

BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND

April 20, 2021
Via Zoom Conferencing

OPEN SESSION MINUTES

The meeting of the Burlington County Municipal Joint Insurance Fund (BURLCO JIF) was held via Zoom Conferencing on Tuesday, April 20, 2021 at 3:30PM, prevailing time. Acting Chair Gural, **Palmyra**, presiding. The meeting was called to order at 3:30PM.

Mr. Forlenza then took a moment to verify call in phone numbers and rename them to the appropriate member.

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

James Renwick, **Bass River Twp.**
Rich Wolbert, **Beverly City**
Mike Theokas, **Bordentown Twp.**
Grace Archer, **Bordentown City**
Tom Sahol, *Alternate*, **Chesterfield**
Erin Provensano, **Delanco Twp.**
Jeffrey Hatcher, **Delran Twp.**
Tom Pullion, **Edgewater Park**
Patrice Hansell, **Fieldsboro Boro**
Steve Fazekas, **Florence Twp.**
Paula Kosko, **Hainesport Twp.**
Brandon Umba, **Lumberton Twp.**
Mike Fitzpatrick, **Mansfield Twp.**
Kathy Burger, **Medford Twp.**
Brandon Shillingford, *Alternate*, **Mt. Laurel Twp.**
Kyle Tuliano, **New Hanover Twp.**
Mary Picariello, **North Hanover Twp**
John Gural, **Palmyra Boro**
Dan Hornickel, **Pemberton Twp.**
Meghan Jack, **Riverside Twp.**
David Matchett, **Shamong Twp.**
Kathy Hoffman, **Southampton Twp.**
Bob Sunbury, *Alternate*, **Tabernacle Twp.**
Steve Ent, **Westampton Twp.**
Maryalice Brown, **Woodland Twp.**
James Ingling, **Wrightstown Boro**

Absent Fund Commissioners were:

Donna Mull, **Pemberton Boro**
J. Paul Keller, **Springfield Twp.**

Those also in attendance were:

Paul Forlenza, MGA, Executive Director, *AJG Risk Management Services, Inc.*
Paul Miola, CPCU, ARM, *AJG Risk Management Services, Inc.*
David S. DeWeese, Esquire, Fund Solicitor, *The DeWeese Law Firm, P.C.*
Tom Tontarski, Treasurer
John Saville, Safety Director, *J.A. Montgomery Risk Control*
Chris Roselli, Claims Administrator, *Qual-Lynx*
Karen Beatty, *QualCare*
Debby Schiffer, *Wellness Director*
Lou Romero, *Technology Risk Services.....after roll call*

Also present were the following Risk Management Consultant agencies:

CBIZ Benefits & Insurance Services
Conner Strong & Buckelew
EJA/Capacity Insurance
Hardenberg Insurance Group
Insurance Agency Mgmt.

Absent Risk Management Consultant agencies:

Motion to move up John Gural, Palmyra, to Acting Chair; Rich Wolbert, Beverly, to Acting Secretary; and Grace Archer, Bordentown City, and Mike Theokas, Bordentown Township to the Executive Committee for voting purposes.

Motion by Mr. Pullion, seconded by Mr. Ingling to move up the members as presented. All in Favor. Motion carried by majority vote.

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

APPROVAL OF THE OPEN & CLOSED SESSION MINUTES

Acting Chair Gural presented the Open & Closed session meeting minutes of the March 16, 2021 meeting of the Fund, as found in the agenda packet and as provided to the Executive Committee prior to the Executive Committee meeting, for approval.

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

Motion by Mr. Gural seconded by Mr. Cramer to approve the Open & Closed session meeting minutes of the March 16, 2021 meeting. All in Favor. Motion carried by majority vote.

The Closed Session minutes of the March 16, 2021 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.

EXECUTIVE DIRECTOR'S REPORT

Mr. Forlenza reviewed the Executive Director's Report found in the agenda packet with the membership. He then highlighted the following items from his report:

Mr. Forlenza referenced the most recent Certificates of Insurance reports which included March 2021 certificates and asked the members to please review for accuracy and be sure they were issued to the correct organizations with the correct limits and types of coverage.

Mr. Forlenza asked for members to review their OSB, Wellness, and EPL/Cyber Risk Management Budget balances included in the agenda. A consolidated announcement letter including instructions on how to collect your 2021 Optional Safety Budget allowance; Wellness allowance, and EPL/Cyber Risk allowance was emailed to all members the week of February 22, 2021, and a separate communication was sent to all members in regards to your Safety Incentive Program on March 3, 2021. He noted all funds needed to be claimed by November 30, 2021. If you encumber your funds, they must be claimed by February 1, 2022. Mr. Forlenza emphasized not to wait until the last moment to utilize your funds.

