

NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND



Thursday, May 22, 2014

**BOROUGH OF HASBROUCK HEIGHTS – SENIOR CENTER ROOM**

320 Boulevard, Hasbrouck Heights, NJ

***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, May 22, 2014  
**BOROUGH OF HASBROUCK HEIGHTS – SENIOR CENTER**  
**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. Closed Session (Eric Nemeth, Esq.)
- V. Approval of Minutes – April 24, 2014 – Appendix I
- VI. Correspondence –
- VII. Finance Report (Robert Calise)
- VIII. 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
- IX. Chairman’s Report
- X. Risk Manager’s Report, (John Serapiglia and Maria Makos)
- XI. WC Loss Control Consultant’s Report/TPA Report, (Justin Wilkinson)
- XII. Bill List, (Robert Calise)
- XIII. Old Business – WC Fund/ML Fund
- XIV. New Business – WC Fund/ML Fund
- XV. Public Comment
- XVI. Presentation: Nuts & Bolts of FMLA for Municipalities (Dominick Bratti, Esq.)
- XVII. Adjournment

THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND  
MINUTES OF PUBLIC MEETING  
April 24, 2014

1. Call To Order:

A meeting of the New Jersey Intergovernmental Insurance Fund was called to Order on Thursday, April 24, 2014 at 10:07 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: Louis Beckerman (City of Union City), Thomas Carroll (Borough of Wanaque), Mayor John Duthie (Borough of Roseland), Joseph Martin (Township of Verona), Nicholas Saros (Borough of Teterboro)

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), David Balken (BRM), Shannon Balken (BRM), Linda D'Alessio (Recording Secretary), Larry Graham (Fairview Insurance Agency Assoc., Inc), Maria Makos (Polaris Galaxy-Risk Manager), Jason Marett (PMA-TPA), Eric J. Nemeth Esq. (Eric J. Nemeth, P.C.-General Counsel), John A. Serapiglia (Polaris Galaxy-Risk Manager), Roseann Varick (Brown & Brown)

4. Approval of Minutes – March 27, 2014

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

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

5. Correspondence: none

6. 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 Multi Line Fund and Workers Compensation Fund 2014 Assessment payment summaries, which have been provided in the meeting Agenda packet. Also included in the Agenda materials are the ML & WC Funds 'April 2014 Bill List and Claims Paid Lists.

- a. Nominating Committee (Tucci) - No report

- b. By-Law Committee (Miller) – No report
- c. Legislative Committee (Martin) - No report
- d. Coverage Committee (Tucci) – Matters will be covered in Closed Session
- e. Professionals Committee (Kronyak) – Co-Administrator Nemeth advised that the Committee will be posting RFPs for the position of panel defense counsel for both Funds.
- f. Budget Committee (Martin) – No report
- g. Safety/Loss Control Committee (Saros) – Saros reported PMA is doing a great job, meetings are going well, and that the Committee will be looking for consistency in program development among members.
- h. New Member & Development Committee (Martin) – Co-Administrator Serapiglia informed the Board his is working with the brokerage community on new member development.
- h. Risk Management Committee (Beckerman) – No Report

7. Chairman’s Report – Chairman Carroll reported the TPA transition to PMA is going well. He also noted that due to space limitations in Warren County, the May Executive Board meeting will be held in Hasbrouck Heights.

8. Risk Manager’s Report – Co-Administrator Serapiglia reported he is in the process of revisiting the carriers for the July property renewal. The Member policy binders for 2014 were also distributed. Serapiglia reported that as a result of NJIIF membership changes at the end of 2013, the NJIIF ML Fund received a refund from the Property and General Liability carriers.

9. Loss Control Consultant’s Report – (See Safety Committee Report, above)

10. Third Party Administrator’s Report – Jason Marett reported PMA has complete the downloading the files form CCMSI. He also provided a summary of the number of WC claims reported for 2014, their allocation as to injury type and medical cost containment.

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

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

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

It was moved by Martin, seconded by Beckerman, that the WC and ML Bill Lists for April 24, 2014 be approved for payment.

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

13. Old Business – none

14. New Business – none

15. Closed Session

It was moved by Martin, seconded by Beckerman, that pursuant to the form of Amended Closed Session Motion presented at the meeting (the “Closed Session Motion”), the Board should move into Closed Session to discuss matters as outlined in the subject motion.

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

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

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

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

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

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

Roll Call
Aye: Beckerman, Duthie, Martin, Saros, Carroll
Nay: None

Abstain: None
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There being no further business for Closed Session it was moved by Beckerman, seconded by Duthie, that the Board return to Open Session

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

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

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

There being no further business to discuss, Motion by Martin, Seconded by Beckerman to adjourn the NJIIF's April 24, 2014 Meeting.

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

The April 24, 2014 Meeting was adjourned at 10:57 am.

## Closed Session Motion

### For the May 22, 2014 Meeting of the New Jersey Intergovernmental Insurance Fund

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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. Stiesi v. Township of Freehold (*W001069743*)-----RSA

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

1. Sancho adv. City of Union City (*11D21B946862*)-----Recovery
2. Sadek adv. Wayne Board of Education (*W001066720*)-----Recovery
3. Aguiar adv. Union City Parking Auth. (*W001069036*)-----Status Update

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

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

1. Ciancitto v. City of Asbury Park (1027)-----RSA
2. Wilson v Town of Guttenberg (1074)-----Case Closure
3. Morrissey v. Town of Guttenberg (1030)-----Case Closure
4. Szabo v. Borough of Roselle Park (1113)-----RSA
5. Cardenas v City of Union City (1056)-----Case Closure
6. Mendez v. City of Union City (1148)-----Case Closure

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

1. Ayala v. City of Bayonne
2. DeQuinzio v. City of Bayonne
3. Hanson v. City of Bayonne
4. O'Donnell v. Township of Cedar Grove
5. Lucas v. Borough of Mantoloking
6. Valley Partners v. Borough of Roseland
7. Constanzo v. Borough of Roselle Park
8. LaLama v. Borough of Totowa

9. Claros v. City of Union City
10. Paz v. City of Union City
11. Ruiz v. City of Union City
12. Stolyarov v. Township of Verona
13. Brotzman v. County of Warren
14. Borukhova v. Township of Wayne

**Other Matters**

1. NJIIF v. AJ Gallagher