

**NEW JERSEY PUBLIC HOUSING AUTHORITY**  
**JOINT INSURANCE FUND**  
**July 12, 2023**  
**Perth Amboy Housing Authority – Birchwood Building**  
**Community Room**  
**10:30 AM**

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Meeting Called to Order by Chairman DiVincent. Open Public Meeting Statement read into the record.

**Salute to American Flag**

**ROLL CALL OF EXECUTIVE COMMITTEE:**

<b>Chairperson</b>		
Robert DiVincent	Edgewater Housing Finance Urban Renewal Corp.	Present
<b>Secretary</b>		
Sherry Sims	Boonton Housing Authority	Present
<b>Board of Commissioners</b>		
John Mahon	Bayonne Housing Authority	Present
Joseph Billy	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	Absent
Eric Chubenko	Carteret Housing Authority	Present
Anthony Feorenzo	Hackensack Housing Authority	Present
Joseph Capano	Cliffside Park 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	Absent
<b>Co-Treasurers</b>	Execu-Tech, Inc.	William Snyder Louis Riccio	Absent Absent
<b>Claims Service</b>	Qual-Lynx	Claudia Acosta	Present
<b>Safety Director</b>	J.A. Montgomery Consulting	Brian Maitland	Absent
<b>Auditor</b>	Holman Frenia Allison	Lauren Holman	Absent
<b>Actuary</b>	Actuarial Advantage	Kyle Mrotek	Absent
<b>Managed Care</b>	Qual-Care	Lisa Gallo	Present
<b>Marketing</b>	Warren Risk Marketing, LLC	Jack Warren	Present

**ALSO PRESENT**

Ellie Moss, J.A. Montgomery  
Ken Schulz, J.A. Montgomery  
Mathew McArow, Sr., RMC  
Spiro Malfetas, RMC  
Dominick Cinelli, RMC  
Ken Pinnock, Jersey City HA  
Tracy Lopez, Perma

Salute to American Flag

**APPROVAL OF MINUTES:** June 14, 2023 Open Minutes

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

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

**Correspondence**

None

**Claims Administration**

Claims Administrator noted that the Claims Committee met this morning and reviewed a total of (11) claims inclusive of one for informational purposes and another wherein authority was amended from \$66,000 to \$61,000 claim #2023299182; if there are no questions relating to the claims, on behalf of the Claims Committee approval we respectfully asked for payment authority of claims presented. Property \$66K to \$61 for authority

**MOTION TO ACCEPT THE RECOMMENDATION OF THE CLAIMS COMMITTEE  
AND APPROVE PAYMENT OF THE PARS AS PRESENTED BY THE CLAIMS  
ADMINISTRATOR.**

FILE	COVG
2020185176	WC
2011170008	WC
2023295876	WC
2023296869	WC
2023302846	WC
2023285421	GL
2021232973	GL
2021233047	GL
2023293547	Prop
2023296902	Prop
2023299182	Prop

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

### **Safety Director**

Safety Director referred to the agenda report as distributed outlining the loss control and security loss control surveys completed during the month of June. Safety Director also reviewed the listing of Safety Director Bulletins and Messages as distributed to members via the MSI Newsletter.

### **Underwriting Manager**

In the absence of Underwriting Manager, Executive Director referred to the Cyber Compliance status report and the listing of certificate of insurance as previously issued. Executive Director also referred to the property appraisal acknowledgement form included within the agenda as we ask members of the all lines program to sign and return to the Fund office as originally distributed via email. The contract with AssetWorks has been executed and representatives will reach out to members to schedule the appraisal of locations valued at \$1M and above.

### **Pro-Forma Reports**

Executive Director referred to the first quarter financial fast track which outlined a deficit of \$264,037 as of March 31, 2023; we continue to monitor deficits in fund years 2023, 2022 and 2021.

### **Auditor and Actuary Year-End Reports**

Executive Director said the Audit and Actuarial Reports as of December 31, 2022 was filed with respective State Agencies as well as HUD. The Synopsis of the audit was also advertised in the Fund's official newspapers.

### **Cyber JIF**

Executive Director said the Cyber JIF met on June 22, 2023. A copy of Commissioner Clarke's report of the meeting was reviewed as distributed. Commissioner Clarke added that the stack questionnaire be completed within the Origami database as this will be a very active component to the program.

