

NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND



Thursday, January 24, 2019
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>COMING FOR THE EAST</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>COMING FROM THE WEST</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>COMING FROM THE NORTH</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>COMING FROM THE SOUTH</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>COMING FROM ROUE 287</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>COMING FROM THE PATERSON AREA</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, January 24, 2019
TOWNSHIP OF WAYNE – HEALTH DEPARTMENT ROOM #2
10:30 AM
AGENDA

Meeting Called to Order – Open Public Meetings Act Read

Pledge of Allegiance

Roll Call of Executive Committee and Professionals

1. Approval of Minutes – November 8, 2018 and January 3, 2019 – Appendix I
2. Correspondence
3. Finance Report- (Robert Calise)
4. 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 –
 - H. New Member & Development – Kronyak
 - I. Risk Management –
5. Chairman’s Report
6. Risk Manager’s Report, (John Serapiglia and Maria Makos, Polaris Galaxy)
7. WC Loss Control Consultant’s Report (Tim Weir, PMA)
8. TPA Report (Christina Grabowski, PMA)
9. Bill List (Robert Calise)
10. Old Business – WC Fund/ML Fund
11. New Business – WC Fund/ML Fund
12. Public Comment

13. Closed Session – (Eric Nemeth, Esq., Eric J. Nemeth, PC) – Closed Session Motion in Appendix II

14. Adjournment.

APPENDIX I

THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND
MINUTES OF PUBLIC MEETING
December 6, 2018

1. Call To Order:

A meeting of the New Jersey Intergovernmental Insurance Fund was called to Order on Thursday, December 6, 2018 at 10:37 a.m. in Wayne Township, N.J. Chairman 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: Matthew Cavallo (Township of Verona), Michael Kronyak (Borough of Hasbrouck Heights), Erin Knoedler (City of Union City), Heather McNamara-Kreitz (Township of Wayne), Freeholder Ed Smith (County of Warren), Thomas Tucci (Township of Cedar Grove), Sonia Viveiros (Township of Maplewood).

Chairman Kronyak announced that Erin Knoedler (City of Union City) would serve on the Executive Board at today's meeting in place of Commissioner Molinari, and Sonia Viveiros (Township of Maplewood) would serve on the Executive Board at today's meeting in place of Mayor John Duthie (Borough of Roseland).

Others Present: Ezio Altamura (GJEM-Otterstedt), David Balken (BRM), Lou Beckerman (Acrisure LLC), Neal Bellet (Township of Wayne), Dominick Bratti, Esq. (Bratti Greenan-arrived late), Robert Calise (CMFO), John Daly (Scirocco Group), Michael DelBalso (Township of Wayne), Nancy DiMartino (Eric J. Nemeth, P.C./Recording Secretary), Joseph Gentile (GJEM-Otterstedt Agency), Kristine Gould (Township of Verona), Christina Grabowski (PMA-TPA), Alex Lazorisak (County of Warren), Mayor Daniel Mahler (Borough of Wanaque-arrived late), 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 Zizza (Regional Risk Managers).

4. Approval of Minutes of Executive Board Meeting of November 8, 2018.

It was moved by Smith, seconded by McNamara-Kreitz, that the Minutes of the November 8, 2018 Meeting of The New Jersey Intergovernmental Insurance Fund be accepted as presented.

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

5. Correspondence: Co-Administrator Nemeth advised that the NJDOBI sent an email message requesting updates to the NJIIF website. Measures to address the request are underway.

6. Finance Report: CMFO Calise summarized the monthly Multi Line and Workers Compensation Fund financials for 2018 to-date, including assessments and claims payments, copies of which materials are provided in the meeting binder. Also included in the meeting materials are the ML & WC December 2018 Bill Lists. Calise reported that Old Bridge is now up to date with its loan payment obligations. Calise also reported that with the exception of Wanaque and the Old Bridge First Aid Squad, all Member assessments are paid in full for 2018.

It was moved by Tucci, seconded by Smith, to accept the WC and ML Financial Reports as presented.

