

**MERCER COUNTY INSURANCE FUND COMMISSION
OPEN MINUTES
MEETING – September 28, 2020
Meeting Held Telephonically
10:30 AM**

Meeting was called to order by the Executive Director. Executive Director read the Open Public Meetings notice into record.

ROLL CALL OF COMMISSIONERS:

Lillian Nazzaro, Esq.	Present
K. Megan Clark Hughes	Absent
Raissa Walker	Present

FUND PROFESSIONALS PRESENT:

Executive Director	PERMA Risk Management Services Joseph Hrubash
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Claims Service	Inservco Insurance Services, Inc. Nancy Fowlkes Amy Zeiders Yvonne Frey Richard Crooks Suretha Hobbs
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Qual Lynx
Chris Roselli

PERMA
Jennifer Conicella

Managed Care Services	First MCO Suzanne Rajsteter
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NJCE Underwriting Manager	Conner Strong & Buckelew
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Risk Management Consultant	Borden Perlman Salisbury & Kelly Diane Purcell Doug Borden
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Attorney	Paul Adezio, Esq.
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Safety Director	J.A. Montgomery Risk Control Glenn Prince
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ALSO PRESENT:

Susan Schaefer, Susan Schaefer, LLC
Jackie Tolbert, Mercer County Improvement Authority
Ana-Eliza Bauersachs, Esq., Capehart Scatchard
Cathy Dodd, PERMA Risk Management Services

APPROVAL OF MINUTES: OPEN AND CLOSED MINUTE OF JULY 27, 2020

Ms. Dodd advised the minutes should be tabled until the next meeting as Ms. Nazzaro was not in attendance at the July meeting.

CORRESPONDENCE: None

SAFETY COMMITTEE REPORTS: Mr. Prince said as he previously reported due to COVID and certain challenges the Safety & Accident Review Committee Meetings has been postponed and hopefully reinstated shortly. Mr. Prince advised he had some other items he would report on during the Safety Director report relative to in person visits and training. Mr. Prince advised that concluded his report unless there were any questions.

CLAIMS COMMITTEE: Ms. Conicella reported the Claims Committee did not meet, however the PARS would be presented during closed session. Ms. Conicella concluded her report unless there were any questions.

EXECUTIVE DIRECTOR REPORT: Executive Director advised his report was included in the agenda and there was one action item.

CERTIFICATE OF INSURANCE ISSUANCE REPORT: Executive Director reported the certificate of issuance report from the NJCE listing the certificates issued for the month of July was included in the agenda. Executive Director advised there was one certificate of insurance issued during July. Executive Director noted there were no certificate requests for the month of August.

MOTION TO APPROVE THE CERTIFICATE OF INSURANCE REPORT FOR THE MONTH OF JULY

Moved:	Commissioner Walker
Second:	Chair Nazzaro
Roll Call Vote:	2 Yes, 0 Nays

NJ COUNTIES EXCESS JOINT INSURANCE FUND (NJCE): Executive Director reported the NJCE last met on September 24, 2020 and he would provide a quick overview of the meeting. Executive Director reported the Fund Commissioners approved a motion to approve the 2019 Audit. Executive Director reported a Sub-Committee reviewed the proposals for the Learning Management System and since all of the vendors exceeded the allocated budget, it was recommended to reject the proposals and ask J.A. Montgomery to arrange for a contract with a vendor. Executive Director advised Ameri-Health was reappointed as Claims Administrator. Executive Director said the submission date for the BRIT Safety Grant was extended October 30th. Executive Director noted a written report would be included in the next agenda. Executive Director advised the NJCE was scheduled to meet again on October 22, 2020.

MCIFC PROPERTY & CASUALTY FINANCIAL FAST TRACK: Executive Director advised the June Financial Fast Track was included in the agenda. The Commission had a surplus of \$11,196,744 as of June 30, 2020. Executive Director also referred to line 10 of the report, “Investment in Joint Venture” and indicated \$1,439,278 of the surplus was the MCIFC’s share of the NJCE equity. Executive Director noted dividends of \$615,168 released from the NJCE and MCIFC were displayed on line 9 of the report. Executive Director advised the cash balance was \$3,175,209.

