

NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND



Thursday, April 26, 2018

City of Union City
WILLIAM V. MUSTO CENTER
420 15th Street, Union City, NJ

10:30 Executive Board Only

11:00 AM Meeting
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.

Thursday, April 26, 2018
City of Union City
WILLIAM V. MOSTO CENTER
420 15th Street, Union City, NJ

AGENDA

1. Meeting Called to Order – Open Public Meetings Act Read
2. Pledge of Allegiance
3. Roll Call of Executive Committee and Professionals
4. Closed Session –Appendix II (Eric Nemeth, General Counsel)
5. Approval of Minutes – March 29, 2018 – Appendix I
6. Correspondence –
7. Finance Report, (Robert Calise)
8. Committee Reports
 - A. Nominating – Tucci
 - B. By-Laws – McNamara-Kreitz
 - C. Legislative – Cavallo
 - D. Coverage – Tucci
 - E. Professional – Tucci
 - F. Finance – Kronyak
 - G. Safety/Loss Control – Smith
 - H. New Member & Development – Kronyak
 - I. Risk Management – Smith
9. Chairman’s Report
10. Risk Manager’s Report, (John Serapiglia and Maria Makos)
11. WC Loss Control Consultant’s Report (Tim Wier/PMA)
12. TPA Report, (Christina Grabowski/PMA)
13. Bill List, (Robert Calise)
14. Old Business – WC Fund/ML Fund
15. New Business – WC Fund/ML Fund
16. Public Comment
17. Presentation - RLUIPA: What Every Public Entity Needs to Know, Presented by:
Anthony P. Seijas, Esq. of Cleary Giacobbe, et al
18. Adjournment

DIRECTIONS TO:

William V. Mosto Center
420 15th Street
Union City, NJ 07087

**THERE WILL BE ON STREET PARKING
IN FRONT OF THE BUILDING**

Rt 46 East
Rt 3 East
Merge onto NJ-495 E (toward Lincoln Tunnel)
Take exit toward Kennedy Blvd.
Stay straight onto 30th Street
Right onto Summit Ave.
Turn left onto 15th Street

Rt 80 East
Merge onto I-95 S towards US-46
Merge onto NJ-495 E via **Exit 17**
Take Kennedy Blvd.
Stay straight onto 30th Street
Right onto Summit Ave.
Turn left onto 15th Street

Garden State Parkway NORTH
Merge onto I-95 N – **Exit 129**
Take NJ-495 E – **Exit 16E**
Take exit toward Kennedy Blvd.
Stay straight onto 30th Street
Right onto Summit Ave.
Turn left onto 15th Street

APPENDIX I

THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND
MINUTES OF PUBLIC MEETING
March 29, 2018

1. Call To Order:
A meeting of the New Jersey Intergovernmental Insurance Fund was called to Order on Thursday, March 29, 2018 at 10:33 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), Mayor John Duthie (Borough of Roseland), Michael Kronyak (Borough of Hasbrouck Heights), Avril Limage (Township of Old Bridge), 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).

Others Present: David Balken (BRM), Lou Beckermann (Acrisure, LLC), Robert Calise (CMFO/Treasurer), Maureen Chumacas (Borough of Roseland), Linda D'Alessio (Recording Secretary), Joseph Gentile (GJEM-Otterstedt Agency), 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 February 22, 2018. It was moved by Molinari, seconded by Tucci, that the Minutes of the February 22, 2018 Meeting of The New Jersey Intergovernmental Insurance Fund be accepted as presented.

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

5. Correspondence: None

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 March 2018 Bill Lists.

7. Committee Reports

- a. Nominating Committee (Tucci) – No report
- b. By-Law Committee (McNamara-Kreitz) – No report
- c. Legislative Committee (Cavallo) – Cavallo reported that there are two bills pending (S871 and A-3122) that will affect joint insurance fund investment options.
- d. Coverage Committee (Tucci) – (See Closed Session Motion)
- e. Professionals Committee (Tucci) – No report.
- f. Finance Committee (Kronyak) – Chairman Kronyak and G.C./Co-Administrator Nemeth presented Resolution ML 2018-12: Waiver of Certain Claim Deductibles.

It was moved by Molinari, seconded by Tucci that Resolution #ML-2018-12 Waiver of Certain Claim Deductibles be approved as presented.

