

**BERGEN COUNTY MUNICIPAL JOINT INSURANCE FUND  
MINUTES  
MEETING – JUNE 18, 2020  
VIA TELECONFERENCE**

Meeting of Fund Commissioners called to order by Chairman Paul Hoelscher. Open Public Meetings notice read into record. The actions taken during the Fund meeting were voted on at the end to approve the consent agenda.

**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
Dianne 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, Brandon Tracy</b>
Attorney	Huntington Bailey LLP <b>Russ Huntington, Esq.</b>
Liability Claims Service	JIF Claims, L.L.C. <b>Dawn Mulligan</b>
Workers Compensation	Bergen Risk Managers <b>Kathleen McGuire</b>
Claim Service & Managed Care	<b>Rose Bozzone, Jason Cosimano</b>
Treasurer	<b>Matthew Laracy</b>
Safety Director	J.A. Montgomery <b>Brian Maitland, Ken Schulz, Keith Hummel</b>
Underwriting Manager	Conner Strong & Buckelew <b>Ed Cooney</b>

**PRESENT:**

Robyn Walcoff, **PERMA**  
Jennifer Conicella, **PERMA**

Ezio Altamura, **GJEM Otterstedt Agency**  
Matt McArow Sr. – **GJEM Otterstedt Agency**  
Matt McArow Jr – **GJEM Otterstedt Agency**  
John Zisa, **Scirrocco Group**  
Arthur Caughlan, **Nelson-Patterson Agency**  
Brian Eifert, **Eifert French & Company**  
Linda D’Alessio, **Eifert French & Company**  
Frank Covelli, **P.I.A. Agency**  
Stephen Puntasecca, **The Height Agency**  
Dominick Cinelli, **Brown & Brown**  
Gerard Quinn, **Conklin and Kraft Agency**  
David Vozza, **The Vozza Agency**  
Lynnaire Vanderlinden, **Tenaflly Borough**  
Dan Larsen, **Johl & Company**  
Robert Steinbruch, **Eastern Insurers**

**MINUTES:** Open and Closed Minutes of May 21, 2020.

**MOTION TO APPROVE OPEN AND CLOSED MINUTES FROM May 21, 2020:**

Moved:	Commissioner Pitofsky
Second:	Commissioner Cleary
Roll:	Unanimous

**CORRESPONDENCE:**

NONE

**COMMITTEE REPORTS:**

NONE

**EXECUTIVE DIRECTOR:**

**CLAIMS REVIEW:** A meeting was held at 5:00PM on June 18, 2020 to review the Payment Authority Requests (PARs) in advance of this meeting. It would be appropriate to take action to approve the PARs as presented, and authorize the Executive Director to settle court cases involving two members. The Attorney stated the Defendants do not need to be named.

**MOTION TO ACCEPT THE PAYMENT AUTHORITY REQUESTS (PARS) AS PRESENTED.**

Moved:	Commissioner Shannon
Second:	Commissioner Pitofsky

**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 reviewed the Financial Fast Track, and stated the financials were promising. Executive Director referred to Page 5 of the agenda, and said the Lost Ratio at the end of April was only 15% compared to 24% from last year due to a slowdown of operations. This is displayed in the Lost Time Accident Frequency report on page 8. Executive Director noted the severity of the 1,000 plus Covid-19 claims is still unknown.

**PROFESSIONAL SERVICES:** Executive Director said with the exception of Treasurer, the 3-year contract period for all other professional services, various consulting firms and other services will

expire at year-end. Enclosed in the agenda was a Resolution drafted for use by local JIFs for the procurement of these services.

**MOTION TO ADOPT RESOLUTION 28-20 AUTHORIZING THE USE OF COMPETITIVE CONTRACT REQUEST FOR PROPOSALS FOR VARIOUS CONSULTING, PROFESSIONAL SERVICES, CONSULTING AND OTHER SERVICES.**

Moved: Commissioner Shannon  
Second: Commissioner Pitofsky

**RCF REPORT:** The RCF met on June 3, 2020 via teleconference; enclosed in the agenda was Commissioner Tomasko's report. Commissioner Tomasko noted the major item was the transfer of \$21 million of open liabilities from local JIFs in the MEL system to the RCF, which is done annually.

**EJIF REPORT:** The EJIF met on June 3, 2020 via teleconference; enclosed in the agenda was Commissioner Tomasko's report.

**MEL REPORT:** The MEL met on June 3, 2020 via teleconference; enclosed is Commissioner Tomasko's report. Executive Director said the 2021 rate table was adopted at the June meeting allowing for the Fund Office to start to put together the 2021 budget with no increase in the budget. Commissioner Tomasko noted this should be viewed as a positive, and that the MEL is working hard to find ways to save money for its members.

