

Atlantic County
Municipal Joint
Insurance

Fund

South Jersey Communities Securing Their Future



Established in 1987

AGENDA PACKET



Wednesday, October 18, 2023 at 3:00 PM

**The Flanders Hotel
719 E. 11th Street
Ocean City, NJ 08226**

WWW.ACMJIF.ORG

ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND

October 18, 2023 – 3:00 PM

Flanders Hotel, 719 E 11th Street, Ocean City, NJ

AGENDA

- I. Meeting called to order by Chairperson
- II. Flag Salute
- III. Statement of Compliance with Open Public Meetings Act
 - A. Notice of this meeting was given by:
 1. Sending sufficient notice herewith to:
 - a. *The Press of Atlantic City*
 - b. *Courier Post*, Cherry Hill, New Jersey; and
 2. Filing advance written notice of this meeting with the Clerks/Administrators of all member municipalities; and
 3. Posting notice on the public bulletin boards of all member municipalities.
- IV. Roll Call
 - A. Fund Commissioners
 - B. Fund Professionals
 - C. Risk Management Consultants
- V. Move up Alternate Executive Committee Members (if necessary) – **Motion – All in Favor**
- VI. Approval of Minutes.....Pages 1-17
 - A. Adoption of the **September 20 , 2023** minutes – **Motion – All in Favor**
- VII. Closed Session Minutes
 - A. Approval of the **September 20, 2023** Closed Session minutes – **Motion – All in Favor**
The Closed Session Minutes shall not be released to the public until the reason(s) for their remaining closed is no longer applicable and the Fund Solicitor has an opportunity to review them.
- VIII. Closed Session – Resolution 2023- _____ Authorizing a Closed Session of the Atlantic County Municipal Joint Insurance Fund to discuss matters affecting the protection of safety and property of the public and to discuss pending or anticipated litigation and/or contract negotiations – **Motion -Roll Call**
 - A. Claims Review Committee Report – Closed Session Items
 - B. Professionals’ Reports
 1. Claims Administrator’s Report
 2. Executive Director’s Report
 3. Safety Director’s Report
 4. Solicitor’s Report
- IX. Reopen Public Portion of Meeting – **Motion – All in Favor**
- X. Authorization of Claims Payments – **Motion - Roll Call**
- XI. Authorization to Abandon Subrogation (if necessary) – **Motion - Roll Call**
- XII. Claims Review Committee Meeting Minutes – October 12, 2023.....Handout
- XIII. Claims Administrator’s Report
 - A. Lessons Learned from LossesPage 18

| | | |
|--------|---|--------------|
| XIV. | Managed Health Care Report | |
| | A. ACMJIF Summary..... | Page 19 |
| | B. Average Days to Report..... | Page 20 |
| | C. Claims Reported by type..... | Page 21 |
| | D. Nurse Case Management Reports..... | Page 22 |
| | E. Transitional Duty Report/Examples..... | Pages 23-24 |
| | F. PPO Savings and Penetration Reports..... | Pages 25-26 |
| | G. Top 10 Providers & Paid Provider by Specialty..... | Page 27 |
| | H. Quick Notes..... | Page 28 |
| | I. Prescription Benefit Program..... | Page 29 |
| XV. | Law Enforcement Risk Management | |
| | A. Report..... | Pages 30-31 |
| | B. Training Notice..... | Pages 32-33 |
| XVI. | Solicitor's Report | |
| | A. MEL Helpline and Contact List..... | Pages 34-36 |
| XVII. | Wellness Director Report | |
| | A. Wellness Report..... | Page 37 |
| XVIII. | Committee Reports | |
| | A. Safety Committee Meeting Minutes – September 21, 2023..... | Pages 38-64 |
| XIX. | Executive Director..... | Pages 65-106 |
| | A. Lost Time Accident Frequency..... | Pages 69-70 |
| | B. Certificates of Insurance..... | Pages 71-74 |
| | C. Financial Fast Track Report..... | Page 75 |
| | D. Regulatory Filing Checklists..... | Pages 76-77 |
| | E. 2022 Safety Incentive Program..... | Page 78 |
| | F. 2023 Optional Safety Budget..... | Page 79 |
| | G. 2023 Wellness Incentive..... | Page 80 |
| | H. 2023 EPL/Cyber Risk Management Budget..... | Page 81 |
| | I. EPL Compliance Status | Page 82 |
| | J. Statutory Bond Status..... | Pages 83-85 |
| | K. Skateboard Park Approval Status..... | Page 86 |
| | L. Capehart Scatchard Updates..... | Pages 87-89 |
| | M. Monthly Calendars..... | Pages 90-91 |
| | N. Land Use Training Certification..... | Page 92 |
| | O. 2024-2025 MEL EPL Risk Mgmt Program..... | Pages 93-103 |
| | P. Managerial & Supervisory Training | |
| | Q. Anti-Harassment Training Announcement..... | Page 104 |
| | R. Elected Officials Training | |
| | S. Memo RFQ 2024 Risk Management Services..... | Page 105 |
| | T. 2024 RMC Resolutions & Agreements | |
| | U. 3 rd Qtr. Attendance..... | Page 106 |
| | V. Surplus Release | |
| | W. Website | |
| | X. New Member Activity | |

- XX. Safety Director's Report
 - A. Activity Report Pages 107-109
- XXI. Technology Risk Services
 - A. Reports.....Pages 110-113
- XXII. Treasurer's Report as of September 30, 2023,Pages 114-218
 - A. Fund Status
 - B. Investment Report
 - C. Investment JCMI
 - D. Payment Register – **Motion to Approve - Roll Call**
 - E. October Bill List – **Motion to Approve – Roll Call**.....Page 214
 - F. Analysis of Non-Assessment Receipts
- XXIII. MEL/RCF/ CYBER JIF Reports
 - A. MEL Meeting Report – September 15, 2023.....Pages 219-221
 - 1. DOBI: Local Government Insurance Issues.....Pages 222-226
 - B. RCF Meeting Report – September 15, 2023.....Pages 227-229
- XXIV. Miscellaneous Business

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|---|
| <p style="text-align: center;">The next meeting of the ACMJIF will be held on Monday, November 20, 2023 at 3:00 pm via Zoom Conferencing</p> |
|---|

- XXV. Public Comment
 - A. Motion to Open Meeting to Public Comment – **Motion - All in Favor**
 - B. Motion to Close Meeting to Public Comment – **Motion - All in Favor**
- XXVI. Motion to Adjourn Meeting – **All in Favor**



ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND

Avalon Community Center

3001 Avalon Ave, Avalon, NJ

September 20, 2023 at 3:00 PM

OPEN SESSION MINUTES

The regular meeting of the Atlantic County Municipal Joint Insurance Fund (ACM JIF) was held on September 20, 2023 at 3:00 PM, prevailing time, Avalon Community Center, 3001 Avalon Ave, Avalon, NJ, Chair Liz Woods, Ocean City, presiding. The meeting was called to order at 3:00 PM.

FLAG SALUTE

STATEMENT OF COMPLIANCE WITH OPEN PUBLIC MEETING ACT

Notice of this meeting was given by: (1) sending sufficient notice herewith to *The Press of Atlantic City* and the *Courier Post*, Cherry Hill, New Jersey; (2) filing advance written notice of this meeting with the Clerks/Administrators of all member municipalities of the Atlantic County Municipal Joint Insurance Fund; and (3) posting notice on the public bulletin boards of all member municipalities of the Atlantic County Municipal Joint Insurance Fund.

ROLL CALL of 2023 FUND COMMISSIONERS

Those in attendance were:

Scott Wahl, **Avalon Borough**
Mollye O'Neill, **Brigantine City**
Bill Nimohay **Buena Borough**
Dawn Marie Bascelli, **Deerfield Twp.**
Jackie Justice, Alt., **Dennis Twp.**
Eileen Tedesco, Alt., **Egg Harbor Twp.**
Lisa Marcolongo, **Estell Manor City**
Alim Parks, Sr., **Galloway Twp.**
Daniel Adams, Alt., **Margate City**
Varvara Keun, **Middle Twp.**
Dawn Stollenwerk, **Mullica Twp.**
Jared Marandino, **Newfield Borough**
Jennifer VanSant, **North Wildwood City**
Mary Canesi, **Northfield City**
Liz Woods, *Fund Chair*, **Ocean City**
Kellie Seib, **Sea Isle City**
Lucy Samuelson, **Somers Point City**
Kate McGonagle, Alt., **Stone Harbor Borough**
Roy Spoltore, *Acting Secretary*, **Upper Deerfield Twp.**
Jim Pacanowski, **Ventnor City**
Michael Dougherty, **Waterford Twp.**
Joe Segrest, **West Wildwood City**
Steve O'Connor, **Wildwood City**

Connie Mahon, **Wildwood Crest**

Absent Fund Commissioners:

Jessica Thompson, **Absecon City**
Deb Lindholm, **Cape May City**
Ed Grant, **Cape May Point**
Heather Miller, **Commercial Twp.**
LaVerne Kirn, **Corbin City**
Bob Campbell, **Downe Twp.**
Patricia Gatto, **Folsom Borough**
Shantele Pollock, **Hamilton Twp.**
Leigh Ann Napoli, **Linwood City**
Monica Kyle, **Longport Borough**
Karen Seifrit, **Lower Township**
Ray Compari, **Millville City**
Chief Skip Williams, **Pleasantville City**
Gary DeMarzo, **Upper Twp.**
Carol Sabo, **West Cape May Borough**
DJ Ayres, **Weymouth Twp.**
Alex Bauer, **Woodbine Borough**

Present Fund Professionals:

Paul A. Forlenza, MGA, Executive Director, *RPA a Division of Gallagher*
Kamini Patel, MBA, CIC, CPCU, AIDA ®, Program Director, *RPA a Division of Gallagher*
Tracy Forlenza, Recording Secretary
Christopher Roselli, Account Manager, *Qual-Lynx*
Karen Beatty, Client Services Manager, *Qual-Lynx*
Robert Garish, Assistant Director of Public Sector, *J.A. Montgomery Consulting*
David DeWeese, Esquire, Fund Attorney, *The DeWeese Law Firm, P.C.*
John Hansen, Fund Treasurer
Christopher J. Winter, Sr., CPM, Law Enforcement Risk Management Consultant
Jerry Caruso, Technology Risk Services Director, *Wintsec Consulting*
Jordan Simone, COTA/L, CHC, RYT-200, Wellness Director

Absent Fund Professionals:

None

Present Risk Management Consultants were:

C. J. Adams Company
Atlantic Associates
J. Byrne Agency, Inc.
Conner Strong & Buckelew
Glenn Insurance
Hardenbergh Insurance
Thomas Heist Insurance Agency
Insurance Agencies Inc.
Marsh & McLennan Agency
Siracusa-Kauffman Insurance

Absent Risk Management Consultants were:

Barclay Insurance Group

BCA Insurance
McMahon Agency, Inc.
William R. Mints Agency

These minutes do not necessarily reflect the order in which some items were discussed.

MOVE UP ALTERNATES

In absence of Ms. Miller, Commercial Township, Mr. Grant, Cape May Point, Ms. Bishop, Dennis Township, alternates Mr. O'Connor, Wildwood City, and Ms. Bascelli, Deerfield Township, were moved to the Executive Committee for voting purposes.

Motion by Mr. Wahl, seconded by Mr. Spoltore, to move Ms. Miller, Commercial Township, Mr. Grant, Cape May Point, Ms. Bishop, Dennis Township, alternates Mr. O'Connor, Wildwood City, and Ms. Bascelli, Deerfield Township, were moved to the Executive Committee for voting purposes. All in Favor. Motion carried by unanimous vote.

RESOLUTION 2023-38 APPOINTMENT OF AN ACTING SECRETARY FOR REMAINDER OF 2023

Chair Woods entertained a motion for Resolution 2023-38 the Appointment of an Acting Executive Committee Secretary to replace Jessica Bishop, Dennis Township, for the remainder of the 2023 Fund Year.

Motion by Ms. Keun, seconded by Mr. Wahl, to approve Resolution 2023-38 the Appointment of an Acting Executive Committee Secretary to replace Jessica Bishop, Dennis Township, for the remainder of the 2023 Fund Year as presented.

| | | |
|------------------|-----------------|--|
| ROLL CALL | Yeas: | Scott Wahl, Avalon Dawn Marie Bascelli, Deerfield Township Varara Keun, Middle Township Liz Woods, <i>Chair</i> , Ocean City Roy Spoltore, Upper Deerfield Township Steve O'Connor, Wildwood City |
| | Nays: | None |
| | Abstain: | None |

Motion carried by unanimous vote.

APPROVAL OF MINUTES– OPEN SESSION

Chair Woods entertained a motion to approve the meeting minutes of the July 19, 2023 Executive Committee Meeting.

Motion by Ms. Keun, seconded by Mr. Spoltore, to approve the meeting minutes of the July 19, 2023 Executive Committee Meeting as presented. All in Favor. Motion carried by unanimous vote.

APPROVAL OF MINUTES – CLOSED SESSION

Confidential Closed Session Meeting Minutes were distributed to the Executive Committee Members.

Chair Woods entertained a motion to adopt the Closed Session Meeting Minutes of the July 19, 2023 Executive Committee meeting.

Motion by Mr. Wahl, seconded by Ms. Keun, to approve the Closed Session minutes of the July 19, 2023 Executive Committee meeting as presented. All in Favor. Motion carried by unanimous vote.

The Closed Session meeting minutes of the July 19, 2023 meeting shall not be released to the public until the reason(s) for their remaining closed is no longer applicable and the Fund Solicitor has had the opportunity to review them.

Confidential Closed Session Meeting Minutes were collected.

CLOSED SESSION - RESOLUTION #2023-39

Be it moved by the Atlantic County Municipal Joint Insurance Fund that the public be excluded from this portion of the meeting to permit the Executive Committee to consider in closed session matters affecting the safety and property of the public and to discuss pending or anticipated litigation and/or contract negotiations and that the minutes covering these matters and the results of closed session will be released to the public when the reasons for discussing and on them in closed session no longer exists as required by the Open Public Meeting Act.

Chair Woods entertained a motion to adopt Closed Session Resolution 2023-39.

Motion by Ms. Keun, seconded by Mr. Spoltore, to adopt Resolution 2023-39 as presented.

ROLL CALL

Yeas:

Scott Wahl, **Avalon**

Dawn Marie Bascelli, **Deerfield Township**

Varara Keun, **Middle Township**

Liz Woods, *Chair*, **Ocean City**

Roy Spoltore, **Upper Deerfield Township**

Steve O'Connor, **Wildwood City**

Nays:

None

Abstain:

None

Motion carried by unanimous vote.

REOPEN PUBLIC PORTION OF THE MEETING

Chair Woods entertained a motion to reopen the public portion of the meeting.

Motion by Ms. Keun, seconded by Mr. Wahl, to reopen the public portion of the meeting. All in favor.
Motion carried.

AUTHORIZATION OF CLAIMS PAYMENTS

The claims for payment were presented as discussed in *Closed Session*.

Chair Woods asked if there were any questions at this time. No questions were entertained.

Chair Woods entertained a motion to approve the claims for payment as discussed in *Closed Session*.

Motion by Ms. Keun, seconded by Mr. O'Connor to approve the claims payments as discussed in Closed Session.

They are as follows:

July 2023 PARs:

| <i>Workers' Compensation</i> | <i>Property</i> | <i>GL</i> | <i>Auto</i> |
|-------------------------------------|------------------------|------------------|--------------------|
| 2023295249 | 2023301530 | 2020199981 | N/A |
| 2023305169 | 2023300611 | 2020207893 | |
| 2023304043 | 2023290572 | | |
| 2022277047 | | | |
| 2022270802 | | | |

August 2023 PARs:

| <i>Workers' Compensation</i> | <i>Property</i> | <i>GL</i> | <i>Auto</i> |
|--|------------------------|------------------|--------------------|
| 2020181183 | 2024311469 | 2019164294 | 2022244737 |
| 2021236549 | 2023286031 | 2021228757 | 2020196798 |
| 2024310732 | 2022276076 | 2022243939 | 2022265831 |
| 2023294583 | | | |
| 2021236465 | | | |
| 2024309927 | | | |
| 2023307686 | | | |
| 2022276436 | | | |
| 2023302443 | | | |
| 2022254876 | | | |
| MLT-2023278507 (2023278507) 01 | | | |
| MLT-2024310218 (2024310222) 01 (2024310218) 02 | | | |
| 2022264649 | | | |
| 2023285680 | | | |
| 2022270731 | | | |
| MLT-2020206950 (2020206950) 01 | | | |

ROLL CALL***Yeas:***Scott Wahl, **Avalon**Dawn Marie Bascelli, **Deerfield Township**Varara Keun, **Middle Township**Liz Woods, *Chair*, **Ocean City**Roy Spoltore, **Upper Deerfield Township**Steve O'Connor, **Wildwood City*****Nays:***

None

Abstain:

None

Motion carried by unanimous vote.

ABANDON SUBROGATION

Acting Secretary Spoltore made a motion to abandon subrogation efforts on the following Qual-Lynx files:

| July Qual-Lynx Files for Abandonment |
|--|
| 2022273885 |
| 2022275887 |
| 2022266024 |
| 2022265817 |

| August Qual-Lynx Files for Abandonment |
|--|
| 2032277910 |
| 2023281537 |
| 2022270705 |
| 2023277868 |

Motion by Mr. Spoltore, seconded by Ms. Keun to abandon subrogation efforts on the presented Qual-Lynx files.

ROLL CALL

Yeas:

Scott Wahl, **Avalon**

Dawn Marie Bascelli, **Deerfield Township**

Varara Keun, **Middle Township**

Liz Woods, *Chair*, **Ocean City**

Roy Spoltore, **Upper Deerfield Township**

Steve O'Connor, **Wildwood City**

Nays:

None

Abstain:

None

Motion carried by unanimous vote.

CLAIMS REVIEW COMMITTEE REPORT – OPEN SESSION ITEMS

July PARs -Ms. Canesi noted that ten (10) PARs including five (5) Workers' Compensation (1 *Police*, 1 *Fire*, and 3 *Other*), two (2) General Liability, none (0) Auto, and three (3) Property claims were reviewed for settlement, continuing defense, or to advise of trial date.

August PARs -Ms. Canesi noted that twenty-six (26) PARs including seventeen (17) Workers' Compensation (8 *Police*, 4 *Fire*, and 5 *Other*), three (3) General Liability, three (3) Auto, and three (3) Property claims were reviewed for settlement, continuing defense, or to advise of trial date.

CLAIMS ADMINISTRATOR'S REPORT

Lessons Learned from Losses – September

Mr. Roselli reported that the *Lessons Learned from Losses* this month focuses on Indemnity Agreements. He asked that the members follow the protocol outlined in the report including consulting with your town's Solicitor, consulting with our Risk Manager as they have an excellent understanding of identifying exposures and the transferring of risk, checking current indemnification agreements and contracts to ensure that they clearly indicate where responsibilities lie, and that they have been signed by all parties. If your town was named as an additional insured in a certificate of insurance or contract, confirm that the insurer has your town named as the additional insured. Do not assume the other party carried through with the promise; confirm receipt of certificate of insurance and keep them where they can be easily located.

Mr. Roselli informed members of a claim that recently settled where someone tripped over a barrier at a political rally. No certificates of insurance or hold harmless were signed nor could be located. The claim settled for \$380,000 in direct loss payments and \$435,000 including legal and expense costs. He asked the Fund Commissioners to please remind their employees and hang this bulletin in a visible place for all to see.

The remainder of the Claims Administrator's report was provided in Closed Session.

Special Thanks to Qual-Lynx

Ms. Stollenwerk expressed her gratitude for Chris and his team in assisting Mullica with some claims issues. She reported that his team, David DeWeese, and her Risk Manager, assisted her with pulling together everything that was needed.

MANAGED HEALTH CARE REPORT

Lost Time v. Medical Only Cases

Ms. Beatty presented the ACM JIF Lost Time v. Medical Only Cases (Intake Report).

| | <i>July</i> | <i>August</i> | <i>YTD</i> |
|---|--------------------|----------------------|-------------------|
| <i>Total Intakes (New Claims)</i> | 124 | 108 | 622 |
| <i>Report Only</i> | 54 | 34 | 239 |
| <i>Report Only % of Total</i> | 44% | 31% | 38% |
| <i>Medical Only</i> | 59 | 67 | 293 |
| <i>Lost Time</i> | 9 | 7 | 85 |
| <i>Medical Only/Lost Time Ratio</i> | 87:13 | 90:10 | 78:22 |
| <i>Occupational, Claim Petition, Cancer Presumption</i> | 2 | 0 | 5 |
| <i>COVID-19</i> | 0 | 0 | 7 |
| <i>Average Days to Report to QL</i> | 3.8 | 3.9 | 7.9 |
| <i>Average Days to Report to employer</i> | 0.8 | 1.4 | 2.5 |

Nurse Case Management:

Ms. Beatty presented the self-explanatory *Nurse Case Management Report*.

| <i>Nurse Case Management</i> | <i>July</i> | <i>August</i> |
|---|--------------------|----------------------|
| <i># of Cases Assigned to Case Management</i> | 94 | 95 |
| <i># of Case > 90 days</i> | 76 | 72 |

PPO Penetration Report:

Ms. Beatty presented the self-explanatory *PPO Penetration Rate Report*.

| <i>PPO Penetration Rate</i> | <i>July</i> | <i>August</i> | <i>YTD</i> |
|---|--------------------|----------------------|-------------------|
| <i>Bill Count</i> | 564 | 734 | 4851 |
| <i>Original Provider Charges</i> | \$527,845 | \$720,592 | \$6,315,462 |
| <i>Re-priced Bill Amount</i> | \$182,153 | \$213,308 | \$1,919,240 |
| <i>Savings</i> | \$345,692 | \$507,285 | \$4,396,222 |
| <i>% of Savings</i> | 65% | 70% | 70% |
| <i>Participating Provider Penetration Rate- Bill count</i> | 97% | 96% | 95% |
| <i>Participating Provider Penetration Rate-Provider Charges</i> | 98% | 96% | 96% |
| <i>EPO Penetration Rate – Bill Count</i> | 97% | 98% | 97% |
| <i>EPO Penetration Rate –Provider Charges</i> | 98% | 97% | 97% |

Transitional Duty Report

Ms. Beatty presented the *Transitional Duty reports*.

| <i>Transitional Duty Summary Report</i> | <i>YTD</i> |
|---|-------------------|
| <i>Transitional Duty Days Available</i> | 6,493 |
| <i>Transitional Duty Days Worked</i> | 4,441 |
| <i>% of Transitional Duty Days Worked</i> | 68% |
| <i>Money Saved by Accommodating</i> | \$421,173 |
| <i>Transitional Duty Days NOT Accommodated</i> | 2,052 |
| <i>% of Transitional Duty Days NOT Accommodated</i> | 32% |
| <i>Cost of Days NOT Accommodated</i> | \$207,446 |

Ms. Beatty reminded the members of the Managed Care “quick notes”. She asked members to review her report in the agenda packet. She reviewed a claim of a 50-year-old EMT with comorbidities who injured himself while lifting a patient.

Ms. Beatty asked if there were any questions. No questions were entertained.

LAW ENFORCEMENT LIABILITY CONSULTANT REPORT

Mr. Winter provided his report. He noted he has been visiting agencies and has scheduled the Report Writing Class for October 25, 2023 at 8:30am-12pm at Cape May County Police Academy.

Mr. Winter noted he met with three chiefs as a pilot program for a Law Enforcement Committee. So far Linwood, Millville and Ventnor chiefs will meet and discuss pertinent issues. He noted that it will be worthwhile to meet with the chiefs outside the regularly scheduled visits.

Mr. Winter asked if there are any questions. No questions were entertained.

SOLICITOR'S REPORT

Closed Claims

Mr. DeWeese noted that there were two (2) cases closed since his last report.

MEL EPL Helpline

Mr. DeWeese stated that there is a reminder regarding the MEL EPL Helpline in the agenda. He also urged members to review the MEL EPL Helpline Authorized Contact list on pages 30-31 and update them. He noted that if you have an “N/A”, please try and get someone filled in so they can call in. The resolution to make these changes is on the ACM JIF website.

GL Cases

Mr. DeWeese noted that there are currently 97 active GL cases inclusive of (16) civil rights cases. If you would like your member files sent to you, please contact the Fund Solicitor's office.

Mr. DeWeese entertained any questions. No questions were entertained.

WELLNESS DIRECTOR REPORT

Ms. Simone gave the Wellness Director's report. She stated that the report is included in the agenda packet. She encouraged the members to read through the materials beginning on page 32 and share it with the employees.

Ms. Simone reminded members to spend their wellness money and some approved ideas are in the agenda packet. Please email her with any ideas prior to purchasing.

Ms. Simone noted the newsletter quarter 3 topics like “Sleep and Your Health” providing practical strategies to improve sleep hygiene.

Ms. Simone asked if there were any questions. No questions were entertained.

COMMITTEE REPORTS

Finance Committee- Ms. Stollenwerk stated that the Finance Committee met on August 25, 2023 and highlighted the following: The Finance Committee recommended reappointment for all Fund Professionals under the review of Finance such as the Actuary, Administrative Consultant, Auditor, Payroll Auditor and the Treasurer. She stated they discussed changes to the Surplus Release Policy which is that no dividends will be released to former members until their monetary obligations have been satisfied noting that when members leave they are still responsible for any additional assessments for the Fund Years you were a member. She also noted that member retention was discussed commenting that Corbin City is leaving the JIF as of 1/1/24. We need to review if all the programs are needed especially for the smaller members.

Ms. Stollenwerk reported that the financials are in agenda packet on pages 55-64 noting \$46 million in Cash, \$15 million in Case Reserves and Net Surplus of \$13 million; \$12 million in Closed Years funds and Fund Year 2019 which will be transferred in at the end of the year has deficit of \$245,839, but has \$2.9 million in Cash. The MEL contingency fund has \$1 million which may need to be used for additional assessments once the years in question are reevaluated. Fund Year 2021 has a deficit of \$1.3 million, but improved slightly since 3/31.

2024 Budget - Ms. Stollenwerk stated that the Committee discussed the 2024 budget. The JIF budget has a 3.3% increase and loss funding is increasing 3.64% with Operating Expenses increasing by 2.13%. The MEL budget is increasing 14.7% driven by Excess Property; Cyber increasing 5%; and EPL/POL is 15.32%. She informed members that the Cyber JIF will be refunding ACM JIF a portion of their premium since all training for cyber is being completed by the ACM JIF’s current vendor. The budget will be introduced at the November meeting.

2024 Assessment Strategy/Dividend - Ms. Stollenwerk noted that the Committee reviewed different assessment strategy scenarios with renewing members receiving a discount and poor performing members increasing between 4-7% based on their loss ratio. She stated to assist with budget increases, the Finance Committee is recommending release of a \$2,000,000 dividend. She reminded members that last year the JIF released \$3.75 million; however, claims are increasing, so the surplus being rolled into closed years is not as strong.

2023 Budget Amendment - Ms. Stollenwerk noted that the 2023 budget amendment will be recommended for adoption at today’s meeting. The amended budget can be found on page 73 and includes an adjustment for Absecon’s EPL/POL premium; Operating Expenses; EPL/POL buy downs and RMC fee adjustments.

Resolution 2023-40 Authorizing Release of Surplus from Closed Years Accounts

Chair Woods entertained a motion to adopt Resolution 2023-40 authorizing a Refund of Closed Year Accounts (2012-2018) Surplus of \$2,000,000.

