

**PROFESSIONAL MUNICIPAL MANAGEMENT  
JOINT INSURANCE FUND  
MEETING AGENDA  
MAY 21, 2018 – 1:00 PM**

**MOORESTOWN TOWN HALL  
111 WEST 2<sup>ND</sup> STREET  
MOORESTOWN, NJ 08057**

**In accordance with the Open Public Meetings Act, notice of this meeting was provided by:**

- I. Sending sufficient notice to the Burlington County Times**
- II. Advance written notice of this meeting was filed with the Clerk/Manager of each member municipalities and,**
- III. Posting this notice on the Public Bulletin Board of all member municipalities**

**PROFESSIONAL MUNICIPAL MANAGEMENT JOINT INSURANCE FUND  
MEETING: MAY 21, 2018**

- MEETING CALLED TO ORDER - OPEN PUBLIC MEETING NOTICE READ**
- ROLL CALL OF 2018 COMMISSIONERS**
- APPROVAL OF MINUTES:** April 30, 2018 Open Minutes ..... **Appendix I**  
April 30, 2018 Closed Minutes..... **To be distributed**
- CORRESPONDENCE – None**

**REPORTS**

- EXECUTIVE DIRECTOR/ADMINISTRATOR – PERMA Risk Management Services**  
.Executive Director's Report ..... **Page 1**
- ATTORNEY – William J. Kearns, Esquire**
- TREASURER – Thomas Tontarski**  
.May 2018 Voucher List - Resolution No. 18-13 ..... **Page 16**  
.Treasurer’s Reports..... **Page 18**
- SAFETY DIRECTOR – J.A. Montgomery Risk Control**  
.Monthly Report..... **Page 24**
- UNDERWRITING MANAGER – Conner Strong & Buckelew Companies, Inc.**  
.Monthly Certificate Report ..... **Page 33**
- MANAGED CARE – Qual Care**  
.Monthly Report..... **Page 37**
- CLAIMS SERVICE – Qual Lynx**
- RESOLUTION - EXECUTIVE SESSION FOR CERTAIN SPECIFIED PURPOSE:  
PERSONNEL - SAFETY - PUBLIC PROPERTY - LITIGATION**
- OLD BUSINESS**
- NEW BUSINESS**
- PUBLIC COMMENT**
- MEETING ADJOURNED**

## Professional Municipal Management Joint Insurance Fund

9 Campus Drive – Suite 216

Parsippany, NJ 07054

Date: May 21, 2018

Memo to: Fund Commissioners  
Professional Municipal Management Joint Insurance Fund

From: PERMA Risk Management Services

Subject: Executive Director's Report

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- ❑ **Elected Officials Training Course:** Every year, the MEL holds training seminars for elected officials and reduces a member's assessment by \$250 for each municipal elected official and Administrator completing the course by May 31<sup>st</sup>

Mr. Kearns will be scheduling a session in Moorestown. This course is also available on-line; enclosed on **Page 4** are directions to take the class.

- ❑ **2018/2019 Employment Practices Program:** Attached in **Appendix II** is a copy of the correspondence mailed to Fund Commissioners and Risk Management Consultants concerning updates to member Employment Practices Programs. Updated Model Personnel Manuals have been posted to the MEL's webpage [www.njmel.org](http://www.njmel.org). Members have until October 1st to submit their checklist to qualify and/or maintain deductible and co-pay incentives. Compliance includes updating Personnel Manuals, Training Managers & Supervisors, Police Command Staff and offering training to non-supervisory personnel.

Police Command Staff Training – Risk Management Training for Police Command Staff will be scheduled for member police departments. Chief Keith Hummel (Ret.) will present this revised training for all member Police Chiefs, Captains and Lieutenants.

Managers & Supervisors Training – The Program also includes mandatory training of management. We will be working with Mr. Kearns's office to develop a schedule for these classes and will coordinate with member towns for available dates.

Non-Supervisory Training - "*We must respect each other in local government*" video has been added to the MEL Safety Institute to meet the training requirement for "non-supervisory" employees.

- ❑ **2018 Coverage Documents** – The fund office will begin distributing the 2018 coverage documents to all Fund Commissioners and Risk Managers via email in late May.

- ❑ **MEL Cyber Risk Management Program** – The MEL adopted a Cyber Risk Management Program that developed minimum risk control standards for member entities. The JIFs’ policies with XL Caitlin carries a \$10,000 deductible.

To encourage members to implement risk control, the MEL Board of Fund Commissioners voted to participate in a deductible based reimbursement plan based on the member’s level of compliance with minimum standards.

Members who meet certain Technical Competencies (Tier 1 or Tier 2), will be eligible for lower deductibles in the event of a covered claim. Attached in **Appendix III** is program information and certifications that need to be completed and returned to the Underwriting office.

- ❑ **Risk Management Information/Operating System (RMIS):** The online underwriting database through Origami was launched mid-March; Fund Commissioners and Risk Management Consultants were provided login information, as well as, links to short training videos.

Members and Risk Managers will receive an email with a link to renewal worksheets - to begin the 2019 underwriting renewal – which is expected to begin in early June.

- ❑ **Investment Legislation:** The bill that would expand the JIF and MEL’s investment opportunities is now on the Governor’s desk. The law would authorize certain joint insurance funds to invest in certain bonds, notes, and other obligations of State and Federal agencies and to form joint cash management and investment programs as a means to broaden the types of securities joint insurance funds may invest in and to reduce the amount of assets that must be held in short-term investments to cover the cash flow needs of the funds.

- ❑ **Auditor & Actuary Year-End Reports:** The financial audit for the period ending December 31, 2017 will be ready for review and approval at the June meeting and will be filed with the Departments of Insurance and Community Affairs by the June 30<sup>th</sup> deadline.

- ❑ **EJIF Stormwater Bulletin** – Attached are copies of two Environmental Alerts from the EJIF— on **Page 5** is one concerning NJDEP revisions to Tier A and B Stormwater Permits; and one concerning changes to New Jersey Underground Storage Tank Regulations. (**Pages 6-8**)

- ❑ **2018 Safety Expo:** The MEL continues to work with the New Jersey Utility Authorities Joint Insurance Fund to conduct its Annual Safety Expo which includes MEL member town’s water & sewer employees. The Safety Expos will be held on June 29<sup>th</sup> at the Middlesex Fire Academy and September 28<sup>th</sup> at the Camden County Emergency Services Training Center. Registration is through the MEL Safety Institute. Registrations will be mailed to members shortly. (**Page 9**)

□ **Due Diligence Reports:**

<b>Financial Fast Track</b>	<b>Page 10</b>
<b>Income Portfolio</b>	<b>Page 11</b>
<b>Loss Ratio Analysis</b>	<b>Page 12</b>
<b>Loss Time Accident Frequency</b>	<b>Page 13</b>
<b>POL/EPL Compliance Report</b>	<b>Page 14</b>
<b>Regulatory Affairs Checklist</b>	<b>Page 15</b>



## 2018 Elected Officials Online Training

While we recommend that public officials attend a training class, the MEL is also making available an on-line training program for Elected Officials and Authority Commissioners to earn their \$250 training credit. Please follow the steps below to access the program. To receive credit, the program must be completed by May 1, 2018.

1. Click the following link for the MEL Safety Institute's Learning Management System

[www.firstnetcampus.com/meljif](http://www.firstnetcampus.com/meljif)

2. If you have previously taken MSI classes, enter your username and password. If you do not know your username/password, check with your Training Administrator or call the MSI Helpline. If you are new, click 'New User Registration.' Complete the fields and you will receive an email with your username and password.
3. Click on the On-Line Training Courses, at bottom right.
4. Click the 'Elected Officials - Land Use Liability' course.
5. Click 'Enroll'.
6. Click the 'My Training' tab on the top blue tool bar.
7. Click the program name to launch the course.
8. Upon completion of the course and questions you will navigate to the 'Student Center' tab to print your Certificate of Completion. Learning transcripts are automatically updated in the MEL Safety Institute's Learning Management System.

Questions? Contact the MSI Help Line (866) 661-5120

The MEL Safety Institute can also be accessed anytime by going to [www.njmel.org](http://www.njmel.org).

You must complete the entire program and the affidavit at the end of the program to receive credit. If you need additional assistance please call the MSI help line at (866) 661-5120 during business hours.

# Environmental Alert



## NJDEP ISSUES REVISED TIER A AND TIER B STORMWATER PERMITS

The New Jersey Environmental Risk Management Fund (EJIF) is dedicated to providing our members with continued regulatory updates to assist understanding the various environmental regulations that apply to your operations. Since 2004, the EJIF has been providing our member's with information relative to the NJDEP's Municipal Stormwater Regulation Program from its initial introduction, the performance of continuing education seminars to assist in completing Stormwater Pollution Prevention Plans and Stormwater Management Plans, and the development of a Stormwater Training Video adopted by NJDEP to satisfy the employee education component of the permit. In 2017, the EJIF continued providing assistance to these rules through the seminar, "Keeping Up With Changing Regulations," which focused on the proposed Tier A and B permit changes, along with some other topics. To continue along this tract, the following information provides a summary of those now adopted changes to the Tier A and Tier B stormwater general permits.

The NJDEP has issued the final municipal stormwater permit renewals for Tier A and B municipalities, which became effective **January 1, 2018**. New permit conditions have been included in the revised permits, which will need to be implemented to keep your municipality in compliance. There are a number of changes within the revised permits. Some are significant and others are subtle. We have done our best to summarize the most significant changes below, however, we urge all EJIF members to review the full permit by visiting [http://www.nj.gov/dep/dwq/msrp\\_home.htm](http://www.nj.gov/dep/dwq/msrp_home.htm).

### What do I need to do first?

Attachment A of the revised permits includes an implementation schedule for new permit conditions. Municipalities are required to revise their Stormwater Pollution Prevention Plans (SPPPs) in accordance with the new permit requirements and to ensure compliance with existing Municipal Stormwater Management Plans (MSWMP). Stormwater Pollution Prevention Plans, Municipal Stormwater Management Plans, and associated ordinances are required to be posted to the municipality's website by **March 31, 2018**.

### What else is new for Tier A Municipalities?

#### Employee Training and Local Public Education

- Stormwater Management Design Review Training – for design engineers, municipal engineers & other individuals.
- Municipal Board and Governing Body Member Training - for members of municipal boards and applicable councils.
- Additional Public Education and Outreach Programs – advertise programs on website or in print.

#### Outfall Mapping and Illicit Connection Inspections

- Inspect outfalls once every 5 years for dry weather flows and evidence of illicit discharge.
- Provide outfall map to NJDEP by January 1, 2019 (Electronic submission required by December 21, 2020).

#### Review Total Maximum Daily Loads (TMDLs) for Surface Water Within or Bordering Your Municipality

- What is a TMDL? A TMDL is the calculation of the maximum amount of a pollutant allowed to enter a waterbody so that the waterbody will meet, and continue to meet, water quality standards for that particular pollutant. Annual review of Total Maximum Daily Load (TMDL) reports using the TMDL Look-Up Tool to prioritize areas with known water quality problems is required.
- Include TMDL information in SPPP.
- Identify and incorporate Optional Measures to address TMDL pollutants.

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# Environmental Alert



Photo credit: First Environment, Inc.

## Changes to the New Jersey UST Regulations

On May 15, 2017, the New Jersey Department of Environmental Protection (NJDEP) published a new rule to toughen up the requirements for managing regulated underground storage tanks (USTs) in New Jersey. On January 16, 2018, these amendments to the regulation were made final. The list of changes is extensive and includes amendments (or additions) to at least the following requirements:

- Secondary containment
- Operator training
- Civil and administrative penalties
- UST service provider certifications
- UST registration and notification
- Operations and maintenance/self-inspections
- Field constructed tanks
- Airport hydrant systems
- Partially regulated UST systems

What follows is a brief review of several noteworthy changes.

In New Jersey, a regulated UST system refers to any one or combination of tanks, including appurtenant pipes, lines, fixtures, and other related equipment, with a tank capacity of 2,001 gallons or more used to store heating oil for on-site consumption in a nonresidential building, the volume of which, including the volume of the appurtenant pipes, lines, fixtures, and other related equipment, is 10 percent or more below the ground.

-Adapted from N.J.A.C. 7-14B.14

### Underground Storage Tank Facility Certification Questionnaire

The new regulations require that UST owners/operators submit the entire financial responsibility document (such as an insurance policy) when filing the Underground Storage Tank Facility Certification Questionnaire (USTFCQ). For EJIF members who have grown accustomed to submitting an insurance certificate, this will no longer be sufficient; the EJIF is currently working on ways to make the submittal of the entire policy easier for members. In addition, although e-mail is not a *federally* approved method for USTFCQ submittal, the NJDEP is accepting and encouraging electronic submittals of



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financial assurance documents through e-mail. The entire copy of your current UST Financial Responsibility Insurance policy – including all endorsements or certificates – can be e-mailed to [srpustregistration@dep.nj.gov](mailto:srpustregistration@dep.nj.gov).

In addition, the USTFCQ form itself has been revised to incorporate the regulatory changes. The new USTFCQ is available at <http://www.nj.gov/dep/srp/forms/ust/> and will need to be submitted on an annual basis under the new rule.

### New Jersey UST Operator Training

In order to comply with U.S. Environmental Protection Agency (EPA) regulations (40 C.F.R. Part 280), the NJDEP has now instituted a three-tier (Classes A, B, and C) training and certification program. All regulated UST systems at facilities are required to have an authorized operator (one who has participated in training and passed the accompanying exam) no later than **October 13, 2018**. The purpose of this requirement is to ensure that owners and operators understand how to properly operate and maintain their UST systems to prevent emergencies and/or environmental contamination. As UST systems have become more complicated – especially with computerized monitoring and leak detection systems – there is a growing amount of technical competencies required of on-site personnel. Training classes are given in conjunction with Rutgers University, and a schedule of class locations and schedules can be found here: <http://www.cpe.rutgers.edu/brochures/intros/ust-AB.html>.

The EJIF has been communicating with Acting Bureau Chief John Olko (NJDEP) and Rutgers University to see that additional training classes are offered before the October 2018 deadline; as a result, several new training classes have been added (and some of the new classes are already sold out). Each regulated UST system or group of UST systems at a facility must have a Class A, Class B, and Class C operator designated.

- **Class A Operator** - "A Class A operator has primary responsibility to operate and maintain the UST system. The Class A operator's responsibilities include managing resources and personnel, and activities such as establishing work assignments to achieve and maintain compliance with regulatory requirements. In general, this individual focuses on the broader aspects of the statutory and regulatory requirements and standards necessary to operate and maintain the UST system (i.e., N.J.A.C. 7:14B)."
- **Class B Operator** - "A Class B operator implements applicable UST regulatory requirements and standards (i.e., N.J.A.C. 7:14B) in the field. This individual implements the day-to-day aspects of operating, maintaining and recordkeeping for USTs at one or more facilities."
- **Class C Operator** - "A Class C operator is an individual who would act as the first line of response to any event which results in an emergency condition. This individual is responsible for responding to alarms or other indications of emergencies caused by spills or releases from UST systems. This individual notifies the Class B or Class A operator and appropriate emergency responders when necessary. Not all employees of the facility are necessarily Class C operators."

Note: For further detail, see the NJDEP Enforcement Bulletin "New Jersey UST Operator Training Information," found here: <http://www.nj.gov/dep/enforcement/docs/ust-operator-training.pdf>

Under this new requirement, if the NJDEP determines that a UST system is out of compliance (such as failing to respond to alarms), the agency can require retraining of the designated A/B Operator as part of the administrative penalty. For a "remote" facility (e.g., a pump station with an emergency generator and a regulated UST), a Class A, B, or C operator need not be present, but the designated operator is still responsible for the operations, maintenance, and emergencies regarding the UST.

For more information regarding training requirements, please review NJDEP's *New Jersey UST Operator Training Information* bulletin: <http://www.nj.gov/dep/enforcement/docs/ust-operator-training.pdf>.

### Inspections and Testing

Additional inspection and testing requirements under the new UST rule include the following:

- Sumps and dispenser containment systems must be inspected every 30 days for the presence of water and/or product
- All spill prevention equipment (e.g., spill buckets, etc.) must be tested every 12 months using vacuum pressure or liquid testing within one year of the adoption of these regulations

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- All electrical and mechanical components (e.g., Automatic Tank Monitor (ATM) system probes, software, sensors, and line leak detectors) must be tested annually

### Tank Construction Changes

Under the previous rules, UST systems that provide fuel for emergency power generation (such as an emergency generator at a pump station) have not been required to comply with release detection monitoring. This exemption disappears under the new regulations, and owners/operators will have three years after the adoption of these changes to comply with release detection monitoring. This can impact EJIF members that have relied on emergency back-up generators at pump and lift stations, with the results most likely being replacing older USTs in order to achieve compliance.

As a result of these regulatory changes, any of our EJIF members managing regulated UST systems should familiarize themselves with the training/certification programs required for those tasked with managing tanks; they will also need to revise the information typically provided to the NJDEP in order to meet new requirements going forward, as well as evaluate their tanks to see if any need to be upgraded to meet the new regulations. These can be expensive and time consuming requirements, so please recognize that the EJIF environmental professionals are available to help guide you through the process.

Please note that this is only a summary of the some of the changes in effect under the proposed regulations, specifically those that will impact EJIF members managing USTs. Visit NJDEP's website for a look at the official rule: <http://www.nj.gov/dep/srp/bust/>

This newsletter is for information purposes only and does not represent legal or technical advice.

If you need a more detailed explanation of this topic or need assistance in interpreting how it may impact your site, the EJIF suggests that you contact the EJIF environmental consultants for further information.

Members of the Bergen, Morris, South Bergen, Suburban Essex, and NJUA JIFs please contact Richard Erickson of First Environment, Inc. at [rerickson@firstenvironment.com](mailto:rerickson@firstenvironment.com) or 973.334.0003.

Members of the Camden, Monmouth, Ocean, PMM, Suburban, Central, TRICO and BURCLO JIFs, please contact Chris Gulics of PS&S at [cgulics@psands.com](mailto:cgulics@psands.com) or 732.430.7012.

**SAVE THE DATE**  
**NEW JERSEY UTILITY AUTHORITIES JOINT INSURANCE FUND**  
**AND**  
**MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND MEMBERS**

**SAFETY EXPO 2018**

**June 29, 2018**

**Middlesex County Fire Academy  
Sayreville, NJ**

**September 28, 2018**

**Camden County Emergency Services Training Center  
Blackwood, NJ**

The New Jersey Utility Authorities JIF (NJUA JIF) Executive Safety Committee and the Municipal Excess Liability Joint Insurance Fund are pleased to announce the training courses that are planned for the 2018 Safety Expos.

Please consider which date and location works best for your authority or municipality. You may also want to consider sending some employees to the June Expo while sending other employees to the September Expo.

You will receive additional information regarding the Expo such as, registration forms, course descriptions and other relevant information during the month of May. The course schedule is being finalized with many new course offerings highlighted below.

**COURSE TITLES**

- **Supervisor Roles & Responsibilities in a Changing Environment *\*\*Full Day Session\*\**** *Three segments include - Succession Planning, Ethics and Diversity*
- **Safety Fast Track** *–Blood Borne Pathogens, Lockout/Tagout, Fire Safety and Hazardous Communications with GHS*
- **Work Zone Safety Track** *– Work Zone Traffic Control, Excavation Safety and Utility Mark-outs*
- **Focus Four Track *\*\*Full Day Session\*\**** *– This full day program will focus on the four leading causes of job related fatalities or injuries; Electrocutation, Falls, Struck-by and Caught Between.*

The Expo Committee is presently seeking approval for NJ DEP training contact hours (TCH). The registration brochure will have more details. Please post this notice and discuss at your next Safety Committee Meeting. Registration packets will be sent mid May.