**UPCOMING SEMINAR "FACING AND EMBRACING CRISIS FOR YOUR MUNICIPALITY":** Executive Director stated the MEL's Marketing Manager, Princeton Strategic Communications, will hold a webinar for MEL membership on June 30<sup>th</sup> at 10:30 A.M. on crisis management. The 2-hour program features a specialized panel of experts whom will cover topics such as how to develop a crisis communications plan for your municipality and how to face the public and the media in a crisis situation. The invite to register for the webinar will be distributed by JAM.

**JOINT CASH MANAGEMENT & INVESTMENT PROGRAM (JCMI):** Executive Director noted the JCMI continues to purchase Bond Anticipation Notes (BANs) issued by MEL member municipalities. Executive Director stated purchases have reached \$92 million. The early purchases include Bergen JIF member BANs. The program to date has been very successful and has saved some of MEL member municipalities thousands of dollars while increasing the investment yield of JCMI members significantly higher than traditional investments. Executive Director said the MEL began purchasing BANs due to the favorable investment yields and interest expressed by MEL members.

**EPL COMPLIANCE PROGRAM:** Executive Director said the MEL approved the revised Personnel Manuals and Employee Handbooks at their June 3<sup>rd</sup> meeting. Following some minor adjustments, the documents will be uploaded to the MEL webpage. The Fund Office will issue notices to members when that has been completed.

**INFORMATIONAL**

**2020 COVERAGE DOCUMENTS:** Executive Director said the fund office will begin distributing the 2020 coverage documents to all Fund Commissioners and Risk Managers via origami in the first weeks of June.

Deputy Executive Director said the 2020 Coverage policies will be uploaded to Origami and a notice will be distributed by the Fund Office once they are uploaded. Move this comment to appear under 2020 Coverage Documents.

**MEL CYBER TASK FORCE:** Executive Director stated the MEL's Cyber Task Force met on May 15<sup>th</sup>. The Task Force has begun the process of revising the MEL's Cyber Risk Management Program.

**MEL EPL HELPLINE:** Enclosed in the agenda was a copy of the bulletin concerning the Fund's EPL Hotline for reference. Members are encouraged to contact any of the three firms when they need guidance. The MEL worked with QBE to restructure the helpline so that assistance is now provided by New Jersey law firms with municipal and JIF experience.

**NJUA SAFETY EXPO 2020:** Executive Director stated the New Jersey Utility Authorities JIF (NJUA) and the Municipal Excess Liability Joint Insurance Fund (MEL) have had to cancel the NJUA Safety Expo scheduled for June 19<sup>th</sup> at the Middlesex Fire Academy. Each year, the Expo is held in two locations; one in June and the second in September. A decision has not yet been made for the September training.

**EJIF INSPECTION PROGRAM:** Executive Director said in an effort to continue inspection services to EJIF members during the current health crisis, the EJIF authorized its Environmental Engineer to provide remote support services.

**2020 FINANCIAL DISCLOSURES:** Executive Director stated the Division of Local Government Services distributed a notice that online filings could begin on Monday March 30<sup>th</sup> for JIF Commissioners, as well as, any other municipal related positions that require filing. Emails were sent to Fund Commissioners and Professionals. To date 12 Fund Commissioners have not completed their filing; the fund office will issue reminders to those individuals.

In light of the circumstances surrounding COVID-19, the Local Finance Board, at its meeting of April 22, 2020, voted to extend the date at which the Board would take enforcement action against non-fillers of the 2020 FDS until July 31, 2020 from the statutory deadline of April 30, 2020. The Board appreciates and recognizes the dedication of local government officers and employees during this difficult time.

**AGENDA ELECTRONIC MAILING:** Executive Director stated over the past several years, the JIFs have increasingly been moving towards providing all meeting materials electronically, saving resources of time and material, and also more environmentally conscientious. Going forward, agendas will be emailed unless otherwise requested. Executive Director stated to request a bound agenda please contact Nancy Ghani or Brandon Tracy.

**CYBER SECURITY AWARENESS TRAINING CONSULTANT COMPETITIVE CONTRACT REQUEST FOR PROPOSALS (CCRFP):** Executive Director stated earlier this year, this Fund along with South Bergen and Central JIFs issued a CCRFP for Cyber Security Awareness Training. Responses were reviewed, but no award was made and the committee recommended another CCRFP be issued. Central JIF has re-established its cyber taskforce and will be moving in a different direction.