NJCE PROPERTY & CASUALTY FINANCIAL FAST TRACK: Executive Director reported the June Financial Fast Track was included in the agenda. As of June 30, 2020 the Fund had a surplus of \$16,528,932 and the cash balance was \$25,355,956. Executive Director noted the NJCE had issued dividends in the amount of \$3,607,551.

CLAIMS TRACKING REPORTS: Executive Director advised the Claims Tracking Reports for the month of June were included in the agenda. Executive Director referred to the Expected Loss Ratio report and advised this report compared how the Commission was performing versus the actuary’s projections. Executive Director reviewed the reports with the Commission.

2021 RENEWAL – UNDERWRITING DATA COLLECTION: Executive Director reported the Origami System was launched as part of the 2021 Exposure Renewal Process. Executive Director advised the deadline to complete the renewal process was September 9, 2020 and asked that any outstanding items be completed within the next few days. Executive Director thanked everyone involved in uploading the renewal information into the Origami System.

NJCE BEST PRACTICES WORKSHOP, 2020 VIRTUAL EDITION: Executive Director advised the 9th Annual NJCE Best Practices Workshop was scheduled to be a Zoom Webinar on Thursday, October 29, 2020. Executive Director reported the workshop would be approximately 2.5 to 3 hours. Executive Director said the topics are the NJCE JIF, Renewal Overviews and Recommendations, BRIT Safety Grant Successes and Future Projects and implications of COVID-19. Ms. Conicella noted the invitations should be e-mailed out this week.

2020 NEW JERSEY ASSOCIATION OF COUNTIES CONFERENCE: Executive Director reported the annual conference rescheduled for October had been replaced with a series of educational virtual workshops on COVID-19 matters to be held between September 30 and November 11.

2020 MEL & MRHIF & NJCE EDUCATIONAL SEMINAR: Executive Director advised the annual seminar scheduled for May 2st had been cancelled indefinitely.

NJCE 10TH YEAR ANNIVERSARY: Executive Director advised 2020 marked the 10th anniversary since the Fund’s inception. Executive Director reported he hoped a luncheon could be scheduled early in 2021 honoring the milestone.

MIDDLESEX WATER COMPANY V. 3M: Executive Director reported the last item was a discussion and asked Mr. Adezio to start the conversation. Mr. Adezio advised this was relating to the subpoenas that were served on the airport and the fire school with respect to the foam that was used to fight fires. There is a lawsuit in the United States District Court. Mr. Adezio asked the insurance professional to see how far back they could find insurance policies so the carriers could be put on notice. Executive Director advised his office recommended two insurance archaeology

resources to assist clients in tracking down policy information. Mr. Borden asked Ms. Purcell to provide an update. Ms. Purcell advised her office interviewed both firms and their pricing models and processing were similar just dependent on what information we can provide. Executive Director reported his office was able to locate some policy information and Ms. Dodd would share that information with Ms. Purcell. Executive Director advised once we had an idea of the pricing we could talk about paying the expense out of the Commission. Ms. Purcell indicated the cost was approximately \$400 per hour. Mr. Borden went on to explain the details involved in obtaining the policy information.

Executive Director advised that concluded his report unless there were any questions.

Executive Director's Report Made Part of Minutes.

TREASURER REPORT: Chair Nazzaro advised the Treasurer was not participating in the call. Chair Nazzaro advised the August Bill List, Resolution 32-20 and the September Bill List, Resolution 33-20 was included in the agenda.

MOTION TO APPROVE RESOLUTION 32-20, AUGUST BILL LIST AND RESOLUTION 33-20 SEPTEMBER BILL LIST

Moved:	Commissioner Walker
Second:	Chair Nazzaro
Roll Call Vote:	2 Yes, 0 Nays

Executive Director advised the monthly Treasurer Reports were included in the agenda.

ATTORNEY: Mr. Adezio advised there was no report from legal today.

