

NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND



Thursday, June 23, 2022

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

Agenda and Reports

Thursday, June 23, 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 – May 26, 2022 – Appendix I
 - Motion to approve minutes of Executive Board Meeting – May 26, 2022
3. Correspondence
4. Finance Report- (Robert Calise)
5. Chairman’s Report
6. Committee Reports
 - Nominating (McNamara)
 - By-Laws (Kazmark)
 - Legislative (Vieiro)
 - Coverage (Konopada)
 - Professionals/Management Oversight (Tucci)
 - Introduction of Resolution No. ML-2022-20 Amendment to ML Fund Panel Counsel Contract.

- Motion to Resolution No. ML-2022-20 Amendment to ML Fund Panel Counsel Contract.
 - Budget/Finance (McNamara)
 - Introduction of Resolution No.: ML-2022-21 Authority to Bind Property, Boiler & Machinery and Cyber Liability Coverage
 - Motion to approve Resolution No.: ML-2022-21: Binding Property, Boiler & Machinery and Cyber Liability Coverage for 7/1/22 to 7/1/23
 - Introduction of Resolution No.: ML-2022-22 Authority to Increase Crime Policy Limits
 - Motion to approve Resolution No.: ML-2022-22: Authority to Increase Crime Policy Limits
 - Safety/Risk Management (Lazorisak)
 - 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 May 26, 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 May 26, 2022

THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND
MINUTES OF PUBLIC MEETING
May 26, 2022

Call to Order: A meeting of the New Jersey Intergovernmental Insurance Fund was called to order on Thursday, May 26, 2022, at 10:03 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)

Beverley Konopada (Borough of Mantoloking)

Captain Walter Laurencio (City of Union City)

Heather McNamara (Township of Wayne)

Executive Board Alternates, Commissioners and Commissioner Alternates

Joseph D'Arco (Township of Verona)

Bailey Barnett (Township of Maplewood)

Denise Callery (City of Asbury Park)

NJIIF Professionals, Risk Managers and Others

Ezio Altamura (GJEM-Otterstedt Agency)

David Balken (Balken Risk)

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)

Kristine Gould (Township of Verona)

Larry Graham (Fairview Insurance)

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

Michael Kronyak (Financial Consultant)

John Matthews (PMA Safety & Loss Control)

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)

Danielle Voda (Fairview Insurance)

Tim Weir (PMA Safety & Loss Control)

Jack Zisa (Regional Risk Managers)

Chairman Tucci noted that Alternate Commissioner Denise Callery (City of Asbury Park) would be voting on behalf of Commissioner Vieiro.

2. Approval of the Minutes of the Executive Board Meeting of April 28, 2022. It was moved by Konopada, seconded by Laurencio that the Minutes of the April 28, 2022 Executive Board Meeting of the New Jersey Intergovernmental Insurance Fund be accepted as presented.

Roll Call:
Aye: Tucci, Konopada, Laurencio, McNamara
Nay: None
Abstain: Callery

3. Correspondence: None.
4. Finance Report: In the absence of CFO Calise at the meeting, Chairman Tucci tabled the May Finance Report for the NJIIF's June 23, 2022 Meeting.
5. Chairman's Report: Chairman Tucci asked GC/Co-Admin Nemeth if the NJIIF has adequate firms on its defense counsel panel lists. GC/Co-Administrator Nemeth reported that his office recently posted an RFP for the ML Fund Panel Counsel position and will consider similar action for the WC Fund. Nemeth also reported that due to a change in staffing, until further notice, the City of Bayonne will not be defending its own lower risk AL and GL matters and that new counsel will need to be assigned to their existing cases.
6. Committee Reports
 - a. Nominating Committee (McNamara) – No report.
 - b. By-Law Committee (Kazmark) – No report.
 - c. Legislative Committee (Vieiro) – No report.
 - d. Coverage Committee (Konopada) –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 (Lazorisak). GC/Co-Admin Nemeth reported that although the 2022 Cyber Liability policy, as issued, is correct, there was a clerical error identified in the NJIIF's 2022 Risk Management Plan (the cyber coverage reflected the 2021 policy terms). Chairman Tucci requested that an amended RMP be prepared and introduced for adoption at the June 23, 2022 Executive Board Meeting.
 - h. Member & Development Committee (Kazmark) No Report.

7. Risk Manager’s Report – (Polaris Galaxy). J. Gallo advised that he received new informational flyers from the NJIIF’s EAP Plan provider, the Sand Creek Group, that will be disseminated to the members. Gallo also advised that Acrisure anticipates having Property renewal quotes ready to review soon. Also they will be presenting an option for a potential increase in the limits for blanket crime coverage.
8. Loss Control Consultant Report –(PMA) Tim Weir introduced John Matthews, who recently joined the NJIIF Risk Control service team, who was in attendance at the meeting. Additionally, Weir reported that the latest edition of PMA’s “Safety Seen” newsletter was recently sent for the month of May. Weir also announced PMA upcoming training regarding lightning hazard awareness.
9. TPA Report – (PMA) Jennifer Signs provided an update on aggregate WC claims received through 5/1/22, 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 365 reported COVID cases (41 in 2022, 137 in 2021 and 187 in 2020), with 84 related claim petitions filed to date.

