

Allen Zeller, Zeller & Wieliczko
Matt Wieliczko, Zeller & Wieliczko
Prudence Higbee, Capehart Scatchard

PRESENTATION: Mr. William Kearns and Mr. John Gillespie conducted a brief presentation on the Emerging Issues in Police Liability.

APPROVAL OF MINUTES: NOVEMBER 26, 2012 - Open & Closed Minutes.

MOTION TO APPROVE OPEN & CLOSED MINUTES OF NOVEMBER 26, 2012:

Moved: Commissioner Carew
Second: Commissioner Cromie
Vote: 3 Ayes, 0 Nays, 1 Abstain (Commissioner Brevogel)

CORRESPONDENCE:

NONE

MOTION TO ADJOURN SINE DIE MEETING:

Moved: Commissioner LaVenia
Second: Commissioner Cromie
Vote: Unanimous

EXECUTIVE DIRECTOR ASKED TO RUN ELECTIONS OF OFFICERS.

ROLL CALL OF 2013 FUND COMMISSIONERS:

Gary LaVenia, Chairman	Township of Maple Shade	Present
Scott Carew, Secretary	Township of Moorestown	Present
William Cromie	Township of Evesham	Present
Richard Brevogel	Township of Willingboro	Present

SPECIAL FUND COMMISSIONERS:

Robert Wells	Township of Maple Shade	Absent
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ELECTION OF 2013 CHAIRPERSON AND SECRETARY:

MOTION TO NOMINATE GARY LAVENIA, TOWNSHIP OF MAPLE SHADE, AS CHAIR:

Moved: Commissioner Carew
Second: Commissioner Cromie

Hearing no other nominations,

MOTION TO CLOSE NOMINATIONS FOR CHAIR AND AUTHORIZE SECRETARY TO CAST UNANIMOUS BALLOT FOR GARY LAVENIA AS 2013 CHAIR:

Moved: Commissioner Carew
Second: Commissioner Brevogel
Vote: Unanimous

MOTION TO NOMINATE WILLIAM CROMIE, TOWNSHIP OF MOORESTOWN, FOR SECRETARY:

Moved: Commissioner Brevogel
Second: Commissioner Carew
Vote: Unanimous

Hearing no other nominations,

MOTION TO CLOSE NOMINATIONS FOR SECRETARY AND AUTHORIZE SECRETARY TO CAST UNANIMOUS BALLOT FOR WILLIAM CROMIE AS 2013 SECRETARY:

Moved: Commissioner Carew
Second: Commissioner Brevogel
Vote: Unanimous

ATTORNEY ADMINISTERED OATH OF OFFICE TO OFFICERS AND FUND COMMISSIONERS.

AGENDA TOPIC: REORGANIZATION

FUND PROFESSIONALS & PROFESSIONAL SERVICE AGREEMENTS:

At the January 23, 2012 Reorganizational meeting, the Fund appointed professional contracts in accordance with a fair and open process pursuant to N.J.S.A. 19:44A-20.4 et. Seq. for fund years 2012, 2013 and 2014. Enclosed with the reorganization resolutions was Resolution 13-1 reflecting reappointments and establishing compensation for Fund Year 2013.

Resolution 13-1 Appointing Professional Staff

1. PERMA as Administrator for the Professional Municipal Management Joint Insurance Fund for calendar year 2013 in the amount of \$100,859.00 as set forth specifically in the Agreement.
2. The law firm of Kearns, Reale & Kearns, with William John Kearns, Jr., Esquire, an Attorney at Law of the State of New Jersey and a Partner in the firm, as the designated attorney, as the Attorney (Solicitor) for the Professional Municipal Management Joint Insurance Fund for calendar year 2013 in the amount of \$18,348.00 for general legal services and the sum of \$15,629.00 for litigation management, plus expenses, as set forth specifically in the Agreement.
3. Thomas Tontarski as Treasurer for the Professional Municipal Management Joint Insurance Fund for calendar year 2013 in the amount of \$15,860.00 as set forth specifically in the Agreement.
4. The Actuarial Advantage, with Dennis R. Henry, FCAS, as its designated representative, as Actuary for the Professional Municipal Management Joint Insurance Fund for calendar year 2013 at a rate not to exceed \$34,891.00 without the specific approval of the Commissioners, as set forth specifically in the Agreement.
5. J.A. Montgomery Risk Control, with Joanne Hall as its designated representative, as Safety Director for the Professional Municipal Management Joint Insurance

Fund for calendar year 2013 with a basic fee in the amount of \$16,036 as Safety Director and reimbursement of expenses for postage not to exceed \$500.00 as set forth specifically in the Agreement.

