

**GLOUCESTER, SALEM, CUMBERLAND COUNTIES
MUNICIPAL JOINT INSURANCE FUND**

December 18, 2023 – 2:30 PM

**Pitman Municipal Building
110 South Broad Street, Pitman, NJ**

EXECUTIVE CLAIMS MEETING MINUTES

The Executive Claims Committee Meeting of the Gloucester, Salem, and Cumberland Counties Municipal Joint Insurance Fund (TRICO JIF) was held at the Pitman Municipal Building, Pitman, NJ on December 18, 2023 at 2:30 PM, prevailing time. Marjorie Sperry, Acting Chair, Quinton Township, presiding.

STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETING ACT

Ms. Sperry then read the following *Open Public Meetings Act* Compliance Notice noting for the record that a majority of the Executive Committee was not present for today's Executive Claims Review Committee meeting.

Notice of this meeting was given by: (1) sending sufficient notice herewith to *South Jersey News*, of Mullica Hill and the *Courier Post*, Cherry Hill, NJ; (2) filing advance written notice of this meeting with the Clerks/Administrators of all member municipalities of the TRICO Municipal Joint Insurance Fund, and (3) posting notice on the public bulletin boards of all member municipalities of the TRICO Municipal Joint Insurance Fund.

Those in attendance were:

Doug Hogate, **Elsinboro Township**
Marjorie Sperry, **Quinton Township**
Ken Brown, **Carneys Point**

Also present were:

Paul A. Forlenza, MGA, Executive Director, ***RPA – A Division of Gallagher***
Kamini Patel, MBA, CIC, CPCU, AIDA®, Program Director, ***RPA – A Division of Gallagher***
Kris Kristie, Account Manager, ***RPA – A Division of Gallagher***
David DeWeese, ***The DeWeese Law Firm, P.C.***
Keith Hummel, Safety Director, ***J.A. Montgomery***
Rob Garish, Asst. Director of Public Sector, ***J.A. Montgomery***
Chris Roselli, Account Manager, ***Qual-Lynx***
Karen Beatty, Client Services Manager, ***Qual-Care***
Chris Winter, CPM, Law Enforcement Risk Management Consultant
Debby Schiffer, Wellness Director, ***Targeting Wellness***

Those unable to attend:

Karen Sweeney, ***Chair, Wenonah Borough***
Bob Diaz, ***Secretary, South Harrison Township***
Jeff Celebre, ***City of Vineland***
Colette Bachich, ***Washington Township***

EXECUTIVE SESSION PORTION OF MEETING

As a quorum of the Executive Committee was not present, the Committee did not move to Executive Session. Those present reviewed the *Payment Authorization Requests* that will be voted on in Open Session during the Executive Committee Meeting being held on December 18, 2023 at 4:00 PM.

The Committee reviewed seven (7) claims. Of the claims reviewed, there were four (4) Workers' Compensation, one (1) General Liability, zero (0) Auto, and two (2) Property PARs recommended for approval of settlement or continuing defense.

The TRICO JIF claims reviewed are as follows:

<i>Workers' Compensation</i>	<i>Claimant</i>	<i>Municipality</i>	<i>Date of Loss</i>	<i>Comments</i>
2022257379	Harry Weber	Glassboro	12/15/21	Seeking authority to pay indemnity, expense and legal..
2020199828	John Gangemi	Swedesboro	3/6/20	Seeking authority to pay indemnity, medical, expense and legal.
2022261747	Thomas Rementer	Glassboro	1/21/22	Potential subrogation. Seeking authority to pay indemnity, medical, expense and legal.
2024320414	David Ramsbottom	Woodbury	11/28/23	Seeking authority to pay medical and expense.

<i>General Liability</i>	<i>Claimant</i>	<i>Municipality</i>	<i>Date of Loss</i>	<i>Comments</i>
2022275538	Charlene Garlic	Monroe	5/29/22	Seeking authority to continue defense.

<i>Property</i>	<i>Claimant</i>	<i>Municipality</i>	<i>Date of Loss</i>	<i>Comments</i>
2024312970	Monroe	Monroe	9/5/23	Seeking authority to settle.
2023284212	Greenwich	Greenwich	9/20/22	Seeking authority to settle.

