

**CAMDEN COUNTY INSURANCE COMMISSION
OPEN MINUTES
MEETING – March 22, 2012
Camden County College Regional Training Center
Conference Room
Blackwood, NJ 08102
2:00 PM**

Meeting was called to order by Ross Angilella, Chairman. Open Public Meetings notice read into record.

PLEDGE OF ALLEGIANCE

ROLL CALL OF COMMISSIONERS:

Ross G. Angilella	Present
Anna Marie Wright	Present
Steve Williams	Present

FUND PROFESSIONALS PRESENT:

Executive Director	PERMA Risk Management Services Joseph Hrubash
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Claims Service	Comp Services, Inc. Huguette Atherton Cheryle Little Terry Corchado Lisa Graff
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	Conner Strong & Buckelew Michelle Leighton
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Attorney	Laura J. Paffenroth, Esq.
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Treasurer	Dave McPeak
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Safety Director	J.A. Montgomery Risk Control John Lapatchka
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Risk Management Consultant (CCIA)	Hardenberg Insurance Group
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ALSO PRESENT:

Bob Brennan, PCFACC
Louis DiAngelo, Camden County
Howard Goldberg, Camden County
Carl J. Gregorio, Brown & Connery, LLP
Patricia Meehan, Camden County College
MaryAnn Pagano, Camden County Board of Social Services
Larry Rosoff, Camden County Municipal Authority
Cathy Dodd, PERMA Risk Management Services

APPROVAL OF MINUTES: OPEN & CLOSED MINUTES OF FEBRUARY 23, 2012

Commissioner Williams noted a typographical error in the February 23, 2012 open minutes under the motion approving the fee proposal from Bowman and Company for the auditor services for 2012 for a flat fee of \$12,000. The minutes of February 23, 2012 are corrected to read the motion was made by Commissioner Wright.

MOTION TO APPROVE OPEN MINUTES OF FEBRUARY 23, 2012 WITH THE CORRECTION STATED BY COMMISSIONER WILLIAMS

Motion:	Commissioner Wright
Second:	Chairman Angilella
Vote:	3 Ayes, 0 Abstained

MOTION TO APPROVE MINUTES CLOSED MINUTES OF FEBRUARY 23, 2012

Motion:	Commissioner Wright
Second:	Chairman Angilella
Vote:	3 Ayes, 0 Abstained

CORRESPONDENCE: NONE

N.J. WORKER COMPENSATION STATUTE – Executive Director advised during some past meetings the Commissioners had raised questions regarding the handling of certain worker compensation claims. Ms. Atherton of Comp Services arranged for Mr. Carl J. Gregorio of Brown & Connery, LLP a defense panel attorney for CCIC to provide a brief summary of the N.J. Worker Compensation Statute. Commission Attorney thought it would be helpful for the group to understand what defenses are available to an employer. Mr. Gregorio explained that most worker compensation incidents are legitimate and indicated the importance of controlling the medical expenses. He indicated that the claims adjuster should be aggressive and designate the medical provider promptly so the injured worker is treated, healed and back to work quickly. New Jersey is one of the few states in the Union that allows the employer to direct medical. Also, in New Jersey the law provides medical benefit, temporary disability benefits, (loss of wages) and permanent partial benefits or in some cases permanent total benefits or death benefits. Mr. Gregorio pointed out that if a claim is handled promptly and efficiently you could save money in one or more areas of

the benefits and at the end of the year see a substantial savings. Mr. Gregorio also explained defense attorneys have access through the NJ State Worker Compensation records to obtain copies of prior claims and awards which is helpful in settling a claim for an injured worker who submitted previous claims. Mr. Gregorio recommended not destroying any claim records until someone retires as the records might be useful at a later date. In response to Commission Attorney's inquiry, Mr. Gregorio advised a retiree can re-open a claim up to two years after the last benefit payment date. Mr. Gregorio indicated if you were thinking about denying a claim it should be one that is un-witnessed and or late reported. Claims must be reported within ninety days except a hernia must be reported within 48 hours. Mr. Gregorio advised even though you establish a claim was fraudulent it might be difficult to collect the funds already paid but future payments would stop and the case could not be opened at a later date. Mr. Gregorio also explained Section 20 involves cases which allows for a lump settlement dismissal without the employer admitting the claim to be compensable. This is applicable when a case involves contested issues of jurisdiction, liability, casual relationship and or dependency. A Section 20 settlement prevents the case from being re-opened at a further date. Mr. Gregorio also shared some of his cases and experiences with the Commission.

CLOSED SESSION:

MOTION FOR EXECUTIVE SESSION (in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-12).