Enclosed in the agenda was Resolution 30-20 authorizing a joint purchasing agreement with the South Bergen JIF to procure these services. A joint JIF Evaluation Committee will be needed to review the responses.

**MOTION TO ADOPT RESOLUTION 30-20 AUTHORIZING A JOINT PURCHASING AGREEMENT WITH SOUTH BERGEN JIF FOR CYBERSECURITY AWARENESS CONSULTANT.**

Motion: Commissioner Tomasko

Second: Commissioner Cleary

**SHARED AGGREGATE EXCESS LIABILITY:** Executive Director stated the Fund approved the option for members to purchase additional excess limits of \$10m excess \$20m on a shared aggregate basis. Members wishing to secure additional limits may contact the Fund office for quotes based on effective date requested to bind coverage and after confirmation from Ed Cooney, the MEL Underwriting Manager.

**BYLAW AMENDMENT:** Executive Director said to date only eleven members have submitted their approval to accept the By-Law amendment proposed at April’s meeting. The deadline to submit a resolution in support of a bylaw amendment is October 16, 2020.

Executive Director’s Report Made Part of Minutes.

**TREASURER:**

**REPORT:** In in the agenda was the June Bills List as Resolution, 29-20, the Treasurer’s Report for month ending May 30<sup>th</sup> reflecting the May Bills List, Claims Payments and Cash Position, as well as, Assessment Status by member. Also included were the May Summary of Cash Transactions reports and the Investment Report.

**Approving Payments of June 2020 Vouchers Resolution 29-20:**

<b>TOTAL 2019</b>	\$1,233,388.68
<b>TOTAL 2020</b>	\$187,916.66
<b>TOTAL</b>	\$1,421,305.34

**MOTION TO APPROVE RESOLUTION 29-20 VOUCHER LIST FOR JUNE 2020 AND TREASURER’S REPORTS AS PRESENTED:**

Moved: Commissioner Sciolaro  
Second: Commissioner Pitofsky

Treasurer's Reports Made Part of Minutes.

**FUND ATTORNEY:**

**REPORT:** Fund Attorney said there was nothing to report for the month.

**UNDERWRITING MANAGER:**

Underwriting Manager reviewed a bulletin that was released prior to the Fund meeting, that summarized the topics in the various Executive Orders’ such as the re-openings of Parks and Restaurants. Underwriting Manager said J.A. Montgomery is working on a one-page document that highlights the questions that have been fielded by both professionals, and notes J.A. Montgomery’s courses and capabilities during the ongoing pandemic.

**LIST OF CERTIFICATES ISSUED:** Included as part of the report was a List of Certificates issued for the period of 4/22/2020 to 5/22/2020.

**CYBER COMPLIANCE REPORT:** Included in the agenda was a Cyber Compliance report as of 6/1/2020. The report listed member’s cyber compliance status as approved or incomplete. Incomplete status indicates member did not submit a questionnaire in Origami and/or submitted but requires additional documentation

Underwriting Manager said the MEL Cyber Task Force is updating the MEL Cyber Risk management program through clarifications, and the addition or removal or requirements.

**SAFETY DIRECTOR:**

**REPORT:** Safety Director’s report was included in the agenda for review; report included May activities, and copies of distributed Safety Director Bulletins. Safety Director noted COVID-19

bulletins and updates can be found on the MEL website. Safety Director said J.A. Montgomery has launched other services such as MSI Now, an online streaming service of training topics since the suspension of in person trainings and suspension of the DVDs rental program. Safety Director said since the launch of MSI Now there have been over 850 streams almost eclipsing last year's DVD rental usage of 900 DVD's. J.A. Montgomery's Webinars have trained over 500 participants. Safety Director said an Administrative Overview class has been added to the July schedule and will provide a detailed overview on the features of the Learning Management System.

Monthly Activity Report Made Part of Minutes.

**MANAGED CARE:**

**REPORT:** Managed Care Provider reviewed the May 2020 report, which was included in the agenda; report indicated a saving of 62% for the month and 62% since inception. Managed Care Provider said a lighter month than usual due to the many doctors who were not accepting patients due to the health crisis. This will change as Doctor's will be resuming in person medical care.

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:**

**MOTION TO ADOPT THE CONSENT AGENDA:**

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

**HOLD HARMLESS:** Brian Eifert of Eifert French & Company asked the Executive Director if the Hold Harmless agreement could be enhanced to add Covid-19 language for their members. Deputy Executive Director advised that the MEL attorney is working on a revised waiver form to address the re-opening. It would be a model template that would be expected to be run by the municipal's attorney prior to adopting.

