

**NJ MUNICIPAL ENVIRONMENTAL RISK MANAGEMENT FUND
OPEN MINUTES
MEETING OF MARCH 24, 2023
PRINCETON MARRIOTT, PRINCETON, NJ
9:10 AM**

Meeting called to order by Chairman Rutkowski.

ROLL CALL OF EXECUTIVE COMMITTEE:

Chairman:	NJUA	Bernie Rutkowski	Present
Secretary:	PMM	Thomas Merchel	Present
Executive Committee:	Burlco	Meghan Jack	Absent
	Monmouth	Thomas Nolan	Present
	Camden	Joe Wolk	Wolk
	South Bergen	Greg Franz	Present
	Ocean	Veronica Laureigh	Present
	Central	William Northgrave	Absent
Alternates:			
	#1 Bergen	Paul Tomasko	Present
	#2 Suburban Municipal	Megan Champney	Present
	#3 Morris	Brian McNeilly	Present
	#4 Suburban Metro	Steve Rovell	Present
	#5 Trico	Michael Razze	Present

APPOINTED OFFICIALS PRESENT:

Executive Director / Administrator	PERMA Risk Management Services	Stephen Sacco	Present
Attorney	Dorsey & Semrau	Fred Semrau, Esq.	Present
Treasurer		Charles S. Cuccia	Present
Underwriting Managers	The Danskin Agency Conner Strong & Buckelew	Chuck Casagrande Mike Avalone	Present Present
Claims Administrator	King Moench & Collins, LLP	Peter King, Esq.	Present
Environmental Engineering Services	First Environment	Rich Erickson	Present
Actuary	AON	Chas Kullman	Present
Auditor	Nisivoccia, L.L.P.	Francis "Bud" Jones	Absent

OTHERS PRESENT:

Dave Grubb, PERMA
Pauline Kontomanolis, PERMA
Robyn Walcoff, PERMA
Jennifer Davis, PERMA
Zareena Majeed, PERMA
Nancy Ghani, PERMA
Jason Thorpe, PERMA
Tracy Lopez, PERMA

Brandon Tracy, PERMA
Crystal Chuck, PERMA
Sandra Cantwell, PERMA
Ed Cooney, Conner, Strong & Buckelew
Jonathon Tavares, Conner, Strong & Buckelew
Jaclyn Lindsey, Conner, Strong & Buckelew
Katie Walters, Conner, Strong & Buckelew
Michael Avalone, Conner, Strong & Buckelew
Francine Pipito, Conner, Strong & Buckelew
Danielle Sanders, JA Montgomery
Kamini Patel, AJ Gallagher
Barbara Murphy, RLM
John Casagrande, Danskin Agency
Alison Kelly, Danskin Agency
Kathy Kissane, Qual-Lynx
Chris Healy, Qual-Lynx
Jim Renner, Qual-Lynx
Ezio Altamura, GJEM-Otterstedt Agency
Matthew McArow Jr., GJEM-Otterstedt Agency
Don Sciolaro, PIA
Amy Pieroni, Acrisure
Lindsay Travali, Acrisure
Frank Covelli, PIA
Brittany Vozza, The Vozza Agency
Chad Stone, Eagle Ascott
Stacey Ehling, PSC
Mike Zambito, MEL Treasurer
Chuck Lamersola, MEL Consultant

APPROVAL OF MINUTES: January 5, 2023

MOTION TO APPROVE OPEN MINUTES OF JANUARY 5, 2023

MOTION: Commissioner Laureigh
SECOND: Commissioner Nolan
VOTE: Unanimous

CORRESPONDENCE

None

TREASURER

Mr. Cuccia referenced Resolution 13-23 confirming the February Bill List, Resolution No. 14-23 approving the March Bill List and Resolution No. 15-23 approving the March Supplemental Bills list as follows:

RESOLUTION 13-23 - FEBRUARY BILL LIST

FUND YEAR	AMOUNT
2022	\$120,422.58
2023	\$80,639.87
Total	\$201,062.45

RESOLUTION 14-23 - MARCH BILL LIST

FUND YEAR	AMOUNT
2023	\$32,566.56
Total	\$32,566.56

RESOLUTION 15-23 - MARCH BILL LIST

FUND YEAR	AMOUNT
2023	\$28,583.21
Total	\$28,583.21

MOTION TO APPROVE PAYMENT OF BILLS - RESOLUTION 13-23, 14-23 AND 15-23:

MOTION: Commissioner Nolan
SECOND: Commissioner Franz
ROLL CALL VOTE: Unanimous

EXECUTIVE DIRECTOR/ADMINISTRATOR:

Revised 2023 Budget and Related 2023 Professional Fee Amendments – Mr. Sacco referred to the revised 2023 budget enclosed within the agenda packet. The E-JIF added 3 new members for the 2023 Fund Year and two members are no longer with their JIF. Changes also include one member leaving the JIF in July 2022 and a new member in December 2022. As a result of the changes in membership and subsequently the budget, the contract amounts for certain professionals should be amended. Resolution #16-23 amending the 2023 fee amounts for certain Fund Professionals and Service Organizations reflects the adjustments.

