

NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND



Thursday, October 23, 2014
Warren County Community College, 475 Rt. 57 West, Washington, 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.**

**DIRECTIONS TO
WARREN COUNTY COMMUNITY COLLEGE
475 State Route 57 W., Washington, NJ**

From I-80

Take Route 80 West merge onto US Highway 46 E/US-46 W exit 26 toward Budd Lake/Hackettstown, turn left onto East Ave., turn left onto Mountain Ave/NJ-182 then turn right onto NJ-57/State Route 57 E., continue to follow NJ-57.

From I-287 OR I-78/22 (New Brunswick or the Shore Area)

Take Route 78 West to Exit 17 (Route 31 North). Follow Route 31 North to its intersection with Route 57 in Washington, NJ. Turn left onto Route 57 West and travel approximately 2.5 miles. The College is located on the left.

From Route 295 (Trenton and Southern New Jersey)

Take Route 295 North, which will become Route 95 South. Take Exit 3 (Route 31) and follow the signs for Route 31 North/Pennington. Travel around the traffic circle and exit onto Route 31 North. Continue on Route 31 for approximately ten miles and take the exit for Route 202/31 North. Continue until you reach the Flemington traffic circle. Travel around the circle and exit at Route 31 North. Follow Route 31 North past Hunterdon Medical Center and continue for another 20 miles. When you reach the Route 78 exits, follow the signs to continue on Route 31 North. Travel on Route 31 North to the light at Route 57 in Washington. Make a left onto Route 57. Travel through the Washington business district. Continue straight through the light at Brass Castle Road. You will pass a ShopRite on your right and then a luncheonette on your right. You will pass the College on your left. Take the left turn after the College (there is a turn lane) and bear left up the driveway.

From I-80 (Points North or Northwest)

Take Route 46 to Hackettstown. Follow signs to Route 57 West, toward Washington. Continue on Route 57 West, approximately 2.5 miles beyond its intersection with Route 31 in Washington. The College is located on the left.

Thursday, October 23, 2014
Warren County Community College
10:00 AM
AGENDA

1. Meeting Called to Order – Open Public Meetings Act Read
2. Pledge of Allegiance
3. Roll Call of Executive Committee and Professionals
4. Closed Session (Eric J. Nemeth, Esq.) – Appendix I
5. Approval of Minutes – September 25, 2014 – Appendix II
6. Correspondence –
7. Finance Report, (Robert Calise)
8. 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
9. Chairman’s Report
10. Risk Manager’s Report, (John Serapiglia and Maria Makos)
11. WC Loss Control Consultant’s Report (PMA--Tim Weir/Jack Alderton)
12. TPA Report (PMA--Justin Wilkinson)
13. Bill List, (Robert Calise)
14. Old Business – WC Fund/ML Fund
15. New Business – WC Fund/ML Fund
16. Public Comment
17. Presentation – “Conducting Effective Employee Complaint Investigations”
By: Jenna A. Rottenberg, Florio Perrucci Steinhardt & Fader LLC
18. Adjournment

APPENDIX I

Closed Session Motion

For the October 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. Danzo v. Borough of Riverdale (W001066594)-----RSA
2. Verhage v. Wayne BOE (W001069950)-----RSA

Case Update Reports for WC Fund Subrogation/Restitution Claims:

1. Sweatt adv. City of South Amboy (W001069883)-----Recovery
2. White adv. City of Asbury Park (W001069980)-----Case Update
3. Mattias adv. City of Bayonne (W001069506)-----Case Update
4. Ishak adv. City of Union City (W001069986)-----Case Update

Multi-Line Fund Claim Matters

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

1. 208 Main Street v. City of Asbury Park (1194)-----Case Closure
2. Baker v City of Asbury Park (1175)-----Case Closure
3. Jerman v Borough of Ringwood (1155)-----Case Closure
4. Deleon v. City of Union City (1014)-----Case Closure
5. Rijos v. City of Union City (0933)-----Case Closure

Coverage Recommendations for New Claims/Litigation:

1. Braithwaite v. City of Asbury Park
2. Gayoso v. City of Asbury Park
3. Ruffin v. City of Asbury Park
4. Sanchez v. City of Asbury Park
5. Barbito v. City of Bayonne
6. Cruz v. City of Bayonne
7. McCann v City of Bayonne

8. Williams, Kathleen v. City of Bayonne
9. Storzum v. Borough of Riverdale
10. Heart of Worship Church v. Borough of Roselle Park
11. Cribeiro v. City of Union City
12. Figueroa v. City of Union City
13. J&S Group, Inc. v. Borough of Wanaque
14. Maraldo v. Township of Wayne

Other Matters

APPENDIX II

THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND
MINUTES OF PUBLIC MEETING
September 25, 2014

