

NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND



Thursday, October 25, 2018
Township of Wayne – Health Department Room #2
10:30 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, October 25, 2018
TOWNSHIP OF WAYNE – HEALTH DEPARTMENT ROOM #2
10:30 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. Approval of Minutes –September 27, 2018 Minutes – Appendix I
5. Correspondence
6. Finance Report, (Robert Calise)
7. Committee Reports
 - A. Nominating – Tucci
 - B. By-Laws – McNamara-Kreitz
 - C. Legislative – Cavallo
 - D. Coverage – Tucci
 - E. Professional – Tucci
 - Resolution ML-2018-16: Addition of Law Office Of Michael A. D’Aquanni, LLC to ML Fund Panel Defense Counsel List
 - Resolution WC-ML-2018-13: Appointment of New Recording Secretary
 - F. Finance – Kronymak
 - G. Safety/Loss Control – Smith
 - H. New Member & Development – Kronymak
 - I. Risk Management – Smith
 - Resolution ML-2018-017: Adoption of NJIIF Motor Vehicle Liability Risk Management Program
8. Chairman’s Report
9. Risk Manager’s Report, (John Serapiglia and Maria Makos, Polaris Galaxy)
10. WC Loss Control Consultant’s Report (Tim Weir, PMA)
11. TPA Report (Justin Wilkinson, PMA)
12. Bill List (Robert Calise)
13. Old Business – WC Fund/ML Fund

14. New Business – WC Fund/ML Fund

15. Public Comment

16. Closed Session – (Eric Nemeth, Esq., Eric J. Nemeth, PC) – Motion in Appendix II

17. Adjournment

APPENDIX I

THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND
MINUTES OF PUBLIC MEETING
September 27, 2018

1. Call To Order:

A meeting of the New Jersey Intergovernmental Insurance Fund was called to Order on Thursday, September 27, 2018 at 10:30 a.m. in Wayne Township, N.J. In the absence of Chairman Kronyak, Secretary Tucci read the Open Public Meetings Act Statement and announced that notices were placed in newspaper and posted as required.

2. Pledge of Allegiance:

Tucci opened the meeting with the Pledge of Allegiance.

3. Roll Call:

Commissioners Present: Matthew Cavallo (Township of Verona), Mayor John Duthie (Borough of Roseland), Avril Limage (Township of Old Bridge), Heather McNamara-Kreitz (Township of Wayne), Chief Richard Molinari (City of Union City), Nick Saros (Borough of Teterborough), Freeholder Ed Smith (County of Warren), Thomas Tucci (Town of Cedar Grove) and Sonia Viveiros (Town of Maplewood).

Others Present: Ezio Altamura (GJEM-Otterstedt), Lou Beckerman (Acrisure, LLC), Maureen Chumacas (Borough of Roseland), Linda D'Alessio (Recording Secretary), John Daly (Scirocco Group), Michael DelBalso (Township of Wayne), Nancy DiMartino (Eric J. Nemeth, P.C.), Kristine Gould (Township of Verona), Lt. Walter Laurencio (City of Union City), Maria Makos (Polaris Galaxy, Risk Manager), Eric J. Nemeth Esq. (Eric J. Nemeth, P.C.-General Counsel/Co-Administrator), John A. Serapiglia (Polaris Galaxy-Risk Manager/Co-Administrator), Tim Weir (PMA-Safety and Loss Control), Justin Wilkinson, (PMA-TPA)

4. Approval of Minutes of Executive Board Meeting of August 23, 2018. It was moved by Cavallo, seconded by Molinari, that the Minutes of the August 23, 2018 Meeting of The New Jersey Intergovernmental Insurance Fund be accepted as presented.

Roll Call:
Aye: Cavallo, Duthie, McNamara-Kreitz, Molinari, Smith and Tucci
Nay: None
Abstain:

5. Correspondence: None

6. Finance Report: In the absence of CMFO Calise, Secretary Tucci referred to the monthly financial reports and claims payments, copies of which are provided in the Meeting Agenda packets.

7. Committee Reports

- a) Nominating Committee (Tucci) – No report
- b) By-Law Committee (McNamara-Kreitz) – No report
- c) Legislative Committee (Cavallo) – No report
- d) Coverage Committee (Tucci) – (See Closed Session Motion)
- e) Professionals Committee (Tucci) –
- f) Finance Committee (Kronyak) – Co-Administrator Nemeth explained the background of the NJIIF’s dispute with Inservco Insurance Services and the settlement that was achieved with the Executive Board’s approval. Nemeth advised that the settlement payment has been received and that the funds need to be allocated among the appropriate NJIIF WC Fund operating years. Nemeth also explained the approach used for calculating that allocation and the results of same, which are reflected in the resolution presented today for consideration. Resolution WC-2018-18, Allocation of Funds from the Inservco Settlement, was introduced.

It was moved by Cavallo, seconded by Molinari, that Resolution WC-2018-18: “Allocation of Funds from the Inservco Settlement” be accepted as presented.

