

NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND



Thursday, July 27, 2017

Tim McLoones's Supper Club
2nd Floor
1200 Ocean Ave.
Asbury Park, NJ 07712

10:30 Executive Board Only

11:00 AM Meeting

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.

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1200 Ocean Ave. - 2nd Floor, Asbury Park, NJ 07712

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 – June 22, 2017 – Appendix I
5. Closed Session –Appendix II (Eric Nemeth, General Counsel)
6. Correspondence –
7. Finance Report, (Robert Calise)
8. Committee Reports
 - A. Nominating – Tucci
 - B. By-Laws – McNamara-Kreitz
 - C. Legislative – Smith
 - D. Coverage – Tucci
 - E. Professional – Kronyak
 - Resolution No. WC-2017-13—Appointment of Hoagland Longo and Sheffet & Dvorin as panel attorneys
 - Resolution No. ML-2017-13- Appointment of Roth D'Aquanni as panel attorneys
 - F. Finance – Kronyak
 - G. Safety/Loss Control – Saros
 - H. New Member & Development – Carroll
 - I. Risk Management – Smith
9. Chairman's Report
10. Risk Manager's Report, (John Serapiglia and Maria Makos)
11. WC Loss Control Consultant's Report (Tim Weir/PMA)
12. TPA Report, (Christina Grabowski/PMA)
13. Bill List, (Robert Calise)
14. Old Business – WC Fund/ML Fund
15. New Business – WC Fund/ML Fund
16. Public Comment
17. Presentation - Sensitivity Training and FMLA Overview by Sean Dias, Esq (Scarinci Hollenbeck)
18. Adjournment

APPENDIX I

THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND
MINUTES OF PUBLIC MEETING
June 22, 2017

1. Call To Order:

A meeting of the New Jersey Intergovernmental Insurance Fund was called to Order on Thursday, June 22, 2017 at 10:33 a.m. at The Township of Cedar Grove Council Chambers, 525 Pompton Ave., Cedar Grove, 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), Matthew Cavallo (Township of Verona), Mayor Duthie (Borough of Roseland), Avril Limage (Township of Old Bridge), Heather McNamara-Kreitz (Township of Wayne), Chief Richard Molinari (City of Union City), Freeholder Ed Smith (County of Warren), Thomas Tucci (Township of Cedar Grove), Sonia Viveiros (Township of Maplewood)

Chairman Carroll announced that Matthew Cavallo would serve on the Executive Board at today's meeting in place of Commissioner Kronyak.

Others Present: Ezio Altamura (GJEM/Otterstedt), Lou Beckerman (Beckerman and Co.), Robert Calise (CMFO/Treasurer), Chief Joseph Cirasa (Township of Cedar Grove), Linda D'Alessio (Recording Secretary), John Daly (Scirocco Group), Michael DelBalso (Township of Wayne), Joe DeLaragine (City of Asbury Park), Christine Grabowski (PMA-TPA), Bill Homa (Township of Cedar Grove), 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), Lisa Scorsolini (Township of Wayne), Scott Stohrer (PMA-TPA), Tim Weir (PMA-Safety Consultant), Justin Wilkinson (PMA-TPA), Jack Zisa (Polaris Galaxy)

4. Closed Session

It was moved by Tucci seconded by Smith, 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.

Roll Call
Aye: Cavallo, Duthie, McNamara-Kreitz, Molinari, Smith, Tucci, Carroll
Nay: None
Abstain: None

It was moved by Duthie, seconded by Smith, that the Minutes of the Fund's Closed Session meeting of May 25, 2017 be accepted as presented.

Roll Call
Aye: Cavallo, Duthie, Molinari, Smith, Tucci
Nay: None
Abstain: Carroll, McNamara-Kreitz

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

Roll Call
Aye*: Cavallo, Duthie, 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 Molinari, seconded by McNamara-Kreitz, that the Multi-Line claim recommendations and Fund Counsel's Report regarding ML Fund matters be accepted as presented.

Roll Call
Aye*: Cavallo, Duthie, 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 Duthie the Board return to Open Session.

Roll Call
Aye: Cavallo, Duthie, McNamara-Kreitz, Molinari, Smith, Tucci, Carroll
Nay: None
Abstain: None

It was moved by Tucci, seconded by McNamara-Kreitz 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, authority on pursuing resolution of the NJIIF claims against Inservco, and the coverage positions recommended by General Counsel in Closed Session.

Roll Call
Aye*: Cavallo, Duthie, 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 Tucci, seconded by Smith that the Minutes of the May 25, 2017 meeting of The New Jersey Intergovernmental Insurance Fund be accepted as presented.