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

7. Committee Reports

- a) Nominating Committee (Tucci) – Commissioner Tucci reported that there will be three vacancies on the NJIIF Executive Board for 2019 and that the Nominating Committee will provide its recommended slate of candidates at the 2019 Reorganization Meeting.
- 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) – Copies of the proposed 2019 WC and ML Fund budgets were distributed. Chairman Kronyak requested a motion to open the public hearing on the 2019 WC Fund Budget as introduced.

It was moved by Cavallo, seconded by Smith, to open the public hearing on the proposed 2019 WC Fund Budget.

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

Hearing no comments, Chairman Kronyak closed the public hearing.

It was moved by Cavallo, seconded by Smith, to adopt the 2019 WC Fund Budget as presented.

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

Chairman Kronyak requested a motion to open the public hearing on the 2019 ML Fund Budget as introduced.

It was moved by Smith, seconded by McNamara-Kreitz, to open the public hearing on the proposed 2019 ML Fund Budget.

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

Hearing no comments, Chairman Kronyak closed the public hearing.

It was moved by Tucci, seconded by McNamara-Kreitz, to adopt the 2019 ML Fund Budget as presented.

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

- g) Safety/Loss Control Committee (Smith) – No report.
 - h) New Member & Development Committee (Kronyak) – No Report from Chairman Kronyak; he referred to the forthcoming Risk Manager’s Report.
 - i) Risk Management Committee (Smith) – No report.
8. Chairman’s Report – Chairman Kronyak reported on the departure of three commissioners from the Executive Board at the end of the year; Freeholder Ed Smith, Mayor John Duthie and Police Chief Richard Molinari. He thanked all three for their service to the NJIIF. Chairman Kronyak also reported that with the possibility of new Members joining the NJIIF for 2019, it may be necessary to make use of the Executive Board Meeting currently scheduled for December 21, 2018. Notices will be sent to the NJIIF membership to advise if the meeting will be cancelled.
9. Risk Manager’s Report – Serapiglia reported that there are three active new member applications being considered for 2019; Metuchen, Highland Park and Secaucus. Serapiglia also reported that the NJIIF is negotiating with Safety National to provide POL/EPLI coverage for 2019. Safety National currently provides WC and GL/PPL coverage for the NJIIF.

10. Loss Control Consultant Report – Tim Weir/PMA announced the winners of the NJIIF’s first annual “Snow Plow Rodeo” (Rich Williamson of Verona (non-CDL) and Mike Martz of Old Bridge (CDL)). Weir reported that Old Bridge subsequently held its own “Snow Plow Rodeo” which was a success. Weir also advised that the NJIIF Fire and EMS forum was held last week and that that a Risk Management Forum for DPW Directors and Managers will be held on December 11th in Wayne Township.

General Counsel/Co-Administrator Nemeth advised that he conducted sensitivity training for the Maplewood Township Council during the past month. Commissioner Viveiros thanked Nemeth for the presentation and complimented the NJIIF on its thoroughness in its approach to training.

11. TPA Report – Christina Grabowski provided an update on aggregate WC claims received through 12/1/18. The WC claim count to date for 2018 is trending at about the same as 2017. She reported that claims generally continue to be timely reported and lost time frequency continues to improve. Grabowski also reports that the Medical Bill Review Program has achieved a 63% savings.

It was moved by McNamara-Kreitz, seconded by Tucci to approve all Professionals’ Reports.

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

12. Bill List-WC Fund/ML Fund – It was moved by Tucci, seconded by Smith, to approve the November Bill List.

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

13. Old Business – None
14. New Business – None
15. Public Comment - Chairman Kronyak requested a motion to open the Public Comment Section of the meeting.

It was moved by McNamara-Kreitz, seconded by Smith, to open the meeting for public comment.

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

Hearing none, Chairman Kronyak requested a motion to close the Public Comment portion of the meeting.

It was moved by Smith, seconded by Cavallo, to close the public comment.

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

16. Closed Session

It was moved by Cavallo, seconded by Smith, that pursuant to the form of Closed Session Motion presented in the meeting agenda packet (the “Closed Session Motion”), the Board should move into Closed Session to discuss matters as outlined in the subject Motion.