Motion to Approve the Revisions to the 2023 Budget to Reflect the Changes in Membership and Professional Fees and to Adopt Resolution # 16-23 Amending the Contracted Amounts of Certain Professionals and Service Organizations for Fund Year 2023.

MOTION: Chairman Tomasko
SECOND: Commissioner Laureigh
VOTE: Unanimous

Contract Extension for Professional Contracts CC#1-2020: Mr. Sacco said the Professional contracts are in their 3rd year of their term. A provision in the contracts allow the Board to extend the contracts for a 4th and 5th year. The Rules & Contracts Committee by consensus recommends the Board extends its current contracts with the professionals for a 4th and 5th year. Resolution #17-23 authorizes extending the contracts and associated fee amounts for certain Fund Professionals and Service Organizations.

Motion to approve Resolution 17-23 extending Competitive Contract CC# 1-2020 an additional two (2) years, from January 1, 2024, through December 31, 2025 and associated fees.

MOTION: Chairman Nolan
SECOND: Commissioner Laureigh
VOTE: Unanimous

ACTUARIAL IBNR REPORT- Mr. Kullman of Aon was present at the meeting and referenced his full report, valued as of December 31, 2022, which was included in the agenda.

NEXT MEETING – The next meeting of the EJIF is scheduled for Friday, June 2, 2023 at 10:50AM at the Forsgate Country Club, Jamesburg.

ATTORNEY:

No report.

UNDERWRITING MANAGERS:

No report.

ENVIRONMENTAL ENGINEER:

Mr. Erickson said in addition to the information in his report in the agenda packet, he encourages all members to view the newly updated introductory stormwater video, now available on the MEL Safety Institute website. The next video in the series is being reviewed by NJDEP for final comments and edits.

OLD BUSINESS:

None.

NEW BUSINESS:

None.

PUBLIC COMMENT:

None.

CLAIMS COMMITTEE

Mr. King advised that there were no claims for the month.

MOTION TO ADJOURN:

MOTION:	Commissioner Nolan
SECOND:	Commissioner Merchel
VOTE:	Unanimous

Meeting Adjourned: 9:19 AM

Sandra Cantwell, Assisting Secretary
for
Tom Merchel, SECRETARY

NEW JERSEY MUNICIPAL ENVIRONMENTAL RISK MANAGEMENT FUND BILLS LIST

Resolution No. 13-23

February 2023

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

BE IT RESOLVED that the New Jersey Municipal Environmental Risk Management 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

2022

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
001885			
001885	PERMA RISK MANAGEMENT SERVICES	POSTAGE 12/22	17.67
001885	PERMA RISK MANAGEMENT SERVICES	AATRIX 1099 FILING 2022	45.00
			62.67
001886			
001886	PETER J. KING, LLC	TPA RETAINER FEE 2022	31,328.00
			31,328.00
001887			
001887	FIRST ENVIRONMENT, INC.	FORECLOSED PROPERTY FOR PE 12/31/22	31.25
001887	FIRST ENVIRONMENT, INC.	PROFESSIONAL SERVICE FOR PE 12/31/22	48,046.33
001887	FIRST ENVIRONMENT, INC.	PROFESSIONAL SERVICES FOR PE 11/30/22	40,329.33
001887	FIRST ENVIRONMENT, INC.	FORECLOSED PROPERTY FOR PE 11/30/22	625.00
			89,031.91
Total Payments FY 2022			120,422.58

FUND YEAR

2023

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
001888			
001888	PERMA RISK MANAGEMENT SERVICES	POSTAGE 01/23	14.26
001888	PERMA RISK MANAGEMENT SERVICES	EXECUTIVE DIRECTOR 02/23	28,563.58
001888	PERMA RISK MANAGEMENT SERVICES	EXEC DIR JAN 2023 UNDERPAYMENT	50.75
			28,628.59
001889			
001889	DORSEY & SEMRAU	FUND ATTORNEY 02/23	7,722.76
			7,722.76
001890			
001890	CHARLES CUCCIA	FUND TREASURER 02/23	1,810.90
			1,810.90
001891			
001891	PRINCETON PUBLIC AFFAIRS GROUP	GOVERNMENTAL AFFAIRS REP. 1/23	3,750.00
			3,750.00
001892			

