

**January 27, 2021**

**MEETING BEING HELD TELEPHONICALLY**

**Call In Number: 1-929-205-6099 US (New York)**

**Meeting ID: 995 6891 3860**

*(Please note a passcode is not required)*

**OR**

**Join via computer link**

<https://permainc.zoom.us/j/99568913860>

**Meeting ID: 995 6891 3860**

*(Enter Meeting ID when prompted – please note a passcode is not required)*

**10:30 AM**

#### **STATEMENT OF COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT**

The New Jersey Utility Authorities Joint Insurance Fund will conduct its January 27, 2021 meeting electronically, in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq. and in consideration of Executive Order No. 103, issued by Governor Murphy on March 9, 2020, declaring a State of Emergency and a Public Health Emergency in the State of New Jersey. Notice of this meeting was given by (1) sending sufficient notice herewith to the Star Ledger; (2) filing advance written notice of this meeting with the Clerk/Administrator of each member Authority and (3) posting a copy of the meeting notice on the public bulletin board of all member Authorities.

During a remote meeting, participants, including members of the public, may be muted by the host, however there will be an opportunity for them to participate and speak during the public portion of the meeting where participants will be unmuted at their request.

**NEW JERSEY UTILITY AUTHORITIES JOINT INSURANCE FUND**

**MEETING: JANUARY 27, 2021**

**Via Zoom**

**10:30 AM**

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- MEETING CALLED TO ORDER - OPEN NOTICE READ**
  - PLEDGE OF ALLEGIANCE**
  - ROLL CALL OF EXECUTIVE COMMITTEE**
  - APPROVAL OF MINUTES: December 16, 2020 .....Appendix I**
  
  - CORRESPONDENCE: .....Page 1**
  
  - ADJOURN SINE DIE MEETING**
    - Chairs vacated – Executive Director asked to run meeting
  
  - MEETING OF FUND COMMISSIONERS CALLED TO ORDER**
  - ROLL CALL OF FUND COMMISSIONERS**
  - ELECTION OF OFFICERS, 5-MEMBER EXECUTIVE COMM & ALTERNATES**
    - Executive Director presents results of paper ballot - calls for ratification of paper ballot election.
    - RESOLUTION 1-21 CERTIFY ELECTION OF OFFICERS..... Page 4**
    - RESOLUTION 2-21 CONFIRM ELECTION EXEC COMM & ALTERNATES ..... Page 5**
  
  - ATTORNEY SWEARS IN OFFICERS, EXECUTIVE COMMITTEE & ALTERNATES**
  
  - APPOINTMENT - FUND OFFICIALS (Resolution 3-21).....Page 7**
  - ORGANIZATIONAL RESOLUTIONS (Resolutions 4-21 thru 14-21).....Page 10**
    - .Authorizing an Agreement for Professional Services for Fund Attorney
    - .Fiscal Management Plan
    - .Designation of Interest rates for Delinquent Assessments
    - .Cash Management Plan
    - .Designation of Regular Meeting Times and Place
    - .Designation of Service of Process
    - .Designation of Official Newspaper
    - .Designation of Secretary as custodian of records
    - .Excess Property, Liability and POL/EPL
    - .Primary POLEPL
    - .Primary Cyber Liability
    - .Excess Cyber Liability
    - .Designation of Bank Depositories
    - .2021 Risk Management Plan
    - .Establishing Remote Public Meeting Procedures
  - COMMITTEE APPOINTMENTS.....Page 34**
    - .Safety Committee
    - .Coverage Committee
    - .Nominating Committee
    - .Finance Committee

**REPORTS**

**EXECUTIVE DIRECTOR/ADMINISTRATOR - PERMA**

.Executive Director's Report.....Page 2

**TREASURER – Stuart Neuhof**

.Vouchers Report – January bills.....Page 64 & 67

.Monthly Reports .....Page 68

**ATTORNEY –Robert Budesca, Esquire**

.2021 Defense Panel ..... Page 82

**MANAGED CARE – QualCare**

.Monthly Report.....Page 83

**SAFETY DIRECTOR – JA Montgomery**

.Monthly Report and Agenda.....Page 87

**CLAIMS SERVICE – Qual-Lynx Associates**

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**OLD BUSINESS**

**NEW BUSINESS**

**PUBLIC COMMENT**

**RESOLUTION - EXECUTIVE SESSION FOR CERTAIN SPECIFIED PURPOSES  
PERSONNEL - SAFETY AND PROPERTY OF PUBLIC – LITIGATION**