There were no (0) claim(s) reviewed this month that had previously been approved by Vineland.

There was one (1) claim(s) reviewed for abandonment of subrogation attempt for this month:

2023280852

SOLICITOR REPORT

Assignment of New Cases

Mr. DeWeese reported that there have been four (4) new case(s) assigned since the last meeting:

Hahn (aka Marshall) v. Township of Monroe
Cakir (minor) v Township of Oldmans

*Franceschini v. Township of Pilesgrove
 Jones v. City of Vineland*

General Liability Status Report

Mr. DeWeese noted that there are **40** active General Liability claims. If any member would like a copy of their claims, please contact him. He asked that if you do share with your governing body, please do so in closed session only since these cases are still in litigation.

Mr. DeWeese will present a summary report on General Liability files monthly, presenting a full detailed report quarterly. Should any member wish to have their particular town's report carved out, they may contact Mr. DeWeese and he will provide that to them.

<i>Distribution of Court Systems</i>	
Total Cases filed in Federal District Court	8
Total Cases filed in Camden County Superior Court	1
Total Cases filed in Cumberland County Superior Court	9
Total Cases filed in Gloucester County Superior Court	14
Total Cases filed in Salem County Superior Court	7
Total Pre-Suit Cases	1
Total Active General Liability Files	40

Subrogation File Report

Mr. DeWeese stated the total lien of TRICO JIF Judgments obtained is \$2,138,641.53 on 76 files.

Mr. DeWeese will present a summary report on Subrogation files monthly, presenting a full detailed report quarterly.

<i>Summary of TRICO JIF Subrogation File Status</i>	
Total of Liens of Pre-Litigation matters & Third Party Attorney matters	\$384,970.69
Agreements to Pay and/or Restitution Awarded	\$22,761.33
Total of Liens of TRICOJIF Complaints Filed	\$950,164.00
Total of Liens of TRICOJIF Complaints to be Filed	\$280,345.09
Total of Liens of TRICOJIF Judgments obtained	\$2,138,641.53
Total of all TRICOJIF Liens	\$3,776,882.64
Collection efforts being made prior to DSD filing suit	9
Third Party Actions that are Being Monitored by the Fund Solicitor	10
Agreements to Pay and /or Restitution Award	4
TRICO JIF Complaints that have been Filed or will be Filed	18
Judgments Obtained & Collection Efforts Being Made	76
Judgement Receiving payments (Order to Pay; Wage Execution, etc.)	1

Police Civil Rights Cases Report

Mr. DeWeese presented a quarterly report on Police Liability claims to the Committee. He reported that the Fund currently has eleven (11) cases involving Police Civil Rights allegations with zero (0) cases assigned pre-suit, three (3) cases dismissed without Prejudice/Administratively Dismissed; zero (0) case(s) in Mediation Settlement Negotiations, and three (3) case(s) with Summary Judgment Motions pending. Not all of the cases involve excessive use of force; however, they all involve allegations of violations of civil rights. Mr. DeWeese reviewed a few of the more difficult cases with the committee.

Resolutions Adding Additional Approved Associates

Mr. DeWeese stated that he had been contacted by Mr. Saracino, of Pietras, Saracino, Smith & Meeks, who is a firm on the Fund's Workers Compensation Defense Panel. He stated that Mr. Saracino is requesting that his daughter, Allison, be considered for appointment by the JIF as an Approved Associate for his firm. Mr. DeWeese stated that he has reviewed Ms. Saracino's resume and is recommending that she be appointed as an Approved Associate on the Workers Compensation Defense Panel.

Mr. DeWeese also stated he had been contacted by Brown & Connery, LLC, who is a firm on the Fund's General Liability Defense Panel, requesting Mr. Joseph D Clifford be considered for appointment by the JIF as an Approved Associate for the firm. Mr. DeWeese stated that he had also reviewed Mr. Clifford's resume and is recommending that he be appointed as an Approved Associate on the General Liability Defense Panel.

Mr. DeWeese then referenced both resolutions authorizing the appointments included in the agenda packet. The Committee agreed to recommend the adoption of both resolutions at the December Executive Committee meeting.

