

**NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND**



**Thursday, March 24, 2022**

**Meeting via Zoom Video Conference  
10:00am - Open Session  
Closed Session Immediately Following**

**Agenda and Reports**

**Thursday, March 24, 2022**

**Zoom Video Conference  
10:00 AM – Open Session  
Closed Session Immediately Following  
Return to Open Session Upon Completion of Closed Session**

## **AGENDA**

Meeting Called to Order – *10:00am* – Open Public Meetings Act Read

### **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.

Pledge of Allegiance

1. Roll Call of Executive Committee and Professionals for Open Session
2. Approval of Executive Board Meeting Minutes – February 24, 2022 – Appendix I
  - Motion to approve minutes of Executive Board Meeting – February 24, 2022
3. Correspondence
4. Finance Report- (Robert Calise)
5. Chairman’s Report
6. Committee Reports
  - a. Nominating (McNamara)
  - b. By-Laws (Kazmark)
  - c. Legislative (Cavallo)
  - d. Coverage
  - e. Professionals/Management Oversight (Tucci)
  - f. Budget/Finance (McNamara)
  - g. Safety/Risk Management (Cavallo)
  - h. New Member & Development (Kazmark)

7. Risk Manager's Report, (John Serapiglia, Polaris Galaxy)
8. WC Loss Control Consultant's Report (Tim Weir, PMA)
9. TPA Report (Jennifer Signs, PMA)
  - Motion to approve all Professionals' Reports
10. Bill List (Robert Calise)
  - Motion to approve Bill List
11. Old Business – WC Fund/ML Fund
12. New Business – WC Fund/ML Fund
13. Public Comment

IN ORDER TO DISCUSS MATTERS INVOLVING LITIGATION OR POTENTIAL LITIGATION OR CONTRACT MATTERS, AND IN ORDER TO MAINTAIN THE ATTORNEY-CLIENT PRIVILEGE, THE NJIIF EXECUTIVE BOARD IS AUTHORIZED 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.

- Motion to move into Closed Session (Closed Session to be convened immediately following the suspension of Open Session, via separate Zoom video conference link)
14. *Closed Session – (Eric Nemeth, Esq., Eric J. Nemeth, PC) – Closed Session Matters in Appendix II*
    - Motion to approve minutes of Closed Session from February 24, 2022, 2022 Executive Board Meeting
    - Motion to accept Workers Compensation claims recommendations and General Counsel's report as presented.
    - Motion to accept Multi-Line claims recommendations and General Counsel's report as presented.
    - Motion to return to Open Session.
    - Motion to approve all actions recommended in Closed Session.
  15. Adjournment

# APPENDIX I

Minutes from Executive Board Meeting of February 24, 2022

**THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND**  
**MINUTES OF PUBLIC MEETING**  
**February 24, 2022**

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Call to Order: A meeting of the New Jersey Intergovernmental Insurance Fund was called to Order on Thursday, February 24, 2022, at 10:01 a.m. via Zoom (video and telephonic) conference. Chairman Tucci read the Open Public Meetings Act Statement and announced that notices were placed in designated newspapers and posted as required.

Pledge of Allegiance: Chairman Tucci opened the meeting with the Pledge of Allegiance.

1. Roll Call:

Executive Board Members

Chairman: Thomas Tucci (Township of Cedar Grove)

Mayor Keith Kazmark (Borough of Woodland Park)

Beverley Konopada (Borough of Mantoloking)

Captain Walter Laurencio (City of Union City)

Alex Lazorisak (Warren County)

Donna M. Vieiro (City of Asbury Park)

Executive Board Alternates, Commissioners and Commissioner Alternates

Sukaina Barlas (Township of Cedar Grove)

Joseph D'Arco (Township of Verona)

Steven Neale (Township of Verona)

NJIIF Professionals, Risk Managers and Others

Ezio Altamura (GJEM-Otterstedt Agency)

Lou Beckerman (Acrisure)

