

NEW JERSEY COUNTIES EXCESS JOINT INSURANCE FUND

OPEN MINUTES

FEBRUARY 24, 2022

VIA TELECONFERENCE

9:30 AM

**MEETING OF THE FUND CALLED TO ORDER AT 9:30 A.M. BY CHAIRMAN ANGILELLA
OPEN PUBLIC MEETING ACT READ INTO RECORD**

PLEDGE OF ALLEGIANCE

2022 REORGANIZATION: Executive Director said in accordance with the NCJE Bylaws this meeting will be conducted as the Fund's annual reorganization meeting. To do so, the NJCE Bylaws require a quorum. Executive Director asked for a roll call of the 2022 Fund Commissioners.

ROLL CALL BOARD OF 2022 FUND COMMISSIONERS

Ross Angilella, Chairman	Camden County	Present
Tim Sheehan, Secretary	Gloucester County	Present
Janette Kessler, Commissioner	Atlantic County	Present
Ashley Buono, Commissioner	Burlington County	Present
Kimberly Wood, Commissioner	Cumberland County	Present
John Kelly, Commissioner	Ocean County	Absent
Edmund Shea, Commissioner	Hudson County	Present
Lillian Nazaro, Commissioner	Mercer County	Absent
Laura Scutari, Commissioner	Union County	Present
Teri O'Connor, Commissioner	Monmouth County	Absent

ALTERNATE FUND COMMISSIONERS

Anna Marie Wright	Camden County	Present
Carl Block	Ocean County	Present
Raissa Walker	Mercer County	Present
Eugenio Esquivel	Union County	Present
Christopher Marion	Monmouth County	Present

APPOINTED OFFICIALS PRESENT:

Executive Director/Administrator	PERMA Risk Management Services Joseph Hrubash, Bradford Stokes, Nancy A. Ghani, Brandon Tracy
Attorney	Laura Paffenroth, Esq.
Safety Director	JA Montgomery Risk Control Paul Shives, Glenn Prince
Underwriting Manager	Conner Strong & Buckelew Edward Cooney, Jonathon Tavares, Rachel Perry
WC Claims Administrator	AmeriHealth Casualty Services Tracy Ware, Gladys Driggins, Kerin Drumhieser
Property Claims Administrator	Qual Lynx Chris Roselli

ALSO PRESENT:

Mary Ann Sander, Conner Strong & Buckelew
Christina Violetti, Hardenbergh Insurance Group
Gail White, Scirocco Group

Steve Sacco, PERMA
Cathy Dodd, PERMA
Karen Read, PERMA
Robyn Walcoff, PERMA
Jennifer Conicella, PERMA
Jason Thorpe, PERMA
Sean O’Beirne, Alliant Americas
Jennifer Beck, Alliant Americas
Peter Soriero, Allied Risk Management Services
Robin Racioppi, IMAC
Vicky Sjulander, Alliant Boynton
Douglas Borden, Borden Perlman Salisbury & Kelly
Monette Galello, Claims Resolution Corporation
Kathie Minnie, Old Republic

MINUTES: Open Minutes as of December 16, 2021 were included in agenda for review.

MOTION TO APPROVE OPEN AND CLOSED MINUTES FROM DECEMBER 16, 2021 AS PRESENTED:

Moved: Chairman Angilella
Second: Commissioner Shea
Vote: Unanimous

CORRESPONDENCE:

SPECIAL PRESENTATION: None

MOTION TO ADJOURN SINE DIE MEETING:

Moved: Chairman Angilella
Second: Commissioner Shea
Vote: Unanimous

Chairs vacated- Chair asked Executive Director to run meeting

EXECUTIVE DIRECTOR’S REPORT:

2022 REORGANIZATION

2022 CHAIR & SECRETARY NOMINATION: Executive Director said Commissioners Angilella and Sheehan served as the Chair and Secretary respectively for 2021 and have indicated their availability to serve again for this year. Since there were no other nominations for Chair and Secretary part of the reorganization process was to adopt Resolution 1-22, which was included in the agenda, certifying the election.

