

**NEW JERSEY PUBLIC HOUSING AUTHORITY**  
**JOINT INSURANCE FUND**  
**January 19, 2022**  
**Public Meeting via Zoom**  
**10:30 AM**

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Meeting Called to Order by Chairman Robert DiVincent. Open Public Meeting Statement read into the record. Chairman requested Executive Director to proceed with agenda.

**Salute to American Flag**

**ROLL CALL OF EXECUTIVE COMMITTEE:**

<b>Chairperson</b>		
Robert DiVincent	Edgewater Housing Finance Urban Renl	Present
<b>Secretary</b>		
Sherry Sims	Boonton Housing Authority	Present
<b>Board of Commissioners</b>		
John Mahon	Bayonne Housing Authority	Present
Joseph Billy, Jr.	Freehold Housing Authority	Present
John Clarke	New Brunswick Housing Authority	Present
Douglas Dzema	Perth Amboy Housing Authority	Present
Kathleen DiTomasso	Woodbridge Housing Authority	Present

**ALTERNATE EXECUTIVE COMMITTEE MEMBERS:**

Larry Stratton	South Amboy Housing Authority	Absent
Grace Dekker	Berkeley Housing Authority	Absent
Susan Thomas	Middletown Housing Authority	Present
Eric Chubenko	Carteret Housing Authority	Present
Anthony Feorenzo	Hackensack Housing Authority	Present
Pamela Mitchell	Passaic Housing Authority	Present

**APPOINTED OFFICIALS PRESENT:**

<b>Executive Director /Administrator</b>	Perma Risk Management Services	Steve Sacco	Present
<b>Attorney</b>	DeCotiis, Fitzpatrick Cole & Giblin, LLP	Frank Borin	Present
<b>Underwriting Mgr</b>	Conner Strong & Buckelew	Edward Cooney	Present
<b>Co-Treasurers</b>	Execu-Tech, Inc.	William Snyder Louis Riccio	Present Present
<b>Claims Service</b>	Qual-Lynx	Claudia Acosta	Present
<b>Safety Director</b>	J.A. Montgomery Risk Consulting	Brian Maitland	Present
<b>Auditor</b>	Holman Frenia Allison	Robert Allison	Absent
<b>Actuary</b>	Actuarial Advantage	Kyle Mroteck	Absent
<b>Managed Care</b>	Qual-Care	Lisa Gallo	Present
<b>Marketing</b>	Warren Risk Marketing, LLC	Jack Warren	Present

**ALSO PRESENT**

Zach Edleman, RMC  
Fran Eddis, RMC

Helen Goodwin, RMC  
Thomas McGuire, Phillipsburg HA  
Deborah Hurley, Edison HA  
Paul Shives, J.A. Montgomery  
Don Scioaro, RMC  
Brian Maitland, RMC  
Dominic Cinelli, RMC  
Patti Fahy, RMC  
Tanya Van Order, Madison HA  
Kathy Young, RMC  
Jennifer Modica, RMC  
Jack Zisa, RMC  
Jonothon Tavares, CSB  
Jennifer Conicella, Perma  
Robyn Walcoff, Perma  
Joseph Hrubash, Perma  
Tracy Lopez, Perma

Salute to American Flag

**APPROVAL OF MINUTES:** December 3, 2021 Open Minutes

**MOTION TO APPROVE THE OPEN MINUTES AS REFERENCED ABOVE**

**MOTION:** Commissioner Clarke  
**SECOND:** Commissioner Chubenko  
**VOTE:** Unanimous

**Reorganization**

Chairman requested that the Fund adjourn the Sine Die meeting and asked the Executive Director to assume the Chair.

**MOTION TO ADJOURN SINE DIE MEETING AND VACATE CURRENT POSITIONS OF THE EXECUTIVE COMMITTEE**

**MOTION:** Commissioner Chubenko  
**SECOND:** Commissioner Sims  
**ALL IN FAVOR:** 7 Ayes

Executive Director said it was established that a quorum of the NJ Public Housing Authority JIF Fund Commissioners was present and also included the majority proxy votes submitted. Executive Director advised that Reorganization of the Fund would continue, in accordance with the Fund's bylaws, the Fund elects a Chairman, Secretary, five (5) member Executive Committee and up to (7) alternates.

**MOTION TO OPEN THE FLOOR FOR CONSIDERATION OF NOMINATIONS FOR THE EXECUTIVE COMMITTEE AND ALTERNATES:**

**MOTION:** Commissioner DiVincent  
**SECOND:** Commissioner Clarke  
**VOTE:** Unanimous

Executive Director referred to the 2022 Slate as provided by the Nominating Committee for the 2022 Fund year:

**2022 NJPHA JIF – Proposed Slate**

<b>Chairperson</b>	
Robert DiVincent	Edgewater Housing Finance Urban Renewal Corporation
<b>Secretary</b>	
Sherry Sims	Boonton Housing Authority
<b>Board of Commissioners</b>	
John Mahon	Bayonne Housing Authority
Joseph Billy	Freehold Housing Authority
John Clarke	New Brunswick Housing Authority
Douglas Dzema	Perth Amboy Housing Authority
Kathleen Ditomasso	Woodbridge Housing Authority
<b>Alternates</b>	
Larry Stratton	South Amboy Housing Authority
Grace Dekker	Berkeley Housing Authority
Susan Thomas	Middletown Housing Authority
Eric Chubenko	Carteret Housing Authority
Anthony Feorenzo	Hackensack Housing Authority
Pamela Mitchell	Passaic Housing Authority

**MOTION TO OPEN THE FLOOR FOR OTHER NOMINATIONS TO BE CONSIDERED FOR THE EXECUTIVE COMMITTEE AND ALTERNATES:**

**MOTION:** Commissioner Billy  
**SECOND:** Commissioner Clarke  
**VOTE:** Unanimous

Executive Director asked if there were any other nominations from the floor to be considered for the 2022 slate of the Executive Committee.

Hearing none, Executive Director requested a motion to accept the 2022 slate of the Executive Committee as presented.

**MOTION TO CLOSE THE FLOOR FOR NOMINATIONS AND CONFIRM THE NOMINATIONS OF THE 2022 EXECUTIVE COMMITTEE AND ALTERNATES AS PRESENTED BY THE NOMINATING COMMITTEE:**

**MOTION:** Commissioner Billy  
**SECOND:** Commissioner Ditomasso  
**VOTE:** Unanimous

Fund Attorney, administered the oath of office for the 2022 Executive Committee members that were present.

**Oaths of Office will be made a part of the January 19, 2022 minutes.**

**Roll call of the 2022 Executive Committee and alternates:**

<b>Chairperson</b>	
Robert DiVincent	Edgewater Housing Finance Urban Renewal Corporation
<b>Secretary</b>	
Sherry Sims	Boonton Housing Authority
<b>Board of Commissioners</b>	
John Mahon	Bayonne Housing Authority
Joseph Billy	Freehold Housing Authority
John Clarke	New Brunswick Housing Authority
Douglas Dzema	Perth Amboy Housing Authority
Kathleen Ditomasso	Woodbridge Housing Authority
<b>Alternates</b>	
Larry Stratton	South Amboy Housing Authority
Grace Dekker	Berkeley Housing Authority
Susan Thomas	Middletown Housing Authority
Eric Chubenko	Carteret Housing Authority
Anthony Feorenzo	Hackensack Housing Authority
Pamela Mitchell	Passaic Housing Authority

**Reorganization Resolutions -2022**

- Resolution 1-22 - Election of Chairman & Secretary
- Resolution 2-22 - Appointment of Fund Professionals
- Resolution 3-22 - Establishing Public Meeting Procedures
- Resolution 4-22 - Appointing Banking Manager
- Resolution 5-22 - Establishing Remote Meeting Procedure
- Resolution 6-22 - Establishing a Fiscal Management Plan
- Resolution 7-22 - Establishing a Fund Records Program
- Resolution 8-22 - Appointing a 2022 Legal Defense List
- Resolution 9-22 - 2022 Plan of Risk Management
- Resolution 10-22 - Ratifying Purchase of Coverage
- Resolution 11-22 - Meeting Compensation
- Resolution 12-22 - Named Storm Deductible
- Resolution 13-22 - Award of POL/EPL Contract
- Resolution 14-22 - Award of Cyber Liability Contract

Executive Director reviewed the reorganization resolutions 1-2 thru 14-22 and further asked if there were any questions on the Reorganization Resolutions; hearing none;

**MOTION TO ADOPT 2022 REORGANIZATIONAL RESOLUTIONS 1-22 THRU 14-22  
AS A CONSENT AGENDA**

**MOTION:** Commissioner DiVincent  
**SECOND:** Commissioner Clarke  
**ROLL CALL VOTE:** Unanimous

## **Correspondence**

None

## **Underwriting Manager**

Underwriting Manager referred to the coverage bulletins provided for the NJPHA JIF and further noted that all MEL 2022 Bulletins have been posted to the MEL website at [www.njmel.org](http://www.njmel.org). Underwriting Manager noted that the bulletins provided are very important for review and include updates to the MEL insurance program renewal and typically cover common topics or critical items that most members need to utilize and reference throughout the year. Review of all bulletins is highly encouraged and recommended. Underwriting Manager said the MEL wanted to bring special attention to MEL bulletin 22-25 addressing flood coverage. Tropical Storm Ida highlighted questions many members had regarding flood coverage and deductibles. Underwriting Manager noted that when FEMA designates a high hazard flood zone determination, it is very common insurance practice that the owner of the location purchase the maximum available limit from the National Flood Insurance Program (NFIP); typically the limits are \$500,00 per building location and \$500,000 per contents or property damage; the MEL requires each designated high hazard flood zone determination to purchase the maximum limit for which would be the MEL deductible which is relatively an inexpensive policy and basically a way to buy down your deductible. The bulletin is very important to review with your appointed risk management consultant or insurance professional to make sure your entity is purchasing the appropriate coverage needed.

Executive Director encouraged members to review the MEL bulletin and noted the importance of knowing if your property is designated as a flood zone location; the information can be checked annually through FEMA. It is highly recommended that members review this information with your risk management consultant; if a member does not have a risk management consultant you may contact the Fund office for a current listing of risk management consultants for your convenience or you may appoint a licensed consultant of your choice. It has been said from some members that do not have an appointed risk management consultant as they did not see the need; it is an option, however the need to obtain one is very important for situations such as this. The Fund does not run or provide flood checks for members.

Executive Director further noted an example of a recent situation wherein a member had NFIP coverage but did not have the maximum limits, resulting in a gap or delta between their NFIP policy and the MEL property policy.

In response to Commissioner Mahon, Underwriting Manager noted that partial flood zone determinations made by FEMA is a difficult determination for a boiler rooms below grade, however there are other private insurers that participate in similar insurance programs and can be an alternative option for the difference in FEMA's partial determination but not under the same NFIP title and access to the various markets are available to insurance brokers. Commissioner Chubenko referenced FloodSmart as an option for members to utilize.