Mr. Forlenza referenced the Statutory Bond Status report and asked members to please review the report for accuracy and be sure to check the list and make sure any new employees are listed. He reminded the members that the bond is for the individual, not the position, and if you would like to check the status of an application, please contact Ed Cooney, Fund Underwriter.

Mr. Forlenza noted the 2022-2023 MEL EPL Risk Management Plan had been revised and in July 2020 the Model Employment Practice Policies and Employee Handbook were placed on the NJ MEL's website (NJMEL.org). Adopting the revised policies and handbook are one of steps required by all members to become/remain in compliance with the MEL EPL Risk Management Plan. He reminded the membership that the June 1, 2021 deadline has been extended to November 1, 2021, however, please do not wait until the last minute to complete your trainings and other requirements. Use the extra allotted time wisely.

In regards to the Police Command Staff Training, Mr. Forlenza stated on or about April 13, 2021 a *Save the Date* was emailed to all Fund Commissioners and Risk Management Consultants for the upcoming Police Command Staff Training. He noted that the goal is to complete this training in person following all social distancing guidelines. Additional information will be forthcoming.

Mr. Forlenza noted during the week of March 8, 2021, an invitation was emailed to all members for the Managers & Supervisor's Employment Liability Training. In addition to those dates, and due to several requests, two (2) evening training classes have been scheduled on April 27 and May 27, 2021 starting at 6:30 pm. This training is being held via webinar and will be presented by Armando Riccio, Esq. Participation in this training is required for compliance with the 2022-2023 MEL EPL Plan of Risk Management. Please note that participation in each session is limited to 100 participants. Please contact the Executive Director's office if you have any questions.

In regards to Non-Supervisory EPL Employee Training, Mr. Forlenza stated on November 23, 2020, a memorandum was sent to all members notifying them of the availability of non-supervisory employee training through the MEL Safety Institute (MSI). A required element of compliance with the MEL's 2022-2023 Employment Practices Liability (EPL) Risk Management Plan, all members are required to notify their non-supervisory employees of the availability of this training, though not required to take it. The training module is entitled *Building a Safe Workplace: Anti-Harassment and Discrimination* and is approximately 20 minutes in length. The memorandum provided specific directions on how to access the training module in the MSI, however a new memorandum has recently been emailed to all members as the MEL has changed the directions. All members should document the notification of the availability of this training to their employees and the notification should go out as soon as possible. Again, the deadline to comply with all aspects of the EPL Risk Management Plan has been extended to November 1, 2021

Mr. Forlenza noted, again, this year, the Fund is sponsoring Elected Officials training and it will be conducted online. The MEL will reduce each member's 2021 MEL Assessment by \$250 for each municipal elected official who completes one of the online training sessions. This credit will also be extended to the member's CEO (i.e. Municipal Manager or Administrator) again this year. The total credit is limited to 5% of a member's 2021 MEL Assessment. On November 23, 2020 a memorandum including detailed directions on how to access this training through the MSI was emailed to Municipal Clerks, Fund Commissioners, and Risk Management Consultants, however a new memorandum has recently been emailed to all members as the MEL has changed the directions. Mr. Forlenza stated the participant count across all there JIF's is very low and he emphasized not to lose that \$250 credit per attendee and reiterated the May 3, 2021 deadline. He noted that a reminder regarding this training was sent to all members earlier in the month.

Mr. Forlenza stated on or about March 1, 2021, a notice was sent to all Fund Commissioners and Municipal Clerks announcing the availability of additional training dates for the *Protection & Safe Treatment of Minors* webinars which will be conducted by Armando Riccio through the MSI. He emphasized it is strongly recommended that all Managers & Supervisors complete this training as soon as possible if not already completed. Completion of this training will assist in defending the municipality and their employees should they be named in a SAM claim. Mr. Forlenza noted that this training is separate and distinct from the Managers & Supervisors employment training that must be completed for compliance with the MEL EPL Risk Management Plan.

Mr. Forlenza noted as to the request of some individuals, on or about March 31, 2021, Paul Miola emailed all Fund Commissioners and Risk Management Consultants a memorandum and spreadsheet that summarizes the various training, reimbursement programs, and the due dates for programs offered by your Joint Insurance Fund. The memorandum contains links to the various announcements and registration sites. This information is also conveniently posted to the top of the JIF homepage. We ask that you please share these documents with anyone who may have need of this information. Please direct any questions or comments to the Executive Director's Office.

In regards to the Annual Planning Retreat, Mr. Forlenza noted the Retreat has been tentatively scheduled for Tuesday May 4th & Thursday, May 6th. The Retreat will be held via webinar and will include approximately two (2) hours of presentations each day beginning at 10:00 AM. Each day's presentations will be different. Mr. Forlenza also reminded the members that participation in one of the days is a requirement of the Safety Incentive Program and mandatory to qualify for your SIP funds. If both days are attended, you will qualify for an SIP enhanced reward. Additional information, along with the invitation and list of presentations, and additional information will be forthcoming.

