



AGENDA PACKET



Tuesday, November 21, 2023 at 3:30 PM

Via Zoom Conferencing

<https://us06web.zoom.us/j/86187801062>

Meeting ID: 861 8780 1062

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

WWW.BURLCOJIF.ORG

BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND

**November 21, 2023 – 3:30 PM
Via Zoom Conferencing**

AGENDA

- I. Meeting called to order by Chair
- II. Salute the Flag
- III. Statement of Compliance with Open Public Meetings Act
 - A. Notice of this meeting was given by:
 - 1. Sending sufficient notice herewith to the *Burlington County Times*, Mount Holly, and the *Courier Post*, Cherry Hill NJ;
 - 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 of the BURLCO JIF.
- IV. Roll Call
 - A. Fund Commissioners
 - B. Fund Professionals
 - C. Risk Management Consultants
 - D. Move up Alternates (*if necessary*) Motion to move up _____, _____ and _____ in the absence of _____, _____ and _____ to the Executive Committee for voting purposes – **Motion – All in Favor**
- VI. Approval of Minutes
 - Motion to Adopt the **October 17, 2023 Meeting Minutes – Motion – All in Favor**.....Pages 1-12
- VII. Claims Review Committee Meeting Minutes – November 6, 2023.....Handout
- VIII. Executive Director’s Report.....Pages 13-45
 - A. Lost Time Accident Frequency.....Pages 16-17
 - B. Certificates of Insurance.....Pages 18-19
 - C. Financial Fast Track Report.....Page 20
 - D. Regulatory Filing Checklists.....Pages 21-22
 - E. 2022 Safety Incentive Program.....Page 23
 - F. 2023 Optional Safety Budget.....Page 24
 - G. 2023 Wellness Incentive.....Page 25
 - H. 2023 EPL/Cyber Risk Management Budget.....Page 26
 - I. EPL Compliance StatusPage 27
 - J. Statutory Bond Status.....Pages 28-29
 - K. Skateboard Park Approval Status.....Page 30
 - L. Capehart Scatchard Updates.....Pages 31-32
 - M. Land Use Training Certification.....Page 33
 - N. 2024-2025 MEL EPL Risk Mgmt Program.....Pages 34-45
 - O. Elected Officials Training
 - P. Model RFQ for Risk Management Services
 - Q. 2024 RMC Resolutions & Agreements
 - R. Dividend Notices
 - S. Website
 - T. New Member Activity

IX.	Solicitor’s Report	
	A. MEL Helpline and Contact List.....	Pages 46-47
X.	Safety Director’s Report	
	A. Activity Report	Pages 48-50
XI.	Claims Administrator’s Report	
	A. Lessons Learned from Losses	Page 51
XII.	Law Enforcement Risk Management	
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	E. Transitional Duty Report.....	Page 60
	F. PPO Savings and Penetration Reports.....	Pages 61-62
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	H. Quick Notes.....	Page 64
XV.	Technology Risk Services	
	A. Reports.....	Pages 65-66
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	A. Investment Report	
	B. Investment JCMI	
	C. Loss Run Payment Registers	
	D. Fund Status	
	E. Disbursements	
	F. November Bill List.....	Page 103
	Motion to approve the Payment Register & Bill Lists– Motion – Roll Call	
XVII.	Committee Report	
	A. Finance Committee Meeting Minutes – October 24, 2023.....	Pages 105-108
	1. Motion to Reaffirm the Release of \$700,000 in Surplus from Fund Years 2010-2018 as Authorized by Resolution 2023 – 28. Motion – Roll Call	
	B. Finance Committee Meeting Minutes – October 31, 2023.....	Pages 109-115
	1. 2024 Budget Message.....	Pages 116-126
	2. 2024 Budget Introduction – Motion to Introduce – Roll Call	Page 127
	3. 2024 Assessment Allocation Strategy Policy - Motion to Introduce – Roll Call	Pages 128-143
	4. 2024 Assessment Certification - Motion to Introduce – Roll Call	Page 144
	5. Resolution 2023- _____ Authorizing a Transfer of the 2019 Fund Year to the MEL Residual Claims Fund – Motion – Roll Call	Page 145

- 6. Resolution 2023-_____ Authorizing the Executive Director to Transfer the 2023 Dividends Received from the Environmental Risk Management Joint Insurance Fund Into the Member Aggregate Excess Loss Contingency Accounts – **Motion – Roll Call**Page 146
 - C. Strategic Planning Committee Meeting Minutes – November 2, 2023.....Handout
 - D. Nominating Committee Meeting Minutes – November 2, 2023.....Pages 147-149
 - 1. 2024 Draft Nomination Slate.....Page 150
 - E. Safety Committee Meeting – November 21, 2023.....Verbal
 - F. Resolution 2023 - _____ Amending the 2023 Risk Management Plan – **Motion – Roll Call**.....Pages 151-152
- XVIII. MEL/RCF/E-JIF/Cyber Reports
- A. NJ Cyber JIF Meeting Report – October 19, 2023.....Pages 153-155
 - B. Resolution 2023-_____ Appointing Megan Jack, Riverside Township, as the Fund’s Representative to the MEL/RCF/EJIF/Cyber JIF for 2024 –**Motion – Roll Call**....Pages 156-157
 - C. EJIF Meeting Report – November 8, 2023.....Page 158
- XIX. Miscellaneous Business
- The next meeting of the BURLCOJIF will be held on Tuesday, December 19, 2023 at 3:00 PM at Medford Village County Club, Medford**
- XX. Meeting Open to 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**
- XXI. **Closed Session** (*if necessary*) – Resolution 2023- _____ A request shall be made to go into Closed Session 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. Professionals’ Reports
 - 1. Claims Administrator’s Report
 - 2. Executive Director’s Report
 - 3. Safety Director’s Report
 - 4. Solicitor’s Report
 - B. Reopen Public Portion of Meeting – **Motion – All in Favor**
- XXII Approval of Claims Payments – **Motion – Roll Call**
- XXIII Authorization to Abandon Subrogation (if necessary) – **Motion – Roll Call**
- XXIV. Motion to Adjourn Meeting – **Motion – All in Favor**

BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND

Hainesport Municipal Building

October 17, 2023 @ 3:30 pm

EXECUTIVE COMMITTEE MEETING

OPEN SESSION MINUTES

A meeting of the Burlington County Municipal Joint Insurance Fund (BURLCO JIF) was held at the Hainesport Municipal Building on Tuesday, October 17, 2023. Fund Chair, John Gural, **Palmyra Borough**, presiding. The meeting was called to order at 3:30 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

Rich Wolbert, *Fund Secretary*, **Beverly City**
Mike Theokas, *Alternate*, **Bordentown Twp.**
Tom Sahol, **Chesterfield**
Erin Provenzano, **Delanco Twp.**
Fern Ouellette, *Alternate*, **Delanco Twp.**
Joe Bellina, **Delran Twp.**
Tom Pullion, **Edgewater Park**
Mike Muchowski, **Florence Twp.**
Paula Kosko, **Hainesport Twp.**
Mike Fitzpatrick, **Mansfield Twp.**
Dawn Bielec, *Alternate*, **Medford Twp.**
Susan Jackson, **New Hanover Twp.**
Mary Picariello, **North Hanover Twp.**
John Gural, *Fund Chair*, **Palmyra Borough**
Kathy Smick, **Pemberton Borough**
Dan Hornickel, **Pemberton Twp.**
Michael Mansdoerfer, **Riverside Twp.**
Susan Onorato, **Shamong Twp.**
Brandy Boyington, **Springfield Twp.**
Lisa Cummins, **Tabernacle Twp.**
James Ingling, **Wrightstown Borough**

Absent Fund Commissioners/Professionals were:

Mari Ann Capriglione, **Bass River Twp.**
Margaret Peak, **Bordentown City**
Patrice Hansell, **Fieldsboro Borough**
Carrier Gregory, **Lumberton Twp.**
Jerry Mascia, **Mt. Laurel Twp.**
Kathy Hoffman, **Southampton Twp.**
Craig Farnsworth, **Westampton Twp.**
Maryalice Brown, **Woodland Twp.**
Paul A. Forlenza, MGA, *Executive Director*, **RPA – A Division of Gallagher**
Chris Winter, *Law Enforcement Risk Management Consultant*
Chris Roselli, Account Manager, *General Liability Unit*, **Qual-Lynx**

Those also in attendance were:

Kamini Patel, MBA, CIC, CPCU, AIDA, *Deputy Executive Director, RPA – A Division of Gallagher*
David DeWeese, Fund Solicitor, *The DeWeese Law Firm, P.C.*
Rob Garish, Asst. Director of Public Sector, *J.A. Montgomery*
Karen Beatty, Account Manager, *Qual-Care*
Tom Tontarski, *Treasurer*
Debby Schiffer, Wellness Director, *Targeting Wellness*
Jerry Caruso, *Technology Risk Services Director*

Also present were the following Risk Management Consultant agencies:

Barclay Insurance
Hardenberg Insurance Group
Conner Strong & Buckelew
Insurance Agency Management
Fairview Insurance Agency

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

APPROVAL OF MINUTES

Chair Gural presented the Open session meeting minutes of the September 19, 2023 meeting of the Fund, as found in the agenda packet, for approval.

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

Motion by Mr. Hornickel, seconded by Mr. Wolbert to approve the Open session meeting minutes of the September 19, 2023 meeting. All in Favor. Motion carried by unanimous vote.

CLAIMS REVIEW COMMITTEE MEETING REPORT – October 10, 2023

Ms. Patel noted the minutes of the October 10, 2023 Claims Review Committee meeting were a handout at today's meeting and are self-explanatory. She then noted the Committee reviewed thirteen (13) PARs including eight (8) Workers' Compensation (*1 Police, 1 Fire, and 6 Other*); and one (1) General Liability, zero (0) Automobile Liability, and four (4) Property claims were reviewed for settlement, continuing defense, or to advise of trial date. Ms. Patel noted for more detail on any of these topics, please reference the minutes.

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

EXECUTIVE DIRECTOR'S REPORT

Ms. Patel reviewed the Executive Director's Report found in the agenda packet with the membership. She then highlighted the following items from the report:

Ms. Patel referenced a report showing the Certificates of Insurance issued for August/September, and asked that members please review for accuracy.

Ms. Patel noted the allowance reports for the OSB, Wellness, and EPL/Cyber Risk Management Budget balances are included in the agenda. Notices were emailed to all members on February 14, 2023, in one inclusive letter, which noted your balances and how to collect the funds. The SIP Award notification was emailed to all members on April 5, 2023 which also included balances and how to collect your SIP award. She noted that all funds must be claimed or encumbered by November 30, 2023, with encumbered funds needing to be claimed by February 1, 2024. She reminded everyone to please utilize your funds and submit your vouchers for reimbursement as soon as possible.

Ms. Patel referenced the Statutory Bond listing in the agenda noting that if you wish to secure their replacement's statutory Bond through the MEL Program, please submit the application as soon as possible as there is an Underwriting process that needs to be completed as the Bond is for the individual, not the position. She also reminded the members that those towns that are up for renewal effective January 1, 2024, should have received notice from the Fund Underwriter's office that the statutory position that the MEL provides a Bond for would need to be re-underwritten. The MEL started this process a few years ago. The year a town is up for Renewal, the MEL will re-underwrite the Statutory Bonds positions, so please watch for a notice coming directly from the Fund Underwriter regarding this process if you have not received one already.

Ms. Patel stated that on or about May 17, 2023, a memorandum outlining the 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, and she noted as of last week, there were only two (2) members who have completed their compliance checklist

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

Mr. Patel stated the Managerial & Supervisory trainings are now complete. Participation by your managers & supervisors in this training is required for compliance with the 2024-2025 MEL EPL Plan of Risk Management. She noted if you still have any Managers and Supervisors who have not completed the training, please reach out to her office, as there are still a few MEL sponsored trainings available. The attendance sheets from all sessions are on the JIF website for your reference, and CEU certificates were emailed to those that were eligible on August 7 and October 17, 2023.

In regards to Elected Officials Training, Ms. Patel stated this training will once again be held through the MSI, and once more information is available, that information will be sent out to the membership.

Ms. Patel noted on or about September 29, 2023 and email was sent out by Tracy Forlenza which included the model RFQ for Risk Management Services to all Fund Commissioners, Municipal Clerks, and Risk Managers. Also, on or about October 10, 2023 a memo and sample copies of the JIF RMC Resolution and Agreement for the 2024 Fund Year was sent out to all Risk Management Consultants.

In regards to Surplus Release, Ms. Patel noted on September 22, 2023 we requested approval for the release of \$700,000 from the Department of Banking and Insurance, and we are still waiting for that approval as they have 30 days to respond.

And lastly, M. Patel noted the 3rd Quarter attendance is included in the agenda for review. If you have any questions, or feel there are any discrepancies, please contact Kris Kristie, as the attendance is taken directly from the Recording Secretaries minutes.

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

SOLICITOR'S REPORT

MEL EPL Helpline & Authorized Contact List – Mr. DeWeese emphasized to the members to please review the attached list of authorized contacts for the *MEL Employment Practices Helpline* and be sure that who you want to have access to the Helpline are listed on this report, as calls can only be fielded from those on the list. He reminded the members that they could 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 whom you would like appointed as the contacts are actually appointed. Please remember appointments can only be made via Resolution to the Executive Directors office. He noted that he is one of the attorneys on the panel so please reach out to him with any Employment Practices questions or issues.

Mr. DeWeese noted there had been three (3) new cases since the September meeting:

Ceylan v. City of Bordentown
Gungor (minor) v. Township of Delran
Baker v. Township of Pemberton

Mr. DeWeese noted there had been two (2) closed cases since the September meeting:

Williams v. Township of Delanco
BURLCOJIF (a subrogee) v. Georgina Bussey v. Township of Delanco employee, EMT Kevin Richardson

Lastly, Mr. DeWeese stated he provided a Summary General Liability File Report this month at the October 10th meeting noting there are currently 23 active General Liability cases.

Mr. DeWeese asked if there were any questions. Mr. Fitzpatrick asked how the EPL Helpline representatives could be changed. Ms. Forlenza note the Resolution was on the website, and she sent him a link to the document. No other questions were entertained.

SAFETY DIRECTOR'S REPORT

Mr. Garish stated that the Safety Director's Report is included in the agenda and is self-explanatory, noting his report covers activities for both July and August. He then highlighted the following:

Mr. Garish noted his report included a list of the Safety Director Bulletins and Safety Announcements, including Law Enforcement messages issued during the month via the NJ MEL App and Loss Control Services, as well as the MSI Now, MSI Live, and DVD Services.

Mr. Garish noted Regional Training is scheduled for October 19, 2023 on Back Safety Material Handling, which is part of the Safety Incentive program – if you attend all of the Regional Trainings, you are eligible for the extra monies offered.

In regards to towns that utilize Crossing Guards, please be sure to reference the updated resources on the MEL website, and if you have any questions, please do not hesitate to reach out to his office.

Mr. Garish noted 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.

Lastly, Mr. Garish stated that there are quite a few festivals and special events going on this time of year, so please be sure to correspond with your RMC to acquire the necessary Certificate of Insurance as well as Facility Use Agreements in place. There are bulletins as well as a Special Events Handbook online, so please reference those, or reach out to his office with any questions or concerns

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

CLAIMS ADMINISTRATOR'S REPORT

Lessons Learned from Losses

Ms. Beatty reviewed the Lessons Learned from Losses this month that emphasized one of the most common causes of employee injuries are attributed to improper lifting or moving something. She noted by utilizing proper techniques, such as taking a moment to assess the best approach or seeking assistance, the number and severity of these claims could be significantly reduced. She stated employees are encouraged to follow the "S.M.A.R.T." lifting techniques.

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

LAW ENFORCEMENT LIABILITY CONSULTANT REPORT

Ms. Patel reviewed this report, which was included in the agenda, noting it is mostly self-explanatory, and highlighted the following.

Ms. Patel noted that Mr. Winter's activities for September were outlined in the report.

Ms. Patel noted that Policy and Procedure requests have been received and will be forwarded to requesting agencies that will contain current L/E best practices, NJ AG Guidelines and L/E Accreditation requirements.

Ms. Patel noted there were agency visits with three (3) member Police Departments completed in September. These visits were provided to discuss agency concerns, trends, Accreditation assistance and other requests. L/E RM services were outlined and provided to Chiefs and Command members present. Police agency's with Command changes will be a priority and visited as well. Agency visits are ongoing and being scheduled at this time to continue to build relationships with the Law Enforcement agencies within the BURLCO JIF and stated Activity Reports would be forwarded to the FUND Commissioners upon completion.

Ms. Patel noted that a Report Writing Class is currently scheduled for October 27, 2023 at the Burlington County Emergency Training Center and the Training Bulletin was distributed inclusive of registration information. She noted there were no other Bulletins or Newsletters distributed during September.

Lastly, Ms. Patel noted in regards to the BURLCOJIF Law Enforcement Committee, a L/E Committee is being formulated with three (3) Police Chiefs to represent (JIF) police agencies in Burlington County. Mr. Winter will meet with them on a quarterly basis virtually to discuss loss trends, concerns, training, policy and procedure assistance, L/E Accreditation guidance etc. This is being developed to maintain an ongoing forum throughout the year as an extension of the County Chiefs Association, to identify areas as previously mentioned and to reduce potential risks. The concept has been well received when discussed with Chiefs. Chiefs selected for this committee are from Bordentown City PD, Mt. Laurel PD, and Chesterfield PD, with an initial meeting being coordinated at this time.

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

WELLNESS DIRECTOR’S REPORT

Ms. Schiffer stated her report is included in the agenda packet and includes activities and planned events for October, highlighting the following items, and referenced some well-being initiatives and activities that towns have currently done, or have planned to do.

Ms. Schiffer reviewed some wellness ideas and initiatives in hopes that towns will consider some of these ideas to utilize their funds which included ideas for Fall such as Holiday cook-offs, healthy holiday desserts, Wellness Day offerings including flu shots and Blood Pressure screenings; fun holiday resiliency challenges as well as Maintain Don’t Gain challenge.

Ms. Schiffer noted this quarter’s theme is all about reducing Stress. The newsletter will be distributed sometime in October followed by handouts in November and December on how stress impacts specific conditions (TBD). Since stress can be at a heightened state as we progress towards the holidays, offering some type of Stress Management initiative at your municipality is highly recommended. Please reach out to her if you need ideas or if you would like her to present (or set up a speaker) on this subject.

Ms. Schiffer reminded the members that any remaining Wellness Funds must be used or encumbered by November 30, 2023, so please reach out to her with any questions.

Ms. Schiffer noted the Wellness Advisory Committee met on September 19, 2023 and once the minutes are approved at the next BURLCO Safety Committee meeting, she will share them at the following Executive Committee meeting.

Lastly, in regards to Dr. Elias’ Program –Leadership Group Coaching: Crisis Response and Transformational Leadership , Dr. Elias has reached out to 17 Chief’s provided by Keith Hummel. It has been a challenge to get commitment. It was reported that those who attended last year would like to send more of their officers, which is great, however, we still have 9 paid spots to fill as the next Cohort starts at the end of October. Please encourage your Chief to reach out to her or Keith if he/she is interested in trying out this program.

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

MANAGED HEALTH CARE REPORT

Ms. Beatty noted she had included the September reports in the agenda and highlighted the following:

Lost Time v. Medical Only Cases

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

	<i>September</i>	<i>YTD</i>
<i>Lost Time</i>	<i>0</i>	<i>20</i>
<i>Medical Only</i>	<i>10</i>	<i>87</i>
<i>Report Only</i>	<i>14</i>	<i>110</i>
<i># of New Claims Reported</i>	<i>24</i>	<i>217</i>
<i>% Report Only</i>	<i>58%</i>	<i>51%</i>
<i>Medical Only/Lost Time Ratio</i>	<i>100:00</i>	<i>81:19</i>
<i>Average Days to Report to Qual-Lynx</i>	<i>2.1</i>	<i>2.6</i>
<i>Average Days Reported to employer</i>	<i>0.4</i>	<i>1.0</i>

Claims Report by Type

This report depicts the number of claims and average number of days to report a claim by individual member to Qual-Lynx, YTD 2023.