CLAIMS SERVICE: Ms. Conicella said Senate Bill 2380 was passed on September 14, 2020 covering essential workers who contracted COVID-19 starting on March 9, 2020. Ms. Conicella advised the Senate Bill expanded the definition of an essential worker to anyone who performed functions in physical proximity to members of the public such as food service workers or transportation workers. Ms. Conicella referred to a copy of an article written by John H. Geaney, Esq. which was included in the agenda titled “Essential Workers Legislation: What it Means and What it Does Not Mean. Executive Director noted they had asked the TPA’s to report any positive COVID claims. Chair Nazzaro advised they have reported all positive cases that have come forward to the TPA and should be current.

CLAIMS SERVICE: Executive Director advised Resolution 34-20, Disclosure of Liability Claims Check Registers were included in the agenda along with copies of the check register for July 1, 2020 to July 31, 2020 and August 1, 2020 to August 31, 2020.

MOTION TO APPROVE RESOLUTION 34-20 AUTHORIZING DISCLOSURE OF LIABILITY CLAIMS CHECK REGISTERS

Moved:	Commissioner Walker
Second:	Chair Nazzaro
Roll Vote:	2 Yes, 0 Nays

MANAGED CARE: Ms. Rajsteter advised she would review First MCO’s report which was included in the agenda for the month of August. Ms. Rajsteter noted there were no appeals for the month.

Month	Provider Bill Amount	Repriced Amount	Savings	Percentage of Savings	Number of Bills	In Network Bills	Net Savings	PPO %
August	\$ 44,177	\$ 22,963	\$ 21,214	48%	85	84	\$ 17,029	99%

Ms. Rajsteter advised that concluded her report unless anyone had any questions.

NJCE SAFETY DIRECTOR: Mr. Prince advised a copy of the Safety’s Director Report for July through September was included in the agenda. Mr. Prince referred to a copy of all of the training webinars scheduled for the months of September and October. Mr. Prince advised there were some instructor led training classes for the Mercer County Corrections. Mr. Prince reported for 2021 they were looking to place their work zone safety training programs into a webinar format. Historically, it was a four hour in person instructor led program. The new format would be in one-hour blocks of instruction. Depending on the occupation of the attendee they can either attend one or all blocks of instruction for that program. JA Montgomery is also transitioning their landscape program to four separate topics for 2021 – mower safety, chainsaw safety, chipper safety and utility vehicle safety operation. Mr. Prince noted they conducted two loss control visits to the Princeton Golf Club and the County Parks Department. The written reports would follow shortly. Mr. Prince advised the deadline for the BRIT Safety Grant submission was extended to October 30th. Mr. Prince reported that concluded his report unless there were any questions.

RISK MANAGER CONSULTANT: Ms. Purcell advised she did not have anything further to report.

Correspondence Made Part of Minutes.

OLD BUSINESS: None

NEW BUSINESS: In response to Chair Nazzaro’s inquiry, Executive Director did not know if the NJCE was going to send out any additional information on S2380 but would look into that. Chair Nazzaro asked if anyone had any other questions.

PUBLIC COMMENT: None

CLOSED SESSION: Executive Director read and requested a motion to approve Resolution 35-20 authorizing a Closed Session to discuss PARS.

MOTION TO APPROVE RESOLUTION 35-20 FOR EXECUTIVE SESSION

Moved:	Commissioner Walker
Second:	Chair Nazzaro
Vote:	2 Yes, 0 Nays

Ms. Dodd advised anyone that was participating in closed session should hang up and call back again using the number and password provided prior to the meeting.

**MOTION TO APPROVE THE PARS/SARS AS REVIEWED DURING
CLOSED SESSION**

Moved:	Commissioner Walker
Second:	Chair Nazzaro
Vote:	2 Yes, 0 Nays

MOTION TO ADJOURN:

Moved:	Commissioner Walker
Second:	Chair Nazzaro
Vote:	2 Yes, 0 Nays

MEETING ADJOURNED: 11:14 AM

Minutes prepared by:
Cathy Dodd, Assisting Secretary