# BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND HAINESPORT TOWNSHIP MUNICIPAL BUILDING 1 HAINESPORT CENTRE, RTE 537 HAINESPORT, NEW JERSEY

## **FEBRUARY 18, 2014**

## **OPEN SESSION MINUTES**

The regular Meeting of the Burlington County Municipal Joint Insurance Fund (BURLCO JIF) was held at the Hainesport Township Municipal Building, 1 Hainesport Centre, Rte. 537, Hainesport, New Jersey, on Tuesday, February 18, 2014 at 4:00 PM, prevailing time. Chair Burger, **Medford Twp**, presiding. The meeting was called to order at 4:00 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 *Burlington County Times*, Mt. Holly, NJ, and to the *Courier Post*, Cherry Hill, NJ; (2) filing advance written notice of this meeting with the Clerks/Administrators of all member municipalities of the Burlington County Municipal Joint Insurance Fund; and (3) posting notice on the public bulletin boards of all member municipalities of the Burlington County Municipal Joint Insurance Fund.

## ROLL CALL

Grace Archer, Bordentown City Frank Nucera, Bordentown Twp (arrived 4:04 pm) Linda Dougherty, Edgewater Park Glenn McMahon, Chesterfield Jeffrey Hatcher, Delran Richard Brook, Florence Leo Selb, Hainesport Mike Mansdoerfer, Lumberton Sean Gable, Mansfield Kathy Burger, Medford Meredith Tomczyk, Mt. Laurel Mark Keubler, Representing, North Hanover Barbara Sheipe, Alternate, Palmyra Donna Mull, Pemberton Borough Dennis Gonzalez, Pemberton Township Meghan Jack, Riverside David Matchett, Shamong J. Paul Keller, Springfield Doug Cramer, Tabernacle James Ingling, Wrightstown

#### Absent Fund Commissioners were:

Rich Bethea, **Bass River Twp**Rich Wolbert, **Beverly City**Mike Templeton, **Delanco** 

> Kathy Hoffman, Southampton Donna Ryan, Westampton Maryalice Brown, Woodland Twp

Those also in attendance were:

Paul J. Miola, CPCU, ARM, Executive Director, AJG Risk Management Services, Inc.

Paul Forlenza, Deputy Executive Director, AJG Risk Management Services, Inc.

Bill Kearns, Fund Solicitor, Kearns, Reale & Kearns

Tom Tontarski, Treasurer

John Saville, Safety Director, J.A. Montgomery Risk Control

Patty Davidson, Claims Administrator, Qual-Lynx

Karen Beatty, QualCare

Debby Schiffer, Wellness Director

Also present were the following Risk Management Consultant agencies:

The Barclay Group EJA/Capacity Insurance Insurance Agency Management Hardenberg Insurance Group Model Consulting Inc.

Absent Risk Management Consultant agencies were:

Conner Strong & Buckelew

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

### **OATHS OF OFFICE**

Oaths of Office were administered by Mr. Kearns, Fund Solicitor, to the members who were not present at the Reorganization Meeting. All Oaths of Office were signed and presented to the Fund Solicitor.

#### APPROVAL OF THE MINUTES

Chair Burger presented the *Amended* meeting minutes of the January 24, 2014 Meeting of the Fund, as found in the agenda packet, for approval. She noted that the amendment to the minutes is the addition of Dennis Gonzalez as being present at the meeting.

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

Motion by Mr. Keller, seconded by Ms. Jack, to approve the meeting minutes of the January 24, 2014 meeting of the Fund as presented. All in favor. Motion carried. Mr. Mansdoerfer and Ms. Burger abstained.

## APPROVAL OF CLOSED SESSION MINUTES

There was a distribution of the Closed Session Meeting Minutes to the Executive Committee at this time.

Chair Burger presented the Closed Session Meeting Minutes of the January 24, 2014 meeting of the Fund for approval.

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

Motion by Mr. Keller, seconded by Ms. Jack to approve the Closed Session minutes of the January 24, 2014 meeting of the Fund as presented. All in favor. Motion carried. Mr. Mansdoerfer and Ms. Burger abstained.

