

NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND



Thursday, January 23, 2020
Park Avenue Club
184 Park Avenue, Florham Park, NJ
10:00 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.

Thursday, January 23, 2020
Park Avenue Club, 184 Park Avenue, Florham Park, NJ
10:00 AM
AGENDA

Meeting Called to Order – Open Public Meetings Act Read

Pledge of Allegiance

Roll Call of Executive Committee and Professionals

1. Closed Session – (Eric Nemeth, Esq., Eric J. Nemeth, PC) – Closed Session Motion in Appendix I
2. Approval of Minutes – December 6, 2019, December 30, 2019 and January 3, 2020 – Appendix II
3. Correspondence
4. Finance Report- (Robert Calise)
5. 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 – Cavallo
 - H. New Member & Development – Kronyak
 - I. Risk Management – Viveiros
 - Resolution ML-2020-16: Employment Issue Consultation Services
6. Chairman’s Report
7. Risk Manager’s Report, (John Serapiglia and Maria Makos, Polaris Galaxy)
8. WC Loss Control Consultant’s Report (Tim Weir, PMA)
9. TPA Report (Christina Grabowski, PMA)
10. Bill List (Robert Calise)

11. Old Business – WC Fund/ML Fund

12. New Business – WC Fund/ML Fund

13. Public Comment

14. Adjournment.

APPENDIX I

Closed Session Motion

For the January 23, 2020 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. Keller adv. Township of Old Bridge (W002257590)-----RSA
2. Lichter adv. Township of Verona (W001069749)-----RSA
3. Boudaher adv. Borough of Woodland Park (W00224405)-----RSA

Case Update Reports for WC Fund Subrogation/Restitution Claims:

1. Molinari adv. City of Union City (W002008895)-----Recovery
2. McCarthy adv. City of Asbury Park (W001678058)-----Case Update
3. Townsend adv. City of Asbury Park (W001243939)-----Case Update

Multi-Line Fund Claim Matters

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

1. AADRI v. City of Asbury Park (1794)-----Case Closure
2. Cornelio v. City of Bayonne (1507) -----Case Closure
3. Tapia v. City of Bayonne (1696)-----Case Closure
4. McDougall v. Township of Maplewood (1699)-----Case Closure
5. Dobrusina v. Morristown Parking Authority (1743)-----RSA
6. Rodriguez, Emelio v. City of Union City (1650)-----Case Closure
7. Liccardo v Wanaque (1647) -----Case Closure

Coverage Recommendations for New Claims/Litigation:

1. Hinton v. City of Asbury Park
2. Laraque v. City of Asbury Park
3. Warraich v. City of Asbury Park
4. AADARI v. City of Bayonne
5. Ross v. City of Bayonne
6. Burnett Lot 7 LLC v. Township of Maplewood
7. Lionheart Holdings LLC v. Township of Mine Hill
8. Woolley v. Borough of Riverdale
9. Galindo v. Hong Da Realty v. City of Union City
10. Velazquez v. City of Union City
11. Bittencourt v. Township of Verona

APPENDIX II

**THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND
MINUTES OF PUBLIC MEETING
December 5, 2019**

Call to Order: A meeting of the New Jersey Intergovernmental Insurance Fund was called to Order on Thursday, December 5, 2019, at 11:08 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), Erin Knoedler (Alternate, City of Union City), Alex Lazorisak (Warren County), Heather McNamara (Township of Wayne), Nick Saros (Borough of Teterboro), Thomas Tucci (Township of Cedar Grove), Sonia Alves-Viveiros (Township of Maplewood).

Others Present: Ezio Altamura (GJEM-Otterstet Agency), Lou Beckerman (Acrisure LLC), Chris Brid (PMA-Safety & Loss Control), Robert Calise (CMFO), John Daly (Scirocco Group), Michael DelBalso (Township of Wayne), Nancy DiMartino (Eric J. Nemeth, P.C./Recording Secretary); Kristine Gould (Township of Verona), Larry Graham (Fairview Insurance), 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), Tim Weir (PMA-Safety & Loss Control), Jack Zisa (Regional Risk Managers)

Chairman Kronyak advised that Commissioner Knoedler will be serving on the Executive Board at today's meeting as a replacement for Commissioner Laurencio and Commissioner Lazorisak will be serving as the replacement for Commissioner Cavallo.

1. Approval of the Minutes of the Executive Board Meeting of October 24, 2019. It was moved by McNamara, seconded by Tucci, that the Minutes of the November 13, 2019 Meeting of the New Jersey Intergovernmental Insurance Fund be accepted as presented.