Executive Director noted recent cyber events which had taken place in other Funds and have been substantial, the latest involved a loss of over \$6M for which forensic teams are involved. A Best Practice for Treasurers was released, and we further encourage all members to check their banking accounts daily as the latest event had taken place over a period of days.

## **ADMINISTRATION**

### **Morristown HA**

Ms. Lopez said Morristown HA has converted their properties in 2 stages: 200+ units were transferred at the end of 2021 and the balance was transferred in late 2022. We recommend a \$41,023 modification to their 2022 assessment and \$46,693 to their 2023 assessment.

**Motion to authorize modification to the 2022 annual assessment for the 2022 Fund year in the amount of \$41,023 and adjust their 2023 Assessment bill by \$\$46,693.**

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

Executive Director reminded members to report all exposure changes in a timely manner as exposures are calculated during the renewal process to calculate the budget; significant changes such as property must be reported at the time of change.

**Risk Management Information/Operating System (RMIS)**

Ms. Lopez said members and risk management consultants will receive an Origami email with a link to renewal worksheets - to begin the 2024 underwriting renewal on or about July 25th with a completion date on or about August 31st. Fund Commissioners and Risk Management Consultants will receive an additional email from the Fund office with directions once the Origami underwriting system link is provided to assist in this process.

**2024-2025 Employment Practices Liability Program**

Ms. Lopez said as previously reported, every two years the MEL reviews applicable laws and regulations to update the Model Personnel Manual, Model Employee Handbook and Model Volunteer Handbook. In addition, members are asked to complete training for Managers & Supervisors and Non-Supervisory Employees. The memorandum that outlines the changes made to the current model documents was provided in the May agenda and distributed via email to Fund Commissioners and Risk Management Consultants May 11, 2023. Members may also refer to the MEL website at – [www.njmel.org](http://www.njmel.org).

**2023 Assessment**

Ms. Lopez advised that the statement of accounts were provided to all members with a balance due for payments to be made by the due date of June 30, 2023. Members that have not submitted payment will be contacted.

**Executive Directors Training / NJ NAHRO**

Ms. Lopez referred to a copy of the program flyer for the scheduled Executive Directors training on July 21, 2023, at 10:00 AM at Secaucus Housing Authority on behalf of NJ Chapter NAHRO. We encourage attendance for this informative training.

**August Meeting Cancellation**

Ms. Lopez noted that historically, the Fund has voted to cancel the August meeting in addition to processing any necessary claim payments and professional fees for the month. The Board may want to consider cancelling the August 9, 2023 scheduled meeting however, the Claims Review Committee will convene via Zoom should the need arise.

**MOTION TO CANCEL THE AUGUST MEETING OF THE FUND AND AUTHORIZE THE TREASURER TO PROCESS ANY NECESSARY CLAIM PAYMENTS AND PROFESSIONAL FEES FOR THE MONTH OF AUGUST.**

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

**2023 Meeting Schedule**

Ms. Lopez said the next Fund meeting will be held in conjunction with the September NJAHRA (NJ Association of Housing & Redevelopment Authorities) conference however it will now take place at the Resorts Hotel/Casino, Atlantic City, NJ on Monday, September 25, 2023 at 3:00 PM in lieu of the Tropicana Hotel/Casino. The Fund will issue notification and advertise accordingly.

**MEL Membership Renewal-2024**

Ms. Lopez advised the Board that the Fund’s membership in the Municipal Excess Liability Joint Insurance Fund is scheduled to renew January 1, 2024. Resolution #23-23 authorizing membership renewal for the NJ Public Housing Authority Joint Insurance Fund was reviewed for consideration.

**MOTION TO ADOPT RESOLUTION #23-23 AUTHORIZING THE FUND’S THREE-YEAR MEMBERSHIP IN THE MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND COMMENCING ON JANUARY 1, 2024.**

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

**Treasurers Report**

In the absence of Fund Treasurer, Executive Director referred to the report as distributed.

July 2023– Bill List Resolution #22-23

<b>FUND YEAR</b>	<b>AMOUNT</b>
2022	\$ 5,910.00
2023 Year	\$ 1,401,218.80
<b>Total</b>	<b>\$ 1,407.128.50</b>

**MOTION TO APPROVE RESOLUTION #22-23 JULY 2023 BILL LIST AND THE TREASURERS REPORT AS DISTRIBUTED.**

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

**Marketing**

Marketing Director said the Fund has received a request from Orange Housing Authority to consider coverage for their non-profit agency, Orange Housing Development Corp. Once complete information is received, the entity will be reviewed by Fund professionals for the possibility of quoting.