Lastly, Mr. DeWeese noted there will be a Resolution presented for consideration at the January 2024 Reorganizational meeting recommending the EPL/POL Defense Panel. He then stated that the following Attorneys' would be included in that Resolution; A. Michael Barker, Esquire and Vanessa James, Esquire of the Law Firm of Barker, Gelfand & James, P.C.; James R. Birchmeier, Esquire and Erin Thompson, Esquire of the Law Firm of Birchmeier & Powell, LLC.; Timothy R. Bieg, Esquire, Michael V. Madden, Esquire and Regina M. Phillips, Esquire of the Law Firm of Madden & Madden. P.A.; Armando V. Riccio, Esquire of Armando V. Riccio, LLC.; Matthew J. Behr, Esquire of the Law Firm of Marshall Dennehy, P.C.; and Betsy Ramos, Esquire of the Law Firm of Capehart & Scatchard. He then asked the Committee if they were comfortable with the recommended EPL/POL Defense Panel members as presented. The Committee agreed to recommend the adoption of the Resolution as presented at the December Executive Committee meeting.

Mr. DeWeese asked if there were any questions. No questions were entertained.

EXECUTIVE DIRECTOR's MONITORING REPORTS;

Supervisor Investigation Report: Ms. Patel referenced the reports included in the agenda noting that one (1) out of ten (10) incidents reported did not have a Supervisor's Investigation Reports completed. He then stated that Vineland had Supervisor's Investigation Reports completed on all four (4) of their incidents. Ms. Patel noted this is very good.

Mr. Forlenza stated that the report is sent to J.A. Montgomery, who in turn uses it as a coaching tool when they visit with the member town. Mr. Forlenza reiterated the importance of completing the Accident Investigation Reports.

Mr. Forlenza asked if there were any questions. No questions were entertained.

QUAL-LYNX REPORTS

Mr. Roselli referenced his OPEN/CLOSED Analysis reports included in the agenda packet. He explained that these reports are two separate depictions of each Unit's (WC, Property, and Liability) Claims Counts per Adjuster. Mr. Roselli noted at this time Qual-Lynx continues to interview for a new workers compensation lost time adjuster. In addition, Mr. Roselli stated that the Liability Unit recently received a resignation from one of the adjusters but they are in the process of extending an offer of employment to a candidate to fill this position. Mr. Roselli stated that Qual Lynx would continue to monitor staffing issues and bring awareness to any circumstances that may affect these numbers.

QUAL-LYNX STAFFING CONCERNS

Mr. Forlenza agreed that the previous discussions held were accurate, but he still has concerns about the staffing situation at Qual-Lynx, including the turnover in adjusters, and the workload of the adjusters, which has been a persistent problem for a long time. Mr. Forlenza noted that as Mr. Roselli mentioned earlier, there is currently a vacancy in the liability and workers compensation units, which need to be filled as soon as possible. Mr. Forlenza will be closely monitoring these adjuster accounts and will be discussing the adjuster file counts with Qual Lynx.

Mr. Forlenza asked if there were any questions. No questions were entertained.

CLAIMS WEBINAR

Mr. Roselli reported that the Claims Refresher webinar, which was held on November 29, 2023 at 10:00 am was well attended and he received positive feedback from those that attended. Mr. Roselli noted that next year, the hope is to hold these webinars earlier in the year; however, felt it was important to conduct at least one webinar prior to years end.

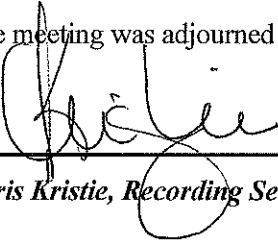
CLAIMS AUDIT

Mr. Forlenza noted as a quorum for this meeting has not been met, he would discuss the status of the Claims Audit at the January meeting.

NEXT MEETING

The next Executive Claims Meeting will be held on **Monday, January 22, 2024 at 3:30 PM** at the Gloucester County Library, Mullica Hill, NJ.

The meeting was adjourned at 3:20 PM.



Kris Kristie, Recording Secretary for



Doug Hogate, Acting Secretary