Motion by Ms. Keun, seconded by Mr. Wahl to adopt Resolution 2023-40 authorizing a Refund of Closed Year Accounts (2012-2018) Surplus as presented.

ROLL CALL

Yeas:

Scott Wahl, **Avalon**
Dawn Marie Bascelli, **Deerfield Township**
Varara Keun, **Middle Township**
Liz Woods, **Chair, Ocean City**
Roy Spoltore, **Upper Deerfield Township**
Steve O’Connor, **Wildwood City**

| | |
|-------------------|------|
| <i>Nays:</i> | None |
| <i>Abstained:</i> | None |

Motion carried by unanimous vote.

Motion to Adopt the Revised Surplus Release Policy

Chair Woods entertained a motion to adopt the Revised Surplus Release Policy.

Motion by Mr. Spoltore, seconded by Mr. O'Connor to adopt the Revised Surplus Release Policy as presented. All in favor. Motion carried.

Motion to Adopt the Revised Budget Amendment Policy

Chair Woods entertained a motion to adopt the Revised Budget Amendment Policy.

Motion by Mr. Wahl, seconded by Ms. Keun to adopt the Revised Budget Amendment Policy as presented. All in favor. Motion carried.

2023 Budget Amendment – Public Hearing

Motion to Open the 2023 Budget Amendment Public Hearing

Chair Woods entertained a motion to open the Public Hearing on the 2023 Budget Amendment.

Motion by Ms. Keun, seconded by Mr. O'Connor to open the 2023 Budget Amendment Public Hearing. All in favor. Motion carried.

Motion to Close the 2023 Budget Amendment Public Hearing

Hearing no comments from the public, Chair Woods entertained a motion to close the 2023 Budget Amendment Public Hearing.

Motion by Mr. Wahl, seconded by Mr. Spoltore to close the 2023 Budget Amendment Public Hearing. All in favor. Motion carried.

Motion to Adopt the 2023 Amended Budget

Chair Woods entertained a motion to adopt the 2023 Amended Budget.

Motion by Mr. Spoltore, seconded by Ms. Keun to adopt the 2023 Amended Budget as presented.

| | | |
|------------------|-------------------|--|
| ROLL CALL | <i>Yeas:</i> | Scott Wahl, Avalon Dawn Marie Bascelli, Deerfield Township Varara Keun, Middle Township Liz Woods, <i>Chair</i> , Ocean City Roy Spoltore, Upper Deerfield Township Steve O'Connor, Wildwood City |
| | <i>Nays:</i> | None |
| | <i>Abstained:</i> | None |

Motion carried by unanimous vote.

Motion to Adopt the 2023 Amended Assessment Certification

Chair Woods entertained a motion to adopt the 2023 Amended Assessment Certification.

Motion by Ms. Keun, seconded by Mr. Wahl to adopt the 2023 Amended Assessment Certification as presented.

| | | |
|------------------|--------------|---|
| ROLL CALL | <i>Yeas:</i> | Scott Wahl, Avalon Dawn Marie Bascelli, Deerfield Township Varara Keun, Middle Township Liz Woods, <i>Chair</i> , Ocean City |
|------------------|--------------|---|

Roy Spoltore, **Upper Deerfield Township**
Steve O'Connor, **Wildwood City**

Nays: None
Abstained: None

Motion carried by unanimous vote.

EPL/Technology Liability Committee – July 20, 2023

Ms. Keun reported that the EPL/Technology minutes from July 20, 2023 meeting are included in your agenda packet beginning on page 75. She reminded the members of all the training needed to comply with the MEL's EPL Plan of Risk Management Program by November 1, 2023. She noted there are sessions of Police Command Staff training and Managers and Supervisors training available. She noted that CEU Certificates are being emailed out, however, please allow some time to process. She stated that the updated MEL policies are posted on the MEL website and need to be adopted by November 1, 2023. Ms. Keun noted that there is Anti-Harassment training that all employees need to be offered, but is not mandatory for them to take. There was also discussion that the newly created MEL EPL Claims Committee is developing some videos and webinars on employee related matters and Mr. DeWeese will be combining notes from EPL questions that come in on the hotline.

Cyber JIF – Ms. Keun noted that the Committee discussed the Cyber JIF and the difficulty members are having in complying with the current cyber security standards. Non-compliance members have a \$50,000 deductible and \$20,000 co-insurance and minimum security has a \$25,000 deductible. She also noted that the Committee requested Mr. Forlenza let the Cyber JIF know that the members are struggling with the Cyber JIF policies and the difficulty in achieving compliance. She stated that the Committee discussed with Mr. Caruso how there is no documented policies that would be easier for the governing bodies to adopt. She asked that Mr. Caruso provide an update at this meeting.

Strategic Planning Committee – September 7, 2023

Ms. Patel reported that the Strategic Planning Committee met on September 7, 2023 and discussed the 2024 renewing members. She noted that Corbin City is not renewing their membership on 1/1/24 and discussed challenges faced by smaller members. She noted that her office is working with the MEL to create a task force to resolve some of these issues. She stated that the Committee reviewed the proposed meeting dates for 2024 with (5) five virtual and (6) six in-person. She stated the results from the Planning Retreat were discussed and results will be shared at the Retreat in October. She informed the members that the E-JIF will be doing a presentation at the Retreat on Wednesday. She asked the members that they encourage the claims coordinators to attend the Thursday session since there will be an inactive scenario. She stated that the December meeting will be December 20, 2023 at Merighi's in Vineland.

EXECUTIVE DIRECTOR'S REPORT

Fourth Quarter Installment Billing - Mr. Forlenza noted that the fourth quarter installment billings will be emailed out next week with a deadline of November 15, 2023.

Annual Retreat - Mr. Forlenza stated that the Annual Planning Retreat is scheduled for October 18 and 19, 2023 at the Flanders in Ocean City, NJ and invitations went out yesterday. He reminded members that it is an element of the SIP program that you attend at least one ½ day session of the Retreat.

2024 Renewal Process - Mr. Forlenza reported that the ACM JIF has completed 96% of the renewal process. He noted that any outstanding member will receive an email reminding them of the need for completion.

Certificates of Insurance – Mr. Forlenza noted that the certificates of insurance issued in the last month are included in the agenda. He asked members to review and please make sure that these were requested by your municipality and issued properly. Please reach out to Ed Cooney at the Underwriter's office if there are any questions.

Safety, OSB, Wellness and EPL/Cyber Reimbursement- Mr. Forlenza stated that SIP, OSB, Wellness and EPL/Cyber balances for 2023 are listed in the agenda. Please do not wait until the end of the year to submit reimbursement requests. Please submit documentation to claim or encumber the funds no later than December 31, 2023. All encumbered funds must be claimed by February 1, 2024.

Statutory Bond Status – Mr. Forlenza asked the members to review the list of statutory bonds included in the agenda packet. Please direct any changes to Jonathon Tavares/Rachel Perry at the Underwriter's office. He noted that as part of the underwriting process for renewing members, all statutory positions will have to be re-underwritten. Reminders were sent to several members who had outstanding bond applications earlier in the week.

2024-2025 MEL EPL Risk Management Program

Mr. Forlenza reminded members that the MEL's 2024-2025 EPL Risk Management Program was released on May 17, 2023 and is due November 1, 2023. Information pertaining to the updated policies and procedures, handbooks, required Police Command Staff and Managers and Supervisor's Training with four remaining sessions on September 27th and October 11th with AM and PM sessions. Please contact our office for assistance. He stated that the list of employees that completed the training can be found on the JIF website; half way down on right hand side denoted as "sign in sheets".

Anti-Harassment Training

On July 10, 2023 an email was sent out to all members and Ms. Patel asked that it be shared with all non-supervisory personnel. Mr. Forlenza reminded the members that the employer must offer this training, however, the training is not required to be completed. He encouraged members to document the notification process.

Membership Renewal Visits

Mr. Forlenza stated again that Corbin City would not be renewing their membership with the JIF on 1/1/24. He noted that the JIF recognizes smaller members have smaller work forces and the MEL is creating a task force to address this including how premiums are structured for them. He remarked that Deerfield Township and City of Absecon are still outstanding; however, he anticipates both completing the necessary paperwork for renewal. He stated that Egg Harbor Township has not renewed their membership and they are entertaining other options. Any member who has not submitted their renewal paperwork has been placed on notice that per the JIF bylaws, if they do not renew by October 1, they are automatically out of the JIF for a minimum of 3 years.

Mr. Forlenza asked if there were any questions. No questions were entertained.

SAFETY DIRECTOR'S REPORT

Mr. Garish stated that the Safety Director's Report begins on page 129 He stated that the report is self-explanatory.

Mr. Garish reminded members there is an upcoming Safety Expo on September 27, 2023 in Camden County area with loads of training. There will be one remaining Expo in Ocean County towards year end.

Mr. Garish also noted that the *Power of Collaboration* provides "members best practices" via Zoom on October 10, 2023.

Mr. Garish noted that if employees cannot make trainings due to shift work hours, his office will work with them to find a better time.

Mr. Garish reported that there are two Regional training sessions that members need to attend; the next Indoor Air Quality session is October 19th AM and PM via zoom.

Mr. Garish asked if there were any questions. No other questions were entertained.

TECHNOLOGY RISK SERVICES DIRECTOR'S REPORT

Mr. Caruso asked the members to review the reports beginning on page 134. He noted that this month's efforts were devoted to completing the whitelisting for a few members. He noted Absecon still needs to complete this testing.

Mr. Caruso reported that Wizer training is at 74% and due by October 1, 2023. He noted for phishing, ACM JIF is at 2%, which is not bad, but zero is better. He stated that D2 vulnerability testing is ongoing and penetration testing is 85% complete.

Mr. Caruso noted that this month's bulletin focuses on Proper Handling of PII for Local Government.

Mr. Caruso commented that today he spent two hours working with a member's IT guy to show them examples of the cyber security standards and provide them with information on compliance. He encourages anyone to contact him and he can work with them.

Mr. Caruso asked if there were any questions. Ms. Mahon inquired about the status of grants for cyber security assistance. Mr. Caruso noted that they are working with them. Mr. Pacanowski thanked Mr. Caruso, but noted that he finds it very difficult to complete some of these compliance standards because there is so much to do. His recommendation is to hold a meeting with only IT folks so they can all help each other understand the requirements and work together. Mr. Caruso noted he prefers to work one on one with the members since all members are unique. Mr. Forlenza commented that there are very few members across the state that are in compliance with the minimum standards. He stated that they have had discussions with the Cyber JIF Loss Control Committee regarding this situation. He has requested that the Committee consider adopting new standards that the members can meet which will provide some layer of protection. Mr. Forlenza stated that he believes these new standards are coming and will incorporate three levels; basic, intermediate and advanced. He asked for readable policies to be made available as well. In the meantime, he encouraged members to continue to work with Mr. Caruso and strive for compliance with the current standards, as they will help to minimize members' exposure to a cyber-incident. Mr. Pacanowski asked if anyone heard that the State wanted every municipality to have CISO in place by 2025. Mr. Forlenza stated that there is Legislation in place to be able to use LEAP Grant for hiring Technology Professionals. Regulations are still being developed. Ms. Seib inquired if by January 1, 2024, you are not in compliance with any of the tiers, do you have coverage? Mr. Forlenza noted that you have coverage, however, you will have a substantial deductible and co-insurance. Ms. Keun noted that it will be \$50,000 deductible and 20% co-insurance up to \$300,000. No other questions were entertained.

TREASURER'S REPORT

Reports – JULY & AUGUST

Mr. Hansen presented the Treasurer's Report for the period ending **July 31 and August 31, 2023**. The reports were made part of the agenda packet beginning on page 143. He noted the following information:

A.E.L.C.F. PARTICIPANT BALANCES

| Member | 8/31/2023 (Final Audit Balances) |
|--------------------|---|
| Egg Harbor City | 42,913.92 |
| Hamilton Township | 86,814.39 |
| Hammonton Township | 196,540.74 |

| | |
|--------------------------|---------------------|
| Middle Township | 176,745.50 |
| Mullica Township | 28,297.51 |
| Northfield | 112,523.09 |
| Pleasantville City | 515.27 |
| Stone Harbor | 9,602.17 |
| Upper Deerfield Township | 75,086.86 |
| Upper Township | 183,486.77 |
| Waterford Township | 28,543.53 |
| Total | \$941,069.75 |

Receipt Activity for the Period:

| | July | August | YTD |
|----------------------|-------------|---------------|--------------|
| Subrogation Receipts | \$25,195.14 | \$30,408.59 | \$405,679.82 |
| Other | \$0 | \$0 | \$3,000.00 |
| Adjustment | \$288.32 | \$1,690.37 | \$22,634.64 |
| Assessments | \$2,220,321 | \$4,569,416 | |

Claim Activity for the Period

Claim activity for the month of **July** for claims paid by the Fund and claims payable by the Fund. A total of 319 checks issued; 901 claims payments in the amount of \$833,481.40 with effect on cash position of \$796,640.95.

Claim activity for the month of **August** for claims paid by the Fund and claims payable by the Fund. A total of 401 checks issued; 1,275 claims payments in the amount of \$678,465.88 with effect on cash position of \$632,484.18.

Cash Activity for the Period

The Fund's "Cash Position" at month end of July was \$45,006,748.88 and \$48,913,836.92 end of August.

Investment Interest

| Interest Income: | July | August | YTD |
|-------------------------|-------------|---------------|--------------|
| JCMI | \$33,813.07 | \$36,686.60 | \$269,066.79 |
| Treasury | \$77,036.72 | \$125,666.23 | \$369,413.30 |
| Citizens | \$9,547.90 | \$19,373.77 | \$92,045.91 |

Rate of Return: Only interest from the *ANALYSIS WORKSHEET* **3.249%** for July and **4.449%** August.

Allocation of Invested Funds

| FUND | July Total | July Percentage | August Total | August Percentage |
|---------------|-------------------|------------------------|---------------------|--------------------------|
| Treasury | \$22,305,958.71 | 50% | \$22,444,628.73 | 46% |
| JCMI | \$19,747,646.88 | 44% | \$19,783,249.69 | 40% |
| Investors | \$2,953,143.29 | 6% | \$6,685,958.51 | 14% |
| TOTALS | \$45,006,748.88 | | \$48,913,836.93 | |

Mr. Hansen asked if there were any questions. No questions were entertained.

Payment Register

Chair Woods entertained a motion to approve the ***July and August 2023 Payment Register*** (Claims Activity).

Chair Woods asked if there were any questions at this time. No questions were entertained.

Motion by Mr. Wahl, seconded by Mr. Spoltore to approve the ***July and August 2023 Payment Register*** (Claims Activity) as submitted.

ROLL CALL

Yeas:

Scott Wahl, **Avalon**
Dawn Marie Bascelli, **Deerfield Township**
Varara Keun, **Middle Township**
Liz Woods, *Chair*, **Ocean City**
Roy Spoltore, **Upper Deerfield Township**
Steve O'Connor, **Wildwood City**

Nays:

None

Abstain:

None

Motion carried by unanimous vote.

Bill List – August (Ratification)

For the Executive Committee's ratification, Mr. Hansen presented the ***August 2023 Bill List*** in the amount of **\$223,490.37.**

Chair Woods asked if there were any questions at this time. No questions were entertained.

Chair Woods entertained a motion for ratification of the ***August 2023 Bill List***.

Motion by Mr. O'Connor, seconded by Mr. Spoltore, to ratify the ***August 2023 Bill List*** as presented.

ROLL CALL

Yeas:

Scott Wahl, **Avalon**
Dawn Marie Bascelli, **Deerfield Township**
Varara Keun, **Middle Township**
Liz Woods, *Chair*, **Ocean City**
Roy Spoltore, **Upper Deerfield Township**
Steve O'Connor, **Wildwood City**

Nays:

None

Abstain:

None

Motion carried by unanimous vote.

Bill List – September

For the Executive Committee's consideration, Mr. Hansen presented the ***September 2023 Bill List*** in the amount of **\$262,472.87**.

Chair Woods asked if there were any questions at this time. No questions were entertained.

Chair Woods entertained a motion for approval of the ***September 2023 Bill List***.

Motion by Mr. Wahl, seconded by Ms. Keun, to approve the ***September 2023 Bill List*** as presented.

ROLL CALL

Yeas:

Scott Wahl, **Avalon**

Dawn Marie Bascelli, **Deerfield Township**

Varara Keun, **Middle Township**

Liz Woods, *Chair*, **Ocean City**

Roy Spoltore, **Upper Deerfield Township**

Steve O'Connor, **Wildwood City**

Nays:

None

Abstain:

None

Motion carried by unanimous vote.

MEL/RCF/CYBER REPORTS

Ms. Patel reported on the Cyber meeting that was held on August 25, 2023, noting a summary by Ms. McLaughlin is on page 337. She highlighted that they discussed the compliance issues and will be discussed more at Monday's meeting. A membership request from NJ Counties Excess Liability JIF is being reviewed. She noted the Board adopted the Risk Control Committee's recommendation to award Competitive Contract RFP#23-02 for External Scanning to D2 Cybersecurity. She also noted that they are looking to create a "members only" section on the Cyber JIF website so bad actors do not have access to the cyber security standards. The results from the Technology Stack Questionnaires will be reviewed Monday as well. She stated the next meeting is October 20, 2023.

Ms. Patel entertained any questions. No questioners were asked.

MISCELLANEOUS BUSINESS

Next Meeting

Chair Woods reminded the members that the **October** meeting is the **Annual Retreat** and will be held on **Wednesday, October 18, 2023 at 3:00 PM** at The Flanders Hotel, Ocean City, NJ.

PUBLIC COMMENT

Open Public Comment

Chair Woods entertained a motion to open the meeting to the public for comment.

Motion by Mr. Wahl, seconded by Ms. Keun, to open the meeting to the public. All in favor. Motion carried.

Close Public Comment

Chair Woods entertained a motion to close the public comment.

Motion by Mr. O'Connor, seconded by Mr. Spoltore, to close the meeting to the public. All in favor.
Motion carried.

MOTION TO ADJOURN

Motion by Mr. Wahl, seconded by Ms. Keun, to adjourn the September 20, 2023 meeting of the ACM JIF.
All in favor. Motion carried.

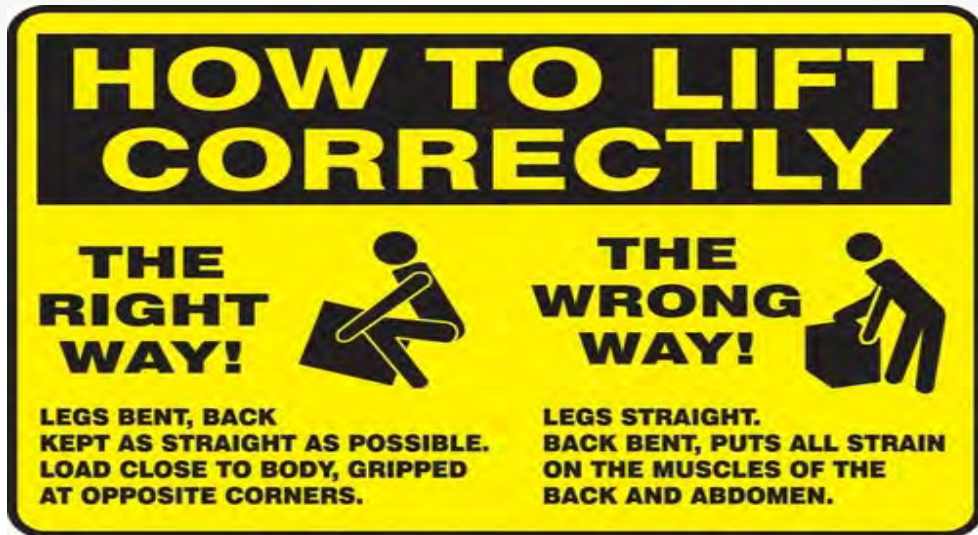
The meeting was adjourned at 4:20 PM.

Tracy Forlenza, *Recording Secretary* for

Roy Spoltore, *Acting Fund Secretary*

LESSONS LEARNED FROM LOSSES

October 2023 - SAFE LIFTING



It is one of the most common causes of injuries to employees, but proper technique and taking a moment to determine the best way to lift or move something, or asking for help, will greatly reduce the numbers and severity of these claims. Employees should use “S.M.A.R.T.” lifting techniques.

Size up the load.

Move the load closer.

Always bend your knees

Raise the load with your legs

Turn your feet in the direction you want to move

Example 1: Employee lifting a heavy toolbox in the Public Works Building injured low back = \$152,000.

Example 2: Employee lifting heavy garbage can during pickup and injured shoulder and back = \$87,000.

Example 3: Employee lifting boxes of food and injured low back = \$79,000.

Example 4: Employee injured during emergency call lifting a patient = \$111,000



Atlantic County Municipal JIF
Managed Care Summary Report
2023

| Intake | September-23 | September-22 | 2023 September YTD | 2022 September YTD |
|---|--------------|--------------|--------------------|--------------------|
| # of New Claims Reported | 86 | 76 | 709 | 796 |
| # of Report Only | 36 | 30 | 273 | 329 |
| % Report Only | 42% | 39% | 39% | 41% |
| # of Medical Only | 42 | 40 | 331 | 357 |
| # of Lost Time | 8 | 6 | 100 | 106 |
| Medical Only to Lost Time Ratio | 84:16 | 87:13 | 77:23 | 77:23 |
| Claim Petition First Notice/Occupational | 0 | 0 | 4 | 4 |
| COVID-19 | 0 | 2 | 7 | 186 |
| Average Days Reported To Qual-Lynx (Indemnity, Medical Only, Report Only) | 4.8 | 3.9 | 7.5 | 5.7 |
| Average Days Reported to Employer (Indemnity, Medical Only, Report Only) | 1.4 | 0.4 | 2.3 | 0.8 |

| Nurse Case Management | September-23 | September-22 |
|--|--------------|--------------|
| # of Cases Assigned to Case Management | 85 | 95 |
| # of Cases > 90 days | 61 | 71 |

| Savings | September-23 | September-22 | 2023 September YTD | 2022 September YTD |
|------------------|--------------|--------------|--------------------|--------------------|
| Bill Count | 663 | 540 | 5514 | 4695 |
| Provider Charges | \$905,304 | \$467,852 | \$7,220,765 | \$5,693,677 |
| Repriced Amount | \$250,654 | \$158,438 | \$2,169,893 | \$2,087,633 |
| Savings \$ | \$654,650 | \$309,415 | \$5,050,872 | \$3,606,044 |
| % Savings | 72% | 66% | 70% | 63% |

| QualCare Network Provider Penetration Rate | September-23 | September-22 | 2023 September YTD | 2022 September YTD |
|--|--------------|--------------|--------------------|--------------------|
| Bill Count | 95% | 94% | 95% | 93% |
| Provider Charges | 94% | 95% | 96% | 93% |

| Exclusive Provider Panel Penetration Rate | September-23 | September-22 | 2023 September YTD | 2022 September YTD |
|---|--------------|--------------|--------------------|--------------------|
| Bill Count | 97% | 94% | 97% | 93% |
| Provider Charges | 99% | 96% | 98% | 95% |

| Transitional Duty Summary | | 2023 September YTD | 2022 September YTD |
|--|--|--------------------|--------------------|
| % of Transitional Duty Days Worked | | 71% | 74% |
| \$ Saved By Accommodating | | \$463,543 | \$438,530 |
| % of Transitional Duty Days Not Accommodated | | 29% | 26% |
| Cost Of Days Not Accommodated | | \$208,264 | \$175,538 |



DATE: October 09,2023

TO: The Members of the Executive Board of the Atlantic County Municipal JIF

FROM: Christopher J. Winter L/E Risk Management Consultant

RE: ACM Activities (September)

1. Policy/Procedures: Policy and Procedure requests have been received and will be forwarded to requesting agencies that will contain current L/E best practices, NJ AG Guideline and L/E Accreditation requirements.

2. Agency Visits:

Visits being coordinated for October:

| | |
|------------------|-------------------|
| Absecon PD | Sea Isle City PD |
| Stone Harbor PD | Mullica Twp PD |
| Hamilton Twp. PD | Waterford Twp. PD |

- Consultative Visits were provided to identify and discuss agency concerns, training, policy and procedures,trends and requests. L/E RMC services were outlined and provided to Chiefs and Command members present. Police agency's with Command changes were a priority and visited as well. Additional agency visits are being scheduled at this time to continue to build relationships with the Law Enforcement agencies within the ACM JIF. Activity Reports are being completed for distribution to the FUND Commissioners.

3. Training: The Report Writing Class has been scheduled for **10/25/2023** at the Cape May County Police Academy. (830-12). The Training Bulletin was distributed and officer registration is at 15 See attached.



4. Law Enforcement Bulletins / Newsletters: No Bulletins distributed during September.

5. ACM JIF Law Enforcement Committee: A L/E Committee is being formulated with three (3) Police Chiefs from each county to represent (JIF) police agencies in Atlantic and Cape May County. I plan to meet with them on a quarterly basis virtually to discuss trends, concerns, training, policy and procedure assistance, potential risk and liability issues and L/E Accreditation guidance etc. This is being developed to maintain an ongoing forum throughout the year as an extension of the County Chiefs Associations, to identify areas as previously mentioned and to reduce potential risks. Chiefs selected to date are from Ventnor, Linwood and Millville Police Departments. An Initial meeting is being coordinated at this time.

6. Meetings Attended:

| | |
|-----------------------------|------------|
| ACM Executive Claim Meeting | 09/14/2023 |
| ACM Executive Meeting | 09/20/2023 |
| ACM Safety Meeting | 09/21/2023 |

Christopher J. Winter Sr. CPM
Law Enforcement Risk Management Consultant
ACM, BURLCO, and TRICO JIF
609-780-4769
chriswinter1429@gmail.com

TRAINING NOTICE

REPORT WRITING

DATE: October 25, 2023

LOCATION: Cape May County Police Academy

**171 Crest Haven Rd.
Cape May Court House, NJ 08210
(Exit 11 off GSP)**

TIME: 8:30 am to 12

The outlined course will provide report writing guidelines for officers in writing a clear / concise report. Course topics include but are not limited to the following:

- Review of the basic report writing principles.
- Common pitfalls of report writing
- Advanced techniques to report writing
- Report Writing and BWC recordings
- Police investigation report critiques
- Overview of the New Jersey AG Guidelines pertaining to note taking and video recordings, review and reporting.



NOTE: This is not a required JIF training course. The course is being provided based on Police Chiefs requests and JIF attorney input based on officer cases and litigation.

Class registration can be completed by forwarding the following information to Chriswinter1429@gmail.com as follows:

Rank, Name, Police Department.

ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND WELLNESS DIRECTOR'S REPORT

To: Municipal Fund Commissioners, Safety Coordinators, and Risk Managers

From: Jordan Simone, ACM JIF Wellness Director

Date: October 18, 2023 - Flanders Hotel, OCNJ

Contact Information: jsimonewellness@gmail.com (609) 435-0708

ACMJIF WELLNESS - OCTOBER UPDATES

2023 JIF Approved Wellness Items & Activities: There are 3 months remaining to utilize 2023 wellness funds! Please refer to this handout when purchasing items with your wellness funds. This has been updated for 2023 and can also be found on the JIF website under the Wellness section. Please contact me prior to purchasing items to make sure that they will be reimbursable.