Ezio Altamura said he has a sample hold harmless that he created and is willing to share with anyone that is interested regarding Outdoor Dining, and Sports group. The sample hold harmless agreement includes Covid-19 language and the Governor's Executive Orders.

**PUBLIC COMMENT:**

Frank Covelli, of Professional Insurance Associates, thanked the Fund office and both Bergen and South Bergen JIFs for launching a joint JIF effort for Cyber Security Training Awareness.

NOTE TO DELETE AFTER - CALL ME SOMETIME FOR MY NOTE/THOUGHTS ON THIS

**MOTION TO ADJOURN:**

Motioned:	Commissioner Shannon
Second:	Commissioner Cleary
Roll:	Unanimous

**MEETING ADJOURNED: 5:55PM**

Brandon Tracy, Assisting Secretary  
For

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**Paul Tomasko, SECRETARY**

**RESOLUTION 28-20**

**BERGEN COUNTY MUNICIPAL JOINT INSURANCE FUND  
RESOLUTION AUTHORIZING THE HIRING  
OF VARIOUS CONSULTING, PROFESSIONAL SERVICES, CONSULTING AND OTHER SERVICES  
THROUGH THE COMPETITIVE CONTRACTING PROCESS**

**WHEREAS**, the Bergen County Municipal Joint Insurance Fund (Hereinafter the "Fund") has a need for the following services to be provided for the efficient operation of the Fund;

ACTUARY  
EXECUTIVE DIRECTOR  
AUDITOR  
CLAIMS ADMINISTRATOR – WORKERS COMPENSATION & MANAGED CARE  
CLAIMS ADMINISTRATOR – GENERAL LIABILITY/AUTO LIABILITY  
FUND ATTORNEY  
INTERNAL AUDITOR  
MANAGED CARE  
SAFETY DIRECTOR  
UNDERWRITING MANAGER

and

**WHEREAS**, the Fund under the authority of (N.J.S.A. 11:15-2.4) is subject to the auspices of the New Jersey Local Publics Contract Law for its procurement at (N.J.S.A.40A:11-1); and

**WHEREAS**, such desired services are currently available to be provided through the competitive contracting process under the New Jersey Local Publics Contract Law, (N.J.S.A. 40A:11-4.1(a) through (n)).; and

**WHEREAS**, the Fund desires to evaluate such service offerings from Vendors within the procedures as set forth in the New Jersey Local Publics Contract Law (N.J.S.A.40A:11-4.1 et. seq. and N.J.A.C. 5:34-4 et. Seq.); and

**WHEREAS**, the competitive contracting process satisfies the fair and open requirement as established under (N.J.S.A. 19:44A-20.4 et. Seq.), and

**WHEREAS**, the Fund desires to enter into a contract that will satisfy the needs of the Fund; and

**WHEREAS**, as per statute the process will be administered by the Executive Director (N.J.S.A 40A:11-4.5(d));

**NOW, THEREFORE, BE IT RESOLVED** by the Executive Committee of the Bergen County Municipal Joint Insurance Fund resolve to authorize the Executive Director to procure the Professional Services, Consulting, and other services through the competitive contacting process in accord with (N.J.S.A. 40A:11-4.1 et. Seq.), as follows:

ACTUARY  
EXECUTIVE DIRECTOR  
AUDITOR  
CLAIMS ADMINISTRATOR – WORKERS COMPENSATION & MANAGED CARE  
CLAIMS ADMINISTRATOR – GENERAL LIABILITY/AUTO LIABILITY  
FUND ATTORNEY  
INTERNAL AUDITOR  
MANAGED CARE

SAFETY DIRECTOR  
UNDERWRITING MANAGER

**BERGEN COUNTY MUNICIPAL JOINT INSURANCE FUND**

**Adopted this 18 day of June 2020**

Paul Hoelscher, Chairman

Paul Tomasko, Secretary



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

**Resolution No. 29 - 20**

**JUNE 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.

**FUND YEAR CLOSED**

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
002343			
002343	MUNICIPAL EXCESS LIABILITY RCF	12.31.19 SURPLUS TRIGGER ASSESS	177,128.00
			<b>177,128.00</b>
002344			
002344	MUNICIPAL EXCESS LIABILITY RCF	2019 RCF ASSESS - CLOSURE OF FY 2015	1,056,260.68
			<b>1,056,260.68</b>
		<b>Total Payments FY CLOSED</b>	<b>1,233,388.68</b>