Mr. Forlenza noted an email inquiring about interest in attending the New Fund Commissioner Orientation was emailed to all Fund Commissioners, Alternate Fund Commissioners and Risk Management Consultants on or about February 12, 2021. We received quite a few responses from all three JIF's and a confirmation email was sent to all those that expressed interest on March 11, 2021 and was held on Monday, April 12, 2021 at 2:00 pm via Zoom. If you missed the BURLCO Fund Commissioner Orientation, and would still like this training, please contact the Executive Directors office and we will provide this training.

In regards to filing your Financial Disclosure Statement, in 2014, the Division of Local Government Services implemented a new "on line" process for completion and submission of Financial Disclosure Statements (FDS). Each Fund Commissioner has a unique PIN # for which to file for their position of Fund Commissioner with the JIF. Newly assigned Fund

Commissioners receive their Filing PIN # from the Executive Director's office once we are notified of their assignment. Once we are notified that the online portal is open and receive Local Notice 2021-08, Kris Kristie will notify all Fund Commissioners, and Fund Professionals required to complete the FDS process, via email of their responsibility to include their role with the JIF on their FDS. All FDS must be submitted by June 30, 2021. Any newly appointed Fund Commissioner that has not yet received their PIN#. Please contact the Executive Directors office.

Lastly, Mr. Forlenza referenced the quarterly attendance record included in the agenda packet for the first quarter of 2021. He noted this information is taken directly from the minutes of the Recording Secretary, so if you notice a discrepancy, please contact Kris Kristie.

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

SOLICITOR'S REPORT

Closed Claims Report

Mr. DeWeese stated that there were no (0) closed cases since the last meeting:

MEL EPL Helpline & Authorized Contact List – Mr. DeWeese reminded the members to please review the attached list of authorized contacts for the *MEL Employment Practices Helpline* and that members can appoint up to **two (2)** municipal representatives who will be permitted to contact the *Helpline* attorneys with their inquiries. The appointment of the municipal representatives must be made by Resolution of the Governing Body. These authorized contacts are the only individuals permitted to access this service, so please review the list and be sure who you would like appointed as the contacts is actually appointed.

Lastly, Mr. DeWeese referenced a Legal Bulletin he had emailed to all members recently and was presented as a handout at tonight's meeting, which described *Daniel's Law*. He explained Daniel's Law was adopted in response to the tragic murder of Federal Judge Salas's son and the shooting of her Husband. The purpose of the Law was to forbid the disclosure, by municipalities and others, of the addresses and other personal information of Judges and their family members. The Law provides for a civil remedy for the wrongful disclosure of the addresses and personal information of Judges and their family members. In addition, the law includes Police Officers (active and retired), Judges and Prosecutors and their respective family members. Mr. DeWeese stated he didn't feel it was a very well thought out legislation, however, the purpose of his bulletin was simply to advise of the law and to give some direction on your responsibilities regarding this law. As this is a new law there are no other Case Laws or Opinions providing any further guidance. Mr. DeWeese feels *Daniel's Law* establishes some major obstacles for municipal governments as well as State Governments to make certain the addresses and phone numbers are not accessible on the internet of current and past Judges or Prosecutors as you may not even know who they are or even if they are residing in your municipality.

Mr. DeWeese noted the hope is, that going forward, there will be more guidance in how to deal with the requirements this law has established. Mr. DeWeese noted he just wanted to present this introduction to it, and in the meantime should you have any questions, please reach out to him and he will be happy to assist you. Mr. DeWeese stated his hope is there will be better information provided going forward.

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

SAFETY DIRECTOR'S REPORT

Mr. Saville stated that the Safety Director's Report is included in the agenda and is self-explanatory. He then highlighted the following:

Mr. Saville noted his report included a list of the Safety Director Bulletins and Safety Announcements issued during the month.

Mr. Saville noted the MSI training continues to be provided through the Zoom Webinar format due to restrictions brought about from the pandemic, however he wanted to remind everyone that training requirements must still be met and that PEOSHA is actively conducting compliance visits. He recommends taking advantage of the MSI Live virtual classes of the videos offered through MSI Now. Group registrations are available for those with limited internet capabilities.

Mr. Saville noted, if it has not been done recently, please look at the newly updated MSI website, as navigation is now easier, and to please be sure the appropriate personnel review the Safety Bulletins as they are distributed, especially those for law enforcement.

In regards to the Police One Training, Mr. Saville reported that 16 of the 20 law Enforcement agencies in the BURLCOJIF are actively participating in the program. Activity has remained unchanged for the last two months, and we still have one member with no activity at all. If anyone is interested in the details you may email him and he will provide that information.

