

**OCEAN COUNTY MUNICIPAL JOINT INSURANCE FUND  
MINUTES  
September 9, 2021  
Zoom Teleconference Call  
3:00 P.M.**

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Meeting Called to Order by Secretary Carney. Open Public Meeting Statement read into the record. Pledge of Allegiance

**ROLL CALL OF 2021 EXECUTIVE COMMITTEE:**

Diane Lapp, Township of Manchester	Absent
Charlene Carney, Vice Chair, Borough of Pine Beach	Present
Veronica Laureigh, Secretary, Twp. of Lacey	Absent
Thomas Rodgers, Township of Toms River	Present
Joanne Bergin, Township of Brick	Present
Michael Gross, Borough of Surf City	Absent
Joseph Kostecki, Borough of South Toms Rivers	Present
Senator Robert Singer, Township of Lakewood, Alternate #1	Absent
Matthew von der Hayden, Township of Stafford, Alternate #2	Present

**APPOINTED OFFICIALS PRESENT:**

<b>Executive Director /Administrator</b>	Perma Risk Management Services.	Stephen Sacco	Present
<b>Attorney</b>	Citta, Holzapfel, Zabarsky	Steven Zabarsky, Esq.	Present
<b>Treasurer</b>		Julie Tarrant	Present
<b>Claims Service</b>	Qual-Lynx	Kathy Kissane	Present
<b>Managed Care</b>	Qual-Lynx	Lisa Gallo	Present
<b>Underwriting</b>	Conner Strong & Buckelew	Ed Cooney	Present
<b>Manager</b>			
<b>Safety Director</b>	JA Montgomery	Paul Shives	Present
<b>Risk Management</b>	Conner Strong & Buckelew	Mike Avalone	Present
<b>Consultants</b>			

**ALSO PRESENT**

Joe Mirarchi, J.A. Montgomery  
Jonathan Tavares, J.A. Montgomery  
Roby Wyckoff, Perma  
Joseph Hrubash, Perma  
Robert Brice, Lavallette  
Eric Sorchik, Plumsted  
Diane Ambrosio, Ocean Township  
Tracy Lopez, Perma

**MOTION TO APPROVE OPEN ABOVE REFERENCED MEETINGS**

**MOTION:** Commissioner Kostecki  
**SECOND:** Commissioner Von der Hayden  
**ROLL CALL VOTE:** Unanimous

**CORRESPONDENCE:**

Executive Director referred to the MEL Helpline bulletin which has been included in the monthly agendas to emphasis the availability of the three firms accessible for members to inquire about employment related issued that may arise.

Executive Director also referred to additional correspondence which outlines the ads that will appear in the NJ League of Municipalities Power of Collaboration from the MEL and NJ SEM noting the current NJ taxpayer savings of \$3.4 B and \$30M respectively. Executive Director said as outlined within the ad by Chairman, Mr. Merchel, the MEL has increased this savings while responding to the financial impact of COVID-19 and Chairman Cuccia of the SEM increased their savings as a result of procurement of gas and electric; if there is any interest in becoming a member of the SEM, you may reach out to our office.

**TREASURER:**

Fund Treasurer reviewed the financial reports distributed prior to the meeting inclusive of the Certification & Reconciliation of Claim Payments, Summary of Cash and Investments for all years combined and the Summary of Cash and Investments for the months of June and July. Fund Treasurer also reviewed the bill lists for the months of August and September 2021 as distributed.

Resolution 25-21 - August 2021

FUND YEAR	AMOUNT
MEL Surplus Trigger	\$287,189.65
<b>2021</b>	<b>\$1,578,821.02</b>
<b>TOTAL</b>	<b>\$ 1,866,010.67</b>

**MOTION TO APPROVE RESOLUTION # 25-21 - AUGUST 2021 BILLS LIST**

**MOTION:** Commissioner Bergin  
**SECOND:** Commissioner Rodgers  
**ROLL CALL VOTE:** Unanimous

Resolution 26-21 September 2021

FUND YEAR	AMOUNT
2021	\$167,830.53
<b>TOTAL</b>	<b>\$167,830.53</b>

**MOTION TO APPROVE RESOLUTION # 26-21 – SEPTEMBER 2021 BILLS LIST**

**MOTION:** Commissioner Bergin  
**SECOND:** Commissioner Rodgers  
**ROLL CALL VOTE:** Unanimous

**MOTION TO ACCEPT THE TREASURER REPORTS OF JUNE 2021 AND JULY 2021 INCLUSIVE OF THE CLAIMS/IMPREST TRANSFERS AND THE AUGUST AND SEPTEMBER BILL LISTS AS CERTIFIED BY THE TREASURER**

**MOTION:** Commissioner Von der Hayden  
**SECOND:** Commissioner Bergin  
**ROLL CALL VOTE:** Unanimous

*Copy of the Treasurer's Report made a part of the Minutes.*

**EXECUTIVE DIRECTOR**

**2022 Renewal/Budget Process**

Executive Director said members and risk management consultants received an email with a link to renewal worksheets - to begin the 2022 underwriting renewal during the month of July; the completion date was August 31, 2021. The Risk Management Consultants and Perma are currently reviewing data within the online database for accuracy toward completion of the 2022 renewal process and to begin the 2022 budget process. This year is especially important to have all schedules reviewed for accuracy in consideration of the impacts at the MEL level. The Finance Committee will need will meet prior to the October meeting to review the proposed 2022 budget of the Fund.to schedule a preliminary 2022 Budget workshop.