In response to Mr. Riccio, Underwriting Manager said the Army Corps of Engineers can update flood maps literally overnight or on any random day.

Mr. Snyder commented on Executive Director's earlier recommendations as to why it is very important for members to appoint a risk management consultant that can confirm annually that locations either are or are not in a flood zone because the maps are changing constantly. The services provided far outweigh the cost associated for a consultant.

Underwriting Manager continued with his report further noting that members were provided with renewal auto ID cards, WC posting notices and requests for renewal certificates. If any member is in need of additional copies, feel free to reach out to the underwriting office.

Underwriting Manager said the full renewal process for the entire MEL was completed on January 1<sup>st</sup> and within the coming weeks there will be two zoom webinars made available for Fund Commissioners and Risk Management Consultants to attend. The webinars will outline the renewal process, changes, and any items members may want to have considered during the course of the 2022 fund year.

Underwriting Manager referred to the current cyber compliance listing under the Cyber Risk Management Program V2 and the Certificate of Insurance Report. As previously mentioned the MEL formed a new cyber committee to focus on what the future of cyber insurance is going to look like for not only members of the MEL but for the country, as this line of coverage is becoming more problematic and is becoming customary for public entities across the county to not be able to obtain or only get limited cyber coverage. The MEL, being such a large program has not had a problem of purchasing full renewal coverage at this time, however we will need to take very drastic steps over the next year obtain renewal coverage in 2023. Details from the Cyber Committee will be released by the end of the first quarter of 2022.

In response to RMC, Kathy Young, Underwriting Manager confirmed the maximum limit available through NFIP should be purchased; there are some instances where in NFIP may only allow a capped limit for buildings or contents wherein private markets can be contacted as mentioned above with regards to the buildings.

## **EXECUTIVE DIRECTORS REPORT**

### **Pro Forma Financial Reports**

Executive Director reviewed the monthly Fund monitoring reports as distributed which included the November Financial Fast-Track, October Expected Loss Ratio Analysis, Claim Activity Report, Lost Time Accident Frequency Report, All JIFs Lost Time Accident Frequency. Executive Director said the financial fast track outlines an increase in surplus of \$69,890 for the month further reviewed positive surplus in fund years 2019, 2020 and 2021 for which is believed to be that he actions taken by the Board to raise deductibles and a focus on safety are beginning to be evidenced through the financials. Executive Director suggested that should the positive trend continue, we are hopeful implement the dividend program next year.

### **2022 Professional Contracts**

Executive Director said the Fund is currently in the second year of the three-year contract term for most of the Fund Professionals and Servicing Organizations. The enclosed memorandum provides a summary of contracts in force and sets forth compensation for Fund year 2022.

### **Committee Appointments**

Executive Director noted that the Chairman of the Fund has appointed six standing committees. All Fund Commissioners are encouraged to volunteer to serve in the 2022 year. Appointments will be confirmed during the reorganization of the meeting. The Committees are as follows:

**Claims Committee;      Operations Committee;      Coverage Committee;**  
**Finance Committee;      Nominating Committee;      Safety Committee**

**MEL 2022 Reorganization Meeting**

The MEL held its Reorganization Meeting on January 6, 2022. Enclosed is Commissioner Clarke’s report of the meeting.

**MEL Special Fund Commissioner**

Executive Director said Middlesex County Joint Insurance Fund became the 20<sup>th</sup> member of the Municipal Excess Liability Joint Insurance Fund. MEL Bylaws call for the appointment of a Special Fund Commissioner when there is a tie; which is rotated alphabetically. For 2022, that appointment fell to the NJ Public Housing Authority Joint Insurance Fund for which the Executive Committee appointed Commissioner Sims during its December meeting. It is recognized that this creates a conflict as Commissioner Sims is appointed as the alternate MEL representative, therefore we ask that the Executive Committee appoint an alternate to MEL for the 2022 Fund year.

**MOTION TO NOMINATE ROBERT DIVINCENT TO SERVE AS THE FUND'S ALTERNATE REPRESENTATIVE TO THE MEL.**

**MOTION:** Commissioner Clarke  
**SECOND:** Commissioner Ditomasso  
**VOTE:** Unanimous

**RCF 2022 Reorganization Meeting**

Executive Director said the RCF also held its Reorganization Meeting on January 6, 2022. Commissioner Sims’s report of the meeting was reviewed as distributed. Executive Director congratulated Commissioner Clarke as he was appointed as the RCF Chairman which is the first time a member of the NJPHA JIF Board has been appointed for this position.

**Plainfield HA**

Executive Director said we are pleased to advise that the Housing Authority of Plainfield has accepted the Fund quote to expand their current membership to include all lines of coverage in the New Jersey Public Housing Authority Joint Insurance Fund. We await formal adoption of the membership documents scheduled for January 18, 2022. Email approval was provided by the majority of the Executive Committee to proceed with expanded membership.

**MOTION TO FORMALLY APPROVE THE ALL LINES COVERAGE FOR PLAINFIELD HOUSING AUTHORITY PENDING RECEIPT OF MEMBERSHIP DOCUMENTS FOR SAME EFFECTIVE JANUARY 18, 2022.**

**MOTION:** Commissioner Sims  
**SECOND:** Commissioner Clarke  
**VOTE:** Unanimous

**Administration**

**2022 Assessments**

Ms. Lopez said the 2022 annual assessments have been sent to all members of the Fund via certified mail and are due to Treasurers by January 31, 2022. A notice was included with each member assessment requesting the update their records to the new lock box with Investors Bank as the TDBank lock box was closed and will not accept assessments received. The new lock box address is:

Payable to: New Jersey Public Housing Authority JIF  
New Jersey Public Housing Authority JIF  
PO Box 11487

**Employment Practices Compliance Program**

Ms. Lopez said we are in the final stages of updating the EPL Compliance Program report and are contacting members that have not submitted the EPL/POL checklist. Members that have not submitted their checklist for approval can continue to work on submitting to the Fund office; however the deductibles and co-insurance under this program will be approved retroactive to January 1<sup>st</sup> but upon approval of the checklist; therefore we encourage the all lines members to comply with the program.

**2022 Annual Meeting Notice**

A copy of the 2022 meeting notice was reviewed as distributed and will be provided to Fund members, professionals and risk management consultants. The dates will also be posted on the Fund website at [www.njphajif.org](http://www.njphajif.org) and advertised accordingly.

**Treasurers Report**

Mr. Snyder had taken the time to echo comments made by the Executive Director as it was not that long ago, 2017 & 2018 wherein deficits reached approximately \$2M, fund years 2019 and 2020 evidence the years in which we have turned a corner and much of that credit goes to the members, Perma including Steve and Tracy and the Finance Committee for processes put in place to assist the decline of preventable losses. We are now beginning to see a positive trend for which we hope will continue. Mr. Snyder reminded members of the investment program associated with the MEL Joint Cash Management Program (JCMI) noting that Lakeland Bank has been advised to transfer funds in the amount of \$1.183M to the JCMI. Mr. Snyder referred to the financial reports of November as distributed and presented Resolution 15-21, January 2022 Bill List.

January 2022 – Bill List Resolution #15-22:

<b>FUND YEAR</b>	<b>AMOUNT</b>
2021 Year	\$ 1,150,290.29
2022 Year	\$ 1,232,729.15
<b>Total</b>	<b>\$ 2,383,019.44</b>

Mr. Riccio commented on the bill list advising that over \$2M of the bill list is related to the MEL fourth installment of 2021 and the first installment of 2022 premium. In addition, since January 3<sup>rd</sup> through January 18, 2022 the Fund is receipt of \$1.6M of the annual assessments which is approximately 14% of the total annual assessment; the fund should anticipate receipt of the remaining assessments within the next thirty days. Mr. Riccio confirmed that the TDBank Lock Box is officially closed.

**MOTION TO APPROVE RESOLUTION #15-22 JANUARY 2022 BILL LIST AND THE TREASURERS REPORT AS DISTRIBUTED.**

**MOTION:** Commissioner DiVincent  
**SECOND:** Commissioner Clarke  
**VOTE:** Unanimous

**Marketing**

Marketing Directors said we have received underwriting information from Newton Housing Authority which is currently being reviewed for quoting all lines coverage effective March 15, 2022.



We continue to seek additional members that are not currently all lines members and will keep the Board informed as we move through the 2022 Fund year.

### **Attorney**

Fund Attorney thanked the Board for the firm's reappointment of services for the 2022 Fund year noting that he truly enjoys working with this great group of professionals and it is a pleasure to work with everyone. Fund Attorney wanted to bring to every one's attention a matter that has been elevated to the MEL level for which a memo had issued in 2019 addressing the applicability of the Americans with Disabilities Act to public and provide websites as there was a case in the ninth circuit on the west coast that found that businesses, including public entities have a duty to ensure that disabled individuals have full and equal enjoyments of their websites specifically focusing on people with hearing and visual disabilities. The memo issued in 2019 provided some guidance from the MEL Attorney and more recently members have been contacted by form letter mailing campaign, claiming that their websites are not in compliance and threatening that a member pay them to go away otherwise will sue them. The MEL issued guidance and it is further highly recommended that members speak with their legal counsel to ensure that their websites are ADA compliant and also post on their website additional information. A copy of the memo previously issued will be redistributed to the members of the Fund.

### **Safety Director**

Safety Director advised that Jonathan Czarnecki is no longer with J.A. Montgomery and noted that Ellis Moss and Mike Palsi will now handle members previously assigned to Jonathan, and Mr. Prince will continue to serve as Security Risk Control Consultant as outlined within the agenda.

Safety Director reviewed loss control and security surveys completed during the month of December in addition to the listing of safety communications distributed, MSI Now & MSI DVD usage for which the usage is down. Safety Director also noted that they are currently the first housing authority safety awareness training for which approximately seventy people had registered which is a great turn out for the NJPHA JIF.

### **Managed Care**

Managed Care provider referred to the 2021 year-end report which outlined total charges of \$2,069,022 which were repriced for \$768,790 resulting in a total savings of \$1,300,232 or 63% for the 1,119 bills during the 2021 year. The claims pierced the network at a rate of 94% and a total of 107 injuries which required medical treatment reported during the 2021 Fund year. Managed Care provider thanked the Board for the reappointment as Managed Care provider for the 2021 Fund year.

Executive Director reminded members of the board decision to medical providers a couple of years prior and it is evidenced within the report as well as the financials of the savings provided given the change.

Commissioner Clarke agreed stating that Ms. Gallo reviews the reports on a monthly basis and we must realize the impact on the medical savings for the Fund. Qual-Lynx does great work for the members and the entire team and the change has been a positive experience and thanked everyone for making to move it has been truly beneficial.