Revised Wellness Incentive Program Meeting: This meeting was held virtually on June 26th with members of the Burlco, Trico and ACM JIFs to discuss revisions and updates to the current JIF Wellness Program. Discussions are ongoing and updates will be provided as soon as they are available.

Wellness Advisory Committee Meeting: The most recent meeting was held September 19th at 9:30am via Zoom. Topics discussed include the proposed revisions to the wellness program, employee wellness survey, 2023 newsletter themes, and JIF event food choices. The final meeting for 2023 will be held on December 5th or 6th via Zoom. Please see the attached minutes.

Wellness Resources:

- *Dr. Elias Transformational Leadership Group Coaching Program for Law Enforcement*
 - A second round of Mid-Level Leaders and Chiefs from Burlco, Trico & ACM participated in the program. Recruitment for another round of the program is ongoing.
- *Medical Essentials Diagnostics - Save My Life Program*
 - A group of board-certified cardiologists and pulmonologists whose goal is to provide care that is tailored to meet the specific needs of firefighters, police officers, emergency responders, as well as educators, county, municipal, and administrative workers. They provide the annually recommended checkups and testing needed to ensure you are in the best shape possible to serve your community.
 - <https://www.medicalessentialdiagnostics.com/the-program>

Quarter 3 ACM JIF In Good Health Newsletter:

- The Q4 Newsletter - Stress Management



***Safety Committee Meeting Minutes
September 21, 2023 @ 11:30 AM
Via Zoom Conferencing***

An Executive Safety Committee meeting of the Atlantic County Municipal Joint Insurance Fund (“ACMJIF”) was held via Zoom conferencing on Thursday, September 21, 2023 at 11:30 AM. The meeting was called to order at 11:31 AM.

Those in attendance were:

Scott Wahl, *Chair*, **Avalon Borough**
Lucy Samuelson, *Vice Chair*, **Somers Point City**
Shantele Pollock, **Hamilton Township**
Monica Kyle, **Longport Borough**
Karen Fournier, **Lower Township**
Jared Marandino, **Newfield Borough**
Elizabeth Woods, *Fund Chair*, **Ocean City**
Steve O’Connor, **Wildwood City**
Carl O’Hara, **West Wildwood City**
Dave Miller, **CJ Adams**
Dennis Brown, **Glenn Insurance**
Joe Henry, **Hardenbergh Insurance**
J. Eugene Siracusa, **Insurance Agencies, Inc.**
Jen Modica, **Marsh & McLennan**
Bill McMahon, **McMahon Agency**
Jordan Simone, Wellness Director, **Jordan Simone Wellness, LLC**
Robert Garish, Assistant Director of Public Sector, **J. A. Montgomery Risk Consulting**
Christopher J. Winter Sr. CPM, Law Enforcement Risk Management Consultant
Paul A. Forlenza, MGA, Executive Director, **RPA a Division of Gallagher**
Kamini Patel, MBA, CIC, CPCU, AIDA®, Deputy Executive Director, **RPA a Division of Gallagher**
Karla Allamby, Account Representative, **RPA a Division of Gallagher**

Those not in attendance were:

Al Maiorano, **Longport Borough**
Bill Nimohay, **Buena Borough**
Tom D’Intino, **Egg Harbor Township**
Joe Iannuzzeli, **Ventnor City**
Rob DeVanna, **Glenn Insurance**
Jaclyn Lindsey, **Conner Strong & Buckelew**
Mike Avalone, **Conner Strong & Buckelew**
Tom Heist, **Tom Heist Insurance**
Keith Hummel, Safety Director, **J. A. Montgomery Risk Consulting**

These minutes do not necessarily represent the order in which some items were discussed.

I. WELLNESS PROGRAM

A closed session with only the Fund Commissioners, Mr. Forlenza and Ms. Patel was initiated at Mr. Wahl's request to discuss the Wellness Program. A lengthy discussion took place regarding the purpose and importance of the Wellness Program along with the Committee's responsibility and jurisdiction over the program. After a lengthy discussion, the Fund Commissioners decided it was in the best interest of the Fund for the Committee to make a well-informed decision with respect to the program. The Safety Committee's Commissioners requested the Executive Director's office to provide a memorandum to them, which outlines the discussions that took place with the Chairs of the Executive Safety and Claims Review Committees from the ACM, BURLCO and TRICO JIFs for their review. Upon their review, another meeting will be scheduled to discuss the next steps.

II. MINUTES OF MAY 18, 2023 SAFETY MEETING (Emailed 09/07/2023)

Mr. Forlenza mentioned that a copy of the May 18, 2023, Executive Safety Committee Meeting Minutes were emailed to all Committee members along with the notice for today's meeting. In addition, Mr. Forlenza noted the minutes were shared with the membership during the June Executive Committee meeting.

Mr. Forlenza asked if there were any questions. No questions were entertained.

III. 2nd QUARTER SAFETY DIRECTOR'S LOSS CONTROL REPORT- (Emailed 09/20/23)

Mr. Garish referred the Committee to a copy of the 2nd Quarter Safety Director's Loss Control Report that was emailed to the Committee for their review. He then briefly reviewed an abridged version of the report with the Committee.

Mr. Garish noted that the Safety Director's Contract calls for a minimum of 127 loss control visits to the forty-one (41) members of the ACM JIF. He noted the service visits included fifteen (15) Renewal Surveys, seven (7) Boardwalk Surveys, Law Enforcement Surveys, and PEOSH Violation Remediation Assistance.

Mr. Garish reported that there are over 130 safety bulletins issued. Mr. Garish briefly covered the various safety and training programs as follows:

- Safety Incentive Program
- Road, Sign & Walkway Program
- Law Enforcement Services
- S:ERVE & Attention and Distracted Driving
- Facility Checklist, Job Safety Observations, Tool-Box Safety Talks
- Regional Safety Training

Mr. Garish mentioned to the Committee that they distribute an MSI Newsletter twice a month, which provides a summary of all the information sent during that month.

Mr. Garish informed the Committee that the first Police Ad-Hoc meeting took place this morning. He mentioned that a recap of the meeting will be provided shortly and they are planning to schedule another meeting before the year's end.

Mr. Forlenza asked if there were any questions. No questions were entertained.

For details, please see the 2nd Quarter Safety Director's Loss Control Report attached.

IV. SAFETY INTERVENTION/MONITORING

Mr. Forlenza asked Mr. Garish if there were any candidates for Safety Intervention or Monitoring at this time. Mr. Garish responded that there are no candidates for Safety Intervention or Monitoring at this time.

V. MEMBERSHIP RENEWALS

Mr. Forlenza announced that fifteen (15) member municipalities are up for renewal effective January 1, 2024. He reported that all renewing members have submitted their renewal resolutions, with the exception of Absecon City, as they have a council meeting scheduled for this evening and will be renewing their membership in the Fund. Mr. Forlenza informed the Committee that Corbin City has made the decision not to renew. He also mentioned that they are currently awaiting official confirmation from Egg Harbor Township regarding their renewal status.

Mr. Forlenza asked Mr. Garish to provide the Committee with an update regarding renewal survey reports. Mr. Garish indicated that of the fifteen (15) renewing members there are six (6) members who have a six- year loss ratio of over 100 percent. However, of those six (6) members, there are three (3) members that fall under the extra small category. He explains that one or two losses for the smaller members can result in an elevated loss ratio. Mr. Garish then informed the Committee that the three (3) remaining member towns are engaging and embracing safety.

Mr. Garish noted there are a few renewal surveys that are still outstanding for the shore towns. He indicated that from April thru beginning of September, these towns are busy and he will be concluding the renewal surveys next week. Once all renewal surveys are complete, the Safety Director's office will be provide a copy of the renewal surveys to the Committee for their review.

Mr. Garish ask if anyone has any questions regarding the fifteen (15) towns please ask. No questions were entertained.

Mr. Forlenza informed the Committee, those members who are up for renewal, received their Annual Reports during the renewal presentation. For those members who are not up for renewal, hard copies of their Annual Reports were mailed out on August 15, 2023 with instructions to share the Annual Reports with their administrative staff and governing bodies.

Mr. Forlenza asked if there were any questions. No questions were entertained.

VI. JIF LOSS RATIO REPORTS – June 30, 2023

Mr. Forlenza directed the Committee to pages 1-8 of the agenda packet, which depicts the *JIF Six Year Average Loss Ratio Reports* valued as of June 30, 2023. The report reflects a six-year period for Fund Years 2017-2022. Mr. Forlenza noted that the six-year average loss ratio for the ACM JIF is 88.7%. He noted that the loss ratios reflect incurred losses, which is money paid on known claims and the reserve to be paid on the known claims versus the members' JIF loss funding assessment within the JIF's self-insured retention. Mr. Forlenza briefly reviewed the individual Fund Year loss ratios for 2017-2022 with the Committee. Mr. Forlenza also said these reports have been available through Origami since July 31, 2023 for members.

Mr. Forlenza noted that the Safety Director's office utilizes these reports to monitor member loss ratio trends.

Mr. Forlenza asked if there were any questions. No questions were entertained

VII. MEL LOSS RATIO REPORTS – June 30, 2023

Mr. Forlenza directed the Committee to a copy of the *MEL Six Year Average Loss Ratio Reports* valued as of June 30, 2023. The report reflects a six-year period for Fund Years 2017-2022. Mr. Forlenza noted that the six-year average loss ratio for the ACM JIF is 114.3% as of June 30, 2023. He noted that this information pertains to member claims that exceed the Fund's Self Insured Retention (SIR) where the MEL picks up the claim cost after the local JIF exhausts its retention on a claim. Mr. Forlenza briefly reviewed the individual Fund Year loss ratios for 2017-2022 with the Committee.

Mr. Forlenza advised the Committee that Loss Ratio Snapshots were uploaded into Origami on July 31, 2023 and the Executive Director's office sent out a memorandum notifying the membership. He noted that all Members and Risk Management Consultants should review the information for accuracy and any discrepancies, questions and concerns, should be brought to the Executive Director's or Qual-Lynx's attention.

Mr. Forlenza asked if there were any additional questions. No questions were entertained.

VIII. EXECUTIVE DIRECTOR – MONITORING REPORTS

Supervisory Investigation Reports

Ms. Patel referred the Committee to page 17 of the agenda packet, which reflects the Supervisor Investigation Report for August 2023. She reported that there were six (6) incidences out of sixty-seven (67) where Supervisor Investigation Reports were not provided.

Ms. Patel stated that the report is sent to J.A. Montgomery, who in turn uses it as a coaching tool when they visit with the member town. Ms. Patel reiterated the importance of completing the Accident Investigation Reports.

Police MVA: Workers Compensation Claims:

Ms. Patel directed the Committee to page 18 of the agenda that depicts Workers Compensation claims for Police Officers involved in an automobile accident. She briefly reviewed the report highlighting that seventy-six (76) claims have a total incurred of \$4,396,537.65.

Mr. Winter inquired as to how many of the incidents were the Police Officer's fault. He stressed the importance of identifying this information to determine the necessary training for these Police Officers. Ms. Patel stated that she would follow up with Qual-Lynx to explore the possibility of adding additional details to the report to help identify who is at fault.

Mr. Garish indicated that the Chief Hummel (Ret.) has conducted an extensive research with respect to motor vehicle accidents involving Police Officers and Mr. Winter should reach out to the Chief Hummel to review the findings of his research.

Ms. Patel asked if there were any additional questions. No additional questions were entertained.

IX. REGIONAL TRAINING SCHEDULE

Mr. Garish directed the Committee to pages 19-36 of the agenda packet, which depicts the Regional Training Plan and survey results for the Safety, Claims, and Wellness Roundtable. He

stated that participation in the Region Training is mandatory in order to qualify for the Safety Incentive Program. He went on to review the survey results from the Safety, Claims, and Wellness Roundtable which was held on April 25, 2023 via Zoom. He concluded that the results were overall positive.

Mr. Garish noted the second regional training is on Back Safety Material Handling and the MEL is focusing on the WSL Model (Wide Stance, Set Back, Lift) as there are severe claims generated from improper lifting. The first session took place on April 19, 2023, the second session was held on July 11, 2023, and a final session is scheduled for October 19, 2023.

Mr. Garish informed the Committee that the third regional training focused on Summer Seasonal Employee Training, but stated not all member towns need this training. He mentioned that the training took place on June 05, 2023, at the Ocean City Library. He explained that the training covered various topics, orientation of part-time and summer seasonal employees, the protection of minors, online summer camp training resources, and how to utilize the available JIF/MEL resources. Mr. Garish also mentioned that some towns had initially signed up for the training but were unable to attend. He mentioned the Safety Director's Office was working with these members to fulfill the training requirements.

Mr. Garish noted the fourth regional training focused on Indoor Air Quality (IAQ) and the first session took place on September 15, 2023 and the second session will take place on December 04, 2023. He noted not every member will need this training as many members have already assigned an IAQ Designated Person who has completed the training previously. Mr. Garish mentioned while the training covers asbestos and asbestos tiles, it does not mean that the member is required to test those tiles. He encouraged members to reach out to Safety Director's office for assistance and guidance.

He asked if there were any questions. No questions were entertained.

X. SAFETY DIRECTOR'S BULLETINS

Mr. Garish mentioned that the MEL distributes Safety Bulletins through a MSI Newsletter, published twice a month. He mentioned this newsletter provides a summary of the bulletins and messages issued by the Safety Director's office or the MEL through their Mobile App. Mr. Garish advised that these bulletins are constantly updated to ensure that our members have the most current information. He then directed the members to the list of Safety Bulletins included in the agenda.

Mr. Garish highlighted several recently released Bulletins that members should take note of, including but not limited to Best Practices for Bleachers & Grandstand, Fire Hydrant Opening, Service Animals in Public Buildings, Gaga Ball, and Pickleball.

- A. MSI Newsletter (2x Month) Recaps all Bulletins/Messages/Info sent out from the Safety Director's Office via the MEL Mobile App
- B. MSI Newsletter – June 1, 2023
 - 1. Training Announcement: Understanding Cannabis
 - 2. MSI Expo: Middlesex County Fire Academy
 - 3. Transitional Duty Resources
 - 4. Risk Management Strategies for Lifeguard Operations
 - 5. Mark Out Best Practices

6. Batting Cages Best Practices
 7. Heat-Related Illnesses Best Practices
 8. Bounce Houses & Inflatable Best Practices
 9. Safety Director Message
 10. New LMS
 11. MSI Live Schedule
- C. MSI Newsletter – June 15, 2023
1. How to Receive Push Notifications on the NJ MEL Mobile App?
 2. MSI Leadership Academy
 3. Hurricane Preparedness Best Practices
 4. Spray Parks Best Practices
 5. Cathy's Law: Social Media Best Practices
 6. New Jersey Child Labor Laws
 7. Domestic Violence for New Jersey Public Employers
 8. New LMS
 9. MSI Live Schedule
- D. MSI Newsletter- July 5, 2023
1. How to Receive Push Notifications on the NJ MEL Mobile App?
 2. Training Announcement: MEL Risk Management for Managers & Supervisors
 3. Bleachers & Grandstands Best Practices
 4. Fire Hydrant Opening Best Practices
 5. Service Animals in Public Settings Best Practices
 6. New LMS
 7. MSI Live Schedule
- E. MSI Newsletter –July 17, 2023
1. How to Receive Push Notifications on the NJ MEL Mobile App?
 2. Training Announcement: Workplace Discrimination & Harassment
 3. Law Enforcement Message: Training Opportunity- Train –The –Trainer Crossing Guard Supervisor Program
 4. Persons with Communication Disabilities in Public Settings Best Practices
 5. Gaga Ball Best Practices
 6. Passenger Bus & Van Operations Best Practices
 7. New LMS
 8. MSI Live Schedule
- F. MSI Newsletter – August 01, 2023
1. How to Receive Push Notifications on the NJ MEL Mobile App?
 2. Safe and Sound at Work
 3. Law Enforcement Message: Training Opportunity- Train –The –Trainer Crossing Guard Supervisor Program
 4. Pickleball Best Practices
 5. Utility Terrain Vehicle (UTV) Beach Access Transportation Best Practices
 6. Automated External Defibrillator (AED) Program
 7. Backflow Preventers Best Practices
 8. New LMS
 9. MSI Live Schedule
- G. MSI Newsletter – August 15, 2023
1. Safety Director Message: MSA Issues User Safety Notice for Altair 5X PID Gas Detector
 2. Training Announcement: Special Events Management
 3. Law Enforcement Bulletin: Crossing Guard Safety Program Resources
 4. Beach & Swimming Site Closures Best Practices
 5. Road, Signs, & Walkway Program Best Practices
 6. New LMS
 7. MSI Live Schedule

H. MSI Newsletter – August 31, 2023

1. How to Receive Push Notifications on the NJ MEL Mobile App?
2. Lifeguard Operations Bulletin
3. Animal Carcass Disposal Best Practices
4. Safety Recall Alert: Gree Dehumidifiers
5. Training Announcement: Indoor Air Quality Designated Person
6. Low Speed Vehicle Best Practices
7. New LMS
8. MSI Live Schedule

I. MSI Newsletter – September 15, 2023

1. Training Announcement: Power of Collaboration (JIF 101)
2. ARC Flash Best Practices
3. Stress Management Strategies for the Fire Service
4. Law Enforcement Training Announcement: Understanding Cannabis
5. MSI Expo: Camden County Regional Emergency Training Center
6. New LMS
7. MSI Live Schedule

Mr. Garish informed the Committee that one of their consultants has recently obtained certification as an Arborist. He emphasized that having an Arborist on board will be helpful in prompting tree safety for parks, playground and roadways.

Mr. Forlenza asked if there were any questions. No questions were entertained.

XI. MEL SAFETY INSTITUTE

Mr. Garish provided a brief review of the activity within the MEL Safety Institute for 04/01/2023 thru 06/30/2023:

- MSI NOW – 1,099
- MSI Streaming – 3
- MSI Online – 1,096
- MSI Live– via Zoom / In-Person – 217

Mr. Garish reminded the Committee that the new MSI Learning Management System (LMS) was updated in the 2nd quarter of 2023. He acknowledged that, like any new system, there is a learning curve and requested the Committee's patience during the transition period.

Mr. Garish also reported that while members are utilizing the MSI LMS for training, there has been a dip in usage. He indicated many members are completing training in a group setting and he has requested that list of attendees be provided to the Safety Director's office in order for individuals to receive credit for completing the training.

Mr. Garish informed the Committee that twenty-four (24) online courses have been updated and a new course on Risk Management for Fire EMS will be available in 2024.

Mr. Forlenza inquired for those individuals that are completing the MEL sponsored Managers and Supervisors training through the MSI, are their records being updated to reflect the same. Mr. Garish indicated he was not sure but will inquire and advise him accordingly. In addition, Mr. Forlenza inquired if it was possible for those that attended the JIF sponsored Managers and Supervisors

training can have their records updated to reflect the completion of the training as well. Mr. Garish indicated he will inquire and advise.

Mr. Forlenza asked if there were any questions. No questions were entertained.

XII. S:ERVE

Mr. Garish mentioned that S:ERVE Driver Safety Program is offered by the MEL's workers' compensation reinsurer Safety National. He noted that some of our more severe claims and injuries to our employees come from vehicle accidents. Mr. Garish advised the Committee that S:ERVE is available to Police, Fire, Public Works and, EMS personnel.

Mr. Garish stated that the *Attention and Distracted Driving* course geared toward employees that drive municipal vehicles and is approximately 30 minutes in length. He strongly recommends that all municipal employees take this course.

Mr. Garish mentioned that enrollment is required and both programs accessed through the MEL & JIF Websites. If members have any questions please contact his office directly.

Mr. Garish asked if there were any questions. No questions were entertained.

XIII. POLICE TOPICS

Police Ad Hoc Committee

Mr. Forlenza informed the Committee that the first Police Ad-Hoc Committee meeting of 2023 was held in Avalon on September 21, 2023. Mr. Garish then requested an update from Ms. Patel regarding the meeting since he was unable to attend. Ms. Patel stated that a total of twenty-three (23) Police Officers and Chiefs registered for the meeting, but only fourteen (14) were able to attend. She explained that the lower attendance was due to a specific town facing a situation that prevented additional Police Officers from attending the meeting. Ms. Patel stated the Chief Hummel and Chief Earle covered various topics including but not limited to law enforcement training, memorandums of understanding, legal consideration, personal firearms, marijuana, and police licensing.

Ms. Patel mentioned Chief Hummel highlighted ongoing training opportunities, specifically mentioning upcoming Police Command Staff sessions scheduled for October and November. The meeting fostered meaningful dialogue among attendees and the two Chiefs leading the session, resulting in a highly productive meeting.

Ms. Patel asked if there were any questions. No questions were entertained.

XIV. LAW ENFORCEMENT CONSULTANT

Mr. Winter advised the Committee that seventeen (17) Police Officers have registered for the Report Writing course, which is scheduled for October 25, 2023 at the Cape May County Police Academy.

Mr. Winter informed the Committee that the proposed Resiliency Officer training with Dr. Kelly exceeded the allocated budget. He mentioned that he had reached out to Dr. Kelly once again to explore the possibility of scheduling a four-hour training session that would cover the necessary tools and techniques for the Resiliency Officers within that timeframe. Mr. Winter stated that he is currently awaiting a response from Dr. Kelly.

Mr. Winter stated that nine (9) Law Enforcement visits have been scheduled and he is awaiting for six (6) more Chiefs to respond. He expressed satisfaction with the feedback he has received. He explained that he has created an unofficial JIF Law Enforcement Committee, which consists of Chiefs from different counties, and its purpose is to maintain regular contact and gather input on current trends through quarterly meetings via zoom. These collaborative efforts will facilitate resource management and information sharing among agencies.

Mr. Winter asked if there were any questions. No questions were entertained.

XV. WELLNESS INITIATIVE

Ms. Simone advised the Committee that the third quarter newsletter focused on the significance of sleep.

Wellness Advisory Committee Report

Ms. Simone mentioned that the Wellness Advisory Committee met on September 19, 2023, and reviewed the proposed revisions to the wellness program, employee survey results, newsletter format, and brainstormed on healthier options for JIF sponsored events. She indicated another Wellness Advisory Committee meeting might be scheduled for December based on the availability of the members.

Employee Survey Results Update

Ms. Simone stated they utilized *Survey Monkey* to conduct an employee survey in June. She noted the survey focused on employee stress levels, wellness priorities, participation in health-promoting activities, to name a few. She mentioned the survey results are available upon request.

Transformational Leadership Program

Ms. Simone informed the Committee, that several mid-level Police Officers and Chiefs from ACM, BURLCO and TRICO JIFs participated in the Transformation Leadership program with Dr. Elias. She indicated a new cohort will start in October 2023.

2023 Wellness Incentive Program Budget

Ms. Simone addressed the members' balances for the 2023 Wellness Incentive Program. She reminded everyone that many towns have not yet utilized their Wellness funds and emphasized that the deadline to claim or encumber these funds is December 31, 2023.

Mr. Forlenza brought attention to page 37 of the agenda packet, and spoke about the 2023 Wellness Incentive Program available balances and stated we continue to stress the December 31, 2023 deadline to claim or encumber these funds.

XVI. REVISED WELLNESS PROGRAM

Mr. Forlenza stated the Wellness Taskforce, which consists of Chairs of the Executive Safety and Claims Review Committees for the ACM, BURLCO and TRICO JIFs met approximately six (6) weeks ago and discussed the proposed revisions to the Wellness Program. Mr. Forlenza indicated that the outcome of the meeting was discussed in detail earlier in the meeting with the Safety Committee's Commissioners. He indicated that there is a proposed revision to the Wellness aspect

of the Safety Incentive Program, which will be reviewed with Safety Director's office and the respective Executive Safety Committees in the near future.

Mr. Forlenza asked if there were any questions. No questions were entertained.

XVII. MEL SAFETY & EDUCATION COMMITTEE MEETINGS

Mr. Forlenza noted the MEL Safety & Education Committee meeting minutes from May 12, 2023 and August 11, 2023 are on pages 38-47 of the agenda packet. Mr. Forlenza stated these meeting minutes are provided to make the members aware of the activities and initiatives undertaken by the MEL around the State. The next meeting will be held on October 27, 2023.

Mr. Forlenza advised the Committee that the MEL Safety & Education Committee has authorized Benchmark Analytics to conduct a study with respect to number of claims associated with police agencies that are accredited versus those that are not accredited.

Mr. Forlenza asked if there were any questions. No questions were entertained.

XVIII. PEOSHA ADVISORY COMMITTEE UPDATES

Mr. Garish informed the Committee that Mr. Saville from his office is a member of the PEOSHA Advisory Committee. He directed the Committee's attention to page 48 of the agenda, where he went over Mr. Saville's PEOSH Consultation Summary report in detail.

Mr. Garish directed the Committee's attention to pages 52 of the agenda packet, which depicts the Most Frequently Cited violations, from PEOSHA. He suggested that if a member is interested in receiving a consultative visit, please contact PEOSHA who will be more than happy to pay them a visit.

Mr. Garish informed the Committee that there has been an increase in the number visits completed by PEOSHA. He mentioned that three (3) of our member towns received surprise visits. He reported that most of these visits went smoothly, but encouraged the Committee to contact the Safety Director's office and/or PEOSHA for assistance.

XIX. SMALL MUNICIPALITIES REGIONAL JOINT SAFETY COMMITTEE MEETINGS

Mr. Garish shared that the third quarter Small Municipalities Regional Joint Safety Committee meeting was held on September 8, 2023 in Weymouth Township. These meetings are coordinated between Corbin City, Estell Manor, Weymouth, Folsom, and Woodbine. He mentioned that these municipalities meet quarterly and take turns hosting the meeting. Mr. Garish indicated that the September 08, 2023 meeting had two main components, one being Stop the Bleed training provided by Dorothy Volunteer Fire Company. Mr. Garish indicated that Stop the Bleed kits are typically purchased by First Responders however, many Public Works departments are purchases these kits due to their exposure to dangerous equipment such as a chainsaw. He noted that many members are utilizing their SIP money to purchase the kits.

The second component focused on the Run, Hide or Fight model with respect to Active Shooter, which was presented by a representative from a local Sheriff's department.

Mr. Garish indicated the member municipalities provide great resource and support to each other as well as the Risk Management Consultants that service these towns.

XX. *OPTIONAL SAFETY BUDGET*

Mr. Forlenza directed the Committee to a copy of the 2023 Optional Safety Budget Balance spreadsheet in the agenda packet on page 55. He reminded the Committee that the deadline to claim or encumber these funds is December 31, 2023. Mr. Forlenza noted that all encumbered funds must be claimed by February 01, 2024.

Mr. Forlenza asked if there were any questions. No questions were entertained.

XXI. *SAFETY INCENTIVE PROGRAM*

Mr. Forlenza directed the Committee to Page 56 of the agenda packet, which depicts the 2022 Safety Incentive Program member balances. He reminded the Committee that the deadline to claim or encumber these funds is December 31, 2023. Mr. Forlenza noted that all encumbered funds must be claimed by February 01, 2024. Mr. Forlenza indicated that the Executive Director's office will be sending a reminder letter out to the members in late November or early December, as they have done in the past.

XXII. *2024 SAFETY KICK OFF BREAKFAST*

Mr. Forlenza inquired if the Committee would like to hold a Safety Kick Off Breakfast in 2024. The Committee unanimously agreed that they should hold an in-person Safety Breakfast next year. Mr. Forlenza said they are looking to hold the Safety Kick-Off Breakfast in late March or early April. Mr. Forlenza then requested authorization to reserve Merighi's Savoy Inn in Vineland for the event. The Committee granted authorization to reserve the facility.

