

**ATLANTIC COUNTY INSURANCE COMMISSION
AGENDA AND REPORTS
OCTOBER 8, 2021**

MEETING BEING HELD TELEPHONICALLY

CALL IN NUMBER: 929-205-6099

Meeting ID: 948 4794 8059

or

Join Zoom Video Meeting via Computer Link

<https://permainc.zoom.us/j/94847948059>

11:00 AM

The Atlantic County Insurance Commission will conduct its October 8, 2021 meeting telephonically, in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq. During a remote meeting, participants, including members of the public, may be muted by the host, however there will be an opportunity for them to participate and speak during the public portion of the meeting where participants will be unmuted at their request.

OPEN PUBLIC MEETINGS ACT - STATEMENT OF COMPLIANCE

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

- I. Advertising the notice in the Press of Atlantic City**
- II. Filing advance written notice of this meeting with the Commissioners of the Atlantic County Insurance Commission; and**
- III. Posting notice on the Public Bulletin Board in the Atlantic County Office Building**

**ATLANTIC COUNTY INSURANCE COMMISSION
AGENDA
OPEN PUBLIC MEETING**

- MEETING CALLED TO ORDER - OPEN PUBLIC MEETING NOTICE READ**
 - FLAG SALUTE**
 - ROLL CALL OF COMMISSIONERS**
 - APPROVAL OF MINUTES: September 10, 2021 Open Minutes.....Appendix I**

 - CORRESPONDENCE - None**

 - EXECUTIVE DIRECTOR/ADMINISTRATOR - PERMA**
 - Executive Director’s Report.....Page 1**

 - CLAIMS SERVICES – PERMA**

 - TREASURER– Bonnie Lindaw**
 - Resolution 23-21 – October Bill List..... Page 14**
 - Monthly Report..... Verbal**

 - CEL SAFETY DIRECTOR – JA Montgomery Risk Control**
 - Report.....Page 19**

 - MANAGED CARE – Qual Care.....Page 25**

 - CLAIMS SERVICE – Qual Lynx**

 - RISK MANAGEMENT CONSULTANT REPORT – Brown & Brown.....Page 29**

 - EXECUTIVE SESSION – Only needed if there are any questions on the PARs that were presented at the Claims Committee meeting.**

 - OLD BUSINESS**
 - NEW BUSINESS**
 - PUBLIC COMMENT**
-
- MEETING ADJOURNMENT**
 - NEXT SCHEDULED MEETING: December 10, 2021**

ATLANTIC COUNTY INSURANCE COMMISSION

2 Cooper Street
Camden, NJ 08102

Date: October 8, 2021

Memo to: Commissioners of the Atlantic County Insurance Commission

From: PERMA Risk Management Services

Subject: Executive Director's Report

- Proposed Amendment to the Commission's Rules and Regulations** – At the September meeting, a first reading of proposed changes to the Fund's Rules & Regulations were discussed. The changes are in response to recent legislation that changes the title of "Chosen Freeholder" to "County Commissioner" and all "Board of Chosen Freeholders" to "Board of County Commissioners. The proposed changes appear in **Appendix II**. This is the public Hearing on the proposed changes.
 - Motion to open the Public Hearing of the proposed changes to the Fund's Rules & Regulations.**
 - Discussion of proposed changes**
 - Motion to Close the Public Hearing**
 - Motion to adopt the changes to the Funds Rules & Regulations.**

- Certificate of Insurance Issuance Reports** – Enclosed on **Pages 3 & 4** is the Certificate of Insurance Issuance Reports from the CEL listing those certificates issued for the month of September; 5 certificates were issued.
 - Motion to approve the certificate of insurance reports**

- NJ Counties Excess Joint Insurance Fund (NJCE)** - The NJCE met on September 23, 2021. A summary report of the meeting is included in the agenda on **Pages 5-8**. The NJCE will meet again on October 28, 2021 at 9:30 AM via Zoom.

- Financial Fast Track (Pages 9-10)** – Included in the agenda is the Financial Fast Track for June for the Insurance Commission. As of June 30, 2021, the Commission has a statutory surplus of \$3,006,279. Line 10 of the report, "Investment in Joint Venture" is the Commission's share of the equity in the CEL. The cash amount is \$6,169,821.

- NJ CEL Property and Casualty Financial Fast Track (Pages 11-12)** – Included in the agenda is the NJCE Financial Fast Track Report for the month of July. As of July 31, 2021, the NJCE has a surplus of \$14,791,950. Line 7 of the report "Dividend" represents the amount of dividends released by the NJCE in the amount of \$5,107,551. The cash amount is \$23,110,892.

- Claims Tracking Report (Page 13)** – Included in the agenda are the Claims Activity Report for August that tracks open claims.

- ❑ **NJCE Cyber Task Force (Pages 17-18)** - The task force met on July 19, 2021 to discuss cyber-related issues and develop a cyber-risk management framework for members to utilize. In preparation of Cyber Security Awareness month the task force distributed the attached memorandum included in the agenda on pages 13-14. This year's overall theme is **“Do your Part. #BeCyberSmart.**
- ❑ **10th Annual Best Practices Workshop – November 3, 2021 Virtual Edition** - This year's Best Practices Workshop will be taking place virtually via an interactive webinar on November 3, 2021. The length of workshop is scheduled for 2.5 to 3 hours with adequate breaks. Please save the date and more information will follow shortly.
- ❑ **2021 New Jersey Association of Counties Conference** - The 71st Annual Conference is scheduled to be held from October 12th – October 14th at Caesar's in Atlantic City. NJAC will also be celebrating its 100 year anniversary. The New Jersey Counties Excess Joint Insurance Fund and J.A. Montgomery will be presenting at the NJAC conference in October.
- ❑ **2021 NJLM Annual Conference** - The 106th Annual New Jersey State League of Municipalities Conference is scheduled for November 16th through November 18th at the Atlantic City Convention Center in Atlantic City.
- ❑ **Next Meeting** – This is a reminder that our next meeting will be on December 10th

Atlantic County Insurance Comm. Certificate of Insurance Monthly Report

From 9/1/2021 To 10/1/2021

Holder (H)/ Insured Name (I)	Holder / Insured Address	Description of Operations	Issue Date/ Cert ID	Coverage
H - To Whom it May Concern I - The County of Atlantic		RE: Atlantic County Division of Public Health's Flu Clinic Evidence of insurance. All operations usual to County Governmental Entity as respects the Atlantic County Division of Public Health's Flu Clinic, regarding use of multiple facilities (listed below) in order to administer flu and pneumonia vaccinations for the flu season: Flu Clinic Locations: All Wars Memorial Building, 1510 Adriatic Avenue, Atlantic City, NJ 08401 Beacon Church, 420 South Sixth Avenue, Galloway, N.J. 08205 Brigantine Presbyterian Church, 1501 West Brigantine Avenue, Brigantine, N.J. 08203 Buena Community/Senior Center, 600 Central Avenue, Buena, N.J. 08310 St. Elizabeth Ann Seton Church, 591 New Jersey Avenue, Absecon, N.J. 08201 St. James Church Memorial Hall, 9 South Newport Avenue, Ventnor, N.J. 08406 Our Lady of Sorrows Church, Maple and Wabash Avenue, Linwood, N.J. 08221 Holy Trinity Greek Orthodox Church, 7004 Ridge Avenue, E.H.T., NJ 08234 Jeffrey Towers, 227 North Vermont Avenue, Atlantic City, NJ 08401	9/9/2021 #3023922	GL AU EX WC OTH
H - Good Old Days Festival Committee I - Atlantic County Utilities Authority	104 E. Dawes Avenue Somers Point, NJ 08244	RE: Additional Insured The Certificate Holder is an Additional Insured on the above-referenced Commercial General Liability and Excess Liability Policies if required by written contract.	9/9/2021 #3023956	GL AU EX WC OTH
H - Stockton University I - The County of Atlantic	101 Vera King Farris Drive Galloway, NJ 08205	Re: Regional SWAT Team training Stockton University and the State of New Jersey are an Additional Insured on a Primary/Non-Contributory basis on the above-referenced Commercial General Liability, Auto Liability and Excess Liability Policies if required by written contract as respect to Atlantic County Regional SWAT Team conducting training 30 days notice of cancellation (except 10 days for non-payment of premium) is provided to the First Named Insured.	9/10/2021 #3024141	GL AU EX WC OTH
H - Chelsea EDC and C.R.O.P.S., a NJ I - The County of Atlantic	nonprofit organization 1125 Atlantic Avenue, 3rd Floor Atlantic City, NJ 08401	RE: C.R.O.P.S. Market Program The Certificate Holders are an Additional Insured on the above-referenced Commercial General Liability and Excess Liability Policies if required by written contract as respect to Atlantic County Sheriffs Office (Hope One of Atlantic County) participation in the C.R.O.P.S. Market Program held at ODonnell Park located at 3501 Atlantic Avenue, Atlantic City, NJ. HOLDER ADDRESS CONT.: C.R.O.P.S., P.O. Box 256, Linwood, NJ 08221	9/22/2021 #3040253	GL AU EX WC OTH
H - Chelsea EDC and C.R.O.P.S., a NJ I - The County of Atlantic	nonprofit organization 1125 Atlantic Avenue, 3rd Floor Atlantic City, NJ 08401	RE: C.R.O.P.S. Market Program The Certificate Holders and City of Atlantic City are an Additional Insured on the above-referenced Commercial General Liability and Excess Liability Policies if required by written contract as respect to Atlantic County Sheriffs Office (Hope One of Atlantic County) participation in the C.R.O.P.S. Market Program held at ODonnell Park located at 3501 Atlantic Avenue, Atlantic City, NJ. HOLDER ADDRESS CONT.: C.R.O.P.S., P.O. Box 256, Linwood, NJ 08221 City of Atlantic City 1301 Bacharach Blvd Rm 403, AC NJ 08401	9/27/2021 #3055401	GL AU EX WC OTH

10/01/2021

1 of 1

Atlantic County Insurance Comm.
Certificate of Insurance Monthly Report

From 9/1/2021 To 10/1/2021

Total # of Holders: 5

Total # of Holders: 5				
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NEW JERSEY COUNTIES EXCESS JOINT INSURANCE FUND

9 Campus Drive - Suite 216

Parsippany, NJ 07054-4412

Telephone (201) 881-7632 Fax (201) 881-7633

Date: September 23, 2021

Memo to: Atlantic County Insurance Commission

From: Joseph Hrubash, NJCE Executive Director

Subject: September NJCE Meeting

December 31, 2020 Audit: Executive Director reported the Auditor presented a draft audit at the June meeting; the audit and filed with DOBI & DCA on 6/24/21 along with an extension request to file the final report. A final financial audit for the period ending December 31, 2020 was submitted and the Executive Director reported there were no recommendations or findings. The Board of Fund Commissioners approved a motion to approve the year-end financials. The Fund office will distribute affidavits to Fund Commissioners to execute stating they have read the General Comments of the audit report and make the necessary report filing with DOBI and DCA.

Professional Services/Competitive Contracts:

Technical Services Writer: Executive Director reported a suggestion coming out of the NJCE Coverage Committee was the need to procure a Technical Writer to draft manuscript policies for retained layers of the program. The Board of Fund Commissioners adopted a resolution authorizing the procurement of a Technical Writer via a Competitive Contract.

Underwriting Manager, Executive Director, Safety Director & Excess Property Administrator: Executive Director reported these services are set to expire in February 2022; no action was taken as this item was for informational purposes only.

NJCE Claims Review Committee: Committee Chairman Sheehan reported the Claims Review Committee met prior to the Fund's meeting to review claims in detail. The Board of Fund Commissioners accepted the recommendations of the committee to approve payment or settlement authority requests. Closed Session was not required for this action.

Prospective Membership: Executive Director reported Ocean County Insurance Commission is in the process of providing quotes for Ocean County Utility Authority, Ocean County Board of Health and Ocean County Board of Social Services. In addition, Fund professionals also held an NJCE JIF overview meeting for Middlesex County.

COVID-19: Ms. Walcoff, Claims Manager provided an update on COVID-19 claim activity noting that between 2020-2021 there have been 2,500 reported claims with \$8.5 million in total incurred and \$2.3 million in paid claims. Fund Attorney will provide an overview of the NJCE JIF's strategy with respect to the excess workers' compensation carrier in closed session.

Covid-19 Vaccinations: Executive Director reported in January, the MEL JIF Fund Attorney issued a bulletin to provide guidance on legal considerations relating to vaccinations. Copies of an updated memorandum issued by the MEL JIF Fund Attorney was submitted for information only.

Hurricane Ida Claim Update: Ms. Walcoff, Perma Claims Manager reported Hurricane Ida affected northern New Jersey with a majority of claim activity occurring in Union, Hudson and Mercer counties. The Claims Review Committee reviewed claim activity and authorized advances to those affected members to assist with remediation and restoration efforts.

Learning Management System: As previously discussed, a dedicated safety institute of instructor-led and online training programs was provided to members of the NJCE JIF through a Learning Management System where the Board of Fund Commissioners approved J.A. Montgomery to contract with FirstNet for a two-year term. Safety Director provided a status report of the current usage of online courses through the LMS and participation in live virtual safety training webinars.

Munich Re Safety Grant: Safety Director provided an update on the 2021 grant program with Munich Re and submitted a memorandum which clarified the carrier's reimbursement process. Safety Director noted the grant program will continue in 2022 and encouraged members to consider applicable safety-related purchases.

Financial Fast Track: Executive Director reviewed the Financial Fast Track as of July 31st and June 30th which reflected a statutory surplus of \$14.7 and \$14.8 million respectively.

2021 Budget: Executive Director report in April, the Board approved a recommendation by the Finance Committee to declare an additional assessment totaling \$609,437 representing only the premium portion of the 2021 budget delta. As a reminder, the 3rd assessment bill for this was issued on September 17th with a November 1st due date.

Committee Reports

NJCE Cyber Task Force: The task force met on July 19, 2021 to discuss cyber-related issues, and develop a cyber-risk management framework for members to utilize. In preparation of October as Cyber Security Awareness Month the task force submitted a memorandum with weekly training content.

NJCE Coverage Committee: The committee met on July 19, 2021 to discuss County-related coverage issues; minutes of the meeting were submitted for information.

Finance Committee: Executive Director reported a meeting is being scheduled in the coming weeks to review the preliminary 2022 budget and renewal market update, as well as, continued review of the 2021 budget delta.

Informational Items

2022 Renewal – Underwriting Data Collection: The 2022 renewal process began in mid-July with a deadline to complete by September 17th. Deputy Executive Director reported the Fund office is following up with members and/or risk managers to have the exposure data completed. As a reminder the majority of ancillary coverage applications may be completed online via Origami. In addition, the Payroll Auditor is conducting payroll audits which will be uploaded by the Fund office into Origami.

10th Annual Best Practices Workshop – November 3, 2021 Virtual Edition: Deputy Executive Director reported this year’s Best Practices Workshop will be taking place virtually via an interactive webinar on November 3, 2021. The length of the workshop is scheduled for 2.5 to 3 hours with adequate breaks. Deputy Executive Director reported 1.5 CEUs will be available for an Implicit Bias Training and requested members save the date for more information to follow.

Membership Renewal: The Counties of Camden, Gloucester and Monmouth are scheduled to renew their three-year membership with the Fund as of January 1, 2022. Deputy Executive Director confirmed all three entities have submitted their membership agreements to renew.

2021 Government Finance Officers Association of NJ (GFOA of NJ): J.A. Montgomery presented at the GFOA of NJ conference at the Golden Nugget in Atlantic City from September 21st to September 24th. Safety Director said the presentation focused on the resources available through J.A. Montgomery Consulting and noted the feedback from participants was positive. Executive Director thanked Commissioner Wood for the opportunity to present at the GFOA.

2021 New Jersey Association of Counties Conference (NJAC): As a reminder, the 71st Annual Conference is scheduled to be held from October 12th – October 14th at Caesar’s in Atlantic City.