All Claims – 2.6 days to report
 Non-COVID Claims – 2.8 days to report
 COVID Claims – 2.1 days to report

Transitional Duty Report

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

Transitional Duty Summary Report	YTD
<i>Transitional Duty Days Available</i>	1,649
<i>Transitional Duty Days Worked</i>	863
<i>% of Transitional Duty Days Worked</i>	52%
<i>Transitional Duty Days Not Accommodated</i>	786
<i>% of Transitional Duty Days Not Accommodated</i>	48%
<i>\$ Saved by Accommodating</i>	\$88,129
<i>\$ Lost by not Accommodating</i>	\$97,046

Ms. Beatty also presented a report that depicts examples of transitional duty assignments that can be utilized for injured employees who are released by the attending physician to return to work in a limited capacity.

PPO Penetration Report:

Ms. Beatty presented the PPO Penetration Report:

PPO Penetration Rate	September
<i>Bill Count</i>	186
<i>Original Provider Charges</i>	\$316,663
<i>Re-priced Bill Amount</i>	\$108,265
<i>Savings</i>	\$208,398
<i>% of Savings</i>	66%

Top 10 Providers by Specialty: This report breaks down our top 10 providers by specialty e.g. Anesthesia/Pain Management, Facility, and MRI/Radiology, as these are the heaviest expenses the Fund incurs.

Nurse Case Management Report: This report depicts the number of open cases each Nurse Case Manager carried for each month to date, along with how many cases were closed for the current month, and how many cases were opened for the current month.

Prescription Benefit Summary YTD: Ms. Beatty reviewed a report in the agenda that depicts the year-to-date statistics for the Prescription Benefit Management Program. Ms. Beatty reviewed the report with the Committee outlining the year-to-date script count, utilizing patients count, opioid cost percentage, opioid script percentage, generic utilization percentage, cost per patient and cost per script.

Managed Care Quick Notes

Ms. Beatty directed the Committee's reported on a claim scenario where the entire Qual-Lynx team worked together to obtain the best possible outcome for the Claimant and JIF. In this particular scenario, the claimant refused an urgent surgery despite being recommended by two neurosurgeons. Qual-Lynx has requested that the neurosurgeons provide a written document outlining the warning disclosed to the claimant and any potential work restrictions should the claimant continue to refuse surgery.

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

TECHNOLOGY RISK SERVICES REPORT

Mr. Caruso referenced his reports included in the agenda, however the Phishing, Vulnerability and Penetration status and Cyber JIF Framework Compliance reports have been removed. He indicated this was done to prevent information being available to bad actors. With that said, Mr. Caruso noted he has that information, and should anyone want those reports, please contact him and he will provide them to you.

Mr. Caruso reviewed the training results report, which was included in the agenda, noting the BURLCOJIF is at 90%, which is good, but is not great, and stated he would like to see that percentage at 100% as soon as possible. If there are any members that still owe Mr. Caruso an updated roster, or have not completed the training, he implored to the members of the importance of getting this completed. He emphasized again how important completing the training is and not completing this will cause your town to have a higher deductible.

Mr. Caruso reported in regards to the vulnerability and penetration testing by D2, the BURLCO JIF is at 100%, which means all of the VSA and KYC forms have been completed and associated IP addresses recorded. He noted if they had been able to get into your network during the penetration testing, you would have received notification by now, and as he has not received any notifications either, he believes there are no critical vulnerabilities in the BURLCOJIF, which is great news.

In regards to the Cyber JIF Framework there is only have one (1) town who has submitted both the minimum and advanced security documents. He noted he would like to see more of that paperwork come in as soon as possible, so the Fund Underwriter sees that progress is being made. Even if you are still working on achieving the advanced standard, please send in the completed checklist for the minimum standard, and then when you achieve the advanced security standard, you can submit that at anytime.

Lastly, Mr. Caruso reported this month's bulletin addresses the importance of vulnerability scanning and penetration testing to local government networks. He noted the bulletin is very informative, is a very important part of what we are doing, and encouraged everyone to please read through it.

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

TREASURER'S REPORT

Mr. Tontarski presented an overview of the Treasurer's Report for a two month period ending September 2023, a copy of which was provided to the membership in the agenda packet. Mr. Tontarski's reports are prepared on a "modified cash basis" and relate to financial activity through the one-month period ending September 30, 2023 for Closed Fund Years 1991 through 2018, and Fund Years 2019, 2020, 2021, 2022 and 2023.

Investment Interest

Interest received or accrued for the reporting period totaled \$40,319.88. This generated an average annual yield of 2.78%. However, after including an unrealized net loss of \$91,492.01 in the asset portfolio, the

yield is adjusted to -3.53% for this period. The total overview of the asset portfolio for the fund shows a current market value of \$13,076,463.56.

Receipt Activity for the Period

	Monthly	YTD
Subrogation Receipts	\$29,775.00	\$72,241.61
Salvage Receipts	\$0.00	
Overpayment Reimbursements	\$0.00	

Loss Run Payment Register – September 2023

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 is \$217,117.09. The claim detail shows 306 claim payments issued.

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

Interest Allocated for the Period \$5746.51 for a total Member Balance of \$322,979.13.

Cash Activity for the Period

During the reporting period, the Fund’s “Cash Position” changed from an opening balance of \$17,579,512.98 to a closing balance of \$17,239,041.32 showing a decrease in the fund of \$340,471.66.

Bill List – October 2023

For the Executive Committee’s consideration, Mr. Tontarski presented the October 2023 Bill List in the amount of \$111,346.17, which was included in the agenda packet.

Chair Gural entertained a motion to approve the September 2023 Loss Run Payment Registers and the October Bill List in the amount of \$111,346.17 as presented.

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

Motion by Mr. Hornickel, seconded by Ms. Provenzano to approve the *September 2023 Loss Run Payment Register and October Bill List* as presented.

- ROLL CALL** *Yeas* Rich Wolbert, **Fund Secretary, Beverly City**
 Mike Theokas, *Alternate*, **Bordentown Twp.**
 Tom Sahol, **Chesterfield**
 Erin Provenzano, **Delanco Twp.**
 Joe Bellina, **Delran Twp.**
 Tom Pullion, **Edgewater Park**
 Mike Muchowski, **Florence Twp.**
 Paula Kosko, **Hainesport Twp.**
 Mike Fitzpatrick, **Mansfield Twp.**
 Dawn Bielec, *Alternate*, **Medford Twp.**
 Susan Jackson, **New Hanover Twp.**
 John Gural, **Fund Chair, Palmyra Borough**
 Kathy Smick, **Pemberton Borough**
 Dan Hornickel, **Pemberton Twp.**
 Michael Mansdoerfer, **Riverside Twp.**
 Susan Onorato, **Shamong Twp.**
 Brandy Boyington, **Springfield Twp.**

Lisa Cummins, **Tabernacle Twp.**
James Ingling, **Wrightstown Borough**

Nays: None
Abstain: None

Motion carried by unanimous vote.

Mr. Hornickel asked Mr. Tontarski if at the start of next year if he could compare what the BURLCOJIF earned from the Bank of New York investments to what we would have earned with Wilmington Trust for this past fund year?

Mr. Tontarski noted that wouldn't be easy to try and compare the two, but he will research if there is a way to do that, noting the JCMI was created to purchase short-term Bond Anticipation Notes at fair market prices to save towns money and enable the continuation of important local improvement projects. He noted that Wilmington Trust does not get involved in this particular area as they are more involved in Federally Direct Securities.

Mr. Hornickel stated he would be curious to see what we would have earned under Wilmington Trust versus the JCMI over that period. Mr. Tontarski stated he would look at it, but not sure how accurate it would be due to the structure as he explained.

COMMITTEE REPORTS

Strategic Planning Committee – Executive Committee meeting start time Survey Results

Mr. Hornickel reminded the Committee of the discussion last month in regards to moving the monthly Executive Committee meetings to a start time of 2:00 pm, 2:30pm, or 3:00 pm instead of 3:30 pm. He noted this would start with the December 2023 meeting and carry through for the 2024 Fund Year.

As suggested at the last meeting, a survey was distributed to all members on October 3, 2023, and we received 17 out of 28 member responses. The results of that survey indicated that 16 members were in favor of a 3:00 pm start time; 13 members were in favor of a 2:30pm start time; and 14 members were in favor of a 2:00 pm start time. With that said, with 16 members indicating a preference of a 3:00 pm start time, and that being a majority, approval was asked for a change in the Executive Committee start times, starting with the December 2023 meeting and carrying through for the 2024 Fund Year. Mr. Hornickel noted we could revisit this at the first Strategic Planning meeting of 2024, if needed.

Chair Gural entertained a motion to move the start time of the Monthly Executive Committee meetings from 3:30 pm to 3:00 pm, starting December 2023 and continuing monthly through December 2024.

Motion by Mr. Hornickel, seconded by Ms. Kosko to approve the Executive Committee start time change from 3:30 pm to 3:00 pm starting December 2023 and continuing monthly through December 2024, as chosen by survey majority vote. All in Favor, motion carried by unanimous vote.

Chair Gural asked if there were any other questions or concerns. No questions were entertained.

MEL/RCF/EJIF/CYBER REPORTS

MEL/RCF/EJIF Reports – September 15, 2023

Ms. Patel stated the MEL, RCF and EJIF reports were included in the agenda packet, were self-explanatory, and asked the members to please review the letter to DOBI that was also included in the agenda. She noted the letter was from David Grubb, Executive Director of the MEL to the Department of Banking and Insurance, and outlines quite a few issues that the MEL is facing, as well as the JIFs in regards to local government insurance issues.

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

MISCELLANEOUS BUSINESS

Next Meeting

Chair Gural noted that the next meeting of the BURLCO JIF would take place on **Tuesday, November 21, 2023 at 3:30 PM** via Zoom Conferencing.

PUBLIC COMMENT

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

Chair Gural opened the meeting to the public for comment.

Hearing no comment from the public, Chair Gural entertained a motion to close the public portion of the meeting.

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

APPROVAL OF CLAIMS PAYMENTS

Chair Gural asked members for their questions at this time. No questions were entertained.

Chair Gural entertained a motion to approve the following PARs as reviewed and recommended by the Claims Review Committee.

<i>Workers Compensation</i>	<i>General Liability</i>	<i>Property</i>
2019165703	2021222266	2024312100
2024311468		2024312277
2023293309		2024308988
2021228252		2022270808
2022270100		
2024311480		
2023308107		
2024311323		

Motion by Mr. Ingling, seconded by Ms. Kosko to approve Payment Authority on the Claims reviewed and as recommended by the Claims Review Committee:

- ROLL CALL** *Yeas*
- Rich Wolbert, **Fund Secretary, Beverly City**
 - Mike Theokas, **Alternate, Bordentown Twp.**
 - Tom Sahol, **Chesterfield**
 - Erin Provenzano, **Delanco Twp.**
 - Joe Bellina, **Delran Twp.**
 - Tom Pullion, **Edgewater Park**
 - Mike Muchowski, **Florence Twp.**
 - Paula Kosko, **Hainesport Twp.**
 - Mike Fitzpatrick, **Mansfield Twp.**
 - Dawn Bielec, **Alternate, Medford Twp.**
 - Susan Jackson, **New Hanover Twp.**
 - John Gural, **Fund Chair, Palmyra Borough**
 - Kathy Smick, **Pemberton Borough**
 - Dan Hornickel, **Pemberton Twp.**
 - Michael Mansdoerfer, **Riverside Twp.**

Susan Onorato, **Shamong Twp.**
Brandy Boyington, **Springfield Twp.**
Lisa Cummins, **Tabernacle Twp.**
James Ingling, **Wrightstown Borough**

Nays: None
Abstain: None

Motion carried by unanimous vote.

AUTHORIZATION TO ABANDON SUBROGATION – APPROVAL

There was four (4) file presented for Abandonment of Subrogation.

2023281525
2023282116
2023282182
2023281243

Motion by Mr. Ingling, seconded by Ms. Provenzano to approve abandonment of subrogation as recommended by the Claims Review Committee:

ROLL CALL *Yeas* Rich Wolbert, **Fund Secretary, Beverly City**
Mike Theokas, **Alternate, Bordentown Twp.**
Tom Sahol, **Chesterfield**
Erin Provenzano, **Delanco Twp.**
Joe Bellina, **Delran Twp.**
Tom Pullion, **Edgewater Park**
Mike Muchowski, **Florence Twp.**
Paula Kosko, **Hainesport Twp.**
Mike Fitzpatrick, **Mansfield Twp.**
Dawn Bielec, **Alternate, Medford Twp.**
Susan Jackson, **New Hanover Twp.**
John Gural, **Fund Chair, Palmyra Borough**
Kathy Smick, **Pemberton Borough**
Dan Hornickel, **Pemberton Twp.**
Michael Mansdoerfer, **Riverside Twp.**
Susan Onorato, **Shamong Twp.**
Brandy Boyington, **Springfield Twp.**
Lisa Cummins, **Tabernacle Twp.**
James Ingling, **Wrightstown Borough**

Nays: None
Abstain: None

Motion carried by unanimous vote.

MOTION TO ADJOURN

Chair Gural entertained a motion to adjourn the October 17, 2023 meeting of the BURLCO JIF.

Motion by Ms. Kosko, seconded by Ms. Provenzano to adjourn the October 17, 2023 meeting of the BURLCO JIF. All in favor. Motion carried.

The meeting was adjourned at 4:07 PM.



To: Fund Commissioners
From: Paul A. Forlenza, MGA, RMC, Executive Director
Date: November 21, 2023
Re: Executive Director's Report

A. Lost Time Accident Frequency Report – (pgs. 16-17)

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. 18-19)

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

C. Financial Fast Track Report (pg. 20)

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 **\$6,622,180**

D. Regulatory Filing Checklists (pgs. 21-22)

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. 23)

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 November 30, 2023. All encumbered funds had to be claimed by February 1, 2024.**

F. 2023 Optional Safety Budget (pg. 24)

A consolidated announcement letter including instructions on how to collect your 2023 Optional Safety Money was emailed to all members on or about February 14, 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 November 30, 2023. All encumbered funds have to be claimed by February 1, 2024.**

G. 2023 Wellness Incentive Program Allowance (pg. 25)

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 14, 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 November 30, 2023. All encumbered funds have to be claimed by February 1, 2024.**

H. 2023 EPL/Cyber Risk Management Budget (pg. 26)

A consolidated announcement letter including instructions on how to collect your 2023 EPL/Cyber Risk Management monies was emailed to all members by the end of February. 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 November 30, 2023. All encumbered funds have to be claimed by February 1, 2024.**

I. Employment Practices Liability Compliance (pg. 27)

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. 28-29)

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 bonded. All applicants for a bond must complete an underwriting application and submit it to the Fund Underwriter for approval. Any questions on the status of an application or a bond listed on the report should be directed to Jonathon Tavares at 856-614-4493 or jtavares@connerstrong.com.

K. Skateboard Park Approval Status (pg. 30)

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 BURLCO 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. 31-32)

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. Land Use Training Certification (pg. 33)

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.

N. 2024-2025 MEL EPL Risk Mgmt. Program (pgs. 34-45)

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.

O. 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.

P. 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.

Q. 2024 RMC Resolutions and 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.

R. Dividend Notices

On or about September 22, 2023, a request to distribute this year's surplus release of \$700,000 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 distribution of their portion of the surplus.

S. Website (WWW.BURLCOJIF.ORG)

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

T. New Member Activity

Nothing to Report

**Burlington County Municipal Joint Insurance Fund
2022 Safety Incentive Program**

Member Municipality	Size	Opening Balance	"Additional" SIP Funds	Jan 2023	Feb 2023	March 2023	April 2023	May 2023	June 2023	July 2023	Aug 2023	Sept 2023	Oct 2023	Nov 2023	Dec 2023	Paid in 2024	Total Paid	Remaining Balance	Date Encumber
Bass River Township	S	2,100.00	250.00														0.00	2,350.00	10/31/23
Beverly City	M	2,400.00	1,000.00				3,400.00										3,400.00	0.00	
Bordentown City	M	2,400.00	1,000.00														0.00	3,400.00	
Bordentown Township	L	2,700.00	1,000.00				3,700.00										3,700.00	0.00	
Chesterfield Township	S	2,100.00	750.00				2,850.00										2,850.00	0.00	
Delanco Township	S	2,100.00	1,000.00				3,100.00										3,100.00	0.00	
Delran Township	L	2,700.00	750.00														0.00	3,450.00	
Edgewater Park Towns	M	2,400.00	0.00				2,400.00										2,400.00	0.00	
Fieldsboro Borough	S	2,100.00	500.00				2,600.00										2,600.00	0.00	
Florence Township	L	2,700.00	750.00				3,450.00										3,450.00	0.00	
Hainesport Township	S	2,100.00	1,000.00				3,100.00										3,100.00	0.00	
Lumberton Township	M	2,700.00	500.00				3,200.00										3,200.00	0.00	
Mansfield Township	M	2,400.00	750.00				3,150.00										3,150.00	0.00	
Medford Township	XL	3,000.00	1,000.00					4,000.00									4,000.00	0.00	
Mount Laurel Township	XL	3,000.00	1,000.00				4,000.00										4,000.00	0.00	
New Hanover Townshij	S	2,100.00	250.00					2,350.00									2,350.00	0.00	
North Hanover Townsh	M	2,400.00	750.00					3,150.00									3,150.00	0.00	
Palmyra Borough	M	2,400.00	750.00					3,150.00									3,150.00	0.00	
Pemberton Borough	S	2,100.00	0.00				2,100.00										2,100.00	0.00	
Pemberton Township	XL	3,000.00	750.00														0.00	3,750.00	10/31/23
Riverside Township	M	2,400.00	1,000.00										3,400.00				3,400.00	0.00	
Shamong Township	S	2,100.00	500.00				2,600.00										2,600.00	0.00	
Southampton Township	M	2,400.00	500.00				2,900.00										2,900.00	0.00	
Springfield Township	S	2,100.00	250.00														0.00	2,350.00	10/30/23
Tabernacle Township	S	2,100.00	0.00				2,100.00										2,100.00	0.00	
Westampton Township	M	2,400.00	750.00					3,150.00									3,150.00	0.00	
Woodland Township	S	2,100.00	0.00				2,100.00										2,100.00	0.00	
Wrightstown Borough	S	2,100.00	1,000.00														0.00	3,100.00	
Total By Line		\$66,600.00	\$17,750.00	\$0.00	\$0.00	\$0.00	\$46,750.00	\$15,800.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,400.00	\$0.00	\$0.00	\$0.00	\$65,950.00	\$18,400.00	

Must be Claimed or Encumbered by November 30, 2023. All Encumbered Claims Must be Claimed by February 1, 2024

