

**OCEAN COUNTY MUNICIPAL JOINT INSURANCE FUND  
MINUTES  
JULY 12, 2018  
TOMS RIVER MUNICIPAL BUILDING  
3:00 P.M.**

Meeting Called to Order by Chairperson Lapp. Open Public Meeting Statement read into the record.

Pledge of Allegiance

**ROLL CALL OF 2018 EXECUTIVE COMMITTEE:**

|   |         |
|---|---------|
| Diane Lapp, Chairperson, Township of Manchester           | Present |
| Charlene Carney, Vice Chair, Borough of Pine Beach        | Present |
| Veronica Laureigh, Secretary, Twp. of Lacey               | Present |
| Thomas Rodgers, Twp. Of Toms River                        | Present |
| Joseph Gilsean, Township of Brick                         | Present |
| Michael Gross, Borough of Surf City                       | Absent  |
| Joseph Kostecki, Borough of South Toms Rivers             | Absent  |
| Senator Robert Singer, Township of Lakewood, Alternate #1 | Present |
| William Akers, Borough of Seaside Heights, 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>                         |                                 | Bill Garofalo         | Present |
| <b>Claims Service</b>                    | Qual-Lynx                       | Gemma Armenia         | Present |
| <b>Underwriting Manager</b>              | Conner Strong & Buckelew        | Ed Cooney             | Absent  |
| <b>Safety Director</b>                   | JA Montgomery                   | Keith Hummel          | Absent  |
| <b>Risk Management Consultants</b>       | Conner Strong & Buckelew        | Mike Avalone          | Present |

**ALSO PRESENT**

Jason Thorpe, PERMA  
Kathleen Flanagan, Ship Bottom  
Taylor Jacob, Medlogix  
Joe Mirarchi, JA Montgomery

**APPROVAL OF MINUTES:** May 10, 2018

**MOTION TO APPROVE OPEN MINUTES FOR ABOVE REFERENCED MEETING**

**MOTION:** Commissioner Gilsenan  
**SECOND:** Commissioner Carney  
**ROLL CALL VOTE:** Unanimous

**CORRESPONDENCE:**

None.

**TREASURER:**

Mr. Garofalo reviewed the report he distributed prior to the meeting detailing the financial portfolio of the Fund as well as the cash investments and imprest/transfers. Mr. Garofalo also reported on the Bills List for the month that was enclosed within the agenda booklet.

June 2018

| FUND YEAR    | AMOUNT              |
|--------------|---------------------|
| 2017         | \$20,225.00         |
| 2018         | \$156,553.22        |
| <b>TOTAL</b> | <b>\$176,778.22</b> |

**MOTION TO APPROVE RESOLUTION # 17-18  
APPROVAL FOR PAYMENT OF JUNE 2018 BILLS LIST**

**MOTION:** Commissioner Singer  
**SECOND:** Commissioner Laureigh  
**ROLL CALL VOTE:** Unanimous

July 2018

| FUND YEAR    | AMOUNT                |
|--------------|-----------------------|
| 2017         | \$2,275.00            |
| 2018         | \$1,420,155.15        |
| <b>TOTAL</b> | <b>\$1,422,430.15</b> |

**MOTION TO APPROVE RESOLUTION # 18-18  
APPROVAL FOR PAYMENT OF JULY 2018 BILLS LIST**

**MOTION:** Commissioner Singer  
**SECOND:** Commissioner Laureigh  
**ROLL CALL VOTE:** Unanimous

**MOTION TO ACCEPT CLAIMS/IMPREST TRANSFERS FOR MAY  
AND JUNE 2018 AS CERTIFIED BY THE TREASURER**

**MOTION:** Commissioner Singer  
**SECOND:** Commissioner Laureigh  
**ROLL CALL VOTE:** Unanimous

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

**EXECUTIVE DIRECTOR:**

**RCF/E-JIF/MEL MEETINGS** – Mr. Sacco informed the Board that the Residual Claims Fund, the E-JIF, and the MEL all met on June 7, 2018 at the Forsgate in Jamesburg. He then referred to Commissioner Laureigh's reports on the meetings.

**RCF CLAIMS TRANSFER** - Mr. Sacco reported that the RCF Board voted to accept a recommendation to transfer open liabilities from local JIFs at 60 months instead of 54 months, which will allow claims to develop longer and provide greater certainty on reserves. He added that the RCF will take formal action confirming this transfer at their next meeting and noted local JIFs will be asked to pass a resolution transferring their Fund Year 2014 liabilities at their September/October meetings.