The Closed Session minutes of the January 24, 2014 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.

Closed Session Meeting Minutes from the January 24, 2014 meeting were collected at this time.

### MONTHLY MEETING CONDUCT

Chair Burger entertained a motion to allow this monthly meeting to be conducted directly by the Fund Commissioners present with all matters to be decided upon by a combined majority vote of all Fund Commissioners.

Motion by Mr. Cramer, seconded by Mr. McMahon, to allow the meeting to be conducted directly by the Fund Commissioners present. All in favor. Motion carried.

### EXECUTIVE DIRECTOR'S REPORT

Mr. Miola reviewed the Executive Director's Report found in the agenda packet with the membership. He highlighted the following items:

Lost Time Accident Frequency Report – Mr. Miola directed the members to the report in the agenda. He also reported that the statewide recap for January was not available.

*Certificates of Insurance* – Mr. Miola asked that these certificates of insurance be made part of the minutes of today's meeting.

2013 Safety Incentive Program Awards – Mr. Miola asked that all members review available balances for this year's program. He reminded the members that the deadline to claim or encumber the funds is November 30, 2014. All encumbered funds must be claimed by February 1, 2015.

2014 Optional Safety Budget - Mr. Miola asked that all members review available balances for this year's program. He reminded the members that the deadline to claim or encumber the funds is November 30, 2014. All encumbered funds must be claimed by February 1, 2015.

Employment Practices Liability Coverage Update—Mr. Miola asked members to review the attached status report for the member's individual deductibles. He reminded the members that they must update their Loss Control program by May 1, 2014.

**EPL Training Budget** – Mr. Miola reminded members that the Fund has budgeted \$200 for each member to help offset employment practice related expenses such as the solicitor's fee for updating member's EPL policies and procedures.

**EPL** Helpline – Authorized Contact List – Mr. Miola asked members to review the attached list for accuracy especially if you have had turnover in a position. He noted the resolution for this is on the JIF website at www.burlcojif.org. Please contact the Executive Director's office with any questions.

Financial Fast Track – Mr. Miola noted that Mr. Tontarski will provide this update during his Treasurer report.

Regulatory Filing Checklists - Mr. Miola noted that the filings are up to date.

Capehart & Scatchard Updates – Mr. Miola noted that the Capehart & Scatchard updates are in the agenda packet and provide valuable information regarding WC, ADA and FMLA issues.

Statutory Bond Status – Mr. Miola reminded members to review the latest listing of the Statutory Bonds issued by the MEL for JIF members. These are issued to the individual, NOT the position. Members should review this list as some changes might have occurred at municipal reorganization meetings requiring new bonds to be issued.

Managers and Supervisors Training – Mr. Miola stated that only two (2) training sessions remain. He noted the next one is scheduled for March 6, 2014 at the Wildwood Convention Center in Wildwood and March 20, 2014 at the Margate Municipal Building.

Elected Officials Training - Mr. Miola reported that the remaining Elected Officials trainings are scheduled for March 12, 2014 at Charley's Other Brother, Eastampton; and March 25, 2014 at Nicolosi's, West Deptford, which is the make up from December 10<sup>th</sup>.

**Police Training** – Mr. Miola reported that the Managerial & Supervisory Training for Police Personnel has had excellent attendance. The remaining session is March 12, 2014 at Charley's Other Brother, Eastampton.

*Inclement Weather Policy* – Mr. Miola stated that the policy is on the website and to please call the hotline at 856-446-9148 for messages announcing cancellations of meetings due to weather.

**New Commissioner Orientation** – Mr. Miola noted that orientation for new commissioners will be held in early Spring. He noted that anyone wanting refresher training could attend as well.

*Financial Disclosure Forms* – Mr. Miola noted that the financial disclosure forms are to be submitted via an online process. Once revised instructions are issued a notice will be sent to all those required to file.

**Payroll Audits** – Mr. Miola stated that payroll audits are beginning and noted an email was sent on January 31, 2014. He asked that you have your items ready for the auditor.