2021 New Jersey State League of Municipalities (NJSLOM) Annual Conference: The 106th annual conference is scheduled for November 16th through November 18th at the Atlantic City Convention Center in Atlantic City. The MEL JIF holds its annual elected officials seminar on November 18th. This year’s program will be “Local Government Risk Management” and we encourage all of our commissioners to attend.

Underwriting Manager Report

Underwriting Manager submitted a full report on the current commercial market conditions and provided a brief overview of the 2022 pre-renewal expectations. Underwriting Manager noted the property insurance market is facing increased frequency and severity of losses due to major storms and natural catastrophes. In addition, the excess liability market has been significantly affected over the past two years, as well as, the increased claim activity and losses in the cyber liability market. Underwriting Manager said the NJCE 2022 renewal program will be aggressively negotiated to ensure adequate coverage is obtained despite the challenging market.

Risk Control Report

Safety Director submitted a report reflecting the risk control activities from June to September 2021, as well as, upcoming training events. Safety Director encouraged members to contact the office for any instructor-led training requests.

Workers Compensation Claims Administrator Report

Claims Administrator submitted a report reflecting the billed amount and percentage of savings as of August 2021.

Next Meeting: The next meeting of the NJCE fund is scheduled for October 28, 2021 at 9:30AM via Zoom; please contact the Fund office for meeting access information.

ATLANTIC COUNTY INSURANCE COMMISSION					
FINANCIAL FAST TRACK REPORT					
		AS OF	June 30, 2021		
ALL YEARS COMBINED					
		THIS MONTH	YTD CHANGE	PRIOR YEAR END	FUND BALANCE
1.	UNDERWRITING INCOME	692,560	4,155,358	48,039,893	52,195,251
2.	CLAIM EXPENSES				
	Paid Claims	457,319	2,673,487	17,266,890	19,940,377
	Case Reserves	746,056	1,488,355	6,961,226	8,449,581
	IBNR	(114,942)	233,726	4,357,685	4,591,412
	Excess Insurance Recoverable	0	(36,930)	(11,996)	(48,926)
	Discounted Claim Value	(8,891)	(41,369)	(353,927)	(395,296)
	TOTAL CLAIMS	1,079,542	4,317,269	28,219,878	32,537,147
3.	EXPENSES				
	Excess Premiums	169,629	1,017,774	11,063,079	12,080,853
	Administrative	86,941	446,751	4,990,546	5,437,297
	TOTAL EXPENSES	256,570	1,464,525	16,053,625	17,518,150
4.	UNDERWRITING PROFIT (1-2-3)	(643,552)	(1,626,436)	3,766,389	2,139,953
5.	INVESTMENT INCOME	2,141	18,452	170,340	188,792
6.	PROFIT (4 + 5)	(641,411)	(1,607,984)	3,936,730	2,328,745
7.	CEL APPROPRIATION CANCELLATION	0	0	0	0
8.	DIVIDEND INCOME	0	0	50,758	50,758
9.	DIVIDEND EXPENSE	0	0	(50,758)	(50,758)
10.	INVESTMENT IN JOINT VENTURE	0	(138,464)	815,998	677,534
11.	SURPLUS (6 + 7 + 8 - 9)	(641,411)	(1,746,448)	4,752,728	3,006,280
SURPLUS (DEFICITS) BY FUND YEAR					
	2015	(127,833)	(139,419)	(641,351)	(780,770)
	2016	(91,710)	(353,235)	1,115,805	762,570
	2017	(205,220)	(653,912)	1,085,742	431,830
	2018	(299,858)	(823,436)	1,172,982	349,546
	2019	(56,065)	(155,101)	1,923,967	1,768,866
	2020	291,523	465,514	95,582	561,096
	2021	(152,249)	(86,859)		(86,859)
	TOTAL SURPLUS (DEFICITS)	(641,411)	(1,746,448)	4,752,727	3,006,279
	TOTAL CASH				6,169,821

CLAIM ANALYSIS BY FUND YEAR				
FUND YEAR 2015				
Paid Claims	20,511	280,291	4,490,762	4,771,053
Case Reserves	175,593	(149,239)	1,469,345	1,320,107
IBNR	(66,288)	0	223,403	223,403
Discounted Claim Value	(1,821)	9,353	(59,923)	(50,570)
TOTAL FY 2015 CLAIMS	127,994	140,405	6,123,587	6,263,992
FUND YEAR 2016				
Paid Claims	19,121	154,783	3,650,336	3,805,119
Case Reserves	(19,121)	22,992	872,485	895,477
IBNR	91,529	141,587	87,416	229,003
Discounted Claim Value	554	(3,546)	(31,631)	(35,177)
TOTAL FY 2016 CLAIMS	92,083	315,817	4,578,605	4,894,422
FUND YEAR 2017				
Paid Claims	106,394	351,643	3,588,980	3,940,623
Case Reserves	(105,963)	179,536	893,397	1,072,933
IBNR	208,626	129,661	178,192	307,853
Discounted Claim Value	(3,472)	(9,374)	(35,407)	(44,781)
TOTAL FY 2017 CLAIMS	205,585	651,467	4,625,162	5,276,629
FUND YEAR 2018				
Paid Claims	27,039	378,635	2,616,450	2,995,086
Case Reserves	216,894	431,752	1,362,104	1,793,856
IBNR	59,101		381,615	415,796
Discounted Claim Value	(2,699)	(4,671)	(56,686)	(61,358)
TOTAL FY 2018 CLAIMS	300,336	839,898	4,303,483	5,143,380
FUND YEAR 2019				
Paid Claims	72,983	366,319	1,794,300	2,160,618
Case Reserves	(45,346)	(169,218)	1,206,798	1,037,580
IBNR	26,448	(36,948)	450,728	413,780
Discounted Claim Value	2,620	7,560	(49,855)	(42,295)
TOTAL FY 2019 CLAIMS	56,705	167,712	3,401,971	3,569,683
FUND YEAR 2020				
Paid Claims	86,543	859,567	1,126,062	1,985,629
Case Reserves	(27,882)	304,566	1,157,096	1,461,662
IBNR	(365,572)	(1,670,348)	3,036,332	1,365,984
Excess Insurance Recoverable	0	(36,930)	(11,996)	(48,926)
Discounted Claim Value	15,460	38,003	(120,424)	(82,421)
TOTAL FY 2020 CLAIMS	(291,451)	(505,142)	5,187,070	4,681,928
FUND YEAR 2021				
Paid Claims	124,728	282,249		282,249
Case Reserves	551,881	867,965		867,965
IBNR	(68,786)	1,635,593		1,635,593
Excess Insurance Recoverable	0	0		0
Discounted Claim Value	(19,533)	(78,694)		(78,694)
TOTAL FY 2021 CLAIMS	588,290	2,707,112	0	2,707,112
COMBINED TOTAL CLAIMS	1,079,542	4,317,269	28,219,878	32,537,147

NEW JERSEY COUNTIES EXCESS JIF					
FINANCIAL FAST TRACK REPORT					
		AS OF	July 31, 2021		
ALL YEARS COMBINED					
		THIS	YTD	PRIOR	FUND
		MONTH	CHANGE	YEAR END	BALANCE
1.	UNDERWRITING INCOME	2,320,065	16,240,455	188,496,467	204,736,922
2.	CLAIM EXPENSES				
	Paid Claims	48,450	280,864	7,089,259	7,370,123
	Case Reserves	(60,490)	1,038,682	9,041,576	10,080,257
	IBNR	592,459	3,058,078	9,477,682	12,535,759
	Discounted Claim Value	(64,665)	(79,085)	(1,855,299)	(1,934,384)
	Excess Recoveries	0	(546,721)	(1,286,205)	(1,832,926)
	TOTAL CLAIMS	515,753	3,751,817	22,467,013	26,218,830
3.	EXPENSES				
	Excess Premiums	1,718,928	11,976,492	132,722,487	144,698,979
	Administrative	164,835	1,186,977	14,328,278	15,515,255
	TOTAL EXPENSES	1,883,763	13,163,469	147,050,765	160,214,234
4.	UNDERWRITING PROFIT (1-2-3)	(79,451)	(674,831)	18,978,689	18,303,858
5.	INVESTMENT INCOME	22,184	34,630	1,561,013	1,595,643
6.	PROFIT (4+5)	(57,267)	(640,201)	20,539,702	19,899,501
7.	Dividend	0	0	5,107,551	5,107,551
8.	SURPLUS (6-7)	(57,267)	(640,201)	15,432,151	14,791,950
SURPLUS (DEFICITS) BY FUND YEAR					
	2010	266	448	313,887	314,335
	2011	424	775	817,021	817,796
	2012	699	297,554	775,737	1,073,291
	2013	1,233	34,471	1,435,473	1,469,943
	2014	1,847	(1,040)	2,370,698	2,369,658
	2015	2,233	43,133	1,465,627	1,508,760
	2016	2,204	(403,465)	2,615,331	2,211,866
	2017	2,722	115,945	1,269,126	1,385,071
	2018	2,799	139,605	2,227,973	2,367,578
	2019	3,042	320,701	1,617,686	1,938,387
	2020	1,959	(658,804)	523,592	(135,212)
	2021	(76,696)	(529,523)		(529,523)
	TOTAL SURPLUS (DEFICITS)	(57,267)	(640,201)	15,432,150	14,791,949
	TOTAL CASH				23,110,892

CLAIM ANALYSIS BY FUND YEAR				
FUND YEAR 2010				
Paid Claims	0	0	171,840	171,840
Case Reserves	0	0	(0)	(0)
IBNR	0	0	0	0
Discounted Claim Value	0	0	0	0
TOTAL FY 2010 CLAIMS	0	0	171,840	171,840
FUND YEAR 2011				
Paid Claims	0	0	538,361	538,361
Case Reserves	0	0	100	100
IBNR	0	(65)	65	0
Discounted Claim Value	0	7	(10)	(3)
TOTAL FY 2011 CLAIMS	0	(58)	538,516	538,458
FUND YEAR 2012				
Paid Claims	0	(305,773)	1,581,076	1,275,304
Case Reserves	0	10,550	55,743	66,293
IBNR	0	(125)	6,513	6,388
Discounted Claim Value	0	(1,083)	(6,766)	(7,849)
TOTAL FY 2012 CLAIMS	0	(296,430)	1,636,566	1,340,136
FUND YEAR 2013				
Paid Claims	4,545	(21,427)	884,946	863,519
Case Reserves	(4,545)	(11,012)	449,993	438,981
IBNR	0	(0)	74,752	74,752
Discounted Claim Value	0	(107)	(55,345)	(55,452)
TOTAL FY 2013 CLAIMS	0	(32,546)	1,354,346	1,321,800
FUND YEAR 2014				
Paid Claims	1,973	6,134	475,133	481,267
Case Reserves	(91,358)	(75,822)	468,318	392,496
IBNR	89,385	74,234	82,005	156,240
Discounted Claim Value	0	(576)	(50,431)	(51,007)
TOTAL FY 2014 CLAIMS	(0)	3,970	975,025	978,995
FUND YEAR 2015				
Paid Claims	12,756	106,892	879,632	986,524
Case Reserves	(90,653)	(243,568)	1,970,599	1,727,030
IBNR	77,897	76,059	110,856	186,916
Discounted Claim Value	0	20,973	(145,390)	(124,416)
TOTAL FY 2015 CLAIMS	0	(39,643)	2,815,698	2,776,054
FUND YEAR 2016				
Paid Claims	243	281,957	678,557	960,514
Case Reserves	(243)	202,855	1,006,194	1,209,049
IBNR	0	(79,420)	233,390	153,970
Discounted Claim Value	0	1,617	(87,647)	(86,030)
TOTAL FY 2016 CLAIMS	0	407,009	1,830,493	2,237,503
FUND YEAR 2017				
Paid Claims	1,672	119,246	367,768	487,013
Case Reserves	(1,672)	(301,664)	1,687,621	1,385,957
IBNR	0	27,893	1,606,476	1,634,369
Discounted Claim Value	0	42,823	(221,332)	(178,509)
TOTAL FY 2017 CLAIMS	0	(111,702)	3,440,532	3,328,830
FUND YEAR 2018				
Paid Claims	24,902	35,149	358,016	393,165
Case Reserves	(42,969)	192,303	563,782	756,084
IBNR	18,066	(405,914)	1,803,479	1,397,565
Discounted Claim Value	0	43,206	(240,690)	(197,484)
TOTAL FY 2018 CLAIMS	(0)	(135,256)	2,484,586	2,349,330
FUND YEAR 2019				
Paid Claims	0	(47,439)	704,297	656,858
Case Reserves	(20,553)	43,349	589,734	633,083
IBNR	20,553	(359,205)	2,688,900	2,329,695
Discounted Claim Value	0	47,317	(357,356)	(310,039)
TOTAL FY 2019 CLAIMS	0	(315,979)	3,625,576	3,309,597
FUND YEAR 2020				
Paid Claims	2,330	106,097	449,634	555,731
Case Reserves	186,200	1,115,190	2,249,493	3,364,683
IBNR	(188,531)	(231,780)	2,871,245	2,639,465
Discounted Claim Value	0	219,412	(690,332)	(470,920)
Excess Recoveries	0	(546,721)	(1,286,205)	(1,832,926)
TOTAL FY 2020 CLAIMS	0	662,197	3,593,835	4,256,032
FUND YEAR 2021				
Paid Claims	28	28		28
Case Reserves	5,301	106,501		106,501
IBNR	575,089	3,956,400		3,956,400
Discounted Claim Value	(64,665)	(452,675)		(452,675)
TOTAL FY 2021 CLAIMS	515,753	3,610,254	0	3,610,254
COMBINED TOTAL CLAIMS	515,753	3,751,817	22,467,013	26,218,830

