

NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND



Thursday, May 25, 2017  
Township of Wayne – Health Department Room #2  
*10:30 AM*  
Agenda and Reports

OPEN PUBLIC MEETINGS ACT

NOTICE OF THIS MEETING WAS GIVEN BY (1) SENDING SUFFICIENT NOTICE HEREWITH TO STAR-LEDGER, (2) POSTING ON THE NJIIF WEBSITE, (3) FILING ADVANCE WRITTEN NOTICE OF THIS MEETING WITH THE CLERK/ADMINISTRATOR OF EACH MEMBER MUNICIPALITY AND (4) POSTING A COPY OF THE MEETING NOTICE ON THE PUBLIC BULLETIN BOARD OF ALL MEMBER MUNICIPALITIES.

## DIRECTIONS

**Wayne Township Municipal Complex – Health Department Room #2**  
**475 Valley Road, Wayne, NJ 07470**  
**973-694-1800**

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| <p><b>COMING FOR THE EAST</b><br/>Take Route 80 west to exit 53, which is Route 23 North or take Route 46 West to Route 23 North<br/>Proceed on Rt. 23 North and turn right onto Alps Road<br/>Proceed to the second traffic light and turn right onto Nellis Drive<br/>Just before the next traffic light turn left into the Municipal Complex</p>                        | <p><b>COMING FROM THE WEST</b><br/>Take Route 80 East to Route 46 East<br/>Take the Riverview Drive – Wayne/Totowa exit and bear right onto Riverview Drive North<br/>Proceed to the eighth traffic light and turn right onto Valley Road<br/>At the second traffic light, turn left onto Nellis Drive and then immediate right into the Municipal Complex</p>  |
| <p><b>COMING FROM THE NORTH</b><br/>Take Route 23 South to the Alps Road exit<br/>Proceed on Alps Road exit under the highway and turn right onto Alps Road<br/>Proceed to the second traffic light and turn right onto Nellis Drive<br/>Just before the next traffic light turn left into the Municipal Complex</p>   | <p><b>COMING FROM THE SOUTH</b><br/>Take the Garden State Parkway North to ext 153B onto Route 3 West<br/>Proceed on Rt. 3 West which merges into Rt. 46 West<br/>Take the Riverview Dr., Wayne/Totowa exit<br/>On the exit ramp, turn left at the light onto Minnisink Road then turn right at the light onto Riverview Drive<br/>Proceed to the seventh traffic light and turn right onto Valley Road<br/>Proceed on Valley Road to the second traffic light and make a left onto Nellis Drive and immediate right into the Municipal Complex</p> |
| <p><b>COMING FROM ROUE 287</b><br/>Take Route 287, take the Wayne/Route 23 South exit<br/>Take Route 23 South to the Alps Road exit<br/>Proceed on Alps Road exit under the highway and turn right onto Alps Road<br/>Proceed to the second traffic light and turn right onto Nellis Drive<br/>Just before the next traffic light turn left into the Municipal Complex</p> | <p><b>COMING FROM THE PATERSON AREA</b><br/>Take Preakness Avenue and proceed West into Wayne<br/>Continue straight on Preakness Avenue through the Valley Road intersection into the Municipal Complex</p>   |