**Property Appraisals** – Mr. Miola noted that an email was sent reminding members to update the property schedule in Exigis before March 21, 2014.

**PRIMA/AGRIP Conferences** – Mr. Miola stated that Fund Commissioners eligible to attend the PRIMA/AGRIP conference was sent information from our office.

2014 MEL Bulletins – Mr. Miola reminded the members that all MEL bulletins are being posted to the MEL website and that you may follow the link from the JIF website.

New Member Activity - There is no new member activity to report.

**MEL Annual Report** – Mr. Miola stated that the MEL Annual Report was distributed this evening.

Mr. Miola asked if there were any questions at this time. There were no questions.

#### SOLICITOR'S REPORT

#### Legal Alerts

Municipal Cap - Mr. Kearns reported that Senator Sweeney is proposing to reduce the municipal cap to 0%. He urged everyone to contact the Legislator's office. Chair Burger also noted that there is a resolution that the League of Municipalities has on their website that every municipality should place before their Elected Officials. Mr. Kearns commented that this should also be sent to your legislator and the Governor.

### SAFETY DIRECTOR'S REPORT

Mr. Saville stated that the Safety Director's Report is self-explanatory. He highlighted the following items:

**MEL Video Library** – Mr. Saville noted that the minimal video library usage is listed on page 68.

**MSI Online Training** – Mr. Saville stated that the online training schedule is listed in the agenda.

Fast Track Training – Mr. Saville reminded members that there will be an all day Fast Track training programs again this year. Information is in the agenda and available on the website. Pre-registration is suggested.

**S-ERVE** – Mr. Saville reminded the members that the interactive S-ERVE program is designed for police and/or EMS personnel. He commented that a new Distracted Driving program will soon be available.

Safety Bulletin – Mr. Saville noted that the Winter Ice Activity Safety bulletin was recently released. Please be sure to read and post in your facilities.

Mr. Saville asked if there were any questions at this time. No questions were entertained.

### CLAIMS ADMINISTRATOR'S REPORT

## Lessons Learned from Losses - February

Ms. Davidson reported on the Lessons Learned from Losses which was included in the agenda packet.

## PERSONAL PROTECTION AND SAFETY EQUIPMENT

Ms. Davidson reported that personal protection and safety equipment is necessary as it is injury prevention equipment.

Ms. Davidson stated that in another JIF, an officer directing traffic during the day was struck by a vehicle. She commented that if he would have been wearing his safety vest, he might not have been struck by the vehicle.

Ms. Davidson asked the members to encourage their workers to wear their equipment noting "visibility equals protection!" She further commented that the OSHA and PEOSHA requirements and recommendations can be found on the OSHA website.

Ms. Davidson reported to the members that the MEL 4<sup>th</sup> quarter results had 11 claims closed from the funds with payments in excess of \$2 million; noting one of the claims involved the City of Beverly with costs of \$291,000.

Ms. Davidson asked if there were any questions at this time. No questions were entertained.

The remainder of the Claims Administrator's report is for Closed Session.

## WELLNESS DIRECTOR'S REPORT

Ms. Schiffer noted that her report is detailed in the agenda packet. She highlighted the following:

- Ms. Schiffer commented that there are Wellness DVD's available for use.
- Delanco will be hosting their 2<sup>nd</sup> annual Health Fair in the Spring.
- Florence Twp started a weight loss challenge (February Melt Down). Winning department will receive half day comp time!
- Riverside will offer chair massages for a "de-stress" day. Ms. Schiffer is looking into local farmers to provide a demo on cooking locally grown produce.
- Southampton is hosting another Biggest Loser Challenge. Ms. Schiffer is checking into details of a workshop for chiropractic services.
- Westampton offered a "De-Stress Fair" which was very well received.
- Wrightstown is planning several activities.
- Ms. Schiffer noted that she attended a women's expo by Deborah Hospital where she found a lot of resources for health fairs.
- Ms. Schiffer also attended a motivational workshop "Be Your Own Wing Man". Please let her know if your municipality would be interested in a presentation.