MOTION TO ELECT ROSS ANGILELLA AS CHAIR AND TIMOTHY SHEEHAN AS SECRETARY AND ADOPT RESOLUTION 1-22.

Moved: Commissioner Kelly
Second: Commissioner Wood
Vote: Unanimous

2022 REORGANIZATION RESOLUTIONS: Included as part of the consent agenda are the 2022 Reorganization Resolutions.

- Resolution 1-22, Certifying the Election of Chairman & Secretary
- Resolution 2-22, Appointing PERMA as Agent for the Fund for Process of Service
- Resolution 3-22, Designating Custodian of Fund Records
- Resolution 4-22, Designating Official Newspapers for the Fund
- Resolution 5-22, Fixing 2021 & 2022 Reorganization Meeting Dates
- Resolution 6-22, Designating Depositories for Fund Assets, Interest Rate, Cash Mgmt. Plan
- Resolution 7-22 Designating Signatures for Fund Bank Accounts
- Resolution 8-22, Indemnifying NJCE Officials/Employees

Resolution 9-22, Fund Treasurer to Process Contracted Payments/Expenses
Resolution 10-22, Appointing Fund Treasurer
Resolution 11-22, Appointing Fund Attorney
Resolution 12-22, 2021 Risk Management Plan
Resolution 13-22, Remote Public Meeting Procedures

MOTION TO APPROVE RESOLUTIONS 2-22 TO 13-22.

Moved: Commissioner Wood
Second: Commissioner Kessler
Roll Call Vote: 10 Ayes – 0 Nays

FINANCE SUB-COMMITTEE: The Finance Sub-committee met on Tuesday, February 22, 2022; copies of the committee agenda were included in the agenda for information.

Executive Director reported the 2022 renewal at the expiring program structure, where available, resulted in higher member premiums for ancillary coverage lines primarily the Cyber Liability, Pollution Liability, medical malpractice and POL/EPL where applicable. These coverage lines are not part of the excess program, are elective, commercially insured coverages and are a pass-through in the NJCE budget. The total 2022 budget delta for ancillary coverage lines is \$744,455; an exhibit in the committee agenda provided the delta amount by Commission or County member-entity.

Executive Director said the sub-committee reviewed three payment options to address the delta:

1. 100% of the 2022 additional premium as a 3rd installment in mid-September 2022.
2. 100% of the 2022 additional premium as part of the 1st installment of 2023.
3. 40% of the 2022 additional premium as a 3rd installment in September 2022, 30% of the 2022 additional premium due in September 2023 and 30% of 2022 the additional premium due in September 2024.

Executive Director reported the sub-committee recommended each Commission or County member-entity determine which option would best meet budgetary needs. The Fund office will confirm the option with each Commission or County member-entity.

PROFESSIONAL CONTRACTS/SERVICES/COMPETITIVE CONTRACTS: Executive Director said RFPs for the positions of the Executive Director, Safety Director, and Underwriting Manager were issued December 22nd and responses were due back January 26th. In addition, an RFP was issued for Property Claims Administrator on January 10th and responses were due February 4th.

Fund Attorney reported Commissioner Buono, Commissioner Kessler and the Fund Treasurer reviewed the responses for all positions noting that each position received only one response. Fund Attorney prepared resolutions authorizing award of contracts to the below vendors for the contract period February 2022 thru February 2025, which were adopted by the Board of Fund Commissioners:

- Executive Director/Administrator – PERMA Risk Management Services
- Underwriting Manager – Conner Strong & Buckelew Companies, Inc.
- Safety Director – J.A. Montgomery Risk Control Services
- Excess Property Claims Administrator – Scibal Associates Inc. t/a Qual-Lynx

**MOTION TO ADOPT RESOLUTION 14-22 AND 15-22
AUTHORIZING AWARD OF CONTRACTS.**

Moved: Commissioner Buono
Second: Commissioner Kessler
Vote: 10 Ayes – 0 Nays

Executive Director added the following services were procured via Competitive contract and were authorized for a one year term. Auditor and Litigation Manager will expire on or about April, 30,

2022. Payroll Auditor and Actuary will expire on or about June 30, 2022. Prior to expiration the Fund office will take appropriate procurement action to secure the respective services so that results will be prepared by the next meeting for the Board to review and to act.