This year there are 25 members scheduled to renew Fund membership at year end. Membership renewal documents will be sent to each renewing member for return and filing with the State.

**Attorney**

Fund Attorney referred to the agenda report as distributed and noted one matter for Executive Session following the professional reports.

**Managed Care**

Managed Care provider referred to the monthly report for June which outlined a total of 104 bills received with charges of \$60,059.39 repriced for \$23,588.57 delivering a total savings of \$36,470.82 or 61%. The claims pierced the network at a rate of 98% and a total of (3) injuries were reported.

**Old Business**

**None**

**New Business**

None

**Public Comment**

None

**Executive Session**

Yes – Any member present other than Fund Commissioner or Fund Professionals should be excused from the meeting until public session is reconvened.

**MOTION TO ENTER INTO EXECUTIVE SESSION FOR LITIGATION AND/OR CLAIMS, CONTRACT NEGOTIATIONS PERSONNEL, OTHER**

<b>MOTION:</b>	Commissioner Clarke
<b>SECOND:</b>	Commissioner Mahon
<b>ALL IN FAVOR:</b>	Unanimous

**MOTION TO RETURN TO OPEN SESSION**

<b>MOTION:</b>	Commissioner Billy
<b>SECOND:</b>	Commissioner Sims
<b>VOTE:</b>	Unanimous

**MOTION TO ADOPT RESOLUTION 24-23 AS DISCUSSED IN EXECUTIVE SESSION**

<b>MOTION:</b>	Commissioner Billy
<b>SECOND:</b>	Commissioner Sims
<b>VOTE:</b>	Unanimous

**MOTION TO ADJOURN**

<b>MOTION:</b>	Commissioner Mahon
<b>SECOND:</b>	Commissioner Clarke
<b>VOTE:</b>	Unanimous

**Meeting adjourned at: 11:10 AM**

# NEW JERSEY PUBLIC HOUSING AUTHORITY JOINT INSURANCE FUND BILLS LIST

Resolution No. 22-23

JULY 2023

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.

**FUND YEAR 2022**

<u>CheckNumber</u>	<u>VendorName</u>	<u>Comment</u>	<u>InvoiceAmount</u>
009949			
009949	HOLMAN FRENIA ALLISON, P.C.	FINAL BILL- FIN. STMT AUDIT Y/E 2022	1,910.00
009949	HOLMAN FRENIA ALLISON, P.C.	PROG. BILL FOR FINANCIAL STMT Y/E 2022	4,000.00
			<b>5,910.00</b>
		<b>Total Payments FY 2022</b>	<b>5,910.00</b>

**FUND YEAR 2023**

<u>CheckNumber</u>	<u>VendorName</u>	<u>Comment</u>	<u>InvoiceAmount</u>
009950			
009950	MUNICIPAL EXCESS LIABILITY JIF	FPB 3RD QTR 2023	2,501.50
			<b>2,501.50</b>
009951			
009951	QUAL-LYNX	MANAGED CARE 7/23	6,749.42
			<b>6,749.42</b>
009952			
009952	MUNICIPAL EXCESS LIABILITY JIF	PROPERTY - 3RD QTR 2023	805,284.00
009952	MUNICIPAL EXCESS LIABILITY JIF	MEL 3RD QTR 2023	451,144.50
			<b>1,256,428.50</b>
009953			
009953	DECOTHS, FITZPATRICK, COLE & GIBLIN, LLP	ATTORNEY FEES 06/01/23-06/30/23	4,063.00
			<b>4,063.00</b>
009954			
009954	QUAL-LYNX	CLAIM ADJ. SERVICES 07/23	19,361.50
			<b>19,361.50</b>
009955			
009955	JOSEPH M. BILLY, JR.	REIMBURSE 23 PRIMA CONF. EXPENSE 6/23	3,877.50
			<b>3,877.50</b>
009956			
009956	PERMA	EXECUTIVE DIRECTOR FEE 07/23	30,895.50
			<b>30,895.50</b>
009957			
009957	CONNER STRONG & BUCKELEW	UNDERWRITING MGMT FEE 07/23	1,633.00
			<b>1,633.00</b>
009958			
009958	THE ACTUARIAL ADVANTAGE	ACTUARIAL CONSULTING SERVICES 7/23	3,337.66
			<b>3,337.66</b>
009959			
009959	JOHN MAHON	REIMB. PRIMA CONF. EXPENSE 6/23	2,556.28
			<b>2,556.28</b>
009960			
009960	NEW JERSEY ASSOC. OF HOUSING & REDEVELOPMENT AUTH.	SPONSOR FEE - 3RD QTR 2023	10,046.36
			<b>10,046.36</b>
009961			
009961	ASBURY PARK PRESS	ACCT #ASB-117561 AUDIT 7/5/23	108.92
			<b>108.92</b>
009962			
009962	EXECU-TECH, INC.	TREASURER FEE - 3RD QTR 2023	20,692.50
			<b>20,692.50</b>
009963			
009963	EXECU-TECH, INC.	WEBSITE MAINTENANCE 07/23	200.00
			<b>200.00</b>
009964			
009964	MUNICIPAL EXCESS LIABILITY JIF	MSI- 3RD QTR 2023	13,024.50
			<b>13,024.50</b>
009965			
009965	WARREN RISK MARKETING, LLC	MARKETING DIRECTOR FEE 07/23	3,155.33
			<b>3,155.33</b>
009966			
009966	J.A. MONTGOMERY CONSULTING	SAFETY TRAINING 07/23	3,144.33
009966	J.A. MONTGOMERY CONSULTING	SAFETY DIRECTOR/ LOSS CONTROL 7/23	8,839.25