Thursday, May 25, 2017  
TOWNSHIP OF WAYNE – HEALTH DEPARTMENT ROOM #2  
**10:30 AM**  
AGENDA

1. Meeting Called to Order – Open Public Meetings Act Read
2. Pledge of Allegiance
3. Roll Call of Executive Committee and Professionals
4. Approval of Minutes – April 27, 2017
5. Correspondence
6. Finance Report, (Robert Calise)
7. Committee Reports
  - A. Nominating – Tucci
    - Nomination for interim replacement of Executive Board member D. Cantatore
  - B. By-Laws –
  - C. Legislative –
  - D. Coverage – Tucci
  - E. Professional – Kronyak
  - F. Finance – Kronyak
    - (1) Resolution WC-2017-12: Acceptance of 12/31/16 WC Fund Audit Report and CAP
    - (2) Resolution ML-2017-12: Acceptance of 12/31/16 ML Fund Audit Report and CAP
  - G. Safety/Loss Control – Saros
  - H. New Member & Development –
  - I. Risk Management –
8. Chairman’s Report
9. Risk Manager’s Report, (John Serapiglia and Maria Makos, Polaris Galaxy)
10. WC Loss Control Consultant’s Report (Tim Weir, PMA)
11. TPA Report (Christina Grabowski, PMA)
12. Bill List (Robert Calise)
13. Old Business – WC Fund/ML Fund
14. New Business – WC Fund/ML Fund
15. Public Comment
16. Closed Session – (Eric Nemeth, Esq., Eric J. Nemeth, PC) – Motion in Appendix II
17. Adjournment

# APPENDIX I

THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND  
MINUTES OF PUBLIC MEETING  
April 27, 2017

1. Call To Order:

A meeting of the New Jersey Intergovernmental Insurance Fund was called to Order on Thursday, April 27, 2017 at 10:32 a.m. at The Township of Old Bridge Council Chambers, 1 Old Bridge Plaza, Old Bridge, NJ. Executive Board Chairman Thomas Carroll read the Open Public Meetings Act Statement and announced that notices were placed in newspaper and posted as required.

2. Pledge of Allegiance:

Chairman Carroll opened the meeting with the Pledge of Allegiance.

3. Roll Call:

Commissioners Present: Thomas Carroll (Borough of Wanaque), Michael Kronyak (Borough of Hasbrouck Heights), Christopher Marion (Township of Old Bridge), Heather McNamara-Kreitz (Township of Wayne), Chief Richard Molinari (City of Union City), Himanshu R. Shah (Township of Old Bridge), Freeholder Ed Smith (County of Warren), Thomas Tucci (Township of Cedar Grove), Sonia Viveiros (Township of Maplewood)

Others Present: Lou Beckerman (Beckerman and Co.), Andrew Birmingham (Sand Creek EAP), Robert Calise (CMFO/Treasurer), Linda D'Alessio (Recording Secretary), John Daley (Scirocco Group), Michael DelBalso (Township of Wayne), Joe Gentile (GJEM-Otterstedt), Christine Grabowski (PMA-TPA), Mayor Owen Henry (Township of Old Bridge), Avril Limage (Township of Old Bridge), Maria Makos (Polaris Galaxy-Risk Manager), Eric J. Nemeth Esq. (Eric J. Nemeth, P.C.-General Counsel/Co-Administrator), Jim Rhodes (PMA-Safety Consultant), John A. Serapiglia (Polaris Galaxy-Risk Manager/Co-Administrator), Frank Speranza (Township of Old Bridge), Danielle Voda (Fairview Agency), Tim Weir (PMA-Safety Consultant), Justin Wilkinson (PMA-TPA), Jack Zisa (Polaris Galaxy)

Chairman Carroll announced that Chief Molinari would serve on the Executive Board in place of Commissioner Cantatore at today's meeting.

4. Closed Session

It was moved by Kronyak seconded by Tucci, that pursuant to the form of Amended Closed Session Motion attached hereto (the "Closed Session Motion"), the Board should move into Closed Session to discuss matters as outlined in the subject motion.

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| Roll Call  |
| Aye: Kronyak, McNamara-Kreitz, Molinari, Smith, Tucci, Carroll |
| Nay: None  |
| Abstain: None  |

It was moved by Smith, seconded by Tucci, that the Minutes of the Fund's Closed Session meeting of March 23, 2017 be accepted as presented.

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| Roll Call  |
| Aye: Kronyak, McNamara-Kreitz, Molinari, Smith, Tucci, Carroll |
| Nay: None  |
| Abstain: None  |

It was moved by Kronyak, seconded by Smith, that the WC claim recommendations and Fund Counsel's Report be accepted as presented.

