

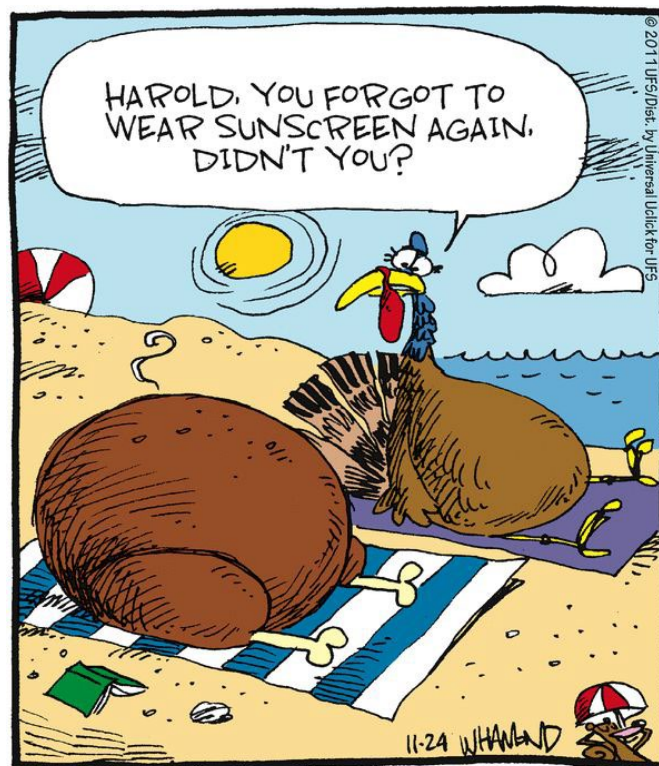
Atlantic County  
Municipal Joint  
Insurance

Fund

Established in 1987  
South Jersey Communities Securing Their Future



## AGENDA PACKET



**Monday, November 20, 2023 at 3:00 PM**

**Via Zoom Conferencing**

<https://us06web.zoom.us/j/81536251107>

Meeting ID: 815 3625 1107

Telephone Access: 646-876-9923 US (New York)

***WWW.ACMJIF.ORG***

ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND

November 20, 2023 – 3:00 PM

Via Zoom Conferencing

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 1-14
  - A. Adoption of the **October 18 , 2023** minutes – **Motion – All in Favor**
- VII. Closed Session Minutes
  - A. Approval of the **October 18, 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The Closed Session Minutes shall not be released to the public until the reason(s) for their remaining closed is no longer applicable and the Fund Solicitor has an opportunity to review them.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 – November 9, 2023.....Handout
- XIII. Claims Administrator’s Report
  - A. Lessons Learned from Losses .....Page 15

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	C. Claims Reported by Type.....	Page 18
	D. Nurse Case Management Reports.....	Page 19
	E. Transitional Duty Report.....	Page 20
	F. PPO Savings and Penetration Reports.....	Pages 21-22
	G. Top 10 Providers & Paid Provider by Specialty.....	Page 23
	H. Quick Notes.....	Page 24
XV.	Law Enforcement Risk Management	
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XVII.	Wellness Director Report	
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	C. EPL/POL/Technology Committee Meeting Minutes – October 30, 2023.....	Pages 52-58
	D. Finance Committee Meeting Minutes – October 16, 2023.....	Pages 59-63
	E. Finance Committee Meeting Minutes – November 3, 2023.....	Pages 64-70
	1. 2024 Budget Message.....	Handout
	2. 2024 Budget Introduction – <b>Motion to Introduce – Roll Call</b> .....	Handout
	3. 2024 Assessment Allocation Strategy Policy - <b>Motion to Introduce – Roll Call</b> ..	Handout
	4. 2024 Assessment Certification - <b>Motion to Introduce – Roll Call</b> .....	Handout
	5. Resolution 2023- ____ Authorizing a Transfer of the 2019 Fund Year to the MEL Residual Claims Fund – <b>Motion – Roll Call</b> .....	Page 71
	F. Resolution 2023- ____ Amending the 2023 Risk Management Plan– <b>Motion – Roll Call</b> .....	Pages 72-73
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	B. Certificates of Insurance.....	Pages 80-91
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- O. 2024-2025 MEL EPL Risk Mgmt Program.....Pages 109-120
  - P. Elected Officials Training
  - Q. Model RFQ for Risk Management Services
  - R. 2024 RMC Resolutions & Agreements
  - S. Dividend Notices
  - T. Website
  - U. New Member Activity
  
  - XX. Safety Director's Report
    - A. Activity Report ..... Pages 121-123
  
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  - XXII. Treasurer's Report as of October 31, 2023 .....Pages 126-247
    - A. Fund Status
    - B. Investment Report
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    - D. Payment Register – **Motion to Approve - Roll Call**
    - E. November Bill List – **Motion to Approve – Roll Call**.....Page 243
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    - G. Analysis of Non-Assessment Receipts
  
  - XXIII. MEL/RCF/ CYBER JIF Reports
    - A. NJ Cyber JIF Meeting Report – October 19, 2023.....Pages 248-250
    - B. Resolution 2023-\_\_\_\_\_Appointing Lisa McLaughlin, Margate City, as the Fund's Representative to the MEL/RCF/EJIF/Cyber JIF for 2024 –**Motion – Roll Call**.....Page 251
  
  - XXIV. Miscellaneous Business
- The next meeting of the ACMJIF will be held on Wednesday, December 20, 2023  
at 3:00 pm at Merighi's Savoy Inn, Vineland**
- 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**

The Flanders Hotel

719 E 11<sup>th</sup> Street, Ocean City, NJ

October 18, 2023 at 3:00 PM

### ***OPEN SESSION MINUTES***

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The regular meeting of the Atlantic County Municipal Joint Insurance Fund (ACM JIF) was held on October 18, 2023 at 3:00 PM, prevailing time, The Flanders Hotel, 719 E 11<sup>th</sup> Street, Ocean City, 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 FUND COMMISSIONERS***

Those in attendance were:

Jessica Thompson, **Absecon City**  
Scott Wahl, **Avalon Borough**  
Mollye O'Neill, **Brigantine City**  
Bill Nimohay **Buena Borough**  
Erin Burke, Alt., **Cape May City**  
Ed Grant, **Cape May Point**  
Heather Miller, **Commercial Twp.**  
Dawn Marie Bascelli, **Deerfield Twp.**  
Lisa Marcolongo, **Estell Manor City**  
Patricia Gatto, **Folsom Borough**  
Shantele Pollock, **Hamilton Twp.**  
Leigh Ann Napoli, **Linwood City**  
Monica Kyle, **Longport Borough**  
Karen Fournier, **Lower Township**  
Lisa McLaughlin, **Margate City**  
Varvara Keun, **Middle Twp.**  
Dawn Stollenwerk, **Mullica Twp.**  
Jennifer VanSant, **North Wildwood City**  
Mary Canesi, **Northfield City**  
Liz Woods, *Fund Chair*, **Ocean City**  
Shurlana Stewart, Alt., **Pleasantville City**  
Kellie Seib, **Sea Isle City**  
Julianne Cannuscio, Representing, **Somers Point City**  
Jim Craft, **Stone Harbor Borough**  
Roy Spoltore, *Acting Secretary*, **Upper Deerfield Twp.**

Jim Pacanowski, **Ventnor City**  
Michael Dougherty, **Waterford Twp.**  
Carol Sabo, **West Cape May Borough**  
Joe Segrest, **West Wildwood City**  
DJ Ayres, **Weymouth Twp.**  
Steve O'Connor, **Wildwood City**  
Connie Mahon, **Wildwood Crest**

Absent Fund Commissioners:

LaVerne Kirn, **Corbin City**  
Jessica Bishop, **Dennis Twp.**  
Bob Campbell, **Downe Twp.**  
Tom D'Intino, **Egg Harbor Twp.**  
Alim Parks, Sr., **Galloway Twp.**  
Ray Compari, **Millville City**  
Jared Marandino, **Newfield Borough**  
Gary DeMarzo, **Upper 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  
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.*  
Christopher J. Winter, Sr., CPM, Law Enforcement Risk Management Consultant  
Jordan Simone, COTA/L, CHC, RYT-200, Wellness Director

Absent Fund Professionals:

Christopher Roselli, Account Manager, *Qual-Lynx*  
John Hansen, Fund Treasurer  
Jerry Caruso, Technology Risk Services Director, *Wintsec Consulting*

Present Risk Management Consultants were:

C. J. Adams Company  
Atlantic Associates  
Glenn Insurance  
Hardenbergh Insurance  
Insurance Agencies Inc.  
McMahon Agency, Inc.  
William R. Mints Agency  
Siracusa-Kauffman Insurance

Absent Risk Management Consultants were:

Barclay Insurance Group  
BCA Insurance  
J. Byrne Agency, Inc.  
Conner Strong & Buckelew  
Thomas Heist Insurance Agency  
Marsh & McLennan Agency

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

***MOVE UP ALTERNATES***

In absence of Ms. Bishop, Dennis Township, alternate Mr. O'Connor, Wildwood City, was moved to the Executive Committee for voting purposes.

Motion by Mr. Spoltore, seconded by Ms. Keun, to move Ms. Bishop, Dennis Township, alternate Mr. O'Connor, Wildwood City, was moved to the Executive Committee for voting purposes. All in Favor. Motion carried by unanimous vote.

***APPROVAL OF MINUTES – OPEN SESSION***

Chair Woods entertained a motion to approve the meeting minutes of the September 20, 2023 Executive Committee Meeting.

Motion by Ms. Keun, seconded by Mr. Wahl, to approve the meeting minutes of the September 20, 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 September 20, 2023 Executive Committee meeting.

Motion by Mr. Wahl, seconded by Mr. Spoltore, to approve the Closed Session minutes of the September 20, 2023 Executive Committee meeting as presented. All in Favor. Motion carried by unanimous vote.

The Closed Session meeting minutes of the September 20, 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 #2023-41***

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 2023-41.

Motion by Mr. Wahl, seconded by Mr. Spoltore, to adopt Resolution 2023-41 as presented.

**ROLL CALL**

***Yeas:***

Scott Wahl, **Avalon**  
Ed Grant, **Cape May Point**  
Heather Miller, **Commercial 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 Mr. Spoltore, seconded by Ms. Miller to approve the claims payments as discussed in Closed Session.

They are as follows:

#### **September 2023 PARs:**

<b><i>Workers' Compensation</i></b>	<b><i>Property</i></b>	<b><i>GL</i></b>	<b><i>Auto</i></b>
MLT-2021219674 (01-02) 2021219674 – 01 2024310732 - 02	2024308758	2021214477	
2022272115	2023296308	2021225169	
2024312850		2022258663	
2023305083		2022243874	
2022272287		2020189990	
MLT-2021214239 (01-06) 2021214267-01		2021240245	
2023290740		2023304720	
MLT-2024311724 (01-17) 2024311724-01 2024311726-02 2024311730-03 2024311734-04 2024311780-05 2024311782-06 2024311787-07 2024312337-08 2024312339-09 2024312340-10 2024312761-11 2024312845-12 2024312849-13			
2024308764			
2023300297			
2023306945			
2023297016			



2024310669			
2021234332			
2022245537			
2021210129			
2023279717			

**ROLL CALL*****Yeas:***Scott Wahl, **Avalon**Ed Grant, **Cape May Point**Heather Miller, **Commercial 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:

September
Qual-Lynx Files for Abandonment
2022242169

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

**ROLL CALL*****Yeas:***Scott Wahl, **Avalon**Ed Grant, **Cape May Point**Heather Miller, **Commercial 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***

**September PARs** -Ms. Napoli noted that thirty-nine (39) PARs including thirty (30) Workers' Compensation (21 *Police*, 0 *Fire*, and 9 *Other*), seven (7) General Liability, zero (0) Auto, and two (2) Property claims were reviewed for settlement, continuing defense, or to advise of trial date.

## ***CLAIMS ADMINISTRATOR'S REPORT***

### ***Lessons Learned from Losses – October***

In Mr. Roselli's absence, Ms. Beatty reported that the *Lessons Learned from Losses* this month focuses on safe lifting. She advised the members to use the 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; and Turn your feet in the direction you want to move. She asked that all members share this bulletin with their employees.

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

## ***MANAGED HEALTH CARE REPORT***

### ***Lost Time v. Medical Only Cases***

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

	<b><i>Sept</i></b>	<b><i>YTD</i></b>
<i>Total Intakes (New Claims)</i>	86	709
<i>Report Only</i>	36	273
<i>Report Only % of Total</i>	42%	39%
<i>Medical Only</i>	42	331
<i>Lost Time</i>	8	100
<i>Medical Only/Lost Time Ratio</i>	84:16	77:23
<i>Occupational, Claim Petition, Cancer Presumption</i>	0	4
<i>COVID-19</i>	0	7
<i>Average Days to Report to QL</i>	4.8	7.5
<i>Average Days to Report to employer</i>	1.4	2.3

### ***Nurse Case Management:***

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

<b><i>Nurse Case Management</i></b>	<b><i>Sept</i></b>
<i># of Cases Assigned to Case Management</i>	85
<i># of Case &gt; 90 days</i>	61

### ***PPO Penetration Report:***

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

<b><i>PPO Penetration Rate</i></b>	<b><i>Sept</i></b>	<b><i>YTD</i></b>
<i>Bill Count</i>	663	5514
<i>Original Provider Charges</i>	\$905,304	\$7,220,765
<i>Re-priced Bill Amount</i>	\$250,654	\$2,169,893
<i>Savings</i>	\$654,650	\$5,050,872
<i>% of Savings</i>	72%	70%
<i>Participating Provider Penetration Rate- Bill count</i>	95%	95%

<i>Participating Provider Penetration Rate-Provider Charges</i>	94%	96%
<i>EPO Penetration Rate – Bill Count</i>	97%	97%
<i>EPO Penetration Rate –Provider Charges</i>	99%	98%

### ***Transitional Duty Report***

Ms. Beatty presented the *Transitional Duty reports*.

<b><i>Transitional Duty Summary Report</i></b>	<b><i>YTD</i></b>
<i>Transitional Duty Days Available</i>	6,493
<i>Transitional Duty Days Worked</i>	4,441
<i>% of Transitional Duty Days Worked</i>	71%
<i>Money Saved by Accommodating</i>	\$463,543
<i>Transitional Duty Days NOT Accommodated</i>	2,052
<i>% of Transitional Duty Days NOT Accommodated</i>	29%
<i>Cost of Days NOT Accommodated</i>	\$208,264

Ms. Beatty reminded the members of the Managed Care "quick notes". She asked members to review her report in the agenda packet, which reviewed a claim of an individual that was told that if they didn't have spinal surgery they may become paralyzed.

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. Please email [chriswinter1429@gmail.com](mailto:chriswinter1429@gmail.com) to register.

Mr. Winter noted he met with three chiefs as part of a "pilot program" for a Law Enforcement Committee. So far, Linwood, Millville, and Ventnor chiefs have volunteered to participate. He noted the Committee will meet quarterly once established.

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

### ***SOLICITOR'S REPORT***

#### ***Closed Claims***

Mr. DeWeese noted that there were five (5) cases closed since his last report including three (3) with no payment to Plaintiff.

*Gandy Estate v. City of Millville*  
*Williamson v. City of Millville*  
*Collins v. City of Pleasantville*  
*Waselik v. City of Ocean City*  
*Simmons v. City of Somers Point*

#### ***MEL EPL Helpline***

Mr. DeWeese stated that there is a reminder in the agenda packet regarding the MEL EPL Helpline in the agenda. He also urged members to review the MEL EPL Helpline Authorized Contact list on pages 35-36 and update them. He noted that if you have a "N/A", please try to get someone appointed so they have access to this service. The resolution to make these changes is on the ACM JIF website.

### ***GL Cases***

Mr. DeWeese noted that there are currently 93 active GL cases inclusive of (14) civil rights cases. If you would like your towns list of claims sent to you, please contact the Fund Solicitor's office. He reminded the members that these need to be shared in Closed Session only as they are active cases and confidential.

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 37 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 that the Wellness Advisory Committee meeting was held on September 19<sup>th</sup> via zoom. Topics discussed include the proposed revisions to the wellness program, employee wellness survey, 2023 newsletter themes and the JIF event food choices.

Ms. Simone noted the newsletter quarter 4 topics like "Stress Management" providing practical strategies to help manage stress.

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

### ***COMMITTEE REPORTS***

***Safety Committee-*** Mr. Wahl stated that the Safety Committee met on September 21, 2023. He then stated that the future of the Wellness Program was discussed. The Safety Committee then requested that the Executive Director's office provide a memorandum, which outlines the discussions that took place with the Chairs of the Executive Safety and Claims Review Committees from ACM, BURLCO and TRICO JIFs, for their review. Upon their review, another meeting will be scheduled to discuss the next steps. Fifteen (15) members are up for renewal on January 1, 2024; all members renewed with the exception of Corbin City and Egg Harbor Township. He reported that the fourth regional training focused on Indoor Air Quality and the sessions are September 15, 2023 and December 4, 2023.

Mr. Wahl ask if there were any questions. No questions were entertained.

*\* Mr. Garish noted that the Indoor Air Quality training on December 4, 2023 has been rescheduled to December 11, 2023 due to a conflict in scheduled training.*

### ***EXECUTIVE DIRECTOR'S REPORT***

***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 asked the members to review the checklists on pages 83-85.

***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. Only a handful of members have submitted the required checklist. He noted that the Police Command Staff and Managers and Supervisor's Training has concluded for the year. All CEU certificates for the Managers and Supervisor's training have been issued with the exception of October 11, 2023, which will be out shortly. 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". He also stated that some other JIFs are still holding some Managers and Supervisor's Training. If you have not completed this yet, please reach out to our office for more information.

***Elected Officials Training***

Mr. Forlenza stated that once the Elected Officials training information is available, it will be sent to all members.

***RFQ 2024 Risk Management Consultants***

Mr. Forlenza reminded members that on or about September 29, 2023 the model RFQ for Risk Management Services was sent to all Fund Commissioners, Clerks and Risk Managers. If you have any questions, please contact Tracy Forlenza in our office.

***RMC Resolutions and Agreements***

Mr. Forlenza stated that on or about October 10, 2023, a memo, sample copies of the JIF Risk Manager Consultant Resolutions, and Agreements were sent to all Risk Managers. He noted that his office must receive executed agreements and resolutions before payments to the Risk Managers can be issued. Please contact our office with questions.