<b>PROFESSIONAL MUNICIPAL MANAGEMENT FUND</b>					
<b>FINANCIAL FAST TRACK REPORT</b>					
		<b>AS OF</b>	<b>March 31, 2018</b>		
		<b>THIS</b>	<b>YTD</b>	<b>PRIOR</b>	<b>FUND</b>
		<b>MONTH</b>	<b>CHANGE</b>	<b>YEAR END</b>	<b>BALANCE</b>
1.	<b>UNDERWRITING INCOME</b>	<b>330,175</b>	<b>990,677</b>	<b>77,786,616</b>	<b>78,777,293</b>
2.	<b>CLAIM EXPENSES</b>				
	Paid Claims	94,171	299,414	35,999,166	36,298,580
	Case Reserves	(135,359)	(87,103)	2,317,649	2,230,546
	IBNR	183,756	94,828	1,097,652	1,192,480
	Recoveries	(10,000)	(10,000)	(128,633)	(138,633)
	<b>TOTAL CLAIMS</b>	<b>132,568</b>	<b>297,139</b>	<b>39,285,834</b>	<b>39,582,973</b>
3.	<b>EXPENSES</b>				
	Excess Premiums	108,091	324,274	21,064,525	21,388,799
	Administrative	50,599	152,876	10,599,762	10,752,637
	<b>TOTAL EXPENSES</b>	<b>158,690</b>	<b>477,150</b>	<b>31,664,287</b>	<b>32,141,436</b>
4.	<b>UNDERWRITING PROFIT (1-2-3)</b>	38,916	216,388	6,836,495	7,052,883
5.	<b>INVESTMENT INCOME</b>	9,507	12,371	4,887,755	4,900,126
6.	<b>DIVIDEND INCOME</b>	0	0	1,591,484	1,591,484
7.	<b>STATUTORY PROFIT (4+5+6)</b>	<b>48,423</b>	<b>228,759</b>	<b>13,315,734</b>	<b>13,544,493</b>
8.	<b>DIVIDEND</b>	0	23,000	11,032,142	11,055,142
9.	<b>STATUTORY SURPLUS (7-8)</b>	<b>48,423</b>	<b>205,759</b>	<b>2,283,592</b>	<b>2,489,351</b>
<b>SURPLUS (DEFICITS) BY FUND YEAR</b>					
	<b>Closed</b>	940	(21,836)	875,536	853,699
	<b>Aggregate Excess LFC</b>	4,717	13,784	119,844	133,628
	<b>2014</b>	448	27,532	41,150	68,682
	<b>2015</b>	1,536	61,990	556,945	618,935
	<b>2016</b>	2,062	33,624	492,859	526,483
	<b>2017</b>	2,434	(14,731)	197,258	182,527
	<b>2018</b>	36,286	105,396		105,396
	<b>TOTAL SURPLUS (DEFICITS)</b>	<b>48,423</b>	<b>205,759</b>	<b>2,283,592</b>	<b>2,489,351</b>
	<b>TOTAL CASH</b>				<b>6,175,797</b>
<b>CLAIM ANALYSIS BY FUND YEAR</b>					
	<b>TOTAL CLOSED YEAR CLAIMS</b>	<b>0</b>	<b>0</b>	<b>32,322,159</b>	<b>32,322,159</b>
	<b>FUND YEAR 2014</b>				
	Paid Claims	34,334	91,440	1,685,500	1,776,940
	Case Reserves	(90,840)	(114,039)	409,507	295,468
	IBNR	56,506	(4,402)	58,728	54,326
	Recoveries	0	0	(72,012)	(72,012)
	<b>TOTAL FY 2014 CLAIMS</b>	<b>(1)</b>	<b>(27,001)</b>	<b>2,081,723</b>	<b>2,054,722</b>
	<b>FUND YEAR 2015</b>				
	Paid Claims	8,177	27,435	941,334	968,768
	Case Reserves	(16,797)	(76,405)	414,912	338,507
	IBNR	8,621	(11,030)	110,558	99,528
	Recoveries	0	0	(15,193)	(15,193)
	<b>TOTAL FY 2015 CLAIMS</b>	<b>1</b>	<b>(60,000)</b>	<b>1,451,611</b>	<b>1,391,611</b>
	<b>FUND YEAR 2016</b>				
	Paid Claims	7,141	28,247	615,351	643,598
	Case Reserves	(39,583)	(29,522)	735,314	705,792
	IBNR	42,442	(19,878)	217,358	197,480
	Recoveries	(10,000)	(10,000)	(22,878)	(32,878)
	<b>TOTAL FY 2016 CLAIMS</b>	<b>(0)</b>	<b>(31,153)</b>	<b>1,545,144</b>	<b>1,513,991</b>
	<b>FUND YEAR 2017</b>				
	Paid Claims	34,005	140,192	434,823	575,015
	Case Reserves	(25,726)	(35,023)	757,917	722,893
	IBNR	(8,278)	(87,576)	711,008	623,432
	Recoveries	0	0	(18,550)	(18,550)
	<b>TOTAL FY 2017 CLAIMS</b>	<b>1</b>	<b>17,592</b>	<b>1,885,197</b>	<b>1,902,790</b>
	<b>FUND YEAR 2018</b>				
	Paid Claims	10,514	12,100		12,100
	Case Reserves	37,588	167,886		167,886
	IBNR	84,465	217,714		217,714
	Recoveries	0	0		0
	<b>TOTAL FY 2018 CLAIMS</b>	<b>132,567</b>	<b>397,700</b>		<b>397,700</b>
	<b>COMBINED TOTAL CLAIMS</b>	<b>132,568</b>	<b>297,139</b>	<b>39,285,834</b>	<b>39,582,973</b>

This report is based upon information which has not been audited nor certified by an actuary and as such may not truly represent the condition of the fund.

<b>PROFESSIONAL MUNICIPAL MGMT JIF</b>						
<b>Fixed Income Portfolio Summary and Rate Comparison</b>						
				For Month End		3/31/2018
		2015	2016	2017	Last Month	This Month
<b>PROFESSIONAL MUNICIPAL MGMT JIF</b>						
Total Cash Balance (millions)		3.66	4.58	5.29	6.53	6.18
<b>Fixed Income Portfolio</b>						
Investments (millions), Book Value		2.00	2.13	3.25	3.50	4.53
Avg maturity (years)		2.08	2.67	1.48	1.33	1.08
Unrealized gain/(loss) (%)		0.09	-0.28	-0.71	-1.36	-0.99
Purchase/Book yield (%)		0.80	1.20	1.20	1.21	1.25
Realized gain/(loss) (%)		0.00	0.00	0.00	0.00	0.00
Total Yield (Market)		0.89	0.92	0.49	-0.15	0.26
<b>M E L PORTFOLIO</b>						
Total Cash Balance (millions)		80.36	61.94	59.15	57.74	56.42
<b>Fixed Income Portfolio</b>						
Investments (millions), Book Value		48.09	53.40	48.74	1.88	51.89
Avg maturity (years)		1.58	1.64	1.63	1.61	1.53
Unrealized gain/(loss) (%) ***		0.12	0.03	-0.21	-30.32	-0.99
Purchase/Book yield (%)		0.82	0.82	1.11	1.17	1.07
Realized gain/(loss) (%)		0.00	0.00	0.00	0.00	0.00
Total Yield (Market)		0.94	0.85	0.90	-29.15	0.08
<b>COMPARATIVE RATES (%)</b>						
<b>Cash &amp; Cash Equivalents</b>						
NJ Cash Mgmt Fund *		0.10	0.41	0.85	1.39	1.54
TD Money Market		0.01	0.01	0.48	0.94	1.16
TD Bank Deposits		Unavailable **	Unavailable **	Unavailable **	Unavailable **	Unavailable **
Investors Bank Deposits		-	-	0.87	1.26	1.26
<b>Treasury Issues</b>						
1 year bills		0.32	0.61	1.20	1.96	2.06
3 year notes		1.02	1.00	1.58	2.36	2.42
5 year notes		1.53	1.33	1.83	2.60	2.63
Merrill Lynch US Govt 1-3 years ^		0.56	0.89	0.44	-0.32	-0.12

**Professional Municipal Mgmt Joint Insurance Fund**

**CLAIMS MANAGEMENT REPORT**

**EXPECTED LOSS RATIO ANALYSIS**

AS OF **March 31, 2018**

**FUND YEAR 2014 -- LOSSES CAPPED AT RETENTION**

	Budget	Limited	51	MONTH	50	MONTH	39	MONTH
		Incurred	Actual	TARGETED	Actual	TARGETED	Actual	TARGETED
		Current	31-Mar-18		28-Feb-18		31-Mar-17	
PROPERTY	184,000	143,367	77.92%	100.00%	77.92%	100.00%	77.92%	100.00%
GEN LIABILITY	473,408	489,129	103.32%	96.38%	106.19%	96.23%	100.27%	91.95%
AUTO LIABILITY	89,385	18,356	20.54%	93.62%	20.54%	93.27%	20.54%	88.81%
WORKER'S COMP	1,210,000	1,349,545	111.53%	99.57%	115.08%	99.52%	120.60%	98.57%
TOTAL ALL LINES	1,956,793	2,000,397	102.23%	98.57%	105.12%	98.48%	107.10%	96.66%
NET PAYOUT %	\$1,704,929		<b>87.13%</b>					

**FUND YEAR 2015 -- LOSSES CAPPED AT RETENTION**

	Budget	Limited	39	MONTH	38	MONTH	27	MONTH
		Incurred	Actual	TARGETED	Actual	TARGETED	Actual	TARGETED
		Current	31-Mar-18		28-Feb-18		31-Mar-17	
PROPERTY	191,000	72,610	38.02%	100.00%	38.02%	100.00%	39.59%	100.00%
GEN LIABILITY	471,685	224,999	47.70%	91.95%	49.53%	91.38%	34.14%	82.70%
AUTO LIABILITY	75,666	60,981	80.59%	88.81%	80.59%	88.30%	35.66%	80.03%
WORKER'S COMP	1,241,000	933,492	75.22%	98.57%	75.22%	98.43%	87.75%	95.33%
TOTAL ALL LINES	1,979,351	1,292,083	65.28%	96.76%	65.71%	96.51%	68.34%	92.18%
NET PAYOUT %	\$953,575		<b>48.18%</b>					

**FUND YEAR 2016 -- LOSSES CAPPED AT RETENTION**

	Budget	Limited	27	MONTH	26	MONTH	15	MONTH
		Incurred	Actual	TARGETED	Actual	TARGETED	Actual	TARGETED
		Current	31-Mar-18		28-Feb-18		31-Mar-17	
PROPERTY	175,205	78,991	45.09%	100.00%	52.59%	100.00%	50.50%	96.43%
GEN LIABILITY	485,444	201,736	41.56%	82.70%	41.56%	81.65%	17.31%	66.07%
AUTO LIABILITY	63,974	7,856	12.28%	80.03%	12.28%	78.92%	10.97%	59.58%
WORKER'S COMP	1,288,669	1,027,928	79.77%	95.33%	82.04%	94.80%	63.08%	78.67%
TOTAL ALL LINES	2,013,291	1,316,511	65.39%	92.20%	67.50%	91.58%	49.30%	76.57%
NET PAYOUT %	\$610,720		<b>30.33%</b>					

**FUND YEAR 2017 -- LOSSES CAPPED AT RETENTION**

	Budget	Limited	15	MONTH	14	MONTH	3	MONTH
		Incurred	Actual	TARGETED	Actual	TARGETED	Actual	TARGETED
		Current	31-Mar-18		28-Feb-18		31-Mar-17	
PROPERTY	185,329	192,789	104.03%	96.43%	104.03%	96.03%	50.18%	23.00%
GEN LIABILITY	483,019	293,077	60.68%	66.07%	59.68%	64.20%	8.03%	6.00%
AUTO LIABILITY	53,346	29,572	55.43%	59.58%	56.91%	56.96%	17.53%	6.00%
WORKER'S COMP	1,332,335	763,919	57.34%	78.67%	57.02%	74.88%	9.08%	3.00%
TOTAL ALL LINES	2,054,029	1,279,358	62.29%	76.81%	61.88%	73.81%	12.76%	5.59%
NET PAYOUT %	\$556,465		<b>27.09%</b>					

**FUND YEAR 2018 -- LOSSES CAPPED AT RETENTION**

	Budget	Limited	3	MONTH	2	MONTH	-9	MONTH
		Incurred	Actual	TARGETED	Actual	TARGETED	Actual	TARGETED
		Current	31-Mar-18		28-Feb-18		31-Mar-17	
PROPERTY	181,000	12,700	7.02%	23.00%	0.39%	13.00%	N/A	N/A
GEN LIABILITY	428,966	21,860	5.10%	6.00%	2.29%	2.50%	N/A	N/A
AUTO LIABILITY	47,555	5,425	11.41%	6.00%	6.99%	2.50%	N/A	N/A
WORKER'S COMP	1,313,000	140,001	10.66%	3.00%	8.99%	2.00%	N/A	N/A
TOTAL ALL LINES	1,970,521	179,986	9.13%	5.56%	6.69%	3.13%	N/A	N/A
NET PAYOUT %	\$12,100		<b>0.61%</b>					

**2018 LOST TIME ACCIDENT FREQUENCY ALL JIFs**

March 31, 2018				
	2018	2017	2016	TOTAL
	LOST TIME	LOST TIME	LOST TIME	RATE *
FUND	FREQUENCY	FREQUENCY	FREQUENCY	2018 - 2016
N.J.U.A.	0.59	1.89	3.10	2.27
MORRIS	0.77	1.22	2.03	1.51
PROF MUN MGMT	1.03	2.04	1.97	1.92
SUBURBAN MUNICIPAL	1.14	1.22	2.24	1.67
ATLANTIC	1.46	1.82	2.57	2.09
BERGEN	1.62	1.44	1.64	1.54
CENTRAL	1.67	1.50	1.68	1.59
OCEAN	1.75	2.44	2.16	2.24
TRI-COUNTY	1.83	1.87	2.34	2.06
CAMDEN	1.91	1.67	1.37	1.54
NJ PUBLIC HOUSING	2.02	2.21	2.18	2.18
MONMOUTH	2.06	2.00	1.44	1.77
BURLINGTON	2.07	1.19	1.91	1.59
SOUTH BERGEN	2.68	2.13	2.77	2.47
SUBURBAN ESSEX	2.76	1.77	1.80	1.88
AVERAGE	1.69	1.76	2.08	1.89

Professional Municipal Mgmt Joint Insurance Fund									
2018 LOST TIME ACCIDENT FREQUENCY									
DATA VALUED AS OF March 31, 2018									
			# CLAIMS	Y.T.D.	2018	2017	2016		TOTAL
MEMBER_ID	MEMBER	**	FOR	LOST TIME	LOST TIME	LOST TIME	LOST TIME	MEMBER	RATE
		*	3/31/2018	ACCIDENTS	FREQUENCY	FREQUENCY	FREQUENCY		2018 - 2016
1	305 EVESHAM TOWNSHIP FIRE		0	0	0.00	0.00	0.00	1 EVESHAM TOWNSHIP I	0.00
2	307 MOORESTOWN		0	0	0.00	0.71	1.39	2 MOORESTOWN	0.95
3	308 WILLINGBORO		0	0	0.00	3.02	2.92	3 WILLINGBORO	2.72
4	304 EVESHAM		0	1	2.12	1.19	1.58	4 EVESHAM	1.45
5	306 MAPLE SHADE		0	1	3.69	4.20	2.33	5 MAPLE SHADE	3.27
Totals:			0	2	1.03	2.04	1.97		1.92

MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND											
EMPLOYMENT PRACTICES COMPLIANCE STATUS - Professional Municipal Mgmt Joint Insurance Fund											
Data Valued As of : May 16, 2018											
<b>Total Participating Members</b>		<b>5</b>									
Complaint		<b>5</b>									
Percent Compliant		<b>100.00%</b>									
		01/01/18		2018							
Member Name	Checklist Submitted	Compliant	EPL Deductible	POL Deductible	Amended Deductible Date	Revised EPL Deductible	Revised POL Deductible	Co-Insurance		Amended Date	Amended Co-Insurance
								01/01/18			
EVESHAM	Yes	Yes	\$ 20,000	\$ 20,000				20% of 1st 250K			
EVESHAM TOWNSHIP FIRE DISTRICT	Yes	Yes	\$ 100,000	\$ 20,000	04/11/18	\$ 20,000	\$ 20,000	20% of 1st 2Mil/20% of 1st 250K POL		4/11/2018	20% of 1st 250K
MAPLE SHADE	Yes	Yes	\$ 10,000	\$ 10,000				0%			
MOORESTOWN	Yes	Yes	\$ 20,000	\$ 20,000				20% of 1st 250K			
WILLINGBORO	Yes	Yes	\$ 20,000	\$ 20,000				20% of 1st 250K			



**Professional Municipal Management Joint Insurance Fund**  
**Annual Regulatory Filing Check List**  
**Year 2018 as of May 1, 2018**

<b><u>Item</u></b>	<b><u>Filing Status</u></b>
<input type="checkbox"/> 2018 Budget	Filed 3/5
<input type="checkbox"/> Assessments	Filed 3/5
<input type="checkbox"/> Actuarial Certification	June Filing
<input type="checkbox"/> Reinsurance Policies	June Filing
<input type="checkbox"/> Fund Commissioners	Filed 3/5
<input type="checkbox"/> Fund Officers	Filed 3/5
<input type="checkbox"/> Renewal Resolutions	None
<input type="checkbox"/> New Members	None
<input type="checkbox"/> Withdrawals	None
<input type="checkbox"/> Risk Management Plan	Filed 3/5
<input type="checkbox"/> Certification of Professional Fees	To Be Filed
<input type="checkbox"/> Unaudited Financials	To Be Filed
<input type="checkbox"/> Annual Audit	June Filing
<input type="checkbox"/> State Comptroller Audit Filing	June Filing
<input type="checkbox"/> Ethics Filing	On Line Filing

**RESOLUTION NO. 18-13**

**PROFESSIONAL MUNICIPAL MANAGEMENT JOINT INSURANCE FUND  
MAY 2018 BILLS LIST**

**WHEREAS**, the Treasurer has certified that funding is available to pay the following bills:

**BE IT RESOLVED** that the Professional Municipal Management Joint Insurance Fund's Executive Board, hereby authorizes the Fund treasurer to issue warrants in payment of the following claims; and

**FURTHER**, that this authorization shall be made a permanent part of the records of the Fund.

**FUND YEAR 2018**

<u>CheckNumber</u>	<u>VendorName</u>	<u>Comment</u>	<u>Invoice Amount</u>
<b>2017</b>			
001202			
001202	EVESHAM TOWNSHIP	2017 SIP	2,500.00
			<b>2,500.00</b>
001203			
001203	MAPLE SHADE TOWNSHIP	2017 SIP	2,500.00
			<b>2,500.00</b>
001204			
001204	MOORESTOWN TOWNSHIP	2017 SIP	2,500.00
			<b>2,500.00</b>
001205			
001205	WILLINGBORO TOWNSHIP	2017 SIP	2,500.00
			<b>2,500.00</b>
	Total Payments FY		10,000.00
<b>2018</b>			
001206			
001206	QUAL-LYNX	CLAIM ADJUSTING SERVICES	11,094.05
001206	QUAL-LYNX	PERFORMANCE BONDS	112.00
			<b>11,206.05</b>
001207			
001207	J.A. MONTGOMERY RISK CONTROL	SAFETY DIRECTOR LOSS CONTROL SERVICES	1,892.08
			<b>1,892.08</b>
001208			
001208	PERMA	ED & POSTAGE FEE 0518	10,866.23
			<b>10,866.23</b>
001209			
001209	THE ACTUARIAL ADVANTAGE	ACTUARIAL SERVICES 0518	3,212.67
			<b>3,212.67</b>

001210			
001210	QUALCARE, INC.	WORKERS COMP ACCESS/UM	6,929.33
			<b>6,929.33</b>
001211			
001211	THOMAS TONTARSKI	TREASURER 0518	1,459.25
			<b>1,459.25</b>
001212			
001212	BACIO CATERING AND MARKETPLACE	LUNCH FOR 10 AT JIF MEETING	140.00
			<b>140.00</b>
001213			
001213	HELMER, CONLEY & KASSELMAN, PA	ATTORNEY & LITIGATION 0518	3,126.17
			<b>3,126.17</b>
001214			
001214	ALLSTATE INFORMATION MANAGEMNT	STORAGE 2/1/18 - 2/28/18	41.29
			<b>41.29</b>
001215			
001215	CONNER STRONG & BUCKELEW	JIF UNDERWRITING MAN. FEE 0518	488.00
001215	CONNER STRONG & BUCKELEW	SELECTIVE FIRE & CASUALTY 0518	1,071.00
			<b>1,559.00</b>
	Total Payments FY		40,432.07

**TOTAL PAYMENTS ALL FUND YEARS \$ 50,432.07**

\_\_\_\_\_  
Chairperson

Attest:

Dated: \_\_\_\_\_

I hereby certify the availability of sufficient unencumbered funds in the proper accounts to fully pay the above claims.