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

CLAIMS ADMINISTRATOR'S REPORT

Lessons Learned from Losses

Mr. Roselli presented the *Lessons Learned from Losses* for April which reviewed *Inspection Programs*. He then highlighted the following in order to ensure that observations are reported, corrected, and documented, consider the following:

- Ensure a system of regular inspections and observations
- Training employees to identify potential hazards
- Procedures for employees and citizens to report potential hazards
- Procedures to log all reports and record corrective actions
- Procedures to notify other entities/authorities of condition and/or incidents that require attention
- Procedures to investigate incidents and accidents
- DOCUMENT! If it is not documented, it did not happen!

Mr. Roselli then discussed an example of how a costly claim was decided in favor of the insured due to the member's very active maintenance and inspections program.

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

Qual-Lynx Annual Report

Mr. Roselli referenced the 2019/2020 Qual-Lynx Annual Report included in the agenda packet and thanked Mr. Forlenza, Mr. Miola, Ms. Mooney, Ms. Langsdorf, and Ms. Beatty for their assistance working on this report.

Mr. Roselli noted the Report is self-explanatory, encouraged all members to review it, and highlighted the following:

The year 2020 was a game changer, as the amount of claims increased with the onset of COVID 19 (a 44% increase in claims counts) and transitioning 150 employees to work from home. The total number of claims received across all line of coverage for 2020 was 2,049 with 727 remaining open as of 12/31/20. What we weren't thinking of as 2020 came about was the number of weather events to come. The first event occurred in early February, and there were three catastrophic weather events in April, two in June, two in July, Tropical Storm Isaias in early August and three in November and December. 2019 only brought a few weather events. These weather events have created many additional claims for the Property unit to handle.

Mr. Roselli noted Street Maintenance had the highest number of Liability claims in 2020, with Police having the most costly. In regards to Property Claims for 2020, Street Maintenance again had the highest number and most costly claims.

In regards to Workers Compensation Claims, due to the 30% increase in claims due to COVID 19, there was need for additional staffing to adjust and monitor the claims through 2020 and into 2021. The Police had the highest number of claims and the most expensive claims in 2020 by far, and this was mostly due to the high number of COVID claims that arose from the Police Departments. There was a total of 102 COVID related claims in 2020 for the BURLCOJIF with a cost of \$2,164.68 per claim and a total incurred of \$263,009 for 2020.

Ms. Beatty reported on the Managed Care aspect of the Annual report, noting 219 new providers were recruited into the Workers Compensation Network, and over the last five years a total of \$7,326,372 was saved by the BURLCOJIF after applying the QualCare Provider Network discounts. The average Participating Provider Penetration Rate was 93% for the BURLCOJIF over those 5 years. This means that members of the BURLCOJIF utilized our network of providers 93% of the time, which helps generate the savings. In addition, initial direction of care to occupational medicine or urgent care facilities resulted in savings to the BURLCOJIF of \$260,251 in 2019 and \$265,997 in 2020 based on the average cost per visit with an additional savings of \$6,818 for utilizing the myMatrixx prescription benefit management program.

Ms. Beatty reported the average monthly case load in 2020 per Nurse Case Managers was 18 cases; up from 16 in 2019 and a total amount of \$158,131 saved by the BURLCO JIF in 2020 by accommodating Transitional Duty.

Ms. Beatty noted in regards to Virtual Care, QualCare, in cooperation with Qual-Lynx, was able to partner with our vast network of medical providers to establish Virtual Care treatment panels with providers who were willing and able to provide tele-medicine and tele-rehab in lieu of in-person office visits. Minimal interruption of care was experienced by our claimants; in most cases any disruption was related to the state mandated postponement of surgeries.

In conclusion, Mr. Roselli noted in 2019 - 2020, Qual-Lynx continued to handle the JIF's claims, provide training to the members and provide feedback to the Administrator, Solicitor and Safety Professionals.

Mr. Wolbert asked if QualCare looks at Urgent Care locations, specifically Riverside, to see what exact services they offer. He noted he has sent employees to Riverside Urgent Cares, just

to find out they don't handle certain services ie: x-rays, etc. He noted this tends to delay treatment and it ends up in multiples bills for different services from different locations. Ms. Beatty noted she would look into this situation

WELLNESS DIRECTOR'S REPORT

Ms. Schiffer stated her report is included in the agenda packet and highlighted the following:

She stated that the first quarter is a very busy time with budgeting, taxes and continued restrictions and guidelines that have to be followed due to the pandemic so let's focus on planning some wellness initiative before we get too far into the second quarter so we avoid being pressured at the end of the year to spend the money.