**LEGISLATIVE ALERT** – Mr. Sacco reported that during the month of June, the Fund Office distributed a Legislative Alert on three bills pending action, that will cause major increases in municipal insurance costs. He noted that members were asked to adopt resolutions in support of amendments to those bills as all 3 bills will impact the cost of workers' compensation. He then referred to a copy of the Alert along with Resolution #19-18 for the Ocean JIF to adopt.

**MOTION TO ADOPT RESOLUTION #19-18 URGING THE  
LEGISLATURE TO AMEND S-716; S-477 AND S-1766.**

**MOTION:** Commissioner Laureigh  
**SECOND:** Commissioner Akers  
**ROLL CALL VOTE:** 6 ayes, 0 nays, 1 abstention  
Commissioner Singer

**POLICE ACCREDITATION GRANT PROGRAM** – Mr. Sacco indicated that South Toms River Borough has recently requested approval for a police accreditation grant to have the police department accredited. He noted that all the necessary paperwork has been submitted and is in order.

**MOTION TO APPROVE THE ISSUANCE OF THE POLICE ACCREDITATION GRANTS TO SOUTH TOMS RIVER BOROUGH IN THE AMOUNT OF \$20,000 AS PER THE POLICE ACCREDITATION GRANT PROGRAM.**

**MOTION:** Commissioner Laureigh  
**SECOND:** Commissioner Singer  
**ROLL CALL VOTE:** 6 ayes, 0 nays, 1 abstention  
Commissioner Rodgers

**DUE DILIGENCE REPORTS** - Mr. Sacco referred the Committee to the Financial Fast Track chart contained within the agenda booklet. He reported that as of May 31<sup>st</sup>, the Fund's statutory surplus position is 12.8 million. Mr. Sacco added that the Fund is in excellent financial shape.

**ATTORNEY:**

Mr. Zabarsky advised that his report will be conducted during closed session.

**SAFETY DIRECTOR:**

Mr. Mirarchi reviewed the June activities and the July agenda. He advised the Committee of upcoming meetings and trainings. He then referred to the Safety Director's bulletins and announcements that were recently released enclosed within the agenda booklet. Mr. Mirarchi also referred to a recent J.A. Montgomery Law Enforcement Bulletin that was distributed to the membership with regard to pedestrian fatalities. Commissioner Singer asked if there was a breakdown of where the fatalities took place in Ocean County. Mr. Mirarchi said he would contact Mr. Hummel and request the breakdown.

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

**UNDERWRITING MANAGER:**

Mr. Thorpe referred to the list of certificates issued for the months of May and June.

*List of Certificates made part of the Minutes.*

## **RISK MANAGEMENT CONSULTANT:**

Mr. Avalone informed the Board that the 2019 renewal data process has begun. He thanked the membership in advance for their cooperation with the process.

Mr. Avalone then referred to a memo from the MEL Underwriting Manager that was emailed to the membership previously and distributed to the Board prior to the start of the meeting. He recommended that the two items addressed in the memo, increased liability limit options and first party physical damage coverage for drones, be remanded to the Coverage Committee. Mr. Avalone added that a third topic, Certificate of Insurance requests, will be added to the discussion during the Coverage Committee meeting.

Mr. Avalone said the Police Command Staff Training session will likely be scheduled for early September and advised that the invite will be distributed in the upcoming weeks. He noted that the training is mandatory in accordance with the MEL's POL/EPL Compliance Program.

Mr. Avalone reminded the Board to review the MEL Bulletin regarding Fireworks Displays and Amusement Ride Requirements. He added that all paperwork must be submitted to the MEL for approval before the event takes place.

Mr. Avalone informed the Board that most of the membership has completed the required Managers and Supervisors training.

Mr. Avalone referred to a letter detailing this optional policy was sent to Fund Commissioners and Risk Managers via email on or about June 20<sup>th</sup> and mailed to members which included was the script for the Land Use Liability training as well as a member-specific policy document. He reminded the Board that the training script corresponds to a PowerPoint presentation conducted by the member's land use or municipal attorney. Mr. Avalone added that training attendance sheets should be returned to the fund office to track compliance in the event of a claim.

Mr. Avalone asked if there were any questions about his report. Commissioner Singer commented that there should be harassment training for elected officials. Mr. Avalone advised that harassment has been a training topic for elected officials in the past, but noted that the training topics are rotated. Commissioner Singer suggested that judges be included when the trainings are conducted.

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

## **MANAGED CARE:**

Ms. Jacob referred to her report contained in the agenda booklet. She informed the Committee that for the month of June, there was a savings of \$225,778.09 or 52.16% on the medical billing for Workers' Compensation claims.