001892	DANSKIN INSURANCE AGENCY	UNDERWRITING MGR FEE 02/23	22,583.31
			22,583.31
001893			
001893	NJ ADVANCE MEDIA	ACCT #XNJEN0555599 - AD 01/23/23	66.69
			66.69
001894			
001894	THE CANNING GROUP LLC	QPA SERVICES 1/1/23-01/31/23	416.67
			416.67
001895			
001895	ACCESS	DEPT 736 ACCT 224 STORE 12/22 FOR JAN	35.95
			35.95
001796	AON RISK CONSULTING INC	REVERSE CK CANCELLATION	15,625.00
001796			15,625.00
		Total Payments FY 2023	80,639.87
		TOTAL PAYMENTS ALL FUND YEARS	201,062.45

Chairperson: _____

Attest: _____

Dated: _____

I hereby certify the availability of sufficient unencumbered funds in the proper accounts to fully pay the above claims.

Treasurer

**NEW JERSEY MUNICIPAL ENVIRONMENTAL RISK
MANAGEMENT FUND
BILLS LIST**

Resolution No. 14-23

March 2023

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

BE IT RESOLVED that the New Jersey Municipal Environmental Risk Management 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
2023

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
001896			
001896	DORSEY & SEMRAU	FUND ATTORNEY 03/23	7,722.76
			7,722.76
001897			
001897	CHARLES CUCCIA	FUND TREASURER 03/23	1,810.90
			1,810.90
001898			
001898	DANSKIN INSURANCE AGENCY	UNDERWRITING MGR FEE 03/23	22,583.31
			22,583.31
001899			
001899	THE CANNING GROUP LLC	QPA SERVICES 02/23	416.67
			416.67
001900			
001900	ACCESS	DEPT 736 ACCT 224 STORE 01/23 FOR FEB	32.92
			32.92
Total Payments FY 2023			32,566.56
TOTAL PAYMENTS ALL FUND YEARS			32,566.56

Chairperson: _____

Attest: _____

Dated: _____

I hereby certify the availability of sufficient unencumbered funds in the proper accounts to fully pay the above claims.

Treasurer

**NEW JERSEY MUNICIPAL ENVIRONMENTAL RISK
MANAGEMENT FUND
SUPPLEMENTAL
BILLS LIST**

Resolution No. 15-23

March 2023

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

BE IT RESOLVED that the New Jersey Municipal Environmental Risk Management 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
2023

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
001901			
001901	PERMA RISK MANAGEMENT SERVICES	POSTAGE 02/23	19.63
001901	PERMA RISK MANAGEMENT SERVICES	EXECUTIVE DIRECTOR 03/23	28,563.58
			28,583.21
		Total Payments FY 2023	28,583.21
		TOTAL PAYMENTS ALL FUND YEARS	28,583.21

Chairperson: _____

Attest: _____

Dated: _____

I hereby certify the availability of sufficient unencumbered funds in the proper accounts to fully pay the above claims.

Treasurer

RESOLUTION NO. 16-23

**NEW JERSEY MUNICIPAL ENVIRONMENTAL RISK MANAGEMENT FUND
(Hereinafter referred to as the "FUND")
AMENDING THE APPOINTMENT OF CERTAIN PROFESSIONALS AND SERVICE
ORGANIZATIONS FOR FUND YEAR 2023**

WHEREAS, the FUND is duly constituted as a Municipal Joint Insurance Fund, as permitted under the laws promulgated by the State of New Jersey, (N.J.S.A. 40A-36, et. seq.); and

WHEREAS, the New Jersey Municipal Environmental Risk Management Fund (hereinafter the Fund) appointed by way of Resolutions 2-23 and Competitive Contract CC# 1-2020, certain professionals for the 2023 fund year; and

WHEREAS, as a result of change in membership, the contract amounts for certain professionals should be amended.

NOW, THEREFORE, BE IT RESOLVED, by the Fund's Executive Committee that Resolutions 2-23 and CC# 1-2020 contract limitations as it pertains to 2023 should be amended as follows:

- I. **PERMA Risk Management Services as Administrator, Stephen Sacco** is appointed as **Executive Director, Joseph P. Hrubash as Deputy Executive Director & Bradford Stokes** as **Assistant Executive Director** and as **agents for process of service**, is amended to reflect the annual amount of \$343,026.
- II. **Fred Semrau, Esq. of Dorsey & Semrau as Fund Attorney providing General Counsel**, is amended to reflect the annual amount of \$92,838. – *(Professional Service Agreements in accordance with a non-fair and open process pursuant to NJSA 19:44A-20.4 et. seq.)*
- III. **Peter King, Esquire** is appointed to serve as the FUND's **Claims Supervisor**, is amended to reflect the annual amount of \$32,086.
- IV. **The Danskin Insurance Agency, Inc. and Conner Strong & Buckelew** are hereby appointed as **co-Underwriting Managers** for the FUND is amended to reflect the annual amount of \$271,691.
- V. **Richard Erickson of First Environment** is hereby appointed to provide **Environmental Engineering/Services** to the FUND is amended to reflect the annual amount of \$485,524.

