

**NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND**



**Thursday, October 27, 2022**

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

**Agenda and Reports**

**Thursday, October 27, 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 – September 22, 2022 – Appendix I
  - Motion to approve minutes of Executive Board Meeting – September 22, 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-2022-24 Addition of Carmagnola & Ritardi, LLC and Ruderman & Roth, LLC as ML Panel Defense Counsel

- Motion to approve Resolution No. ML-2022-24 Addition of Carmagnola & Ritardi, LLC and Ruderman & Roth, LLC as ML Panel Defense Counsel
  - 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 September 22, 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 September 22, 2022

**THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND**  
**MINUTES OF PUBLIC MEETING**  
**September 22, 2022**

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Call to Order: A meeting of the New Jersey Intergovernmental Insurance Fund was called to order on Thursday, September 22, 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)

Denise Callery (City of Asbury Park)

Steven Neale (Township of Verona)

NJIIF Professionals, Risk Managers and Others

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)

Joseph Gentile (GJEM-Otterstedt Agency)

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

Michael Kronyak (Financial Consultant)

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)

2. Approval of the Minutes of the Executive Board Meeting of August 25, 2022. It was moved by Kazmark, seconded by Vieiro that the Minutes of the August 25, 2022 Executive

Board Meeting of the New Jersey Intergovernmental Insurance Fund be accepted as presented.

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

3. Correspondence: GC/Co-Admin Nemeth advised that correspondence was received from DOBI. Chairman Tucci requested that it be addressed under the Chairman's report.
4. Finance Report: CFO Calise reported that the monthly Multi Line and Workers Compensation Fund financials through 9/16/22, including assessments and claims payments, are in the meeting packets, including the latest investment report as of 9/16/22. Calise advised that to-date, two Members have not paid final 2022 assessments.
5. Chairman's Report: Chairman Tucci asked GC/Co-Admin Nemeth to give an update on communications with DOBI. Nemeth advised that on or about September 15 and 16, correspondence was exchanged between DOBI regarding completion of the NJIIF's 12/31/21 audit reports, plans for addressing any Workers Compensation Fund deficits, and budget preparation for 2023. Nemeth advised that there will be continued communications on these subjects with the Department.

\*Tim Weir (PMA Safety & Loss Control) joined the meeting.

#### 6. Committee Reports

- a. Nominating Committee (McNamara) – No report.
- b. By-Law Committee (Kazmark) – No report.
- c. Legislative Committee (Vieiro) – Commissioner Vieiro reported that the State Health Benefit Plan rates are expected to increase 24%.
- d. Coverage Committee (Konopada) –See Agenda Item 14, Closed Session, below
- e. Professionals/Management Oversight Committee (Tucci). GC/Co-Admin Nemeth advised that all RFPs for all Professional positions have been posted and a response is due September 28, 2022.
- f. Budget/Finance Committee (McNamara). No Report.
- g. Safety/Risk Management Committee (Lazorisak). Commissioner Lazorisak reported that he and GC/Co-Admin Nemeth have been working on an issue related to the coverage ramifications for personal/off hours use of County vehicles. GC/Co-Admin Nemeth advised that his office has researched the issue and has summarized the

NJIIF's coverage position in a letter to the County. Nemeth advised same will be provided to other Members for their consideration.

h. Member & Development Committee (Kazmark) No report.

7. Risk Manager's Report – (Polaris Galaxy). J. Serapiglia advised that they have received interest from several potential new members and are working on unwriting two new members. J. Gallo further advised that his office has received 16 of the 2023 member underwriting renewal applications to-date and expects to receive the Member balance by October 1<sup>st</sup>.
8. Loss Control Consultant Report –(PMA) Tim Weir advised that John Matthews is presenting a Websource seminar today entitled "Violence in the Workplace" and recommended that all Members register and attend. Weir further advised that PMA has been busy assisting Members with PEOSHA issues.

\*Justin Gallo (Polaris Galaxy/Risk Manager) left the meeting at 10:24 a.m.

9. TPA Report – (PMA) Jennifer Signs provided an update on aggregate WC claims received through 9/1/22, 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 389 reported COVID cases with 86 related claim petitions filed to date.
10. Bill List-WC Fund/ML Fund. It was moved by Lazorisak seconded by Laurencio to approve the September Bill List.

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

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

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

11. Old Business – No report.
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 Vieiro, seconded by Lazorisak, that the Board move into Closed Session.

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

The Open Session portion of the September 22, 2022 Executive Board Meeting was suspended at 10:33 a.m.

**THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND  
MINUTES OF PUBLIC MEETING  
September 22, 2022**

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Call to Order: Closed Session of the September 22, 2022 Meeting of the New Jersey Intergovernmental Insurance Fund was called to order at 10:35 a.m. via Zoom conference.

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)

Minutes of Closed Session August 25, 2022. It was moved by Konopada seconded by Lazorisak that the Minutes of Closed Session from the Fund's meeting of August 25, 2022 be accepted as presented.

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

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, Vieiro
Nay: None
Abstain: Each Executive Board Member abstains as to claims against its Member entity.

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

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

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

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

(Closed Session ended and members returned via Zoom to Open Session at 11:20 a.m.)

It was moved by Kazmark, seconded by Konopada, to approve all actions presented in Closed Session of the September 22, 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, Viero
Nay:	None
Abstain:	Each Executive Board Member abstains as to claims against its Member entity.

15. Adjournment – There being no further business to discuss, it was moved by Lazorisak, seconded by Kazmark, to adjourn the September 22, 2022 Executive Board Meeting.

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

The NJIIF's September 22, 2022 Meeting was adjourned at 11:26 a.m.

# APPENDIX II

## Closed Session Matters

## Closed Session Motion

### For the October 27, 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. McLain adv. City of Asbury Park (W002936434)-----RSA
2. Hundley adv. City of Bayonne (W002955269)-----RSA
3. Santiago adv. City of Bayonne (W002784002) -----RSA
4. Wozniak adv. City of Bayonne (W002873577)-----RSA
5. Wozniak adv. City of Bayonne (W003374836)-----RSA
6. Diaz adv. City of Union City (W003811097) -----RSA

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

7. Alvarado adv. Township of Maplewood (W002248728) -----Recovery
8. Champouillon adv. City of Asbury Park (W003239809) -----Case Update

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

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

9. Levinski v. City of Bayonne (1921) -----Case Closure
10. Rodriguez v. City of Bayonne (1610) -----Case Closure
11. Trivisonno v. Borough of Hasbrouck Heights (1940)-----Case Closure
12. Connors v. Borough of Riverdale (1912) -----Case Closure
13. Cruz-Moncada v. City of Union City (1757)-----Case Closure
14. Marrerro v. City of Union City (1938) -----Case Closure
15. Milan-Barrera v. City of Union City (2029)-----Case Closure
16. Pantoja v. Borough of Wanaque (1621) -----Case Closure
17. McGowan v. County of Warren (2182) -----RSA

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

18. Thompson v. City of Asbury Park
19. Werksman v. City of Asbury Park
20. Finley v. City of Bayonne
21. Amir v. Township of Old Bridge
22. Singh v. Township of Old Bridge
23. Leggieri v. City of Union City
24. Santos v. City of Union City
25. Lent v. Warren County
26. Russoniello v. Warren County