SOUTH BERGEN VII WORKERS' COMPENSATION POOL
MINUTES
MEETING –JUNE 24, 2024
ZOOM VIRTUAL MEETING
1:30 P.M.

Meeting called to order by Chairman Kelly. Open Public Meeting Act read into Minutes by Chairman Kelly.

ROLL CALL OF 2024 BOARD OF TRUSTEES:

Chairman		
Joseph Kelly	Rutherford BOE	Present
Vice-Chair		
Andrea Wasserman	Montvale BOE	Present
Secretary		
Samantha Dembowski	North Arlington BOE	Present
Trustees		
John Marmora	Emerson BOE	Present
Dina Messery	Fort Lee BOE	Absent
Robert Brown	Hasbrouck Heights BOE	Absent
Michael Rinderknecht	Lodi BOE	Present
James Hyman	Lyndhurst BOE	Absent
Laurel Spadavecchia	Moonachie BOE	Present
Alexsandar Kondovski	Palisades Park BOE	Absent
Thomas O'Hern	Ramsey BOE	Absent
Susan Cucciniello	South Bergen Jointure Commission	Present
Beverly Vlietstra	South Hackensack BOE	Absent
Jody Pietrowitz	Wallington BOE	Absent
Carl Morelli	Wood-Ridge BOE	Present
Keith Rosado	Westwood BOE	Present

APPOINTED OFFICIALS PRESENT:

Executive Director/ Administrator	Perma Risk Management Services **Joseph Hrubash** **Cate Kiernan**	 Present Present
Attorney	**William Bailey, Esq.**	Present
Treasurer	**Dr. Philip Nisonoff**	Present
Underwriting Manager/ Excess WC Broker	Polaris Galaxy **Justin Gallo**	 Present
Claims Services	Bergen Risk Managers **John Markel**	 Present
Actuary	AIS Risk Consultants **Allan Schwartz**	 Absent

OTHERS PRESENT:
Jason Thorpe, PERMA
Pauline Kontomanolis, PERMA
Candy Leonard, PERMA
Jennifer Conicella, PERMA
Jason Cosimano, BRM
Gaylynn DelVecchio, BRM

APPROVAL OF MINUTES: OPEN MINUTES OF JUNE 13, 2024 - Mr. Thorpe advised that the June 13th minutes will be placed on the October agenda for approval.

TREASURER

Dr. Nisonoff advised that he did not have anything to report for the meeting.

EXECUTIVE DIRECTOR/ADMINISTRATOR:

2024-25 FISCAL YEAR BUDGET – Executive Director reported that at the June Board of Trustees meeting, the Pool introduced proposed budget options for the 2024-2025 fiscal year. Executive Director referred to the options for the proposed 2024-2025 budget and assessments by district enclosed within the agenda and asked for a motion to open the public hearing.

MOTION TO OPEN THE PUBLIC HEARING ON THE 2024-2025 FISCAL YEAR BUDGET.

MOVED: Trustee Rinderknecht
SECOND: Trustee Rosado

Executive Director referred to Option 1 of the proposed budget as introduced and corresponding assessments enclosed within the agenda. Executive Director reported that when considering the reduction in the amount of surplus transfer that will offset assessment collections, the overall increase is 35.4%. Executive Director noted that Option 1 included loss funds continuing the "Temporary Total Disability" reimbursements. Executive Director then referred to Option 2 of the proposed budget as introduced and corresponding assessments enclosed within the agenda. Executive Director noted that Option 2 would terminate or suspend the reimbursement of "Temporary Total Disability" payment until or unless an injured workers remains out of work for more than one year. Executive Director advised that Option 2 results in an overall budget increase of 10% but noted that there would be an overall increase of 18.2% when considering the reduction in surplus transfer.

Executive Director reported that the professional fees are increasing by 2% which is standard for cost of living. Executive Director then referred to the proposed member assessments for the 2024-2025 fiscal year budget options and asked the Deputy Executive Director to give an overview the approach used for the assessment allocation. Deputy Executive Director reported the assessments were first equalized and then a surcharge was applied to the members who have adverse loss experience. Deputy Executive Director explained that members with a loss ratio above 108% for a four-year period have a surcharge applied to their assessment. Deputy Executive Director further explained that the funds collected from the surcharge is then

distributed back to the rest of the membership. Executive Director asked if there were any questions on the budget or assessments. Hearing none, Executive Director asked for a motion to close public hearing.

