

NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND



Thursday, September 25, 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, September 25, 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 – August 21, 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 #ML-2014-14 (Appointment of Florio & Kenny to ML Panel Counsel List)
 - F. Finance – Martin
 - 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.)
- XVI. Adjournment

APPENDIX I

**THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND
MINUTES OF PUBLIC MEETING
August 21, 2014**

1. Call To Order:

A meeting of the New Jersey Intergovernmental Insurance Fund was called to Order on Thursday, August 21, 2014 at 10:03 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: Lou Beckerman (City of Union City), Neil Bellet (Township of Wayne), Thomas Carroll (Borough of Wanaque), Mayor John Duthie (Borough of Roseland), Michael Kronyak (Borough of Hasbrouck Heights), Nicholas Saros (Borough of Teterboro), Ed Smith (County of Warren), Thomas Tucci (Township of Cedar Grove)

Chairman Carroll advised that Commissioners Saros and Bellet will serve on the Executive Board for today's meeting in the absence of Commissioners Martin and Miller.

Others Present: Jack Alderton (PMA-TPA), Michael Beckerman (Beckerman & Company), Linda D'Alessio (Recording Secretary), John Daly (Wells-Fargo) Maria Makos (Polaris Galaxy-Risk Manager), Eric J. Nemeth Esq. (Eric J. Nemeth, P.C.-General Counsel), John A. Serapiglia (Polaris Galaxy-Risk Manager), Gary Vinci (Lerch, Vinci & Higgins, LLP-Auditor), Tim Weir (PMA-TPA), Justin Wilkinson (PMA-TPA)

4 Approval of Minutes – June 26, 2014

It was moved by Tucci, seconded by Kronyak, that the Minutes for the June 26, 2014 Meeting of The New Jersey Intergovernmental Insurance Fund be accepted as presented.

Roll Call
Aye: Beckerman, Kronyak, Saros, Tucci, Carroll
Nay: None
Abstain: Bellet, Duthie

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 monthly financial 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 August 2014 Bill List and Claims Paid Lists.

a. **Nominating Committee** (Tucci) - No report

b. **By-Law Committee** (Miller) – No report

Legislative Committee (Martin) - No report

c. **Coverage Committee** (Tucci) – (See Closed Session)

d. **Professionals Committee** (Kronyak) – Kronyak commented on the improvement in the City of Union City's WC claims history associated with the work of Partnership Safety Consultants and advised that the Committee is recommending that PSC be appointed as Safety and Loss Control Consultant-Special Services, in order to continue that work.

It was moved by Tucci, seconded by Duthie that Resolution WC-2014-12 be accepted as presented.

Roll Call
Aye: Beckerman, Bellet, Duthie, Kronyak, Saros, Tucci, Carroll
Nay: None
Abstain: None

e. **Finance Committee** (Martin) – NJIIF Auditor Gary Vinci was present and provided summaries of the NJIIF Audit Reports for the period ending 12/31/13 for the WC and ML Funds.

It was moved by Kronyak, seconded by Beckerman that Resolution WC-2014-13, adopting the WC Fund Audit Report, State Financial Report and associated Corrective Action Plan be accepted as presented.

Roll Call
Aye: Beckerman, Bellet, Duthie, Kronyak, Saros, Tucci, Carroll
Nay: None
Abstain: None

It was moved by Kronyak, seconded by Beckerman that Resolution ML- 2014-13 adopting the ML Fund Audit Report, State Financial Report and associated Corrective Action Plan be accepted as presented.

Roll Call
Aye: Beckerman, Bellet, Duthie, Kronyak, Saros, Tucci, Carroll
Nay: None
Abstain: None

