

**NEW JERSEY COUNTIES EXCESS JOINT INSURANCE FUND
OPEN MINUTES**

APRIL 27, 2017

**DIPIERO CENTER – 512 LAKELAND ROAD SUITE 200 7TH FLOOR- BLACKWOOD, NJ
1:00 PM**

**MEETING OF THE FUND CALLED TO ORDER AT 1:00 P.M. BY ACTING CHAIRMAN
COMMISSIONER WHITE**

OPEN PUBLIC MEETING ACT READ INTO RECORD

PLEDGE OF ALLEGIANCE

ROLL CALL BOARD OF 2017 FUND COMMISSIONERS

Ross Angilella, Chairman	Camden County	Absent
John Kelly, Secretary	Ocean County	Present - <i>via teleconference</i>
Jeannette Kessler, Commissioner	Atlantic County	Present - <i>via teleconference</i>
Kendall Collins, Commissioner	Burlington County	Present - <i>via teleconference</i>
Ken Mecouch, Commissioner	Cumberland County	Absent
Gerald White, Commissioner	Gloucester County	Present
Edmund Shea, Commissioner	Hudson County	Present - <i>via teleconference</i>
Andrew Mair, Commissioner	Mercer County	Absent
Jessica Foote Bishop, Commissioner	Salem County	Absent
Michael Yuska, Commissioner	Union County	Present - <i>via teleconference</i>

ALTERNATE FUND COMMISSIONERS

Anna Marie Wright	Camden County	Present
Carl Block	Ocean County	Present - <i>via teleconference</i>
Katie Coleman	Salem County	Absent
Raissa Walker	Mercer County	Present - <i>via teleconference</i>

APPOINTED OFFICIALS PRESENT:

Executive Director/Administrator	PERMA Risk Management Services Paul Laracy, Joe Hrubash Nancy A. Ghani - <i>via teleconference</i>
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Attorney	Laura Paffenroth, Esq.
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Safety Director	JA Montgomery Risk Control Glenn Prince
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Underwriting Manager	Conner Strong & Buckelew Edward Cooney
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Claims Administrator	AmeriHealth Casualty Services Amanda Metzger
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Treasurer	David McPeak
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ALSO PRESENT:

Cathy Dodd, PERMA
Brad Stokes, PERMA
Rachel Chwastek, PERMA
Lee Herzer, AmeriHealth Casualty Services
Tracy Ware, AmeriHealth Casualty Services
Christina Violetti, Hardenbergh Insurance Group- *via teleconference*

Robyn Walcoff, PERMA
Joe Porch, Conner Strong & Buckelew – *via teleconference*
Claudia Martins, Union County – *via teleconference*
Gail White, Scirocco Group – *via teleconference*
Mary Ann Sander, Conner Strong & Buckelew – *via teleconference*
Carole Mack, Conner Strong & Buckelew – *via teleconference*
Karen Read, PERMA

MINUTES: Open & Closed Minutes of February 23, 2017.

MOTION TO APPROVE THE OPEN AND CLOSED MINUTES FROM FEBRUARY 23, 2017 AS PRESENTED:

Moved: Acting Chairman Commissioner White
Second: Commissioner Collins
Roll Call Vote: 8 Ayes – 0 Nays

CORRESPONDENCE:

NONE

EXECUTIVE DIRECTOR'S REPORT:

PROFESSIONAL CONTRACTS

LITIGATION MANAGEMENT: Executive Director said the fund office advertised a Request for Proposals for Litigation Management with a deadline to respond by April 13, 2017. Fund Attorney said a sub-committee met on April 21, 2017 to review responses received and noted only one response was received from Citta, Holzapfel & Zabarsky, the incumbent service provider. Fund Attorney said the firm submitted proposed fees of \$145/hour or an annual fee of \$30,000; Fund Attorney said based on the fees invoiced for the past year of \$8,873.50 the committee recommended an award be made at the hourly fee. Fund Attorney said the committee recommended continuing to contract for these services as it has greatly assisted in mitigating complex litigation. Included in the agenda was a memorandum prepared by the Fund Attorney noting the committee's recommendation, as well as, Resolution 19-17 for the board to adopt during the consent agenda.

AUDITOR QUOTATIONS: Executive Director said the fund office solicited quotations from Auditing firms for the position of Auditor to conduct the December 31, 2016 Audit. Included in Appendix II of the agenda were the responses received from 1) Bowman & Company, LLP for a proposed fee of \$13,750 and 2) Lerch, Vinci & Higgins for a proposed fee of \$13,000. Executive Director said both firms were similar in qualifications and experience with joint insurance funds (JIFs) and governmental entities. Fund Treasurer noted the Fund has been working with Bowman & Company from its inception; discussion ensued and Fund Commissioners present agreed to continue services with the incumbent.

MOTION TO APPROVE THE FEE PROPOSAL FROM BOWMAN & COMPANY LLP FOR AUDITOR FOR A FLAT FEE OF \$13,750 TO CONDUCT THE DECEMBER 31, 2016 AUDIT:

Moved: Commissioner Collins
Second: Commissioner Kessler
Roll Call Vote: 8 Ayes – 0 Nays

2017 FINANCIAL DISCLOSURES: Board members should have received notification to begin the online filing of the Financial Disclosure forms as both a NJCE Commissioner, as well as, any County-related positions that require filing. The Local Finance Board has indicated the deadline to file is April 30th, but they expect to delay enforcement of the deadline until May 30, 2017.

FINANCIAL FAST TRACK: Executive Director reviewed the Financial Fast Track as of February 28, 2017 and said the Fund's statutory surplus is \$8.4 million.