MOTION TO CLOSE THE PUBLIC HEARING.

MOVED: Secretary Dembowski
SECOND: Vice-Chair Wasserman

Executive Director then asked for a motion to approve one of the budget options for the 2024-2025 fiscal year budget and certify the assessments.

MOTION TO APPROVE OPTION 1 OF THE 2024-2025 BUDGET IN THE AMOUNT OF $3,325,678.00 AND CERTIFY THE ASSESSMENTS.

MOVED: Trustee Rinderknecht
SECOND: Trustee Rosado
ROLL CALL VOTE:

2024-25 Budget Option 1 Approval - Roll Call

Trustee	Ayes	Nays	Absent	Abstain
Joseph Kelly		x		
Andrea Wasserman	x			
Samantha Dembowski		x		
John Marmora	x			
Dina Messery			x	
Robert Brown			x	
Michael Rinderknecht	x			
James Hyman			x	
Laurel Spadavecchia	x			
Alexsandar Kondovski			x	
Thomas O'Hern			x	
Susan Cucciniello	x			
Beverly Vlietstra			x	
Jody Pietrowitz			x	
Carl Morelli	x			
Keith Rosado	x			

Executive Director advised that the motion passed.

INTER-FUND TRANSFER – Executive Director reported that at the June 13th meeting, the Board of Trustees adopted a resolution authorizing an interfund year transfer of available surplus from Fiscal Years noted below. Executive Director advised that regulations require the pool to maintain former members' share of surplus. Executive Director noted that the budget illustrations only reflect the current membership and advised that the appropriate filing was made to the Department of Banking & Insurance (DOBI) and the Department of Community Affairs (DCA).

Fund Year	Total	Current Member Share
• 2001-2002	$124,948	$ 74,625
• 2007-2008	$ 54,621	$ 32,621
• 2017-2018	$ 405,000	$364,509
• 2019/2020	$ 49,398	$ 45,853
• Total	$ 633,967	$517,608

ELECTION OF POOL OFFICERS – Executive Director referred to Resolution 1-24/25, the Election of Pool Officers (Chairperson, Vice-Chairperson, Secretary). Executive Director noted that Chairman Kelly will be retiring from his position in the Rutherford School District at the end of June 2024. Executive Director advised that it would be appropriate to nominate a replacement. Executive Director proceeded to open the floor for nominations.

MOTION TO NOMINATE ANDREA WASSERMAN AS CHAIRPERSON OF THE SOUTH BERGEN VII WORKERS' COMPENSATION POOL FOR 2024-2025 FISCAL YEAR.

MOVED: Chairman Kelly
SECOND: Trustee Rinderknecht

MOTION TO NOMINATE SAMANTHA DEMBOWSKI AS VICE-CHAIRPERSON OF THE SOUTH BERGEN VII WORKERS' COMPENSATION POOL FOR 2024-2025 FISCAL YEAR.

MOVED: Chairman Kelly
SECOND: Trustee Rinderknecht

MOTION TO NOMINATE KEITH ROSADO AS SECRETARY OF THE SOUTH BERGEN VII WORKERS' COMPENSATION POOL FOR 2024-2025 FISCAL YEAR.

MOVED: Chairman Kelly
SECOND: Trustee Rinderknecht

Executive Director asked for additional nominations. Hearing none, Executive Director asked for a motion to close nominations and adopt Resolution 1-24/25, confirming the elections of the Pool Officers.

MOTION TO CLOSE NOMINATIONS AND ADOPT RESOLUTION 1-24/25 CERTIFYING THE POOL OFFICERS ELECTIONS AS PRESENTED FOR ANDREA WASSERMAN AS CHAIRPERSON, SAMANTHA DEMBOWSKI AS VICE-CHAIRPERSON, AND KEITH ROSADO AS SECRETARY OF THE SOUTH BERGEN VII WORKERS' COMPENSATION POOL FOR 2024-2025 FISCAL YEAR.

MOVED: Trustee Spadavecchia
SECOND: Trustee Rinderknecht
ROLL CALL VOTE: Unanimous

Executive Director indicated that he would review the balance of the reorganization resolutions with the Board. Executive Director requested the following Resolutions be considered for adoption with one motion, unless any Board members objected:

ELECTION OF POOL DIRECTORS – Executive Director referred to Resolution 2-24/25, the Election of Pool Directors. Executive Director noted that the 3-year Pool Director terms for Trustee Rosado and Trustee Messery are set to expire on June 30th. Executive Director proceeded to open the floor for nominations for the two expiring positions.

