

NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND



Thursday, March 29, 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;"><b>COMING FOR THE EAST</b></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;"><b>COMING FROM THE WEST</b></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;"><b>COMING FROM THE NORTH</b></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;"><b>COMING FROM THE SOUTH</b></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;"><b>COMING FROM ROUE 287</b></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;"><b>COMING FROM THE PATERSON AREA</b></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, March 29, 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 – February 22, 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
  - F. Finance – Kronyak
    - Resolution ML-2018-12: Waiver of Certain Claim Deductibles
  - G. Safety/Loss Control – Smith
  - H. New Member & Development – Kronyak
  - I. Risk Management – Smith
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 (Christina Grabowski, 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  
February 22, 2018

1. Call To Order:

A meeting of the New Jersey Intergovernmental Insurance Fund was called to Order on Thursday, February 22, 2018 at 10:36 a.m. in Wayne Township, N.J. Chairman Michael Kronyak read the Open Public Meetings Act Statement and announced that notices were placed in newspaper and posted as required.

2. Pledge of Allegiance:

Kronyak opened the meeting with the Pledge of Allegiance.

3. Roll Call:

Commissioners Present: Neal Bellet (Township of Wayne), Matthew Cavallo (Township of Verona), Michael Kronyak (Borough of Hasbrouck Heights), Heather McNamara-Kreitz (Township of Wayne), Chief Richard Molinari (City of Union City), Freeholder Ed Smith (County of Warren), Thomas Tucci (Township of Cedar Grove) and Sonia Viveiros (Township of Maplewood).

Chairman Kronyak advised that Commissioner Viveiros will serve on the Executive Board at today's meeting in place of Commissioner Duthie.

Others Present: Ezio Altamura (GJEM-Otterstedt Agency), Robert Calise (CMFO/Treasurer), Linda D'Alessio (Recording Secretary), John Daley (Scirocco Group), Kristine Gould (Township of Verona), Christina Grabowski (PMA-TPA), 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), Jack Zisa (Scirocco Group)

4. Approval of Minutes January 25, 2018. It was moved by Smith, seconded by Molinari, that the Minutes of the January 25, 2018 Meeting of The New Jersey Intergovernmental Insurance Fund be accepted as presented.

Roll Call:
Aye: Cavallo, Kronyak, McNamara-Kreitz, Molinari, Smith, Tucci, Viveiros
Nay: None
Abstain: None

5. Correspondence: Co-Administrator Nemeth reported that the NJDOBI had sent the NJIIF an email dated 2/6/18 containing further revisions to the State's draft Examination Report for the period ending 12/31/15. The DOBI's revisions included the NJIIF's prior requested changes to the report and also remarked that the NJIIF needs to ensure that its commissioners timely file their Financial Disclosure Statements. The NJIIF Board members discussed the follow up needed to ensure that all commissioners are in compliance with this annual reporting obligation.

6. Finance Report: CMFO Calise summarized the monthly financial reports, including the status of Multi Line Fund and Workers Compensation Fund 2018 Assessments and claims payments, copies of which are provided in the meeting Agenda packets. Also included in the Agenda materials are the ML & WC February 2018 Bill Lists. Calise noted that interest income is increasing primarily due to increasing bank balances.

## 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) – No report.
  - f. Finance Committee (Kronyak) – Kronyak advised that the professionals are working on development of the 12/31/17 audit reports.
  - g. Safety/Loss Control Committee (Smith) – (See PMA’s Report, below)
  - h. New Member & Development Committee (Kronyak) – No report
  - i. Risk Management Committee (Smith) – Smith reported that the Committee is focusing on development of a program, including training and coverage incentives, to address land use/RLUIPA liability.
8. Chairman’s Report – Chairman Kronyak advised that the 2018 Committee Assignment list has been distributed in the meeting binders. Kronyak encouraged the committees to be as active as possible
  9. Risk Manager’s Report – Serapiglia reported that the 2018 excess policies are being reviewed and any necessary changes will be made prior to distribution to all members. He anticipates that the binders will be ready for distribution at the NJIIF’s March meeting. He also advised that there is growing interest from various governmental entities to pursue potential membership in the NJIIF in 2018.
  10. Loss Control Consultant Report – Tim Weir advised that PMA’s monthly newsletter has been emailed to all members. In addition, numerous Anti-Harassment training programs are being scheduled for Members.
  11. TPA Report – Christina Grabowski provided an update on aggregate WC claims received through 2/1/2018. She reported that claims are being timely reported (within 3 days); however healthcare network penetration has slightly diminished.

