

NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND



Thursday, August 21, 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, August 21, 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 – June 26, 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
    - Resolution WC-2014-12—Appointment of Partnership Safety Consultants as Safety and Loss Control Consultant-Special Services
  - F. Finance – Martin
    - (1) Resolution WC-2014-13--Approval of Report of Audit and State Financial Report for Year Ended 12/31/13 and Corrective Action Plan for the NJIIF WC Fund
    - (2) Resolution ML-2014-13--Approval of Report of Audit and State Financial Report for Year Ended 12/31/13 and Corrective Action Plan for the NJIIF ML Fund
  - G. Safety/Loss Control – Saros
  - H. New Member & Development – Martin
  - I. Risk Management – Beckerman
- VIII. Chairman's Report
- 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.) Appendix II
- XVI. Adjournment

## APPENDIX I

THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND  
MINUTES OF PUBLIC MEETING  
June 26, 2014

1. Call To Order:

A meeting of the New Jersey Intergovernmental Insurance Fund was called to Order on Thursday, June 26, 2014 at 10:05 a.m. at the Stone Pony, 613 Ocean Avenue, Asbury Park, 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: Lou Beckerman (City of Union City), Thomas Carroll (Borough of Wanaque), Jack Kelly (City of Asbury Park), Joseph Martin (Township of Verona), Robert Miller (Township of Wayne), Nicholas Saros (Borough of Teterboro), Thomas Tucci (Township of Cedar Grove)

Others Present: Jack Alderton (PMA-TPA), David Balken (BRM), Shannon Balken (BRM), Dominick Cenelli (Brown & Brown), Linda D'Alessio (Recording Secretary), John Daley (Wells Fargo), George Daykiss (T&M), Michael DelBalso (Township of Wayne), Nancy DeMartino (Eric J. Nemeth, P.C. – General Counsel), Larry Graham (Fairview Insurance Agency Assoc., Inc), Maria Makos (Polaris Galaxy-Risk Manager), Sue Neil (Township of Verona), Eric J. Nemeth Esq. (Eric J. Nemeth, P.C.-General Counsel), Heather Reeves (Township of Wayne), John A. Serapiglia (Polaris Galaxy-Risk Manager), Dave Weightman (PMA-TPA), Justin Wilkinson (PMA-TPA), Mark Worthington (PMA-TPA), Dale Yager (Seraph)

4. Closed Session

It was moved by Tucci, seconded by Miller, 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: Beckerman, Martin, Miller, Tucci, Carroll
Nay: None
Abstain: None

It was moved by Martin, seconded by Miller, that the Minutes of the Fund's Closed Session meeting of May 22, 2014 be accepted as presented.

Roll Call
Aye: Beckerman, Martin, Miller, Tucci, Carroll
Nay: None
Abstain: None

It was moved by Tucci, seconded by Beckerman, that the WC Claims recommendations and Fund Counsel's Report be accepted as presented.

Roll Call
Aye: Beckerman, Martin, Miller, Tucci, Carroll
Nay: None
Abstain: None

It was moved by Martin, seconded by Miller, that the Multi-Line Claims recommendations and Fund Counsel's Report regarding ML Fund matters be accepted as presented.

Roll Call
Aye: Beckerman, Martin, Miller, Tucci, Carroll
Nay: None
Abstain: Tucci

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

Roll Call
Aye: Beckerman, Martin, Miller, Tucci, Carroll
Nay: None
Abstain: None

It was moved by Martin, seconded by Miller, to approve all actions, including but not limited to 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: Beckerman, Martin, Miller, Tucci, Carroll
Nay: None
Abstain: None

5. Approval of Minutes – May 22, 2014

It was moved by Martin, seconded by Miller that the Minutes for the May 22, 2014 Meeting of The New Jersey Intergovernmental Insurance Fund be accepted as presented.

Roll Call
Aye: Beckerman, Martin, Miller, Tucci, 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 financial summary reports, including the Multi Line Fund and Workers Compensation Fund 2014 Assessment payment summaries, copies of which were provided in the meeting Agenda packet. Also included in the Agenda materials were the ML & WC June 2014 Bill List and Claims Paid Lists.

8. Committee Reports

- a. Nominating Committee (Tucci) - No report
- b. By-Law Committee (Miller) – No report
- c. Legislative Committee (Martin) - No report
- d. Coverage Committee (Tucci) – See Closed Session, above
- e. Professionals Committee (Kronyak) – Nemeth reported seven Firms responded to the RFP's for ML and WC Defense Counsel.
- f. Finance Committee (Martin) – No report
- g. Safety/Loss Control Committee (Saros) – Nemeth presented a summary of the proposed NJIIF safety incentive program, with financial rewards to be provided to members who satisfy criteria outlined in the program, with funding provided by one of the NJIIF's excess insurance carriers (MunichRe).