MOTION TO RE-APPOINT KEITH ROSADO AND DINA MESSERY TO THE BOARD OF POOL DIRECTORS FOR A 3-YEAR TERM EXPIRING JUNE 30, 2027.

MOVED: Vice-Chair Wasserman
SECOND: Secretary Dembowski

Executive Director noted that since Chairman Kelly will be retiring it would be appropriate to nominate a replacement for his Pool Director position.

MOTION TO NOMINATE LAUREL SPADAVECCHIA TO REPLACE JOSEPH KELLY ON THE BOARD OF POOL DIRECTORS UPON HIS DEPARTURE FROM THE RUTHERFORD SCHOOL DISTRICT.

MOVED: Chairman Kelly
SECOND: Vice-Chair Wasserman

Executive Director asked for additional nominations for any of the Pool Director positions. Hearing none, Executive Director said Resolution 2-24/25 will be made part of the consent agenda.

- **Resolution 3-24/25 - Appointment of Pool Professionals –** Executive Director noted that the Executive Director position is entering its second year of its three-year term, and the Claims Administrator position is entering the third year of its three-year term.
- **Resolution 4-24/25 - Establishing Public Meeting Schedule & Procedures –** Vice-Chair Wasserman asked if the schedule for budget introduction can be changed to earlier in the year as most districts adopt their budgets in March. Deputy Executive Director said the timeline can be moved up may not reflect the most current information. Executive Director added that the Underwriting Manager will not have quotes from excess carrier but noted that an estimated figure can be used for the budget. Following a brief discussion, the Board agreed to schedule the budget introduction for the January 2025 meeting and budget adoption at the March 2025

meeting. The Board also agreed to change the start time of the October 21st meeting to 10:30am due to the School Boards Conference.

- **Resolution 5-24/25 - Establishing Remote Meeting Procedures**
- **Resolution 6-24/25 - Approving 2024-25 Fiscal Management Plan**
- **Resolution 7-24/25 - Approving 2024-25 Plan of Risk Management**
- **Resolution 8-24/25 - Confirming purchase of Excess WC Coverage –** Executive Director noted that the self-insurance retention is being reduced from $1.5 million to $1 million.

Upon conclusion, Executive Director asked if there were any questions on the resolutions. Hearing none, Executive Director asked for a motion to approve resolutions 2-24/25 through 8-24/25.

MOTION TO ADOPT RESOLUTION NOS. 2-24/25 THROUGH 8-24/25:

MOVED:	Trustee Rosado
SECOND:	Trustee Rinderknecht
ROLL CALL VOTE:	Unanimous

WORKERS' COMPENSATION POLICY – Executive Director reminded the Board that following the Reorganization meeting, PERMA will generate and issue the workers' compensation policies for each participant school board.

NEW JERSEY ARM – Executive Director reported that at the prior week's meeting, there was a suggestion to consider utilizing NJ ARM for investments. Executive Director referred to a summary of NJ ARM's program along with a copy of their membership resolution document from their webpage. Executive advised that he asked the Fund Attorney to begin to reviewing NJ ARM's documents to determine if this is an option for the pool. Mr. Bailey reported that he reviewed the documents and said that NJ ARM is a tool that can be used by the Pool. Mr. Bailey noted that he does not have any experience dealing NJ ARM personally, but he has spoken with several municipal auditors that have utilized it. Mr. Bailey further noted NJ ARM is not FDC Insured. Deputy Executive Director added that membership documents are required for participation in NJ ARM.

POOL ATTORNEY:

The Fund Attorney administered oath of office for Board of Trustees.

Mr. Bailey advised that he would conduct a By-laws review.

CLAIMS ADMINISTRATOR:

Mr. Markel reported that employees falling down continue to make up the majority of claims. Mr. Markel said when he is distributing the Q2 claims data to the membership, he may include several flyers specifically with regard to slips, trips and fall awareness online training courses.

UNDERWRITING MANAGER:

Mr. Gallo reported that the Pool's 2024-2025 excess workers' compensation policy is in place. Mr. Gallo advised that all 2024 workers' compensation posting notices will be mailed to the membership in the upcoming week and emailed copies will follow.