**1. Payment Authority Requests**

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**MEETING ADJOURNED**

**NEW JERSEY UTILITY AUTHORITIES JOINT INSURANCE FUND**

**OATH OF OFFICE**

*State of New Jersey:*

I, \_\_\_\_\_ do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of New Jersey, that I will bear true faith and allegiance to the same and to the Governments established in the United States and in this State, under the authority of the people; and I will faithfully, impartially and justly perform all of the duties of the office of \_\_\_\_\_ within the New Jersey Utility Authority Joint Insurance Fund, according to the best of my ability [*So Help Me God*]\*

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name [Print or Type]

The above individual is remotely located and has complied with the Remote Notarial Act pursuant to 2020 New Jersey Sess Law Serv. Ch.26.

***Sworn and subscribed before me this day,***

\_\_\_\_\_  
Date

**From:** Peter Wozniak  
**Sent:** Thursday, January 7, 2021 3:39 PM  
**To:** Cathleen A Kiernan PERMA <[catek@permainc.com](mailto:catek@permainc.com)>  
**Subject:** 2021 Payment Extension Request

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Hi Cathleen,

I respectfully request an extension thru 2/15/21 for the payment of our 1<sup>st</sup> Installment payment toward the NJ Utility Authority's JIF. Our January 2021 board meeting has been delayed until February 1, 2021 and I need to get this approved by the Board first. Please let me know if you can provide the time extension.

Thank You  
Peter Wozniak, MS, CPA, CMFO, QPA  
Chief Finance Officer  
Somerset Raritan Valley SA

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## **New Jersey Utility Authorities Joint Insurance Fund**

9 Campus Drive, Suite 216

Parsippany, NJ 07054-4412

Telephone (201) 881-7632 Fax (201) 881-7633

Date: January 27, 2021

Memo to: Executive Committee  
New Jersey Utility Authorities Joint Insurance Fund

From: Cathleen Kiernan

Subject: Executive Director's Report

- 2021 Reorganization Resolutions:** Enclosed with the reorganization resolutions is Resolution 3-21 which confirms the board's decision to award professional service agreements in accordance with a fair and open process pursuant to N.J.S.A. 19:44A-20.4 et. Seq. for fund years 2021, 2022 and 2023, and may be extending for a 4<sup>th</sup> or 5<sup>th</sup> year. The Resolution reflects 2% fee increases as recommended by the Finance Committee as well as estimated 3-year contact amounts as per Local Finance Notice 2017-10.

Resolution 4-21 appoints the Fund Attorney as a Professional Service Agreement for 2021.

- Motion to adopt Resolutions 3-21 and 4-21 confirming Fund Professionals.**

In addition, included are resolutions establishing Fiscal Management, Establishing Meeting Procedures, and Establishing Fund Records. In order to meet regulatory compliance as respects placement of insurance coverages, included are resolutions authorizing extraordinary unspecifiable services for public officials/employment practices liability, land use liability, volunteer director's and officer's liability and cyber liability coverages.

- Motion to adopt Resolution 5-21 through 12-21 establishing Fiscal Management, establishing Meeting Procedures, establishing Fund Records and Authorizing Excess and Primary Insurance.**

- Risk Management Plan** - Attached you will find the 2021 Risk Management Plan which has been reviewed and updated by the JIF and MEL Underwriting Managers. Risk Management Plan reflects changes in the program structure on JIF and MEL retentions.

- Motion to adopt Resolution 13-21 approving the 2021 Risk Management Plan.**

- Remote Public Meetings:** The Division of Local Government Services issued Local Finance Notice LFN2021-21 regarding public comment process when holding remote public meetings during a declared emergency. Attached is a resolution submitted by the Fund Attorney for the Fund to adopt protocols for public access for remote meetings.

