

**OCEAN COUNTY MUNICIPAL JOINT INSURANCE FUND
MINUTES
SEPTEMBER 10, 2015
TOMS RIVER MUNICIPAL BUILDING
3:00 P.M.**

Meeting Called to Order by Acting Chairman Shives. Open Public Meeting Statement read into the record.

Pledge of Allegiance

ROLL CALL OF EXECUTIVE COMMITTEE::

James Pine, Chairperson, Township of Eagleswood	Absent
Charlene Carney, Vice Chair, Borough of Pine Beach	Present
Paul Shives, Secretary, Township of Toms River	Present
Diane Lapp, Township of Manchester	Present
Veronica Laureigh, Twp. of Lacey	Absent
Dave Pawlishak, Borough of Surf City	Absent
Christopher Parlow, Borough of Lavallette	Present
Joseph Gilsenan, Township of Brick, Alternate #1	Present
Isaac Akerman, Township of Lakewood, Alternate #2	Absent

APPOINTED OFFICIALS PRESENT:

Executive Director /Administrator	Perma Risk Management Services	Stephen Sacco	Present
Attorney	Citta, Holzapfel, Zabarsky	Steven Zabarsky, Esq.	Present
Treasurer		Bill Garofalo	Absent
Claims Service	Qual-Lynx	Kathie Tyler-Schohl	Absent
Underwriting Manager	Conner Strong & Buckelew	Ed Scioli	Absent
Safety Director	JA Montgomery	Joanne Hall	Absent
Risk Management Consultants	Conner Strong & Buckelew	Mike Avalone	Present

ALSO PRESENT

Jason Thorpe, Perma
William Akers, Seaside Heights
Tom Tallon, Ship Bottom
Jennifer Goldstein, CSG
Taylor Jacob, CSG
Joe Mirarchi, JA Montgomery

APPROVAL OF MINUTES: July 9, 2015

MOTION TO APPROVE OPEN & CLOSED MINUTES FOR ABOVE REFERENCED MEETING

MOTION: Commissioner Gilsenan
SECOND: Commissioner Carney
VOTE: 4 ayes, 0 nays, 1 abstention
Commissioner Lapp

CORRESPONDENCE:

None.

COMMITTEE REPORTS:

The Claims Review Committee: Met on Tuesday, September 8, 2015. Minutes from that meeting were distributed prior to the meeting. A verbal report will be provided during the Closed Session portion of the meeting.

TREASURER:

Commissioner Shives informed the Board that Mr. Garofalo was unable to attend the meeting. He then reported on the Bills List for the month that was distributed prior to the meeting.

August 2015

FUND YEAR	AMOUNT
2014	\$16,836.83
2015	\$147,971.32
TOTAL	\$164,808.15

MOTION TO APPROVE RESOLUTION # 20-15 APPROVAL FOR PAYMENT OF AUGUST 2015 BILL LIST

MOTION: Commissioner Parlow
SECOND: Commissioner Lapp
ROLL CALL VOTE: Unanimous

September 2015

FUND YEAR	AMOUNT
2015	\$173,815.83
TOTAL	\$173,815.83

MOTION TO APPROVE RESOLUTION # 21-15 APPROVAL FOR PAYMENT OF SEPTEMBER 2015 BILL LIST

MOTION: Commissioner Parlow
SECOND: Commissioner Lapp
ROLL CALL VOTE: Unanimous

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

EXECUTIVE DIRECTOR:

CLAIMS REVIEW COMMITTEE: The Claims Review Committee met on Tuesday, September 8, 2015. Report given during closed session.

2016 RENEWAL/BUDGET PROCESS - Mr. Sacco informed the Committee that the fund office is currently confirming data within the online database for accuracy toward completion of the 2016 renewal process and to begin the 2016 budget process. He noted that the Finance Committee will hold its annual budget workshop on October 5th immediately following the Claims Committee meeting.

MEL MEETING - Mr. Sacco reported that the MEL met on September 2, 2015 in Jamesburg. He referred to Commissioner Shives' report of the meeting. Commissioner Shives advised that the MEL budget will be based on the introduction of a retrospective rating program where member JIFs will be billed a deposit assessment based on 85% of their expected claims fund assessments. He added that this program allows for the local JIFs to take greater responsibility in their claims experience and allows for a more equitable distribution of the MEL assessments. Commissioner Shives asked the Board to read the report as this change may impact the Fund Mr. Sacco advised that the program would be discussed further during the 2016 budget workshop.