OLD BUSINESS:

None.

NEW BUSINESS:

None.

PUBLIC COMMENT:

Chairman Kelly said it has been a pleasure to work with everyone and it has been a very positive experience. The Board congratulated Chairman Kelly on his retirement and wished him well. Executive Director added that on behalf of PERMA, it has been a pleasure working with Chairman Kelly and wished him well.

MOTION TO ADJOURN MEETING

MOTION:	Trustee Rinderknecht
SECOND:	Trustee Rosado
VOTE:	Unanimous

MEETING ADJOURNED: **2:12 pm**
NEXT MEETING: **October 2024**
Zoom Virtual Meeting

Jason Thorpe, Assisting Secretary
For
Samantha Dembowski,
SECRETARY

RESOLUTION NO. 1-24/25

SOUTH BERGEN VII WORKERS' COMPENSATION POOL
(hereafter the "POOL")

CERTIFYING THE ELECTION OF
POOL OFFICERS

BE IT RESOLVED, by the Governing Body of the Pool that the following persons have been elected as Chairperson, Vice-Chairperson, and Secretary:

_____ Chairperson

_____ Vice-Chairperson

_____ Secretary

BE IT FURTHER RESOLVED, that the Chairperson, Vice-Chairperson, and Secretary shall each receive an annual stipend in the amount of $2,000.

BE IT FURTHER RESOLVED, that the Chairperson, Vice-Chairperson, and Secretary shall serve for the 2024-25 fiscal year and until their successors shall be elected and qualified.

ADOPTED: ***this day by the Board of Trustees***

RESOLUTION NO. 2-24/25

SOUTH BERGEN VII WORKERS' COMPENSATION POOL
(hereafter the "POOL")

CERTIFYING THE ELECTION OF
POOL DIRECTORS

BE IT RESOLVED, by the Governing Body of the Pool that the following persons have been elected as Directors of the Pool:

Trustee	**Term Expiration**
Keith Rosado	June 30, 2027
Dina Messery	June 30, 2027
Samantha Dembowski	June 30, 2025
Andrea Wasserman	June 30, 2025
John Marmora	June 30, 2025
Thomas O'Hern	June 30, 2026
Vacancy	

BE IT FURTHER RESOLVED, that the Directors shall serve for a 3-year term and until their successors shall be elected and qualified.

ADOPTED: ***this day by the Board of Trustees***

RESOLUTION NO. 3-24/25

SOUTH BERGEN VII WORKERS' COMPENSATION POOL
(hereafter the "POOL")
AUTHORIZING THE AWARD OF PROFESSIONAL SERVICES CONTRACTS TO CERTAIN POOL PROFESSIONALS

WHEREAS, the FUND is duly constituted as a School Board Joint Insurance Fund, as permitted under the laws promulgated by the State of New Jersey, (N.J.S.A. 11:15-4.1, et. seq.); and

WHEREAS, the South Bergen VII Workers' Compensation Pool (hereinafter the Pool) found it necessary and appropriate to appoint certain professionals as defined in the Local Public Contracts Law, (N.J.S.A. 18A:18A-1 et. seq.) for the 2024-2025 Fiscal year; and,

WHEREAS, the Pool seeks to award a Professional Service Agreements in accordance with a non-fair and open process pursuant to NJSA 19:44A-22.4 et. seq.**;** and,

WHEREAS, the Pool's Board of Trustees recommended the award of the contracts to the below listed Professional Service Providers based on a review of their experience and prior service provided at the rates established by the Board of Trustees; and,

WHEREAS, the Pool Treasurer has issued a certificate of available funds indicating sufficient funds exist for the award of these contracts in the usual and customary accounts.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Pool's Board of Trustees hereby recommends the appointment of the following Pool Professionals at its June 2024 reorganization meeting in accordance with a fair and open process pursuant to N.J.S.A. 19:44A –20.4 et. seq.

Dr. Philip Nisonoff as Pool Treasurer for a fee in the amount of $4,000.

Bowman & Company, LLP as Pool Auditor for a fee in the amount of $24,408

AIS Risk Consultants as Pool Actuary for a fee in the amount of $17,687.

Polaris Galaxy Group as Pool Underwriting Manager/Excess Workers' Comp Broker for a fee in the amount of $5,000.

William Bailey Esquire as Pool Fund Attorney for a fee in the amount of $6,460.