***3<sup>rd</sup> Quarter Attendance***

Mr. Forlenza stated that the 3<sup>rd</sup> quarter attendance can be found on page 106. He asked members to review and please reach out to our office if you feel there is an error.

***Surplus Release***

Mr. Forlenza reiterated, as he discussed earlier in the day, his office had a virtual meeting with DOBI, pursuant to their request, to discuss the Fund's request to release \$2 million in surplus. The Finance Committee has met, and believes that all the concerns highlighted by DOBI are addressed in the Fund's current process.

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 107. He stated that the report is self-explanatory.

Mr. Garish noted that Mr. Wahl reported on the regional training focused on Indoor Air Quality and the session on December 4, 2023. Mr. Garish noted that the new date for this training is December 11, 2023, due to a scheduling conflict in training. He reminded everyone that indoor air quality is a very important matter and all should have a representative attend.

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

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

### ***TECHNOLOGY RISK SERVICES DIRECTOR'S REPORT***

In Mr. Caruso's absence, Ms. Patel asked the members to review the reports beginning on page 110. Ms. Patel noted that the vulnerability and penetration statuses would be removed from the website so bad actors cannot use this to find any potential vulnerable members. She stated that Mr. Caruso will bring these reports to meetings and anyone can email him for status.

Ms. Patel noted that a Cyber Security Bulletin can be found on page 112 on the importance of vulnerability and penetration testing to local government networks. She encouraged members to read through this.

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

### ***TREASURER'S REPORT***

#### **Reports – September**

In Mr. Hansen's absence, Mr. Forlenza presented the Treasurer's Report for the period ending **September 30, 2023**. The reports were made part of the agenda packet beginning on page 114. He noted the following information:

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

<b>Member</b>	<b>9/30/2023 (Final Audit Balances)</b>
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
<b>Total</b>	<b>\$941,069.75</b>

#### ***Receipt Activity for the Period:***

	<b>September</b>	<b>YTD</b>
Subrogation Receipts	\$153,317.72	\$558,997.54
Other	\$0	\$3,000.00

Adjustment	\$588.00	\$23,222.64
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***Claim Activity for the Period***

Claim activity for the month of **September** for claims paid by the Fund and claims payable by the Fund depict a total of 353 checks issued representing 1,038 claims payments totaling \$1,203,396.01, with an effect on cash position of \$1,203,874.74.

***Cash Activity for the Period***

The Fund's "Cash Position" at month end for September was \$47,527,429.65

***Investment Interest***

Interest Income:	September	YTD
JCMI	\$35,996.27	\$305,063.06
Treasury	\$0	\$396,419.30
Citizens	\$24,488.52	\$116,534.43

***Rate of Return:*** Only interest from the *ANALYSIS WORKSHEET* **1.505%** for September.

***Allocation of Invested Funds***

FUND	August Total	August Percentage	September Total	September Percentage
Treasury	\$22,444,628.73	46%	\$22,422,022.82	47%
JCMI	\$19,783,249.69	40%	\$19,681,307.41	42%
Investors	\$6,685,958.51	14%	\$5,424,099.42	11%
<b>TOTALS</b>	\$48,913,836.93		\$47,527,427.65	

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

***Payment Register***

Chair Woods entertained a motion to approve the ***September 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 ***September 2023 Payment Register*** (Claims Activity) as submitted.

**ROLL CALL**

***Yeas:***

Scott Wahl, **Avalon**  
 Ed Grant, **Cape May Point**  
 Heather Miller, **Commercial 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 – October***

For the Executive Committee's consideration, Mr. Hansen presented the ***October 2023 Bill List*** in the amount of **\$260,924.19**.

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

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

Motion by Mr. Spoltore, seconded by Mr. Grant, to approve the ***October 2023 Bill List*** as presented.

**ROLL CALL**

***Yeas:***

Scott Wahl, **Avalon**  
Ed Grant, **Cape May Point**  
Heather Miller, **Commercial 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. McLaughlin noted that the reports from the last meeting are in today's agenda and asked members to review. She also commented that there were meetings held this morning for the MEL, RCF and Cyber JIFs and the reports will be in next month's agenda.

***MISCELLANEOUS BUSINESS***

***Next Meeting***

Chair Woods reminded the members that the **November** meeting will be held on **MONDAY, November 20, 2023 at 3:00 PM** via zoom due to the League of Municipalities.

***Letter to DOBI***

Mr. Forlenza directed the members to page 222 in the agenda and a letter from David Grubb, MEL Executive Director, to DOBI outlining the issues that are affecting JIF budgets. He asked the members to read the letter as it addresses the different challenges we face as a JIF.

***Special Finance Committee Meeting*** – Ms. Stollenwerk reported that the Finance Committee held a special meeting on October 16, 2023, to address the recent DOBI concerns regarding the Fund's proposed \$2 million surplus release. DOBI's concerns are that the current surplus is less than 50% of the annual assessments, which has nothing to do with insurance standards, significant rate increases, which have been taken into consideration, unrealized losses which we monitor and are essentially paper losses. DOBI's position is that should the Fund move forward with the release of \$2 million this year, they will not approve



surplus releases in future years unless the Fund's financial position improves at 12/31/2023 inclusive of the surplus release. The Finance Committee met and decided to stand by its decision to release the \$2 million in surplus. She stated that the Finance Committee follows the *Surplus Distribution Policy* very carefully, which looks at all the factors that DOBI addressed. Ms. Stollenwerk also noted that the Fund has reserves established for the deterioration in the MEL and RCF and strives to keep surplus releases stable so members can absorb these increases into their budgets. She noted that last year the release was \$3.75 million, but this year scaled back to \$2 million. The majority of the members take the release as a credit off their next year's assessment so you can budget less. She also noted that the MEL increase is around 32% with an overall budget increase of 9% instead of the original 6% increase anticipated. The Finance Committee feels that they are balancing the financial stability of the Fund against the needs of the membership. She is asking that the Executive Committee affirm the recommendation for release of \$2 million in surplus. If the Executive Committee agrees, she would like authority to tell DOBI the ACM JIF is moving forward with the \$2 million release noting that we acknowledge they may not approve next year's release.

***Motion to Affirm the Release of \$2 Million in Surplus***

Chair Woods entertained a motion to affirm the decision of the ACM JIF Executive Committee to release \$2 million in surplus as previously authorized by Resolution 2023-40 at the September Executive Committee meeting.

Motion by Mr. Spoltore, seconded by Mr. Wahl, to affirm the decision of the ACM JIF Executive Committee to release \$2 million in surplus as previously authorized by Resolution 2023-40 at the September Executive Committee meeting as presented.

**ROLL CALL**

***Yeas:***

Scott Wahl, **Avalon**  
Ed Grant, **Cape May Point**  
Heather Miller, **Commercial 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.

***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 Mr. Spoltore, to open the meeting to the public. All in favor. Motion carried.

***Cyber – GMIS***

Mr. Paconowski, Fund Commissioner and IT Director for Ventnor City, reported to the members on an organization called GMIS. He noted that GMIS is a National, International, and State organization made up of IT Professionals that assist each other with IT issues. He noted that GMIS has a very strong New Jersey Chapter; however, South Jersey is lacking in members. He noted that being a member of GMIS is a great tool and good way to get you access to IT information. He noted that the cost is minimal at \$100-\$500 per year per municipality based on their IT budget. He noted that one of the biggest benefits is utilizing the list serve which grants you access to the national and state members. He noted that Ed Cooney

participates several times a year to discuss cyber information. The website is [www.njgmis.org](http://www.njgmis.org) and you can apply online. He thanked the members for their time.

***Close Public Comment***

Chair Woods entertained a motion to close the public comment.

Motion by Mr. Spoltore, seconded by Ms. Miller, to close the meeting to the public. All in favor. Motion carried.

***MOTION TO ADJOURN***

Motion by Mr. Wahl, seconded by Mr. Spoltore to adjourn the October 18, 2023 meeting of the ACM JIF. All in favor. Motion carried.

The meeting was adjourned at 4:15 PM.

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Tracy Forlenza, *Recording Secretary* for

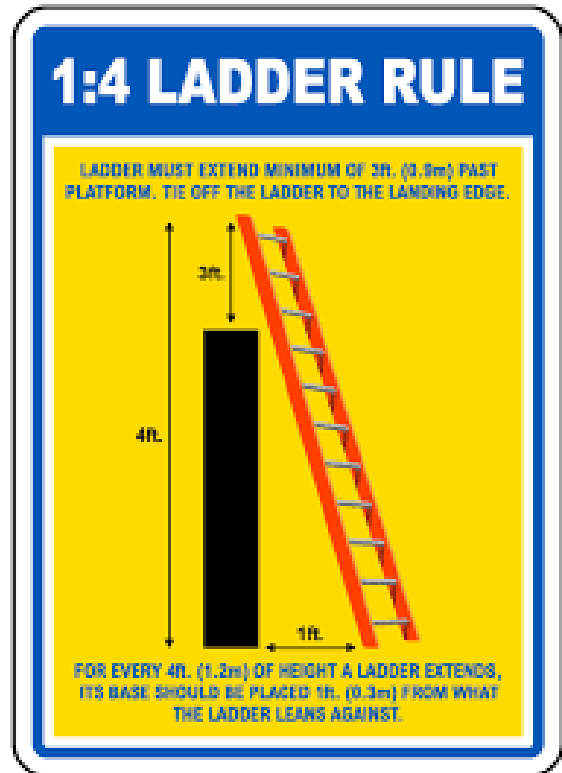
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**Roy Spoltore**, *Acting Fund Secretary*

# LESSONS LEARNED FROM LOSSES

## MONTHLY NEWSLETTER – NOVEMBER 2023

# LADDER SAFETY



- MORE THAN 500,000 PEOPLE RECEIVE EMERGENCY ROOM TREATMENT FROM LADDER RELATED INJURIES EVERY YEAR.
  - MORE THAN 300 OF THESE FALLS END UP BEING FATAL.
  - IT IS BELIEVED THAT 100% OF ALL LADDER ACCIDENTS COULD BE PREVENTED IF PROPER ATTENTION TO EQUIPMENT AND TRAINING WERE PROVIDED.
- ✓ KEEP YOUR CENTER OF GRAVITY INSIDE THE LADDER RAILS AT ALL TIMES.
  - ✓ DON'T STAND ON THE TOP TWO RUNGS OF A LADDER.
  - ✓ LIMIT TIME ON THE LADDER TO AVOID FATIGUE.
  - ✓ PLACE LADDER ON STABLE FLAT SURFACE WITH NO POTENTIAL FOR SLIPPING.



**Atlantic County Municipal JIF  
Managed Care Summary Report  
2023**

Intake	October-23	October-22	2023 October YTD	2022 October YTD
# of New Claims Reported	47	60	756	856
# of Report Only	11	31	276	360
% Report Only	23%	52%	37%	42%
# of Medical Only	31	24	347	375
# of Lost Time	5	5	110	117
Medical Only to Lost Time Ratio	86:14	83:17	76:24	76:24
Claim Petition First Notice/Occupational	0	0	23	4
COVID-19	1	0	8	185
Average Days Reported To Qual-Lynx (Indemnity, Medical Only, Report Only)	2.2	2.4	7.0	5.5
Average Days Reported to Employer (Indemnity, Medical Only, Report Only)	0.3	0.2	2.1	0.8

Nurse Case Management	October-23	October-22
# of Cases Assigned to Case Management	81	113
# of Cases > 90 days	58	92

Savings	October-23	October-22	2023 October YTD	2022 October YTD
Bill Count	446	474	5960	5169
Provider Charges	\$88,045	\$654,793	\$8,108,811	\$6,348,470
Repriced Amount	\$291,302	\$161,364	\$2,461,195	\$2,248,997
Savings \$	\$596,743	\$493,429	\$5,647,615	\$4,099,473
% Savings	67%	75%	70%	65%

QualCare Network Provider Penetration Rate	October-23	October-22	2023 October YTD	2022 October YTD
Bill Count	91%	93%	95%	93%
Provider Charges	89%	94%	95%	93%

Exclusive Provider Panel Penetration Rate	October-23	October-22	2023 October YTD	2022 October YTD
Bill Count	94%	96%	97%	93%
Provider Charges	90%	99%	97%	96%

Transitional Duty Summary		2023 October YTD	2022 October YTD
% of Transitional Duty Days Worked		73%	78%
\$ Saved By Accommodating		\$537,656	\$508,731
% of Transitional Duty Days Not Accommodated		28%	22%
Cost Of Days Not Accommodated		\$220,302	\$138,105



**DATE:** November 06,2023

**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 (October)

**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:**

Sea Isle City PD

*Additional agencies being scheduled.*

- 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 was completed on 11/02/23 at the Cape May County Police Academy. The class evaluation summary will be forwarded to the Fund Commissioners.

**4. Law Enforcement Bulletins / Newsletters:** No Bulletins distributed during October.



**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 and Sea Isle City Police Departments. An Initial meeting will be coordinated on a later date..

**6. Meetings Attended:**

L/E Consultant Meeting	10/10/2023
ACM Executive Claim Meeting	10/12/2023
ACM Executive Meeting	10/18/2023
ACM Retreat	10/18/2023

Christopher J. Winter Sr. CPM  
Law Enforcement Risk Management Consultant  
ACM, BURLCO, TRICO JIF  
609-780-4769  
[chriswinter1429@gmail.com](mailto:chriswinter1429@gmail.com)

**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: November 15, 2023 - Zoom

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

**ACMJIF WELLNESS - NOVEMBER UPDATES**

**2023 JIF Approved Wellness Items & Activities:** There is ONE month 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.

**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. 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 beginning in 2024 is ongoing.

**Quarter 3 ACM JIF In Good Health Newsletter:**

- The Q4 Newsletter - Stress Management



***Joint Coverage & Finance Committee Meeting  
November 6, 2023 @ 2:00 PM  
Via Zoom***

A joint meeting of the Atlantic County Municipal Joint Insurance Fund's Coverage and Finance Committees was held on Monday, November 6, 2023, at 2:00 PM via zoom conferencing. The meeting was called to order at 2:03 PM.

Those in attendance were:

Kellie Seib, Coverage Committee Chair, **Sea Isle City**  
Dawn Stollenwerk, Finance Committee Chair, **Mullica Township**  
Jim Craft, Finance Committee, **Borough of Stone Harbor**  
Connie Mahon, Finance Committee, **Borough of Wildwood Crest**  
Casey Byrne, Coverage Committee, Risk Manager, **J. Byrne Agency**  
Helen Goodwin, Coverage Committee, Risk Manager, **Hardenbergh Insurance Group**  
Robert Conner, Coverage Committee, Risk Manager, **William R. Mints Agency**  
Stowell Fulton, Coverage Committee, Risk Manager, **Atlantic Associates Agency**  
Paul Forlenza, MGA, Executive Director, RPA a Division of Gallagher  
Jodi Palmeri, Sr. Financial Analyst, RPA a Division of Gallagher  
John Hansen, Fund Treasurer

Those unable to attend were:

Dawn Marie Bascelli, Coverage Committee, **Deerfield Township**  
Jennifer VanSant, Coverage Committee, **North Wildwood City**  
Gary DeMarzo, Coverage Committee, **Upper Township**  
Carol Sabo, Coverage Committee, **West Cape May Borough**  
Denny Brown, Risk Manager, **Glenn Insurance**  
Derek Valenti, Risk Manager, **Hardenbergh Insurance Group**  
Jim Ridgeway, Risk Manager, **J. Byrne Agency**  
Julian Conner, Risk Manager, **William R. Mints Agency**  
Jessica Thompson, Finance Committee, **Absecon City**  
Lisa McLaughlin, Finance Committee, **City of Margate**  
Roy Spoltore, Finance Committee, **Upper Deerfield Township**  
Kamini Patel, MBA, CIC, CPCU, AIDA®, Deputy Executive Director, RPA a Division of Gallagher  
Tracy Forlenza, Financial Analyst, RPA a Division of Gallagher

*Note: These minutes do not necessarily reflect the order in which these matters were discussed.*

***Environmental Risk Management Joint Insurance Fund***

Mr. Forlenza reminded the Committee that representatives of the Environmental Risk Management Joint Insurance Fund (E-JIF) provided a presentation on the services and coverage provided by the E-JIF at the 2023 ACM JIF Planning Retreat. He then directed the Committee to a copy of the E-JIF presentation included in the agenda packet. Mr. Forlenza further noted that a copy of the 2024 proposed E-JIF member assessments was also included in the agenda packet.

Mr. Forlenza then provided a brief history of the establishment of the E-JIF and the fact that the ACM JIF had received several E-JIF presentations since its inception; however, had decided not to



join the E-JIF. He explained that during the consideration process following prior presentations, the JIF had decided, at the time, that all members would need to vote to join the E-JIF, otherwise the Fund would not join. In those prior situations, there were always members that voted against joining the E-JIF. Mr. Forlenza then explained that based upon his review of the Fund Bylaws, only the Executive Committee votes as to whether the Fund will join another JIF, similar to how the only the Executive Committee votes to renew membership in the MEL and RCF and joining the Cyber JIF late last year. He then stated that who votes on the resolution to join would be the Fund Solicitor's decision.

Mr. Forlenza then explained that earlier this year he had received several inquiries from members as to the availability of environmental liability coverage. He noted that most of these inquiries were generated because of proposed interlocal service agreements with either Atlantic or Cape May Counties. Mr. Forlenza explained that the proposed interlocal agreements required that the municipality have environmental liability coverage as part of the agreement, which the ACM JIF does not offer to its members. Members that have this coverage have purchased it as a standalone policy in the commercial market for their specific needs.

A committee member asked if this coverage was needed by all members and if members could opt out of the coverage. Mr. Forlenza stated that the ACM JIF would need to join the E-JIF. Individual members cannot join the E-JIF. He further explained that some members would likely utilize the E-JIF services more than others due to the specific characteristics of the municipality. Mr. Forlenza then provided examples of services that the E-JIF has provided to members of the TRICO & BURLCO JIFs that would be applicable to members of the Atlantic JIF including coverage for unknown UST's and environmental reviews of properties that might have contamination issues prior to the municipality taking ownership of the property. He noted that many of these services would not be covered by a traditional commercial policy. A committee member then shared a situation wherein they secured a new property and during renovations discovered an abandoned oil tank. Had they been in the E-JIF, there would have been coverage for this situation.

