

**NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND**



**Thursday, August 25, 2022**

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

**Agenda and Reports**

**Thursday, August 25, 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 – July 28, 2022 – Appendix I
  - Motion to approve minutes of Executive Board Meeting – July 28, 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)
  - Budget/Finance (McNamara)
  - Safety/Risk Management (Lazorisak)

- Introduction of Resolution No. ML-WC-2022-13 Update to the 2022 Risk Management Plan
  - Motion to approve Resolution No. ML-WC-2022-13 Update to the 2022 Risk Management Plan
  - 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 July 28, 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 July 28, 2022

**THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND**  
**MINUTES OF PUBLIC MEETING**  
**July 28, 2022**

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Call to Order: A meeting of the New Jersey Intergovernmental Insurance Fund was called to order on Thursday, July 28, 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)

Secretary: Heather McNamara (Township of Wayne)

Beverley Konopada (Borough of Mantoloking)

Captain Walter Laurencio (City of Union City)

Alex Lazorisak (Warren County)

Executive Board Alternates, Commissioners and Commissioner Alternates

Sukaina Barlas (Township of Cedar Grove)

Denise Callery (City of Asbury Park)

Joseph D'Arco (Township of Verona)

Sheri Samsudeen (Township of Old Bridge)

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)

Zach Edelman (Fairview Insurance)

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 Group)

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)

Anthony Tamburro (Alliant Insurance Services)

Tim Weir (PMA Safety & Loss Control)

Justin Wilkinson (PMA TPA)  
Jack Zisa (Scirocco Group)

2. Approval of the Minutes of the Executive Board Meeting of June 23, 2022. It was moved by Konopada, seconded by McNamara that the Minutes of the June 23, 2022 Executive Board Meeting of the New Jersey Intergovernmental Insurance Fund be accepted as presented.

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

3. Correspondence: None.
4. Finance Report: CFO Calise reported that the monthly Multi Line and Workers Compensation Fund financials through 7/25/22, including assessments and claims payments, are in the meeting packets, including the latest investment report as of 7/25/22. Calise advised that he has received payment of approximately 75% of 2022 Member assessments for the WC Fund and 80% for the ML Fund. He also commented that CD rates are finally beginning to move up.
5. Chairman's Report: Chairman Tucci advised that his comments would be directed to the resolutions on this meeting's agenda. Further, he congratulated Co-Administrator/Risk Manager John Serapiglia on his 50<sup>th</sup> Wedding Anniversary.
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). Chairman Tucci introduced Resolution ML-2022-23, Addition of Chiesa Shahinian & Giantomasi P.C., Decotiis, FitzPatrick, Cole & Giblin LLP, Genova Burns LLC and Trif & Modugno as ML Panel Defense Counsel. GC/Co-Administrator Nemeth explained the areas of practice where these firms would add needed support.

It was moved by Lazorisak, seconded by Konopada, to adopt ML-2022-23, Addition of Chiesa Shahinian & Giantomasi P.C., Decotiis, FitzPatrick, Cole & Giblin LLP, Genova Burns LLC and Trif & Modugno as ML Panel Defense Counsel.

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

Chairman Tucci introduced Resolution No.: WC-2022-14, Appointment Of Select Actuarial Consultants as WC Fund Actuarial Consultant. GC/Co-Administrator Nemeth explained the scope of services provided.

It was moved by Konopada, seconded by Lazorisak, to adopt Resolution No.: WC-2022-14 Appointment Of Select Actuarial Consultants as WC Fund Actuarial Consultant.