**Residual Claims Fund (RCF)**

Executive Director said the Residual Claims Fund met on September 1, 2020 via Zoom. The Residual Claims Fund amended the 2021 Budget and the proposed 2022 Budget was introduced. The public hearing on the RCF budget will be held on October 20, 2021 at 10:30 AM. Commissioner Laureigh's report of the meeting were reviewed as distributed.

**RCF Membership Renewal**

Executive Director said the Ocean JIF is scheduled to renew their membership in the RCF effective January 1, 2022. Resolution #27-21 renewing the membership of the Fund was reviewed as distributed.

**MOTION TO ADOPT RESOLUTION #27-21 RENEWING THE OCEAN JIF'S MEMBERSHIP IN THE MUNICIPAL EXCESS LIABILITY RESIDUAL CLAIMS FUND EFFECTIVE JANUARY 1, 2022.**

**MOTION:** Commissioner Von der Hayden  
**SECOND:** Commissioner Bergin  
**VOTE:** Unanimous

**Environmental JIF (EJIF) Meeting**

Executive Director said the EJIF met on September 1, 2021 via Zoom and introduced its 2022 Budget. Commissioner Laureigh's report was reviewed as distributed. Executive Director noted the EJIF presented the proposed 2022 budget which outlined an increase of 1.1% and added that the EJIF Finance Committee is recommending a dividend of \$3.1M to its members, the highest dividend to

date making up approximately 72% of the budget which will assist member budgets in the 2022 fund year. The EJIF will hold its public hearing and adopt its 2022 Budget on October 20, 2021.

### **EJIF Membership Renewal**

Executive Director noted that the Ocean JIF is also scheduled to renew their membership in the EJIF effective January 1, 2022. Resolution #28-21 renewing the membership of the Fund was reviewed as distributed.

### **MOTION TO ADOPT RESOLUTION #28-21 RENEWING THE OCEAN JIF'S MEMBERSHIP IN THE NJ MUNICIPAL ENVIRONMENTAL RISK MANAGEMENT FUND EFFECTIVE JANUARY 1, 2022.**

<b>MOTION:</b>	Commissioner Von der Hayden
<b>SECOND:</b>	Commissioner Carney
<b>VOTE:</b>	Unanimous

### **Municipal Excess Liability JIF (MEL JIF) Meeting**

Executive Director said the MEL met on September 1, 2021 via Zoom. Executive Director said the MEL has provided a projected 2022 budget outlining an increase of 9.9% for which Mr. Grubb, Executive Director of the MEL has also provided a memo which provides an overview of the impacts to the MEL lines of coverage having an affect on local budgets. The Ocean JIF has provided budgets of 2% or less in past years however the 2022 fund year budgets for all local joint insurance funds will be affected by the MEL increases.

Mr. Sacco referred to the memorandum from the MEL regarding the projected 9.9% increase for the MEL 2022 budget. He advised that the market for excess and reinsurance is increasing at a more rapid pace than at any time since the MEL was created which is being compounded by recent court decisions, legislation, and administrative actions from Trenton that are causing a serious increase in claims. Executive Director reviewed the lines of coverage within the memo as by the following:

- **Property:** Coverage for fire, flood, and etc. is increasing 17.8% or \$2,385,343 because of the frequency of natural disasters over the past few years. This has caused a serious increase in prices charged by both the national and international property insurance markets.
- **Liability:** Liability claims are increasing at a rate of 5% to 10% per year because of the erosion of Title 59 in New Jersey's courts. The recent amendment in the Sexual Molestation statute of limitations will increase total liability costs by an estimated 6%. In some cases, towns are being hit with lawsuits based on allegations going back 40 years. However, these increases are being offset by the MEL's decision last fall to self-insure the \$3 million ex \$2 million layer saving \$1,432,378 (46.2%). As a result, the total liability appropriation is a reduction of \$91,780 (0.6%).
- **Workers' Compensation:** In addition to the Firefighters Cancer Presumption legislation, a recent Department of Labor decision will increase workers' compensation by 11% by directing governmental entities to pay workers' compensation on many accidental disability claims that were paid by the pension plans before the change. This is on top of continuing increases in Worker's Compensation medical costs and indemnity rates. Lastly, COVID pandemic has an estimated cost to the MEL of \$20 million, including 7 deaths. As a result, the MEL's budget for Workers' Compensation is increasing \$1,317,871 (12.5%).

