

## **ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND**

RESOLUTION 2020 - 03

### **APPOINTING PROFESSIONAL STAFF**

**Whereas**, the Commissioners of the Atlantic County Municipal Joint Insurance Fund find that it is necessary and appropriate to obtain certain professional and other extraordinary and unspecifiable services pursuant to N.J.S.A. 40A:11-5 et seq.; and

**Whereas**, it is anticipated that some of these services will exceed \$17,500 in cost to the Fund during the 2020 Fund Year; and

**Whereas**, after careful consideration by the Fund Commissioners of the Atlantic County Municipal Joint Insurance Fund it has been determined to be in the best interest of the Fund to obtain these services following a “non-fair and open” process pursuant to N.J.S.A. 19:44A-20.1 et seq. so as to eliminate the possibility of any of the Fund’s professionals from making reportable contributions to any elected officials in any member town and so as to guarantee the continuity of the Fund’s professionals; many of which have been servicing the Fund since its inception and have directly contributed to its success; and

**Whereas**, those service providers whose contracts shall exceed \$17,500 during the 2020 Fund Year have executed a “Political Contribution Disclosure Form”, “Business Entity Disclosure Certification”, and a “Stockholder Disclosure Certification”, a copy of which is attached to their Professional Service contract, acknowledging their understanding that by accepting this appointment they may be limited pursuant to NJSA 19:44A-20.6 in their ability to make reportable contributions pursuant to NJSA 19:44A-8 or 19:44A-16 as detailed in NJSA 19:44A-20.5

**Now, THEREFORE, BE IT RESOLVED** by the Commissioners of the Atlantic County Municipal Joint Insurance Fund, assembled in a public session on January 15, 2020, that:

1. Arthur J. Gallagher Risk Management Services, Inc. is hereby appointed as Administrator commencing January 1, 2020 and continuing until December 31, 2020 with Paul A. Forlenza, MGA, serving as the Executive Director and Paul J. Miola, CPCU, ARM, serving as the Deputy Executive Director or until the next Reorganization of the Fund.
2. Arthur J. Gallagher Risk Management Services, Inc. is hereby appointed as the Producer for EPL/POL, Volunteer’s Directors and Officers, and Cyber Liability coverage for a term commencing January 1, 2020 and continuing until December 31, 2020 or until the next Reorganization of the Fund.
3. Conner Strong & Buckelew Insurance are hereby appointed as the Producer for EPL/POL, Volunteer’s Directors and Officers, and Cyber Liability coverage for a term commencing January 1, 2020 and continuing until December 31, 2020 or until the next Reorganization of the Fund.
4. The DeWeese Law Firm, P.C., with David S. DeWeese, Esquire, Attorney at Law of the State of New Jersey, as the designated attorney, is hereby appointed as the Fund’s Attorney for a term commencing January 1, 2020, and continuing until December 31, 2020 or until the next Reorganization of the Fund; and