It was moved by Beckerman, seconded by Tucci that Resolution WC2014-9 Safety Incentive Program be accepted as presented.

Roll Call
Aye: Beckerman, Martin, Miller, Tucci, Carroll
Nay: None
Abstain: None

- h. New Member & Development Committee (Martin) – Serapiglia informed the Board his is working with the brokerage community on development of potential new members.

- i. Risk Management Committee (Beckerman) – No Report

9. Chairman's Report – Chairman Carroll reported he and Eric Nemeth attended the PRIMA conference in Long Beach, CA and had productive meetings with several new excess carriers who expressed interest in the NJIIF.

10. Risk Manager's Report – Serapiglia reminded members that the Property Policy renewal date is July 1 and that final quotes are expected shortly. Since other markets are unable to offer Cyber Liability at a reasonable cost, it is Serapiglia's recommendation is stay with the current PEPID program.

It was moved by Tucci, seconded by Martin that the ML Fund renew the PEPID Property Policy

Roll Call
Aye: Beckerman, Martin, Miller, Tucci, Carroll
Nay: None
Abstain: None

11. TPA and Loss Control Consultant's Report – Justin Wilkinson provided summaries of Workers Compensation medical cost containment savings and five year claim comparisons. Jack Alderton advised that PMA has issued a safety bulletin for heat stress. He advised as to PMA's support for the Borough of Roseland in addressing issues identified by a recent PEOSHA inspection. Dave Weightman provided information on access to PMA's internet based safety training.

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

Roll Call
Aye: Beckerman, Martin, Miller, Tucci, Carroll
Nay: None
Abstain: None

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

It was moved by Martin, seconded by Tucci, that the WC and ML Bill Lists for June 26, 2014 be approved for payment.

Roll Call
Aye: Beckerman, Martin, Miller, Tucci, Carroll
Nay: None
Abstain: None

13. Old Business – none

14. New Business – Chairman Carroll announced that advised that the NJIIF's July meeting would be cancelled and that the next NJIIF Executive Board meeting is August 21, 2014 in Wayne, NJ

15. Public Comment—Chairman Carroll opened the floor for public comment.  
There being none, Carroll introduced Mr. Dale Yaeger.

16. Presentation: Unseen Dangers in Municipalities (Mr. Dale Yaeger).

There being no further business to discuss, Motion by Martin, Seconded by Miller to adjourn the NJIIF's June 26, 2014 Meeting.

Roll Call
Aye: Beckerman, Martin, Miller, Tucci, Carroll
Nay: None
Abstain: None

The June 26, 2014 Meeting was adjourned at 11:27 am.

## APPENDIX II



## **Closed Session Motion**

### **For the August 21, 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. Hill v. City of Asbury Park (W001066771)-----RSA
2. Naples v. Borough of Totowa (W001069590)-----RSA
3. Borrero v City of Union City. (W001069086)----- RSA
4. Sadek v Wayne BOE (W001066720)-----RSA

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

1. Parmar adv. Wayne Board of Education (W001069661)----Recovery
2. Calabrese adv. City of Bayonne (W001070305)-----Case Update
3. Rapach adv. Borough of Roselle Park (W001069668)-----Case Update

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

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

1. Lezin v. City of Asbury Park (1046)-----RSA
2. Timmons v Township of Cinnaminson (1131)-----Case Closure
3. Basualdo v City of Union City (0969)-----Case Closure
4. Zaklama v. City of Union City (0858)-----Case Closure
5. Chrissafis v. Township of Verona (0933)-----Case Closure
6. Kingston v. Township of Verona (0839)-----RSA
7. Jones v. Township of Warren (0813)-----Case Closure

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

1. Doherty v. City of Asbury Park
2. Gary/Davis v. City of Asbury Park
3. Poppy Do LLC v. City of Asbury Park
4. Sanchez v. City of Asbury Park

5. Stovall v. City of Asbury Park
6. Willis v. City of Asbury Park
7. Soloway v. City of Bayonne
8. Stock v. City of Bayonne
9. Vuocolo v. City of Bayonne
10. Williams, Peter v. City of Bayonne
11. Cerniglia v. Township of Cedar Grove
12. DiBenedetto v. Township of Cinnaminson
13. Garcia, Yahya v. Borough of Hasbrouck Heights
14. Muellari v. Borough of Hasbrouck Heights
15. Ficken v. Borough of Ringwood
16. In Re: 3417 Park Avenue, City Union City
17. Bank of America v. City of Union City
18. Blaettler v. City of Union City
19. DeLaRosa v. City of Union City
20. Fernandez v. City of Union City
21. Orchard Holdings v. City of Union City
22. Price v. Vigilant Global and City of Union city
23. Yuan v City of Union City
24. Bailey v. Township of Wayne

#### **Other Matters**

1. NJIIF v. AJ Gallagher and North River Insurance
2. NJIIF adv Inservco
3. RMC Agreements