

NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND



Thursday, January 23, 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.

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, January 23, 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 – December 12, 2013 and January 9, 2014 – Appendix I
- V. Correspondence –
- VI. Finance Report, (Robert Calise)
- VII. Committee Reports
 - A. Nominating –
 - B. By-Law – Miller
 - C. Legislative – Martin
 - D. Coverage – Tucci
 - E. Professional – Kronyak
 - F. Finance – Martin -
 - Amendment #1 to 2014 WC and ML Budgets
 - G. Safety/Loss Control – Saros
 - H. New Member & Development – Martin
 - I. Risk Management – Beckerman
- VIII. Chairman’s Report
- IX. Risk Manager’s Report, (John Serapiglia and Maria Makos)
- X. WC Loss Control Consultant’s Report, (PMA)
- XI. Third Party Administrator’s Report (PMA)
- XII. Bill List (Robert Calise)
- XIII. Old Business – WC Fund/ML Fund
- XIV. New Business – WC Fund/ML Fund
- XV. Public Comment
- XVI. Closed Session – Motion, (Eric Nemeth, Esq.)
- XVII. Adjournment

Appendix I

THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND
MINUTES OF PUBLIC MEETING
December 12, 2013

1. Call To Order:

A meeting of the New Jersey Intergovernmental Insurance Fund was called to Order on Thursday, December 12, 2013 at 11:07 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: Gail Bado (Borough of Ringwood), Adam Brewer (Township of West Caldwell), Lou Beckerman (City of Union City), Thomas Carroll (Borough of Wanaque), Michael Kronyak (Borough of Hasbrouck Heights), Joseph Martin (Township of Verona), Robert Miller (Township of Wayne), Edward Smith (County of Warren)

Others Present: David Balken (Balken Risk Management), Shannon Balken (Balken Risk Management), Neil Bellet (Township of Wayne), Robert Calise (CMFO), Linda D'Alessio (Recording Secretary), John Daly (Wells Fargo), Michal DelBalso (Township of Wayne), Larry Graham (Fairview Insurance Agency), Maria Makos (Polaris Galaxy-Risk Manager), Sue Neale (Township of Verona), Eric J. Nemeth Esq. (Eric J. Nemeth, P.C.-General Counsel), Michael Niznik (Partnership Safety Consultants-Safety Consultant), Philip J. Salamone (PMA – TPA) John A. Serapiglia (Polaris Galaxy-Risk Manager), John Whitley (D&H Alternative Risk Solutions), David J. Weightman (PMA - TPA), John Whitley (D&H Alternative Risk Solutions), Justin Wilkinson (PMA-TPA)

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

4. Approval of Minutes – October 24, 2013

It was moved by Martin, seconded by Miller that the Minutes for the November 14, 2013 Meeting of The New Jersey Intergovernmental Insurance Fund be accepted as presented.

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

5. Correspondence: None

6. Finance Report

Calise advised that his financial summary reports, including the Multi Line Fund and Workers Compensation Fund 2013 Assessment payment summaries, have been distributed. Also included in the Agenda materials are the ML & WC December 2013 Bill Lists and Claims Paid Lists.

7. Committee Reports

a. Nominating Committee (Bado) - Chairperson Bado announced the slate of candidates the Committee intends to recommend at the January reorganizational meeting.

b. By-Law Committee (Miller) – Co-Administrator Nemeth reported he has contacted the Department of Banking and Insurance by email and advised that at the time of the NJIIF’s Reorganization meeting in January, the NJIIF intends to proceed under the assumption that the By-Law amendments have been approved.

Legislative Committee (Martin) - No report

c. Coverage Committee (Tucci) – For closed session

d. Professionals Committee (Kronyak) – Kronyak reported that the PMA TPA transition is underway. Other matters will be discussed in Closed Session

e. Budget Committee (Martin) – Martin provided background on the 2014 WC and ML Budgets.

It was moved by Martin, seconded by Kronyak to open the public hearing on the 2014 ML Fund Budget.