Motion:	Commissioner Wright
Second:	Commissioner Williams
Vote:	3 Ayes, 0 Nays

ROLL CALL OF COMMISSIONERS:

Ross G. Angilella	Present
Steve Williams	Present
Anna Marie Wright	Present

MOTION TO RETURN TO OPEN SESSION

Motion	Chairman Angilella
Second:	Commissioner Williams
Vote:	3 Ayes, 0 Nays

Chairman Angilella requested a motion to accept payment recommendation of the PARS which were presented in closed session. Chairman Angilella read a list of the PARS:

Christopher Kelly, John Gillen, 8/26/11, John Gillen, 6/6/11, Thomas Hale, Sung Kuk Kang, Robert Pelletier, & Bruce Jackson.

**MOTION TO APPROVE PAYMENT AUTHORIZATION FOR THE PARS
DISCUSSED IN CLOSED SESSION**

Motion	Commissioner Wright
Second:	Chairman Angilella
Vote:	3 Ayes, 0 Nays

Chairman Angilella requested a motion to accept payment recommendation of the SARS which were presented in closed session. Chairman Angilella read a list of the SARS:

Belinda Dodson, \$55,086.40 plus \$11,100 (costs) and John Goebel, \$41,973.00 plus \$8,395.00 (costs)

**MOTION TO APPROVE PAYMENT AUTHORIZATION FOR THE PARS
DISCUSSED IN CLOSED SESSION**

Motion	Commissioner Wright
Second:	Chairman Angilella
Vote:	3 Ayes, 0 Nays

ROLL CALL OF COMMISSIONERS:

Ross G. Angilella	Present
Steve Williams	Present
Anna Marie Wright	Present

Commission Attorney pointed out that the request for payment authority on John Goebel and Belinda Dodson were actually settlement requests. Commission Attorney advised she would prepare the necessary resolutions for these two cases.

COMMITTEE REPORTS:

SAFETY COMMITTEE: Mr. DiAngelo reported the Safety Committee approved a revised First Report of Injury Form. The form now includes a signature page for authorization to release medical records to Comp Services. Mr. Lapatchka advised a copy of the four- page First Report of Injury was included in Appendix II of the agenda for the Commission’s review. In response to Chairman Angilella’s inquiry Commission Attorney suggested a motion to approve the implementation of the First Report of Injury Form.

**MOTION TO ADOPT THE RECOMMENDATION OF THE SAFETY
COMMITTEE TO USE THE FIRST REPORT OF INJURY IN APPENDIX
II FOR THE COUNTY AND ALL ITS AGENCIES**

Motion	Chairman Angilella
Second:	Commissioner Wright
Vote:	3 Ayes, 0 Nays

Mr. Lapatchka advised the Safety Committee’s report was included in the agenda.

CLAIMS COMMITTEE: Ms. Leighton advised the Claims Committee met to discuss and review the PARS that were presented today. Ms. Leighton also reported the Liability Sub Committee met to discuss and review the open liability claims.

EXECUTIVE DIRECTOR REPORT:

CERTIFICATE OF INSURANCE REPORT – Executive Director reported on the Certificate of Insurance Report for the period of 2/16/12 to 3/15/12. There were 15 certificates issued during that time.

MOTION TO APPROVE EXECUTIVE DIRECTORS CERTIFICATE OF INSURANCE REPORT

Motion:	Chairman Angilella
Second:	Commissioner Williams
Vote:	3 Ayes, 0 Nays

NJ EXCESS COUNTIES INSURANCE FUND (CELJIF): Executive Director reported the CEL JIF met on February 23, 2012. A summary of the report was provided in the agenda. Executive Director advised the CEL did not conduct a March meeting and their next meeting was scheduled for April 26, 2012.

FINANCIAL FAST TRACKS - Executive Director advised the Financial Fast Track was included agenda. Executive Director reported that the Commission has a statutory surplus of \$559,382.00 as of January 31, 2012. Executive Director also referred to line 7 of the report, “Investment in Joint Venture” and indicated \$624,805 was CCIC’s share of the CEL JIF equity.

2012 EXCESS INSURANCE AND ANCILLARY COVERAGE POLICIES - Executive Director reported the CEL Underwriting Manager distributed an e-mail advising the 2012 insurance policies were available on the Conner Strong & Buckelew secure website. Executive Director noted if any authorized representative was having difficulty with the website they should contact the PERMA office for assistance.

COUNTY COMMISSION WEBSITES – Executive Director advised recent legislation now required Joint Insurance Funds and Insurance Commissions to create a website by 2013 and include an extensive list of public documents. Executive Director referred to a copy of the legislation in Appendix II of the agenda. Executive Director indicated there might be a possibility to link to the County website or join with the CEL and other Commissions. Commission Attorney and Chairman Angilella suggested scheduling a conference call with the County’s IT department to discuss a link to their website. Commission Attorney advised a motion was not necessary to discuss the website with the IT Department.

DEFENSE PANEL CONTRACT – Executive Director advised the defense panel contracts expire on 5/31/12 and his office would work with the Commission Attorney to prepare the necessary RFP.