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

It was moved by Smith seconded by Tucci, that the Minutes of Closed Session from the Fund’s meeting of November 8, 2018 be accepted as presented.

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

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

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

It was moved by McNamara-Kreitz, seconded by Smith, that the Multi-Line Fund Claims recommendations and Fund Counsel’s Report regarding ML Fund matters be accepted as presented.

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

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

It was moved by Tucci, 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, Knoedler, Kronyak, McNamara-Kreitz, Smith, Tucci, Viveiros
Nay: None
Abstain: *Each Executive Board Member abstains as to claims against its Member entity

17. Presentation by Dominick Bratti, Esq. (Bratti Greenan, LLC): New Jersey Paid Sick Leave Law.
18. Adjournment - There being no further business to discuss, motion by Cavallo, seconded by Smith to adjourn the NJIIF's December 6, 2018 Meeting.

Roll Call:
Aye: Cavallo, Kronyak, Smith, Tucci, Viveiros
Nay: None
Abstain: None

The December 6, 2018 Meeting was adjourned at 12:25 pm.

THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND
MINUTES OF PUBLIC MEETING
January 3, 2019

Call To Order: A meeting of the New Jersey Intergovernmental Insurance Fund was called to Order on Thursday, January 3, 2019 at 10:37 a.m. in Wayne, New Jersey by Eric J. Nemeth Esq., General Counsel/Co-Administrator of the NJIIF. Nemeth read the Open Public Meetings Act Statement and announced that notices were placed in newspapers and posted as required.

Pledge of Allegiance: Nemeth opened the meeting with the Pledge of Allegiance.

Roll Call:

Commissioners Present: Neal Bellet (Alternate Commissioner, Township of Wayne)
Matthew Cavallo (Township of Verona)
Michael Kronyak (Borough of Hasbrouck Heights)
Alex Lazorisak (County of Warren)
Avril Limage (Township of Old Bridge)
Thomas Tucci (Township of Cedar Grove)
Sonia Viveiros (Township of Maplewood)

Others Present: Ezio Altamura (GJEM/Otterstedt)
David Balken (Balken Risk)
Lou Beckerman (Acrisure LLC)
Robert Calise (CMFO)
John Daly (Scirocco Group)
Nancy DiMartino (Recording Secretary)
Maria Makos (Polaris - Risk Manager)
Eric J. Nemeth Esq. (Eric J. Nemeth, P.C. – GC/Co-Administrator)
John Serapiglia (Polaris – Risk Manager/Co-Administrator)
Matthew Struck (Treadstone Risk Management)
Tim Weir (PMA- Safety & Loss Control)
Justin Wilkinson (PMA-TPA)

1. Report of Nominating Committee; Election – Executive Committee, Alternates, Chairman and Secretary: Following the roll call of Commissioners in attendance, Nemeth requested the Report of the Nominating Committee. Committee Chairperson Tucci reported the following recommendations for the slate of candidates and officers to serve on the Executive Board in 2019:

Executive Board

Chairman – Michael Kronyak
Secretary – Thomas Tucci
Commissioner – Matthew Cavallo
Commissioner – Lt. Walter Laurencio
Commissioner – Avril Limage
Commissioner – Heather McNamara-Kreitz
Commissioner – Sonia Viveiros

Alternates

Alternate – Neal Bellet

Alternate – Erin Knoedler

Alternate – Alex Lazorisak

Alternate – Nick Saros

Election of Executive Board, Alternates and Officers: Nemeth next opened the floor to Executive Board recommendations from other members. There being no other recommendations for candidates to the Executive Board, Nemeth closed the floor to nominations and requested a motion to approve the slate of candidates recommended by the Nominating Committee.

It was moved by Tucci, seconded by Cavallo that the 2019 Executive Board, Alternates and Officers recommended by the Nominating Committee be approved as presented.