009966

J.A. MONTGOMERY CONSULTING

RIGHT TO KNOW INV SERVICE 07/23

10,603.75

22,587.33

**Total Payments FY 2023**

**1,401,218.80**

**TOTAL PAYMENTS ALL FUND YEARS**

**1,407,128.80**



**RESOLUTION #23-23**  
**NJ PUBLIC HOUSING AUTHORITY JOINT INSURANCE FUND**  
**RESOLUTION TO RENEW**  
**MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND**

**WHEREAS**, the **NJ Public Housing Authority Joint Insurance Fund**, a nonprofit public entity in the State of New Jersey, was formed pursuant to N.J.S.A. 40A:10-36 et seq. to provide risk management to its members in the form of General Liability, Auto Liability, Property and Workers' Compensation coverage; and

**WHEREAS**, it has been determined that excess coverage is available from the Municipal Excess Liability Joint Insurance Fund, hereinafter referred to as MEL, as established pursuant to N.J.S.A. 40A:10-36 et seq., provided in accordance with N.J.S.A. 40A:10-42; and

**WHEREAS**, the purchase of such coverage by the MEL is exempt from public advertising and bidding requirements pursuant to N.J.S.A. 40A:11-5(1)(a)(ii) and 40A:11-5(1)(m) as an extraordinary unspecifiable service ("EUS") so long as the contract entered into is awarded in accordance with the requirements for EUSs; and

**WHEREAS**, pursuant to N.J.S.A. 40A:65-14, the governing bodies of two or more Local Units may enter into an agreement to provide for the formation of the joint operation of any public services, public improvements, works, facilities, or undertakings which the local units are empowered to operate; and

**WHEREAS**, pursuant to N.J.S.A. 40A:65-9 et seq. the MEL shall obtain coverage on behalf of its members JIFs in accordance with the Local Public Contracts Law; and

**WHEREAS**, in accordance with N.J.S.A. 40A:10-36 et seq., a JIF wishing to join the MEL to obtain the benefits of joint public entity membership may do so by adopting a resolution; and

**WHEREAS**, the Board of Fund Commissioners of the **NJ Public Housing Authority Joint Insurance Fund** has determined that membership in the MEL is in the best interests of the members:

**NOW THEREFORE BE IT RESOLVED** that the Board of Fund Commissioners of the **NJ Public Housing Authority Joint Insurance Fund** does hereby resolve and agree to renew membership in the MEL for a period of three (3) years, the commencement of which shall be **January 1, 2024** and

**BE IT FURTHER RESOLVED** that the application for membership is for the purpose of obtaining the following types of coverages:

- 1) Excess Workers' Compensation and Employers' Liability Insurance and,
- 2) Excess Liability Insurance excess of the Primary Liability provided by the above mentioned Joint Insurance Fund as indicated on the application previously submitted and,

3) Excess Property, including Crime.