Roll Call
Aye: Cavallo, Duthie, Molinari, Smith, Tucci
Nay: None
Abstain: Carroll, McNamara-Kreitz

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 May 2017 Bill Lists.

8. Committee Reports

- a. Nominating Committee (Tucci) - No report
- b. By-Law Committee (McNamara-Kreitz) – No report
- c. Legislative Committee (Smith) – No report
- d. Coverage Committee (Tucci) – (See Closed Session Motion, above)
- e. Professionals Committee (Kronyak) – Commissioner Kronyak reported that prospective panel counsel interviews are scheduled for June 29.
- f. Finance Committee (Kronyak) – No report
- g. Safety/Loss Control Committee (Saros) – See PMA report, below
- h. New Member & Development Committee (Carroll) – No report
- i. Risk Management Committee (Smith) – No Report

9. Chairman’s Report – Chairman Carroll extended thanks to the Township of Cedar Grove for hosting today’s meeting and reminded Members that the NJIIF’s July 27 meeting will be held in Asbury Park.

10. Risk Manager's Report –Serapiglia reported that the renewal applications for 2018-2019 fund year will be going out by July 14, 2017, with requests that members return them by August 15, 2017.
11. Safety and Loss Control Report—Tim Wier of PMA advised that the Risk Control Forum for Fire and EMS Chiefs and Command Officers will held tonight in the Borough of Hasbrouck Heights Fire Department. Also, PMA presented an OSHA class in the Township of Wayne on June 7 and June 14, 2017. PEOSH continues to be active PMA is continuing compliance assistance efforts.
12. TPA Report – Christina Grabowski discussed the results of PMA's 5 year Claim comparison and WC medical network penetration. 76.89% of claims are being reported in 3 days or less.

It was moved by Molinari, seconded by McNamara-Kreitz that all Professionals Reports be approved as presented.

Roll Call
Aye: Cavallo, Duthie, McNamara-Kreitz, Molinari, Smith, Tucci, Carroll
Nay: None
Abstain: None

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

It was moved by Smith, seconded by Tucci, that the WC and ML Bill Lists (as amended) for May 25, 2017 be approved for payment.

Roll Call
Aye: Cavallo, Duthie, McNamara-Kreitz, Molinari, Smith, Tucci, Carroll
Nay: None
Abstain: None

14. Old Business – none

15. New Business – none

16. Public Comment – none

17. Presentation: Cyber Liability – Claims trends, pre breach services and reporting process. By: Eric Allen and Brian Teitel

18. There being no further business, Motion by Smith, Seconded by McNamara-Kreitz to adjourn the NJIIF's June 22, 2017 Meeting.

Roll Call
Aye: Cavallo, Duthie, McNamara-Kreitz, Molinari, Smith, Tucci, Carroll
Nay: None
Abstain: None

June 22, 2017 Meeting was adjourned at 1:23 pm.

APPENDIX II

Closed Session Motion

For the July 27, 2017 Meeting of the New Jersey Intergovernmental Insurance Fund

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. Lorenzo adv. Borough of Roseland (W001374446)-----RSA
2. Fernandez adv. City of Union City (W001746409)-----RSA
3. Moyer adv. County of Warren (W00122815)-----RSA

Case Update Reports for WC Fund Subrogation/Restitution Claims:

1. Breiner adv. City of Asbury Park (W001069097)-----Recovery
2. Gaetini adv. City of Bayonne (W001715846)-----Status Update
3. Sherry adv. Township of Old Bridge (W001683974)-----Status Update

Multi-Line Fund Claim Matters

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

1. Johnson v City of Bayonne (1349)-----RSA
2. McKechney v Township of Cinnaminson (1166)-----Case Closure
3. Parmar/Giacamello v Borough of Hasbrouck Heights (1425)-----Case Closure
4. Price v Li and City of Union City (1248)-----Case Closure
5. Rivera, F., v City of Union City (1448)-----Case Closure
6. Condorelli v Township of Verona (1341)-----Case Closure

Coverage Recommendations for New Claims/Litigation:

1. Malhan v. City of Bayonne
2. Mulcahy v. City of Bayonne
3. Willow Playworks v. Borough of Hasbrouck Heights
4. Maffei v. City of Union City
5. Rodriguez v. City of Union City
6. Suarez v. City of Union City
7. Tauro v. City of Union City
8. Liccardo v. Borough of Wanaque
9. Cologna v. County of Warren

Other Matters

- NJIIF adv Inservco Insurance Services
- Borough of Totowa