

**NJ MUNICIPAL ENVIRONMENTAL RISK MANAGEMENT FUND
OPEN MINUTES
MEETING OF OCTOBER 18, 2017
JAMESBURG, NEW JERSEY
10:50 AM**

Meeting called to order by Robert Landolfi. The Open Public Meeting Notice was read into the record.

Pledge of Allegiance

ROLL CALL OF 2017 EXECUTIVE COMMITTEE:

Chairman:	Central	Robert Landolfi	Present
Secretary:	Sub Essex JIF	Joe Catenaro	Present
Executive Committee:	Monmouth	Thomas Nolan	Present
	Camden	Joe Wolk	Present
	Sub-Muni	Jim Gildea	Present
	Trico	Robert Law	Present
	Ocean	Paul Shives	Absent
	South Bergen	Greg Franz	Present
Alternates:			
	#1 Bergen	Paul Tomasko	Present
	#2 Burlco	Meghan Jack	Present
	#3 NJUA	Bernie Rutkowski	Present
	#4 PMM	Tom Czeniecki	Present
	#5 Morris	Jon Rheinhardt	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 and Petracca	Peter King, Esq.	Present
Environmental Engineering Services	First Environment PS&S Engineering	Rich Erickson Chris Gulics	Present Present
Actuary	AON	Chas Kullman	Present
Auditor	Nisivoccia, L.L.P.	Francis "Bud" Jones	Absent

OTHERS PRESENT:

David Grubb, PERMA
Joseph Hrubash, PERMA
Cate Kiernan, PERMA
Brad Stokes, PERMA
Pauline Kontomanolis, PERMA
Nancy Ghani, PERMA
Jason Thorpe, PERMA
Joeen Ciannella, PERMA
Kevin Hagan, PPAG
John Casagrande, Danskin Agency
Alison Kelly, Danskin Agency
Frank Covelli, RMC
Ezio Altamura, RMC
Kathie Tyler-Schohl, Dorsey & Semrau

APPROVAL OF MINUTES: September 6, 2017

MOTION TO APPROVE OPEN MINUTES OF SEPTEMBER 6, 2017

MOTION: Commissioner Catenaro
SECOND: Commissioner Wolk
VOTE: 11 ayes, 0 nays, 1 abstention
Commissioner Jack

CORRESPONDENCE

None

TREASURER

Mr. Cuccia presented his report and Resolution No. 23-17 approving the October Bill List and Resolution No. 25-17 approving the 2017 Dividend List as follows:

RESOLUTION 23-17 – OCTOBER BILL LIST

FUND YEAR	AMOUNT
2017	\$ 131,538.65
Total	\$ 131,538.65

RESOLUTION 25-17 –DIVIDNED LIST

FUND YEAR	AMOUNT
2001	\$1,000,000.00
Total	\$1,000,000.00

MOTION TO APPROVE PAYMENT OF BILLS - RESOLUTION NOS. 23-17 AND 25-17

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

EXECUTIVE DIRECTOR/ADMINISTRATOR:

2018 PROPOSED BUDGET – Mr. Sacco indicated that at the September Executive Committee meeting, the Fund introduced a budget for Fund year 2018. He added that in accordance with the regulations, the budget had been advertised in the Fund’s official newspaper and sent to each member JIF. Mr. Sacco advised that the Public Hearing for the budget would be held at this meeting and referred to the 2018 budget and assessments contained within the agenda packet.

MOTION TO OPEN THE PUBLIC HEARING ON THE 2018 BUDGET.

MOTION: Commissioner Rutowski
SECOND: Commissioner Nolan
VOTE: Unanimous

Discussion of Budget & Assessments.

MOTION TO CLOSE THE PUBLIC HEARING.

MOTION: Commissioner Law
SECOND: Commissioner Czeniecki
VOTE: Unanimous

MOTION TO ADOPT A BUDGET FOR THE NEW JERSEY MUNICIPAL ENVIRONMENTAL RISK MANAGEMENT FUND JOINT INSURANCE FUND AS PRESENTED FOR FUND YEAR 2018.

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

MOTION TO CERTIFY ANNUAL ASSESSMENTS, BASED UPON THE ADOPTED 2018 BUDGET FOR MEMBER JOINT INSURANCE FUNDS.

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

EJIF DIVIDEND - Mr. Sacco informed the Board that the request for approval of the EJIF's \$1,000,000 dividend was filed with the State on September 13, 2017. The fund office awaits their approval.