- **Cyber:** Claims and excess premiums are increasing \$1,342,671 (91.1%) in response to increased cyberattacks on municipal government. The MEL Cyber Task Force is currently studying additional measures to control this cost.
- **2021 MEL Budget:** The MEL held its 2021 budget flat to assist the membership with dealing with the COVID pandemic. The flat budget in the previous year essentially creates a 2-year increase for the 2022 budget.

Mr. Hrubash added that although the MEL budget is projected to increase by 9.9%, it is a great budget considering the hard market that we are facing across lines of coverage; in addition to the MEL holding a flat budget last year assisting members during a difficult time.

### **Fund Defense Panel RFPs**

Executive Director said as authorized by the Board, the Fund QPA issued RFPs for the position of Fund Defense Panel. The return date for the proposals was August 26<sup>th</sup>. The listing of respondents was reviewed as distributed. The Fund will review the responses for formal recommendation will be made during the January reorganization meeting.

### **Public Officials/Employment Practices**

Executive Director said in 2011, the Fund approved and implemented the Deferred Deductible Payment Plan offering member entities the ability to select an option for the JIF to process payment for the members' deductible and/or co-payments and to select the term of its repayments to the Fund. The Township of Eagleswood is requesting a repayment plan for their deductible associated with a claim. The formal agreement to be executed between the municipality and the Ocean County Municipal Joint Insurance Fund was reviewed as distributed.

### **MOTION TO ACCEPT THE REQUESTED FOUR - YEAR REPAYMENT PLAN ON BEHALF OF THE TOWNSHIP OF EAGLESWOOD FOR THEIR DEDUCTIBLE/CO-INSURANCE RELATIVE TO THE SETTLEMENT OF AN EPL MATTER.**

<b>MOTION:</b>	Commissioner Kostecki
<b>SECOND:</b>	Commissioner Von der Hayden
<b>VOTE:</b>	Unanimous

### **2021 Coverage Documents**

The fund office has uploaded the 2021 member policies to the Fund's Risk Management Information System (Origami). Fund Commissioners and Risk Management Consultants were notified via email of the availability of same.

### **Employment Practices Compliance Program**

Please visit the MEL webpage to review all the elements of the MEL's EPL Compliance Program; **Deadline for updates and training has been extended from June 1, 2021 to November 1, 2021.** Please use the following link to view an outline of the MEL program and its model documents:

<https://njmel.org/insurance/public-officials/risk-management-program/>

### **Due Diligence Reports**

Executive Director referred to the July 31, 2021 financial fast track which outlines an increase in statutory surplus of \$38,728 for the month, \$44,567 for the year resulting in a total statutory surplus of \$9,109,981. Executive Director noted that a large deficit remains in the 2018 fund year in the amount of \$3.5M along with a smaller deficit in fund year 2020. However, the fund maintains plenty of surplus in the closed years to extinguish those deficits and the surplus is available to assist in the 2022 fund year if needed.

### **ATTORNEY**

Fund Attorney had nothing for the open session.

### **SAFETY DIRECTOR**

Safety Director referred to the agenda report which outlined the July and August activities, inclusive of loss control and law enforcement surveys completed, followed by the listing of safety director bulletins and messages previously distributed and participation from members associated with MSI NOW and MSI DVD viewed.

Safety Director warned members that PEOSHA is making their way through Ocean County and also advised that based on information provided by some members the representative is allowing for a two-day notice prior to making a visit. Safety Coordinators of each member entity can contact their office for assistance with the site visit.

### **RISK MANAGEMENT CONSULTANT**

Mr. Avalone referred to their report beginning with the current outline of services provided to members with an emphasis on the POL/EPL Program as we approach the November 1<sup>st</sup> deadline, Cyber Risk Management Program-V2 compliances in addition to assistance in completing the 2022 renewal process for which Mr. Avalone thanked all members as the process has been finalized and a continuance of COVID-10 assistance. Mr. Avalone noted the continued response from members relating to the police command staff training and the efforts put forth by Mr. Brosnan of J.A. Montgomery; we continue to work together for 100% compliance of the police risk management program. Mr. Avalone added that he continues to emphasize the reporting of any exposure changes impacting members schedules of insurance which should be reported relating to the addition and deletions of exposures, in light of Tropical Storm Ida, this could not be more heavily emphasized although Ocean County was not hit by the storm as significantly as other parts of the state; lack of reporting can affect coverage.

Mr. Avalone said the 2021 policy documents are posted within the Origami database and will be housed there for a period of three years for viewing, it is our recommendation that members download the policies to have them readily available to view in the event coverage needs to be determined.

Mr. Avalone called attention to the great job that J.A. Montgomery does in providing training based on the seasonal changes and directed members to the latest fall seasonal training now available.