**OLD BUSINESS:**

None

**NEW BUSINESS:**

Chairwoman Lapp informed the Board that her municipality received a phishing email earlier today. She said the email threatened employees with releasing false information to their contacts unless they made a payment in bitcoin. She asked the Board to be aware of those types of emails.

**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:**

|                |                       |
|----------------|-----------------------|
| <b>MOTION:</b> | Commissioner Laureigh |
| <b>SECOND:</b> | Commissioner Gilsenan |
| <b>VOTE:</b>   | Unanimous             |

**MOTION TO ADJOURN EXECUTIVE SESSION:**

|                |                       |
|----------------|-----------------------|
| <b>MOTION:</b> | Commissioner Singer   |
| <b>SECOND:</b> | Commissioner Laureigh |
| <b>VOTE:</b>   | Unanimous             |

**MOTION TO APPROVE PAYMENT OF CLAIMS AS RECOMMENDED BY THE EXECUTIVE COMMITTEE, THE FOLLOWING PARS WERE APPROVED:**

Workers Compensation  
0218126927  
2018131257

GL, AL, and Property claims  
001233215  
001252263  
001221930  
001215377  
001203760

**001253432**  
**001249485**  
**2018115154**  
**2018142714**

**MOTION:** Commissioner Laureigh  
**SECOND:** Commissioner Gilsenan  
**ROLL CALL VOTE:** Unanimous

**MOTION TO ADJOURN MEETING:**

**MOTION:** Commissioner Laureigh  
**SECOND:** Commissioner Carney  
**VOTE:** Unanimous

Meeting Adjourned at: 3:28 PM

**NEXT MEETING:** September, 2018 3:00 PM  
Toms River Municipal Building  
33 Washington Street  
Toms River, NJ 08754

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**- Secretary**

# OCEAN COUNTY MUNICIPAL JOINT INSURANCE FUND BILLS LIST

Resolution No. 17-18

JUNE 2018

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 2017**

|        |                              |  |                  |
|--------|------------------------------|--|------------------|
| 001457 |                              |  |                  |
| 001457 | POINT PLEASANT BEACH BOROUGH | VOID                                   | -250.00          |
|        |                              |  | <b>-250.00</b>   |
| 001487 |                              |  |                  |
| 001487 | POINT PLEASANT BEACH BOROUGH | MAINTAINING THE SOURCE AWARD - 03/2018 | 250.00           |
|        |                              |  | <b>250.00</b>    |
| 001488 |                              |  |                  |
| 001488 | BALADY PROMOTIONS, INC       | SHIPPING                               | 62.00            |
| 001488 | BALADY PROMOTIONS, INC       | WATER RESISTANCE POWER BANK            | 1,353.00         |
| 001488 | BALADY PROMOTIONS, INC       | SETUP                                  | 60.00            |
|        |                              |  | <b>1,475.00</b>  |
| 001489 |                              |  |                  |
| 001489 | SHIP BOTTOM BOROUGH          | COURSE AWARDS 0618                     | 250.00           |
|        |                              |  | <b>250.00</b>    |
| 001490 |                              |  |                  |
| 001490 | HOLMAN, FRENIA, ALLISON, PC  | 2017 AUDIT                             | 18,000.00        |
|        |                              |  | <b>18,000.00</b> |
| 001491 |                              |  |                  |
| 001491 | JACKSON TOWNSHIP             | COURSE AWARDS 0618                     | 250.00           |
|        |                              |  | <b>250.00</b>    |
| 001492 |                              |  |                  |
| 001492 | BEACH HAVEN, BOROUGH OF      | COURSE AWARDS 0618                     | 250.00           |
|        |                              |  | <b>250.00</b>    |
|        | <b>Total Payments FY</b>     |  | <b>20,225.00</b> |

**Fund Year 2018**

|        |                              |                                |                  |
|--------|------------------------------|--------------------------------|------------------|
| 001493 |                              |                                |                  |
| 001493 | QUAL-LYNX                    | CLAIMS ADJUSTING SERVICES 0618 | 58,655.06        |
| 001493 | QUAL-LYNX                    | PERFORMANCE BONDS 0618         | 594.00           |
| 001493 | QUAL-LYNX                    | OUTSIDE ADJUSTER               | 5,710.06         |
|        |                              |                                | <b>64,959.12</b> |
| 001494 |                              |                                |                  |
| 001494 | J.A. MONTGOMERY RISK CONTROL | LOSS CONTROL SERVICES 0618     | 10,513.50        |
|        |                              |                                | <b>10,513.50</b> |
| 001495 |                              |                                |                  |
| 001495 | PERMA                        | POSTAGE 0518                   | 66.40            |
| 001495 | PERMA                        | EXECUTIVE DIRECTOR 0618        | 24,978.83        |
| 001495 | PERMA                        | LOSS FUND MGT 0618             | 2,316.08         |
|        |                              |                                | <b>27,361.31</b> |