BE IT FURTHER RESOLVED, all Professional Service Providers are appointed pursuant to this Resolution shall service the Pool in accordance with the terms and conditions of the Professional Service Agreements and the Local Public Contracts Law.

BE IT FURTHER RESOLVED, notice of this action shall be printed in the official newspaper of the Pool in accordance with the Local Public Contract Laws of the State of New Jersey

ADOPTED: ***this day by the Board of Trustees***

RESOLUTION NO: 4-24/25

SOUTH BERGEN VII WORKERS' COMPENSATION POOL
(hereafter the "POOL")

ESTABLISHING PUBLIC MEETING SCHEDULE & PROCEDURES

WHEREAS, the POOL does hereby establish meeting procedures for the upcoming fiscal year, and;

NOW, THEREFORE BE IT RESOLVED, by the Board of Trustees of the POOL that:

I. The Board of Trustees shall conduct Public Meetings to conduct the official business of the POOL at **1:30 P.M**. on the following dates: **October 21, 2024 (*Virtual*); January 20, 2025 (*Virtual*); March 17, 2025 - Budget Introduction (*Virtual*); April 21, 2025 Public Hearing & Budget Adoption (Virtual) and on June 16, 2025: (Meeting Time & Format TBD)**. *(Meeting Time, Format, and Dates Subject to Change).*

II. During the Public Comment section of the Board of Fund Commissioner meetings, each member of the public may address the Chairperson for a maximum of five minutes.

III. The following is hereby designated the official newspaper (s) of the Pool:

The Record, Hackensack, New Jersey

IV. The POOL Secretary or designated assistant shall provide notice of any and all meetings, including special or emergency meetings, to each official newspaper and shall issue all official notices required to be published in the official newspaper.

ADOPTED: ***this day by the Board of Trustees;***

RESOLUTION NO: 5-24/25

SOUTH BERGEN VII WORKERS' COMPENSATION POOL
(hereafter the "POOL")

ESTABLISHING 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 South Bergen VII Workers' Compensation Pool ("POOL"), 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 2021, 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, 2021, the DLGS issued Local Finance Notice 2021-22 ("LFN 2021-22"), 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 2021-22 additionally stated that the emergency regulations presently in effect are proposed for permanent adoption in the October 19, 2021 New Jersey Register, with comments submitted no later than November 18, 2021; 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 POOL, 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 POOL 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: jthorpe@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 day by the Board of Trustees;***

RESOLUTION NO: 6-24/25

SOUTH BERGEN VII WORKERS' COMPENSATION POOL
(hereafter the "POOL")

ESTABLISHING A FISCAL MANAGEMENT PLAN
FOR THE 2024-2025 FISCAL YEAR

WHEREAS, the POOL is duly constituted as a School Board Joint Insurance Fund, as permitted under the laws promulgated by the State of New Jersey, (N.J.S.A. 11:15-4.1, et. seq.); and

WHEREAS, the POOL 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 by the Board of Trustees that for the 2024-2025 Fiscal Year:

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 signature of at least one (1) of the following persons, duly authorized pursuant to this Resolution;

_____	CHAIRPERSON
_____	VICE-CHAIRPERSON
_____	SECRETARY
DR. PHILIP NISONOFF	TREASURER

II. All funds for Claims payments shall be withdrawn from the Official Depository(ies) by check, which shall bear the signature of at least one (1) of the following persons, duly authorized pursuant to this Resolution, the Pool Treasurer shall also be a signatory.

Jennifer Ditermer	Operations Manager
John Markel	
Kathleen McGuire	
Jennifer Ditermer	
Jason Cosimano	
Dr. Philip Nisonoff	Treasurer

FOR WIRE TRANSFERS - that the POOL does hereby require that TD Wealth and Citizens Bank obtain voice confirmation prior to executing wire transfers to external accounts from the Pool Treasurer.

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

IV. The rate of interest assessed by the Pool, for delinquent assessments shall be ten (10) percent per annum, from the due date for any such assessment.

V. Certifying and Approval Officer for all POOL expenses shall be the POOL's Executive Director and/or the Account Manager so designated by the Executive Director.

ADOPTED: ***this day by the Board of Trustees***

CASH MANAGEMENT AND INVESTMENT POLICY
FOR THE 2024-2025 FISCAL YEAR

1.) ***Cash Management and Investment Objectives***

The South Bergen VII Workers' Compensation Pool (hereinafter referred to as the POOL) 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 POOL'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 POOL year.

h) Where legally permissible, cooperation with other local school board joint insurance POOLs, 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 POOL's economic surplus.