### **Claims Administration**

Claims Administrator said the Claims Committee met January 18, 2022 and reviewed a total of (9) claims; 8 for payment authority and 1 as informational only. If there are no questions request was made to accept the recommendation of the Claims Committee to approve and pay for the claims as presented.

**MOTION TO ACCEPT THE RECOMMENDATION OF THE CLAIMS COMMITTEE  
AND APPROVE THE PARS AS PRESENTED BY THE CLAIMS ADMINISTRATOR  
AS REVIEWED ON JANUARY 18, 2022.**

FILE	COVG
2022249075	WC
2022250650	WC
2020188463	WC
2021228294	WC
2018116856	GL
2022252713	Prop
2022244556	Prop
2021241641	Prop
2022249694	Prop

**MOTION:** Chairman DiTomaso  
**SECOND:** Commissioner Clarke  
**VOTE:** Unanimous

Claims Administrator thanked the Board for their continued appointment during the 2022 year.

**Old Business**

None

**New Business**

None.

**Public Comment**

None

**Executive Session**

None.

**MOTION TO ADJOURN THE MEETING**

**MOTION:** Commissioner Clarke  
**SECOND:** Commissioner Ditomaso  
**ALL IN FAVOR:** Unanimous

**Meeting adjourned at: 11:15 AM**

**RESOLUTION # 1-22**

**NEW JERSEY PUBLIC HOUSING AUTHORITY JOINT INSURANCE FUND**  
(hereafter referred to as the "FUND")

**CERTIFYING THE ELECTION OF  
CHAIRMAN AND SECRETARY  
FOR THE 2022 FUND YEAR**

**BE IT RESOLVED**, by the Governing Body of the Fund that the following persons have been elected as Chairman and Secretary:

**Robert DiVincent**                      **Chairman**

**Sherry Sims**                              **Secretary**

**BE IT FURTHER RESOLVED**, that the Chairman and Secretary shall serve for the year 2022 and until their successors shall be elected and qualified.

ADOPTED:

this day before the Governing Body,

**RESOLUTION NO. 2-22**

**NEW JERSEY PUBLIC HOUSING AUTHORITY JOINT INSURANCE FUND,**  
Hereinafter referred to as the "FUND")

**APPOINTING CERTAIN PROFESSIONALS AND SERVICE ORGANIZATIONS**

**WHEREAS**, the FUND is duly constituted as a Joint Insurance Fund, as permitted under the laws promulgated by the State of New Jersey, (N.J.S.A. 40A:10-36, et seq.); and

**WHEREAS**, the New Jersey Public Housing Authority Joint Insurance Fund (hereinafter the Fund) found it necessary and appropriate to obtain certain professional services and other extraordinary and other unspecifiable services, as defined in the Local Public Contracts Law, (N.J.S.A. 40A-12 et. seq.) for the 2022 Fund year; and,

**WHEREAS**, the Fund resolved to award Professional Service Agreements in accordance with a fair and open process pursuant to NJSA 19:44A-20.4 et. seq.; and,

**WHEREAS**, a notice soliciting proposals was published on the Fund's website; and in the Fund's official newspapers, and;

**WHEREAS**, responses were received from professional service providers and service organizations as listed below on September 27, 2021, and due October 27, 2021, for the 2022 Fund Year ; and,

**WHEREAS**, the Fund's Operations Committee recommended the award of contracts to the below listed Professional Service Providers and service organizations based on a review of the responses, experience and prior service provided at the rates established by the Fund Executive Committee; and,

**WHEREAS**, the Fund's Executive Committee resolve to appoint the Fund Professionals to one year terms commencing on January 1, 2022 and ending on December 31, 2022 at its January 2022 Reorganization Meeting in accordance with a fair and open process pursuant to N.J.S.A. 19:44A-20.4 et. Seq.;

- I. **Francis Borin, Esq. of DeCotiis, Fitzpatrick, Cole & Giblin** is hereby appointed to serve as the FUND's **Attorney**. The annual amount of \$45,010 has been appropriated in the Attorney Line Item of the 2022 budget. The amount of \$20,000 is also designated for the Fund Attorney for RAD/Non Profit reviews and is appropriated in the RAD/Non Profit Line Item of the 2022 budget.
- II. **Holman, Frenia Allison, P.C** is hereby is appointed to serve as the FUND's **Auditor**. The annual amount of \$20,910 has been appropriated in the Auditor Line Item of the 2022 budget.

**BE IT FURTHER RESOLVED**, all Professional Service Providers and Service Organizations appointed pursuant to this Resolution shall service the FUND in accordance with the terms and conditions of the Professional Service Agreements

**BE IT FURTHER RESOLVED**, that in accordance with N.J.S.A. 19:44A-20.7, the decision of the FUND's Executive Committee that the procurement process utilized, constitutes a fair and open process, shall be final.

**ADOPTED:** *this 19<sup>th</sup> day of January, 2022 by the Governing Body,*

**RESOLUTION # 3-22**

**NEW JERSEY PUBLIC HOUSING AUTHORITY JOINT INSURANCE FUND  
(hereafter the "FUND")**

**ESTABLISHING PUBLIC MEETING PROCEDURES**

**WHEREAS**, the FUND must establish meeting procedures for Fund Year 2022 and

**NOW, THEREFORE BE IT RESOLVED**, by the Governing Body of the FUND that:

- I.** The Governing Body shall conduct Public Meetings during the year 2022 at 10:30 AM on the following dates:

January 19, 2022	May 3, 2022	September 14, 2022*
February 9, 2022	June 8, 2022	October 12, 2022
March 9, 2022	July 13, 2022	November 9, 2022*
April 13, 2022	August 10, 2022	December 14, 2022*
		January 11, 2023

The meetings are currently scheduled to take place via Zoom and are subject to change at which time members will be notified and notice will be formally advertised. (\*Date may change)

- I.** In addition, **the NJ Public Housing Authority Joint Insurance Fund Claims Committee** will meet during the year 2022 at 11:00 AM via Zoom on the following dates:

January 18, 2022	May 10, 2022	September 13, 2022
February 8, 2022	June 7, 2022	October 11, 2022
March 8, 2022	July 12, 2022	November 8, 2022
April 12, 2022	August 9, 2022	December 13, 2022
		January 10, 2023

- II.** Each Public Comment session is limited to thirty (30) minutes; any one person may address the Chairperson for a maximum of five (5) minutes; once a particular topic has been addressed by a member of the public, subsequent comments on that same topic by other people is limited to a maximum of two (2) minutes; citizens who have spoken once during the session will not be recognized a second time; and speakers are required to state their names and addresses.

- III.** The following is hereby designated the official newspaper (s) of the Fund:

**The Asbury Park Press, Neptune, New Jersey**  
**The Star Ledger, Newark, NJ**  
**Municipal Excess Liability JIF Website - [www.njmel.org](http://www.njmel.org)**  
**NJPHA JIF Website - [www.njphajif.org](http://www.njphajif.org)**

**ADOPTED:** *this day by the Governing Body,*

**NEW JERSEY PUBLIC HOUSING AUTHORITY JOINT INSURANCE FUND**

**RESOLUTION NO. 4-22**

**NEW JERSEY PUBLIC HOUSING AUTHORITY JOINT INSURANCE FUND**  
**(Hereinafter the "FUND")**

**APPOINTING BANKING MANAGER**

**WHEREAS**, the New Jersey Public Housing Authority Joint Insurance Fund (hereinafter the Fund), finds it necessary for the proper conduct and order of business that official depositories for the Fund be designated and named; and

**WHEREAS** Investors Bank for Banking Manager at an earnings rate based on a combined average balance of \$20,000,000 of participating joint insurance funds which will earn the federal funds rate less .25% with a floor of .40% is hereby proposed by the Executive Committee as the official designated depository in accord with N.J.S.A. 40A:11-5-15.1(f)

**NOW, THEREFORE, BE IT RESOLVED**, by the New Jersey Public Housing Authority Joint Insurance Fund, that Investors Bank for Banking Manager at an earnings rate based on a combined average balance of \$20,000,000 of participating joint insurance funds which will earn the federal funds rate less .25% with a floor of .40% is hereby approved by the Board of Fund Commissioners as the official designated depository in accord with N.J.S.A. 40A:11-5-15.1(f) and that sums so deposited may be withdrawn upon a check, draft or order of the Executive Committee; and

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution, duly executed, be delivered to the proper officers of Investor Bank

**ADOPTED: *this day before the Governing Body***



**RESOLUTION NO: 5-22**  
**RESOLUTION OF THE NEW JERSEY PUBLIC HOUSING JOINT**  
**INSURANCE FUND**  
**TO ESTABLISH REMOTE MEETING PROCEDURES**  
**APPLICABLE DURING A DECLARED STATE OF EMERGENCY**

**WHEREAS**, on March 9, 2020 in response to COVID-19, Governor Phil Murphy issued Executive Order 103, which declared a state of emergency that has been extended by the Governor and remains in full force to this day; and

**WHEREAS**, by way of additional Executive Orders, the Governor has established extensive social distancing protocols to protect the health, safety and welfare of New Jersey citizens; and

**WHEREAS**, in accordance with the Executive Orders relating to COVID-19 and the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq. (“OPMA”), local government units, including the New Jersey Public Housing Joint Insurance Fund (“Fund”), have continued to hold public meetings via remote platforms to ensure the continued operation of local government with participation by the public, in a way that limits public health risk; and

**WHEREAS**, in March 2020, the New Jersey Department of Community Affairs, Division of Local Government Services (“DLGS”) issued “Local Operational Guidance – COVID-19: Guidance for Remote Public Meetings in New Jersey,” which provided specific guidance regarding holding remote public meetings under the OPMA; and

**WHEREAS**, on September 24, 2020, the DLGS issued Local Finance Notice 2020-21 (“LFN 2020-21”), which provided a synopsis of newly promulgated emergency regulations N.J.A.C. 5:39-1.1 through 1.7, which establish standard protocols for remote public meetings governed by the OPMA and held during a Governor-declared state of emergency; and

**WHEREAS**, LFN 2020-21 additionally stated that the emergency regulations presently in effect are proposed for permanent adoption in the October 19, 2020 New Jersey Register, with comments submitted no later than November 18, 2020; and

**WHEREAS**, under emergency regulation N.J.A.C. 5:39-1.4(h), a local government unit is required to adopt by resolution standard procedures and requirements for public comment made during remote public meetings, as well as for public comments submitted in writing ahead of the remote public meeting.

