

NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND



Thursday, June 26, 2014  
Stone Pony, 913 Ocean Ave., Asbury Park  
**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, June 26, 2014  
Stone Pony, 913 Ocean Ave, Asbury Park  
**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 – (Attachment A) Eric J. Nemeth, Esq.
- V. Approval of Minutes – May 22, 2014 – (Attachment B)
- 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
    - Resolution #WC-ML-2014-9: Safety Incentive Program
  - 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 - Unseen Dangers in Municipalities (Attachment C) Mr. Dale Yeager
- XVII. Adjournment

# Attachment A

## **Closed Session Motion**

### **For the June 26, 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. Chesney v. Township of Cinnaminson (*W001069405*)-----RSA

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

1. Crescio adv. City of Asbury Park (*W001069378*)-----Recovery
2. Townsend adv. City of Asbury Park (*W001069914*)-----Case Update
3. King adv. Township of Cinnaminson (*W001069575*)-----Case Update
4. Bierach adv. Borough of Totowa (*W001069645*)-----Case Update

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

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

1. Currerri v. City of Asbury Park (1150)-----Case Closure
2. Griffin v City of Bayonne (1004)-----Case Closure
3. Rojas v Town of Guttenberg (1145)-----Case Closure
4. Fenske v. Township of Wayne (0931)-----Case Closure

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

1. Butler v. City of Asbury Park (1277)
2. Bishop v. City of Bayonne (1275)
3. Hanna v. City of Bayonne (1276)
4. Percella v. City of Bayonne (1281)
5. Guzman v. City of Union City (1278)
6. Price v. Union City and Mier (1279)
7. Charles v. Township of Wayne (1280)

#### **Other Matters**

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

## Attachment B

THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND  
MINUTES OF PUBLIC MEETING  
May 22, 2014

1. Call To Order:

A meeting of the New Jersey Intergovernmental Insurance Fund was called to Order on Thursday, May 22, 2014 at 10:08 a.m. in Hasbrouck Height, 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), Michael Kronymak (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: Shannon Balken (BRM), Maureen Chumacs (Borough of Roseland), Linda D'Alessio (Recording Secretary), Larry Graham (Fairview Insurance Agency Assoc., Inc), Angelo Lobosco (Lobosco Insurance Group), Maria Makos (Polaris Galaxy-Risk Manager), Eric J. Nemeth Esq. (Eric J. Nemeth, P.C.-General Counsel), Rosemarie Matos (Office of Eric J. Nemeth, P.C.); Heather Reeves (Township of Wayne), Evelyn Rivero (City of Union City), Michael Robinson (City of Union City), John A. Serapiglia (Polaris Galaxy-Risk Manager), Roseann Varick (Brown & Brown), David Weightman (PMA), Justin Wilkinson (PMA)

4. Closed Session

It was moved by Martin, 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, Duthie, Kronymak, 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 April 24, 2014 be accepted as presented.

|                                                                 |
|-----------------------------------------------------------------|
| Roll Call                                                       |
| Aye: Beckerman, Duthie, Kronyak, 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 WC Fund Report be accepted as presented.

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

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

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

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: Beckerman, Duthie, Kronyak, Martin, Miller, Tucci, Carroll |
| Nay: None                                                       |
| Abstain: None                                                   |

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



5. Approval of Minutes – April 24, 2014

It was moved by Miller, seconded by Beckerman, that the Minutes for the April 24, 2014 Meeting of The New Jersey Intergovernmental Insurance Fund be accepted as presented.

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|-----------------------------------------------------------------|
| Roll Call                                                       |
| Aye: Beckerman, Duthie, Kronyak, 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 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 May 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) – For Closed Session
- e. Professionals Committee (Kronyak) – Kronyak reported that RFP's are posted for ML and WC Defense Counsel with responses due by June 13, 2014.
- e. Budget Committee (Martin) – No report
- f. Safety/Loss Control Committee (Saros) – Saros reported that PMA's initial member surveys are nearing completion. Saros also reported that his committee is developing a Safety Incentive Program which should be ready for introduction at the NJIIF's June meeting.
- g. New Member & Development Committee (Martin) –  
Martin reported that he and Serapiglia are actively working on member development for 2015.
- h. Risk Management Committee (Beckerman) – No Report

9. Chairman's Report – Chairman Carroll thanked Mike Kronyak for hosting today's meeting, the first of several regional meetings to be held by the NJIIF in 2014.

10. Risk Manager's Report –Serapiglia reported a representative of MunichRe, one of the NJIIF's excess carriers is present at today meeting. He also advised that his office is currently waiting for Statement of Values from a few more members in order to complete the 2014-2015 property renewals.

11. Loss Control Consultant's Report/TPA Report – Dave Weightman of PMA reported that initial member surveys have been completed in all but five towns. PMA is assisting in development of active safety committees for each member. He advised that is offering several programs on-line, including a June 10 webinar on heat stress. Justin Wilkinson summarized WC costs incurred through May 1, 2014 in comparison with the same period for each of the prior five years.

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

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

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

It was moved by Kronyak, seconded by Martin, that the WC and ML Bill Lists for May 22, 2014 be approved for payment.

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

13. Old Business – none

14. New Business – none

15. Public Comment

16. Presentation: The Nuts and Bolts of FMLA for Municipalities (by Dominick Bratti, Esq.) ---see attachment for handouts provided

There being no further business to discuss, Motion by Kronyak, Seconded by Martin to adjourn the NJIIF's May 22, 2014 Meeting.

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

The May 22, 2014 Meeting was adjourned at 11:54 am.

## Attachment C

# SERAPH

THE PROBLEM SOLVING COMPANY

## **UNSEEN DANGERS IN YOUR MUNICIPALITIES:**

### **3 Myths That Can Hurt Revenue, Increase Danger for Executives and Create Negative Press**

In the management of a county or municipality security and safety issues are common. These issues create high liability costs; can cost large amounts of money and can endanger officials.

#### **Myth 1 - POLICE ARE TRAINED IN THREAT MANAGEMENT AND SECURITY**

Assessment – Training – Prevention

- a. What Threat Management training has your Police department received.
- b. What Threat Management training has your Police department received.

#### **Myth 2 - THE ONLY SOLUTION TO PROBLEM BARS & NIGHTCLUBS IS TO CANCEL THEIR PERMIT.**

- a. If you take their permits you lose jobs, tax revenue and axillary revenue from visitors.
- b. Bad Management is at the heart of problem entertainment facilities.

Plan of Action:

- Assessment of the problems.
- Require leadership to be trained.

#### **Myth 3 – Reducing Costs Requires A Reduction In Employees.**

- a. Poor Human Resources and Employee Management create Liability
- b. Revenue Loss and Aggravation.