**Burlington 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 Paid	Remaining Balance	Date Encumbered
Bass River Township	995.00														0.00	995.00	10/31/23
Beverly City	1,595.00														0.00	1,595.00	
Bordentown City	1,595.00														0.00	1,595.00	
Bordentown Township	2,660.00											1,047.64			1,047.64	1,612.36	11/02/23
Chesterfield Township	995.00						995.00								995.00	0.00	
Delanco Township	1,595.00									207.00					207.00	1,388.00	10/03/23
Delran Township	2,660.00														0.00	2,660.00	
Edgewater Park Township	1,595.00											1,572.31			1,572.31	22.69	
Fieldsboro Borough	750.00											321.92			321.92	428.08	10/24/23
Florence Township	2,660.00								516.00						516.00	2,144.00	
Hainesport Township	995.00						115.70	174.80				250.00			540.50	454.50	
Lumberton Township	2,660.00														0.00	2,660.00	
Mansfield Township	1,595.00										1,595.00				1,595.00	0.00	
Medford Township	4,645.00														0.00	4,645.00	
Mount Laurel Township	4,645.00				4,472.00										4,472.00	173.00	10/04/23
New Hanover Township	750.00														0.00	750.00	
North Hanover Township	1,595.00											1,595.00			1,595.00	0.00	
Palmyra Borough	1,595.00														0.00	1,595.00	
Pemberton Borough	995.00								443.33						443.33	551.67	10/19/23
Pemberton Township	4,645.00								4,645.00						4,645.00	0.00	
Riverside Township	2,660.00										2,660.00				2,660.00	0.00	
Shamong Township	995.00					995.00									995.00	0.00	
Southampton Township	1,595.00														0.00	1,595.00	
Springfield Township	995.00														0.00	995.00	10/30/23
Tabernacle Township	995.00											446.69			446.69	548.31	
Westampton Township	1,595.00							447.45							447.45	1,147.55	
Woodland Township	995.00														0.00	995.00	
Wrightstown Borough	995.00											945.04			945.04	49.96	
Total By Line	52,045	\$0.00	\$0.00	\$0.00	\$4,472.00	\$995.00	\$1,110.70	\$622.25	\$5,604.33	\$207.00	\$4,255.00	\$6,178.60	\$0.00	\$0.00	23,444.88	28,600.12	

Must be Claimed or Encumbered by November 30, 2023. All Encumbered Claims Must be Claimed by February 1, 2024

**Burlington County Municipal Joint Insurance Fund
2023 Wellness Incentive Program**

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 Paid	Remaining Balance	Date of Encumber
Bass River Townshi	500.00														0.00	500.00	10/31/23
Beverly City	750.00														0.00	750.00	
Bordentown City	750.00														0.00	750.00	
Bordentown Townst	1,000.00				383.86	250.00									633.86	366.14	11/02/23
Chesterfield Townst	500.00				224.65							275.35			500.00	0.00	
Delanco Township	750.00								69.36						69.36	680.64	10/03/23
Delran Township	1,000.00														0.00	1,000.00	
Edgewater Park Tov	750.00						579.96		170.04						750.00	0.00	
Fieldsboro Borough	500.00											371.96			371.96	128.04	10/24/23
Florence Township	1,000.00								604.04						604.04	395.96	
Hainesport Townshi	500.00						175.00			120.00					295.00	205.00	
Lumberton Townshi	1,000.00											150.00			150.00	850.00	
Mansfield Township	750.00														0.00	750.00	
Medford Township	1,500.00														0.00	1,500.00	
Mount Laurel Towns	1,500.00							780.00							780.00	720.00	10/04/23
New Hanover Towns	500.00														0.00	500.00	
North Hanover Town	750.00					150.00									150.00	600.00	
Palmyra Borough	750.00														0.00	750.00	
Pemberton Borough	500.00														0.00	500.00	10/19/23
Pemberton Townshi	1,500.00														0.00	1,500.00	10/31/23
Riverside Township	1,000.00														0.00	1,000.00	
Shamong Township	500.00										500.00				500.00	0.00	
Southampton Towns	750.00														0.00	750.00	
Springfield Townshi	500.00														0.00	500.00	10/30/23
Tabernacle Townshi	500.00											379.49			379.49	120.51	11/02/23
Westampton Towns	750.00														0.00	750.00	
Woodland Township	500.00														0.00	500.00	
Wrightstown Boroug	500.00														0.00	500.00	
Total By Line	\$21,750.00	\$0.00	\$0.00	\$0.00	\$608.51	\$400.00	\$754.96	\$780.00	\$774.08	\$189.36	\$500.00	\$1,176.80	\$0.00	\$0.00	5,183.71	16,566.29	

Must be Claimed or Encumbered by November 30, 2023. All Encumbered Claims Must be Claimed by February 1, 2024

**Burlington County Municipal Joint Insurance Fund
2023 EPL/CYBER Risk Management Budget**

Member Municipality	Opening Balance	January 2023	Feb 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 Paid	Remaining Balance	Date Encumbered
Bass River Township	500.00														0.00	500.00	10/31/2023
Beverly City	500.00														0.00	500.00	
Bordentown City	500.00														0.00	500.00	
Bordentown Township	500.00											500.00			500.00	-	
Chesterfield Township	500.00				500.00										500.00	-	
Delanco Township	500.00														0.00	500.00	10/3/2023
Delran Township	500.00											500.00			500.00	-	
Edgewater Park Townshi	500.00														0.00	500.00	
Fieldsboro Borough	500.00														0.00	500.00	10/24/2023
Florence Township	500.00								500.00						500.00	-	
Hainesport Township	500.00											500.00			500.00	-	
Lumberton Township	500.00														0.00	500.00	
Mansfield Township	500.00										500.00				500.00	-	
Medford Township	500.00														0.00	500.00	
Mount Laurel Township	500.00											500.00			500.00	-	
New Hanover Township	500.00														0.00	500.00	
North Hanover Township	500.00														0.00	500.00	
Palmyra Borough	500.00											500.00			500.00	-	
Pemberton Borough	500.00														0.00	500.00	10/19/2023
Pemberton Township	500.00														0.00	500.00	10/31/2023
Riverside Township	500.00							500.00							500.00	-	
Shamong Township	500.00										500.00				500.00	-	
Southampton Township	500.00														0.00	500.00	
Springfield Township	500.00														0.00	500.00	10/30/2023
Tabernacle Township	500.00										500.00				500.00	-	
Westampton Township	500.00														0.00	500.00	
Woodland Township	500.00							500.00							500.00	-	
Wrightstown Borough	500.00														0.00	500.00	
Total By Line	14,000.00	\$0.00	\$0.00	\$0.00	\$500.00	\$0.00	\$0.00	\$1,000.00	\$500.00	\$0.00	\$1,500.00	\$2,500.00	\$0.00	\$0.00	\$6,000.00	\$8,000.00	

Must be Claimed or Encumbered by November 30, 2023. All Encumbered Claims Must be Claimed by February 1, 2024



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

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

Date: May 17, 2023

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

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

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

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

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



Municipal Excess Liability Joint Insurance Fund

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

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

From: David N. Grubb, Executive Director

Date: May 10, 2023

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

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

Every two years the MEL reviews applicable laws and regulations to update the Model Personnel Manual, Model Employee Handbook and Model Volunteer Handbook. In addition, members are asked to complete training geared towards Managers & Supervisors, Non-Supervisory Employees and Police Command Staff training. For information, we are attaching a memorandum that outlines the changes made to the current model documents.

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

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

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

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

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

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

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

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

Required Elements for the Incentive

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

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

Attachments:

- **Synopsis of Changes**
- **Checklist**
- **MEL Helpline**

MATTHEW J. GIACOBBE, Partner
mgiacobbe@cgajlaw.com

Reply to: Oakland Office

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

Date: March 13, 2023

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

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

- Sick Leave Policy

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

- Alcohol and Drug-Free Workplace

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

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

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

- Domestic Violence Policy

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

- Personal Day Policy

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

- Equal Employment Opportunity Policy and Americans with Disabilities Policy

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

- Family and Medical Leave Policy

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

- New Jersey Family Leave

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

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

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

- Overtime

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

- Hours of Work

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

- Personnel Records

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

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

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

EMPLOYMENT PRACTICES BEST PRACTICES CHECKLIST

Name of Municipality or Authority: _____

SECTION ONE:

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

Required Policies to be included in Manual:

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

SECTION TWO:

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

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

Signature: _____

Date: _____ Telephone: _____

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



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

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

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

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

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

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

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

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

MEL EPL HELPLINE:

732-583-7474

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

MEL EPL HELPLINE:

609-522-5599

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

MEL EPL HELPLINE:

973-334-1900

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

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





To: Fund Commissioners, Municipal Clerks, & Risk Management Consultants
From: Paul A. Forlenza, MGA, RMC, Executive Director
Date: May 17, 2023
Subject: Managers & Supervisors – Employment Practices Liability Training

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

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

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

About Zoom Training:

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

Thank you for your attention to this important matter.

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

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

2023 Police Command Staff Training Invitation

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

Details:

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

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

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

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

RSVP

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

RSVP

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

RSVP

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

RSVP

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

RSVP

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

RSVP

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

J.A. Montgomery
CONSULTING

Members With 2024 EPL Checklist Submitted

PC Attend Options:
 N/A - no police dept
 Y= attendance confirmed
 P=checklist received but not accepted
 attendance is not confirmed

JIF	Name	Checklist Received	Police Chief attend?
BURLCO	Bass River Township		N/A
BURLCO	Beverly City		
BURLCO	Bordentown City		
BURLCO	Bordentown Township	Y	Y
BURLCO	Chesterfield Township	Y	Y
BURLCO	Delanco Township		
BURLCO	Delran Township	Y	Y
BURLCO	Edgewater Park Township	Y	Y
BURLCO	Fieldsboro Borough		N/A
BURLCO	Florence Township	Y	Y
BURLCO	Hainesport Township		N/A
BURLCO	Lumberton Township	Y	Y
BURLCO	Mansfield Township	Y	Y
BURLCO	Medford Township	Y	Y
BURLCO	Mount Laurel Township	Y	Y
BURLCO	New Hanover Township	Y	Y
BURLCO	North Hanover Township	Y	Y
BURLCO	Palmyra Borough		
BURLCO	Pemberton Borough	Y	Y
BURLCO	Pemberton Township	Y	Y
BURLCO	Riverside Township	Y	Y
BURLCO	Shamong Township	Y	N/A
BURLCO	Southampton Township	Y	N/A
BURLCO	Springfield Township		
BURLCO	Tabernacle Township		N/A
BURLCO	Westampton Township	Y	Y
BURLCO	Woodland Township		N/A
BURLCO	Wrightstown Borough		N/A

SAFETY DIRECTOR REPORT

Burlington County Municipal Joint Insurance Fund

TO: Fund Commissioners, Safety Coordinators, and Risk Managers
FROM: Keith Hummel, JIF Safety Director
DATE: November 7, 2023

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

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

LOSS CONTROL SURVEYS

- Township of Lumberton on October 10, 2023
- Township of Palmyra on October 23, 2023
- Township of Hainesport on October 24, 2023
- Township of Mount Laurel on October 25, 2023

LAW ENFORCEMENT LOSS CONTROL SURVEYS

- There were no Law Enforcement Loss Control Visits in October

MEETINGS ATTENDED

- Claims Committee Meeting on October 14, 2023
- Executive Fund Committee Meeting on October 17, 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
- 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.

MSI NOW	
Municipality	Number of Videos
Delanco	1
Palmyra	1
Southampton	7

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.

LESSONS LEARNED FROM LOSSES

MONTHLY NEWSLETTER – NOVEMBER 2023

LADDER SAFETY

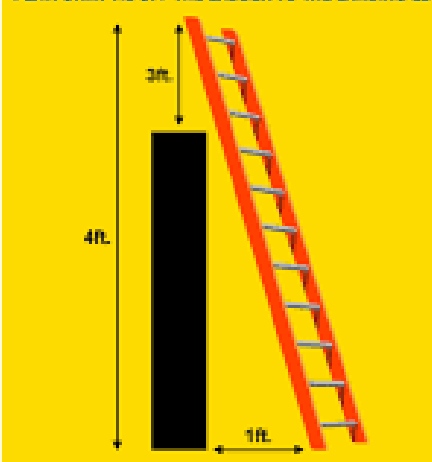
LADDER RULES

- ✓ Always face ladder when ascending or descending.
- ✓ Always maintain 3 points of contact on the ladder :
2 feet + 1 hand or
2 hands + 1 foot
- ✓ Top of ladder should never be used as a step.
- ✓ Ladders should never be moved, shifted or extended while occupied.
- ✓ Never carry an object or load that could cause you to lose your balance.



1:4 LADDER RULE

LADDER MUST EXTEND MINIMUM OF 3ft. (0.9m) PAST PLATFORM. TIE OFF THE LADDER TO THE LANDING EDGE.



FOR EVERY 4ft. (1.2m) OF HEIGHT A LADDER EXTENDS, ITS BASE SHOULD BE PLACED 1ft. (0.3m) FROM WHAT THE LADDER LEANS AGAINST.

- 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.

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: BURLCO 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:

Riverside PD

Agency visits are near completion for this year however there are a few to be scheduled based on agency response.

- Consultative Visits were provided to identify and discuss agency concerns, training, policy and procedures,trends, Accreditation assistance and other 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 Burlco JIF. Activity Reports are being completed for distribution to the FUND Commissioners.

3. Training: The Report Writing Class was canceled due to scheduling conflicts and removal of already scheduled officers. A future date will be considered after reviewing input from respective Chiefs.

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

5. BURLCO 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 Burlington 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 for this committee are Bordentown City PD, Chesterfield PD and Mount Laurel PD. An Initial meeting is being coordinated at this time.

6. Meetings Attended:

L/E Consultant Meeting	10/10/2023
BURLCO Executive Claim Meeting	10/10/2023
BURLCO Executive Meeting	10/17/2023

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

BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND WELLNESS DIRECTOR'S REPORT

TO: Municipal Fund Commissioners, Safety Coordinators, and Risk Managers
FROM: Debby Schiffer, JIF Wellness Director
DATE: November 21, 2023 via Zoom Video Conference
Contact Info: debby_schiffer@targetingwellness.com 856-322-1220

NOVEMBER ACTIVITIES & PLANNED EVENTS

Stress is an on-going concern and something we ALL experience to some degree on a daily basis. According to a recent OSHA report, workplace stress is responsible for 120,000 deaths each year and 65% of workers surveyed report being significantly stressed at work. This falls in line with our own employee survey responses showing over 50% reporting being stressed.

This has a direct impact on an employee's overall well-being, physically, emotionally and mentally, causing higher risk for co-morbidities. The key question is not "do you feel stressed?" but rather "how do you cope with it?"

Member Municipality Wellness Activities (some that can reduce stress levels):

- Holiday cook offs (Soups, Chili, Healthy holiday desserts, themed dishes, etc.)
- Cooking Demos (Food Bank of SJ)
- Wellness Day offering BP screening and flu shots, various local vendors on well-being
- Fun Holiday Resiliency Challenge – offering suggestions on daily stress reducing practices at work and home
- Maintain Don't Gain Challenge
- Holiday Decorating – pumpkins, doors, etc. to incorporate fun, team building, and creativity (you all have some very talented employees!)
- Various presentations on topics such as stress ("starts in the mind"), Diabetes, Conflict Resolution
- Foot Pedals for under the desk
- Refillable Water Coolers for PW, Fire and Police

I continue to share ideas with all of my Wellness Coordinators, combining input from both JIF.

Reminder: Any remaining Wellness Funds must be encumbered by November 30th and used by February 1st, 2024. Some towns have already started planning for 2024! Bravo!

Dr. Elias' Program –Leadership Group Coaching: Crisis Response and Transformational Leadership – As you know, it has been somewhat of a challenge to get the 9 remaining slots filled from our original Pilot Program efforts. Chris Winter has also attempted to reach out to all of the Chief's within the JIF to generate some interest and encourage participation.

Some of the Chief's who participated in the Spring/Summer Cohort are indeed interested in sending more of their Offices. The main issue remains to be the on-going challenge of schedules.

Dr. Elias will be moving the next Cohort back to the 1st Quarter of 2024 in hopes of giving the Chief's enough time to plan.

Wellness Advisory Committee

The first meeting for 2024 will be held during the 1st quarter. The date and time yet to be determined.

According to Calorie Control Council, Americans take in 3,000 to 4,500 calories at their Thanksgiving celebrations. Try to stick with controlled portion sizes and...

Don't Get STUFFED This Thanksgiving! 😊



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

Intake	October-23	October-22	2023 October YTD	2022 October YTD
# of New Claims Reported	25	40	242	370
# of Report Only	17	21	127	217
% Report Only	68%	53%	52%	59%
# of Medical Only	8	17	93	117
# of Lost Time	0	2	22	34
Medical Only to Lost Time Ratio	100:00	89:11	81:19	77:23
Claim Petition First Notice	0	0	0	2
COVID-19	8	14	47	179
Average Days <u>Reported To Qual-Lynx</u> (Indemnity, Medical Only, Report Only)	1.3	1.9	2.5	3.8
Average Days <u>Reported To Employer</u> (Indemnity, Medical Only, Report Only)	0.0	0.7	0.9	1.4

Nurse Case Management	October-23	October-22
# of Cases Assigned to Case Management	17	19
# of Cases >90 days	12	13

Savings	October-23	October-22	2023 October YTD	2022 October YTD
Bill Count	138	208	1249	1278
Provider Charges	\$217,679	\$520,483	\$1,765,591	\$2,083,257
Repriced Amount	\$74,661	\$135,310	\$7,895,355	\$698,230
Savings \$	\$143,019	\$385,173	\$976,056	\$1,385,027
% Savings	66%	74%	55%	66%

QualCare Provider Network Penetration Rate	October-23	October-22	2023 October YTD	2022 October YTD
Bill Count	88%	95%	92%	94%
Provider Charges	95%	94%	96%	94%

Exclusive Provider Panel Penetration Rate	October-23	October-22	2023 October YTD	2022 October YTD
Bill Count	91%	96%	92%	94%
Provider Charges	93%	94%	95%	94%

Transitional Duty Summary		2023 October YTD	2022 October YTD
% of Transitional Duty Days Worked		53%	66%
\$ Saved By Accommodating		\$93,576	\$120,115
% of Transitional Duty Days Not Accommodated		47%	34%
Cost Of Days Not Accommodated		\$101,428	\$55,912

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 not 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



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 13, 2023

To the Members of the
Executive Board of the
Burlington 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 one month period ending October 31, 2023 for Closed Fund Years 1991 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.

INVESTMENT INTEREST & INVESTMENTS:

Interest received or accrued for the reporting period totaled \$ 40,532.88. This generated an average annual yield of 2.85%. However, after including an unrealized net loss of \$ 8,100.37 in the asset portfolio, the yield is adjusted to 2.28% for this period. The total overview of the asset portfolio for the fund shows a current market value of \$13,093,528.48.

RECEIPT ACTIVITY FOR THE PERIOD

Subrogation Receipts \$ 19,090.54 w/YTD Total \$ 91,332.15
Salvage Receipts \$ 0.00
Overpayment Reimbursements \$ 0.00

LOSS RUN PAYMENT REGISTER ACTIVITY FOR THE PERIOD: (Action Item)

The enclosed report 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 \$ 293,977.15. The claims detail shows 332 claim payments issued.

A.E.L.C.F. PARTICIPANT BALANCES AT PERIOD END:

Interest Allocated for the Period \$ 767.08 for a total Member Balance of \$323,746.21 with individual balances shown in the attached report.

CASH ACTIVITY FOR THE PERIOD:

The enclosed reconciliation report details that during the reporting period the Fund's "Cash Position" changed from an opening balance of \$ 17,239,041.32 to a closing balance of \$ 16,886,641.02 showing a decrease in the fund of \$ 352,400.30. A detailed reconciliation of this change, including its affect on our banking instruments, is included in my report.

BILL LIST FOR THE PERIOD: (Action Item)

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 609-744-3597.