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

Roll Call:	
Aye:	Tucci, Callery, Konopada, Laurencio, McNamara
Nay:	None
Abstain:	None

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

Roll Call:	
Aye	Tucci, Callery, Konopada, Laurencio, McNamara
Nay:	None
Abstain:	None

11. Old Business - Nemeth provided an update regarding DOBI’s inquiry and the NJIIF’s response to same, including the NJIIF’s pursuit of a second actuary to review the current projected case reserves and IBNR.
12. New Business – None
13. Public Comment - Chairman Tucci opened the Public Comment Section of the Meeting. There being no public comment, Chairman Tucci requested a Motion to go into Closed Session.

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

Roll Call:	
Aye	Tucci, Callery, Konopada, Laurencio, McNamara
Nay:	None
Abstain:	None

The Open Session portion of the May 26, 2022 Executive Board Meeting was suspended at 10:27 a.m.

THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND
MINUTES OF PUBLIC MEETING
May 26, 2022

Call to Order: The Closed Session of the May 26, 2022 Meeting of the New Jersey Intergovernmental Insurance Fund was called to order at 10:32 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)

Heather McNamara (Township of Wayne)

*Denise Callery (City of Asbury Park, Alternate Commissioner) voting on behalf of Commissioner Vieiro.

Minutes of Closed Session April 28, 2022. It was moved by Konopada seconded by Laurencio that the Minutes of Closed Session from the Fund's meeting of April 28, 2022 be accepted as presented.

Roll Call:
Aye Tucci, Konopada, Laurencio, McNamara
Nay: None
Abstain: Callery

*Mayor Kazmark (Borough of Woodland Park) joined the meeting at 10:43 a.m.)

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

Roll Call:
Aye Tucci, Callery, Konopada, Laurencio, McNamara
Nay: None
Abstain: Kazmark Also, each Executive Board Member abstains as to claims against its Member entity.

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

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

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

Roll Call:	
Aye	Tucci, Callery, Kazmark, Konopada, Laurencio, McNamara
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 McNamara, to approve all actions presented in Closed Session of the May 26, 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, Callery, Kazmark, Konopada, McNamara
Nay:	None
Abstain:	Each Executive Board Member abstains as to claims against its Member entity.

Commissioner Laurencio departs meeting.

16. Adjournment – There being no further business to discuss, it was moved by McNamara, seconded by Kazmark, to adjourn the May 26, 2022 Executive Board Meeting.

Roll Call:	
Aye	Tucci, Callery, Kazmark, Konopada, McNamara
Nay:	None
Abstain:	None

The NJIIF's May 26, 2022, 2022 Meeting was adjourned at 11:38 a.m.

APPENDIX II

Closed Session Matters

Closed Session Motion

For the June 23, 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. Mandriota adv. Township of Old Bridge (W002330116)----- RSA
2. Reed adv. Borough of Roseland (W002721073)----- RSA
3. Molinari adv. City of Union City (W002008895)----- RSA
4. Poff adv. Warren County (W003168605)----- RSA
5. Franklin adv. Warren County (W001233207)----- RSA

Case Update Reports for WC Fund Subrogation/Restitution Claims:

1. Santiago adv. City of Bayonne (W00278400)----- Recovery
2. Sahanas adv. Borough of Wanaque (W002751582)----- Recovery
3. Bercovicz adv. City of Asbury Park (W002605530)----- Case Update
4. Lamadrid adv. City of Asbury Park (W003402212)----- Case Update
5. Zimny adv. City of Bayonne (W003407324)----- Case Update

Multi-Line Fund Claim Matters

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

1. Softcheck v. City of Asbury Park (1934)----- Case Closure
2. Meleika v. City of Bayonne (1629)----- Case Closure
3. Vuocolo v. City of Bayonne (1284)----- Case Closure
4. Coptic Church v. Township of Cedar Grove (1566)-(WCI)----- Case Closure
5. Scudder v. Township of Maplewood (1796)----- RSA
6. Axelrod v. Morristown Parking Authority (2279)----- RSA
7. Kelly v. Borough of Roseland (1826)----- Case Closure
8. Liriano v City of Union City (1937)----- Case Closure
9. Vargas v. City of Union City (1999)----- Case Closure

Coverage Recommendations for New Claims/Litigation:

1. Goldzweig v. City of Asbury Park
2. Markey v. City of Asbury Park
3. Morton v. City of Asbury Park
4. Warraich adv. City of Asbury Park
5. Lechadores v. City of Bayonne
6. Conrad v. Township of Maplewood
7. Mojali v. City of Union City
8. Nastos v. City of Union City
9. OM 900 Central Avenue v. City of Union City
10. Paulter v. City of Union City
11. Williams v. City of Union City