Mr. Forlenza mentioned that the survey results from the 2023 Safety Kick-Off Breakfast requested healthier food options. Following a discussion, it was decided to include healthier food options at the 2024 Safety Kick-Off Breakfast.

Mr. Forlenza asked to secure a guest speaker for the Safety Kick-Off Breakfast and the importance of having an engaging speaker. Mr. Forlenza advised the Committee, that a small stipend would be paid to the speaker as done in the past. The Committee agreed to secure a speaker. Mr. Forlenza indicated he will keep the Committee informed with respect to the speaker.

Mr. Forlenza requested authorization to hire an audio-visual specialist once again this year to provide assistance with the setup and breakdown of the audio-visual equipment. The Committee granted authorization to secure an audio-visual specialist.

XXIII. *2024 SAFETY, WELLNESS & CLAIMS COORDINATOR ROUNDTABLE*

Mr. Forlenza asked if the Committee was in favor of holding the 2024 Safety, Wellness and Claims Coordinator Roundtable separately from the Safety Kick-Off Breakfast via Zoom, all were in favor.

XXIV. NOMINATING COMMITTEE REPRESENTATIVE

Mr. Forlenza referred the Committee to pages 61-62 of the agenda packet, which depicts the Nominating Committee Charter. Mr. Forlenza stated that a representative from this Committee is required to partake in the Nominating Committee and reviewed the criteria for the representative. Following a brief discussion, Ms. Lucy Samuelson was nominated to represent this Committee at the Nominating Committee meeting.

Mr. Forlenza asked for approval, the Committee agreed.

XXV. 2023 REMAINING MEETING DATES & FORMATS:

Mr. Forlenza noted that the last Committee meeting will be held on Friday, December 01, 2023 via Zoom at 11:30 AM.

There being no further business, the meeting adjourned at 1:25 PM.

File: ACMJIF/2023/Safety Committee

Tab: 9/21/2023



SECOND QUARTER SAFETY DIRECTOR'S REPORT

ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND 2023

PREPARED BY

J. A. Montgomery Consulting

P.O. Box 99106
Camden, NJ 08101

Table of Contents

| | |
|---|----|
| A. GENERAL DUTIES – EXECUTIVE SUMMARY | 2 |
| 1. Executive Safety Committee | 3 |
| 2. Participation in Claims Process / Accident Investigation | 3 |
| 3. Written Compliance Programs / Bulletin Updates | 3 |
| B. PROGRAMS | 3 |
| 1. Safety Incentive Program | 3 |
| 2. Road, Sign, and Walkway Program..... | 5 |
| 3. Law Enforcement Services..... | 5 |
| 4. S:ERVE / Attention and Distracted Driving | 6 |
| 5. Facility Checklist, Job Safety Observations, ToolBox Talks | 7 |
| C. TRAINING | 7 |
| 1. Regional Training Plan / Additional Training | 8 |
| 2. MSI Training and Participation | 8 |
| D. ATTENDANCE / REPORTS | 12 |
| 1. Attendance at Meetings of the Fund..... | 12 |
| 2. Monthly and Quarterly Reports..... | 12 |
| 3. 2023 Regional Training Plan | 13 |

**ATLANTIC COUNTY
MUNICIPAL JOINT INSURANCE FUND**

**2023 SECOND QUARTER
SAFETY DIRECTOR'S REPORT**

A. GENERAL DUTIES – EXECUTIVE SUMMARY

The Second Quarter Safety Director's Report covers service activities from April through June of 2023. The 2023 Safety Director's contract calls for a minimum of 127 Loss Control Visits to the 41 Atlantic County Municipal Joint Insurance Fund members. Service visits will include (15) Renewal Surveys, (7) Boardwalk Surveys, and Law Enforcement Surveys.

The remaining service visits will include but are not limited to physical facility surveys, playground inspections, seasonal operations, Job Safety Observations, Safety Committee meetings, special training requests, PEOSH violation remediation assistance, and other services requested by the membership.

Fifteen members will be reviewed for renewal in 2023, including Absecon, Cape May City, Cape May Point, Corbin City, Deerfield Township, Egg Harbor Township, Estell Manor, Folsom Borough, Linwood, Mullica Township, Ocean City, Upper Township, West Wildwood, Weymouth, and Wildwood. During the surveys, all municipal operations are reviewed. Buildings more than 50 + years old or of significant value are visited. The following elements are reviewed: SIP participation, Suggestions for Improvement, any unusual exposures, and comments on their loss metrics. Results will be summarized during the Second Quarter Executive Safety Committee meeting.

The J. A. Montgomery, Risk Control Team, consists of our Safety Director, Chief Keith Hummel (Ret.), and Loss Control Consultants, John Saville, Robert Garish, and Thomas Reilly. We will be your primary contact for all Loss Control / Safety related services. Keith is also available to provide Law Enforcement Risk Control Consultation Services as requested by the Joint Insurance Fund. The team is administratively supported by Melissa Meccariello. Training support is administered by the MSI Learning Management System staff, Susan Kopec, Andrea Felip, and Natalie Dougherty.

1. Executive Safety Committee

The Safety Committee will meet three (4) times in 2023. The Safety Director and staff will continue to attend Safety Committee meetings to help establish local safety programs and assist in the effectiveness of the overall safety program. The Safety Director reviews loss metrics (LTAF Rate, Loss Ratio Reports), training participation, and SIP involvement quarterly.

Any member who shows deterioration in their results is brought to the attention of the Executive Safety Committee. We are happy to report that no members of the Atlantic JIF are on Safety Monitoring or Intervention currently.

2. Participation in Claims Process / Accident Investigation

Personnel from the Safety Director's Office attend the monthly Fund Claims Committee meetings and are available to offer technical and safety-related insight into claims under review. The Safety Director's Office is also available to conduct accident investigations related to claims against the Fund. The Safety Director's Office will collaborate with the Third-Party Administrator to help identify loss trends from claims to better focus on certain areas when needed.

3. Written Compliance Programs / Bulletin Updates

The Safety Director's Office has produced model safety plans to address regulatory compliance issues. These programs are available on the following website: [NJ MEL Resource Center](#) along with the [Atlantic JIF Website](#). All MSI communications will be distributed exclusively through the N.J. M.E.L. app and an MSI Newsletter will be emailed to summarize the communications sent through the app 2x a month. A listing of all Notices and Bulletins distributed during the prior month are listed in the Safety Director's Report of the monthly agenda packet. There are over 130 available Safety Director's Bulletins covering diverse topics under Administration, Public Works / Public Authorities, Law Enforcement, Fire/Rescue, and Recreation. Over 30 bulletins related to COVID-19 have been issued by the Safety Director's Office.

B. PROGRAMS

1. Safety Incentive Program (SIP)

The theme for the Safety Incentive Program is a “ZERO-HARM WORKPLACE.” The presence of safety versus the absence of safety. By changing the way, we approach safety, we focus on avoiding Risk rather than relying on the lack of injury to determine how well our safety programs are working.

When we describe Zero Harm vs. Zero Incident, we must start by identifying Risk and avoiding the hazards through controls.

We avoid Risk when we Plan to reduce or eliminate hazards wherever we can. We Do what is necessary to eliminate hazards each time. We Check to ensure it is being done and Act by following through with our plan.

Elements of the 2023 Safety Incentive Program include but are not limited to:

- Uniform program. See the 2023 Safety Incentive Program (SIP) for additional details.
- Submit the 2023 Safety Committee meeting dates (2/24/2023) and return the 2023 Safety Contract (3/24/2023).
- Send a delegate to the Safety Kickoff Breakfast (3/23/2023)
- Each member is required to send a delegate to the Safety Coordinator/ Claims Coordinator/Wellness Coordinator Roundtable, which will be held on April 25, 2023, via Zoom (Virtual).
- Each member is required to send a delegate to at least one half-day session of the Annual Planning Retreat (October 2023)
- Required attendance at all applicable Regional Training events.
- Members will hold at a minimum quarterly Safety Committee meeting.
- Member towns are expected to participate in all aspects of the program. Safety records are kept at the workplace and maintained by the Safety Coordinator. Once or twice a year, the safety records will be reviewed onsite by the JIF Safety Consultants.
- Activities in the safety program are grouped into the “six (6) C’s”, Commitment, Controlling Hazards, Continuing Education, Communication, Coaching, and Claims Management. See *Best Practices of 2023 SIP*.
- JIF Safety Consultants are required to review program records. Safety Coordinators are encouraged to maintain these program records in a centrally located file. The file should contain the member's Safety Committee Minutes, Hazard Inspections, Training Records, Job Safety Observations, and any other documentation to objectively evaluate the member's program efforts. Maintenance of this file will ensure that the member receives full credit for their actions.
- During onsite record checks, all elements of the program will be reviewed. We will work with members to secure a commitment of participation for areas found to be lacking during the review. It is expected that written documentation will be available for review (Safety Committee Minutes, hazard inspections, training records, job safety observations, roadway, signs, and walkway logs, etc.).

- All safety elements are scored equally, and full participation requires activity and a significant demonstration of commitment in all aspects of the program to qualify for a Safety Incentive Award.
- Members will either qualify or not qualify (Pass or Fail) for a Safety Incentive Award. There are no qualification tiers.

2. Road, Sign, and Walkway Program

The Road, Sign, and Walkway program is posted to the JIF website and includes written guidelines to help minimize incidents and reduce litigation costs. It's important to emphasize the need for this program as one of the key components in protecting Title 59 Immunities. Good inspection reports are often successfully used to help defend liability cases.

3. Law Enforcement Services

Police Ad Hoc Committee meetings are held regularly throughout the year, depending on the need. Joint meetings with Atlantic, BURLCO, and TRICO JIFs allow for representation by agencies of various sizes to present and discuss Risk Management issues of interest to the members.

Chief Hummel (Ret.) will provide Law Enforcement Consultative Visits to multiple agencies within the Atlantic JIF in 2023. These meetings aim to provide an in-depth review of services and identify members' needs and requests. Special attention is directed to members with changes to their Command Staff. The Safety Director's Office will continue to build strong relationships with the Law Enforcement community.

Law Enforcement Training and Memorandums are distributed electronically and are listed in the monthly Fund Agenda packet and posted to the JIF website. The following memorandums were sent out in 2023 as of this report:

<https://melsafetyinstitute.org/law-enforcement-2/>

- Key to Agency Stability, Longevity, and Liability Resilience
- Attorney General – Drug Testing – Officer Safety and Wellness (Revision)
- Police Officer Licensure Regulations (Update)
- Law Enforcement – Unique Role in Active Shooter / Mass Violence
- Newly Released Active Shooter Report – Key Findings and Considerations

Police Command Staff Training will be administered by Chief Hummel (Ret.) and Chief Earle (Ret.) and offered to the fund on multiple dates/times. Officers will only need to attend either the AM or PM session on any of the available dates.

- Thursday, June 8, 2023 – Merghi's Savoy Inn - Vineland, NJ
- Monday, June 12, 2023 – Indian Springs Country Club – Marlton, NJ
- Thursday, June 22, 2023 – Auletto's Catering – Deptford, NJ

Training for Special Law Enforcement Officers (SLEO) will be held in 2023, with reimbursement offered to members who participated.

Additional Police Services available to members include but are not limited to:

- Sample Policies
- Useful Links
- Crossing Guard Resources
- Messages
- Alerts
- Police Risk Management Training
- Practical Leadership – 21 Irrefutable Laws
- Building Trust and a Constitutionally Sound Police Through Training
- Violence Prevention and Risk Considerations for the CIT Trained Officer and Mental Health Professional
- Below 100 Training
- Career Survival for 911 Call Takers and Dispatchers
- Career Survival for First-Line Supervisors
- Law Enforcement Workzone Refresher Training
- Protecting Children from Abuse / Risk Management Training
- S:ERVE & Distracted Driving (Updated 2019)
- Coaching the Emergency Operator (CEVO)
- Defensive Driving (Online-State Approved)
- MEL Safety Institute (MSI LIVE, MSI NOW, MSI DVD)
- Law Enforcement Video Toolbox Talks
 - Introduction to Law Enforcement Resources
 - Chiefs Message – Post COVID-19 Homeless, Trespass, and Eviction
 - Preventing Officer Involved Domestic Violence
 - Hand Sanitizers and Controlled Energy Device Risks

4. S:ERVE & Attention and Distracted Driving

S:ERVE - Safety: Emergency Responder Vehicle Education (S:ERVE) is an online driver simulation and curriculum that focuses on code three intersection negotiation scenarios created to educate law enforcement, firefighters, E.M.S., and other emergency responders. Courses are SCORM compliant and designed to stand alone with minimal instructor participation. Each course is divided into six short lessons of 20-30 minutes, presenting techniques, concepts, rules, and procedural knowledge necessary for emergency responders to drive safely and effectively in emergency response situations. The following modules make up the S:ERVE program:

- Intersection Approach
- Intersection Assessment
- Clearing the Intersection (Basic)
- Clearing the Intersection (Advanced)
- Intersection Departure
- Distracted Driving for First Responders

Attention and Distracted Driving - Distracted driving is emerging as a major cause of work-related vehicle accidents. This online driver simulation program provides targeted and convenient safe driving training for all fleet drivers, regardless of vehicle type. The course is SCORM compliant and designed to function independently with basic instructor participation in a brief 20-30-minute lesson. This course includes:

- The adverse effects of looking away from the road for more than two seconds
- Strategies for eliminating controllable distractions
- How to make necessary adjustments for distractions that the driver cannot control

5. Facility Checklist, Job Safety Observations, Toolbox Safety Talks

Facility Checklist- Routine inspections help you ensure that safety and health policies and procedures are being followed. Identify and correct safety and health hazards before they cause injuries or illnesses. Determine the need for safety training while promoting compliance and showing employees we care about their safety and everyone else's.

Job Safety Observations – Helps identify Safe or At-Risk Actions. Reaffirms safe actions through positive reinforcement while helping identify skill sets, knowledge, and potentially unsafe actions. Through coaching and corrective actions, these observations can be a helpful resource for increasing employee safety.

Toolbox Safety Talks – Quick, effective, and easy-to-use tool that front-line staff can use to share information about potential safety problems and concerns daily. They help promote and reiterate important information and best practices for the task at hand.

C. TRAINING

1. Regional Training Plan / Additional Training

Safety Breakfast was held on March 17, 2023 (In-Person) at Mergih's Savoy Inn.

Safety /Claims/Wellness Coordinator's Roundtable was held on April 25, 2023, via Zoom.

Back Safety will be made available to members via MSI LIVE (Zoom) on three separate dates for 2023:

- April 19, 2023
- July 11, 2023
- October 19, 2023

Summer Seasonal for Managers/Supervisors was held on June 5, 2023 (In-Person) at the Ocean City Library

Managers and Supervisor Training

- 6/29/2023 9:00 AM – 11:30 AM & 1:00 PM - 3:30 PM
- 7/13/2023 9:00 AM – 11:30 AM & 1:00 PM - 3:30 PM
- 7/27/2023 9:00 AM – 11:30 AM & 1:00 PM - 3:30 PM
- 9/11/2023 9:00 AM – 11:30 AM & 1:00 PM - 3:30 PM
- 9/27/2023 9:00 AM – 11:30 AM & 1:00 PM - 3:30 PM
- 10/11/2023 9:00 AM – 11:30 AM & 1:00 PM – 3:30 PM

CDL (Entry Level Driver Training) T.B.D.

Indoor Air Quality – will be made available to members via the MSI LIVE (Zoom) on two separate dates for 2023:

- September 15, 2023 @ 11:00 AM
- December 4, 2023 @ 9:00 AM

Annual Retreat – October 2023

2. MSI Training and Participation

Traditionally there are approximately 70 different instructor-led training courses available to the membership and approximately 200 online training programs. Various safety topics from Employee Conduct, General Safety, Accident Investigation, Snow Removal, Safety Orientation for New Employees, Recreation, and a series on Camp Counselor Safety are available to the membership to name a few.

Newer training courses include but are not limited to:

- Employee Conduct and Violence Prevention in the Workplace
- Understanding and Preventing Microaggressions
- Cultural Competence
- Courageous Conversations
- Preparing for First Amendment Audits
- Implicit Bias in the Workplace

The Course Catalog and Class Request forms were made available on both the NJ MEL website and the Atlantic JIF website. Available training for our instructor-led courses is routinely provided. Approximately 50 instructor-led training sessions are occurring monthly. [MSI Catalog](#)

A "Training Needs Assessment Guide" is available to the membership on the Atlantic JIF / MEL websites. This "YES/NO Guide" is designed to assist members with

determining safety training for each employee under various PEOSH and OSHA Standards and other occupational safety regulations.

Each MSI class has YES/NO questions concerning the duties or exposures that should be considered for each employee. A YES answer to a question would indicate some level of training or education on the topic is needed for that employee. Employers should consider MSI LIVE classes as an option to provide the training identified from using the guide. [MSI Training Needs Assessment Guide](#)

Training Administrators are an essential link for members to access the MSI Learning Management System. Administrators can run reports, register users, and update training records. All members are encouraged to check the accuracy of the Training Administrator list via the MEL Safety Institute.

MEL Safety Institute tutorials are available for both "User" and "Administrator" level capabilities through the MSI. Users can contact the MEL Helpline Monday – Friday 8:30 AM – 5:00 PM (866) 661-5120 if they need further assistance.

The MEL Safety Institute has (3) main training platforms offered to members:

1. MSI LIVE: The MSI LIVE features real-time, instructor-led classes and webinars. Experienced instructors provide an interactive experience for the learner on a broad spectrum of safety and risk control topics. Most MSI LIVE offerings have been awarded continuing education credits for municipal designations and certifications. The MSI LIVE catalog provides a description of the course, the intended audience, and available credits.

How do I know what courses are available?

The [MSI LIVE Catalog](#) provides a description of the course, the intended audience, and available continuing education credits. The schedule for upcoming classes is listed below.

How do I register?

You can view the schedule and register by clicking on the date and topic of your choice in the schedule below.

What are the requirements to receive C.E.U. credits/certification of completion?

To maintain the integrity of MSI classes and our ability to offer C.E.U.s, we must abide by the rules of the State agency that issued the designation. Chief among those rules is the attendee of the class must attend the whole session. ***Attendees who enter the class more than 5 minutes late or leave early will not be awarded C.E.U.s for the class or receive a certificate of completion.***

2. MSI NOW: The MSI NOW provides on-demand streaming videos and online classes that can be viewed 24/7 by our members. Topics pertain to many aspects of safety, risk control, employment practices, and supervision and most can be viewed in under 20 minutes. The library has over 150 available streaming videos. Periodic reviews of

this platform will occur to ensure the content is current and relevant. This will include the removal/addition of courses made available to the membership.

- To access the streaming videos, log in to the Learning Management System (L.M.S.), and select MSI NOW and Online Training College on the bottom right side of the page. When the College is opened, the streaming videos are on the page's right side, listed by ten categories.
- A drop-down menu of the available titles is shown when a category is selected. Online classes are still listed on the left side of the College.
- Individuals who log into the L.M.S. and take an online class or view a video in the MSI NOW library will have the session added to their learning histories. Group learning can be added to students' learning histories by the Training Administrator of the member.

MSI Video Briefings – These video briefings are designed to focus on one limited topic, in a brief time (5 Minutes). These video briefings are an excellent resource for Toolbox Talks for employees.

- Asbestos Safety Overview (10 Minutes)
- Fire Extinguisher Inspections (5 Minutes)
- G.H.S. Pictogram Review (5 Minutes)
- Investigating Slip and Trip Injuries (5 Minutes)
- OSHA Record Keeping (5 Minutes)
- Safely Backing Work Vehicles (5 Minutes)
- Voluntary Use of Respirators (5 Minutes)
- Responsibilities of an R.T.K. Coordinator (5 Minutes)
- Confined Space Demonstration (6 Minutes)
- Customer Service (12 Minutes)
- Investigating Slip and Trip Injuries
- Exiting and Entering Trucks (5 Minutes)
- Mark Out Safety (14 Minutes)
- Firefighter Pre-Hab (8 Minutes)
- Fire Prevention Week (6 Minutes)
- Finding Fentanyl at Recreational Facilities (3 Minutes)

Virtual Leadership Skills Training - The M.E.L. Safety Institute will offer (3) virtual leadership skills classes for 2023. The 2-hour, live, interactive courses will offer insights and techniques to help supervisors deal with important workplace issues such as conflict resolution, communications, and the supervision of employees.

- **Introduction to Management Skills**
JAN. 20, April 18, JULY 21, and OCT. 4
- **Introduction to Communication Skills**
FEB. 17, May 23, AUG. 18, and NOV. 8
- **Introduction to Understanding Conflict**
MARCH 10, JUNE 13, SEPT. 15, DEC. 6

To register for these courses, go to the [MSI LIVE Schedule](#) If a link is not present the class may not be offered yet, please check back.

MSI Leadership Academy – The MEL Safety Institute (MSI) has created the MSI Leadership Academy for Managers, Administrators, Department Heads, and Supervisors interested in sharpening and expanding communication, conflict resolution, stress management, and team-building skills. The goal is to enhance leadership skills by offering participants varied and in-depth training. [MSI Leadership Academy](#)

Classes will be offered through MSI LIVE and will include a combination of virtual and in-person options at various locations throughout New Jersey. Participants who successfully complete the requirements will receive a plaque to commemorate graduation from the MSI Leadership Academy. Click [here](#) for the current flyer.

Requirements:

Complete (6) mandatory classes and (4) elective classes of your choice. Classes must be completed within two years from the date the student starts the program.

Academy Open Enrollment:

Open enrollment will be held for 3-weeks prior to each session. The enrollment form must be submitted during this timeframe, or the participant will not be eligible to start and will be required to wait for the next enrollment period. Participants only must enroll one time. Once enrolled they can register for mandatory and elective classes.

Open Enrollment Dates:

- June 1–22, 2022 (Start Date: July 1, 2023)
- December 1-22, 2022 (Start Date: January 1, 2023)

Additional Safety Resources but not limited to found at the Atlantic JIF website and M.E.L. website:

- MSI Bulletins
- MSI Briefings
- MSI Forms / Safety Checklist
- MSI JSOs
- Model Policies / Procedures
- Defensive Driving
- MSI Videos

Member Participation:

Atlantic JIF members participated in the following training courses from 4/1/2023 thru 6/30/2023:

- MSI LIVE: 217
- MSI NOW: 1,099
 - Online: 1,096
 - Streaming: 3

D. ATTENDANCE / REPORTS

1. Attendance at Meetings of the Fund

J. A. Montgomery Consulting has representation at all JIF events, including but not limited to, Fund Commissioner Meetings, Claims Committee Meetings, and Annual Planning Retreats. J. A. Montgomery Consulting attends the MEL Safety and Education Committee meetings. Information presented at the MEL level is shared with the Executive Safety Committee. Additionally, J. A. Montgomery Consulting Staff attends quarterly PEOSH Meetings, Rutgers Crossing Guard Forum, and Safety/Risk Management related events.

2. Monthly and Quarterly Reports Semi-Annual Loss Analysis

J. A. Montgomery Consulting provides monthly reports to the Fund on Risk Control activities completed during the prior month. Quarterly reports on MSI Attendance are distributed to the membership. Safety Director Reports are presented at the quarterly Executive Safety Committee meetings.



2023 Regional Training Plan

#1 Topic: Safety, Claims, and Wellness Coordinators' Roundtable

Date / Time: April 25, 2023, @ 10 AM

Location: Virtual (Zoom)

Target Audience: Safety Coordinators, Claims Coordinators, Wellness Coordinators, Risk Management Consultants, and Other Interested Personnel

We will highlight the 2023 S.I.P., ZERO Harm / Presence of Safety, and review online resources available at the MEL/JIF websites, such as the Job Safety Observations, Tool-Box Talks, Safety Checklists, and the most recent additions to MSI Learning Management System. The Wellness Coordinator will highlight the 2023 theme and review the membership accomplishments. The Claims Coordinator will review the claims process and provides updates/resources.

#2 Topic: Back Safety Material Handling

Date / Time: April 19, 2023, @ 1 PM, July 11, 2023, @ 9 AM, October 19, 2023, @ 1 PM

Location: Virtual (Zoom)

Target Audience: Safety Coordinators, Claims Coordinators, Risk Management Consultants, and Other Interested Personnel

The course will promote the WSL Model (Wide Stance, Set Back, Lift) technique. It reviews the structure of the spine and common back injury mechanisms. Students will be given the opportunity to discuss common manual labor tasks and best practices to minimize stress on the body.

#3 Topic: Summer Seasonal Employee Training for Supervisors

Date/Time: June 5, 2023 @ 9 AM

Location: Ocean City Library

Target Audience: Supervisors, Safety Coordinators, Claims Coordinators, Risk Management Consultants, and Other Interested Personnel

The summer season presents many new exposures for member towns. This workshop will review the JIF / MEL resources available for the orientation of part-time and summer seasonal employees, the protection of minors, and online summer camp training resources. We will also discuss child labor laws that pertain to safety and information on background checks – with special emphasis on safety and training tools. Participants are invited to submit topics for the agenda.

#4 Topic: Indoor Air Quality

Date / Time: September 15, 2023 @ 11:00 AM & December 4, 2023 @ 9:00 AM

Target Audience: Designated Person (IAQ), Safety Coordinators, Claims Coordinators, Risk Management Consultants, and Other Interested Personnel

The NJ Indoor Air Quality (IAQ) standard requires that employers designate and train a staff member to act as the Designated Person. This training is designed to satisfy this requirement. This course is recommended for your agency's IAQ-designated person. Training should be completed before assuming the role of the IAQ Designated Person and every 3 years after that

Attendance at all applicable Regional Training programs is mandatory and counts toward successful participation in the 2023 Safety Incentive Program.

Atlantic County Municipal Joint Insurance Fund
P.O. Box 488, Marlton, New Jersey 08053 · P: 856-446-9100 · F: 856-446-9149 ·
www.acmjif.org



To: Fund Commissioners

From: Paul A. Forlenza, MGA, RMC, Executive Director

Date: October 18, 2023

Re: **Executive Director's Report**

A. Lost Time Accident Frequency Report (pgs. 69-70)

The August 2023 Lost Time Accident Frequency Summary and the Statewide Recap for August 2023 are attached for your review.

B. Certificates of Insurance (pgs. 71-74)

Summaries of the Certificates of Insurance issued during September 2023 are attached for your review.

C. Financial Fast Track Report (pg. 75)

The Financial Fast Track Report for August 31, 2023 is attached for your review. This report is generated by the Administrative Consultant and provides a "snapshot" of the JIF's financial status. The JIF's surplus position as of August 31, 2023 was \$613,591,006

D. Regulatory Filing Checklists (pgs.76-77)

Enclosed please find two regulatory filing checklists that we provide each month as part of our due diligence reporting on behalf of the JIF. These checklists provide an outline of required reporting to the Departments of Banking and Insurance and Community Affairs on an annual and a monthly basis, and the status of the items outlined.