Ms. Schiffer presented these ideas to consider:

- Fun challenges – bingo (theme oriented, check out the sample in your agenda packet), weight loss/maintenance, sports themed wellness challenges (Spring Training, Baseball Homerun)
- Virtual or on-site cooking demos (purchase all the ingredients for participants so they can try the recipe at home)
- Offer a craft activity (purchase the materials for participants to try)
- Start a club - walking, book, recipe, garden/herbs, food drive, stretching etc. (identify employees with similar interests)
- A 10 – 15 minute Reset Break once a week (time for mindfulness – someone different leads the group each week)
- Produce – CSA or delivery/pick up from local grocery
- Have a theme day where employees can dress to represent that theme (silly hat day, Hawaiian shirt day) – have employees vote on a winner for a small prize
- Once a week ask a trivia question relative to wellness
- Wellness information display rack
- Chair massages

Please remind your Municipal Wellness Coordinator that wellness activities will never generate interest with all employees, but their hard work and dedication in trying to bring ideas to them is appreciated and valued! Even if it brings happiness to a few, the efforts are well worth!

Ms. Schiffer reported there were no new activities scheduled as of when this report was submitted and any updates will be presented during the Executive Committee Meeting.

If you are planning or have held a wellness initiative that she is not aware of, please let her know. She would like to share all ideas so other towns can benefit should they be looking for something different to do.

Ms. Schiffer reported the Food Bank of South Jersey offers free educational classes and cooking demos for the following counties: Burlington, Camden, Gloucester, and Salem. She had sent out a flyer with more information to those towns that would be eligible.

Ms. Schiffer noted another mindful practice is scheduled for April 22th – Earth Day. Notification will go out prior to the event

Ms. Schiffer noted the Newsletter contained in your agenda packet covers the following topics:

- Managing your stress is possible

- Consider meditation (let's plan to do another mindfulness practice later this month...stay tuned) :-)
- Why walking is beneficial
- Laughter- do you have a sense of humor?
- Tips to spring clean your mind
- Nutritional Bites - growing your own broccoli sprouts
- Recipe - Pea Pesto Pasta with sun-dried tomatoes & arugula

Also included was Coping with Stress Bingo, and a Word Search Puzzle along with a listing of JIF Approved Wellness Items and Activities.

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

MANAGED HEALTH CARE REPORT

Lost Time v. Medical Only Cases

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

	<i>March</i>	<i>YTD</i>
<i>Lost Time</i>	8	22
<i>Medical Only</i>	12	33
<i>Report Only</i>	20	85
<i># of New Claims Reported</i>	40	140
<i>Report Only % of Total</i>	50%	61%
<i>Medical Only/Lost Time Ratio</i>	60:40	60:40
<i>Average Days to Report</i>	5.3	5.0

Ms. Beatty noted the Average Days to Report is running high due to the COVID claims and how long it takes to contract trace to confirm who may have been exposed. Mr. Miola asked if a separate report could be generated to show the COVID Claims and the days to report relating to those claims and then a separate report for all other claims. This will allow us to determine accurate Days to Report, exclusive of COVID related claims. Ms. Beatty stated she would have it available for next month's meeting.

Transitional Duty Report

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

<i>Transitional Duty Summary Report</i>	<i>YTD</i>
<i>Transitional Duty Days Available</i>	559
<i>Transitional Duty Days Worked</i>	387
<i>% of Transitional Duty Days Worked</i>	69%
<i>Transitional Duty Days Not Accommodated</i>	172
<i>% of Transitional Duty Days Not Accommodated</i>	31%
<i>\$ Saved by Accommodating</i>	\$4,1197

<i>\$ Lost by Not Accommodating</i>	<i>\$21,245</i>
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Ms. Beatty presented a report that depicts the number of cases related to COVID-19 from January 2021 to March 2021 by town and month. The highlights of this report are as follows:

Total Cases in the BURLCOJIF:	98
Indemnity:	17
Medical Only:	16
Report Only:	65

PPO Penetration Report:

Ms. Beatty presented the PPO Penetration Report:

<i>PPO Penetration Rate</i>	<i>March</i>
<i>Bill Count</i>	<i>218</i>
<i>Original Provider Charges</i>	<i>\$400,014</i>
<i>Re-priced Bill Amount</i>	<i>\$192,933</i>
<i>Savings</i>	<i>\$207,081</i>
<i>% of Savings</i>	<i>52%</i>
<i>Participating Provider Penetration Rate - Bill Count</i>	<i>95%</i>
<i>Participating Provider Penetration Rate -- Provider Charges</i>	<i>96%</i>
<i>EPO Provider Penetration Rate - Bill Count</i>	<i>96%</i>
<i>EPO Provider Penetration Rate -- Provider Charges</i>	<i>93%</i>

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

TECHNOLOGY RISK SERVICES REPORT

Mr. Romero noted in regards to the phishing emails for the month of February there were 650 phishing emails issued with 11 clicked, or 1.7%, which is very good. Mr. Romero noted again, there are some firewalls that are blocking the phishing email exercises, and asked the members to please ask your IT service provider to whitelist the IP address that Pivot Point uses to launch their simulated phishing emails. He also noted he will continue to send reports to the Fund Commissioners so they can see which employees are clicking on the phishing emails.