Respectfully Submitted,

Thomas J. Tontarski
Treasurer

BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND

BILL LIST - November 2023

	Payee	FY20234	FY2023	JIF Appropriation	Description
1	The Actuarial Advantage		2,693.00	Prof Services/Actuary	Oct 2023 Fees
2	Arthur J. Gallagher Risk Management Services, LLC		32,517.00	Prof Services/Administration	Nov 2023 Fee
3	Risk Program Administrators LLC		143.86	Misc/Postage/Copies/Faxes	Aug 2023 - Postage, copies, fax expense plus .27 oct adjustmt
4	Risk Program Administrators LLC		106.55	Misc/Meeting Expense/Dinner Mtg	Zoom subscription split with JIFs-Pd PF Amex
5	The DeWeese Law Firm, P.C.		6,413.00	Prof Services/Attorney	Nov 2023 Fees
6	Qual-Lynx		19,452.00	Prof Services/Claims Admin.	Nov 2023 Fees
7	Joyce Media		390.00	Misc/JIF Website	Nov 2023 Fees
8	Christopher J. Winter Sr.		1,833.00	Training/Police Risk Services	Law Enforcement Consultant-Nov 2023 fees
9	Kris Kristie		383.00	Misc/Recording Secretary	Nov 2023 Fees
10	J. A. Montgomery Consulting		12,125.00	Prof Services/Safety Director	Nov 2023 Fees
11	Wintsec Consulting LLC		3,400.00	Prof Services/Technology Risk Serv Dir	Nov 2023 Fees
12	Tom Tontarski		1,007.00	Prof Services/Treasurer	Nov 2023 Fees
13	Conner Strong & Buckelew		725.00	Prof Services/Underwriting Mgr	Nov 2023 Fees
14	Debby Schiffer		2,584.00	Wellness Program	Nov 2023 Fees
15	Iron Mountain		84.60	Misc/Record Retention Service	Inv#HYCK475; Storage 11/1-30/23; Service 9/26-10/24/23
16	Armando Riccio LLC		375.00	Training/Training	10/11/23 Mgrs & Sup training AM/PM sessions (split)
17	Postmaster	430.00		Misc/Postage/Copies/Faxes	PO Box 489 Annual Fee 11/30/23-11/30/24
18	Township of Bordentown		500.00	EPL/CYBER/EPL/Cyber Incentive Program	antivirus and computer security
19	Township of Bordentown		1,047.64	Optional Safety Budget	safety equipment, rain clothes for PW, vests, gloves
20	Chesterfield Township		275.35	Wellness Program	Wellness event 10/4 ; meditation workshop and chair massages
21	Delran Township		500.00	EPL/CYBER/EPL/Cyber Incentive Program	Legal services for updating employee handbook
22	Edgewater Park Township		1,572.31	Optional Safety Budget	Bullet proof vests
23	Borough of Fieldsboro		371.96	Wellness Program	walking shoes; fitbit
24	Borough of Fieldsboro		321.92	Optional Safety Budget	lighting; safety gear
25	Haintesport Township		250.00	Optional Safety Budget	safety cones for FD
26	Haintesport Township		500.00	EPL/CYBER/EPL/Cyber Incentive Program	Barracuda protection
27	Lumberton Township		150.00	Wellness Program	chair massages
28	Mount Laurel Township		500.00	EPL/CYBER/EPL/Cyber Incentive Program	Barracuda protection
29	North Hanover Township		1,595.00	Optional Safety Budget	OSHA signage and park equipment
30	Borough of Palmyra		500.00	EPL/CYBER/EPL/Cyber Incentive Program	Solicitor's fee for employee related matter
31	Tabernacle Township		446.69	Optional Safety Budget	cleaning supplies FD; safety supplies
32	Tabernacle Township		379.49	Wellness Program	stress management
33	Wrightstown Borough		945.04	Optional Safety Budget	RTK data sheets; dangerous tree removal
	Subtotals	430.00	\$94,087.41		

JIF Bill List Total	\$94,517.41
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***Finance Committee Meeting
October 24, 2023 at 9AM
Via Zoom***

A meeting of the Burlington County Municipal Joint Insurance Fund's Finance Committee was held on Tuesday, October 24, 2023, at 9:00 AM, via zoom conferencing.

Those in attendance were:

Mike Mansdoerfer, *Chair, Riverside Township*
Mike Theokas, **Bordentown Township**
Brandon Shillingford, **Mount Laurel Township**
John Gural, **Palmyra Borough**
Paul A. Forlenza, MGA, Executive Director, *RPA a Division of Gallagher*
Kamini Patel, MBA, CIC, CPCU, Deputy Ex. Director, *RPA a Division of Gallagher*
Jodi Palmeri, Sr. Financial Analyst, *RPA a Division of Gallagher*

Those unable to attend were:

Kathy Burger, **Medford Township**
Tracy Forlenza, Financial Analyst, *RPA a Division of Gallagher*

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

Mr. Forlenza explained that this special meeting of the BURLCO 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 \$700,000 from the Closed Years Account, as authorized by Resolution 2023-28 adopted September 19, 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 at their meeting on September 12, 2023. These discussions resulted in the decision to recommend to the Executive Committee at their September 19, 2023 meeting to release \$700,000. He noted this sum is \$500,000 less than the 2022 surplus release. When the required documentation outlining the proposed surplus release was filed with the State Departments on September 27, 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 BURLCO JIF releasing \$700,000 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;*
- 5) *Negative development in prior years;*
- 6) *Significant issues relating to subsequent events (noted in Audited Financials).*

Mr. Forlenza explained that he and his staff verbally addressed these 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 \$700,000 after reviewing the State's concerns. Mr. Forlenza asked Mr. Wolf to outline DOBI's concerns in writing to the BURLCO JIF. He noted that Mr. Wolfe's letter indicates that "if" this request for release of \$700,000 was approved, the BURLCO JIF's net position (inclusive of this release) must improve at 12/31/23 for the State to consider approving 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 \$700,000, 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.

Mr. Mansdoerfer commented that we could move forward with the \$700,000 release and then raise the 2024 loss funding confidence level somewhere between medium and high since we know issues are coming. This would show DOBI & DCA that we are preparing for any upcoming issues. Mr. Forlenza noted that the State will not be looking at 2023 or the funding for 2024 as part of their decision making process. Mr. Mansdoerfer noted that it would show the Finance Committee is being proactive in its financial planning for 2024.

Financial Picture

Mr. Forlenza noted that DOBI is concerned with the change in the Fund's overall surplus position in Fund Years 2018-2022 depicting a decrease of \$6.2 million in surplus over the last 5 years. He noted the driving factors were the release of \$3.935 million 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 stated that he informed Mr. Wolf that if DOBI does not approve the surplus release, it would put the JIF in a difficult position with the members, and their elected officials, since the JIF has \$6.3 million in surplus. He also noted that there is no requirement in state regulations or law that a JIF 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 that the BURLCO 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 BURLCO 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 explained 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.

Ms. Palmeri then reminded the Committee that at their September 12, 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 15.31% increase in Excess WC and Liability premiums and a 55.93% increase in Excess Property premiums inclusive of exposure changes. In total, we are now anticipating a 28.57% increase in MEL premiums. She noted that with EPL/POL the carrier they were more concerned with any member over 100% for more than three years, however, this benefited BURLCO JIF and reduced the rate to 7.09%. She also noted that we can remove the \$100,000 over funding from the MEL line for the anticipated future assessments, but the BURLCO JIF is already in a deficit from underfunding in 2022. She noted that the MEL will not be invoicing the JIF until 12/31/23 audit and it is likely that the potential liability will increase.

Mr. Mansdoerfer inquired on the value of the properties increased. Ms. Palmeri noted that TIV increased. She noted that JIF wide, property increased 18.19% and vehicles increased 4%. Mr. Forlenza noted that he emphasized more so to the members this year that they review each schedule to ensure all vehicles and properties are accurate. He noted the overall budget is swayed by the Excess Insurance increases, which is why his office reviews the JIF SIR each year.

Options

Mr. Forlenza noted that he 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. He noted that it is a \$1.6 million "hit" that the members would need to absorb. Mr. Forlenza outlined some options for the members. He noted that the Fund could move forward with the release of the \$700,000; remove the \$100,000 MEL funding for future assessments; or not release surplus at all. He noted that the recommended \$700,000 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 \$700,000. He reiterated that the towns need an opportunity for a “soft landing” with a smaller surplus releases overtime. Mr. Forlenza inquired how the Fund could justify not releasing anything when it has \$6 million in surplus. He added that we can ask the Executive Committee for the reaffirmation of the Resolution to release \$700,000 Surplus at the November meeting.

Mr. Forlenza noted that he also feels that the BURLCO JIF will be in a better position inclusive of this release. Ms. Palmeri noted that the 2019 Fund Year will be transferred and currently has a deficit position of \$117,000 which accounts for 50% of the 2023 anticipated release of \$700,000. Mr. Mansdoerfer inquired if the actuarial figures are accurate. Mr. Forlenza noted they used their same practices for reserving, but no one can see the future.

Mr. Theokas inquired how the other JIFs are handling their releases. Mr. Forlenza stated that he spoke with two other JIFs last week and one of them was just filing a \$750,000 release, but it was not complete yet. He noted that he believes only our three JIFs and this one other were able to release surplus. Mr. Forlenza stated that the ACM JIF did a motion at the October meeting to reaffirm the release of \$2 million surplus. In addition, they directed his office to draft a letter to Assistant Commissioner Wolf explaining that the concerns he raised in his letter are fully accounted for as noted in the *Surplus Release Policy* and they will move forward with the release. He stated that the TRICO JIF Finance Committee meets tomorrow and he believes they will likely reaffirm their requested release of surplus as they are in the best financial position of all JIFs.

Mr. Forlenza added that he feels it is important that we 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.

After further discussion, the Finance Committee decided to move forward with the \$700,000 surplus release. Mr. Forlenza commented that since Mr. Wolf references the BURLCO JIF Executive Committee in his letter, the members should be notified at the November 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 \$700,000 release the surplus. Mr. Mansdoerfer suggested using verbiage noting that we are confident in our decision, since saying we are doing it “correctly” implies that we may not have done it correctly in the past. Mr. Forlenza suggested a Motion reaffirming their approval to release the \$700,000 in surplus at the November Executive Committee meeting. The Committee agreed with the actions.

Next Meeting Date – October 31, 2023 at 1PM

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 9:45am.

File: BURLCO/GEN/Finance Committee	Tab: 10/24/23
BURLCO/2023/Finance Committee	Tab: 10/24/23



***Finance Committee Meeting
October 31, 2023 at 1PM
Mt. Laurel Municipal Building, Mt. Laurel, NJ***

A meeting of the Burlington County Municipal Joint Insurance Fund's Finance Committee was held on Tuesday, October 31, 2023, at 1:00 PM, at Mt. Laurel Municipal Building, Mt. Laurel, NJ.

Those in attendance were:

Mike Mansdoerfer, *Chair, Riverside Township*
Mike Theokas, **Bordentown Township**
Kathy Burger, **Medford Township**
Brandon Shillingford, **Mount Laurel Township**
John Gural, **Palmyra Borough** (*via phone*)
Paul A. Forlenza, MGA, Executive Director, *RPA a Division of Gallagher*
Kamini Patel, MBA, CIC, CPCU, Deputy Ex. Director, *RPA a Division of Gallagher*
Jodi Palmeri, Sr. Financial Analyst, *RPA a Division of Gallagher*

Those unable to attend were:

Tracy Forlenza, Financial Analyst, *RPA a Division of Gallagher*

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

Draft Resolution to Transfer FY 2019 to RCF

Ms. Palmeri noted that the draft resolution to transfer 2019 Fund Year to the RCF is included in the agenda packet. The Committee approved the draft resolution to transfer the 2019 Fund Year to the RCF 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 \$6,697,240, which is an improvement of \$989,820 since 12/31/2022. She further stated that investment income improved by \$325,429.

Investment Updates-JCMI

Mr. Forlenza directed the members to the JCMI Investment Update for the third quarter of 2023. He 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. He 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.

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 highlighted that the 2023 Minimum Loss Funding represents 75% of the Loss Funding as it is 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.

Delanco Township

Ms. Palmeri reviewed Delanco Township noting their participation in the Program in 2020, 2021, and 2022. She noted their loss ratio is 221.1% for 2020. Their claims paid has exceeded the minimum loss funding for 2020 and they have been billed and have paid their full obligation under the terms of the contract; \$13,116. In addition, for the 2021 Fund year, their claims paid has exceeded their contract minimum so the Township was billed and paid their full obligation for 2021 of \$15,255. For 2022, Delanco's loss ratio is 35.2%.

Edgewater Park Township

Ms. Palmeri reviewed Edgewater Park Township noting their participation in the program in 2020 and 2021. She noted their 2020 loss ratio is 155.1% and 2021 of 43.7%. Ms. Palmeri stated that the 2020 claims paid has exceeded the minimum loss funding; therefore, they were billed the maximum additional obligation of \$7,468 which has been received.

Palmyra Borough

Ms. Palmeri reviewed Palmyra Borough noting their participation in the Program in 2020. She noted their loss ratio is 17.6%.

Pemberton Township

Ms. Palmeri reviewed Pemberton Township noting their participation in the Program in 2023. She noted their loss ratio is 131.3%. She noted that these results only take 75% of Pemberton Twp.'s 2023 loss funding into consideration, but is being monitored. Beginning March 31, 2024, the Township will receive quarterly updates on this performance.

Riverside Township

Ms. Palmeri reviewed Riverside Township noting their participation in the Program in 2020. She noted their loss ratio is 28.9%.

Westampton Township

Ms. Palmeri reviewed Westampton Township noting their participation in the Program in 2020, 2021, and 2022. She noted their loss ratio is 86.9% for 2020 and 66.5% for 2021. In regards to 2022, the Township's loss ratio is 123.3%; however, their claims paid has not yet exceeded the minimum loss funding so they have not been invoiced. Ms. Palmeri stated that her office will continue to monitor the Township's performance.

Surplus Distribution Update

Ms. Palmeri recapped that when the Release of Surplus for \$700,000 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

\$700,000 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 after the November meeting when a motion to reaffirm the surplus release is approved. Mr. Forlenza reported that there would be a Motion on the November Executive Committee agenda to reaffirm the original resolution authorizing the release of \$700,000. The Committee agreed.

2024 Budget Development

Loss Funding and Draft Budget

Ms. Palmeri then directed the Committee to page 6 where the 2024 Budget compares 2023 Annualized to 2024 Renewal Budget and net change. She noted that the increase in loss funding is 4.88%, and, based on the assessment strategy selected, generated an extra \$1,023 which will stay in the loss funding budget. She stated there was no change to the operating expenses or Member Benefits portion of the Budget since the Committee's last meeting.

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 indicated that the MEL overfunding of \$100,000 was included in the budget. The Committee agreed to leave the \$100,000 in the budget for the future MEL Supplemental assessments.

Ms. Palmeri then directed the Committee to page 7 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 8 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 BURLCO JIF has a \$300,000 SIR for WC and liability and a \$100,000 for property losses. For WC, payroll data is used and, for property premiums, TIV is used to calculate the Excess Premiums.

Ms. Palmeri then noted that the MEL 2024 Experience rating modifications (mods) are on page 11. 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 BURLCO JIF's MEL 10 year average loss ratio is 100.2%. She reminded the members that they will be negatively experience rated since the BURLCO 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. These calculations do not currently 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 BURLCO 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 BURLCO JIF population remained relatively flat (0.9% increase). She reported that the Cyber JIF has expanded its pricing tiers, from five (5) to 15, which provides relief to the smaller municipalities. Mr. Forlenza agreed that the tiers make it fairer for the smaller members with limited exposures. Ms. Palmeri also noted that the 5.13% on the Budget is higher than the 3.61% noted on page 20 because the budget separates the premium from the commissions since we have not yet received these figures.

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 7.09%. 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 for those members with three or more years above 100% which allowed positive experience rating to be applied to good performing members. While the BURLCO JIF still required a 5% adjustment due to the phase-in process, the positive experience-rating factor applied to the base resulted in an overall JIF increase less than the MEL wide increase.

EPL/POL Deductibles & Co-Insurance

Ms. Palmeri directed the members to page 17 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 assuming no

changes in EPL Compliance. All poor performing municipalities (anyone over 55%), were identified and an analysis was performed on their claims.

Ms. Palmeri noted that Hainesport Twp.'s loss ratio of 139.3% is being driven by one claim so there is no recommendation to increase deductible and/or coinsurance terms and they will keep the standard deductible & coinsurance terms.

EPL Checklist Compliance

Ms. Palmeri noted that the 2024 EPL Risk Management Plan Compliance checklist is on page 18 of 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.

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 July. 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 one non-compliant member from 2023 will be surcharged in the budget. The Committee agreed to continue this practice of surcharging via budget amendment. Mr. Gural and Mr. Mansdoerfer stated that they are both waiting on their labor attorney to complete the employee manual before they can adopt the updated manual and submit it for approval.

VDO Change

Ms. Palmeri reported that the VDO coverage is for Fire and EMS, non-firematic activities. Mr. Forlenza noted that an example is if the trustees of the Fire Company removed a fire fighter without just cause because of his race, religion, etc. It is more of an EPL/POL claim for a volunteer organization. Ms. Palmeri noted that the coverage limits had 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.

E-JIF

Ms. Palmeri noted that the 2024 E-JIF Budget includes a 1% increase inclusive of the 2020 population phase in noting the impact is 0.51% for the BURLCO JIF as the population development was relatively flat.

Budget Changes

Ms. Palmeri noted the new overall budget increase is 11.09%. 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. Mr. Forlenza noted that this budget increase is good compared to other JIF budgets around the State.

E-JIF 2023 Dividend Release

Ms. Palmeri stated that the E-JIF is releasing \$2.5 million dollars in surplus and the BURLCO JIF's share is \$29,815 and the breakout per member can be found on page 23. She noted that the release is from Fund years 2005, 2008, 2009, and 2010, so in order to receive a share, the municipality must have been a member of the BURLCO JIF during those years.

Ms. Palmeri reminded the Committee that in years past the JIF directed each members' share of the E-JIF dividend directly into the AELCF. She inquired if the Committee still wished to continue with the practice of depositing the E-JIF dividend into the AELCF. She also noted that the 2023 JIF Dividend Announcement will draw more attention to member's AELCF balances and how it can be used or claimed. The Committee decided to continue to transfer the E-JIF balances into the AELCF, but agreed to highlight available balances to members, and how it can be used as a premium credit against their 2024 assessment. She stated that a Resolution for the E-JIF dividend transfer will be presented at the November meeting. The Committee agreed to continue transferring the E-JIF dividend into the AELCF for future use.

Assessment Strategy Scenario

Ms. Palmeri directed the members to Option 1 Assessment Strategy on page 24 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 25-27. 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. Ms. Palmeri noted the only change is to the allocation of the Safety Incentive Program for the smaller members. She stated that they were not contributing the amount they were receiving so this was adjusted since the amount increased from \$88,000 to \$100,000. She reminded the members that the MEL overfunding of \$100,000 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 28 and 29 with the Committee, noting that page 28 is the 2023 versus 2024 assessment comparison with dollar impact and page 29 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.

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

Ms. Palmeri stated that the Fund Treasurer, Mr. Tontarski, has provided a copy of the annual State submission regarding unclaimed property that was filed on October 27, 2023.

Administrator/Treasurer/TPA Fidelity Bond

Ms. Palmeri explained that currently the Fund carries a Fidelity Bond in the amount of \$250,000, with a \$2,500 deductible, for an annual premium of \$1,114. She stated that minimum suggested Fidelity Bond amount by the Auditor is approximately \$105,000 for the Fund Treasurer/TPA and the 2024 recommended amount is \$172,000; and the recommended amount for the

Administrator is \$150,000-\$175,000. 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 1:51pm.

File: BURLCO/2023/Finance Committee

Tab: 10/31/23



2024 BURLCO JIF Budget Message

FUND YEAR 2024 DRAFT BUDGET OVERVIEW

The attached \$10,709,594 JIF, MEL, Cyber JIF, EPL/POL/LU, and EJIF budget represents an 11.21% increase over last year's combined annualized budget of \$9,631,262 and is based upon the known renewal data at the time the draft budget was prepared. As in years past, individual member assessments will fluctuate above or below the estimated range based on member claims experience as outlined in the attached *JIF Assessment Allocation Policy*. The 2024 Renewal JIF Budget of \$5,804,977 represents an increase of 4.44% (\$246,954) over last year's \$5,558,023 annualized budget.