Roll Call:
Aye Knoedler, Kronyak, McNamara, Tucci, Alves-Viveiros
Nay: None
Abstain: Lazorisak

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 both ML Fund and WC Fund claim payments are trending downward compared with the same time over 2018. Calise also reported that the cash "true up" with PMA for both the ML and WC Funds is almost complete.

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

Roll Call:
Aye: Knoedler, Kronyak, Lazorisak, McNamara, Tucci, Alves-Viveiros
Nay: None
Abstain: None

4. Committee Reports

- a) Nominating Committee (Tucci) – No report
- b) By-Law Committee (McNamara) – No report
- c) Legislative Committee (Cavallo) – No report
- d) Coverage Committee (Tucci) – See Closed Session.
- e) Professionals Committee (Tucci) – No report
- f) Finance Committee (Kronyak) – Chairman Kronyak provided a summary of the proposed 2020 WC Fund Budget. It was moved by Kronyak, seconded by McNamara, to open the public hearing on the proposed 2020 WC Fund Budget.

Roll Call:
Aye: Knoedler, Kronyak, Lazorisak, McNamara, Tucci, Alves-Viveiros
Nay: None
Abstain: None

Hearing no comments, Chairman Kronyak requested a motion to close the public hearing on the proposed 2020 WC Fund Budget. It was moved by McNamara, seconded by Lazorisak, to close the public hearing on the proposed 2020 WC Fund Budget.

Roll Call:
Aye: Knoedler, Kronyak, Lazorisak, McNamara, Tucci, Alves-Viveiros
Nay: None
Abstain: None

Chairman Kronyak provided a summary of the proposed 2020 ML Fund Budget. Thereafter he requested a motion to open the public hearing on the 2020 ML Fund Budget as introduced. It was moved by McNamara, seconded by Tucci, to open the public hearing on the proposed 2020 ML Fund Budget.

Roll Call:
Aye: Knoedler, Kronyak, Lazorisak, McNamara, Tucci, Alves-Viveiros
Nay: None
Abstain: None

Hearing no comments, Chairman Kronyak requested a motion to close the public hearing on the proposed 2020 ML Fund Budget. It was moved by Lazorisak, seconded by McNamara, to close the public hearing on the proposed 2020 ML Fund Budget.

Roll Call:
Aye: Knoedler, Kronyak, Lazorisak, McNamara, Tucci, Alves-Viveiros
Nay: None
Abstain: None

It was moved by Kronyak, seconded by Tucci, to adopt the 2020 WC Fund Budget as presented.

Roll Call:
Aye: Knoedler, Kronyak, Lazorisak, McNamara, Tucci, Alves-Viveiros
Nay: None
Abstain: None

It was moved by Kronyak, seconded by McNamara, to adopt the 2020 ML Fund Budget as presented.

Roll Call:
Aye: Knoedler, Kronyak, Lazorisak, McNamara, Tucci, Alves-Viveiros
Nay: None
Abstain: None

- g) Safety/Loss Control Committee. (Cavallo). No report
- h) New Member & Development Committee (Kronyak) – Chairman Kronyak requested an update from Serapiglia who advised that out of twelve potential new members, his office is in the final stages of review of applications from five candidates. Serapiglia also reported that they are negotiating 2020 premiums with Safety National and other potential carriers and that his office will report back with final recommendations for 2020.
- i) Risk Management Committee (Alves-Viveiros) – Commissioner Alves-Viveiros introduced the NJIIF’s draft Land Use Risk Management Liability Program and advised that the plan is to have it adopted at the NJIIF’s Reorganization Meeting. Nemeth advised that the intent is to educate members and reduce exposure to RILUPA claims.

5. Chairman’s Report – No report.
6. Risk Manager’s Report – (Serapiglia). See New Member Development Committee Report above.
7. Loss Control Consultant Report – Tim Weir/PMA provided the results of the 2nd Annual Snow Plow Rodeo, with both the Township of Verona and Township of Wayne earning top honors. Weir further reported that PMA’s Websource, its online training site, is being underutilize and that he plans to meet with members to make sure they understand what educational materials are available and how to gain access. Nemeth reported that the NJIIF received an award from the Bayonne Fire department for its dedication to safety and fire prevention. In addition, Nemeth reported that during the past month, the NJIIF made a presentation to the Township of Old Bridge with its safety award for 2018.
8. TPA Report – Jennifer Signs/PMA provided an update on aggregate WC claims received through 12/1/19. 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 and that the Borough of Teterboro had no claims for the year.