Mr. Romero noted the MEL has launched the revised Cyber Risk Management Program and he is planning two training webinars to help you become familiar with the requirements and the rollout of the program. These webinars are identical, and will be reviewing the three Tiers, inclusive of some new requirements including: Password Management, Email Warning Label, System and Event Logging, Remote Access – Pin, Third Party Risk Management and some others. These webinar trainings will take place on April 13th and April 21st, both at 10:00 am.

In regards to the MEL Cyber Risk Management Compliance, 22 of our 28 members are certified in Tier 1, and 20 of the 28 are completely certified. He is working on webinars as just discussed,

a worksheet and a new assessment process which will include new findings, recommendations and guidance as he explained some controls have moved between Tiers and some have become more stringent. Mr. Romero noted he will be presenting a training presentation for the upcoming virtual Retreat and additional information will be forthcoming.

Mr. Romero noted that Pivot Point Security continues to be back on track with their Vulnerability Scanning of member firewalls and gateways, and included the report in the agenda packet. He noted everyone should have received their Vulnerability Report for this month.

Lastly, Mr. Romero reminded everyone again, with tax season being extended, to be careful of emails indicating they are from the IRS, or related to taxes as cyber criminals are trying to get you to believing they are sending you legitimate tax documents, or insist you owe the IRS money. He also noted cyber criminals have now started what is called Credential Stuffing. This is a type of cyberattack in which threat actors attempt to access online accounts using compromised user credentials exposed in a data breach. Lists of compromised credentials are often found on dark web forums or for sale on dark web marketplaces. Once these lists are obtained, threat actors can use scripts to automate the process of attempting to access online accounts using these credentials. These attempts can be successful when a user reuses a password across multiple accounts; therefore, exposed user credentials for account A can result in the compromise of account B. Account compromises can lead to identity theft, financial theft, and further cyberattacks, including network compromises and data breaches.

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

TREASURER'S REPORT

Mr. Tontarski presented an overview of the Treasurer's Report for the month of March 2021, a copy of which was provided to the membership in the agenda packet. Mr. Tontarski reports are valued as of March 31, 2021 for Closed Fund Years 1991 through 2016, and Fund Years 2017, 2018, 2019, 2020, and 2021.

Investment Interest

Interest received or accrued for the reporting period totaled \$17,989.44. This generated an average annual yield of .86%. However, after including an unrealized net loss of \$38,378.24 in the asset portfolio, the yield is adjusted to -1.25% for this period. The total overview of the asset portfolio for the fund shows an overall unrealized gain of \$44,704.45 as it relates to current market value of \$3,751,446.36 vs. the amount we have invested. This current market value, however, when considering the total accrued income at month end is \$4,763,071.25.

Our asset portfolio with Wilmington/Trust consists of 4 obligations with maturities less than one year.

Mr. Tontarski noted the correct month of the Claims Activity Reconciliation Report was emailed out earlier to everyone as a handout for today's meeting. He also noted this was the first month that the MEL JCFI Account was included in his report and he noted there was currently \$11,977,192.24 in that account.

Receipt Activity for the Period

	Monthly	YTD
Subrogation Receipts	\$12,340.02	\$13,109.83
Salvage Receipts	\$0.00	
Overpayment Reimbursements	\$0.00	

MEL Excess Property Reimbursements	\$12,253.96	
FY 2021 Premium Receipts	\$257,162.00	

A.E.L.C.F. Participant Balances at Period End

Delran Township	\$16,210.00
Chesterfield Township	\$1,115.00
Bordentown City	\$70,484.00
Bordentown Township	\$63,883.00
Westampton Township	\$10,436.00

Cash Activity for the Period

During the reporting period the Fund’s “Cash Position” changed from an opening balance of \$19,709,007.04 to a closing balance of \$19,344,614.69 showing a decrease in the fund of \$364,392.35.

Loss Run Payment Register – March 2021

Mr. Tontarski stated that the report included in the agenda packet shows net claim activity during the reporting period for claims paid by the Fund and claims payable by the Fund at period end in the amount of \$527,375.24. The claim detail shows 415 claim payments issued.

Bill List –April 2021

For the Executive Committee’s consideration, Mr. Tontarski presented the April 2021 Bill List in the amount of \$552,919.45

Acting Chair Gural entertained a motion to approve the April 2021 Loss Run Payment Register and the April 2021 Bill List, as presented.

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

Motion by Mr. Theokas seconded by Mr. Ingling to approve the *March 2021 Loss Run Payment Register and the April 2021 Bill List* as presented.

