

NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND



Thursday, September 28, 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

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

Thursday, September 28, 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 – July 27, 2017 Minutes – Appendix I
5. Correspondence
6. Finance Report, (Robert Calise)
7. Committee Reports
 - A. Nominating – Tucci
 - B. By-Laws – McNamara-Kreitz
 - C. Legislative – Smith
 - D. Coverage – Tucci
 - E. Professional – Kronymak
 - Resolution No.ML-2017-14: Appointment of Cohen Seglias Pallas Greenhall & Furman, PC as ML Fund panel attorneys
 - F. Finance – Kronymak
 - G. Safety/Loss Control – Saros
 - H. New Member & Development – Carroll
 - I. Risk Management – Smith
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
July 27, 2017

1. Call To Order:

A meeting of the New Jersey Intergovernmental Insurance Fund was called to Order on Thursday, July 27, 2017 at 10:33 a.m. at Tim McLoones's Supper Club, 1200 Ocean Avenue, Asbury Park, 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), Michael Kronyak (Borough of Hasbrouck Heights), Avril Limage (Township of Old Bridge), Heather McNamara-Kreitz (Township of Wayne), Himanshu Shah (Township of Old Bridge), Freeholder Ed Smith (County of Warren), 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 Tucci.

Others Present: Ezio Altamura (GJEM/Otterstedt), Lou Beckerman (Beckerman and Co.), Robert Calise (CMFO/Treasurer), Michael Capabanico (City of Asbury Park), Barry Capp (City of Asbury Park), Linda D'Alessio (Recording Secretary), John Daly (Scirocco Group), Michael DelBalso (Township of Wayne), Nancy DiMartino (Eric J. Nemeth, P.C.-General Counsel), Zach Edelman (Fairview Insurance Agency), Brian Erlandsen (BGIA), Joseph Gentile (GJEM/Otterstedt), Kristine Gould (Township of Verona), Christine Grabowski (PMA-TPA), Fire Chief Kevin Keddy (City of Asbury Park), Acting Chief of Police, David Kelso (City of Asbury Park), Maria Makos (Polaris Galaxy-Risk Manager), Eric J. Nemeth Esq. (Eric J. Nemeth, P.C.-General Counsel/Co-Administrator), George Selah (City of Asbury Park), John A. Serapiglia (Polaris Galaxy-Risk Manager/Co-Administrator), Tim Weir (PMA-Safety Consultant), Justin Wilkinson (PMA-TPA), Jack Zisa (Polaris Galaxy)

4. Closed Session

It was moved by Cavallo seconded by McNamara-Kreitz, 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, Kronyak, McNamara-Kreitz, Smith, Carroll
Nay: None
Abstain: None

It was moved by Smith, seconded by Kronyak, that the Minutes of the Fund's Closed Session meeting of June 22, 2017 be accepted as presented.

Roll Call
Aye: Cavallo, Kronyak, McNamara-Kreitz, Smith, 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.

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

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

Roll Call
Aye*: Cavallo, Kronyak, McNamara-Kreitz, Smith, 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 Kronyak, seconded by Cavallo that the Board return to Open Session.

Roll Call
Aye: Cavallo, Kronyak, McNamara-Kreitz, Smith, Carroll
Nay: None
Abstain: None

It was moved by Kronyak, seconded by Smith 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, including but not limited to providing General Counsel with authority to settle the NJIIF's claims against Inservco, and the coverage positions recommended by General Counsel in Closed Session.

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

5. Approval of Minutes – June 22, 2017

It was moved by Smith, seconded by Cavallo that the Minutes of the June 22, 2017 meeting of The New Jersey Intergovernmental Insurance Fund be accepted as presented.

Roll Call
Aye: Cavallo, Kronyak, McNamara-Kreitz, Smith, Carroll
Nay: None
Abstain: None

6. Correspondence: None

7. Finance Report: Chairman Carroll advised that CMFO Calise, who will not be present at today's meeting, provided him with the financial summary reports, including the NJIIF Investment Report payment summaries, copies of which are provided in the meeting Agenda packet. Also included in the Agenda materials were the ML & WC Fund July Bill List and Claims Paid 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) – No report
- e. Professionals Committee (Kronyak) – Commissioner Kronyak reported that the Professionals Committee met on June 29, 2017 and conducted prospective panel counsel interviews. Based upon those interviews, the Committee recommended that the Board approve the addition of the firm of Roth D'Aquanni to the regular ML Fund panel counsel list and the firms of Hoagland, Longo, Moran et al and Sheffet & Dvorin to the WC panel counsel lists.