Mr. Avalone noted that J.A. Montgomery provided conditional approval for coverage of Toms River Skate Park contingent upon receipt of resolution passed by the Township that mirrored the signage which as in fact passed and submitted to the safety directors office. Based on this approval we ask that Board for approval of coverage for same removing the conditional terms for coverage as the resolution has been submitted.

**MOTION TO GRANT FULL COVERAGE APPROVAL FOR THE TOWNSHIP OF TOMS RIVER SKATE PARK AND REPORT TO THE MEL FOR PROPER COVERAGE ON THE EXCESS LAYERS.**

**MOTION:** Commissioner Kostecki  
**SECOND:** Commissioner Bergen  
**VOTE:** Unanimous

Mr. Rodgers thanked the Board for their approval.

*Copy of the Risk Manager's Report made a part of the Minutes.*

**UNDERWRITING MANAGER**

Underwriting Manager introduced Mr. Jonathon Tavares of Conner Strong & Buckelew; Mr. Tavares is a part of the Underwriting Management Team servicing the Ocean JIF.

Mr. Tavares referred to the agenda reports as distributed outlining the memo addressing the 2022 underwriting critical items of reporting within the Origami database as we approach a very hard insurance market. Mr. Tavares reviewed the cyber program compliance status report – inclusive of those grandfathered through year end as well the listing of certificates of insurance listing as previously issued. Mr. Cooney extended assistance to any member that has any questions associated with the Cyber Risk Management Program-V2.

**MANAGED CARE**

Managed Care Provider referred to medial saving and network utilization reports through the month of August which outlines a total of 470 bills received with a network utilization of 95%. The total charges for those bills was \$424,009 repriced through the network for \$143,487 for a total savings of \$280,522 or 66%. The following report outlined Covid19 activity in August as there were a total 88 workers compensation claims reports; 41 Covid19 related and 47 requiring other medical attention.

**OLD BUSINESS**

None.

**NEW BUSINESS**

None.

**PUBLIC COMMENT**

None

**CLAIMS ADMINISTRATION**

Claims Administrator said the Claims Committee of the Fund met on September 7, 2021 to review a total thirteen (13) payment authorization request; there was a total of 15 to originally be viewed however two workers compensation pars were removed to seek additional information and will be presented at the October. Additionally, there were two workers compensation pars 2 pars which had decreases in by 100% and 89% for subrogation recovery for which the Claims Committee approved and recommended PARs to be submitted for approval. Lastly, Fund Attorney noted conflict with one of the PARs presented and it is so noted on the record.

Claim #	Type
2021237077	WC
2019153430	WC
2019173905	WC
2022243119	WC
2021240866	WC
2020196282	WC
2018129502	WC

Claim #	Type
2020181780	GL
2021211422	GL
2019152960	GL
2021212957	GL
2021217519	PR
2021229782	PR

Executive Director said in May of 2020 the Executive Committee authorized payment to Dasti Law Firm for the handling of approximately 100 claim files due to the dissolution of the prior firm Gilmore & Monahan; to date there are 50 cases being handled by Dasti Law Firm for which they are requesting additional funding for services provided. Fund Attorney and Executive Director discussed the request and agreed that most joint insurance funds pay by the hour which would ultimately exceed their flat fee request of \$17,500. The Claims Committee agreed and further recommends the authorization of additional funding to the Dasti Law Firm.

Fund Attorney noted under the circumstances it is his recommendation to pay the law firm for continued handling of remaining files as we are currently on the very low end of handling claims files for which these type of cases can run \$700 per claim files inclusive of courts appearances, filings etc.

**MOTION TO APPROVE PAYMENT AUTHORIZATION REQUESTS AS REVIEWED AND APPROVED BY THE CLAIMS COMMITTEE DURING THEIR MEETING OF SEPTEMBER 7, 2021 AND APPROVE THE REQUEST FROM THE DASTI LAW FIRM FOR ADDITIONAL FUNDING IN HANDLING REMAINING CLAIM FILES IN THE AMOUNT OF \$17,500.**

**MOTION:** Commissioner Rodgers  
**SECOND:** Commissioner Von der Hayden  
**VOTE:** Unanimous

**Executive Session**  
None

**ADJOURN MEETING:**

**MOTION:** Commissioner Von der Hayden  
**SECOND:** Commissioner Kostecki  
**VOTE:** Unanimous

Meeting Adjourned at: 3:27 PM

NEXT MEETING: October 14, 2021 3:00 PM



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

Resolution No. 25-21

AUGUST 2021

WHEREAS, the Treasurer has certified that funding is available to pay the following bills:

**BE IT RESOLVED** that the Ocean 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 AGGREGATE EXCESS LFC**

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
002085			
002085	MUNICIPAL EXCESS LIABILITY JIF	MEL SURPLUS TRIGGER 2020	287,189.65
			<b>287,189.65</b>
		<b>Total Payments FY AGGREGATE EXCESS LFC</b>	<b>287,189.65</b>