ROLL CALL *Yeas* James Ingling, **Wrightstown Boro.**
 Paula Kosko, **Hainesport Twp.**
 Rich Wolbert, **Beverly City**
 John Gural, *Secretary*, **Palmyra Boro.**
 Grace Archer, **Bordentown City**
 Mike Theokas, **Bordentwon Township**

Nays: None
Abstain: None

Motion carried by unanimous vote.

COMMITTEE REPORTS

Safety Committee Meeting Minutes – March 16, 2021

In Mr. Cramer’s absence, Mr. Miola presented the Safety Committee Meeting report. Mr. Miola noted the Committee met on March 16, 2021 and the detailed minutes included in the agenda packet were a draft copy. He apologized for the error and noted the correct minutes were

emailed out to all members prior to today's meeting for your review. He then highlighted the following from the meeting.

He noted the committee reviewed and discussed the latest Loss Ratio Reports for the JIF, MEL and EPL valued as of 12/31/20, Safety Bulletins; Police Training MEL Safety & Education Committee minutes from November 2020 and January 2021; Wellness initiatives; and PEOSHA updates and their most cited citations. Mr. Miola noted the MEL is working diligently on getting information out to all members in regards to the Cannabis Legislation and there are several memorandums included in the agenda this month. Mr. Miola also noted there will be a virtual Police Ad-Hoc meeting April 27, and as far as Wellness, Ms. Schiffer gave a good report earlier in the meeting. Lastly he noted a pre-recorded presentation will be added to the JIF website in regards to the Safety Kickoff Breakfast, as well as had discussions on holding certain events virtually or in-person. Mr. Miola noted that concluded his report unless there were any questions. No questions were entertained.

MEL/RCF/E-JIF REPORT

Mr. Forlenza reported the MEL, RCF, and EJIF met on March 26, 2021 and referenced several reports and bulletins included in the agenda. He noted there is quite a bit of information so please be sure to read through it. He then highlighted the following:

Mr. Forlenza noted the deadline for the EPL Compliance date has been extended from June 1, 2021 to November 1, 2021. He also noted there was action taken to move forward with an RFQ for the Excess Property Claims Administrator for the MEL, as they do not seem happy with the services currently being provided.

Mr. Forlenza noted as Mr. Miola had stated earlier, the legalization of Cannabis is a big issue and attached to the MEL Report this month are a number of memorandums that provide some good direction and information, and also provided separately was a Bulletin on the topic of Mandatory Vaccines of employees. The MEL had originally crafted a memorandum, and then Mr. DeWeese expanded on that memo and it was distributed in January and we included again in the agenda packet this month.

Also released was a Legal Bulletin from Mr. Semrau, Solicitor for the MEL, which provides an update on NJ Cannabis Legislation and includes a model ordinance of which members can use to opt out of in regards to allowing the establishment of Cannabis Distribution Facilities within their municipal borders. Mr. Forlenza stated to be careful with this and to review with your Solicitor prior to acting as obviously this ordinance comes into play and is different then your Land Use Ordinance, so please be sure to review this carefully prior to undertaking this particular type of ordinance.

Mr. Forlenza noted there was yet another Bulletin issued in February in regards to NJ Cannabis Legislation and Public Safety Zoning issues and Policies and Best Practices. Mr. Forlenza emphasized again to please read through all of these documents and be cognoscente of these issues as they start to develop. He also noted the MEL emailed out early today a memorandum that talks about the use of Cannabis in the workplace. If you have any questions, you can reach out to the Fund Solicitor, the MEL Helpline, or the Executive Director's office.

Mr. Forlenza stated that concluded his report unless there were any questions. Acting Chair Gural asked if there was any type of survey of the members to see who was interested in the Cannabis distribution sites and who wasn't and why? Mr. Forlenza stated not as of now. Mr. Gural noted it may be helpful to understand what everyone's neighbor is doing. Mr. Forlenza noted he would look into it. No further questions were entertained.

Mr. Matchett noted the RCF also met on March 26, 2021, and Mr. Forlenza covered most everything that was covered not only at the MEL meeting, but the RCF Meeting as well. Mr. Matchett stated the rest of the report was included in the agenda and is self-explanatory. He did highlight though that there was a report from the EJIF discussed in regards to growing Cannabis and that the odor can travel up to ½ mile, so there is some concern in regards to that issue. Mr. Matchett noted if this is going to be going on in your town, you may need to alert your residents. He then stated unless there were any questions, that concludes his report. No questions were entertained.

Mr. Forlenza noted the EJIF met as well on March 26, 2021 and that report was also included in the agenda packet and to please take note of the Environmental Alert and the impact of cannabis on the environment. Mr. Forlenza asked if there were any questions. No questions were entertained.

