

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

**October 28, 2024 – 3:30 PM**

***EXECUTIVE CLAIMS MEETING MINUTES***

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The Executive Claims Committee Meeting of the Gloucester, Salem, and Cumberland Counties Municipal Joint Insurance Fund (TRICO JIF) was held on October 28, 2024 at 3:30 PM, prevailing time, at the Gloucester County Library, 389 Wolfert Station Rd, Mullica Hill, NJ 08062. Karen Sweeney, Fund Chair, Wenonah Borough, presiding.

***STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETING ACT***

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:

Karen Sweeney, *Chair, Wenonah Borough*  
Bob Diaz, *Fund Secretary, South Harrison Township*  
Ken Brown, *Carneys Point*  
Marjorie Sperry, *Quinton Township*  
Jeff Celebre, *City of Vineland*  
Colette Bachich, *Washington Township*

Also present were:

Paul A. Forlenza, MGA, RMC Executive Director, *RPA – A Division of Gallagher*  
Kamini Patel, MBA, RMC, CIC, CPCU, AIDA®, RMC Deputy Executive Director, *RPA – A Division of Gallagher*  
Kris Kristie, Senior Account Manager, *RPA – A Division of Gallagher*  
David DeWeese, *The DeWeese Law Firm, P.C.*  
Chris Roselli, Account Manager, *Qual-Lynx*  
Dominic Spaventa, Liability Supervisor, *Qual-Lynx*  
Rob Garish, Assistant Director of Public Works, *J.A. Montgomery*  
Christine Gallagher, Client Service Manager, *Qual-Care*  
Debby Schiffer, Wellness Director, *Targeting Wellness*  
Chris Winter, CPM, Law Enforcement Risk Management Consultant

Those unable to attend:

Doug Hogate, *Elsinboro Township*  
Debby Schiffer, Wellness Director, *Targeting Wellness*

***EXECUTIVE SESSION PORTION OF MEETING***

Chair Sweeney entertained a motion to move to Executive Session to review the *Payment Authorization Requests* that will be voted on in Open Session during the Executive Committee Meeting being held on October 28, 2024 at 5:00 pm.

Motion by Mr. Brown, seconded by Mr. Celebre to move to Executive Closed Session. All in favor. Motion carried

### ***REOPEN PUBLIC PORTION OF THE MEETING***

Chair Sweeney entertained a motion to reopen the public portion of the meeting.

Motion by Mr. Brown, seconded by Mr. Celebre to reopen the public portion of the meeting. All in favor.  
Motion carried.

### ***SOLICITOR REPORT***

#### **2024 Annual Defense Panel Report**

Mr. DeWeese presented his 2024 Defense Panel Report to the Committee. He stated that for the first nine months of 2024, the Defense Panel achieved notable success by closing 15 cases, with 67% (10 cases) resulting in no payment to the plaintiff. The settlements for the remaining six cases were modest, ranging from \$5,000 to \$55,000. This success is largely attributed to the aggressive defense strategy employed over the past decade. In the first nine months of 2024, there were ten (10) new General Liability complaints, which is a decrease of eight (8) complaints for the same time period in 2023.

In 2024, new Litigation Management Guidelines and an updated Conflict of Interest policy were adopted and implemented, with defense counsel adhering to these updates. A defense panel breakfast was held on September 25<sup>th</sup> which facilitated discussions on these changes and was well-attended.

Mr. DeWeese is recommending an increase in the hourly rate for defense panel members to retain high-performing firms, particularly larger firms, as well as keep up with the industry standard rates. The new proposed rate will be presented when awarding new contracts in January 2025. Mr. DeWeese asked the members if they had any concerns with the new rates. No concerns were raised.

### ***QUAL-LYNX REPORT***

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 and the contractual file count obligations are reflected on the report. He noted some of the file counts per Adjuster are a bit higher than the contractual requirements, although the higher counts are truly manageable by an Adjuster. He noted that they are working to get the file counts down per Adjuster. He noted there are internal discussions taking place regarding the hiring of an additional medical only adjuster. In addition, Mr. Roselli reminded the committee that Brian Foster had been hired as Manager of the Property Unit and began on September 3, 2024, and Ms. Johnson, with the assistance of Ms. Oliva, are handling property claims solely in the ACM/BURLCO/TRICO JIFs.

Lastly, Mr. Roselli noted he has spoken with Mr. Patteti in regard to the rates for the Preferred Body Shop Program and is recommending that the JIF re-evaluate the body shop hourly rates to bring them up to industry standards. Mr. Roselli stated he will research this further with Mr. Patteti and report back to this committee.

### ***EXECUTIVE DIRECTOR'S MONITORING REPORTS***

#### **A. Supervisor Investigation Report**

Ms. Patel referenced the current reports included in the agenda noting that Supervisor's Investigation Reports were completed on all but four (4) out of the sixteen (16) total incidents reported in September, and all but one (1) out of the nine (9) total incidents for Vineland, which is very good. Ms. Patel 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. Ms. Patel reiterated the importance of completing the Accident Investigation Reports for all incidents.