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| Roll Call   |
| Aye*: Kronyak, McNamara-Kreitz, Molinari, Smith, Tucci, Carroll                       |
| Nay: None   |
| Abstain: *Each Executive Board Member abstains as to claims against its Member entity |

It was moved by Kronyak, seconded by McNamara-Kreitz, that the Multi-Line claim recommendations and Fund Counsel's Report regarding ML Fund matters be accepted as presented.

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| Roll Call   |
| Aye*: Kronyak, McNamara-Kreitz, Molinari, Smith, Tucci, Carroll                       |
| Nay: None   |
| Abstain: *Each Executive Board Member abstains as to claims against its Member entity |

There being no further business for Closed Session it was moved by Smith, seconded by McNamara-Kreitz that the Board return to Open Session.

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| Roll Call  |
| Aye: Kronyak, McNamara-Kreitz, Molinari, Smith, Tucci, Carroll |
| Nay: None  |
| Abstain: None  |

It was moved by Tucci, seconded by Kronyak, to approve all actions, including but not limited to requests for settlement authority for the WC Fund and ML Fund matters listed in the Closed Session Motion, and the coverage positions recommended by General Counsel in Closed Session.

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| Roll Call   |
| Aye*: Kronyak, McNamara-Kreitz, Molinari, Smith, Tucci, Carroll                       |
| Nay: None   |
| Abstain: *Each Executive Board Member abstains as to claims against its Member entity |

5. Approval of Minutes – March 23, 2017

It was moved by Smith, seconded by Molinari that the Minutes of the March 23, 2017 meeting of The New Jersey Intergovernmental Insurance Fund be accepted as presented.

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| Roll Call  |
| Aye: Kronyak, McNamara-Kreitz, Molinari, Smith, Tucci, Carroll |
| Nay: None  |
| Abstain: None  |

6. Correspondence: None

7. Finance Report: CMFO Calise summarized the monthly financial reports, including Multi Line Fund and Workers Compensation Fund 2017 Assessments and claims payments, copies of which are provided in the meeting Agenda packets. Also included in the Agenda materials are the ML & WC April 2017 Bill Lists. Calise noted that a check for recovery of defense costs for an Asbury Park matter has been added to the ML Fund Bill list.

8. Committee Reports

- a. Nominating Committee (Tucci) - No report
- b. By-Law Committee () – No report
- c. Legislative Committee () – No report
- d. Coverage Committee (Tucci) – (See Closed Session Motion, above)
- e. Professionals Committee (Kronyak) –Kronyak reported that the Professionals Committee is working with PMA and CMFO Calise to improve cash report efficiency and will schedule meetings with prospective panel attorneys.
- f. Finance Committee () – Kronyak reported that the draft audit reports are under review. It is projected that they will be presented for approval at the NJIIF's May meeting.
- g. Safety/Loss Control Committee (Saros) – See PMA report, below
- h. New Member & Development Committee () – No report
- i. Risk Management Committee () – No Report

9. Chairman's Report – Chairman Carroll extended thanks to the Township of Old Bridge for hosting today's meeting.

10. Risk Manager's Report –Serapiglia reported that the renewal applications for 2018-2019 fund year will be going out early this year, with requests that members return them by July.
11. Safety and Loss Control Report—Tim Wier of PMA introduced James Rhoads as part of the PMA loss control service team. Wier also advised that two meetings have been scheduled in May with the Public Works and Police Chiefs and Command Officers.
12. TPA Report – Christina Grabowski discussed the results of PMA's 5 year Claim comparison and WC medical network penetration. 69.89% of claims are being reported in 3 days or less.

It was moved by Kronymak, seconded by Smith that all Professionals Reports be approved as presented.

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| Roll Call   |
| Aye: Kronymak, McNamara-Kreitz, Molinari, Smith, Tucci, Carroll |
| Nay: None   |
| Abstain: None   |

13. Bill List---WC Fund/ML Fund

It was moved by Kronymak, seconded by Tucci, that the WC and ML Bill Lists (as amended) for April 27, 2016 be approved for payment.

