

**NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND**



**Thursday, February 27, 2020  
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;"><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 style="text-align: center;"><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 style="text-align: center;"><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 style="text-align: center;"><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 style="text-align: center;"><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 style="text-align: center;"><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>

Thursday, February 27, 2020  
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 23, 2020 – Appendix I
2. Correspondence
3. Finance Report- (Robert Calise)
4. Committee Reports
  - A. Nominating – Tucci
  - B. By-Laws – McNamara
  - C. Legislative – Cavallo
  - D. Coverage – Tucci
  - E. Professional – Tucci
    - Resolution ML-2020-17: Appointment of ML Defense Counsel Calcagni & Kanefsky as Special Counsel
  - F. Finance – Kronyak
    - Introduction/Approval of First Amended 2020 WC Fund Budget
    - Introduction/Approval of First Amended 2020 ML Fund Budget
  - G. Safety/Loss Control – Cavallo
  - H. New Member & Development – Kronyak
  - I. Risk Management – Alves-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**  
**January 23, 2020**

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Call to Order: A meeting of the New Jersey Intergovernmental Insurance Fund was called to Order on Thursday, January 23, 2020, at 10:22 a.m. at the Park Avenue Club, Florham Park, NJ. 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: Sonia Alves-Viveiros (Township of Maplewood), Robert Baselice (North Bergen Parking Authority), Matthew Cavallo (Township of Verona), Michael Kronyak (Borough of Hasbrouck Heights), Avril Limage (Township of Old Bridge), Lt. Walter Laurencio (City of Union City), Heather McNamara (Township of Wayne), Thomas Tucci (Township of Cedar Grove), Donna Vieiro (City of Asbury Park).

Others Present: Ezio Altamura (GJEM-Otterstet Agency), Lou Beckerman (Acrisure LLC), Chris Brid (PMA-Safety & Loss Control), John Daly (Scirocco Group), Nancy DiMartino (Eric J. Nemeth, P.C./Recording Secretary); 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 welcomed Donna Vieiro (City of Asbury Park) and Bob Baselice (North Bergen Parking Authority) to the meeting.

1. Closed Session: It was moved by Laurencio, seconded by Tucci, 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	Alves-Viveiros, Cavallo, Kronyak, Laurencio, McNamara and Tucci
Nay:	None
Abstain:	None

It was moved by McNamara seconded by Tucci, that the Minutes of Closed Session from the Fund's meeting of December 5, 2019 be accepted as presented.

Roll Call:
Aye: Alves-Viveiros, Cavallo, Kronyak, Laurencio, McNamara and Tucci
Nay: None
Abstain:

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

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

Commissioner Limage arrived at the meeting at 10:40am; Lou Beckerman arrived at the meeting at 10:43am.

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

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

It was moved by Cavallo, seconded by Laurencio, that the Board return to Open Session.

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

It was moved by McNamara, 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	Alves-Viveiros, Cavallo, Kronyak, Laurencio, Limage, McNamara and 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 Cavallo, seconded by Laurencio, that the Board return to Open Session.

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

2. Approval of the Minutes of the Executive Board Meetings of December 5, 2019, December 30, 2019 and January 3, 2020. It was moved by McNamara, seconded by Alves-Viveiros, that the Minutes of the December 5, 2019, December 30, 2019 and January 3, 2020 Meetings of the New Jersey Intergovernmental Insurance Fund be accepted as presented.

Roll Call:	
Alves-Viveiros, Cavallo, Kronyak, Laurencio, Limage, McNamara and Tucci	
Nay:	None
Abstain:	None

3. Correspondence: GC/Co-Admin Nemeth reported that the NJIIF received correspondence from DOBI requesting an update to the information listed on the NJIIF's website. It was further reported that Recording Secretary DiMartino contacted DOBI and has addressed the request.
4. Finance Report: With the absence of CMFO Calise, Chairman Kronyak reported that the monthly financial reports are provided in the meeting binder

It was moved by Tucci, seconded by McNamara to accept the WC and ML Financial Reports as presented in the meeting binder.

Roll Call:	
Aye	Alves-Viveiros, Cavallo, Kronyak, Laurencio, Limage, McNamara and Tucci
Nay:	None
Abstain:	None



5. Committee Reports

- a) Nominating Committee (Tucci) – Secretary Tucci thanked all those serving on the Executive Board for 2020 for their service.
- b) By-Law Committee (McNamara) – No report
- c) Legislative Committee (Cavallo) – Commissioner Cavallo reported that NJ passed a new law requiring municipalities to update their employment manuals with a violence prevention policy; he and GC/Co-Admin Nemeth will be working together on the plan.
- d) Coverage Committee (Tucci) – See Closed Session.
- e) Professionals Committee (Tucci) –GC/Co-Admin Nemeth advised that two new firms have been added to the ML Fund panel list for 2020.
- f) Finance Committee (Kronyak) – Chairman Kronyak advised that the amendments to the 2020 budgets necessitated by changes in NJIIF membership are being prepared.
- g) Safety/Loss Control Committee. (Cavallo). No report
- h) New Member & Development Committee (Kronyak) – Chairman Kronyak welcomed the North Bergen Parking Authority to the NJIIF.
- i) Risk Management Committee (Alves-Viveiros) – Commissioner Alves-Viveiros introduced the NJIIF’s Employment Practices Consultation Program and advised that the plan is to enable Members to have access to a panel list of employment attorneys for questions and guidance with employment matters. GC/Co-Admin Nemeth added that this will also enable the NJIIF to assist the member manage employment issues prior to litigation. Finally, Commissioner Alves-Viveiros presented a proposed program that will provide all Members with access to labor/employment attorneys for consultation on workplace issues.