Roll Call:
Aye: Cavallo, Duthie, McNamara-Kreitz, Molinari, Smith and Tucci
Nay: None
Abstain: None

- g) Safety/Loss Control Committee (Smith) – No report
- h) New Member & Development Committee (Kronyak) – No report
- i) Risk Management Committee (Smith) – Smith provided a summary of the new Auto Liability Risk Management Program. Nemeth advised that it will be circulated to all Members for comment before potential consideration for adoption at the NJIIF’s October 25, 2018 Executive Board meeting.

It was moved by Smith, seconded by Molinari, that the NJIIF’s Auto Liability Risk Management Program be introduced as presented.

Roll Call:
Aye: Cavallo, Duthie, McNamara-Kreitz, Molinari, Smith and Tucci
Nay: None
Abstain: None

8. Chairman’s Report – In the absence of Chairman Kronyak, no report.
9. Risk Manager’s Report – Serapiglia reported his office has begun review of three potential new member submissions. He also advised that the 12/31/15 NJDOBI Examination is now complete, after submission of supporting Executive Board member affidavits. .
10. Loss Control Consultant Report – Tim Weir advised of upcoming police department training, “When Words Fail”. Also, a “snow plow rodeo” will be held in Verona on November 6.
11. TPA Report – Justin Wilkinson provided an update on aggregate WC claims received through 9/1/2018. The WC claim count to date for 2018 is improved over 2017 but is slightly above the five year average. He reported that claims generally continue to be timely reported (within 3 days) and lost time frequency continues to improve.

It was Moved by Cavallo, Seconded by Molinari to approve all Professionals’ Reports.

Roll Call:
Aye: Cavallo, Duthie, McNamara-Kreitz, Molinari, Smith and Tucci
Nay: None
Abstain: None

12. Bill List-WC Fund/ML Fund –

It was Moved by Cavallo, Seconded by Molinari to approve the September Bill List.

Roll Call:
Aye: Cavallo, Duthie, McNamara-Kreitz, Molinari, Smith and Tucci
Nay: None
Abstain: None

13. Old Business – none
14. New Business –Nemeth reported that the Township of Old Bridge and Warren County have renewed their membership in the NJIIF.
15. Public Comment- none

16. Closed Session

It was moved by Smith, seconded by Molinari, 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: Cavallo, Duthie, McNamara-Kreitz, Molinari, Smith and Tucci
Nay: None
Abstain: None

It was moved by Molinari seconded by Cavallo, that the Minutes of Closed Session from the Fund's meeting of August 23, 2018 be accepted as presented.

Roll Call:
Aye: Cavallo, Duthie, McNamara-Kreitz, Molinari, Smith and Tucci
Nay: None
Abstain: None

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

Roll Call:
Aye: Cavallo, Duthie, McNamara-Kreitz, Molinari, Smith and Tucci
Nay: None
Abstain: *Each Executive Board Member abstains as to claims against its Member entity

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

Roll Call:
Aye: Cavallo, Duthie, McNamara-Kreitz, Molinari, Smith and Tucci
Nay: None
Abstain: *Each Executive Board Member abstains as to claims against its Member entity

There being no further business for Closed Session it was moved by Cavallo, seconded by McNamara-Kreitz that the Board return to Open Session.

Roll Call:
Aye: Cavallo, Duthie, McNamara-Kreitz, Molinari, Smith and Tucci
Nay: None
Abstain: None

It was moved by Cavallo, seconded by McNamara-Kreitz, to approve all actions presented in Closed Session, 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: Cavallo, Duthie, McNamara-Kreitz, Molinari, Smith and Tucci
Nay: None
Abstain: *Each Executive Board Member abstains as to claims against its Member entity

17. Adjournment - There being no further business to discuss, Motion by Molinari, Seconded by Duthie to adjourn the NJIIF's September 27, 2018 Meeting.

Roll Call:
Aye: Cavallo, Duthie, McNamara-Kreitz, Molinari, Smith and Tucci
Nay: None
Abstain: None

The September 27, 2018 Meeting was adjourned at 11:30 am.

APPENDIX II

Closed Session Motion

For the October 25, 2018 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. Snee adv. Township of Old Bridge (W002166145)-----RSA
2. Rowe adv. Township of Wayne (W001978049)-----RSA

Case Update Reports for WC Fund Subrogation/Restitution Claims:

1. Amato adv. City of Bayonne (W001639690)-----Recovery
2. Kull adv. Borough of Hasbrouck Heights (W002154196)-----Case Update
3. Albanese adv. Township of Wayne (W001905753)-----Case Update
4. Broyles adv. City of Asbury Park (W001785212)-----Case Closure

Multi-Line Fund Claim Matters

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

1. First Avenue Realty v. City of Asbury Park (1255)-----Case Closure
2. Louis v. City of Asbury Park (1535)-----RSA
3. Buchholz v. City of Bayonne (1460)-----Case Closure
4. Medina, Starsky v. City of Bayonne (1560)-----Case Closure
5. Azar v. Borough of Wanaque (1504)-----Case Closure

Coverage Recommendations for New Claims/Litigation:

1. Holland v. City of Asbury Park
2. Hynes v. Township of Old Bridge
3. Kelly v. Borough of Roseland
4. Mendez, Gladis et al v. City of Union City
5. Morales, Estrella v. City of Union City
6. Philip-Howard v. County of Warren