Christopher Brid (PMA Safety & Loss Control)

Robert Calise (CMFO)

John Daly (Scirocco Group)

Nancy DiMartino (Eric J. Nemeth, P.C./Recording Secretary)

Justin Gallo (Polaris Galaxy/Risk Manager)

Rija Khan, Esq. (Eric J. Nemeth, P.C.-General Counsel/Co-Administrator)

Michael Kronyak (Financial Consultant)

Angelo Lobosco (Lobosco Insurance)

Eric J. Nemeth Esq. (Eric J. Nemeth, P.C.-General Counsel/Co-Administrator)

John Serapiglia (Polaris Galaxy/Risk Manager/Co-Administrator)

Jennifer Signs (PMA TPA)

Tim Weir (PMA Safety & Loss Control)

Jack Zisa (Regional Risk Managers)

Chairman Tucci advised that Steven Neale, alternate, will be voting in the absence of Commissioner McNamara at today's meeting. Chairman Tucci also welcomed Joe D'Arco, the Township of Verona's new Township Manager.

2. Approval of the Minutes of the Executive Board Meeting of January 27, 2022. It was moved by Vieiro, seconded by Laurencio that the Minutes of the January 27, 2022 Executive Board Meeting of the New Jersey Intergovernmental Insurance Fund be accepted as presented.

Roll Call:
Aye: Tucci, Kazmark, Konopada, Laurencio, Lazorisak, Neale, Vieiro
Nay: None
Abstain: None

3. Correspondence: GC/Co-Administrator Nemeth advised that the NJIIF received an inquiry from DOBI regarding the 12/31/20 audit report for the WC Fund. DOBI asked for the NJIIF's plan going forward to address potential deficits in the WC Fund. Nemeth reported that the Budget/Finance Committee, along with the Fund's Professionals, will be developing a proposed plan of action.
4. Finance Report: CFO Calise advised that the monthly Multi Line and Workers Compensation Fund financials through 2/21/22, including assessments and claims payments, are in the meeting packets, including the latest investment report as of 2/21/22. Calise also advised that he has received 50% of Members' 2022 assessments to-date. Calise also advised that all 2021 financial documents have been submitted to the auditor.
5. Chairman's Report: Chairman Tucci advised that he and he and GC/Co-Administrator Nemeth will be taking an overall look at the NJIIF's operations in order to identify areas in need of improvement.
6. Committee Reports
  - a. Nominating Committee (McNamara) – No report.
  - b. By-Law Committee (Kazmark) – No report.
  - c. Legislative Committee – No report.
  - d. Coverage Committee –See Agenda Item 15, Closed Session, below
  - e. Professionals/Management Oversight Committee (Tucci). Chairman Tucci introduced Resolution ML-2022-19, Appointment of Trinity & Farisou, LLC as defense counsel for the Multi-Line Fund. GC/Co-Administrator Nemeth advised that current ML defense counsel Tracy B. Bussel, Esq., formerly of Gebhardt & Kiefer, P.C. is moving her practice to the Trinity firm.

It was moved by Konopada, seconded by Kazmark, to approve Resolution ML-2022-19 Appointment of Trinity & Farisou, LLC as defense counsel for the Multi-Line Fund.

Roll Call:	
Aye	Tucci, Kazmark, Konopada, Laurencio, Lazorisak, Neale, Vieiro
Nay:	None
Abstain:	None

Chairman Tucci also introduced Resolution WC-2022-13 Appointment of Malamut & Associates as defense counsel for the Workers Compensation Fund. GC/Co-Administrator Nemeth advised that current WC defense counsel Michele Haas, Esq., formerly of Hoagland, Longo, Moran, Dunst & Doukas, LLP, is moving her practice to the Malamut firm.

It was moved by Vieiro, seconded by Lazorisak, to approve Resolution WC-2022-13 Appointment of Malamut & Associates as defense counsel for the Workers Compensation Fund.

