

NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND



Thursday, April 24, 2014
Township of Wayne – Health Department Room #2
10:00 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.

Thursday, April 24, 2014
TOWNSHIP OF WAYNE – HEALTH DEPARTMENT ROOM #2
10:00 AM
AGENDA

- I. Meeting Called to Order – Open Public Meetings Act Read
- II. Pledge of Allegiance
- III. Roll Call of Executive Committee and Professionals
- IV. Approval of Minutes – March 27, 2014 – Appendix I
- V. Correspondence –
- VI. Finance Report, (Robert Calise)
- VII. Committee Reports
 - A. Nominating – Tucci
 - B. By-Laws – Miller
 - C. Legislative – Martin
 - D. Coverage – Tucci
 - E. Professional – Kronyak
 - F. Finance – Martin
 - G. Safety/Loss Control – Saros
 - H. New Member & Development – Martin
 - I. Risk Management – Beckerman
- VIII. Chairman's Report
 - Change in May 22, 2014 Meeting Location
- VIII. Risk Manager's Report, (John Serapiglia and Maria Makos)
- X. WC Loss Control Consultant's Report/TPA Report, (Justin Wilkinson)
- XI. Bill List, (Robert Calise)
- XII. Old Business – WC Fund/ML Fund
- XIII. New Business – WC Fund/ML Fund
- XIII. Public Comment
- XV. Closed Session – Motion, (Eric Nemeth, Esq.)
- XVI. Adjournment

THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND
MINUTES OF PUBLIC MEETING
March 27, 2014

1. Call To Order:

A meeting of the New Jersey Intergovernmental Insurance Fund was called to Order on Thursday, March 27, 2014 at 10:01 a.m. in Wayne, N.J. 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), Mayor John Duthie (Borough of Roseland), Michael Kronyak (Borough of Hasbrouck Heights), Joseph Martin (Township of Verona), Robert Miller (Township of Wayne), Nicholas Saros (Borough of Teterboro), Thomas Tucci (Township of Cedar Grove)

Chairman Carroll advised that Commissioner Saros will serve on the Executive Board for today's meeting in the absence of Commissioner Beckerman.

Others Present: Jack Alderton (PMA-TPA), (Shannon Balken (BRM), Robert Calise (CMFO), (Linda D'Alessio (Recording Secretary), Sue DeCaro (PMA-TPA), Larry Graham (Fairview Insurance Agency Assoc., Inc), Maria Makos (Polaris Galaxy-Risk Manager), Jason Marett (PMA-TPA), Sue Neil (Township of Verona), Eric J. Nemeth Esq. (Eric J. Nemeth, P.C.-General Counsel/Co-Administrator), John A. Serapiglia (Polaris Galaxy-Risk Manager/Co-Administrator), Roseann Varick (Brown & Brown), Justin Wilkinson (PMA-TPA)

4. Approval of Minutes – February 27, 2014

It was moved by Martin, seconded by Miller that the Minutes for the February 27, 2014 Meeting of The New Jersey Intergovernmental Insurance Fund be accepted as presented.

Roll Call
Aye: Duthie, Kronyak, Martin, Miller, Saros, Tucci, Carroll
Nay: None
Abstain: None

5. Correspondence: No report.

6. Finance Report

Calise advised that his financial summary reports, including the Multi Line Fund and Workers Compensation Fund 2014 Assessment payment summaries, have

been provided in the meeting Agenda packet. Also included in the Agenda materials are the ML & WC March 2014 Bill List and Claims Paid Lists. Calise also reported that payment of initial member assessments are arriving slowly and that reminder letters may be necessary.

- a. Nominating Committee (Tucci) - No report
- b. By-Law Committee (Miller) – No report
- c. Legislative Committee (Martin) - No report
- d. Coverage Committee (Tucci) – For Closed Session
- d. Professionals Committee (Kronyak) – Kronyak reported that one proposal was submitted in response to the Safety and Loss Control Consultant – Special Services RFP. The Committee will review the submission and report back to the Board. Co-Administrator Nemeth advised that as a result of the change in NJIF membership and other factors, an adjustment to PMA’s compensation as TPA is recommended and that same has been reflected in resolutions WC2014-1A and ML 2014-1A. It was also recommended that Benecke Economics be retained to provide payroll audit and financial analysis services for 2014.

It was moved by Kronyak, seconded by Tucci, that Resolution WC2014-1A – Amendment to TPA Contract be accepted as presented.

Roll Call
Aye: Duthie, Kronyak, Martin, Miller, Saros, Tucci, Carroll
Nay: None
Abstain: None

It was moved by Kronyak, seconded by Tucci, that Resolution ML2014-1A – Amendment to TPA Contract be accepted as presented.

Roll Call
Aye: Duthie, Kronyak, Martin, Miller, Saros, Tucci, Carroll
Nay: None
Abstain: None

It was moved by Kronyak, seconded by Martin, that Resolution WC2014-11 – Appointment of Benecke Economics to provide payroll audit and related financial services, be accepted as presented.