Highlights of the 2024 Renewal Budget are as follows:

- Budgeted loss funds increased by \$195,691 (4.88%)
- Operating Expenses (Fund Professional fees, Meeting Expenses, Postage/Copies, etc.) increased \$37,175 (3.75%)
- Member Benefits (Safety Programs, EPL/Cyber Programs, Wellness, etc.) increased \$14,088 (2.53%)
- Excess and Standalone premiums, inclusive of the MEL, Cyber JIF, EPL/POL/Land Use, and EJIF policies increased \$823,378 (20.44%)
- The application of the JIF's *Revaluation Program* to the ten (10) members renewing their membership effective January 1, 2024, resulted in six (6) members qualifying. This program is thoroughly explained in the attached *Assessment Allocation Policy*.
- All members' performance are reviewed for inclusion in the JIF's *Retrospective Program*. No member met the Policy's criteria for inclusion in the Program. This program is thoroughly explained in the attached *Assessment Allocation Policy*.

JIF BUDGET FACTORS

Loss Funds

Loss Funds represent money used for the payment of member claims within the Fund's self-insured retention. Assuming no change in the SIR for Fund Year 2024, the Actuary recommended a 4.7% increase in the overall loss funding budget utilizing anticipated exposure growth of 0% for Auto & General Liability and Workers' Compensation and 4% for Property. As customary, the Actuary provided three confidence levels of loss funding: low (40% confidence level), central (55% confidence level), and high (70% confidence level). The Finance Committee opted to fund the central loss funding recommendation as they have done historically. They recognized that failure to fund at the central confidence level could have a negative impact on their surplus position and may result in the possibility of multiple years of large loss funding increases or additional assessments in future years. As in prior years, the Finance Committee reviewed various SIR options for Auto & General Liability and Workers' Compensation (\$400K and \$500K); however, feels it is in the JIF's best interest to remain at \$300K for Auto & General Liability and Workers' Compensation for 2024.

- **Workers' Compensation** loss funding increased 1.73% (\$40,307). While there are many factors that are driving this increase including increasing pressure on health care costs (medical inflation), the lingering impact of the pandemic, increasing indemnity costs, and an increase in the overall number of claim "re-openers", there are certain cost drivers identified by the Fund Actuary. This includes an additional \$146,000 in loss funding directly attributable to the "pension offset" regulatory change. Some initiatives the JIF is utilizing to control Workers' Compensation costs include:
 - The use of a PPO & EPO resulted in over 95% of all medical expenses being repriced resulting in a savings of \$976,056 or 55% as of September 30, 2023.

- The use of 53% of available transitional duty days by the members resulted in the savings of \$93,576 as of September 30, 2023.
 - The timely reporting of claims currently averaging 2.5 days of the occurrence of a claim.
 - The continued strong participation in Safety Training by all members.
 - The JIF's Lost Time Accident Frequency is 1.30 as of August 31, 2023, which represents a reduction in comparison to the same evaluation date in 2022, which is an indication that the Fund's emphasis on safety training, transitional duty, and management of claims is paying off.
 - The continued funding of a member employee Wellness Program. Numerous national studies indicate that healthy employees are less likely to suffer a workers' compensation claim; and, when they are injured, the injury is less severe and the employee recovers faster.
 - The Fund continues to monitor the potential impact of expanding definitions of compensability, both legislative and court rendered, the aging workforce, and "reopeners" on this line of coverage.
- **General Liability** loss funding increased 6.83% (\$36,887). This increase is reflective of statutory and judicial changes that continue to erode Title 59 immunities that the Fund uses to defend its member municipalities. Some initiatives the JIF is utilizing to control General Liability Claims costs include:
 - Members continue to make good use of the various liability risk control programs offered by the Fund including encouraging members to include model indemnification, defense, and hold harmless language in all municipal contracts including inter-local service agreements.
 - Members continue to use the TULIP (Tenant User Liability Insurance Program) Program that allows private users of municipal facilities to secure short-term, low cost, liability insurance policies over the internet. These policies automatically name the municipality as an *Additional Insured* and provide an added layer of protection to the members.
 - The funding of a Police Risk Management Consultant to assist member Police Departments in the adoption, training, and implementation of the most critical policies as identified by the JIF Defense Panel members who defend police related claims.
 - The Fund's liability claims adjusters and defense panel members are continuing to do a fine job in investigating, settling, and defending liability claims brought against our members with 24 active General & Auto Liability claims as of October 31, 2023 for 28 members.
- **Auto Liability** loss funding is increasing 0.82% (\$1,044). At fault automobile accidents, involving Police vehicles continue to be the main factor driving this line of coverage. Some initiatives the JIF is utilizing to control Auto Liability Claims costs include:
 - The Fund's *Safety Incentive Program* includes a requirement that ALL emergency responders complete the S:ERVE Training program.
 - The Fund continues to promote the *Coaching of Emergency Vehicle Operators* training.
 - The Fund continues to promote annual Motor Vehicle Records check of all drivers of municipally owned vehicles.
 - The Fund Administrator is receiving a quarterly report that tracks at fault accidents involving police vehicles to track the costs of these accidents from both a property and workers' compensation perspective.
- **Property** loss funding is increasing 21.72% (\$88,099). This increase is driven by the increasing costs of labor and materials involved in recovering from a property loss. Some initiatives the JIF is utilizing to control Property Claims costs include:
 - Ongoing property appraisals of each member's buildings at least once every four (4) years.
 - An ongoing review of member's property and equipment schedules to ensure that coverage for all municipally owned property is properly designated within Origami.
 - The implementation of the *JIF Preferred Auto Shop Program* to make sure that all auto repair shops working on municipally owned vehicles are following stringent guidelines in regards to documentation of repairs, the use of appropriate aftermarket/OEM parts, the approval process for additional unforeseen repairs, and storage fees.

- **Loss Fund Contingency** funding is at \$0. This line item is utilized by the Finance Committee to prevent the loss funding from decreasing and/or in anticipation of unexpected claims arising from legislative changes.

JIF LOSS FUNDING ASSESSMENT STRATEGY

In consideration of the aforementioned factors affecting the 2024 JIF Loss Funding Budget, the Finance Committee is recommending that the 2024 JIF loss funding assessments range from a decrease of 2.0% for renewing members with a six year average loss ratio below 20% to an increase of 4.86% for newer members who have less than three years loss experience with the BURLCO JIF. Members with six-year average loss ratios above 150% will receive a 10.0% increase in their loss funding assessment. Details outlining the assessment strategy are documented in the attached *2024 Assessment Allocation Strategy*.

OPERATING EXPENSES/MEMBER BENEFITS

Operating Expenses (i.e. Fund Professional fees, Meeting Expenses, Postage/Copies, etc.) represent approximately 9% of the overall JIF budget. Member Benefits (i.e. Safety Programs, EPL/Cyber Programs, Wellness, etc.) represent 5%, of the combined JIF budget. Factors impacting the JIF operating expenses and member benefits include:

- Operating Expenses increased by \$37,175 (3.75%) with increases in professional fees averaging 2.00% with the exception of the Claims Administrator with a 5.84% increase which is year 2 of a 3 year phase-in. The increase is driven by the Fund's desire to have a dedicated unit of adjusters with maximum file counts per adjuster. The Safety Director was approved for a 3.5% (\$5,155) increase and the Claims Auditor line increased \$4,530 (82.82%) as a result of actual payments for the claims audit performed in 2023.
- Member Benefits increased by \$14,088 (2.53%) primarily due to an increase in the Safety Incentive Program (\$12,275), and Right To Know (\$1,010).

EXCESS INSURANCE BUDGET - NJMEL

The 2024 MEL Budget is projecting a 26.8% budget increase (\$15,468,847) over 2023 which is driven by the hard worldwide excess insurance market in addition to funding at the high confidence level for loss funding within the MEL SIR. The JIF is budgeting an increase of \$759,821 (28.57%) inclusive of rate increases and exposure growth. Over the last 24 months, the worldwide insurance market has been challenging due to ongoing natural disasters (i.e., hurricanes & wildfires), the lingering effects from the COVID-19 pandemic, the impact of law enforcement related claims, regulatory & statutory changes, and the impact of social inflation. The financial strength of the MEL continues to provide some protection to its members against the ravages of the hardening market. A copy of the proposed 2024 MEL Budget and rate table are attached. Some factors influencing the 2024 JIF MEL Budget include:

- The MEL continues to utilize the experience rating process based on the prior ten years MEL experience for WC and Liability claims funding.
- The BURLCO JIF has been a net "taker" to the MEL over the prior ten years with a 10-year average loss ratio of 100.2% and will receive a 15% experience-rating penalty applied to its WC and Liability claims funding.
- The Finance Committee has opted to fund an additional \$104,154 in anticipation of future MEL Surplus Trigger Assessments which are detailed in the attached *Assessment Allocation Strategy*.

CYBER JIF

In recognition of the difficulty in securing Cyber Liability coverage for public entities in the commercial insurance market, the need for all members to implement stringent cyber security protocols, the volatile nature of cyber related losses and the recent poor loss experience for members in the Cyber line of coverage; the MEL affiliated JIFs formed the Cyber Risk Management Joint Insurance Fund to provide Cyber related services and coverage for all MEL affiliated JIFs effective January 1, 2023. The Cyber JIF carries a self-insured retention and purchases specific and aggregate excess coverage for each member JIF.

The Cyber JIF premium is allocated to members utilizing population tiers to create size categories, which is detailed in the attached *Assessment Allocation Strategy*. The members with smaller populations will have a lower premium than those members with large populations. This recognizes the complexity of larger towns that may have greater exposures than smaller towns. Effective with the 2024 premium allocation, additional tiers were added to aid smaller members with minimal risk. The Cyber JIF adopted a 1.99% (\$125,743) Budget increase. The JIF impact of rate increases, year 2 of 3 census phase-in, and additional tiers resulted in a Budget decrease of approximately 4% (\$11,237).

Cyber Liability Coverage consists of loss funds within the Cyber JIF layer and excess coverage with XL Insurance.

- Beginning November 1, 2023, the cyber security standards for compliance with the Cyber JIF's Risk Management Program, which were updated to recognizing three tiers of cyber security; a "minimum", "intermediate", and "advanced" set of standards.
- Those members that do not meet the minimum cyber security standards will have a \$50,000 deductible and a 20% coinsurance requirement of the next \$300,000 of a claim, members in compliance with the "minimum" cyber security standards will have a \$35,000 deductible with no coinsurance, members that meet the intermediate standards will have a \$20,000 deductible with no coinsurance, and members that meet the "advanced" cyber security standards will have no deductible assuming compliance with the standards at the time of the incident.
- Members are strongly encouraged to come into compliance with the updated cyber security standards by June 30, 2024 to take advantage of a "grandfathering" provision that will provide members in compliance with Tier 1 a \$15,000 deductible, members in compliance with Tiers 1 & 2, have a \$5,000 deductible and members in compliance with Tiers 1, 2, & 3, will have no deductible assuming compliance with the standards at the time of the incident.

EPL/POL/Land Use/VDO

Overall, the JIF Budget for Employment Practices Liability, Public Officials Liability, Land Use, and Volunteers Directors, & Officers Liability Coverage is increasing 7.09% or \$271,630 for 2024.

For Fund Year 2024, the JIF EPL/POL/Land Use/VDO insurer Lexington (AIG) is issuing a 9% statewide premium increase. This increase varies JIF by JIF based upon a revised formula for the pricing of all members that includes their individual exposures, loss performance, and the number of years wherein the member had an incurred loss over the preceding five (5) years. This revised formula was necessary when it was determined that good performing members in poor performing JIFs were paying more premium than necessary while poor performing members in good performing JIFs were not paying enough premium to cover their exposures. Some members will continue to recognize small swings in their premium until the new process is fully implemented. Changes to the allocation for multiple year poor performers were made by the carrier as noted in the attached *Assessment Allocation Policy*.

- The net impact of the premium allocation results in a premium increase of 8.75% (\$66,410) prior to the application of member deductible Buy Downs and Land Use premium for 2024.
- Volunteer, Directors and Officers Liability Coverage limits changed effective January 1, 2023. As a result, VDO premium will be allocated based on number of Fire/EMS departments as noted in the attached *Assessment Allocation Policy*.

E-JIF

Effective January 1, 2006, the JIF became a member of the Environmental Risk Management Joint Insurance Fund (E-JIF). The E-JIF provides its members with a defined Environmental Liability coverage package along with strong risk management programs and other member services including educational and training seminars. The E-JIF for

2024 is increasing \$1,270 (0.51%) over 2023 because of the Budget increase of 1.0% coupled with phasing in the 2020 census results. E-JIF assessments are allocated based upon a member's population.

CLOSED YEARS ACCOUNT - JIF DIVIDENDS

The Finance Committee made a recommendation to release varying amounts of surplus from Fund Years 2010 through 2018. In arriving at the amount of surplus to release, the Finance Committee continued its practice of examining the financial development of the most current years to guarantee future consistent releases of surplus to the membership while providing a cushion against unforeseen events. In addition, the Finance Committee also considered the impact of the 12/31/2022 MEL Supplemental Assessment (\$650,196) and RCF Surplus Trigger Assessment (\$158,632) on the overall Surplus position. The MEL and RCF *Surplus Strengthening Programs* are detailed in the attached *Assessment Allocation Strategy*. The BURLCO JIF 12/31/2022 financial results include an unrealized loss in investment income of approximately \$1,252,683. After examining its current surplus position and the aforementioned factors, the Committee recommended, and the Fund authorized release of \$700,000, which is a 41.67% decrease (\$500,000) over last year's combined release. As in prior years, the members will have the option to receive the dividend as a check, credit against their 2024 premium, or to transfer to the Aggregate Excess Loss Contingency Fund for future use. In response to the BURLCO JIF State Filing, the Department of Banking and Insurance (DOBI) responded requesting a meeting to discuss their concerns. A copy of their correspondence is attached. The Finance Committee reviewed the concerns noted by DOBI stating that each of their points have been carefully reviewed and considered prior to recommending the release of surplus (which resulted in the \$500,000 decrease over 2023) with the understanding that DOBI will not approve a dividend release in 2024 if the overall net position does not increase at 12/31/23 inclusive of the surplus release. As a result of these discussions, the Finance Committee will recommend to the Executive Committee at their November meeting that they approve a motion reaffirming the release of \$700,000 in surplus.

RISK MANAGEMENT CONSULTANT FEES

Members of the Fund contract independently with their respective Risk Management Consultant. The fees associated with these services are built into member assessments and the expense is passed through the Fund budget.

FUND YEAR 2024 BUDGET

The attached draft budget is submitted for your consideration and introduction at the November 21, 2023 Executive Committee Meeting. A Budget Hearing will be held at the December 19, 2023 Executive Committee meeting.

File: BURLCO/2024/Budget

Tab: Budget Message

MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND					
2024 BUDGET FOR ASSESSMENT CALCULATION					
MUNICIPALITIES ONLY -					
		A	B	B-A	B-A
		BUDGET	BUDGET		
APPROPRIATIONS		2023 ANNUALIZED	2024 PROPOSED	\$	%
I. CLAIMS AND EXCESS INSURANCE		MUNIS ONLY	MUNIS ONLY	CHANGE	CHANGE
CLAIMS					
Excess Liability:					
1	To 500K	3,368,311	4,030,659	662,348	19.7%
2	1.5MIL Ex 500K	7,042,367	8,042,689	1,000,322	14.2%
3	3MIL ex 2MIL	1,930,844	2,253,562	322,718	16.7%
4	Excess WC	9,723,140	12,017,096	2,293,956	23.6%
5	Excess Property Claims	5,946,216	9,823,882	3,877,666	65.2%
6	POL/EPL Land Use	1,080,416	1,094,336	13,920	1.3%
7	Aggregate Excess LFC	13,864	14,632	768	5.5%
8	JIF Faithful Performance Bond	208,051	208,836	785	0.4%
9	Surety Bond	315,751	321,065	5,314	1.7%
10	Sub Total	29,628,960	37,806,757	8,177,797	27.6%
11	PREMIUMS				
12	Optional Excess Liability	3,244,313	3,708,812	464,499	14.3%
13	Optional Excess POL/EPL	2,023,794	2,140,681	116,887	5.8%
14	Excess WC	3,419,081	3,621,496	202,415	5.9%
15	Excess Property	13,669,327	20,081,387	6,412,060	46.9%
16				-	
17	Loss Fund Contingency	228,128	232,306	4,178	1.8%
18	Sub Total	22,584,643	29,784,682	7,200,039	31.9%
19	Total Claims & Premiums	52,213,603	67,591,439	15,377,836	29.5%
20					
21	II. EXPENSES				
22	Claims Adjustment	1,115,376	1,137,684	22,308	2.0%
23	Property Adjustment	180,186	183,790	3,604	2.0%
24	Administration	1,417,119	1,445,461	28,342	2.0%
25	Claims Supervision	500,000	510,000	10,000	2.0%
26	Actuary	54,247	55,332	1,085	2.0%
27	Attorney	48,821	49,797	976	2.0%
28	Deputy Attorney	1,629	1,662	33	2.0%
29	Attorney-OPRA	18,378	18,746	368	2.0%
30	Auditor	31,110	31,732	622	2.0%
31	Treasurer	27,505	28,055	550	2.0%
32	Underwriting Manager	62,623	63,875	1,252	2.0%
33	Reinsurance Manager	330,667	337,280	6,613	2.0%
34	Safety and Education Committee	110,455	112,664	2,209	2.0%
35	Computer Services	152,374	155,421	3,047	2.0%
36	Legislative Committee	29,159	29,742	583	2.0%
37	Internal Audit Committee	63,878	65,156	1,278	2.0%
38	Strategic Planning Committee	31,939	32,578	639	2.0%
39	Coverage Committee	42,306	43,152	846	2.0%
40	Communications Committee	131,473	134,102	2,629	2.0%
41	Expense Contingency	85,159	85,159	-	0.0%
42	Subtotal	4,434,404	4,521,388	86,984	2.0%
43					
44	MEL Safety Institute	1,133,532	1,137,559	4,027	0.4%
45	Total Appropriations	57,781,539	73,250,386	15,468,847	26.8%