Ms. Schiffer asked if there were any questions at this time. No questions were entertained.

## MANAGED HEALTH CARE REPORT

Ms. Beatty reviewed the Managed Care Report for January 2014.

# Lost Time v. Medical Only Cases

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

|                        | Jan   | YTD   |
|------------------------|-------|-------|
| Lost Time              | 1     | 1     |
| Medical Only           | 13    | 13    |
| Report Only            | 16    | 16    |
| Total Intakes          | 30    | 30    |
| Report Only % of Total | 53,3% | 53.3% |

| Medical Only/Lost Time Ratio | 93:07 | 93:07 |
|------------------------------|-------|-------|
| Average Days to Report       | 2.5   | 2.5   |

# Transitional Duty Report

Ms. Beatty presented the Year-to-Date Transitional Duty Report:

| Transitional Duty Summary Report             | YTD   |
|--|-------|
| Transitional Duty Days Available             | 132   |
| Transitional Duty Days Worked                | 104   |
| % of Transitional Duty Days Worked           | 78.8% |
| Transitional Duty Days Not Accommodated      | 28    |
| % of Transitional Duty Days Not Accommodated | 21.2% |

## PPO Penetration Report:

Ms. Beatty presented the PPO Penetration Report:

| PPO Penetration Rate  | Jan       |
|---|-----------|
| Bill Count  | 143       |
| Original Provider Charges                                     | \$177,349 |
| Re-priced Bill Amount   | \$78,871  |
| Savings   | \$98,789  |
| % of Savings  | 55.7%     |
| Participating Provider Penetration Rate - Bill<br>Count       | 95.8%     |
| Participating Provider Penetration Rate –<br>Provider Charges | 81.0%     |
| EPO Provider Penetration Rate - Bill Count                    | 76.9%     |
| EPO Provider Penetration Rate – Provider<br>Charges           | 70.1%     |

Ms. Beatty stated that Concentra will no longer be in the network as of April 20, 2014.

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

### TREASURER'S REPORT

Mr. Tontarski presented an overview of the Treasurer's Report for month ending January 31, 2014, a copy of which was provided to the membership in the agenda packet.

#### **Investment Interest**

Interest received or accrued for the current month totaled \$2,269.17. This generated an average annual yield of .21%. After including an unrealized net gain of \$13,500.00 in the asset portfolio, the yield was adjusted to 1.45 % for this period. The total overview of the asset portfolio for the Fund shows an overall unrealized gain of \$10,410.00 as it relates to market value of \$5,510,150.00 vs. the amount invested.

Our asset portfolio with TD Wealth Management consists of three (3) obligations with maturities greater than two (2) years and one (1) obligation less than two years.

## Receipt Activity for the Period

|                                  | Monthly      | YTD        |
|----------------------------------|--------------|------------|
| Subrogation Receipts             | \$4,113.05   | \$4,113.05 |
| Overpayment Reimbursements       | \$519.37     |            |
| FY 2013 Refund (EPL/POL premium) | \$81.00      |            |
| 2014 Premium Assessments         | \$619,623.00 |            |

## Claim Activity for the Period

Claim activity for the period for claims paid by the Fund and claims payable by the Fund at month end are in the amount of \$181,223.55. The claim detail for the 166 checks is as follows:

| Direct Loss Payments | \$169,642.93 |
|----------------------|--------------|
| Claim Expenses       | \$3,433.22   |
| Legal Defense Costs  | \$8,147.40   |

## Cash Activity for the Period

During the reporting period, the Fund's "Cash Position" changed from an opening balance of \$13,131,836.67 to a closing balance of \$13,023,815.57 showing a decrease in the fund of \$108,021.11.

# 1<sup>st</sup> Installment Billing

Mr. Tontarski noted that the 1<sup>st</sup> installment bills were issued January 2, 2014 and is due February 14, 2014. These were emailed to the clerks and the Fund Commissioners. He reported that 5 member's payments were still outstanding and he would be contacting them.

Mr. Tontarski asked if there were any questions at this time. No questions were entertained.