|        |  |                               |                  |
|--------|--|-------------------------------|------------------|
| 001496 |  |                               |                  |
| 001496 | THE ACTUARIAL ADVANTAGE                                | ACTUARIAL SERVICES 0618       | 3,851.00         |
|        |  |                               | <b>3,851.00</b>  |
| 001497 |  |                               |                  |
| 001497 | CITTA, HOLZAPFEL & ZABARSKY PC                         | LITIGATION MGT SERVICES       | 17,549.25        |
| 001497 | CITTA, HOLZAPFEL & ZABARSKY PC                         | ATTORNEY 0618                 | 3,602.00         |
|        |  |                               | <b>21,151.25</b> |
| 001498 |  |                               |                  |
| 001498 | CONSOLIDATED SERVICES GRP, INC                         | WC MANAGED CARE SERVICES 0618 | 24,489.75        |
|        |  |                               | <b>24,489.75</b> |
| 001499 |  |                               |                  |
| 001499 | WILLIAM GAROFALO                                       | TREASURER 0618                | 2,980.81         |
|        |  |                               | <b>2,980.81</b>  |
| 001500 |  |                               |                  |
| 001500 | ALLSTATE INFORMATION MANAGEMNT ARCHIVE 4/1 - 4/30/2018 |                               | 65.48            |
|        |  |                               | <b>65.48</b>     |
| 001501 |  |                               |                  |
| 001501 | CONNER STRONG & BUCKELEW                               | UNDERWRITING FEE 0618         | 981.00           |
|        |  |                               | <b>981.00</b>    |
| 001502 |  |                               |                  |
| 001502 | EXECU-TECH, INC.                                       | WEBSITE MAINTENANCE 0618      | 200.00           |
|        |  |                               | <b>200.00</b>    |
|        | <b>Total Payments FY</b>                               | <b>156,553.22</b>             |                  |
|        | <b>GRAND TOTAL</b>                                     | <b>176,778.22</b>             |                  |

# OCEAN COUNTY MUNICIPAL JOINT INSURANCE FUND BILLS LIST

Resolution No. 18-18

JULY 2018

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 FY 2017**

| <u>Check Number</u> | <u>Vendor Name</u>          | <u>Comment</u>           | <u>Invoice Amount</u> |
|---------------------|-----------------------------|--------------------------|-----------------------|
| 001517              |                             |                          |                       |
| 001517              | HOLMAN, FRENIA, ALLISON, PC | 2017 AUDITOR             | 2,275.00              |
|                     |                             |                          | <b>2,275.00</b>       |
|                     |                             | <b>Total Payments FY</b> | <b>2,275.00</b>       |

**FUND YEAR FY 2018**

| <u>Check Number</u> | <u>Vendor Name</u>             | <u>Comment</u>   | <u>Invoice Amount</u> |
|---------------------|--------------------------------|------------------|-----------------------|
| 001503              |                                |                  |                       |
| 001503              | MUNICIPAL EXCESS LIABILITY JIF | FAITHFUL PERFORM | 5,183.37              |
| 001503              | MUNICIPAL EXCESS LIABILITY JIF | MEL PROPERTY     | 240,864.49            |
|                     |                                |                  | <b>246,047.86</b>     |
| 001504              |                                |                  |                       |
| 001504              | MUNICIPAL EXCESS LIABILITY JIF | MEL              | 840,894.70            |
|                     |                                |                  | <b>840,894.70</b>     |
| 001505              |                                |                  |                       |
| 001505              | QUAL-LYNX                      | OUT SERVICES     | 5,710.06              |
| 001505              | QUAL-LYNX                      | CLAIM ADJ SERV   | 58,655.06             |
|                     |                                |                  | <b>64,365.12</b>      |
| 001506              |                                |                  |                       |
| 001506              | J.A. MONTGOMERY RISK CONTROL   | LOSS CONT SERV   | 10,513.50             |
|                     |                                |                  | <b>10,513.50</b>      |
| 001507              |                                |                  |                       |
| 001507              | PERMA                          | LOSS FUND MNGMNT | 2,316.08              |
| 001507              | PERMA                          | EXEC DIRECT 7/18 | 24,978.83             |
|                     |                                |                  | <b>27,294.91</b>      |
| 001508              |                                |                  |                       |
| 001508              | THE ACTUARIAL ADVANTAGE        | 2018 ACTUARY     | 3,851.00              |
|                     |                                |                  | <b>3,851.00</b>       |
| 001509              |                                |                  |                       |
| 001509              | CITTA, HOLZAPFEL & ZABARSKY PC | INVOICE #24187   | 13,627.50             |
| 001509              | CITTA, HOLZAPFEL & ZABARSKY PC | INVOICE #24174   | 3,602.00              |
|                     |                                |                  | <b>17,229.50</b>      |
| 001510              |                                |                  |                       |
| 001510              | CONSOLIDATED SERVICES GRP, INC | WC CARE SERVICES | 24,489.75             |

