

**PROFESSIONAL MUNICIPAL MANAGEMENT JOINT INSURANCE FUND
OPEN SESSION MINUTES
MEETING – APRIL 27, 2021
ZOOM
1:00 PM**

Meeting of 2021 Fund Commissioners called to order. Open Public Meetings notice read into record.

ROLL CALL OF 2021 FUND COMMISSIONERS:

Thomas Merchel, Chairman	Township of Moorestown	Present
Richard Brevogel, Secretary	Township of Willingboro	Present
Susan Danson	Township of Maple Shade	Present
Robert Corrales	Township of Evesham	Present

SPECIAL FUND COMMISSIONER:

Nelson Wiest	Township of Maple Shade	Present
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APPOINTED OFFICIALS PRESENT:

Executive Director/Administrator	PERMA Risk Management Services Bradford C. Stokes Karen A. Read Rachel Chwastek
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Treasurer	Tom Tontarski
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Attorney	Helmer, Conley & Kasselmann William Kearns, Esquire
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Auditor	Bowman & Company
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Claims Service	Qual Lynx Kathy Kissane
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	PERMA Jennifer Conicella
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Safety Director	J.A. Montgomery Risk Control Glenn Prince Keith Hummel Robert Garish
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Managed Care Organization	QualCare Karen Beatty
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Underwriting Manager	Conner Strong & Buckelew Edward Cooney
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ALSO PRESENT:

Maureen Mitchell, Evesham Fire District
Jonathon Tavares, Conner Strong & Buckelew
Michael Avalone, Conner Strong & Buckelew
Tom Fitzpatrick, Fairview Insurance

APPROVAL OF MINUTES: FEBRUARY 23, 2021 - Open & Closed Minutes

MOTION TO APPROVE OPEN AND CLOSED MINUTES OF FEBRUARY 23, 2021:

Moved: Commissioner Danson
Second: Commissioner Corrales
Vote: Unanimous

CORRESPONDENCE: NONE.

EXECUTIVE DIRECTOR:

2021 MEL/RCF/EJIF March 26th Meeting & Retreat: The Executive Director reported the MEL, RCF and EJIF held their March meetings in conjunction with the MEL Annual Retreat on March 26, 2021. The purpose of the retreat was to provide the sub-committees of the MEL an expanded opportunity to report directly to the Boards of the MEL, RCF and EJIF; approximately 130 attended the virtual Retreat. Chairman Merchel's reports for the MEL, RCF and EJIF meetings were in the agenda.

In addition, MEL Attorney Fred Semrau, Esq. and MEL Consultant Matt Giacobbe, Esq. have worked together to draft bulletins concerning mandating of Covid-19 Vaccinations and Cannabis legislation and it's impact on employment and zoning matters, as well as environmental concerns. It is important to note concerning Cannabis that municipalities face deadlines in addressing zoning matters. Attached in agenda were the following:

Bulletins on Cannabis Legislation & Modified Model Ordinance (Modification made to the LOM Model)

E-JIF Alert on Environmental Impact of Cannabis Legislation & Checklist Memorandum on Vaccinations

This documentation was distributed via email on March 29th.

Risk Management Plan - Amendment – Based on the recommendation of the Fund Underwriting Manager and the MEL's Fund Attorney, the cyber coverage limits should be removed from the Plan of Risk Management. The Plan of Risk Management is posted to the PMM JIF website and could serve as an incentive for cyber hacker attacks by identifying coverage limits. Resolution # 21-12 amending the 2021 Risk Management Plan was in the agenda for approval.

The Underwriting Manager reported that insurance information is one of hacker's number one targets right now, because that will tell them where they have some guaranteed payouts. He advised all cyber insurance information be scrubbed from the any public facing documents, including the websites, risk management plans and coverage summaries.

MOTION TO APPROVE RESOLUTION 21-12 AMENDING THE FUND'S PLAN OF RISK MANAGEMENT

Moved: Commissioner Brevogel
Second: Commissioner Corrales
Vote: Unanimous

MEL, Municipal Reinsurance HIF & NJCE Educational Seminar. The 10th annual seminar will be conducted virtually on two half day sessions: Friday, May 14th and Friday, May 21st from 9am to 12 noon. The seminar qualifies for Continuing Educational Credits including CFO/CMFO, Public

Works, Clerks, Insurance Producers and Purchasing Agents. There is no fee for employees and insurance producers associated with MEL and Municipal Reinsurance Health Insurance Fund (MR HIF) members as well as personnel who work for service companies engaged by MEL member JIFs and MR HIF member HIFs.