**FUND YEAR 2021**

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
002086			
002086	MUNICIPAL EXCESS LIABILITY JIF	FPB Q3 2021	5,387.25
			<b>5,387.25</b>
002087			
002087	MUNICIPAL EXCESS LIABILITY JIF	MEL PROP Q3 2021	265,197.75
002087	MUNICIPAL EXCESS LIABILITY JIF	MEL Q3 2021	882,764.17
			<b>1,147,961.92</b>
002088			
002088	N.J. MUNICIPAL ENVIRONMENTAL	EJIF 2ND INSTALL 2021	230,812.00
			<b>230,812.00</b>
002089			
002089	QUAL-LYNX	TPA 8/21	62,245.22
002089	QUAL-LYNX	OUTSIDE ADJ 8/21	6,059.55
			<b>68,304.77</b>
002090			
002090	J.A. MONTGOMERY RISK CONTROL	SAFETY DIRECTOR 8/21	11,157.00
002090	J.A. MONTGOMERY RISK CONTROL	POLICE RISK MGT 8/21	2,500.00
			<b>13,657.00</b>
002091			
002091	PERMA	POSTAGE JUNE & JULY 2021	56.91
002091	PERMA	EXEC DIRECTOR 8/21	26,507.76
002091	PERMA	LOSS FUND MGT 8/21	2,457.78
			<b>29,022.45</b>
002092			
002092	QualCare Inc	MANAGED CARE 8/21	25,479.16
			<b>25,479.16</b>
002093			
002093	THE ACTUARIAL ADVANTAGE	ACTUARY 8/21	4,086.50
			<b>4,086.50</b>
002094			
002094	CITTA, HOLZAPFEL & ZABARSKY PC	LITIGATION MGT 8/21	15,238.75
002094	CITTA, HOLZAPFEL & ZABARSKY PC	ATTORNEY 8/21	3,822.50
			<b>19,061.25</b>
002095			
002095	JULIE TARRANT	TREASURER 8/21	3,163.25
			<b>3,163.25</b>
002096			
002096	ASBURY PARK PRESS	AD 7.16.2021	59.30
002096	ASBURY PARK PRESS	AD 7.01.2021	65.60
002096	ASBURY PARK PRESS	AD 7.02.2021	111.50
			<b>236.40</b>
002097			
002097	MUNICIPAL EXCESS LIABILITY JIF	MSI Q3 2021	9,160.33
			<b>9,160.33</b>
002098			
002098	ALLSTATE INFORMATION MANAGEMNT	ARC SERVICE&STORAGE 6/21	80.08
			<b>80.08</b>
002099			
002099	ISLAND HEIGHTS BOROUGH	POLICE ACCRED GRANT 2021	20,000.00
			<b>20,000.00</b>
002100			
002100	CONNER STRONG & BUCKELEW	UNDERWRITING MGR 8/21	1,042.00
			<b>1,042.00</b>
002101			
002101	EXECU-TECH, INC.	WEBSITE 8/21	200.00
			<b>200.00</b>
002102			
002102	THE CANNING GROUP LLC	QPA 7/21	583.33
002102	THE CANNING GROUP LLC	QPA 6/21	583.33
			<b>1,166.66</b>
		<b>Total Payments FY 2021</b>	<b>1,578,821.02</b>

**TOTAL PAYMENTS ALL FUND YEARS \$ 1,866,010.67**

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

Resolution No. 26-21

SEPTEMBER 2021

WHEREAS, the Treasurer has certified that funding is available to pay the following bills:

BE IT RESOLVED that the Ocean 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 2021**

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
002103			
002103	QUAL-LYNX	TPA 9/21	62,245.22
002103	QUAL-LYNX	OUTSIDE ADJ 9/21	6,059.55
			<b>68,304.77</b>
002104			
002104	J.A. MONTGOMERY RISK CONTROL	SAFETY DIRECTOR 9/21	11,157.00
002104	J.A. MONTGOMERY RISK CONTROL	POLICE RISK MGT 9/21	2,500.00
			<b>13,657.00</b>
002105			
002105	PERMA	LOSS FUND MGT 9/21	2,457.78
002105	PERMA	ED 9/21	26,507.76
			<b>28,965.54</b>
002106			
002106	QualCare Inc	MANAGED CARE 9/21	25,479.16
002106	QualCare Inc	FIELD CASE MANAGEMENT Q2 2021	2,082.50
			<b>27,561.66</b>
002107			
002107	THE ACTUARIAL ADVANTAGE	ACTUARY 9/21	4,086.50
			<b>4,086.50</b>
002108			
002108	CITTA, HOLZAPFEL & ZABARSKY PC	LITIGATION MGT 9/21	16,316.75
002108	CITTA, HOLZAPFEL & ZABARSKY PC	ATTORNEY 9/21	3,822.50
			<b>20,139.25</b>
002109			
002109	JULIE TARRANT	TREASURER 9/21	3,163.25
			<b>3,163.25</b>
002110			
002110	ASBURY PARK PRESS	AD 8.12.2021	47.15
			<b>47.15</b>
002111			
002111	ALLSTATE INFORMATION MANAGEMNT	AQRC SERVICE&STORAGE 7/21	80.08
			<b>80.08</b>
002112			
002112	CONNER STRONG & BUCKELEW	UNDERWRITING MGR 9/21	1,042.00
			<b>1,042.00</b>
002113			
002113	EXECU-TECH, INC.	WEBSITE 9/21	200.00
			<b>200.00</b>
002114			
002114	THE CANNING GROUP LLC	QPA 8/21	583.33
			<b>583.33</b>
		<b>Total Payments FY 2021</b>	<b>167,830.53</b>

