

NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND



Thursday, February 28, 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 style="text-align: center;">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 style="text-align: center;">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 style="text-align: center;">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 style="text-align: center;">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 style="text-align: center;">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 style="text-align: center;">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, February 28, 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 – January 24, 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/Management Oversight – Tucci
 - F. Finance – Kronyak
 - G. Safety/Loss Control – Cavallo
 - H. New Member & Development – Kronyak
 - I. Risk Management – Viveiros
5. Chairman’s Report
6. Risk Manager’s Report, (John Serapiglia and Maria Makos, Polaris Galaxy)
7. Safety 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
January 24, 2019

Call To Order: A meeting of the New Jersey Intergovernmental Insurance Fund was called to Order on Thursday, January 24, 2019 at 10:35 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.

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

Roll Call

Commissioners Present: Michael Kronyak (Borough of Hasbrouck Heights), Avril Limage (Township of Old Bridge), Heather McNamara-Kreitz (Township of Wayne), Lt. Walter Laurencio (City of Union City); Thomas Tucci (Township of Cedar Grove), Sonia Viveiros (Township of Maplewood).

Others Present: Ezio Altamura (GJEM-Otterstedt), Lou Beckerman (Acrisure LLC), Chris Brid (PMA-Safety and Loss Control), Robert Calise (CMFO), John Daly (Sciocco Group), Michael DelBalso (Township of Wayne), Nancy DiMartino (Eric J. Nemeth, P.C./Recording Secretary), 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), Danielle Voda (Fairview Insurance), Tim Weir (PMA-Safety and Loss Control), Justin Wilkinson, (PMA-TPA), Jack Zisa (Regional Risk Managers).

1. Approval of Minutes of Executive Board Meeting of December 6, 2018 and the Reorganization Meeting of January 3, 2019. It was moved by Tucci, seconded by Limage, that the Minutes of the December 6, 2018 and January 3, 2019 Meetings of The New Jersey Intergovernmental Insurance Fund be accepted as presented.

Roll Call:
Aye: Kronyak, Limage, Laurencio, Tucci, Viveiros
Nay: None
Abstain: McNamara-Kreitz

2. Correspondence: None.
3. Finance Report: CMFO Calise summarized the monthly Multi Line and Workers Compensation Fund financials for 2019 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 January 2019 Bill Lists. Calise reported that the amount paid out for claims in 2018 from the ML Fund compared to previous years trended downward, and for the WC Fund there was a minimal increase.

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

Roll Call:
Aye: Kronyak, Limage, Laurencio, McNamara-Kreitz, Tucci, Viveiros
Nay: None
Abstain: None

4. 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) – In response to a question by Commissioner Tucci as to usage and cost associated with the Employee Assistance Program, GC/Co-Administrator Nemeth indicated that the NJIIF has incurred only modest costs for Sand Creek’s EAP program which involves a modest annual administration fee, with all other costs based on actual usage; Nemeth also mentioned that many members have their own providers, so the NJIIF’s program is underutilized. Tucci requested a usage report.
 - f) Finance Committee (Kronyak) – Chairman Kronyak indicated that the Finance Committee and Professionals are awaiting the draft 12/31/18 reports.
 - g) Safety/Loss Control Committee. There was an extensive discussion regarding increasing external attacks on governmental entity computer networks. Chairman Kronyak requested that Maria Makos put together a report regarding data breaches. Secretary Tucci recommended that the NJIIF’s carrier attend a meeting to give a presentation on the coverages available.
 - h) New Member & Development Committee (Kronyak) – Risk Manager/Co-Administrator Serapiglia discuss the results of membership development in 2018. Makos agreed to provide copies of the new 2019 NJIIF policies to each member on a flash drive or by file transfer. Makos also announced that the NJIIF received authorization from the Motor Vehicle Commission for a master NJIIF account for ordering abstracts to comply with the NJIIF 2019 MV Risk Management Liability Program; going forward will have to determine how to coordinate the program with members that already have accounts.
 - i) Risk Management Committee (Viveiros) – No report.
5. Chairman’s Report – Chairman Kronyak indicated that he will report on the Committee assignments at the NJIIF’s February 28th, 2019 meeting.
 6. Risk Manager’s Report – (Serapiglia). See discussion under New Member & Development Committee and Safety/Loss Control Committee above.
 7. Loss Control Consultant Report – Tim Weir/PMA announced new programs available for 2019, including “Strategic Planning and Winter Storm Management”, “OSHA

Workshop/Completing Form 300A”, among others. Weir also reminded the members that the NJIIF offers anti-harassment and sensitivity training which starts at the supervisor/department head level, coordinated through GC/Eric Nemeth’s office, followed by rank and file training conducted by PMA.

8. TPA Report – Christina Grabowski provided an update on aggregate WC claims received through 1/1/19. The total WC claim count year 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, with 74% of claims reported within 3 days. Grabowski also reports that the Medical Bill Review Program has achieved a 64% savings.