MISCELLANEOUS BUSINESS

Acting Chair Gural entertained a motion to adopt *Resolution 2021-20* Authorizing the payment of \$15,840.00 in Allocated File Expenses for 2020 COVID Related Workers Compensation Expenses From the 2020 Loss Funding Budget and Further Authorizing the Ongoing Payment of 2021 COVID Related Expenses in Accordance with the Professional Services Contracts Between Qual-Lynx and the Burlington County Municipal Joint Insurance Fund.

Mr. Forlenza reminded the Committee of their discussions last month regarding additional compensation due and owing to Qual Lynx as a result of the influx of COVID claims. Mr. Forlenza reminded the Committee that the deciding factor in the amount of additional compensation due to Qual Lynx is based upon how the COVID claims are interpreted under the excess WC policy; one occurrence, thus all COVID claims are considered part of the same occurrence with multiple claimants, or as individual claims.

Mr. Forlenza also reminded the committee that at the last MEL Executive Director's meeting it was clear that no matter how the excess WC insurer, Safety National, decides in regards to their interpretation of the COVID claims, the MEL is considering this one occurrence with multiple claims.

With that said, Mr. Forlenza explained how the Qual-Lynx contract currently reads for situations where there is "one occurrence" with multiple claimants. Pursuant to the contract, he is making a recommendation that the Fund make a payment to Qual-Lynx that incorporates all of the documented hourly charges for COVID claims through the end of 2020. He noted that this payment would be made out of the 2020 loss funding dollars as the hourly fee is an allocated file expense as noted in the contract. Qual Lynx provided detailed documentation by the tenth of the hour for 2020 COVID claims. In total, 243 hours at \$65 per hour are documented for a total cost of \$15,840. Mr. Forlenza noted he has discussed with Mr. DeWeese how payment should be made, and Mr. DeWeese is of the opinion that a Resolution authorizing the payment and documenting the reason for the payment should be approved by the Fund. Mr. Forlenza referenced Resolution 2021-20 presented for approval. He also noted the resolution authorizes the continuing billing of the hourly rate for 2021 the cost of which will be billed to the loss funding budget.

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

Motion by Mr. Wolbert seconded by Mr. Ingling to adopt Resolution 2021-20 as presented. All in favor. Motion carried.

Next, Acting Chair Gural asked for a Motion to authorize the Fund Solicitor & Executive Director to prepare, advertise, and receive Requests for Qualifications for the position of Workers Compensation Defense Attorneys and Liability Defense Attorneys.

Motion by Mr. Theokas, seconded by Mr. Ingling for authorization as requested. All in favor. Motion carried.

Next Meeting

Acting Chair Gural noted that the next meeting of the BURLCO JIF will take place on **Tuesday, May 18, 2021 at 3:30 PM** via Zoom Conferencing.

PUBLIC COMMENT

Motion by Mr. Cramer, seconded by Mr. Wolbert to open the meeting to the public. All in favor. Motion carried.

Acting Chair Gural opened the meeting to the public for comment.

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

Acting Chair Gural entertained a motion to close the public portion of the meeting.

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

EXECUTIVE SESSION MEETING – Resolution #2021-21

Acting Chair Gural 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. Kosko, seconded by Mr. Wolbert to Adopt **Resolution #2021-21**

ROLL CALL	Yeas	James Ingling, Wrightstown Boro. Paula Kosko, Hainesport Twp. Rich Wolbert, Beverly City John Gural, Secretary, Palmyra Boro. Grace Archer, Bordentown City
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Nays:	None
Abstain:	None

All in favor. Motion carried by unanimous vote.

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

REOPEN PUBLIC PORTION OF THE MEETING

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

Motion by Mr. Ingling seconded by Mr. Wolbert to reopen the public portion of the meeting. All in favor. Motion carried.

APPROVAL OF CLAIMS PAYMENTS

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

<i>Workers' Compensation</i>	<i>General Liability</i>	<i>Property</i>
2020198969	2020192488	2021226600
2018143570		2021230222
2021212406		
MLT-2021221630		

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

Motion by Ms. Archer, seconded by Mr. Wolbert, to approve the following claims as discussed in *Closed Session*.

ROLL CALL *Yeas* James Ingling, Wrightstown Boro.
 Rich Wolbert, Beverly City
 John Gural, Secretary, Palmyra Boro.
 Grace Archer, Bordentown City

Nays: None
Abstain: None

Motion carried by unanimous vote.

AUTHORIZATION TO ABANDON SUBROGATION – APPROVAL

There were zero (0) claim(s) presented for abandon subrogation:

MOTION TO ADJOURN

Acting Chair Gural entertained a motion to adjourn the April 20, 2021 meeting of the BURLCO JIF.

Motion by Mr. Ingling, seconded by Mr. Wolbert to adjourn the April 20, 2021 meeting of the BURLCO JIF. All in favor. Motion carried.

The meeting was adjourned at 5:10 PM.



 Kris Kristie,
Recording Secretary for



 Rich Wolbert, *ACTING SECRETARY*