\_\_\_\_\_  
Treasurer

May 13, 2018

To the Members of the  
Executive Board of the  
Professional Municipal Management  
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 April 30, 2018 for Closed Fund Years 1987 to 2013, and Fund Years 2014, 2015, 2016, 2017 and 2018. 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:

Interest received or accrued for the period totaled \$ 6,218.22. This generated an average annual yield of 1.24%. However, we have an unrealized net gain of \$628.90 adjusting the reported yield to 1.36% for the period. The total overview of the asset portfolio for the fund shows an overall unrealized loss of \$44,062.71 as it relates to the market value of \$4,491,825.17 vs. the amount we have invested. If we include accrued interest the market value is adjusted to \$4,510,729.29.

Our asset portfolio with Wilmington Trust has 3 obligations less than two years and 2 obligation greater than two years.

#### RECEIPT ACTIVITY FOR THE PERIOD:

Subrogation Receipts \$ 2,995.00 /YTD \$ 23,336.20  
Overpayment Reimbursements \$ .00  
FY 18 Approp. Refund \$ 142.54

#### CLAIM ACTIVITY FOR THE PERIOD:

The enclosed report shows 104 claim payments issued during the period for claims paid by the fund and claims payable by the Fund at period end in the amount of \$ 94,550.50.

**CASH ACTIVITY FOR THE PERIOD:**

The enclosed report shows that during the reporting period the Fund's "Cash Position" changed from an opening balance of \$ 6,175,798.98 to a closing balance of \$ 5,894,083.81 showing a decrease in the fund of \$ 281,715.17.

**BILL LIST FOR THE PERIOD:**

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

The information contained in this summary of the document provided in this report. Other detailed information is contained in the attached documents or a more specific explanation on any question can be obtained by contacting me at 609-744-3597.

Respectfully Submitted,

Thomas J. Tontarski  
Treasurer

## Professional Municipal Management JIF 2018 Subrogation Report

DATE REC'D	CREDITED TO:	FILE NUMBER	CLAIMANT NAME	COV. TYPE	FUND YEAR	AMOUNT RECEIVED	RECEIVED Y.T.D.
2/2	MAPLE SHADE TWP.	2.018E+09	MAPLE SHADE TWP.	PR	2017	9,778.20	
2/15	EVESHAM TOWNSHIP	1255655	JOSEPH TAVELLA	WC	2016	248.00	
2/20	MAPLE SHADE TWP.	2.018E+09	MAPLE SHADE TWP.	PR	2017	315.00	
TOTAL- FEB. YTD 2018						10,341.20	10,341.20
3/12	EVESHAM TOWNSHIP	1255539	EVESHAM TOWNSHIP	PR	2016	10,000.00	
TOTAL- MAR YTD 2018						10,000.00	20,341.20
4/12	EVESHAM TOWNSHIP	2.018E+09	EVESHAM TOWNSHIP	PR	2017	2,995.00	
TOTAL- APR YTD 2018						2,995.00	23,336.20

**PROFESSIONAL MUNICIPAL MANAGEMENT JOINT INSURANCE FUND  
SUMMARY OF CASH TRANSACTIONS - ALL FUND YEARS COMBINED**

Current Fund Year: 2018 Month Ending: April										
	Prop	Liab	Auto	WC	0	POL/EPL	EJIF	Future	Admin	TOTAL
OPEN BALANCE	364,145.08	1,639,664.20	248,475.72	2,906,486.94	0.00	(9,878.19)	(19,923.93)	4,917.97	1,041,911.19	6,175,798.98
<b>RECEIPTS</b>										
Assessments	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Refunds	2,995.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2,995.00
Invest Pymnts	503.70	2,454.46	367.54	4,272.16	0.00	23.66	0.20	210.03	1,528.90	9,360.65
Invest Adj	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Subtotal Invest	503.70	2,454.46	367.54	4,272.16	0.00	23.66	0.20	210.03	1,528.90	9,360.65
Other *	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	142.54	142.54
<b>TOTAL</b>	<b>3,498.70</b>	<b>2,454.46</b>	<b>367.54</b>	<b>4,272.16</b>	<b>0.00</b>	<b>23.66</b>	<b>0.20</b>	<b>210.03</b>	<b>1,671.44</b>	<b>12,498.19</b>
<b>EXPENSES</b>										
Claims Transfers	8,458.08	5,650.59	0.00	80,441.83	0.00	0.00	0.00	0.00	0.00	94,550.50
Expenses	0.00	0.00	0.00	0.00	0.00	152,202.50	0.00	0.00	47,460.36	199,662.86
Other *	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>TOTAL</b>	<b>8,458.08</b>	<b>5,650.59</b>	<b>0.00</b>	<b>80,441.83</b>	<b>0.00</b>	<b>152,202.50</b>	<b>0.00</b>	<b>0.00</b>	<b>47,460.36</b>	<b>294,213.36</b>
<b>END BALANCE</b>	<b>359,185.70</b>	<b>1,636,468.07</b>	<b>248,843.26</b>	<b>2,830,317.27</b>	<b>0.00</b>	<b>(162,057.03)</b>	<b>(19,923.73)</b>	<b>5,128.00</b>	<b>996,122.27</b>	<b>5,894,083.81</b>
<b>Report Month April</b>										
						Balance Differences				
Opening Balances:	Opening Balances are equal					\$0.00				
Imprest Transfers:	Imprest Totals are equal					\$0.00				
Investment Balances:	Investment Payment Balances are equal					\$0.00				
	Investment Adjustment Balances are equal					\$0.00				
Ending Balances:	Ending Balances are equal					\$0.00				
Accrual Balances:	Accrual Balances are equal					\$0.00				

SUMMARY OF CASH AND INVESTMENT INSTRUMENTS						
PROFESSIONAL MUNICIPAL MANAGEMENT JOINT INSURANCE FUND						
ALL FUND YEARS COMBINED						
CURRENT MONTH	April					
CURRENT FUND YEAR	2018					
	Description:	Instrument #1	Instr #2	Instr #3	Instr #4	
	ID Number:	ASSET MGR	OPERATING ACCT	CLAIMS ACCT.	ADMIN. EXPEN	
	Maturity (Yrs)	0	0	0	0	0
	Purchase Yield:	0	0	0	0	0
TOTAL for All						
Accts & instruments						
Opening Cash & Investment Balance	\$6,175,799.41	4484486.58	1590312.83	100000	1000	
Opening Interest Accrual Balance	\$21,417.14	21417.14	0	0	0	
1	Interest Accrued and/or Interest Cost	\$4,602.61	\$4,602.61	\$0.00	\$0.00	\$0.00
2	Interest Accrued - discounted Instr.s	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3	(Amortization and/or Interest Cost)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
4	Accretion	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
5	Interest Paid - Cash Instr.s	\$1,616.11	(\$405.94)	\$2,022.05	\$0.00	\$0.00
6	Interest Paid - Term Instr.s	\$7,115.63	\$7,115.63	\$0.00	\$0.00	\$0.00
7	Unrealized Gain (Loss)	\$628.90	\$628.90	\$0.00	\$0.00	\$0.00
8	Net Investment Income	\$6,847.62	\$4,825.57	\$2,022.05	\$0.00	\$0.00
9	Deposits - Purchases	\$297,350.90	\$0.00	\$3,137.54	\$94,550.50	\$199,662.86
10	(Withdrawals - Sales)	(\$588,426.72)	\$0.00	(\$294,213.36)	(\$94,550.50)	(\$199,662.86)
	Ending Cash & Investment Balance	\$5,894,084.23	\$4,491,825.17	\$1,301,259.06	\$100,000.00	\$1,000.00
	Ending Interest Accrual Balance	\$18,904.12	\$18,904.12	\$0.00	\$0.00	\$0.00
	Plus Outstanding Checks	\$209,347.62	\$0.00	\$0.00	\$9,684.76	\$199,662.86
	(Less Deposits in Transit)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Balance per Bank	\$6,103,431.85	\$4,491,825.17	\$1,301,259.06	\$109,684.76	\$200,662.86



**CERTIFICATION AND RECONCILIATION OF CLAIMS PAYMENTS AND RECOVERIES  
PROFESSIONAL MUNICIPAL MANAGEMENT JOINT INSURANCE FUND**

Month	April								
Current Fund Year	2018								
		1.	2.	3.	4.	5.	6.	7.	8.
Policy Year	Coverage	Calc. Net Paid Thru Last Month	Monthly Net Paid April	Monthly Recoveries April	Calc. Net Paid Thru April	TPA Net Paid Thru April	Variance To Be Reconciled	Delinquent Unreconciled Variance From	Change This Month
2018	Prop	610.44	5,958.08	0.00	6,568.52	6,568.52	0.00	0.00	0.00
	Liab	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	Auto	500.00	0.00	0.00	500.00	500.00	0.00	0.00	0.00
	WC	10,989.90	4,058.07	0.00	15,047.97	15,047.97	0.00	0.00	0.00
	<b>Total</b>	<b>12,100.34</b>	<b>10,016.15</b>	<b>0.00</b>	<b>22,116.49</b>	<b>22,116.49</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
2017	Prop	172,390.43	2,500.00	2,995.00	171,895.43	171,895.43	0.00	0.00	0.00
	Liab	55,706.26	1,383.75	0.00	57,090.01	57,090.01	(0.00)	(0.00)	0.00
	Auto	8,247.08	0.00	0.00	8,247.08	8,247.08	0.00	0.00	0.00
	WC	320,120.96	15,066.75	0.00	335,187.71	335,187.71	(0.00)	(0.00)	0.00
	<b>Total</b>	<b>556,464.73</b>	<b>18,950.50</b>	<b>2,995.00</b>	<b>572,420.23</b>	<b>572,420.23</b>	<b>(0.00)</b>	<b>(0.00)</b>	<b>0.00</b>
2016	Prop	78,591.26	0.00	0.00	78,591.26	78,591.26	0.00	0.00	0.00
	Liab	31,412.66	237.93	0.00	31,650.59	31,650.59	0.00	0.00	0.00
	Auto	7,856.09	0.00	0.00	7,856.09	7,856.09	0.00	0.00	0.00
	WC	492,859.54	59,246.29	0.00	552,105.83	552,105.83	0.00	0.00	0.00
	<b>Total</b>	<b>610,719.55</b>	<b>59,484.22</b>	<b>0.00</b>	<b>670,203.77</b>	<b>670,203.77</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
2015	Prop	65,110.21	0.00	0.00	65,110.21	65,110.21	0.00	0.00	0.00
	Liab	88,031.60	3,398.81	0.00	91,430.41	91,430.41	0.00	0.00	0.00
	Auto	23,746.47	0.00	0.00	23,746.47	23,746.47	0.00	0.00	0.00
	WC	776,687.10	1,489.60	0.00	778,176.70	778,176.70	0.00	0.00	0.00
	<b>Total</b>	<b>953,575.38</b>	<b>4,888.41</b>	<b>0.00</b>	<b>958,463.79</b>	<b>958,463.79</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
2014	Prop	143,367.15	0.00	0.00	143,367.15	143,367.15	0.00	0.00	0.00
	Liab	319,175.81	630.10	0.00	319,805.91	319,805.91	0.00	0.00	0.00
	Auto	18,355.96	0.00	0.00	18,355.96	18,355.96	0.00	0.00	0.00
	WC	1,224,029.96	581.12	0.00	1,224,611.08	1,224,611.08	0.00	0.00	0.00
	<b>Total</b>	<b>1,704,928.88</b>	<b>1,211.22</b>	<b>0.00</b>	<b>1,706,140.10</b>	<b>1,706,140.10</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
Closed	Prop	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	Liab	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	Auto	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	WC	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>TOTAL</b>		<b>3,837,788.88</b>	<b>94,550.50</b>	<b>2,995.00</b>	<b>3,929,344.38</b>	<b>3,929,344.38</b>	<b>(0.00)</b>	<b>(0.00)</b>	<b>0.00</b>

**PROFESSIONAL MUNICIPAL MANAGEMENT JOINT INSURANCE FUND  
SAFETY DIRECTOR'S REPORT**

**TO:** Municipal Fund Commissioners  
**FROM:** J. A. Montgomery Risk Control, JIF Safety Director  
**DATE:** May 10, 2018

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**JIF SERVICE TEAM**

Keith Hummel Associate Public Sector Director <a href="mailto:khummel@jamontgomery.com">khummel@jamontgomery.com</a> Office: 856-552-6862 Fax: 856-552-6863	Glenn Prince Associate Public Sector Director <a href="mailto:gprince@jamontgomery.com">gprince@jamontgomery.com</a> Office: 856-552-4744 Cell: 609-238-3949
Robert Garish Senior Consultant <a href="mailto:rgarish@jamontgomery.com">rgarish@jamontgomery.com</a> Office: 856-552-4650 Fax: 856-552-4651	Danielle Sanders Administrative Assistant <a href="mailto:dsanders@jamontgomery.com">dsanders@jamontgomery.com</a> Office: 856-552-6898 Fax: 856-552-6899

**APRIL ACTIVITIES**

**LOSS CONTROL SERVICES**

- Township of Evesham – Conducted a Loss Control Survey on April 5
- Township of Moorestown – Conducted a Loss Control Survey on April 24

**MEETINGS ATTENDED**

- Fund Commissioners Meeting – April 30

**UPCOMING EVENTS**

- Fund Commissioners Meeting – May 21

**SAFETY DIRECTOR'S BULLETINS & SAFETY ANNOUNCEMENTS**

- April 2 - Law Enforcement Bulletin on AG 2018 Directives

- April 4 - Safety Director Message – Snow Damage to Recreational Facilities
- April 10 - Safety Director Bulletin – Chipper Safety
- April 24 - Law Enforcement Bulletin – Best Practices for School-Related Threats
- April 25 - Did You Know? – MSI Training Schedule – PMM JIF, May 2018.

**MEL MEDIA LIBRARY**

The new MEL Media Library (856-552-4900) is available for borrowing 770+ safety videos in 47 different categories plus the “In-The-Line-Of-Duty Video Series”. To view the full media catalog and rent videos please visit [www.njmel.org](http://www.njmel.org) or email the video library at [melvideolibrary@jamontgomery.com](mailto:melvideolibrary@jamontgomery.com).

No videos were viewed for the month of April.

**MEL SAFETY INSTITUTE (MSI)**

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

Listed below are upcoming MSI training programs scheduled for **May, June and July of 2018. Enrollment is required for all MSI classes.** MSI classes are subject to cancellation or rescheduling at any time. **Members are reminded to log on to the [www.njmel.org](http://www.njmel.org) website, then click on the MSI logo to access the Learning Management System where you can enroll your employees and verify classes. Enrolling your staff ensures you will be notified of any schedule changes.**

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

DATE	LOCATION	TOPIC	TIME
5/1/18	Borough of Runnemede	Playground Safety Inspections	8:30 - 10:30 am
5/7/18	Township of Cherry Hill #4	Fall Protection Awareness	8:30 - 10:30 am
5/7/18	Township of Cherry Hill #4	LOTO	10:45 - 12:45 pm
5/10/18	Township of Winslow	CMVO	8:00 - 12:00 pm
5/11/18	Township of Mantua	Sanitation/Recycling Safety	12:30 - 2:30 pm
5/15/18	Borough of Clementon #3	Confined Space Awareness	8:30 - 9:30 am
5/15/18	Borough of Clementon #3	Fire Extinguisher	9:45 - 10:45 am
5/15/18	Borough of Clementon #3	Hearing Conservation	11:00 - 12:00 pm
5/22/18	Borough of Runnemede	Heavy Equipment Safety	8:30 - 11:30 am
5/23/18	Township of Hainesport #1	Excavation/Trenching/Shoring	8:30 - 12:30 pm
5/24/18	Township of Winslow	Landscape Safety	8:00 - 11:00 am
6/1/18	Township of Tabernacle #1	Fire Safety	8:30 - 9:30 am
6/1/18	Township of Tabernacle #1	Fire Extinguisher	9:45 - 10:45 am
6/4/18	Township of Washington (Gloucester)	Fast Track to Safety	8:30 - 2:30 pm w/lunch brk
6/7/18	Township of Cherry Hill #5	Employee Conduct/Violence Prevention	8:30 - 10:00 am

<b>DATE</b>	<b>LOCATION</b>	<b>TOPIC</b>	<b>TIME</b>
6/7/18	Township of Cherry Hill #5	Back Safety/Material Handling	10:15 - 11:15 am
6/7/18	Township of Cherry Hill #5	BBP	11:30 - 12:30 pm
6/8/18	City of Burlington #2	Landscape Safety	8:30 - 11:30 am
6/11/18	Township of Moorestown	Heavy Equipment Safety	8:30 - 11:30 am
6/14/18	Borough of Collingswood	Ladder Safety/Walking Working Surfaces	8:30 - 10:30 am
6/14/18	Borough of Collingswood	Tool Box Talks Essentials	10:45 - 12:15 pm
6/15/18	Borough of Pitman	Flagger/Work Zone Safety	8:30 - 12:30 pm
6/19/18	Borough of Runnemede	CDL-Drivers Safety Regulations	8:30 - 10:30 am
6/19/18	Borough of Runnemede	Jetter/Vacuum Safety	10:45 - 12:45 pm
6/22/18	Township of Mantua	HazMat Awareness w/HazCom GHS	12:00 - 3:00 pm
7/9/18	Borough of Magnolia	Jetter/Vacuum Safety	10:00 - 12:00 pm
7/9/18	Borough of Magnolia	BBP	12:30 - 1:30 pm
7/11/18	Township of Burlington #3	Seasonal (Summer) Employee Orientation	8:00 - 12:00 pm
7/13/18	Township of Berlin #2	Hoists, Cranes, Rigging Safety	8:00 - 10:00 am
7/13/18	Township of Berlin #2	Confined Space Awareness	10:15 - 11:15 am
7/19/18	Township of Moorestown	PPE	8:30 - 10:30 am
7/19/18	Township of Moorestown	Shop & Tool Safety	10:45 - 11:45 am
7/20/18	Borough of Pitman	Heavy Equipment Safety	8:30 - 11:30 am
7/27/18	Township of Mantua	Fire Extinguisher	12:30 - 1:30 pm
7/27/18	Township of Mantua	Hearing Conservation	1:45 - 2:45 pm