BE IT FURTHER RESOLVED, that contracts were awarded in accordance with the competitive contracting process under the New Jersey Local Publics Contract Law NJSA 40A:11-4.1 et Seq. *(unless noted otherwise)*

ADOPTED: this _____ day of _____, 2023 by the Governing Body,

Chairman

Dated

Secretary

Dated

**THE NEW JERSEY ENVIRONMENTAL JOINT INSURANCE FUND
(FUND) AUTHORIZING THE EXTENSION OF AWARD OF FUND
PROFESSIONALS THROUGH THE COMPETITIVE CONTRACTING
PROCESS CC# 1-2020**

WHEREAS, the New Jersey Environmental Joint Insurance Fund (FUND) has a desire to appoint the following positions through the competitive contracting process, legally advertised and received on September 25, 2020; to wit; Fund Treasurer, Fund Auditor, Executive Director, Claims Administrator, Actuary, Underwriting Manager, Environmental Engineering Services, and

WHEREAS such services were procured through the competitive contracting process under the New Jersey Local Publics Contract Law, N.J.S.A. 40A:11-4.2, for a period of up to five (5) years; and

WHEREAS, the Fund received Competitive Contract proposals, CC# 1-2020 on September 25, 2020; and

WHEREAS, the Fund awarded managerial consultant and fund professional services for the positions of Fund Treasurer, Fund Auditor, Executive Director, Claims Administrator, Actuary, Underwriting Manager, Environmental Engineering Services for an initial period of three (3) years through Resolution #2-21; and

WHEREAS the New Jersey Local Publics Contract Law at N.J.S.A 40A:11-4.2 allows for a contract award of up to five (5) years under the competitive contract process; and

WHEREAS, it is the desire of the Fund to extend the contract as authorized for an additional two (2) years, from January 1, 2024, through December 31, 2025.

NOW, THEREFORE, BE IT RESOLVED by the New Jersey Environmental Joint Insurance Fund as follows:

- I. **PERMA Risk Management Services is hereby extended for an additional two (2) years as per N.J.S.A.40A:11-4.2 and R# 2-21 as Administrator, Stephen Sacco is hereby appointed as Executive Director**, Joseph P. Hrubash and David Grubb as Deputy Executive Directors and as agents for process of service. \$706,771 is the estimated dollars that will be expended in connection with this contract over its two (2) year extension. The annual amount of \$349,887 will be appropriated in the Administrator Line Item of the 2024 budget.
- II. **First Environment Inc. is hereby extended for an additional two (2) years as per N.J.S.A.40A:11-4.2 and R# 2-21 as Environmental Engineer**. \$1,000,374 is the estimated dollars that will be expended in connection with the Auditor contract over its two (2) year extension. The annual amount of \$495,234 will be appropriated in the Auditor Line Item of the 2024 budget.

- III. **Aon Risk Consultants, Inc. is hereby extended for an additional two (2) years as per N.J.S.A.40A:11-4.2 and R# 2-21 as the FUND's Actuary.** \$125,000 is the estimated dollars that will be expended in connection with the Actuary contract over its two (2) year extension. The annual amount of \$62,500 will be appropriated in the Actuary Line Item of the 2024 budget.
- IV. **King Moench & Collins, LLP is hereby extended for an additional two (2) years as per N.J.S.A.40A:11-4.2 and R# 2-21 as the Claims Supervisor** for the FUND to adjust all claims for current and prior Fund Years. \$66,110 is the estimated dollars that will be expended in connection with the Claims Administration contract over its two (2) year term. The annual amount of \$32,728 will be appropriated in the Claims Supervision Item of the 2024 budget.
- V. **Nisivoccia LLP is hereby extended for an additional two (2) years as per N.J.S.A.40A:11-4.2 and R# 2-21 as Fund Auditor.** \$36,304 is the estimated dollars that will be expended in connection with the Auditor contract over its two (2) year extension. The annual amount of \$17,972 will be appropriated in the Auditor Line Item of the 2024 budget.
- VI. **Conner Strong and Buckelew is hereby extended for an additional two (2) years as per N.J.S.A.40A:11-4.2 and R# 2-21 as Fund Risk Management Consultants.** \$559,792 is the estimated dollars that will be expended in connection with this contract over its two (2) year extension. The annual amount of \$277,125 will be appropriated in the Fund Risk Management Line Item of the 2024 budget.

ADOPTED: this _____ day of _____, 2023 by the Governing Body,

Chairman

Dated

Secretary

Dated