Roll Call:
Aye: Bellet, Cavallo, Kronyak, Lazorisak, Limage, Tucci, Viveiros
Nay: None
Abstain: None

Following the vote, Chairman Kronyak thanked the Commissioners for their service and administered the balance of the meeting. Chairman Kronyak announced that as designated alternate Executive Board Members, Commissioner Lazorisak would be serving on the Executive Board at today's meeting for Lt. Laurencio and Alternate Commissioner Neal Bellet would be voting for Commissioner Heather McNamara-Kreitz.

2. 2019 NJIIF Resolutions – Multi-Line: It was moved by Bellet, seconded by Cavallo, that Resolutions ML-2019-1 through ML-2019-13 be approved as presented.

Roll Call:
Aye: Bellet, Cavallo, Kronyak, Lazorisak, Limage, Tucci, Viveiros
Nay: None
Abstain: None

3. 2019 NJIIF Resolutions – Workers Compensation It was moved by Bellet, seconded by Limage, that Resolutions WC-2019-1 through WC-2019-12 be approved as presented.

Roll Call:
Aye: Bellet, Cavallo, Kronyak, Lazorisak, Limage, Tucci, Viveiros
Nay: None
Abstain: None

4. 2019 NJIIF Resolutions – Joint Multi-Line and Workers Compensation Funds: It was moved by Bellet, seconded by Tucci, that Resolutions WC-ML-2019-1 through WC-ML-2019-10 be approved as presented.

Roll Call:
Aye: Bellet, Cavallo, Kronyak, Lazorisak, Limage, Tucci, Viveiros
Nay: None
Abstain: None

5. Chairman's Report: Chairman Kronyak thanked everyone for their confidence in the Board and thanked Secretary Tucci for his continued service. Chairman Kronyak also announced that Committee member appointments would be announced at the January 24, 2019 Meeting and he requested that any member interested in serving on a committee should contact him.
6. Old Business: None
7. New Business: None
8. Public Comment: At this time Chairman Kronyak opened the floor to the Public for comments. There being no public comment, Kronyak closed the public comment period.
9. Adjournment: There being no further business, Kronyak requested a Motion to Adjourn. It was moved by Bellet, seconded by Tucci, to adjourn the NJIIF's January 3, 2019 Meeting.

Roll Call
Aye: Bellet, Cavallo, Kronyak, Lazorisak, Limage, Tucci, Viveiros
Nay: None
Abstain: None

The January 3, 2019 Meeting was adjourned at 11:00 am.

APPENDIX II

Closed Session Motion

For the January 24, 2019 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. Cappello adv. Borough of Wanaque (W00106320)-----RSA

Case Update Reports for WC Fund Subrogation/Restitution Claims:

1. Kaiser adv. City of Bayonne (W001880172)-----Case Update
2. Kompany adv. Borough of Roselle Park (W001871993)-----Case Update
3. Jamie adv. City of Union City (W002027847)-----Case Closure

Multi-Line Fund Claim Matters

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

1. Stovall v. City of Asbury Park (1292)-----RSA
2. Cardone v. City of Bayonne (1550)-----Case Closure
3. Reinhoel v. Sunshine Grocery v. City of Bayonne (1611)-----Case Closure
4. Greco v. Borough of Hasbrouck Heights (1147)-----Case Closure
5. Borges v. City of Union City (1537)-----Case Closure
6. Cabello v. City of Union City (1254)-----Case Closure

Coverage Recommendations for New Claims/Litigation:

1. Freedman v. Township of Aberdeen
2. ACLU v. City of Asbury Park
3. Bowens v. City of Asbury Park
4. Sherman v. City of Asbury Park
5. VanWagner v. City of Asbury Park
6. Cresci adv. City of Bayonne
7. Salama v. City of Bayonne
8. Pinto v. City of Bayonne
9. State/Ross v. City of Bayonne/Russo
10. State/Ross v. City of Bayonne/Vanderwerden
11. Assia v. Borough of Hasbrouck Heights
12. Pederson v. Township of Old Bridge
13. Bonda v. Borough of Roselle Park
14. Pappas v. Township of Verona
15. J.B. Minor/Skwirut v. County of Warren
16. Ricca v. Township of Wayne