**NOW THEREFORE BE IT RESOLVED** that the Executive Director’s Office of the Fund, does hereby resolve and agree to adopt the following procedures regarding public comments during remote public meetings:

1. Public comments for a remote public meeting may be made during the designated public comment section of the meeting or submitted in writing to the Executive

Director's Office of the Fund no later than four (4) hours prior to published start time of the remote meeting. Written public comments must be emailed to the Executive Director's Office at: [steves@permainc.com](mailto:steves@permainc.com) or mailed to the Executive Director's Office at: 9 Campus Drive – Suite 216, Parsippany, NJ 07054. Written public comments may not be submitted via any other form of electronic communication.

2. Written public comments submitted via email or mail must include the individual's name, full address and contact information (telephone number and/or email address), as the Executive Director's Office reserves the right to verify the submitter's identity.
3. Written public comments submitted in accordance with this resolution shall be read into the remote meeting record at the end of the last public comment section, subject to any time limit in place for in-person comments. Written public comments containing profanity or vulgarity will not be read into the record. The chair and/or presiding officer of the remote meeting reserves the right to read similar or duplicative comments into the record in a summary fashion and will do so uniformly for all similar/duplicative comments.
4. Written public comments received after the four (4) hour deadline set forth by this resolution will not be read into the record or become part of the meeting record.
5. The procedures and requirements for making public comments during a remote meeting, along with an explanation of the audio muting function of the electronic communications platform being used, shall be announced at the beginning of the remote public meeting.
6. With respect to public participation at a remote public meeting, the following procedures shall be incorporated:
  - a. A member of the public who has submitted written comments prior to the meeting in accordance with this resolution, attends the remote public meeting, and wishes to participate during the public comment portion, will be deemed and treated as having already had the floor once.
  - b. If a member of the public disrupts a remote public meeting, the chair and/or presiding officer of the remote public meeting shall facilitate a dialogue with that member of the public to the extent reasonably permitted by the electronic communications technology.
  - c. The chair and/or presiding officer of the meeting shall mute or continue muting, or direct appropriate staff to mute or continue muting, the disruptive member of the public and warn them that continued disruption may result in their being prevented from speaking during the remote public meeting or removed from the remote public meeting. Disruptive conduct includes sustained inappropriate behaviors such as, but not necessarily limited to, shouting, interruption and use of profanity.

- d. A member of the public who continues to act in a disruptive manner after receiving an initial warning shall be muted while other members of the public are allowed to proceed with their questions or comments. If time permits, the disruptive individual shall be allowed to speak after all other members of the public have been given the opportunity to make comment. Should the person remain disruptive, the individual may be muted or kept on mute for the remainder of the remote public meeting, or removed from the remote public meeting.
- e. The chair and/or presiding officer of the remote meeting shall reserve the right to take necessary action to protect the rights of the public to participate in the remote public meeting

This Resolution shall take effect immediately.

**ADOPTED** this 19<sup>th</sup> day of January 2022;

**RESOLUTION # 6-22**

**NEW JERSEY PUBLIC HOUSING AUTHORITY JOINT INSURANCE FUND**  
(hereafter referred to as "THE FUND")

**ESTABLISHING A FISCAL MANAGEMENT PLAN**

**FOR THE 2022 FUND YEAR**

**WHEREAS**, THE FUND is duly constituted as a Housing Authority 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 FUND is subject to the requirements contained within the Local Fiscal Affairs Law (N.J.S.A. 40A-5, et.seq.) ; and

**NOW, THEREFORE BE IT RESOLVED**, THE FUND's Executive Committee that:

- I.** All funds for Administrative Expenses, Reinsurance, Dividends and Miscellaneous Expenses, shall be withdrawn from the Official named Depository (ies) by check, which shall bear the signatures of at least two (2) of the following persons, duly authorized pursuant to this Resolution,

<u><b>Robert DiVincent</b></u>	CHAIRMAN
<u><b>Sherry Sims</b></u>	SECRETARY
<b>Execu-Tech, Inc.</b> <b>Mr. Louis A. Riccio</b> <b>Mr. William F. Snyder</b>	TREASURER
<u><b>Anthony Feorenzo</b></u>	COMMISSIONER

- II.** All funds for Claims payments shall be withdrawn from the Official Depository(ies) by check, which shall bear the signatures of at least two (2) of the following persons, duly authorized pursuant to this Resolution,

Alice H. Lihou	Qual-Lynx
David S. Ruber	Qual-Lynx
Edward Koreivo	Qual-Lynx
Louis A. Riccio	Fund Treasurer
William F. Snyder	Fund Treasurer

- III.** The Cash and Investment Policy attached herewith, shall be adopted.

- IV. Annual assessments shall be due by January 31, 2022. A grace period of 30 days shall be provided during which late fees shall not be assessed. Payments received after the expiration of the grace period shall be subject to a late fee in the form of an interest penalty of eighteen (18%) percent per annum retroactive to the original due date.
  
- IV. Certifying and Approval Officer for all FUND expenses shall be the FUND's Executive Director and/or the Account Manager so designated by the Executive Director.

**ADOPTED:** *this day before the Governing Body:*

# NEW JERSEY PUBLIC HOUSING AUTHORITY JOINT INSURANCE FUND

## 2022 CASH MANAGEMENT AND INVESTMENT POLICY

### 1.) Cash Management and Investment Objectives

The New Jersey Public Housing Authority Joint Insurance Fund (hereinafter referred to as the FUND) objectives in this area are:

- a) Preservation of capital.
- b) Adequate safekeeping of assets.
- c) Maintenance of liquidity to meet operating needs, claims settlements and dividends.
- d) Diversification of the FUND's portfolio to minimize risks associated with individual investments.
- e) Maximization of total return, consistent with risk levels specified herein.
- f) Investment of assets in accordance with State and Federal Laws and Regulations.
- g) Accurate and timely reporting of interest earnings, gains and losses by line of coverage in each Fund year.
- h) Where legally permissible, cooperation with other local municipal joint insurance funds, and the New Jersey Division of Investment in the planning and execution of investments in order to achieve economies of scale.
- i) Stability in the value of the FUND's economic surplus.

### 2.) Permissible Investments

Investments shall be limited to investments authorized under N.J.S.A. 40A:5-15.1 Joint Insurance Funds and Chapter 38, Joint Insurance Funds, Subchapter 1. Investments 5:38-1.1, 5:38-1.2 and 5:38-1.3 of the New Jersey Administrative Code.

### 3.) Authorized Depositories

In addition to the above, the FUND is authorized to deposit funds in certificates of deposit and other time deposits in banks covered by the Governmental Unit Depository Protection Act, NJSA 17:9-14 et seq. (GUDPA). Specifically authorized depositories include but are not limited to:

Lakeland Bank  
Bank of New Jersey  
Investors Savings

The FUND is also authorized to invest its assets in the New Jersey Cash Management Fund.

4.) **Authority for Investment Management**

The Treasurer is authorized and directed to make investments, with a maturity of three months or longer, through asset managers that may be selected by the Executive Board. Such asset managers shall be discretionary trustees of the FUND.

Their actions and decisions shall be consistent with this plan and all appropriate regulatory constraints.

In executing investments, asset managers shall identify the investment that is the most advantageous to the fund, unless otherwise directed by the FUND. Transactions may also be processed through the New Jersey Division of Investment by the Fund's asset managers.

5.) **Preservation of Capital**

Securities shall be purchased with the ability to hold until maturity.

6.) **Safekeeping**

Securities purchased on behalf of the FUND shall be delivered electronically or physically to the FUND's custodial bank, which shall maintain custodial and/or safekeeping accounts for such securities on behalf of the FUND.

7.) **Selection of Asset Managers, Custodial Banks and Operating Banks**

Asset managers, custodial banks and operating banks shall be retained for contract periods of one (1) year. Additionally, the FUND shall maintain the ability to change asset managers and/or custodial banks more frequently based upon performance appraisals and upon reasonable notice, and based upon changes in policy or procedures.

8.) **Reporting**

Asset managers will submit written statements to the treasurer and executive director describing the proposed investment strategy for achieving the objectives identified herein. Asset managers shall also submit revisions to strategy when justified as a result of changing market conditions or other factors. Such statements shall be provided to the Treasurer and Executive Director. The statements shall also include confirmation that all investments are made in accordance with this plan. Additionally, the Investment Manager shall include a statement that verifies the Investment Manager has reconciled and determined the appropriate fair value of the Funds portfolio based on valuation guidelines that shall be kept on file in the Executive Director's office.

The Treasurer shall report to the Executive Committee at all regular meetings on all investments. This report shall include information on the balances in all

bank and investment accounts, and purchases, sales, and redemptions occurring in the prior month.

9.) **Audit**

This plan, and all matters pertaining to the implementation of it, shall be subject to the FUND's annual audit.

10.) **Cash Flow Projections**

Asset maturity decisions shall be guided by cash flow factors payout factors supplied by the Fund Actuary and reviewed by the Executive Director and the Treasurer.

11.) **Cash Management**

All moneys turned over to the Treasurer shall be deposited within forty-eight (48) hours in accordance with NJSA 40A:5-16.

In the event a check is made payable to the Treasurer rather than the Fund, the following procedure is to be followed:

- a.) The Treasurer endorses the check to the Fund and deposits it into the Fund account.
- b.) The Treasurer notifies the payer and requests that in the future any check be made payable to the Fund.

Cash may be withdrawn from investment pools under the discretion of asset managers only to fund operations, claims impress accounts, or approved dividend payments.

The Treasurer shall escheat to the State of New Jersey checks which remain outstanding for twelve or more months after the date of issuance. However, prior to implementing such procedures, the Treasurer, with the assistance of the claims agent, as needed, shall confirm that the outstanding check continues to represent a valid claim against the FUND.



**RESOLUTION # 7- 22**

**NEW JERSEY PUBLIC HOUSING AUTHORITY JOINT INSURANCE FUND**  
**(Hereinafter the “FUND”)**

**ESTABLISHING A FUND RECORDS PROGRAM**

**WHEREAS:** The FUND must establish a formal record retention program for the 2022 Fund Year.

**NOW, THEREFORE BE IT RESOLVED,** by the FUND’s Governing Body that:

- I. Sherry Sims , Fund Secretary**, is hereby designated as custodian of the FUND records, which shall be kept at the office of the Fund Administrator, located at 9 Campus Drive, Suite 216, Parsippany, NJ 07054.
- II. Tracy Lopez, Account Manager** for Perma Risk Management Services is hereby designated as **Assistant Fund Secretary**.
- III.** The records of the FUND shall be retained in accordance with the municipal records retention schedule as promulgated by the New Jersey Division of Archives and Records Management, and/or otherwise specified by the New Jersey Department of Insurance and Community Affairs.
- IV.** Each fund professional and service organization shall have the duty and obligation to maintain such records as are entrusted to him/her and to relinquish such records to the Fund Secretary upon termination of services or otherwise upon request.

Records and files not required to support current operations, but which must otherwise be retained, shall be stored in the record retention facility, located at Route 80, ACCESS, 24 Beckwith Avenue, Paterson, New Jersey. The FUND’s Executive Director shall coordinate the archive process and shall make sure that all records are properly indexed and accessible.