It was moved by Kronyak, seconded by Smith that the Board approve Resolution WC-2017-13 appointing the firms of Hoagland, Longo, Moran, Dunst & Doukas, LLP et al and Sheffet & Dvorin, P.C. to the WC panel counsel list.

Roll Call
Aye: Cavallo, Kronyak, McNamara-Kreitz, Smith, Carroll
Nay: None
Abstain: None

It was moved by Kronyak, seconded by Smith that the Board approve Resolution ML-2017-13 appointing the firm of Roth D'Aquanni, LLC to the regular ML panel counsel list.

Roll Call
Aye: Cavallo, Kronyak, McNamara-Kreitz, Smith, Carroll
Nay: None
Abstain: None

- f. Finance Committee (Kronyak) – Kronyak reported that the Finance Committee will start working on the 2018 budget after Labor Day.
 - 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 announced he is retiring December 31, 2017 and also extended thanks to the City of Asbury Park for hosting today's meeting.
 10. Risk Manager's Report –Serapiglia reported that the renewal applications were emailed out to all members and are due back by August 15, 2017. ,
 11. Safety and Loss Control Report—Tim Wier of PMA advised that a Risk Control Forum for Fire and EMS Chiefs and Command Officers was held June 22, 2017 in Hasbrouck Heights. A PEOSHA 10-hour General Industry class was also held at the Township of Wayne.
 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 2.6 days or less.

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

Roll Call
Aye: Cavallo, Kronyak, McNamara-Kreitz, Smith, Carroll
Nay: None
Abstain: None

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

It was moved by McNamara-Kreitz, seconded by Kronyak, that the WC and ML Bill Lists (as amended) for July 27, 2017 be approved for payment.

Roll Call
Aye: Cavallo, Kronyak, McNamara-Kreitz, Smith, Carroll
Nay: None
Abstain: None

14. Old Business – none

15. New Business – none

16. Public Comment – none

17. Presentation: Sensitivity Training and FMLA Overview by Sean Dias, Esq.
(Scarinci Hollenbeck)

18. There being no further business, Motion by Smith, Seconded by Kronyak to adjourn the NJIIF's July 27, 2017 Meeting.

Roll Call
Aye: Cavallo, Kronyak, McNamara-Kreitz, Smith, Carroll
Nay: None
Abstain: None

July 27, 2017 Meeting was adjourned at 12:21 pm.

APPENDIX II

Closed Session Motion

For the September 28, 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. Gabriel Carrasquillo adv. Asbury Park (W001291975)-----RSA
2. Josephine Coleman adv Asbury Park (W001398449)-----RSA
3. Intriago adv. Wayne Board of Education (W001066607)-----RSA
4. Lima adv. Township of Wayne (W001579232)-----RSA

Case Update Reports for WC Fund Subrogation/Restitution Claims:

1. McDonough v. City of Bayonne (W001624664)-----Case Update
2. Cortez adv. City of Union City (W001216698)-----Case Update
3. Paylo adv. Township of Wayne (W001746969)-----Case Update

Multi-Line Fund Claim Matters

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

1. Agarwal v City of Bayonne (1346)-----Case Closure
2. Williams v Town of Guttenberg (1115)-----Case Closure
3. Light v City of Union City (1479)-----Case Closure
4. Sous v Borough of North Haledon (1173)-----Case Closure
5. Ida v Township of Old Bridge (1558)-----Case Closure
6. Current v Borough of Roseland (1128)-----Case Closure

Coverage Recommendations for New Claims/Litigation:

1. Bailey v. City of Asbury Park
2. Fiorito v. City of Asbury Park
3. Love v. City of Asbury Park
4. Monmouth Elks Lodge v. City of Asbury Park
5. Payne v. City of Asbury Park
6. Cresci v. City of Bayonne/Gyess
7. Gil v. City of Bayonne
8. Harvie v. City of Bayonne
9. Malek v. City of Bayonne
10. Meleika v. City of Bayonne
11. Pagano v. City of Bayonne
12. Smith/Mulcahy v. City of Bayonne

13. Etienne v. Township of Cedar Grove
14. Kolodziej v. Borough of Hasbrouck Heights
15. Willow Playworks v. Borough of Hasbrouck Heights
16. Cummis v. Township of Maplewood
17. Baratta v. Borough of North Haledon
18. Lynskey v. Township of Old Bridge
19. Gorman v. Borough of Roseland
20. Garcia, Edwin v. City of Union City
21. Price v. City of Union City and 207 29th Street LLC
22. Price v. City of Union City and DDIS Union City LLC
23. S&N Realty v. City of Union City
24. Drake, et al. v. County of Warren
25. Casterlin v. Township of Wayne
26. Cole v. Township of Wayne
27. Ezra v. Township of Wayne
28. Morales v. Township of Wayne