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

- f. Budget/Finance Committee (McNamara). No Report.
  - g. Safety/Risk Management Committee (Lazorisak). No report.
  - h. Member & Development Committee (Kazmark) No Report.
7. Risk Manager’s Report – (Polaris Galaxy). J. Gallo advised that his office has completed 90% of the process for a potential new member application and has also received inquiries from municipalities in Ocean and Passaic Counties; he will be reporting on the details of these matters to the New Member Development Committee in the coming weeks. Chairman Tucci also advised that he received an inquiry from a North Jersey municipality potentially interested in membership and that he would discuss same with Polaris Galaxy. Finally, Gallo advised that the property policy was bound as of July 1, 2022 and that Member 2023 underwriting applications are due September 1.
  8. Loss Control Consultant Report –(PMA) Tim Weir advised that the July “Safety Seen” newsletter was distributed and included information on August 18<sup>th</sup> online session regarding Workers Compensation fraud, and encouraged everyone to register. Weir further reported that PMA visited several members in June and that they continue to assist members with compliance issues.
  9. TPA Report – (PMA) Jennifer Signs provided an update on aggregate WC claims received through 7/1/22, including the number of reported COVID cases. She advised that claims generally continue to be timely reported. Signs also reported that the NJIIF has a total of 380 reported COVID cases with 85 related claim petitions filed to date.
  10. Bill List-WC Fund/ML Fund. It was moved by Lazorisak seconded by Laurencio to approve the July Bill List. (Commissioner Konopada was unavailable for this vote.)



Roll Call:	
Aye	Tucci, Laurencio, Lazorisak, McNamara
Nay:	None
Abstain:	None

11. Old Business – No report.
12. New Business – No report.
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 McNamara, seconded by Laurencio, that the Board move into Closed Session. (Commissioner Konopada was unavailable for this vote.)

Roll Call:	
Aye	Tucci, Laurencio, Lazorisak, McNamara
Nay:	None
Abstain:	None

The Open Session portion of the July 28, 2022 Executive Board Meeting was suspended at 10:29 a.m.

**THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND**  
**MINUTES OF PUBLIC MEETING**  
**July 28, 2022**

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Call to Order: Closed Session of the July 28, 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)

Secretary: Heather McNamara (Township of Wayne)

Beverley Konopada (Borough of Mantoloking)

Captain Walter Laurencio (City of Union City)

Alex Lazorisak (Warren County)

Minutes of Closed Session June 23, 2022. It was moved by Konopada seconded by McNamara that the Minutes of Closed Session from the Fund's meeting of May 26, 2022 be accepted as presented.

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

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

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

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

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

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

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

(Closed Session ended and members returned via Zoom to Open Session at 11:24 a.m.)

It was moved by Laurencio, seconded by Lazorisak, to approve all actions presented in Closed Session of the July 28, 2022, 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, Konopada, Laurencio, Lazorisak, McNamara
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 Konopada, seconded by McNamara, to adjourn the July 28, 2022 Executive Board Meeting.

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

The NJIIF's July 28, 2022 Meeting was adjourned at 11:27 a.m.

# APPENDIX II

## Closed Session Matters

## Closed Session Motion

### For the August 25, 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. Dickerson adv. City of Asbury Park (W001069472)-----RSA

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

1. Fichtl adv. Township of Old Bridge (W003411643)-----Case Update
2. Thoma adv. Borough of Woodland Park (W003471135)-----Case Update

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

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

1. Hines v. Asbury Park (2020)-----Case Closure
2. Chevres v. City of Bayonne (2114)-----Case Closure
3. Martin v. City of Bayonne (1534)-----Case Closure
4. Palkowitz v Borough of Hasbrouck Heights (1181)-----Case Closure
5. Alvarado v. Township of Maplewood (2033)-----Case Closure
6. LaPosta v. Roseland (1180)-----Case Closure
7. Cruz v. Union City (2061)-----Case Closure
8. Espino v City of Union City (1951-C)-----RSA
9. Odeste, Alyssa v City of Union City (1951-K)-----RSA
10. Odeste., Chelsea v City of Union City (1951-I)-----RSA
11. Bittencourt v. Town of Verona (2010)-----Case Closure
12. Longo v. Town of Verona (1642)-----Case Closure
13. Warbeck, Jon, Estate of v. Township of Wayne (1914)-----Case Closure
14. Warbeck, Luke, Estate of v. Township of Wayne (1915)-----Case Closure

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

1. Hylton v. City of Asbury Park
2. Mendoza v. City of Asbury Park
3. Reed v. City of Asbury Park
4. Walker v. City of Bayonne
5. Aulita v. Township of Cedar Grove
6. Micciche v. Township of Cedar Grove
7. Ambrose v. Borough of Roseland
8. Flores v. City of Union City
9. DMH2 v. Township of Verona
10. Micciche v. Township of Verona
11. Liaci v. Warren County
12. Randolph, Estate of Nazier v. Borough of Woodland Park