<b>CEU's for Certified Publics Works Managers</b>			
MSI Course	CEU's/Cat.	MSI Course	CEU's/Cat.
Accident Investigation	2 / M	Hazardous Materials Awareness w/ HazCom & GHS	3 / T
Advanced Safety Leadership	10 / M	Hazard Identification - Making Your Observations Count	1 / T,M
Asbestos, Lead & Silica Industrial Health Overview	1 / T,G	Hearing Conservation	1 / T,G
Back Safety / Material Handling	1 / T	Heavy Equipment Safety	1 / G - 2 / T
Bloodborne Pathogens Training	1 / G	Hoists, Cranes and Rigging	2 / T
Bloodborne Pathogens Administrator Training	1 / T,M	Housing Authority Safety Awareness	3 / T
BOE Safety Awareness	3 / T	Jetter Safety	2 / T
CDL – Supervisors Reasonable Suspicion	2 / M	Landscape Safety	2 / T
CDL - Drivers' Safety Regulations	2 / G	Leaf Collection Safety Awareness	2 / T
Coaching the Maintenance Vehicle Operator	2 / T,M	Lockout Tagout	2 / T
Confined Space Entry – Permit Required	3.5 / T	Personal Protective Equipment (PPE)	2 / T
Confined Space Awareness	1 / T,G	Playground Safety	2 / T
Driving Safety Awareness	1.5 / T	Sanitation and Recycling Safety	2 / T
Employee Conduct and Violence in the Work Place	1.5 / E	Safety Committee Best Practices	1.5 / M
Excavation Trenching & Shoring	2 / T,M	Safety Coordinator's Skills Training	3 / M,G
Fall Protection Awareness	2 / T,M	Shop and Tool Safety	1 / T
Fast Track to Safety	4 / T	Seasonal Public Works Operations	3 / T
Fire Extinguisher	1 / T	Snow Plow Safety	2 / T
Fire Safety	.5/ T - .5/ G	Special Events Management	2 / M
Flagger / Workzone Safety	2 / T,M	Toolbox Talk Essentials	1 / M
HazCom with Globally Harmonized System	1 / T,G		
<b>CEU's for Registered Municipal Clerks</b>			
MSI Course	CEU's/Cat.	MSI Course	CEU's/Cat.
Asbestos, Lead & Silica Industrial Health Overview	1 / P	Hazard Identification - Making your Observations Count	2 / P
Bloodborne Pathogens Training	1 / P	Safety Committee Best Practices	1.5 / P
Employee Conduct and Violence in the Work Place	1.5 / E	Safety Coordinator's Skills Training	6 / P
		Special Event Management	2 / P
<b>TCH's For Water/ Wastewater</b>			
MSI Course	TCH's/Cat.	MSI Course	TCH's/Cat.
Accident Investigation	1.5 / S	Hazardous Materials Awareness w/ HazCom & GHS	3 / S
Advanced Safety Leadership	10 / S	Heavy Equipment Safety	3 / S
Asbestos, Lead & Silica Industrial Health Overview	1 / S	Housing Authority Safety Awareness	3 / S
Back Safety / Material Handling	1 / S	Hazard Identification - Making your Observations Count	1.5 / S
Bloodborne Pathogens Training	1 / S	Hearing Conservation	1 / S
Bloodborne Pathogens Administrator Training	2 / Non S	Hoists, Cranes and Rigging	2 / S
BOE Safety Awareness	3 / S	Jetter Safety	2 / S
CDL – Supervisors Reasonable Suspicion	1.5 / S	Ladder Safety/Walking Working Surfaces	2 / S
CDL - Drivers' Safety Regulations	2 / S	Landscape Safety	2 / S
Confined Space Awareness	1 / S	Leaf Collection Safety Awareness	2 / S
Confined Space Entry - Permit Required	3.5 / S	Lockout Tagout	2 / S
Defensive Driving-6-Hour	5.5 / S	Shop and Tool Safety	1 / S
Driving Safety Awareness	1.5 / S	Office Safety	2 / S
Employee Conduct and Violence in the Work Place	1.5 / Non S	Personal Protective Equipment (PPE)	2 / S
Excavation Trenching & Shoring	4 / S	Safety Committee Best Practices	1.5 / S
Fall Protection Awareness	2 / S	Safety Coordinator's Skills Training	5 / Non S
Fast Track to Safety	5 / S	Seasonal Public Works Operations	3 / S
Fire Extinguisher	1 / S	Snow Plow Safety	2 / S
Fire Safety	1 / S	Special Event Management	2 / S
Flagger / Workzone Safety	2 / S	Toolbox Talk Essentials	1 / S
HazCom with Globally Harmonized System	1.5 / S		
<b>CEU's for Tax Collectors</b>		<b>CEU's for County/Municipal Finance Officers</b>	
MSI Course	CEU's/Cat.	MSI Course	CEU's/Cat.
Employee Conduct and Violence in the Work Place	1.5 / E	Employee Conduct and Violence in the Work Place	1.5 / E
<b>CEU's for Certified Recycling Professionals</b>		<b>CEU's for Qualified Purchasing Agents</b>	
MSI Course	CEU's/Cat.	MSI Course	CEU's/Cat.
Fire Extinguisher Safety	1 / CRP	Employee Conduct and Violence in the Work Place	1.5 / E
Hazard Recognition- Making your Observations Count	2 / CRP		
Heavy Equipment	3 / CRP		
Sanitation and Recycling Safety	2 / CRP		
***Category			
E - Ethics			
T - Technical			
G - Governmental			
S - Safety / Non S - Non Safety			
Non S - Non Safety (Management)			
P - Professional Development			
M - Management			
CRP - Certified Recycling Professional Classroom CEU			

TO: Police Chiefs

CC: Mayor  
Governing Body  
Town Manager  
Town Attorney  
Risk Management Consultants  
Safety Director  
Fund Commissioner

RE: New Jersey Attorney General Law Enforcement Directives

DATE: April 2, 2018

New Jersey Attorney General Gurbir S. Grewal has recently issued three directives that will significantly impact law enforcement agencies throughout the State. Links to these directives have been provided. If you have a law enforcement agency, town officials and professionals are encouraged to assist their agencies with the implementation of these directives.

[Attorney General Law Enforcement Directive No. 2018-1 - Law Enforcement Directive Concerning Public Release of Video Recordings Depicting Police Deadly Force Incidents](#)

*“This Directive instructs that, in any case involving police use of deadly force as defined in Attorney General Directive 2006-5, law enforcement agencies presumptively will make available, upon formal request by the media or other public requestor, video footage captured by body-worn cameras (“BWCs”) and patrol vehicle dashboard-mounted cameras (“dash-cams”) once the initial investigation of the use of force incident is substantially complete....”*

<http://www.nj.gov/oag/dcj/agguide/directives/ag-directive-2018-1.pdf>

[Attorney General Law Enforcement Directive No. 2018-2 – Statewide Mandatory Random Drug Testing](#)

*“Testing of law enforcement officers in New Jersey for illegal drug use is governed by the Attorney General’s Law Enforcement Drug testing Policy (hereinafter “AG Testing Policy).*

*“Therefore, pursuant to the authority granted to me under the Criminal Justice Act of 1970, N.J.S.A. 52:17B-97 to -117, which provides for the general supervision of criminal justice by the Attorney General as chief law enforcement officer of the State to secure the benefits of a uniform and efficient enforcement of the criminal law and the administration of criminal justice throughout the State, I, Gurbir S. Grewal, hereby DIRECT all law enforcement and prosecuting agencies operating under the authority of the laws of the State of New Jersey to implement and comply with the following policies, procedures, standards, and practices.”*

<http://www.nj.gov/oag/dcj/agguide/directives/ag-directive-2018-2.pdf>

Attorney General Law Enforcement Directive No. 2018-3 – Statewide Mandatory Early Warning Systems

*“An Early Warning System (“EW System”) is an important management tool designed to detect patterns and trends in police conduct before that conduct escalates. An effective EW System can assist a law enforcement agency in identifying and remediating problematic officer conduct that poses a potential risk to the public, to the agency, and to the officer. EW Systems, therefore, serve to not only increase public safety and public confidence in law enforcement, but also to assist officers through early intervention...”*

*“Accordingly, pursuant to the authority granted to me under the Criminal Justice Act of 1970, N.J.S.A. 52:17B-97 to -117, which provides for the general supervision of criminal justice by the Attorney General as chief law enforcement officer of the State to secure the benefits of a uniform and efficient enforcement of the criminal law and the administration of criminal justice throughout the State, I, Gurbir S. Grewal, hereby DIRECT all law enforcement and prosecuting agencies operating under the authority of the laws of the State of New Jersey to implement and comply with the following policies, procedures, standards, and practices.”*

<http://www.nj.gov/oag/dcj/agguide/directives/ag-directive-2018-3.pdf>

Questions concerning the implementation of these directives should be forwarded to your County Prosecutor.

TO: All Police Chiefs and Public Safety Directors

FROM: Chief Vincent Quatrone (Ret.)  
J. A. Montgomery Risk Control – Law Enforcement Bulletin 2018-04

RE: Update to Attorney General Directive 2016-17: Replacement of the October 9, 2007, of Investigative Tips and Leads Received from the New Jersey Public and Law Enforcement Guidelines

DATE: April 24, 2018

Law Enforcement Agencies throughout the state have been experiencing an increase in school-related threats. On March 26, 2018, New Jersey Attorney General Gurbir Grewal issued a modification to Directive 2016-17 and the 2007 Law Enforcement Guidelines for the reporting of suspicious activity, terminology and sharing of information to the following:

Law enforcement agencies in New Jersey shall immediately report suspicious activity with a possible nexus to terrorism, and any and all threats of violence generally to any public location or mass gathering area, threats of violence specifically to any school, workplace or house of worship, or other criminal activity related to terrorism, to CT (Counter Terrorism) Watch (formerly known as the “Tips and Leads” Section of NJOHSP) and their CTC (County Terrorism Coordinators). Reporting shall include all pertinent information and supporting documents, if any. Reporting to NJOHSP can be made (1) to the hotline at 1-866-4SAFENJ (866-472-3365), (2) via email at [tips@njohsp.gov](mailto:tips@njohsp.gov), (3) by submitting the online form at <https://homelandsecurity.nj.gov/tips> or (4) via NJSARS.

Below lists some actions that can be taken by Law Enforcement when responding to a school threat incident:

- Investigate all school threats to a logical conclusion
- Assign a Superior Officer to respond to the scene
- Make certain that members of the Investigative Division respond to the scene
- Formal Statements should be taken from any witnesses to the threat or incident
- Photograph and process any crime scenes relating to the threat or incident
- When probable cause exists actor/s should be charged appropriately
- Within the framework of the 4<sup>th</sup> amendment and where probable cause exists, conduct a search of the actor(s) for weapons and/or where the actor(s) may have access to weapons
- Obtain a consent to search or obtain a search warrant for the actor/s vehicle, home or locker.
- Conduct an NCIC check for any weapons registered to the actor(s) or the address he/she is staying or residing
- In the case of a student actor, inquire with school administrators if a Psychological Clearance will be required before the student returns to school
- Report all appropriate incidents to NJOHSP in accordance with updated Directive 2016-7

This bulletin is intended for general information purposes only. It should not be construed as legal advice or legal opinion regarding any specific or factual situation. Always follow your organization's policies and procedures as presented by your manager or supervisor. Please consult with your County Prosecutor or Borough Attorney before making any policy or operational changes.





### **Best Practices for Safely Operating a Wood Chipper**

Wood chippers are an important tool for post-storm clean-up and routine tree service. Some agencies use chippers almost daily while other agencies use them infrequently, primarily after severe weather. Both circumstances present hazards beyond the hazards inherent with the chipper. Employees of agencies that use chipper frequently can become complacent with the hazards. Agencies that use a chipper infrequently run the risk of employees forgetting their training over time and becoming unfamiliar with the safeguards for operating the machine. Employers must develop their chipper training program to address the hazards to their particular operations. The Office of the Safety Director suggests developing three levels of training; initial training, pre-season refresher training, and daily briefings.

#### **Initial Training**

- **Initial training should include the demonstration of the knowledge and skills necessary to inspect, operate and maintain the chipper.** It must start with a review of the Owner's Manual. It is a best practice to document initial training with a Skill Sheet. A Skill Sheet lists the critical tasks an employee must be able to perform such as conducting daily inspection and safety checks, properly feeding vegetation into the chipper without violating safety protocols, and proper clearing of a jam.

#### **Refresher Training**

- **Start with reviewing the first pages of the Owner's Manual** where the dangers and warnings are listed.
- **Concentrate on the most severe and most common causes of injuries and fatalities from the chipper** – NIOSH studied 11 chipper fatalities over a 5-year period and found seven of the fatalities were caused when the worker was caught by the feed mechanism and pulled into the chipper knives, and the other four were caused by being struck with guards that were thrown from the machine when they were not properly secured.
- **Discuss the very significant hazard of working on roadways** – Most chipper operations take place on roads and traffic control plays a large role in crew safety. Traffic control for routine and emergency chipping operations must be in accordance with the Manual on Uniform Traffic Control Devices.

#### **Daily Briefings**

While initial and refresher training establishes a baseline of employee knowledge and skills, research shows that the proper and consistent application of those knowledge and skills are best reinforced by short and targeted daily conversations by agency leaders. Page 2 of this Bulletin includes several briefing topics to vary your message.

Beyond training, employers need two additional programs in place.

- A comprehensive maintenance program, in accordance with the manufacturer's recommended schedule, should be followed. A best practice is for the maintenance shop to stock a supply of warning labels.
- Employers should also have a plan to continuously investigate new technology available in chipper machines.

This bulletin is intended for general information purposes only. It should not be construed as legal advice or legal opinion regarding any specific or factual situation. Always follow your organization's policies and procedures as presented by your manager or supervisor. For further information regarding this bulletin, contact your Safety Director at 877.398.3046.

## 5 – 10 Minute Shift Briefing Ideas for Chipping Crews

### 1. Take part in the morning chipper inspection.

This is a great strategy to demonstrate your commitment to the importance of performing an effective inspection every day. Review the procedure for testing the proper operation of safety features.

### 2. Discuss proper apparel for chipping operations in general and today's weather conditions specifically.

Discuss the hazards of loose-fitting gloves and sleeves. Inspect the crew's gloves and replace those that are worn or not properly fitted. On subsequent briefing, discuss and inspect work boots. Discuss the importance of wearing layers of clothing so adjustments can be made as the temperature rises or falls during the shift.

### 3. Discuss the personal protective equipment needed for chipping operations

Using a chipper requires a certain level of personal protective apparel. Noise levels can reach 100 decibels. Good ear muffs or properly inserted ear plugs are essential. You may wish to demonstrate the proper technique for inserting ear plugs or view a YouTube video. Safety glasses and work boots are required. An ANSI Class 2 or 3 high-visibility outer wear is also required if chipping on the street. Discuss need for hardhat

### 4. Discuss temporary traffic control for Mobile Work Zones

Chipping operations is typically a mobile work zone. Review the two requirements for mobile work zones; amber warning lights that are visible from both front and rear, and high visibility apparel. Discuss when minimum levels of traffic control might not be sufficient, such as curves or immediately after an intersection. Discuss options you want them to consider to increase the safety in difficult situations.

### 5. Discuss best practices for feeding branches into the chipper

Branches should be fed into the chipper cut-end first. Workers should approach the feed chute to the side of the chute, feed the branch from the side, and walk away when the branch is grabbed by the cutting knives. The MEL Media Library, the manufacturer or YouTube are resources for videos on the safe use of chippers. Throw small branches directly into rear of vehicle with chipped material.

### 6. Discuss the lock out / tag out procedures for clearing a jam in the feed chute

The moving parts of the chipper present a great many and severe hazards when the machine jams or otherwise does not operate properly. Refer to the Owner's Manual and review the procedures for common malfunctions of the chipper. Discuss what repairs should be made on the street and when the machine must be returned to the shop for troubleshooting and repairs.

### 7. Discuss trailer connections and towing

Review the procedures to attach the chipper trailer to the tow vehicle. Review how to inspect the connecting devices as they are used. Discuss challenges to hooking up the trailer and methods to test connections. Remind drivers to go slow when leaving to verify trailer is hooked up properly.

### 8. Discuss safety when unloading the chipped materials

Unloading the chipped material at a remote location presents a number of hazards; uncoupling and coupling trailer on uneven surfaces, raised truck bodies, maneuvering the trailer in difficult areas, and using a spotter.