RESIDUAL CLAIMS FUND (RCF) - Mr. Sacco reported that the Residual Claims Fund met on September 2, 2015 in Jamesburg. He noted that the Residual Claims Fund amended the 2015 Budget and the proposed 2016 Budget was introduced. He indicated that the public hearing on the RCF budget will be held on October 21, 2015 at 10:30 AM at the Forsgate Country Club and referred to Commissioner Shives' report of the meeting enclosed within the agenda booklet.

RCF MEMBERSHIP RENEWAL – Mr. Sacco informed the Committee that the OceanJIF is scheduled to renew their membership in the RCF effective January 1, 2016. He then referred to Resolution #22-15 which renews the membership.

MOTION TO ADOPT RESOLUTION #22-15 RENEWING THE OCEAN JIFS MEMBERSHIP IN THE MUNICIPAL EXCESS LIABILITY RESIDUAL CLAIMS FUND EFFECTIVE JANUARY 1, 2016.

MOTION:	Commissioner Parlow
SECOND:	Commissioner Carney
ROLL CALL VOTE:	Unanimous

ENVIRONMENTAL JIF (E-JIF) MEETING – Mr. Sacco informed the Committee that the EJIF also met on September 2, 2015 in Jamesburg and introduced its 2016 Budget. He referred to Commissioner Shives' report and indicated that the EJIF will hold its public hearing and adopt its 2016 Budget on October 21, 2015 in Jamesburg.

EJIF MEMBERSHIP RENEWAL – Mr. Sacco informed the Committee that the Ocean JIF is scheduled to renew their membership in the EJIF effective January 1, 2016. He then referred to Resolution #23-15 which renews the membership.

MOTION TO ADOPT RESOLUTION #23-15 RENEWING THE OCEAN JIF'S MEMBERSHIP IN THE NJ MUNICIPAL ENVIRONMENTAL RISK MANAGEMENT FUND EFFECTIVE JANUARY 1, 2016.

MOTION:	Commissioner Gilsenan
SECOND:	Commissioner Lapp
ROLL CALL VOTE:	Unanimous

RFQ PROCESS - Mr. Sacco advised that the professional service contract for the Fund Attorney, Defense Panel, the CDL Drug and Alcohol monitor, and Audiometric & Respiratory Testing provider will all expire December 31, 2015. He indicated that authorization is needed to proceed in the RFQ process for the 2016 Fund year.

MOTION TO RELEASE THE RFQ FOR THE PROFESSIONAL SERVICES OF FUND ATTORNEY INCLUDING THE DEFENSE PANEL, CDL & AUDIOMETRIC AND RESPIRATORY TESTING PROVIDER PURSUANT TO THE FAIR AND OPEN PROCESS OUTLINED IN N.J.S.A. 19:44A-20.4 ET. SEQ.

MOTION: Commissioner Parlow
SECOND: Commissioner Gilsenan
ROLL CALL VOTE: Unanimous

DUE DILIGENCE REPORTS - Mr. Sacco referred to the Financial Fast Track for the month of July contained within the Agenda packet. He reported that all fund years are positive and the Board of the current statutory surplus position.

With nothing further, Mr. Sacco concluded his report.

ATTORNEY:

Mr. Zabarsky advised that his report would be given during closed session.

SAFETY DIRECTOR:

Mr. Mirarchi reviewed the July and August activities and the September agenda. He referred to the Safety Director Bulletins and announcements that have been sent to the membership.

Lastly, Mr. Mirarchi referred to the list of upcoming MSI training seminars and advised of the CEUs available.

Copy of the Safety Director's Report made a part of the Minutes

UNDERWRITING MANAGER:

Mr. Thorpe indicated that Mr. Scioli was unable to attend the meeting. He then referred to the list of certificates enclosed within the agenda booklet.

List of Certificates made part of the Minutes.

CLAIMS SERVICE:

Ms. Tyler-Schol indicated that the Claims Services report would be given in Closed Session.

RISK MANAGEMENT CONSULTANT:

Mr. Avalone informed the Board that the 2016 Renewal Data Collection Process is in progress and is important in preparing the 2016 budget. He advised that it is critical for members to report property/vehicle additions and noted that lack of reporting can jeopardize coverage. Mr. Avalone noted that it is important for both the budget process and the solid state of coverage.

Mr. Avalone advised that the MEL Model Personnel & Procedure Committee has a meeting scheduled for September 28, 2015. He added that the Fund Risk Managers will be participating, to set the curriculum for the 2015/2016 Employment Practices Liability Risk Management/Loss Control Program requirements.

Lastly, Mr. Avalone introduced Mr. William Akers from Seaside Heights who was present at the meeting.