**TOTAL PAYMENTS ALL FUND YEARS \$ 167,830.53**

**RESOLUTION NO. 27-21**

**RESOLUTION TO RENEW MEMBERSHIP  
MUNICIPAL EXCESS LIABILITY RESIDUAL CLAIMS FUND**

**WHEREAS**, the Municipal Excess Liability Residual Claims Fund (“RCF”), a nonprofit public entity in the State of New Jersey, was formed pursuant to N.J.S.A. 40A:10-36, et seq., to provide residual risk management to its member Joint Insurance Funds (“JIF”); and

**WHEREAS**, in accordance with N.J.S.A. 40A:10-42, the RCF may provide coverage to its member JIFs by self-insurance, the purchase of commercial insurance or reinsurance, or any combination thereof; and

**WHEREAS**, the purchase of such coverage by the RCF is exempt from public advertising and bidding requirements pursuant to N.J.S.A. 40A:11-5(1)(a)(ii) and 40A:11-5(1)(m) as an extraordinary unspecifiable service (“EUS”) so long as the contract entered into is awarded in accordance with the requirements for EUSs; and

**WHEREAS**, pursuant to N.J.S.A. 40A:65-14, the governing bodies of two or more Local Units may enter into an agreement to provide for the formation of the joint operation of any public services, public improvements, works, facilities, or undertakings which the local units are empowered to operate; and

**WHEREAS**, pursuant to N.J.S.A. 40A:65-9 et seq. the RCF, if necessary, shall obtain coverage and fund approved claims on behalf of its members JIFs in accordance with the Local Public Contracts Law; and

**WHEREAS**, in accordance with N.J.S.A. 40A:10-36 et seq., a JIF wishing to join the RCF to obtain the benefits of joint public entity membership may do so by adopting a resolution; and

**WHEREAS**, the Executive Committee of the **Ocean County Municipal Joint Insurance Fund** has determined that renewing their membership in the Residual Claims Fund is in the best interests of the member local units.

**NOW, THEREFORE, BE IT RESOLVED** that the Fund Commissioners of the **Ocean County Municipal Joint Insurance Fund** does hereby resolve and agree to renew its membership in the Residual Claims Fund for a period of three (3) years, the commencement of which shall be January 1, 2022. For the purpose of determining the term, any portion of the Fund year shall be considered a full year; and

**BE IT FURTHER RESOLVED** that the **Ocean County Municipal Joint Insurance Fund** hereby adopted the Bylaws of the Residual Claims Fund. Coverage will be provided in accordance with the terms, conditions and limitations as contained in the Residual Claim Fund's Commercial Excess Insurance or Reinsurance, and Bylaws; and,

**BE IT FURTHER RESOLVED** that the Chairman of the **Ocean County Municipal Joint Insurance Fund**, or other authorized representative, is authorized and directed to execute any and all written agreements necessary for membership in the Residual Claims Fund including, but not limited to, the Indemnity and Trust Agreement in order to implement membership by the **Ocean County Municipal Joint Insurance Fund** in the Residual Claims Fund according to its Bylaws, N.J.S.A. 40A:10-36 et seq.), administrative regulations, and any other statutes or regulations pertaining thereto.

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**OCEAN COUNTY MUNICIPAL  
JOINT INSURANCE FUND**

**MUNICIPAL EXCESS LIABILITY RESIDUAL CLAIMS FUND  
INDEMNITY and TRUST AGREEMENT**

**THIS AGREEMENT** made this 9th day of September, 2021, in the County of Morris by and between the Municipal Excess Liability Residual Claims Fund, hereinafter referred to as the "Residual Claims Fund", and the **Ocean County Municipal Joint Insurance Fund**, hereinafter referred to as the "FUND".

**WITNESSETH:**

**WHEREAS**, several local governmental units have formed a residual claims joint insurance fund as authorized and described in N.J.S.A. 40A:10-36 et seq., and the administrative regulations promulgated pursuant thereto; and,

**WHEREAS**, the FUND has agreed to become a member of the Residual Claims Fund and to share in the obligations and benefits flowing from such membership with other members of the Residual Claims Fund in accordance with and to the extent provided for in the Bylaws of the Residual Claims Fund, and in consideration of such obligations and benefits to be shared by the membership of the Residual Claims Fund.