It was moved by Alves-Viveiros, seconded by Cavallo, to adopt Resolution ML-2020-16, adoption of Employment Practices Consultation Program.

Roll Call:	
Aye	Alves-Viveiros, Cavallo, Kronyak, Laurencio, Limage, McNamara and Tucci
Nay:	None
Abstain:	None

- 6. Chairman’s Report – Chairman Kronyak reported that he is working on 2020 Committee assignments.

7. Risk Manager’s Report – (Serapiglia). Serapiglia reported that the 2020 assessments have been sent out and that once his office receives the 2020 excess insurance policies, they will be distributed to the Members via a hard copy binder, a flash drive/PDF file or both. Serapiglia further reported that the PRIMA Conference this year will be held on June 14 – June 17 and to contact him or Maria Makos for registration.
8. Loss Control Consultant Report – Tim Weir/PMA thanked the NJIIF for renewing with PMA for loss control services for 2020 and reported that a webinar for new employee safety is scheduled for the next month. Weir further reported that lost time from workers compensation is down roughly 2%.
9. TPA Report – Jennifer Signs/PMA provided an update on aggregate WC claims received through 1/1/20. She reported that claims generally continue to be timely reported and lost time frequency continues to improve, with 78.6% of claims reported within 3 days. Signs also reported that the Medical Bill Review Program has achieved a 68% savings.

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

Roll Call:	
Aye	Alves-Viveiros, Cavallo, Kronyak, Laurencio, Limage, McNamara and Tucci
Nay:	None
Abstain:	None

10. Bill List-WC Fund/ML Fund. It was moved by Cavallo, seconded by Tucci, to approve the January Bill List (copies provided in the meeting binders).

Roll Call:	
Aye	Alves-Viveiros, Cavallo, Kronyak, Laurencio, Limage, McNamara and Tucci
Nay:	None
Abstain:	None

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

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

Roll Call:	
Aye	Alves-Viveiros, Cavallo, Kronyak, Laurencio, Limage, McNamara and Tucci
Nay:	None
Abstain:	None

Jon Daly thanked Tim Weir/PMA for his Safety & Loss Control services for Warren County.

Ezio Altimura welcomed Donna Vieiro, new City Manager for the City of Asbury Park.

It was moved by Tucci, seconded by McNamara, to close the public comment section of the meeting.

Roll Call:	
Aye	Alves-Viveiros, Cavallo, Kronyak, Laurencio, Limage, McNamara and Tucci
Nay:	None
Abstain:	None

14. Adjournment - There being no further business to discuss, motion by McNamara, seconded by Laurencio, to adjourn the NJIIF's January 23, 2020 Meeting.

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

The January 23, 2020 Meeting was adjourned at 11:09am

## APPENDIX II

## Closed Session Motion

### For the February 27, 2020 Meeting of the New Jersey Intergovernmental Insurance Fund

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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. Karatosun adv. Township of Wayne (W002309951)-----RSA

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

2. Rokita adv. Township of Wayne (W002224388)-----Recovery
3. Love adv. City of Asbury Park (W002720124)-----Case Update
4. Williams adv. City of Asbury Park (W002719941)-----Case Update
5. Casais adv. Township of Wayne (W002700433)-----Case Closure

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

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

1. Beauville v. City of Asbury Park (1731)-----Case Closure
2. Hunt v. City of Asbury Park (1446)-----Case Closure
3. Moran v. City of Asbury Park (1770)-----RSA
4. Lemus v. City of Union City (1842)-----RSA
5. Pirkowski v. City of Bayonne (1739)-----Case Closure
6. Abdi v. Township of Maplewood (1521)-----Case Closure
7. Germinario v. Union City (1471)-----Case Closure
8. Brotzman v. County of Warren (1274)-----Case Closure

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

1. Vitale v. Aberdeen
2. Damaskinos v. City of Asbury Park
3. Hines v. City of Asbury Park
4. Santorelli v. City of Asbury Park
5. Lopez v. City of Bayonne
6. Regan v. City of Bayonne
7. Sheppard v. City of Bayonne
8. Vargas-Sanabria v. City of Bayonne
9. Barile v. Hasbrouck Heights
10. Isetts v. Township of Maplewood
11. Al-Najjar v. Township of Old Bridge
12. Hemantaraju v. Old Bridge

13. Alvarez, Miguel v. City of Union City
14. In re: Bergenline Avenue LLC adv. City of Union City
15. Paik/New Day Spa v. City of Union City