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

Roll Call:	
Aye	Knoedler, Kronyak, Lazorisak, McNamara, Tucci, Alves-Viveiros
Nay:	None
Abstain:	None

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

Roll Call:	
Aye	Knoedler, Kronyak, Lazorisak, McNamara, Tucci, Alves-Viveiros
Nay:	None
Abstain:	None

10. Old Business – None
11. New Business – Nemeth reported that Mike Capabianco is no longer the City Manager in Asbury Park and that Donna Vieiro has been appointed to that position. Chairman Kronyak congratulated Vieiro and thanked Capabianco for his service.
12. Public Comment - Chairman Kronyak requested a motion to open the Public Comment Section of the meeting.

It was moved by McNamara, seconded by Lazorisak, to open the meeting for public comment.

Roll Call:
Aye Knoedler, Kronyak, Lazorisak, McNamara, Tucci, Alves-Viveiros
Nay: None
Abstain: None

There being no comments, it was moved by Tucci, seconded by Lazorisak, to close the public comment session.

Roll Call:
Aye Knoedler, Kronyak, Lazorisak, McNamara, Tucci, Alves-Viveiros
Nay: None
Abstain: None

13. Closed Session: It was moved by Lazorisak, seconded by McNamara, 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 Knoedler, Kronyak, Lazorisak, McNamara, Tucci, Alves-Viveiros
Nay: None
Abstain: None

It was moved by Alves-Viveiros seconded by Kronyak, that the Minutes of Closed Session from the Fund’s meeting of November 13, 2019 be accepted as presented.

Roll Call:
Aye Knoedler, Kronyak, McNamara, Tucci, Alves-Viveiros
Nay: None
Abstain: Lazorisak

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

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

Commissioner Alves-Viveiros exited the meeting

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

Roll Call:	
Aye	Knoedler, Kronyak, Lazorisak, McNamara, 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 Tucci, seconded by McNamara, that the Board return to Open Session.

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

It was moved by Lazorisak, seconded by Tucci 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	Knoedler, Kronyak, Lazorisak, McNamara, 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 Tucci, seconded by McNamara, to adjourn the NJIIF's December 5, 2019 Meeting.

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

The December 5, 2019 Meeting was adjourned at 12:12pm

THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND
MINUTES OF PUBLIC MEETING
December 30, 2019

Call to Order: A meeting of the New Jersey Intergovernmental Insurance Fund was called to Order on Monday, December 30, 2019, at 9:16 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), Heather McNamara (Township of Wayne), Thomas Tucci (Township of Cedar Grove).

Others Present: Ezio Altamura (GJEM-Otterstet Agency), Nancy DiMartino (Eric J. Nemeth, P.C/Recording Secretary); Maria Makos (Polaris Galaxy, Risk Manager); Eric J. Nemeth Esq. (Eric J. Nemeth, P.C.-General Counsel/Co-Administrator), Tim Weir (PMA-Safety & Loss Control),

1. New Member Committee Report: Consideration of Membership Request of the North Bergen Parking Authority. Maria Makos provided an underwriting summary, including number of employees, payroll, etc. for the North Bergen Parking Authority.

Chairman Kronyak requested a motion to approve the application of the North Bergen Parking Authority. It was moved by Cavallo, seconded by McNamara, that the Membership request of the North Bergen Parking Authority be accepted.

Roll Call:	
Aye	Cavallo, Kronyak, McNamara, Tucci
Nay:	None
Abstain:	None

2. Consideration of Proposed Insurance Coverages for 2020. Makos advised that Polaris had solicited quotes from various excess insurance markets for the ML and WC Funds for 2020. Based upon a review of those quotes and the cost savings that can be realized, Polaris recommended approval to bind WC and GL/AL/PPL/POL-EPLI excess coverage with Safety National Casualty Company effective January 1, 2020. Makos also reported on cyber liability coverage options available from various markets, including Chubb.

Makos reported that the 2020 property quotation from the 2019 carrier included reductions in coverage for emergency vehicles and bulk heads/piers. It was agreed that Makos would solicit a quote from other markets if the current property carrier (The Hartford) would not agree to amend its coverage to be consistent with the expiring 2019 policy.

It was moved by Tucci, seconded by McNamara, that Polaris be authorized to bind the WC, GL/AL/PPL/POL-EPLI excess coverage with Safety National Insurance, said policies to be effective as of 1/1/20; to bind the Cyber liability coverage at \$2MM per claim per Member/\$5MM aggregate with the expiring member deductible structure, said policy to be effective as of 1/1/20 with Chubb Insurance, and to bind property coverage with The Hartford only if the emergency vehicle and bulk head/pier coverages are consistent with the 2019 policy provisions.