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

There being no comments, motion by Martin, seconded by Kronyak to close the public hearing on the ML Fund 2014 Budget.

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

It was moved by Martin, seconded by Miller that the 2014 ML Budget be adopted as presented.

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

It was moved by Martin, seconded by Kronyak to open the public hearing on the 2014 WC Fund Budget

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

There being no comments, motion by Martin, seconded by Kronyak to close the public hearing on the WC Fund 2014 Budget.

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

It was moved by Martin, seconded by Kronyak that the 2014 WC Budget be adopted as presented.

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

- f. Safety/Loss Control Committee (Saros) – No Report
 - g. New Member & Development Committee (Martin) – No Report
 - h. Risk Management Committee (Beckerman) – No report
8. Chairman’s Report – Chairman Carroll thanked the Budget Committee and Fund Professionals for their diligent efforts in preparing the 2014 budgets. He also thanked the Professionals Committee for their substantial time and effort in selecting a new TPA for the NJIIF.
9. Risk Manager’s Report – Serapiglia advised that he will continue to evaluate new potential members through the end of the month.
10. Loss Control Consultant’s Report –The NJIIF’s Lock Out Tag Out brochure was presented as the Fund’s Winter Newsletter. Same will be provided to all members.
11. Third Party Administrator’s Report – Representatives of PMA were introduced as the TPA for both Funds.

12. Healthcare Network Provider's Report – no report

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

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

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

It was moved by Martin, seconded by Kronyak, that the WC and ML Bill Lists for December 12, 2013 be approved for payment.

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

14. Old Business – none

15. New Business – none

16. Public Comment--none

17. Closed Session

It was moved by Martin, 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: Bado, Beckerman, Kronyak, Martin, Miller, Carroll
Nay: None
Abstain: None

It was moved by Martin, seconded by Miller, that the Minutes of the Fund's Closed Session meeting of November 14, 2013 be accepted as presented.

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

It was moved by Kronyak, seconded by Miller that the WC Claims recommendations and Fund Counsel's Report, including by way of example, providing settlement authority in the matter of A. Wood v Freehold Township, be accepted as presented.

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

It was moved by Martin, seconded by Bado, that the Multi-Line Claims recommendations and Fund Counsel's Report regarding ML Fund matters, including by way of example, settlement authority in the matter of NJIIF v AJG, et al, be accepted as presented.

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

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

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

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

Chairman Carroll recommended that the 2014 Reorganizational Meeting be scheduled for January 9, 2014 at 10AM in Wayne Township. Motion to establish the 2014 Reorganizational Meeting per the Chairman's recommendation was made by Miller, seconded by Martin.

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

There being no further business to discuss, Motion by Miller, Seconded by Martin to adjourn the NJIIF's December 12, 2013 Meeting.

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

The December 12, 2013 Meeting was adjourned at 11:45am.

THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND
MINUTES OF PUBLIC MEETING
January 9, 2014

1. Call To Order:

A meeting of the New Jersey Intergovernmental Insurance Fund was called to Order on Thursday, January 9, 2014 at 10:06 a.m. in Wayne, N.J. The Open Public Meetings Act Statement was read and General Counsel Nemeth announced that notices were placed in newspapers and posted as required.

2. Pledge of Allegiance:

The meeting opened with the Pledge of Allegiance.

3. Roll Call:

Commissioners Present: Lou Beckerman (City of Union City), 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)

Others Present: David Balken, (Balken Risk Management), Shannon Balken (Balken Risk Management), Neil Bellet (Alternate Commissioner, Township of Wayne), Robert Calise (CMFO), Linda D'Alessio (Recording Secretary), John Daley (Wells Fargo), Larry Graham (Fairview Insurance Agency Assoc., Inc.), Joseph Lobosco (Lobosco Insurance Group, LLC), Maria Makos (Polaris Galaxy-Risk Manager), Eric J. Nemeth Esq. (Eric J. Nemeth, P.C.-General Counsel), Roseann Varick (Brown & Brown Metro), Justin Wilkinson (PMA Management Corp.)