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

Roll Call:
Aye: Kronyak, Limage, Laurencio, McNamara-Kreitz, Tucci, Viveiros
Nay: None
Abstain: None

9. Bill List-WC Fund/ML Fund – It was moved by Tucci, seconded by McNamara-Kreitz, to approve the January Bill List.

Roll Call:
Aye: Kronyak, Limage, Laurencio, McNamara-Kreitz, Tucci, Viveiros
Nay: None
Abstain: None

10. Old Business – None
11. New Business – GC/Co-Administrator Nemeth mentioned that the Executive Board should begin thinking about attendance at the PRIMA conference which runs from Sunday, June 9th through Wednesday June 12th.
12. Public Comment - Chairman Kronyak requested a motion to open the Public Comment Section of the meeting.

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

Roll Call:
Aye: Kronyak, Limage, Laurencio, McNamara-Kreitz, Tucci, Viveiros
Nay: None
Abstain: None

Hearing no comments, Chairman Kronyak requested closed the Public Comment portion of the meeting.

13. Closed Session: It was moved by McNamara-Kreitz, seconded by Laurencio, 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: Kronyak, Limage, Laurencio, McNamara-Kreitz, Tucci, Viveiros
Nay: None
Abstain: None

It was moved by Tucci seconded by Viveiros, that the Minutes of Closed Session from the Fund’s meeting of December 6, 2018 be accepted as presented.

Roll Call:
Aye: Kronyak, Limage, Laurencio, Tucci, Viveiros
Nay: None
Abstain: McNamara-Kreitz

It was moved by McNamara-Kreitz, seconded by Laurencio, that the WC Claims recommendations and Fund Counsel’s Report be accepted as presented.

Roll Call:
Aye: Kronyak, Limage, Laurencio, McNamara-Kreitz, 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 Tucci, that the Multi-Line Fund Claims recommendations and Fund Counsel’s Report regarding ML Fund matters be accepted as presented.

Roll Call:
Aye: Kronyak, Limage, Laurencio, McNamara-Kreitz, 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 Laurencio, seconded by McNamara-Kreitz that the Board return to Open Session.

Roll Call:
Aye: Kronyak, Limage, Laurencio, McNamara-Kreitz, Tucci, Viveiros
Nay: None
Abstain: None

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

14. Adjournment - There being no further business to discuss, motion by Tucci, seconded by McNamara-Kreitz, to adjourn the NJIIF's January 24, 2019 Meeting.

Roll Call:
Aye: Kronyak, Limage, Laurencio, McNamara-Kreitz, Tucci, Viveiros
Nay: None
Abstain: None

The January 24, 2019 Meeting was adjourned at 11:45 am.

APPENDIX II

Closed Session Motion

For the February 28, 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. Breech adv. City of Asbury Park (W002132886)-----RSA
2. Garcia adv. City of Union City (W001857254)-----RSA
3. Galka adv. Township of Wayne (W001827209)-----RSA

Case Update Reports for WC Fund Subrogation/Restitution Claims:

1. Cortez adv. Union City (W001216698)-----Recovery
2. Falla adv. Township of Wayne (W001441646)-----Recovery
3. Simpson adv. Township of Wayne (W001069669)-----Recovery
4. Rokita adv. Township of Wayne (W002224388)-----Case Update

Multi-Line Fund Claim Matters

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

1. DJIF a/s/o Lamperti v. City of Bayonne (1776)-----Case Closure
2. Cam Trust v. Borough of Mantoloking (1455)-----Case Closure
3. McDougall v. Township of Maplewood (1699)-----RSA
4. Jutrowski v. Borough of Riverdale (0967)-----RSA
5. Sanchez v. City of Union City (1570)-----Case Closure
6. Pascucci v. Township of Verona (1738)-----Case Closure
7. Ward v. Township of Verona (1501)-----Case Closure

Coverage Recommendations for New Claims/Litigation:

1. Hare v. City of Asbury Park
2. Agarwal v. City of Bayonne
3. Inoa-Liriano, Jake v. City of Bayonne
4. Inoa-Liriano, Rickey v. City of Bayonne
5. Kahn v. City of Bayonne
6. Mason v. City of Bayonne
7. Perrault v. City of Bayonne
8. Covington v. Township of Maplewood
9. Mashel v. Township of Maplewood
10. 511 10th Street LLC v. City of Union City
11. Deutsche Bank National Trust v. City of Union City
12. Rodriguez v. City of Union City
13. Romero v. City of Union City

14. Schmidt v. County of Warren
15. PBA Locals 136 and 136A v. Township of Wayne
16. Rhode v. Township of Wayne

Other Matters

1. Styles v City of Bayonne
2. In the matter of OAE/Arsenault v. Nemeth: Resolution 2019-ML-014 for Defense/Indemnification