6. Bowman & Company with James Miles as its designated representative, as Auditor for the Professional Municipal Management Joint Insurance Fund for calendar year 2013 on the basis of an hourly fee schedule attached to the Agreement, but not to exceed \$20,535.00 without the specific approval of the Commissioners, as set forth specifically in the Agreement.
7. TD Bank as Asset Manager for the Professional Municipal Management Joint Insurance Fund for a Contract term to be one year with a “30 –day cancellation clause” and shall be .08% of the market value of the FUND’s invested assets.
8. Qual-Lynx as Claims Service Company for the Professional Municipal Management Joint Insurance Fund for calendar year 2013 in accordance with the fee schedule set forth in the Agreement in the amount of \$122,990.00 plus the actual cost of a performance bond as set forth specifically in the Agreement.
9. Conner Strong & Buckelew as Underwriting Manager for the Professional Municipal Management Joint Insurance Fund for calendar year 2013 in the amount of \$5,306 as set forth specifically in the Agreement.
10. QualCare as Workers’ Compensation Managed Care Organization for calendar year 2013 in the amount of \$81,157.00 as set forth specifically in the Agreement.
11. Murphy, Russo & McFadden as Internal Auditor for calendar year 2013 in the amount of \$3,814.00 as set forth specifically in the Agreement.

MOTION TO ADOPT RESOLUTION 13-1 RE-APPOINTING CERTAIN PROFESSIONALS AND SERVICE ORGANIZATIONS

Moved:	Commissioner Carew
Second:	Commissioner Brevogel
Roll Call Vote:	4 Ayes, 0 Nays

ORGANIZATION RESOLUTIONS

Resolution 13-2 Adopting Procedures in Compliance with the Open Public Meetings Act

The Professional Municipal Management Joint Insurance Fund hereby designates the Fourth Monday (unless otherwise noted) of each Month, in the Municipal Buildings of the member municipalities set forth for each date, specifically

February 25, 2013	Evesham Municipal Bldg.	2:00 PM
March 25, 2013	Evesham Municipal Bldg.	2:00 PM
April 22, 2013	Evesham Municipal Bldg.	2:00 PM
May 20, 2013	Evesham Municipal Bldg.	2:00 PM
June 24, 2013	Evesham Municipal Bldg.	2:00 PM
July 22, 2013	Evesham Municipal Bldg.	2:00 PM
September 23, 2013	Evesham Municipal Bldg.	2:00 PM
October 28, 2013	Evesham Municipal Bldg.	2:00 PM

November 25, 2013 Evesham Municipal Bldg. 2:00 PM
January 27, 2014 The Sensational Host 12:00PM

as the dates and places of its regular meetings and the meeting of January 28, 2013, shall serve as the 2013 Reorganization Meeting; unless otherwise modified by Resolution all meetings shall begin at 2:00 PM

The following newspapers are hereby designated as the official newspapers for transmittal of all notices of the Professional Municipal Management Joint Insurance Fund required pursuant to the Open Public Meetings Act:

Burlington County Times
Maple Shade Progress

Resolution 13-3 Adopting Fiscal Policies and Procedures

DESIGNATION OF INTEREST RATES FOR DELINQUENT ASSESSMENT:
Interest Rate is 10%.

DESIGNATION OF BANK DEPOSITORIES: TD Bank, TD Bank Asset Management, the New Jersey Cash Management Plan, Wells Fargo Bank, (upon approval of appropriate authorities) and any bank authorized to do business in the State of New Jersey within the guidelines of GUDPA (Governmental Unit Depository Protection Act).

DESIGNATION OF AUTHORIZED SIGNATORIES: Any two of the following – Chairperson Gary LaVenja, Secretary William Cromie and Treasurer Thomas Tontarski.

DESIGNATION OF SERVICE OF PROCESS: Bradford C. Stokes, PERMA Risk Management Services and/or the Account Manager so designated by the Executive Directories designated at the person authorized to accept service of process on behalf of the Professional Municipal Management Joint insurance fund at 9 Campus Drive, Suite 16, Parsippany, NJ 07054 and 401 Route 73 N, Marlton, NJ 08053.

DESIGNATION OF CUSTODIAN OF RECORDS: The Executive Director of the Professional Municipal Management Joint Insurance Fund is hereby designated as the custodian of the records which shall be maintained at the office of the Administrator located at 401 Route 73 N, Marlton, NJ 08053.