38 LAGOON DRIVE PROPERTY SALE – Mr. Sacco referred to Resolution 24-17 which authorizes the sale of 38 Lagoon Drive East, Toms River, NJ. He also referred to the Notice of Auction for Sale of Real Property which will be published in the Star Ledger and the Asbury Park Press. He advised that a motion was needed to adopt the resolution.

MOTION TO ADOPT RESOLUTION 24-17 AUTHORIZING THE SALE OF 38 LAGOON DRIVE EAST, TOMS RIVER, NJ.

MOTION:	Commissioner Tomasko
SECOND:	Commissioner Law
ROLL CALL VOTE:	Unanimous

NEXT MEETING- Mr. Sacco informed the Board that the next meeting of the EJIF is scheduled for November 15, 2017 at the Sheraton Hotel, across from the AC convention center at 12 noon. He noted that a Coverage Committee will also be held on November 15th at 11:15 am.

FINANCIAL FAST TRACK – Mr. Sacco referred to the June 30th Financial Fast Track enclosed within the agenda booklet. He informed the Committee that as of June 30th the Fund increased its statutory surplus by \$3.4 million for a total of \$19.9 million.

LEGISLATIVE AGENT:

Mr. Sacco informed the Board that Mr. Hagan, of PPAG, was in attendance and asked him to give a brief report on the Fund's legislative efforts. Mr. Hagan reported that his office is currently working on a revision to the Spill Act legislation to bring up to current form in the new legislative session beginning in January 2018. He advised that it his office's goal to educate the new Governor, which will be entering office in the next few weeks, on issues pertaining to the E-JIF. Mr. Hagan thanked the Board for the continued opportunity to serve the E-JIF.

ATTORNEY:

Mr. Semrau informed the Board that a letter was sent out to the members that were a part of the state action Newark Bay litigation informing them about the possible federal action.

UNDERWRITING MANAGERS:

Mr. Casagrande reported that the Coverage Committee will meet on November 15th prior to the Executive Committee meeting to review the proposed new Storage Tank Form and new transportation endorsement. He added that the proposed new Storage Tank Form and new Transportation Endorsement will be presented at the November Meeting for the approval of the EJIF Board of Commissioners.

Mr. Casagrande reported that the EJIF professionals made a multi professional presentation on September 8th to the Atlantic County JIF Coverage Committee for possible membership in The EJIF. He indicated the Atlantic County JIF has not made any recommendation for membership to date. Mr. Sacco advised that the Atlantic JIF's Finance Committee rejected membership in the EJIF and noted that it did not go to their Executive Committee for a vote.

Mr. Casagrande informed the Board that the Underwriting Managers have met with our Excess Insurance Carrier, Liberty Mutual, to discuss renewal terms and conditions. Preliminary discussions indicate very favorable renewal conditions that need to be presented in a formal proposal.

Mr. Casagrande said the EJIF professionals will be presenting information and benefits of EJIF Membership to the Atlantic County JIF Coverage Committee on September 8th. The Atlantic County JIF currently has forty one (41) member municipalities.

Lastly, Mr. Casagrande informed the Board that a reinsurance recovery for the 2006 policy year is being submitted as it appears claims will exceed the attachment point for that year. As previously mentioned, Attorney Peter King had put the reinsurer for that policy year, Zurich Insurance Company, on notice.

ENVIRONMENTAL ENGINEERING:

Mr. Erickson reported that the end of the inspection year is approaching. He also reported that he will be attending the upcoming AEA conference and will be working with a group on projecting sea level rise and storm surges and the impact they have on municipalities and authorities.

Mr. Gulics reported that the continuing education program have been scheduled and invitations have been sent to the membership. He noted that the first session is scheduled for October 19th in Westwood. He further noted that the October 24th session will be in Haddonfield, the October 26th session will be in Wall Twp., and the October 27th session will be in Hanover.

ACTUARY

Mr. Kullman informed the Board that he had nothing to report for the month.

OLD BUSINESS:

None.

NEW BUSINESS:

None

MEETING OPENED TO PUBLIC FOR COMMENT:

None

PUBLIC COMMENT PORTION OF THE MEETING CLOSED

CLOSED SESSION:

MOTION FOR EXECUTIVE SESSION TO DISCUSS CLAIMS AND POTENTIAL LITIGATION.