ORIGAMI - ONLINE UNDERWRITING & CLAIMS PLATFORM: In June 2018, the Board authorized the Executive Director's to contract directly with Origami to provide NJCE members with an online underwriting and claims database. Executive Director reported the Origami contract is expiring in March 2022 and PERMA completed the contract renewal with Origami.

NJCE FINANCIAL FAST TRACK: Executive Director reported the December 31, 2021 Financial Fast Track will be available for the April meeting.

NJCE CLAIMS REVIEW COMMITTEE: The Claims Review Committee met prior to this Fund's meeting and there was nothing further to report and The Board of Fund Commissioners accepted the recommendations of the Claims Review Committee to approve payment or settlement authority requests. Included in the agenda was a resolution authorizing closed session, but there were no questions and Closed Session is not needed then it would be appropriate to accept the Committee's recommendations.

**MOTION TO ACCEPT THE CLAIMS COMMITTEE'S
RECOMMENDATION TO APPROVE THE CLAIMS.**

Moved:	Chairman Angilella
Second:	Commissioner Sheehan
Vote:	Unanimous

NJCE COMMITTEES: Executive Director said the updates on the NJCE committees were included for informational purposes.

CYBER TASK FORCE: A meeting of this task force is scheduled for Friday, March 11, 2022 to discuss cyber-related issues. If any Fund Commissioner and/or a designated representative is interested in serving on the task force, please contact the office. Those Commissioners that currently serve are Commissioner Sheehan, Commissioner Block and Commissioner Marion.

Cyber Task Force issues notifications to members on cyber-related issues. Submitted as part of the agenda was a story focusing on Third Party Vulnerabilities, which is one of the top three causes of a cyber-claim. The story also indicates pointing to which NJCE Cyber Program items directly address the four claims examples.

COVERAGE COMMITTEE: This committee typically meets once or twice a year to discuss county-related coverage issues. A meeting of this committee is scheduled for Thursday, March 17, 2022, at 1:30pm.

Stradley Ronon was awarded the services of Technical Service Writer on November 18, 2021. The need for the Technical Services Writer originated from a suggestion coming out of the NJCE Coverage Committee and part of his contractual service is to draft manuscript policies for retained layers of the program.

SAFETY COMMITTEE: In a prior meeting the Board of Fund Commissioners agreed there was a need for a Safety Committee at the NJCE level to compliment the member safety committees. Safety Director submitted a draft copy of the Safety Committee Charter for review and comment, which will be presented for approval at the April meeting. The Fund office will work with the Safety Director on committee members; we are asking each member county and their affiliated entities to appoint a representative to the NJCE Safety Committee. The first meeting of the Safety Committee will be scheduled for mid-May.

HURRICANE IDA AND COVID-19 CLAIMS UPDATE: Executive Director said the Fund office continues to monitor 2020, 2021 and current COVID-19 and Hurricane Ida claim activity. Ms. Walcoff said the independent adjuster is continuing to work with Zurich regarding Hurricane Ida claims and once reviewed payments are being issued. Ms. Walcoff commended AmeriHealth for their work with the individual TPA's in terms of reporting claims and discussing compatibility and are continuing discussions with the Excess Carrier about how the claims are going to be treated for 2020 and 2021.

AVASCI TECHNOLOGY: Executive Director said an NJCE Member County is using new technology that combines biomechanical data from motion capture cameras with an artificial intelligence-based movement algorithm to detect falsified or exaggerated injury and workers' compensation claims. This would be beneficial from a hiring and functional capacity perspective. AvaSci provided a virtual demonstration during the Best Practices Webinar and will be providing an in-person demonstration to a member in March. The Fund Office will be reaching out to the Counties to determine their interest for an in-person demonstration. Commissioner O'Connor stated Monmouth County is in the early stages of a pilot program with Avasci and is finding it beneficial but will provide an update once more data has been gathered.