### 9. Download and discuss a NIOSH FACE Report of a chipper fatality

NIOSH conducted a number of fatalities involving chippers. Their reports include a full discussion of the event, often with pictures or diagrams, and ways to avoid the mistakes that were made. They can be accessed at <https://www.cdc.gov/miosh/face/>

## Professional Municipal Mgmt JIF Certificate of Insurance Monthly Report

From 1/22/2018 To 2/22/2018

Holder (H)/ Insured Name (I)	Holder / Insured Address	Description of Operations	Issue Date/ Cert ID	Coverage
H - Shop Rite of Paramus I - Borough of Maywood	224 Route 4 East Paramus, NJ 07652	Evidence of insurance for Borough of Maywood Baseball tagging events 3/10/18,4/22/18,6/10/18 and 7/7/2018	1/24/2018 #1846166	GL AU EX WC
H - CURE INSURANCE ARENA I - Township of Willingboro	81 HAMILTON AVE. Trenton, NJ 08611	EVIDENCE OF INSURANCE	2/2/2018 #1851012	GL AU EX WC OTH
H - NJCDDA KIMBERLY MCGOWAN I - Township of Willingboro	47 HIGHFIELD RD Colonia, NJ 07067	EVIDENCE OF INSURANCE	2/2/2018 #1851412	GL AU EX WC OTH
H - Monica Buckley Foundation I - Township of Moorestown	401 Providence Dr Moorestown, NJ 08057	Re: Recreation afterschool SMASH programs Certificate holder & the Monica Buckley Foundation is an Additional Insured on the above-referenced Commercial General Liability and Excess Liability Policies if required by written contract as respect Recreation afterschool SMASH programs.	2/7/2018 #1853593	GL AU EX WC
<b>Total # of Holders: 4</b>				

02/22/2018

1 of 1

## Professional Municipal Mgmt JIF Certificate of Insurance Monthly Report

From 2/22/2018 To 3/22/2018

Holder (H)/ Insured Name (I)	Holder / Insured Address	Description of Operations	Issue Date/ Cert ID	Coverage
H - Burlington County Fire Academy I - Evesham Township Fire District	49 Rancocas Rd Mt Holly, NJ 08060	Evidence of insurance with respect to use of training facilities	3/1/2018 #1866528	GL AU EX WC
H - Burlington County Board of I - Township of Maple Shade	Chosen Freeholders 49 Rancocas Road P.O. Box 6000 Eastampton, NJ 08060	The Certificate Holder is an Additional Insured on the above-referenced Commercial General Liability and Excess Liability Policies if required by written contract as respect to the Burlington County road closing of CR 537 (Main Street) in Maple Shade. Events are listed below: Memorial Day, 05/28/2018, 10:30am - 12pm From 914 East Main Street (VFW Post 2445) to Fellowship Road FOOD TRUCK FESTIVAL, 06/04/2018, 6PM-9PM, From Fellowship Road to Coles Avenue INDEPENDENCE DAY CELEBRATION, 06/30/2018, 12PM-2PM, From Fellowship Road to Coles Avenue SIDEWALK SALE, 09/08/2018 9AM-3PM, From Fellowship Road to Coles Avenue(Rain Date 09/15/2018 9AM-3PM From Fellowship Road to Coles Avenue) HALLOWEEN PARADE, October 31, 2018, 5PM-6PM, From Fellowship Road to Coles Avenue HOLIDAY FESTIVAL, December 7, 2018, 5:30 PM- 9:30 PM, From Fellowship Road to Coles Avenue	3/9/2018 #1868711	GL AU EX WC
H - Evesham Residents and Businesses I - Township of Evesham	Main Street Marlton , NJ 08053	Evidence of insurance as respects to Taste of Evesham on Main Street between Cooper Ave. and Locust Ave., Marlton NJ to be held May 20, 2018 from 10:00am to 6:00pm. Does not include amusements or fireworks.	3/15/2018 #1870719	GL AU EX WC
H - Burlington County Board of I - Township of Evesham	Chosen Freeholders, Attn: Insurance & Risk Management Division 49 Rancocas Rd PO Box 6000 MT Holly, NJ 08060	Certificate holder is amended to be included as additional insured the person(s) or organization(s) as shown in the description section of this certificate of insurance for General Liability & Excess Liability pursuant to the terms, conditions, limitations, and exclusions of the JIF Casualty Insurance Policy(but only with respect to liability caused in whole or in part by the acts or omissions of the named insured) participation in the Taste of Evesham on Sunday May 20, 2018. Does not include amusements or fireworks.	3/15/2018 #1870720	GL AU EX WC
H - Burlington County Board of I - Township of Evesham	Chosen Freeholders Attn: Insurance & Risk Management Division 49 Rancocas Road PO Box 6000 Mt Holly, NJ 08060	Certificate holder is amended to be included as additional insured the person(s) or organization(s) as shown in the description section of this certificate of insurance for General Liability and Excess Liability pursuant to the Terms, conditions, limitations, and exclusions of the JIF Casualty Insurance Policy(but only with respect to the Liability caused in whole or in part by the acts or omissions of the named insured) participation in the Marlton Day on Saturday, June 9, 2018 from 7:30am to 5:30pm along Main Street. Does not include amusements or fireworks.	3/15/2018 #1870760	GL AU EX WC
H - Evesham Residents and	Main Street	Evidence of insurance with respects to Marlton Day on Saturday,	3/15/2018	GL AU EX

03/22/2018

## Professional Municipal Mgmt JIF Certificate of Insurance Monthly Report

From 2/22/2018 To 3/22/2018

Businesses I - Township of Evesham	Marlton , NJ 08053	June 9, 2018 from 7:30am to 5:30pm along Main Street. Does not include amusements or fireworks.	#1870761	WC
H - Burlington County Board of I - Township of Evesham	Chosen Freeholders Attn: Insurance & Risk Management Division 49 Rancocas Road PO Box 6000 Mt. Holly, NJ 08060	Certificate holder is amended to be included as additional insured the person(s) or organization(s) as shown in the description section of this certificate of insurance for General Liability & Excess Liability pursuant to the terms, Conditions, limitations, and exclusions of the JIF Casualty Insurance Policy(but only with respect to liability caused In whole or in part by the acts or omissions of the named insured) participation in the Harvest Fest on Saturday, September 29, 2018 from 8:00am to 5:30pm along Main Street. Does not include amusements or fireworks.	3/15/2018 #1870833	GL AU EX WC
H - Evesham Residents and Businesses I - Township of Evesham	Main Street Marlton , NJ 08053	Evidence of insurance as respects to the Evesham Harvest Fest to be held on September 29, 2018 from 8:00am to 5:30pm	3/15/2018 #1870834	GL AU EX WC
H - Burlington County Board of I - Township of Evesham	Chosen Freeholders Attn: Insurance & Risk Management Division 49 Rancocas Road PO Box 6000 Mt Holly, NJ 08060	Certificate holder is amended to be included as additional insured the person(s) or organization(s) as shown in the description section of this certificate of insurance for General Liability & Excess Liability pursuant to the terms, Conditions, limitations and exclusions of the JIF Casualty Insurance Policy(but only with respect to liability caused in whole or in part by the acts or omissions of the named insured) as respects to the use of Main Street on Thursday, November 22, 2018 for the annual Turkey Trot from 7:00am to 10:00am. Does not include amusements or fireworks.	3/15/2018 #1871053	GL AU EX WC
H - Burlington County Board of I - Township of Evesham	Chosen Freeholders Attn: Insurance & Risk Management Division 49 Rancocas Road PO Box 6000 Mt Holly, NJ 08060	Certificate holder is amended to be included as additional insured the person(s) or organization(s) as shown in the description section of this certificate of insurance for General Liability & Excess Liability pursuant to the terms, Conditions, limitations and exclusions of the JIF Casualty Insurance Policy(but only with respect to liability caused In whole or in part by the acts or omissions of the named insured) as respects to the use of Main Street from Maple Ave to Evans Rd on Tuesday, July 4, 2018 for the annual July 4th parade from 6:00am to 2:00pm. Also, along a certain location on Marlton Parkway/Taunton Lake Blvd (CR#544) from Wescott Rd to Kings Grant Drive/Barton Run Blvd from 6:30pm to 10:00pm for July 4th festivities.	3/15/2018 #1871054	GL AU EX WC
H - Evesham Residents and Businesses I - Township of Evesham	Main Street Marlton , NJ 08053	Evidence of insurance as with respects to the Annual Parade on Main Street, Marlton, NJ 08053 to be held on July 4, 2018 from 6:00am to 2:00pm. Does not include amusements or fireworks.	3/15/2018 #1871055	GL AU EX WC

03/22/2018

**Professional Municipal Mgmt JIF  
Certificate of Insurance Monthly Report**

From 2/22/2018 To 3/22/2018

H - Evesham Residents and Businesses  I - Township of Evesham	Main Street Marlton , NJ 08053	Evidence of insurance as respects to the Turkey Trot on Main Street, Marlton, NJ 08053 on Thursday, November 22, 2018 from 7:00am to 10:00am. Does not include amusements And fireworks.	3/15/2018  #1871056	GL AU EX WC
<b>Total # of Holders: 12</b>				



**PROFESSIONAL MUNICIPAL MANAGEMENT JOINT INSURANCE FUND  
CUMULATIVE SAVINGS SUMMARY**

2018	UNITS OF SERVICE	BILLED	APPROVED	SAVINGS	% SAVINGS
JANUARY	36	\$171,386.29	\$51,320.26	\$120,066.03	70.1%
FEBRUARY	81	\$70,783.00	\$29,690.36	\$41,092.64	58.1%
MARCH	62	\$53,513.34	\$22,266.74	\$31,246.60	58.4%
APRIL					
MAY					
JUNE					
JULY					
AUGUST					
SEPTEMBER					
OCTOBER					
NOVEMBER					
DECEMBER					
<b>TOTALS</b>	<b>179</b>	<b>\$295,682.63</b>	<b>\$103,277.36</b>	<b>\$192,405.27</b>	<b>65.1%</b>

2017	UNITS OF SERVICE	BILLED	APPROVED	SAVINGS	% SAVINGS
JANUARY	90	\$124,479.14	\$32,991.31	\$91,487.83	73.5%
FEBRUARY	73	\$43,620.94	\$14,376.83	\$29,244.11	67.0%
MARCH	44	\$74,889.92	\$22,958.12	\$41,931.80	69.3%
APRIL	76	\$44,271.09	\$17,633.34	\$26,637.75	60.2%
MAY	121	\$98,838.91	\$40,566.82	\$58,272.09	59.0%
JUNE	87	\$44,670.32	\$13,049.00	\$31,621.32	70.8%
JULY	159	\$99,431.84	\$25,411.99	\$74,019.85	74.4%
AUGUST	121	\$100,731.03	\$29,729.50	\$71,001.53	70.5%
SEPTEMBER	73	\$41,319.27	\$16,398.22	\$24,921.05	60.3%
OCTOBER	73	\$32,018.60	\$10,388.23	\$21,630.37	67.6%
NOVEMBER	8	\$5,294.10	\$4,427.21	\$866.89	16.4%
DECEMBER	111	\$58,226.66	\$19,797.40	\$38,429.26	66.0%
<b>TOTALS</b>	<b>1036</b>	<b>\$767,791.82</b>	<b>\$247,727.97</b>	<b>\$520,063.85</b>	<b>67.7%</b>

2016	UNITS OF SERVICE	BILLED	APPROVED	SAVINGS	% SAVINGS
JANUARY	77	\$90,269.69	\$31,754.94	\$58,514.75	64.8%
FEBRUARY	88	\$53,424.04	\$21,536.23	\$31,887.81	59.7%
MARCH	99	\$90,381.60	\$28,598.21	\$61,783.39	68.4%
APRIL	82	\$104,251.70	\$34,457.52	\$69,794.18	66.9%
MAY	104	\$127,741.41	\$32,886.89	\$94,854.52	74.3%
JUNE	107	\$118,751.30	\$33,366.11	\$85,385.19	71.9%
JULY	79	\$40,442.57	\$20,142.37	\$20,300.20	50.2%
AUGUST	92	\$32,588.12	\$12,780.16	\$19,807.06	60.8%
SEPTEMBER	48	\$34,210.25	\$13,172.14	\$21,038.11	61.5%
OCTOBER	56	\$76,857.84	\$31,806.84	\$45,051.00	58.6%
NOVEMBER	43	\$141,199.34	\$58,996.38	\$82,202.96	58.2%
DECEMBER	71	\$39,689.40	\$15,462.62	\$24,226.78	61.0%
<b>TOTALS</b>	<b>946</b>	<b>\$949,807.26</b>	<b>\$334,960.41</b>	<b>\$614,846.85</b>	<b>64.7%</b>



**PROFESSIONAL MUNICIPAL MANAGEMENT JIF  
SAVINGS BY SPECIALTY  
January 1, 2018 – March 31, 2018**

	UNITS OF SERVICE	BILLED	APPROVED	SAVINGS	% SAVINGS
Hospital	6	\$93,732.30	\$23,681.43	\$70,050.87	74.7%
Neurosurgery	3	\$50,900.00	\$16,582.48	\$34,317.52	67.4%
Physical Therapy	82	\$49,418.29	\$6,621.00	\$42,797.29	86.6%
Ambulatory Surgical Center	5	\$33,034.00	\$19,618.10	\$13,415.90	40.6%
Anesthesiology	9	\$15,620.00	\$8,997.70	\$6,622.30	42.4%
Occ Med/Primary Care	18	\$13,604.30	\$6,254.48	\$7,349.82	54.0%
Orthopedic Surgery	7	\$9,141.96	\$3,526.18	\$5,615.78	61.4%
Ortho/Neuro	10	\$8,798.69	\$5,692.82	\$3,105.87	35.3%
Durable Medical Equipment	1	\$4,995.00	\$3,138.00	\$1,857.00	37.2%
MRI/Radiology	13	\$4,664.03	\$2,513.20	\$2,150.83	46.1%
Behavioral Health	12	\$2,975.00	\$2,395.00	\$580.00	19.5%
Emergency Medicine	3	\$2,777.00	\$787.94	\$1,989.06	71.6%
Hand Surgery	3	\$2,332.00	\$1,204.34	\$1,127.66	48.4%
Other	3	\$1,908.16	\$1,646.35	\$261.81	13.7%
Physical Medicine & Rehabilitation	1	\$1,438.50	\$373.05	\$1,065.45	74.1%
Pain Management	2	\$281.40	\$186.00	\$95.40	33.9%
Physicians Fees	1	\$62.00	\$59.29	\$2.71	4.4%
<b>Grand Total</b>	<b>179</b>	<b>\$295,682.63</b>	<b>\$103,277.36</b>	<b>\$192,405.27</b>	<b>65.1%</b>

**TOP 10 PROVIDERS  
January 1, 2018 - March 31, 2018**

	UNITS OF SERVICE	APPROVED
VIRTUA WEST JERSEY HEALTH, INC.	3	\$21,334.24
TARIQ S. SIDDIQI, MD	2	\$16,535.11
SUMMIT SURGICAL CENTER, LLC	2	\$8,829.20
SOUTH JERSEY MUSCULOSKELETAL INST	1	\$8,300.90
IVY REHAB NETWORK, INC	61	\$5,195.00
ROTHMAN INSTITUTE OF NEW JERSEY	1	\$4,825.35
PREMIER ORTHOPEDIC OF SOUTH JERSEY	12	\$4,030.33
WEST JERSEY ANESTHESIA ASSOCIATES	3	\$3,680.00
VIRTUA HAND CENTER	4	\$3,284.86
LOURDES ANESTHESIA ASSOC PA	4	\$3,157.70



# ***APPENDIX I - MINUTES***

**PROFESSIONAL MUNICIPAL MANAGEMENT JOINT INSURANCE FUND  
 OPEN SESSION MINUTES  
 MEETING – APRIL 30, 2018  
 INDIAN SPRINGS COUNTRY CLUB  
 115 SOUTH ELMWOOD ROAD  
 MARLTON, NJ 08053  
 11:00 AM**

Meeting of 2018 Fund Commissioners called to order. Open Public Meetings notice read into record.

**ROLL CALL OF 2018 FUND COMMISSIONERS:**

Thomas Merchel, Chairman	Township of Moorestown	Present
Richard Brevogel, Secretary	Township of Willingboro	Present
Joseph Andl	Township of Maple Shade	Absent
Michael Barth	Township of Evesham	Present

**SPECIAL FUND COMMISSIONERS:**

Greg Rucker, Dir. Of Public Safety	Township of Willingboro	Present
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**APPOINTED OFFICIALS PRESENT:**

Executive Director/Administrator	PERMA Risk Management Services <b>Bradford C. Stokes, Karen A. Read Rachel Chwastek</b>
Treasurer	<b>Tom Tontarski</b>
Attorney	Kearns, Reale & Kearns, Esquires <b>William Kearns, Esquire</b>
Auditor	Bowman & Company
Claims Service	Qual Lynx <b>Kathy Kissane Kim DeLaurentis Laura Kordomenos</b>
Safety Director	J.A. Montgomery Risk Control <b>Glenn Prince</b>
Managed Care Organization	QualCare <b>Stephen McNamara</b>
Underwriting Manager	Conner Strong & Buckelew <b>Ed Cooney</b>

ALSO PRESENT:

Doug Nims, Moorestown Township  
Stephanie Meredith, Brown & Connery  
Dean Wittman, Zeller & Wieliczko  
Ben Smith, Pietras Saracino Smith  
Walter Howard  
Eric Menirel, Evesham Township  
Thomas Shanahan, Evesham Township  
Lee Lieber, Moorestown PD  
George Gravenstine, AJM Insurance  
Larry Graham, Fairview Insurance

**APPROVAL OF MINUTES: FEBRUARY 26, 2018 - Open & Closed Minutes**

**MOTION TO APPROVE OPEN & CLOSED MINUTES OF FEBRUARY 26, 2018**

Moved: Commissioner Brevogel  
Second: Commissioner Merchel  
Vote: 2 Ayes – 0 Nays– 1 Abstention (Barth)

**CORRESPONDENCE:** NONE.

**EXECUTIVE DIRECTOR:**

The Executive Director welcomed Michael Barth, the new Fund Commissioner from Evesham Township.

**Professional Service Contract Wording:** The MEL attorney and staff reviewed the standard contract wording that is in most JIF contracts, including the PMM JIF. Language was included in the RFQ forms that this review would be undertaken. There are minor revisions and updates that are being recommended. The Fund Attorney has reviewed the changes and is in agreement with the revisions. The changes to each were included in the agenda.

**MOTION TO APPROVE REVISIONS TO PROFESSIONAL CONTRACT LANGUAGE**

Moved: Commissioner Brevogel  
Second: Commissioner Merchel  
Vote: 3 Ayes – 0 Nays

**2018 PRIMA Conference** – The JIF has authorized the attendance of Board Members at the annual risk management conference for the purpose of attending seminars. The next PRIMA convention will take place in Indianapolis from June 3–6. Please notify the Fund office if you are interested in attending.

**Elected Officials Training Course:** Every year, the MEL holds training seminars for elected officials and reduces a member’s assessment by \$250 for each municipal elected officials completing the course by May 1st . This year’s elected officials training program focus is on “Land Use Liability and

Technology Risk Management. Mr. Kearns is available if any member would like to schedule an in-person session.

**2018/2019 Employment Practices Program:** Correspondence will be distributed by the end of April announcing the 2018/2019 Compliance Program. Once released, members should visit the MEL's webpage [www.njmel.org](http://www.njmel.org) for changes to the MEL's Model Personnel Manual and information on training program requirements. Members have until October 1st to submit the checklist to qualify and/or maintain deductible and co-pay incentives. Compliance includes updating Personnel Manuals, Training Managers & Supervisors and Police Command Staff and offering training to non-supervisory personnel.

**2018 Financial Disclosures:** The Local Finance Board issued the annual notice regarding filing of the Financial Disclosure forms. Local Government Officers may begin filing via the online system on April 5th and have until April 30th to complete the filing. The Fund office has advised Fund Commissioners and Professionals of the filing requirement.

**Risk Management Information/Operating System (RMIS):** The online underwriting database through Origami was launched mid-March; Fund Commissioners and Risk Management Consultants were provided login information, as well as links to short training videos. Origami will host training webinars once users have had an opportunity to login and utilize the online platform. Notification will be distributed once the webinars have been scheduled.

**Autism and Mental Health Awareness Training** – J. A. Montgomery has recently sent a notice out advising members of training available to help employees manage mental health issues. There are various agencies that will provide free training to law enforcement agencies.

**Residual Claims Fund Report:** The Residual Claims Fund met on April 6, 2018 at the Forsgate Country Club. Enclosed in Appendix II is a copy of Commissioner Merchel's report on the meeting.

**MEL Report:** The MEL met on April 6, 2018 at the Forsgate Country Club. Enclosed in Appendix II is a copy of Commissioner Merchel's report on the meeting.

**EJIF Report:** The EJIF met on April 6, 2018 at the Forsgate Country Club. Enclosed in Appendix II is Commissioner Merchel's report on the meeting.

Commissioner Brevogel advised he received an email from the EJIF regarding new stormwater regulations and asked what the liability was for non-owned EMPs. The Executive Director advised the memo would be in next month's agenda and he would find out and discuss it with Mr. Kearns.

Commissioner Merchel mentioned they had discussed having town meetings or a round table with the Directors from different departments, to get a snapshot of what is happening at the implementation level and to share real world experiences.

Commissioner Brevogel asked about the legal ramifications, specifically with CDL drivers, in the event of the legalization of marijuana. Mr. Prince advised JA Montgomery is aggressively monitoring and tracking and the DOT regulations.