Resolution 13-4 Appointing Defense Panel Attorneys

Executive Committee of the Professional Municipal Management Joint Insurance Fund, assembled in a public session on January 28, 2013 that the following law firms and attorneys are hereby designated as approved defense attorneys for the Professional Municipal Management Joint Insurance Fund:

Workers Compensation Claims:

John Geaney - Capehart Scatchard
Michael Huber & William Freeman – Freeman, Barton, Huber & Sacks

General Liability Claims:

Betsy Ramos - Capehart Scatchard
John Gillespie – Parker McCay
Allen Zeller – Zeller & Wieliczko LLP
Michael Armstrong – Michael Armstrong & Associates

Resolution 13-5 Establishing the 2013 Plan of Risk Management

Fund Underwriter reviewed the 2013 Risk Management Plan and confirmed coverage noting that there were two changes in excess carriers, which were highlighted in the plan.

MOTION TO APPROVE RESOLUTIONS 13-2 thru 13-5:

Moved: Commissioner Cromie
Second: Commissioner Carew
Roll Call Vote: 4 Ayes – 0 Nays

Organizational Resolutions Made Part of Minutes.

EXECUTIVE DIRECTOR:

DUE DILIGENCE REPORTS: Included in the agenda were the Financial Fast Track, Pure Loss Ratio Report, Claims Analysis by Fund Year, Claims Activity Report, Lost Time Frequency Report, Interest Rate Summary Comparison Report, and Regulatory Compliance Report.

Executive Director reviewed the Financial Fast Track report and noted that the statutory surplus stands at over \$173,000 and that is the most it has been at in a long time. This time last year the statutory surplus was only \$4,000, which is a great indication of everyone's efforts of this past year. Executive Director said the members should be commended for their efforts.

Executive Director reviewed the Pure Loss Ratio report and pointed out that we have exhausted 41% of our claims budget where the actuary had projected it would be almost 65%. Therefore for all lines of credit of 2012 we are in very good shape.

Executive Director reported on the Lost Time Accident Frequency the PMM JIF led the way again with a very good 1.17 compared to 2.63 last year.

RESIDUAL CLAIMS FUND 2013 REORGANIZATION MEETING: The Residual Claims Fund's 2013 Reorganization meeting was held on January 2, 2013 at 10:30 a.m. at the Forsgate Country Club. Enclosed in the agenda was a copy of Commissioner Carew's report on the meeting.

E-JIF 2013 REORGANIZATION MEETING: The E-JIF 2013 Reorganization meeting was held on January 2, 2013 at 10:50 am in the Forsgate Country Club. Enclosed in the agenda was a copy of Commissioner Carew's report on the meeting.

MEL 2013 REORGANIZATION MEETING: The MEL 2012 Reorganization meeting was held on January 2, 2013 at 11:15 am in the Forsgate Country Club. Enclosed in the agenda was a copy of Commissioner LaVenia's report on the meeting.

2013 ASSESSMENTS: Executive Director reported the 2013 Assessments were mailed via certified mail to all member towns on/about December 14th. First Installment payments were due to the Treasurer, Tom Tontarski, by January 15, 2013. Treasurer reported all 2013 1st Installment payments have been received.

SPECIAL FUND COMMISSIONER: Executive Director reported with the Fund's membership at four, the bylaws require the appointment of a Special Fund Commissioner in an effort to avoid trying votes in Fund elections. For 2013, Maple Shade has the privilege of this appointment and they are appointing Mayor Rob Wells.

ELECTED OFFICIALS TRAINING: Executive Director reported this year's elected officials training program will focus on Risk Management for Elected Officials. As in the past, the MEL will reduce each member's 2013 liability claims premium by \$250 for each municipal elected official and member's CEO (i.e. municipal manager/administrator). The maximum credit is 25% of the member's liability claims fund. Mr. Kearns has conducted one seminar in Evesham and we will be scheduling several others in the next few months. We will also advise of Camden County locations. Executive Director said the MEL is also offering an online seminar which members can log in and view the webinar and complete a certification at the end of the seminar. Instructions will be mailed to all members shortly.

FINANCIAL DISCLOSURE STATEMENTS: Executive Director reported PERMA will be mailing Financial Disclosure forms for each Fund Commissioner. We would encourage all Fund Commissioners to complete these forms and provide **two copies with original signatures** to the Fund office on or before **April 30, 2013**. In accordance with State regulations, the Fund must file these disclosures with the Department of Community Affairs.

POL/EPL OPTIONAL LIMIT SLECTIONS: Executive Director said anyone that has not turned in their POL/EPL Optional Limit selections the forms are due back to the Fund office by February 1, 2013. We are asking all members to return their form even if they are keeping with the current program and not making a change.

