

NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND



Thursday, June 27, 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, June 27, 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 – May 23, 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
 - Resolution ML-2019-16: Limited Amendment To Member Coverage Under The 2019 Safety National POL Policy
 - E. Professional – Tucci
 - F. Finance – Kronyak
 - Acceptance of 6/30/18 WC Fund Audit Report
 - Acceptance of 6/30/18 ML Fund Audit Report
 - 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 (Justin Wilkinson, 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
May 23, 2019

Call To Order: A meeting of the New Jersey Intergovernmental Insurance Fund was called to Order on Thursday, May 23, 2019, 2019 at 10:36 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: Matthew Cavallo (Township of Verona), Michael Kronyak (Borough of Hasbrouck Heights), Alex Lazorisak (County of Warren), Heather McNamara-Kreitz (Township of Wayne), Thomas Tucci (Township of Cedar Grove), Sonia Viveiros (Township of Maplewood).

Others Present: Lou Beckerman (Acrisure LLC); Neal Bellet (Township of Wayne), Robert Calise (CMFO); John Daly (Scirocco Group); Nancy DiMartino (Eric J. Nemeth, P.C./Recording Secretary); Joe Gentile (GJEM-Otterstedt Agency), 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); Justin Wilkinson (PMA-TPA), Tim Weir (PMA-Safety and Loss Control), Danielle Voda (Fairview Insurance) and Jack Zisa (Regional Risk Managers).

Chairman Kronyak announced that Commissioner Alex Lazorisak will be serving on the Executive Board at today's meeting on behalf of Commissioner Laurencio

1. Approval of Minutes of Executive Board Meeting of April 25, 2019. It was moved by Cavallo, seconded by Lazorisak, that the Minutes of the April 25, 2019 Meeting of The New Jersey Intergovernmental Insurance Fund be accepted as presented.

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

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. In addition, Calise summarized the NJIIF's investments. Calise reported that WC Fund claim payments thus far in 2019 are trending downward and ML Fund claim payments slightly upward compared to the same period in 2018.

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

Roll Call:
Aye: Cavallo, Kronyak, Lazorisak, 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) – No report.
- f) Finance Committee (Kronyak) – Chairman Kronyak reported that the Fund professionals continue to work toward completion of the 6/30/18 audit reports.
- g) Safety/Loss Control Committee. Cavallo introduced Resolution ML-WC-2019-11: Safety Incentive Program for 2018: Program Amendments and Award Recipients. GC/Co-Administrator Nemeth explained that the resolution, if approved, would create a second tier of compliance criteria in order to expand the pool of NJIIF members who may be eligible for safety awards. The resolution also establishes which NJIIF members meet the newly established criteria for 2018.

It was moved by Cavallo, seconded by Tucci, to adopt Resolution ML-WC-2019-11: Safety Incentive Program for 2018: Program Amendments and Award Recipients.

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

- h) New Member & Development Committee (Kronyak) – Risk Manager/Co-Administrator Serapiglia explained marketing efforts for new member development being undertaken by his office. M. Makos reported that copies of the 2019 insurance policies have been handed out and those members that opted for flash drives and electronic copies of the 2019 policies will be receiving them in the next few weeks.
- i) Risk Management Committee (Viveiros) – No report.

5. Chairman's Report – No report.
6. Risk Manager's Report – (Serapiglia). See h. above.
7. Loss Control Consultant Report – Tim Weir/PMA advised that PMA conducted a use of force forum in Maplewood and is looking to schedule a similar session in the Fall. Weir further reported that PMA will be holding an OSHA training session for managers, supervisors and directors in July.
8. TPA Report – Christina Grabowski provided an update on aggregate WC claims received through 5/1/19. She reported that claims generally continue to be timely reported and lost time frequency continues to improve, with 82% of claims reported within 3 days. Grabowski advised that four Members had no new claims reported in January 2019 through April 2019. Grabowski also reported that the Medical Bill Review Program has achieved a 66% savings.