MOTION: Commissioner Wolk
SECOND: Commissioner Gildea
VOTE: Unanimous

MOTION TO RETURN TO OPEN SESSION

MOTION: Commissioner Catenaro
SECOND: Commissioner Wolk
VOTE: Unanimous

MOTION TO APPROVE THE PARS AS PRESENTED DURING CLOSED SESSION

MOTION: Commissioner Rutowski
SECOND: Commissioner Tomasko
ROLL CALL VOTE: Unanimous

MOTION TO ADJOURN MEETING

MOTION: Commissioner Law
SECOND: Commissioner Nolan
VOTE: Unanimous

Meeting Adjourned: 11:08 AM

Next Meeting:

**November 2017
Sheraton Hotel
Atlantic City, NJ**

Respectfully submitted,

Prepared by Jason D. Thorpe, Assistant Secretary

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

Resolution No. 23-17

OCTOBER 2017

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 2017

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
001137			
001137	DANSKIN INSURANCE AGENCY, INC.	RENEWAL GENERAL LIAB 38 LAGOON DR.	992.50
			992.50
001138			
001138	PAULUS,SOKOLOWSKI & SARTOR LLC	ENGINEERING SERVICES - 8/31/2017	15,842.30
001138	PAULUS,SOKOLOWSKI & SARTOR LLC	FORECLOSED PROPERTY INSPECTION 8/2017	1,651.00
			17,493.30
001139			
001139	PERMA RISK MANAGEMENT SERVICES	POSTAGE FEE 09/2017	15.39
001139	PERMA RISK MANAGEMENT SERVICES	EXECUTIVE DIRECTOR FEE 10/2017	21,488.81
001139	PERMA RISK MANAGEMENT SERVICES	POSTAGE FEE 08/2017	23.96
			21,528.16
001140			
001140	AON RISK CONSULTANTS, INC.	ACTUARIAL SERVICES JUL-SEOT 2017	15,425.00
			15,425.00
001141			
001141	DORSEY & SEMRAU	ATTORNEY FEE 4TH QTR 2017	18,894.29
			18,894.29
001142			
001142	CHARLES CUCCIA	TREASURER FEE 10/2017	1,608.00
			1,608.00
001143			
001143	DANSKIN INSURANCE AGENCY INC	UNDERWRITING MANAGER FEE 10/2017	18,312.82
			18,312.82
001144			
001144	NJ ADVANCE MEDIA	ACCT: XNJEN0555599 - 8/30/17 - MEETING	20.15
001144	NJ ADVANCE MEDIA	ACCT: XNJEN0555599 - 9/20/17 - PROP BDGT	70.84
			90.99
001145			
001145	MUNICIPAL EXCESS LIABILITY JIF	REIMBURSE 1/3 MTG COST 9/6/17	883.19
			883.19
001146			
001146	ALLSTATE INFORMATION MANAGEMNT	ACCT: 736 - ACT & STOR 8/31/2017	25.51
			25.51

001147			
001147	FIRST ENVIRONMENT, INC.	ITEM #6 -ATTENDANCE FUND MEETING	-1,016.00
001147	FIRST ENVIRONMENT, INC.	PROFESSIONAL SERVICES - 08/2017	13,794.91
001147	FIRST ENVIRONMENT, INC.	PROFESSIONAL SERVIES - 09/2017	23,505.98
			36,284.89

Total Payments FY 2017

131,538.65

TOTAL PAYMENTS ALL FUND YEARS \$ 131,538.65

RESOLUTION NO. 24-17
RESOLUTION OF THE EXECUTIVE COMMITTEE
OF THE NEW JERSEY MUNICIPAL ENVIRONMENTAL RISK MANAGEMENT FUND
AUTHORIZING THE SALE OF CERTAIN LANDS AND PROPERTIES

WHEREAS, the Municipal Environmental Joint Insurance Fund (“EJIF”) is the owner of certain property known as 38 Lagoon Drive East, Block 232.23, Lot 19 in the Township of Toms River, Ocean County, New Jersey; and

WHEREAS, the EJIF desires to make available for public sale said property, with the right of prior refusal to be afforded to adjacent property owners pursuant to N.J.S.A. 40A:12-13.2.

