

**NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND**



**Thursday, November 10, 2022**

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

**Agenda and Reports**

**Thursday, November 10, 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 – October 27, 2022 – Appendix I
  - Motion to approve minutes of Executive Board Meeting – October 27, 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)
    - Introduction of 2023 WC Fund Budget
    - Introduction of 2023 ML Fund Budget

- Introduction of Resolution ML-WC-2022-14: Recommendation to Merge Workers Compensation and Multi-Line Funds
    - Motion to approve Resolution ML-WC-2022-14: Merger of Workers Compensation And Multi-Line Funds
  - 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 October 27, 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 October 27, 2022

**THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND**  
**MINUTES OF PUBLIC MEETING**  
**October 27, 2022**

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Call to Order: A meeting of the New Jersey Intergovernmental Insurance Fund was called to order on Thursday, October 27, 2022, at 10:15 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)

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)

Bailey Barnette (Township of Maplewood)

Steven Neale (Township of Verona)

NJIIF Professionals, Risk Managers and Others

Ezio Altamura (GJEM-Otterstedt Agency)

David Balken (Balken Risk)

Robert Calise (CMFO)

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

Zach Edelman (Fairview Insurance)

Justin Gallo (Polaris Galaxy/Risk Manager)

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

Michael Kronyak (Financial Polaris Galaxy/Risk Manager Consultant)

Angelo Lobosco (Lobosco Insurance Group)

Spiro Molfetas (Polaris Galaxy/Risk Manager)

Eric J. Nemeth Esq. (Eric J. Nemeth, P.C.-General Counsel/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 September 22, 2022. It was moved by Vieiro, seconded by Konopada, that the Minutes of the September 22, 2022

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

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

3. Correspondence: Nemeth advised he would report same under the Chairman's Report.
4. Finance Report: CFO Calise reported that the monthly Multi Line and Workers Compensation Fund financials through 10/17/22, including assessments and claims payments, are in the meeting packets, including the latest investment report as of 10/17/22. Calise advised that he will be circulating rough draft budget worksheets to the Finance Committee this week.
5. Chairman's Report: Chairman Tucci asked GC/Co-Administrator Nemeth to give an update on communications with DOBI. Nemeth reported that he had emailed a brief update to DOBI today with regard to the status of the NJIIF's 12/31/21 audit reports, with an indication that the NJIIF's goal is to have the reports and 2023 budget ready for introduction at its November meeting. Nemeth's email included notice to DOBI that the NJIIF would likely merge the WC and ML Funds effective 1/1/23. Chairman Tucci next introduced his plan for improvement of NJIIF member development efforts, including the addition of a Marketing Director/Co-Administrator. Tucci recommended that an RFP for that position be posted asap.

It was moved by Kazmark, seconded by Lazorisak, that NJIIF post a request for proposal for a Marketing Director/Co-Administrator to begin work in 2023.

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

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-2022-24, Addition of Carmagnola & Ritardi, and Ruderman & Roth, as ML Fund Panel Defense Counsel.

It was moved by Konopada, seconded by Vieiro, to adopt ML-2022-24, Addition of Carmagnola & Ritardi, and Ruderman & Roth, as ML Panel Defense Counsel.

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

- f. Budget/Finance Committee (McNamara). (See CFO Report, above).
  - g. Safety/Risk Management Committee (Lazorisak). No report.
  - h. Member & Development Committee (Kazmark) Commissioner Kazmark reported that the NJIIF is actively engaged in underwriting 3-4 potential additional members; Risk Manager J. Gallo advised that two of them are in advanced stages of review.
7. Risk Manager’s Report – (Polaris Galaxy). J. Gallo reported that all member 2023 renewal applications have been received and all submissions have been provided to the excess markets. Gallo further advised that it is likely that the excess policies for 2023 will be streamlined, with one policy covering all lines, simplifying claim reporting and premium payments. He also reported that he is seeking quotes from the excess markets for an additional \$5MM in coverage. Commissioner Konopada complimented J. Gallo on his service to the NJIIF members.
8. Loss Control Consultant Report –(PMA) Tim Weir advised that the October “Safety Seen” newsletter provided information on Fire Prevention and Leaf Collection Safety, as well as a COVID update and information on upcoming webinars available through PMA. Weir also reported that PMA will host an OSHA recordkeeping webinar. Commissioner Konopada requested that PMA look into the cost benefit of lightening detection equipment. Commissioner Vieiro advised that she can provide information Asbury Park has obtained for such systems.
9. TPA Report – (PMA) Jennifer Signs provided an update on aggregate WC claims received through 10/1/22, 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 392 reported COVID cases with 90 related claim petitions filed to date.
10. Bill List-WC Fund/ML Fund. It was moved by Lazorisak, seconded by Laurencio to approve the October Bill List.



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

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

Roll Call:	
Aye	Tucci, McNamara, Kazmark, Konopada, Laurencio, Lazorisak, Vieiro
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 Vieiro, seconded by Laurencio, that the Board move into Closed Session.

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

**THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND  
MINUTES OF PUBLIC MEETING  
October 27, 2022**

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Call to Order: Closed Session of the October 27, 2022 Meeting of the New Jersey Intergovernmental Insurance Fund was called to order at 10:51 a.m. via Zoom conference.

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)

Captain Walter Laurencio (City of Union City)

Alex Lazorisak (Warren County)

Donna M. Vieiro (City of Asbury Park)

Minutes of Closed Session September 22, 2022. It was moved by Laurencio seconded by Konopada that the Minutes of Closed Session from the Fund's meeting of September 22, 2022 be accepted as presented.

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

CFO Calise departs at 10:52.

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

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

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

It was moved by Laurencio, seconded by McNamara, to approve all actions presented in Closed Session of the October 27, 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, McNamara, Kazmark, Konopada, Laurencio, Lazorisak, Vieiro
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 Laurencio, seconded by Vieiro, to adjourn the October 27, 2022 Executive Board Meeting.

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

The NJIIF's October 27, 2022 Meeting was adjourned at 11:40 a.m.

# APPENDIX II

## Closed Session Matters

**Closed Session Motion**

**For the November 10, 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. Buckley adv. City of Asbury Park (W002757575) -----RSA
- 2. Buckley adv. City of Asbury Park (W002809295) -----RSA
- 3. Jasolosky adv. City of Bayonne (W001247458)-----RSA

Case Update Reports for WC Fund Subrogation/Restitution Claims:

- 1. Martinez adv. City of Union City (W003389921) -----Case Update

**Multi-Line Fund Claim Matters**

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

- 1. Schlueter v. Township of Old Bridge (1975) -----RSA
- 2. Basualdo v. City of Union City (1574) -----Case Closure
- 3. Escalante v. City of Union City (1978)- -----Case Closure
- 4. Porter v. City of Union City (2148)-----Case Closure
- 5. Tinord v. City of Union City (1369) -----Case Closure
- 6. Alling v. Township of Wayne (2156) -----Case Closure

Coverage Recommendations for New Claims/Litigation:

- 7. Del Campo v. City of Union City