**B. Quarterly Reports :**

Ms. Patel reviewed the following quarterly reports with the committee:

1. **Occupation Claims:** Total number of claims is 303 for all years of which six (6) are still open. The total incurred for these claims is \$771,185.61. This figure does not include \$71,949.11 in recoveries. In regard to Vineland, the total number of claims is ten (10) for all years of which seven (7) are still open. The total incurred for these claims is \$381,209.53 with zero (0) recoveries.
2. **Cancer Presumption Claims:** Total number of claims is five (5) for all years of which two (2) are still open. The total incurred for these claims is \$114,926.05 with zero (0) recoveries. In regard to Vineland, there are zero (0) claims.
3. **Sexual Abuse and Molestation Claims:** Total number of claims is two (2) for all years with both closed. The total incurred for these claims is \$0 with zero (0) recoveries. In regard to Vineland, there was one (1) claim that has been closed with \$0 total incurred.
4. **PTSD Claims:** Total number of claims is twenty (20) for all years of which thirteen (13) are still open. The total incurred for these claims is \$1,387,098.08 with zero in recoveries. In regard to Vineland, the total number of claims is nine (9), of which zero (0) are still open. The total incurred for these claims is \$142,495.62, with zero (0) recoveries.
5. **Police-Motor Vehicle Claims:** Total number of claims is thirty-four (34) for all years of which nine (9) are still open, and one (1) re-opener. The total incurred for these claims is \$1,855,558.29 with \$209,620.16 in recoveries. In regard to Vineland, the total number of claims is seven (7) for all years of which one (1) is still open. The total incurred for these claims is \$73,417.93 with \$25,084.74 recoveries. Ms. Patel mentioned that the Executive Director's office would closely monitor these types of claims to identify any trends and determine if additional training is necessary.
6. **MISC/NOC Department Listing Analysis:** Ms. Patel stated this report was created to help identify if claims were being properly categorized into municipal departments or as NOC (Not Otherwise Classified). She noted it was important to have claims properly classified to identify trends and areas of focus for loss control. She indicated that in 2024 there were four (4) claims classified under the NOC category for Workers Compensation, four (4) for General Liability, and one (1) Auto Liability, and Vineland had one (1) under the NOC category for Workers Compensation which is very good.
7. **Accidental Disability Pension Claims Report:** Ms. Patel stated this is a new report which depicts ADP Claims which were closed prior to and after the legislative changes. The net incurred for all 3 JIF's (ACM, BURLCO, & TRICO) is approximately \$15 million, with the TRICOJ IF's portion being \$4,113,257.42. She indicated the Executive Director's office as well as the Municipal Excess Liability Joint Insurance Fund (MEL) and Residual Claims Joint Insurance Fund (RCF) are monitoring the impact of the regulatory change.

**8. Subrogation Reports:**

Ms. Patel referenced a subrogation report, which depicted \$73,132.44 in recoveries for the 3<sup>rd</sup> quarter of 2024 for the TRICO JIF, and \$25,198.00 in recoveries for Vineland.

**9. Litigation Re-Opens Report:**

Ms. Patel referenced the Litigation Re-Opens report stating that this is a new report tracking the number of re-openers for Workers Compensation claims. She noted that there are currently forty-five (45) total claims identified as re-openers as of September 30, 2024, with a total incurred value of \$7,252,984.05. Ms. Patel noted the difficulty in tracking the increase in incurred value resulting from re-openers. In regard to Vineland there are twenty-one (21) total claims for the same time period, with a total incurred of \$1,892,097.99.

**10. Co-Morbidities Report (ACM, BURLCO & TRICO):**

Ms. Patel reviewed the co-morbidities charts with the Committee valued from 12/01/2019 to 09/30/2024; noting that the average total cost of a claim for employees that have co-morbidities is 78% higher than those that do not have any-comorbidities. She noted the average medical and indemnity cost for employees that have co-morbidities is 112% higher than those that do not have any comorbidities. She also reviewed the average lost time days per claim is 81% longer for employees that have comorbidities than those who do not.

Ms. Patel asked if there were any questions. No questions were entertained.

**CLAIMS AUDIT FOLLOW-UP**

Mr. Forlenza noted the Quarterly was received from Qual-Lynx earlier this month. He reminded the Committee that the quarterly reports outline the progress being made in addressing the audit findings. Mr. Forlenza then briefly reviewed the report noting changes have been implemented to the night audit process to better track the possible omission of information by the adjusters. The report also outlined adjuster training that was completed during the third quarter as well as the content of monthly adjuster meetings. Mr. Forlenza stated that he will continue to update the committee as to Qual Lynx's progress in this regard. He also noted his office is trying to schedule a meeting with Ms. Lihou in the next week to 10 days to discuss adjuster file counts as the continue to remain above the contractual limits.

**NEXT MEETING**

The next Executive Claims Meeting will be held on **Monday, November 25, 2024 at 3:30 PM** via Microsoft Teams.

**MOTION TO ADJOURN**

Chair Sweeney asked for a motion adjourning the Executive Claims meeting. Motion by Mr. Brown, seconded by Mr. Celebre to adjourn the meeting.

The meeting was adjourned at 4:40 PM.

  
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*Kris Kristie, Recording Secretary for*

  
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*Bob Diaz, Secretary*