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5. The DeWeese Law Firm, P.C., with David S. DeWeese, Esquire, Attorney at Law of the State of New Jersey, as the designated attorney, is hereby appointed as the Fund's Subrogation Attorney for a term commencing January 1, 2020, and continuing until December 31, 2020 or until the next Reorganization of the Fund.
6. David S. DeWeese, Esquire, Attorney at Law of the State of New Jersey, is hereby appointed as the Fund's EPL/POL Attorney for a term commencing January 1, 2020 and continuing until December 31, 2020 or until the next Reorganization of the Fund.
7. John Hansen is hereby appointed as Treasurer for a term commencing January 1, 2020, and continuing until December 31, 2020 or until the next Reorganization of the Fund.
8. The Actuarial Advantage, Inc., with Kyle Mrotek, FCAS as its designated representative, is hereby appointed as Actuary for a term commencing January 1, 2020, and continuing until December 31, 2020 or until the next Reorganization of the Fund.
9. Public Entity Risk Management Administration, Inc. [PERMA], a Division of Conner Strong & Buckelew Insurance Companies, Inc., with David N. Grubb as its designated representative, is hereby appointed as Administrative Consultant for a term commencing January 1, 2020, and continuing until December 31, 2020 or until the next Reorganization of the Fund.
10. Qual-Lynx, with Chris Roselli as its designated claims Account Manager and Alice Lihou as its designated representative, is hereby appointed as Claims Administrator for General Liability, Automobile Liability, Workers' Compensation and Property claims commencing January 1, 2020 and continuing until December 31, 2020 or until the next Reorganization of the Fund.
11. QualCare, Inc., with Karen Beatty as its designated client services manager and Steve McNamara as its designated representative, is hereby appointed as the Managed Care and Network Provider for a term commencing January 1, 2020 and continuing until December 31, 2020 or until the next Reorganization of the Fund.
12. J. A. Montgomery, a Division of Conner Strong & Buckelew Companies, with Keith Hummel as the Safety Director and Robert Garish and Robert Holwitt as its designated Loss Control Representative, is hereby appointed for a term commencing January 1, 2020, and continuing until December 31, 2020 or until the next Reorganization of the Fund.
13. AssetWORKS, with Melvin Ngayan as its designated representative, is hereby appointed as Property Appraiser for a term commencing January 1, 2020, and continuing until December 31, 2020 or until the next Reorganization of the Fund.
14. Joyce Media, with George E. Joyce, III as its designated representative, is hereby appointed as Website Host and Designer for a term commencing January 1, 2020, and continuing until December 31, 2020 or until the next Reorganization of the Fund.

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15. Iron Mountain is hereby appointed as Record Retention Service for a term commencing January 1, 2020, and continuing until December 31, 2020 or until the next Reorganization of the Fund.
16. Bowman & Company, with James Miles as its designated representative, is hereby appointed as Payroll Auditor for a term commencing January 1, 2020, and continuing until December 31, 2020 or until the next Reorganization of the Fund.
17. Bowman & Company, with James Miles as its designated representative, is hereby appointed as Fund Auditor for a term commencing January 1, 2020, and continuing until June 30, 2020 or until the next Reorganization of the Fund.
18. Conner Strong & Buckelew Insurance, Inc., with Terrance Tracy as its corporate representative and Edward Cooney as its designated representative, is hereby appointed as Underwriting Manager for a term commencing January 1, 2020, and continuing until December 31, 2020 or until the next Reorganization of the Fund.
19. Tracy Forlenza is hereby appointed as Recording Secretary for a term commencing January 1, 2020, and continuing until December 31, 2020 or until the next Reorganization of the Fund.
20. Jordan Simone is hereby appointed as Wellness Director for a term commencing January 1, 2020, and continuing until December 31, 2020 or until the next Reorganization of the Fund
21. Investors Bank, with Joseph Sette as its designated representative, is hereby appointed as Banking Depository for the Atlantic County Municipal Joint Insurance Fund for a term commencing January 1, 2020, and continuing until December 31, 2020 or until the next Reorganization of the Fund.
22. Wilmington Trust, with Dominick J. D'Eramo as its designated representative, is hereby appointed as Asset Manager for the Atlantic County Municipal Joint Insurance Fund for a term commencing January 1, 2020, and continuing until December 31, 2020 or until the next Reorganization of the Fund.
23. M & T Bank, with Mary Alice Avery as its designated representative, is hereby appointed as Banking Depository for the Atlantic County Municipal Joint Insurance Fund for a term commencing January 1, 2020, and continuing until December 31, 2020 or until the next Reorganization of the Fund

**Be It Further Resolved** that the Commissioners of the Atlantic County Municipal Joint Insurance Fund find and determine that the appointments herein specified require either professional services for which the individuals designated are licensed to practice a profession or for extraordinary and unspecifiable services that cannot be adequately described in specifications that would make solicitation of bids for those services meaningful or advisable; and

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**Be It Further Resolved** that the compensation for the services shall be in accordance with the amounts budgeted for the specific services and subject to contracts hereby authorized and approved by the Commissioners of the Atlantic County Municipal Joint Insurance Fund; and

**Be It Further Resolved** that the respective committees responsible for oversight of the various vendors have reviewed and approved the renewal fees and scope of services for each contract and such approvals are recorded in the minutes of the respective committee meetings.

