

NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND



**Thursday, April 23, 2020
Meeting via Remote Video/Audio
10:00 AM – Closed Session
10:45 AM – Open Session
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, April 23, 2020
Meeting via Remote Video/Audio
10:00 AM – Closed Session
10:45 AM – Open Session
AGENDA

Meeting Called to Order – 10:0am – 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

Open Session to be convened at 10:45 via separate call-in

2. Approval of Minutes – March 26, 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

- Resolution ML-2020-19: Appointment of Anderson & Shah, LLC as Additional ML Fund Panel Defense Counsel For 2020

F. Finance – Kronymak

- Acceptance of 6/30/19 WC Fund Audit Report

- Acceptance of 6/30/19 ML Fund Audit Report

G. Safety/Loss Control – Cavallo

H. New Member & Development – Kronymak

I. Risk Management – Viveiros

- Resolution WC-2020-13: Purchase of PPE

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 April 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):

None

Case Update Reports for WC Fund Subrogation/Restitution Claims:

1. Quimis-Vasquez adv. City of Union City (W002192060)-----Recovery
2. DeNoble adv. City of Bayonne (W002711530)-----Case Update
3. Umana adv. City of Union City (W002711199)-----Case Update
4. Makarious adv. City of Bayonne (W002712407)-----Case Closure

Multi-Line Fund Claim Matters

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

1. Peten v. Asbury Park (1795)-----Case Closure
2. Elbahbouhi v. City of Bayonne (1771)-----Case Closure
3. Romano v. Hasbrouck Heights (1591)-----Case Closure
4. Burgos v. Borough of Borough of Roseland (1607)-----RSA
5. Ribaudo and West v. Borough of Roseland (1827)-----RSA
6. Abramo v. City of Union City (1391)-----Case Closure
7. DiPalma v. City of Union City (1760)-----RSA
8. Medina v. Union City (1886) -----Case Closure

Coverage Recommendations for New Claims/Litigation:

1. Brenes v. City of Asbury Park
2. Alvarado v. Rayco Manufacturing v. Township of Maplewood
3. RD Management Corp.-F v. Township of Old Bridge
4. 409-415 Bergenline Ave UC LLC v. City of Union City
5. Ramirez v. City of Union City
6. Stagg v. Borough of Wanaque
7. Brummel v. Township of Wayne
8. Reyes v. Township of Wayne

APPENDIX II

THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND
MINUTES OF PUBLIC MEETING
March 26, 2020

Call to Order: A meeting of the New Jersey Intergovernmental Insurance Fund was called to Order on Thursday, March 26, 2020, at 10:15 a.m. via video/audio conference. 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), Beverly Konopada (Borough of Mantoloking); Michael Kronyak (Borough of Hasbrouck Heights), Lt. Walter Laurencio (City of Union City), Thomas Tucci (Township of Cedar Grove), Donna Vieiro (City of Asbury Park).

Others Present: Ezio Altamura (GJEM-Otterstet Agency), , Chris Brid (PMA-Safety & Loss Control), Robert Calise (CMFO), Michael DelBalso (Township of Wayne), Nancy DiMartino (Eric J. Nemeth, P.C/Recording Secretary); Rija F. Khan (Eric J. Nemeth, P.C.); Maria Makos (Polaris Galaxy, Risk Manager); Michael Manzella (City of Asbury Park); Eric J. Nemeth Esq. (Eric J. Nemeth, P.C.-General Counsel/Co-Administrator); Jennifer Signs (PMA-TPA), Tony Tamburro (Alliant), Tim Weir (PMA-Safety & Loss Control), Justin Wilkinson (PMA-TPA)

Chairman Kronyak advised that Commissioners Vieiro and Konopada will be serving on the Executive Board at today's meeting in the absence of Commissioners McNamara and Alves- Viveiros.

1. Closed Session: It was moved by Tucci, 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, Konopada, Kronyak, Laurencio, Tucci, Vieiro
Nay: None
Abstain: None

It was moved by Laurencio seconded by Vieiro, that the Minutes of Closed Session from the Fund's meeting of February 27, 2020 be accepted as presented.

Roll Call:
Aye Cavallo, Konopada, Kronyak, Laurencio, Vieiro
Nay: None
Abstain: Tucci

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

Roll Call:
Aye Cavallo, Konopada, Kronyak, Laurencio, Tucci, Vieiro
Nay: None
Abstain: *Each Executive Board Member abstains as to claims against its Member entity

Commissioner Limage (Township of Old Bridge) joined the meeting at 10:31am

Lou Beckerman (Acrisure) joined the meeting at 10:36am.

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

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

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

Roll Call:
Aye Cavallo, Konopada, Kronyak, Laurencio, Tucci, Vieiro
Nay: None
Abstain: *Each Executive Board Member abstains as to claims against its Member entity

Closed Session ended at 10:45AM, the video/audio conference and the Board returned to Open Session after joining via a new video/audio conference.

Note: Commissioner Laurencio (City of Union City) was not present for the beginning of Open Session.

It was moved by Tucci, seconded by Konopada 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, Konopada, Kronyak, Limage, Tucci, Vieiro
Nay: None
Abstain: None

1. Approval of the Minutes of the Executive Board Meetings of February 27, 2020

It was moved by Kronyak, seconded by Vieiro, that the Minutes of February 27, 2020 Meeting of the New Jersey Intergovernmental Insurance Fund be accepted as presented.