**ADOPTED: *this day before the Governing Body***

**RESOLUTION # 8-22**

**RESOLUTION OF THE COMMISSIONERS OF THE  
NEW JERSEY PUBLIC HOUSING AUTHORITY  
JOINT INSURANCE FUND ESTABLISHING  
DEFENSE PANELS FOR THE 2022 FUND YEAR**

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**WHEREAS**, it is necessary for the New Jersey Public Housing Authority Joint Insurance Fund (“NJPHAJIF”) to establish Defense Panels comprised of attorneys for the defense of various actions that are brought against its members and for which the NJPHAJIF has an obligation to defend and indemnify, including but not limited to the New Jersey Workers’ Compensation Law, N.J.S.A. 34:15-1 et seq. (for workers’ compensation cases), and the New Jersey Tort Claims Act, N.J.S.A. 59:1-1 et seq. (for all-lines personal injury cases), subject to and in accordance with applicable NJPHAJIF insurance policies; and

**WHEREAS**, pursuant to the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.), such services are recognized as “professional services,” as same shall be performed by persons authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of such services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study; and

**WHEREAS**, the NJPHAJIF solicited responses (“Request for Qualifications (RFQ) for Defense Attorney” and “Request for Proposals (RFP) for Subrogation Attorney”), both dated September 27, 2021, and due October 27, 2021, for the 2022 Fund Year from law firms pursuant to a “fair and open” process, in accordance with the requirements of N.J.S.A. 19:44A-20.4 et seq.; and

**WHEREAS**, the NJPHAJIF, together with its General Counsel, reviewed responses received from law firms to the RFQ for Defense Attorney and the RFP for Subrogation Attorney to determine overall compliance with the requirements of the respective RFQ and RFP; and

**WHEREAS**, the Commissioners of the NJPHAJIF desire to appoint the following law firms to the respective Defense Panels for the 2022 Fund Year; and

**WHEREAS**, the Defense Panels may be modified from time to time.

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the New Jersey Public Housing Authority Joint Insurance Fund, that the following law firms are hereby appointed to the respective Defense Panels, as indicated in the following lists, for the 2022 Fund Year:

### **All-Lines Defense Panel**

- Barker, Gelfand, James & Sarvas
- Brown & Connery, LLP
- Cleary Giacobbe Alfieri Jacobs, LLC
- Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors
- DiPisa & Lago, LLC
- Dorsey & Semrau
- Florio. Kenny, Raval, LLP
- Hill Wallack, LLP
- Hoagland Longo Moran & Dunst & Doukas, LLP
- Huntington Bailey, LLP
- Keenan & Doris
- King Moench Hirniak & Mehta, LLP
- Methfessel & Werbel
- O'Donnell McCoy Buerle, LLC
- PFund McDonnell, P.C.
- Piro Zina Cifelli Paris & Genitempo
- Rainone Coughlin Minchello
- Schwartz & Posnock
- Shain Schaffer
- Weiner Law Group LLP

### **Workers' Compensation (Only) Defense Panel**

- David L. Worthington, Esq.

### **Subrogation Attorney Panel**

- Cleary Giacobbe Alfieri Jacobs, LLC
- Florio Kenny Raval, LLP
- Huntington Bailey, L.L.P
- PFund McDonnell, P.C.
- Rainone Coughlin Minchello
- Schwartz & Posnock
- Shain Schaffer

**BE IT FURTHER RESOLVED**, by the Commissioners of the New Jersey Public Housing Authority Joint Insurance Fund, that the following fee schedule for Defense Attorneys for workers' compensation petitions assigned in the 2022 Fund Year is established:

- **\$135.00 per hour for attorney time**
- **\$65.00 per hour for paralegal time**

**BE IT FURTHER RESOLVED**, by the Commissioners of the New Jersey Public Housing Authority Joint Insurance Fund, that the following fee schedule for Defense Attorneys for all-lines coverage in the 2022 Fund Year is established:

- **\$165.00 per hour for attorney time**
- **\$65.00 per hour for paralegal time**

**BE IT FURTHER RESOLVED**, by the Commissioners of the New Jersey Public Housing Authority Joint Insurance Fund, that Attorneys for subrogation services in the 2022 Fund Year shall receive 1/3 of the amount of any recovery.

**ADOPTED this day before the Governing Body.**

**Resolution #9-22**  
**New Jersey Public Housing Authority Joint Insurance Fund**  
**(hereinafter the "Fund" or the "NJPHA JIF")**

**ESTABLISHING THE 2022 PLAN OF RISK MANAGEMENT**

BE IT RESOLVED by the Fund's Commissioners that the 2022 Plan of Risk Management shall be:

Definitions:

“Commissioners” mean: The Board of Fund Commissioners or the Executive Committee thereof as appropriate

“Member” means: A local unit of government that has joined the Fund

“Sexual Abuse” means: An action brought pursuant to Section 1 of P.L. 1992, c.109 (C.2A:61B-1), paragraph (1) of subsection c. of section 1 of P.L.1959 (C.2A:53A-7) or section 1 of P.L.2005, c.264 (C.2A:53A-7.4)

## **Section I – Coverage**

### **Insurance Coverages**

The following coverages are provided to the Fund's members, effective January 1, 2022:

- Workers' Compensation
- Liability (including optional excess)
- Public Officials Liability / Employment Practices Liability (including optional excess)
- Crime
- Non-Owned Aircraft Liability
- Cyber
- Property & Equipment Breakdown (effective December 31, 2021)
- NJHMFA Excess Insurance
- Terrorism

### **Limits of Coverage**

Unless otherwise stated, all limits shown apply less any local member unit's SIRs/deductibles . All references to the “MEL” stand for the “Municipal Excess Liability Joint Insurance Fund”. **Please note, the following is a general discussion of the coverages and limits provided via the Fund; however, the actual terms and conditions are defined in the policy documents and all issues shall be decided on such. Additional coverages, limits and conditions may apply. Please also note, deductibles may differ for individual members; please refer to your policy(ies) for full details.**

#### **1. Workers' Compensation**

- Workers' Compensation: \$300,000

- Employer's Liability: \$300,000
- USL&H, Harbor Marine/Jones Act, Incidental Foreign Workers' Compensation, Communicable Disease: Per Person
- MEL Excess Limit: Statutory
- Employer's Liability Excess Limit: \$6,700,000

**2. Liability** *(includes General, Automobile, Employee Benefits and Law Enforcement Liability)*

- Fund Limit: \$300,000
- MEL Excess Limit: \$4,700,000
  - The \$3,000,000 layer excess of \$2,000,000 is subject to a \$3,000,000 per local member unit annual aggregate (Automobile Liability is not aggregated)
- Sublimits: The following sublimits are part of, and not in addition to, the limits above:
  - Good Samaritan Liability: Included
  - Quasi Municipal Organization Liability: Included (if approved)
  - Fungus or Spores: \$1,000,000
  - Disinfectants Release Hazard Coverage: \$1,000,000
  - Dam and Reservoir: \$5,000,000
    - a. \$5,000,000 per occurrence for any member entity owned dams defined as Class III or IV in New Jersey Administrative Code, Title 7, Department of Environmental Protection, Chapter 20, 7:20-1.8;
    - b. Included for premises owned, occupied or controlled by the member entity on which a dam or reservoir is located, or from the operations conducted on such premises;
    - c. \$2,000,000 per occurrence for any member entity owned dam defined as Class I or II in New Jersey Administrative Code, Title 7, Department of Environmental Protection, Chapter 20, 7:20-1.8; and
    - d. \$2,000,000 per occurrence for any Class III or IV member entity owned dam involved with a Class I or II member entity owned dam.
  - Sanitary/Storm Water System Sewerage Backup and/or Sanitary System Sewerage Backup, Escape or Release: \$3,000,000 Per Occurrence and \$4,000,000 Annual Aggregate for all member entities
  - Subsidence: \$3,000,000 Per Occurrence and \$4,000,000 Annual Aggregate for all member entities
  - Skateboard Facilities: \$5,000,000 Per Occurrence (where approved)
    - a. Subject to 0% member coinsurance of the first \$100,000
  - Riot, Civil Commotion or Mob Action: \$5,000,000 Per Occurrence
  - Failure to Supply Utility: \$5,000,000 Per Occurrence

- Garagekeepers Liability: \$2,000,000 Per Occurrence
- New Jersey Personal Injury Protection (NJ PIP): \$250,000
- New Jersey Uninsured/Underinsured Motorist (NJ UM/UIM): \$15,000 / \$30,000 / \$5,000
- The following is added to EXCLUSION E. of SECTION II - POLICY EXCLUSIONS: This EXCLUSION does not apply to bodily injury arising out of lead contamination, or out of the inhalation, ingestion, use, handling or contact with lead paint if the Member Entity has implemented the lead abatement control measures as required by the Lead Based Paint Poisoning Prevention Act (42 U.S.C. 4821, et seq.), the Lead Based Paint Hazard Retention Act (42 U.S.C. 4851, et seq.), and, with respect to federally assisted housing, HUD's Lead Safe Housing Rule (24 C.F.R. 35.80, et seq.). This coverage is subject to an annual aggregate sub-limit of \$1,000,000

### 3. **Optional Excess Liability Limit**

The MEL offers Optional Excess Liability Limits excess of the MEL Excess Limit.

- The following limits are the Optional Excess Limits:
  - \$2,000,000 (equals \$7,000,000 total);
  - \$5,000,000 (equals \$10,000,000 total);
  - \$10,000,000 (equals \$15,000,000 total); and
  - \$15,000,000 (equals \$20,000,000 total);

The MEL also offers Optional JIF Shared Aggregate Excess Liability coverage, with limits of \$10,000,000 from the MEL. This coverage is only available to members of the Fund who purchase all \$20,000,000 available to them from the Optional Excess Liability Limits.

- \$10,000,000 aggregate (equals \$30,000,000 total)

### 4. **Public Officials Liability / Employment Practices Liability**

Each local member unit is 100% commercially insured with QBE Specialty Insurance Company for \$2,000,000 in the aggregate per member on a claims made and reported basis for each Fund year.

- Retentions and Coinsurance:
  - \$20,000 is the standard retention per claim and 20% of the first \$250,000 of the loss is the standard coinsurance, although other retentions and coinsurances may apply.
  - Local member units may qualify based on certain criteria to have options to purchase a lower retention and/or coinsurance contribution.
  - Members with adverse loss experience may be subject to higher retention and/or coinsurance.
- Optional Wage Coverage: \$50,000 aggregate per member

**5. Optional Excess Public Officials Liability / Employment Practices Liability**

The MEL offers Optional Excess Public Officials Liability / Employment Practices Liability limits excess of the local member units' primary \$2,000,000 Public Officials Liability / Employment Practices Liability policies with QBE Specialty Insurance Company as follows:

- \$1,000,000 (equals \$3,000,000 total);
- \$2,000,000 (equals \$4,000,000 total);
- \$3,000,000 (equals \$5,000,000 total);
- \$4,000,000 (equals \$6,000,000 total); and
- \$8,000,000 (equals \$10,000,000 total).