**Be It Further Resolved** that the Chairperson and Secretary of the Atlantic County Municipal Joint Insurance Fund are hereby authorized to execute Agreements with the individuals, partnerships and corporations hereby appointed for the performance of professional or for extraordinary and unspecifiable services providing for compensation within the amounts budgeted for those services, as follows:

1. Arthur J. Gallagher Risk Management Services, Inc. is hereby appointed as Administrator commencing January 1, 2020 and continuing until December 31, 2020 with Paul A. Forlenza, MGA, serving as the Executive Director and Paul J. Miola, CPCU, ARM, serving as the Deputy Executive Director and shall be compensated in the amount of \$996,693.00 as set forth specifically in the Agreement.
2. Arthur J. Gallagher Risk Management Services, Inc. and Conner Strong & Buckelew Insurance are hereby appointed as the Producer for EPL/POL, Volunteer's Directors and Officers, and Cyber Liability coverage for a term commencing January 1, 2020 and continuing until December 31, 2020 with Conner Strong & Buckelew Insurance being compensated through the commission on the policy in the amount of \$77,748 based upon 41 members.
3. The DeWeese Law Firm, P.C, with David S. DeWeese, Esquire, Attorney at Law of the State of New Jersey, as the Fund Attorney for a term commencing January 1, 2020, and continuing until December 31, 2020, shall be compensated in an amount not to exceed \$130,597.00 as set forth specifically in the Agreement.
4. The DeWeese Law Firm, P.C., with David S. DeWeese, Esquire, Attorney at Law of the State of New Jersey is hereby appointed as the Subrogation Attorney for a term commencing January 1, 2020, and continuing until December 31, 2020, shall be compensated on the basis of the rate schedule as set forth specifically in the Agreement.
5. David S. DeWeese, Esquire, Attorney at Law of the State of New Jersey, is hereby appointed as the Fund's EPL/POL Attorney for a term commencing January 1, 2020 and continuing until December 31, 2020, shall be compensated on the basis of the rate schedule as set forth specifically in the Agreement.
6. John Hansen is hereby appointed as Treasurer for a term commencing January 1, 2020, and continuing until December 31, 2020, shall be compensated in the amount of \$24,514.00 as set forth specifically in the Agreement.
7. The Actuarial Advantage, Inc. with Kyle Mrotek, FCAS, as its designated representative, as Actuary for a term commencing January 1, 2020, and continuing until December 31, 2020,

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shall be compensated on the basis of an hourly fee schedule attached to the Agreement, but not to exceed \$48,460.00, without the specific approval of the Commissioners, as set forth specifically in the Agreement.

8. Public Entity Risk Management Administration, Inc. [PERMA], a Division of Conner Strong & Buckelew Insurance Companies, with David Grubb as its designated representative, as Administrative Consultant for a term commencing January 1, 2020, and continuing until December 31, 2020, shall be compensated in the amount of \$44,052.00 as set forth specifically in the Agreement.
9. Qual-Lynx, with Chris Roselli as its designated claims Account Manager and Alice Lihou as its designated representative, as Claims Administrator for General Liability, Workers' Compensation, Property, for a term commencing January 1, 2020, and continuing until December 31, 2020, shall be compensated on the basis of the rate schedule as set forth specifically in the Agreement, with a minimum fee of \$806,257.00 but not to exceed \$857,775.00 as Claims Administrator for General Liability, Workers' Compensation, and Property claims and \$10,000.00 for their role in accepting and reporting EPL/POL claims, without the specific approval of the Commissioners, as set forth specifically in the Agreement.
10. QualCare, Inc., with Karen Beatty as its designated client services manager and Steve McNamara as its designated representative, is hereby appointed as the Managed Care and Network Provider for a term commencing January 1, 2020, and continuing until December 31, 2020, with an allocated file fee of \$510.00 per file on the basis of the rate schedule as set forth specifically in the Agreement.
11. J. A. Montgomery, a Division of Conner Strong & Buckelew Insurance Companies, with Keith Hummel as the Safety Director and Robert Garish and Robert Holwitt as the loss control representative commencing January 1, 2020, and continuing until December 31, 2020, shall be compensated in the amount of \$222,645.00 as set forth specifically in the Agreement.
12. AssetWORKS, with Melvin Ngayan as its designated representative, is hereby appointed as Property Appraiser for a term commencing January 1, 2020, and continuing until December 31, 2020, shall be compensated with a fee of \$43,246.00 based upon anticipated building counts for calendar year 2020, as set forth specifically in the Agreement.
13. Joyce Media, with George E. Joyce, III as its designated representative, is hereby appointed as Website Host and Designer for a term commencing January 1, 2020, and continuing until December 31, 2020, shall be compensated in the amount of \$4,500.00 as set forth specifically in the Agreement.
14. Iron Mountain is hereby appointed as Record Retention Service for a term commencing January 1, 2020, and continuing until December 31, 2020, shall be compensated on the basis of the rate schedule as set forth specifically in the Agreement.
15. Bowman & Company with James Miles as its designated representative, is hereby appointed as Payroll Auditor for a term commencing January 1, 2020, and continuing until