Mr. Cooney advised the MEL Safety has been working on this, particularly WC and their response, EPL – specifically the testing, and land use and zoning issues.

Mr. Kearns advised that no matter what NJ does, it is still a Federal Violation.

Mr. George Gravenstine advised that on the private side insurance companies have been denying claims based on the federal law.

**League Magazine:** Attached is the latest advertisement in the “Power of Collaboration” series to appear in the League magazine. Each of the MEL advertisements highlights activities of the MEL and JIFs as well as people who have rendered significant service. This advertisement highlights the MEL mobile application available to download.

**May Meeting Date** - A reminder that next month’s meeting is on the third Monday of the month, May 21st due to Memorial Day.

**Due Diligence Reports:** Monthly report submitted to Fund Commissioners including Monthly Fast-track Accident Frequency, Fast-Track Financial report, Claim Activity Report, Interest Rate Summary Comparison, Monthly Loss Ratio by fund year and line of coverage and the Monthly and Annual Regulatory Checklist. The Financial Fast Track, dated December 28, 2018 shows the fund’s surplus over \$2.4 million. The funds Loss Ratio Analysis is on target with the actuary’s projection of 3 and the actual at 6. The LTAF is 1.79, which a little higher than the MEL average, but still a good rate. The Evesham Fire District is very close to compliance, and the fund will be updated when appropriate. The Executive Director asked if there were any questions and then concluded his report.

Executive Director's Report Made Part of Minutes.

**ATTORNEY:** None.

**TREASURER:** Mr. Tontarski reviewed the treasurer’s report with the Fund.

**Payment of March 2018 Vouchers Resolution 18-10**

Fund Year 2018	265,861.38
<b>Total</b>	<b>265,861.38</b>

**MOTION TO RATIFY RESOLUTION 18-10 VOUCHER LIST FOR THE MONTH OF MARCH AS SUBMITTED**

Moved: Commissioner Brevogel  
Second: Commissioner Barth  
Vote: 3 Ayes – 0 Nays

**Payment of April 2018 Vouchers Resolution 18-11**

Fund Year 2017	7,500.00
Fund Year 2018	191,309.34
<b>Total</b>	<b>198,809.34</b>

**Payment of April 2018 Supplemental Vouchers Resolution 18-12**

Fund Year 2018	853.52
<b>Total</b>	<b>853.52</b>

**MOTION TO APPROVE RESOLUTION 18-11 VOUCHER LIST FOR THE MONTH OF APRIL AND 18-12 THE SUPPLEMENTAL BILL LIST AS SUBMITTED**

Moved: Commissioner Brevogel  
 Second: Commissioner Barth  
 Vote: 3 Ayes – 0 Nays

**Confirmation of Claims Payments/Certification of Claims Transfers for the Month of February 2018:**

<b>2018</b>	975.53
<b>2017</b>	41,767.61
<b>2016</b>	10,315,62
<b>2015</b>	4,178.02
<b>2014</b>	31,579.16
<b>Closed</b>	0.00
<b>TOTAL</b>	<b>88,815.94</b>

Treasurer's Report Made Part of Minutes.

**SAFETY DIRECTOR:**

**REPORT:** Safety Director advised included in his report is all the risk control activities through the month of March, as well as a list of MSI Training and Fast Track training information. Mr. Prince advised the MEL app also gets all the Safety Director Bulletins and he recommends its download. He thinks the round table idea is great and offers his assistance as necessary. Included in the agenda was a safety director’s bulletin – Comprehensive Playground Inspection Programs. The Safety Director asked if there were any questions and then concluded his report.

Monthly Activity Report/Agenda Made Part of Minutes.

**MANAGED CARE:**

**REPORT:** Stephen McNamara advised March's reports were included in the agenda. Mr. McNamara reported there were 62 bills during the month of March totaling \$53,513.34, of that amount \$22,266.74 was paid for a savings of \$31,246.60 which is a 58.4% savings.

Monthly Activity Report Part of Minutes.

**CLAIMS ADMINISTRATOR:**

**REPORT:** The Claims Manager introduced Kim DeLaurentis and Laura Korodmenos who handle the fund's workers compensation and advised the rest of the report was for closed session.

Report Part of Minutes.

**RESOLUTION - EXECUTIVE SESSION FOR CERTAIN SPECIFIED PURPOSES:  
PERSONNEL - SAFETY & PROPERTY OF PUBLIC LITIGATION**

Moved: Commissioner Brevogel  
Second: Commissioner Barth  
Vote: 3 Ayes – 0 Nays

**MOTION TO RETURN TO OPEN SESSION:**

Moved: Commissioner Brevogel  
Second: Commissioner Barth  
Vote: 3 Ayes – 0 Nays

**MOTION TO APPROVE CLAIM PAYMENTS AS DISCUSSED IN EXECUTIVE  
SESSION:**

Moved: Commissioner Brevogel  
Second: Commissioner Barth  
Vote: 3 Ayes – 0 Nays

**OLD BUSINESS:** NONE

**NEW BUSINESS:** NONE

**PUBLIC COMMENT:** NONE

**MOTION TO ADJOURN MEETING:**

Moved: Commissioner Brevogel  
Second: Commissioner Barth  
Vote: 3 Ayes – 0 Nays

**MEETING ADJOURNED: 11:47am**

**NEXT REGULAR MEETING: May 21, 2018  
Moorestown Township, 1:00PM**

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Rachel Chwastek, Assisting Secretary for  
**RICHARD BREVOGEL, SECRETARY**



## *APPENDIX II*



## 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: April 2018

Re: 2019-2020 Employment Practices Liability (EPL) Program

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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 – NJMEL.ORG – FOR A COPY OF THE REVISED MODEL.** Attached is a memorandum synopsis of the changes.

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.

Members that did not qualify for the 2017-2018 incentive must adopt the EPL loss control plan and submit to the MEL for review. Have your General Counsel or Employment Attorney complete the two-page form checking the minimum requirements for the plan. The following must be attached to this form: (1) the Personnel Policies and Procedures Manual, (2) the resolution adopting this manual, and (3) the Employee Handbook. Mail the completed form and attachments to the MEL Fund Office, 9 Campus Drive, Suite 216, Parsippany, NJ 07054.

Members submitting the required form by October 1, 2018 will qualify or continue to qualify for the deductible incentives effective January 1, 2019. 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.

**Public Official's Training Credit:** The MEL is continuing the public officials training throughout the state for elected public officials and authority commissioners. Sessions have already been given at the League Convention and the AEA Convention in Atlantic City. The MEL will reduce each member's 2018 MEL premium by \$250 for each municipal elected official and authority commissioner who completes the course. The credit is also extended to the member's CEO (i.e. municipal manager/administrator or authority executive director). The maximum credit is capped at 5% of the member's MEL assessment. The MEL webpage will post a listing of sessions scheduled throughout the state. In addition, the course can be taken on-line through the MEL Safety Institute (direction attached).

### **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 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. The MEL has developed a Model that the local JIFs will conduct over the next 6 months. Your JIF will contact you with the details.
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 schedule of these seminars will be distributed by your JIF.

- 8. Training for All Other Personnel:** Court decisions also require employers to offer anti-harassment and related personnel training to all employees. This can be accomplished by requiring your employees to complete the 11 minutes on-line “We Must Respect Each Other in Local Government” found on [www.njmel.org](http://www.njmel.org). Attached are the instructions to access this program.
- 9. MEL EPL Helpline:** The MEL includes a helpline to its members at no additional cost. Members are required to enroll (if you have not already done so) by calling 415-817-1611 or emailing [bhansen@enquiron.com](mailto:bhansen@enquiron.com).

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

**Synopsis of Changes to  
Municipal Excess Liability Joint Insurance Fund  
MODEL PERSONNEL POLICIES AND PROCEDURES MANUAL**

The Municipal Excess Liability Fund Personnel Policy Committee (“Committee”) convened to consider changes to the Model Personnel Policies and Procedures (“Manual”) for the 2019 Policy Year. In order to be eligible to maintain current deductibles and co-pay, members must be in compliance with the Employment Practices Liability Program. Members must adopt the recommended changes by October 1, 2018.

This memorandum is intended to provide an overview of the changes to the Manual and accompanying documents. Members should amend their personnel manual accordingly.

**Discussion of Adopted Changes:**

Change 1: Protections Against Discrimination and Accommodation for Breastfeeding Employees (Located in Section One)

The Manual was modified to amend the Anti-Discrimination Policy and the Americans with Disabilities Act Policy/ New Jersey Pregnant Worker’s Fairness Act contained in Section One to include protections for breastfeeding to comply with recent changes in New Jersey law. The Manual now expressly protects individuals who are breastfeeding from discrimination and requires the Local Unit to provide to employees who are breastfeeding a reasonable break time each day and a suitable room or other location with privacy, other than a toilet stall, in close proximity to work area for the employee to express breast milk for the child.

Change 2: Modification to Communication Media Policy (Located in Section Two)

The Communication Media Policy was amended to be a “Communication Media/ Social Media Policy” with relevant changes contained within to be in compliance with recent cases.

Change 3: Section Five

There are some revisions to this Section in accordance with the Fair Credit Reporting Act. Change 4: Modification to Open Public Records Meetings Act Section (Located in Section Five)

Three changes have been made to the policy's Open Public Meetings Act (OPMA) section. First, the policy has been amended to reflect the holding of Keane Federation of Teacher v. Ada Morell, 448 N.J. Super. 520 (App. Div. 2017). In Keane Federation, the Appellate Division held that Rice notices are not only required when there is *discussion* regarding the appointment, termination, terms and conditions of employment, performance evaluation or discipline of any current or prospective officer of employee in closed session but also when the local unit intends to *act* on these enumerated matters. Additional language has been added to clarify this expansion of when Rice notices are required to be issued. Second, the policy has been amended to clarify that only the municipal governing body or a "public body" of the local unit (as that term is defined by OPMA) are required to provide Rice notices. Third, changes have been made to update the criminal background checks in accordance with State legislative amendments.

Change 5: Overtime Compensation

Overtime Compensation Policy in Section 4 of the Manual was modified slightly to clarify the rate of overtime pay. This is not a substantive change.

### **Other Items of Note:**

The Committee also discussed the following items, which did not necessitate any changes to the

Manual but should be considered by the Members:

1. Attached please find a notice from the Department of Community Affairs regarding the certifications required by the P.L. 2017, c. 183. and referenced sample certifications.
2. In January, 2018 the DOT published a Notice of Proposed Rulemaking in the Federal Register that announced that proposes some amendments to the current DOT-regulated drug and alcohol testing requirements to broaden the testing of opiates to include synthetic opioids.
3. In January 2018, New Jersey enacted P.L. 2017, c.272, which requires the Civil Service Commission to develop a uniform domestic violence policy that all public employers, regardless if they are Civil Service, must adopt and distribute to their employees. To date, the Civil Service Commission has not adopted such a policy.

Please consider these changes and consult with your general counsel prior to adopting same.

**GOVERNING BODY CERTIFICATION PURSUANT TO P.L. 2017, C.183 OF COMPLIANCE  
WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S  
"Enforcement Guidance on the Consideration of Arrest and Conviction Records in  
Employment Decisions Under Title VII of the Civil Rights Act of 1964"**

**GROUP AFFIDAVIT FORM FOR MUNICIPALITIES AND COUNTIES  
NO PHOTO COPIES OF SIGNATURES**

STATE OF NEW JERSEY  
COUNTY OF *(Insert County Name)*

We, members of the governing body of the *(Name of local unit)* being duly sworn according to law,  
upon our oath depose and say:

1. We are duly elected (or appointed) members of the *(insert name of governing body)* of the *(name of local unit)* in the county of *(name of county)*;
2. Pursuant to P.L. 2017, c.183, we have familiarized ourselves with the contents of the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012);
3. We are familiar with the local unit's hiring practices as they pertain to the consideration of an individual's criminal history;
4. We certify that the local unit's hiring practices comply with the above-referenced enforcement guidance.

(L.S.)	(L.S.)
_____	_____
(L.S.)	(L.S.)
_____	_____
(L.S.)	(L.S.)
_____	_____
(L.S.)	(L.S.)
_____	_____

Sworn to and subscribed before me this  
\_\_\_\_\_ day of \_\_\_\_\_  
Notary Public of New Jersey

\_\_\_\_\_  
Clerk

-----  
The Municipal Clerk (or Clerk of the Board of Chosen Freeholders as the case may be) shall set forth the reason for the absence of signature of any members of the governing body.

**IMPORTANT:** This certificate must be executed before a municipality or county can submit its approved budget to the Division of Local Government Services. The executed certificate and the adopted resolution must be kept on file and available for inspection.

**GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE  
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S  
“Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment  
Decisions Under Title VII of the Civil Rights Act of 1964”**

FORM OF RESOLUTION

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the (*name of governing body*) of the (*name of local unit*), hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON (*insert meeting date*).

\_\_\_\_\_  
Clerk



**Checklist for Members with Currently Approved Risk Control Plans**

**2019-2020 MEL EMPLOYMENT PRACTICES  
RISK CONTROL UPDATE CHECKLIST**

Name of Municipality or Authority: \_\_\_\_\_

- Retain Employment Attorney/Advisor: (name)\_\_\_\_\_
- Update and distribute to managerial/supervisory employees the Personnel Policies and Procedures Manual: (Not necessary to attach)
- Distribute a notice concerning the Conscientious Employee Protection Act to all personnel:
- Update and distribute the Employee Handbook: (Not necessary to attach)
- 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:
- Offer Anti-Harassment training to all other personnel:
- Sign up with 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 updated Personnel Policies and Procedures Manual and the updated Employee Handbook.

Signature: \_\_\_\_\_

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

**To qualify for the Employment Practices Liability policy deductible, this checklist should be returned to the MEL Fund Office (9 Campus Drive, Suite 216, Parsippany, NJ 07054 as soon as possible. Members submitting this form by October 1, 2018 will qualify or continue to qualify for the deductible effective to January 1, 2019. Members submitting this form after the deadline will become eligible for the deductible incentive upon approval of the application, but not retroactively.**

## Checklist for Members without Currently Approved Risk Control Plans

### INITIAL EMPLOYMENT PRACTICES LOSS RISK CONTROL INCENTIVE APPLICATION

Name of Municipality or Authority: \_\_\_\_\_

- Retain Employment Attorney/Advisor: (name)\_\_\_\_\_
- Adopt and distribute to managerial/supervisory employees the Personnel Policies and Procedures Manual: (Attach Resolution and Manual)

Required Minimum Provisions:

- Anti-Discrimination Policy
- Americans with Disabilities Act Policy
- Contagious or Life Threatening Illnesses Policy
- Safety Policy
- Drugs and Alcohol Policy
- Workplace Violence Policy
- General Anti-Harassment Policy
- Anti-Sexual Harassment Policy
- Whistle Blower Policy
- Employee Complaint Policy
- Access to Personnel Files Policy
- Conflict of Interest Policy
- Political Activity Policy
- Employee Evaluation Policy
- Employee Discipline Policy
- Workforce Reduction Policy
- Driver's License Policy
- Communication Media Policy/Social Media Policy
- Bulletin Board Policy
- Leave of Absence Policy
- Family and Medical Leave Act Policy
- Military Leave Policy
- Domestic Abuse Leave Policy
- Employment Procedure
- Open Public Meeting Act Procedure Concerning Personnel Matters
- Processing and Orientation of New Employees Procedure
- Initial Employment Period Procedure
- Employee Handbook Procedure
- Performance Evaluation Procedure
- Disciplinary Action Procedure
- Personnel File Procedure
- Employee Complaint Investigation Procedure
- Requests for Employment Verification and Reference Procedure
- Continuing Education Procedure

- Distribute a notice concerning the Conscientious Employee Protection Act to all personnel:
- Adopt and distribute the Employee Handbook: (Attach 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:
- Offer Anti-Harassment training to all other personnel:
- Sign up with 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 policy deductible, this checklist should be returned to the MEL Fund Office (9 Campus Drive, Suite 216, Parsippany, NJ 07054 as soon as possible. Members submitting this form by October 1, 2018 will qualify or continue to qualify for the deductible effective to January 1, 2019. Members submitting this form after the deadline will become eligible for the deductible incentive upon approval of the application, but not retroactively.**

# Conscientious Employee Protection Act

## “Whistleblower Act”

### Employer retaliatory action; protected employee actions; employee responsibilities

1. New Jersey law prohibits an employer from taking any retaliatory action against an employee because the employee does any of the following:
  - a. Discloses, or threatens to disclose, to a supervisor or to a public body an activity, policy or practice of the employer or another employer, with whom there is a business relationship, that the employee reasonably believes is in violation of a law, or a rule or regulation issued under the law, or, in the case of an employee who is a licensed or certified health care professional, reasonably believes constitutes improper quality of patient care;
  - b. Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, or a rule or regulation issued under the law by the employer or another employer, with whom there is a business relationship, or, in the case of an employee who is a licensed or certified health care professional, provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into quality of patient care; or
  - c. Provides information involving deception of, or misrepresentation to, any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity.
  - d. Provides information regarding any perceived criminal or fraudulent activity, policy or practice of deception or misrepresentation which the employee reasonably believes may defraud any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity.
  - e. Objects to, or refuses to participate in, any activity, policy or practice which the employee reasonably believes:
    - (1) is in violation of a law, or a rule or regulation issued under the law or, if the employee is a licensed or certified health care professional, constitutes improper quality of patient care;
    - (2) is fraudulent or criminal; or
    - (3) is incompatible with a clear mandate of public policy concerning the public health, safety or welfare or protection of the environment. N.J.S.A. 34:19-3.
2. The protection against retaliation, when a disclosure is made to a public body, does not apply unless the employee has brought the activity, policy or practice to the attention of a supervisor of the employee by written notice and given the employer a reasonable opportunity to correct the activity, policy or practice. However, disclosure is not required where the employee reasonably believes that the activity, policy or practice is known to one or more supervisors of the employer or where the employee fears physical harm as a result of the disclosure, provided that the situation is emergency in nature.

#### CONTACT INFORMATION

Your employer has designated the following contact person to receive written notifications, pursuant to paragraph 2 above (N.J.S.A. 34:19-4):

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

### ***This notice must be conspicuously displayed.***

Once each year, employers with 10 or more employees must distribute notice of this law to their employees. If you need this document in a language other than English or Spanish, please call (609) 292-7832.