**NOW, THEREFORE**, be it agreed as follows:

- 1.) The FUND accepts the Residual Claims Fund's Bylaws as approved and adopted and agrees to be bound by and to comply with each and every provision of the said Bylaws, the pertinent statutes and administrative regulations pertaining to same and as set forth in the Risk Management Plan.
- 2.) The FUND agrees to participate in the Residual Claims Fund with respect to the Fund years and types of insurance listed in the FUND's Resolution to Join.
- 3.) The FUND agrees to become a member of the Residual Claims Fund for an initial period not to exceed three (3) years, the commencement of which shall commence effective January 1, 2022.
- 4.) The FUND certifies that it has not defaulted on any claims if self-insured and has not been cancelled for non-payment of insurance premiums for a period of at least two (2) years prior to the date hereof.

- 5.) In consideration of membership in the Residual Claims Fund, the FUND agrees that it shall jointly and severally assume and discharge the liability of each and every member of the Residual Claims Fund, all of whom as a condition of membership in the Residual Claims Fund shall execute a verbatim counterpart of this agreement, and by execution hereof the full faith and credit of the FUND is pledged to the punctual payment of any sum which shall become due to the Residual Claims Fund in accordance with the Bylaws thereof, this agreement, the Residual Claims Fund's Risk Management Plan, or any applicable statute.
- 6.) If the Residual Claims Fund in the enforcement of any part of this agreement shall incur necessary expense, or become obligated to pay attorney's fees and/or court costs, the FUND agrees to reimburse the Residual Claims Fund for all such reasonable expenses, fees, and costs on demand.
- 7.) The FUND and the Residual Claims Fund agree that the Residual Claims Fund shall hold all monies paid by the FUND to the Residual Claims Fund as fiduciaries for the benefit of Residual Claims Fund claimants, all in accordance with administrative regulations.
- 8.) The Residual Claims Fund shall establish a Trust Account entitled "Claims or Loss Retention Fund". The Residual Claims Fund shall maintain the Trust Account in accordance with N.J.S.A. 40A:10-36 et seq., N.J.S.A. 40A:5-1, and such other regulations or statutes as may be applicable. More specifically, the Trust Account shall be utilized solely for the payment of claims, allocated claim expense, and excess insurance or reinsurance premiums for such risk or liability or as "surplus" as such term is defined by the administrative regulations.
- 9.) Each FUND who shall become a member of the Residual Claims Fund shall be obligated to execute this agreement.

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**OCEAN COUNTY MUNICIPAL  
JOINT INSURANCE FUND**

**RESOLUTION NO. 28-21**

**RESOLUTION TO RENEW MEMBERSHIP NEW JERSEY MUNICIPAL ENVIRONMENTAL RISK MANAGEMENT FUND**

**WHEREAS**, the **New Jersey Municipal Environmental Risk Management Fund** (“E-JIF”), a nonprofit public entity in the State of New Jersey, was formed pursuant to N.J.S.A. 40A:10-36 et seq. to provide risk management for member Joint Insurance Funds (“JIF”) against bodily injury and property damage claims arising from environmental impairment liability and legal representation therefor to the extent and for coverages approved by the Commissioner of Banking and Insurance; and

**WHEREAS**, in accordance with N.J.S.A. 40A:10-42, the E-JIF may provide coverage to its member JIFs by self-insurance, the purchase of commercial insurance or reinsurance, or any combination thereof; and

**WHEREAS**, such coverage more specifically includes Third Party Liability, First Party Coverage, Public Officials Liability, De Minimus Abandoned Toxic Waste Sites Buy-Out, Legal Services and Storage Tank Systems Coverages; and

**WHEREAS**, the purchase of such coverage by the E-JIF is exempt from public advertising and bidding requirements pursuant to N.J.S.A. 40A:11-5(1)(a)(ii) and 40A:11-5(1)(m) as an extraordinary unspecifiable service (“EUS”) so long as the contract entered into is awarded in accordance with the requirements for EUSs; and

**WHEREAS**, pursuant to N.J.S.A. 40A:65-14, the governing bodies of two or more Local Units may enter into an agreement to provide for the formation of the joint operation of any public services, public improvements, works, facilities, or undertakings which the local units are empowered to operate; and

**WHEREAS**, pursuant to N.J.S.A. 40A:65-9 et seq. the E-JIF shall obtain coverage on behalf of its members JIFs in accordance with the Local Public Contracts Law; and

**WHEREAS**, in accordance with N.J.S.A. 40A:10-36 et seq., a JIF wishing to join the E-JIF to obtain the benefits of joint public entity membership may do so by adopting a resolution; and

**WHEREAS**, the **Executive Committee/Fund Commissioners** of the **Ocean County Municipal Joint Insurance Fund** has determined that membership in the E-JIF is in the best interests of the member Local Unit.