E. 2022 Safety Incentive Program Awards (pg. 78)

A letter from our office describing how to collect your 2022 Safety Award Money was emailed to all members on or about April 5, 2023. If you have any questions on how to collect your 2022 Safety Incentive Program Awards, please contact our office. **Please note that the deadline to claim or encumber these funds is December 31, 2023. All encumbered funds have to be claimed by February 1, 2024.**

F. 2023 Optional Safety Budget (pg. 79)

A consolidated announcement letter including instructions on how to collect your 2023 Optional Safety Allowance was emailed to all members on or about February 13, 2023. If you have any questions on how to collect your 2023 Optional Safety Budget allowance, please contact our office **Please note that the deadline to claim or encumber these funds is December 31, 2023. All encumbered funds have to be claimed by February 1, 2024.**

G. 2023 Wellness Incentive Program Allowance (pg. 80)

A consolidated announcement letter including instructions on how to collect your 2023. Wellness Incentive Program Allowance was emailed to all members on or about February 13, 2023. If you have

any questions on how to collect your 2023 Wellness Incentive Program Allowance, please contact our office. **Please note that the deadline to claim or encumber these funds is December 31, 2023. All encumbered funds have to be claimed by February 1, 2024.**

H. 2023 EPL/Cyber Risk Management Budget (pg. 81)

A consolidated announcement letter including instructions on how to collect your 2023 EPL/Cyber Risk Management Allowance was emailed to all members on or about February 13, 2023. If you have any questions on how to collect your 2023 EPL/Cyber Risk Management Allowance, please contact our office. **Please note that the deadline to claim or encumber these funds is December 31, 2023. All encumbered funds have to be claimed by February 1, 2024.**

I. Employment Practices Liability Compliance (pg. 82)

A report regarding each member's compliance status with the MEL EPL/POL Risk Management Plan is attached for your review. Each member should review this report carefully to insure its accuracy. If you believe the report to be inaccurate regarding your town, please contact PERMA directly.

J. Statutory Bond Status (pgs. 83-85)

The latest listing of Statutory Bonds issued by the MEL for JIF members is included for your review. This list should be reviewed for accuracy. Please note that these bonds are written for the individual NOT the position to be bond. All applicants for a bond must complete an underwriting application and submit it to the Fund Underwriter for approval. Any questions on the status of an application or a bond listed on the report should be directed to Jonathon Tavares at 856-614-4493 or jtavares@connerstrong.com.

K. Skateboard Park Approval Status (pg.86)

Enclosed, please find a spreadsheet depicting the current status of all approved skateboard parks or those currently under construction by a member municipality. The MEL has established a process, outlined in MEL Coverage Bulletin **2023-06**, which must be followed by all members who wish to construct a skateboard park and have the Atlantic JIF and MEL provide said facility with coverage. Any member with a park currently under construction or in the review process should review the enclosed spreadsheet to be sure that it accurately depicts the status of your facility. All members considering construction of a skateboard park should contact the Executive Director's office prior to moving forward.

L. Capehart & Scatchard Updates (pgs. 87-89)

John Geaney, Esq. of the law firm of Capehart & Scatchard periodically provides updates on court cases dealing with workers' compensation, ADA, and FMLA issues. Copies of his latest updates are included for your information.

M. Monthly Activity Calendars (pgs. 90-91)

Attached for your review is the monthly activity calendar for the months of October/November 2023.

N. Land Use Training Certification (pg. 92)

Attached for your review is a list of members that have provided a certification to the Fund Underwriter indicating that at least some of their Board Members have completed the Optional Land Use Training Program. Land Use Board members that complete the training program will be eligible for enhanced coverage should they be personally named in a Land Use claim. Please note that only these Board members that have completed the training are eligible for the enhanced coverage. If you would like additional copies of the Land Use Liability Training Booklets, please contact the Executive Director's office. If you have any questions regarding the individuals that have completed

the training, please do not hesitate to contact Jonathon Tavares at 856-614-4493 or jtavares@connerstrong.com.

O. 2024-2025 MEL EPL Risk Mgmt. Program (pgs. 93-103)

On or about May 17, 2023, a memorandum outlining the required steps necessary to remain, or come into compliance with, the MEL's EPL Risk Management Program was emailed to all Municipal Clerk's, Fund Commissioners, and Risk Management Consultants. Information pertaining to the availability of the updated policies and procedures, handbooks, required Police Command Staff and Managers and Supervisor's Training was included in the memorandum. Anyone that has questions pertaining to this Program should contact the Executive Director's Office for assistance. All members are reminded to complete the necessary steps and submit their compliance checklist by **November 1, 2023**.

P. Managerial & Supervisory Training

In 2023, the ACM JIF, in conjunction with the BURLCO and TRICO JIFs, are sponsoring Managers & Supervisor's Employment Liability Training sessions. These trainings are being presented by Armando Riccio, Esq., via Zoom conferencing. Participation by your managers & supervisors in this training is required for compliance with the 2024-2025 MEL EPL Plan of Risk Management. An email was sent to all Clerks, Fund Commissioners and RMC's on May 17, 2023 with additional information as well as links to RSVP for the various sessions offered. The attendance sheets from any past sessions are on the JIF website for your reference, and CEU certificates were emailed to those that were eligible on August 7, 2023 and October 3, 2023 for sessions attended through September 11, 2023.

Q. Anti-Harassment Training Announcement (pg. 104)

As a follow up to the May 17, 2023 MEL EPL Risk Management Program Memorandum, on July 10, 2023, an announcement on how to access Anti-Harassment Training was emailed to all Municipal Clerks, Fund Commissioners, and Risk Management Consultants. This announcement should be provided to all non-supervisory personnel (including police) and volunteers. Notifying these personnel of the availability of this training is a required element for compliance with the 2024-2025 MEL EPL Risk Management Program. Members are reminded that as employers they are required to notify all non-supervisory personnel (including police) and volunteers of the availability of this training; however, these personnel are not required to complete this training. All members should document and retain the process by which this notification process occurred. Anyone that has questions pertaining to this Program should contact the Executive Director's Office for assistance.

R. Elected Officials Training

Once again, this year, the Fund will be sponsoring Elected Officials training via the MEL Safety Institute website. The MEL will reduce each member's 2024 MEL Assessment by \$250 for each municipal elected official who completes the training. This credit will also be extended to the member's CEO (i.e. Municipal Manager or Administrator) who completes the training. The total credit is limited to 5% of a member's 2024 MEL Assessment. Once information is available regarding the training, a notice will be sent to all members.

S. Memo: RFQ 2024 Risk Management Consultant (pg. 105)

On or about September 29, 2023, the model RFQ for Risk Management Services was sent to all Fund Commissioners, Municipal Clerks, and Risk Managers. This model RFQ was developed by the Strategic Planning Committee to assist members in prioritizing the securing of necessary risk management services from an insurance professional instead of the price for these services. Any

members with questions regarding these documents can contact Tracy Forlenza at Tracy_Forlenza@rpadmin.com.

T. RMC Resolutions & Agreements

On or about October 10, 2023, a memo and sample copies of the JIF RMC Resolution and Agreement for the 2024 Fund Year were e-mailed to all Risk Management Consultants. If an RMC represents more than one municipality, we request that the form be copied and one set executed for each municipality represented. Once our office receives this documentation, payment can be issued for the 2024 fees at the February 2024 JIF meeting. Please note that RMC payments cannot be processed until this documentation is received. In addition, if they have not already done so, each RMC is required to execute a Confidentiality Agreement with the JIF and forward it to the Executive Director's office. Each RMC is asked to execute one copy of the Confidentiality Agreement for each member of their staff that might attend the JIF Executive Committee meetings. If you have any questions in this regard, please contact Tracy Forlenza at 856-446-9143 or Tracy_Forlenza@rpadmin.com.

U. 3rd Quarter Attendance (pg. 106)

A report detailing attendance records through the 3rd quarter of the 2023 Fund year is attached for your review. As the attendance is taken directly from the minutes, please contact Tracy Forlenza at Tracy_Forlenza@rpadmin.com with any questions or concerns.

V. Surplus Release

On or about September 22, 2023, a request to distribute this year's surplus release of \$2 million was submitted to the Department of Banking and Insurance for approval. Once approval is received, all members who are eligible to receive a share of this year's surplus release will receive a notification from Tracy Forlenza in regards to their balance and options for collecting their portion of the surplus. All members will be asked to respond to Tracy as to the disposition of their portion of the surplus by a date certain.

W. Website (www.acmjif.org)

Please take a moment to explore the website, which contains a plethora of information in an easy to read format and navigate site. If you have any questions, comments, or feedback, please contact Megan Matro at 856-446-9141 or Megan_Matro@rpadmin.com.

X. New Member Activity

Nothing to report.

**Atlantic County Municipal Joint Insurance Fund
2022 SIP Qualifiers Award**

| Member Municipality | Town Size | Opening Balance | January 2023 | February 2023 | March 2023 | April 2023 | May 2023 | June 2023 | July 2023 | August 2023 | September 2023 | October 2023 | November 2023 | December 2023 | Paid in 2024 | Total YTD Expenses | Ending Balance | Encumb Funds |
|--------------------------|-----------|-----------------|--------------|---------------|------------|------------|-----------|-----------|-----------|-------------|----------------|--------------|---------------|---------------|--------------|--------------------|----------------|--------------|
| Absecon City | M | 2,500.00 | | | | 2,500.00 | | | | | | | | | | 2,500.00 | 0.00 | |
| Avalon Borough | M | 2,500.00 | | | | | | | | | | | | | | 0.00 | 2,500.00 | |
| Brigantine City | L | 2,750.00 | | | | 2,750.00 | | | | | | | | | | 2,750.00 | 0.00 | |
| Buena Borough | S | 2,250.00 | | | | | | | | | | 2,250.00 | | | | 2,250.00 | 0.00 | |
| Cape May City | L | 2,750.00 | | | | | 2,750.00 | | | | | | | | | 2,750.00 | 0.00 | |
| Cape May Point Borough | XS | 2,000.00 | | | | 2,000.00 | | | | | | | | | | 2,000.00 | 0.00 | |
| Commercial Township | XS | 2,000.00 | | | | | | | | | | | | | | 0.00 | 2,000.00 | |
| Corbin City | XS | 2,000.00 | | | | 2,000.00 | | | | | | | | | | 2,000.00 | 0.00 | |
| Deerfield Township | XS | 2,000.00 | | | | | | | | | | | | | | 0.00 | 2,000.00 | |
| Dennis Township | S | 2,250.00 | | | | | 2,250.00 | | | | | | | | | 2,250.00 | 0.00 | |
| Downe Township | XS | 2,000.00 | | | | 2,000.00 | | | | | | | | | | 2,000.00 | 0.00 | |
| Egg Harbor Township | XL | 3,000.00 | | | | 3,000.00 | | | | | | | | | | 3,000.00 | 0.00 | |
| Estell Manor City | XS | 2,000.00 | | | | | | | | | | | | | | 0.00 | 2,000.00 | |
| Folsom Borough | XS | 2,000.00 | | | | 2,000.00 | | | | | | | | | | 2,000.00 | 0.00 | |
| Galloway Township | XL | 3,000.00 | | | | 3,000.00 | | | | | | | | | | 3,000.00 | 0.00 | |
| Hamilton Township | XL | 3,000.00 | | | | | 3,000.00 | | | | | | | | | 3,000.00 | 0.00 | |
| Linwood City | M | 2,500.00 | | | | | | | | | | | | | | 0.00 | 2,500.00 | |
| Longport Borough | S | 2,250.00 | | | | | | | | | | | | | | 0.00 | 2,250.00 | |
| Lower Township | L | 2,750.00 | | | | 2,750.00 | | | | | | | | | | 2,750.00 | 0.00 | |
| Margate City | L | 2,750.00 | | | | | | | 1,695.88 | 1,054.12 | | | | | | 2,750.00 | 0.00 | |
| Middle Township | L | 2,750.00 | | | | | 2,750.00 | | | | | | | | | 2,750.00 | 0.00 | |
| Millville City | XL | 3,000.00 | | | | 3,000.00 | | | | | | | | | | 3,000.00 | 0.00 | |
| Mullica Township | S | 2,250.00 | | | | 2,250.00 | | | | | | | | | | 2,250.00 | 0.00 | |
| Newfield Borough | XS | 2,000.00 | | | | | | | | | | | | | | 0.00 | 2,000.00 | |
| North Wildwood City | L | 2,750.00 | | | | | | | | | | | | | | 0.00 | 2,750.00 | |
| Northfield City | M | 2,500.00 | | | | 2,500.00 | | | | | | | | | | 2,500.00 | 0.00 | |
| Ocean City | XL | 3,000.00 | | | | 3,000.00 | | | | | | | | | | 3,000.00 | 0.00 | |
| Pleasantville City | XL | 3,000.00 | | | | | | | | | | | | | | 0.00 | 3,000.00 | |
| Sea Isle City | L | 2,750.00 | | | | 2,750.00 | | | | | | | | | | 2,750.00 | 0.00 | |
| Somers Point City | M | 2,500.00 | | | | | | | | | | | | | | 0.00 | 2,500.00 | |
| Stone Harbor Borough | M | 2,500.00 | | | | | | | | | | | | | | 0.00 | 2,500.00 | |
| Upper Township | M | 2,500.00 | | | | 2,500.00 | | | | | | | | | | 2,500.00 | 0.00 | |
| Upper Deerfield Township | S | 2,250.00 | | | | 2,250.00 | | | | | | | | | | 2,250.00 | 0.00 | |
| Ventnor City | L | 2,750.00 | | | | 2,750.00 | | | | | | | | | | 2,750.00 | 0.00 | |
| Waterford Township | M | 2,500.00 | | | | | | | | | | | | | | 0.00 | 2,500.00 | |
| West Cape May Borough | XS | 2,000.00 | | | | 2,000.00 | | | | | | | | | | 2,000.00 | 0.00 | |
| West Wildwood Borough | XS | 2,000.00 | | | | | | | | | | | | | | 0.00 | 2,000.00 | |
| Weymouth Township | XS | 2,000.00 | | | | | | | | | | | | | | 0.00 | 2,000.00 | |
| Wildwood City | XL | 3,000.00 | | | | 3,000.00 | | | | | | | | | | 3,000.00 | 0.00 | |
| Wildwood Crest Borough | M | 2,500.00 | | | | 2,500.00 | | | | | | | | | | 2,500.00 | 0.00 | |
| Woodbine Borough | XS | 2,000.00 | | | | | | | | | | | | | | 0.00 | 2,000.00 | |
| Total By Line | | \$100,750.00 | 0.00 | 0.00 | 0.00 | 50,500.00 | 10,750.00 | 0.00 | 1,695.88 | 1,054.12 | 0.00 | 2,250.00 | 0.00 | 0.00 | 0.00 | 66,250.00 | 34,500.00 | |

Must be Claimed or Encumbered by December 31, 2023. All Encumbered Funds Must be Claimed by February 1, 2024

| Atlantic County Municipal Joint Insurance Fund 2023 Optional Safety Budget | | | | | | | | | | | | | | | | | |
|---|-----------------|--------------|---------------|------------|------------|----------|-----------|------------|-------------|----------------|--------------|---------------|---------------|-----------|----------------|-------------------|-----------------|
| Member Municipality | Opening Balance | January 2023 | February 2023 | March 2023 | April 2023 | May 2023 | June 2023 | July 2023 | August 2023 | September 2023 | October 2023 | November 2023 | December 2023 | Paid 2024 | Total YTD Paid | Remaining Balance | Date Encumbered |
| Absecon City | | | | | | | | | | | | | | | | N/A | |
| Avalon Borough | \$1,500.00 | | | | | | | \$1,408.71 | | | | | | | \$1,408.71 | \$91.29 | |
| Brigantine City | \$2,000.00 | | | | | | | | | | \$2,000.00 | | | | \$2,000.00 | \$0.00 | |
| Buena Borough | | | | | | | | | | | | | | | | N/A | |
| Cape May City | \$1,500.00 | | | | | | | | | | | | | | \$0.00 | \$1,500.00 | |
| Cape May Point Borough | \$1,000.00 | | | | | | | | | | | | | | \$0.00 | \$1,000.00 | |
| Commercial Township | \$1,500.00 | | | | | | | \$237.90 | | | | | | | \$237.90 | \$1,262.10 | |
| Corbin City | | | | | | | | | | | | | | | | N/A | |
| Deerfield Township | | | | | | | | | | | | | | | | N/A | |
| Dennis Township | | | | | | | | | | | | | | | | N/A | |
| Downe Township | | | | | | | | | | | | | | | | N/A | |
| Egg Harbor Township | | | | | | | | | | | | | | | | N/A | |
| Estell Manor City | | | | | | | | | | | | | | | | N/A | |
| Folsom Borough | | | | | | | | | | | | | | | | N/A | |
| Galloway Township | | | | | | | | | | | | | | | | N/A | |
| Hamilton Township | \$2,000.00 | | | | | | | | | | | | | | \$0.00 | \$2,000.00 | |
| Linwood City | \$1,500.00 | | | | | | | | | | | | | | \$0.00 | \$1,500.00 | |
| Longport Borough | | | | | | | | | | | | | | | | N/A | |
| Lower Township | \$2,000.00 | | | | | | | | | | | | | | \$0.00 | \$2,000.00 | |
| Margate City | | | | | | | | | | | | | | | | N/A | |
| Middle Township | | | | | | | | | | | | | | | | N/A | |
| Millville City | | | | | | | | | | | | | | | | N/A | |
| Mullica Township | | | | | | | | | | | | | | | | N/A | |
| Newfield Borough | \$1,000.00 | | | | | | | | | | | | | | \$0.00 | \$1,000.00 | |
| North Wildwood City | | | | | | | | | | | | | | | | N/A | |
| Northfield City | \$1,500.00 | | | | | | | | | | \$1,500.00 | | | | \$1,500.00 | \$0.00 | |
| Ocean City | \$2,500.00 | | | | | | | | | | | | | | \$0.00 | \$2,500.00 | |
| Pleasantville City | \$2,500.00 | | | | | | | | \$1,200.00 | | | | | | \$1,200.00 | \$1,300.00 | |
| Sea Isle City | | | | | | | | | | | | | | | | N/A | |
| Somers Point City | | | | | | | | | | | | | | | | N/A | |
| Stone Harbor Borough | \$1,500.00 | | | | | | | | | | | | | | \$0.00 | \$1,500.00 | |
| Upper Township | | | | | | | | | | | | | | | | N/A | |
| Upper Deerfield Township | | | | | | | | | | | | | | | | N/A | |
| Ventnor City | | | | | | | | | | | | | | | | N/A | |
| Waterford Township | \$1,500.00 | | | | | | | | | | | | | | \$0.00 | \$1,500.00 | |
| West Cape May Borough | \$1,000.00 | | | | | | | | | | | | | | \$0.00 | \$1,000.00 | |
| West Wildwood Borough | | | | | | | | | | | | | | | | N/A | |
| Weymouth Township | \$1,000.00 | | | | | | | | | | | | | | \$0.00 | \$1,000.00 | |
| Wildwood City | \$2,500.00 | | | | | | | | | | | | | | \$0.00 | \$2,500.00 | |
| Wildwood Crest Borough | | | | | | | | | | | | | | | | N/A | |
| Woodbine Borough | | | | | | | | | | | | | | | | N/A | |
| Total By Line | \$28,000.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$1,646.61 | \$1,200.00 | \$0.00 | \$3,500.00 | \$0.00 | \$0.00 | \$0.00 | \$6,346.61 | \$21,653.39 | |

Must be Claimed or Encumbered by December 31, 2023. All Encumbered Funds Must be Claimed by February 1, 2024

**Atlantic County Municipal Joint Insurance Fund
2023 WELLNESS INCENTIVE PROGRAM ALLOWANCE**

| Member Municipality | Opening Balance | January 2023 | February 2023 | March 2023 | April 2023 | May 2023 | June 2023 | July 2023 | August 2023 | Sept. 2023 | October 2023 | November 2023 | December 2023 | Paid in 2024 | Total YTD Paid | Remaining Balance | Date Encumbered |
|--------------------------|-----------------|--------------|---------------|------------|------------|----------|------------|------------|-------------|------------|--------------|---------------|---------------|--------------|----------------|-------------------|-----------------|
| Absecon City | 800.00 | | | | | | | | | | | | | | 0.00 | \$800.00 | |
| Avalon Borough | 1,000.00 | | | | | | 988.00 | | | | | | | | 988.00 | \$12.00 | |
| Brigantine City | 1,500.00 | | | | | | | | | | | | | | 0.00 | \$1,500.00 | |
| Buena Borough | 600.00 | | | | | | | | | | 600.00 | | | | 600.00 | \$0.00 | |
| Cape May City | 1,000.00 | | | | | | | | | | | | | | 0.00 | \$1,000.00 | |
| Cape May Point Borough | 275.00 | | | | | | | | | | | | | | 0.00 | \$275.00 | |
| Commercial Township | 275.00 | | | | | | | 49.99 | | | | | | | 49.99 | \$225.01 | |
| Corbin City | 275.00 | | | | | | | | | | | | | | 0.00 | \$275.00 | |
| Deerfield Township | 275.00 | | | | | | | | | | | | | | 0.00 | \$275.00 | |
| Dennis Township | 600.00 | | | | | | 600.00 | | | | | | | | 600.00 | \$0.00 | |
| Downe Township | 275.00 | | | | | | | | | | | | | | 0.00 | \$275.00 | |
| Egg Harbor Township | 1,500.00 | | | | | | | | | | | | | | 0.00 | \$1,500.00 | |
| Estell Manor City | 275.00 | | | | | | | | | | | | | | 0.00 | \$275.00 | |
| Folsom Borough | 275.00 | | | | | | 217.96 | | | | | | | | 217.96 | \$57.04 | |
| Galloway Township | 1,000.00 | | | | | | | | | | | | | | 0.00 | \$1,000.00 | |
| Hamilton Township | 1,000.00 | | | | | | | | | | | | | | 0.00 | \$1,000.00 | |
| Linwood City | 800.00 | | | | | | | | | | | | | | 0.00 | \$800.00 | |
| Longport Borough | 800.00 | | | | | | | | | | | | | | 0.00 | \$800.00 | |
| Lower Township | 1,000.00 | | | | | | | 1,000.00 | | | | | | | 1,000.00 | \$0.00 | |
| Margate City | 1,500.00 | | | | | | | | | | | | | | 0.00 | \$1,500.00 | |
| Middle Township | 1,000.00 | | | | | | | | | | 1,000.00 | | | | 1,000.00 | \$0.00 | |
| Millville City | 1,500.00 | | | | 403.88 | | | 574.60 | | | | | | | 978.48 | \$521.52 | |
| Mullica Township | 600.00 | | | | | | | | | | | | | | 0.00 | \$600.00 | |
| Newfield Borough | 275.00 | | | | | | | | | | | | | | 0.00 | \$275.00 | |
| North Wildwood City | 1,000.00 | | | | | | | | | 1,000.00 | | | | | 1,000.00 | \$0.00 | |
| Northfield City | 800.00 | | | | | | | | | | | | | | 0.00 | \$800.00 | |
| Ocean City | 1,500.00 | | | | | | | | | | | | | | 0.00 | \$1,500.00 | |
| Pleasantville City | 1,500.00 | | | | | | | | | | | | | | 0.00 | \$1,500.00 | |
| Sea Isle City | 1,000.00 | | | | | | | | | | | | | | 0.00 | \$1,000.00 | |
| Somers Point City | 1,000.00 | | | | | | | | | | | | | | 0.00 | \$1,000.00 | |
| Stone Harbor Borough | 1,000.00 | | | | | | | | | | | | | | 0.00 | \$1,000.00 | |
| Upper Township | 800.00 | | | | | | | | | 117.06 | | | | | 117.06 | \$682.94 | |
| Upper Deerfield Township | 600.00 | | | | | | | | | | | | | | 0.00 | \$600.00 | |
| Ventnor City | 1,500.00 | | | | | | | | | | | | | | 0.00 | \$1,500.00 | |
| Waterford Township | 800.00 | | | | | | | | | | | | | | 0.00 | \$800.00 | |
| West Cape May Borough | 275.00 | | | | | | | | | | | | | | 0.00 | \$275.00 | |
| West Wildwood Borough | 275.00 | | | | | | | | | | | | | | 0.00 | \$275.00 | |
| Weymouth Township | 275.00 | | | | | | | | | | | | | | 0.00 | \$275.00 | |
| Wildwood City | 1,500.00 | | | | | | | | | | | | | | 0.00 | \$1,500.00 | |
| Wildwood Crest Borough | 1,000.00 | | | | | | | | | | | | | | 0.00 | \$1,000.00 | |
| Woodbine Borough | 275.00 | | | | | | | | | | | | | | 0.00 | \$275.00 | |
| Total By Line | \$33,500.00 | \$0.00 | \$0.00 | \$0.00 | \$403.88 | \$0.00 | \$1,805.96 | \$1,624.59 | \$0.00 | \$1,117.06 | \$1,600.00 | \$0.00 | \$0.00 | \$0.00 | \$6,551.49 | \$26,948.51 | 0 |

Must be Claimed or Encumbered by December 31, 2023. All Encumbered Funds Must be Claimed by February 1, 2024

| Atlantic County Municipal Joint Insurance Fund 2023 EPL/CYBER Risk Management Budget | | | | | | | | | | | | | | | | | Date Encumbered |
|---|--------------------|-----------------|------------------|---------------|---------------|-------------|--------------|--------------|----------------|---------------|-----------------|------------------|------------------|-----------------|-----------------------|-------------------|--------------------|
| Member Municipality | Opening Balance | January 2023 | February 2023 | March 2023 | April 2023 | May 2023 | June 2023 | July 2023 | August 2023 | Sept. 2023 | October 2023 | November 2023 | December 2023 | Paid in 2024 | Total YTD Expenses | Ending Balance | |
| Absecon City | 725.00 | | | | | | | | | | | | | | 0.00 | \$725.00 | |
| Avalon Borough | 725.00 | | | | | | | | 725.00 | | | | | | 725.00 | \$0.00 | |
| Brigantine City | 725.00 | | | | | | | | | | 725.00 | | | | 725.00 | \$0.00 | |
| Buena Borough | 725.00 | | | | | | | | | | 725.00 | | | | 725.00 | \$0.00 | |
| Cape May City | 725.00 | | | | | | | | | | | | | | 0.00 | \$725.00 | |
| Cape May Point Borough | 725.00 | | | | | | | | | | | | | | 0.00 | \$725.00 | |
| Commercial Township | 725.00 | | | | | | | | | | | | | | 0.00 | \$725.00 | |
| Corbin City | 725.00 | | | | | | | | | | | | | | 0.00 | \$725.00 | |
| Deerfield Township | 725.00 | | | | | | | | | | | | | | 0.00 | \$725.00 | |
| Dennis Township | 725.00 | | | | | | 725.00 | | | | | | | | 725.00 | \$0.00 | |
| Downe Township | 725.00 | | | | | | | | | | | | | | 0.00 | \$725.00 | |
| Egg Harbor Township | 725.00 | | | | | | | | | | | | | | 0.00 | \$725.00 | |
| Estell Manor City | 725.00 | | | | | | | | | | | | | | 0.00 | \$725.00 | |
| Folsom Borough | 725.00 | | | | | | | | 725.00 | | | | | | 725.00 | \$0.00 | |
| Galloway Township | 725.00 | | | | 725.00 | | | | | | | | | | 725.00 | \$0.00 | |
| Hamilton Township | 725.00 | | | | | | | | | | | | | | 0.00 | \$725.00 | |
| Linwood City | 725.00 | | | | | | | | | | | | | | 0.00 | \$725.00 | |
| Longport Borough | 725.00 | | | | | | | | | | | | | | 0.00 | \$725.00 | |
| Lower Township | 725.00 | | | 725.00 | | | | | | | | | | | 725.00 | \$0.00 | |
| Margate City | 725.00 | | | | 725.00 | | | | | | | | | | 725.00 | \$0.00 | |
| Middle Township | 725.00 | | | | | | | | | | 725.00 | | | | 725.00 | \$0.00 | |
| Millville City | 725.00 | | | | | | | | | | | | | | 0.00 | \$725.00 | |
| Mullica Township | 725.00 | | | | | | | 725.00 | | | | | | | 725.00 | \$0.00 | |
| Newfield Borough | 725.00 | | | | | | | | | | | | | | 0.00 | \$725.00 | |
| North Wildwood City | 725.00 | | | | | | | | | | | | | | 0.00 | \$725.00 | |
| Northfield City | 725.00 | | | | | | | | | | | | | | 0.00 | \$725.00 | |
| Ocean City | 725.00 | | | | | | | | | | | | | | 0.00 | \$725.00 | |
| Pleasantville City | 725.00 | | | | | | | | | | | | | | 0.00 | \$725.00 | |
| Sea Isle City | 725.00 | | | | | | | | 725.00 | | | | | | 725.00 | \$0.00 | |
| Somers Point City | 725.00 | | | | | | | | | | | | | | 0.00 | \$725.00 | |
| Stone Harbor Borough | 725.00 | | | | | | | | | | | | | | 0.00 | \$725.00 | |
| Upper Township | 725.00 | | | | | | | | | | | | | | 0.00 | \$725.00 | |
| Upper Deerfield Townshi | 725.00 | | | | | | | | | | | | | | 0.00 | \$725.00 | |
| Ventnor City | 725.00 | | | | | | | | | | | | | | 0.00 | \$725.00 | |
| Waterford Township | 725.00 | | | | | | | | | | | | | | 0.00 | \$725.00 | |
| West Cape May Borough | 725.00 | | | | | | | | | | | | | | 0.00 | \$725.00 | |
| West Wildwood Borough | 725.00 | | | | | | | | | | | | | | 0.00 | \$725.00 | |
| Weymouth Township | 725.00 | | | | | | | | | | | | | | 0.00 | \$725.00 | |
| Wildwood City | 725.00 | | | | | | | | | | | | | | 0.00 | \$725.00 | |
| Wildwood Crest Borough | 725.00 | | | | | | | | | | | | | | 0.00 | \$725.00 | |
| Woodbine Borough | 725.00 | | | | | | | | | | | | | | 0.00 | \$725.00 | |
| Total By Line | \$29,725.00 | \$0.00 | \$0.00 | \$725.00 | \$1,450.00 | \$0.00 | \$725.00 | \$725.00 | \$725.00 | \$1,450.00 | \$2,175.00 | \$0.00 | \$0.00 | \$0.00 | \$7,975.00 | \$21,750.00 | |

Must be Claimed or Encumbered by December 31, 2023. All Encumbered Claims Must be Claimed by February 1, 2024



To: Member Municipality Fund Commissioners, Municipal Clerks, & Risk Managers

From: Paul A. Forlenza, MGA, RMC, Executive Director

Date: May 17, 2023

Re: 2024-2025 Employment Practices Liability (EPL) Risk Management Program

As you are aware, once every two (2) years, the New Jersey Municipal Excess Liability Joint Insurance Fund (MEL) requires all members to update their compliance with the MEL's Employment Practices Liability (EPL) Risk Management Program. Compliance with this program requires all members to complete various steps including the adoption of updated personnel policies and procedures and attendance at, or completion of, various training events.