# La Ley de protección al empleado consciente

## “Ley de protección del denunciante”

Acciones de represalia del empleador; protección de las acciones del empleado

1. La ley de New Jersey prohíbe que los empleadores tomen medidas de represalia contra todo empleado que haga lo siguiente:
  - a. Divulgue o amenace con divulgar, ya sea a un supervisor o a una agencia pública toda actividad, directriz o norma del empleador o de cualquier otro empleador con el que exista una relación de negocios y que el empleado tiene motivos fundados para pensar que violan alguna ley, o en el caso de un trabajador licenciado o certificado de la salud y que tiene motivos fundados para pensar que se trata de una manera inadecuada de atención al paciente;
  - b. Facilite información o preste testimonio ante cualquier agencia pública que conduzca una investigación, audiencia o indagación sobre la violación de alguna ley, regla o reglamento que el empleador o algún otro empleador con el que exista una relación de negocios; o en el caso de un trabajador licenciado o certificado de la salud que facilite información o preste testimonio ante cualquier agencia pública que conduzca una investigación, audiencia o indagación sobre la calidad de la atención al paciente; o
  - c. Ofrece información concerniente al engaño o la tergiversación con accionistas, inversionistas, usuarios, pacientes, clientes, empleados, ex empleados, retirados o pensionados del empleador o de cualquier agencia gubernamental.
  - d. Ofrece información con respecto a toda actividad que se pueda percibir como delictiva o fraudulenta, toda directiva o práctica engañosa o de tergiversación que el empleado tenga motivos fundados para pensar que pudieran estafar a accionistas, inversionistas, usuarios, pacientes, clientes, empleados, ex empleados, retirados o pensionados del empleador o de cualquier agencia gubernamental.
  - e. Se opone o se niega a participar en alguna actividad, directriz o práctica que el empleado tiene motivos fundados para pensar que:
    - (1) viola alguna ley, o regla o reglamento que dicta la ley o en el caso de un empleado licenciado o certificado en cuidado de la salud que tiene motivos fundados para pensar que constituya atención inadecuada al paciente;
    - (2) es fraudulenta o delictiva; o
    - (3) es incompatible con algún mandato establecido por las directrices públicas relacionadas con la salud pública, la seguridad o el bienestar o la protección del medio ambiente. Artículo 34:19-3 de las Leyes comentadas de New Jersey de protección del empleado consciente (N.J.S.A., por sus siglas en inglés)
2. No se puede acoger a la protección contra la represalia, cuando se hace una divulgación a un organismo público, a no ser que el empleado le informe al empleador de tal actividad, política o norma a través de un aviso por escrito y le haya dado al empleador una oportunidad razonable para corregir tal actividad, política o norma. Sin embargo, no es necesaria la divulgación en los casos en que el empleado tenga indicios razonables para creer que un supervisor o más de un supervisor del empleador tienen conocimiento de tal actividad, política o norma o en los casos en los que el empleado teme que tal divulgación pueda traer como consecuencia daños físicos a su persona siempre y cuando la naturaleza de la situación sea la de una situación de emergencia.

#### Información del Contacto

Su empleador ha designado a la siguiente persona para recibir notificaciones de acuerdo al parágrafo 2, de la ley (N.J.S.A. 34:19-4):

Nombre: \_\_\_\_\_

Dirección: \_\_\_\_\_

Número de teléfono: \_\_\_\_\_

### ***Este aviso se debe exponer a la vista de todos.***

Anualmente, patronos con 10 o más empleados, deberán distribuir notificación de esta ley a todos sus empleados. Si necesita este documento en algún otro idioma que no sea Inglés o español, sírvase llamar al (609) 292-7832.





## 2018 Elected Officials Online Training

While we recommend that public officials attend a training class, the MEL is also making available an on-line training program for Elected Officials and Authority Commissioners to earn their \$250 training credit. Please follow the steps below to access the program. To receive credit, the program must be completed by May 1, 2018.

1. Click the following link for the MEL Safety Institute's Learning Management System

[www.firstnetcampus.com/meljif](http://www.firstnetcampus.com/meljif)

2. If you have previously taken MSI classes, enter your username and password. If you do not know your username/password, check with your Training Administrator or call the MSI Helpline. If you are new, click 'New User Registration.' Complete the fields and you will receive an email with your username and password.
3. Click on the On-Line Training Courses, at bottom right.
4. Click the 'Elected Officials - Land Use Liability' course.
5. Click 'Enroll'.
6. Click the 'My Training' tab on the top blue tool bar.
7. Click the program name to launch the course.
8. Upon completion of the course and questions you will navigate to the 'Student Center' tab to print your Certificate of Completion. Learning transcripts are automatically updated in the MEL Safety Institute's Learning Management System.

**Questions? Contact the MSI Help Line (866) 661-5120**

*The MEL Safety Institute can also be accessed anytime by going to [www.njmel.org](http://www.njmel.org).*

**You must complete the entire program and the affidavit at the end of the program to receive credit. If you need additional assistance please call the MSI help line at (866) 661-5120 during business hours.**



## **We Must Respect Each Other In Local Government Online Training Instructions**

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

To access the online course:

1. Click the following link for the MEL Safety Institutes Learning Management System

[www.firstnetcampus.com/meljif](http://www.firstnetcampus.com/meljif)

2. If you have previously taken MSI classes, enter your username and password. If you are new, click 'New User Registration.' Complete the fields and you will receive an email with your username and password.
3. Click on the On-Line Training Courses, at bottom right.
4. Click the "We Must Respect Each Other in Local Government".
5. Click 'Enroll'.
6. Click the 'My Training' tab on the top blue tool bar.
7. Click the program name to launch the course.
8. Upon completion of the course and questions navigate to the 'Student Center' tab to print your Certificate of Completion. Transcripts are automatically updated in the MEL Safety Institute's Learning Management System.

**Questions? Contact the MSI Help Line (866) 661-5120**

*The MEL Safety Institute can also be accessed anytime by going to [www.njmel.org](http://www.njmel.org).*

# **Employee Safety and Anti Harassment Seminar Leader's Guide**

Who should conduct the seminar? The leader should be the Municipal Manager/Administrator, the Authority Executive Director, the Human Resources Manager, the local unit's General Counsel or Employment Attorney/Advisor.

Are all employees required to attend? The court requires employers to "make training available" to all employees. However, the employer has the option of making the training mandatory. Attendance must be documented in each employee's personnel file.

How long is the seminar? The formal presentation is about 20 minutes, mostly consisting of the video. However, the question and answer period at the end could easily add another half hour or more to the seminar.

Is this seminar also available on line? Yes. See NJMEL.ORG. for directions on how to take this course directly from the MEL's web based learning management system.

## **Section One: Introduction**

Each of you has a right to safe workplace free discrimination, violence, harassment and conflicts of interest. The (local unit name) has a "no tolerance policy" towards workplace wrongdoing and expects all employees to conduct themselves consistent with this policy. Today, we will discuss what this means.

The program begins with a twelve-minute video that explains your rights and obligations under the "no tolerance" policy. The video states clearly what types of conduct are unacceptable when interacting with fellow employees. As many of the unacceptable behaviors are also against the law, compliance is essential both for your own protection and to ensure that others not subjected to conduct that might create a hostile work environment.

At the end of the video, there will be time to ask questions.

## **Section Two: Play video, "Rights and Duties of an Employee in Local Government"**

## **Section Three: Question and Answers:**

Before opening for questions, distribute copies of the CEPA notice and discuss the procedure to report wrongdoing. This is also an opportunity to distribute the revised employee handbook or discuss any particular personnel matter that you deem appropriate.

At the beginning of the Q&A period, tell the employees questions that pertain to a particular individual are not appropriate for the general session and should be asked after the meeting. Further, if anyone feels uncomfortable asking a question during the meeting, you will be available to talk to them afterwards. Also state that if the question involves a legal issue, it will be forwarded to the General Council or the Employment Attorney/Advisor. Make detailed notes of these questions in the attached Question Log and tell the employees that the attorney/advisor will quickly get back to them.





## Questions Log

<b>Employee Name</b>	<b>Details of Question(s) Raised</b>

## ***APPENDIX III***



# NJ MEL Cyber Risk Management Program

## Minimum Technology Proficiency Standards

Introducing the NJ Municipal Excess Liability Joint Insurance Fund Cyber Risk Management Program. The program establishes a minimum set of technology proficiency standards and provides reimbursement of up to \$7,500 of a member's deductible if they were in compliance with the minimum standards at the time of the claim.

## OVERVIEW

Since 2013, the N.J. Municipal Excess Liability Joint Insurance Fund (MEL) has provided its members with cyber insurance coverage. As the risks associated with the use of technology by municipalities and affiliated entities has evolved over time, the MEL has embarked on a process to assist members in managing this evolving risk through the development of a set of minimum technology proficiency standards. To assist in this process, the MEL partnered with the Bloustein Local Government Research Center at Rutgers University.

The Program goals fall into three categories: 1) achieve a minimum level of technical and cyber security competency with computers and networks; 2) ensure that employees practice sound cyber hygiene; and 3) ensure that members have basic technology management support, including the adoption of a basic plan to respond to a cybersecurity incident.

In developing this Program, the MEL recognized that much of the terminology and technical aspects of the minimum standards might not make sense to you; therefore, it is critical **you share this Program with your technology expert**. Your technology expert will be able to determine whether your municipality is already in compliance with all or some of the Program standards and/or what needs to be done to come into compliance. **In addition, your technology expert will be asked to help certify your municipality is in compliance with the minimum standards**. In the event your organization does not have a technology expert to advise it, you need to get that support. This is discussed in the next session.

While all members are covered by cyber insurance, the per claim deductible is \$10,000. By coming into compliance with the standards, members become eligible for reimbursement of a portion of their deductible. Meeting the Tier 1 requirements will result in a deductible reimbursement of \$5,000; meeting Tier 2 requirements will gain the member an additional \$2,500 (\$7,500 total) reimbursement. To initially apply for either deductible reimbursement, submit the Initial Technological Minimum Standards Certification form in Appendix 3. At the time of the claim, you will be required to complete the Deductible Reimbursement Application in Appendix 4 and provide the supporting documentation.

Some of these minimum standards involve little or no cost (i.e., activating Microsoft Defender software on Windows 8 and 10 machines meets the anti-virus requirements). Cloud-based services can also support data backup requirements (e.g., Microsoft Office 365, Google Office, subscription-based cloud backup). One of the Tier 1 items involves adopting an incident response plan. This is a no-cost item, as the MEL has developed a plan consistent with the cyber insurance policy.

In meeting these goals, some members may incur one-time and ongoing expenses. This is a trade-off for achieving the maximum deductible reimbursement and reducing your security risk profile. In some cases, added one-time or annual costs may exceed the maximum \$7,500 reimbursement; however, the costs of those upgrades are likely justifiable, as they can lead to increased productivity and further risk reduction, allowing members to avoid future claims and keep insurance costs from rising in the future.

It is also important to keep in mind these minimum standards will not eliminate all technology risks; given technology's evolving nature, there is no set of actions that will eliminate all technology risks. **As a result, the NJ MEL will periodically review, update, and distribute revised or additional minimum technology standards to assist members in addressing the risk associated with using technology into the future.**

Finally, it is important to understand perfect cybersecurity is not a specific status that can be attained. Addressing this exposure will require ongoing resources and attention to reduce risks. This initial set of standards is designed to reduce the majority of cybersecurity risks and provide an effective pathway to system and data recovery in the event of a cybersecurity incident. These standards should be considered a starting point. Failing to act accordingly can be construed as ignoring critical risks facing the member.

# NJ MEL Cyber Risk Management Program

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# Getting Started!

## Actions to Meet MEL Cyber Risk Management Program

**Before you start, it is important to review this Program with your technology expert. Whether that person is an employee or an outside consultant, engaging this person at the beginning of this process can make conforming to the Program easier.** Also, appreciate that each member will have different considerations and approaches to meeting the standards. Some will already meet various standards, some more, some less. There is no one-size-fits-all plan when it comes to technology, but there are some minimum standards. Your goal is to accomplish the following:

- Understand the risks
- Spend the time and attention to develop a plan to address the risks
- Appropriate funds to meet the needs, if necessary
- Manage the implementation
- Establish an ongoing process to review technology.

These steps will get you started, caught up, or confirm your compliance:

1. If you don't have one, get a knowledgeable technology expert to advise you, your governing body, and senior management on implementing the **Minimum Technological Proficiency Standards** and technology issues in general. The technology expert can be an existing employee, contractor, citizen committee, employee committee, or combination thereof. If not done prior to engaging a technology expert, ensuring computer systems are backed up in a way that meets the minimum technology standard should be your top priority.
2. Have the technology expert review your existing security standards against the **Minimum Technological Proficiency Standards Chart** to determine your current status.
3. Once this review is complete, work with your technology adviser to develop a plan, timetable, and budget to implement any standards you do not currently meet. Plan to implement the standards to meet both tiers as outlined in the **Minimum Technological Proficiency Standards**. Consider the risks if either or both tiers are not implemented. Review with senior management and the governing body and get approval.
4. Put funding in place, if necessary, and move forward with implementation.
5. Once implemented, send notice to the MEL by completing the **MEL Cyber Risk Management Program Certification Form (Appendix 3)**, also available on the MEL Cyber Risk Control webpage (below).
6. Establish a process to periodically (at least annually) review your technology risks, how the organization is managing them, and ensure the Minimum Technological Proficiency Standards continue to be met.

Want to learn more about technology risks? See the work done by the Bloustein Local Government Research Center on Technology Risk and local governments or the MEL Cyber Risk Control webpage:

MEL: <https://njmel.org/mel-safety-institute/resource-center/public-officials/public-officials-cyber-risk-control/>

Bloustein: <http://blousteinlocal.rutgers.edu/managing-technology-risk/>

# Minimum Technological Proficiency Standards

**Tier values:** Meeting all five Tier 1 requirements = \$5,000 reimbursement (from original \$10,000 deductible)  
 Meeting all remaining items (Tier 2) = additional \$2,500 deductible reimbursement (\$7,500 total)

Subject	Tier	Requirement	Comment
<b>A. TECHNICAL COMPTENCY</b>			
<b>Minimum- back-up practices</b>	<b>1</b>	<ol style="list-style-type: none"> <li>1. <b>Daily incremental backups</b> or the use of standardized system images or virtualized desktops, with at least 14 days of versioning on off-network device for data files</li> <li>2. <b>Weekly off-network full backups</b> of all devices:                             <ol style="list-style-type: none"> <li>a. Use of non-versioned, synchronized cloud-based drives are <b>not</b> acceptable as backup solutions. Cloud-based drives used for backup must have a minimum of 14 days of versioned files</li> <li>b. A full backup of non-networked/standalone (desk and laptop) computers must include all storage drives</li> </ol> <p><b>Alternative:</b> consult with technology professional to assess and make recommendations for agency backup needs.</p> </li> <li>3. All backups are spot-checked monthly</li> <li>4. Consult with third party application providers to ensure their data files are part of a backup practice</li> </ol>	<p>“Versioning” is where a backup system stores multiple copies of files going back in time. This permits a file encrypted by ransomware to be recovered by going to an earlier version of it.</p> <p>Cloud-based backup solutions include services such as Carbonite, Mozy, and Crashplan that include several weeks of versioning or similar ransomware protection.</p> <p>Most Office 365 and Google Drive users have at least 14 days of versioning for <i>data</i> files; but it should be verified as being active before using it as a backup plan. If these are used, a separate backup or imaging plan for system and applications files must be in place.</p>
<b>Patch</b>	<b>1</b>	<p><b>Patch</b> all operating and application software with latest versions as released (use automatic updating where practicable); particularly as related to security patches. Outdated or non-supported operating systems and software are not used</p>	<p>Security patches should be applied immediately unless testing shows the patch will create application problems. System administrators need to coordinate patch upgrades with applications residing on systems managed by third parties to ensure upgrades will not disable their applications.</p>
<b>Defensive software is used and regularly updated</b>	<b>1</b>	<ol style="list-style-type: none"> <li>1. For all desktops and laptops: antivirus, firewall enabled</li> <li>2. Mail server: antispam and anti-virus filters</li> <li>3. For network servers that connect to the internet: firewall on all active ports, unused ports closed, anti-virus, anti-malware</li> <li>4. Microsoft Office applications open all downloaded files in “Protected Mode”</li> </ol>	<p>Microsoft Windows 10 includes a built-in firewall (as do earlier versions) and anti-virus software. Third party applications that incorporate combinations of defensive software are available commercially.</p>



# Minimum Technological Proficiency Standards

Subject	Tier	Requirement	Comment
<b>A. TECHNICAL COMPETENCY (continued)</b>			
Server security	2	<b>Servers</b> are physically protected from access by unauthorized individuals	Can be in a cage or locked cabinet (with sufficient airflow) where only authorized users have access.
Access privilege controls are in place	2	<ol style="list-style-type: none"> <li>1. Users with administrator rights are limited to those that need them</li> <li>2. Users only have access only to those services they need</li> <li>3. Access rights are removed when no longer needed or when employee separates from service</li> <li>4. Access rights are periodically reviewed</li> </ol>	
Technology -support	2	Staff or contractors are <b>available to support</b> its technology and respond to security incidents	
<b>B. SOUND CYBER HYGIENE</b>			
Training	1	All computer users receive <b>annual training</b> of at least one hour spread over two years. Training includes, but is not limited to malware identification (email and websites), password construction, identifying security incidents, and social engineering	The hour must be spread over the two years, not all at once.
Policies	2	The organization adopts sound government internet and email use <b>policies</b>	This includes the MEL standard Communications Media Policy.
Protect -Information	2	Files with personally identifiable and protected health information are <b>password protected or encrypted</b>	This has specific relevance to human resource and health information.
Password -strength	2	Employees are required to use <b>strong, unique passwords</b> , changed at least annually	<b>Passphrases</b> with at least 8 characters, with incidental upper- and lower-case letters and symbols are highly recommended.
<b>C. TECHNOLOGY MANAGEMENT</b>			
Leadership has expertise	2	Organization leadership has access to expertise that supports technology decision making (i.e., risk assessment, planning, and budgeting)	This can be any combination of officials, employees, contractors/consultants, or citizen volunteers as appropriate to the organization
Incident Response Plan	1	Management/Governing Body adopts a basic cybersecurity incident response plan to direct staff and guide technology management decision making when a cybersecurity incident takes place	The MEL has developed a sample plan that is tied to the Cyber Insurance coverage program. Please see Appendix 2
Technology Practices Policy	1	Management/Governing Body adopts a basic Information Technology Practices Policy that outlines the entity's commitment to sound cyber security practices and technology management practices.	The MEL has developed a sample policy that is tied to the Cyber Insurance coverage program. Please see Appendix 1

## Notes Concerning the MEL Model Information Technology Practices Policy

- 1) The attached Model Policy (Appendix 1) provides MEL members a policy template that implements the MEL's Minimum Technological Proficiency Standards. Successfully implementing and maintaining those standards will allow a MEL member who files a claim under the MEL Cyber Insurance Policy to receive a reimbursement of up to \$7,500.
- 2) **Members are encouraged to amend the model policy to reflect their own practices.** Policies not consistent with, or which do not exceed the model policy will not meet the Minimum Standard and the member would not qualify for deductible reimbursement.
- 3) The policy includes several terms and phrases that need to be edited to reflect each member's specific organization and practices. They are all italicized and enclosed in *<brackets>*. The document should be carefully edited prior to adoption to replace those terms with ones appropriate to the member.
- 4) The backup policy (Section A-1 of the Minimum Standards) is highly technical in nature. Prior to adopting the policy, members should adjust it to reflect the member's specific backup practices; keep in mind, the practices describe a minimum. It is included in the policy document as its importance is critical in the event technology systems are compromised and warrants the attention of the member's leadership. It is recommended the advice of a technology expert be obtained to ensure the backup practice meets the member's needs.
- 5) Elected officials and chief administrators should take careful note of the practices in Section C of the Minimum Standards, as they relate to the process used by the member to make technology decisions.
- 6) With regard to item C-2 of the Minimum Standards, the MEL has prepared a **Cybersecurity Incident Response Plan (Appendix 2)**. This template should be the starting point for the adoption of a plan for the member. It can be adapted to reflect local practices, but must remain consistent with when and how the carrier is notified to ensure the engagement a breach coach and timely computer forensics engagement.
- 7) Underlying the policy is an assumption that individuals will be named to ensure the practices are implemented and maintained. While the term "information technology manager" is sometimes used, the member should carefully consider who, either employee(s), contactor(s), or a combination thereof, are given responsibilities to implement specific practices.
- 8) To the extent that some practices are not currently in place, the policy can include target dates for their implementation. A planned, but not implemented practice will not meet eligibility for the deductible reimbursement.
- 9) While the MEL Cyber Risk Management Program represents minimum cyber security practices for you to implement, we strongly recommend you consider the additional security practices listed in Appendix 5.