2.) ***Permissible Investments***

All investments shall be made in accordance with this cash management plan and consistent with the statutes and regulations of the State Investment Council governing the investment of surplus public monies of the State of New Jersey. All investments shall be made in accordance with N.J.S.A. 18A:20-37, N.J.S.A. 18A:18B-4(b)(2) and N.J.A.C. 11:15-4.4(a). All investments shall comply with N.J.S.A. 18A:18B, et seq. (P.L. 1983, c. 108), State of New Jersey Joint Insurance Fund Statutes on purchasing of securities and be approved by the State of New Jersey, Department of Banking and Insurance.

3.) ***Authorized Depositories***

In addition to the above, the POOL is authorized to deposit POOLs 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:

TD Wealth
Citizens Bank

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 Board of Trustees. Such asset managers shall be discretionary trustees of the POOL.

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 POOL, unless otherwise directed by the POOL. Transactions may also be processed through the New Jersey Division of Investment by the POOL'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 POOL shall be delivered electronically or physically to the POOL's custodial bank, which shall maintain custodial and/or safekeeping accounts for such securities on behalf of the POOL.

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 POOL 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 POOLs portfolio based on valuation guidelines that shall be kept on file in the Executive Director’s office.

The Treasurer shall report to the Board of Trustees 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 POOL's annual audit.

10.) ***Cash Flow Projections***

Asset maturity decisions shall be guided by cash flow factors payout factors supplied by the POOL 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 POOL, the following procedure is to be followed:

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

Cash may be withdrawn from investment funds under the discretion of asset managers only to POOL 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 POOL.

RESOLUTION NO. 7-24/25

SOUTH BERGEN REGION VII SCHOOL BOARDS
WORKERS' COMPENSATION POOL
(SOBER VII POOL)
RISK MANAGEMENT PLAN

I.

Introduction

The SOBER VII Pool was the first public entity Self-Insured Pool organized in the State of New Jersey beginning operations on July 1, 1983. Though The Pool has the right to expand its operations to other types of self–insured programs, it continues to operate as a workers' compensation self-insurance Pool only and as a sponsor of insured safety Group Programs for other property and casualty forms of insurance. In the thirty-four years since its founding, SOBER VII has maintained a stable, dedicated membership, and initial discount of 30% of Net Workers' Compensation Premium after Premium Discount, and a substantial surplus designed to act as a stabilizer in costs and a protection against unexpected losses.

SOBER VII believes that its program has been highly cost-effective while providing improved medical care to its member's employees and reducing the amount of lost time resulting from occupational injuries.

II.

Coverage Provided

Effective July 1, 2021, SOBER VII implemented a program to process weekly temporary disability payments in accordance with Title 34:15, et seq. the New Jersey Workers' Compensation statute, and provides all other benefits so required.

Claim Payment Authority

The maximum amount a certifying and approving officer may approve pursuant to N.J.A.C. 11:15-4.22

- 10,000 claim payment authority for each claim – claim administrator
- Greater than $10,000 up to $50,000 claim payment authority for each claim – Perma Risk Management Services
- Greater than 50,000 - Chairperson's approval

Cost Control

Medical. It was recognized when SOBER VII was formed that Title 34:15 allowed the employer, or the employer's insurer, to fully control the method of care and vendors to be utilized to treat an occupationally injured employee. It also recognized that few employees or insurers actually exercised that right. SOBER VII since its founding has required its Third-Party Administrators to fully control the choice of vendors, initially using "panel Physicians" to handle the first treatment of injuries, and then utilizing approved specialists, physical therapists and rehabilitation experts. This approach has substantially reduced medical costs and lost time while allowing the pool and the School Board Administration of have a much greater knowledge of the extent of, and estimated recovery time for, an occupational injury. This approach is currently known as managed care or directed care. It is not new, but rather, was a part of the original workers' compensation statute. SOBER VII is proud that it pioneered the utilization of managed care for its members and their employees.

Safety Engineering

One of the outgrowths of managed care is that SOBER VII and its members now have a much greater knowledge of the reasons for injuries. This knowledge in conjunction with Safety Engineers provided through SOBER VII, allow all participants to engage in preventive maintenance to stop an accident from happening. SOBER VII will not accept a new member until the prospective member's premises and operations have been inspected and approved by its engineers. Apart from non-payment of premium, or assessments, the only basis for termination of membership in SOBER VII is failure to comply with the Safety Engineer's recommendations.