Roll Call:
Aye: Cavallo, Kronyak, Limage, Tucci, Vieiro
Nay: None
Abstain: Tucci, Konopada

2. Correspondence: None

3. Finance Report: Since there were issues with the audio feed for CMFO Calise, Chairman Kronyak reported that the monthly financial reports were provided in the meeting packet.

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

Roll Call:
Aye Cavallo, Konopada, Kronyak, Limage, Tucci, Vieiro
Nay: None
Abstain: Limage present but not voting

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) –GC/Co-Admin Nemeth reported that Sean Dias, Esq. has left ML Fund panel counsel firm Scarinci Hollenbeck and that the Scarinci firm subsequently advised that it will not be taking on new cases from the NJIIF. Nemeth advised that it would be in the NJIIF’s best interest to add additional firms to the ML Panel Defense Counsel List to replace Scarinci Hollenbeck. In that regard, Nemeth reported that a Resolution appointing Decotiis, Fitzpatrick & Cole LLP as an additional ML Fund Panel Defense firm for 2020 has been placed on the agenda. It was moved by Tucci, seconded by Kronyak to approve Resolution ML-2020-18 appointing Decotiis, Fitzpatrick & Cole, LLP as ML Fund Panel Defense Counsel For 2020.

Roll Call:
Aye: Cavallo, Konopada, Kronyak, Tucci, Vieiro
Nay: None
Abstain: Limage present but not voting

- f) Finance Committee (Kronyak) – Nemeth reported that as a result of the COVID-19 pandemic, the NJIIF needs to consider options that will enable vendor payments to be made without the NJIIF’s designated signatories being available to sign physical checks. It was moved by Kronyak, seconded by Konopada, to approve Resolution ML-WC-2020-11: Amendment to the Cash Management Pain for 2020 to allow electronic payments to vendors.

Roll Call:
Aye: Cavallo, Konopada, Kronyak, Tucci, Vieiro
Nay: None
Abstain: Limage present but not voting

Note: Kristine Gould (Township of Verona) joined the meeting at 11:05am

- g) Safety/Loss Control Committee. (Cavallo). No report
- h) New Member & Development Committee (Kronyak) – Risk Manager M. Makos advised that they are setting up meetings with brokers to pursue new member development.
- i) Risk Management Committee (Alves-Viveiros) – The Risk Management Committee’s guidance on COVID-19 was circulated to the Members and also was included in the Committee Reports section of the meeting package. Nemeth advised that Dominick Bratti, Esq. of Bratti Greenan will discuss COVID-19 employment issues at the end of the meeting.

5. Chairman’s Report – Chairman Kronyak Indicated that during these difficult times, members can seek out any of the NJIIF’s Board Members or Professionals for guidance.
6. Risk Manager’s Report – (Serapiglia). M. Makos reported that in disseminating the 2020 Policies, Members will be asked if they want an email copy, flash drive or binder; Chairman Kronyak suggested that if Members don’t respond a flash drive and binder should be sent.
7. Loss Control Consultant Report – Tim Weir/PMA reported that they have been in weekly contact with Members, however all on-site training has been suspended during the pandemic. Weir also reported that should issues arise, they would work with Members within the physical boundaries recommended by the CDC in order to resolve those issues. Weir also reported that PMA and the NJIIF will be sharing several publications related to COVID-19, i.e. setting up a home office, etc. Commissioner Tucci thanked Tim for his help in resolving a safety issue with the Cedar Grove Police Department.
8. TPA Report – Jennifer Signs/PMA provided an update on aggregate WC claims received through 3/1/20. She reported that claims generally continue to be timely reported and lost time frequency continues to improve, with 82.8% of claims reported within 3 days. Signs also reported that the Medical Bill Review Program has achieved a 76% savings.

Signs discussed PMA’s actions in formatting its reports in order to isolate COVID-19 claims with regard to timely reporting and tracking

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

Roll Call:
Aye Cavallo, Konopada, Kronymak, Laurencio, Limage Tucci, Vieiro
Nay: None
Abstain: None

Note: Commissioner Laurencio (City of Union City) joined Open Session at 11:08am

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

Roll Call:
Aye Cavallo, Konopada, Kronymak, Laurencio, Limage, Tucci, Vieiro
Nay: None
Abstain: None

10. Old Business – None

11. New Business – None.

12. Public Comment - Chairman Kronymak requested a motion to open the Public Comment Section of the meeting.

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

Roll Call:
Aye Cavallo, Konopada, Kronymak, Laurencio, Limage, Tucci, Vieiro
Nay: None
Abstain: None

Note: David Balken (Balken Risk) joined the call at 11:23am.

No Public Comment

It was moved by Cavallo, seconded by Laurencio, to close the public comment section of the meeting.

13. Presentation: COVID-19 Related Employment Issues, by Dominick Bratti, Bratti Greenan LLC)
14. Adjournment - There being no further business to discuss, motion by Tucci, seconded by Laurencio, to adjourn the NJIIF's March 26, 2020, 2020 Meeting.

Roll Call:
Aye Cavallo, Konopada, Kronymak, Laurencio, Limage, Tucci, Vieiro
Nay: None
Abstain: None

The March 26, 2020 Meeting was adjourned at 12:07pm.