To assist you in this endeavor, attached, you will find information pertaining to compliance with the EPL Risk Management Program. Below, you will also find additional information regarding the compliance steps and important deadlines.

- 1. Personnel Policies and Procedures:** Attached is a May 10, 2023 memorandum from the MEL that provides an outline of the changes made to the model policies and procedures, hyperlinks to access the revised documents, and compliance checklist. **All checklists must be submitted to the MEL at the address on the bottom of the checklist by November 1, 2023.**
- 2. Managers and Supervisors Training:** Attached is the invitation to the Managers & Supervisor's training which is being held via Zoom. Please note if you serve in multiple municipalities, you only need to attend this course once on behalf of all municipalities where you work. **All Managers and Supervisors need to complete this training by November 1, 2023.**
- 3. Police Command Officer Training:** Attached is the invitation to the Police Command Staff training. Officers with the rank of Chief, Deputy Chief, Captain, Lieutenant, and any officer that is eligible to sit for a Chiefs exam should attend this training. **Police Command staff need to complete this training by November 1, 2023.**
- 4. Employee and Volunteer Training** (Other than Managers, Supervisors and Police Command Officers):
 - **Employment Practices:** A new on-line program is in production and will be available in the MEL Learning Management System shortly. When the program is available on-line, you will receive a notice to send to employees and volunteers. **All non-supervisory employees and volunteers including police (other than Command Officers) must be offered this training by November 1, 2023.**

File: ACM/BURLCO/TRICO/GEN/EPL Plan of Risk Management Tab: 2024-2025
ACM/BURLCO/TRICO/GEN/SAM Plan of Risk Management Tab: 2024-2025



Municipal Excess Liability Joint Insurance Fund

9 Campus Drive – Suite 216
Parsippany, NJ 07054
Tel (201) 881-7632
Fax (201) 881-7633

To: Members - Municipal Excess Liability Joint Insurance Fund
(Municipalities and Utility Authorities)

From: David N. Grubb, Executive Director

Date: May 10, 2023

Re: **2024 - 2025 Employment Practices Liability (EPL) Program**

Please allow this memorandum to serve as official notice that the 2024-2025 Employment Practices Liability Program has begun.

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 geared towards Managers & Supervisors, Non-Supervisory Employees and Police Command Staff training. For information, we are attaching a memorandum that outlines the changes made to the current model documents.

95% of MEL members have adopted the MEL's model employment practices risk control program and are eligible for lower deductibles. These programs must be updated every two years to remain eligible.

Please visit the MEL webpage – www.njmel.org - for downloadable copies of the revised model documents.
OR

Click this link to the program: <https://njmel.org/insurance/public-officials/risk-management-program/>

Members with updated loss control programs receive the standard EPL deductible of \$20,000 per claim plus a 20% co-pay capped at \$50,000 and may be eligible to buy down deductibles and co-insurance caps (See note below concerning members with adverse EPL claims experience).

To qualify for the lower deductibles, have your General Counsel or Employment Attorney complete the one-page form checking the minimum requirements for updating the plan. It is not necessary to attach any further documentation. Mail the completed form to MEL Fund Office, 9 Campus Drive, Suite 216, Parsippany, NJ 07054. (copy attached)

Members submitting the required form by **November 1, 2023** will qualify or continue to qualify for the deductible incentives. Members submitting this form after the deadline will become eligible for the deductible incentive upon approval of the application, but not retroactively.

Members without updated loss control programs will have a deductible of \$100,000 per claim plus a 20% co-pay with no cap. (See note below concerning members with adverse EPL claims experience).

Members with adverse EPL claims experience: Members with adverse loss experience will have a deductible of \$75,000 if they have an updated loss control plan and \$150,000 if they do not – in addition to the co-pay (as outlined above). In a few cases, the insurance carrier will establish higher deductibles for members due to exceptionally poor experience.

Required Elements for the Incentive

- 1. Employment Attorney/Advisor:** An Employment Attorney or an Employment Advisor usually provides advice concerning personnel matters. However, the member may designate its General Counsel if experienced in employment matters.
- 2. Personnel Policies and Procedures Manual:** To facilitate this process, the MEL has developed a Revised Model Personnel Policies and Procedure Manual that members are free to use at their discretion. Members can adopt the model, take sections from the model and place them in their existing personnel manual, or write their own policies that cover the subjects in the model.
- 3. Conscientious Employee Protection Act Notice:** This notice (in both English and Spanish) must be posted on the bulletin board and distributed to all personnel. The notice required by the NJ Department of Labor is included in the Model Personnel Policies and Procedures Manual. (copy can also be found on the MEL webpage – njmel.org)
- 4. Employee Handbook:** The handbook must be updated and distributed to all personnel. To facilitate this process, the MEL has developed a Model Employee handbook that members are free to use at their discretion which can be found on the MEL webpage – njmel.org.
- 5. Model Local Unit Civil Rights Resolution (municipalities only):** Adopt the model resolution which can be found on the MEL webpage – njmel.org.
- 6. Managerial and Supervisory Training:** Court decisions made personnel training for managerial and supervisory "mandatory". A signed acknowledgement that the manager or supervisor has completed training within the last 12 months must be placed in the personnel files. Training is also mandatory for the Municipal Judge, the heads of volunteer emergency service organizations such as Volunteer Fire Departments, EMS units, and the heads of organizations such as Library Boards and Planning Boards, etc., that are involved in personnel matters.
 - a. The MEL has developed a Model Managers & Supervisors training program that will be available be offered as a Live Webinar through the MEL Safety Institute. You will receive directions on how to access this program from you JIF's Executive Director.
- 7. Police Chief, Captains and Lieutenants Training:** Because Police Departments are involved in a high percentage of employment related litigation, Police Chiefs and at least one other command officer must complete employment-practices training that takes into consideration the Attorney General's guidelines for police operations.
 - a. J.A. Montgomery's Law Enforcement Unit has already been conducting this training program & will be scheduling more throughout the state.
- 8. Training for All Other Personnel:** Court decisions also require employers to offer anti-harassment and related personnel training to all employees.
 - a. The non-supervisory training video is in the final stages. Once available, instructions to access the program will be distributed by your JIF's Executive Director.
- 9. MEL EPL Helpline:** The MEL includes a helpline to its members at no additional cost. For information, we are including a copy of the helpline.

For assistance, please contact the MEL office or the office of your local JIF Executive Director.

Attachments:

- Synopsis of Changes
- Checklist
- MEL Helpline

MATTHEW J. GIACOBBE, Partner
mgiacobbe@cgajlaw.com

Reply to: Oakland Office

To: Member Entities
 From: Matthew J. Giacobbe, Esq.
 Nicholas DelGaudio, Esq.
 Fred Semrau, Esq.

Date: March 13, 2023

Re: Changes to Employee Handbook and Personnel Policies and Procedures Manual

The Municipal Excess Liability Joint Insurance Fund (“MEL”) has made suggested modifications to the Model Employee Handbook and Personnel Policies and Procedures Manual (“PPPM”) for our members’ consideration. Several of the changes made were to make the related policies in the Employee Handbook and PPPM more uniform, while other revisions were made due to changes in law. Below is a brief explanation of the changes that have been made.

- Sick Leave Policy

In accordance with COVID-19-related updates to the Earned Sick Leave Law, an additional reason for which sick leave may be used was added in both the PPPM and Employee Handbook. In addition, a note was added in both the PPPM and Employee Handbook to clarify that employers may choose to require up to seven (7) days’ notice for foreseeable sick leave usage under the Earned Sick Leave Law.

- Alcohol and Drug-Free Workplace

Changes were made in the PPPM to account for the legalization of recreational cannabis, including the addition of language relating to the requirement that there be documentation of physical signs of impairment in addition to a positive drug test in order to subject an employee to adverse action. Language was also added to provide that applicants cannot be denied employment based solely on a pre-employment positive drug test for cannabis, with some listed exceptions. In the Policy Prohibitions section, cannabis was added to the portion discussing alcohol, as it would no longer fit under the illegal drugs portion that precedes it.

Language that is no longer applicable due to the legalization of cannabis was also removed throughout the policy. On the Pre-Employment Consent and Release Form, the language “for certain employment positions” was added after “Cannabinoids” because employers will no longer need to test for cannabis in pre-employment panels for most positions. In the Employee Handbook, the word “unlawful” was removed before “drugs” in order to make clear that the use of cannabis in the workplace is still prohibited.

Oakland Office: 169 Ramapo Valley Road, UL 105, Oakland, NJ 07436 Tel 973 845-6700 Fax 201 644-7601
 Somerville Office: 50 Division Street, Suite 501, Somerville, NJ 08876 Tel 732 583-7474 Fax 201 644-7601
 Matawan Office: 955 State Route 34, Suite 200, Matawan, NJ 07747 Tel 732 583-7474 Fax 732 290-0753

- Domestic Violence Policy

Letter (E) under the Domestic Violence Reporting Procedures in the PPPM was removed due to it only being applicable to issues between State employees.

- Personal Day Policy

More details were added to the Personal Day Policy in the PPPM in order to match the language included in the same policy found in the Employee Handbook.

- Equal Employment Opportunity Policy and Americans with Disabilities Policy

The protected categories of pregnancy, breastfeeding and childbirth were added to make the policy uniform with the Employee Handbook policy. An additional paragraph regarding breastfeeding accommodations was also added to the Americans with Disabilities Policy to further explain necessary accommodations.

- Family and Medical Leave Policy

Language was added in the PPPM to clarify that the employer may choose to include in their policy that employees are either required to use accrued paid leave during an FMLA-covered leave or may choose to use accrued paid leave. A “utilization of paid leave” section was added to the Employee Handbook to mirror the PPPM. In addition, the Family Temporary Disability section was updated to remove the “six weeks” and “effective July 2020” language.

- New Jersey Family Leave

An additional reason that NJFLA leave may be taken was added in both the PPPM and Employee Handbook, in accordance with COVID-19 related updates to the law. Changes were also made in the PPPM Policy to reinforce and clarify that NJFLA leave may be taken consecutively, intermittently or on a reduced schedule with little restriction, and to clarify the notice requirements for intermittent leave.

- Policy for Use of Employer Vehicles (Non-Law Enforcement)

A provision regarding employees driving their own vehicles for employer business providing the employer with a copy of their current certificate of insurance was added in the PPPM in order to make this policy uniform with the Employee Handbook policy.

- Overtime

The highly-compensated employee overtime exemption was updated from \$100,000 to \$107,432 to reflect current law. In addition, language was added to clarify that the employer may choose to include in its policy that only time actually worked is considered for purposes of determining overtime compensation.

- Hours of Work

In the Employee Handbook’s Attendance and Tardiness section, a change was made to make the suggested time by which an employee must call out match the time found in the PPPM Absenteeism and Tardiness policy.

- Personnel Records

Some additions were made to the Employee Handbook policy in order to mirror the PPPM version of the policy.

The Ethical Conduct Policy and Resignation Policy found in the Employee Handbook were added to the PPPM in order to ensure every policy in the more streamlined Employee Handbook is also contained in the larger manual.

We urge you to consult with your entity's General or Labor Counsel regarding these recommended changes.

EMPLOYMENT PRACTICES BEST PRACTICES CHECKLIST

Name of Municipality or Authority: _____

SECTION ONE:

- ☐ Adopt and distribute to managerial/supervisory employees the Personnel Policies and Procedures Manual:

Required Policies to be included in Manual:

1. Equal Employment Opportunity Policy
2. Americans with Disabilities Act Policy
3. Contagious or Life Threatening Illnesses Policy
4. Safety Policy
5. Alcohol and Drug-Free Workplace
6. Workplace Violence Policy
7. Policy Against Harassment
8. Whistle Blower Policy
9. Overtime
10. Confidentiality of Personnel Files
11. Political Activity Policy
12. Performance Evaluation Policy
13. Discipline and Termination Policy
14. Use of Employer Vehicles Policy (Non-Law Enforcement)
15. Computer Use, Electronic Mail, and Internet Policy
16. Family and Medical Leave Act Policy
17. New Jersey Family Leave
18. Military Leave Policy
19. Domestic Violence Abuse Leave Policy
20. Employment Reference
21. Protection and Safe Treatment of Minors

SECTION TWO:

- ☐ Distribute a notice concerning the Conscientious Employee Protection Act to all personnel
- ☐ Adopt and distribute the Employee Handbook:
- ☐ Adopt the model civil rights resolution (municipalities only).
- ☐ Train managerial and supervisory personnel:
- ☐ Have Police Chief, Deputy Chief, Public Safety Director, Captains & Lieutenants complete the special EPL training course (municipalities only)
- ☐ Offer Anti-Harassment training to all other personnel:
- ☐ Review NJ MEL Helpline for Employment Practices.

I, _____, the (check __General Counsel or __Employment Attorney) of (member name)_____ hereby certify that the member has verified to me that the above actions have been completed and that I have read the Personnel Policies and Procedures Manual and the Employee Handbook.

Signature: _____

Date: _____ Telephone: _____

To qualify for the Employment Practices Liability standard policy deductible, this checklist should be returned to the MEL Fund Office (9 Campus Drive, Suite 216, Parsippany, NJ 07054 or scantwell@permainc.com) as soon as possible. Members submitting this form by November 1, 2023 will qualify or continue to qualify for the deductible. Members submitting this form after the deadline will become eligible for the deductible incentive upon approval of the application, but not retroactively.



Questions about employment issues? Call the New MEL Employment Practices Helpline

The MEL Safety Institute is pleased to announce the establishment of a NEW MEL Employment Practices Helpline (EPL), a dedicated resource to guide members on employment related issues.

The MEL EPL Helpline is staffed by attorneys that specialize in New Jersey employment law and understand the MEL JIF system. The three law firms staffing the EPL Helpline are affiliated with local Joint Insurance Funds (JIFs).

Who can use the EPL Helpline? MEL member municipalities will select and approve two individuals to use the helpline.

What hours is the EPL Helpline available? The helpline will be staffed during normal business hours, 9 a.m. – 5 p.m. Voicemail can be left afterhours for a callback.

What kinds of issues can be addressed? Any employment related topics or policies and procedures related to issues such as:

- Hiring
- Termination
- Harassment
- Discrimination
- Promotion/Demotion
- And more...

What are the MEL EPL Helpline numbers? MEL members can choose to call any of the MEL EPL Helpline firms listed below.

MEL EPL HELPLINE:

732-583-7474

Jodi Howlett
Cleary Giacobbe Alfieri Jacobs LLC
955 State Route 34, Suite 200
Matawan, NJ 07747955

MEL EPL HELPLINE:

609-522-5599

David S. DeWeese
The DeWeese Law Firm
3200 Pacific Avenue
Wildwood, New Jersey 08260

MEL EPL HELPLINE:

973-334-1900

Fred Semrau
Dorsey & Semrau
714 Main Street
Boonton, NJ 07005

What happens after the call? The attorney will provide the member with transcript of the call that includes recommendations. If the issue is beyond the scope of the MEL EPL Helpline the attorney will provide direction to the member on where to get appropriate assistance. All calls are confidential.





To: Fund Commissioners, Municipal Clerks, & Risk Management Consultants

From: Paul A. Forlenza, MGA, RMC, Executive Director

Date: May 17, 2023

Subject: Managers & Supervisors – Employment Practices Liability Training

Beginning in June, the Atlantic County, Burlington County, and Gloucester, Salem Cumberland Counties Municipal Joint Insurance Funds are sponsoring Employment Practices Liability Training for all member Managers & Supervisors. For many years, State & Federal Courts have determined that training of Managers & Supervisors is an essential part of an affirmative defense in an employment related claim. Completion of this training is mandatory for a member municipality to be in compliance with the MEL's Employment Practices Liability Risk Management Program. Member municipalities in compliance with the Risk Management Plan are eligible for lower claim deductibles and coinsurance.

This training is being conducted virtually using Zoom by Armando Riccio, Esq. Among other subjects, this year's training will focus on harassment and discrimination in the workplace, workplace diversity issues, addressing employee complaints and discipline, workplace accommodations, your role and obligations as a supervisor or manager, and the enforcement of municipal policies and procedures.

Attached, please find a listing of the available training dates and times with a hyperlink that can be used to register for the session you wish to attend as well as instructions on how to register. Please note that each session will be the same in the materials covered and each session is limited to 100 participants. An application will be made to the Department of Community Affairs for Continuing Education Units.

About Zoom Training:

- A Zoom account is not needed to attend a class. Attendees can log-in and view the presentations from a laptop, smartphone, or tablet.
- Registration is required. Once registered you will receive the webinar link for your class, be sure to save the link on your calendar to access the day of training.

Thank you for your attention to this important matter.

File: ACM/BURLCO/TRICO/GEN/EPL Plan of Risk Management Tab: 2024-2025

| Date | Course Topic - Registration Link | Time |
|------------|---|-----------------|
| | | |
| | | |
| | | |
| 7/13/2023 | MEL EPL Risk Management Program - Managers & Supervisors Training - ACM, BURLCO & TRICO JIF's | 9:00 - 11:30 am |
| 7/13/2023 | MEL EPL Risk Management Program - Managers & Supervisors Training - ACM, BURLCO & TRICO JIF's | 1:00 - 3:30 pm |
| | | |
| 7/27/2023 | MEL EPL Risk Management Program - Managers & Supervisors Training - ACM, BURLCO & TRICO JIF's | 9:00 - 11:30 am |
| 7/27/2023 | MEL EPL Risk Management Program - Managers & Supervisors Training - ACM, BURLCO & TRICO JIF's | 1:00 - 3:30 pm |
| | | |
| 9/11/2023 | MEL EPL Risk Management Program - Managers & Supervisors Training - ACM, BURLCO & TRICO JIF's | 9:00 - 11:30 am |
| 9/11/2023 | MEL EPL Risk Management Program - Managers & Supervisors Training - ACM, BURLCO & TRICO JIF's | 1:00 - 3:30 pm |
| | | |
| 9/27/2023 | MEL EPL Risk Management Program - Managers & Supervisors Training - ACM, BURLCO & TRICO JIF's | 9:00 - 11:30 am |
| 9/27/2023 | MEL EPL Risk Management Program - Managers & Supervisors Training - ACM, BURLCO & TRICO JIF's | 1:00 - 3:30 pm |
| | | |
| 10/11/2023 | MEL EPL Risk Management Program - Managers & Supervisors Training - ACM, BURLCO & TRICO JIF's | 9:00 - 11:30 am |
| 10/11/2023 | MEL EPL Risk Management Program - Managers & Supervisors Training - ACM, BURLCO & TRICO JIF's | 1:00 - 3:30 pm |
| | | |

2023 Police Command Staff Training Invitation

The 2023 Atlantic County Municipal Joint Insurance Fund, Burlington County Municipal Joint Insurance Fund, Gloucester, Salem, and Cumberland Counties Municipal Joint Insurance Fund Police Command Staff Training will be offered in person on (3) different dates with (2) sessions each day.*

Details:

As part of their continuing commitment to Police Command Staff Training, the Atlantic, Burlington, and Gloucester, Salem, Cumberland Counties Municipal Joint Insurance Funds jointly sponsor a seminar on Police Risk Management. The seminar is intended for all Command Staff who manage or supervise other officers within your municipality. This includes but is not limited to Chiefs, Deputy Chiefs, Lieutenants, Captains, Sergeants, and Corporals. Attendance at bi-annual employment practices training is mandatory for Police Command Staff to comply with the MEL's 2024-2025 Employment Practices Liability (EPL) Plan of Risk Management. Failure to attend training can lead to costly litigation and may result in higher co-pays and deductibles for EPL.

Please forward this e-mail to your Police Department for their review and action. If you do not have a Police Department, you can disregard this invitation. Advanced registration is required for these in-person sessions. Each of the three (3) training dates will include AM & PM sessions. Each session is identical in the materials to be covered.

*If multiple sessions are offered for any specific training, members only need to attend (1) session.

DATE: Thursday, June 8, 2023
TIME: 9:00 AM – 11:45 AM (8:15 AM Sign-In; then Breakfast)
LOCATION: Merighi's Savoy Inn, 4940 Landis Ave, Vineland, NJ 08360

RSVP

DATE: Thursday, June 8, 2023
TIME: 1:00 PM – 3:30 PM (12:00 PM Sign-in, then Lunch)
LOCATION: Merighi's Savoy Inn, 4940 Landis Ave, Vineland, NJ 08360

RSVP

DATE: Monday, June 12, 2023
TIME: 9:00 AM – 11:45 AM (8:15 AM Sign-In; then Breakfast)
LOCATION: Indian Spring Country Club, 115 S Elmwood Rd, Marlton, NJ 08053

RSVP

DATE: Monday, June 12, 2023
TIME: 1:00 PM – 3:30 PM (12:00 PM Sign-In; then Lunch)
LOCATION: Indian Spring Country Club, 115 S Elmwood Rd, Marlton, NJ 08053

RSVP

DATE: Thursday, June 22, 2023
TIME: 9:00 AM – 11:45 AM (8:15 AM Sign-In; then Breakfast)
LOCATION: Auletto Caterers, 1849 Cooper St, Deptford, NJ 08096

RSVP

DATE: Thursday, June 22, 2023
TIME: 1:00 PM – 3:30 PM (12:00 PM Sign-In; then Lunch)
LOCATION: Auletto Caterers, 1849 Cooper St, Deptford, NJ 08096

RSVP

QUESTIONS? Melissa Meccariello at 856-470-2070
mmeccariello@jamontgomery.com

J.A. Montgomery
CONSULTING

WORKPLACE DISCRIMINATION & HARASSMENT



MEL



This online course discusses the right of each employee to a workplace free of harassment and each employee's duty to respect the rights of all other employees.

As part of the Employment Risk Management Program, this course should be offered to members' non-supervisory personnel.

Click the button to access this online training through the MEL Safety Institute Learning Management System (LMS)

MSI LMS System

1. **Log into the MSI LMS System.**
 - If you have previously taken MSI classes, enter your username and password.
 - If you do not know your username/password, ask your Training Administrator to send an LMS activation email or call Andrea Felip at (856) 552-4740.
2. Once logged into the LMS, go to the Request Training button for a list of online courses and videos.
3. Select the course or video you wish to complete and submit it at the bottom of the screen.
4. Your course will now show in the Assigned section of your dashboard. Click the title to launch the course or video.
5. Learning Transcripts are automatically updated in the MEL Safety Institute's Learning Management System and show in the Completed section of your homepage.

Questions? Contact Andrea Felip at 856-552-4740.

For additional MSI information and resources go to the **MEL Safety Institute.**



TO: Fund Commissioners
FROM: Tracy Forlenza, Financial Analyst
DATE: September 29, 2023
RE: **Risk Management Consulting Services**

This is the time of year that many our members begin the process of selecting a Risk Management Consultant for next year. To assist you in obtaining proposals for Risk Management Consulting Services, there is a Model Risk Management Consultant RFQ. This Model RFQ was originally developed in consultation with the JIF Strategic Planning Committee after it was determined that many members were using RFPs that were focused on pricing and did not require or outline the many services that members need from their RMC.

You will note that this Model RFQ focuses on the quality and extent of services rather than simply price. These services were recently reviewed and updated by the Strategic Planning Committee. Experience has demonstrated that your Risk Management Consultant can be an effective partner who can support your efforts to lower the Total Cost of Risk by helping you access the many JIF programs and services available to members. A good Risk Management Consultant can also lend their considerable experience, knowledge, and expertise to enhance your particular claims record and safety programs.

If you are inclined to undertake a competitive process to secure Risk Management Consulting services for next year, we hope you will consider using this Model RFQ.

The Model RFQ is attached and available on the ACM JIF website at www.acmjif.org. (Under *Operating Documents, Appointment Documents*, select “*Sample Model RFQ for RMC*”)

If you have any questions, please do not hesitate to contact me.

Thank you.