# Appendix 1

## Model Information Technology Practice Policy



# Model Information Technology Practice Policy

<Member Organization Name>

**Purpose:** To establish as policy certain information technology practices. Further, compliance with various practices will enable <member> to claim a reimbursement of a paid insurance deductible in the event the member files a claim against <member>'s cyber insurance policy, administered through <name of JIF> and the Municipal Excess Liability Joint Insurance Fund.

## A. Technical Operations

1. **System and data back-up practices:** <Member> will implement backup practices that meet the following as a minimum standard, or will implement recommendations of a qualified information technology advisor who, after consideration of <member>'s information technology needs, recommends an alternative, which shall be fully documented.
  - a) Daily incremental backups or the use of standardized system images or virtualized desktops, with at least 14 days of versioning on off-network device for data files
  - b) Weekly off-network full backups of all devices:
    - a. Use of non-versioned, synchronized cloud-based drives are not acceptable as backup solutions. Cloud-based drives used for backup must have a minimum of 14 days of versioned files
    - b. A full backup of non-networked/standalone desk and laptop computers must include all storage drives
  - c) All backups are spot-checked monthly
  - d) Consult with third party application providers to ensure their data files are part of a backup practice
2. **Security and system patching:** all operating and application software shall be updated on a timely basis with latest versions as released, particularly as related to security updates. Outdated or non-supported operating systems and software shall not be used unless there is no practical alternative available, in which case, appropriate steps shall be taken to mitigate potential security threats. System administrators shall coordinate patching with applications maintained or managed by third parties to ensure upgrades will not disable their applications. When upgrades cannot be applied, appropriate action shall be taken to prevent the system or application from security exploitation.
3. **Defensive software** shall be installed and operative on all computing devices as follows:
  - a. For all desktops and laptops devices: antivirus and an enabled firewall
  - b. Mail server: anti-spam and anti-virus filters
  - c. For network servers that connect to the internet: an active firewall on all open ports, unused ports closed; and anti-virus, anti-malware software running
  - d. All Microsoft Office applications are set to all downloaded files in "Protected Mode"
4. **Server security:** all servers are protected from unauthorized access by means of a secured cage, locked cabinet (with sufficient airflow) or other physically secure means to ensure that only authorized users have access to it.
5. **Access privilege controls and policies** are in place and maintained to ensure that: 1) users with administrator rights are limited to those that need them; 2) that other users only have access to those services they need for day-to-day activities; 3) that access is removed when it is no longer needed or when an employee separates from service; and 4) access rights are periodically reviewed to ensure compliance.

<Human resources officer> shall work with <information technology manager> to ensure that system access needed by new employees is provided on a timely basis, and that notice of termination of employees is provided and acted upon by <information technology manager> prior to notice provided to the employee.

6. **Security Incident response:** Appropriately trained staff or contractors are available to support <member>'s technology and to timely respond to security incidents.

#### **B. Employee-based Cyber Security Practices**

1. All computer users shall receive annual training of <at least> one hour, <each year or spread over two years> in email and website malware identification, password construction, identifying security incidents, and social engineering attacks.
2. Employees are required to use unique passwords or passphrases made up of at least 8 characters, changed periodically, but at least annually. Passwords/phrases shall be at least 8 alpha-numeric characters, with incidental upper- and lower-case letters and symbols.
3. Files that contain protected data shall be password protection or be encrypted when the files are stored or transferred to others, regardless of the storage medium or means of transfer. Examples of protected data includes social security numbers, birthdates, driver's license number, health insurance numbers, etc. Practices shall include ensuring that more than one employee is aware of the password or passphrase used to encrypt these files.

#### **C. Technology Management Practices**

1. <Mayor and Governing Body> shall ensure that technology policy decisions (i.e., risk assessment, planning, and budgeting) are made with input from staff or advisors that possess appropriate technological expertise. This can be any combination of officials, employees, contractors/consultants, or citizen volunteers as they determine necessary.
2. <Chief administrative officer or Governing Body> shall approve and implement a cybersecurity incident response plan to direct staff and guide IT management decision making when a cybersecurity incident takes place.



# Appendix 2

Member Minimum Security Response Plan for Cybersecurity Incidents



# MEL Member Minimum Security Response Plan for Cybersecurity Incidents

If you suspect a cyber incident has taken place, call the hotline, notify your JIF claims administrator, and start your incident response plan.

*This plan is a minimum. A member can modify it to reflect member-specific circumstances, but it must be consistent with the MEL cyber insurance policy, in that the member's Claims Administrator and the XL Catlin Data Breach Hotline are immediately notified of a security incident.*

## What is a Cybersecurity Incident?

For cyber insurance purposes, a **security incident** is an event that is a: **cyber security breach**, or **cyber extortion threat**, or **data breach**.

**What is a Cyber Security Breach:** Any unauthorized: access to, use or misuse of, modification to the network, and/or denial of network resources by attacks perpetuated through malware, viruses, worms, and Trojan horses, spyware and adware, zero-day attacks, hacker attacks and denial of service attacks.

**What is a Cyber-Extortion Threat:** A threat against a network to:

1. disrupt operations;
2. alter, damage, or destroy data stored on the network;
3. use the network to generate and transmit malware to third parties;
4. deface the member's website; and
5. access personally identifiable information, protected health information or confidential business information stored on the network;

made by a person or group, whether acting alone or in collusion with others, demanding payment or a series of payments in consideration for the elimination, mitigation or removal of the threat.

**What is a Data Breach:** The actual or reasonably suspected theft, loss or unauthorized acquisition of data that has or may compromise the security, confidentiality and/or integrity of personally identifiable information, protected health information, or confidential business information.

Employees need training to understand what a security incident is, what they might observe if one is happening, and how to report it. For example, a security incident could include appearance of a ransomware attack screen, the mouse or computer screen acting on its own, an unauthorized user accessing a computer, not being able to access routine services, device theft, or finding a damaged or non-operating computer.

Other security incidents that would be noticed by system administrators include:

- Attempts from unauthorized sources to access systems or data
- Unplanned disruption to a service or denial of a service
- Unauthorized processing or storage of data
- Unauthorized changes to system hardware, access rights, firmware, or software
- Presence of a malicious application, such as ransomware or a virus
- Presence of unexpected/unusual programs
- A denial of service condition against data, network or computer

## Responding to a Security Incident

### Prerequisites to managing a security incident:

- a) The member has access to technology (tech) support personnel (employee or contractor) that understands how to recognize and respond to security incidents.
- b) Management knows how to contact tech support when a security incident occurs.
- c) Staff has received instruction on how to identify a potential security incident and how to contact tech support when one happens.
- d) Management establishes a chain of command for staff to report a potential security incident.
- e) It is strongly advised that tech support develops a detailed security incident response plan tied to the member's technology risks.

### What to Do When a Possible Security Incident Takes Place

1. The user aware of a possible security incident should identify the affected device(s) (individual machines or network equipment) and:
  - a. Immediately contact tech support to report the event and follow their instructions. It is now the responsibility of tech support to notify management of the incident and to execute the security incident response plan.
  - b. Continue with Step 2 if tech support is not immediately available.
2. Isolate the affected devices from the network or internet by removing the network cable from the device. If operating via wireless, turn off the wireless connection. Turn the equipment off if tech support is not immediately available or isolation is not possible. If the machine will not let you do that, unplug the power supply.
3. User reports the incident to management.
  - a. If technology support has not been contacted management by this time, management must communicate with support, advise them of the situation, and engage them in the matter.
4. Management or tech support assesses if the incident is a **cyber security breach, cyber extortion threat, or data breach. If it is, or if there is any question that the incident may or may not be one**, management contacts their JIF Claims Administrator to advise them of the incident and management (or tech support) will call the XL Catlin Data Breach Hotline (855-566-4724). If not answered, leave a message naming the member's contact person. Do not delay in calling the Hotline. When they respond, follow their instructions. They will refer the matter to a "breach advisor/counsel" (an attorney experienced in cybersecurity incidents) who will coordinate the response. The Breach Counsel will reach out to the named contact person. Provide Breach Counsel with all information about the incident and work with them to determine the next steps. Engage technology support as much as practical.
5. Advise the member's risk manager, JIF Executive Director, member legal counsel, chief operating officer, and chief executive officer (i.e., Mayor, Commission Chair, etc.) of the event and actions taken.
6. Follow advice from Breach Counsel and your technology personnel until the issue is resolved.
7. Document all actions as they are taken.



# CYBER INCIDENT ROADMAP

You expect or know of a cyber incident.

The clock is ticking to avoid further damage to you and your stakeholders.



**Step 1**

Report to Claims Administrator

Call XL Catlin 24/7 Breach Hotline at **(855) 566-4724** and they will triage your incident.

XL Catlin Cyber Claims Specialist steps in to manage the claim for you

When needed, your Cyber Claims Specialist will engage an XL preapproved expert cyber attorney

In addition to their duties, the attorney will engage any other needed experts



Your Cyber Claims Team will walk you through every step of responding to the incident and offer assistance and take actions on your behalf as necessary.



## Other Considerations

XL Catlin online cyber portal:  
[www.cyberriskconnect.com](http://www.cyberriskconnect.com)  
Access Code: 10448

MEL Coverage Bulletin 17-26





# Appendix 3

## Minimum Technological Standards Certification





MEL Cyber Insurance Reimbursement Plan  
**Minimum Technological Standards  
Certification**

Entity Name: \_\_\_\_\_

JIF Name: \_\_\_\_\_

**Tier 1** **Completed**

**Technical Competency**

**Minimum Back-Up Practices**

- 1. Daily incremental backups with at least 14 days of versioning on off-network device for data files \_\_\_\_\_
- 2. Weekly off-network full backups of all devices \_\_\_\_\_
- 3. All backups are spot-checked monthly \_\_\_\_\_
- 4. Data files of third party application providers are part of their backup practice \_\_\_\_\_
- 5. Cybersecurity practices are formalized as a policy and implemented \_\_\_\_\_

**Patch**

- 1. All operating and application software with latest versions \_\_\_\_\_

**Defensive Software**

- 1. All desktops and laptops: antivirus, firewall enabled \_\_\_\_\_
- 2. Mail server: anti-spam and anti-virus filters \_\_\_\_\_
- 3. Internet connected network servers: firewall on all active ports, unused ports closed, anti-virus, anti-malware \_\_\_\_\_
- 4. If applicable, Microsoft Office applications open all downloaded files in "Protected Mode" \_\_\_\_\_

**Cyber Hygiene**

**Training**

- 1. All network users receive annual training of at least one hour, spread over two years, in:
  - a. malware identification (email and websites) \_\_\_\_\_
  - b. password construction \_\_\_\_\_
  - c. identifying security incidents \_\_\_\_\_
  - d. social engineering attacks \_\_\_\_\_

**Technology Management**

**Incident Response Plan**

- 1. Adopted basic cybersecurity incident response plan \_\_\_\_\_
- 2. Adopted basic technology practices policy \_\_\_\_\_



MEL Cyber Insurance Reimbursement Plan  
Minimum Technological Standards  
Certification

Tier 2

Completed

**Technical Competency**

**Physical Server Access**

1. Servers are physically protected from unauthorized access

\_\_\_\_\_

**Access Privilege Controls**

1. Users with administrator rights are limited
2. Users only have access to those services they need
3. Access is removed when no longer needed or separated from service
4. Access rights are periodically reviewed

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Technology Support**

1. Staff or contractors are available to support technology and respond to security incidents

\_\_\_\_\_

**Cyber Hygiene**

**Policies**

1. Adopted sound and periodically reviewed government internet and email use policies

\_\_\_\_\_

**Protect Information**

1. Files containing PII and PHI are password protected or encrypted

\_\_\_\_\_

**Password Strength**

1. Employees are required to use strong, unique passwords, changed at least annually

\_\_\_\_\_

**Technology Management**

**Leadership Expertise**

1. Leadership has access to expertise that supports technology decision making, such as risk assessment, planning and budgeting (check all that apply)
  - a. Officials
  - b. Employees
  - c. Contractors/consultants
  - d. Citizen volunteers

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



*MEL Cyber Insurance Reimbursement Plan  
Minimum Technological Standards  
Certification*

**Signature**

**This document must be signed by the mayor, municipal administrator or municipal clerk (or director of entity if not a municipality) AND your technology expert.**

***MEMBER ENTITY***

\_\_\_\_\_

Print Name

\_\_\_\_\_

Title

\_\_\_\_\_

Signature

\_\_\_\_\_

Date

***TECHNOLOGY EXPERT***

\_\_\_\_\_

Print Name

\_\_\_\_\_

Title

\_\_\_\_\_

Signature

\_\_\_\_\_

Date



# Appendix 4

## Deductible Reimbursement Application





MEL Cyber Risk Management Program  
**Deductible Reimbursement  
Application**

Entity Name: \_\_\_\_\_

JIF Name: \_\_\_\_\_

Claim #: \_\_\_\_\_

**Tier 1** **Completed**

**Technical Competency**

**Minimum Back-Up Practices\***

- 1. Daily incremental backups with at least 14 days of versioning on off-network device for data files \_\_\_\_\_
- 2. Weekly off-network full backups of all devices \_\_\_\_\_
- 3. All backups are spot-checked monthly \_\_\_\_\_
- 4. Data files of third party application providers are part of their backup practice \_\_\_\_\_
- 5. Cybersecurity practices are formalized as a policy and implemented \_\_\_\_\_

**Patch\***

- 1. All operating and application software with latest versions \_\_\_\_\_

**Defensive Software\***

- 1. All desktops and laptops: antivirus, firewall enabled \_\_\_\_\_
- 2. Mail server: anti-spam and anti-virus filters \_\_\_\_\_
- 3. Internet connected network servers: firewall on all active ports, unused ports closed, anti-virus, anti-malware \_\_\_\_\_
- 4. If applicable, Microsoft Office applications open all downloaded files in "Protected Mode" \_\_\_\_\_

**Cyber Hygiene**

**Training\***

- 1. All network users receive annual training of at least one hour, spread over two years, in:
  - a. malware identification (email and websites) \_\_\_\_\_
  - b. password construction \_\_\_\_\_
  - c. identifying security incidents \_\_\_\_\_
  - d. social engineering attacks \_\_\_\_\_

**Technology Management**

**Incident Response Plan & Technology Practices Policy\***

- 1. Adopted basic cybersecurity incident response plan (Appendix 2) \_\_\_\_\_
- 2. Adopted basic technology practices policy (Appendix 1) \_\_\_\_\_

Notes

- 1. All items marked with an asterisk require documented support, outlined later in this application.
- 2. All appendices referenced are included in the MEL Cyber Risk Management Program packet.



MEL Cyber Risk Management Program  
**Deductible Reimbursement  
Application**

Tier 2

Completed

**Technical Competency**

**Physical Server Access**

- 1. Servers are physical protected from unauthorized access

\_\_\_\_\_

**Access Privilege Controls**

- 1. Users with administrator rights are limited
- 2. Users only have access to those services they need
- 3. Access is removed when no longer needed or separated from service
- 4. Access rights are periodically reviewed

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Technology Support\***

- 1. Staff or contractors are available to support technology and respond to security incidents

\_\_\_\_\_

**Cyber Hygiene**

**Policies\***

- 1. Adopted sound and periodically reviewed government internet and email use policies

\_\_\_\_\_

**Protect Information**

- 1. Files containing PII and PHI are password protected or encrypted

\_\_\_\_\_

**Password Strength\***

- 1. Employees are required to use strong, unique passwords, changed at least annually

\_\_\_\_\_

**Technology Management**

**Leadership Expertise**

- 1. Leadership has access to expertise that supports technology decision making, such as risk assessment, planning and budgeting (check all that apply)
  - a. Officials
  - b. Employees
  - c. Contractors/consultants
  - d. Citizen volunteers

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Notes

- 1. All items marked with an asterisk require documented support, outlined later in this application.
- 2. All appendices referenced are included in the MEL Cyber Risk Management Program packet.





MEL Cyber Risk Management Program  
**Deductible Reimbursement  
Application**

## Supporting Documentation Required

All supporting documentation noted below are discussed in detail in the Minimum Technological Proficiency Standards.

### Tier 1

1. Cyber hygiene training certificates
2. Screen shots of antivirus coverage
3. Screen shots of patches
4. Backup reports showing offsite backups
5. Copies of Incident Response Plan & Technology Practices Policy (appendices 1 and 2)

### Tier 2

1. List of staff or contractors that support technology
2. Copies of adopted policies
  - a. Access, use, & control policy (appendix 1)
  - b. Acceptable use policy (MEL standard communications email policy)
  - c. PII & PHI encryption policy (appendix 1)
  - d. Password policy (appendix 1)

## Signature

This document must be signed by the mayor, municipal administrator or municipal clerk (or director of entity if not a municipality) AND your technology expert.

### MEMBER ENTITY

\_\_\_\_\_

Print Name

\_\_\_\_\_

Title

\_\_\_\_\_

Signature

\_\_\_\_\_

Date

### TECHNOLOGY EXPERT

\_\_\_\_\_

Print Name

\_\_\_\_\_

Title

\_\_\_\_\_

Signature

\_\_\_\_\_

Date



# Appendix 5

## Additional Security Practices



## ADDITIONAL SECURITY PRACTICES TO CONSIDER

Subject to adequate budgeting and staffing resources, there are additional technological enhancements that members can implement to help manage their risk in using technology. These practices include the following suggested actions:

- a) Conduct a security review of third party vendors
- b) Conduct and maintain an inventory of authorized and unauthorized devices
- c) Servers are protected from environmental hazards
- d) Conduct and maintain an inventory of authorized and unauthorized software and whitelisting of approved software
- e) Implement basic internet content filtering
- f) Ensure that a firewall protects the <member>'s Wi-Fi network from any public Wi-Fi network
- g) Employees receive a total of one hour of annual cyber hygiene training
- h) *<Primarily for members with managed or sophisticated technology profiles (e.g. with several full time IT staff members):* Implement and maintain the CIS Critical Security Controls and the NIST Cybersecurity Framework as part of the technology planning practices



# Appendix 6

## Cyber Insurance Reimbursement Plan Infographic



# MEL Cyber Insurance Reimbursement Plan



- ◆ \$10,000 standard claim deductible
- ◆ \$5,000 reimbursement if TIER 1 requirements are met
- ◆ \$7,500 reimbursement if TIER 1 & 2 requirements are met



Tier | Technical Competency | Cyber Hygiene | Tech Management

1



Minimum back-up practices



Patch



Defensive software



Training



Tech practices policy



Incident response plan

2



Controlled server access



Access privilege controls



Technology support



Policies



Protect information



Password strength



Leadership has expertise

Plus Improve Your Technical Competency With...



- ◆ Safe and secure servers
- ◆ Third party risk assessments
- ◆ Device inventory
- ◆ Software inventory
- ◆ Secure internet usage
- ◆ Wi-Fi controls
- ◆ Additional training

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# MEL

Protecting You and  
Your Hometown

**AGAINST  
CYBER  
ATTACKS**