### ***Financial Impact***

Mr. Forlenza directed the committee members to a copy of the draft 2024 JIF Draft Budget along with a copy of the 2024 Draft Assessment Certification. He noted that the 2024 Draft Budget is increasing approximately 8.4% on an apples to apples basis; however, noting the loss of Egg Harbor Township and Corbin City going into 2024.

A committee member inquired how the member assessments are determined. Mr. Forlenza explained that E-JIF assessments are based upon population (2020 census) multiplied by a rate per capita. The committee member then asked if known environmental hazards within the municipality would have an impact on member's assessment. Mr. Forlenza indicated that known environmental hazards do not have an impact on a member's assessment; however, it is possible that the E-JIF will restrict coverage for that known hazard. Mr. Forlenza then provided a brief overview of the history of the per capita rate changes noting the E-JIF rates have fluctuated very little over the years. He then explained that the E-JIF has released a lot of surplus over the past several years while continuing to be fiscally conservative. Mr. Forlenza explained that the E-JIF cannot release surplus until the Fund Year where the surplus is being released is at least 10 years old.

A committee member stated their concern about the costs associated with the program and the additional responsibilities that will be placed on the members if the Fund decides to join the E-JIF. Mr. Forlenza noted that any additional responsibilities that will be placed on the member already exist on them due to their need to comply with State and Federal environmental laws and

regulations. The E-JIF makes them aware of these existing responsibilities and assists them with compliance.

### ***Discussion***

A committee member inquired about coverage restrictions for underground storage tanks. Mr. Forlenza explained that there would be restrictions for any unregulated tanks that are over 20 years old. He then provided examples where an UST would and would not be covered. A committee member then noted that they are in the process of placing coverage for a limited number of tanks in a member municipality and the cost for just five (5) tanks is more than the total annual assessment for that member in the E-JIF. A committee member then stated that a town that they work with recently purchased an environmental liability policy to implement an interlocal service agreement for the distribution of fuel. Mr. Forlenza stated that he had recently had a meeting with representatives from Cape May County. They are in the process of evaluating potential interlocal service agreements for brining services. Mr. Forlenza stated that he had cautioned the County representative that members of the ACM JIF do not automatically have environmental liability coverage.

Mr. Forlenza then inquired of the RMC's as to whether they are actively shopping for environmental coverage and/or if the towns they represent purchase this coverage. An RMC stated that he is currently shopping for this coverage and based upon his preliminary review of the E-JIF Program, the E-JIF provides better coverage and services. This RMC then asked about the E-JIF Hotline. Mr. Forlenza explained that the E-JIF does provide a service wherein should a member have an environmental incident in their town then can call the "Hotline" number and the E-JIF will dispatch one of their experts to the scene (24/7) to assist the member in dealing with the various regulatory agencies that will likely be onsite. Mr. Forlenza then shared several stories wherein this service was very valuable to the municipality impacted.

Mr. Forlenza then discussed the role of the E-JIF in assisting members with regulatory compliance. He cited the development of the storm water regulations and training program that was implemented more than 10 years ago as an example. He further noted that the updated program, which is close to being released, has been developed by the NJDEP in large part with the involvement of E-JIF representatives.

A committee member inquired as to coverage exclusions as outlined in the E-JIF coverage documents. These exclusions included known contaminated sites, lead, PFAS and PFOS contaminates. A RMC commented that these exclusions are standard in the environmental liability market place.

### ***Options***

Mr. Forlenza noted that based upon the conversation so far, it appears there is a general consensus to move forward with a recommendation to the Executive Committee to join the E-JIF. Mr. Forlenza noted that the Fund could join the E-JIF effective January 1, 2024 or even July 1, 2024 if there is concern about the impact of the program costs on the membership. He noted that joining the E-JIF on July 1, 2024, would allow the membership to spread the increased costs of joining the E-JIF over a two (2) year period. In addition, Mr. Forlenza advised the committee members that the Executive Safety Committee is currently evaluating the status of the JIF Wellness Program and whether it should be funded in 2024. He noted that not funding the Wellness Program in 2024 would help soften the impact of joining the E-JIF.

A committee member noted that with the loss of Egg Harbor Township and Corbin City, the overall JIF Budget is only increasing .48% exclusive of the E-JIF costs. It was noted that a larger overall portion of the JIF Budget is going to the MEL, RCF, Cyber JIF, and now potentially the E-JIF, and must be monitored more closely in future years.

Mr. Forlenza then asked if there was a consensus to recommend to the membership that the Fund join the E-JIF effective January 1, 2024. Several committee members commented that it makes sense to move forward with membership. It was noted that based upon the feedback from the RMC's present at the meeting that the rates for the E-JIF are very competitive with that which is available in the commercial market. It was also noted that towns have environmental exposures that most are not insuring creating a gap in coverage and regulatory obligations that they are not meeting. A committee member also stated that joining the E-JIF makes sense, as it will allow members to enter into interlocal service agreements where this coverage is required.

Mr. Forlenza stated that he would prepare minutes of today's meeting and forward them to Ms. Seib for review and approval. The minutes will then be included in the agenda packet and/or will be a handout for November's Executive Committee meeting. Ms. Seib will be asked to provide a report to the membership and recommendation to join the E-JIF effective January 1, 2024. In addition, Mr. Forlenza stated that he would verify with Mr. DeWeese who would be voting on the resolution to join the E-JIF, just the Executive Committee or all Fund Commissioners. The committee members agreed.

Seeing no other business, the meeting was adjourned at 2:44pm.

File:	ACM/GEN/Finance Committee	Tab:	11/06/23
	ACM/2023/Finance Committee	Tab:	11/06/23

**RESOLUTION NO. 2023-\_\_\_\_\_**

**RESOLUTION AUTHORIZING THE FUND CHAIR AND FUND SECRETARY TO EXECUTE  
THE INDEMNITY & TRUST AGREEMENT TO JOIN THE NEW JERSEY MUNICIPAL  
ENVIRONMENTAL RISK MANAGEMENT FUND EFFECTIVE JANUARY 1, 2024**

**WHEREAS**, the **New Jersey Municipal Environmental Risk Management Fund** ("E-JIF"), a nonprofit public entity in the State of New Jersey, was formed pursuant to N.J.S.A. 40A:10-36 et seq. to provide risk management for member Joint Insurance Funds ("JIF") against bodily injury and property damage claims arising from environmental impairment liability and legal representation therefor to the extent and for coverages approved by the Commissioner of Banking and Insurance; and

**WHEREAS**, in accordance with N.J.S.A. 40A:10-42, the E-JIF may provide coverage to its member JIFs by self-insurance, the purchase of commercial insurance or reinsurance, or any combination thereof; and

**WHEREAS**, such coverage more specifically includes Third Party Liability, First Party Coverage, Public Officials Liability, De Minimus Abandoned Toxic Waste Sites Buy-Out, Legal Services and Storage Tank Systems Coverages; and

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

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

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

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

**WHEREAS**, on October 18, 2023, representatives from the E-JIF presented information on the risk management programs and coverage available to the members of the Atlantic County Municipal Joint Insurance Fund (ACM JIF) should they decide to join the E-JIF; and

**WHEREAS**, on November 6, 2023, a joint meeting of the ACM JIF Coverage Committee and Finance Committee was held to discuss possible membership in the ACM JIF; and

**WHEREAS**, on November 20, 2023, the Chair of the ACM JIF Coverage Committee reported to the membership a recommendation to join the E-JIF effective January 1, 2024;

**WHEREAS**, the Executive Committee of the ACM JIF has determined that membership in the E-JIF is in the best interests of the member of the ACM JIF.

**NOW THEREFORE BE IT RESOLVED** that the Executive Committee of the Atlantic County Municipal Joint Insurance Fund do hereby resolve and agree to renew their membership in the E-JIF for a period of three (3) years, effective January 1, 2024; and

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

- |             |                                      |
|-------------|--------------------------------------|
| Section I   | Third Party Liability                |
| Section II  | On-Site Clean-up Costs               |
| Section III | Public Officials Pollution Liability |
| Section IV  | De Minimus Abandoned Waste Sites     |
| Section V   | Storage Tank Systems                 |

And any other benefits and coverage that is provided to participating members in good standing; and

**BE IT FURTHER RESOLVED** that the Fund Chair and Fund Secretary of the Atlantic County Municipal Joint Insurance Fund, are hereby authorized and directed to execute any and all written agreements necessary for membership in the E-JIF including, but not limited to, the Indemnity and Trust Agreement, in order to implement membership by the Atlantic County Municipal Joint Insurance Fund in the E-JIF according to its Bylaws, N.J.S.A. 40A:10-36 et seq., administrative regulations and any other statutes or regulations pertaining thereto.

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

\_\_\_\_\_  
Fund Chair

\_\_\_\_\_  
Fund Secretary

**DATED:** \_\_\_\_\_

**NEW JERSEY MUNICIPAL ENVIRONMENTAL RISK MANAGEMENT FUND  
INDEMNITY AND TRUST AGREEMENT**

**THIS AGREEMENT** made this \_\_\_\_ the day of \_\_\_, 20\_\_\_, in the County of \_\_\_\_\_ by and Between: The New Jersey Municipal Environmental Risk Management Fund, hereinafter referred to as "E-JIF," and the \_\_\_\_\_ **Joint Insurance Fund**, hereinafter referred to as the "FUND."

**WITNESSETH:**

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

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

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

1. The FUND accepts the E-JIF's bylaws as approved and adopted and agrees to be bound by and to comply with each and every provision of the said bylaws, the pertinent statutes and administrative regulations pertaining to same and as set forth in the Risk Management Plan.
2. The FUND agrees to participate in the E-JIF with respect to the types of insurance listed in the FUND's Resolution to Join.
3. The FUND agrees to become a member of the E-JIF for an initial period not to exceed three (3) years, effective January 1, 2024 and ending December 31, 2026.
4. The FUND certifies that it has not defaulted on any claims if self-insured and has not been canceled for non-payment of insurance premiums for a period of at least two (2) years prior to the date hereof.
5. In consideration of membership in the E-JIF, the FUND agrees that it shall jointly and severally assume and discharge the liability of each and every member of the E-JIF, all of whom as a condition of membership in the E-JIF shall execute a verbatim counterpart of this Agreement and by execution hereof the full faith and credit of the FUND is pledged to the punctual payment of any sums which shall become due to the E-JIF in accordance with the bylaws thereof, this Agreement, the E-JIF's Risk Management Plan or any applicable statute.

6. If the E-JIF in the enforcement of any part of this Agreement shall incur necessary expense or become obligated to pay attorney's fees and/or court costs, the FUND agrees to reimburse the E-JIF for all such reasonable expenses, fees and costs on demand.
7. The FUND and the E-JIF agree that the E-JIF shall hold all monies paid by the FUND to the E-JIF as fiduciaries for the benefit of E-JIF claimants, all in accordance with administrative regulations.
8. The E-JIF has established a Trust Account entitled "Claims or Loss Retention Fund." The E-JIF shall maintain the Trust Account in accordance with N.J.S.A. 40A:10-36 et seq., N.J.S.A. 40A:5-1, and such other regulations or statutes as may be applicable. More specifically, the Trust Account shall be utilized solely for the payment of claims, allocated claim expense and excess insurance or reinsurance premiums for each such risk or liability or as "surplus" as such term is defined by the administrative regulations.
9. Each FUND who shall become a member of the E-JIF shall be obligated to execute this Agreement.

**NEW JERSEY MUNICIPAL ENVIRONMENTAL RISK MANAGEMENT FUND**

**BY:**\_\_\_\_\_

\_\_\_\_\_ **JOINT INSURANCE FUND**

**BY:**\_\_\_\_\_

**DATED:**\_\_\_\_\_

**ATTEST:**\_\_\_\_\_



**NOMINATING COMMITTEE MEETING MINUTES**  
**Thursday, October 26, 2023 – 10:00 AM**  
**Via Zoom Conferencing**

A meeting of the Nominating Committee of the Atlantic County Municipal Joint Insurance Fund was held on Thursday, October 26, 2023 at 10:00 AM via Zoom Conferencing.

Those in attendance were:

**James Craft**, Stone Harbor, ACMJIF Chair - 2022  
**Connie Mahon**, Wildwood Crest, ACMJIF Chair - 2018  
**Dorothy Jo Ayres**, Weymouth, Strategic Planning Representative  
**Mary Canesi**, Northfield, Claims Committee Chair  
**Steve O'Connor**, Wildwood, Safety Committee Representative  
**Dawn Marie Bascelli**, Deerfield, EPL/POL Committee Representative  
**Kellie Seib**, Sea Isle City, Coverage Committee Chair  
**Dawn Stollenwerk**, Mullica, Finance Committee Chair  
**Mollye O'Neill**, Brigantine, Appointed by Fund Chair  
**Karen Fournier**, Lower, Appointed by Fund Chair  
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**  
Kris Kristie, *Sr. Account. Representative*, **RPA a Division of Gallagher**

Those unable to attend:

**Lucy Samuelsen**, Somers Point, ACMJIF Fund Chair – 2017

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

**I. Selection of Committee Chair**

Mr. Forlenza stated that the Committee should select a Chair. The Committee Chair will be asked to give a report on the Committee's discussions and recommendations at the November Executive Committee Meeting and will need to contact each member nominated to be sure they are comfortable accepting the position for which they have been nominated. Following a brief discussion, Ms. Stollenwerk volunteered. The Committee members approved and thanked Ms. Stollenwerk for volunteering.

**II. Minutes of October 26, 2022**

Mr. Forlenza referred to the minutes of the October 26, 2022 meeting, which were located in the appendix of the agenda packet. Mr. Forlenza explained that the minutes from last year's meeting were included as reference so that if necessary the Committee members could review the process from last year as to how the 2023 Nomination Slate was created.

**III. Nominating Committee Charter**

Mr. Forlenza referred the Committee members to the Nominating Committee Charter that was located in the agenda packet. He noted that two (2) years ago the Strategic Planning Committee had reviewed the Committee Charter and the Fund's *Succession Plan & Election Process Policy*



as some changes to both documents were warranted due to inconsistencies between the documents. These inconsistencies were in the area of Committee composition and attendance required for the Nominating Committee to meet. These updates allowed for the Nominating Committee Charter to better coincide with the *Succession Plan & Election Process Policy* and the revised documents were adopted at the June 2020 Executive Committee meeting. He then briefly reviewed the Charter with the Committee.

A Committee Member expressed concerns with having too many participants on the Nominating Committee since several members are eligible for the Executive Committee or Alternate. Mr. Forlenza explained the difficulty with having members that are eligible, experienced, and able to attend meetings as they may be a small town and expressed they do not have the flexibility to be out of the office for meetings.

He noted there seems to be larger turn over each year with Fund Commissioners, which adds to the challenge. A Committee Member suggested that the Strategic Planning Committee at their next meeting review the Nominating Committee Charter and the requirements of the Executive Committee and Alternates.

#### **IV. Succession Plan and Election Process**

Mr. Forlenza then directed the Committee to a copy of the *Succession Plan & Election Process Policy*, which, as noted earlier, was also updated in 2020 to mirror the Nominating Committee Charter. He noted that this procedure is followed in nominating and electing the slate of Executive Committee members and Alternates.

Mr. Forlenza explained that the election process calls for the Nominating Committee to create a slate of candidates for the seven (7) Executive Committee positions, including Fund Chair and Secretary, and a slate of up to seven (7) candidates for Alternate Executive Committee member positions. The Slate will then be presented to the full membership at the November Executive Committee meeting along with a petition for anyone who would like to nominate another Fund Commissioner to serve in any of the positions on the nomination slate. This petition must be signed by six Fund Commissioners and then filed with the Executive Director's office prior to the announced deadline of December 6, 2023. If no petitions are filed, then the original slate will be voted on by roll call of the entire membership at the Reorganization meeting in January 2024.

***The Petition is attached to these minutes should anyone wish to nominate a Fund Commission to serve in any of the positions on the 2024 Slate.***

Mr. Forlenza then directed the Committee to the Succession Plan Chart located in the Agenda Packet. The chart displayed the current members and alternate members of the Executive Committee and each of their terms. Mr. Forlenza indicated that the terms of service was established in order to place a time limitation on individuals sitting on the Executive Committee. Individuals may stay on the Executive Committee for a maximum of five years exclusive of time spent as the Fund Secretary or Chair. This limitation was created to ensure the movement of individuals through the Executive Committee positions over time. It was noted during the meeting that certain current Fund Commissioners may either be retiring, or will not be appointed Fund Commissioner for 2024 therefore, these individuals should not be considered for a position on the Executive Committee for 2024. The Committee then reviewed the Succession Plan chart.

#### **V. Timeline**

Mr. Forlenza directed the Committee to the Executive Committee Election process timeline that was included in the agenda packet. He then briefly reviewed the timeline with the Committee.

## **VI. Eligible/Ineligible Fund Commissioners**

Mr. Forlenza then referred the Committee to a list included in the agenda packet depicting the Eligible and Ineligible Fund Commissioners that are able to sit on the Executive Committee or as Alternates. He explained that in order to be considered for nomination to the Executive Committee, a member must have served as a Fund Commissioner in a MEL affiliated JIF for three (3) years; however, the three years of service need not be consecutive. Mr. Forlenza then provided an example of a current Fund Commissioner who is new to the ACM JIF, but has been a Fund Commissioner in other MEL affiliated JIFs for many years and is therefore eligible to be considered for a position on the Executive Committee. The requirements for nomination as an Alternate require that the candidate must have served as a Fund Commissioner in a MEL affiliated JIF for two (2) years; however, the two years of service need not be consecutive. In either case, they must be a Fund Commissioner in good standing.

The Committee then reviewed and discussed the list of eligible Commissioners.

## **VII. Fund Commissioner History and Attendance Records**

Mr. Forlenza then directed the Committee to Fund Commissioner Attendance records included in the agenda packet. He explained that ideally individuals selected to serve on the Executive Committee should have a strong attendance record at the Executive Committee meetings as well as their assigned Sub-Committee meetings.