A Zoom invite with registration instructions has been emailed to members and is listed below.

https://permainc.zoom.us/webinar/register/WN_4Vo8s4QLRfSrDMcWkm7VfA

Power of Collaboration: Enclosed in the agenda is the latest ad in the “Power of Collaboration” series that appears in the NJ League of Municipalities magazine. The ad highlights the MEL model policy Addressing the Protection and Safe Treatment of Minors.

Employment Practices Compliance Program: Please visit the MEL webpage to review all the elements of the MEL’s EPL Compliance Program; Deadlines for updates and training has been extended to November 1, 2021 (from June 1, 2021). Please use the following link to view an outline of the MEL program and its model documents:

<https://njmel.org/insurance/public-officials/risk-management-program/>

This year, the Managers & Supervisors Training can be met by attending the Instructor-led webinar: “Protecting Children From Abuse – Managers/Supervisors”. This course for Managers includes an Employment Practices component. Included in the agenda was a copy of a notice distributed to members from J.A. Montgomery on classes scheduled through September.

The Executive Director advised this was the only training currently available for managers and supervisors. They are reviewing the possibility having in person training and possibly hosting a webinar to offer some other opportunities. At this time, he advised members steer their managers and supervisors to the available program, it is a very good program. There is one Police Command Staff training scheduled for the Camden JIF, in Collingswood on June 15th, in person. Chief Hummel and Harry Earle advised they can safely train people in the Community Center. He continued with conditions permitting they would look into holding a session in the PMM area.

Commissioner Brevogel advised Mr. Stokes talk to the Willingboro Chief, they have a new training facility at the firehouse and he believes that would handle social distancing. Mr. Stokes advised he would reach out and additionally, space permitting, would off PMM seats at the Camden training and vice-versa.

Chairman Merchel asked if the supervisor training would include police personnel. Mr. Stokes asked JA Montgomery which training the Sergeants and the like take.

Mr. Prince advised they should attend the Police Command Staff training. Mr. Prince confirmed with Mr. Merchel, that it is for Sergeants and Lieutenants and above.

2020/2021 Elected Officials Seminar: The MEL’s Annual Elected Officials Seminar is available through the MEL Safety Institute. Included in the agenda was another copy of the directions to take the course. The MEL will provide a credit of \$250 against each member’s assessment for each municipal elected official and authority commissioner who completes the course by May 1, 2021.

The credit will continue to be extended to the member’s municipal manager/administrator or authority executive director. The maximum credit is 5% of the member’s assessment.

2021 Financial Disclosures - Please note the Local Finance Board has now indicated that the filing deadline has been extended until June 30th. Although we contacted member to begin their filing, we are now being advised that Commissioners should wait until the Local Finance Board releases its

instruction bulletin before completing your file. If you have already filed, once the bulletin is released, you should review your filing again to make sure there weren't any changes in the process that might require you to edit your filing.

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 January 1, 2021 shows the fund's surplus of \$3.8 million, showing a little decrease of about \$9,000 from the prior month, with all years in the positive. The February Financial Fast Track had a slight decrease of about \$900, also with a \$3.8 million surplus and all years in the positive. The Fund's Loss Ratio Analysis for January has the actuary's projection of 3% and the actual is 6.5%. It is driven by property losses, but nothing critical at this time. In the February report, the actuary projection is 5% and the actual is 7.5%, closing that gap a little, still based on property.

Ms. Kissane reported in February there were two CAT storms and multiple snowstorms, which accounts for all the property activity. Mr. Stokes thanked Ms. Kissane.

Mr. Stokes advised the claims operating report shows 7 less claims January into February and then 8 less claims February into March, a good report for the Fund. The Fund's Loss Time Accident Frequency for February and March were at 0.00, a good start to the year. The Executive Director advised the compliance report and checklist were also included in the agenda. He asked if there were any questions and then concluded his report.

Executive Director's Report Made Part of Minutes.

ATTORNEY: Mr. Kearns advised he had nothing to report at this time.

TREASURER: Mr. Tontarski reviewed the treasurer's report with the Fund. He reported the Wilmington Trust portfolio will be liquidated in April, and then the PMM JIF will be totally invested in the JCMI Program.