Informational Items

NJAC 2022 REORGANIZATION: Deputy Executive Director attended the NJAC Reorganization Meeting on January 28, 2022, in Trenton and congratulated Commissioner Teri O'Connor, Monmouth County Administrator on her appointment as the NJAC 81st President.

2022 RENEWAL OVERVIEW WEBINAR: The NJCE Underwriting Manager held two webinars on Wednesday, January 26th, and Wednesday February 2nd. Deputy Executive Director said it was well attended with over 50 participants. The presentation was sent as an additional attachment and a recording of the webinar has been posted to njce.org. For any questions, please contact the Underwriting Manager or Fund office.

NJCE CLAIMS SUMMIT: Deputy Executive Director said on Tuesday, February 22, 2022, PERMA hosted a Third Party Administrator (TPA) Summit via a webinar for all local member TPAs and interested individuals. Topics included changes to the NJCE program, reporting requirements, COVID-19 updates, Cyber claims, and excess reporting.

2022 MEL, MRHIF & NJCE EDUCATIONAL SEMINAR: The 11th Annual Educational Seminar will be held virtually again this year. This year there will be two sessions, Friday, April 29th and Friday, May 6th, 9:00 AM to Noon. The seminar qualifies for Continuing Education Credits including CFO/CMFO, Public Works, Clerks, Insurance Producers and Purchasing Agents. Included in the agenda was more information on seminar. Interested participants may contact the Fund Office to register.

Deputy Executive Director said Jacquelyn Suarez, Director NJ Division of Local Governmental Services, will be the Keynote speaker for the Seminar. Ms. Suarez will be discussing The Local Government Ethics Law during the April 29th session.

MEMBERSHIP CHART: PERMA and its marketing team updated the NJCE JIF membership chart. Included in the agenda was the chart as of January 2022.

DUE DILIGENCE:

Regulatory Compliance Checklist – as of 2/22/2022. Included in the agenda was a checklist that tracks contracts, compliance, and other Fund business.

2022 FINANCIAL DISCLOSURES: Board members should anticipate the online filing of the Financial Disclosure forms as both a NJCE Commissioner, as well as any County-related positions that require filing. Based on last year, it is expected the Division of Local Government Services will distribute a notice in March and forms will need to be filed by April 30th.

SPECIAL PRESENTATION: Executive Director took time to announce and congratulate Commissioner Wood on her retirement, as this will be her final meeting. Commissioner Wood provided valuable contributions to the Finance sub committee and Board of Commissioners. Chairman Angilella echoed the Executive Director’s comments.

TREASURER REPORT:

Included in the agenda was the confirmation of bills lists, approval of payments and the Treasurer’s reports for November and December 2020.

VOUCHER PAYMENTS (BILL LIST) –

Resolution 17-22 Confirmation of January 2022 Payments	\$12,186,711.05
Resolution 18-22 February 2022 Bills Approval of Payments	\$3,773,568.13

CONFIRMATION OF NOVEMBER 2021 CLAIMS PAYMENTS/CERTIFICATION OF CLAIMS TRANSFERS:

2010	0.00
2011	0.00
2012	326.39
2013	5,275.38
2014	0.00
2015	11,218.43
2016	1,659.87
2017	3,551.00
2018	496,722.24
2019	240,291.89
2020	900.00
2021	257,027.69
TOTAL	\$1,016,972.89

CONFIRMATION OF DECEMBER 2021 CLAIMS PAYMENTS/CERTIFICATION OF CLAIMS TRANSFERS:

2010	0.00
2011	40.00
2012	315.00
2013	6,598.68
2014	0.00
2015	19,624.35
2016	8,366.98
2017	1,672.00
2018	1,785.19
2019	1,327.50
2020	5,239.82
2021	82,689.60
TOTAL	\$127,659.12