- Motion to adopt Resolution 14-21 adopting a procedure governing public comment process during a remote meeting.**
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❑ **Committee Appointments:** The Fund has four standing committees. Below you will find a list of the committees and a brief description of their charges. Fund Commissioners are encouraged to volunteer to serve in the upcoming year. Appointments will be made during the reorganizational part of the meeting. For reference, enclosed is a copy of the 2020 Standing Committees.

•**Coverage** - This committee is charged with evaluating potential exposures and determining whether coverage or policy decision be made by the Fund.

•**Finance Committee** - This committee is charged with meeting at least once a year, with a mandatory meeting to review professional services and make recommendations on fees, providers and the budget.

•**Safety Committee** - This committee is charged with coordinating the activities of the Safety Director and the relationship of same with member authorities; evaluating, analyzing, and reviewing the Fund's safety programs and making the recommendations to the Fund; and monitoring the Fund's Safety Incentive Program.

•**Nominating** - (Fund Commissioners Only) This committee is charged with meeting at least once a year, usually in December, to propose an Executive Committee slate for the following Fund year.

❑ **Assessments:** The 2021 assessments were mailed out via certified mail, and emailed. As a reminder, first installment payments are due by January 31, 2021. Somerset Raritan Valley is requesting an extension on their 2021 assessment from January 31, 2021 to February 15<sup>th</sup>.

❑ **Motion to authorize an extension on Somerset Raritan Valley's 2021 Assessment to February 15<sup>th</sup>**

❑ **RCF 2021 Reorganization Meeting:** The Residual Claims Fund's 2021 Reorganization meeting was held on January 6, 2021 at 10:30 a.m. via Zoom. Enclosed is a copy of Commissioner Bigler's report on the meeting.

❑ **EJIF 2021 Reorganization Meeting:** The 2021 Reorganization meeting was held on January 6, 2021 at 10:50 a.m. via Zoom. Enclosed is Commissioner Rutkowski's report on the meeting.

❑ **MEL 2021 Reorganization Meeting:** The MEL 2021 Reorganization meeting was held on January 6, 2021 at 11:15 am via Zoom. Enclosed is a copy of Commissioner Rutkowski's report on the meeting.

❑ **Mandatory Vaccination of Employees:** In response to the dissemination of the Covid-19 vaccines, the MEL Fund Attorney issued a bulletin, and consulted with the MEL Safety Director, Executive Directors of our Member Funds, and Labor expert, Matthew Giacobbe, Esq., to develop a memorandum anticipating several policy decisions on the issuance of the vaccine. Attached is the bulletin, and memorandum.

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- ❑ **2020/2021 Elected Officials Seminar:** This year’s Elected Officials Seminar focused on ways to prevent employment practices lawsuits. The course was conducted as part of the League of Municipalities Virtual Conference. In addition to holding this seminar at the Virtual Conference conducted by League of Municipalities, we have now posted the course to the MEL’s Learning Management System. Attached are the directions to follow to complete the course.

The MEL will provide a credit of \$250 against each member’s assessment for each municipal elected official and authority commissioner who completes the course by May 1, 2021. The credit will continue to be extended to the member’s CEO (i.e. municipal manager/administrator or authority executive director). The maximum credit is 5% of the member’s assessment.

❑ **Due Diligence Reports**

- ❑ Financial Fast Track Report - as of 11/30/2020 Page 52
- ❑ Interest Rate Comparison Report – *unavailable*
- ❑ Expected Loss Ratio – as of 11/30/20 Page 53
- ❑ Claim Activity Report- as of 11/30/20 Page 54
- ❑ Lost Time Accident Frequency Report – as of 11/30/20 Page 55
- ❑ Lost Days Report – as of 11/30/20 Page 58
- ❑ POL/EPL – Compliance Status List – as of 1/19/2021 Page 60
- ❑ RMC Resolution & Agreement Status List –as of 1/19/21 Page 62
- ❑ Regulatory Compliance Check List - as of 1/19/21 Page 63