

**PROFESSIONAL MUNICIPAL MANAGEMENT JOINT INSURANCE FUND
OPEN SESSION MINUTES
MEETING – JUNE 24, 2019
111 WEST 2ND STREET
MOORESTOWN TOWNSHIP
1:00 PM**

Meeting of 2019 Fund Commissioners called to order. Open Public Meetings notice read into record.

ROLL CALL OF 2019 FUND COMMISSIONERS:

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| Thomas Merchel, Chairman | Township of Moorestown | Present |
| Richard Brevogel, Secretary | Township of Willingboro | Present |
| George Haeuber | Township of Maple Shade | Present |
| Michael Barth | Township of Evesham | Absent |

SPECIAL FUND COMMISSIONERS:

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| Thomas Shanahan | Township of Evesham | Present |
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APPOINTED OFFICIALS PRESENT:

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| Executive Director/Administrator | PERMA Risk Management Services Bradford C. Stokes Karen A. Read Rachel Chwastek |
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| Treasurer | Tom Tontarski |
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| Attorney | Kearns, Reale & Kearns, Esquires |
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| Auditor | Bowman & Company Jim Miles Dennis Skalkowski |
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| Claims Service | Qual Lynx Claudia Acosta |
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| Safety Director | J.A. Montgomery Risk Control Glenn Prince |
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| Managed Care Organization | QualCare Steve McNamara |
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| Underwriting Manager | Conner Strong & Buckelew |
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ALSO PRESENT:

Michael Avalone, Conner Strong & Buckelew
Joe Razzano, Fairview Insurance

APPROVAL OF MINUTES: MAY 28, 2019 - Open & Closed Minutes

MOTION TO APPROVE OPEN & CLOSED MINUTES OF MAY 28, 2019:

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| Motion: | Commissioner Haeuber |
| Second: | Commissioner Brevogel |
| Vote: | 3 Ayes – 0 Nays – 1 Abstention (Shanahan) |

CORRESPONDENCE: None.

EXECUTIVE DIRECTOR:

Audit Report as of December 31, 2018 – The Auditor’s Report as of December 31, 2018 has been sent under separate cover to the Fund Commissioners. Mr. Jim Miles from Bowman & Company reviewed the report at the meeting and following that, the Board formally approve Resolution 19-14 approving year end financials along with the Group Affidavit.

MOTION TO APPROVE Year-End Financials as of December 31, 2018 as Presented, Adopt Resolution 19-14 and execute the Group Affidavit indicating that members of the Executive Committee have read the General Comments Section of the Audit Report

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| Motion: | Commissioner Brevogel |
| Second: | Commissioner Shanahan |
| Vote: | 4 Ayes – 0 Nays |

Elected Officials Training Course: Every year, the MEL holds training seminars for elected officials and reduces a member’s assessment by \$250 for each municipal elected officials completing the course by June 30th. This year’s elected officials training program focuses on “Employment Practices Liability”. This course is available on-line, instructions were included in the agenda.

Legislation: The MEL, NJ League of Municipalities and NJAC have been monitoring Senate bill no. S-477 for some time. The bill extends the statute of limitations in civil actions for sexual abuse claims. In late April, the draft bill was amended whereas eliminating public entity immunities under Title 59. The implications of this bill if not amended to add back Title 59 immunities for public entities, public officials, elected officials and all levels of government employees are significant.

The joint effort of the MEL, LOM, and NJAC and with the help of other parties, the sponsor agreed to amend the Bill to bring back common law immunities and case law immunities for public entities. Although we could not get Title 59 immunities reinstated, this is a better result than having public entities in a “strict liability” situation. This Bill goes into effect 12/31/19.

Over the past week, the Firefighter Presumption Bill we have previously discussed was fast tracked through the Assembly. The MEL, with assistance from other parties, were able get the sponsor to amend the Bill as follows:

- (1) Change the WC presumption to “preponderance of evidence” in lieu of “clear and convincing proof”.
- (2) Narrow the types of cancers eligible for WC to those that may result from smoke inhalation and
- (3) Limiting the Presumption to age 75 or 20 years from retirement.

Residual Claims Fund – The RCF met on Wednesday, June 5, 2019 at the Forsgate Country Club in Jamesburg, NJ. Commissioner Merchel’s report was included in the agenda.

EJIF- The EJIF met on Wednesday, June 5, 2019 at the Forsgate Country Club in Jamesburg, NJ. Commissioner Merchel’s report was included in the agenda.

MEL JIF – The MEL met on Wednesday, June 5, 2019 at the Forsgate Country Club in Jamesburg, NJ. Commissioner Merchel’s report was included in the agenda.

2019 Coverage Documents – The fund office will begin distributing the 2019 coverage documents to all Fund Commissioners and Risk Managers via email in the next few weeks.