1. Call To Order:

A meeting of the New Jersey Intergovernmental Insurance Fund was called to Order on Thursday, September 25, 2014 at 10:06 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), Joseph Martin (Township of Verona), Thomas Tucci (Township of Cedar Grove); Heather Reeves (Township of Wayne) arrived @ 10:55 am

Others Present: Jack Alderton (PMA- Safety and Loss Control Consultant), Linda D'Alessio (Recording Secretary), John Daly (Wells-Fargo), Tom Delaney (TD Production), Michael DelBalso (Township of Wayne), Maria Makos (Polaris Galaxy-Risk Manager), Sue Neale (Township of Verona), Eric J. Nemeth Esq. (Eric J. Nemeth, P.C.-General Counsel/Administrator), John A. Serapiglia (Polaris Galaxy-Risk Manager/Administrator), Tim Weir (PMA-Safety and Loss Control Consultant), Justin Wilkinson (PMA-TPA)

4. Approval of Minutes – August 21, 2014

It was moved by Martin, seconded by Duthie, that the Minutes for the August 21, 2014 Meeting of The New Jersey Intergovernmental Insurance Fund be accepted as presented.

Roll Call
Aye: Duthie, Martin, Tucci, 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 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 September 2014 Bill List and Claims Paid Lists.

7. Committee Reports

- a. Nominating Committee (Tucci) - Appointment of a replacement for retired Executive Board Member Robert Miller was tabled.
- b. By-Law Committee (Miller) – No report
- c. Legislative Committee (Martin) - No report
- d. Coverage Committee (Tucci) – To be covered in Closed Session
- e. Professionals Committee (Kronyak) – In Committee Chairman Kronyak’ s absence, Co-Administrator Nemeth provided background on the Committee’s interview and consideration of the law firm Florio & Kenny.

It was moved by Martin, seconded by Duthie that Resolution WC-2014-14 appointing the law firm of Florio & Kenny to the NJIIF ML Fund defense counsel list be accepted as presented.

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

Nemeth also advised that RFP’s for all NJIIF professionals’ positions except TPA, Medical Case Management, HealthCare Network and Safety & Loss Control will be posted. Chairman Carroll requested that the RFPs include additional services for assessment of the possible closure of the books for certain Fund operating years.

f. Finance Committee (Martin) – Nemeth reported that the 12/31/13 audit reports have been submitted to NJDOBI/DCA and that the 6/30/14 reports are anticipated in September.

g. Safety/Loss Control Committee (Saros) – No report

h. New Member & Development Committee (Martin) – For Closed Session.

i. Risk Management Committee (Beckerman) – No report

7. Chairman’s Report – No report

8. Risk Manager’s Report – Co-Administrator Serapiglia reported that a marketing package has been sent to prospective members. Serapiglia also reported that he is actively assessing markets for WC, GL, AL and POL excess insurance.

9. Loss Control Consultant's Report – Tim Wier and Jack Alderton provided an outline of the safety activities undertaken during the month of August and those planned for the balance of 2014.

10. Third Party Administrator's Report – Justin Wilkinson provided a summary of Worker's Compensation losses for current and all members over a comparable five year period and the status of medical cost containment savings..

Motion by Duthie, Seconded by Martin to approve all Professionals Reports presented at this September 26, 2014 meeting of the NJIIF.

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

11. Bill List--WC Fund/ML Fund

Nemeth advised that an RMC agreement for Bayonne for 2014 has not yet been provided, so the two listed payments to Frenkel & Company should not be approved at this time. It was moved by Martin, seconded by Duthie, that the WC and ML Bill Lists for September 25, 2014 be approved for payment with the exclusion of the payments to Frenkel & Company.

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

12. Old Business – Nemeth reported that an updated version of a template employee manual has been prepared by Wilentz on behalf of the NJIIF. Chairman Carroll requested that the Risk Management Committee review same and provide recommendations.

13. New Business – none

14. Closed Session

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

It was moved by Martin, seconded by Duthie, that the Minutes of the Fund's Closed Session meeting of September 25, 2014 be accepted as presented.

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

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

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

It was moved by Duthie, 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: Duthie, Martin, Tucci, Carroll
Nay: None
Abstain: None

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

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

It was moved by Martin, seconded by Tucci, to approve all actions taken in Closed Session, including but not limited to requests for settlement authority for the WC matters listed in the Closed Session Motion, extending authority to Carroll, Nemeth and Serapiglia to execute the NJIIF v AJG settlement agreement, and the coverage positions recommended by General Counsel in Closed Session.

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

There being no further business to discuss, Motion by Martin, Seconded by Tucci to adjourn the NJIIF's September 25, 2014 Meeting.

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

The September 25, 2014 Meeting was adjourned at 10:59 am.