Roll Call:	
Aye	Tucci, Kazmark, Konopada, Laurencio, Lazorisak, Neale, Vieiro
Nay:	None
Abstain:	None

- f. Budget/Finance Committee (McNamara). No report.
  - g. Safety/Risk Management Committee.. No report.
  - h. Member & Development Committee (Kazmark) Commissioner Kazmark deferred to Risk Manager/Co-Admin Serapiglia for an update (see Risk Manager’s Report below).
7. Risk Manager’s Report – (Polaris Galaxy). Serapiglia reported that discussions are underway with excess carriers regarding the modification of deductibles for potential school board members. Justin Gallo reported that his office continues to process property and cyber coverage renewals, and that approximately one third of the NJIIF’s Members have provided their cyber coverage applications. Nemeth inquired if the carriers are likely to reduce premiums if proof of Member cyber training is provided. Gallo agreed and advised that Members should pursue cyber training and register on the Beazley Insurance cyber portal (instructions to follow). Gallo also discussed liability coverage for vacant lots which are included on Members’ property schedules. Chairman Tucci also asked for copies of all insurance quotes received by Polaris’ office.
  8. Loss Control Consultant Report –(PMA) Tim Weir advised that Members should contact his office for any assistance with OSHA 300 log reporting requirements. He also referred members to the information available in PMA’s “Safety Seen” newsletter, which was just sent out for February.

9. TPA Report – (PMA) Jennifer Signs provided an update on aggregate WC claims received through 2/1/22, including the number of reported COVID cases. She advised that claims generally continue to be timely reported. Signs also advised that the NJIIF has a total of 350 reported COVID cases (32 in 2022, 133 in 2021 and 185 in 2020), with 67 related claim petitions filed to date.
10. Bill List-WC Fund/ML Fund. It was moved by Konopada seconded by Vieiro to approve the February Bill.

Roll Call:	
Aye	Tucci, Kazmark, Konopada, Laurencio, Lazorisak, Neale, Vieiro
Nay:	None
Abstain:	None

11. Old Business None.
12. New Business – GC/Co-Administrator Nemeth reported that the PRIMA conference for 2022 will be held in San Antonio, TX from June 5-8 and advised that anyone interested in attending should contact Serapiglia’ s office for registration information.
13. Public Comment - Chairman Tucci opened the Public Comment Section of the Meeting.

No public comment.

14. Closed Session - It was moved by Lazorisak, seconded by Konopada, that the Board move into Closed Session.

Roll Call:	
Aye	Tucci, Kazmark, Konopada, Laurencio, Lazorisak, Neale, Vieiro
Nay:	None
Abstain:	None

The Open Session portion of the February 24, 2022 Executive Board Meeting was suspended at 10:32 a.m.



**THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND**  
**MINUTES OF PUBLIC MEETING**  
**February 24, 2022**

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Call to Order: The Closed Session of the February 24, 2022 Meeting of the New Jersey Intergovernmental Insurance Fund was called to order at 10:35 a.m. via Zoom conference.

15. Roll Call:

Executive Board Members

Chairman: Thomas Tucci (Township of Cedar Grove)

Mayor Keith Kazmark (Borough of Woodland Park)

Beverley Konopada (Borough of Mantoloking)

Captain Walter Laurencio (City of Union City)

Alex Lazorisak (Warren County)

Steven Neale (Township of Verona) (voting for Commissioner McNamara)

Donna M. Vieiro (City of Asbury Park)

Minutes of Closed Session February 24, 2022. It was moved by Vieiro seconded by Neale that the Minutes of Closed Session from the Fund's meeting of January 27, 2022 be accepted as presented.

Roll Call:
Aye: Tucci, Kazmark, Konopada, Laurencio, Lazorisak, Neale, Vieiro
Nay: None
Abstain: None

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

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

\*\*Commissioner Vieiro left the meeting at 11:15 a.m.