Atlantic County Insurance Commission

CLAIM ACTIVITY REPORT

	August 31, 2021								
COVERAGE LINE - PROPERTY									
CLAIM COUNT - OPEN CLAIMS									
Year	2015	2016	2017	2018	2019	2020	2021		TOTAL
August-21	0	0	1	0	4	24	51		80
July-21	0	0	1	0	4	26	43		74
NET CHGE	0	0	0	0	0	2	-8		-6
Limited Reserves									\$4,936
Year	2015	2016	2017	2018	2019	2020	2021		TOTAL
August-21	\$0	\$0	\$1	\$0	\$1,213	\$21,078	\$589,767		\$612,059
July-21	\$0	\$0	\$1	\$0	\$4	\$25,578	\$339,710		\$365,293
NET CHGE	\$0	\$0	\$0	\$0	(\$1,209)	\$4,500	(\$250,057)		(\$246,766)
Ltd Incurred	\$34,420	\$342,419	\$248,808	\$62,964	\$179,551	\$554,116	\$672,873		\$2,095,151
COVERAGE LINE - GENERAL LIABILITY									
CLAIM COUNT - OPEN CLAIMS									
Year	2015	2016	2017	2018	2019	2020	2021		TOTAL
August-21	0	2	3	4	17	14	32		72
July-21	0	2	3	4	20	15	19		63
NET CHGE	0	0	0	0	3	1	-13		-9
Limited Reserves									\$10,575
Year	2015	2016	2017	2018	2019	2020	2021		TOTAL
August-21	\$0	\$101,346	\$6,016	\$389,909	\$63,402	\$92,013	\$60,126		\$712,812
July-21	\$0	\$101,346	\$6,016	\$358,509	\$68,079	\$94,113	\$38,176		\$666,239
NET CHGE	\$0	\$0	\$0	(\$31,400)	\$4,677	\$2,101	(\$21,950)		(\$46,573)
Ltd Incurred	\$485,129	\$281,070	\$145,536	\$400,488	\$162,910	\$95,488	\$70,915		\$1,641,536
COVERAGE LINE - AUTO LIABILITY									
CLAIM COUNT - OPEN CLAIMS									
Year	2015	2016	2017	2018	2019	2020	2021		TOTAL
August-21	0	0	0	4	1	0	13		18
July-21	0	0	0	5	1	0	10		16
NET CHGE	0	0	0	1	0	0	-3		-2
Limited Reserves									\$12,196
Year	2015	2016	2017	2018	2019	2020	2021		TOTAL
August-21	\$0	\$0	\$0	\$159,027	\$8,138	\$0	\$33,435		\$200,599
July-21	\$0	\$0	\$0	\$165,906	\$8,138	\$0	\$21,093		\$195,137
NET CHGE	\$0	\$0	\$0	\$6,879	\$0	\$0	(\$12,342)		(\$5,463)
Ltd Incurred	\$44,268	\$68,659	\$37,043	\$197,564	\$48,152	\$40,094	\$44,520		\$480,300
COVERAGE LINE - WORKERS COMP.									
CLAIM COUNT - OPEN CLAIMS									
Year	2015	2016	2017	2018	2019	2020	2021		TOTAL
August-21	20	25	28	28	49	92	116		358
July-21	22	26	27	34	52	98	93		352
NET CHGE	2	1	-1	6	3	6	-23		-6
Limited Reserves									\$20,917
Year	2015	2016	2017	2018	2019	2020	2021		TOTAL
August-21	\$1,228,410	\$764,365	\$1,372,345	\$1,126,691	\$812,854	\$1,273,432	\$722,716		\$7,300,813
July-21	\$1,286,465	\$779,496	\$1,272,187	\$1,204,923	\$802,345	\$1,340,773	\$676,558		\$7,362,748
NET CHGE	\$58,054	\$15,131	(\$100,158)	\$78,232	(\$10,509)	\$67,341	(\$46,158)		\$61,934
Ltd Incurred	\$5,491,077	\$4,051,221	\$4,940,027	\$4,218,414	\$2,804,293	\$2,723,689	\$1,090,423		\$25,319,144
TOTAL ALL LINES COMBINED									
CLAIM COUNT - OPEN CLAIMS									
Year	2015	2016	2017	2018	2019	2020	2021		TOTAL
August-21	20	27	32	36	71	130	212		528
July-21	22	28	31	43	77	139	165		505
NET CHGE	2	1	-1	7	6	9	-47		-23
Limited Reserves									\$17,009
Year	2015	2016	2017	2018	2019	2020	2021		TOTAL
August-21	\$1,228,410	\$865,711	\$1,378,361	\$1,675,627	\$885,607	\$1,386,522	\$1,406,044		\$8,826,283
July-21	\$1,286,465	\$880,843	\$1,278,203	\$1,729,338	\$878,566	\$1,460,464	\$1,075,536		\$8,589,416
NET CHGE	\$58,054	\$15,131	(\$100,158)	\$53,712	(\$7,041)	\$73,942	(\$330,508)		(\$236,867)
Ltd Incurred	\$6,054,894	\$4,743,369	\$5,371,414	\$4,879,430	\$3,194,907	\$3,413,386	\$1,878,731		\$29,536,131

RESOLUTION NO. 23-21

**ATLANTIC COUNTY INSURANCE COMMISSION
BILLS LIST – OCTOBER - 2021**

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

BE IT RESOLVED that the Atlantic County Insurance Commission, hereby authorizes the Commission 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 Commission.

FUND YEAR 2015

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
001093			
001093	ATLANTIC COUNTY	REIMBURSEMENT FOR TREASURER SERV. 2015	8,238.00
001093	ATLANTIC COUNTY	REIMBURSEMENT FOR ATTORNEY SERV. 2015	18,289.00
			26,527.00
		Total Payments FY 2015	26,527.00

FUND YEAR 2016

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
001094			
001094	ATLANTIC COUNTY	REIMBURSEMENT FOR TREASURER SERV. 2016	8,238.00
001094	ATLANTIC COUNTY	REIMBURSEMENT FOR ATTORNEY SERV. 2016	18,289.00
			26,527.00
		Total Payments FY 2016	26,527.00

FUND YEAR 2017

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
001095			
001095	ATLANTIC COUNTY	REIMBURSEMENT FOR TREASURER SERV. 2017	8,238.00
001095	ATLANTIC COUNTY	REIMBURSEMENT FOR ATTORNEY SERV. 2017	18,289.00
			26,527.00
001096			
001096	ATLANTIC COUNTY	REIMBURSEMENT FOR TREASURER SERV. 2018	8,238.00
001096	ATLANTIC COUNTY	REIMBURSEMENT FOR ATTORNEY SERV. 2018	18,289.00
			26,527.00
		Total Payments FY 2017	53,054.00

FUND YEAR 2019

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
001097			
001097	ATLANTIC COUNTY	REIMBURSEMENT FOR TREASURER SERV. 2019	5,238.00
001097	ATLANTIC COUNTY	REIMBURSEMENT FOR ATTORNEY SERV. 2019	18,289.00
			23,527.00
		Total Payments FY 2019	23,527.00

FUND YEAR 2020

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
001098			
001098	ATLANTIC COUNTY	REIMBURSEMENT FOR TREASURER SERV. 2020	5,238.00
001098	ATLANTIC COUNTY	REIMBURSEMENT FOR ATTORNEY SERV. 2020	18,289.00
			23,527.00
		Total Payments FY 2020	23,527.00

FUND YEAR 2021

<u>Check Number</u>	<u>Vendor Name</u>	<u>Comment</u>	<u>Invoice Amount</u>
001099			
001099	NEW JERSEY COUNTIES EX/NJCE - 3RD INSTALLMENT 2021		62,165.00
			62,165.00
001100			
001100	QUAL-LYNX	CLAIM ADJUSTING SERVICES - 4TH QTR 2021	74,388.50
			74,388.50
001101			
001101	PERMA RISK MANAGEMEN	POSTAGE 8/21	4.08
001101	PERMA RISK MANAGEMEN	EXECUTIVE DIRECTOR FEE - 4TH QTR 2021	31,212.00
			31,216.08
001102			
001102	THE ACTUARIAL ADVANT	ACTUARIAL CONS. FEE - 4TH QTR 2021	2,322.00
			2,322.00
001103			
001103	CHANDRA ANDERSON	SECRETARY SERVICES - 4TH QTR 2021	1,275.00
			1,275.00
001104			
001104	BH MEDIA GROUP, INC.	ADVERTISE SYNOPSIS OF 2020 AUDIT OF ACIC	70.56
001104	BH MEDIA GROUP, INC.	ACCT #8000490 - AD - 10.8.21	26.40
			96.96
001105			
001105	ASSETWORKS LLC	BUILDING APPRAISALS FOR ACIC 2021	2,964.00
			2,964.00
001106			
001106	ATLANTIC COUNTY	REIMBURSEMENT FOR TREASURER SERV. 2021	5,238.00
001106	ATLANTIC COUNTY	REIMBURSEMENT FOR ATTORNEY SERV. 2021	18,289.00
			23,527.00
001107			
001107	BROWN & BROWN METRO	RMC SERVICES - 4TH QTR 2021	30,000.00
			30,000.00
		Total Payments FY 2021	227,954.54

TOTAL PAYMENTS ALL FUND YEARS \$ 381,116.54

Chairperson

Attest:

_____ Dated: _____

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

Treasurer

Memorandum

NJCE Underwriting Manager Team

CONNER
STRONG &
BUCKELEW

NJCE Cyber Task Force

The NJCE Cyber Task Force should utilize Cyber Awareness Month (October) to release information to the membership. Here are initial thoughts; please provide feedback as soon as possible.

This year's overall theme is "**Do Your Part. #BeCyberSmart.**"

<https://staysafeonline.org/cybersecurity-awareness-month/theme/>

Week 1 (10/4): **Be Cyber Smart**

This segment is about doing the basics of cybersecurity, aka our minimum security standards. <https://staysafeonline.org/wp-content/uploads/2020/04/Own-Your-Role-in-Cybersecurity-Start-with-the-Basics-.pdf>

Week 2 (10/11): **Fight the Phish**

Identifying phishing emails. <https://njmel.org/wp-content/uploads/2017/12/MEL-Email-Infographic-FINAL.jpg>

Week 3 (10/18): **Explore. Experience. Share.**

This segment is about promoting careers in cybersecurity. It does not directly interest us, but we can spin it into a push for increasing cybersecurity skills. <https://www.nist.gov/itl/applied-cybersecurity/nice/nice-framework-resource-center>

Week 4 (10/25): **Cybersecurity First**

This theme is about making security a priority and building it into your regular processes. I.E. employee onboarding cyber training, new IoT devices need proper security, etc.

NCSA has not yet released much more support for this one, so we may need to come up with a list of common functions/actions of our membership and how they should bring cybersecurity into the conversation.

https://staysafeonline.org/event_category/cybersecurity-awareness-month/

Conner Strong & Buckelew

Insurance, Risk
Management
& Employee Benefits

Camden, New Jersey
1-877-861-3220
connerstrong.com



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ATLANTIC COUNTY INSURANCE COMMISSION

TO: Fund Commissioners
FROM: J.A. Montgomery Consulting, Safety Director
DATE: October 4, 2021
DATE OF MEETING: October 8, 2021

ACIC SERVICE TEAM

Paul Shives, Vice President, Safety Services pshives@jamontgomery.com Office: 732-736-5213	Glenn Prince, Associate Public Sector Director gprince@jamontgomery.com Office: 856-552-4744 Cell: 609-238-3949	Natalie Dougherty, Senior Administrative Coordinator ndougherty@jamontgomery.com Office: 856-552-4738
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SEPTEMBER - October 2021

RISK CONTROL ACTIVITIES

MEETINGS ATTENDED / TRAINING / LOSS CONTROL VISITS CONDUCTED

- **September 9:** Conducted a Hazard Communications w/GHS and a Personal Protective Equipment live safety training webinars for ACUA.
- **September 10:** Attended the ACIC meeting via teleconference.
- **September 10:** Attended the ACIC Claims Committee meeting via teleconference.
- **September 20:** Attended the ACIC Safety Committee meeting via teleconference.
- **September 21:** Conducted a Hazard Communications w/GHS and a Personal Protective Equipment live safety training webinar for ACUA.

UPCOMING MEETINGS / TRAINING / LOSS CONTROL VISITS PLANNED

- **October 8** Plan to attend the ACIC meeting via teleconference.
- **October 8:** Plan to attend the ACIC Claims Committee meeting via teleconference.

SAFETY DIRECTOR BULLETINS

Safety Director Bulletins and Messages are distributed by e-mail to Executive Directors, Fund Commissioners, Risk Managers and Training Administrators. They can be viewed at <https://nice.org/safetv/safety-bulletins/>.

- NJCE JIF - Live Virtual Safety Training – November Registration Now Open! – September 14.

NJCE TRAINING OVERVIEW – LIVE SAFETY TRAINING WEBINARS

The New Jersey Counties Excess Joint Insurance Fund (NJCE) is offering real-time, instructor-led online safety training. Instruction is conducted with a live instructor using the Zoom webinar platform. We are excited to offer you the same training content, with the same experienced crew of instructors and with the same continuing education credits as with out in-person classes, but with the flexibility and safety of online delivery.

- The October – November Live Virtual Training schedules and registration links are attached.

NJCE MEDIA LIBRARY

NJCE Media Library includes a vast library of DVDs topics on many aspects of safety, risk control, employment practices, and supervision, and most can be viewed in under 20 minutes. The DVDs can be requested free of charge for NJCE members and held for up to 2 weeks so you can view them at your convenience. A prepaid self-addressed envelope is included to return the DVD. To view the full video catalog please visit <https://nice.org/wp-content/uploads/2021/02/NJCE-Media-DVD-Catalog.pdf>. Email the video library at melvideolibrary@jamontgomery.com or call 856-552-4900.

- No videos utilized.

NJCE ONLINE STREAMING VIDEO SERVICE

The NJCE JIF now has a New Video Streaming Service. This is an “on demand” service and has about 180 titles available for streaming right to your workplace! We encourage leaders to view the videos with members of their team and then discuss how the information in the video can best be used specifically in your operations.

To access the streaming “on demand videos”, go to the NJCE website <https://nice.org/safety-training-videos-registration/>. Complete the Registration Form, click submit. The following screen will provide the URL and password to access the streaming videos.

The Steaming Video Services is also accessible on the NJCE Learning Management System (LMS). The Streaming Videos are located under Resources in the Learning On-Demand Workplace College located on the Welcome page of the LMS. The learning will be recorded in the Users Transcripts when the videos are accessed.



NJCE Learning Management System (LMS) – A number of Commissions/Counties have been set up with their users uploaded onto the NJCE LMS. J.A. Montgomery Consulting is currently in the process of adding all the Live Virtual Training classes held from January 1, 2021 to date onto the LMS. Once this is completed the Learning History for participants that attended the classes will be recorded into their Transcripts on the LMS. Certificates will be available for LMS Administrators to access to print or save from the website. An email will be sent out to the LMS Training Administrators once this process is completed. Thank you.

J.A. Montgomery

CONSULTING

The MEL Safety Institute (MSI) and New Jersey Counties Excess Joint Insurance Fund (NJCE) is offering real time, instructor-led online safety training.

October thru November Safety Training Schedule. Click on the Training Topic to Register and for the Course Description.

Date	Training Topic	Time
10/1/21	Lock Out/Tag Out (LOTO)	8:30 - 10:30 am
10/1/21	Jetter/Vacuum Safety Awareness	1:00 - 3:00 pm
10/4/21	Confined Space Entry for Entrants & Attendants	8:30 - 10:30 am
10/4/21	Bloodborne Pathogens (BBP)	11:00 - 12:00 pm
10/4/21	HazCom w/GHS	1:00 - 2:30 pm
10/5/21	Hazard Identification: Making Your Observations Count	8:30 - 10:30 am
10/5/21	Back Safety / Material Handling	11:00 - 12:00 pm
10/5/21	Leaf Collection Safety	1:00 - 3:00 pm
10/7/21	Flagger Skills and Safety	8:30 - 9:30 am
10/7/21	Fire Extinguisher Safety	10:00 - 11:00 am
10/7/21	Chain Saw Safety	1:00 - 2:00 pm
10/8/21	Law Enforcement Work Zone Refresher Training	9:00 - 11:00 am
10/8/21	Mower Safety	8:30 - 9:30 am
10/8/21	Shop & Tool Safety	10:00 - 11:00 am
10/8/21	Back Safety / Material Handling	2:00 - 3:00 pm
10/11/21	Bloodborne Pathogens (BBP)	2:00 - 3:00 pm
10/12/21	Hearing Conservation	8:30 - 9:30 am
10/12/21	CDL: Drivers' Safety Regulations	10:00 - 12:00 pm
10/12/21	Ladder Safety/Walking & Working Surfaces	1:00 - 3:00 pm
10/12/21	Employee Conduct and Violence Prevention in the Workplace	1:00 - 2:30 pm
10/13/21	Bloodborne Pathogens Administrator Training	8:30 - 10:30 am
10/13/21	Fire Safety	10:30 - 11:30 am
10/13/21	Bloodborne Pathogens (BBP)	1:00 - 2:00 pm
10/14/21	Hazard Identification: Making Your Observations Count	8:30 - 10:30 am
10/14/21	Flagger Skills and Safety	11:00 - 12:00 pm
10/14/21	Work Zone: Temporary Traffic Controls	1:00 - 3:00 pm
10/15/21	Leaf Collection Safety	8:30 - 10:30 am
10/15/21	Chipper Safety	11:00 - 12:00 pm
10/15/21	Sanitation/Recycling Safety	1:00 - 3:00 pm
10/18/21	Heavy Equipment - General Safety	8:30 - 10:30 am
10/18/21	Back Safety / Material Handling	11:00 - 12:00 pm
10/18/21	Personal Protective Equipment (PPE)	1:00 - 3:00 pm
10/18/21	Implicit Bias in the Workplace	1:00 - 2:30 pm
10/19/21	Accident Investigation	8:30 - 10:30 am
10/19/21	Ladder Safety/Walking & Working Surfaces	8:30 - 10:30 am
10/19/21	Protecting Children from Abuse - For Managers/Supervisors/Elected Officials	9:00 - 11:00 am
10/19/21	Dealing with Difficult People	1:00 - 3:00 pm
10/19/21	Driving Safety Awareness	2:00 - 3:30 pm