Copy: Municipal Clerks
Risk Management Consultants
Risk Management Distribution (PF, JP, KP)

File: ACM/2024/Risk Management Consultant Agreements Tab: Model RFQ Letter

2023 ACM Meeting Attendance

| Municipality | Name | Jan-23 | Feb-23 | Mar-23 | Apr-23 | May-23 | Jun-23 | Jul-23 | Aug-23 | Sep-23 | Oct-23 | Nov-23 | Dec-23 | # FC Attended | #ALT Attended | Total Meetings | % FC Attended | %ALT Attended | Combined Attendance |
|------------------|------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|---------------|---------------|----------------|---------------|---------------|---------------------|
| (Mtg Occurred=Y) | | Y | Y | Y | Y | Y | Y | Y | | Y | | | | | | 8 | | | |
| Absecon | Thompson/Haberstroh | N/A | FC | Alt | Alt | FC | N/A | Alt | | N/A | | | | 2 | 3 | 8 | 25% | 38% | 63% |
| Avalon | Wahl/Waldron | FC | FC | FC | FC | FC | FC | FC | | FC | | | | 8 | 0 | 8 | 100% | 0% | 100% |
| Brigantine | O'Neill | N/A | FC | N/A | N/A | N/A | N/A | FC | | FC | | | | 3 | 0 | 8 | 38% | 0% | 38% |
| Buena Boro | Nimohay/Jones | FC | FC | FC | FC | FC | FC | FC | | FC | | | | 8 | 0 | 8 | 100% | 0% | 100% |
| Cape May | Lindholm/Burke | ALT | FC | FC | FC | FC | N/A | FC | | N/A | | | | 5 | 1 | 8 | 63% | 13% | 75% |
| Cape May Point | Grant/Redington | N/A | FC | FC | N/A | FC | FC | FC | | N/A | | | | 5 | 0 | 8 | 63% | 0% | 63% |
| Commercial Twp | Miller/Horseman | FC | N/A | Alt | N/A | FC | FC | FC | | N/A | | | | 4 | 1 | 8 | 50% | 13% | 63% |
| Corbin City | Kirn/Schulte | FC | FC | FC | FC | FC | FC | Rep | | N/A | | | | 6 | 0 | 8 | 75% | 0% | 75% |
| Deerfield | Bascelli/Seifrit | FC | N/A | FC | N/A | FC | N/A | N/A | | FC | | | | 4 | 0 | 8 | 50% | 0% | 50% |
| Dennis | Bishop/Justice | FC | Alt | FC | FC | FC | FC | FC | | Alt | | | | 6 | 2 | 8 | 75% | 25% | 100% |
| Downe | Campbell, B./Lockley | FC | Alt | N/A | N/A | N/A | N/A | Alt | | N/A | | | | 1 | 2 | 8 | 13% | 25% | 38% |
| Egg Harbor Twp. | D'Intino/Tedesco | FC | FC | FC | FC | FC | N/A | FC | | Alt | | | | 6 | 1 | 8 | 75% | 13% | 88% |
| Estell Manor | Marcolongo./Masker | N/A | Alt | Alt | N/A | FC | FC | FC | | FC | | | | 4 | 2 | 8 | 50% | 25% | 75% |
| Folsom | Gatto/Schenker | FC | FC | FC | FC | FC | FC | FC | | N/A | | | | 7 | 0 | 8 | 88% | 0% | 88% |
| Galloway | Parks/Spinelli | FC | FC | FC | N/A | FC | N/A | FC | | FC | | | | 6 | 0 | 8 | 75% | 0% | 75% |
| Hamilton | Pollock/Noll | FC | FC | FC | FC | FC | FC | FC | | N/A | | | | 7 | 0 | 8 | 88% | 0% | 88% |
| Linwood | Napoli/Strazzeri | FC | FC | FC | FC | FC | FC | FC | | N/A | | | | 7 | 0 | 8 | 88% | 0% | 88% |
| Longport | Kyle/Kelly | N/A | FC | FC | N/A | FC | N/A | FC | | N/A | | | | 4 | 0 | 8 | 50% | 0% | 50% |
| Lower | Fournier/Ridgway | FC | FC | FC | FC | FC | FC | FC | | N/A | | | | 7 | 0 | 8 | 88% | 0% | 88% |
| Margate | McLaughlin/Adams | FC | FC | FC | FC | FC | FC | FC | | Alt | | | | 7 | 1 | 8 | 88% | 13% | 100% |
| Middle | Keun/Schumann | FC | Alt | FC | FC | FC | FC | Alt | | FC | | | | 6 | 2 | 8 | 75% | 25% | 100% |
| Millville | Compari/Shapiro | N/A | FC | FC | N/A | N/A | N/A | N/A | | N/A | | | | 2 | 0 | 8 | 25% | 0% | 25% |
| Mullica | Stollenwerk | N/A | FC | FC | FC | FC | FC | FC | | FC | | | | 7 | 0 | 8 | 88% | 0% | 88% |
| Newfield | Marandino | FC | FC | FC | FC | N/A | FC | FC | | FC | | | | 7 | 0 | 8 | 88% | 0% | 88% |
| North Wildwood | vanSant | FC | FC | FC | FC | FC | FC | FC | | FC | | | | 8 | 0 | 8 | 100% | 0% | 100% |
| Northfield | Canesi/Campbell | FC | FC | FC | FC | Alt | N/A | FC | | FC | | | | 6 | 1 | 8 | 75% | 13% | 88% |
| Ocean City | Woods/Wood | FC | FC | FC | FC | FC | FC | FC | | FC | | | | 8 | 0 | 8 | 100% | 0% | 100% |
| Pleasantville | Williams/Stewart | FC | Alt | FC | FC | N/A | Alt | FC | | N/A | | | | 4 | 2 | 8 | 50% | 25% | 75% |
| Sea Isle | Seib/Savastano | FC | FC | N/A | FC | FC | N/A | FC | | FC | | | | 6 | 0 | 8 | 75% | 0% | 75% |
| Somers Point | Samuelson/Heath | FC | FC | N/A | FC | N/A | FC | N/A | | FC | | | | 5 | 0 | 8 | 63% | 0% | 63% |
| Stone Harbor | Craft/McGonagle | FC | Alt | Alt | N/A | FC | Alt | N/A | | Alt | | | | 2 | 4 | 8 | 25% | 50% | 75% |
| Upper Deerfield | Spoltore/Vagnarelli | FC | FC | FC | FC | N/A | FC | FC | | FC | | | | 7 | 0 | 8 | 88% | 0% | 88% |
| Upper Township | DeMarzo | N/A | FC | N/A | N/A | N/A | N/A | N/A | | N/A | | | | 1 | 0 | 8 | 13% | 0% | 13% |
| Ventnor | Pacanowski/Iannuzzelli | ALT | FC | FC | FC | FC | FC | FC | | FC | | | | 7 | 1 | 8 | 88% | 13% | 100% |
| Waterford | Dougherty/Regn | FC | FC | FC | FC | FC | FC | FC | | FC | | | | 8 | 0 | 8 | 100% | 0% | 100% |
| West Cape May | Sabo/Vitelli | ALT | N/A | N/A | FC | N/A | N/A | N/A | | N/A | | | | 1 | 1 | 8 | 13% | 13% | 25% |
| West Wildwood | Segrest, Joe/O'Hala | N/A | Alt | FC | Alt | N/A | FC | FC | | FC | | | | 4 | 2 | 8 | 50% | 25% | 75% |
| Weymouth | Ayres/Carroll | FC | Alt | N/A | FC | FC | N/A | FC | | N/A | | | | 4 | 1 | 8 | 50% | 13% | 63% |
| Wildwood City | O'Connor/Dunn | N/A | N/A | FC | FC | FC | FC | FC | | FC | | | | 6 | 0 | 8 | 75% | 0% | 75% |
| Wildwood Crest | Mahon/Feketics | ALT | FC | FC | FC | FC | N/A | FC | | FC | | | | 6 | 1 | 8 | 75% | 13% | 88% |
| Woodbine | Bauer/Gurdgiel | FC | N/A | FC | FC | FC | N/A | FC | | N/A | | | | 5 | 0 | 8 | 63% | 0% | 63% |
| 41 | | 31 | 36 | 34 | 30 | 31 | 25 | 35 | | 24 | 41 | 41 | 41 | 217 | 28 | 328 | 66% | 9% | 75% |
| | | 76% | 88% | 83% | 73% | 76% | 61% | 85% | | 59% | 100% | 100% | 100% | | | | | | |

| | |
|-----|---|
| N/A | No representation for this municipality |
| FC | Fund Commissioner in attendance |
| ALT | Alt. Fund Commissioner in attendance |

SAFETY DIRECTOR REPORT

Atlantic County Municipal Joint Insurance Fund

TO: Fund Commissioners, Safety Coordinators, and Risk Managers

FROM: Robert Garish, JIF Safety Director

DATE: October 3, 2023

J. A. MONTGOMERY CONSULTING SERVICE TEAM & LOSS CONTROL ACTIVITIES

| | | |
|--|--|---|
| Keith Hummel Associate Director Public Sector Risk Control khummel@jamontgomery.com Office: 856-552-6862 | Mailing Address: TRIAD 1828 CENTRE Cooper Street, 18 th Floor Camden, NJ 08102 | Robert Garish Assistant Director Public Sector rgarish@jamontgomery.com Office: 856-552-4650 Cell: 609-947-9719 |
| Thomas Reilly Risk Control Consultant treilly@jamontgomery.com Office: 856-446-9205 | P.O. Box 99106 Camden, NJ 08101 | John Saville Assistant Director Public Sector jsaville@jamontgomery.com Office: 732-660-5009 |
| Melissa Meccariello Administrative Assistant mmeccariello@jamontgomery.com Office: 856-479-2070 | | |

LOSS CONTROL SURVEYS

- Township of Galloway on September 20, 2023
- City of Linwood Renewal on September 20, 2023
- City of Sea Isle on September 20, 2023
- Borough of Buena on September 22, 2023
- City of Millville on September 22, 2023
- Township of Deerfield Renewal on September 26, 2023
- Township of Upper Deerfield on September 26, 2023
- Township of Commercial on September 28, 2023
- Borough of Newfield on September 28, 2023

LAW ENFORCEMENT LOSS CONTROL SURVEYS

- There were no Law Enforcement Loss Control Surveys in September

MEETINGS ATTENDED

- Claims Committee Meeting on September 14, 2023
- Police ad-hoc Committee Meeting on September 21, 2023
- Executive Fund Committee Meeting on September 20, 2023
- Executive Safety Committee Meeting on September 21, 2023

MEL SAFETY INSTITUTE (MSI)

All MSI communications will be distributed exclusively through the NJ MEL app, and an MSI Newsletter will be emailed to summarize the communications sent through the app.

If you would like to receive communications from MEL and MSI related to your position or operations, follow the directions to select from the list of available Push Notification “subscriptions.” Click here for [NJ MEL App Directions](#).

MSI SAFETY DIRECTOR

- MSI LMS - Recording Training Events
- Training Announcement: Power of Collaboration (JIF 101) Tuesday, October 10, 2023, from 9:00 AM-1:00 PM
- Arc Flash Best Practices
- MSI EXPO: Camden County Regional Emergency Training Center Wednesday, September 27, 2023
- NEW LMS
- MSI LIVE SCHEDULE

MSI FIRE & EMS

- Stress Management Strategies for The Fire Service

MSI LAW ENFORCEMENT

- Understanding Cannabis Course for Law Enforcement

MSI NOW

[MSI NOW](#) provides on-demand streaming videos and online classes that can be viewed 24/7 by our members. Topics pertain to many aspects of safety, risk control, employment practices, and supervision, and most can be viewed in under 20 minutes.

| MSI NOW | |
|--------------|------------------|
| Municipality | Number of Videos |
| Avalon | 3 |
| Dennis | 2 |
| Egg Harbor | 1 |
| Estell Manor | 1 |
| Hamilton | 8 |

| | |
|---------------|---|
| Northfield | 4 |
| Ocean City | 2 |
| Sea Isle City | 1 |
| Somers Point | 5 |
| Upper | 3 |
| Waterford | 1 |

MSI LIVE

[MSI LIVE](#) features real-time, instructor-led in-person, and virtual classes. Experienced instructors provide an interactive experience for the attendee on a broad spectrum of safety and risk control topics. Most MSI LIVE offerings have been awarded continuing education credits for municipal designations and certifications. The MSI LIVE catalog provides a description of the course, the intended audience, and available credits.

The [MSI LIVE Schedule](#) is available for registration. Please register early, under-attended classes will be canceled.

To maintain the integrity of the MSI classes and our ability to offer CEUs, we must abide by the rules of the State agency that issued the designation. Chief among those rules is the attendee of the class must attend the whole session. **Attendees who enter the class more than 5 minutes late or leave early will not be awarded CEUs for the class or receive a certificate of completion.**

For virtual classes, the MSI utilizes the Zoom platform to track the time each attendee logs in and logs out. Also, we can track participation, to demonstrate to the State agency the student also participated in polls, quizzes, and question & answer activities during the class. The MSI maintains these records to document our compliance with the State agency.

If you need assistance using the MSI Learning Management System, please call the MSI Helpdesk at 866-661-5120.

NOTE: We need to keep our list of MSI Training Administrators up-to-date. If there are any changes or deletions, or you need to appoint a new Training Administrator, please advise Andrea Felip at afelip@jamontgomery.com.

Technical Risks Services Director Monthly Executive Report



October 9, 2023

Summary

This month we focused on completion of the Wizer training for those who had not completed by the time of this report. All members are highly encouraged to drive their users to finish training as this affects your deductible in the event of a loss. Remind stragglers that even if they are not the root cause of a loss their failure to complete training will result in up to a \$110,000 loss for the town. Of all Cyber-related over 80% of them come from employee errors in the handling of emails. The most recent losses involving MGM and Caesar casinos were caused by Phished credentials from employees, most notable, apparently, was their IT staff! Additionally, we are adding more probes to ascertain that the training is indeed working.

On the vulnerability and penetration testing we are pleased to report that 100% of ACMJIF members who have chosen to participate in the program have received vulnerability and pen-testing scans. Pen testing is completed once per year. If you were breached by D2 you would have received separate notification besides your summary. We are pleased to note that not one member failed the Pen-testing portion. There are still some members with lingering critical vulnerabilities, however. Remember uncorrected critical vulnerabilities will cause deductible reduction even if the direct cause of the loss was not due to the vulnerability! We will be reaching out to those members with lingering failures. Most of the corrective actions required to remedy these vulnerabilities is simply a patch or a policy change costing very little.

On the Cyber-framework front, forms are starting to trickle in. I have met or corresponded with many of you regarding your trepidations about getting compliant. These concerns have been communicated to underwriting and have resulted in an FAQ page which can be reached from your ACMJIF website. There is also a committee established to review these requirements at the MEL, expect some changes in the near future. In the meantime please complete them as best that you can. Remember there can be no NO answers on the forms and they must be signed by you and your IT person. Also these forms can be resubmitted as many times as needed until you are compliant.

Please review the Cyberframework page in the report. I have several forms from ACM members that were rejected if they were correctly resubmitted later I do not have a copy.

Last month's Bulletin discussed PII and the importance of protecting this information from unauthorized access. This month's discussion is about how we use vulnerability and pen-testing to ensure this data is indeed protected.

Stay Cybersafe

Jerry

Cyber Hygiene Training

1

Active Trainings

2,928

Invited Users

2,296

Started Training

2,277

Completed Training

77.77%

4.28

Rating

28 September 2023



2023 Cyber Awareness Training - Part 2

| Department | Invited Users | Started Training | Completed Training | % | Rating |
|--------------------------|---------------|------------------|--------------------|---------|--------|
| Absecon City | 28 | 23 | 22 | 78.57% | 4.40 |
| Avalon Borough | 134 | 109 | 108 | 80.60% | 4.20 |
| Brigantine City | 117 | 111 | 111 | 94.87% | 4.13 |
| Buena Borough | 54 | 30 | 29 | 53.70% | 4.54 |
| Cape May City | 101 | 94 | 94 | 93.07% | 4.27 |
| Cape May Point Borough | 17 | 16 | 16 | 94.12% | 4.62 |
| Commercial Township | 12 | 9 | 9 | 75.00% | 4.57 |
| Corbin City | 11 | 7 | 7 | 63.64% | 4.79 |
| Deerfield Township | 11 | 8 | 8 | 72.73% | 4.82 |
| Dennis Township | 22 | 16 | 16 | 72.73% | 4.11 |
| Downe Township | 3 | 3 | 3 | 100.00% | 4.86 |
| Egg Harbor Township | 189 | 130 | 126 | 66.67% | 4.47 |
| Estell Manor City | 10 | 8 | 8 | 80.00% | 4.58 |
| Folsom Borough | 7 | 5 | 5 | 71.43% | 4.63 |
| Galloway Township | 152 | 130 | 129 | 84.87% | 4.32 |
| Hamilton Township | 129 | 122 | 122 | 94.57% | 4.36 |
| Linwood City | 43 | 42 | 42 | 97.67% | 4.46 |
| Longport Borough | 35 | 34 | 34 | 97.14% | 4.09 |
| Lower Township | 99 | 91 | 91 | 91.92% | 4.10 |
| Margate City | 121 | 117 | 117 | 96.69% | 4.36 |
| Middle Township | 132 | 109 | 108 | 81.82% | 4.29 |
| Millville City | 287 | 152 | 149 | 51.92% | 4.16 |
| Mullica Township | 33 | 27 | 27 | 81.82% | 4.24 |
| Newfield Borough | 5 | 4 | 4 | 80.00% | 4.57 |
| North Wildwood City | 101 | 98 | 98 | 97.03% | 4.13 |
| Northfield City | 64 | 63 | 63 | 98.44% | 4.05 |
| Ocean City | 237 | 199 | 198 | 83.54% | 4.16 |
| Pleasantville City | 133 | 95 | 95 | 71.43% | 4.46 |
| Sea Isle City | 93 | 63 | 63 | 67.74% | 4.09 |
| Somers Point City | 61 | 39 | 39 | 63.93% | 4.00 |
| Stone Harbor Borough | 70 | 41 | 39 | 55.71% | 4.52 |
| Upper Deerfield Township | 15 | 15 | 15 | 100.00% | 4.52 |
| Upper Township | 39 | 21 | 21 | 53.85% | 4.43 |
| Ventnor City | 110 | 103 | 103 | 93.64% | 4.35 |
| Waterford Township | 43 | 27 | 27 | 62.79% | 4.34 |
| West Cape May Borough | 19 | 11 | 11 | 57.89% | 4.57 |
| West Wildwood Borough | 25 | 21 | 21 | 84.00% | 4.65 |
| Weymouth Township | 7 | 6 | 6 | 85.71% | 4.55 |
| Wildwood City | 118 | 56 | 52 | 44.07% | 4.21 |
| Wildwood Crest Borough | 73 | 71 | 71 | 97.26% | 4.33 |
| Woodbine Borough | 10 | 8 | 8 | 80.00% | 4.54 |

Comments

| Messages | Rating | Created_at |
|--|--------|-------------------|
| love it - want to take more | 5 | 27 September 2023 |
| A review is always good! | 5 | 13 September 2023 |
| Informative but a length of time should have been stated in the beginning. I had other things to do and not sure if I could re-enter the course in different times/days. | 5 | 23 August 2023 |
| The training was very informative | 5 | 23 August 2023 |
| Very informative and almost frightening. | 5 | 21 August 2023 |
| TOO LONG, THERE IS OTHER WORK TO BE COMPLETED | 3 | 11 August 2023 |
| Helpful and interesting | 4 | 08 August 2023 |
| Worthwhile. Good information. | 5 | 06 August 2023 |
| I learned a lot, however, I had trouble with some of the the quiz answers not appearing on my screen. | 5 | 03 August 2023 |
| Not too long and informative. | 5 | 03 August 2023 |
| Very informative on many issues I was unaware of, good job. | 5 | 02 August 2023 |
| This course should be available to my spouse. | 5 | 01 August 2023 |
| It was good information | 4 | 30 July 2023 |
| Informative and direct. | 5 | 30 July 2023 |
| Thanks for the knowledge! | 5 | 28 July 2023 |
| Quite a bit of repeated segments/instruction from previous trainings. | 3 | 28 July 2023 |
| Very Helpful Thank You | 4 | 27 July 2023 |
| I liked the graphics. Quite a lot to think about. | 5 | 24 July 2023 |
| Presentation made the information easy to digest. | 5 | 22 July 2023 |
| Great. I like the cartoons. | 5 | 21 July 2023 |
| Very informative. Thank you. | 5 | 21 July 2023 |
| Very good. Short to the point, in understandable language. One of the best courses I have taken. | 5 | 20 July 2023 |
| very informative and very useful | 5 | 19 July 2023 |
| don't put more than 4 answer choices to a question because users will not scroll down, especially if it is all of the above. | 4 | 17 July 2023 |
| Very good. Very valuable | 5 | 17 July 2023 |
| My captain knows how to choose them! | 5 | 17 July 2023 |
| Great course with lots of handy information, thank you. | 5 | 15 July 2023 |
| Thank you, very informative | 5 | 14 July 2023 |
| Good info, some stuff I've never heard of | 5 | 14 July 2023 |
| Good course, learned some new security measures. | 5 | 14 July 2023 |
| very good but too long | 4 | 13 July 2023 |

Cyber Security Bulletin October 2023

The Importance of Vulnerability and Penetration Testing to Local Government Networks

Local governments, by virtue of their responsibility for community management and public service delivery, handle a significant amount of sensitive and personal data. From land registry records to tax information, from licensing databases to election systems, these entities manage data critical to both the daily lives of citizens and the integrity of democratic processes. Given the increasing digitization of these data, it is imperative for local governments to ensure the security and integrity of their networks. This is where vulnerability and penetration testing become important.

- 1. Protection of Sensitive Data:** Local governments hold a plethora of confidential data, including personal identification details, residential addresses, financial information, and more. If this information were to fall into the wrong hands due to a security breach, it could result in identity theft, financial fraud, or other harmful repercussions for citizens.
- 2. Ensuring Public Trust:** Public trust is a cornerstone of effective governance. If a local government's network is compromised, it could erode citizens' confidence in their leaders and institutions. Regular vulnerability and penetration testing reassure the public that their data is safeguarded and that the government is proactively identifying and addressing potential security threats.
- 3. Compliance and Regulatory Requirements:** There are numerous regulations at both the federal and state levels that mandate strict cybersecurity practices for government entities. Regular vulnerability and penetration testing help local governments adhere to these standards, avoid penalties, and demonstrate due diligence in their cybersecurity efforts.
- 4. Protecting Critical Infrastructure:** Many local governments oversee and manage critical infrastructure, such as water treatment plants, power grids, and transportation networks. A cyberattack on these systems could

have devastating physical consequences. Ensuring that these networks are secure from vulnerabilities is thus not only a matter of data protection but also of public safety.

5. Mitigating Financial Impact: Addressing a security breach after it has occurred can be an expensive ordeal. This includes costs related to fixing the security flaw, potential legal fees, public relations efforts to repair the government's image, and possible financial compensations to affected citizens. Vulnerability and penetration testing, while requiring an upfront investment, are cost-effective in the long run by preventing potential breaches.

6. Adapting to Evolving Threats: Cyber threats are not static. They evolve rapidly, with hackers constantly devising new methods to infiltrate networks. Regular testing ensures that local governments remain updated on the latest threat vectors and can adjust their defense strategies accordingly.

In conclusion, vulnerability and penetration testing are not mere optional exercises for local government networks; they are crucial undertakings. These tests offer a proactive approach to cybersecurity, ensuring that potential flaws are identified and rectified before they can be exploited. Given the high stakes involved in terms of public trust, safety, and financial implications, it's clear that local governments cannot afford to neglect these critical assessments.

For more in-depth information on vulnerability and penetration testing, the following external resources are recommended:

1. [OWASP (Open Web Application Security Project)](<https://www.owasp.org/>)
2. [NIST (National Institute of Standards and Technology) Special Publication 800-115](<https://csrc.nist.gov/publications/detail/sp/800-115/final>)

Stay Cybersafe

October 10, 2023

To the Members of the
Executive Board of the
Atlantic County Municipal
Joint Insurance Fund

I have enclosed for your review and, in some cases consideration, documents of presentation relating to claims, transfers, and the financial condition of the Fund. The statements included in this report are prepared on a “modified cash basis” and relate to financial activity through the month period ending **September 30, 2023**, for Closed Fund Years 1987 to 2018, and Fund Years 2019, 2020, 2021, 2022 and 2023. The reports, where required, are presented in a manner prescribed or permitted by the Department of Insurance and the Division of Local Government Services of the Department of Community Affairs.

All statements contained in this report are subject to adjustment by annual audit.

A summary of the contents of these statements is presented below.

A.E.L.C.F. PARTICIPANT YEAR-END BALANCES

| | <u>9/30/2023</u> |
|--------------------------|--|
| | <u>FINAL AUDIT</u> |
| | <u>BALANCES</u> |
| Egg Harbor City | \$ 42,913.92 |
| Hamilton Township | \$ 86,814.39 |
| Hammonton Township | \$ 196,540.74 |
| Middle Township | \$ 176,745.50 |
| Mullica Township | \$ 28,297.51 |
| Northfield | \$ 112,523.09 |
| Pleasantville | \$ 515.27 |
| Stone Harbor | \$ 9,602.17 |
| Upper Deerfield Township | \$ 75,086.86 |
| Upper Township | \$ 183,486.77 |
| Waterford Township | \$ 28,543.53 |
| | <div style="border: 1px solid black; padding: 2px; display: inline-block;">\$ 941,069.75</div> |

SUMMARY REPORT OF AELCF/DIVIDENDS/RETRO PROGRAM

-attached

RECEIPT ACTIVITY FOR THE PERIOD

Subrogation Receipts

Sept: \$153,317.72 YTD: \$558,997.54

Other:

Sept: \$ -0- YTD: \$ 3,000.00

Adjustment:

Sept: \$ 588.00 YTD: \$23,222.64

CLAIM ACTIVITY FOR THE PERIOD:

ACTIVITY

The enclosed report shows claim activity during the period:

SEPT:

Checks Issued: 353 Claim Payments: 1083 Total Issued: \$1,203,396.01

Effect on Cash Position: \$1,023,874.74

Note: two closed year voided checks totaling \$4,150 due RCF.

CASH ACTIVITY FOR THE PERIOD:

ACTIVITY

The enclosed reconciliation report details that during the reporting period the Fund's "Cash Position" changed as follows:

| | | |
|---------|----------------|------------------------|
| JULY: | Ending Balance | <u>\$45,006,748.88</u> |
| AUGUST: | Ending Balance | <u>\$48,913,836.92</u> |
| SEPT: | Ending Balance | <u>\$47,527,429.65</u> |

INVESTMENT INTEREST & INVESTMENTS:

Please refer to the schedule entitled: **ANALYSIS OF INVESTMENT ACTIVITY** which summarizes all the required adjustments to the investments of JCMI, Treasuries, and Investors:

INTEREST EARNED:

| | | |
|--------------------|-------------------|-------------------|
| JCMI | Sept: \$35,996.27 | YTD: \$305,063.06 |
| Treasury | Sept: \$ -0- | YTD: \$396,419.30 |
| Citizens Investors | Sept: \$24,488.52 | YTD: \$116,534.43 |

Note: some off-set adjustments are required for administrative charges.