Discussions ensued among the members as to the potential make up of the slate and individual candidates for various positions. It was recognized that many of the “long term” Fund Commissioners are starting to retire and ideally, the Executive Committee should be made up of a mixture of both experienced and less experienced Fund Commissioners to assist them in gaining knowledge. This process will allow the Fund to bring the future leaders of the Fund into the Executive Committee rotation while providing experienced backup to these individuals Mr. Forlenza also stated that in the past, if one of the nominated Fund Commissioners does not wish to serve, then all other candidates would move up to fill any vacancies. With that said, it was decided that Mary Canesi, City of Northfield and Connie Mahon, City of Wildwood Crest would be added as Back-up Alternate Executive Committee Members and may fill any vacancies created should the need to move others up occur. Discussion continued as to the slate of Executive and Alternate Committee members.

## **VIII. Preparation of the 2024 Draft Slate**

After careful deliberation, the Committee recommended the following Nomination Slate for 2024:

Chair:	<b>Jessica Bishop</b> , Dennis Township
Secretary:	<b>Varvara Keun</b> , Middle Township
Executive Committee:	#1 <b>Heather Miller</b> , Commercial Township
	#2 <b>Steve O’Connor</b> , City of Wildwood
	#3 <b>Dawn Marie Bascelli</b> , Deerfield Township
	#4 <b>Leigh Ann Napoli</b> , City of Linwood
	#5 <b>Scott Wahl</b> , Borough of Avalon
Alternates:	#1 <b>Dorothy Jo Ayers</b> , Weymouth Township
	#2 <b>Karen Fournier</b> , Lower Township
	#3 <b>Jennifer VanSant</b> , City of North Wildwood

- #4 **James Williams**, City of Pleasantville
- #5 **Michael Dougherty**, Waterford Township
- #6 **Kellie Seib**, Sea Isle City

Back-Up Alternates

- #7 **Mary Canesi**, City of Northfield
- #8 **Connie Mahon**, Borough of Wildwood Crest

Mr. Forlenza stated that in the past, the Nominating Committee Chair has contacted the candidates to be sure they are all willing to serve. Ms. Stollenwerk indicated that she would contact the candidates listed above and would contact the Executive Director's office if she came across any problems wherein several candidates decided they did not want to serve and/or an additional meeting is necessary.

*Attached is the revised Draft Slate of the 2024 Executive Committee & Alternates. \*Following the meeting, and upon the nominees being contacted by Ms. Stollenwerk on their positions, the attached revised 2024 Draft Slate reflects changes made per the requests of the nominees.*

There being no further business, the meeting adjourned at 10:41 AM

File: ACM/2023/Nominating Committee

Tab: 10/26/23



## PETITION FOR NOMINATION

*(To be used to nominate an ACMJIF Fund Commissioner to the position of Chair, Secretary, Executive Committee or Alternate Executive Committee member.)*

TO: \_\_\_\_\_, Chair, ACMJIF Nominating Committee

\_\_\_\_\_ (Name) is a Fund Commissioner in good standing with the Atlantic County Municipal Joint Insurance Fund representing \_\_\_\_\_ (Municipality) and meets the eligibility guidelines for the Nominated position.

We the undersigned recommend that the above Fund Commissioner's name appear on the upcoming election ballot and we do hereby nominate him/her by petition as witnessed by the following Fund Commissioner signatures.

Nomination is for the following position: \_\_\_\_\_

NAME

MUNICIPALITY

SIGNATURE

DATE

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**All Petitions must be signed by Six (6) Fund Commissioners including the Nominee. Petitions must be received in the Office of the Executive Director no later than 4:00 PM on Wednesday, December 6, 2023. Only original petitions will be accepted. All candidates are subject to the eligibility criteria established by the ACMJIF.**

## Revised 2024 NOMINATION SLATE

Chair:	<b>Elizabeth Woods</b> , Ocean City
Secretary:	<b>Jessica Bishop</b> , Dennis Township
Executive Committee:	<div><div>#1</div><div><b>Varvara Keun</b>, Middle Township</div></div> <div><div>#2</div><div><b>Heather Miller</b>, Commercial Township</div></div> <div><div>#3</div><div><b>Steve O'Connor</b>, City of Wildwood</div></div> <div><div>#4</div><div><b>Dawn Marie Bascelli</b>, Deerfield Township</div></div> <div><div>#5</div><div><b>Leigh Ann Napoli</b>, City of Linwood</div></div>
Alternates:	<div><div>#1</div><div><b>Dorothy Jo Ayers</b>, Weymouth Township</div></div> <div><div>#2</div><div><b>Karen Fournier</b>, Lower Township</div></div> <div><div>#3</div><div><b>Jennifer VanSant</b>, City of North Wildwood</div></div> <div><div>#4</div><div><b>Scott Wahl</b>, Borough of Avalon</div></div> <div><div>#5</div><div><b>Kellie Seib</b>, Sea Isle City</div></div> <div><div>#6</div><div><b>Mary Canesi</b>, City of Northfield</div></div> <div><div>#7</div><div><b>Connie Mahon</b>, Borough of Wildwood Crest</div></div>



***Employment Practices & Technology Liability Committee  
Meeting Minutes***

***Monday, October 30, 2023,***

A meeting of the Atlantic County Municipal Joint Insurance Fund Employment Practices & Technology Liability Committee was held on Monday, October 30, 2023 at 1:00 PM via Zoom Conferencing.

**Those in attendance were:**

***Fund Commissioners:*** Varvara Keun, *Chair*, Middle Township  
Dawn Stollenwerk, *Finance Committee Chair*, Mullica Township  
Roy Compari, *Fund Commissioner*, City of Millville  
Dawn Marie Bascelli, *Fund Commissioner*, Deerfield Township  
Kellie Seib, *Coverage Committee Chair*, Sea Isle City  
Mary Canesi, *Claims Committee Chair*, Northfield City  
Jim Pacanowski, *Fund Commissioner*, Ventnor City

***Fund Professionals:*** David DeWeese, *Fund Solicitor*, **The DeWeese Law Firm, P.C**  
Jerry Caruso, *Technology Risk Services Director*, **Wintsec Consulting**  
Paul Forlenza, MGA, *Executive Director*, **RPA a Division of Gallagher**  
Kamini Patel, MBA, CIC, CPCU, AIDA®, *Deputy Executive Director*, **RPA a Division of Gallagher**  
Kris Kristie, Sr. Account Rep., **RPA a Division of Gallagher**

***Those unable to attend:*** Scott Wahl, *Safety Committee Chair*, Avalon Borough  
LaVerne Kirn, *Strategic Planning Committee Chair*, Corbin City

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

***I. EPL/POL Loss Ratio Snapshots- Valued as of June 30, 2023***

Mr. Forlenza reviewed the EPL/POL Loss Ratio Reports for Fund Years 2017-2022 valued as of June 30, 2023 that were included in the agenda packet, noting the EPL/POL Loss Ratio Reports valued as of September 30, 2023 should be received any day and will then be uploaded to Origami. He noted the EPL/POL Five Year Average Loss Ratio for the ACM JIF is 61.4% and the Six Year Average Loss Ratio is 57.9%. He reminded the Committee that the 5-year average is reviewed by the insurer to determine member performance while the six-year average is used by the JIF to determine a member's performance. Mr. Forlenza reminded the Committee that the carrier uses a 55% loss ratio as a "breakeven" point for determining the JIF's performance. Mr. Forlenza then referenced a spreadsheet that depicted the incurred EPL vs. incurred POL results over the same five-year valued as of June 30, 2023, by member. He then briefly reviewed the individual performance in each of the Fund Years currently being tracked.

Mr. Forlenza stated that the Loss Ratio Snapshots, inclusive of JIF, MEL, and EPL/POL would be uploaded to Origami shortly.

***II. EPL/POL Claims Filed***

Mr. DeWeese noted his reports are broken down to depict the open/closed cases with QBE and AIG.

**A. Open QBE Files**

Mr. DeWeese reviewed the open cases with QBE. Mr. DeWeese stated that there are currently thirty-one (31) files being monitored; fourteen (14) are pending Coverage Determination with QBE upon the Filing of a Formal Complaint; seventeen (17) are in Litigation; three (3) have been Administratively Dismissed/Administratively Stayed/ Dismissed Without Prejudice; and seventeen (17) have Defense Counsel assigned.

**B. Open AIG Files**

Mr. DeWeese reviewed the open cases with AIG. Mr. DeWeese stated there are four (4) files being monitored; one (1) is pending Coverage Determination with AIG upon the Filing of a Formal Complaint; three (3) are in Litigation; one (1) has been Administratively Dismissed/Administratively Stayed/ Dismissed Without Prejudice; and three (3) have Defense Counsel assigned.

**C. Closed QBE Files – July 2023 to October 2023**

Mr. DeWeese reviewed the closed cases with QBE. Mr. DeWeese stated that from July 2023- October 2023: seven (7) claims closed; one (1) due to coverage denials; four (4) closed due to inactivity; one (1) settled with payment to the Plaintiff and one (1) closed with no payment to plaintiff.

**D. Closed AIG Files – Since July 2023**

Mr. DeWeese reviewed the closed cases with AIG. Mr. DeWeese stated that since July 2023: ten (10) claims closed; six (6) due to coverage denials; zero (0) closed due to inactivity; one (1) settled with payment to the Plaintiff and three (3) closed with no payment to plaintiff.

**III. *Members of Concern***

Mr. Forlenza asked Mr. DeWeese if there are any members of concern. Mr. DeWeese advised there are a few member towns he is keeping an eye on, but none with concerns in regards to EPL/POL claims issues.

**IV. *MEL EPL Plan of Risk Management Program***

Mr. Forlenza referred the Committee to page nine of the agenda that depicts the current compliance status of the Members, as of October 9, 2023, with the 2022- 2023 EPL Risk Management Program. He stated that this compliance spreadsheet is included in the monthly agenda packet. Mr. Forlenza noted that some members are carrying a higher deductible due to specific loss trends in a specific department (i.e. police), but overall, most members have the standard deductible or have had the ability to buy down their deductible and coinsurance.

Mr. Forlenza reminded the Committee that members would need to come into compliance with the 2024-2025 EPL Risk Management Program by November 01, 2023, with the new program becoming effective January 01, 2024. Mr. Forlenza reminded the Committee a memo was sent out by his office on May 17, 2023 that outlined the requirement of the 2024-2025 EPL Risk Management Program. He then referenced the 2024 EPL Checklist included in the agenda, which depicted the members that had submitted their checklists to date, noting only nine (9) towns have submitted their checklists. He stated, however he has been told by PERMA that more checklists have been received since this report, and that updated report will be included in the November agenda. He noted to date it looks that ½ of the membership is currently in compliance and has submitted their checklists.

Mr. Forlenza also noted a memo went out from his office on July 10, 2023 in regards to the Anti-Harassment training for all other personnel and stated the importance of providing this training to all of your non-

supervisory employees and keeping an accurate record of proof that it has been made available to them. He reiterated that your non-supervisory employees do not have to take this training, but it is important to keep documentation that you have made it available to them.

Mr. Forlenza provided the Committee with an update on Managers and Supervisors training. He noted that all twelve (12) sessions have been completed and the CEU certificates for these sessions have been sent out to the members, with the exception of the last session of October 11, 2023 but the calculating of those attendance sheets should be completed later this week and the CEU certificates emailed shortly after that. In addition, all attendance records have been posted to the website, again with the exception of the October 11, 2023 session. Mr. Forlenza stated there has been inquiries from some members in regards to if there may be other sessions available, as they had missed them. He noted the MEL has one last session that can be taken through the MSI on December 4, 2023, which is almost full at this time, and there are no other sessions at this time.

In regards to the Police Command Staff training, Mr. Forlenza advised the Committee that all sessions for the Police Command Staff Training are now completed. A committee member inquired if additional sessions will be held for those who were unable to attend the previously provided training, and did the Police Chiefs need to attend these sessions. Mr. Forlenza indicated should a need arise to hold a makeup session; it can be held in the fall and/or in conjunction with the Camden or PMM JIFs, and yes, the Police Chiefs had to attend these trainings.

Mr. Forlenza reminded the Committee that at the request of the Officers not wanting their signatures on a public site, they have not been posted, but should a member wish to see who attended from their town, please reach out to his office, and those sign-in sheets can be provided. Ms. Keun inquired if she could have the sign-in sheets sent to her, and Mr. Forlenza noted he would provide them to her.

#### ***V. EPL/POL Policy***

Mr. Forlenza reminded the Committee that the MEL instituted a five year phase in process in how the members' EPL premium is calculated moving to a process based on member exposures and loss history. 2023 is year 4 of the 5 year process, though he noted that any changes for 2024 should not be significant. He reminded the Committee that this process was implemented as it became apparent that some good performing members in poor performing JIFs were paying too much premium while poor performing members in good performing JIFs were not paying enough premium.

However, Mr. Forlenza explained as of January 1, 2023, we have a new insurance carrier for EPL/POL line of coverage, AIG, and for 2024 they wanted to implement a new methodology for determining assessments as they were not overly comfortable with the premium allocation process utilized by the MEL. He indicated that AIG wanted loss ratio information taken into consideration during the premium allocation process, in order to accurately price members based on their exposures and experience. As a result, the MEL changed the premium allocation process for 2024, so part of the premium is based upon the volume of claims, claims where there are actually dollars paid. He explained as an example, if a town has 15 EPL claims, however there wasn't really any money paid out on them, it will not count against you, it's only claims where there are actually loss dollars attached to them. Mr. Forlenza noted that methodology is now in place for the 2024



premium allocations and we will be reviewing the final EPL/POL Assessments at the next Finance Committee meeting.

Mr. Forlenza noted the overall increase for the EPL/POL Coverage was a 9% rate increase as a result of a hard insurance market, however this fluctuates JIF to JIF based upon the new pricing allocation process, and the overall rate increase for the ACMJIF is 7%. He noted Ms. Stollenwerk will provide an update on this at the November Executive Committee Meeting.

Ms. Seib asked if the reserves on claims were also being considered in the new methodology, or if it is strictly just the amount paid out on those claims. Mr. Forlenza noted it will be based on full amount paid with no IBNR included. He also noted this includes claims that have been submitted, a claim file established and have a reserve on the file.

**VI. *MEL EPL Claims Committee***

Mr. DeWeese advised the Committee that the MEL has created a EPL Claims Committee which is comprised of the three (3) attorneys for the MEL EPL Helpline (Mr. DeWeese, Mr. Semrau, and Ms. Howlett) along with the Fund Underwriter, Executive Director for the MEL, Summit Risk and Ms. Steinmiller. He stated the next meeting was scheduled via zoom in late for November. In regards to the webinars that Ms. Steinmiller has been working on for some time on employment related matters, Mr. Forlenza stated he heard the webinars have been completed, and believes they will be a valuable tool for members. Mr. DeWeese noted he has heard that as well, however has not seen them, nor received any notification to that affect. He stated he will contact Ms. Steinmiller to try and find out when the webinars will be posted for members to view.

**VII. *MEL EPL Helpline***

Mr. DeWeese sated he reports on the Helpline Contacts list each month at the Executive Committee meetings, noting there are contact persons listed that report are no longer with the municipality, as well as a few towns with no one assigned as authorized contacts. He noted it is his opinion that it is a good idea to have two people listed as contacts so they have availability and access to the Helpline.

Mr. DeWeese noted that the Helpline calls for him alone have been very strong. He reported for the first full year of the Helpline established which was 2020 there were 106 calls received by him personally, but as that was a COVID year, that bolstered the number of calls. In 2021, the total calls were 63; in 2022 the total calls were 68; and in 2023 to date, he has had 68 calls, which means the Helpline is being utilized, which is good as he feels it does assist in preventing claims. Mr. DeWeese noted however, it is his opinion that some of the calls received go beyond Helpline questions, and would be better served by the member town's Labor Council. In those instances, he explained he does his best to provide the member with as much information and guidance as he feels comfortable with, and then he ends it with suggesting they should retain their Labor Council to review the circumstances, and provide guidance going forward. Overall, Mr. DeWeese stated he believes this program has been extremely beneficial to the membership.

**VIII. *Elected Officials Training***

Mr. Forlenza informed the Committee that again this year, the 2024-2025 Elected Officials Training will be conducted online through the MEL Safety Institute. Utilizing the MEL Safety Institute will allow Elected Officials to complete this training at their convenience, and runs approximately 30-40 minutes. A survey completed by his office indicated 80% of those participants who participated in the seminar online preferred this training format. The MEL will reduce each member's 2024 MEL Assessment by \$250 for each municipal elected official who attends one of the training sessions by May 1, 2024. The total credit is limited to 5% of a member's 2024 MEL Assessment. Mr. Forlenza noted an in-person session is available at the League of Municipalities on Wednesday, November 15, 2023 at 2:00 pm, and there are discussions about possibly holding one last session, but that has not been confirmed at this time. He note should that be decided, his office will notify the membership. In regards to the 2024-2025 Elected Officials Training, once the dates are confirmed, notice will be sent out to all Fund Commissioners, Clerks, and Risk Management Consultants.

**IX. *Land Use Liability Risk Management Program***

Mr. Forlenza referenced a report included in the agenda, which depicts those member municipalities that have had at least some of their Land Use Board Members complete the enhanced training program. This report is also included in the monthly agenda packet. Mr. Forlenza reminded the Committee that only those 1 Land Use Board Members that complete the training process are eligible for enhanced coverage, should they be named personally in a Land Use claim and also stated the certification is for the individual, not the position. Mr. Forlenza noted that should anyone need additional training materials to contact his office, or you may obtain them from the ACM JIF website. Mr. Forlenza noted the training is in the process of being updated, as it is approximately 4 years old, and there may be some statutory changes that could trigger revisions to our training.

Lastly, he reminded the committee to be sure to have the certification signed off on by the Solicitor that oversaw the training process and submit to Mr. Cooney's office so they can update their records accordingly.

**X. *Technology Liability***

Mr. Forlenza stated we are currently in middle of our second, 30-minute training session for this year per the Cyber JIF Guidelines stating the Cyber Hygeine training should be at least one hour of training per year. The first training ran from February through June 2023, with the second training released July 10, 2023, noting 100% participation is required to comply with the Cyber JIF Cyber Security Framework

Mr. Caruso noted the most up to date information on the training as received this morning, stating the completed training for the entire JIF is at 80%, with only six (6) members at 100%, noting he would like to see this more completions from the members and urged everyone to please complete this.