10/20/21	HazMat Awareness w/HazCom GHS	8:30 - 11:30 am
10/20/21	Employee Conduct and Violence Prevention in the Workplace	9:00 - 10:30 am
10/20/21	Lock Out/Tag Out (LOTO)	1:00 - 3:00 pm
10/21/21	HazCom w/GHS	8:30 - 10:00 am
10/21/21	Bloodborne Pathogens (BBP)	10:30 - 11:30 am
10/21/21	Snow Plow/Snow Removal Safety	1:00 - 3:00 pm
10/21/21	Law Enforcement Work Zone Refresher Training	1:00 - 3:00 pm
10/22/21	CDL: Drivers Safety Regulations	8:30 - 10:30 am
10/22/21	Fire Safety	11:00 - 12:00 pm
10/22/21	Fire Extinguisher Safety	1:00 - 2:00 pm
10/25/21	Playground Safety Inspections	8:30 - 10:30 am
10/25/21	Hearing Conservation	11:00 - 12:00 pm
10/25/21	CDL: Supervisors' Reasonable Suspicion	1:00 - 3:00 pm
10/26/21	Implicit Bias in the Workplace	9:00 - 10:30 am
10/26/21	HazCom w/GHS	8:30 - 10:00 am
10/26/21	Driving Safety Awareness	1:00 - 2:30 pm
10/27/21	Personal Protective Equipment (PPE)	8:30 - 10:30 am
10/27/21	Asbestos, Lead, Silica, Overview	11:00 - 12:00 pm
10/27/21	Fall Protection Awareness	1:00 - 3:00 pm
10/28/21	Designated Employer Representative Training (DER) *see details below	9:00 - 4:00 pm w/1 hour lunch break
10/28/21	Housing Authority Executive Directors: What You Need to Know	10:00 - 11:30 pm
10/28/21	Confined Space Entry for Supervisors	8:30 - 11:30 am
10/28/21	Confined Space Entry for Entrants & Attendants	1:00 - 3:00 pm
10/29/21	Snow Plow/Snow Removal Safety	8:30 - 10:30 am
10/29/21	Shift Briefing Essentials	1:00 - 2:30 pm
11/1/21	Bloodborne Pathogens (BBP)	8:30 - 9:30 am
11/1/21	HazCom w/GHS	10:00 - 11:30 am
11/1/21	Jetter/Vacuum Safety Awareness	1:00 - 3:00 pm
11/2/21	Snow Plow/Snow Removal Safety	8:30 - 10:30 am
11/2/21	Implicit Bias in the Workplace	9:00 - 10:30 am
11/2/21	Back Safety / Material Handling	11:00 - 12:00 pm
11/2/21	Leaf Collection Safety Awareness	1:00 - 3:00 pm
11/3/21	Lock Out/Tag Out (LOTO)	8:30 - 10:30 am
11/3/21	Flagger Skills and Safety	11:00 - 12:00 pm
11/3/21	Confined Space Entry for Entrants & Attendants	1:00 - 3:00 pm
11/4/21	Mower Safety	8:30 - 9:30 am
11/4/21	Chain Saw Safety	10:00 - 11:00 am
11/4/21	Heavy Equipment - Tractor Safety	1:00 - 2:00 pm
11/5/21	Hazard Identification: Making Your Observations Count	8:30 - 10:30 am
11/5/21	Shop & Tool Safety	11:00 - 12:00 pm
11/5/21	Fire Safety	1:00 - 2:00 pm
11/8/21	Hearing Conservation	8:30 - 9:30 am
11/8/21	Ladder Safety/Walking & Working Surfaces	10:00 - 12:00 pm
11/8/21	CDL: Drivers' Safety Regulations	1:00 - 3:00 pm
11/9/21	Special Events Management	8:30 - 10:30 am
11/10/21	Leaf Collection Safety Awareness	8:30 - 10:30 am
11/10/21	Protecting Children from Abuse - For Managers/Supervisors/Elected Officials	9:00 - 11:00 am

11/10/21	Chipper Safety	11:00 - 12:00 pm
11/10/21	Hoists, Cranes and Rigging	1:00 - 3:00 pm
11/10/21	Ethics for NJ Local Government Employees	1:00 - 3:00 pm
11/12/21	Flagger Skills and Safety	8:30 - 9:30 am
11/12/21	Work Zone: Temporary Traffic Controls	10:00 - 12:00 pm
11/12/21	Playground Safety Inspections	1:00 - 3:00 pm
11/15/21	Preparing for First Amendment Audits	9:00 - 11:00 am
11/15/21	Heavy Equipment - Earth Moving Equipment Safety	8:30 - 9:30 am
11/15/21	Heavy Equipment - Trucks & Trailer Safety	10:00 - 11:00 am
11/15/21	Law Enforcement Work Zone Refresher Training	1:00 - 3:00 pm
11/16/21	Fire Safety	8:30 - 9:30 am
11/16/21	Fire Extinguisher	10:00 - 11:00 am
11/16/21	Ladder Safety/Walking & Working Surfaces	1:00 - 3:00 pm
11/17/21	Employee Conduct and Violence Prevention in the Workplace	9:00 - 10:30 am
11/17/21	Implicit Bias in the Workplace	1:00 - 2:30 pm
11/18/21	Back Safety / Material Handling	8:30 - 9:30 am
11/18/21	CDL: Drivers' Safety Regulations	10:00 - 12:00 pm
11/18/21	Personal Protective Equipment (PPE)	1:00 - 3:00 pm
11/19/21	HazCom w/GHS	8:30 - 10:00 am
11/19/21	Bloodborne Pathogens (BBP)	10:30 - 11:30 am
11/19/21	Snow Plow/Snow Removal Safety	1:00 - 3:00 pm
11/22/21	HazMat Awareness w/HazCom GHS	8:30 - 11:30 am
11/22/21	Law Enforcement Work Zone Refresher Training	9:00 - 11:00 am
11/22/21	Lock Out/Tag Out (LOTO)	1:00 - 3:00 pm
11/23/21	Fire Extinguisher	8:30 - 9:30 am
11/23/21	Hearing Conservation	10:00 - 11:00 am
11/23/21	Employee Conduct and Violence Prevention in the Workplace	1:00 - 2:30 pm
11/29/21	Confined Space Entry for Entrants & Attendants	8:30 - 10:30 am
11/29/21	Bloodborne Pathogens (BBP)	11:00 - 12:00 pm

***10/28/21 Designated Employee Representative Training (DER) Details:**

- This 6-hour workbook-driven course with 1hr lunch break covers mandatory drug and alcohol testing programs and the responsibilities of the employer, the DER, third-party administrators, the MRO, and the driver. In order to ensure workbooks are received in time for the class, **registrations must be completed before October 8, 2021.**
- Registration suggested - 2 employees per town
- The training will use the Zoom Meeting platform. Students must have access to a computer or device with a working camera and microphone. Students will be 'on-camera' during the class to replicate an in-person classroom.

Safety Training Guidelines:

To maintain the integrity of the classes and our ability to offer CEUs, we must abide by the rules of the State agency who issued the designation. Chief among those rules is the attendee of the class must attend the whole session. ***Attendees who enter the class more than 5 minutes late or leave early will not be awarded CEUs for the class or receive a certificate of completion.***

The Zoom platform is utilized to track the time each attendee logs in and logs out of webinars. Also, we can track participation, to demonstrate to the State agency that the student also participated in polls, quizzes, and question & answer activities during the live, instructor-led webinar. We maintain these records to document our compliance with the State agency.

About Zoom Training:

- When registering, please indicate the number of students that will be attending with you if in a group setting for an accurate count to avoid cancellations due to low attendance. Once registered you will receive an email with the webinar link. Be sure to save the link on your calendar to access on the day of training. We suggest registering no later than a day before to insure you receive the link and your computer and sound system are working correctly.
- A Zoom account is not needed to attend a class. Attendees can login and view the presentations from a laptop, smartphone, or tablet.
- Zoom periodically updates their software. After registering for a webinar, the confirmation email contains a link at the bottom to Test your system. We strongly recommend testing your system, and updating if needed, at that time.
- Please [click here](#) for informative Zoom operation details.
- It is suggested you log in to the webinar about 15 minutes early, so if there is an issue, there is time to address it. We cannot offer credit or CEUs/TCHs to attendees who log in 5 minutes late or leave early.
- Group Training procedures:
 - Please have one person register for the safety training webinar.
 - Group sign in sheet: Please assign someone to submit the completed sign-in sheet(s) within 24 hours of the webinar.



**ATLANTIC COUNTY INSURANCE COMMISSION
COMBINED CUMULATIVE SAVINGS**

2021	UNITS OF SERVICE	BILLED	APPROVED	SAVINGS	% SAVINGS	PPO PENETRATION RATE
JANUARY	333	\$390,633.12	\$154,268.22	\$236,364.90	61%	98%
FEBRUARY	207	\$579,477.26	\$216,426.49	\$363,050.77	63%	99%
MARCH	373	\$476,503.91	\$151,613.69	\$324,890.22	68%	95%
APRIL	179	\$190,993.43	\$61,915.86	\$129,077.57	68%	99%
MAY	117	\$144,356.94	\$37,205.29	\$107,151.65	74%	99%
JUNE	326	\$531,604.31	\$150,891.03	\$380,713.28	72%	96%
JULY	254	\$452,352.02	\$147,012.44	\$305,339.58	68%	96%
AUGUST	178	\$353,739.87	\$120,526.09	\$233,213.78	66%	96%
SEPTEMBER	244	\$351,877.62	\$98,122.00	\$253,755.62	72%	98%
OCTOBER						
NOVEMBER						
DECEMBER						
Grand Total	2211	\$3,471,538.48	\$1,137,981.11	\$2,333,557.37	67%	97%

2020	UNITS OF SERVICE	BILLED	APPROVED	SAVINGS	% SAVINGS	PPO PENETRATION RATE
JANUARY	212	\$245,652.03	\$87,698.46	\$157,953.57	64%	99%
FEBRUARY	184	\$146,183.09	\$48,705.23	\$97,477.86	67%	90%
MARCH	174	\$203,135.02	\$69,648.22	\$133,486.80	66%	98%
APRIL	225	\$196,211.24	\$67,882.38	\$128,328.86	65%	96%
MAY	130	\$152,427.57	\$50,367.92	\$102,059.65	67%	98%
JUNE	84	\$129,108.95	\$28,752.54	\$100,356.41	78%	91%
JULY	167	\$525,345.39	\$138,855.20	\$386,490.19	74%	97%
AUGUST	160	\$146,286.61	\$55,256.14	\$91,030.47	62%	87%
SEPTEMBER	256	\$383,797.46	\$156,484.48	\$227,312.98	59%	94%
OCTOBER	274	\$439,699.33	\$144,759.35	\$294,939.98	67%	95%
NOVEMBER	477	\$736,322.15	\$250,493.00	\$485,839.15	66%	98%
DECEMBER	356	\$369,585.75	\$124,272.15	\$245,313.60	66%	94%
Grand Total	2699	\$3,673,754.59	\$1,223,175.07	\$2,450,589.52	67%	98%



**ATLANTIC COUNTY INSURANCE COMMISSION
WORKERS' COMPENSATION CLAIMS REPORT**

**WORKERS' COMPENSATION CLAIMS REPORTED
1/1/2021 – 9/30/2021**

	INDEMNITY	MEDICAL ONLY	REPORT ONLY	Grand Total
COUNTY OF ATLANTIC	37	85	42	164
ATLANTIC COUNTY UTILITY AUTHORITY	24	56	5	85
Grand Total	61	141	47	249

**COVID-19 CLAIMS REPORTED
1/1/2021 – 9/30/2021**

	INDEMNITY	REPORT ONLY	Grand Total
COUNTY OF ATLANTIC	3	6	9
ATLANTIC COUNTY UTILITY AUTHORITY	10	5	15
Grand Total	13	11	24



ATLANTIC COUNTY INSURANCE COMMISSION

Top 10 Providers

1/1/2021 - 9/30/2021

COMBINED

	ALLOWED	SPECIALTY
ATLANTICARE REGIONAL MEDICAL CENTER	\$390,318.85	Hospital
FERNANDO J. DELASOTTA MD	\$63,287.50	Neurosurgery
SHORE MEDICAL CENTER	\$61,446.95	Hospital
BACHARACH INSTITUTE FOR REHABILITATION, INC	\$53,540.00	Inpatient Rehab/Physical Therapy
ATLANTICARE SURGERY CENTER EHT	\$45,088.04	Ambulatory Surgery Center
ONE CALL CARE DIAGNOSTICS	\$38,521.36	MRI/Radiology
ORTHOPAEDICS NEW JERSEY, LLC	\$35,915.66	Orthopedics
SHORE AMBULATORY SURGICAL CTR, LLC	\$35,186.00	Ambulatory Surgery Center
NOVACARE REHABILITATION	\$33,243.00	Physical Therapy
ATLANTICARE URGENT CARE & OCCUPATIONAL HEALTH	\$33,220.87	Occ Med/Urgent Care
TOTAL	\$789,768.23	

COUNTY OF ATLANTIC

	ALLOWED	SPECIALTY
ATLANTICARE REGIONAL MEDICAL CENTER	\$155,887.27	Hospital
BACHARACH INSTITUTE FOR REHABILITATION, INC	\$43,071.00	Inpatient Rehab/Physical Therapy
ATLANTICARE SURGERY CENTER EHT	\$40,678.29	Ambulatory Surgery Center
FERNANDO J. DELASOTTA MD ONE	\$32,875.00	Neurosurgery
CALL CARE DIAGNOSTICS	\$29,545.03	MRI/Radiology
ORTHOPAEDICS NEW JERSEY, LLC	\$27,044.84	Orthopedics
SHORE MEDICAL CENTER	\$25,066.35	Hospital
SHORE AMBULATORY SURGICAL CTR, LLC	\$22,398.00	Ambulatory Surgery Center
REMOTE NEUROMONITORING PHYSICIANS	\$21,356.20	Neurology
ATLANTICARE URGENT CARE & OCCUPATIONAL HEALTH	\$20,548.34	Occ Med/Urgent Care
TOTAL	\$418,470.32	

UTILITY AUTHORITY

	ALLOWED	SPECIALTY
ATLANTICARE REGIONAL MEDICAL CENTER	\$234,431.58	Hospital
SHORE MEDICAL CENTER	\$36,380.60	Hospital
FERNANDO J. DELASOTTA MD	\$30,412.50	Neurosurgery
COOPER HEALTH SYSTEMS	\$25,123.50	Hospital
NOVACARE REHABILITATION	\$12,914.00	Physical Therapy
SHORE AMBULATORY SURGICAL CTR, LLC	\$12,788.00	Ambulatory Surgery Center
ATLANTICARE URGENT CARE & OCCUPATIONAL HEALTH	\$12,672.53	Occ Med/Urgent Care
TWIN BORO PHYSICAL THERAPY	\$11,375.00	Physical Therapy
BACHARACH INSTITUTE FOR REHABILITATION, INC	\$10,469.00	Inpatient Rehab/Physical Therapy
ROTHMAN ORTHOPAEDICS	\$9,460.54	Orthopedics
TOTAL	\$396,027.25	

