

NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND



**Wednesday, November 13, 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><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><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><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><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><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><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>

Wednesday, November 13, 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 – October 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 – Tucci
  - F. Finance – Kronyak
    - Resolution No.: WC-2019-13 Adoption of 12/31/18 WC Fund Audit Report and Corrective Action Plan
    - Resolution No.: ML-2019-18 Adoption of 12/31/18 ML Fund Audit Report and Corrective Action Plan.
    - Introduction of 2020 WC Fund Budget
    - Introduction of 2020 ML Fund Budget
  - 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/Chris Brid, PMA)
8. TPA Report (Jennifer Signs, 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**  
**October 24, 2019**

---

Call to Order: A meeting of the New Jersey Intergovernmental Insurance Fund was called to Order on Thursday, October 24, 2019, 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.

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

Roll Call

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

Others Present: Lou Beckerman (Acrisure LLC), Chris Brid (PMA-Safety & Loss Control), Robert Calise (CMFO), John Daly (Scirocco Group), Nancy DiMartino (Eric J. Nemeth, P.C/Recording Secretary); Tom Fitzpatrick (Fairview Insurance Associates), Joe Gentile (GJEM-Otterstedt Insurance Agency); Rija F. Khan (Eric J. Nemeth, P.C.); 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); Jennifer Signs (PMA-TPA), Justin Wilkinson (PMA-TPA), Tim Weir (PMA-Safety and Loss Control)

Chairman Kronyak announced that in the absence of Commissioner Cavallo, Commissioner Lazorisak will be serving on the Executive Board at today's meeting.

1. Approval of the Minutes of the Executive Board Meeting of September 26, 2019. It was moved by Tucci, seconded by Lazorisak, that the Minutes of the September 26, 2019 Meeting of the New Jersey Intergovernmental Insurance Fund be accepted as presented.

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

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 claim payments, copies of which materials were provided in the meeting binder. Calise noted that ML Fund claim payments are trending downward from the same time over the last two years, and WC Fund claim payments are slightly upward. Finally, Calise summarized the NJIIF investments to-date.

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

Roll Call:
Aye      Kronyak, Laurencio, Lazorisak, Limage, McNamara-Kreitz, Tucci
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) – Hold for next meeting.
- d) Coverage Committee (Tucci) – See Closed Session Motion for claim coverage matters.
- e) Professionals Committee (Tucci) – Nemeth explained the need for special counsel to defend the Township of Verona in the matter of *First Ridge Alliance, Inc. v. Township of Verona, et al.*, and the related matter of *Bobcar Corporation v. Township of Verona et al.* It was moved by Tucci, seconded by Lazorisak to approve Resolution ML-2019-17 appointing Giblin & Gannaio LLC as ML Fund Special Defense Counsel assigned to defense of the Township of Verona in the aforementioned cases.

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

- f) Finance Committee (Kronyak) – Chairman Kronyak reported that the Finance Committee is panning on meeting next week to begin 2020 budget preparation.
  - g) Safety/Loss Control Committee. (Cavallo). See PMA Report, below.
  - h) New Member & Development Committee (Serapiglia) –Serapiglia reported that his office is responding to interest from 10 potential new members; four are awaiting additional information and six have been submitted to the actuary. He also advised that they are pursuing quotes for 2020 excess insurance and that, in addition to Safety National, several other insurers have shown interest in providing coverage for the NJIIF.
  - i) Risk Management Committee (Viveiros) – No report.
5. Chairman’s Report – Chairman Kronyak discussed moving the next Executive Board Meeting from November 7 to November 13 in order to have enough time for the budget

development process. N. DiMartino to check on meeting room availability.

- 6. Risk Manager’s Report – (Serapiglia). See New Member Development Committee Report above.
- 7. Loss Control Consultant Report – Tim Weir/PMA advised that PMA held a Risk Control Forum for police departments on October 9, and a similar forum for Fire Departments is planned for November 2 at the Township of Wayne. Additionally, PMA plans to hold its second annual snow plow rodeo on November 12. Chris Brid reported that he has conducted two CDL driver awareness training sessions in Union City, which were well attended .
- 8. TPA Report – Jennifer Signs/PMA provided an update on aggregate WC claims received through 10/1/19. She reported that claims generally continue to be timely reported and lost time frequency continues to improve. Signs also reported that the Medical Bill Review Program has achieved a 66% savings.

It was moved by Laurencio, seconded by Limage to approve all Professionals’ Reports.

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

- 9. Bill List-WC Fund/ML Fund. It was moved by Tucci, seconded by McNamara-Kreitz, to approve the June Bill List (copies provided in the meeting binders).

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

- 10. Old Business – None
- 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 McNamara-Kreitz, seconded by Limage, to open the meeting for public comment.

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



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

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

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

It was moved by McNamara-Kreitz seconded by Tucci, that the Minutes of Closed Session from the Fund’s meeting of September 26, 2019 be accepted as presented.

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

(Commissioner Lazorisak departed the meeting at 11:05am)

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

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

(Tom Fitzpatrick (Fairview) and Robert Calise (CMFO) departed the meeting at 11:30am)

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

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

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

It was moved by McNamara-Kreitz, seconded by Laurencio, 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	Kronyak, Laurencio, Limage, McNamara-Kreitz, Tucci
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 McNamara-Kreitz, seconded by Limage, to adjourn the NJIIF's October 24, 2019 Meeting.

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

The October 24, 2019 Meeting was adjourned at 11:40 p.m.

## APPENDIX II

## Closed Session Motion

### For the November 13, 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):

None

##### Case Update Reports for WC Fund Subrogation/Restitution Claims:

1. Harris adv. City of Asbury Park (W002671786)-----Case Update
2. Siaba adv. City of Bayonne (W002671169)-----Case Update
3. Galgano adv. Township of Old Bridge (W002182462)-----Case Update

#### **Multi-Line Fund Claim Matters**

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

1. Bailey v. Asbury Park (1681)-----Case Closure
2. Van Wagner v. City of Asbury Park (1573)-----Case Closure
3. Van Wagner v. City of Asbury Park (1856)-----Case Closure
4. Krukowski v. Borough of Roselle Park (1715)-----RSA
5. Arencibia-Diaz v. Union City (1644)-----Case Closure
6. Rodriguez, Zenia v. City of Union City (1734)-----RSA

##### Coverage Recommendations for New Claims/Litigation:

1. Daclan v. Township of Aberdeen
2. Capabianco adv. City of Asbury Park
3. Manzo v. City of Asbury Park
4. Peterson-Daily v. City of Asbury Park
5. Panariello, Estate of Michael v. Township of Old Bridge
6. Flores v. City of Union City
7. Frometa v. City of Union City
8. Gonzalez v. Union City
9. Salguero v. City of Union City
10. Desalvo v. Township of Wayne