Mr. Forlenza stated he reminded the membership at each Executive Committee meeting how important it is to complete this training and come into compliance. He also noted there is a "Wednesday Morning Reminder" sent out each week to those who have not completed the training, and Mr. Caruso added if you would like a specific reminder email sent from him, with specific verbiage, he would be happy to do that. Mr. Forlenza also added to be sure your rosters are kept up to date. As employees come and go, it is important to be sure the rosters are updated, and the new employees take the training as well. He reiterated if you have less than five (5) changes you can send those changes directly to Mr. Caruso; if there are more than that, please request the current roster from Mr. Caruso, make the changes, send it in, and those changes will be uploaded.

A discussion ensued regarding the lack of participation by Elected Officials and the impact of employees that are out on family/medical leave or suspension in regards to the training compliance status. Following a lengthy discussion, it was noted that only employees that are no longer with the municipalities should be removed from the roster and any employee that is out for an extended leave should be noted in order to avoid any compliance issues. Mr. Caruso indicated an email with the employee's information should be sent to him and he should be notified when the employee returns to work. Mr. Forlenza noted that the Fund Underwriter reviews compliance on a case-by-case basis and therefore it is important to document which employees are out on extended leave and remove any employees that are no longer employed by the member town. He further noted of all the Cyber claims across the MEL system, only three (3) towns have made application for reimbursement of their deductible and co-insurance, with only one (1) being approved. In addition, he noted, that if there are a handful of employees who did not take the training, and an employee clicks on a link that creates a cyber incident, it will affect your ability to be reimbursed. However, it is recognized if an employee is out on medical leave, and has not taken the training, that will be understood and reimbursement should not be an issue.

Mr. Forlenza directed the Committee to page 16 of the agenda, which depicts the phishing campaign report, noting there are eight (8) active campaigns with over 22, 000 phishing emails being sent to our members. He reviewed the percentage of emails that were opened and clicked, noting the ACMJIF percentage is under 2%.

Mr. Caruso noted there are currently five (5) member towns who still have not whitelisted Wizer's IP addresses and domain names, which allows phishing emails to be sent to employees without it being blocked by a firewall. He stated it is important to have whitelist Wizer's IP addresses and domain names, as not every email will be caught by a filter, and he wants to ensure employees are receiving the phishing emails sent by Wizer.

Mr. Forlenza stated in regards to 2024 Contract Renewal for D2 and Wizer, we did an RFP for three (3), one (1) year contracts, and 2024 will be year three (3) of their terms. He noted we are looking to award these contracts in December so there is no lapse in coverage or servicing the members going into 2024, and we would like to continue this practice of awarding the contracts at the December Executive Committee meetings.

Mr. Forlenza noted the pricing will remain the same, with a slight discount as the new contracts will no longer include the one-time administrative set up fee.

In regards to the Cyber JIF reimbursements, the Cyber JIF provides the Cyber Hygiene Training, Phishing, and External Vulnerability Network, which is something we already have provided to our members for a number of years, and as a result, we have asked for a consideration of a reimbursement of our costs associated with this from the Cyber JIF. He reported at their last meeting they did approve a reimbursement program, however, we do have to provide information showing payments made to D2 and Wizer, of which he noted will start to be compiled and submitted. Mr. Forlenza noted we are eligible for 4 months of reimbursement, as of September 1, 2023, and he will keep this committee updated on the outcome.

***XI. Cyber JIF***

Mr. Forlenza reviewed the coverage limits provided by the Cyber JIF effective January 1, 2023, which is \$3,000,000 each claim/ \$6,000,000 aggregate per JIF. In addition, Mr. Forlenza reviewed the proposed revised deductibles and co-insurance for the Cyber JIF noting non-compliant members have a \$50,000 deductible and 20% coinsurance of the next \$300,000 of a loss; Basic, which is new, is \$35,000 deductible and no co-insurance; minimum security has a \$20,000 deductible and no coinsurance; and advanced security compliance has a \$0 deductible. He also noted the MEL Cyber Risk Management grandfathering period has been extended till June 30, 2024.

Ms. Patel stated she wanted to discuss with the committee the EPL Reimbursement Program. She noted there were some towns last year who lost their funds by not utilizing them or encumbering them. Mr. Forlenza noted some of the feedback he has received in regards to this program is this program overall can be very tedious to comply with, towns aren't sure what to use the funds for, what qualifies for reimbursement, etc. Mr. Forlenza referenced the 2022 program, of which \$29,725 was allocated amongst the members at \$725 per member allowance, was all collected with the exception of three (3) towns. With that said, he asked if this program is still worth while keeping as it is; is it still appropriate to require members to participate in this program, or should it be considered to make this program optional, much like the OSB program? He reiterated he does not want to make the assistance provided through Mr. Caruso's office optional and all of the interaction he does with our members and their IT professionals. Mr. Forlenza noted however, this program covers reimbursements for both EPL/POL related liability costs, as well as cyber related costs, and explained how this program came to be and all of the different things that can be funded with these funds.

A discussion ensued, and it was expressed that this program tends to be an afterthought at times, and towns seem to scramble after their IT professionals to track down receipts to submit, and it is tedious and cumbersome. Mr. Keun asked if it was possible to survey the members and see what their thoughts are. Mr. Forlenza noted that is probably the route we will take, but more discussions will be had at the Finance Committee next week.

***XII. Next Meeting***

The next meeting will be in the Spring of 2024 with format to be determined.

Seeing no other business, the meeting adjourned at 2:36pm.



***Finance Committee Meeting  
October 16, 2023  
Via Zoom***

A meeting of the Atlantic County Municipal Joint Insurance Fund's Finance Committee was held on Monday, October 16, 2023, via zoom conferencing.

Those in attendance were:

Dawn Stollenwerk, Committee Chair, **Mullica Township**  
Lisa McLaughlin, Co-Chair, **City of Margate**  
Jim Craft, **Borough of Stone Harbor**  
Roy Spoltore, **Upper Deerfield Township**  
Connie Mahon, **Borough of Wildwood Crest**  
Paul Forlenza, MGA, Executive Director, RPA a Division of Gallagher  
Kamini Patel, MBA, CIC, CPCU, Deputy Ex. Dir., RPA a Division of Gallagher  
Jodi Palmeri, Sr. Financial Analyst, RPA a Division of Gallagher  
Tracy Forlenza, Financial Analyst, RPA a Division of Gallagher

Those unable to attend were:

Jessica Thompson, **Absecon City**

*Note: These minutes do not necessarily reflect the order in which these matters were discussed.*

Mr. Forlenza explained that this special meeting of the ACM JIF Finance Committee was called to discuss the concerns raised by the Department of Banking and Insurance (DOBI) and Department of Community Affairs to the proposed release of \$2 million from the Closed Years Account, as authorized by Resolution 2023-40 adopted September 20, 2023. He reminded the Committee that they discussed the release in detail according to the Fund's *Surplus Release Policy* and reviewed several different scenarios in detail at their meeting on August 25, 2023. These discussions resulted in the decision to recommend to the Executive Committee at their September 20, 2023 meeting to release \$2 million. He noted this sum is \$1.75 million less than the 2022 surplus release. When the required documentation outlining the proposed surplus release was filed with the State Departments on September 22, 2023, DOBI contacted the Executive Director's office via email and requested a meeting.

On October 4, 2023, Mr. Forlenza, Ms. Patel, Ms. Palmeri, and Ms. Forlenza held a conference call with Acting Assistant Commissioner, David Wolf (DOBI), Nick Bennett (DCA), Caroline Chong (DOBI) and Scott Loney on behalf of William Leach (DOBI). Mr. Wolf explained that DOBI would like to go on record that they are looking at the change in Net Position from 2018-2022 and have concerns with the ACM JIF releasing \$2 million in surplus. He noted that DOBI had the following concerns:

- 1) *Surplus is less than one year of members assessments;*
- 2) *Two out of the most recent three years show a decline in surplus, without considering dividends paid;*

- 3) *Significant rate increases are expected in the reinsurance market specifically in property and general liability;*
- 4) *Potential for increased investment losses due to rising interest rates (unrealized net losses on investments);*
- 5) *Negative development in prior years;*
- 6) *Significant issues relating to subsequent events (noted in Audited Financials) including the increasing number of “re-openers.”*

Mr. Forlenza explained that he and his staff verbally addressed their concerns and explained the process that the Finance Committee undertakes in accordance with the *Surplus Release Policy*, which outlines specific items to take into consideration when recommending a release of surplus. Mr. Wolf recommended that the Fund Administrator once again review the proposed release with the membership to determine if they still wished to release \$2 million after reviewing the State's concerns. Mr. Forlenza asked Mr. Wolf to outline DOBI's concerns in writing to the ACM JIF. He noted that Mr. Wolfe's letter indicates that “if” this request for release of \$2 million was approved, the ACM JIF net position (inclusive of this release) must improve at 12/31/23 for the State to consider any release of surplus in 2024. Mr. Forlenza also requested that DOBI meet via conference call with the chairs of all three JIF Finance Committees with which he works, if requested. Mr. Wolf indicated that he would meet with the Finance Committee Chairs if requested.

Following Mr. Forlenza's recap of recent events that led to the calling of this special meeting of the Finance Committee, Mr. Forlenza then referenced the agenda packet that was emailed to the members earlier in the day.

### ***Return of Surplus***

Mr. Forlenza reminded the Committee of the recommendation to release \$2 million, the approval of the release at the September Executive Committee meeting and reviewed the process his office follows in compliance with State requirements in filing for a release of surplus. He noted that the Actuary also provides a certification noting they have no concerns with the release.

### ***Financial Picture***

Mr. Forlenza noted that DOBI is concerned with the change in the Fund's overall surplus position in Fund Years 2018-2022 noting a decrease of \$16 million in surplus over the last 5 years noting the driving factors were the release of \$14.75 in surplus back to the membership and \$1.25 million in *unrealized* investment losses and operating expenses. Ms. Palmeri then directed the Committee to the prior four (4) years' *Summary of Net Position* reports outlining increases in claims costs and the impact of supplemental assessments from the MEL & RCF.

Mr. Forlenza acknowledged that some of the most recent Fund Years are in a difficult position and rate increases are definite in the reinsurance market. He stated that he explained to those on the call that the JIF has ladder investments, which will mature and create realized investment income, which we are already seeing in the financials and will likely grow over the next several quarters. He further pointed out that statutory and regulatory changes over the past several years; including the Pension Offset directive; changes to the statute of limitations for victims of SAM; the Firefighter's Cancer Presumption Act, have all had an impact. In addition, the substantial increase in the number of WC claim reopeners resulting in supplemental assessments from MEL and RCF, are having a negative impact on the Fund's financials. Mr. Forlenza noted that Mr.

Wolf acknowledged that these factors are certainly having an impact on the Fund's bottom line. However, Mr. Wolfe stated that "if" this request for release of \$2 million is approved, the ACM JIF's financial position (inclusive of this release) must improve at 12/31/23 for the State to consider any release of surplus in 2024.

Ms. Stollenwerk inquired if the Department understood the Fund's conservative financial practices including the planning for supplemental assessments, utilizing the mid confidence or "expected" loss-funding levels and that the Fund does not discount its reserves. Ms. Palmeri commented that Mr. Wolf showed no interest in our current practices. Mr. Forlenza reported he informed Mr. Wolf that this would put the JIF in a difficult position with the members, and their elected officials, since the JIF has \$13 million in surplus. He also noted that there is no requirement in state regulations or law that a JIF is required to have surplus on the books. He also reported to Mr. Wolf that if no surplus were released, significant increases would be passed along to members as most members take their share of the annual surplus release as a credit against their next year's assessment. These increases would include the difference in surplus released between 2022 and 2023 as well as any increases in the 2024 Budget.

Mr. Forlenza indicated that he felt the Department's position was not fair to the membership as the JIF has been conservative over the years in anticipation of a "rainy day". In addition, the careful release of surplus by the Fund over several years would allow for a "soft landing" for those members that use their share of the annual surplus release to offset their next year's assessment. He also stated that he informed Mr. Wolf the ACM JIF is in a much healthier financial position than the vast majority of the other JIFs around the State and inquired if the Department was scrutinizing all JIFs in a similar manner. Mr. Wolfe stated that the Department is evaluating the financial position of all JIFs at this time. Mr. Forlenza informed the Committee that there are several JIFs he is aware of that have significant deficits at this time. Mr. Forlenza stated that he expressed to Mr. Wolfe his frustration that the Department is scrutinizing the ACM JIF's financials; however, the Department does not seem to be concerned with competing JIFs that are actively under cutting member assessments to garner new members. He asked if the Department was reviewing the actuarial certifications for members that are moving from one JIF to another for better pricing opportunities. Mr. Wolfe indicated that many towns move from one JIF to another each year and the Department is not able to review each move in detail. Mr. Forlenza noted that it is outlined in the regulations that adding or removing a member requires actuarial certification to show that the loss funding is in line with current exposures.

Mr. Forlenza stated that he further explained to Mr. Wolf that failure by the Department to review assessments being offered to members within the ACM JIF by competing JIFs, while not allowing the ACM JIF to release surplus, could result in adverse selection and additional members departing. This practice could lead to the ACM JIF being left with only poor performing members resulting in significant financial deterioration of the JIF in future years. Mr. Forlenza then asked Mr. Wolf to put his concerns in writing (see attached letter).

Ms. Palmeri then reminded the Committee that at their August 25, 2023 meeting, she presented preliminary excess and reinsurance figures that anticipated a 5% increase in the Excess WC and Liability premiums and a 25% increase in Excess Property, with no indications of the MEL loss funding layers. She stated that she just received the MEL premiums inclusive of exposure growth. The 2024 Draft Budget now anticipates a 14% increase in Excess WC and Liability premiums and a 50% increase in Excess Property premiums. In total, she is now anticipating a 32% increase in MEL premiums. She noted a driving factor in this increase is the increase in the

MEL loss funding confidence level, which is being budgeted at the “high” level in 2024. She noted that without the surplus release, there is nothing to help offset this change.

Ms. Stollenwerk noted that she does not think the Fund should eliminate the surplus release entirely as it will cripple the membership as most members utilize the surplus release as a credit against their next year’s assessment. Ms. Mahon agreed.

### ***Options***

Mr. Forlenza outlined some options for the members. He noted that the Fund could move forward with the release of the \$2 million; not release any surplus; or fund at a lower confidence level and revise budget. He noted that the recommended \$2 million release was based on tenants outlined in the JIF’s *Surplus Release Policy* that the Fund has followed for a long time. These factors include the ratio of the current operating budget to total surplus, the development of open fund years, anticipated increases in future budgets and the closed years from which surplus is to be released. These factors drove the decision to cut the recommended surplus release to \$2 million. He reiterated that the towns need an opportunity for a “soft landing” with a smaller surplus releases overtime. Ms. Stollenwerk does not like the idea of funding at the lower confidence level. Mr. Forlenza inquired how the Fund could justify not releasing anything when it has \$13 million in surplus. Ms. Patel noted that she is concerned about membership retention if we do not release any surplus and competing JIFs are actively undercutting member assessments.

Ms. Stollenwerk noted that part of the *Surplus Distribution Policy* is to keep consistency in surplus releases while minimizing uncertainty. Ms. Palmeri noted that the net position from the audit is included in the agenda as well as the Financial Fast Track as of August 31, 2023. She stated there is slight improvement, however, after this release the Fund’s overall financial position would show deterioration. Ms. McLaughlin inquired if DOBI would approve the release if we reduced it to \$1.5 million. Mr. Forlenza noted he did not talk specific amounts with Mr. Wolf. Ms. Palmeri commented that if the JIF proceeds with the release, it should be the \$2 million as proposed as she feels DOBI does not care about the amount, but rather the release itself. She noted that the members need this to temper the increases driven by the MEL premiums. She reminded members that at the last meeting the 2024 Draft Budget anticipated increase was about 6.4%. Including the most up to date figures, the increase is now 9.05% (approximately \$2.285 million).

Mr. Forlenza stressed that he wants to arrange a meeting with DOBI and the Finance Committee Chairs, plus any members on the Finance Committee who would like to attend, to help emphasize the impact the Department’s decision is having on the members of the JIFs. He stated that some of these folks are not familiar with municipal government finances and the impact of these decisions.

Ms. Palmeri noted it is important to include the *Surplus Distribution Policy* in the response to DOBI. She commented that the *Policy* clearly outlines the factors that the Committee takes into consideration when determining the dividend release. She believes the factors outlined in the *Policy* are in line with the Department’s concerns as outlined in Mr. Wolf’s correspondence. Mr. Forlenza stated that Mr. Wolf’s letter outlines all the items the Committee already reviews prior to recommending a surplus release.

Mr. Forlenza remarked that other JIFs will come after “good” performing members. He also noted that RMC fees in Statewide JIF are higher than the ACM JIF and guaranteed whereas the ACM JIF bylaws cap RMC fees at 6%, with most being paid around 4%.



Ms. Stollenwerk inquired if the removal of the Wellness Program was discussed. Mr. Forlenza noted it is currently being discussed by the Safety Committee and a memorandum was sent to the Safety Committee for further review pursuant to their request. Mr. Forlenza requested to keep the \$100k of the wellness money in the budget until the Safety Committee makes their final determination. Ms. McLaughlin and Ms. Stollenwerk remarked that removing the \$100k would help. Mr. Forlenza agreed; however, he noted that it is important for the Safety Committee to complete their process and make a recommendation to the membership. He noted that it should be decided prior to the budget introduction or the funding could be removed via budget amendment. Ms. Stollenwerk noted that line items like PRIMA and AGRIP, etc. in the budget should be evaluated.

Mr. Forlenza stated his concern that the removal of these line items from the budget could result in a loss of cohesiveness resulting in the JIF becoming more and more like an insurance company. He noted that people are busy, members are short-handed, everyone has more responsibilities and we see it. Members sometimes look for an easier way, not a better way.