MEL RATE TABLES - Municipalities

MEL RATE TABLES - Municipalities

0.0543

CLAIMS & EXPENSES				DRAFT MEL 2024 Rates.xlsx				10.0%			
Attachment Key	Line of Coverage	Layer	RATING BASE	2023	2023 Minimums	2024	Credibility Factor 1 = Low 2 = Select 3 = High	2024 Minimums	CHANGE	CHANGE%	Population >15K Discount
200	Liability Claims To 500K	300 x 200	Population	1.5316		1.7987	3		0	17.4%	10%
250		250 x 250		1.1288		1.3416	3		0	18.9%	10%
300		200 x 300		0.8096		0.9693	3		0	19.7%	10%
350		150 x 350		0.5529		0.6599	3		0	19.4%	10%
400		100 x 400		0.3407		0.4002	3		0	17.5%	10%
500		0 x 500		0.0000		0.0000	3		0	0.0%	10%
500	Liability Claims 1.5MIL Ex 500K	1,500 x 500	Population	1.4645	1,997	1.6526	3	2,254	0	12.8%	10%
750		1,250 x 750		1.3315		1.5364	3		0	15.4%	10%
1,000		1,000 x 1,000		1.2180		1.4257	3		0	17.1%	10%
1,500		500 x 1,500		1.0105		1.2201	3		0	20.7%	10%
2,000	Liability Claims 3MIL ex 2MIL	3,000 x 2,000	Population	0.3990	744	0.4595	3	857	0	15.2%	10%
SPECIAL EXPOSURES											
		WATER UTILITY	Payroll	0.0112		0.0112			0	0.0%	
		ELECTRIC UTILITY(1)	Payroll to 1MIL	0.0195		0.0195			0	0.0%	
		ELECTRIC UTILITY(2)	Payroll over 1MIL	0.0020		0.0020			0	0.0%	
Allocation to Liability Claims											
Liability Claims To 500K				67.85%		67.85%			0	0.0%	
Liability Claims 1.5MIL Ex 500K				32.15%		32.15%			0	0.0%	
SEASONAL SURCHARGE											
Allocation to Liability Claims is by % of			Liability Assessment								
ATL	Total		Liability Claims	6.00%		6.00%			0	0.0%	10%
MON			Optional Excess Liability	6.00%		6.00%			0	0.0%	10%
CNTRL				6.00%		6.00%			0	0.0%	10%
OCE				6.00%		6.00%			0	0.0%	10%
200	Workers Comp Claims to 2Mil	1,800 x 200	Payroll	0.005393		0.006177	3		0	14.5%	
250		1,750 x 250		0.004318		0.005025	3		0	16.4%	
300		1,700 x 300		0.003510		0.004136	3		0	17.8%	
350		1,650 x 350		0.002877		0.003447	3		0	19.8%	
400		1,600 x 400		0.002388		0.002918	3		0	22.2%	
450		1,550 x 450		0.001992		0.002490	3		0	25.0%	
500		1,500 x 500		0.001665		0.002137	3		0	28.3%	
600		1,400 x 600		0.001192		0.001591	3		0	33.4%	
750		1,250 x 750		0.000759		0.001082	3		0	42.6%	
1,250		750 x 1,250		0.000316		0.000405	3		0	28.3%	
2,000		0.000000		0.000000	3		0	0.0%			
100	Property Claims to 250K	150K x 100K	TIV	0.0240		0.0288	3		0	20.4%	
150		100K x 150K		0.0124		0.0149	3		0	20.4%	
200		50K x 200K		0.0051		0.0061	3		0	20.4%	
250	Property Claims 500K x 250K	250K x 250K	TIV	0.0126		0.0152	3		0	20.4%	
500	Property Claims 500K x 500K	500K x 500K	TIV	0.0085		0.0102	3		0	20.4%	
1,000	Property Claims 1.5MIL x 1MIL	1.5MIL x 1MIL	TIV			0.0113	3				
POLEPL Land Use				Population	0.2191	0.2191			0	0.0%	
Cyber Liability Claims				Limits????	Flat Rate	1,805		1,805	0	0.0%	
Aggregate Excess LFC				Suburban Municipal JIF		13,864		14,633	769	5.5%	
JIF Faithful Performance Bond				FT EE		6,3405		6,3405	0	0.0%	
Surety Bond					Base Limit	Optional Limit	Base Limit	Optional Limit			
0					500	125	500	125	0	0.0%	
3,001					500	125	500	125	0	0.0%	
6,001					500	125	500	125	0	0.0%	
10,001					1,000	250	1,000	250	0	0.0%	
15,001					1,000	250	1,000	250	0	0.0%	
20,001			Population		1,250	313	1,250	313	0	0.0%	
30,001					1,500	375	1,500	375	0	0.0%	
40,001					2,000	500	2,000	500	0	0.0%	
50,001					2,750	688	2,750	688	0	0.0%	

MEL RATE TABLES - Municipalities

Attachment Key	Line of Coverage	Layer	RATING BASE	2023	2023 Minimums	2024	Credibility Factor		CHANGE	CHANGE%	Population >15K Discount
							1 = Low	2 = Select			
	Loss Fund Contingency										
			Population	0.0450		0.0450			0	0.0%	1
	Loss Fund Contingency OTHER		Total Loss Fund Assmt	0.0392		0.0392			0	0.0%	
	MEL Safety Institute		FT Ees	32.99		32.99			0	0.0%	
	Expense Contingency		% of Assessment	0.0933		0.0933			0	0.0%	

MEL RATE TABLES - Municipalities

Attachment Key	Line of Coverage	Layer	RATING BASE	2023	2023 Minimums	Credibility Factor		2024	2024 Minimums	CHANGE	CHANGE%	Population >15K Discount
						1 = Low	2 = Select					
PREMIUMS				2023 Certified Rate	Actual Rates	AAA 2023 RENE Excess Premium FY2024 Estimates as of 8-18-2023.pdf						
Optional Excess Liability												
2		2 MIL EX 5 MIL	Population	0.2225	0.2277			0.2505		0	10.0%	
5		5 MIL EX 5 MIL		0.4485	0.4591			0.5050		0	10.0%	
10		10 MIL EX 5 MIL		0.6710	0.6868	1,004		0.7555	1,104	0	10.0%	
15		15 MIL EX 5 MIL		0.7940	0.8127	1,674		0.8940	1,842	0	10.0%	
		Shared Aggregate (Requires 15 Optional)	% of base premium		43%			43%		0	0.0%	
Optional Excess POL/EPL												
1		1MIL Ex 2MIL	Population	0.1477	0.1403	704		0.1544	774	0	10.0%	
2		2MIL Ex 2MIL		0.2446	0.2323	1,166		0.2556	1,282	0	10.0%	
3		3MIL Ex 2MIL		0.3146	0.2989	1,499		0.3288	1,649	0	10.0%	
4		4MIL Ex 2MIL		0.3713	0.3527	1,769		0.3880	1,946	0	10.0%	
8		8MIL Ex 2MIL		0.7113	0.6757	3,390		0.7433	3,729	0	10.0%	
Workers Comp Premium				Payroll	0.001076	0.0010760		0.0010976		0	2.0%	
Property Premiums												
		Excess Property	TIV	0.0925	0.10378			0.11956		0	15.2%	
		Excess Flood - \$25m x \$50 m		0.0048	0.00961			0.01057		0	10.0%	
		Excess Flood - \$25m x \$75m		0.0025				0.00000		0	0.0%	



State of New Jersey

DEPARTMENT OF BANKING AND INSURANCE

DIVISION OF INSURANCE

OFFICE OF SOLVENCY REGULATION

PO BOX 325

TRENTON, NJ 08625-0325

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PHIL MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

JUSTIN ZIMMERMAN
Acting Commissioner

October 11, 2023

Burlington County Municipal Joint Insurance Fund
Executive Committee c/o Paul Forlenza, Executive Director
6000 Sagamore Drive, Suite 6203
Marlton, New Jersey 08053

Re: Burlington County Municipal Joint Insurance Fund (“BCMJIF” or “Fund”)
Proposal to Release Closed Year Accounts Surplus

Dear BCMJIF Executive Committee (“Executive Committee”):

The New Jersey Department of Banking and Insurance (the “Department”) received a letter dated, September 27, 2023, from the Executive Director’s Office of the Fund relating to a proposed release of closed year account surplus pursuant to NJAC 11:15-2.21.

On October 4, 2023, the Department met with the Executive Director’s office and mentioned the proposal was under review. By way of this letter, the Department requests the Executive Director to review the Department’s certain concerns with the Executive Committee before moving forward. Pursuant to N.J.S.A. 40A:10-37, the Executive Committee maintains the full power and authority of the commission of the Fund including the responsibility for determining whether to propose and determine a return of surplus to its members.

Although the Department notes the Fund maintained a surplus position of \$6.3 million at year-end 2022, the Fund’s surplus has depleted rapidly over the past four years:

Surplus YE 2022	Surplus YE 2021	Surplus YE 2020	Surplus YE 2019	Surplus YE 2018
\$6.3 million	\$9.5 million	\$10.9 million	\$11.9 million	\$12.5 million

The decrease in surplus by \$6.2 million over the four-year period was due to \$4.2 million in returned surplus and \$2.0 million in overall operating and investment losses.

The Department expressed the following concerns:

- 1) Surplus after returning \$700,000 would stand at less than 61% of recent average annual member assessments (i.e., \$5.4 million of capital versus \$8.9 million in assessments).

- 2) All three of your most recent three fund years declined in surplus, without considering returned surplus to members.
- 3) Significant rate increases are expected in the reinsurance market – especially in property and general liability.
- 4) Potential for additional investment losses in the short term due to on-going increases in interest rates (which may ultimately help the fund to the extent surplus is maintained and invested).
- 5) Adverse claim loss development in prior years and the potential for adverse prior year loss development in the future, especially in workers compensation claims.
- 6) Issues noted by the external auditor in the Audited Financials for YE 2022, including the supplemental assessment by the MEL and Residual Claim Fund and other significant subsequent events.

The Department requests the Executive Committee review the issues noted above in relation to the current and future position of the Fund and inform the Department as to its desire to move forward with the proposal to return of surplus.

To the extent the Fund moves forward with the \$700,000 return of surplus, the Fund should consider refraining from future returns in surplus until the change in net position of the Fund in future years reflect an increase in surplus (after such returns). Otherwise, the Department would likely not be in a position to approve such a return of surplus.

We look forward to your reply to this matter.

David Wolf
Acting Assistant Commissioner, Office of Solvency Regulation
New Jersey Department of Banking and Insurance

cc: Nick Bennett (DCA), William Leach (DOBI), Carolina Chong (DOBI)

BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND
FUND YEAR 2024 BUDGET
\$300K SIR (WC/GL/AL) - \$100K SIR (PR)

	ANNUALIZED	DRAFT	CHANGE	CHANGE
	2023	BUDGET	\$	%
		2024		
PROPERTY	405,701	493,800	88,099	21.72%
GENERAL LIABILITY	540,170	577,057	36,887	6.83%
AUTO LIABILITY	127,911	128,955	1,044	0.82%
WORKERS' COMPENSATION	2,334,150	2,374,457	40,307	1.73%
DEDUCTIBLE	601,400	630,754	29,354	4.88%
LOSS FUND CONTINGENCY	-	-	-	0.00%
TOTAL CLAIM LOSS FUNDS	4,009,332	4,205,023	195,691	4.88%
CLAIMS ADMINISTRATION	233,421	247,052	13,631	5.84%
PROFESSIONAL SERVICES	322,844	331,511	8,667	2.68%
- Actuary	27,159	27,702	543	2.00%
- Administrative Consultant	30,241	30,846	605	2.00%
- Attorney	76,950	78,489	1,539	2.00%
- Auditor	20,425	20,834	409	2.00%
- Safety Director	147,288	152,443	5,155	3.50%
- Treasurer	12,083	12,325	242	2.00%
- Underwriting Manager	8,698	8,872	174	0.00%
ADMINISTRATION	390,208	399,963	9,755	2.50%
CLAIMS AUDITOR	5,470	10,000	4,530	82.82%
MISCELLANEOUS OPERATING EXPENSES	40,090	40,682	592	1.48%
- Fidelity Bond (Admin/TPA/Treasurer)	1,200	1,200	-	0.00%
- JIF Website	5,500	5,500	-	0.00%
- Legal Notices	1,800	1,800	-	0.00%
- Meeting Expense/Dinner Meeting	3,000	3,500	500	16.67%
- Office Supplies	2,300	2,300	-	0.00%
- Other	10,000	10,000	-	0.00%
- Performance Bond (TPA)	300	300	-	0.00%
- Postage/Copies/Fax	3,200	3,200	-	0.00%
- Printing	7,000	7,000	-	0.00%
- Record Retention Service	1,200	1,200	-	0.00%
- Recording Secretary	4,590	4,682	92	2.00%
TOTAL OPERATING EXPENSES	992,033	1,029,208	37,175	3.75%
SAFETY PROGRAMS	215,943	229,228	13,285	6.15%
- Optional Safety Budget	52,045	52,045	-	0.00%
- Safety Incentive Program	87,725	100,000	12,275	13.99%
- Training	76,173	77,183	1,010	1.33%
- Police Risk Services	22,000	22,000	-	0.00%
- Right to Know	45,173	46,183	1,010	2.24%
- Training	9,000	9,000	-	0.00%
EPL / CYBER	121,000	121,000	-	0.00%
- Cyber Risk Services	100,000	100,000	-	0.00%
- EPL/Cyber Incentive Program	21,000	21,000	-	0.00%
PAYROLL AUDITOR	15,545	15,848	303	1.95%
PROPERTY APPRAISER	27,000	27,500	500	1.85%
RISK CONTROL CONTINGENCY	20,000	20,000	-	0.00%
TECHNOLOGY RISK SERVICES DIRECTOR	60,000	60,000	-	0.00%
WELLNESS/WELLNESS INCENTIVE	60,670	60,670	-	0.00%
CONTINGENCY	15,000	15,000	-	0.00%
MISCELLANEOUS MEMBER BENEFITS	21,500	21,500	-	0.00%
- AGRIP/ PRIMA	15,000	15,000	-	0.00%
- Annual Planning Retreat	6,500	6,500	-	0.00%
TOTAL MEMBER BENEFITS	556,658	570,746	14,088	2.53%
SUB TOTAL JIF BUDGET	5,558,023	5,804,977	246,954	4.44%
MUNICIPAL EXCESS LIABILITY JIF	2,659,698	3,419,519	759,821	28.57%
- MEL Excess WC & Liability	1,791,564	2,065,860	274,296	15.31%
- MEL Excess Property	868,134	1,353,659	485,525	55.93%
- Property	856,334	1,341,859	485,525	56.70%
- Fidelity	11,800	11,800	-	0.00%
CYBER JIF Premium	313,341	329,404	16,063	5.13%
CYBER JIF Commission - RPA	2,413		(2,413)	-100.00%
CYBER JIF Commission - CSB	2,413		(2,413)	-100.00%
EPL/POL/LU Premium	792,738	848,909	56,171	7.09%
EPL/POL/LU Ccommission - RPA	26,085	28,010	1,925	7.38%
EPL/POL/LU Commission - CSB	26,085	28,010	1,925	7.38%
EPL/POL Surcharge	357	386	29	8.12%
ENVIRONMENTAL JIF	249,109	250,379	1,270	0.51%
SUB TOTAL PREMIUMS	4,072,239	4,904,617	832,378	20.44%
SUB TOTAL JIF & EXCESS BUDGET	9,630,262	10,709,594	1,079,332	11.21%
RISK MANAGEMENT CONSULTANTS	414,083	448,563	34,480	8.33%
TOTAL JIF BUDGET	10,044,345	11,158,157	1,113,812	11.09%

BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND

ASSESSMENT ALLOCATION STRATEGY

Prepared By:
Risk Program Administrators, LLC
Fund Administrator

Revised: December 2023

BUDGET DEVELOPMENT

BUDGET PROCESS

The BURLCO JIF Budget Process begins in July each year when the Risk Management Consultants (RMCs) are asked to update their member **exposures** (e.g. insurable property values, vehicle lists, appropriations, payrolls, etc.). This data is required by the Actuary in order to calculate the **loss fund** demands for the new budget year. Beginning with the 2013 Renewal process, the Fund implemented an on-line exposure data management system that provides members and their Risk Management Consultants with real time direct access to their exposure data. The system allows members to update their exposure data throughout the year and complete the Annual Renewal Process in a fraction of the time compared to prior years. The system also allows Fund Professionals direct access to the exposure information and will increase the accuracy of the Fund's Underwriting data.

In July, all vendors are invited to submit renewal proposals for the coming Fund Year. The Finance Committee reviews these proposals for acceptance, negotiation, and/or other action. The Finance Committee then makes their recommendation regarding contract renewal to the Executive Committee. Finally, it is important to note that the Fund continues to appoint its Fund Professionals utilizing a non-fair and open process in accordance with NJSA 19:44A-20.1. The membership continues to believe that forbidding Fund Professionals from making political contributions to elected officials in member towns is appropriate.

BUDGET COMPONENTS

The budget consists of Six (6) major categories that are described below:

- A. **Loss Funds** - Portion of budget developed by an actuarial review based upon the JIF's aggregate exposures, claims history, and risk factors. It takes into account all costs associated with the payment of members' claims on an accrual basis. The JIF fully funds losses to "Ultimate" expected payout. Each year the Finance Committee evaluates the overall Fund performance and claims counts within both the Fund's SIR and the MEL layer. Based on the positive performance in the Fund's SIR and the MEL layers directly above the Fund's SIR, the Committee continues to maintain a \$300K for Workers' Compensation and Liability claims.
- B. **Operating Expenses** - Pays all expenses associated with operating the Fund (fund professionals, meeting expenses, printing

expenses, etc.), member benefits (payroll audits, property appraisals, various training programs, etc.), and member reimbursement programs (Wellness, Safety Incentive Program, etc.).

C. MEL Assessment – The JIF belongs to the Municipal Excess Liability Joint Insurance Fund (MEL). The MEL provides excess property, liability and workers' compensation coverage beyond the JIF SIR. This budget item is developed by the MEL and transmitted to the JIF in October.

D. Cyber JIF – In recognition of the difficulty in securing Cyber Liability coverage for public entities in the commercial insurance market, the need for all members to implement stringent cyber security protocols, the volatile nature of cyber related losses and the recent poor loss experience for members in the Cyber line of coverage; in the Fall of 2022, the MEL affiliated JIFs formed the Cyber Risk Management Joint Insurance Fund to provide Cyber related services and coverage for all MEL affiliated JIFs. The Cyber JIF will carry a self-insured retention and purchase specific and aggregate excess coverage for each member JIF.

E. EPL/POL Premiums – In recognition of the ongoing statewide poor loss experience for members in the Employment Practices Liability line of coverage, in the Fall of 2010, the MEL, who had previously provided this coverage, decided to place this coverage in the commercial market. While the MEL acts as the lead negotiator with the commercial market to provide uniform coverage terms on behalf of the MEL affiliated JIF's, the Fund Administrator will bind the coverage on behalf of the Fund. The premium for this coverage will be collected as part of each member's assessment and will be paid directly to the commercial insurer by the JIF.

F. E-JIF Assessment – The JIF is a member of the Environmental Risk Management Joint Insurance Fund (E-JIF). The E-JIF provides first and third party liability coverage to its members. The E-JIF provides training and strong risk management programs in the area of environmental hazards. E-JIF assessments are based upon a per capita rate.

ASSESSMENT ALLOCATION STRATEGY

Once the JIF budget is developed, a formula for allocating individual members' shares must be developed. For an assessment allocation formula to be successful it must be easily understood, easy to administer, and perceived as fair and equitable by the

members. The Finance Committee meets each year and establishes the formula that will be used.

The JIF currently uses a loss ratio methodology to allocate the annual budget. Each member’s expiring assessment is adjusted by a set percentage that correlates to a range of loss ratios. Loss ratio is defined as the ratio that loss dollars incurred bears to the member loss fund contributions. During the Fall of 2010, the Fund Administrator and Actuary recommended utilizing a six-year average loss ratio rather than the three-year average loss ratio used in prior years to depict a better overall picture of a member’s Loss Ratio performance. The six-year loss ratio (excluding the current year), valued as of June 30th of the current year, is used in the formula for determining a member’s percentage increase in loss funds for the upcoming year. Members with lower loss ratios will receive a lower percentage increase than members with higher loss ratios. This percentage will vary each year based upon the percentage increase in the JIF budget. Members with less than three years experience may receive an increase equivalent to the overall JIF budget increase. An anomaly loss, which is one loss that accounts for more than 50% of a member’s total losses for the six-year period would have their proposed assessment dropped by one category. Members with anomaly losses are usually small members and the reduction of a single category does not have an impact on the assessment strategy.

Beginning with Fund Year 2011, the Fund implemented a Reward/Revaluation Program for Renewing Members who over the past six years (excluding the current year) have been a net giver to the Fund. This concept is more fully discussed on **pages 6 and 7**.

Also beginning with Fund Year 2011, the Finance Committee opted to introduce a *Retrospective Assessment Program* that identifies those members that are the driving force behind the Loss Funding increases year to year and remove the risk they place on the Fund by capping these members in a min/max contract. This concept is more fully discussed on **pages 7-8**.