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| Roll Call   |
| Aye: Kronymak, McNamara-Kreitz, Molinari, Smith, Tucci, Carroll |
| Nay: None   |
| Abstain: None   |

14. Old Business – none

15. New Business – none

16. Public Comment – none

17. Presentation: "Employee Assistance Program"  
(Andrew Birmingham, Sand Creek Group).

18. There being no further business, Motion by Kronymak, Seconded by McNamara-Kreitz to adjourn the NJIIF's April 27, 2016 Meeting.

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| Roll Call   |
| Aye: Kronymak, McNamara-Kreitz, Molinari, Smith, Tucci, Carroll |
| Nay: None   |
| Abstain: None   |

April 27, 2016 Meeting was adjourned at 12:46 pm.



## APPENDIX II

## Closed Session Motion

### For the May 25, 2017 Meeting of the New Jersey Intergovernmental Insurance Fund

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In order to discuss matters involving litigation or potential litigation or contract matters, and in order to maintain the attorney-client privilege, motion is made by \_\_\_\_\_, seconded by \_\_\_\_\_ for the NJIIF Executive Board to move into Closed Session pursuant to Section 12(b)(7) of the NJ open Public Meetings Act (N.J.S.A. 10:4-6, et seq). Minutes shall be taken during this Closed Session and once the need for confidentiality no longer exists with regard to each matter, the applicable minutes will be made available to the public. The specific purpose of closed session is to discuss the following matters:

#### **Workers Compensation Fund Claim Matters**

##### Case Update Reports, Coverage Recommendations and Requests for Settlement Authority (RSA):

1. Knauer adv. Township of Little Falls (W001069620)-----RSA
2. Diaz adv. City of Union City (W001672667)-----RSA
3. Quiles adv. Warren County (W001170238)-----RSA
4. Moore adv. Wayne Township BOE (W001069533)-----RSA
5. Porter adv. Township of Wayne (W001582158)-----RSA
6. Rowe adv. Township of Wayne (W001069733)-----RSA

##### Case Update Reports for WC Fund Subrogation/Restitution Claims:

1. McGarrity adv. Township of Verona (W001069532)-----Recovery
2. Bercovicz adv. City of Asbury Park (W001683864)-----Pending
3. Mance adv. City of Asbury Park (W001674848)-----Pending
4. Esposito adv. Township of Wayne (W001580447)-----Pending

#### **Multi-Line Fund Claim Matters**

##### Case Update Reports or Requests for Settlement Authority (RSA):

1. Camden County v. City of Asbury Park (1427)-----Case Closure
2. Ford v. Borough of North Haledon (1330)-----Case Closure
3. Williams v. City of South Amboy (1116)-----RSA
4. Ais-Bouhelel v. City of Union City (1539)-----RSA
5. Guzman v. City of Union City (1278)-----Case Closure
6. Parkinson v. Township of Wayne (1353)-----Case Closure
7. Wichot v. Township of Wayne (1003)-----Case Closure

##### Coverage Recommendations for New Claims/Litigation:

1. Duverne v. City of Asbury Park
2. Frega v. City of Bayonne
3. Helbig v. City of Bayonne
4. Meleika v City of Bayonne
5. Nelson v. Yee-Bayonne v. City of Bayonne
6. Serrano v. City of Bayonne
7. Lammers-Mauro v. Borough of Mantoloking
8. Mends-Cole v. Township of Maplewood

9. Nationstar v. Township of Maplewood
10. VF Properties v. Township of Maplewood
11. Lugo v NJIIF
12. Termini v. Township of Old Bridge
13. Tomic v. Township of Old Bridge
14. Price v. Oz Holdings and the City of Union City
15. Longo Electrical v. Township of Wayne

**Other Matters**

1. Asbury Park Press-Gannett OPRA Request
2. Retention of Keefe Law Firm: Prescription Drug Review