Roll Call:
Aye Cavallo, Kronyak, McNamara, Tucci
Nay: None
Abstain: None

3. Public Comment - Chairman Kronyak requested a motion to open the Public Comment Section of the meeting.

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

Roll Call:
Aye Cavallo, Kronyak, McNamara, Tucci
Nay: None
Abstain: None

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

Roll Call:
Aye Cavallo, Kronyak, McNamara, Tucci
Nay: None
Abstain: None

There being no further business to discuss, Motion by McNamara, Seconded by Cavallo to adjourn the NJIIF's December 30, 2019 Meeting.

Roll Call:
Aye Cavallo, Kronyak, McNamara, Tucci
Nay: None
Abstain: None

The December 30, 2019 Meeting was adjourned at 10:04am

THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND
MINUTES OF PUBLIC MEETING
January 3, 2020

Call To Order: A meeting of the New Jersey Intergovernmental Insurance Fund was called to Order on Thursday, January 3, 2020 at 10:38 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: Matthew Cavallo (Township of Verona)
Renate Elatab (Borough of North Haledon)
Michael Kronyak (Borough of Hasbrouck Heights)
Lt. Walter Laurencio (City of Union City)
Avril Limage (Township of Old Bridge)
Heather McNamara (Township of Wayne)

Others Present: Ezio Altamura (GJEM/Otterstedt)
Lou Beckerman (Acrisure LLC)
Chris Brid (PMA Safety & Loss Control)
Robert Calise (CMFO)
John Daly (Scirocco Group)
Michael DelBalso (Township of Wayne)
Nancy DiMartino (Recording Secretary)
Maria Makos (Polaris - Risk Manager)
Eric J. Nemeth Esq. (Eric J. Nemeth, P.C. – GC/Co-Administrator)
Justin Wilkinson (PMA-TPA)
Jack Zisa (Regional Risk Managers)

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 Member McNamara, on behalf of Chairperson Tucci, reported the following recommendations for the slate of candidates and officers to serve on the Executive Board in 2020:

Executive Board

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

Alternates

Alternate – Neal Bellet
Alternate – Erin Knoedler
Alternate – Alex Lazorisak
Alternate – Nick Saros

Election of Executive Board, Alternates and Officers: Nemeth 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 vote to approve the slate of candidates recommended by the Nominating Committee.

Roll Call:
Aye: Cavallo, Elatab, Kronyak, Laurencio, Limage, McNamara
Nay: None
Abstain: None

Following the vote, Chairman Kronyak thanked the Commissioners for their service and administered the balance of the meeting.

2. 2020 NJIIF Resolutions – Multi-Line: It was moved by Laurencio, seconded by McNamara, that Resolutions ML-2020-1 through ML-2020-15 be approved as presented.

Roll Call:
Aye: Cavallo, Kronyak, Laurencio, Limage, McNamara
Nay: None
Abstain: None

3. 2020 NJIIF Resolutions – Workers Compensation. It was moved by Cavallo, seconded by Limage, that Resolutions WC-2020-1 through WC-2020-12 be approved as presented.

Roll Call:
Aye: Cavallo, Kronyak, Laurencio, Limage, McNamara
Nay: None
Abstain: None

4. 2020 NJIIF Resolutions – Joint Multi-Line and Workers Compensation Funds: It was moved by Laurencio, seconded by McNamara, that Resolutions WC-ML-2020-1 through WC-ML-2020-10 be approved as presented

Roll Call:
Aye: Cavallo, Kronyak, Laurencio, Limage, McNamara
Nay: None
Abstain: None

5. Chairman’s Report: Chairman Kronyak reported that the financial status of the NJIIF continues to improve and set forth general goals for 2020. Chairman Kronyak also reported that the various NJIIF Standing Committees will remain as established in 2019 until his next report on those assignments. He also extended an invitation to any Commissioners wishing to serve on any committees.
6. Old Business: None
7. New Business: None
8. Public Comment: Chairman Kronyak requested a motion to open the floor to the Public for comments.

It was moved by Limage, seconded by McNamara, to open the floor for Public comments

Roll Call:
Aye: Cavallo, Kronyak, Laurencio, Limage, McNamara
Nay: None
Abstain: None

There being no public comment, Kronyak requested a motion to close the public comment period. It was moved by McNamara, seconded by Limage, to close the floor for Public comments

Roll Call:
Aye: Cavallo, Kronyak, Laurencio, Limage, McNamara
Nay: None
Abstain: None

9. Adjournment: There being no further business, it was moved by Laurencio, seconded by McNamara, to adjourn the NJIIF's January 3, 2020 Meeting.

Roll Call
Aye: Cavallo, Kronyak, Laurencio, Limage, McNamara
Nay: None
Abstain: None

The January 3, 2020 Meeting was adjourned at 11:49 am.