The following table is indicative of the current strategy:

6 Year Average Loss Ratio				Increase in Loss Funds	Members Affected
RETRO ASSESSMENT PROGRAM				N/A	0
ABOVE	150%			10.00%	4
BETWEEN	125%	and	150%	8.00%	5
BETWEEN	100%	and	125%	6.50%	1
NEW MEMBERS LESS THAN 3 YEARS				4.86%	0
BETWEEN	60%	and	100%	4.75%	5
BETWEEN	40%	and	60%	3.00%	4

BETWEEN	20%	and	40%	1.50%	2
BELOW			20%	0.00%	1
RENEWING MEMBERS WITH LR BETWEEN 40% & 60%				0.00%	4
RENEWING MEMBERS WITH LR BETWEEN 20% & 40%				-1.00%	0
RENEWING MEMBERS BELOW 20%				-2.00%	2
					28

Risk Management Consulting Fees are negotiated individually by each member and are added to the member’s assessment after the above factors are applied.

The following pages present a history of past Assessment Allocation Strategies.

THE EARLY YEARS - EQUALIZATION

During its early years, the JIF allocated assessments using a simple formula called "equalization". Under this scenario each member's renewal assessment rose by approximately the same amount as the JIF budget regardless of changes in their operations or their claims experience. Many pools use this approach during their formative years and the BURLCO JIF was no exception.

EXPOSURES - In comparing the JIF's membership data over time, however, it became apparent that some members' exposures were changing at a different rate than others. For example, a growing municipality may have had to build a new municipal building, while another member eliminated their entire police department. The result was that growing members received subsidies at the expense of the other members. This concept is more fully discussed on **page 13**.

EXPERIENCE - A review of the members' claims histories also revealed the potential for inequities. One member, for example, may have incurred a relatively low ratio of claims compared to their budgeted assessment while others incurred higher claims ratios. Clearly, the “**Equalization**” strategy offered no inducement to control losses and, in fact, may have rewarded members with poor experience. **Page 15** more fully discusses this topic.

After several years of “**Equalization**” the Finance Committee realized that if this strategy continued, inequities would develop and the JIF could lose members. Unfortunately, the first to leave the JIF would be those members whose good experience was subsidizing the JIF.

1993 - COMBINED ALLOCATION STRATEGY

In 1992, after reviewing all of the above facts, the Finance Committee recommended that an Assessment Allocation Strategy be adopted which incorporated both an Exposure Allocation and Experience Rating strategy taking all of the above factors into consideration. This strategy took effect with the 1993 Fund Year.

1997 - EXPERIENCE BASED ALLOCATION STRATEGY

In the Fall of 1996, the Finance Committee again examined the relationship between members' assessments and their claims experience. The Committee agreed that the Combined Allocation strategy did not place enough weight upon a members' claims history. The Committee therefore recommended that a more simplified assessment allocation method be adopted in which members' renewal assessments are modified based upon their preceding three full years' claims experience. The Finance Committee recommended that the chart, which appears on **page 15**, be simplified and that members' **overall** three-year claims experience be used in lieu of individual lines of coverage. That is the strategy in effect today.

2006 – MODEL OPERATING EXPENSES

In the fall of 2005, the Finance Committee examined the way JIF Operating Expenses were allocated to the members. While the above "Experience Based Allocation Strategy" appeared equitable, it was recognized that members' share of JIF Operating Expenses should not be affected by their loss ratio. Therefore, in consultation with the Fund Administrator, the Finance Committee adopted an Assessment Allocation Strategy that applies the above "Experience Based Allocation Formula to **LOSS FUNDS ONLY** and proposes that a members' Operating Expenses be allocated more in line with their actual cost to the Fund. Therefore, those expenses that are directly attributable to a member (Direct Expenses) e.g. Optional Safety Budget, EPL Consulting Service, Loss Control Service, etc. will be charged to a member's assessment. Those expenses that cannot be directly attributable to a member (Indirect Expenses) such as Actuarial Fees, Claims Audit Fees, Financial Audit Fees, etc. shall be charged to a member's assessment in the same proportion that their Loss Fund Contributions, Property Values, or Payroll figures, whichever bases is most appropriate, bear to the entire JIF. Thus, if a member contributes 5% to the JIF Loss Fund budget, they will receive a 5% share of a specified JIF indirect Operating Expense.

2011 – SIX-YEAR LOSS RATIO, REWARD / REVALUATION PROGRAM & RETRO ASSESSMENT PROGRAM

In the fall of 2010, the Finance Committee undertook an in depth analysis to determine whether the Three Year Average loss ratio was still a good indicator of a member's exposure to the Fund. The Fund Actuary reviewed the current process utilized to decide member loss funding assessments and rendered an opinion that even though the Three Year loss ratio was a good indicator of a member's overall performance the utilization of a longer time period, six or nine years, would be a more accurate indicator of a member's long term performance in the Fund. Based upon this analysis, the Finance Committee decided to utilize a six year average loss ratio

when determining the Fund's Assessment Allocation Strategy and adjustments to member's assessments on an annual basis.

In conjunction with this change, the Finance Committee also decide to implement a program that allows the Fund to reduce a good performing member's loss funding budget if they have been a "net giver" to the Fund over the same six year period. Beginning with the 2011 Fund Year, the Finance Committee examined each member during their Renewing Year to make sure that their assessment accurately reflects their exposure to the Fund. In cases where a good performing member is a net giver to the Fund over the preceding six year period (not inclusive of the current year), the Finance Committee will consider reducing the member's loss funding assessment to better reflect their exposure to the Fund. The Finance Committee recognizes that failure to provide financial relief to the good performing members will cause them to become over assessed and an attractive member to a competing Fund. The Fund recognizes that if good members leave the Fund a greater financial burden will be placed on the remaining members. This process continues to repeat itself until all the good members have left the Fund leaving the Fund with only poor performing members resulting in "adverse selection." This program allows for the Fund to remain competitive in the pricing of the good performing members.

Beginning in Fund Year 2011, the Finance Committee also opted to introduce a *Retrospective Assessment Program* that identifies those members that are the driving force behind the Loss Funding increases year to year and remove the risk they place on the Fund by capping these members in a min/max contract.

Each year the Fund performs an analysis of the each member's performance over the prior three and six year periods to determine those members that are having the greatest negative impact on the Fund's surplus position. Once these members are identified, the Fund Actuary re-prices these members as if they were stand-alone members in the Fund. The Fund can then reduce the amount of the Loss Funding Budget by the difference between the member's loss funding assessment and the Actuary's loss funding assessment or a percentage amount as determined by the Finance Committee. Each remaining member of the Fund is then slotted into their appropriate assessment increase/decrease category based upon their performance.

Those members in the *Retrospective Assessment Program* are then given an increase equal to the increase in the loss funding budget had they remained in the original loss funding formula. The difference between the Actuary's stand-alone pricing, or a percentage amount as determined by the Committee, and the poor performer(s) pricing with the standard increase becomes the obligation of the poor performing member(s) should the funding be needed to offset losses incurred by this member. Members participating in the *Retrospective Assessment Program* are required to

adopt a resolution and accompanying Policy Endorsement that outlines the member's minimum and maximum loss funding allocation under the program.

Those members in the *Retrospective Assessment Program* have their incurred losses evaluated at 18, 30, and 42 months after the inception of the Fund Year to determine if they are obligated to pay any of the additional loss funding between the amount they originally contributed to the Fund and their maximum loss funding assessment as determined by the Finance Committee. Any additional loss funding due from a member enrolled in this program can be billed to the member at any time following the conclusion of the Fund Year. All additional loss funds due and owing under this program must be paid to the Fund at the time the Fund transfers the obligations of the Fund Year to the Residual Claims Fund or the member leaves the Fund.

The *Retrospective Assessment Program* benefits both the good and poor performing members of the Fund. Poor performing members benefit in that they are able to spread potentially large increases in loss funding over a number of years easing a potential burden on their local budget, providing them time to address claims and loss issues, and providing a financial incentive to improve their performance. Good performing members of the Fund also benefit in that they are no longer supplementing the poor performing members since the Actuary reduces the loss funding budget by the total amount between the minimum and maximum obligations of those members in the *Retrospective Assessment Program*. As a result, the assessment allocation strategy for the good performing members is lower than it would be because the poor performing members are contractually bound to the contract maximum; therefore reducing the amount needed to fund for loss funding. For those members that were selected for the *Retro Assessment Program* that elected not to participate, will be given a Loss Funding Increase significantly higher than what was proposed in the Assessment Strategy breakout before considering taking into consideration the *Retro Assessment Program*.

2011 – 2019 - EPL/POL PREMIUM ALLOCATION

Due to the deteriorating performance in this line of coverage over the prior years, the MEL, on behalf of its member JIF's, negotiated EPL/POL coverage with a private insurer.

In prior years, the MEL allocated member premiums strictly as a rate (police vs. non-police) multiplied by employee counts. In addition, members that were poor performers in this line of coverage were surcharged by the MEL. These surcharges carried through to the specific members during the 2011-2012 JIF Premium assessment with the private insurer.

For the 2013 Fund Year, in an effort to transition to a process that emphasized recent claims experience, the Finance Committee decided to allocate fifty percent (50%) of

the JIF premium across the membership based on a rate (police vs. non-police) multiplied by employee counts and the remaining fifty percent (50%) allocated based on the member's six year loss experience for these lines of coverage. For the 2014 Fund Year, the Finance Committee allocated twenty-five percent (25%) of the JIF premium across the membership based on a rate (police vs. non-police) multiplied by employee counts and the remaining seventy-five percent (75%) allocated based on the member's six year loss experience. For the 2015 Fund Year, the Finance Committee fully transitioned to an allocation based on the member's five year loss experience.

Finally, it should be noted that beginning in 2013, Volunteer, Directors and Officers Liability (optional) was transitioned from the MEL coverage to a commercial carrier. Also in 2013, Cyber Liability Coverage was added also through a commercial carrier.

2012 – EXCESS PROPERTY PREMIUM ALLOCATION

The Finance Committee undertook an in depth analysis of the allocation of Excess Property Premiums. Excess Property Premiums have been included in the JIF Loss Funding portion of the budget; so therefore, members receive a proportionate share of the Excess Property Premiums based on their proportionate share of the JIF Loss Funding Budget. During the analysis, significant variances arose when comparing the Excess Property Premiums to those determined by the MEL (rate times exposure based). In preparation for the 2012 Budget, the Finance Committee opted to remove the Excess Property from the Loss Funding portion of the Budget and include it with the Excess Coverage. In doing so, the Finance Committee elected to transition from the proportionate share allocation to the MEL allocation by utilizing one fourth of the MEL Premium and allocating the remaining funds based on a proportionate share of Loss Funds (as done in years past). It took four years to transition to the MEL's allocation process.

2013 – EXCESS PREMIUM ALLOCATION

Beginning in 2013, the MEL implemented several changes to how excess premiums are calculated. Population is used by the MEL as the basis for the allocation of Liability premiums. Beginning in 2013, the MEL phased in changes in population from the 2000 census to the 2010 census data over a three year period (1/3 each year for 3 years). The BURLCO JIF members experienced an increase in population of 5.54% which had an impact on member assessments. Also, beginning in 2013, the MEL began experience rating member JIFs based upon the JIF's performance over the prior five years at the MEL level. As the BURLCO JIF has been a net giver to the MEL over the prior five years, the JIF will see a reduction in their MEL Assessment prior to the

impact of the 2014 rate changes. The implementation of an experience factor is subject to review on an annual basis.

2016 – EXCESS PREMIUM ALLOCATION

Beginning in 2016, the MEL implemented a *Retrospective Program* on all JIFs in the MEL System in addition to continuing to experience rate JIFs based on the prior ten years' MEL experience for WC and Liability claims funding. As the BURLCO JIF has been a net giver to the MEL over the prior ten years, the JIF will see an experience rating decrease in their WC and Liability claims funding. Under the Retrospective Program, each JIF will be invoiced 85% of WC and Liability claims funding while being contractually bound to a value (100% to 125%) based on the prior ten years' MEL experience. Each JIF will be contractually bound to the *Retrospective Program* for the respective Fund Year for ten (10) years.

2020 – EPL/POL/LAND USE PREMIUM ALLOCATION

In the Fall of 2019, an EPL/POL Task Force was created at the MEL level consisting of Executive Directors of the MEL affiliated JIFs. As noted for Fund Years 2011-2019, the MEL affiliated JIFs premiums were increased or decreased based on the JIF's performance in the MEL program. The goal of the Task Force is to ensure the EPL/POL premium is allocated on a JIF by JIF basis in a fair and equitable manner. The Task Force recognizes that the current structure for allocating JIF premiums was not fair and equitable. As a result, good performing members in poor performing JIFs were paying more premium than necessary while poor performing members in good performing JIFs were not paying enough premium to cover their exposures. To combat this trend, the Task Force removed the JIF performance factor and created a process that allows each member to be priced individually based upon their exposures and performance. Member premiums are now created by determining a base premium for all members based on their individual exposures (population for POL, and FTE, PTE, Seasonal, and Volunteers for EPL) times applicable rates per the attached rate table. Each individual member will have an experience rating factor per the attached utilizing five years' experience with claims capped at \$400,000 gross incurred, valued as of June 30th. Another experience-rating factor of the Statewide increase is also applied to each member's premium. The JIF total premium is determined by the sum of the individual member premiums. In an effort to phase in the new allocation process over five (5) years, there are several smoothing factors applied: such as capping individual member decreases, capping overall JIF premium decreases, and preventing poor performing members with an average loss ratio of 75% or higher from having a premium decrease.

2020 – SURPLUS STRENGTHENING MEL & RCF

Due to recent changes in State Law, public entities now have a potential exposure to claims that might have occurred many years ago. The first statutory change enacted, in July 2019, indicates that fire fighters that meet certain service criteria, and develop one of a number of cancers that are prevalent in fire fighters, will have a presumption that the cancer developed as a result of their fire fighter activities and will be eligible for workers compensation benefits.

The second statutory change that went into effect in December 2019, increases a public entities potential exposure to liability resulting from sexual abuse and molestation claims. This new State law allows claimants to file liability claims for incidents previously barred by the statute of limitations, clarifies that public entities are responsible for claims resulting from negligent hiring, and emphasizes that Title 59 immunities cannot be applied in the defense of these claims.

In recognition of the potential financial impact these statutory changes could have on the MEL & RCF, the MEL and the RCF have developed a mechanism to ensure the overall financial stability of the two Funds. The claims generated by the Cancer Presumption law will be paid through the RCF and billed back to MEL affiliated JIFs for all expenses incurred based on established rates for Fire Fighters: full time, part time, and volunteers. However, depending on the Sexual Abuse and Molestation claims loss date, these claims will either be paid as a standard GL claim for occurrences in open Fund Years or they will be handled by the RCF if the Fund Year where the incident occurred has been transferred to the RCF. The difference between these two types of claims is that there was never WC coverage for the cancer presumption claims whereas claims of sexual abuse and molestation have always been covered under the JIF's GL policy. As a result, sexual abuse claims will go through the JIF & MEL retention, or will be handled directly by the RCF depending on the loss date.

To guarantee the ongoing financial viability of these two Funds, the MEL and RCF, with the assistance of the Fund Actuary, have developed the Surplus Strengthening Program. This Program includes the implementation of a "Surplus Floor" of 12.5% representing the ratio of surplus to the open reserves. If at any time this ratio drops below 12.5%, the shortfall will be addressed via the issuance of an additional assessment to the member JIFs.

Specific to the RCF, the 12/31/19 valuation did not meet the 12.5% surplus floor ratio; therefore, the RCF issued an additional assessment based upon deficit Fund Years at the same time they issue invoices for the transfer of the 2016 Fund Year into the RCF. The issuance of the additional assessment will guarantee compliance with the surplus floor requirements, address deficit Fund Years in the RCF, bolster the overall surplus position of the RCF, and free up additional cash to be utilized to fund fire fighter

cancer presumption claims. An annual analysis and/or assessment is performed to ensure the 12.5% surplus floor ratio is maintained.

Specific to the MEL, the 12/31/20 valuation did not meet the 12.5% surplus floor ratio; therefore, the MEL issued an additional assessment based upon deficit Fund Years. The issuance of the additional assessment will guarantee compliance with the surplus floor requirements, address deficit Fund Years in the MEL, bolster the overall surplus position of the MEL, and free up additional cash. An annual analysis and/or assessment is performed to ensure the 12.5% surplus floor ratio is maintained.

In recognition of the significant financial impact that the COVID-19 pandemic, the changes to the Sexual Abuse & Molestation statutes, the adoption of the firefighters cancer presumption legislation, the adoption of the “pension offset” regulatory changes, the continuing judicial and legislative degradation of Title 59 immunities, and increased number of workers compensation claim “re-openers” the MEL decided to suspend the 12.5% surplus floor in 2022. Instead, each year, the MEL Actuary will be asked to provide a recommended surplus position for the MEL based upon factors such as the total amount of cash, total reserves, and IBNR factors.

2022 – EXCESS PREMIUM ALLOCATION

Beginning with the 2022 Fund Year, the MEL removed the Retrospective Program. With the implementation of the Surplus Strengthening program referenced above, the MEL did not feel the need for both programs. Thorough analysis was done in regards to the impact of the Retrospective Program and it was determined that had the MEL invoiced the full 100% of premium rather than the 85% there would not have been a need to invoice for the 12/31/20 Surplus Strengthening Assessment. The experience rating process will continue to reward good performing JIFs and penalize poor performing JIFs and the Surplus Strengthening Program will ensure the financial stability of the MEL.

2023 – Cyber JIF – 2020 Census

As noted earlier, in recognition of the difficulty in securing Cyber Liability coverage for public entities in the commercial insurance market, the need for all members to implement stringent cyber security protocols, the volatile nature of cyber related losses and the recent poor loss experience for members in the Cyber line of coverage; the MEL affiliated JIFs formed the Cyber Risk Management Joint Insurance Fund to provide Cyber related services and coverage for all MEL affiliated JIFs effective January 1, 2023. The Cyber JIF will carry a self-insured retention and purchase specific and aggregate excess coverage for each member JIF.

The Cyber JIF premium is allocated to members utilizing population tiers to create size categories. The members with smaller populations will have a lower premium

than those members with large populations. This recognizes the complexity of larger towns that may have additional exposures than smaller towns.

Beginning with the 2023 Fund Year, the results of the 2020 Census will be phased in over a three (3) year process. The phase-in of the 2020 Census will affect the MEL, POL, and Cyber premiums over this three (3) year span.

2024 – EPL/POL/Land Use Premium Allocation

Beginning with the 2023 Fund Year, Lexington (AIG) replaced QBE as the carrier for EPL/POL/LU coverage. Coverage limits for Volunteers, Directors, and Officers Liability (VDO) was amended to a shared limit per municipality rather than each separate entity having its own limit and deductible terms. In the Fall of 2023, the process for allocating VDO was updated. Previously members with multiple fire/EMS entities under one policy paid one premium with shared limits and members with separate policies for each entity paid for each policy with individual policy limits. The current process allocates a flat rate as determined annually by the number of fire/EMS entities listed for VDO coverage within the MEL affiliated JIFs.

In the Fall of 2023, the Fund Underwriter was advised by the carrier that members with multiple years (3 or more) with negative experience (loss ratio above 100% where 55% is considered breakeven) need to be more heavily experience rated than those members with less than 3 years negative experience. As a result, the EPL/POL Task Force modified the member experience rating accordingly. Members with a 0% loss ratio benefitted due to the additional premium generated by poor performers with 3 or more years negative performance.

EXPOSURE ALLOCATION STRATEGY

An "exposure" unit is a measure of the magnitude of a loss exposure. For example property values are a measure of the risk of fire. The greater a member's property values, the greater the potential loss.

Appropriations, on the other hand, are traditionally viewed as the measure of liability risk for municipalities. The greater the appropriations, the more activities there are and the higher the likelihood of injury and thus the more likely a law suit to develop.

The exposure unit, therefore, serves as a yardstick to measure the cost of risk and can be easily measured and utilized used to allocate assessment contributions.

The JIF self-insures four areas of risk:

1. Property
2. Liability
3. Automobile
4. Workers' Compensation

Each of these areas of risk is easily measured through the use of exposure units.