**FUND YEAR 2020**

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
002345			
002345	BERGEN RISK MANAGERS, INC.	MANAGED CARE 6/20	33,857.39
002345	BERGEN RISK MANAGERS, INC.	FROI 6/20	1,362.49
			<b>35,219.88</b>
002346			
002346	BERGEN RISK MANAGERS, INC.	TPA 6/20	29,186.69
			<b>29,186.69</b>
002347			
002347	JIF CLAIMS, L.L.C.	LIABILITY 6/20	32,364.67
			<b>32,364.67</b>
002348			
002348	J.A. MONTGOMERY RISK CONTROL	SAFETY DIRECTOR 6/20	17,032.08
			<b>17,032.08</b>
002349			
002349	PERMA RISK MANAGEMENT SERVICES	EXEC DIRECTOR 6/20	33,813.07
			<b>33,813.07</b>
002350			
002350	THE ACTUARIAL ADVANTAGE	ACTUARY FEE 6/20	4,581.67
			<b>4,581.67</b>
002351			
002351	HUNTINGTON BAILEY, L.L.P.	ATTORNEY FEE 6/20	5,480.08
			<b>5,480.08</b>
002352			
002352	LARACY ASSOCIATES LLC	TREASURER.FEE 6/20	1,541.67
			<b>1,541.67</b>
002353			
002353	CONNER STRONG & BUCKELEW	UNDERWRITING FEE 6/20	1,524.00
			<b>1,524.00</b>

002354				
002354	NEWTECH SERVICES, INC.	WEB MAINT/HOST 6/20	75.00	
			<b>75.00</b>	
002355				
002355	RUSSO & ASSOCIATES LLC	FUND MEMBERS FOR WC 5/20	11,591.85	
			<b>11,591.85</b>	
002356				
002356	CONKLIN & KRAFT AGENCY	LEONIA BORO - RMC - 2ND QTR 2020	3,876.50	
002356	CONKLIN & KRAFT AGENCY	LEONIA - RMC - 1ST QTR 2020	3,876.50	
			<b>7,753.00</b>	
002357				
002357	NELSON PATTERSON AGENCY, INC.	LEONIA BORO - RMC - 2ND QTR 2020	3,876.50	
002357	NELSON PATTERSON AGENCY, INC.	LEONIA BORO - RMC - 1ST QTR 2020	3,876.50	
			<b>7,753.00</b>	
		<b>Total Payments FY 2020</b>		<b>187,916.66</b>
		<b>TOTAL PAYMENTS ALL FUND YEARS</b>	<b>\$</b>	<b>1,421,305.34</b>

## **BERGEN COUNTY MUNICIPAL JOINT INSURANCE FUND**

**Adopted this 18 day of June 2020**

Paul Hoelscher, Chairman

Paul Tomasko, Secretary

**RESOLUTION OF THE BERGEN COUNTY MUNICIPAL JOINT INSURANCE FUND,  
AUTHORIZING A JOINT PURCHASING AGREEMENT WITH THE  
SOUTH BERGEN COUNTY MUNICIPAL JOINT INSURANCE FUND**

**WHEREAS**, there is a need for the members of the Bergen County Municipal Joint Insurance Fund and the South Bergen Municipal Joint Insurance Fund to provide for a cybersecurity awareness training consultant for the provision of goods and services for the members of the FUNDS; and

**WHEREAS**, the New Jersey Local Publics Contract Law allows for the joint procurement of goods and services under the authority of N.J.S.A.40A:11-10 (a) to wit:

“N.J.S.A.40A:11-10 (a) (1) The governing bodies of two or more contracting units may provide by joint agreement for the provision and performance of goods and services for use by their respective jurisdictions”; and

**WHEREAS**, The FUNDS are organized as public entities pursuant to N.J.S.A.40A:10-36 to provide property/casualty insurance to its members and subject to public procurement authority as encompassed within N.J.S.A 40A:11-1 et. Seq; and

**WHEREAS**, it is the desire of the FUNDS to procure a cybersecurity awareness training consultant through the competitive contract process with the South Bergen Municipal Joint Insurance Fund acting as the LEAD agency.

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

1. That there shall exist a joint purchasing agreement with the South Bergen County Municipal Joint Insurance Fund for the procurement of a cybersecurity training consultant with the South Bergen Municipal Joint Insurance Fund acting as the lead agency in accord with N.J.S.A.40A:11-10 et. Seq.,

**BERGEN COUNTY MUNICIPAL JOINT INSURANCE FUND**

**Adopted this 18 day of June 2020**

Paul Hoelscher, Chairman

Paul Tomasko, Secretary