**6. Optional Volunteer Directors & Officers Liability**

Fire companies and Emergency Service Units have the option of purchasing optional Volunteer Directors & Officers Liability coverage. The coverage is 100% commercially insured with None and applies to the non-firematic/emergency activities of such entity per the following options:

<b>Option</b>	<b>Limit of Liability</b>	<b>Deductible</b>
1	\$0	\$0
2	\$0	\$0
3	\$0	\$0
4	\$0	\$0
5	\$0	\$0
6	\$0	\$0

**7. Crime**

- The Fund provides Crime coverage with a limit of \$50,000 for: Loss of Assets, Credit Card Forgery, Loss of Employee Benefit Plan Assets and Public Employee Dishonesty
- The member deductible is \$2,500
- MEL Crime
  - MEL Crime Excess: \$950,000 excess of the Fund Crime limit
  - MEL Crime Statutory Position:
    - a. The MEL provides primary employee dishonesty and faithful performance coverage for those employed positions which are required by law to be individually bonded and where they have applied and have been approved for coverage at a limit of \$1,000,000 per occurrence per position. The MEL can provide MEL Crime Statutory Position limits, based on underwriting and via endorsement, above \$1,000,000, matching the



member's auditor's recommendation, but no more than \$2,000,000. Such additional limit is available upon request and approval by the MEL.

b. The deductible is \$1,000

- MEL Crime Excess Public Officials:

a. The MEL provides excess employee dishonesty and faithful performance coverage for those employed positions which are required by law to be individually bonded and where they have not applied or have not been approved for coverage under the MELJIF Statutory Position Program at a limit of \$1,000,000

b. The deductible is the greater of the underlying bond/policy in place or the statutory limit required

#### 8. **Non-Owned Aircraft Liability**

- \$5,000,000; and
- Medical Expense for each passenger: \$5,000
- The coverage is 100% commercially insured with Endurance

#### 9. **Cyber**

The Fund purchases Cyber insurance

- Limits and Retention: Please contact your Risk Manager or the MEL

#### 10. **Property & Equipment Breakdown**

- The Fund provides a \$100,000 limit per occurrence (Property & Time Element combined)
- The MEL provides a \$900,000 limit excess of the Fund's limit
- The MEL purchases additional excess property limits, as follows: \$125,000,000, including certain sublimits, including, but not limited, to:
  - Aggregate, Earth Movement: \$100,000,000
  - Aggregate, Flood (includes Storm Surge): \$100,000,000
    - a. Per Location, High Hazard Flood Zone: \$52,500,000
    - a. Aggregate : \$75,000,000
  - Named Storm: Included
  - Vehicles: \$10,000,000
- Member deductibles:
  - All Other: \$5,000
  - Automobile Physical Damage: \$2,500
  - Equipment Breakdown: \$5,000
  - SFHA Flood Maximum available NFIP limit, per location, regardless if member purchases it or not, but no less than \$500,000 building / \$500,000 contents

(\$250,000 / \$100,000 for housing authorities and related non-profit buildings), but no more than the value of the building and contents.

- Named Storm (Covered Property in Atlantic, Ocean, Monmouth and Burlington counties east of the Garden State Parkway, and any covered property in Cape May County):
  - a. Property Damage: 1% of TIV at location, per occurrence
  - b. Time Element: 1% of 12 months gross earnings at location, per occurrence
  - c. Minimum, per location: \$1,000,000
  - d. Maximum, per occurrence: \$2,500,000

11. **NJHMFA Excess Insurance** The Municipal Excess Liability Joint Insurance Fund (MEL) provides excess insurance coverages with respect to those properties financed by the New Jersey Housing and Mortgage Finance Agency (NJHMFA) or are subject to requirements contained within a Financing, Deed Restriction and Regulatory Agreement with the NJHMFA and are insured by the New Jersey Public Housing Authority Joint Insurance Fund (NJPHA JIF) and/or the MEL so that all applicable insurance coverages with respect to such properties shall be in full compliance with all applicable NJHMFA Insurance Specifications / Minimum Requirements (NJHMFA Insurance Requirements), as may be amended from time to time, on a per property/per occurrence basis, except the NJPHA JIF does not provide primary flood insurance for properties in flood zones A, V and shaded X as defined by the Federal Emergency Management Agency (FEMA) (including all variations of A, V and shaded X), if applicable. In such cases, it is the property owner's responsibility to obtain primary flood coverages through the National Flood Insurance Program (NFIP) to the maximum extent of coverages available under the NFIP. The MEL provides flood coverage in excess of the NFIP maximum coverage limits up to a per property sub-limit of \$2.5 million. The NJPHA JIF and the MEL are not responsible for determining whether or not a property is located in a flood zone or for procuring primary flood insurance for such property. Except with respect to the requirement for a property owner to obtain primary flood insurance through NFIP as noted herein, should any insurance coverages, including excess flood coverages, provided by the NJPHA JIF and/or the MEL not meet any of the applicable NJHMFA Insurance Requirements, the NJPHA JIF and/or the MEL will provide insurance coverages, excess insurance coverages and/or difference-in-conditions coverages (DIC) as applicable to meet all applicable NJHMFA Insurance Requirements to the sole satisfaction of the NJHMFA.

12. **Terrorism**

Aggregate: \$125,000,000

## **Individual Self-Insured Retentions**

### **Optional Individual Self-Insured Retentions:**

### **Amount of Risk to be Retained by the Fund**

Unless otherwise stated, all limits shown apply less any local member unit's SIRs/deductibles.

1. **Workers' Compensation:** \$300,000
  
2. **Liability:** \$300,000
  - NJ Uninsured/Underinsured Motorist: \$15,000 / \$30,000 / \$5,000
  - NJ Personal Injury Protection: \$250,000
  
3. **Optional Excess Liability Limit:** \$0
4. **Public Officials Liability / Employment Practices Liability:** \$0
5. **Optional Excess Public Officials Liability / Employment Practices Liability:** \$0
6. **Optional Volunteer Directors & Officers Liability:** \$0
7. **Crime:** \$50,000
  - MEL Crime Excess: None
  - MEL Crime Statutory Position: None
  - MEL Crime Excess Public Officials: None
8. **Non-Owned Aircraft Liability:** \$0
9. **Cyber:** \$0
10. **Property:** \$100,000
  - Equipment Breakdown: \$0
  - SFHA Flood: \$0
  - Named Storm (Covered Property in Atlantic, Ocean, Monmouth and Burlington counties east of the Garden State Parkway, and any covered property in Cape May County): \$0
  
11. **NJHMFA Excess Insurance:**
12. **Terrorism:** \$0

## **Commercial Insurance / Reinsurance Purchased**

The insurance/reinsurance listed below may contain sublimits, retentions and deductibles in addition to such already stated.

1. **Non-Owned Aircraft Liability:** The Fund purchases this coverage through the MEL from Endurance
2. **Excess Property & Equipment Breakdown:** The Fund purchases this coverage from the MEL
3. **Excess Liability:** The Fund purchases this coverage from the MEL
4. **Excess Workers' Compensation:** The Fund purchases this coverage from the MEL
5. **Excess Crime:** The Fund purchases this coverage from the MEL
6. **Public Officials Liability / Employment Practices Liability:** The Fund purchases this coverage from QBE Specialty Insurance Company
7. **Optional Volunteer Directors & Officers Liability:** The Fund purchases this coverage from None
8. **Cyber:** The Fund purchases this coverage
9. **Environmental Impairment Liability:** None}
10. **NJHMFA Excess:** MEL
11. **Terrorism:** The Fund purchases this coverage from the MEL

## **Section II – Conditions**

### **The Amount of Unpaid Claims to be Established**

1. The general reserving philosophy is to set reserves based upon the probable total cost of the claim at the time of conclusion. Historically, on claims aged eighteen (18) months, the Fund expects the claims servicing company to set reserves at 85% accuracy. The Fund also establishes reserves recommended by the Fund's actuary for claims that have been incurred but not yet reported so that the Fund has adequate reserves to pay all claims and allocated loss adjusted expense liability.
2. Claims reserves are subject to regular review by the Fund's Executive Director/Administrator, Attorney, Commissioners and claims servicing company. Reserves on large or unusual claims are also subject to review by the claims departments of the commercial insurance companies or reinsurance companies providing primary or excess coverages to the Fund.

### **The Method of Assessing Contributions to be Paid by Each Member of the Fund**

1. By November 15th of each year, the actuary computes the probable net cost for the upcoming Fund year by line of coverage and for each prior Fund year. The actuary includes all budget items in these computations. The annual assessment of each participating member is its pro rata share of the probable net cost of the upcoming Fund year for each line of coverage as computed by the actuary.
2. The calculation of pro rata shares is based on each member's experience modified manual premium for that line of coverage. The Commissioners also adopts a capping formula which limits the increase of any member's assessment from the preceding year to the Fund wide average increase plus a percentage selected by the Commissioners. The total amount of each member's annual assessment is certified by majority vote of the Commissioners at least one (1) month prior to the beginning of the next fiscal year.
3. The treasurer deposits each member's assessment into the appropriate accounts, including the administrative account, and the claim or loss retention trust fund account by Fund year for each type of coverage in which the member participates.
4. If a local unit becomes a member of the Fund or elects to participate in a line of coverage after the start of the Fund year, such participant's assessments and supplement assessments are reduced in proportion to that part of the year which had elapsed.
5. The Commissioners may by majority vote levy upon the participating members additional assessments wherever needed or so ordered by the Commissioner of Insurance to supplement the Fund's claim, loss retention or administrative accounts to assure the payment of the Fund's obligations. All supplemental assessments are charged to the participating members by applicable Fund year, and shall be apportioned by the year's assessments for that line of coverage.
6. Should any member fail or refuse to pay its assessments or supplemental assessments, or should the Fund fail to assess funds required to meet its obligations, the chairman or in the event by his or her failure to do so, the custodian of the Fund's assets, shall notify the Commissioner of Insurance and the Director of Community Affairs. Past due assessments shall bear interest at the rate established annually by the Commissioners.
7. Sexual Abuse Liability Account: The Commissioners may establish a sexual abuse liability account. Reserves, IBNR, expenses, assets, assessments and other assets for this account shall be accounted for separately. After the end of the year before the Fund has finalized its year end accounting, the Commissioners may levy a supplementary assessment if the sexual abuse claims account is negative on a statutory basis.
8. At the discretion of the Commissioners, any supplemental assessments may be payable in equal installments for up to ten years. Deferred assessments shall become due and immediately payable if a member leaves the Fund.