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

MANAGED CARE:

Ms. Goldstein began by introducing Ms. Taylor Jacobs and informed the Board that Ms. Jacobs is transitioning into the Client Services Account Manager role. Ms. Goldstein then referred the Committee to her report contained in the Agenda packet. She reported that during the month of July, there was a savings of \$317,367.44 resulting in 63.71% of savings. Ms. Goldstein added that during the month of August there was a savings of \$635,152.06 resulting in 66.39% of savings.

Monthly Report Made Part of Minutes.

OLD BUSINESS:

None

NEW BUSINESS:

None

MEETING OPENED TO PUBLIC FOR COMMENT:

No public comments were made.

PUBLIC COMMENT PORTION OF THE MEETING CLOSED

MOTION TO ENTER EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING PENDING AND THREATENING LITIGATION:

MOTION: Commissioner Lapp
SECOND: Commissioner Parlow
VOTE: Unanimous

MOTION TO ADJOURN EXECUTIVE SESSION:

MOTION: Commissioner Gilsenan
SECOND: Commissioner Lapp
VOTE: Unanimous

MOTION TO APPROVE PAYMENT OF CLAIMS AS DISCUSSED IN EXECUTIVE SESSION, THE FOLLOWING PARS WERE APPROVED:

Workers Compensation

Z16878
X51644
Z10424
X47527
Z21228
E6635

GL, AL, and Property claims

X34483
X70791
X67361
W19636
Z21411
X35961
U43944
X95702
Z07327

MOTION: Commissioner Parlow
SECOND: Commissioner Lapp
ROLL CALL VOTE: Unanmious

MOTION TO ADJOURN MEETING:

MOTION: Commissioner Parlow
SECOND: Commissioner Carney
VOTE: Unanimous

Meeting Adjourned at: 3:12 PM

NEXT MEETING: October, 2015 3:00 PM
Toms River Municipal Building
33 Washington Street
Toms River, NJ 08754

- Secretary

OCEAN COUNTY MUNICIPAL JOINT INSURANCE FUND BILLS LIST

Resolution No. 20-15

AUGUST 2015

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 2014

<u>CheckNumber</u>	<u>VendorName</u>	<u>Comment</u>	<u>InvoiceAmount</u>
000416			
000416	J.A. MONTGOMERY RISK CONTROL	RIGHT TO KNOW INVENTORY & LABELING'14	16,836.83
			16,836.83
		Total Payments FY 2014	16,836.83

FUND YEAR 2015

<u>CheckNumber</u>	<u>VendorName</u>	<u>Comment</u>	<u>InvoiceAmount</u>
000417			
000417	QUAL-LYNX	OUTSDIE ADJUSTER - 08/2015	5,380.75
000417	QUAL-LYNX	CLAIMS ADMIN - 08/2015	55,272.00
			60,652.75
000418			
000418	J.A. MONTGOMERY RISK CONTROL	LOSS CONTROL SERVICES - 08/2015	9,907.10
			9,907.10
000419			
000419	PERMA	POSTAGE FEE 07/2015	48.22
000419	PERMA	EXECUTIVE DIRECTOR FEE 08/2015	23,538.00
			23,586.22
000420			
000420	THE ACTUARIAL ADVANTAGE	ACTUARIAL CONSULTING SERVICES - 08/2015	3,628.00
000420	THE ACTUARIAL ADVANTAGE	ACTUARIAL CONSULTING SERVICES - 07/2015	3,628.00
			7,256.00
000421			
000421	CITTA, HOLZAPFEL & ZABARSKY PC	LITIGATION MANAGEMENT - 07/31/2015	15,800.25
000421	CITTA, HOLZAPFEL & ZABARSKY PC	ATTORNEY FEE 07/31/2015	3,394.25
			19,194.50
000422			
000422	CONSOLIDATED SERVICES GRP, INC	MANAGED CARE SERVICES - 08/2015	23,190.92
			23,190.92
000423			
000423	WILLIAM GAROFALO	TREASURER FEE 08/2015	2,809.00
			2,809.00
000424			
000424	MGL PRINTING SOLUTIONS	CHECKS - OCEAN CO M JIF - 07/10/2015	196.25
			196.25
000425			

000425	ALLSTATE INFORMATION MANAGEMNT	ACCT: 411 - ACT & STOR 06/30/2015	54.00
			54.00
000426			
000426	CONNER STRONG & BUCKELEW	UNDERWRITING MANAGER - 08/2015	924.58
			924.58
000427			
000427	EXECU-TECH, INC.	MONTHLY WEBSITE MAINTENANCE FEE 08/2015	200.00
			200.00
		Total Payments FY 2015	147,971.32