UNDERWRITING MANAGER REPORT:

Underwriting Manager submitted a memorandum which noted that National Casualty, the Fund’s Excess Liability carrier will not be underwriting public entity business at the end of the policy term. Underwriting Manager said a replacement carrier can be secured for the 2018 renewal as there is no shortage in the current market. Discussion ensued and the Board of Fund Commissioners accepted the Underwriting Manager’s recommendation to finish the current policy term with National Casualty and seek a replacement for 2018 renewal.

Underwriting Manager submitted a second memorandum regarding the exclusion of coverage at the NJCE level for stand alone County members for Workers’ Compensation – USL&H and Jones Act and General Liability – Subsidence, Sexual Abuse/Molestation, Owned Watercraft, Garagekeepers and Owned Watercraft 35’. Underwriting Manager summarized the coverages in brief and made the recommendation to extend coverage to the stand alone County members and confirmed there would be no budgetary impact. Discussion ensued and the Board of Fund Commissioners accepted the Underwriting Manager’s recommendation to extend coverages and amend the 2017 Risk Management Plan; a copy would be included in the next agenda for information only.

Lastly, Underwriting Manager reported the NJCE first Coverage Committee meeting is scheduled for May 1, 2017. Committee is comprised of Fund Commissioners, Fund Administrators, Risk Managers and the Underwriting Team. Commissioners Kelly, White and Kessler volunteered to serve on the committee; local member risk managers will be invited to participate as well.

TREASURER REPORT:

Included in the agenda was the confirmation of March 2017 bills list as Resolution 20-17, the April 2017 bills list as Resolution 21-17 and the Treasurer’s reports for January 2017 thru February 2017.

VOUCHER PAYMENTS (BILL LIST) –

Resolution 20-17 March 2017 Bills Confirmation of Payments	\$1,416,897.64
Resolution 21-17 April 2017 Bills	\$137,101.08

MOTION TO CONFIRM PAYMENTS OF MARCH 2017 BILLS LIST RESOLUTION 20-17:

Moved: Commissioner Wright
 Second: Acting Chairman Commissioner White
 Roll Call: 8 Ayes – 0 Nays

MOTION TO CONFIRM PAYMENTS OF APRIL 2017 BILLS LIST RESOLUTION 21-17:

Moved: Commissioner Kelly
 Second: Commissioner Kessler
 Roll Call: 8 Ayes – 0 Nays

SAFETY DIRECTOR:

REPORT: Safety Director submitted a report reflecting the risk control activities from February thru May 2018 and Safety Director Bulletins. Safety Director reported that members should anticipate an announcement on Law Enforcement Supervisor Training, which will be conducted by Retired Chief Hummel.

FUND ATTORNEY:

REPORT: Fund Attorney reported the contract with the Fund's Claims Administrator is set to expire in August and the Request for Proposals (RFP) has been prepared; proposals are due in Camden County Division of Purchasing by Wednesday May 31st at 11:00AM in order to present results at the June meeting. Fund Attorney requested at least three Fund Commissioners to comprise a review committee; Commissioner Kessler volunteered and other interested Fund Commissioners were asked to contact the Fund Attorney.

CLAIMS ADMINISTRATOR:

REPORT: AmeriHealth Casualty Services indicated a change to the agenda and said there would be a report for Closed Session. Resolution 22-17 was distributed and authorized the need to enter into Closed Session for the purpose as permitted by the Open Public Meetings Act, more specifically to discuss potential litigation and settlement authority requests.

RESOLUTIONS:

RESOLUTION 19-17: Resolution authorizing an agreement for Litigation Management Services.

Moved: Commissioner Wright
Second: Commissioner Kelly
Roll Call: 8 Ayes – 0 Nays

RESOLUTION 22-17: Resolution authorizing the need to enter into Closed Session for the purpose as permitted by the open public meetings act, more specifically to discuss potential litigation on claim #640-115-0000068 and claim #640-113-0000062:

Moved: Commissioner Kelly
Second: Commissioner Kessler
Roll Call: 8 Ayes – 0 Nays

All others vacated the room and left the teleconference with the exception of Fund Commissioners, Fund Attorney and Professionals.

MOTION TO RETURN TO OPEN SESSION:

Moved: Commissioner Kessler
Second: Commissioner Wright
Roll Call: 8 Ayes – 0 Nays

As per discussion held during Closed Session permitted via Resolution 22-17, motion to approve the following:

Settlement Authority Request for Claim #640-115-0000068
\$250,000
Settlement Authority Request for Claim #640-113-0000062
\$20,000

MOTION TO APPROVE THE SETTLEMENT AND PAYMENT AUTHORITY REQUESTS AS PRESENTED:

Moved: Commissioner Kelly
Second: Commissioner Kessler
Roll Call: 8 Ayes – 0 Nays

OLD BUSINESS:

NONE

NEW BUSINESS:

NONE

PUBLIC COMMENT

MOTION TO OPEN MEETING TO PUBLIC

Moved: Commissioner Wright
Second: Commissioner Kessler
Roll Call: 8 Ayes – 0 Nays

MOTION TO CLOSE MEETING TO PUBLIC

Moved: Commissioner Kessler
Second: Commissioner Wright
Roll Call: 8 Ayes – 0 Nays

NON- AGENDA ITEMS

NONE

MOTION TO ADJOURN:

Moved: Commissioner Kelly
Second: Commissioner Kessler
Vote: Unanimous

MEETING ADJOURNED: 1:29PM

NEXT MEETING: June 22, 2017 - 1:00 PM
Camden County College Regional
Emergency Training Center
420 Woodbury-Turnersville Road
Blackwood, NJ

Nancy A. Ghani, Assisting Secretary

for

JOHN KELLY, SECRETARY