After further discussion, the Finance Committee decided to move forward with the \$2 million surplus release, remove the \$100k overfunding in the MEL line, remove the \$100k wellness budget pending Safety Committee evaluation, and continue to fund at the central confidence level. Mr. Forlenza commented that since Mr. Wolf references the ACM JIF Executive Committee in his letter, the members should be notified at the October meeting that the State is pushing back on the surplus release. The Committee directed Mr. Forlenza to respond to DOBI noting that we reviewed all factors and recognize their concerns, but will move forward with the \$2 million release the surplus. Ms. Palmeri stated that Mr. Wolf's letter denotes that the Executive Committee maintains full power and authority of the commission of the Fund so she believes formal action needs to be taken at the meeting. Mr. Forlenza suggested a Motion reaffirming their approval to release the \$2 million in surplus. Ms. Stollenwerk will address the DOBI concerns during the meeting and ask for the Motion. The Committee agreed with the actions.

***Next Meeting Date – November 3, 2023 at 9AM***

Ms. Palmeri noted the next meeting would consist of the final assessment allocation strategies, revised draft Budget with approved vendor fees, MEL & EPL assessments, and the MEL draft budget/rate table.

Seeing no other business, the meeting was adjourned at 2:35pm.

File:	ACM/GEN/Finance Committee	Tab:	10/16/23
	ACM/2023/Finance Committee	Tab:	10/16/23



***Finance Committee Meeting  
November 3, 2023  
Folsom Borough Municipal Building***

A meeting of the Atlantic County Municipal Joint Insurance Fund's Finance Committee was held on Friday, November 3, 2023 at Folsom Borough's Municipal Building.

Those in attendance were:

Dawn Stollenwerk, Committee Chair, **Mullica Township**  
Lisa McLaughlin, Co-Chair, **City of Margate**  
Jessica Thompson, **Absecon City**  
Roy Spoltore, **Upper Deerfield Township**  
Connie Mahon, **Borough of Wildwood Crest**  
Paul Forlenza, MGA, Executive Director, RPA a Division of Gallagher  
Kamini Patel, MBA, CIC, CPCU, Deputy Ex. Dir., RPA a Division of Gallagher  
Jodi Palmeri, Sr. Financial Analyst, RPA a Division of Gallagher

Those unable to attend were:

Jim Craft, **Borough of Stone Harbor**  
John Hansen, Fund Treasurer  
Tracy Forlenza, Financial Analyst, RPA a Division of Gallagher

*Note: These minutes do not necessarily reflect the order in which these matters were discussed.*

***Member Retention***

Ms. Stollenwerk noted that Egg Harbor Township did not renew their membership in the Fund effective January 1, 2024. She noted that the Township saved a significant amount of money and is wondering how this is possible, and if the JIF's process for developing member assessments is accurate. Mr. Forlenza reviewed Egg harbor Township's loss history noting that the Fund Actuary indicated that based upon the Township's exposures and their loss history, the Township was under assessed. He further noted that the JIF that the Township is joining has higher excess coverage costs, administrative costs, and Risk Manager Fees. He is unsure how the competing JIF will be able to pay for the Township's losses considering these factors. He further noted that with the departure of Egg harbor Township, the remaining members of the Fund would benefit by approximately \$125,000 in loss funding reductions. Mr. Forlenza noted that his office would be requesting a copy of Egg Harbor's proposal from Statewide to do their due diligence in how pricing is being quoted. He noted that others are shopping around and we should look at how we are pricing and is our current practice correct.

***Draft Resolution to Transfer FY 2019 to RCF***

Ms. Palmeri noted that the draft resolution to transfer FY 2019 is included in the agenda packet. The Committee approved the draft resolution to transfer FY 2019 to be presented at the November Executive Committee meeting.

***Financial Fast Track***

Ms. Palmeri noted that the Financial Fast Track from August 31, 2023 is on page 2 of the agenda. She then stated that the total surplus is \$13,591,006, which is an improvement of \$538,165 since 12/31/2022. She further stated that investment income improved by \$1,091,878. She stated that there is an error in the dividend line showing \$1.5 million deterioration. This is a general ledger error as it was an intrafund transfer and will be adjusted. This has no impact on the Fund's financial position.

***Investment Updates-JCMI***

Ms. Palmeri directed the members to the JCMI Investment Update for the third quarter of 2023. She noted that the pie charts shows the breakout of investment vehicles and the total revenue YTD is \$(1,306,496). This includes unrealized losses and the realized loss. She reminded the members that the JCMI sold off some longer term investments earlier this year, prior to them maturing, and, while recognizing a short-term loss, used the proceeds from the sale to purchase short-term notes with higher interest rates. This transaction brought the unrealized losses to fruition; however, the loss will be made up by the interest gains through purchasing short-term higher yielding notes.

Ms. Stollenwerk inquired if Mr. Forlenza followed up on her email regarding Mullica's bond anticipation note (BAN) currently owned by JCMI that rolled over in October. She stated that the JCMI was not going to bid on Mullica's BAN as they indicated they had to bid at "higher than market rate" because of the current value of their investments. Ms. Stollenwerk stated that the Fund should consider removing its money from the JCMI as maximizing investment returns was not the original purpose of the JCMI. Mr. Forlenza then directed the members to the pie chart on page 3. He stated that the muni note and muni bond percentages of holdings are very small considering the JCMI was created to help municipalities; however, it appears it is being directed by professionals that look at maximizing return verses helping the members. He indicated that he would let the JCMI know that the ACM JIF is looking at placing their money elsewhere. Ms. Stollenwerk agreed that the mission of the JCMI was to assist municipalities with liquidity. The Finance Committee recommended Mr. Forlenza let the JCMI know that the ACM JIF is not happy and looking elsewhere.

***Retrospective Candidate Analysis***

Ms. Palmeri provided the Committee with an update as to the performance of the members participating in the Retrospective Program valued as of 09/30/23. She noted that the members participating in the program are sent quarterly updates to inform them of any potential additional assessments.

***Dennis Township***

Ms. Palmeri reviewed Dennis Township noting their participation in the Program in 2021 and 2022. She noted their loss ratio is 0.7% for 2021 and 5.1% for 2022; no concerns.

***Margate City***

Ms. Palmeri reviewed Margate City noting their participation in the Program in 2019 and 2020. She noted their loss ratios in 2019 is 26.2%; however, the City's loss ratio in 2020 is 157.7%. She reminded the Committee that they chose not to invoice for the 2020 Fund Year until COVID recoveries have been applied to each member; no payment is due at this time. She remarked that some of the Margate 2020 losses are tied directly to COVID related claims, but the excess

recovery payment has not yet been allocated on a per member basis. Ms. Palmeri noted that she does not believe that Margate will fall above the contract minimum requiring invoicing based upon preliminary numbers. Ms. Palmeri has reached out to PERMA to inquire when this would be addressed. It is anticipated to have all COVID recoveries applied to individual claims prior to 6/30/24.

#### ***North Wildwood City***

Ms. Palmeri reviewed North Wildwood City noting their participation in the Program in 2019. She explained that their loss ratio is 193.1%. She noted they have been invoiced \$39,590 with a due date of November 5, 2023 and the \$332,141 above the contract max loss funding will be absorbed by the JIF.

#### ***Extension for North Wildwood to pay Retro Payment***

Ms. Palmeri has indicated that Nick Long, North Wildwood's CFO, was unaware that North Wildwood was in the Retrospective Program and unaware of its potential liability including the payment of \$39,590 that is due. He is requesting a six month extension to make the payment. The Committee discussed the requested six month extension for payment. Following a lengthy discussion, the Finance Committee agreed they would extend the deadline until December 31, 2023, but the payment will have late interest applied beginning at the original due date of November 5, 2023.

#### ***Surplus Distribution Update***

Ms. Palmeri recapped that when the Release of Surplus for \$2 million was filed with the State, DOBI responded with several concerns. All the concerns they outlined are factors that the Finance Committee takes into account each year when deciding on the recommended release of surplus. She noted that the Committee recommended moving forward with the release of \$2 million recognizing that if we do not have an increase in the surplus position after the release as of 12/31/2023, the State will not approve a release next year. She stated that our financials look good as of 9/30/23. She noted that our office would respond to DOBI since the Executive Committee passed a motion to reaffirm the surplus release of \$2 million at their October meeting.

#### ***2024 Budget Development***

##### ***Loss Funding and Draft Budget***

Ms. Palmeri then directed the Committee to page 5 where the 2024 budget compares 2023 Annualized to 2024 Renewal and net change. She noted that the increase in loss funding is 3.65%, and based on the assessment strategy selected, generated extra money which will stay in the loss funding budget. She stated the only change to the operating expenses was to increase the Treasurer's fee by \$500 per the Committee's direction and no change to Member Benefits.

Ms. Thompson inquired why wellness is still in the budget. Mr. Forlenza noted that removal of the Wellness program is currently being discussed by the Safety Committees. The money is currently in the budget; however, we are hoping to have a final decision prior to budget introduction.

##### ***Budget - Excess Premiums***

Ms. Palmeri then directed the Committee to the Excess Premium section of the draft budget to discuss 2024 excess premiums. She noted that originally the Underwriter forecasted excess premium increases of 25% for Property; 5% for Liability; 2% for WC; 9% for EPL/POL/LU; and 5% MEL wide for Cyber, with no indication of increases in the loss funding portion of the MEL budget.

Ms. Palmeri then directed the Committee to page 6 and the 2024 MEL draft budget. She stated that the MEL is funding at the “high” confidence level for 2024 loss funding which represents approximately 70% confidence instead of the “central” confidence level, which is 55%. Overall the MEL budget is increasing 26.8% inclusive of exposure growth. She noted that page 7 is the MEL rate table which depicts the rates and exposure units used to determine member premiums. At the end of the exposure review period, the MEL applies the new exposures against the new rates to determine member premiums. She noted that the top of the page has various tiers since some JIFs have different SIRs. She reminded the Committee that the ACM JIF has a \$500,000 SIR for WC and liability and a \$100,000 for property losses. For WC, payroll data is used; for property premiums, TIV is used to calculate the Excess Premiums.

Ms. Palmeri reported that she removed the additional funding of \$100,000 for MEL supplemental assessments as directed by the Committee at their last meeting.

Ms. Palmeri then noted that the MEL 2024 Experience rating modifications (mods) are on page 10. She commented that even though the MEL stopped using the Retrospective Program for individual JIFs, they did maintain the experience-rating factor based upon JIF experience. The ACM JIF’s MEL 10 year average loss ratio is 94.2%. She reminded the members that they will be negatively experience rated since the ACM JIF’s loss ratio is above the MEL 10 year average loss ratio of 65.1%. The negative rating will be 15% on WC and Liability loss fund dollars within the MEL level. This currently does not include property claims nor is it applied to property premium. Ms. Palmeri noted that her office requested the MEL re-evaluate this process and consider including property losses in the calculation as the MEL has taken on a larger SIR on property claims.

#### ***MEL Financial Fast Track***

Ms. Palmeri noted that the overall MEL surplus position has deteriorated by almost \$1.2 million. She noted that this is inclusive of the \$1.2 million improvement in investment income. She stated that much of the deterioration is driven by non-COVID related claims in the 2020 Fund Year. She stated that the IBNR has improved from the COVID claims resulting in the reduction of anticipated recoveries for COVID.

#### ***RCF Financial Fast Track***

Ms. Palmeri reported that the RCF has deteriorated by \$8.6 million inclusive of the \$1.4 million improvement in investment income. She noted the year to date changes are broken out by Fund Years, identified by transfer years not date of loss years. For example, the 2007 year is the 2003 Fund Year. The 12/31/22 valuation of the RCF supplemental assessment was recognized on the ACM JIF financials at 12/31/2022; however, the RCF will be using the 12/31/23 valuation to invoice the JIFs in March 2024. She strongly anticipates the liability increasing due to the deterioration in both the MEL and RCF.

#### ***Cyber JIF***

Ms. Palmeri noted that the Cyber JIF increase was estimated at 5%; however, the 2024 Budget was introduced with a 1.99% increase. This is inclusive of population changes as the results of the 2020 census are phased in over a three-year period. She noted that 2024 is year two of the three-year phase in. She stated the ACM JIF population remained relatively flat (slight decrease). She reported that the Cyber JIF has expanded its pricing tiers, from five (5) to 15, which provides relief to the smaller municipalities. Ms. Palmeri also noted that the cyber premium is decreasing

-2.32% as noted on page 19 which varies from the budget since that separates the premium from the commissions since we have not yet received these figures. Ms. Stollenwerk asked if the refunds were included in these figures. Mr. Forlenza noted no, as the refunds will be separate.

#### ***EPL/POL/Land Use***

Ms. Palmeri noted that at the last meeting, EPL/POL/Land Use premiums were estimated to increase 9%; however, the increase is now 14.25%. She stated that 2024 was the final year of the five (5) year phase in for developing member premiums. She explained that transitioning to the new process for calculating premiums was too significant so the process was phased in gradually over 5 years. The new method ensures that the members are more accurately priced. She advised the Committee that the carrier is concerned with members with a loss ratio over 100% for three years or more over a five-year period. She reminded the Committee that 55% is considered breakeven as this coverage is with a commercial carrier; therefore, a loss ratio of 100% is extremely poor performance. Ms. Palmeri stated that the carrier applied a more significant experience rating to the member's base premium for those members with three or more years above 100%.

#### ***EPL/POL Deductibles & Co-Insurance***

Ms. Palmeri directed the members to page 18 where the deductibles and co-insurance for EPL and POL claims are broken out by member. She stated that recommendations were made to the deductibles and co-insurance terms for 2024 based on the five year loss ratios and 2023 Compliance status. All poor performing municipalities (anyone over 55%), were identified and an analysis was performed on their claims.

Ms. Palmeri explained that Avalon and Cape May City terms were already adjusted due to their poor loss experience, so they will remain unchanged. Dennis Twp.'s loss ratio of 141% is being driven by one claim so the carrier does not feel there is a problem. Ms. Palmeri noted that Galloway Twp.'s loss ratio is 110.2%, and is being driven by five claims, so it is recommended that their deductible be increased to \$50,000. She noted that Millville has loss ratio of 73.6% being driven by four claims so the recommendation is to increase the deductible to \$50,000. Although Newfield has only one claim and a loss ratio of 360.3%, based upon the high percentage, it is recommended that the deductible be changed to \$10,000 with a zero co-insurance. She noted that West Wildwood was a poor performer with a \$75,000 deductible on police and \$20,000 on non-police; however, their five year loss ratio is now 0% so we are recommending their deductible revert to \$20,000 standard and are eligible to buy down their deductible & coinsurance. Wildwood Crest has a loss ratio of 71.4%, which is being driven by three claims. As a result, it is recommended that they lose their buy downs and be placed at the standard \$20,000, 20% and \$250,000 co-insurance. The Committee agreed with these recommendations.

Ms. Mahon requested an email explaining the changes in the deductible and co-insurance and detail on the three claims so she can explain it to the governing body. Mr. Forlenza will provide it once the loss ratio snapshot is complete.

#### ***EPL Checklist Compliance***

Ms. Palmeri noted that the 2024 EPL Risk Management Plan Compliance checklist is on page 19 in the agenda and is valued as of 10/27/23. She will be notifying non-compliant members next week of the 20% surcharge if they do not become compliant by 1/1/24. Any members eligible for buy downs will be notified and all members will be advised of their deductibles and co-insurance terms. She also noted that Downe Twp. and Woodbine were non-compliant in 2023

and are still not compliant so a 20% surcharge was built into the 2024 budget. The Committee agreed to utilize the 20% surcharge for non-compliant members.

### ***Surcharge***

Ms. Palmeri reminded the members that last year the Committee decided not to invoice members that were non-compliant until it was recognized via budget amendment in September. She asked the Committee if they wish to continue this practice. Ms. Palmeri will be sending notification to all non-compliant members informing them that if they are not compliant by January 1, 2024, they will have a \$100,000 with 20% up to \$2 million co-insurance as well as a 20% surcharge which will be done via budget amendment. She stated that the two non-compliant members from 2023 will be surcharged in the budget. The Committee agreed to continue this practice.

### ***VDO Change [Notification sent to the Committee via email following the meeting]***

Ms. Palmeri emailed the Finance Committee and reported that the VDO coverage is for Fire and EMS, non-firematic activities. An example of a peril covered by VDO would be the removal of a firefighter by the trustees of the Fire Company without just cause because of his race, religion, etc. It is more of an EPL/POL coverage for a volunteer organization. Ms. Palmeri explained that the coverage limits changed in 2023 when the carrier changed. She noted that prior to 2023, the member could pick between one policy with multiple companies or individual policies for each fire company; however, effective 1/1/2023 all fire/EMS companies share one policy limits. The 2024 VDO allocation is now based upon the number of fire or EMS departments within the municipality; therefore, any town where limits were previously shared with one policy will see a premium increase for 2024.

### ***Budget Changes***

Ms. Palmeri reported that Corbin City and Egg Harbor Twp did not renew their membership with the ACM JIF as of 1/1/2024, so the loss funding, operating expenses and excess stand-alone premiums are being removed.

Ms. Palmeri noted with all the changes, the new overall budget increase is 8.41%. After the removal of Corbin City and Egg Harbor Twp and the addition of Middle Twp EMS, as this was incorrectly removed a few years ago, the overall budget increase is .43%. She noted that this budget would be presented at the November Executive Committee meeting for introduction with the public hearing and adoption scheduled for the December Executive Committee meeting.

### ***Assessment Strategy Scenario***

Ms. Palmeri directed the members to Option 3 Assessment Strategy on page 20 of the agenda, which was selected by the Committee at their last meeting. This will be utilized for the 2024 assessments.

### ***Model OE***

Ms. Palmeri noted that Model OE is presented on pages 21-24. She reminded members that it is a process that allocates operating expenses to all members. She noted that the Model OE allocates operating expenses based upon loss funding, police counts, payroll, etc. as noted in each line item. She reminded the members that they removed the MEL overfunding of \$100,000 which is a proportionate share for each member based on the individual MEL premium.

***Assessment Comparison Reports***

Ms. Palmeri then reviewed the Assessment Comparison Report on pages 25 and 26 with the Committee, noting that page 25 is the 2023 versus 2024 assessment comparison with dollar impact and page 26 is the percentage impact. She noted the JIF assessment is inclusive of loss funding and operating expenses, but does not include RMC fees. She stated that any significant increases over the JIF average were researched by her office and can be explained.

***Interlocal Service Agreements and Sweep Letters***

Mr. Forlenza noted that sweep letters were going out this week and anyone who has an interlocal service agreement with Egg Harbor Township will be reminded to secure new certificates of Insurance where appropriate. He noted that this process will also apply to Corbin City who has shared services with several members. Ms. Patel is drafting an email to the members to notify them of the need to review all interlocal service agreements in this regard.

