00
			<b>1,000.00</b>
002265			
002265	RIDGEWOOD VILLAGE	SAFETY INCENTIVE PROGRAM 2019	1,000.00
			<b>1,000.00</b>
002266			
002266	FAIR LAWN BOROUGH	SAFETY INCENTIVE PROGRAM 2019	2,500.00
			<b>2,500.00</b>
002267			
002267	WALDWICK BOROUGH	SAFETY INCENTIVE PROGRAM 2019	1,750.00
			<b>1,750.00</b>
		<b>Total Payments FY 2019</b>	<b>28,250.00</b>



**FUND YEAR 2020**

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
002268	BERGEN RISK MANAGERS, INC.	MANAGED CARE 3/20	33,857.39
002268	BERGEN RISK MANAGERS, INC.	FROI 3/20	1,362.49
			<b>35,219.88</b>
002269	RIVER VALE TOWNSHIP	POLICE AGENCY ACCRED 2.11.20	25,000.00
			<b>25,000.00</b>
002270	SEASON'S CATERING	BERGEN SAFETY MEETING 3.10.20	5,830.00
			<b>5,830.00</b>
002271	BERGEN RISK MANAGERS, INC.	TPA 3/20	29,186.69
			<b>29,186.69</b>
002272	JIF CLAIMS, L.L.C.	LIABILITY/PROPERTY TPA 3/20	32,364.67
			<b>32,364.67</b>
002273	J.A. MONTGOMERY RISK CONTROL	SAFETY DIRECTOR 3/20	17,032.08
			<b>17,032.08</b>
002274	PERMA RISK MANAGEMENT SERVICES	EXEC DIRECTOR 3/20	33,813.07
			<b>33,813.07</b>
002275	THE ACTUARIAL ADVANTAGE	ACTUARY FEE 3/20	4,581.67
			<b>4,581.67</b>
002276	HUNTINGTON BAILEY, L.L.P.	ATTORNEY FEE 3/20	5,480.08
			<b>5,480.08</b>
002277	LARACY ASSOCIATES LLC	TREASURER FEE 3/20	1,541.67
			<b>1,541.67</b>
002278	CONNER STRONG & BUCKELEW	UNDERWRITING FEE 3/20	1,524.00
			<b>1,524.00</b>
002279	NEWTECH SERVICES, INC.	WEB MAINT/HOST 3/20	75.00
			<b>75.00</b>
002280	ALLSTATE INFORMATION MANAGEMNT	ACCT#408 - ARC & STOR - 2.29.20	86.57
002280	ALLSTATE INFORMATION MANAGEMNT	ACCT#408 - ARC & STOR - 1.31.20	77.08
			<b>163.65</b>
002281	THE RODGERS GROUP, LLC	CONSULTING 3/20	4,666.66
			<b>4,666.66</b>
002282	VIC FADINI	RMC FEE-1ST QTR 2020-WASHINGTON	5,651.00
002282	VIC FADINI	RMC FEE-1ST QTR 2020-NORWOOD	3,454.00
			<b>9,105.00</b>
002283	THE HEIDT AGENCY	MIDLAND PARK BORO-RMC-1ST QTR 2020	3,980.00
			<b>3,980.00</b>
002284	PROFESSIONAL INSURANCE ASSOC.	RMC FEE - 1ST QTR 2020 - WALDWICK	5,864.00
002284	PROFESSIONAL INSURANCE ASSOC.	RMC FEE - 1ST QTR 2020 - MONTVALE	6,035.00
002284	PROFESSIONAL INSURANCE ASSOC.	RMC FEE - 1ST QTR 2020 - FAIR LAWN	10,740.00
002284	PROFESSIONAL INSURANCE ASSOC.	RMC FEE - 1ST QTR 2020 - MAHWAH	14,813.00
			<b>37,452.00</b>
002285	BURTON AGENCY, INC.	GLEN ROCK - RMC - 1ST QTR 2020	8,594.00
			<b>8,594.00</b>
002286	JOHL & CO.,INC	EMERSON BORO - RMC - 1ST QTR 2020	2,960.00
			<b>2,960.00</b>
		<b>Total Payments FY 2020</b>	<b>258,570.12</b>
		<b>TOTAL PAYMENTS ALL FUND YEARS \$</b>	<b>286,820.12</b>

**BERGEN COUNTY MUNICIPAL JOINT INSURANCE FUND****ADOPTED: this day 19<sup>th</sup> of March 2020 by the Executive Committee:****Paul Hoelscher,  
Chairperson****Paul Tomasko  
Secretary**