|        |                                |                          |                     |
|--------|--------------------------------|--------------------------|---------------------|
|        |                                |                          | <b>24,489.75</b>    |
| 001511 |                                |                          |                     |
| 001511 | WILLIAM GAROFALO               | TREASURER 7/18           | 2,980.83            |
|        |                                |                          | <b>2,980.83</b>     |
| 001512 |                                |                          |                     |
| 001512 | MUNICIPAL EXCESS LIABILITY JIF | MSI                      | 24,255.23           |
|        |                                |                          | <b>24,255.23</b>    |
| 001513 |                                |                          |                     |
| 001513 | CONNER STRONG & BUCKELEW       | 2018 UW INSTALL          | 981.00              |
|        |                                |                          | <b>981.00</b>       |
| 001514 |                                |                          |                     |
| 001514 | EXECU-TECH, INC.               | WEBSITE MAINT            | 200.00              |
|        |                                |                          | <b>200.00</b>       |
| 001515 |                                |                          |                     |
| 001515 | RESPONSE LAW                   | CLOSE BEACH<br>PRESENT   | 1,000.00            |
|        |                                |                          | <b>1,000.00</b>     |
| 001516 |                                |                          |                     |
| 001516 | CONNER STRONG & BUCKELEW       | 2018 RMC                 | 156,051.75          |
|        |                                |                          | <b>156,051.75</b>   |
|        |                                | <b>Total Payments FY</b> | <b>1,420,155.15</b> |

**TOTAL PAYMENTS ALL FUND YEARS \$1,422,430.15**

**RESOLUTION NO. 19-18**

**RESOLUTION OF THE EXECUTIVE COMMITTEE  
OF THE OCEAN COUNTY MUNICIPAL JOINT INSURANCE FUND  
URGING THE LEGISLATURE TO AMEND S-716, S-477 AND S-1766**

**Whereas:** The Ocean County Municipal Joint Insurance Fund insures 31 municipalities, and

**Whereas:** While it is commendable that legislation is being considered to provide additional compensation to Firefighters with cancer, S-716 as currently written, without responsible amendments, will prove to be very expensive to municipalities and taxpayers, and

**Whereas:** While it is also commendable that the statute of limitations is being extended for claims involving sexual abuse, S-477 as currently written would eliminate the statute of limitations entirely leaving officials and volunteers with the near impossible task of defending a claim that is decades old.

**Whereas:** Under current law family members can already collect substantial compensation for actual losses such as medical bills, lost income as well as loss of companionship.

**Whereas:** Without appropriate amendments, the combined impact of these bills would devastate local government insurance budgets at a time when the local taxpayers are being squeezed because of changes in the Federal Tax code.

Now therefore be it resolved by the Ocean County Municipal Joint Insurance Fund that:

- S-716 be amended to provide that the cancer presumption be limited to types of cancer that scientific evident establishes that Firefighters develop at a higher rate than the general public, and
- S-716 be amended to end the presumption at age 65 when the firefighter becomes eligible for Medicare. Alternatively, S-716 should be amended to remove volunteers and establish a special program for them along the lines recently adopted by New York, Connecticut, Michigan, Colorado and Georgia, and
- S-716 also be amended so that the standard to rebut the presumption remains at the current “preponderance of the evidence”, and
- S-477 be amended to increase statute of limitation on claims involving sexual molestation against public entities to 7 years, subject to no limitation against the molester, and
- S-1766 be amended to remove public entities from “emotional distress” compensation for wrongful death claims subject to Title 59, and

A copy of this resolution be forwarded to the Governor, the legislative delegation representing Bergen County, the Governor, the Senate President and the Speaker of the Assembly.

**OCEAN COUNTY MUNICIPAL JOINT INSURANCE FUND**