- f. Safety/Loss Control Committee (Saros) – Saros thanked the Professionals for all the hard work in development of a comprehensive safety and loss control program. PMA representatives Wier and Alderton summarized PMA’s plans for the balance of 2014, including regional and site specific training and support for development of Member safety committees.
 - g. New Member & Development Committee (Martin) – To be discussed in Closed Session.
 - h. Risk Management Committee (Beckerman) – Beckerman reported that he expects that the Member Union City Parking Authority will merge with the City of Union City.
7. Chairman’s Report – Chairman Carroll reported he is pleased to see the improved performance of both Funds as reflected in the Audit Reports.
 8. Risk Manager’s Report – Co-Administrator Serapiglia reported that Polaris is pushing for members to complete and submit the 2015 renewal applications as they are needed for excess insurance pricing/quotes. He also advised that he is working with the brokerage community for new submission for 2015.
 9. Loss Control Consultant’s Report – (See Safety/Loss Control Committee report)
 10. Third Party Administrator’s Report – Justin Wilkinson of PMA distributed summaries of Workers Compensation claims/loss data.
 11. Bill List--WC Fund/ML Fund
It was moved by Tucci, seconded by Beckerman, that the WC and ML Bill Lists for August 21, 2014 be approved for payment.

Roll Call
Aye: Beckerman, Bellet, Duthie, Kronyak, Saros, Tucci, Carroll
Nay: None
Abstain: None

12. Old Business – none

13. New Business – none

14. Closed Session

It was moved by Beckerman, 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: Beckerman, Bellet, Duthie, Kronyak, Saros, Tucci, Carroll
Nay: None
Abstain: None

It was moved by Beckerman, seconded by Kronyak, that the Minutes of the Fund's Closed Session meeting of June 26, 2014 be accepted as presented.

Roll Call
Aye: Beckerman, Bellet, Duthie, Kronyak, Saros, Tucci, Carroll
Nay: None
Abstain: None

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

Roll Call
Aye: Beckerman, Bellet, Duthie, Kronyak, Saros, Tucci, Carroll
Nay: None
Abstain: None

It was moved by Tucci, seconded by Duthie, that the Multi-Line Claims recommendations and Fund Counsel's Report regarding ML Fund matters be accepted as presented (Commissioners Beckerman and Carroll depart meeting during this portion of Closed Session).

Roll Call
Aye: Bellet, Duthie, Kronyak, Saros, Tucci
Nay: None
Abstain:

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

Roll Call
Aye: Bellet, Duthie, Kronyak, Saros, Tucci
Nay: None
Abstain: None

It was moved by Kronyak, 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 Closed Session Motion, and the coverage positions recommended by General Counsel in Closed Session.

Roll Call
Aye: Bellet, Duthie, Kronyak, Saros, Tucci
Nay: None
Abstain: None

There being no further business to discuss, Motion by Tucci, Seconded by Bellet to adjourn the NJIF's August 21, 2014 Meeting.

Roll Call
Aye: Bellet, Duthie, Kronyak, Saros, Tucci
Nay: None
Abstain: None

The August 21, 2014 Meeting was adjourned at 11:34 am.

Closed Session Motion

For the September 25, 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 NJIF 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. Perez, Edwin v. City of Union City (W001069693)-----RSA

Case Update Reports for WC Fund Subrogation/Restitution Claims:

1. DeLuccia, Alexander adv. Township of Wayne (W001066746)-----Recovery
2. Franciose, Robert adv. Township of Wayne (W001156914)-----Recovery
3. Breiner, Craig adv. City of Asbury Park (W001069097)-----Case Update
4. Washington, Johnny adv. City of Asbury Park (W001069974)-----Case Update
5. Figueroa, Francisco adv. City of Union City (W001069672)-----Case Update

Multi-Line Fund Claim Matters

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

1. Townes v. City of Asbury Park (1065)-----Case Closure
2. Nally v. City of Bayonne (1058)-----Case Closure
3. Segal Development v Borough of Roseland (0819)-----Case Closure
4. Diaz City of Union City (0944)-----Case Closure

Coverage Recommendations for New Claims/Litigation:

1. Jones v. City of Asbury Park
2. Wilson v. City of Asbury Park
3. Haytas v. City of Bayonne
4. Johnson v. Borough of Riverdale
5. Avalon Bay v. Borough of Roseland
6. Ingris/Schaaf v. Borough of Roseland
7. Schneeberger v. Borough of Roselle Park

8. Kyle v. Borough of Totowa
9. Bank of America v. City of Union City
10. Lopez v. City of Union City
11. Morales v. City of Union City

Other Matters

1. NJIF v. AJ Gallagher and North River Insurance (settlement authorization)
2. NJIF adv Inservco
3. Saiber law firm