Payment of March 2021 Vouchers Resolution 21-13

Fund Year 2021	42,287.64
Total	42,287.64

Payment of April 2021 Vouchers Resolution 21-14

Fund Year 2021	485,325.91
Total	485,325.91

MOTION TO APPROVE RESOLUTION 21-13 VOUCHER LIST FOR THE MONTH OF MARCH AND RESOLUTION 21-14 VOUCHER LIST FOR THE MONTH OF APRIL

Motion: Commissioner Brevogel
Second: Commissioner Danson
Vote: 5 Ayes – 0 Nays

Confirmation of Claims Payments/Certification of Claims Transfers for the Month of March 2021:

2021	8,904.25
2020	36,996.39
2019	16,786.63
2018	9,024.00
2017	9,282.39
Closed	0.00
TOTAL	80,993.66

Treasurer's Report Made Part of Minutes.

SAFETY DIRECTOR:

REPORT: Mr. Prince advised included in the agenda is all the risk control activities through the month of March, including the three loss control visits conducted. He reported the training schedule is posted on the www.njmel.org website, and through the website, under the Safety tab, you can schedule training for any employees. Mr. Prince spoke with the Executive Director regarding the Safety Incentive Program and as the Fund was unable to have the annual kickoff meeting last year and then this year due to the Covid-19, he advised all the safety funds would be distributed to the members. Each municipality will receive \$5,000, \$2,500 for each year, and the Evesham Fire Department will receive \$3,000, \$1,500 for each year. He applauded all the members for their continued participation in the safety program during the pandemic. The vouchers will be sent out and the funds distributed accordingly. Mr. Prince asked if there were any questions.

Commissioner Brevogel started a discussion about training during the pandemic.

Mr. Prince hoped in the near future they'd be able to provide some instructor led training. Mr. Prince also offered to come out and do some training immediately, as long as there is an area available where social distancing is possible. He advised challenges do exist, but they're open to suggestions and will work individually with the members to get through them.

Chairman Merchel asked if the new firehouse capable of projecting.

Commissioner Brevogel confirmed it was and advised they can run trainings there with employees from all the members.

Mr. Prince advised he would help Mr. Brevogel facilitate the training.

Monthly Activity Report/Agenda Made Part of Minutes.

UNDERWRITING MANAGER:

REPORT: The Underwriting Manager advised there was 1 certificate issued from 1/22/2021 to 2/22/2021 and 2 certificate issued from 2/22/2021 to 3/22/2021. Mr. Cooney advised the new Cyber Risk Management Program as released in March and there would be two cyber reports going forward, one with those members grandfathered into the cyber program until

1/1/22 and an ongoing list of the compliance of members into the new cyber program. Mr. Cooney advised all members should get started on complicate for the new program and to reach out if anyone had any questions.

MANAGED CARE:

REPORT: Ms. Beatty then advised March’s reports were included in the agenda. Ms. Beatty reported there were 117 bills for March, totaling \$107,299.91, of that \$36,605.79 was paid, for a savings of \$70,694.12, which is a 66% savings. Also included in the agenda were the reports for Savings by Specialty and Top 10 Providers. Ms. Beatty reported the physical therapy savings at 71% is due to an employee treating with an out of network physical therapist, who they did get to accept the in network rates. Ms. Beatty then asked if there were any questions.

Chairman Merchel asked why the treatment was out of network.

Ms. Beatty advised the patient was treating with Penn Partners and they wanted to utilize their own physical therapy provider.

Monthly Activity Report Part of Minutes.

CLAIMS ADMINISTRATOR:

REPORT: Ms. Kissane advised the claims committee met prior to this meeting and asked for approval of the ten PARS as recommended by the claims committee.

MOTION TO APPROVE CLAIM PAYMENTS AS DISCUSSED AND RECOMMENDED BY THE CLAIMS COMMITTEE:

Motion:	Commissioner Corrales
Second:	Commissioner Danson
Vote:	4 Ayes, 0 Nays (1 Abstention – Merchel)

Report Part of Minutes.

OLD BUSINESS:

Commissioner Brevogel advised he was having issues with compliance for the Clearinghouse CDL drivers on a federal level.

Chairman Merchel advised Moorestown had found a company that would handle the compliance for the member. Moorestown is using them for the random testing requirement. He would send that information to Commissioner Brevogel.