BLANKET CERTIFICATE FOR INTER MEMBER USE OF FACILITIES OR SERVICES – Executive Director referred to a copy of a blanket certificate which was included in the agenda. Executive Director explained the blanket certificate could be issued to all member entities to eliminate the need for a certificate each time a member’s facility is used by another member. Executive Director also referred to copies of two hold harmless agreements. One is for use of facilities and the other is for use of service. These were included in the agenda. Executive Director explained some of the established JIF’s in New Jersey were using the blanket certificate successfully. If the Commission agreed to utilize the blanket certificate a proposed bulletin was

included in the agenda that would be distributed to each member entity with a copy of the blanket certificate and the suggested hold harmless agreements.

MOTION TO ESTABLISH THE BLANKET CERTIFICATE FOR INTER MEMBER USE OF FACILITIES OR SERVICES IN LIEU OF ISSUING INDIVIDUAL CERTIFICATES OF INSURANCE AND AUTHORIZE EXECUTIVE DIRECTOR TO NOTIFY THE MEMBERSHIP

Motion	Chairman Angilella
Second:	Commissioner Wright
Vote:	3 Ayes, 0 Nays

Executive Director's Report Made Part of Minutes.

TREASURER:

REPORT: Mr. McPeak advised the March Bill List and the Treasurer reports were included in the agenda. Mr. McPeak pointed out there was a check payable to the Camden County Treasurer in the amount of \$163,060.94. One of the member entities made a check payable to the Insurance Commission in error for their health benefit payment. The check was deposited into the Insurance Commission account. Therefore, the check made payable to the Camden County Treasurer represented the reimbursement to the County Proper.

MOTION TO APPROVE RESOLUTION 13-12 MARCH BILL LIST IN THE AMOUNT OF \$201,583.86

Motion:	Chairman Angilella
Second:	Commissioner Wright
Vote:	3 Ayes, 0 Nays

ATTORNEY: Commission Attorney indicated she did not have anything to discuss at this time.

CLAIM SERVICE: Comp Services advised they did not have anything to report.

SAFETY DIRECTOR: Mr. Lapatchka advised their report was included in the agenda along with a copy of the training calendar for February through April 2012. Mr. Lapatchka reported Mr. Loughlin's last day was March 15th and was pleased to announce his replacement would start on April 16th. Mr. Lapatchka indicated the new hire, Glen Prince, was a resident of Camden County, a retired police lieutenant, and was very involved with law enforcement, internal affairs, and safety training. Mr. Lapatchka also advised his department was out to visit several facilities and reports were sent to the entity with recommendations. Mr. Lapatchka indicated the member entities were very positive and co-operative with their responses and action to be taken with respect to the recommendations.

Mr. DiAngelo mentioned that Mr. Loughlin did an excellent job for the Insurance Commission and enjoyed working with him over the past few years.

Mr. Lapatchka advised while discussing the Commission's utilization of the MEL Video Library with the MEL Safety and Education Department it was suggested an initial up front fee of \$1,000

would be charged along with a \$10.00 rental fee for the individual videos. That decision had passed through the Committee and then presented to the MEL Board for their approval. Mr. Lapatchka explained the MEL Board expressed concerns with the one time charge of \$1,000 due to the usage of the videos and also the costs to replace the videos. The MEL Board felt this charge was not adequate and anticipated a fee of \$1,000 per year. Mr. Lapatchka explained to the MEL Board at this time he had no idea of what the utilization would be as it was a new resource for the Insurance Commission. Mr. Lapatchka advised the utilization would be tracked and after a nine month period the records would be reviewed and discussed to make an internal decision and recommendation on the usage of the MEL Video Library going forward.

Correspondence Made Part of Minutes.

OLD BUSINESS: None

NEW BUSINESS: Mr. DiAngelo expressed his concerns about an ad he saw on TV where the County was requesting volunteers to clean up the river. In response to Chairman Angilella's inquiry, Mr. DiAngelo indicated he had not heard from the County Department Head sponsoring the event. Chairman Angilella requested Mr. DiAngelo make a note to raise this issue at the next Management Team Meeting. Executive Director advised he suggested to Mr. DiAngelo that the County obtain a volunteer accident policy to address this exposure. Executive Director indicated the Joint Insurance Funds and Insurance Commissions cannot provide that type of coverage by statute.

PUBLIC COMMENT:

MOTION TO OPEN MEETING TO PUBLIC

Moved:	Chairman Angilella
Second:	Commissioner Wright
Vote:	3 Ayes, 0 Nays

MOTION TO CLOSE MEETING TO PUBLIC

Moved:	Chairman Angilella
Second:	Commissioner Wright
Vote:	3 Ayes, 0 Nays

Chairman Angilella advised the next meeting date was April 26, 2012.

MOTION TO ADJOURN:

Motion:	Chairman Angilella
Second:	Commissioner Wright
Vote:	3 Ayes, 0 Nays

MEETING ADJOURNED: 3:25 PM

Minutes prepared by:

Cathy Dodd, Assisting Secretary