**NOW THEREFORE BE IT RESOLVED** that the **Board of Fund Commissioners** of the **Ocean County Municipal Joint Insurance Fund** do hereby resolve and agree to renew their membership in the E-JIF for a period of three (3) years, effective January 1, 2022; and

**BE IT FURTHER RESOLVED** that the application for membership is for the purpose of obtaining the following types of coverages:

- |             |                                      |
|-------------|--------------------------------------|
| Section I   | Third Party Liability                |
| Section II  | On-Site Clean-up Costs               |
| Section III | Public Officials Pollution Liability |
| Section IV  | De Minimus Abandoned Waste Sites     |

Section V      Storage Tank Systems

any other benefits and coverage that is provided to participating members in good standing

**BE IT FURTHER RESOLVED** that the Chairman of the **Ocean County Municipal Joint Insurance Fund** or other authorized representative, is authorized and directed to execute any and all written agreements necessary for membership in the E-JIF including, but not limited to, the Indemnity and Trust Agreement in order to implement membership by the **Ocean County Municipal Joint Insurance Fund** in the E-JIF according to its Bylaws, N.J.S.A. 40A:10-36 et seq.), administrative regulations and any other statutes or regulations pertaining thereto.

**OCEAN COUNTY MUNICIPAL JOINT INSURANCE FUND**



**NEW JERSEY MUNICIPAL ENVIRONMENTAL RISK MANAGEMENT FUND  
INDEMNITY AND TRUST AGREEMENT**

**THIS AGREEMENT** made this 9<sup>th</sup> day of September, 2021, in the County of Morris by and Between: The New Jersey Municipal Environmental Risk Management Fund, hereinafter referred to as "E-JIF," and the **Ocean County Municipal Joint Insurance Fund**, hereinafter referred to as the "FUND."

**WITNESSETH:**

**WHEREAS**, several local governmental units have formed an Environmental Impairment Liability Joint Insurance Fund as authorized and described in N.J.S.A. 40A:10-36 et seq. and the administrative regulations promulgated pursuant thereto; and

**WHEREAS**, the FUND has agreed to become a member of the E-JIF and to share in the obligations and benefits flowing from such membership with other members of the E-JIF in accordance with and to the extent provided for in the bylaws of the E-JIF and in consideration of such obligations and benefits to be shared by the membership of the E-JIF.

**NOW THEREFORE**, be it agreed as follows:

1. The FUND accepts the E-JIF's bylaws as approved and adopted and agrees to be bound by and to comply with each and every provision of the said bylaws, the pertinent statutes and administrative regulations pertaining to same and as set forth in the Risk Management Plan.
2. The FUND agrees to participate in the E-JIF with respect to the types of insurance listed in the FUND's Resolution to Join.
3. The FUND agrees to become a member of the E-JIF for an initial period not to exceed three (3) years, effective January 1, 2022 and ending December 31, 2024.
4. The FUND certifies that it has not defaulted on any claims if self-insured and has not been canceled for non-payment of insurance premiums for a period of at least two (2) years prior to the date hereof.
5. In consideration of membership in the E-JIF, the FUND agrees that it shall jointly and severally assume and discharge the liability of each and every member of the E-JIF, all of whom as a condition of membership in the E-JIF shall execute a verbatim counterpart of this Agreement and by execution hereof the full faith and credit of the FUND is pledged to the punctual payment of any sums which shall become due to the E-JIF in accordance with the bylaws thereof, this Agreement, the E-JIF's Risk Management Plan or any applicable statute.

6. If the E-JIF in the enforcement of any part of this Agreement shall incur necessary expense or become obligated to pay attorney's fees and/or court costs, the FUND agrees to reimburse the E-JIF for all such reasonable expenses, fees and costs on demand.
7. The FUND and the E-JIF agree that the E-JIF shall hold all monies paid by the FUND to the E-JIF as fiduciaries for the benefit of E-JIF claimants, all in accordance with administrative regulations.
8. The E-JIF has established a Trust Account entitled "Claims or Loss Retention Fund." The E-JIF shall maintain the Trust Account in accordance with N.J.S.A. 40A:10-36 et seq., N.J.S.A. 40A:5-1, and such other regulations or statutes as may be applicable. More specifically, the Trust Account shall be utilized solely for the payment of claims, allocated claim expense and excess insurance or reinsurance premiums for each such risk or liability or as "surplus" as such term is defined by the administrative regulations.
9. Each FUND who shall become a member of the E-JIF shall be obligated to execute this Agreement.

#### **NEW JERSEY MUNICIPAL ENVIRONMENTAL RISK MANAGEMENT FUND**

#### **OCEAN COUNTY MUNICIPAL JOINT INSURANCE FUND**