Commissioner Brevogel asked if the Fund could have a person for all the members to utilize for compliance.

Mr. Stokes advised a few of the JIFs have the drug testing go through as a JIF Contract, including the Camden JIF. Interstate Mobile has been the Camden JIF provider for testing for years. For the other aspects, most towns are doing it on their own, but he advised the Fund can look into a collaborative effort for the compliance.

Moorestown and Maple Shade advised they would be interested.

Mr. Prince advised it is a difficult program, and he is available to discuss the program and look into the recommendation for a shared services agreement for the compliance.

Commissioner Brevogel advised he understands there is a requirement for a driver certification for any organizations that run a surrey or bus service.

Mr. Prince asked if Commissioner Brevogel if they receive grant funding from the federal government to run that program.

Commissioner Brevogel was not aware for any funding.

Mr. Prince advised if they receive federal funding, they are obligated to do an agency safety plan and they could speak offline to about those requirements. Mr. Prince advised he has a template.

Commissioner Brevogel stated he understood the random testing part of the requirements and is more concerned with the actual policy and all its caveats. He also had some questions about marijuana concerning employees use and testing. He suggested the group have a policy vetted by Mr. Kearns they all follow.

Mr. Hummel reported according to the law, his understanding is that the DER must be a municipal employee, employed by the town. That the DER responsibility cannot be subcontracted out. The employee must have the ability to take immediate action to relieve that person from duty and that it is very specific in the law. Mr. Hummel continued that at the federal level, they are not interested in state law, and if you want to retain a CDL you must comply with the Federal laws.

Commissioner Brevogel asked if Mr. Kearns could research if it is possible to do through a shared services agreement. He advised he only has 10-15 CDL drivers and they don't need to comply with some federal laws, like med cards, but wants to make sure they are set up to be in compliance.

Mr. Hummel advised drivers do not need med cards if they are not crossing state lines, if any of the drivers cross into Pennsylvania they would need a med card.

Commissioner Brevogel recognized that and advised he does require his employees to get med cards.

Mr. Stokes asked Mr. Hummel if he knew if a shared services agreement could be established for another town to perform the duties.

Mr. Hummel did not think so, but advised he would follow up and check on that. His understanding is it must be a municipal employee.

Mr. Kearns advised you may be able to get around that.

Ms. Danson read the code and said it states it has to be an employee authorized by the employer to take immediate action, and thinks a shared services agreement may be the loophole there. It would be an employee hired by the employer.

Mr. Kearns advised each town could hire the same person.

Chairman Merchel advised typically with shared service agreements, someone is employed by one particular partner and everyone else is contributing, so it wouldn't be your employee, it'd be the employee of the lead agency.

Mr. Stokes asked Mr. Hummel to look into it.

Mr. Hummel advised he would.

Chairman Merchel added the appointing authority would also have the termination authority and that is usually the manager.

Mr. Hummel advised they don't need termination authority just the authority to relieve them from their duties temporarily until the governing body can act.

Mr. Hummel suggested Mr. Brevogel contact North Wildwood about the little bus services and see what they're doing. He believes they call them jitneys. The question was raised if there are more than 15 people on them they're supposed to have CDLs.

Mr. Brevogel advised the drivers of the surreys have CDLs. He was concerned about making sure the passengers are secured properly on the surreys.

Mr. Prince advised they use the Bus Safety / Q Straint Program for restraining passengers that are being transported in that manner and JA Montgomery provides it.

NEW BUSINESS:

Commissioner Brevogel asked if anyone had protocols for opening parks and playgrounds back up, based on what the governor indicated yesterday. Checklists or anything they'd like to share.

Commissioner Danson advised Maple Shade parks have been open. As far as baseball field and hockey rinks, there was a list of protocols that she sent out based on the CDC sent to those organizations about spectators wearing masks, where they are in the dugout, etc. She offered to send all that information to Commissioner Brevogel.

PUBLIC COMMENT: NONE

Chairman Merchel advised there was no need for executive session.

Mr. Kearns advised he would send out a memo.

MOTION TO ADJOURN MEETING:

Motion:	Commissioner Brevogel
Second:	Commissioner Corrales
Vote:	Unanimous

MEETING ADJOURNED: 1:41pm

NEXT REGULAR MEETING: May 25, 2021
ZOOM Conference Call 1:00PM

Rachel Chwastek, Assisting Secretary for
RICHARD BREVOGEL, SECRETARY