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

Roll Call:	
Aye	Tucci, Kazmark, Konopada, Laurencio, Lazorisak, Neale
Nay:	None
Abstain:	*Each Executive Board Member abstains as to claims against its Member entity. Tucci abstains as to the two new Cedar Grove claims.

It was moved by Konopada, seconded by Kazmark, that the Board return to Open Session.

Roll Call:	
Aye	Tucci, Kazmark, Konopada, Laurencio, Lazorisak, Neale
Nay:	None
Abstain:	None

(Closed Session ended and members returned via Zoom to Open Session at 11:28 a.m.)

It was moved by Laurencio, seconded by Kazmark, to approve all actions presented in Closed Session of the February 24, 2022 Executive Board Meeting, including but not limited to requests for settlement authority, if any, for the WC and ML Fund matters listed in the Closed Session Motion and the coverage positions recommended in Closed Session.

Roll Call:	
Aye	Tucci, Kazmark, Konopada, Laurencio, Lazorisak, Neale
Nay:	None
Abstain:	*Each Executive Board Member abstains as to claims against its Member entity.

16. Adjournment – There being no further business to discuss, it was moved by Neale, seconded by Laurencio, to adjourn the February 24, 2022 Executive Board Meeting.

Roll Call:	
Aye	Tucci, Kazmark, Konopada, Laurencio, Lazorisak, Neale
Nay:	None
Abstain:	None

The NJIIF's February 24, 2022 Meeting was adjourned at 11:31 a.m.

# APPENDIX II

## Closed Session Matters

**Closed Session Motion**

**For the March 24, 2022 Meeting of the New Jersey Intergovernmental Insurance Fund**

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Following are the matters to be discussed in Closed Session:

**Workers Compensation Fund Claim Matters**

Case Update Reports, Coverage Recommendations and Requests for Settlement Authority (RSA):

1. Ellis adv. City of Asbury Park (W003079011)-----RSA
2. Houlis adv. City of Asbury Park(W002850458) -----RSA
3. Klinsky adv. Township of Freehold (W0001069598) -----RSA
4. Rodriguez adv. City of Union City (W002880573) -----RSA
5. Basel adv. Warren County (W003642274) -----RSA
6. Gallagher-Murphy adv. Warren County (W001782660)-----RSA

Case Update Reports for WC Fund Subrogation/Restitution Claims:

1. Albanese adv. Township of Wayne (W001905753)-----Recovery

**Multi-Line Fund Claim Matters**

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

1. Sanchez, M. v. City of Asbury Park (1291) -----Case Closure
2. Bayonne Muslims v. City of Bayonne (1639)-----Case Closure
3. Liriano, Jake v. City of Bayonne (1866) -----Case Closure
4. Liriano, Ricki v. City of Bayonne (1867)-----Case Closure
5. McDonough v. Borough of Roseland (1772)-----Case Closure
6. Chang v. Borough of Roselle Park (1513)-----Case Closure
7. Richardson v. Borough of Riverdale (1977)-----RSA
8. Machado v. City of Union City (2243)-----RSA
9. Longo v. Township of Verona (1642)-----Case Closure
10. Nochimson v. Verona (1164)-----Case Closure
11. Estate of Omar Stewart v. Township of Wayne (1222)-----Case Closure
12. Ortiz v Boro of Woodland Park (1986) -----Case Closure

Coverage Recommendations for New Claims/Litigation:

1. Banks adv. City of Asbury Park
2. Stephens adv. City of Asbury Park
3. Berse v. Township of Old Bridge
4. Testino v. Township of Old Bridge
5. Moralez-Benitez v. Borough of Teterboro
6. Barzola v. City of Union City
7. Estrella v. City of Union City
8. Franco v. City of Union City

9. Jack Doe3 v. City of Union City
10. Vicioso v. City of Union City
11. Vietri v. City of Union City
12. Unity Bank v. Township of Verona
13. Madlinger v. Township of Wayne