The MEL App – The Fund office recently sent out a reminder and invitation to sign up for the MEL App to get the latest news, bulletins and to get easy access to MEL resources. Included in the agenda was the notice.

MEL Website Cyber Page - A new Cyber Risk Control page has been developed for the MEL’s webpage that makes navigation much easier. The page includes model programs, videos and many resources that are available to members.

NJUA Safety Expo 2019 - The New Jersey Utility Authorities JIF (NJUA) and the Municipal Excess Liability Joint Insurance Fund (MEL) have announced training courses for the 27th annual Safety Expo. Courses are planned for June 28th at the Middlesex Fire Academy in Sayreville, and September 27th at the Camden County Emergency Services Training Center in Blackwood. Attendance is open to all MEL JIF members. The registration packet was sent and appeared in the agenda.

Due Diligence Reports: Monthly report submitted to Fund Commissioners including Monthly Fast-track Accident Frequency, Fast-Track Financial report, Claim Activity Report, Interest Rate Summary Comparison, Monthly Loss Ratio by fund year and line of coverage and the Monthly and Annual Regulatory Checklist. The April Financial Fast Track was included in the agenda. The surplus as of April 30, 2019 was \$3 million. The funds Loss Ratio Analysis is on target with the actuary’s projection of 9.3 and the actual at 29, we’ll monitor that. The fund’s Loss Time Accident Frequency is 1.25, an improvement over the prior month.

The Executive Director asked if there were any questions and then concluded his report.

Executive Director's Report Made Part of Minutes.

ATTORNEY: None.

TREASURER: Mr. Tontarski reviewed the treasurer’s report with the Fund.

Payment of June 2019 Vouchers Resolution 19-15

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| Fund Year 2019 | 40,058.88 |
| Total | 40,058.88 |

MOTION TO APPROVE RESOLUTION 19-15 VOUCHER LIST FOR THE MONTH OF JUNE AS SUBMITTED

Motion: Commissioner Haeuber
Second: Commissioner Shanahan
Vote: 4 Ayes – 0 Nays

Confirmation of Claims Payments/Certification of Claims Transfers for the Month of May 2019:

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| 2019 | 146,255.43 |
| 2018 | 21,357.37 |
| 2017 | 10,322.46 |

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| 2016 | 6,756.98 |
| 2015 | 33,291.00 |
| Closed | 0.00 |
| TOTAL | 217,983.24 |

Treasurer's Report Made Part of Minutes.

SAFETY DIRECTOR:

REPORT: Safety Director advised included in the agenda is all the risk control activities through the month of May, as well as a list of MSI Training and Fast Track training information. Mr. Prince advised they will be scheduling law enforcement visits starting in August. Last week, Mr. John Czarnecki visited Maple Shade DPW, and reported all their programs were in order. Mr. Prince noted all the training scheduled up until August 30th is included in the agenda. Mr. Prince asked if there were any questions and then concluded his report.

Monthly Activity Report/Agenda Made Part of Minutes.

UNDERWRITING MANAGER:

REPORT: The Executive Director advised the certificate report was in the agenda for the period 4/22/2019 to 5/22/2019 and 3 certificates were issued.

MANAGED CARE:

REPORT: Stephen McNamara advised May's reports were included in the agenda. Mr. McNamara reported there were 80 bills during the month of May totaling \$198,539.60, of that amount \$109,089.20 was paid for a savings of \$89,450.40 which is a 45.1% savings. Mr. McNamara advised he would identify the cost drivers and then asked if there were any questions and concluded his report.

Monthly Activity Report Part of Minutes.

CLAIMS ADMINISTRATOR:

REPORT: Claudia Acosta, covering or Kathy Kissane, advised included in the agenda was the emergency claims reporting procedure and the PARs report was for closed session.

Report Part of Minutes.

OLD BUSINESS: NONE

NEW BUSINESS: Commissioner Brevogel advised the Willingboro PD renewed their accreditation, and Commissioner Merchel advised the body camera initiative is saving the PDs a lot of headaches.

PUBLIC COMMENT: NONE

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

Motion: Commissioner Haeuber

Second: Commissioner Shanahan
Vote: Unanimous

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

Motion: Commissioner Brevogel
Second: Commissioner Shanahan
Vote: Unanimous

MOTION TO ADJOURN MEETING:

Motion: Commissioner Haeuber
Second: Commissioner Brevogel
Vote: Unanimous

MEETING ADJOURNED: 1:43pm

**NEXT REGULAR MEETING: July 22, 2019
Moorestown Town Hall 1:00PM**

Rachel Chwastek, Assisting Secretary for
RICHARD BREVOGEL, SECRETARY