***Miscellaneous******Unclaimed Property as of 6/30***

Ms. Palmeri stated that the Fund Treasurer, Mr. Hansen, has provided a copy of the annual State submission regarding unclaimed property filed by October 9, 2023.

***Administrator/Treasurer/TPA Fidelity Bond***

Ms. Palmeri explained that currently the Fund carries a Fidelity Bond in the amount of \$1,000,000, with a \$10,000 deductible, for an annual premium of \$2,549. She stated that minimum suggested Fidelity Bond amount by the Auditor is approximately \$148,000 for the Fund Treasurer/TPA and the 2024 recommended amount is \$258,000; and the recommended amount for the Administrator is \$250,000-\$300,000. The Committee agreed to leave the current bond limits in place.

***Next Meeting Date – May 2024***

Ms. Palmeri noted the next meeting would be sometime in May 2024.

Seeing no other business, the meeting was adjourned at 10:12am.

File: ACM/2023/Finance Committee

Tab: 11/03/23



**RESOLUTION 2023 -**

**ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND  
TO TRANSFER TO  
MUNICIPAL EXCESS LIABILITY RESIDUAL CLAIMS FUND**

**WHEREAS**, the Municipal Excess Liability Residual Claims Fund was organized pursuant to N.J.S.A. 40A:10-36, et seq., to provide residual risk coverage to its member joint insurance funds; and,

**WHEREAS**, the Executive Committee of the **Atlantic County Municipal Joint Insurance Fund** determined that membership in the Residual Claims Fund is in the best interests of the member local units and joined the Residual Claims Fund in 1995.

**NOW, THEREFORE, BE IT RESOLVED** that the Executive Committee of the **Atlantic County Municipal Joint Insurance Fund** does hereby resolve and agree to transfer the following residual risks:

<u>Fund Year</u>	<u>Lines of Coverage</u>	<u>JIF Member Fund S.I.R.</u>
2019	WC/GL/AL	\$500,000

**BE IT FURTHER RESOLVED** that the actual transfer of liabilities and premium to the Municipal Excess Liability Residual Claims Fund shall be based upon the following formula:

Case Reserves and IBNR as of 12/31/23  
Less Net Claim Payments from 01/01/24 to the date of closure

Net claim Payments are defined as claim payments, less voids, refunds and recoveries. All voids, refunds, and recoveries received after the date of closure for the closed fund years shall be paid to the Municipal Excess Liability Residual Claims Fund as well.

This resolution was duly adopted by the Atlantic County Municipal  
Joint Insurance Fund at a public meeting held on November 20, 2023

**ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND**

BY: \_\_\_\_\_ ATTEST: \_\_\_\_\_

CHAIRPERSON

SECRETARY

**ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND  
RESOLUTION #2023-\_\_**

**A Resolution Amending the 2023 Risk Management Plan**

**WHEREAS**, the Atlantic County Municipal Joint Insurance Fund has been organized pursuant to *N.J.S.A. 40A:10-36 et. seq.*; and

**WHEREAS**, the Atlantic County Municipal Joint Insurance Fund is duly constituted as a Municipal Self Insurance Fund to provide insurance coverage to its member municipalities; and

**WHEREAS**, the Plan of Risk Management is being amended based on the recommendations of the Finance and Coverage Committees; and

**WHEREAS**, the Finance Committee has recommended the following amendments to Section 9, subsection d-g, of the 2023 Plan of Risk Management are amended as follows:

- d.) A former member may apply to the Fund's governing body for a return of that member's remaining share of the closed Fund year account when five (5) years have passed since the last Fund year in which the member participated has been closed. ~~The Fund's governing body will decide on the former member's request after evaluating whether the statute of limitations as contained in P. L. 2019 C. 156 the "Thomas P. Canzanella Twenty First Century First Responders Protection Act" and/or the statute of limitations contained in P. L. 2019 C. 120 have been exhausted thereby eliminating the likelihood of any additional assessments from the RCF.~~ Prior to release of any former member's balance in the closed years account, the Fund Administrator shall complete an analysis of the request to determine that the following criteria has been met.
  - 1) All claims for the Fund Year from which surplus is being released are closed; and;
  - 2) All outstanding payments due and owing from the prior member of the Fund have been paid in full, including any payments due pursuant to a Retrospective Agreement, as certified by the Fund Treasurer; and;
  - 3) An analysis has been completed to determine the likelihood of an additional assessment from the Municipal Excess Liability Joint Insurance Fund (MEL JIF) and/or the Residual Claims Fund Joint Insurance Fund (RCF JIF) due to statutory, regulatory, and/or other external factors that could trigger an additional assessment for a Fund Year where the prior member was a member of the Fund.
- e.) Upon completion of the analysis of the request by the Fund Administrator, it shall be reviewed by the Fund's Finance Committee who shall make a recommendation to the Executive Committee as to the request to release the former member's balance in the closed years account.
- f.) All dividends from the RCF will be deposited in the closed Fund year account on a member-by-member basis.
- g.) The Fund will retain all records in accordance with the Fund's record retention program; and

**ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND**  
**RESOLUTION #2023-\_\_**

**WHEREAS**, the Coverage Committee has recommended adding First Party Property Damage Coverage for Drones with a sublimit of \$25,000 with a \$1,000 deductible; and

**WHEREAS**, the Coverage Committee has recommended the following amendment to Section 2., subsection h., of the 2023 Risk Management Plan:

h.) **Property** (effective 12:01 A.M. December 1, 2023) –

The Fund covers \$100,000 per occurrence (Property & Time Element combined) less applicable member deductibles:

- Flood for locations wholly or partially within 100-year flood zone
- Boiler and Machinery
- Named Storm (Flood & Wind)
- Owned Unmanned Aircraft -first party property coverage with a sublimit of \$25,000 with a \$1,000 deductible

**NOW, THEREFORE, BE IT RESOLVED**, by the Commissioners of the Atlantic County Municipal Joint Insurance Fund that the above recommendations from the Finance and Coverage Committees are hereby approved.

This Resolution was duly adopted by the Atlantic County  
Municipal Joint Insurance Fund at a public meeting held on November 20, 2023.

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

Attest: \_\_\_\_\_ By: \_\_\_\_\_  
Fund Secretary Fund Chair

Date: November 20, 2023



To: Fund Commissioners

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

Date: November 20, 2023

Re: **Executive Director's Report**

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**A. Lost Time Accident Frequency Report (pgs. 78-79)**

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

**B. Certificates of Insurance (pgs. 80-91)**

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

**C. Financial Fast Track Report (pg. 92)**

The Financial Fast Track Report for September 30, 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 September 30, 2023 was \$13,318,598.

**D. Regulatory Filing Checklists (pgs. 93-94)**

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. 95)**

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. 96)**

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. 97)**

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. 98)**

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. 99)**

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. 100-102)**

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](mailto:jtavares@connerstrong.com).

**K. Skateboard Park Approval Status (pg. 103)**

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. 104-105)**

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. 106-107)**

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

**N. Land Use Training Certification (pg. 108)**

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](mailto:jtavares@connerstrong.com).

**O. 2024-2025 MEL EPL Risk Mgmt. Program (pgs. 109-120)**

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**. A status report valued as of November 13, 2023 is included in the agenda for your review. Any questions regarding the status of your compliance with the Program can be directed to Sandra Cantwell at [scantwell@permainc.com](mailto:scantwell@permainc.com).

**P. 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.

**Q. Model RFQ for Risk Management Services**

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](mailto:Tracy.Forlenza@rpadmin.com).

**R. 2024 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](mailto:Tracy.Forlenza@rpadmin.com).

**S. Dividend Notices**

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.

**T. Website ([www.acmjif.org](http://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](mailto:Megan_Matro@rpadmin.com).

**U. 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											2,500.00			2,500.00	0.00	
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	2,500.00	0.00	0.00	68,750.00	32,000.00	

**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				\$91.29			\$1,500.00	\$0.00	
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											\$1,000.00			\$1,000.00	\$0.00	
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											\$2,000.00			\$2,000.00	\$0.00	
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	\$3,091.29	\$0.00	\$0.00	\$9,437.90	\$18,562.10	

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											800.00			800.00	\$0.00	
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											586.77			586.77	\$13.23	
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											499.15			499.15	\$500.85	
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		368.61			485.67	\$314.33	
Upper Deerfield Township	600.00														0.00	\$600.00	
Ventnor City	1,500.00											1,494.08			1,494.08	\$5.92	
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	\$3,748.61	\$0.00	\$0.00	\$10,300.10	\$23,199.90	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											725.00			725.00	\$0.00	
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											725.00			725.00	\$0.00	
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	\$1,450.00	\$0.00	\$0.00	\$9,425.00	\$20,300.00	

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

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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](http://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](http://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](http://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](http://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](mailto: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

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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](mailto: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

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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	<a href="#">MEL EPL Risk Management Program - Managers &amp; Supervisors Training - ACM, BURLCO &amp; TRICO JIF's</a>	9:00 - 11:30 am
7/13/2023	<a href="#">MEL EPL Risk Management Program - Managers &amp; Supervisors Training - ACM, BURLCO &amp; TRICO JIF's</a>	1:00 - 3:30 pm
7/27/2023	<a href="#">MEL EPL Risk Management Program - Managers &amp; Supervisors Training - ACM, BURLCO &amp; TRICO JIF's</a>	9:00 - 11:30 am
7/27/2023	<a href="#">MEL EPL Risk Management Program - Managers &amp; Supervisors Training - ACM, BURLCO &amp; TRICO JIF's</a>	1:00 - 3:30 pm
9/11/2023	<a href="#">MEL EPL Risk Management Program - Managers &amp; Supervisors Training - ACM, BURLCO &amp; TRICO JIF's</a>	9:00 - 11:30 am
9/11/2023	<a href="#">MEL EPL Risk Management Program - Managers &amp; Supervisors Training - ACM, BURLCO &amp; TRICO JIF's</a>	1:00 - 3:30 pm
9/27/2023	<a href="#">MEL EPL Risk Management Program - Managers &amp; Supervisors Training - ACM, BURLCO &amp; TRICO JIF's</a>	9:00 - 11:30 am
9/27/2023	<a href="#">MEL EPL Risk Management Program - Managers &amp; Supervisors Training - ACM, BURLCO &amp; TRICO JIF's</a>	1:00 - 3:30 pm
10/11/2023	<a href="#">MEL EPL Risk Management Program - Managers &amp; Supervisors Training - ACM, BURLCO &amp; TRICO JIF's</a>	9:00 - 11:30 am
10/11/2023	<a href="#">MEL EPL Risk Management Program - Managers &amp; Supervisors Training - ACM, BURLCO &amp; TRICO JIF's</a>	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](mailto:mmeccariello@jamontgomery.com)

**J.A. Montgomery**  
CONSULTING

**EPL Checklist as of 11/13/23**

N/A - no police dept  
Y= attendance confirmed  
P=checklist received but not  
accepted, attendance not  
confirmed.

Name	Checklist Received	Police Chief attend?
Absecon City	Y	Y
Avalon Borough	Y	Y
Brigantine City	Y	P
Buena Borough		N/A
Cape May City	Y	Y
Cape May Point Borough	Y	N/A
Commercial Township	Y	N/A
Corbin City		N/A
Deerfield Township	Y	N/A
Dennis Township		N/A
Downe Township		N/A
Egg Harbor Township		
Estell Manor City		N/A
Folsom Borough	Y	N/A
Galloway Township	Y	Y
Hamilton Township	Y	P
Linwood City	Y	Y
Longport Borough	Y	Y
Lower Township	Y	Y
Margate City	Y	Y
Middle Township		Y
Millville City	Y	P
Mullica Township	Y	Y
Newfield Borough	Y	N/A
North Wildwood City	Y	Y
Northfield City	Y	Y
Ocean City	Y	Y
Pleasantville City	Y	Y
Sea Isle City	Y	P
Somers Point City	Y	Y
Stone Harbor Borough	Y	Y
Upper Deerfield Township	Y	N/A
Upper Township	Y	N/A
Ventnor City	Y	Y
Waterford Township	Y	Y
West Cape May Borough	Y	N/A
West Wildwood Borough		
Weymouth Township	Y	N/A
Wildwood City		
Wildwood Crest Borough	Y	Y
Woodbine Borough		N/A



# SAFETY DIRECTOR REPORT

## Atlantic County Municipal Joint Insurance Fund

**TO:** Fund Commissioners, Safety Coordinators, and Risk Managers

**FROM:** Robert Garish, JIF Safety Director

**DATE:** November 7, 2023

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

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

### *LOSS CONTROL SURVEYS*

- Borough of Buena on October 9, 2023
- Township of Commercial on October 9, 2023
- Township of Dennis on October 9, 2023
- City of Millville on October 9, 2023
- Borough of Stone Harbor on October 12, 2023
- City of Ocean on October 18, 2023
- Borough of Wildwood Crest on October 24, 2023

### *LAW ENFORCEMENT LOSS CONTROL SURVEYS*

- There were no Law Enforcement Loss Control Visits in October

### *MEETINGS ATTENDED*

- Claims Committee Meeting on October 12, 2023
- Executive Fund Committee Meeting on October 18, 2023



- Atlantic JIF Annual Retreat on October 18-19, 2023
- Below 100 Law Enforcement Training on October 25, 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***

- Training Announcement: Disaster Management, Tuesday, October 10, 2023, from 1:00 PM-2:30 PM
- Post-Storm Clean-up & Recovery Operations Best Practices
- Hayrides – Best Practices
- 2024 Department of Homeland Security Threat Assessment
- MSI EXPO: Toms River Fire Academy, Tuesday, October 17, 2023
- Safety Recall Alert
- Ladder Best Practices
- Brush Collection Operations Best Practices
- Mobile Work Zones Temporary Traffic Best Practices
- Youth Coaches Best Practices
- Understanding Cannabis Integral to Injury Prevention & Employee Wellness On, Wednesday, October 25, 2023, at 9:00 AM
- New LMS
- MSI LIVE Schedule

### ***MSI LAW ENFORCEMENT***

- Licensing Risk Analysis Update - Planning Considerations for the Law Enforcement Leader
- Maine Mass Shooting Further Reinforces Law Enforcement's Role in Prevention

### ***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.

<b>MSI NOW</b>	
<b>Municipality</b>	<b>Number of Videos</b>
Avalon	5
Egg Harbor Township	1
Galloway	6
Hamilton	1
Middle	1

Millville	9
Northfield	4
Ocean City	1
Pleasantville	4
Sea Isle	1
Somers Point	3
Upper	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](mailto:afelip@jamontgomery.com).

# Technical Risks Services Director Monthly Executive Report



**November 8, 2023**

## Summary

On October 10, 2023, the CyberJif issued revised Framework requirements for CyberLoss deductible relief. The current deductible for a member who does meet even the minimum standard of CyberLoss protection is \$50,000 plus a 20% co-payment of the next \$300,000 of loss for a potential loss of \$110,000 in the event of a claim. A loss of this magnitude could be devastating for a small town and threat actors do not care if you are a small town when it comes to Ransomware payments. Furthermore, they do not target *large* towns specifically for their attacks they target *weak* towns. Without the most basic of protections required by the CyberJif framework, yours is a *weak* town.

However, many towns complained that some of the requirements under Minimum Security were too draconian and unattainable within the budgets allotted by small towns. Although the underwriters disagreed, they devised a compromised solution that is fair to all and at least 80-90% effective at the Basic Level.

The Minimum-Security framework has been broken into 2 parts Basic and Intermediate. All of the elements of Minimum are included in parts of either form, no new ones have been added. This means if you qualified for Minimum already you have met the requirements for Basic *and* Intermediate. If you are having trouble with Minimum consider applying for Basic first. You will at least have reduced your deductible to \$35,000 and no co-pay. Two of the Basic requirements are Cyber Hygiene and Vulnerability testing. Your JIF already provides that service for you, all that is required is cooperation with the programs that have been designed.

In addition, those meeting the Intermediate requirement, or full Minimum. Will have a \$20,000 deductible, this has been sweetened by underwriting from \$25,000.

Advanced is unchanged and will reduce your deductible to zero.

If you have filed Minimum or Advanced already and it has been accepted by Underwriting, then no action is required by you. If you have not filed anything to date, please consider getting the Basic form in as soon as possible. You can file the other forms later. This will at least give Underwriting an idea of the level of compliance that is in place.

Remember whatever is on these forms is re-evaluated at the *time of the loss*. So please make sure they are accurate.

Finally, the deadline for submission has been extended to June 30, 2024.

There is an FAQ page which is updated regularly located on your JIF website. We encourage you to use it. If you have questions beyond that please refer them to me.

Jerry Caruso

Technical Risk Services Director

## Cyber Security Bulletin November 2023

### The Importance of Analyzing Emails

When analyzing potentially dangerous emails, consider the following five checks:

1. **Sender Verification:** Confirm that the email comes from a legitimate source. Look for discrepancies in email addresses, such as subtle misspellings or unusual domain names that try to mimic reputable organizations.
2. **Unsolicited Attachments:** Be wary of unexpected attachments, especially those with unusual file types (.exe, .zip, .scr) as they can contain malware.
3. **Links Inspection:** Hover over any links without clicking to verify the URL. Fraudulent links may lead to phishing websites designed to steal personal information.
4. **Language and Content:** Pay attention to poor grammar, spelling mistakes, and urgent or threatening language that pressures the recipient into immediate action – a common tactic in phishing emails.
5. **Request Legitimacy:** Scrutinize any requests for sensitive information, money transfers, or credential verification. Legitimate companies typically do not ask for personal details via email.

Always err on the side of caution and verify any suspicious communications through alternative methods before responding or clicking on anything within the email.