### **Procedures Governing Loss Adjustment and Legal Expenses**

1. The Fund engages a claims service company to handle all claims, except for the JIF's POL/EPL and Volunteer D&O, which are handled by Summit Risk Services representing QBE Specialty Insurance Company. The performance of the claims adjusters is monitored and periodically audited by the Executive Director's office, the Fund attorney, the MEL's attorney's office, as well as the claims department of the MEL's three major liability insurers/re-insurers (i.e. Munich Re for liability, and Safety National for workers' compensation). Every three years, the MEL's internal auditors also conduct an audit.
2. Each member is provided with a claims reporting procedure and appropriate forms.
3. In order to control workers' compensation medical costs, the Fund has engaged a managed care organization (MCO) whose procedures are integrated into the Fund's claims process.
4. To provide for quality defense and control costs, the Fund has established an approved defense attorney panel with firms which specialize in governmental claims. The performance of the defense attorneys is overseen by the Fund attorney, as well as the various firms which audit the claims adjusters.

### **Procedures for the Closure of Fund Years, including the Maintenance of All Relevant Accounting Records**

1. The Fund utilizes the Municipal Excess Liability Residual Claims Fund (RCF) to facilitate the closure of Fund years.
2. Upon the transfer of outstanding liabilities of a Fund year to the RCF, the Fund adopts a resolution closing that year and transfers all remaining assets to the closed Fund year account. This amount is allocated by member local units using the same procedure as is used to calculate a dividend. Each month, interest is credited to the closed Fund year account by member.
3. Each year, the Commissioners will determine if a dividend is appropriate from the closed Fund year account, and will make application to the Department of Banking and Insurance as appropriate. Further, in the event an open Fund year incurs a deficit, the Fund's governing body will consider an inter-year transfer from the closed Fund year account to offset the deficit. In either case, the dividend or inter-Fund year transfer will be calculated on a member by member basis.
4. In the event a member leaves the Fund, the Commissioners may assess the member's closed Fund Year account an amount not exceeding three (3) years stranded costs that the Fund incurs as a result of the member's withdraw. Stranded costs are those expenses incurred by the Fund that would otherwise have been paid from the withdrawing member's assessments had the member remained in the Fund. The dividend of any member that is no longer a member of the Fund and that member's share of the closed fund year account shall be held in escrow until the later of the tolling of the statute of limitations for all potential claims incurred during the membership period or the closure of all incurred claims by the Fund during the period of membership. A former member may apply to the Commissioners for a return of that member's remaining share of the closed Fund year account no sooner than when five (5) years have passed since the last Fund year in which the member participated has been closed. The Commissioners will decide on the former member's request after evaluating the likelihood of any additional assessments from the RCF.
5. All dividends from the RCF will be deposited in the closed Fund year account on a member by member basis.
6. The Fund will retain all records in accordance with the Fund's record retention program.

### **Assumptions and Methodology Used for the Calculation of Appropriate Reserve Requirements to be Established and Administered in Accordance with Sound Actuarial Principles**

1. The general approach in estimating the loss reserves of the Fund is to project ultimate losses for each Fund year using paid and incurred loss data. Two traditional actuarial methodologies are used: the paid loss development method and the incurred loss development method. From the two different indications resulting from these methods the Fund Actuary chooses a "select" estimate of ultimate losses. Subtraction of the paid losses from the select ultimate losses yields the loss reserve liability or funding requirement.
2. The following is an overview of the two actuarial methods used to project the ultimate losses.

- a. Paid Loss Development Method - This method uses historical accident year paid loss patterns to project ultimate losses for each accident year. Because this method does not use case reserve data, estimates from it are not affected by changes in case reserving practices. However, the results of this method are sensitive to changes in the rate of which claims are settled and losses are paid, and may underestimate ultimate losses if provisions are not included for very large open claims.
- b. Case Incurred Loss Development Method - This method is similar to the paid loss development method except it uses historical case incurred loss patterns (paid plus case outstanding reserves) to estimate ultimate losses. Because the data used includes case reserve estimates, the results from this method may be affected by changes in case reserve adequacy.

**The Maximum Amount a Certifying and Approving Officer May Approve Pursuant to N.J.A.C. 11:15-2.22**

1. \$10,000 for General and automobile liability
2. \$10,000 for workers compensation
3. With the advance approval of the Fund Attorney, the certifying and approving officer may also pay provider bills if waiting until after the next regularly scheduled FUND meeting would result in the loss of a discount on such bills. When the certifying and approving officer utilizes this authority, a report shall be made to the Commissioners at their next meeting.
4. \$50,000 Emergency Court House Authority upon the joint authorization of the Fund Attorney and Executive Director. Whenever this procedure is used, the claim shall be reported to the Commissioners at their next meeting.

**ADOPTED:** *this 19th day of January, 2022 by the Commissioners:*

**New Jersey Public Housing Authority JOINT INSURANCE FUND**

**RESOLUTION #10-22**

**NEW JERSEY PUBLIC HOUSING AUTHORITY JOINT INSURANCE FUND**  
(hereinafter referred to as the “FUND”)

**RESOLUTION RATIFYING THE PURCHASE OF CERTAIN INSURANCE  
COVERAGE**

**WHEREAS**, it has been determined the New Jersey Public Housing Authority as a matter of normal business of operating a joint insurance fund, has exposures to losses beyond its workers’ compensation coverage to its members and;

**WHEREAS**, these exposures to loss may be minimized through the purchase of commercial insurance at reasonable premiums and;

**WHEREAS**, the Fund’s Underwriting Manager has secured competitive proposals.

**NOW THEREFORE BE IT RESOLVED** that the Fund purchase the following insurance policies for its protection:

<u>Type</u>	<u>Carrier</u>	<u>Term</u>	<u>Limit</u>	<u>Premium</u>
Prof'l. Office Policy	Nautilus	1/1/22-1/1/23	\$1,000,000 occ \$2,000,000 aggr.	\$1,521.00*
Commercial Crime	Selective	12/31/21-12/31/22	\$1,000,000 s/t \$10,000 Deductible	\$2,496.00
Workers’Comp.	Guard Ins Grp	1/1/22-1/1/23	Statutory - Cov A \$1,000,000 - Cov B	\$ 380.00
Travel Accident	Federal Ins.	8/16/19-22	\$2,500,000 **	\$3,000.00

\*Includes \$125.00 premium for terrorism coverage

\*\* (Aggregate Limit of Indemnity)

**BE IT FURTHER RESOLVED** that the Executive Director is hereby authorized and directed to purchase these coverage on behalf of the New Jersey Public Housing Authority Joint Insurance Fund.



**ADOPTED:** *this day by the Governing Body:*

**NEW JERSEY PUBLIC HOUSING AUTHORITY JOINT INSURANCE FUND**

**RESOLUTION # 11-22**

**NEW JERSEY PUBLIC HOUSING AUTHORITY JOINT INSURANCE FUND  
ESTABLISHING MEETING COMPENSATION FOR  
BOARD OF COMMISSIONER MEMBERS  
FOR THE 2022 FUND YEAR**

**BE IT RESOLVED** , the **New Jersey Public Housing Authority Joint Insurance Fund** shall provide for payment to the Board of Fund Commissioners, pursuant to N.J.S.A. 40:A10-37 at the rate of \$150.00 per meeting; conditioned upon each member's attendance at any Executive Committee regularly scheduled meeting and attention to usual and customary duties between meetings.

**BE IT FURTHER RESOLVED**, a Board of Fund Commissioner member shall not be required to attend any additional meetings as a precondition to payment, nor shall any Executive Committee member be compensated for attendance at more than twelve (12) meetings per year.

ADOPTED: this day before the Governing Body

**RESOLUTION # 12-22**

**NEW JERSEY PUBLIC HOUSING AUTHORITY RESOLUTION AUTHROIZING THE  
NEW JERSEY PUBLIC HOUSING AUTHORITY JOINT INSURANCE FUND'S  
PARTICIPATION IN THE NEW JERSEY MUNICIPAL EXCESS LIABILITY JOINT  
INSURANCE  
NAMED STORM DEDUCTILBE RISK SHARING PROGRAM**

**Whereas**, the New Jersey Public Housing Authority Joint Insurance Fund (hereinafter the "NJPHA JIF") is a member the of the Municipal Excess Liability Joint Insurance Fund (hereinafter the "MEL")

**Whereas**, the MEL provides excess property coverage underwritten by Zurich Insurance Company to various member Joint Insurance Funds; and

**Whereas**, as respects loss or damage caused by or resulting from a "Named Storm", any covered property in Atlantic, Ocean, Monmouth, and Burlington Counties located east of the Garden State Parkway, and any covered property in Cape May County is subject to a Property Damage deductible of 1% of the value per the Schedule of Values for the "Location" where the direct physical loss or damage occurred, per "occurrence"; and

**Whereas**, as respects loss or damage caused by or resulting from a "Named Storm", any covered property in Atlantic, Ocean, Monmouth, and Burlington Counties located east of the Garden State Parkway, and any covered property in Cape May County is subject to a Time Element deductible of 1% of the full 12 months Gross Earnings or Gross Profit values that would have been earned following the "Occurrence" by use of the facilities at the "Location" where the direct physical loss or damage occurred and all other "Locations" where Time Element loss ensues, per "occurrence"; and

**Whereas**, the above deductibles (hereinafter the "NAMED STORM DEDUCTIBLE RISK SHARING PROGRAM") are subject to a minimum deductible of \$500,000 for Property Damage and Time Element, combined, per Location, and a maximum deductible of \$1,000,000 per occurrence; and

**Whereas**, for purposes of this resolution, a "Named Storm" means: Any storm or weather disturbance that is named by the U.S. National Oceanic and Atmospheric Administration (NOAA) or the U.S. National Weather Service or the National Hurricane Center or any comparable worldwide equivalent; and

**Whereas**, a "Named Storm" also includes "Storm Surge"; and

**Whereas**, for purposes of this resolution, covered property shall not include vehicles; and

**Whereas**, the Atlantic, Burlington, Central, FIRST, Mid Jersey, Monmouth, NJPHA, and Ocean JIFs have members subject to this deductible; and

**Whereas**, the Board of Fund Commissioners of the NJPHA JIF recognizes that its members could bear a financial hardship in event of a “Named Storm” as a result of this deductible; and

**Whereas**, the MEL has agreed to act as a lead agency to administer an agreement between member JIFs subject to this deductible.