## Loss Run Payment Register

Chair Burger entertained a motion to approve the *January 2014 Loss Run Payment Register* as presented.

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

Motion by Mr. Mansdoerfer, seconded by Mr. Keller to approve the *January 2014 Loss Run Payment Register*.

ROLL CALL Yeas

Grace Archer, **Bordentown City**Frank Nucera, **Bordentown Twp**Linda Dougherty, **Edgewater Park** 

> Glenn McMahon, Chesterfield Jeffrey Hatcher, Delran Richard Brook, Florence Leo Selb, Hainesport Mike Mansdoerfer, Secretary, Lumberton Sean Gable, Mansfield Kathy Burger, Chair, Medford Meredith Tomczyk, Mt. Laurel Mark Keubler, Representing, North Hanover Barbara Sheipe, Alternate, Palmyra Donna Mull, Pemberton Borough Dennis Gonzalez, Pemberton Township Meghan Jack, Riverside David Matchett, Shamong J. Paul Keller, Springfield Doug Cramer, Tabernacle James Ingling, Wrightstown

Nays: None Abstain: None

Motion carried by unanimous vote.

## Bill List - February

For the Executive Committee's consideration, Mr. Tontarski presented the *February 2014 Bill List* in the amount of \$674,893.47.

Chair Burger entertained a motion to approve the February 2014 Bill List as presented.

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

Motion by Mr. Keller, seconded by Mr. Mansdoerfer, to approve the *February 2014 Bill List* as presented.

ROLL CALL Yeas

Grace Archer, Bordentown City
Frank Nucera, Bordentown Twp
Linda Dougherty, Edgewater Park
Glenn McMahon, Chesterfield
Jeffrey Hatcher, Delran
Richard Brook, Florence

Richard Brook, Florence Leo Selb, Hainesport

Mike Mansdoerfer, Secretary, Lumberton

Sean Gable, Mansfield

Kathy Burger, *Chair*, **Medford** Meredith Tomczyk, **Mt. Laurel** 

Mark Keubler, Representing, North Hanover

Barbara Sheipe, *Alternate*, **Palmyra**Donna Mull, **Pemberton Borough**Dennis Gonzalez, **Pemberton Township** 

Meghan Jack, Riverside

David Matchett, Shamong
J. Paul Keller, Springfield
Doug Cramer, Tabernacle
James Ingling, Wrightstown

Nays: None Abstain: None

Motion carried by unanimous vote.

## RMC Bill List - February

For the Executive Committee's consideration, Mr. Tontarski presented the *February 2014 RMC Bill List* in the amount of \$89,738.00.

Chair Burger entertained a motion to approve the February 2014 RMC Bill List as presented.

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

Motion by Mr. McMahon, seconded by Mr. Mansdoerfer, to approve the *February 2014 RMC Bill List* as presented.

ROLL CALL Yeas

Grace Archer, Bordentown City Frank Nucera, Bordentown Twp Linda Dougherty, Edgewater Park Glenn McMahon, Chesterfield

Jeffrey Hatcher, **Delran** Richard Brook, **Florence** Leo Selb, **Hainesport** 

Mike Mansdoerfer, Secretary, Lumberton

Sean Gable, Mansfield

Kathy Burger, *Chair*, **Medford** Meredith Tomczyk, **Mt. Laurel** 

Mark Keubler, Representing, North Hanover

Barbara Sheipe, Alternate, Palmyra Donna Mull, Pemberton Borough Dennis Gonzalez, Pemberton Township

Meghan Jack, Riverside David Matchett, Shamong J. Paul Keller, Springfield Doug Cramer, Tabernacle James Ingling, Wrightstown

Nays: None Abstain: None

Motion carried by unanimous vote.

COMMITTEE REPORTS
SAFETY COMMITTEE MEETING

Ms. Jack noted that the minutes were in the agenda packet last month. She apologized for missing the Safety Breakfast. No questions were entertained.

#### MEL/RCF/E-JIF REPORT

### **MEL Education Seminar**

Mr. Miola reported that this is on page 127 of the agenda and noted that there are several continuing education credits available at the seminar as well.