Roll Call
Aye: Duthie, Kronyak, Martin, Miller, Saros, Tucci, Carroll
Nay: None
Abstain: None

- e. Budget Committee (Martin) – No report
- f. Safety/Loss Control Committee (Saros) – Saros reported his satisfaction with the work thus far by PMA. He advised that several Member meetings, including Asbury Park and Teterborough, have been conducted and that several more (including Roseland, Woodland Park and Wanaque) are scheduled for the coming month.
- g. New Member & Development Committee (Martin) – Co-Administrator Serapiglia informed the Board his is working with the brokerage community to develop new membership in the Fund.
- h. Risk Management Committee (Beckerman) – Co-Administrator Nemeth explained that as a result of changes in the NJIIF's insurance program, an updated Risk Management Plan should be submitted to the NJDOBI and DCA for consideration. He also explained that there is \$245,000 remaining in the Hurricane Sandy flood insurance payment from Alliant 2013.

It was moved by Tucci, seconded by Miller that Resolution WC/ML2014-8, approving introduction of the NJIIF's 2014 Risk Management Plan, be accepted as presented.

Roll Call
Aye: Duthie, Kronyak, Martin, Miller, Saros, Tucci, Carroll
Nay: None
Abstain: None

It was moved by Tucci, seconded by Martin, that Resolution ML2014-12 – Final Distribution of Hurricane Sandy Funds be accepted as presented.

Roll Call
Aye: Duthie, Kronyak, Martin, Miller, Saros, Tucci, Carroll
Nay: None
Abstain: None

7. Chairman's Report – Chairman Carroll reported he has noted an early trend in reduced claim costs for 2014 and that he is pleased with the initial phase of the new safety program.

8. Risk Manager's Report – Serapiglia reported his office will be mailing out the Statement of Values to each member to review and make any updates to the schedules. He is also beginning his pursuit of excess policies for 2015.

9. Loss Control Consultant's Report – See Safety Committee report, above.

10. Third Party Administrator's Report – Justin Wilkinson reported PMA has completed the download of all files from CCMSI and that data access through Cinch should be available within two weeks.

It was moved by Miller, seconded by Tucci, that all Professionals Reports be approved as presented.

Roll Call
Aye: Duthie, Kronyak, Martin, Miller, Saros, Tucci, Carroll
Nay: None
Abstain: None

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

It was moved by Martin, seconded by Kronyak, that the WC and ML Bill Lists for March 27, 2014 be approved for payment.

Roll Call
Aye: Duthie, Kronyak, Martin, Miller, Saros, Tucci, Carroll
Nay: None
Abstain: None

13. Old Business – none

14. New Business – Co-Administrator Nemeth suggested that the Board consider guest speakers on a variety of topics for upcoming meetings.

15. Closed Session

It was moved by Miller, seconded by Kronyak, that pursuant to the form of 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: Duthie, Kronyak, Martin, Miller, Saros, Tucci, Carroll
Nay: None
Abstain: None

It was moved by Martin, seconded by Tucci, that the Minutes of the Fund’s Closed Session meeting of February 27, 2014 be accepted as presented.

Roll Call
Aye: Duthie, Kronyak, Martin, Miller, Saros, Tucci, Carroll
Nay: None
Abstain: None

It was moved by Miller, seconded by Duthie, that the WC Claims recommendations and Fund Counsel’s Report be accepted as presented, including but not limited to providing the settlement authority requested for Claim #W001068996 and W001066728.

Roll Call

Aye: Duthie, Kronyak, Martin, Miller, Saros, Tucci, Carroll
Nay: None
Abstain: None

It was moved by Tucci, seconded by Miller, that the Multi-Line Claims recommendations and Fund Counsel's Report regarding ML Fund matters be accepted as presented, including but not limited to providing the settlement authority requested for Fund Counsel Claim #1125.

Roll Call
Aye: Duthie, Kronyak, Martin, Miller, Saros, Tucci, Carroll
Nay: None
Abstain: Tucci

There being no further business for Closed Session, it was moved by Martin, seconded by Miller, that the Board return to Open Session.

Roll Call
Aye: Duthie, Kronyak, Martin, Miller, Saros, Tucci, Carroll
Nay: None
Abstain: None

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

Roll Call
Aye: Duthie, Kronyak, Martin, Miller, Saros, Tucci, Carroll
Nay: None
Abstain: None

There being no further business to discuss, Motion by Kronyak, Seconded by Miller, to adjourn the NJIIF's March 27, 2014 Meeting.

Roll Call
Aye: Duthie, Kronyak, Martin, Miller, Saros, Tucci, Carroll
Nay: None
Abstain: None

The March 27, 2014 Meeting was adjourned at 11:07am.

Closed Session Motion

For the April 24, 2014 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. Rivera v. Union City (W001066537)-----RSA

Case Update Reports for WC Fund Subrogation/Restitution Claims:

1. Green v. Wayne Board of Education (W001069402)-----Recovery
2. Yennie v. Borough of Totowa (W001070415)-----Case Update
3. Abolino v. Township of Wayne (W001066552)-----Case Update

Multi-Line Fund Claim Matters

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

1. Banks v. City of Asbury Park (1213)-----Case Closure
2. Binot v City of Asbury Park (1151)-----Case Closure
3. Rovello v City of Union City (0883)-----Case Closure
4. Hargrove v Wayne Township (1196)-----Case Closure

Coverage Recommendations for New Claims/Litigation:

1. Luckey v. City of Asbury Park
2. Summerlin v. City of Asbury Park
3. Burke v. City of Bayonne
4. Abdelrazek v. Borough of Hasbrouck Heights
5. Cabello v City of Union City

Other Matters

1. NJIIF v. AJ Gallagher
2. Inservco Insurance Services