November 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 **October 31, 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**

	<b><u>10/31/2023</u></b>
	<b><u>FINAL AUDIT</u></b>
	<b><u>BALANCES</u></b>
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
	<b><u>\$ 941,069.75</u></b>

**SUMMARY REPORT OF AELCF/DIVIDENDS/RETRO PROGRAM**

-attached

**RECEIPT ACTIVITY FOR THE PERIOD**

**Subrogation Receipts**

Oct: \$147,469.86 YTD: \$706,467.40

**Other:**

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

**Adjustment:**

Oct: \$ 1,375.62 YTD: \$24,598.26

**Assessments:**

Oct: \$2,875,655.67 YTD: \$20,000,070.01

**CLAIM ACTIVITY FOR THE PERIOD:**

**ACTIVITY**

The enclosed report shows claim activity during the period:

**OCT:**

Checks Issued: 442 Claim Payments: 1307 Total Issued: \$1,314,320.44

Effect on Cash Position: \$1,129,599.05

Note: one closed year voided checks totaling \$975 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:

AUGUST:	Ending Balance	<u>\$48,913,836.92</u>
SEPT:	Ending Balance	<u>\$47,527,429.65</u>
OCT:	Ending Balance	<u>\$49,128,631.97</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	Oct: \$37,905.15	YTD: \$342,968.21
Treasury	Oct: \$60,550.00	YTD: \$456,969.30
Citizens <del>Investors</del>	Oct: \$23,090.45	YTD: \$139,624.88

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

**RATE OF RETURN**-only interest as FROM ANALYSIS WORKSHEET.

Oct: 3.018%

**ALLOCATION OF FUNDS:**

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

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

	<b><u>OCT</u></b>
Treasury-	\$22,489,317.95 46%
JCMI-	\$19,706,991.72 40%,
Citizens-	<u>\$ 6,932,322.30 14%,</u>
	\$49,128,631.97

**Executive Committee**

**11/10/23**

**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](mailto:ocjjh4263@gmail.com).

Respectfully Submitted,

***John J. Hansen***

John J. Hansen  
Treasurer



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

	<b>Payable To:</b>	<b>FY 2024</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>Appropriation</b>	<b>Description</b>
1	The Actuarial Advantage		7,862.00		Prof Services/Actuary	Oct 2023 Fees
2	Arthur J. Gallagher Risk Management Services LLC		88,142.00		Prof Services/Administration	Nov 2023 Fees
3	Risk Program Administrators LLC		214.98		Misc/Postage/Copies/Fax	Oct 2023
4	Risk Program Administrators LLC	106.55			Misc/Meeting Expense	Zoom subscription split with JIFs-Pd PF Amex
5	The DeWeese Law Firm, P.C.		11,549.00		Prof Services/Attorney	Nov 2023 Fees
6	Qual-Lynx		74,723.00		Prof Services/Claims Administration	Nov 2023 Fees
7	Joyce Media		390.00		Misc/JIF Website	Nov 2023 Fees
8	Christopher J. Winter Sr.		2,167.00		Training/Police Risk Services	Law Enforcement Consultant-Nov 2023 fee
9	Tracy Forlenza		560.00		Misc/Recording Secretary	Nov 2023 Fees
10	J.A. Montgomery Consulting		19,587.00		Prof Services/Safety Director/Loss Control	Nov 2023 Fees
11	Wintsec Consulting LLC		4,863.00		Prof Services/Technology Risk Serv Dir	Nov 2023 Fees
12	John Hansen		2,125.00		Prof Services/Treasurer	Nov 2023 Fees
13	Conner Strong & Buckelew		1,062.00		Prof Services/Underwriting Mgr	Nov 2023 Fees
14	Jordan Simone		5,420.00		Wellness/Wellness Incentive Program	Nov 2023 Fees
15	ARC Reprographics		1,185.20		Misc/Annual Planning Retreat	Inv#282317 retreat binders
16	Courier Post		45.48		Misc/Legal Notices	Ad#9373911 Move Oct Mtg
17	The Flanders Hotel		7,644.24		Misc/Annual Planning Retreat	F/B/G for 10/18-19/23
18	The Flanders Hotel		155.40		Misc/Annual Planning Retreat	(1) FC overnight room; ET
19	Iron Mountain		144.50		Misc/Records Retention Service	Inv#HYCK475; Storage 11/1-30/23; Service 9/26-10/24/23
20	Press of Atlantic City		37.60		Misc/Legal Notices	Ad#208191 Oct mtg location change
21	Armando Riccio LLC		600.00		Training/Training	10/11 Mgrs & Sup training AM/PM sessions (split)
22	Postmaster	430.00			Misc/Postage/Copies/Fax	PO Box 488 Annual Fee 11/30/23-11/30/24
23	Borough of Avalon		91.29		Optional Safety Budget	alert pagers for Fire/PD
24	Borough of Avalon			2,500.00	Safety Incentive Program	alert pagers for Fire/PD
25	Borough of Cape May Point		1,000.00		Optional Safety Budget	winter gear for employees
26	Borough of Longport		800.00		Wellness/Wellness Incentive Program	health fair
27	Township of Lower		2,000.00		Optional Safety Budget	AEDs
28	Township of Mullica		586.77		Wellness/Wellness Incentive Program	standing desk; nuts; kind bars
29	City of Sea Isle City		499.15		Wellness/Wellness Incentive Program	employee healthy soup and chili cook off
30	Borough of Stone Harbor		725.00		EPL/CYBER/EPL/Cyber Incentive Program	malware protection
31	Township of Upper		368.61		Wellness/Wellness Incentive Program	health fair; water, giveaways
32	City of Ventnor		1,494.08		Wellness/Wellness Incentive Program	challenges; prizes; exercise equipment
33	City of Wildwood		725.00		EPL/CYBER/EPL/Cyber Incentive Program	cyber updates
	<b>Subtotals</b>	<b>536.55</b>	<b>236,767.30</b>	<b>2,500.00</b>		

<b>JIF BILL LIST TOTAL</b>	<b>239,803.85</b>
<b>RMC BILL LIST TOTAL</b>	<b>187,118.00</b>
<b>GRAND TOTAL</b>	<b>426,921.85</b>

**ATLANTIC COUNTY MUNICIPAL JIF**  
**RMCS BILL LIST (4th Installment) - NOV 2023**

	<b>Payable To:</b>	<b>FY 2023</b>	<b>Appropriation</b>	<b>Description</b>
1	CJ Adams	<b>8,475.00</b>	Risk Management Consultants	4th Qtr Pymts - Longport, Margate
2	Atlantic Associates	<b>13,358.00</b>	Risk Management Consultants	4th Qtr Pymts - Pleasantville
3	Barclay Insurance Group	<b>733.00</b>	Risk Management Consultants	4th Qtr Pymts - Downe
4	BCA Insurance	<b>1,625.00</b>	Risk Management Consultants	4th Qtr Pymts - Upper Deerfield
5	J. Byrne Agency	<b>55,699.00</b>	Risk Management Consultants	4th Qtr Pymts -Deerfield, Lower, North Wildwood, Stone Harbor, West Wildwood, Wildwood, and Wildwood Crest
6	Conner Strong & Buckelew	<b>4,825.00</b>	Risk Management Consultants	4th Qtr Pymts -Waterford
7	Glenn Insurance Agency	<b>12,661.00</b>	Risk Management Consultants	4th Qtr Pymts - Absecon, Linwood, Somers Pt, Weymouth
8	Hardenbergh Insurance Group	<b>22,481.00</b>	Risk Management Consultants	4th Qtr Pymts - EHT, Estell Manor, Folsom, Galloway, Hamilton, Northfield
9	Heist Insurance Agency	<b>1,750.00</b>	Risk Management Consultants	4th Qtr Pymts -Upper Twp
10	Insurance Agencies Inc	<b>9,287.00</b>	Risk Management Consultants	4th Qtr Pymts -Buena Borough, Newfield and Ventnor
11	Marsh & McLennan Agency, LLC	<b>22,850.00</b>	Risk Management Consultants	4th Qtr Pymts -Avalon, Cape May, Cape May Pt, Dennis Twp, Middle, SIC, West Cape May, Woodbine
12	McMahon Agency Inc	<b>13,572.00</b>	Risk Management Consultants	4th Qtr Pymts -Corbin City and Ocean City
13	William Mints Agency	<b>12,302.00</b>	Risk Management Consultants	4th Qtr Pymts -Commercial and Millville
14	Siracusa Kaufman Insurance Agency	<b>7,500.00</b>	Risk Management Consultants	4th Qtr Pymts -Brigantine and Mullica
	<b>RMCS BILL LIST TOTAL</b>	<b>187,118.00</b>		



## NEW JERSEY CYBER RISK MANAGEMENT FUND

9 Campus Drive – Suite 216  
Parsippany, NJ 07054  
Tel 201.881.7632

**Date:** Thursday, October 19, 2023

**To:** Board of Fund Commissioners  
Atlantic County Municipal Joint Insurance Fund

**From:** Commissioner McLaughlin

**2024 Budget:** The 2024 proposed budget was presented for the NJ Cyber JIF totaling \$6,448,842, representing a 2% increase. A motion was passed to schedule a public hearing on November 20, 2023, via audio / video teleconference. A summary of proposed assessments was also presented. The proposed budget and assessments are included in this report.

**Cybersecurity Risk Control Framework:** In response to requests made by members, the Board asked the Risk Control Committee to revisit the components of the Cyber Risk Control program. The Committee recommended the revisions drafted by the Underwriting Manager extracting a sub-set of requirements as a basic standard. The motion was passed to provide three levels of compliance: Basic, Intermediate and Advanced with revised deductibles and co-pays accordingly.

**JIF Reimbursements:** Risk Control Committee recommended a program to provide reimbursement for Joint Insurance Funds already engaged in contracts to provide either Training/Phishing and/or External Vulnerability Scanning. The motion was passed with the agreement to provide the NJ Cyber JIF's attorney oversight on any renewed contracts outside the NJ Cyber JIF program.

**Request for Membership:** The New Jersey Counties Excess Liability JIF requested membership in the NJ Cyber JIF and the Risk Control Committee recommended we revisit this request in the latter part of 2024 after the training program is fully established.

**NJ Cyber Webpage:** Princeton Strategic Communications (PSC) is building the 'Members Only' section for protection of the NJ Cyber JIF membership and PSC anticipates this will be ready to launch by November 1, 2023.

**Chertoff Group Report:** Underwriting Manager provided a verbal review of the results of the Technology State Questionnaire completed by members. The goal of the questionnaire was to obtain a more detailed insight of the technology stacks of our members to tailor the cybersecurity framework and provide broadscale advice to the members. Once the NJ Cyber webpage is updated for a "members only" section, a summary of the information will be posted to the webpage.

**Fund Professionals:** The Actuary, Auditor, Attorney, QPA and Underwriting Manager were appointed as a professional service to a one-year term for 2023. The Board agreed to reappoint these professionals as a professional service for a one-year term for 2024 and consider issuing competitive contract RFPs for these positions starting with 2025. Executive Director, Deputy Executive Director, Planning Consultant and Local JIF Executive Director, Claims Administrator and Treasurer were appointed following a competitive contracting RFP process with terms through the end of 2025.

**Next Meeting:** The next Fund meeting is scheduled for Monday, November 20, 2023 at 2:00 PM. to be held as a video / audio teleconference call.

Cyber Risk Management Fund							
Proposed FY2024 Budget							
						Change	
	Ex	Annualized FY2023	Proposed Limits	Proposed FY2024	\$	%	
<b>Claims Fund</b>							
1 Retained Claims	30	\$ 2,379,986	300K x 50K	\$ 2,447,086	\$ 67,100	2.82%	
2 Excess Insurance		\$ 1,915,883		\$ 1,954,201	\$ 38,318	2.00%	
3 Loss Fund Contingency		\$ 151,269		\$ 151,269	\$ -	0.00%	
4 <b>Total Claims Fund</b>		<b>\$ 4,447,138</b>		<b>\$ 4,552,556</b>	\$ 105,418	2.37%	
5							
<b>Expenses</b>							
7 Risk Control Services							
8 Cyber Training/Phishing/Testing		\$ 622,227		\$ 634,672	\$ 12,445	2.00%	
9 External Scanning		\$ 274,083		\$ 279,565	\$ 5,482	2.00%	
10 Consulting		\$ 60,710		\$ 61,924	\$ 1,214	2.00%	
11 Local JIF Coordination		\$ 151,771		\$ 154,806	\$ 3,035	2.00%	
12 <b>Sub Total Risk Control</b>		<b>\$ 1,108,791</b>		<b>\$ 1,130,967</b>	\$ 22,176	2.00%	
13 Administration							
14 Executive Director		\$ 125,000		\$ 127,500	\$ 2,500	2.00%	
15 Deputy Ex Director		\$ 50,000		\$ 51,000	\$ 1,000	2.00%	
16 Planning Consultant		\$ 30,000		\$ 30,600	\$ 600	2.00%	
17 Attorney		\$ 50,000		\$ 51,000	\$ 1,000	2.00%	
18 Underwriting Manager		\$ 50,000		\$ 51,000	\$ 1,000	2.00%	
19 Treasurer		\$ 25,000		\$ 25,500	\$ 500	2.00%	
20 Actuary		\$ 25,000		\$ 25,500	\$ 500	2.00%	
21 Auditor		\$ 25,000		\$ 25,500	\$ 500	2.00%	
22 Claims Adjuster		\$ 25,000		\$ 25,500	\$ 500	2.00%	
23 QPA		\$ 15,000		\$ 15,300	\$ 300	2.00%	
24							
25 <b>Sub Total Administration</b>		<b>\$ 420,000</b>		<b>\$ 428,400</b>	\$ 8,400	2.00%	
26							
27 General Contingency		\$ 347,170		\$ 336,919	\$ (10,251)	-2.95%	
28							
29 <b>Total Expenses &amp; Contingency</b>		<b>\$ 1,875,961</b>		<b>\$ 1,896,286</b>	\$ 20,325	1.08%	
30							
31 <b>Total Budget</b>		<b>\$ 6,323,099</b>		<b>\$ 6,448,842</b>	\$ 125,743	1.99%	

Cyber Risk Management Fund								
PROPOSED ASSESSMENTS BASED ON POPULATION								
	Per Member Rates		# of Members	Fund	Total Cyber Premium	FY2023 Annualized Assessment	Diff \$	Diff %
NJUA	8,160		41	ATL	447,866	458,519	(10,653)	-2.32%
NJPHA	9,500		38	BER	486,556	442,855	43,701	9.87%
FRESP	6,500		28	BURL	329,404	317,924	11,480	3.61%
All Other	8,160		38	CAM	443,107	433,063	10,044	2.32%
			16	CNTRL	243,845	197,769	46,076	23.30%
Population Banding	Rate		34	FRESP	221,000	271,966	(50,966)	-18.74%
0	7,000		41	MON	449,042	455,799	(6,757)	-1.48%
1,500	7,500		45	MOR	577,265	529,278	47,987	9.07%
3,000	9,097		31	OCE	353,543	356,442	(2,899)	-0.81%
4,500	10,694		5	PMM	65,166	53,892	11,274	20.92%
6,000	12,291		23	SBER	317,168	278,040	39,128	14.07%
9,000	13,888		10	SBMU	128,679	118,948	9,731	8.18%
12,000	14,762		11	SBEX	149,655	137,428	12,227	8.90%
20,000	15,636		13	MID JERSEY	176,238	158,007	18,231	11.54%
28,000	16,510		79	NJPHA	750,500	811,156	(60,656)	-7.48%
36,000	17,384		5	NJSI	68,082	60,563	7,519	12.42%
44,000	18,258		72	NJUA	603,840	591,167	12,673	2.14%
52,000	19,132		38	TRICO	428,581	422,584	5,997	1.42%
60,000	20,006		21	PAIC	209,305	227,698	(18,393)	-8.08%
68,000	20,006							
76,000	20,006		600		6,448,842	6,323,098	125,744	1.99%
84,000	20,006							

# ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND

## RESOLUTION 2023-

APPOINTING LISA MCLAUGHLIN AS THE FUND'S REPRESENTATIVE TO THE MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND, THE RESIDUAL CLAIMS JOINT INSURANCE FUND, AND THE NEW JERSEY CYBER RISK MANAGEMENT JOINT INSURANCE FUND FOR THE 2024 FUND YEAR

**Whereas**, the Atlantic County Municipal Joint Insurance Fund has been organized pursuant to NJSA 40A:10-36, et seq.; and

**Whereas**, the Atlantic County Municipal Joint Insurance Fund is a member of the Municipal Excess Liability Joint Insurance Fund and the Residual Claims Joint Insurance Fund; and

**Whereas**, as a member of each of these Funds, the Atlantic County Municipal Joint Insurance Fund actively participates in the meetings and operations of each of these Funds through the appointment of a representative to each Fund; and

**Whereas**, the appointment of the representative to each of these Fund's is at the discretion of the Chair of the Atlantic County Municipal Joint Insurance Fund; and

**Whereas**, Lisa McLaughlin, Fund Commissioner from the City of Margate, has served as the Atlantic County Municipal Joint Insurance Fund's representative to the Municipal Excess Liability Joint Insurance Fund, as the Fund's representative to the Residual Claims Joint Insurance Fund, and as the Fund's representative to the NJ Cyber Risk Management Joint Insurance Fund during the 2023 Fund Year; and

**Whereas**, the Fund Chair has determined that it is in the best interest of the Atlantic County Municipal Joint Insurance Fund to reappoint Ms. McLaughlin as the Fund's representative to the Municipal Excess Liability Joint Insurance Fund, the Residual Claims Joint Insurance Fund, and the NJ Cyber Risk Management Joint Insurance Fund for the 2024 Fund Year.

**Now, therefore, be it resolved by the Fund Commissioners of the Atlantic County Municipal Joint Insurance Fund** that Lisa McLaughlin, Fund Commissioner from the City of Margate, is hereby appointed as the Atlantic County Municipal Joint Insurance Fund's representative to the Municipal Excess Liability Joint Insurance Fund, the Residual Claims Joint Insurance Fund, and the NJ Cyber Risk Management Joint Insurance Fund for the 2024 Fund Year; and

**Be it Further Resolved** that these appointments shall be effective January 1, 2024; and

**Be it Further Resolved** that a fully executed copy of this resolution be forwarded to the Municipal Excess Liability Joint Insurance Fund, the Residual Claims Joint Insurance Fund, and the NJ Cyber Risk Management Joint Insurance Fund.

This resolution was duly adopted by the Atlantic County Municipal Joint Insurance Fund at a public meeting held on November 20, 2023.

ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND

By: \_\_\_\_\_  
CHAIRPERSON

Attest: \_\_\_\_\_  
SECRETARY

Date: \_\_\_\_\_