MOTION TO CONFIRM PAYMENTS OF JANUARY 2022 BILLS LIST AS RESOLUTION 17-22

Moved: Chairman Angilella
Second: Commissioner Wood
Vote: Unanimous

APPROVE FEBRUARY 2022 BILLS LIST AS RESOLUTION 18-22 AND THE TREASURER'S REPORTS AS PRESENTED:

Moved: Chairman Angilella
Second: Commissioner Shea
Vote: Unanimous

**UNDERWRITING MANAGERS REPORT:
REPORT:**

2022 NJCE EXCESS RENEWAL OVERVIEW AND CHANGES (APPENDIX II): The Underwriting Manager has completed the 2022 Renewal marketing and there were several changes which were summarized in the renewal overview and was included in the agenda. The Underwriting Manager encouraged members to reach out for any questions regarding the renewal.

In addition, there were key tasks in the agenda that included additional questions and information needed such as certain jail policies & procedures, multifactor authentication (MFA) as a layer of cyber liability protection for sign in and ownership of drones. This information will be requested via separate emails from the Underwriting Manager's and/or the Fund office.

EXTRAORDINARY UNSPECIFIABLE SERVICES (EUS): Executive Director said at the December meeting, the Board previously approved authorization for the Underwriting Manager to bind coverage of the 2022 renewal program. Included in the agenda, as part of the Underwriting Manager's report was the Extraordinary Unspecifiable Services (EUS) statement binding the coverage, as well as Resolution 16-22 authorizing the purchase of insurances to memorialize the action taken at the December meeting.

MOTION TO ADOPT RESOLUTION 16-22 AUTHORIZING PURCHASE OF EXCESS AND ANCILLARY COVERAGES.

Moved: Commissioner Kelly
Second: Commissioner Shea
Roll Call Vote: 11 Ayes – 0 Nays

SAFETY DIRECTOR:

REPORT: Safety Director submitted a report reflecting the risk control activities and the Safety Director Bulletins distributed from December 2021 to February 2022. Also included was the 2022 Expo schedule noting available classes. If any County member is interested in hosting an expo they can reach out to Mr. Prince.

Safety Director reported several members participated in the 2021 Safety Grant, which provided a total of \$50,000 reimbursement of safety items or services used to assist in controlling the frequency and severity of general liability claims. Safety Director reported notification on the 2022 Safety Grant will be distributed to members and discussed at County Safety Committee meetings.

Safety Director introduced the Safety and Accident Review Committee Charter to complement the county Safety Committee meetings. Mr. Prince asked Fund Commissioners to appoint a representative to the committee and advise Mr. Prince of the appointment.

FUND ATTORNEY:

REPORT: Fund Attorney said there was nothing additional to report.

CLAIMS ADMINISTRATOR-WORKERS COMPENSATION:

REPORT: AmeriHealth submitted a report-showing provider billed amounts of \$12,219.00, paid amount of \$6,072.00 and net savings of \$5,264.20 as of January 2022. There was a 60% network utilization rate as of January 2022.

CLAIMS ADMINISTRATOR:

REPORT: AmeriHealth Casualty Services had nothing further to report and was not in need of a Closed Session to discuss claims status and other matters; included in the agenda was Resolution 19-22 authorizing closed session, but it was not acted on.

OLD BUSINESS:

NONE

NEW BUSINESS:

Executive Director asked Chairman Angilella about the possibility of meeting in-person in April and after discussion the Board of Fund Commissioners agreed to hold to continue to hold the meetings remotely.

PUBLIC COMMENT

NONE

NON- AGENDA ITEMS

NONE

MOTION TO ADJOURN:

Moved:	Chairman Angilella
Second:	Commissioner Kelly
All in favor:	Unanimous

MEETING ADJOURNED: 10:20 AM

**NEXT MEETING: April 28, 2022 - 9:30 AM
Via Teleconference**

Brandon Tracy, Assisting Secretary