NOW, THEREFORE, BE IT RESOLVED, by the EJIF as follows:

1. The EJIF hereby declares that the property known as 38 Lagoon Drive East, Block 232.23, Lot 19, Township of Toms River, Ocean County, NJ should be sold in accordance with appropriate statutes of the State of New Jersey.
2. The EJIF hereby authorizes the Executive Director to offer said property for sale to the highest bidder by open public sale at auction. The minimum bid shall be \$200,000.
3. The public sale shall take place at the Municipal Offices of the Township of Toms River, 33 Washington Street, Toms River, NJ on November 6, 2017, at 10:00 a.m. or as soon thereafter as the matter can be heard and publicly announced, provided the sale is not cancelled.
4. The public sale, if not cancelled, shall take place by open public sale at auction to the highest bidder.
5. The successful bidder at the time of the sale must present cash or a check or money order, payable to the Municipal Environmental Joint Insurance Fund, in an amount that equals 10% of the suggested minimum sales price. This deposit shall be non-refundable. The balance of the purchase price shall be paid to the EJIF no later than sixty (60) days following the acceptance by the EJIF and the tender of marketable title to the purchaser and submitted to the EJIF. The purchaser shall be entitled to possession immediately following closing of title.
6. The EJIF makes no representation as to the title or any other aspects of the land to be sold.
7. The EJIF reserves the right to accept or reject any and all bids at the public sale and not to award to the highest bidder. Such decision will be made by the Executive Director.
8. In the event the EJIF is unable to convey clear and marketable title, insurable at regular rates by a title insurance company authorized to do business in the State of New Jersey, the EJIF shall forthwith return to the purchaser the deposit and neither party shall have any further rights against the other. The acceptance of a deed by the purchaser from the EJIF shall extinguish any claims the said purchaser may have against the EJIF in connection with the quality of title conveyed.
9. All conveyances by the EJIF shall be made by way of a Quit Claim Deed, unless an adequate title binder prepared at the expense of the purchaser is forwarded to the EJIF prior to the conveyance and discloses that the EJIF holds marketable title in which case a Bargain and Sale Deed with Covenants Against Grantor’s Acts will be the form of conveyance. The EJIF will include within its deed a metes and bounds description based upon a survey if a survey and metes and bounds description is obtained by the purchaser.

10. The EJIF reserves the right to waive any and all defects and informalities in any proposal and to accept or reject the highest responsible and responsive bidder deemed to be in the best interests of the EJIF.
11. A public notice of sale shall be published in the EJIF's official newspaper as well as in a newspaper circulating in the municipality in which the property is located at least once a week for two consecutive weeks, the last publication being no earlier than seven (7) days prior to the date set forth for the public sale, which notice shall contain the conditions of this sale in accordance with N.J.S.A. 40A:12-13(a).
12. In the event the successful bidder fails to close on the property, he shall forfeit ten percent (10%) of the purchase price.
13. The resolution shall take effect immediately.

Adopted: October 18, 2017

**NJ MUNICIPAL ENVIRONMENTAL
RISK MANAGEMENT FUND**

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

Resolution No. 25-17

OCTOBER 2017

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 2001

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
001148			
001148	SUB-ESSEX JOINT INSURANCE FUND	2017 DIVIDENDS	37,704.00
			37,704.00
001149			
001149	MORRIS CO. MUNICIPAL J. I. F.	2017 DIVIDENDS	126,778.00
			126,778.00
001150			
001150	NEW JERSEY UTILITY AUTH. JIF	2017 DIVIDENDS	96,745.00
			96,745.00
001151			
001151	BERGEN CO. MUNICIPAL J.I.F.	2017 DIVIDENDS	134,156.00
			134,156.00
001152			
001152	CAMDEN CO. MUNICIPAL J.I.F.	2017 DIVIDENDS	92,159.00
			92,159.00
001153			
001153	SOUTH BERGEN MUNICIPAL J.I.F.	2017 DIVIDENDS	84,524.00
			84,524.00
001154			
001154	P.M.M. JOINT INS. FUND	2017 DIVIDENDS	38,468.00
			38,468.00
001155			
001155	OCEAN CO. MUNICIPAL J.I.F.	2017 DIVIDENDS	133,667.00
			133,667.00
001156			
001156	MONMOUTH CO. MUNICIPAL J.I.F.	2017 DIVIDENDS	81,502.00
			81,502.00
001157			
001157	SUBURBAN MUNICIPAL J.I.F.	2017 DIVIDENDS	41,512.00
			41,512.00
001158			
001158	CENTRAL JERSEY J.I.F.	2017 DIVIDENDS	108,715.00
			108,715.00
001159			
001159	GLOUCESTER, SALEM & CUMBERLAND	2017 DIVIDENDS	24,070.00
			24,070.00
Total Payments FY 2001			1,000,000.00

TOTAL PAYMENTS ALL FUND YEARS \$ 1,000,000.00