It was Moved by McNamara-Kreitz, Seconded by Smith to approve all Professionals' Reports.

Roll Call:
Aye: Cavallo, Kronyak, McNamara-Kreitz, Molinari, Smith, Tucci, Viveiros
Nay: None
Abstain: None

12. Bill List-WC Fund/ML Fund

It was moved by Cavallo, seconded by Tucci, that the WC and ML Bill Lists for February 22, 2018 be approved for payment.

Roll Call:
Aye: Cavallo, Kronyak, McNamara-Kreitz, Molinari, Smith, Tucci, Viveiros
Nay: None
Abstain: None

13. Old Business – none

14. New Business – none

15. Public Comment- Ezio Altamura requested WC certain claim data developed by PMA.

16. Closed Session

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

It was moved by Smith, seconded by McNamara-Kreitz, that the Minutes of Closed Session from the Fund's meeting January 25, 2018 be accepted as presented.

Roll Call:
Aye: Cavallo, Kronyak, McNamara-Kreitz, Molinari, Smith, Tucci, Viveiros
Nay: None
Abstain: None

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

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

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

Roll Call:
Aye: Cavallo, Kronyak, McNamara-Kreitz, Molinari, Smith, Tucci, Viveiros
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 Tucci, seconded by Cavallo that the Board return to Open Session.

Roll Call:
Aye: Cavallo, Kronyak, McNamara-Kreitz, Molinari, Smith, Tucci, Viveiros
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, Kronyak, McNamara-Kreitz, Molinari, Smith, Tucci, Viveiros
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 Cavallo, Seconded by McNamara-Kreitz to adjourn the NJIIF's February 22, 2018 Meeting.

Roll Call:
Aye: Cavallo, Kronyak, McNamara-Kreitz, Molinari, Smith, Tucci, Viveiros
Nay: None
Abstain: None

The February 22, 2018 Meeting was adjourned at 11:18 am.



## APPENDIX II

**Closed Session Motion**

**For the March 29, 2018 Meeting of the New Jersey Intergovernmental Insurance Fund**

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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. Newman v. City of Bayonne (W001560111)-----RSA
2. Goncalves v. County of Warren (W001603171)-----RSA
3. Janssen v. County of Warren (W001069519)-----RSA

Case Update Reports for WC Fund Subrogation/Restitution Claims:

1. Bilotta adv. City of Bayonne (W001900107)-----Case Update
2. Konopka adv. City of Bayonne (W001970281)-----Case Update
3. Mance adv. City of Asbury Park (W001674848)-----Case Closure
4. Garcia adv. City of Union City (W001857254)-----Case Closure

**Multi-Line Fund Claim Matters**

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

1. Jean-Marie v. City of Asbury Park (1399)-----Case Closure
2. Nelson v. City of Bayonne (1634)-----Case Closure
3. Shaw v. Township of Maplewood (1480)-----RSA
4. Oldja v. Borough of Totowa (1392)-----Case Closure
5. Bouhelel v. City of Union City (1539)-----Case Closure
6. Marston v. Borough of Wanaque (1441)-----Case Closure

Coverage Recommendations for New Claims/Litigation:

1. FWCC LLC v. Township of Aberdeen
2. Acerra v. City of Asbury Park
3. Market Street Mission v. City of Asbury Park
4. Pirkowski v. City of Bayonne
5. Walsh, Kiernan & Melba v. City of Bayonne
6. Dobrusina v. Morristown Parking Authority
7. Diaz v. Township of Old Bridge
8. Mazza v. Township of Old Bridge
9. Sinclair v. City of Union City
10. Pascucci v. Township of Verona
11. DeConza v. Warren County
12. HD Realty v. Township of Wayne