IMPROVEMENT AUTHORITY

	ALLOWED	SPECIALTY
CROZER CHESTER MEDICAL CENTER	\$4,629.00	Hospital
TOTAL	\$4,629.00	



ATLANTIC COUNTY INSURANCE
COMMISSION CUMULATIVE SAVINGS

COUNTY OF ATLANTIC

2021	UNITS OF SERVICE	BILLED	APPROVED	SAVINGS	% SAVINGS	PPO PENETRATION RATE
JANUARY	241	\$327,286.18	\$128,280.15	\$199,006.03	10%	98%
FEBRUARY	146	\$156,628.91	\$53,809.49	\$102,819.42	66%	99%
MARCH	266	\$238,701.91	\$80,393.81	\$158,308.10	66%	93%
APRIL	142	\$157,720.81	\$49,957.88	\$107,762.93	68%	99%
MAY	99	\$126,503.80	\$32,882.67	\$93,621.13	74%	99%
JUNE	234	\$426,692.80	\$125,836.64	\$300,856.16	71%	96%
JULY	157	\$261,726.09	\$75,458.52	\$186,267.57	71%	95%
AUGUST	91	\$60,951.78	\$24,053.69	\$36,898.09	61%	96%
SEPTEMBER	156	\$306,033.52	\$80,425.57	\$225,607.95	74%	99%
OCTOBER						
NOVEMBER						
DECEMBER						
Grand Total	1532	\$2,062,245.80	\$651,098.42	\$1,411,147.38	68%	97%

COUNTY OF ATLANTIC

2020	UNITS OF SERVICE	BILLED	APPROVED	SAVINGS	% SAVINGS	PPO PENETRATION RATE
JANUARY	165	\$178,855.87	\$66,817.09	\$112,038.78	63%	99%
FEBRUARY	152	\$120,483.09	\$41,092.63	\$79,390.46	66%	93%
MARCH	147	\$193,046.02	\$65,519.09	\$127,526.93	66%	98%
APRIL	150	\$123,641.22	\$46,901.14	\$76,740.08	62%	96%
MAY	72	\$128,793.57	\$39,766.43	\$89,027.14	69%	98%
JUNE	51	\$30,179.95	\$12,684.51	\$17,495.44	58%	88%
JULY	114	\$348,543.80	\$90,180.40	\$258,363.40	74%	97%
AUGUST	117	\$98,707.84	\$38,407.03	\$60,300.81	61%	85%
SEPTEMBER	200	\$321,690.49	\$131,556.98	\$190,133.51	59%	97%
OCTOBER	210	\$303,363.01	\$96,457.45	\$206,905.56	68%	93%
NOVEMBER	359	\$484,328.07	\$163,798.79	\$320,529.28	66%	98%
DECEMBER	252	\$244,305.89	\$77,663.28	\$166,642.61	68%	98%
Grand Total	1989	\$2,575,938.82	\$870,844.82	\$1,705,094.00	66%	98%

UTILITY AUTHORITY

2021	UNITS OF SERVICE	BILLED	APPROVED	SAVINGS	% SAVINGS	PPO PENETRATION RATE
JANUARY	92	\$63,346.94	\$25,988.07	\$37,358.87	59%	97%
FEBRUARY	61	\$422,848.35	\$162,617.00	\$260,231.35	62%	100%
MARCH	106	\$233,173.00	\$66,590.88	\$166,582.12	71%	100%
APRIL	37	\$33,272.62	\$11,957.98	\$21,314.64	64%	100%
MAY	18	\$17,853.14	\$4,332.62	\$13,520.52	76%	99%
JUNE	92	\$104,911.51	\$25,054.39	\$79,857.12	76%	100%
JULY	97	\$190,625.93	\$71,553.92	\$119,072.01	62%	98%
AUGUST	87	\$292,788.09	\$96,472.40	\$196,315.69	67%	96%
SEPTEMBER	88	\$45,844.10	\$17,696.43	\$28,147.67	61%	94%
OCTOBER						
NOVEMBER						
DECEMBER						
Grand Total	678	\$1,404,663.68	\$482,263.69	\$922,409.99	66%	98%

UTILITY AUTHORITY

2020	UNITS OF SERVICE	BILLED	APPROVED	SAVINGS	% SAVINGS	PPO PENETRATION RATE
JANUARY	47	\$66,796.16	\$20,881.37	\$45,914.79	69%	99%
FEBRUARY	32	\$25,700.00	\$7,612.60	\$18,087.40	70%	74%
MARCH	26	\$10,043.00	\$4,114.24	\$5,928.76	59%	100%
APRIL	75	\$72,570.02	\$20,981.24	\$51,588.78	71%	95%
MAY	58	\$23,634.00	\$10,601.49	\$13,032.51	55%	92%
JUNE	33	\$98,929.00	\$16,068.03	\$82,860.97	84%	94%
JULY	53	\$176,801.59	\$48,674.80	\$128,126.79	72%	98%
AUGUST	43	\$47,578.77	\$16,849.11	\$30,729.66	65%	94%
SEPTEMBER	55	\$61,834.97	\$24,749.30	\$37,085.67	60%	83%
OCTOBER	63	\$136,197.32	\$48,199.13	\$87,998.19	65%	99%
NOVEMBER	117	\$251,865.08	\$96,591.44	\$165,273.64	65%	99%
DECEMBER	104	\$125,279.86	\$46,608.87	\$78,670.99	63%	96%
Grand Total	706	\$1,097,229.77	\$351,931.62	\$745,298.15	68%	97%

IMPROVEMENT AUTHORITY

2021	UNITS OF SERVICE	BILLED	APPROVED	SAVINGS	% SAVINGS	PPO PENETRATION RATE
JANUARY	0	\$0.00	\$0.00	\$0.00		
FEBRUARY	0	\$0.00	\$0.00	\$0.00		
MARCH	1	\$4,629.00	\$4,629.00	\$0.00	0%	0%
APRIL	0	\$0.00	\$0.00	\$0.00		
MAY	0	\$0.00	\$0.00	\$0.00		
JUNE	0	\$0.00	\$0.00	\$0.00		
JULY	0	\$0.00	\$0.00	\$0.00		
AUGUST	0	\$0.00	\$0.00	\$0.00		
SEPTEMBER	0	\$0.00	\$0.00	\$0.00		
OCTOBER						
NOVEMBER						
DECEMBER						
Grand Total	1	\$4,629.00	\$4,629.00	\$0.00	0%	0%

IMPROVEMENT AUTHORITY

2020	UNITS OF SERVICE	BILLED	APPROVED	SAVINGS	% SAVINGS	PPO PENETRATION RATE
JANUARY	0	\$0.00	\$0.00	\$0.00		
FEBRUARY	0	\$0.00	\$0.00	\$0.00		
MARCH	1	\$46.00	\$14.89	\$31.11	68%	100%
APRIL	0	\$0.00	\$0.00	\$0.00		
MAY	0	\$0.00	\$0.00	\$0.00		
JUNE	0	\$0.00	\$0.00	\$0.00		
JULY	0	\$0.00	\$0.00	\$0.00		
AUGUST	0	\$0.00	\$0.00	\$0.00		
SEPTEMBER	1	\$272.00	\$178.20	\$93.80	34%	100%
OCTOBER	1	\$139.00	\$102.77	\$36.23	26%	100%
NOVEMBER	1	\$139.00	\$102.77	\$36.23	26%	100%
DECEMBER	0	\$0.00	\$0.00	\$0.00		
Grand Total	4	\$596.00	\$398.63	\$197.37	33%	100%



Atlantic County Insurance Commission
Risk Managers Report

To: Atlantic County Insurance Commission

From: Brown & Brown Insurance

Date: October 8, 2021

Brown & Brown Contacts

Bob Gemmell (Cell) 610-737-2250 bgemmell@bbmetro.com	Sean Gormley (Cell) 609-605-4656 sean@irsteam.com
Wayne Ring (office) 973-549-1975 wring@bbmetro.com	Crystal Robinson (office) 973-531-292 crobinson@bbmetro.com
Suzanne Bridge (office) 973-549-1875 sbridge@bbmetro.com	

Activities since September 10, 2021:

1. Claims Review/Updates from Mark Rudisill from Qual Lynx
 - o Owens vs County
 - o Green vs County
 - o Mulvihill vs ACUA
 - o Marsh vs County
 - o Hughes vs County
2. Safety Manual Review – Targeted for Department/Job Description
3. Renewal Exposure Review and Origami Update
4. Reviewed and Updated Properties based off Asset Works Appraisals
5. Participated in Internal Safety Committee meeting – 9/20/21
6. Reviewed numerous insurance requirements/Certificate Reviews
7. Reviewed numerous Law Enforcement and Safety Bulletins provided by Natalie Dougherty, Sr. Administrative Coordinator from JA Montgomery for the NJCEL JIF

APPENDIX I
MEETING MINUTES

ATLANTIC COUNTY INSURANCE COMMISSION
OPEN MINUTES
MEETING – September 10, 2021 at 11:00 A.M.
MEETING HELD VIRTUALLY via ZOOM

Meeting was called to order by Commissioner Woods. Open Public Meetings notice read into record.

PLEDGE OF ALLEGIANCE

ROLL CALL OF COMMISSIONERS:

Jacqueline Woods Present
Tammi Robbins Present
Janette Kessler Present
Joseph Giraldo Present
Michael Fedorko Present

FUND PROFESSIONALS PRESENT:

Executive Director PERMA Risk Management Services **Brad Stokes**

Claims Administrator Qual-Lynx
Karen Beatty
Kathy Kissane

PERMA Claims
Jennifer Conicella (not present)

CEL Underwriting Manager Conner Strong & Buckelew

Attorney **James F. Ferguson (not present)**

Treasurer **Bonnie Lindaw**

Safety Director J.A. Montgomery Risk Control
Jonathan Czarnecki for Glenn Prince

Risk Management Consultant Brown & Brown Insurance
Bob Gemmell

ALSO PRESENT:

Dennis Skalkowski, Bowman & Co.
James Miles, Bowman & Co.
Rachel Chwastek, PERMA Risk Management Services
James Dugan, Atlantic County
Chandra Anderson, Atlantic County

September 10, 2021

Atlantic County Insurance Commission OPEN Minutes

APPROVAL OF MINUTES: OPEN MINUTES OF JULY 9, 2021.

MOTION TO APPROVE OPEN MINUTES OF JULY 9, 2021.

Motion: Commissioner Robbins
Second: Commissioner Giraldo
Vote: 5 Ayes

CORRESPONDENCE: None.

CERTIFICATES OF INSURANCE: There were 12 certificates issued from June 1, 2021 to August 1, 2021.

MOTION TO APPROVE THE CERTIFICATE OF INSURANCE REPORT.

Motion: Commissioner Giraldo
Second: Commissioner Robbins
Vote: 5 Ayes

EXECUTIVE DIRECTOR'S REPORT: Brad Stokes presented the Executive Director's report. The 2020 audit report is reviewed. Bowman & Company provided an in depth review of the audit earlier this week. Dennis Skalkowski provided a brief overview of the results of the audit. The 2020 audit is a clean audit with no claims or recommendations noted. The Commission is in a very good financial position. Mr. Stokes thanked Bowman & Company for their assistance with the audit.

MOTION TO APPROVE RESOLUTION 19-21 CERTIFICATION OF ANNUAL AUDIT REPORT FOR PERIOD ENDING DECEMBER 31, 2020.

Motion: Commissioner Fedorko
Second: Commissioner Giraldo
Vote: 5 Ayes

On August 21, 2020, Governor Murphy signed Senate Bill 855 into law which changes the title of Chosen Freeholder to County Commissioner. In order to comply with this new law the Commission's rules and regulations have to be amended. Several amendments have been made in the rules and regulations to change Chosen Freeholder to County Commissioner. A public hearing and adoption can occur at the October 8, 2021 meeting.

MOTION TO APPROVE THE FIRST READING OF AN AMENDMENT TO THE COMMISSION'S RULES AND REGULATIONS AND SCHEDULE A PUBLIC HEARING AND ADOPTION AT THE FUND'S OCTOBER 8, 2021 MEETING.

Motion: Commissioner Kessler
Second: Commissioner Robbins
Vote: 5 Ayes

Since the inception of the Commission in 2015, funds have been allocated in the Commission's budget each year for treasurer services and attorney services. The County's attorney and treasurer have spent many

hours on Commission matters and have not collected those funds. The County would like to draw those funds down retroactively to 2015.

MOTION TO APPROVE RESOLUTION 20-21 AMENDING RESOLUTION 3-21 ALLOWING ATLANTIC COUNTY TO BE PAID BUDGETED FUNDS FOR COMMISSION TREASURER SERVICES AND RESOLUTION 21-21 AMENDING RESOLUTION 4-21 ALLOWING ATLANTIC COUNTY TO BE PAID BUDGETED FUNDS FOR COMMISSION ATTORNEY SERVICES.

Motion: Commissioner Giraldo
Second: Commissioner Robbins
Vote: 5 Ayes

The Atlantic County Treasurer's Office requested a stipend of \$3,000 per year to be paid to Inna Parasmov for work she has performed on behalf of the Commission retroactive to 2018.

MOTION TO APPROVE RESOLUTION 22-21 APPROVING PAYMENT OF A STIPEND TO INNA VASILIEVA PARASMO FOR COMMISSION TREASURER SERVICES.

Motion: Commissioner Robbins
Second: Commissioner Woods
Vote: 5 Ayes

The next CEL meeting is September 23, 2021 at 9:30 A.M. via Zoom. The 2022 renewal will be reviewed during that meeting.

The Fund's financial fast track from May 31, 2021 shows the Commission has a statutory surplus of \$3.6 million. There is \$6.6 million in cash.

The CEL financial fast track for the month of May shows a surplus of \$13.6 million and a cash amount of \$27.3 million.

Claim tracking shows 7 less open claims from May to June and 17 less open claims for June to July. Most of the closed claims were property claims.

Asset Works has completed the fieldwork for the appraisals and will be distributing their reports to the member entities and risk manager.

The 2022 renewal is underway with a deadline to complete the data entry of September 17, 2021.

Upcoming conferences include the 2021 Government Finance Officers Association of NJ from September 21st to September 24th. JA Montgomery will be presenting at this conference. The 2021 New Jersey Association of Counties Conference is scheduled for October 12th to October 14th at Caesar's in Atlantic City. JA Montgomery will also be presenting at this conference. Finally, the 2021 NJ Legal of Municipalities conference is scheduled for November 16th to November 18th at the Atlantic City Convention Center.

The next meeting is October 8, 2021.

September 10, 2021

Atlantic County Insurance Commission OPEN Minutes

CLAIMS SERVICES:

No report.

TREASURER:

Bonnie Lindaw provided the monthly report. Resolution 18-21 is the August Bills List and checks were issued in August. The bills were reviewed according to the budget. The total was \$1,133,117.14, all from fund year 2021.

At the end of August, the admin account had a balance of \$11,147,135.64 with outstanding checks in the amount of \$163,672.79. The general liability account has outstanding checks in the amount of \$28.00 which includes a stale dated check. There was \$98.60 collected in interest year to date. The workers' comp account has outstanding checks in the amount of \$140,062.79 and year to date interest of \$524.93.

MOTION TO APPROVE RESOLUTION 18-21 THE AUGUST BILLS LIST.

Motion: Commissioner Giraldo
Second: Commissioner Fedorko
Vote: 5 Ayes

CEL SAFETY DIRECTOR – JA MONTGOMERY RISK CONTROL:

Jonathan Czernecki of JA Montgomery presented the safety report for July through September. The media library and online streaming services remain available. Training is available on the website NJCE.org. Instructor led programs may be available. If that method is requested then members should contact Glenn Prince, Natalie or Jonathan.

September is preparedness month and members are encouraged to visit ready.gov for ideas and recommendations.

A loss control visit was conducted at the Brigantine Golf Links with only minor recommendations.