TOTAL PAYMENTS ALL FUND YEARS \$ 164,808.15

OCEAN COUNTY MUNICIPAL JOINT INSURANCE FUND BILLS LIST

Resolution No. 21-15

SEPTEMBER 2015

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 2015

<u>CheckNumber</u>	<u>VendorName</u>	<u>Comment</u>	<u>InvoiceAmount</u>
000428			
000428	MUNICIPAL EXCESS LIABILITY RCF	2015 BRICK RCF RUN-IN ASSESSMENT	30,000.00
			30,000.00
000429			
000429	QUAL-LYNX	OUTSIDE ADJUSTER - 09/2015	5,380.75
000429	QUAL-LYNX	CLAIMS ADMIN - 09/2015	55,272.00
			60,652.75
000430			
000430	J.A. MONTGOMERY RISK CONTROL	LOSS CONTROL SERVICES - 09/2015	9,907.10
			9,907.10
000431			
000431	PERMA	POSTAGE FEE 08/2015	1.41
000431	PERMA	EXECUTIVE DIRECTOR FEE 09/2015	23,538.00
			23,539.41
000432			
000432	THE ACTUARIAL ADVANTAGE	ACTUARIAL CONSULTING SERVICES - 09/2015	3,628.00
			3,628.00
000433			
000433	CITTA, HOLZAPFEL & ZABARSKY PC	LITIGATION MANAGEMENT - 08/31/2015	15,501.80
000433	CITTA, HOLZAPFEL & ZABARSKY PC	ATTORNEY FEE 08/31/2015	3,394.25
			18,896.05
000434			
000434	CONSOLIDATED SERVICES GRP, INC	MANAGED CARE SERVICES - 09/2015	23,190.92
			23,190.92
000435			
000435	WILLIAM GAROFALO	TREASURER FEE 09/2015	2,809.00
			2,809.00
000436			
000436	ALLSTATE INFORMATION MANAGEMNT	ACCT: 411 - ACT & STOR - 07/31/2015	68.02
			68.02
000437			
000437	CONNER STRONG & BUCKELEW	UNDERWRITING MANAGER FEE 09/2015	924.58
			924.58

000438
000438

EXECU-TECH, INC.

MONTHLY WEBSITE MAINTENANCE FEE 09/2015

200.00
200.00

Total Payments FY 2015

173,815.83

TOTAL PAYMENTS ALL FUND YEARS \$ 173,815.83

RESOLUTION NO. 22-15

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

WHEREAS, the Municipal Excess Liability Residual Claims Fund is being organized pursuant to N.J.S.A. 40A:10-36, et seq., to provide residual risk coverage to its member joint insurance funds; 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, 2016. 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, Chapter C.372 Laws of 1983 (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

MUNICIPAL EXCESS LIABILITY RESIDUAL CLAIMS FUND

INDEMNITY and TRUST AGREEMENT

THIS AGREEMENT made this 10th day of September, 2015, in the County of Ocean 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, 2016.
- 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.

OCEAN COUNTY MUNICIPAL JOINT INSURANCE FUND

RESOLUTION NO. 23-15

RESOLUTION TO RENEW MEMBERSHIP NEW JERSEY MUNICIPAL ENVIRONMENTAL RISK MANAGEMENT FUND

WHEREAS, the **New Jersey Municipal Environmental Risk Management Fund** has been organized to provide Third Party Liability, First Party Coverage, Public Officials Liability, De Minimus Abandoned Toxic Waste Sites Buy-Out, Legal Services and Storage Tank Systems Coverages to its member Local Units; and,

WHEREAS, it has been determined that environmental impairment liability coverage is available from the **New Jersey Municipal Environmental Risk Management Fund**, hereinafter referred to as "E-JIF" as created under Chapter C.372 Laws of 1983 (N.J.S.A. 40A:10-36 et seq.); and,

WHEREAS, said statutes and the regulations pertaining thereto contain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a Fund; 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 municipalities.

NOW THEREFORE BE IT RESOLVED that the **Executive Committee/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, 2016; 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 First Party Coverage
- Section III Public Officials Liability
- Section IV De Minimus Abandoned Toxic Waste Sites Buy Out
- Section V Legal Services
- Section VI Storage Tank Systems

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, Chapter C.372 Laws of 1983 (NJSA 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 10th day of September, 2015, in the County of Ocean 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 NJSA 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, 2016 and ending December 31, 2018.
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 NJSA 40A:10-36 et seq., NJSA 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.

OCEAN COUNTY MUNICIPAL JOINT INSURANCE FUND