PROPERTY

The Finance Committee recommended that total insurable values be used to allocate property insurance costs. Neither the actuary nor the excess carriers differentiate between buildings, contents, equipment, etc. and we have seen no trend in our losses to weight any one item more heavily than the other. The following example describes how the formula actually works.

Example: If the JIF members have a total of \$100,000,000 in insurable property values and member "A" has \$10,000,000 in insurable values then Member "A" will be allocated 10% of the property loss funds.

LIABILITY

In allocating liability costs, the Finance Committee elected to use appropriations. Both the actuary and other JIFs rate on this basis. Neither the actuary nor other JIFs charge for any special exposures such as Police, Fire, etc. Our review of liability claims supports this approach.

Example: If the JIF members have total appropriations of \$100,000,000 and member "A" has appropriations of \$5,000,000 then member "A" will be allocated 5% of the liability loss funds.

AUTOMOBILE

In this area, vehicle counts were used. Again, neither the actuary nor the excess carriers differentiate between types of vehicles. Our instinct tells us that police cars should have a greater potential for loss, however, further analyses indicates that this affects the potential *value* of the loss not the *frequency*, and is therefore more of an issue for the excess carrier than it is for us.

Example: If the JIF members own 500 vehicles and member "A" owns 25 vehicles then member "A" will be allocated 5% of the automobile loss funds.

WORKERS' COMPENSATION

Traditionally, workers' compensation payrolls have been separated into categories of employment with different rates for each; "police", "Clerical, etc. Our analyses and recommendation was to support this more traditional approach. The Committee, therefore decided to accept the Workers' Compensation Rating bureau "relativities" and assign these weights to the workers' compensation assessment allocation formula.

Example: If the "Manual" Workers' Compensation premium for the JIF as a whole is \$2,000,000 and member "A" has a "Manual" Workers' Compensation premium of

\$200,000 then member "A" will be allocated 10% of the workers' compensation loss funds.

EXPERIENCE RATING

For any assessment allocation to be successful it must recognize the potential for some members to incur more claims than others relative to their assessments. Addressing this issue can eliminate the problems associated with the perception that the Fund is subsidizing some members' claims experience at the expense of others.

One method, studied by the Fund, is a simplified experience-rating program that does not impose harsh penalties on members but recognizes adverse claims experience over time. This is accomplished through the application of an experience adjustment factor. The experience adjustment factor is determined from a chart that lists the appropriate factor for a given loss ratio in each line of coverage offered by the JIF. The experience adjustment factor is applied to the member's assessment by line of coverage. The chart below illustrates this concept:

Line of Coverage	Assessment	Experience Factor	Modified Assessment
Property	\$ 2,500.00	.90	\$ 2,250.00
Liability	\$15,000.00	.95	\$14,250.00
Automobile	\$12,000.00	.94	\$11,280.00
Workers' Comp.	\$20,000.00	1.02	\$20,400.00
Total	\$49,500.00	N/A	\$48,180.00

Since it takes several years for claims to develop to their full potential the committee may decide to defer experience rating on members until they have been in the JIF for three full years.

OPERATING EXPENSE ALLOCATION

The JIF's operating expenses are broken down into two categories:

- A. Allocated - These expenses can be directly attributed to a specific member's participation in the JIF. An example of this type of expense is the Safety Director who charges a fee based upon the size of the member.
- B. Unallocated - These expenses that cannot be directly attributable to a member (Indirect Expenses) shall be charged to a member's assessment in the same proportion that a member's individual exposure relates to the Fund total. Examples of exposure data that are used to distribute unallocated operating expenses across the membership include Loss Fund Contributions, Property Values, and Payroll figures, whichever basis is most appropriate. Thus, if a

member has 5% of the total property values for the Fund, this member will pay 5% of the total property appraisal costs for that year.

Under this assessment strategy, the JIF charges allocated operating expenses directly to the members. Unallocated expenses are spread across the membership based upon the individual member's share of the exposure to the total for the Fund.

Risk Management Consulting Fees

Risk Management Consulting Fees are negotiated individually by each member and are added to the members' assessment after all of the above factors and the Cap Strategy (described below) are applied.

CAP STRATEGY

The Finance Committee realized that one of the major reasons member municipalities formed a JIF was to avoid the harsh cycles associated with the traditional insurance market. Without some type of capping mechanism in place, members' assessments could swing wildly from one year to the next. That is why a capping strategy was developed.

A capping strategy begins with a decision to set an upward percentage limit on the amount of any individual member's assessment increase. Naturally, the imposition of a cap on individual members' assessments will create some compression within the overall assessment allocation strategy. This must be addressed in order for the sum of the members' assessments to equal the budget figure for the JIF. In some cases this could mean that a member whose assessment formula results in a decrease could actually receive a modest increase in their assessment. The trade-off in this scenario is that all members know that they are being protected from large increases should their experience turn sour in a particular year.

**BURLCO JIF - 2024 Budget
Assessment Certifications**

Bass River Township	76,570
Beverly City	230,077
Bordentown City	472,389
Bordentown Township	493,498
Chesterfield Township	215,010
Delanco Township	224,362
Delran Township	811,552
Edgewater Park Township	356,649
Fieldsboro Borough	48,480
Florence Township	622,629
Hainesport Township	172,229
Lumberton Township	434,635
Mansfield Township	360,224
Medford Township	1,086,916
Mount Laurel Township	1,424,071
New Hanover Township	149,344
North Hanover Township	251,553
Palmyra Borough	438,186
Pemberton Borough	158,369
Pemberton Township	1,395,890
Riverside Township	343,533
Shamong Township	113,055
Southampton Township	315,860
Springfield Township	140,674
Tabernacle Township	192,060
Westampton Township	482,503
Woodland Township	89,050
Wrightstown Borough	58,791
28	11,158,157

RESOLUTION 2023-

**BURLINGTON 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 **Burlington 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 **Burlington 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	\$300,000

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 Burlington County Municipal Joint Insurance Fund at a public meeting held on November 21, 2023.

BY: _____ ATTEST: _____

CHAIRPERSON

SECRETARY

**BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND
RESOLUTION #2023-___**

**RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO TRANSFER THE
2023 DIVIDENDS RECEIVED FROM THE ENVIRONMENTAL RISK MANAGEMENT
JOINT INSURANCE FUND INTO THE MEMBER AGGREGATE EXCESS LOSS
CONTINGENCY ACCOUNTS IN ACCORDANCE WITH N.J.A.C. 11:15-2.23**

WHEREAS, the Burlington County Municipal Joint Insurance Fund (BURLCO JIF) has been organized pursuant to N.J.S.A. 40A:10-36 et seq.; and

WHEREAS, the BURLCO JIF is a member of the Environmental Risk Management Joint Insurance Fund (E-JIF); and

WHEREAS, on October 16, 2018, the Executive Committee approved Resolution 2018-42 Authorizing the Executive Director to establish individual member accounts within the Fund's Aggregate Excess Loss Contingency Account in accordance with N.J.A.C 11:15-2.23; and

WHEREAS, the BURLCO JIF was recently notified that they were entitled to receive a dividend from the E-JIF in 2023 in the amount of **\$29,815**; and

WHEREAS, over the last several years the BURLCO JIF Finance Committee has encouraged members to place a portion of their annual dividend from the BURLCO JIF into the Aggregate Excess Loss Contingency Fund to provide financial resources for future needs; and

WHEREAS, while preparing the 2024 Fund Budget and reviewing the 2023 Annual BURLCO JIF Dividend release, the Finance Committee decided to recommend to the membership that each members' share of the 2023 E-JIF Dividend be deposited into the individual members account within the Aggregate Excess Loss Contingency Account; and

WHEREAS, the Finance Committee is hopeful that this recommendation will encourage all members to place a portion of their future BURLCO JIF and E-JIF dividends into the Aggregate Excess Loss Contingency Account for future financial needs.

NOW THEREFORE BE IT RESOLVED by the Burlington County Municipal Joint Insurance Fund that the Fund Treasurer is hereby authorized to deposit each member's share of the 2023 E-JIF Dividend into each member's account within the Aggregate Excess Loss Contingency Account; and

BE IT FURTHER RESOLVED that a copy of this Resolution be provided to the Fund Administrator, Fund Treasurer, and Fund Solicitor for their information and necessary action.

This Resolution was duly adopted by the Burlington County Municipal Joint Insurance Fund at a public meeting held on November 21, 2023.

BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND

Attest: _____
Richard Wolbert, Secretary

By: _____
John Gural, Chairperson

Date: November 21, 2023



NOMINATING COMMITTEE MEETING MINUTES

November 1, 2023 @ 10:00 AM

Via Zoom Conferencing

A meeting of the Nominating Committee of the Burlington County Municipal Joint Insurance Fund was held on Wednesday, November 1, 2023 @ 10:00 AM via Zoom.

Those in attendance were

Jerry Mascia, **Mount Laurel Township**, Representative, *Claims Review Committee*
Tom Pullion, **Edgewater Park Township**, Representative, *Coverage Committee*
Kathy Burger, **Medford Township**, Representative, *Finance Committee*
Mary Picariello, **North Hanover Township**, Representative, *Safety Committee*
Daniel Hornickel, **Pemberton Township**, Representative, *Strategic Planning*
James Ingling, **Wrightstown Borough**, *Appointed by Current 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**
Karla Allamby, Account Representative, **RPA a Division of Gallagher**

Those not in attendance were:

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

The meeting was called into order at 10:00 AM.

I. Nominating Committee Meeting Minutes of November 2, 2022

Mr. Forlenza directed the Committee to the November 2, 2022 meeting minutes located in the *Appendix* of the agenda packet. He explained that the minutes provide a narrative of the process that the Committee followed last year in developing the 2023 Executive Committee slate.

II. Nominating Committee Charter

Mr. Forlenza directed the Committee to a copy of the Committee Charter contained in the agenda packet. He explained that the Charter outlines the makeup of the Committee and the process that the Fund follows in developing a slate of candidates for the Executive Committee. Mr. Forlenza requested that anyone who has suggestions for changes to the Nominating Committee Charter to please contact the Executive Director's Office. He also mentioned that should there be any recommended changes, they will be presented to the Strategic Planning Committee during their first meeting next year.

A. Selection of a Committee Chair

Mr. Forlenza indicated that the Charter requires that the Committee select a Chairperson. The main responsibility of the Chair will be to present the minutes from today's meeting and the recommended 2024 Executive Committee Slate to the membership at the November Executive Committee meeting. In addition, the Committee Chair will be asked to reach out to the individuals nominated for the 2024 Slate to make sure they are interested in serving. Daniel Hornickel volunteered to take the position of Nominating Committee Chair again this year. The Committee thanked Mr. Hornickel.

III. Executive Committee Election Process

A. Timetable

Mr. Forlenza directed the Committee to the Executive Committee Election process timeline that was included in the agenda packet. He indicated that normally, a draft Nomination Slate is presented to the membership at the November Executive Committee meeting. The election of the 2024 Slate of Executive Committee and Alternates members will be held at the January 16, 2024 Reorganization meeting.

B. Development of a Nomination Slate

Mr. Forlenza referred the Committee to the Succession Plan Chart located in the agenda packet. The Chart displayed the current Executive and Alternate members of the 2023 Executive Committee.

Mr. Forlenza then explained that several years ago, the Fund began a process of nominating the same individual to serve as the Fund Chair for two (2) consecutive years. At the end of the second year, the Fund Chair steps down and the Fund Secretary moves up to the position of Fund Chair, then all other Executive Committee Members move up one spot. This process helps build the knowledge base of members that will eventually move up to the position of Fund Chair.

Mr. Forlenza noted Mr. Gural is in his first year as Fund Chair; therefore, if the Committee is comfortable continuing with the normal process followed every two years, Mr. John Gural would be eligible to serve as Fund Chair, and Mr. Richard Wolbert would serve as Fund Secretary again for Fund Year 2024. He asked the Committee if they are comfortable with this process. The Committee agreed.

Mr. Forlenza asked the Committee if the remaining members of the Executive Committee should continue in their current roles. The Committee agreed. To ensure the reappointment of members, Mr. Hornickel agreed to reach out to those members who were not present at the meeting to see if they would be willing to serve another year in their current positions.

Mr. Forlenza then asked the Committee for their recommendation and/or suggestions to fill the three (3) Alternate Executive Committee member vacancies on the 2024 Executive Committee Nomination Slate as the Bylaws indicate that the slate can be composed of up to seven (7) Alternate Executive Committee members

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 makeup 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 Fund Commissioners as 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 Patrice Hansell, Fieldsboro Borough would be added as Back-up Alternate Executive Committee Member # (8) and may fill any vacancy created should the need to move others up occur.

The Committee recommended the following Nomination Slate for 2024:

Chair:	John Gural, Palmyra Borough	
Secretary:	Richard Wolbert, Beverly City	
Executive Committee Members:	James Ingling, Wrightstown Borough	(#1)
	Jerry Mascia, Mount Laurel Township	(#2)
	Paula Kosko, Hainesport Township	(#3)
	Daniel Hornickel, Pemberton Township	(#4)
	Erin Provenzano, Delanco Township	(#5)
Executive Committee Alternates:	Mike Mansdoerfer, Riverside Township	(#1)
	Mary Picariello, North Hanover Township	(#2)
	Maria Carrington, Bordentown Township	(#3)
	Sue Onorato, Shamong Township	(#4)
	Tom Sahol, Chesterfield Township	(#5)
	Joe Bellina, Delran Township	(#6)
	Bobbie Quinn, Lumberton Township	(#7)
Back-Up Alternate Executive Committee Member:	Patrice Hansell, Fieldsboro Borough	(#8)

Mr. Forlenza stated that once the meeting minutes are complete they will be forwarded to Mr. Hornickel for his review and ask that he report on the Committee's recommendations at the November 21, 2023 Executive Committee Meeting.

Mr. Hornickel expressed his intention to reach out to the nominated candidates listed above and would contact the Executive Director's office if he came across any problems where in 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 Mr. Hornickel 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 was adjourned at 10:13 AM.

File: BURLCO/2023/Nominating Committee Tab: 11/01/2023



Revised 2024 NOMINATION SLATE

- Chair: **John Gural**, Palmyra Borough
- Secretary: **Rich Wolbert**, Beverly City
- Executive Committee: **James Ingling**, Wrightstown Borough
Jerry Mascia, Mount Laurel Township
Paula Kosko, Hainesport Township
Daniel Hornickel, Pemberton Township
Erin Provenzano, Delanco Township
- Alternates:
- #1 **Mike Mansdoerfer**, Riverside Township
 - #2 **Mary Picariello**, North Hanover Township
 - #3 **Maria Carrington**, Bordentown Township
 - #4 **Tom Sahol**, Chesterfield Township
 - #5 **Joe Bellina**, Delran Township
 - #6 **Patrice Hansell**, Fieldsboro Borough
 - #7 **Susan Onorato**, Shamong Township

BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND
RESOLUTION #2023-__

A Resolution Amending the 2023 Risk Management Plan

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

WHEREAS, the Burlington 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

BURLINGTON 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 Burlington 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 Burlington County
Municipal Joint Insurance Fund at a public meeting held on November 21, 2023.

BURLINGTON COUNTY
MUNICIPAL JOINT INSURANCE FUND

Attest: _____ By: _____
Fund Secretary Fund Chair

Date: November 21, 2023



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
Burlington County Municipal Joint Insurance Fund

From: Commissioner Jack

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		
	E	Annualized FY2023	Proposed Limits	Proposed FY2024	\$	%		
Claims Fund								
1	Retained Claims	300K	\$ 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	Total Claims Fund		\$ 4,447,138		\$ 4,552,556	\$ 105,418	2.37%	
5								
6	Expenses							
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	Sub Total Risk Control		\$ 1,108,791		\$ 1,130,967	\$ 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	Sub Total Administration		\$ 420,000		\$ 428,400	\$ 8,400	2.00%	
26								
27	General Contingency		\$ 347,170		\$ 336,919	\$ (10,251)	-2.95%	
28								
29	Total Expenses & Contingency		\$ 1,875,961		\$ 1,896,286	\$ 20,325	1.08%	
30								
31	Total Budget		\$ 6,323,099		\$ 6,448,842	\$ 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							

BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND

RESOLUTION 2023-_____

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

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

Whereas, the Burlington County Municipal Joint Insurance Fund is a member of the Municipal Excess Liability Joint Insurance Fund, the Residual Claims Joint Insurance Fund, the Environmental Liability Risk Management Joint Insurance Fund, and the New Jersey Cyber Risk Management Joint Insurance Fund; and

Whereas, as a member of each of these Funds, the Burlington 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 Fund Chair of the Burlington County Municipal Joint Insurance Fund; and

Whereas, Meghan Jack, Fund Commissioner from the Township of Riverside has served as the Burlington County Municipal Joint Insurance Fund's representative to the Municipal Excess Liability Joint Insurance Fund, the Residual Claims Joint Insurance Fund, the Environmental Liability Risk Management Joint Insurance Fund, and the NJ Cyber Risk Management Joint Insurance Fund for the past several Fund Years; and

Whereas, the Fund Chair has determined that it is in the best interest of the Burlington County Municipal Joint Insurance Fund to appoint Meghan Jack, Fund Commissioner for the Township of Riverside, as the Fund's representative to the Municipal Excess Liability Joint Insurance Fund, the Residual Claims Joint Insurance Fund, the Environmental Liability Risk Management Joint Insurance Fund and the New Jersey Cyber Risk Management Joint Insurance Fund for the 2024 Fund Year.

Now, Therefore, Be it Resolved by the Fund Commissioners of the Burlington County Municipal Joint Insurance Fund that Meghan Jack, Fund Commissioner from the Township of Riverside, is hereby appointed as the Burlington County Municipal Joint Insurance Fund's representative to the Municipal Excess Liability Joint Insurance Fund, the Residual Claims Joint Insurance Fund, the Environmental Liability Risk Management Joint Insurance Fund, and the New Jersey Cyber Risk Management Joint Insurance Fund for the 2024 Fund Year.

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, the

BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND

Environmental Liability Risk Management Joint Insurance Fund, and the New Jersey Cyber Risk Management Joint Insurance Fund.

This resolution was duly adopted by the Burlington County Municipal Joint Insurance Fund at a public meeting held on November 21, 2023.

BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND

By: _____ Attest: _____
CHAIRPERSON SECRETARY

Date: _____



**New Jersey Municipal Environmental
Risk Management Fund**

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

DATE: November 8, 2023
TO: Burlington County Municipal Joint Insurance Fund
FROM: Commissioner Jack
SUBJECT: Summary of Topics Discussed at E-JIF Meeting

2023 DIVIDEND: The EJIF 2023 dividend distribution of \$2,500,000, approved by the Executive Committee at the September meeting, was reviewed by the Department of Banking and Insurance and they noted a slight difference in the amount of surplus available for return in certain years. This resulted in minor adjustments to amounts released from the selected years. The total amount for distribution remains the same at \$2,500,000 and the Executive Committee adopted resolution #28-23 which approved the adjusted total amounts by fund year. The resolution will then be forwarded to the State for final approval.

APPOINTMENT OF EXCESS CARRIER – The Executive Committee adopted Resolution #29-23 appointing Ascot Specialty Insurance Company as the E-JIF Excess Carrier for Fund Year 2024.

NOMINATING COMMITTEE- The Nominating Committee will meet to discuss the 2024 slate. Their recommended slate will be presented at the Fund's January reorganization meeting.

MEMBERSHIP PRESENTATION: On October 18, 2023 the Executive Director, Fund Attorney, Underwriting Manager and Environment Engineer gave a presentation of EJIF services to the Atlantic JIF to discuss possible membership.

2024 MEETING PLATFORM – The Fund office will be using Microsoft Teams as the default option for audio or video conferencing beginning January 2024.

NEXT MEETING: The next meeting of the EJIF will be the 2024 Reorganization and will follow the MEL change to Monday, January 8, 2024, at the same time and location.