MANAGED CARE – QUAL-LYNX:

Karen Beatty presented the claims services report. The cumulative savings report reflects savings of 67% with 97% of the care being in network. There are no changes in the top 10 providers. The intake reporting shows so far this year there are 214 claims, 137 claims from the County, and 77 from the Utilities Authority. There are 20 COVID-19 claims, 6 from the County and 14 from the Utilities Authority.

CLAIMS SERVICES – QUAL-LYNX:

Kathy Kissane reported the Claims Committee met prior to the Commission meeting and reviewed 12 PARS. After some discussion on defense strategies, the PARS were recommended for approval by the Committee. Unless there are any other questions which would require a closed session, she requested a motion for approval of the PARS as reviewed and recommended by the Claims Committee.

MOTION TO APPROVE THE 12 PARS AS REVIEWED AND APPROVED DURING THE CLAIMS COMMITTEE MEETING OF SEPTEMBER 10, 2021.

Motion: Commissioner Robbins
Second: Commissioner Giraldo
Vote: 5 Ayes

RISK MANAGER'S REPORT:

Bob Gemmell provided the Risk Manager's report. The report covers all risk management actions completed in the past couple of months, including claims review, loss control and safety visits, review of certificates of insurance, and insurance requirement reviews. He came to the County and met with individuals about the safety manual and the job titles within the County departments to make sure all mandatory OSHA training is being completed. He has been actively involved with updating the vehicle and equipment lists on Origami. We have the most accurate information available.

OLD BUSINESS: None.
NEW BUSINESS: None.
PUBLIC COMMENT: None.

Commissioner Woods opened the meeting to public comment. Having heard no public comment the public session is closed. The next meeting is scheduled for October 8, 2021 at 11:00 A.M. via Zoom.

MOTION TO ADJOURN THE MEETING.

Motion: Commissioner Giraldo
Second: Commissioner Robbins
Vote: 5 Ayes

MEETING ADJOURNED: 11:24 A.M.

Minutes prepared by: Chandra Anderson, Secretary

APPENDIX II
Rules and Regulations

Atlantic County Insurance Commission

Rules and Regulations

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**ATLANTIC COUNTY INSURANCE COMMISSION
1333 Atlantic Avenue, Atlantic City, NJ 08401**

**Rules and Regulations Adopted December 29, 2014
Amended and Approved September 13, 2019
Amended and Approved May 8, 2020
Amended and Approved October 8, 2021**

WHEREAS, Article 3 of N.J.S.A. 40A:10-1, et seq. permits the County to establish an insurance commission so that the County and the local units associated with the County can achieve cost savings through the joint purchase or self-funding of these insurances; and

WHEREAS, on December 9, 2014 the Board of County Commissioners of the County of Atlantic created the Atlantic County Insurance Commission (hereinafter referred to as the "Commission"); and

WHEREAS, Article 3 of N.J.S.A. 40A:10-1, et seq. provides that the insurance Commissioners are authorized to adopt rules and regulations for the operation of the insurance Commission;

NOW, THEREFORE, the Commissioners hereby adopt the following rules and regulations:

ARTICLE I: DEFINITIONS

All terms used herein shall have the meaning consistent with the statutes and regulation then in effect. The definitions herein are for convenience.

"ACTUARY" means a person who is a fellow in good standing of the Casualty Actuarial Society with three years recent experience in loss reserving; an associate in good standing of the Casualty Actuarial Society with five years recent experience in loss reserving; or an associate in good standing of the American Academy of Actuaries who has been approved as qualified for signing loss reserve opinions by the Casualty Practice Council of the American Academy of Actuaries and who has seven years recent experience in loss reserving.

"ADMINISTRATOR" means a person, partnership, corporation or other legal entity engaged by the Commission to act as Executive Director to carry out the policies established by the Commissioners and to otherwise administer and provide day-to-day management of the Commission.

"ALLOCATED CLAIMS EXPENSE" means attorneys' fees, expert witness fees (i.e. engineering, physicians, etc.), medical reports, professional photographers' fees, police reports and other similar expenses. The exact definition of "allocated claims expense" or similar terms for any line of insurance coverage shall be the definition in the insurance policy issued by the Commission.

"COMMISSION" means the Atlantic County Insurance Commission (hereinafter referred to as the Commission).

"COMMISSION YEAR" means the Commission's fiscal year of January 1st through December 31st.

"COUNTY" means the County of Atlantic.

"EMPLOYER'S LIABILITY" means the legal liability of a public employer to pay damages because of bodily injury or death by accident or disease at any time resulting therefrom sustained by an employee arising out of and in the course of his employment by the public employer, which is not covered by workers' compensation law. The exact definition of "Employer's Liability" or similar terms shall be the definition used in the insurance policy issued by the Commission.

"EXCESS INSURANCE" means insurance purchased from an insurance company authorized or admitted in the State of New Jersey or deemed eligible by the Commissioner as a surplus lines insurer or from any other entity authorized to provide said coverage in this state pursuant to law, covering losses in excess of an amount set forth in insurance contracts on a specific occurrence, or per accident or annual aggregate basis.

"GENERAL LIABILITY" means any and all liability which may be insured under the laws of the State of New Jersey, excluding workers' compensation, and employer's liability. The exact definition of a "general liability" or similar terms is the definition used in the insurance policy issued by the Commission.

"INCURRED CLAIMS" means claims which occur during a Commission year including claims reported or paid during a later period. The exact definition of "incurred claims" or any similar term is the definition used in the excess insurance or reinsurance policy purchased by the Commission.

"INDEMNITY AND TRUST AGREEMENT" means a written contract signed by and duly adopted by the members of the Commission under which each agrees to jointly and severally assume and discharge the liabilities of each and every party to such agreement arising from their participation in the Commission. The agreement shall specify the extent of the member's participation in the Commission with respect to the types of coverage to be provided by the Commission and shall include the duration of Commission membership which shall not exceed three years. The agreement shall also specify that the member has never defaulted on claims if self-insured and has not been canceled for non-payment of insurance premiums for a period of at least two years prior to application to the Commission.

"LIFE INSURANCE" means life insurance as defined pursuant to N.J.S.A. 17B:117-
3.

"MANUAL PREMIUM" means the premium computed according to the Experience Rating Plan provided for in the New Jersey Workers' Compensation and Employer's Liability Insurance Manual on file with the Commissioner and similar insurance industry rating plans for other lines of coverage.

"MOTOR VEHICULAR AND EQUIPMENT LIABILITY" means liability resulting from the use or operation of motor vehicles, equipment or apparatus owned by or controlled by the members or owned by or under the control of any subdivision thereof including its departments, boards, agencies or commissions. The exact definition of "motor vehicular and equipment liability" or any similar terms shall be the definition of the insurance policy issued by the Commission.

"OCCURRENCE" means a single event. The exact definition of "occurrence" or any similar term shall be the definition used in the insurance policy issued by the Commission.

"PRODUCER" means any person engaged in the business of an insurance agent, insurance broker, or insurance consultant as defined in N.J.S.A. 17:22A-1, et seq.

"PROPERTY DAMAGE" means any loss or damage, however caused, to property including monies and securities, motor vehicles, equipment or apparatus owned by the member or owned by or under the control of any of its departments, boards, agencies, commissions, or other entities which the membership may provide coverage for. The exact definition of "property damage" or similar terms shall be the definition in the insurance policy issued by the Commission.

"QUALIFIED LOCAL UNIT" means any entity governed by a board appointed by the County Executive or County Board of County Commissioners as the case may be including, but not limited to, a county college, technical school, library, or county authority.

"SERVICING ORGANIZATION" means an individual, partnership, association, or corporation, other than the administrator, that has contracted with the Commission to provide, on the Commission's behalf, any function as designated by the Commissioners including, but not limited to, actuarial services, claims administration, cost containment services, loss prevention/safety engineering services, legal services, auditing services, financial services, compilation and maintenance of the Commission's underwriting file, coordination and preparation of coverage documents, risk selection and pricing, excess insurance or reinsurance producer services, which include producer negotiations on behalf of the Commission for excess insurance or reinsurance from an insurer, member assessment and fee development, report preparation and such other duties as designated by the Commission.

"SURPLUS" means that amount of monies in a trust account that is in excess of all costs, earned investment income, refunds, incurred losses and loss adjustment expenses and Incurred But Not Reported (IBNR) reserves including the associated loss adjustment expenses attributed to the Commission net of any recoverable per occurrence or aggregate excess insurance or reinsurance for a particular year.

"WORKERS' COMPENSATION" means the provisions of N.J.S.A. 34:15-7, et seq.

ARTICLE II: MEMBERSHIP APPLICATIONS

A. Membership Applications.

1. The governing body of a qualified local unit shall by resolution, agree to join the Commission. The resolution shall provide for execution of a written agreement specifically providing for acceptance of the Commission's rules and regulations as approved and adopted by the Commissioners. The resolution shall also provide for the execution of an Indemnity and Trust Agreement as defined in Article I.

2. Any qualified local unit seeking membership shall also submit an application for membership to the Commission on a form acceptable to the Commissioners. The application shall include the executed Indemnity and Trust Agreement and the resolution required under Subsection 1 above.

3. An application may be approved by a majority vote of the Commissioners based on the following criteria:

a. The applicant's claims history shows safety performance consistent with the Commission's objectives and the applicant's physical location and makeup indicates a prospective likelihood of satisfactory future claim performance.

b. The Commission has the administrative capability to absorb additional memberships without undue inconvenience or strain.

4. If an applicant is not approved for membership, the Commission shall set forth in writing the reasons for disapproval and send the reasons for disapproval to the applicant. The Commission shall retain a copy of all membership application disapprovals for five (5) years.

B. Membership Renewals.

1. Members may renew their participation by execution of a new resolution to join the Commission ninety (90) days prior to the expiration of the term.

2. The Commissioners must act upon any renewal application no later than forty-five (45) days prior to the expiration of the term period. Otherwise, the renewal application is automatically approved.

3. In order to deny a renewal application, the Commissioners shall find by majority vote that the applicant has failed to fulfill its responsibilities as a member or no longer meets the Commission's risk management or underwriting standards or other reasons approved by the Commissioners as reasons for termination.

4. If a member's renewal application is rejected, the Commission shall comply with the termination provisions as outlined below.

5. Non-renewal of a Commission member does not relieve the member of responsibility for claims incurred during its period of membership.

C. Termination and/or Withdrawal of Commission Members.

1. A member must remain in the Commission for the full term of membership unless terminated earlier by the Commissioners for non-payment of assessments or continued non-compliance after receiving written notice to comply with the Commission's rules and regulations, risk management or underwriting standards, or other reasons approved by the Commissioners as reasons for termination. However, a member shall not be deemed terminated until the Commission gives by registered mail to the member a written notice of its intention to terminate the member in thirty (30) days.

2. A member that does not desire to continue as a member after the expiration of its membership term shall give written notice to the Commission of its intent ninety (90) days before the expiration of the term period.

3. A member that has been terminated or does not continue as a member of the Commission shall remain jointly and severally liable for claims incurred by the Commission and its members during the period of its membership, including, but not limited to, being subject to and liable for supplemental assessments.

ARTICLE III: ORGANIZATION

A. Commissioners.

1. The County Executive, with the advice and consent of the Board of County Commissioners, shall appoint three (3) officials from either the County or other member entity to serve as Commissioners.

2. In addition to the three (3) Commissioners referenced in paragraph A.1 of this Article, the County Executive, with the advice and consent of the Board of County Commissioners, may appoint two (2) additional officials to serve as alternate Commissioners. The alternate Commissioners shall serve at meetings and undertake the duties of the regular Commissioners when any current Commissioner is unavailable to serve due to sickness, other incapacity, or in cases where one or more Commission member(s) cannot participate in any official Commission action by reason of recusal on such subject matter where a quorum as set forth in Article V, Section D would be jeopardized. The alternate Commissioners shall be an official or employee of the County or from either of the other constituent members of the Atlantic County Insurance Commission. The alternate Commissioners shall be subject to all of the provisions of Article III of the Commission's rules and regulations.

3. The Commissioners shall hold office for two (2) years or for the remainder of their term of office as officials, whichever shall be less, and until their successors shall have been duly appointed and qualified. Vacancies in the office of Commissioners caused by any reason other

than expiration of term as an official shall be filled for the unexpired term.

4. The Commissioners shall serve without compensation.

5. The Commissioners are hereby required, authorized and empowered to operate the Commission in accordance with these rules and regulations, and appropriate state laws and regulations in the interests of the total membership of the Commission. The Commissioners shall have the following powers and authority:

a. Employ necessary clerical assistants, whose compensation shall be fixed and paid by the governing body of the local unit in the same manner as is that of other employees of the local unit;

b. Invest the funds and all additions and accretions thereto in compliance with New Jersey laws and regulations, as they shall deem best suited for the purposes of this article;

c. Adopt rules and regulations for the control and investment of the funds;

d. Keep on hand at all times sufficient money, or have the same invested in such securities as can be immediately sold for cash, for the payment of losses to any buildings or property of the local unit or of a county college which participates in the Commission pursuant to P.L. 1988, c. 144 (C. 18A:64A-25.40 et al.) or of a county vocational school which participates in the commission pursuant to P.L. 1988, c. 143 (C. 18A:18B-8 et al.), or liability resulting from the operation of publicly owned motor vehicles, equipment or apparatus;

e. Fix reasonable rates of premium for all insurance carried by the Commission and shall affect all insurance in the Commission or with any insurance company or companies authorized to do business in this State;

f. Premiums for insurance, whether carried in the Commission insurance fund or placed with insurance companies, shall be paid to the Commission by the board, commission, department, committee or officer having charge or control of the property insured;

g. All insurance upon property owned or controlled by the County, or any of its departments, boards, agencies or commissions, or by a participating local unit including, but not limited to, a board of education of a participating county vocational school or by a board of trustees of a participating county college shall be placed and effected by the Commissioners; and

h. Each Commissioner shall have one vote.

B. CEL Commissioner.

1. The Commissioners will appoint a Counties Excess Liability Joint Insurance Fund (CEL) Representative.

2. The CEL Representative shall have the following powers and authority:

- a. The CEL Representative will attend and participate in the scheduled CEL Meetings annually;
- b. The Representative will then apprise the Commission of the CEL's activities; and
- c. The Representative will abide by the CEL's by-laws.

C. Officers.

1. As soon as possible after the beginning of each Commission year, the Commissioners shall meet to elect the following officers of the Commission from its own membership. Commission officers shall serve until January 1st of the following year, or until a successor is duly elected and qualified.

a. **Chairperson.** The Chairperson shall preside at all meetings of the Commission and shall perform such other duties provided for in these rules and regulations, and the laws and regulations of the State of New Jersey; and

b. **Vice-Chairperson.** The Vice-Chairperson shall serve as Acting Chairperson in the absence of the Chairperson, and shall perform such other duties as provided for in these rules and regulations, and the laws and regulations of the State of New Jersey.

2. In the event of a vacancy in any of the officer positions caused by other than the expiration of the term of office, the County Executive with the advice and consent of the Board of County Commissioners shall appoint a Commissioner to fill the vacancy for the unexpired term.

3. Any officer can be removed with cause at any time by the Board of County Commissioners by resolution.

D. Secretary.

1. The County Executive with the advice and consent of the Board of County Commissioners shall appoint a person to serve as secretary to the Commission. The salary of the secretary shall be set by resolution, as authorized by the Atlantic County Board of County Commissioners upon recommendation of the County Executive. Vacancies in the position of secretary shall be filled in the manner of the original appointment.

2. The Secretary shall have the following duties:

a. Coordinate the Commission's meeting agenda, minutes, elections, contracts, and maintain the Commission's official records and office;

b. Perform such other duties as provided for by the Commissioners, these rules and regulations, and the laws and regulations of the State of New Jersey.