Christina announced that she will be resigning from PMA effective June 7, 2019. Chairman Kronyak thanked Christina for her service to the NJIIF and wished her well.

It was moved by Tucci, seconded by Lazorisak to approve all Professionals' Reports.

Roll Call:
Aye: Cavallo, Kronyak, Lazorisak, 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 May Bill List (copies provided in the meeting binders).

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

10. Old Business – GC/Co-Administrator Nemeth and CMFO Calise reported that the Old Bridge First Aid Squad has started addressing their assessments. Calise and Makos will follow-up.
11. New Business – None
12. Public Comment - Chairman Kronyak requested a motion to open the Public Comment Section of the meeting.

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

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

There being no public comments, it was moved by McNamara-Kreitz, seconded by Cavallo, to close the public comment session.

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

13. Closed Session: It was moved by Lazorisak, seconded by Cavallo, 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 Closed Session Motion.

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

It was moved by Cavallo seconded by McNamara-Kreitz, that the Minutes of Closed Session from the Fund’s meeting of April 25, 2019 be accepted as presented.

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

Commissioner Limage arrives.

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

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

CMFO Calise left the meeting during the ML Claims discussion.

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

Roll Call:
Aye: Cavallo, Kronyak, Lazorisak, Limage, 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 Lazorisak, seconded by Cavallo, that the Board return to Open Session.

Roll Call:
Aye: Cavallo, Kronyak, Lazorisak, Limage, McNamara-Kreitz, 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 in Closed Session.

Roll Call:
Aye: Cavallo, Kronyak, Lazorisak, Limage, 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 Lazorisak , seconded by Tucci, to adjourn the NJIIF's May 23, 2019 Meeting.

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

The May 23, 2019 Meeting was adjourned at 11:35 am.

APPENDIX II

Closed Session Motion

For the June 27, 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. Schaefer adv. City of Bayonne (W001875260)-----RSA
2. Sahanas adv. Borough of Wanaque (W002423493)-----RSA
3. Roseberry adv. County of Warren (W001069713)-----RSA

Case Update Reports for WC Fund Subrogation/Restitution Claims:

1. Bishara adv. City of Bayonne (W002410910)-----Case Update
2. Natalia adv. Township of Old Bridge (W002398408)-----Case Update
3. Watson adv. City of Union City (W002403799)-----Case Update
4. Basualdo adv. City of Union City (W001344052)-----Case Closure

Multi-Line Fund Claim Matters

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

1. Bailey v. City of Asbury Park (1681)-----RSA
2. Shoats v. City of Asbury Park (1636)-----Case Closure
3. Cornelio v. City of Bayonne (1507)-----RSA
4. Markewicz v. City of Bayonne (1403)-----Case Closure
5. Rodriguez v. Borough of Hasbrouck Heights (1459)-----Case Closure
6. Pedersen v. Township of Old Bridge (1862)-----Case Closure

Coverage Recommendations for New Claims/Litigation:

1. Township of Aberdeen v. Aberdeen Zoning Board of Adjustment
2. Smart-Loadholt v. Township of Aberdeen
3. Mignoli XI v. City of Asbury Park
4. Testa v. City of Asbury Park
5. Williams, Mark v. Asbury Park
6. Collado v. City of Bayonne
7. State v. Wojtkowski/City of Bayonne
8. Trivisonno v. Borough of Hasbrouck Heights
9. Lisco v. Township of Maplewood
10. Concar v. Township of Old Bridge
11. Milner v. Township of Old Bridge

12. PRBRSA v. Borough of Riverdale
13. 2000 Bergenline Ave. LLC v. City of Union City
14. Calderon v. City of Union City
15. Deutsche Bank v. City of Union City
16. Gomez v. City of Union City
17. Liriano v. City of Union City
18. Marrero v. City of Union City
19. First Ridge Alliance v. Township of Verona
20. Lluch v. Kortum/Township of Verona
21. Hedemus v. Borough of Woodland Park