RATE OF RETURN-only interest as FROM ANALYSIS WORKSHEET.
Sept: 1.505%

ALLOCATION OF FUNDS:

| | <u>JULY</u> |
|-----------|---------------------------|
| Treasury- | \$22,305,958.71 50% |
| JCMI- | \$19,747,646.88 44% |
| Citizens- | <u>\$ 2,953,143.29 6%</u> |
| | \$45,006,748.88 |

| | <u>AUGUST</u> |
|-----------|----------------------------|
| Treasury- | \$22,444,628.73 46% |
| JCMI- | \$19,783,249.69 40% |
| Citizens- | <u>\$ 6,685,958.51 14%</u> |
| | \$48,913,836.93 |

| | <u>SEPT</u> |
|-----------|-----------------------------|
| Treasury- | \$22,422,022.82 47% |
| JCMI- | \$19,681,307.41 42%, |
| Citizens- | <u>\$ 5,424,099.42 11%,</u> |
| | \$47,527,427.65 |

Executive Committee

10/10/23

Page 4

BILL LIST FOR THE PERIOD:

Vouchers to be submitted for your consideration at the scheduled meeting show on the accompanying bill list at the end of my report.

The information contained in this cover report is a summary of key elements related to activity during the reporting period. Other detailed information is contained in the attached documents and, if desired, a more specific explanation on any question can be obtained by contacting me at 609-425-1136 or email ocjjh4263@gmail.com.

Respectfully Submitted,

John J. Hansen

John J. Hansen
Treasurer

**ATLANTIC COUNTY MUNICIPAL JIF
BILL LIST -OCTOBER 2023**

| | Payable To: | FY 2024 | FY 2023 | FY 2022 | Clsd Yrs | Appropriation | Description |
|----|--|-----------------|-------------------|-----------------|-----------------|--|---|
| 1 | The Actuarial Advantage | | 1,254.00 | | | Prof Services/Actuary | Sept 2023 Fees |
| 2 | PERMA | | 22,916.00 | | | Prof Services/Admin. Consultant | July-Dec 2023 Fees |
| 3 | Arthur J. Gallagher Risk Management Services LLC | | 88,142.00 | | | Prof Services/Administration | Oct 2023 Fees |
| 4 | Risk Program Administrators LLC | | 181.92 | | | Misc/Postage/Copies/Fax | Sept 2023 |
| 5 | Risk Program Administrators LLC | 766.00 | | | | Wellness/Wellness Incentive Program | Wellness Calendars, split with JIFs, PF Amex |
| 6 | Risk Program Administrators LLC | 1,050.00 | | | | Safety Incentive Program | Safety Calendars, split with JIFs, PF Amex |
| 7 | The DeWeese Law Firm, P.C. | | 11,549.00 | | | Prof Services/Attorney | Oct 2023 Fees |
| 8 | Qual-Lynx | | 74,723.00 | | | Prof Services/Claims Administration | Oct 2023 Fees |
| 9 | Qual-Lynx | | | 5,400.00 | | Prof Services/Claims Administration | 2022 EPL/POL Claims Advocacy Fees |
| 10 | Joyce Media | | 390.00 | | | Misc/JIF Website | Oct 2023 Fees |
| 11 | Christopher J. Winter Sr. | | 2,167.00 | | | Training/Police Risk Services | Law Enforcement Consultant-Oct 2023 fee |
| 12 | Tracy Forlenza | | 560.00 | | | Misc/Recording Secretary | Oct 2023 Fees |
| 13 | J.A. Montgomery Risk Control Services | | 19,587.00 | | | Prof Services/Safety Director/Loss Control | Oct 2023 Fees |
| 14 | Wintsec Consulting LLC | | 4,863.00 | | | Prof Services/Technology Risk Serv Dir | Oct 2023 Fees |
| 15 | John Hansen | | 2,125.00 | | | Prof Services/Treasurer | Oct 2023 Fees |
| 16 | John Hansen | | 9.65 | | | Misc/Postage/Copies/Fax | Replacement stale dated checks |
| 17 | Conner Strong & Buckelew | | 1,062.00 | | | Prof Services/Underwriting Mgr | Oct 2023 Fees |
| 18 | Jordan Simone | | 5,420.00 | | | Wellness/Wellness Incentive Program | Oct 2023 Fees |
| 19 | MEL RCF | | | | 7,614.68 | RCF Additional Assessment | JIF activity from 7/16/20-6/30/23 refunds and Claim |
| 20 | Iron Mountain | | 144.21 | | | Misc/Records Retention Service | Inv#HWNB855; Storage 10/1-31/23; Service 8/23-9/26/23 |
| 21 | ODP Business Solutions | | 274.73 | | | Misc/Annual Planning Retreat | Inv#334886894 tabs, #334887769 binders |
| 22 | Armando Riccio LLC | | 1,200.00 | | | Training/Training | 9/11 & 9/27/23 Mgrs & Sup training AM/PM sessions (split) |
| 23 | City of Brigantine | | 2,000.00 | | | Optional Safety Budget | gloves, vests, tees, safety gear |
| 24 | City of Brigantine | | 725.00 | | | EPL/CYBER/EPL/Cyber Incentive Program | firewall |
| 25 | Borough of Buena | | 725.00 | | | EPL/CYBER/EPL/Cyber Incentive Program | EPL issue and cybersecurity |
| 26 | Borough of Buena | | | 2,250.00 | | Safety Incentive Program | NJMVC access, air purifiers |
| 27 | Borough of Buena | | 600.00 | | | Wellness/Wellness Incentive Program | air purifiers |
| 28 | Township of Middle | | 1,000.00 | | | Wellness/Wellness Incentive Program | challenges and prizes, farm stand |
| 29 | Township of Middle | | 725.00 | | | EPL/CYBER/EPL/Cyber Incentive Program | EPL issues/solicitor bill |
| 30 | City of Northfield | | 1,500.00 | | | Optional Safety Budget | NJMV online and AEDs for Police cars |
| | Subtotals | 1,816.00 | 243,843.51 | 7,650.00 | 7,614.68 | | |

| | | |
|----------------------------|--|-------------------|
| JIF BILL LIST TOTAL | | 260,924.19 |
|----------------------------|--|-------------------|



Municipal Excess Liability Joint Insurance Fund

9 Campus Drive – Suite 216
Parsippany, NJ 07054
Tel (201) 881-7632
Fax (201) 881-7633

Date: Friday September 15, 2023

To: Atlantic County Municipal Joint Insurance Fund

From: Commissioner McLaughlin

Subject: September MEL Report

Management Committee: Management Committee meet on September 12th and recommended the following:

2024 Budget: Committee considered three options for loss funds and loss fund contingency. Given the various factors impacting the JIF and MEL – such as, Covid 19, increased storm activity, change in permanency awards for employees receiving an accidental disability, the expanded time frame to file a claim arising out of sexual molestation and the firemen's cancer presumption regulation, the Board accepted the Management Committee's recommendation to introduce a budget in October selecting the highest actuarial confidence rate. Commissioner Tomasko said the Management Committee recognized that this is a substantial increase but added that it is important for the MEL to adequately fund for the changing landscape. Chairwoman Tozzi added that the committee was all in agreement.

Professional Contracts: Fund Professional contracts awarded in 2021 for a three-year period carried an option to extend for a 4th and 5th year. The Board accepted the recommendation of the Management Committee to extend contracts for 4th and 5th year. Regulations limit the allowable increase.

Property Claims Administrator: The MEL's retention for property claims has increased significantly since Qual-lynx quoted. Board will consider amending the fee, effective for 2023.

Actuarial Proposal: Board accepted a proposal from Actuarial Advisors Inc. to provide a secondary actuarial analysis, not to exceed \$30,000. Actuary agreed that many organization periodically seek a second review. Executive Director said he is recommending this step in particular due to the uncertainty brought about by all the factors noted above. Professional Service appointment Resolution will be on the October agenda.

MSI Access by School Board Pools: During July, the Fund office sought approval to expand school board JIF access to the MSI. Board agreed to approve a modifications to J.A. Montgomery's compensation to reflect all school board participation. School boards pay \$50,000 to access the training; J.A. Montgomery will be compensated in the amount of 2/3 of that fee

Safety & Education Committee: Committee met on August 11th; enclosed are the minutes for information.

Legislative Committee: Committee met on July 18th; enclosed are the minutes for information. Committee Chairman Cuccia said governor signed bills increasing the cost of Independent Medical Exams and legal fees. Chairman Cuccia said he hopes the MEL will have some input on the regulations.

Claims Committee: Committee met on June 2nd and July 12th; minutes of these meetings are sent to the full MEL Board separately from the agenda. The committee is scheduled to meet immediately following this meeting.

Audit Committee: Committee met on May 31st to review the year-end financial audit and internal audits, which were reviewed and approved at the June MEL meeting. The year-end financial audit was filed with the appropriate state agencies by the June 30th deadline. Committee's report was verbal in June. May 31st minutes now submitted for information.

RCF: A copy of Commissioner Clark's report on the RCF June 2, 2023 meeting submitted for information. RCF also met just prior to today's MEL meeting.

Cyber JIF: The Cyber JIF met on June 22nd and on August 25th; enclosed are reports on both meetings. The Cyber JIF Board approved the revisions to the Competitive Contracting RFPs for Training & Phishing and for External Scanning. The Cyber JIF awarded *D2 Cybersecurity* for Training & Phishing and for External Scanning services. Chairwoman Tozzi said Risk Control Committee put in a great effort in drafting RFP and reviewing responses, particularly Tom Merchel and Adam Brewer. Webinars have been scheduled to outline the implementation process for members.

The Cyber JIF will consider establishing a reimbursement process for local JIFs already engaged with vendors for these services. In addition,

Emergency Restoration Services: In 2020, the MEL QPA issued a bid for Emergency Restoration Services and confirmed it may serve as a "rolling" list where responders that comply with bid specification will be posted to the MEL website. Board approved the addition of *CSS Building Services*, whose response meets the bid specifications, to the list.

Suburban Metro Joint Insurance Fund: To provide a status update, Suburban Metro is now placing its excess program for its two BOE members through ~~in~~ the Schools Excess Liability Fund.

JIF Membership Renewals: The NJPHA JIF and First Responders JIFs are set to renew their 3-year membership on 1/1/2024. The other eighteen local JIFs renewed on 1/1/2022 or 7/1/2022.

2024 Pre-renewal webinar: Ed Cooney and Jonathon Taveras, MEL Underwriting Manager Team will be hosting an overview presentation of the 2024 pre-renewal via an interactive Webinar on Monday September 18, 2023 at 10:00AM. Underwriting Manager said he expects the property renewal to be the most difficult of the renewals for 2024. Underwriting Manager also introduced representatives from Munich Reinsurance (excess pol epl carrier).

Power of Collaboration: Copy of the latest in a series of Power of Collaboration advertisement to be published in the League of Municipalities magazine distributed. The ad highlights the \$3.6 billion savings provided to NJ Taxpayers while responding to the impacts of Covid-19, cost incurred from natural disasters and legislative challenges. The ad also discusses the purchase of over \$135 million in debt securities by the MEL that stabilized the bond market disrupted by COVID-19.

Attorney: Fund Attorney reported on a successful recovery on a matter involving a wire transfer for a member repaying a bond note.



Municipal Excess Liability Joint Insurance Fund

9 Campus Drive, Suite 216
Parsippany, New Jersey 07054-4412
Tell (201) 404-0212
E mail daveg@permainc.com

Commissioner Justin Zimmerman,
NJ Department of Banking & Insurance
(Dimelit.Robles@dobi.nj.gov)
20 West State Street, P.O. Box 325
Trenton, NJ 08625-0325

October 2, 2023

Re: Local Government Insurance Issues

Dear Commissioner:

Thank you for agreeing to meet with us. To save time at the meeting, the following is the background of the issues to be discussed.

History:

In 1985, soon after the first municipal JIF was formed, the international reinsurance insurance market crashed leaving local government without coverage for large liability claims. The New Jersey Governor's office and the New Jersey Department of Insurance (now DOBI) helped the early JIFs establish a special JIF to provide excess insurance. Today, the Municipal Excess Liability Joint Insurance Fund (MEL) includes 19 local JIFs that insure 393 municipalities and 206 authorities. The JIFs have also formed three special purpose programs: (1) The New Jersey Municipal Environmental Risk Management Fund (E-JIF) to provide pollution insurance, (2) the Municipal Excess Liability Residual Joint Insurance Fund (RCF) to run out older claims, and (3) the New Jersey Cyber Risk Management Fund to provide cyber insurance.

To date, the MEL and its affiliated JIFs have saved the taxpayers \$3.8 billion including \$2.2 billion from improved safety records and \$1.6 billion from lower non-claim costs. The MEL system's combined 2023 budget is \$268 million, and its combined surplus is \$110 million.

In 1992, many of the early JIF members also established special purpose JIFs to provide health insurance. There are now nine affiliated health JIFs (a.k.a. HIFs) that collectively insure 44,000 municipal and school employees from 308 member entities. These HIFs also formed an excess HIF known as MR – HIF (Municipal Reinsurance Health Insurance Fund) based on the MEL model. The taxpayer savings since inception are estimated at more than \$1 billion.

Another program is the New Jersey Counties Excess Joint Insurance Fund (CEL) that insures 10 of the state's 21 counties. This program includes 24 related county agencies. The CEL's estimated savings are \$103 million.

Current Insurance Crisis:

Local Government is facing the largest property/casualty budget increase since the mid-1980s. Premiums to the typical municipality have already experienced a 22% increase since 2021 and will experience another 12+% in 2024.

- **Workers' Compensation:** Employee accidents are the largest item in local property casualty insurance budgets. New Jersey now has the highest workers' compensation premium rates in the country based on data from the Bureau of Labor Statistics.

Reopened Cases: Costs have escalated because New Jersey judges are now reopening cases up to four and five times while in the past they rarely reopened a case more than once. This change has resulted in the need to substantially increase IBNR reserves for fund years going back as long as two decades.

Accidental Disability Claims: IBNR reserves are being substantially increased because of a 2021 Department of Labor decision that directed workers' compensation to pay many accidental disability claims that heretofore were paid by the pension plans.

Firefighters Presumption: Another recent law created a presumption that firefighters diagnosed with cancer are eligible for workers' compensation.

COVID: The same law also made COVID compensable. New Jersey's workers' compensation cost per employee for COVID is the second highest in the country.

- **Liability:** Premiums have increased because of the erosion of Title 59 in New Jersey's courts. Judges are now reluctant to grant summary judgement dismissing even frivolous claims because of the 2021 New Jersey Supreme Court decision in Gonzalez v. Jersey City. The recent amendment in the sexual molestation statute of limitations also increased Title 59 liability costs. In some cases, towns are being sued based on allegations going back to the 1970s.
- **Property:** Premiums are increasing rapidly because the world-wide frequency of large natural disasters has almost tripled since 2000. Here in New Jersey, the state was hit with Irene in 2011, Sandy in 2012 and Ida in 2021. Property insurance premiums are also indexed to replacement values that have jumped because of supply chain issues and the labor shortage.

- **Cyber Liability:** Premiums have more than doubled in recent years. Organizations without strong cyber risk controls are finding it difficult to purchase any coverage.

In addition to premium increase, these factors also resulted in a 50% drop of the MEL System's collective surplus from \$220 million (at 2020-year end) to \$110 million (at 2022-year end). We expect the surplus to drop further at the 2023-year end. Many non-MEL JIFs are already negative and have gone back to their members for supplementary assessments. Some MEL affiliated JIFs will also adopt supplemental assessments before closing their 2022 books.

Deficits are not per se a problem so long as JIFs immediately enact remedy plans including supplementary assessments and premium increases. However, as the Middlesex JIF situation demonstrated, these issues quickly escalate if ignored.

The Need for State Coordination:

At least five State departments are involved in regulating local government risk management issues. Unfortunately, there is little coordination between these agencies. Specifically:

- **Department of Banking and Insurance.** Under NJSA 40A:10-36 *et seq.*, DOBI is the primary regulator of joint insurance funds. From the mid-1980s through the late-2000s, DOBI was very active and closely coordinated with the Department of Community Affairs until the initial group of regulators retired.
- **Department of Community Affairs:** DCA regulates governmental operations for joint insurance funds including the NJ Public Contracts Law, the Local Fiscal Affairs Law, the Local Government Ethics Act, the Open Public Meetings Act, and the Open Public Records Act. DCA receives copies of all filings made to DOBI and has joint authority to approve JIF By-Laws and Plans of Risk Management.
- **Department of Labor and Workforce Development:** DOL is responsible for the NJ Division of Workers' Compensation and administers the Public Employees Occupational Safety and Health Act (PEOSHA).
- **Department of Environmental Protection:** The MEL affiliated New Jersey Environmental Risk Management Fund (E-JIF) works closely with DEP on both environmental compliance and educational programs for local officials.
- **Office of the State Comptroller:** JIFs are required to file any contract with the Controller that exceeds \$2 million and must seek prior approval for any contract that exceeds \$10 million. JIFs are also required to file all financial audit reports with the Controller's office.

Recommendations:

1. **DOBI – DCA Coordination:** For the first 25 years, DOBI and DCA worked closely to monitor and regulate JIFs. This coordination should be reestablished. Unfortunately, much institutional knowledge has been lost.
2. **Deficit Remedy Plans:** There will be a substantial increase in JIF deficits at 2023-year end because of the factors discussed earlier that are beyond JIF control. DOBI and DCA should urge JIFs to enact adequate supplemental assessments before submitting their annual reports (due June 30th each year). If early action is taken, the impact on individual members will be minimal, especially if the assessment is payable in ten annual installments.
3. **New Members:** Enforce NJAC 11:15-2.9(b). In the past, there has been a pattern of some JIFs substantially undercutting premiums to gain membership and then jumping the rates in later budget years. NJAC 11:15-2.9(b) requires JIFs to provide both DOBI and DCA with an actuarial certification on the adequacy of any new member's assessment. Unfortunately, this regulation has not been enforced for decades.
4. **Unrealized Capital Losses:** DOBI should reaffirm that it does not intend to include unrealized capital losses when considering the adequacy of deficit remedy plans. The Federal Reserve increase in interest rates will generate additional investment income going forward. However, all insurers, including JIFs, are required to book the unrealized investment loss caused by the interest rate increase. This adjustment is temporary since the MEL invests its assets in conservative short-term fixed securities including bonds issued by its members. The MEL holds securities to maturation unless the new higher rates create an opportunity to increase investment yield.
5. **Continuing Education:** Each year, the MEL conducts a six-hour continuing education program for insurance professionals and municipal officials on risk management issues. To minimize difficulties in securing DOBI approvals, the MEL is applying to become an Insurance Education Provider. Some of the courses do not fit neatly into the normal parameters. For example, recently the NJ Department of Labor requested to present on wage and hour laws. This impacts local risk management because contractors bidding on property reconstruction projects must comply with NJDOL regulations. We also just submitted an ethics course we jointly developed with the Acting DCA Commissioner.
6. **Banking Issues:** In May, one community suffered a \$6.3 million loss from funds fraudulently transferred from its accounts. There is only limited insurance coverage for events this nature and the community is currently facing a substantial uninsured loss. There needs to be a discussion involving both DOBI and DCA about ways to reduce the risk of similar events occurring in the future.

7. **Contracting Issues:** The state needs to clarify its rules under the Public Contracts Law. The nine HIFs planned to reduce costs by jointly contracting for medical discount networks, and selecting several networks so HIFs could choose the most cost-effective network for each member. This is a strategy that the State Plan is also pursuing. The QPA (Qualified Purchasing Agent) retained by the HIFs opined that the strategy is legal. The Office of the State Comptroller disagreed and the Department of Community Affairs (the agency responsible for enforcement of the Public Contracts Law) is attempting a resolution that will accomplish the objective of reducing costs to the taxpayers.
8. **Legislative Issues:** Legislation that will increase local government insurance costs is still being pushed in the legislature. For example, S-3818 will at least double plaintiff's attorney fees in workers' compensation cases that are already among the highest in the country. Further, local government needs both budget and levy cap relief.
9. **Captive:** The MEL would like to explore the feasibility of forming a group captive domiciled in New Jersey to reinsure a portion of the Public Official's/Employment Practices policy placed with a commercial insurer. We also believe that a captive might be a useful vehicle to share risk between local units of government, schools, and the State itself including its authorities. The existing JIF statutes are not broad enough to permit all forms of New Jersey government to come together in a single JIF.

Again, we look forward to discussing these issues at the upcoming meeting.

Sincerely,

David N. Grubb
Executive Director

Cc Joseph Hrubash, MEL Co-Executive Director



Municipal Excess Liability Residual Claims Fund

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September 15, 2023

Memo to: Atlantic County Municipal Joint Insurance Fund

From: Commissioner McLaughlin

Re: RCF September 2023 Meeting

2022 Budget Amendment: Following the public hearing, the Board of Commissioners reviewed and adopted the amended Fund Year 2022 Budget, which reflected the transfer of the Fund Year 2018 claims from the local JIFs as of 12/31/22. Enclosed as part of this report is the Amended 2022 Budget.

2024 Budget: The Board of Fund Commissioners reviewed the proposed 2024 Budget. Under the conditions of the Fund, the 2024 expenses cannot be directly charged to an expense line established in the 2023 budget.

Executive Director recommended the amount of \$700,000 be returned to the members from 2022 Fund Year Contingency Account and the Board adopted Resolution 21-23 reflecting that recommendation.

In addition, the Board of Fund Commissioners voted to introduce on first reading of the 2024 Budget and to schedule the Public Hearing at the October 18, 2023, 10:30AM meeting to be held at Forsgate Country Club. Enclosed as part of this report is the Proposed 2024 Budget.

2022 Audit Filing. The RCF 2022 audit was filed with the New Jersey Department of Banking and Insurance (DOBI) and the New Jersey Department of Community Affairs (DCA) on June 29, 2023.

Claims Committee: The Claims Review Committee met on June 2 and July 12, 2023 and also met the morning of the Commissioner's meeting. Minutes of the meetings were enclosed under separate cover.

Next Meeting: The next meeting of the RCF is scheduled for October 18, 2023 at 10:30AM at the Forsgate Country Club.

| | | | | |
|--|----------------------|-------------------------|-----------------------|-------------------|
| MUNICIPAL EXCESS LIABILITY RESIDUAL CLAIMS FUND | | | | |
| 2022 AMENDED BUDGET | | | | |
| | 2022 | 2022 Amendment | 2022 | \$ |
| | PROPOSED | 2018 Assessments | Revised Budget | CHANGE |
| | BUDGET | | | |
| APPROPRIATIONS | | | | |
| MEL | 315,330 | 13,211,400 | 13,526,730 | 13,211,400 |
| BMEL | 0 | 0 | 0 | 0 |
| ATLANTIC | 49,541 | 1,903,062 | 1,952,603 | 1,903,062 |
| BERGEN | 13,840 | 1,308,269 | 1,322,108 | 1,308,269 |
| BURLCO | 20,723 | 678,827 | 699,550 | 678,827 |
| CAMDEN | 23,828 | 903,413 | 927,241 | 903,413 |
| MONMOUTH | 27,328 | 1,539,271 | 1,566,599 | 1,539,271 |
| MORRIS | 20,794 | 1,964,504 | 1,985,298 | 1,964,504 |
| NJUA | 17,074 | 395,229 | 412,302 | 395,229 |
| OCEAN | 50,246 | 3,262,404 | 3,312,649 | 3,262,404 |
| PMM | 8,590 | 376,771 | 385,362 | 376,771 |
| SOUTH BERGEN | 22,222 | 1,269,488 | 1,291,710 | 1,269,488 |
| SUBURBAN METRO | 21,634 | 717,622 | 739,256 | 717,622 |
| TRICO | 31,031 | 849,602 | 880,633 | 849,602 |
| SUBURBAN MUNICIPAL | 3,504 | 353,830 | 357,334 | 353,830 |
| CENTRAL JERSEY (incl. | 43,824 | 967,219 | 1,011,042 | 967,219 |
| NJPHA | 16,492 | 677,498 | 693,990 | 677,498 |
| TOTAL | 686,000 | 30,378,409 | 31,064,409 | 30,378,409 |
| | | | | |
| MUNICIPAL EXCESS LIABILITY RESIDUAL CLAIMS FUND | | | | |
| 2022 AMENDED BUDGET | | | | |
| | | | | |
| | | | | |
| | | | | |
| | 2022 PROPOSED | 2022 Amendment | 2022 | |
| | BUDGET | 2018 Assessments | Revised Budget | |
| APPROPRIATIONS | | | | |
| CLAIMS | 0 | 29,678,409 | 29,678,409 | 29,678,409 |
| Run-in Claim Receivable | 15,000 | | 15,000 | 0 |
| LOSS FUND CONTINGENC | 0 | 700,000 | 700,000 | 700,000 |
| SUBTOTAL LOSS FUND | 15,000 | 30,378,409 | 30,393,409 | 30,378,409 |
| EXPENSES | | | | |
| ADMINISTRATOR | 214,158 | | 214,158 | 0 |
| DEPUTY ADMINISTRATOR | 72,849 | | 72,849 | 0 |
| ATTORNEY | 44,336 | | 44,336 | 0 |
| CLAIMS SUPERVISION & | 64,092 | | 64,092 | 0 |
| TREASURER | 41,626 | | 41,626 | 0 |
| AUDITOR | 24,589 | | 24,589 | 0 |
| ACTUARY | 43,899 | | 43,899 | 0 |
| MISCELLANEOUS | 25,800 | | 25,800 | 0 |
| SUBTOTAL | 531,349 | 0 | 531,349 | 0 |
| EXPENSE CONTINGENCY | 139,651 | | 139,651 | 0 |
| TOTAL BUDGET | 671,000 | 30,378,409 | 31,049,409 | 30,378,409 |

| | | | | |
|--|------------------------|----------------------|---------------|---------------|
| MUNICIPAL EXCESS LIABILITY RESIDUAL CLAIMS FUND | | | | |
| 2024 PROPOSED BUDGET | | | | |
| | | | | |
| | | | | |
| | 2023 ANNUALIZED | 2024 PROPOSED | \$ | % |
| | BUDGET | BUDGET | CHANGE | CHANGE |
| | | | | |
| APPROPRIATIONS | | | | |
| | | | | |
| CLAIMS | 0 | 0 | 0 | |
| Run-in Claim Receivable | 15,000 | 72,500 | 57,500 | 383% |
| LOSS FUND CONTINGENCY | 0 | 0 | | |
| | | | | |
| SUBTOTAL LOSS FUND | 15,000 | 72,500 | 57,500 | 383% |
| | | | | |
| EXPENSES | | | | |
| | | | | |
| ADMINISTRATOR | 218,441 | 222,810 | 4,369 | 2% |
| DEPUTY ADMINISTRATOR | 74,306 | 75,792 | 1,486 | 2% |
| ATTORNEY | 45,223 | 46,127 | 904 | 2% |
| CLAIMS SUPERVISION & AUDIT | 65,374 | 66,681 | 1,307 | 2% |
| TREASURER | 42,459 | 43,308 | 849 | 2% |
| AUDITOR | 25,081 | 25,583 | 502 | 2% |
| ACTUARY | 44,777 | 45,673 | 896 | 2% |
| MISCELLANEOUS | 26,316 | 26,842 | 526 | 2% |
| | | | | |
| SUBTOTAL | 541,977 | 552,816 | 10,839 | 2% |
| | | | | |
| EXPENSE CONTINGENCY | 142,523 | 147,184 | 4,661 | 3% |
| | | | | |
| TOTAL BUDGET | 684,500 | 700,000 | 15,500 | 2% |