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

- 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 several risk management programs for 2018, including Class III officers in schools, motor vehicle loss control and land use/RLUIPA liability.
8. Chairman’s Report – Chairman Kronyak advised that he has asked the Risk Management Committee to develop proposed protocols for NJIIF members who wish to place armed police officers in schools, as many communities are seeking local police support after the Parkland, Florida shooting. Kronyak also noted that the PRIMA conference will be held this year in Indianapolis June 3 – 6, 2018.
9. Risk Manager’s Report – Serapiglia reported that they have met with Safety National to explore expanded coverage options. Also, the 2018 excess policies are being prepared for distribution and will be delivered or mailed to all members. He also advised that registrations need to be completed for the upcoming PRIMA conference in Indianapolis and requested approval from the Board to send members/professionals to the conference.

It was Moved by Cavallo, Seconded by McNamara-Kreitz that the Board authorize travel, registration and hotel cost reimbursement for up to seven commissioners and professionals to attend the 2018 PRIMA conference.

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

10. Loss Control Consultant Report – Tim Weir advised that The New Jersey Attorney General’s office has issued new directives for Police Departments requiring development of more comprehensive “Early Warning Systems”. PMA is also working with G.C./Co-Administrator Nemeth on implementation of sensitivity/anti-harassment training for all members. Nemeth advised that sensitivity and social media/personal electronic device usage training was recently provided to elected officials at the Township of Verona and that similar training will be pursued for all members.
11. TPA Report – Justin Wilkinson provided an update on aggregate WC claims received through 3/1/2018. He reported that claims generally continue to be timely reported (within 3 days). Also, WC claims have been trending up but they appear to be primarily medical only, not lost time.

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

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

12. Bill List-WC Fund/ML Fund

It was moved by Molinari, seconded by Cavallo, that the WC and ML Bill Lists for March 29, 2018 be approved for payment.

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

13. Old Business – none
14. New Business – Chairman Kronyak advised that Professional Disclosure Forms can be filed starting April 4.
15. Public Comment- none

16. Closed Session

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

It was moved by Molinari seconded by Tucci, that the Minutes of Closed Session from the Fund's meeting February 22, 2018 be accepted as presented.

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

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

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

It was moved by Molinari, seconded by Duthie, 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, Kronyak, McNamara-Kreitz, Molinari, Smith, 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 Smith, seconded by Duthie that the Board return to Open Session.

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

It was moved by Smith 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, Kronyak, McNamara-Kreitz, Molinari, Smith, 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 Smith, Seconded by McNamara-Kreitz to adjourn the NJIIF's March 29, 2018 Meeting.

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

The March 29, 2018 Meeting was adjourned at 11:43 am.

APPENDIX II

Closed Session Motion

For the April 26, 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. Ascenzo adv. Borough of Wanaque (W001829778)-----RSA
2. Sanchez adv. Wayne Township BOE (W001069638)-----RSA

Case Update Reports for WC Fund Subrogation/Restitution Claims:

1. McCarthy adv. City of Asbury Park (W001678058)-----Case Update
2. Merritt adv. City of Asbury Park (W001993721)-----Case Update
3. DeShader adv. City of Asbury Park (W001651399)-----Case Closure
4. Dolan adv. Township of Maplewood (W001651399)-----Case Closure

Multi-Line Fund Claim Matters

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

1. Hill v. City of Asbury Park (1457)-----Case Closure
2. U.S. Equal Opportunity Act v. City of Asbury Park (1487)-----Case Closure
3. Donato v. City of Bayonne (1542)-----RSA
4. Johnson, Tyrone v. City of Bayonne (1349)-----Case Closure
5. Perez, Edwin v. City of Union City (1612)-----Case Closure
6. Prince v. Township of Wayne (1207)-----Case Closure

Coverage Recommendations for New Claims/Litigation:

1. Theung v. Township of Aberdeen
2. Ryan-Allen v. City of Asbury Park
3. Napolitano v. City of Bayonne
4. Raymond v. Borough of Hasbrouck Heights
5. Durdack v. Township of Old Bridge
6. International Chain Enrico v. Township of Old Bridge
7. Raymond v. Borough of Teterboro
8. Rossi v. Borough of Teterboro
9. Cruz-Moncada v. City of Union City
10. DiPalma v. City of Union City
11. Hudson Yards West v. City of Union City
12. Seo v. City of Union City
13. Sumo Enterprises v. Borough of Wanaque
14. Carpenter v. Township of Wayne