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December 31, 2020, shall be compensated on the basis of a fee schedule attached to the Agreement, but not to exceed \$17,056.00 without the specific approval of the Commissioners, as set forth specifically in the Agreement.

16. Bowman & Company, with James Miles as its designated representative, is hereby appointed as Fund Auditor for a term commencing January 1, 2020, and continuing until June 30, 2021, shall be compensated on the basis of a fee schedule attached to the Agreement, but not to exceed \$19,782.00 for the completion of the Audit of the December 31, 2020 Financial Statements without the specific approval of the Commissioners, as set forth specifically in the Agreement.
17. Conner Strong & Buckelew Insurance, with Terrance Tracy as its corporate representative and Edward Cooney as its designated representative, is hereby appointed as Underwriting Manager for the Atlantic County Municipal Joint Insurance Fund for a term commencing January 1, 2020, and continuing until December 31, 2020, shall be compensated in the amount of \$12,251.00 as set forth specifically in the Agreement.
18. Tracy Forlenza is hereby appointed as Recording Secretary for a term commencing January 1, 2020, and continuing until December 31, 2020, shall be compensated in the amount of \$6,455.00 as set forth specifically in the Agreement.
19. Jordan Simone is hereby appointed as Wellness Director for a term commencing January 1, 2020, and continuing until December 31, 2020, shall be compensated in the amount of \$63,947.00 as set forth specifically in the Agreement
20. Investors Bank, with Joseph Sette as its designated representative, is hereby appointed as Banking Depository for the Atlantic County Municipal Joint Insurance Fund for a term commencing January 1, 2020, and continuing until December 31, 2020, on the basis of the rate schedule as set forth specifically in the Agreement.
21. M & T Bank, with Mary Alice Avery as its designated representative, is hereby appointed as Banking Depository for the Atlantic County Municipal Joint Insurance Fund for a term commencing January 1, 2020, and continuing until December 31, 2020, on the basis of the rate schedule as set forth specifically in the Agreement.
22. Wilmington Trust, with Dominick J. D'Eramo as its designated representative, is hereby appointed as Asset Manager for the Atlantic County Municipal Joint Insurance Fund for a term commencing January 1, 2020, and continuing until December 31, 2020, on the basis of the rate schedule as set forth specifically in the Agreement.

**Be It Further Resolved** that all of the Agreements set forth above are subject to specific approval by the Commissioners of the Atlantic County Municipal Joint Insurance Fund, and

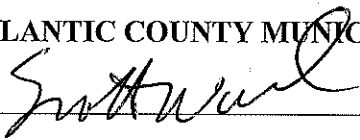
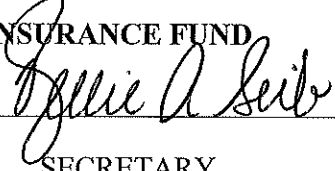
**Be It Further Resolved** that notice of the appointments and the Agreements for professional or for extraordinary and unspicifiable services shall be published as required by law, and

**Be It Further Resolved** that copies of this Resolution shall be provided to the Treasurer of the Atlantic County Municipal Joint Insurance Fund and those so appointed for their information and attention.

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This resolution was duly adopted by the Atlantic County Municipal Joint Insurance Fund at a public meeting held on January 15, 2020.

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BY:  ATTEST:   
CHAIRPERSON SECRETARY

DATE: 1/15/2020