

NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND



Thursday, September 22, 2022

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

Agenda and Reports

Thursday, September 22, 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 – August 25, 2022 – Appendix I
 - Motion to approve minutes of Executive Board Meeting – August 25, 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)
 - 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 August 25, 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 August 25, 2022

THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND
MINUTES OF PUBLIC MEETING
August 25, 2022

Call to Order: A meeting of the New Jersey Intergovernmental Insurance Fund was called to order on Thursday, August 25, 2022, at 10:00 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)

Mayor Keith Kazmark (Borough of Woodland Park)

Beverley Konopada (Borough of Mantoloking)

Alex Lazorisak (Warren County)

Donna M. Vieiro (City of Asbury Park)

Executive Board Alternates, Commissioners and Commissioner Alternates

Bailey Barnette (Township of Maplewood)

Denise Callery (City of Asbury Park)

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)

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

Zach Edelman (Fairview Insurance)

Justin Gallo (Polaris Galaxy/Risk Manager)

Kristine Gould (Township of Verona)

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

Michael Kronyak (Financial Consultant)

Angelo Lobosco (Lobosco Insurance Group)

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)

Scott Stohrer (PMA Safety & Loss Control)

Tim Weir (PMA Safety & Loss Control)

Justin Wilkinson (PMA TPA)

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

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

3. Correspondence: GC/Co-Admin Nemeth reported that the NJIIF received an OPRA request regarding WC TP information and that his office will respond.
4. Finance Report: CFO Calise reported that the monthly Multi Line and Workers Compensation Fund financials through 8/25/22, including assessments and claims payments, are in the meeting packets, including the latest investment report as of 8/19/22. Calise advised that to-date, he is only missing one Member assessment payment.

*CFO Calise left the meeting at 10:07 a.m.

5. Chairman’s Report: Chairman Tucci asked GC/Co-Admin Nemeth to give an update on the status of Selective Actuarial’ work. Nemeth advised that the consultant’s report is expected to be ready for Board consideration in September.

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).

Commissioner Lazorisak introduced Resolution ML-WC-2022-13, Update to the 2022 Risk Management Plan. Justin Gallo provided a description of the updates, including revised coverages for cyber, crime and property.

It was moved by Lazorisak, seconded by McNamara, to introduce Resolution ML-WC-2022-13, Update to the 2022 Risk Management Plan,

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

It was moved by Kazmark, seconded by Vieiro, to adopt Resolution ML-WC-2022-13, Update to the 2022 Risk Management Plan,

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

Commissioner Lazorisak also advised that the County is exploring use of software that is highly effective against ransomware attacks and that he will keep the Board advised of the County’s progress and experience with this product.

- h. Member & Development Committee (Kazmark) Commissioner Kazmark discussed the new marketing brochure being developed to support marketing new members.
- 7. Risk Manager’s Report – (Polaris Galaxy). J. Gallo advised that his office has received seven 2023 member underwriting renewal applications to-date. He reiterated that the due date is September 9, 2022.
- 8. Loss Control Consultant Report –(PMA) Tim Weir introduced Mr. Scott Stohrer of PMA’s loss control group. Weir advised that on September 22 PMA’s Webservice would be presenting a seminar “Violence in the Workplace” and recommended all Members to register and attend. Weir further advised that PMA is available to assist members dealing with POSHA notices to comply or any other issues. Weir further reported that PMA visited several members during the month of June.
 - *Tim Weir (PMA Safety & Loss Control) left the meeting at 10:00 a.m.
- 9. TPA Report – (PMA) Jennifer Signs provided an update on aggregate WC claims received through 8/1/22, including the number of reported COVID cases. She advised that total incurred losses for 2022 are substantially lower than the 5 year average. She reported that claims generally continue to be timely reported. Signs further reported that the NJIIF has a total of 383 reported COVID cases with 86 related claim petitions filed to date.
- 10. Bill List-WC Fund/ML Fund. It was moved by Vieiro seconded by McNamara to approve the August Bill List.

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

It was moved by Kazmark seconded by Lazorisak to approve all Professionals' Reports.

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

11. Old Business – No report.
12. New Business – GC/Co-Admin Nemeth reported that RFPs for all NJIIF professional positions will be posted this year so that all positions are on the same renewal cycle, and further, that posting will take place within the next few days with a late September return date.
13. Public Comment - Chairman Tucci opened the Public Comment Section of the Meeting.

Ezio Altamura (GJEM-Otterstedt Agency) publicly thanked Justin Gallo for his hard work, professionalism and responsiveness.

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

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

The Open Session portion of the August 25, 2022 Executive Board Meeting was suspended at 10:30 a.m.

THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND
MINUTES OF PUBLIC MEETING
August 25, 2022

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)

Mayor Keith Kazmark (Borough of Woodland Park)

Beverley Konopada (Borough of Mantoloking)

Alex Lazorisak (Warren County)

Donna M. Vieiro (City of Asbury Park)

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

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

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

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

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

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

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

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

*Commissioner Vieiro left the meeting at 11:07 a.m.

(Closed Session ended and members returned via Zoom to Open Session at 11:07 a.m.)

It was moved by Konopada, seconded by Lazorisak, to approve all actions presented in Closed Session of the August 25, 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, 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 Kazmark, seconded by McNamara, to adjourn the August 25, 2022 Executive Board Meeting.

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

The NJIIF's August 25, 2022 Meeting was adjourned at 11:09 a.m.

APPENDIX II

Closed Session Matters

Closed Session Motion

For the September 22, 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. Andrade adv. City of Union City (W002961656)-----RSA
2. Boudaher adv. Borough of Woodland Park (W003368116)-----RSA

Case Update Reports for WC Fund Subrogation/Restitution Claims:

1. Kaiser adv. City of Bayonne (W002956530)-----Recovery
2. Narcisi adv. City of Bayonne (W002320635)-----Recovery
3. Quintero adv. City of Union City (W003147304)-----Recovery
4. Harris adv. City of Asbury Park (W003524683)-----Case Update
5. Urbanski adv. City of Bayonne (W003524204)-----Case Update

Multi-Line Fund Claim Matters

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

1. Freedman v. Township of Aberdeen (1804)-----Case Closure
2. Carr v. City of Bayonne (1956)-----Case Closure
3. Malhan v. City of Bayonne (1652)-----Case Closure
4. Smith v. City of Bayonne (2027)-----Case Closure
5. Save First Mt v. Township of Cedar Grove (1834)-----Case Closure
6. Ostrowsky v. Borough of Hasbrouck Heights (1617)-----RSA
7. Storzum v. Borough of Riverdale (1316)-----Case Closure
8. Torres v. City of Union City (1619)-----Case Closure
9. Stagg v. Borough of Wanaque (2039)-----Case Closure
10. DeSalvo, Estate of v. Township of Wayne (1993)-----Case Closure

Coverage Recommendations for New Claims/Litigation:

1. Beauvil v. City of Asbury Park
2. Gralewski v. City of Bayonne
3. Costello v. Borough of Roseland
4. Zatkos v. Borough of North Haledon
5. Garcia, Genesis v. City of Union City
6. Ramirez, Niurca v. City of Union City
7. Bonhomme v. Borough of Wanaque