E. Commission Professionals. As soon as possible after the beginning of each year, the Commissioners shall meet and select persons to serve in the following professional positions. No professional nor any employee, officer or director, or beneficial owner thereof, shall be a Commissioner. All professionals shall be retained pursuant to the Local Public Contracts Law. All Commission professionals shall be retained on a contractual basis which shall be approved by the Commissioners. Commission Professionals shall be compensated for their services pursuant to written fee guidelines submitted annually and approved by a majority of the Commissioners. The written fee schedule shall be part of the official contract.

1. Treasurer. The Treasurer shall be a Certified County Finance Officer and have the following duties and responsibilities:

a. Custodian of the Commission's assets and shall maintain the various trust funds;

b. Approval of all receipts, disbursements, and financial records;

c. Draft the cash management plan and invest all balances;

d. Ascertain availability of sufficient unencumbered funds in any account to fully pay all charges or commitments prior to any payment or commitment;

e. The Treasurer shall perform such other duties as provided for by the Commissioners, these rules and regulations, and in the laws and regulations of the State of New Jersey; and

f. There is no need for a fidelity bond as a County employee is covered by the provisions of the NJCE crime policy.

2. Executive Director/Administrator. The Administrator shall serve as Executive Director of the Commission and shall be a licensed New Jersey Insurance Producer who shall be experienced in risk management matters and self-funded entities. The Administrator shall have the following duties and responsibilities:

a. Carry out the policies established by the Commissioners and to otherwise supervise the management of the Commission;

b. Advise the Commissioners on risk management matters and shall prepare a draft Risk Management Plan;

c. Prepare the Commission's budget, compile and bill assessments;

d. Maintain underwriting files, secure insurance and excess insurance as

authorized by the Commission and prepare new members' submissions for review by the Commissioners;

e. Prepare draft requests for proposals for services to be provided by servicing organizations and monitor the performance of the service companies;

f. Prepare filings required by state regulations;

g. Coordinate in conjunction with the Commission's secretary the meeting agenda, minutes, elections, contracts, and maintain the Commission's official records and office;

h. Maintain the Commission's general ledger, accounts payable and accounts receivable function;

i. Perform such other duties as provided for by the Commissioners, these rules and regulations, and the laws and regulations of the State of New Jersey;

j. The Administrator shall assume overall executive responsibility for the operations of the Commission except that the Administrator shall not be responsible for the errors and omissions of any other servicing organization except as to generally monitor the compliance of said organization with the directives of the Commissioners, its service provider contract, or the applicable statutes and regulations as to the form and timeliness of said undertaking. For example, the Executive Director shall be responsible to verify the issuance of excess or reinsurance policies, and the timely receipt of said policies by the Commission; and

k. The Administrator shall be bonded in a form and amount acceptable to the Commissioner. The Administrator shall also be covered by errors and omissions insurance, said coverage is to be paid by the Commission.

3. Auditor. The Auditor shall be an independent Certified Public Accountant (CPA) or a Registered Municipal Accountant (RMA) who has evidenced the ability and experience to properly examine an insurance commission. The Auditor shall conduct the annual audit of the Commission and shall perform such other duties as provided for by the Commissioners, these rules and regulations, and the laws and regulations of the State of New Jersey.

4. Attorney. The Commission Attorney shall be admitted to the New Jersey Bar and shall provide advice to the Commission on legal matters such as advising the Commissioners of their obligations and responsibilities under Article 3 of N.J.S.A. 40A:10-1, et seq., these rules and regulations, and other pertinent law such as the Open Public Meetings Act. The attorney shall have the following responsibilities:

a. The Attorney shall advise the Commission as to the appropriateness of claim settlements recommended by the Claims Administrator;

b. The Attorney shall advise the Commissioners on the selection of counsel to represent the Commission members in the defense of claims. The Attorney may also provide representation concerning incidental aspects of claim matters such as motions where it is more expeditious, cost effective or otherwise to do so. However, the Attorney or any member of the Attorney's law firm shall not defend claims which are the responsibility of the Commission without the authorization of the Commissioners; and

c. The Attorney shall perform such other duties as provided for by the Commissioners, these rules and regulations, and the laws and regulations of the State of New Jersey.

5. Actuary. The Actuary shall certify the actuarial soundness of the Commission and shall report to the Commissioners in a manner and at such times established by them, and shall provide such actuarial reports as required by the Commission. The Actuary shall certify claim reserves, reserves for Incurred But Not Reported (IBNR) losses, and unearned assessments and shall comment on the adequacy of the budget.

6. Risk Managers. The Commission shall appoint an Insurance Producer(s) as a Risk Management Consultant(s) who shall not be a Commissioner. The Risk Management Consultant's specific responsibilities shall include, but not be limited to:

- a. Evaluation of the member's exposures;
- b. Explanation of the various coverages available from the Commission and assisting the member in the selection of proper coverage;
- c. Preparation of applications, statements of values, etc. as required by the Commission;
- d. Review of the member's assessment and assisting in the preparation of the local unit's insurance budget;
- e. Assisting in the claims settlement process;
- f. Review of losses and engineering reports and providing assistance to the member's safety committee; and
- g. The Risk Management Consultant(s) shall be appointed in conformance with the Local Public Contracts Law.

7. Servicing Organizations. The Commission may contract to have the following services performed:

- a. Actuarial services;
- b. Claims administration;
- c. Cost containment services;

- d. Loss prevention/safety engineering services;
- e. Legal services;
- f. Auditing services;
- g. Financial services;
- h. Compilation and maintenance of the Commission's underwriting file;
- i. Coordination and preparation of coverage documents;
- j. Risk selection and pricing;
- k. Excess insurance or reinsurance producer services;
- l. Member assessment and fee development;
- m. Report preparation; and
- n. Other duties as designated by the Commission.

i. The Commission may at its option contract for these services from different servicing organizations.

ii. No servicing organization of the Commission or their employees, officers or directors shall have either a direct or indirect financial interest in the administration of the Commission or be an employee, officer or director of the administrator unless notice of such interest has been provided to the Commissioners and members.

iii. No administrator of the Commission, or their employees, officers or directors shall be an employee, officer or director of, or have either a direct or indirect financial interest in, a servicing organization of the Commission, or the insurance producer that may be appointed by that Commission unless notice of such interest has been provided to the Commissioners and members.

iv. Any employee, officer or director of the administrator or servicing organization shall disclose to the Commissioners, any direct or indirect financial interest such employee, officer or director has in any other administrator, servicing organization or insurance producer.

v. Each service contract shall include a clause stating "unless the Commissioners otherwise permit, the servicing organization shall handle to its conclusion all claims and other obligations incurred during the contract period."

vi. Each Servicing Organization shall provide a surety bond and errors and omissions coverage if required by law, in a form and amount acceptable to the Commission.

vii. All officers, employees and agents, including the Administrator and Servicing Organization of the Commission, on the final day of their contract or employment shall surrender and deliver to their successors all accounts, funds, property, records, books and any other material relating to their contract or employment, or if no successor has been designated, delivery shall be made to the Administrator or Commission Chairperson.

8. Indemnification of Officers and Employees.

a. The Administrator, Claims Service Provider(s), Producer, Risk Management Consultant(s) and such others as are required by regulation to do so, shall provide errors and omissions coverage in a form satisfactory to the Commission. The Commissioners may also require other professionals to provide evidence of errors and omissions coverage, and any other coverage as a requirement of their contract.

b. Except to the extent covered by errors and omissions insurance as may be required, as set forth above, the Commission shall indemnify and defend any past, present or future Commissioner, and may indemnify such other officials or professionals or service providers as the Commissioners determine, for claims arising from an act or omission of such Commissioner, official or employee within the scope of the performance of such individual's duties as Commissioner, official, professional or employee within the scope of the performance of such individual's duties as Commissioner, official, professional or employee. Such indemnification shall include reasonable cost and expenses incurred in defending such claims. Nothing contained herein shall require the Commission to pay punitive damages, exemplary damages, or damages arising from the committing of a crime by such an individual. The Commission shall not be required to provide for the defense or indemnification of such an individual when the act or omission which caused the injury was the result of actual fraud, malice, gross negligence, or willful misconduct of such individual or in the event of a claim against such an individual by the State of New Jersey, or if such Commissioner, official, professional or employee is either covered, or required to be covered by errors and omissions liability insurance. The determination as to whether an individual's conduct falls within any of the above exceptions shall be made by the Commissioners. Nothing herein contained is intended to shield omission or wrongdoing which would not customarily be covered by errors and omissions insurance if same had been required of said employee or appointed official.

c. A present, past or future Commissioner, official, professional or employee of the Commission shall not be entitled to a defense or indemnification from the Commission unless:

i. Within ten (10) calendar days of the time he or she is served with the summons, complaint, process, notice or pleading, he or she delivers the original or exact copy to the Commission Chairperson with a copy to the Commission attorney, together with a request that the Commission provide for his or her defense;

ii. In the event the Commission provides a defense or indemnification, he or she cooperates in the preparation and presentation of the defense with the attorney selected to defend the case; and

iii. Except in those instances where a conflict of interest exists, as determined by an attorney selected by the Commission to handle such matters, the past, present or future Commissioner, official, professional or employee shall agree that the Commission and its counsel shall have exclusive control over the handling of the litigation.

d. The foregoing right of indemnification shall not be exclusive of any other rights to which any Commissioner, official, professional or employee may be entitled as a matter of law or which may be lawfully granted to him or her. The right to indemnification hereby granted by this Commission shall be in addition to and not in restriction or limitation of any other privilege or power which the Commission may lawfully exercise with respect to the indemnification or reimbursement of a Commissioner, official, professional or employee; except that in no event shall a Commissioner, official, professional or employee receive compensation in excess of the full amount of a claim and reasonable costs and expense incurred in defending such claim.

e. Expenses incurred by any Commissioner, official, professional or employee in defending an action, suit or proceeding may be paid by the Commission in advance of final determination of such action, suit or proceeding as authorized by the Commission, in a specific case upon receipt of an undertaking by or on behalf of such member or officer to repay such amount in the event of an ultimate determination that his or her conduct was such as to fall outside the scope of coverage under this indemnification provision.

9. Advisory Committees. From time to time, the Commission Chairperson may establish advisory committees and may appoint any individual to serve on these committees.

a. Loss Prevention/Safety Committee.

i. Each member shall appoint one of its management employees to serve as the safety coordinator, for the member. The safety coordinator shall serve as the representative of the member on the Commission's Safety Committee. The member shall also designate a management employee to serve as alternate safety coordinator whenever the safety coordinator is unable to serve. The safety coordinator and the alternate shall serve at the pleasure of the member and shall perform those duties specified in the Commission's Loss Control Program.

ii. The Commission's safety committee shall consist of the Commission's safety director and the safety coordinator from each member. The alternate safety coordinator from each member may also attend meetings of the safety committee.

iii. At the beginning of each Commission year the safety committee shall select a chairperson to preside over meetings of the committee.

iv. The safety committee shall meet at least quarterly and shall have the following duties or responsibilities:

iv(a) Confer with the Commission's safety director to develop a comprehensive safety and loss control program;

iv(b) Monitor all accident trends and frequency of accident in order to identify problem areas and local unit activities and programs requiring more frequent loss control surveys and evaluations;

iv(c) Assist in the development of a safety educational program that will include visual aids, equipment, etc.;

iv(d) Make recommendations to the Commission for policies that will implement a comprehensive safety and loss control program for the Commission and the member local units; and

iv(e) Perform such other duties that are assigned by the Commission or required by law.

ARTICLE IV: OPERATION OF THE COMMISSION

A. General Operation.

1. The Commission shall be subject to and operate in compliance with the provisions of the Local Fiscal Affairs Law (N.J.S.A. 40A:5-1, et seq.), the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) and regulations (including, but not limited to, N.J.A.C. 5:34) and the various statutes authorizing the investment of public funds.

2. The Commission shall be considered a local unit for purposes of the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) and shall be governed by the provisions of that law in the purchase of any goods, materials, supplies and services.

3. The Commission shall be operated with sufficient aggregate financial strength and liquidity to assure that all obligations will be promptly met. The Commission shall prepare a financial statement on a form acceptable to the Commissioners showing the financial ability of the Commission to meet its obligations.

4. All monies, assessments, funds and other assets of the Commission shall be under the exclusive control of the Commissioners.

5. The Commission shall adopt a resolution designating a public depository or depositories for its monies pursuant to N.J.S.A. 40A:5-14. The resolution shall also designate a person to be custodian of funds for the Commission and shall authorize the custodian to invest temporarily free balances of any claim or administrative accounts periodically as authorized by law. The custodian of funds shall possess a Certified Municipal Finance Officer certificate issued pursuant to N.J.S.A. 40A:9-140.2. The custodian shall quarterly report to the Commissioners on investment and interest income.

6. All books, records, files, documents and equipment of the Commission are the property of the Commission and shall be retained by the Commission Administrator at the discretion of the Commissioners in accordance with a record retention program adopted by the Commission. All books, records, files and documents of the Commission shall be retained for not less than five years. The Commission shall also retain claims information.

B. Risk Management Plan. The Commissioners shall prepare or cause to be prepared, a Risk Management Plan for the Commission including all information detailed in N.J.A.C. 11:15-2.6(e) and or 11:15-3.6(d) as appropriate. The Risk Management Plan shall be adopted and approved by resolution of the Commissioners.

C. Financial Statement and Reports.

1. The Commissioners shall provide its members with periodic reports covering the activities and status of the Commission for the reporting period. The reports shall be made at least quarterly, and may be made more frequently at the direction of the Commissioners, and shall include, but not be limited to, the minutes, the Administrator's report, the Treasurer's report, and a summation of Commission activity, including comments on previously reported claims and newly reported claims, and any other information required by the Commissioners. The Treasurer's report shall include budget status, account balances, claims information, investment status, earnings and the costs of making investments.

2. A sworn annual report in a form prescribed by the Commissioners shall be prepared by the Commission, and be made available to each Commission member not later than one hundred eighty (180) days after the end of each Commission year. The report shall be accompanied by an annual audited statement of the financial condition of the Commission prepared by the Auditor, and performed in accordance with generally accepted accounting principles.

D. Coverages. The Commission may offer coverage to its members for the following purposes:

1. To insure against any loss or damage however caused to any property, motor vehicles, equipment or apparatus owned by it, or owned by or under the control of any of its departments, boards, agencies or commissions;

2. To insure against liability resulting from the use or operation of motor vehicles, equipment or apparatus owned by or controlled by it, or owned by or under the control of any of its departments, boards, agencies or commissions;

3. To insure against liability for its negligence and that of its officers, employees and servants, whether or not compensated or part-time, who are authorized to perform any **act** or services, but not including all independent contractor within the limitations of the New Jersey Tort Claims Act (N.J.S.A. 59:1-1, et seq.);

4. To insure against any loss or damage from liability as established by Chapter 15 of Title 34 of the Revised Statutes;

5. Employment practices liability claims and public officials liability claims are not covered through the NJCELJIF, but are handled under separate employment practices liability insurance (EPLI) and public officials liability insurance (POL) with each member entity assuming a self-insured retention for such claims of liability supplemented by excess insurance coverage

purchased through the auspices of PERMA. Even though these claims are not per se Commission claims, nevertheless, the Commission members agree that these claims will be processed through the Commission's third-party administrator and all bills pertaining to legal services, litigation and claims expenses will be processed and paid through the third-party administrator and PERMA. PERMA shall then send monthly billing statements to the respective member entities who shall reimburse the Commission for those claims.

6. The Commission reserves the right to process and pay other coverage type claims through the third-party administrator and PERMA.

E. Services. The Commission may also provide its members with safety and loss control programs and may jointly purchase or lease, on behalf of its membership, safety and loss control services, training, equipment and apparatus, in connection with the provision of the coverage set forth above.

ARTICLE V: MEETINGS AND RULES OF ORDER

A. Annual Organization Meeting. On or before January 15th, the beginning of the Commission year, the Commissioners shall meet to elect officers and to appoint professionals and servicing organizations and conduct such other business as is necessary. The time and place for the meeting shall be established by the Chairperson, and the Secretary shall send written notice to the clerks of participating local units at least two (2) weeks in advance.

