

NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND



Thursday, April 28, 2022

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

Agenda and Reports

Thursday, April 28, 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 – March 24, 2022 – Appendix I
 - Motion to approve minutes of Executive Board Meeting – March 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 (Vieiro)
 - d. Coverage (Konopada)
 - e. Professionals/Management Oversight (Tucci)
 - f. Budget/Finance (McNamara)
 - g. Safety/Risk Management (Lazorisak)
 - Proposed Cannabis Impairment Prevention Policy

- 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 March 24, 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 March 24, 2022

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

Call to Order: A meeting of the New Jersey Intergovernmental Insurance Fund was called to order on Thursday, March 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)

Katelyn Haroldson (Township of Mine Hill)

Steven Neale (Township of Verona)

NJIIF Professionals, Risk Managers and Others

Ezio Altamura (GJEM-Otterstedt Agency)

David Balken (Balken Risk)

Lou Beckerman (Acrisure)

Robert Calise (CMFO)

John Daly (Scirocco Group)

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

Justin Gallo (Polaris Galaxy/Risk Manager)

George Garcia (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)

Tony Tamburro (Alliant)

Tim Weir (PMA Safety & Loss Control)

Justin Wilkinson (PMA TPA)

Chairman Tucci advised that Steven Neale (Township of Verona), alternate, will be voting in the absence of Commissioner McNamara at today's meeting.

2. Approval of the Minutes of the Executive Board Meeting of February 24, 2022. It was moved by Vieiro, seconded by Kazmark that the Minutes of the February 24, 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: None.
4. Finance Report: CFO Calise advised that the monthly Multi Line and Workers Compensation Fund financials through 3/21/22, including assessments and claims payments, are in the meeting packets, including the latest investment report as of 3/21/22. Calise also advised that he has received payment of almost 100% of Members' 2022 assessments.
5. Chairman's Report: Chairman Tucci mentioned that the Board needed to move forward on approval to bind the Scheduled Position Crime Policy, and indicated that it would be discussed in more detail during the Committee Reports.
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 14, Closed Session, below
 - e. Professionals/Management Oversight Committee (Tucci). No Report.
 - f. Budget/Finance Committee (McNamara). No report.
 - g. Safety/Risk Management Committee. Justin Gallo provided details on the Crime Policy renewal and the results of his pursuit of quotes, including the fact that the expiring policy has a coverage limit of \$500,000. Chairman Tucci suggested that the Board consider renewing the Crime Policy with \$500,000 limits but asked that Polaris/Acrisure continue pursuit of quotes for expanding the coverage limit to \$1MM. It was moved by Vieiro, seconded by Konopada that the Crime Policy be renewed as recommended by the NJIIF's Risk Manager with a \$500K policy limit.

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

- 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). J. Serapiglia advised that through Lou Beckerman, the Union City Housing Authority is seeking quotes for possible membership . J, Gallo confirmed that the initial quote will be for the ML Fund only J Gallo also reported that his office is finalizing the 2022 policy binders and will be contacting each member to determine the format of delivery (paper, flash drive, PDF files, etc.). He also advised that he is actively pursuing quotes for property and cyber coverage for the July 1 renewal.
- 8. Loss Control Consultant Report –(PMA) Tim Weir advised that the latest edition of PMA’s “Safety Seen” newsletter was recently sent for the month of March. Additionally, Weir emphasized that PMA has a multitude of online training sessions available to all members. Chairman Tucci requested that PMA prepare an outline of safety compliance dates for all Members.
- 9. TPA Report – (PMA) Jennifer Signs provided an update on aggregate WC claims received through 3/1/22, 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 353 reported COVID cases (34 in 2022, 134 in 2021 and 185 in 2020), with 70 related claim petitions filed to date. Signs also explained that PMA’s position, taken on behalf of the NJIIF, will be to deny coverage for WC claims in instances where an employee is confirmed to have been infected with COVID but has received no related medical treatment.

It was moved by Konopada,, seconded by Kazmark, to approve all Professionals’ Reports.

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

- 10. Bill List-WC Fund/ML Fund. It was moved by Konopada seconded by Vieiro to approve the March Bill List.

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

11. Old Business Nemeth provide an update on the NJIIFs response to DOBI's 2/1/22 WC Fund financial status inquiry.
12. New Business – None
13. Public Comment - Chairman Tucci opened the Public Comment Section of the Meeting.

Ezio Altamura (GJEM-Otterstedt Agency) announced that Commissioner Mayor Keith Kazmark was recently voted into the Mayor's Hall of Fame. Congratulations were expressed by all.

14. Closed Session - It was moved by Kazmark, 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 March 24, 2022 Executive Board Meeting was suspended at 10:30 a.m.

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

Call to Order: The Closed Session of the March 24, 2022 Meeting of the New Jersey Intergovernmental Insurance Fund was called to order at 10:34 a.m. via Zoom conference.

15. Roll Call:

Executive Board Members

Chairman: Thomas Tucci (Township of Cedar Grove)

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 Lazorisak that the Minutes of Closed Session from the Fund's meeting of February 24, 2022 be accepted as presented.

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

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

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

**Commissioner Kazmark joined the meeting at 10:52 a.m.

**Commissioner Vieiro left the meeting at 11:00 a.m.

It was moved by Konopada, 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.

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 11:31 a.m.)

It was moved by Konopada, seconded by Laurencio, to approve all actions presented in Closed Session of the March 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 Lazorisak, to adjourn the March 24, 2022 Executive Board Meeting.

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

The NJIIF's March 24, 2022 Meeting was adjourned at 11:33 a.m.

APPENDIX II

Closed Session Matters

Closed Session Motion

For the April 28, 2022 Meeting of the New Jersey Intergovernmental Insurance Fund

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. Love adv. City of Asbury Park (W002720124) ----- RSA
2. Melfi adv. Borough of Hasbrouck Heights (W002631277)----- RSA
3. Strincoski adv. Township of Old Bridge (W003138777)----- RSA
4. Spicer adv. Township of Wayne (W002834596) ----- RSA
5. Talerico adv. Township of Wayne (W002952613) ----- RSA

Case Update Reports for WC Fund Subrogation/Restitution Claims:

1. Christie adv. City of Asbury Park (W002589198) ----- Case Update
2. Galano adv. City of Bayonne (W003393653) ----- Case Update

Multi-Line Fund Claim Matters

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

1. Monko adv City of Asbury Park (1814) ----- Case Closure
2. Gainous v. City of Bayonne (2100)----- RSA
3. Plumey v. City of Bayonne (2094) ----- Case Closure
4. Raymond v. Borough of Hasbrouck Heights (1761) ----- Case Closure
5. Trivisonno, Estate of v. Borough of Hasbrouck Heights (1940) RSA
6. Carnevale v. Borough of Roseland (1000)----- Case Closure
7. Raymond v. Borough of Teterboro (1762) ----- Case Closure
8. Castillo v. AYSM, LLC v. City of Union City (2160)----- Case Closure
9. Galindo and Hong Da Re v. City of Union City (2008) ----- Case Closure
10. Burke v. County of Warren (2056) ----- Case Closure.

Coverage Recommendations for New Claims/Litigation:

1. Breiner v. City of Asbury Park
1. Peet Hien, Inc. v. City of Asbury Park
2. Sonnik v. City of Union City
3. Kiernan v. Township of Verona