Administration

SOBER VII operates on the basis that its members are to fully participate in the operations of the pool. Rather than use outside services, one of the members acts as the "Lead Agency" for the pool in the same manner as other cooperative regional programs. The Lead Agency is reimbursed for out of pocket expenses. SOBER VII retains a part-time treasurer to review and determine investment strategy in accordance with Regulations. Executive Director, Third-Party Claims Administration, Safety Engineering Services, Actuarial Services, Auditing, Legal, and Consulting services are obtained in accordance with the Local Public Contracts Law covering the retention of Professional and Extraordinary Unspecifiable Services.

The combination of the above procedures, which enhance each other, provides extraordinary low Administrative Costs and Claims Costs.

III.

Membership

SOBER VII prefers to accept members within its region or reasonably close thereto on the assumption that the entire group will be homogenous and that services provided will be within a smaller graphic area. It cannot refuse to accept a new applicant unless that applicant fails to comply with the recommendations of SOBER VII'S Safety Engineer. Membership is for a three-year term or part thereof, ending on June 30th of the third year. If a member wishes to leave before the end of the three-year term, SOBER VII'S Trustees will review the request and may agree to early termination subject to any restrictions or penalties which may be deemed reasonable, which will include the forfeiture of their premium discount. All members, in accordance with Statute, continue to be subject to a joint liability agreement, and will participate in return of surplus earned during their membership.

IV.

Premium Determination

SOBER VII has adopted the Manual of the Compensation Rating and Inspection Bureau of New Jersey. It utilizes the rates, experience rating modification rules, and premium discount factors of the Bureau to determine each member's premium. The Experience Rating Period used for all members is the immediate past three years preceding the current plan year.

SOBER VII has continually discounted the premium determined above the 30% on the basis that the operating expenses of SOBER VII, exclusive of claims costs, allow such a deviation. The payrolls for each member are provided through its School Business Administrator subject to the SBA's certification.

V.

Participation in Return of Surplus

1. All members will participate in the return of Excess Surplus earned during their period of membership. Returns will be as established by regulation. A refund for any fiscal year shall be paid only in proportion to the member's participation in the fund for such year. Payment of a refund on a previous year shall not be contingent on the member's continued membership in the fund after that year. However, the dividend of any member that is no longer a member of the Fund that member's share of the declared dividend shall be held in escrow until all of the Pool's claims have been fully resolved with no opportunity to reopen and the Pool's Fund Position is not in a deficit for any year they were a member.

VI.

Excess Insurance

The Fund purchases statutory excess insurance providing coverage excess of SOBER's self-insured retention of $1,000,000.

VII.

SOUTH BERGEN REGION VII W. C. POOL PARTICIPANTS

1. Emerson Board of Education
2. Fort Lee Board of Education
3. Hasbrouck Heights Board of Education
4. Lodi Board of Education
5. Lyndhurst Board of Education
6. Montvale Board of Education
7. Moonachie Board of Education
8. North Arlington Board of Education
9. Palisades Park Board of Education
10. Ramsey Board of Education
11. Rutherford Board of Education
12. South Bergen Jointure Commission
13. South Hackensack Board of Education
14. Wallington Board of Education
15. Westwood Board of Education
16. Wood-Ridge Board of Education

ADOPTED: ***this day by the Board of Trustees;***

RESOLUTION NO. 8-24/25

SOUTH BERGEN VII WORKERS' COMPENSATION POOL
(hereafter the "POOL")

FOR EXCESS WORKERS' COMPENSATION COVERAGE
FOR FISCAL YEAR 2024 - 2025

WHEREAS, the Board of Trustees of the South Bergen VII Workers' Compensation Pool, at its June 13, 2024 meeting, authorized the Pool Underwriting Manager to bind excess workers' compensation coverage; and this being completed;

NOW, THEREFORE BE IT RESOLVED that the Board of Trustees ratifies and confirms the purchase of the following coverages, effective July 1, 2024:

Excess Workers' Compensation coverage from Star Insurance at a premium of $75,398 with a Self-Insured Retention of $1,000,000.

ADOPTED: ***this day by the Board of Trustees;***