B. Business Meetings. The Commissioners shall establish an annual schedule of meetings to conduct the business of the Commission.

C. Special Meetings. The Chairperson or two (2) Commissioners may call a special meeting by notifying the Commission's Secretary at least three (3) days in advance. The Secretary shall notify the Commissioners by telephone.

D. Quorum. The quorum for a meeting of Commissioners shall be a majority of the regular Commissioners.

E. Conduct of Meetings.

1. All meetings of the Commission shall be subject to the rules and regulations of the Open Public Meetings Act (N.J.S.A. 10:4-6, et seq.).

2. Unless otherwise provided in these rules and regulations, or in the laws or regulations of the State of New Jersey, Robert's Rules of Order shall govern the conduct of all meetings.

3. The Secretary shall cause written minutes to be maintained of all Commission meetings, and shall cause the minutes to be made available to the Commissioner upon request. In addition, the Secretary shall tape record open sessions for clarity in preparing the minutes. Said meeting tape shall be maintained for 180 days or until the meeting minutes are approved,

whichever occurs first. There shall be no tape recording of closed session meetings.

F. Amendments to the Rules and Regulations.

1. Any Commissioner may propose an amendment to the by-laws by filing the proposed amendment in writing with the Secretary.
2. Upon receipt of a proposed amendment, the Secretary shall notify the Chairperson who shall schedule a hearing to be held not more than forty-five (45) days from the date the amendment was filed. The Secretary shall notify in writing all Commissioners of the hearing date and shall send all Commissioners and members a copy of the proposed amendment. Notice shall be given to the Clerk of the Board of County Commissioners and County Administrator.
3. The amendment may be adopted by the Commissioners upon the completion of the hearing.

ARTICLE VI: BUDGETS

- A. On or before December 15th of each year, the Commission shall prepare the budget for the upcoming fiscal year. The budget shall identify the proposed items and amounts of expenditure for its operations, the anticipated amounts and sources of assessments and other income to be received during the fiscal year and the status of the self-insurance or loss retention accounts. The budget shall be prepared on a basis that does not recognize investment income or discounting of claim reserves, but recognizes all anticipated or forecasted losses and administrative expenses associated with that fiscal year.
- B. A copy of the Commission's proposed budget shall be made available to each member at least two (2) weeks prior to the time scheduled for its adoption. No budget shall be adopted until a hearing has been held in accordance with N.J.S.A. 40A:4-1, et seq. giving all members the opportunity to present comments or objections.
- C. Not later than January 15th of each year the Commissioners shall adopt by majority vote the budget for the Commission's operation for the coming fiscal year.
- D. An adopted budget may be amended by majority vote of Commissioners.

ARTICLE VII: ASSESSMENTS

A. Annual Assessment.

1. In November of each year, the Executive Director/Administrator shall compute each member's assessments for the upcoming Commission year, which shall consist of an amount allocated for the administrative account plus specific assessment to establish and/or replenish the claim or loss retention trust fund account for each type of coverage provided by the Commission and in which such member participates.

2. The annual assessment of each participating local unit shall be its pro rata share of the Commission's budget for the upcoming year for each line of coverage provided to the member.

3. The calculation of pro rata shares shall be based on each member's manual premium by Commission year for that line of coverage. To the extent possible, the Commission shall use experience modification formulas in computing manual premiums. Unless otherwise approved by the Commissioners, the assessment for workers' compensation and employer's liability shall be based upon the experience rating plan provided for in the New Jersey Workers' Compensation and Employer's Liability Insurance Manual on file with the Commissioner of Banking and Insurance. The Commissioners may also adopt a capping formula which limits the increase in any member's assessment to the Commission-wide average increase plus a percentage established by the Commissioners.

4. The total amount of each member's annual assessment shall be certified by majority vote of the Commissioners to the governing body of each participating local unit at least one (1) month prior to the beginning of the next fiscal year.

5. The annual assessment shall be paid to the Commission in installments, to be determined by the Commissioners.

6. The Treasurer shall deposit each member's assessment into the appropriate accounts, including the administrative account and the claim or loss retention trust fund account.

7. If a member joins the Commission or elects to participate in a line of coverage after the start of the Commission year, such member's assessments and supplemental assessments shall be reduced in proportion to that part of the year which had elapsed.

B. Supplemental Assessments.

1. The Commissioners shall by majority vote levy upon the member local units additional assessments wherever needed to supplement the Commission's claim, loss retention or administrative accounts to assure the payment of the Commission's obligations.

2. All supplemental assessments shall be charged to the members by applicable Commission year, and shall be apportioned by that year's assessments for that line of coverage.

3. All members shall be given at least thirty (30) days advance written notice of the Commission's intention to charge an additional assessment.

4. Members shall have thirty (30) days to pay the Commission from the due date established by the Commissioners at the time any supplemental assessment is adopted. Whenever possible, the due date shall be no sooner than the beginning of the Commission's next fiscal year.

C. Insolvency and/or Bankruptcy of Commission Members. The insolvency or bankruptcy of a member does not release the Commission, or any other member, of joint and several liability for the payment of any claim incurred by the member during the period of its

membership, including, but not limited to, being subject to and liable for supplemental assessments.

ARTICLE VIII: REFUNDS

A. Any monies for a Commission year in excess of the amount necessary to fund all obligations for that fiscal year as certified by an actuary may be declared to be refundable by the Commission.

B. A refund for any fiscal year shall be paid only in proportion to the member's participation in the Commission for such year. Payment of a refund shall not be contingent on the member's continued membership in the Commission.

C. The Commission may apply a refund to any arrearage owed by the member to the Commission. Otherwise, at the option of the member, the refund may be retained by the Commission and applied towards the member's next annual assessment.

ARTICLE IX: TRUST FUND ACCOUNTS, INVESTMENTS AND DISBURSEMENTS

A. Establishment of Trust Fund Accounts.

1. By resolution, the Commission shall designate a public depository or depositories for its monies pursuant to N.J.S.A. 40A:5-14. The resolution shall also designate a person to be custodian of funds for the Commission and shall authorize the custodian to invest temporarily free balances of any claim or administrative accounts periodically as authorized by law. The custodian shall report to the Commission quarterly on interest and interest/income.

2. The Commission shall establish a separate Trust Fund Account from which monies shall be disbursed solely for the payment of claims, allocated claim expenses and excess insurance or reinsurance premiums designated as the Claims or Loss Retention Fund Account.

a. Other than for claims, allocated claims expense, or excess insurance premiums; no transfers or withdrawals may be made from a claim or loss retention account without the approval of the Commissioners.

b. The Commission shall maintain accounting records allocating all income, disbursements, and assets in the claims account by line of coverage and by Commission year. Accounting records for closed Commission year(s) shall be allocated by member. Accounting records for loss fund contingency or excess loss contingency shall also be allocated by member.

5. The Commission shall also establish an administrative account which shall be utilized for payment of the Commission's general operating expenses, loss prevention activities, data processing services, and general legal expenses. The Commission shall maintain accounting records for the administrative account per 2(b) above.

B. Investments.

1. The balance of any account shall be invested to obtain the maximum interest return practical. All investments shall be in accordance with the Commission's cash management plan and consistent with the statutes and rules governing the investment of public funds by local governments and pursuant to N.J.S.A. 40A:10-10b.

2. The investment and interest income earned by the investment of the assets of each claim or loss retention account shall be credited to each account.

3. The investment and interest income earned by investment of the assets of the administrative account shall be credited to that account.

C. Disbursements.

1. Prior to any commitment or agreement requiring the expenditure of funds, the custodian of the Commission's assets shall certify as to the availability of sufficient unencumbered funds to fully pay all charges or commitments to be accepted.

2. All disbursements, payments of claims or expenditure of funds must be approved by a majority vote of the Commissioners.

3. Notwithstanding numbers 1 and 2 above, the Commission may provide for the expedient resolution of certain claims by designating the Commission's Administrator or service organization as a certifying and approving officer pursuant to N.J.S.A. 40A:5-17. The Commission may authorize the certifying and approving officer to approve for payment any specified claims in an amount not to exceed an amount approved by the Commissioner in the Plan of Risk Management. The Commission shall establish such other procedures and restrictions on the exercise of this authority as the Commission deems appropriate.

4. Upon approval, the certifying and approving officer shall certify the amount and particulars of such approved claims to the custodian of the Commission's assets, directing that a check for payment be prepared.

5. Each month, the certifying and approving officer shall prepare a report of all claims approved since the last report, detailing the nature and the amount of the claim, the payee, the reasons supporting payment and any other pertinent information. This report shall be reviewed and approved or rejected by vote of the Commissioners at their next regularly scheduled meeting. If any payment is not approved, appropriate action shall be taken.

6. All requests for payments must be accompanied by a detailed bill of items or demand, specifying particularly how the bill or demand is made up, with the certification of the party claiming payment that it is correct, and shall be certified by an officer or duly designated agent or employee of the Commission having knowledge of the facts that the goods have been received by, or the services rendered to the Commission. In the case of claims or

losses to be charged against any loss fund, the Commission's claims administrator shall certify as to the claims correctness and validity.

7. All claims shall be paid by check. The checks shall be signed by two persons so designated by the Commissioners. Payment of claims may be made by wire transfer.

8. All claims or other disbursements approved for payment by the Commission shall be recorded in a claims register maintained by the custodian of the Commission's assets.

ARTICLE X: CONFLICT OF INTEREST

All officials or employees of a member local unit or any members of the family of such officials or employees shall comply with the Local Government Ethics Law (N.J.S.A. 40A:22.1, et seq.).

ARTICLE XI: VOLUNTARY DISSOLUTION OF THE COMMISSION

A. If the Commissioners deem it in the best interest of the members to dissolve the Commission, they shall by majority vote direct that a written Plan of Dissolution be prepared.

B. The Plan of Dissolution must provide for the payment of all unexpired losses of the Commission and its members, including all incurred but not reported losses, as certified by an actuary, before any assets of the Commission or the trust fund accounts may be used for any other purpose.

C. Upon completion of the plan, the Chairperson shall call a general meeting of all Commissioners who shall review the plan and make any appropriate amendments. By majority vote, the Commissioners may recommend to the County that the Commission be dissolved in accordance with the Plan of Dissolution.

D. The Atlantic County Board of County Commissioners must by resolution vote to accept the Plan of Dissolution in order to dissolve the Commission.

E. Such Plan of Dissolution shall contain a statement of the Commission's current financial condition computed both on a statutory basis and according to generally accepted accounting principles as attested to by an independent certified accountant.

ARTICLE XII: CLAIMS HANDLING

A. Claims Reporting. Upon receipt of the initial notice of a claim, the member shall immediately forward the notice of claim and any other information available to the claims administrator and, where appropriate, to the Commission's attorney for initial contact, investigation, court actions or other appropriate response.

B. Registration of Claims. Upon receipt of initial notice of claim, whether by service of process, notice of claim or petition or otherwise, the claims administrator shall cause each

claim to be numbered, and to be included on a monthly report to the Executive Director. The monthly report shall set forth the name of the claimant, the nature of the claim, the type insurance coverage claimed against, and to the extent known, an approximate estimate of the magnitude of the potential loss. This report shall be considered confidential.

C. Notice of Request for Settlement Authority. Whenever an investigation discloses that the prompt, fair and equitable settlement of a claim is appropriate and possible, and such settlement exceeds the authority of the claims administrator, the claims administrator shall submit to the Commission administrator for review at a Commissioners' meeting, a request for settlement authority. This notice shall be on forms approved by the Commissioners and shall set forth identifying information concerning the claim, recommendations where appropriate concerning the legal liability of the Commission, a summary of investigative work concerning the merits of the claim and the reasons underlying the recommended settlement authority.

D. Approval of Payments and Settlements. Whenever the Commission shall make any payment or settlement of any claim, a notation thereof identifying the claim, and the amount paid shall be entered upon a ledger of claims paid.

ARTICLE XIV: COMPLAINT HANDLING PROCEDURE

A. Whenever any interested party shall submit a complaint in writing to the Commission, the Executive Director/Administrator, or any member of the Commission, a copy thereof shall be forthwith communicated to the Commissioners for consideration at its next regularly scheduled meeting.

B. At said meeting the Commissioners shall consider the complaint, and by recorded vote take such action as might be appropriate.

C. The complaining party, and the Commissioner from the member unit shall receive written notice of the Commissioners' findings. The written notice to the complaining party, may where appropriate, include an opportunity for the complaining party to have a hearing concerning his/her complaint before the Commissioners.

D. They shall keep a separate record of all complaints received and the disposition of same.

E. If the complaining party is dissatisfied with the Commissioners' decision, the complaining party may appeal this determination to the independent appeal organization or arbitrator designated by the Commission annually.

F. If the complaining party is dissatisfied with the determination of the independent appeal agency or arbitrator, the complaining party may exercise any remedies provided by law.

ARTICLE XV: OTHER CONDITIONS

A. Inspection and Audit.

1. The Commission shall be permitted but not obligated to inspect, at any reasonable time, the workplaces and operations of each member covered by the rules and regulations. Neither the right to make inspections, nor the making thereof, nor any report thereon shall constitute an undertaking on behalf of or for the benefit of the member or others, to determine or warrant that such workplaces, operations, are safe or healthful, or are in compliance with any law, rule or regulation.

2. The Commission shall be permitted to examine and audit the member's payroll records, general ledger, disbursements, vouchers, contracts, tax reports and all other books, documents and records at any reasonable time as far as they show or tend to show or verify the amount of remuneration or other premium basis, or relate to the subject matter of the rules and regulations.

B. Notice of Injury. When an injury occurs, written notice shall be given by or on behalf of the member to the Commission or any of its authorized agents as soon as practicable. Such notice shall contain particulars sufficient to identify the member and also reasonably obtainable information respecting the time, place and circumstances of the injury, the names and addresses of the injured and those of the available witnesses.

C. Notice of Claim or Suit. If a claim is made or formal petition or a suit or other proceedings are brought against the member, it shall immediately forward to the Commission every demand, notice, summons or other process received by the member or its representative.

D. Assistance and Cooperation of the Participant.

1. The member shall cooperate with the Commission and upon the Commission's request, shall attend hearings and trials and shall assist in effecting settlements, securing and giving evidence, and obtaining the attendance of witnesses in the conduct of suits or proceedings.

2. The member shall not, except at its own cost, voluntarily make any payment, assume any obligation or incur any expense other than for such immediate medical and other services at the time of injury as are required by the Workers' Compensation Law.

E. Action Against Commission.

1. No action shall lie against the Commission unless, as a condition precedent thereto, the member shall have fully complied with all the terms herein, not until the amount of the member's obligation to pay shall have been finally determined either by judgment against the member after actual trial or by written agreement of the member, the claimant and the Commission. Any person or organization or the legal representative thereof who has secured such judgment or written agreement shall thereafter be entitled to recover under these

rules and regulations to the extent of the protection afforded herein. Nothing contained herein shall give any person or organization any right to join the Commission as a co-defendant in any action against the member to determine the member's liability.

2. Bankruptcy or insolvency of the member shall not relieve the Commission of any of its obligations.

F. Subrogation. In the event of any payment under the agreement, the Commission shall be subrogated to all rights of recovery of the member and any person entitled to the benefits of this agreement against any person or organization and the member shall execute and deliver instruments and papers and do whatever else is necessary to secure such rights. The member shall do nothing after loss to prejudice such rights.

G. Conformance with Statute. In the event any portion of these rules and regulations conflicts with any statute or administrative regulation, the provision of any such statute or administrative regulation shall control to the extent it conflicts.

**THUS DONE, READ AND PASSED in Atlantic County, State of New Jersey
on this _____ day of _____, 2021.**

ATLANTIC COUNTY INSURANCE COMMISSION:

By: _____

Attest: _____