Executive Director's Report Made Part of Minutes.

ATTORNEY: Fund Attorney thanked the board for reappointment.

TREASURER: Fund Treasurer thanked the board for reappointment.

Confirming Payment of December 2012 Vouchers

Fund Year 2011	239,264.47
Total	239,264.47

Payment of January 2013 Vouchers Resolution 13-6

Fund Year 2012	153.89
Fund Year 2013	300,418.03
Total	300,571.92

Confirmation of Claims Payments/Certification of Claims Transfers for the Month of November 2012:

Closed Years	0.00
2008	0.00
2009	2,516.42
2009	10,139.61
2010	2,208.54
2011	11,538.93
TOTAL	26,403.50

Confirmation of Claims Payments/Certification of Claims Transfers for the Month of December 2012:

Closed Years	0.00
2008	0.00
2009	11,796.94
2010	19,358.86
2011	33,508.53
2012	33,692.28
TOTAL	98,356.61

MOTION TO CONFIRM DECEMBER 2012 PAYMENTS, APPROVE RESOLUTIONS 13-6 VOUCHER LIST FOR THE MONTH OF JANUARY AS SUBMITTED AND MOTION TO APPROVE CERTIFICATION OF CLAIMS/CONFIRMATION OF CLAIM PAYMENTS FOR THE MONTHS OF NOVEMBER 2012 AND DECEMBER 2012 AS PRESENTED:

Motion: Commissioner Brevogel
 Second: Commissioner Cromie
 Roll Call Vote: 4 Ayes, 0 Nays

Treasurer's Report Made Part of Minutes.

UNDERWRITING MANAGER: Underwriting Managed thanked the board for reappointment.

REPORT: Certificates issued for the period 10/20/12 to 11/14/12 and 11/16/12 to 12/19/12 included in the agenda for review.

SAFETY DIRECTOR: Safety Director thanked board for reappointment.

REPORT: November and December Activities Report were included in the agenda. Safety Director reported that four members had qualified for the 2012 Safety Incentive Program and distributed awards to Evesham, Maple Shade, Moorestown, and Willingboro. Each member was awarded \$2,500 in the form of a voucher to promote the Safety Program. These funds are intended for training materials, safety protective equipment employee recognition to promote the safety program in your town.

Monthly Activity Report/Agenda Made Part of Minutes.

MANAGED CARE: Managed Care Provider thanked board for reappointment.

REPORT: December report included for information. Report indicated a savings of 60.3% for December and an overall savings of 55.7% for the year.

Monthly Activity Report Part of Minutes.

CLAIMS ADMINISTRATOR: Claims Administrator thanked the board for reappointment and said their report was for Closed Session.

OLD BUSINESS:

NONE

NEW BUSINESS:

Commissioner Carew said Moorestown had a few ADA cases last fall and the plaintiff's attorney made a suggestion of creating a transitional plan to review the township facilities and create a plan to become ADA compliant. Commissioner Carew said some towns have done this in the past and maybe the members of the PMM JIF would like to do this as well.. This would be a transitional plan for ADA compliance and the members could share the cost which would help alleviate us from being sued.

Executive Director asked Attorney Kearns if it would be beneficial to put together a policy or best practices on this topic JIF wide. Attorney Kearns felt this may give us more exposure by trying to do this JIF wide and he feels it would be better to do this on a case by case basis.

PUBLIC COMMENT:

NONE

**RESOLUTION - EXECUTIVE SESSION FOR CERTAIN SPECIFIED PURPOSES:
PERSONNEL - SAFETY & PROPERTY OF PUBLIC LITIGATION**

Moved: Commissioner Cromie
Second: Commissioner Brevogel
Vote: Unanimous

MOTION TO RETURN TO OPEN SESSION:

Moved: Chairman Cromie
Second: Commissioner Carew
Vote: Unanimous

**MOTION TO APPROVE CLAIM PAYMENTS AS DISCUSSED IN EXECUTIVE
SESSION:**

Moved: Commissioner Carew
Second: Commissioner Cromie
Roll Call Vote: 4 Ayes – 0 Nays

MOTION TO ADJOURN MEETING:

Moved: Commissioner Carew
Second: Commissioner Cromie
Vote: Unanimous

MEETING ADJOURNED: 1:30pm

NEXT REGULAR MEETING: February 25, 2013

Evesham Township 2:00PM

Karen A. Read, Assisting Secretary for
SCOTT CAREW, SECRETARY