**Now, Therefore Be It Resolved** that the Board of Fund Commissioners of the NJPHA JIF resolve to enter into an agreement with other members JIFs subject to the NAMED STORM DEDUCTIBLE RISK SHARING PROGRAM subject to the following provisions:

1. In the event of a covered loss subject to the NAMED STORM DEDUCTIBLE RISK SHARING PROGRAM, the JIFs that are parties to this agreement shall contribute to the total amount of the deductible pro rata based on each JIFs reported values for all properties subject to the NAMED STORM DEDUCTIBLE RISK SHARING PROGRAM. The reported values for all properties subject to the NAMED STORM DEDUCTIBLE RISK SHARING PROGRAM will be established in May of each year; and
2. The first \$5,000 of loss from each member location shall not be subject to this sharing provision; and
3. This sharing provision shall be subject to only insured property at insured locations; and
4. To be eligible for reimbursement under this agreement, the member shall file a claim with FEMA, including any National Flood Insurance Program policies, and the reimbursement under this agreement shall be reduced by the amount of such reimbursement.

**Be it further resolved** that a copy of this Resolution be provided to the NJPHA JIF Executive Director’s office, the NJPHA JIF Underwriter, the MEL Executive Director, the MEL Underwriting Office.

This Resolution was duly adopted by the New Jersey Public Housing Authority Joint Insurance Fund at a public meeting held on January 19, 2022.

**NEW JERSEY PUBLIC HOUSING AUTHORITY JOINT INSURANCE FUND**

## RESOLUTION #13-22

### **RESOLUTION OF THE NEW JERSEY PUBLIC HOUSING AUTHORITY JOINT INSURANCE FUND AWARDING AN EXTRAORDINARY UNSPECIFIABLE SERVICES CONTRACT WITH QBE SPECIALTY INSURANCE COMPANY FOR PRIMARY PUBLIC OFFICIALS/EMPLOYMENT PRACTICES.**

**WHEREAS**, there is a need for public officials/employment practices coverage for the New Jersey Public Housing Authority Joint Insurance Fund (FUND); and

**WHEREAS**, the Fund has sought and received proposals in accord with N.J.S.A. 19:44A-20.4 et. seq.; and

**WHEREAS**, the Underwriting Manager is recommending award to QBE Specialty Insurance Company for primary public officials/employment practices liability coverage in the amount of \$734,824 inclusive of commission; and

**WHEREAS**, the services qualify as an award of a contract without the receipt of formal bids as an Extraordinary Unspecifiable Service N.J.S.A. 18A:18A-5(a)(ii) and N.J.A.C. 5:34-2.3(b); and

**WHEREAS**, the certification of an Extraordinary Unspecifiable Service as demanded by to N.J.A.C. 5:34-2.1 et. seq. must be complied with and attached to this resolution; and

**WHEREAS**, QBE Specialty Insurance Company will submit a Business Entity Disclosure Certification and a Political Contribution Disclosure form which certifies that QBE Specialty Insurance Company has not made any reportable contributions to a political or candidate committee to the Fund in the previous one year, and that the contract will prohibit QBE Specialty Insurance Company from making any reportable contributions through the term of the contract, and

**WHEREAS**, the Fund Administrator has concurred with the legality of the purchase in accord with the New Jersey Local Publics Contract Law (N.J.S..40A:11-1 et. Seq); and

**WHEREAS**, the Treasurer has certified that funds are available, subject to approval by the board of commissioners in the 2022 budget in the amount of \$734,824 inclusive of commission from:

Line Items: POL/EPL Premium and Land Use Liability

**NOW, THEREFORE, BE IT RESOLVED**, that the New Jersey Public Housing Authority Joint Insurance Fund authorizes the Executive Director to enter into a contract with QBE Specialty Insurance Company for the 2022 budget year for primary public officials/employment practices liability coverage in the amount of not to exceed \$734,824.00 inclusive of commission.

**RESOLUTION #14-22**

**RESOLUTION OF THE NEW JERSEY PUBLIC HOUSING AUTHORITY JOINT INSURANCE FUND AWARDING AN EXTRAORDINARY UNSPECIFIABLE SERVICES CONTRACT WITH INDIAN HARBOR INSURANCE COMPANY FOR PRIMARY CYBER SECURITY LIABILITY COVERAGE**

**WHEREAS**, there is a need for primary cyber security liability coverage for the New Jersey Public Housing Authority Joint Insurance Fund (FUND); and

**WHEREAS**, the Fund has sought and received proposals in accord with N.J.S.A. 19:44A-20.4 et. seq.; and

**WHEREAS**, the Underwriting Manager is recommending award to Indian Harbor Insurance Company for primary cyber security liability coverage in the amount of \$227,088 inclusive of commission; and

**WHEREAS**, the services qualify as an award of a contract without the receipt of formal bids as an Extraordinary Unspecifiable Service N.J.S.A. 18A:18A-5(a)(ii) and N.J.A.C. 5:34-2.3(b); and

**WHEREAS**, the certification of an Extraordinary Unspecifiable Service as demanded by to N.J.A.C. 5:34-2.1 et. seq. must be complied with and attached to this resolution; and

**WHEREAS**, Indian Harbor Insurance Company will submit a Business Entity Disclosure Certification and a Political Contribution Disclosure form which certifies that Indian Harbor Insurance Company has not made any reportable contributions to a political or candidate committee to the Fund in the previous one year, and that the contract will prohibit Indian Harbor Insurance Company from making any reportable contributions through the term of the contract, and

**WHEREAS**, the Fund Administrator has concurred with the legality of the purchase in accord with the New Jersey Local Publics Contract Law (N.J.S..40A:11-1 et. Seq); and

**WHEREAS**, the Treasurer has certified that funds are available, subject to approval by the board of commissioners in the 2022 budget in the amount of \$227,088 inclusive of commission from:

**Line Items: Cyber Security Liability**

**NOW, THEREFORE, BE IT RESOLVED**, that the New Jersey Public Housing Authority Joint Insurance Fund authorizes the Executive Director to enter into a contract with Indian Harbor Insurance Company for the 2022 budget year for primary cyber security liability coverage in the amount of not to exceed \$227,088.00 inclusive of commission.

## NEW JERSEY PUBLIC HOUSING AUTHORITY JOINT INSURANCE FUND BILLS LIST

Resolution No. 15-22

JANUARY 2022

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

**BE IT RESOLVED** that the New Jersey Public Housing Auth. 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.

<u>FUND YEAR 2021</u>			
<u>CheckNumber</u>	<u>VendorName</u>	<u>Comment</u>	<u>InvoiceAmount</u>
009613			
009613	MUNICIPAL EXCESS LIABILITY JIF	FPB - 4TH QTR 2021	1,446.25
			<b>1,446.25</b>
009614			
009614	MUNICIPAL EXCESS LIABILITY JIF	PROPERTY - 4TH QTR 2021	526,465.25
009614	MUNICIPAL EXCESS LIABILITY JIF	MEL - 4TH QTR 2021	558,568.50
			<b>1,085,033.75</b>
009615			
009615	DECOTIIS, FITZPATRICK, COLE & GIBLIN LLP	ATTORNEY FEE 12/21	3,677.33
			<b>3,677.33</b>
009616			
009616	PERMA	POSTAGE 12/21	603.49
009616	PERMA	POSTAGE 11/21	98.34
			<b>701.83</b>
009617			
009617	ASBURY PARK PRESS	ACCT#ASB-117561 - AD - 11/26/2021	47.60
			<b>47.60</b>
009618			
009618	NJ ADVANCE MEDIA	ACCT#XNJPU0555207 - AD - 11.30.21	38.75
			<b>38.75</b>
009619			
009619	MUNICIPAL EXCESS LIABILITY JIF	MSI - 4TH QTR 2021	12,839.75
			<b>12,839.75</b>
009620			
009620	THE DITTMAR AGENCY, INC	FREEHOLD HA - RMC FEE 2021	3,343.00
			<b>3,343.00</b>
009621			
009621	ACCESS	ACCT#862 - ARC & STOR - 12.31.21	55.89
009621	ACCESS	ACT#862 - ARC & STOR - 11.30.21	55.89
			<b>111.78</b>
009622			
009622	COLSON AND GOSWEILER	BRIDGETON HA - RMC FEE 2021	10,291.00
			<b>10,291.00</b>
009623			
009623	ACRISURE, LLC dba RELIANCE INSURANCE	SOUTH AMBOY HA - RMC FEE 2021	5,322.00
009623	ACRISURE, LLC dba RELIANCE INSURANCE	CARTERET - RMC FEE 2021	7,664.00
			<b>12,986.00</b>
009624			
009624	HEIST INSURANCE AGENCY	OCEAN CITY HA - RMC FEE 2021	5,293.00
			<b>5,293.00</b>
009625			
009625	RISK STRATEGY SOLUTION, LLC	RMC FEE - 2021	13,326.25
			<b>13,326.25</b>
009626			
009626	MARSH & MCLENNAN AGENCY LLC	CAPE MAY HA - RMC FEE 2021	1,154.00
			<b>1,154.00</b>
		<b>Total Payments FY 2021</b>	<b>1,150,290.29</b>

**FUND YEAR 2022**

<u>CheckNumber</u>	<u>VendorName</u>	<u>Comment</u>	<u>InvoiceAmount</u>
009627			
009627	MUNICIPAL EXCESS LIABILITY JIF	FPB - 1ST QTR 2022	1,386.00
			<b>1,386.00</b>
009628			
009628	QUAL-LYNX	MANAGED CARE 1/22	6,617.08
			<b>6,617.08</b>
009629			
009629	MUNICIPAL EXCESS LIABILITY JIF	PROPERTY - 4TH QTR 2022	659,057.75
009629	MUNICIPAL EXCESS LIABILITY JIF	MEL - 4TH QTR 2022	470,174.87
			<b>1,129,232.62</b>
009630			
009630	QUAL-LYNX	CLAIM ADJ SERVICES 1/22	18,128.75
			<b>18,128.75</b>
009631			
009631	PERMA	EXECUTIVE DIRECTOR 1/22	28,857.00
			<b>28,857.00</b>
009632			
009632	CONNER STRONG & BUCKELEW	UNDERWRITING FEE 1/22	1,601.00
			<b>1,601.00</b>
009633			
009633	EXECU TECH, INC	TREASURER FEE - 1ST QTR 2022	20,286.78
			<b>20,286.78</b>
009634			
009634	MUNICIPAL EXCESS LIABILITY JIF	MSI - 4TH QTR 2022	12,240.50
			<b>12,240.50</b>
009635			
009635	WARREN RISK MARKETING, LLC	MARKETING FEE 1/22	3,094.00
			<b>3,094.00</b>
009636			
009636	J.A. MONTGOMERY RISK CONTROL	SAFETY TRAINING 1/22	3,034.50
009636	J.A. MONTGOMERY RISK CONTROL	LOSS CONTROL 1/22	8,250.92
			<b>11,285.42</b>
		<b>Total Payments FY 2022</b>	<b>1,232,729.15</b>
		<b>TOTAL PAYMENTS ALL FUND YEARS</b>	<b>\$2,383,019.44</b>