**BE IT FURTHER RESOLVED** that the **NJ Public Housing Authority Joint Insurance Fund** hereby adopts the Bylaws of the MEL and in accordance therewith, it is understood that coverage is not effective until membership is approved by the MEL Commissioners/Executive Committee, State Department of Banking & Insurance and State Department of Community Affairs and that coverage is subject to the terms, conditions and limitations as contained in the MEL's Coverage Manual and its Commercial Excess Insurance, if any; and,

**BE IT FURTHER RESOLVED** that the Board of Fund Commissioners, or other authorized representative, is authorized and directed to execute any and all written agreements necessary for membership in the MEL including, but not limited to, the Indemnity and Trust Agreement in order to implement membership by the **NJ Public Housing Authority Joint Insurance Fund** in the MEL according to its Bylaws, N.J.S.A. 40A:10-36 et seq., N.J.A.C. 11:15-2 and any other statutes or regulations pertaining thereto.

**NJ PUBLIC HOUSING AUTHORITY  
JOINT INSURANCE FUND**

**MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND  
INDEMNITY AND TRUST AGREEMENT**

**THIS AGREEMENT** made this 12TH day of July, 2023, in the County of Middlesex by and Between: The **Municipal Excess Liability Joint Insurance Fund**, hereinafter referred to as MEL, and the **NJ Public Housing Authority Joint Insurance Fund**, hereinafter referred to as the FUND.

**WITNESSETH:**

**WHEREAS**, several local governmental units have collectively formed an Excess Liability Joint Insurance Fund as such entity is authorized and described in N.J.S.A. 40A:10-36 et seq. and the administrative regulations promulgated pursuant thereto and;

**WHEREAS**, the FUND has agreed to become a member of the MEL and to share in the obligations and benefits flowing from such membership with other members of the MEL in accordance with and to the extent provided for in the bylaws of the MEL and in consideration of such obligations and benefits to be shared by the membership of the MEL.

**NOW THEREFORE**, be it agreed as follows:

1. The FUND accepts the MEL's bylaws as approved and adopted and agrees to be bound by and to comply with each and every provision of the said bylaws, the pertinent Statutes and Administrative Regulations pertaining to same and as set forth in the Risk Management Plan.
2. The FUND agrees to participate in the MEL with respect to the types of insurance listed in the FUND's resolution.
3. The FUND agrees to renew its membership in the MEL for a period of three (3) years, the commencement of which shall be **January 1, 2024**.
4. The FUND certifies that it has not defaulted on any claims if self-insured and has not been canceled for non-payment of insurance premiums for a period of at least two (2) years prior to the date hereof.
5. In consideration of membership in the MEL, the FUND agrees that it shall jointly and severally assume and discharge the liability of each and every member of the MEL, all of whom as a condition of membership in the MEL shall execute a verbatim counterpart of this Agreement and by execution hereof the full faith and credit of the FUND is pledged to the punctual payment of any sums which shall become due to the MEL in accordance with the bylaws thereof, this Agreement, the MEL's Risk Management Plan or any applicable statute.
6. If the MEL in the enforcement of any part of this Agreement shall incur necessary expense or become obligated to pay attorney's fees and/or court costs, the FUND agrees to reimburse the MEL for all such reasonable expenses, fees and costs on demand.

7. The FUND and the MEL agree that the MEL shall hold all monies paid by the FUND to the MEL as fiduciaries for the benefit of MEL claimants, all in accordance with N.J.A..C 11:15-2.1 et seq.
8. The MEL shall establish separate Trust Accounts for each of the following categories of risk and liability, if applicable:
  - a) Workers Compensation and Employers Liability
  - b) Liability, other than motor vehicle
  - c) Property Damage, other than motor vehicle
  - d) Motor Vehicle
  - e) Primary Statutory Bonds & Excess Public Officials Bonds

The MEL shall maintain Trust Accounts aforementioned in accordance with N.J.S.A. 40A:10-36, N.J.A.C. 11:15-2 et seq., N.J.S.A. 40A:5-1 and such other Statutes as may be applicable. More specifically, each of the aforementioned separate Trust Accounts shall be utilized solely for the payment of claims, allocated claim expense and excess insurance or reinsurance premiums for each such risk or liability or as "surplus" as such term is defined by N.J.A.C. 11:15-2.2 et seq.

9. Each FUND who shall become a member of the MEL shall be obligated to execute this Agreement.

**MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND**

**NJ PUBLIC HOUSING AUTHORITY  
JOINT INSURANCE FUND**