### Elected Officials Online Training

Mr. Miola noted that the MEL Elected Officials online training is available and the login instructions are included in the agenda packet.

## MEL Online Risk Management Support

Mr. Miola noted that in the agenda there is an article regarding the online risk management support and online resources.

#### MISCELLANEOUS BUSINESS

### Next Meeting

Chair Burger noted that the next meeting of the BURLCO JIF will take place on Tuesday, March 18, 2014 at 4:00 PM at the Hainesport Municipal Building, Hainesport, NJ.

### **PUBLIC COMMENT**

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

Chair Burger opened the meeting to the public for comment.

Hearing no comments, Chair Burger entertained a motion to close the public portion of the meeting.

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

### EXECUTIVE SESSION MEETING – Resolution #2014-14

Chair Burger entertained a motion to go into a closed session to discuss matters affecting the protection and safety of the public and to discuss pending or anticipated litigation and/or contract negotiations.

Motion by Ms. Jack, seconded by Mr. McMahon to Adopt *Resolution #2014-14*. All in favor. Motion carried.

A Closed Session of the BURLCO JIF was held and the meeting was then reopened to the public.

## REOPEN PUBLIC PORTION OF THE MEETING

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

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

# APPROVAL OF CLAIMS PAYMENTS

Chair Burger asked for a motion for Approval of Claims Payment on the following claims as presented in Closed Session.

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

Motion by Mr. Keller, seconded by Mr. McMahon, to approve the following claims as discussed in Closed Session.

| Workers' Compensation | Property |
|-----------------------|----------|
| W86955                | X82010   |
| X79192                | X81496   |
| X75210                |          |
| X71979                |          |
| X77538                |          |
| E81850 (01 only)      | _        |
| X31734                |          |
| X22068                |          |

ROLL CALL Yeas

Grace Archer, Bordentown City

Frank Nucera, Bordentown Twp

Linda Dougherty, Edgewater Park

Glenn McMahon, Chesterfield

Jeffrey Hatcher, Delran

Richard Brook, Florence

Leo Selb, Hainesport

Mike Mansdoerfer, Secretary, Lumberton

Sean Gable, Mansfield

Kathy Burger, Chair, Medford

Meredith Tomczyk, Mt. Laurel

Mark Keubler, Representing, North Hanover

Barbara Sheipe, Alternate, Palmyra

Donna Mull, Pemberton Borough

Dennis Gonzalez, Pemberton Township

Meghan Jack, Riverside

David Matchett, Shamong

J. Paul Keller, Springfield

Doug Cramer, Tabernacle

James Ingling, Wrightstown

Navs:

None

Abstain:

None

Motion carried by unanimous vote.

## AUTHORIZATION TO ABANDON SUBROGATION - APPROVAL

There was (1) abandonment of subrogation claim(s) presented in Closed Session.

| Qual-Lynx File |
|----------------|
| X22068         |

Motion by Mr. Mansdoerfer, seconded by Mr. Keller, to authorize abandonment of subrogation on the above file(s).

ROLL CALL Yeas

Grace Archer, Bordentown City Frank Nucera, Bordentown Twp Linda Dougherty, Edgewater Park Glenn McMahon, Chesterfield

Jeffrey Hatcher, **Delran** Richard Brook, **Florence** Leo Selb, **Hainesport** 

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Dennis Gonzalez, Pemberton Township

Meghan Jack, Riverside David Matchett, Shamong J. Paul Keller, Springfield Doug Cramer, Tabernacle James Ingling, Wrightstown

Nays:

None

Abstain:

None

Motion carried by unanimous vote.

### **MOTION TO ADJOURN**

Chair Burger entertained a motion to adjourn the February 18, 2014 meeting of the BURLCO JIF.

Motion by Mr. Keller, seconded by Ms. Jack to adjourn the February 18, 2014 meeting of the BURLCO JIF. All in favor. Motion carried.

The meeting was adjourned at 5:01pm.

Tracy Forlenza

Recording Secretary for

Michael Mansdoerfer, SECRETAN