4. Election – Executive Committee, Alternates, Chairman and Secretary:

Nemeth conducted a roll call of NJIIF Commissioners. Nemeth thereafter requested the report of the Nominating Committee for the slate of candidates to serve as Executive Board members, Officers and Designated Alternate Executive Board members for 2014. Commissioner Kronyak reported that the Nominating Committee is recommending the following slate of candidates:

2014 Executive Board

Thomas Carroll, Chairman (Borough of Wanaque)

Michael Kronyak, Secretary (Borough of Hasbrouck Heights)

Lou Beckerman, (City of Union City)

John Duthie, (Borough of Roseland)

Joseph Martin, (Township of Verona)

Robert Miller, (Township of Wayne)

Tom Tucci, (Township of Cedar Grove)

Alternates

Edward Smith (County of Warren)

Nick Saros (Borough of Teterboro)

Nemeth opened the floor was opened to recommendations for other candidates. There being no other recommendations for candidates to the Executive Board, it was moved by Kronyak, seconded by Beckerman, that the 2014 Executive Board, Alternates and Officers be approved as presented.

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

General Counsel Nemeth congratulated the Executive Board and turned the meeting over to Chairman Carroll.

5. 2014 NJIIF Resolutions – Multi-Line

Chairman Carroll directed the Board's attention to the meeting agenda and the reorganizational resolutions required for operation in 2014, copies of which were distributed at the meeting.

It was moved by Martin, seconded by Kronyak, that Resolutions ML-2014-1 through ML-2014-10 be approved as presented.

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

6. 2014 NJIIF Resolutions – Workers Compensation

It was moved by Martin, seconded by Beckerman, that Resolutions WC-2014-1 through WC-2014-9 be approved as presented

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

7. 2014 NJIIF Resolutions – Joint Multi-Line and Workers Compensation Funds:

It was moved by Martin, seconded by Kronyak, that Resolutions WC-ML-2014-1 through WC-ML-2014-7 be approved as presented.

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

8. Old Business – none

9. New Business – Commissioner Kronyak advised that the Professionals Committee would be posting an RFP for supplemental loss control services.

10. Public Comment – none

11. Adjournment – Chairman Carroll reminded the attendees that the next Board meeting – is January 23, 2014.

It was moved by Beckerman, seconded by Martin, that the meeting should be adjourned.

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

The meeting adjourned at 10:20 a.m.

Appendix II

Closed Session Motion--Amended

For the January 23, 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. McCloskey v. Town of Morristown (10D21B799734)----RSA

Case Update Reports for WC Fund Subrogation/Restitution Claims:

1. Brusco adv. Borough of Wanaque (13D21C622864)-----Recovery
2. Watson adv. City of Union City (09D21B798759)-----Recovery
3. Brown adv. City of Asbury Park (12D21C331570)-----Case Update
4. Dickerson adv. City of Asbury Park (12D21C325164)-----Case Update

Multi-Line Fund Claim Matters

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

1. Ting v Borough of Hasbrouck Heights (0980)-----Case Closure
2. Deleon v. City of Union City (1014)-----RSA
3. Gonzalez, Enrique v City of Union City (0984)-----Case Closure
4. Peguero, Jean v. City of Union City (0861)-----Case Closure
5. Chrissafis v Township of Verona (0950)-----RSA

Coverage Recommendations for New Claims/Litigation:

1. Winfield-Allison v. City of Asbury Park
2. Commander v. City of Bayonne
3. Hahn v City of Bayonne
4. Markert v. Township of Little Falls
5. Ruggiero v. Township of Little Falls
6. Stewart v. Township of Wayne

7. Hackensack Anesthesiology Associates v. Township of Wayne
8. Suhaka & Pavlak v. Township of Wayne

Other Matters

- Inservco Insurance Services
- Member Matters