

NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND



Thursday, December 3, 2020

**Meeting via Remote Audio Call-In
10:00 AM – Open Session
Closed Session Immediately Following**

Agenda and Reports

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.

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**Remote Audio Call-In
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AGENDA

Meeting Called to Order – *10:00am* – Open Public Meetings Act Read

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Pledge of Allegiance

1. Roll Call of Executive Committee and Professionals for Open Session
2. Approval of Executive Board Meeting Minutes – November 5, 2020 – Appendix I
3. Correspondence
4. Finance Report- (Robert Calise)
5. Committee Reports
 - A. Nominating – Tucci
 - B. By-Laws – McNamara
 - C. Legislative – Cavallo
 - D. Coverage – Tucci
 - E. Professional – Tucci
 - F. Finance – Kronyak
 - Public Hearing for Adoption of 2021 WC Fund Budget
 - Public Hearing for Adoption of 2021 ML Fund Budget
 - G. Safety/Loss Control – Cavallo
 - H. New Member & Development – Kronyak
 - I. Risk Management –
6. Chairman’s Report
7. Risk Manager’s Report, (John Serapiglia and Maria Makos, Polaris Galaxy)
8. WC Loss Control Consultant’s Report (Tim Weir, PMA)

9. TPA Report (Jennifer Signs, PMA)
10. Bill List (Robert Calise)
11. Old Business – WC Fund/ML Fund
12. New Business – WC Fund/ML Fund
13. Public Comment
14. Closed Session – (Eric Nemeth, Esq., Eric J. Nemeth, PC) – Closed Session Motion in Appendix II

Closed Session to be convened immediately following the conclusion of Open Session, via separate call-in.

15. Roll Call of Attendees for Closed Session
16. Adjournment.

APPENDIX I

THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND
MINUTES OF PUBLIC MEETING
November 5, 2020

Call to Order: A meeting of the New Jersey Intergovernmental Insurance Fund was called to Order on Thursday, November 5, 2020, at 10:05 am via telephone conference. Chairman Kronyak read the Open Public Meetings Act Statement and announced that notices were placed in designated newspapers and posted as required.

Pledge of Allegiance: Kronyak opened the meeting with the Pledge of Allegiance.

1. Roll Call:

Commissioners Present: Matthew Cavallo (Township of Verona), Michael Kronyak (Borough of Hasbrouck Heights), Walter Laurencio (City of Union City) Thomas Tucci (Township of Cedar Grove)

Others Present: Ezio Altamura (GJEM-Otterstet Agency), David Balken (Balken Risk), Lou Beckerman (Acrisure), Christopher Brid (PMA Safety & Loss Control), Robert Calise (CMFO), John Daly (Scirocco), Michael DelBalso (Township of Wayne), Nancy DiMartino (Eric J. Nemeth, P.C./Recording Secretary); Rija F. Khan (Eric J. Nemeth, P.C.); Angelo Lobosco (Lobosco Insurance), Maria Makos (Polaris Galaxy-Risk Manager/Co-Administrator), 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), Tony Tamburro (Alliant), Danielle Voda (Fairview Insurance), Justin Wilkinson (PMA-TPA), Tim Weir (PMA Safety & Loss Control), Jack Zisa (Regional Risk Managers)

2. Approval of the Minutes of the Executive Board Meeting of October 22, 2020

It was moved by Cavallo seconded by Tucci that the Minutes of the October 22, 2020 Meeting of the New Jersey Intergovernmental Insurance Fund be accepted as presented.

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| Roll Call: |
| Aye: Cavallo, Kronyak, Laurencio, Tucci |
| Nay: None |
| Abstain: None |

3. Correspondence: None

4. Finance Report: CFO Calise advised that the monthly Multi Line and Workers Compensation Fund financials for 11/1/20 to-date, including assessments and claims payments, are in the meeting packets. He reported that all receivables for 2020 have been collected and that the billing for the Old Bridge loan has been sent. Finally, Calise reported that the invoices for PPE have been sent to those Members that made a purchase.

5. Committee Reports

- a. Nominating Committee (Tucci) – No Report.
- b. By-Law Committee (McNamara) – No report
- c. Legislative Committee (Cavallo) – No report.
- d. Coverage Committee (Tucci) – See Agenda Item 14, Closed Session, below.
- e. Professionals Committee (Tucci) – Tucci introduced Resolution ML-2020-21 appointing Gebhardt & Kiefer as Defense Counsel. GC/Co-Administrator Nemeth provided background on the firm. It was moved by Tucci, seconded by Cavallo to approve Resolution ML-2020-21 appointing Gebhardt & Kiefer as ML Fund Defense Counsel.

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| Roll Call: |
| Aye Cavallo, Kronyak, Laurencio, Tucci |
| Nay: None |
| Abstain: None |

- f. Finance Committee (Kronyak) Chairman Kronyak and CFO Calise provided highlights of the proposed 2021 WC and ML Fund budgets, which were provided to the Board for review. It was explained that claim projections have been developed with input from the NJIIF’s Actuary and financial consultant, and that the blended increase for both the WC and ML Funds for 2021 is currently 4.64%. GC/Co-Administrator Nemeth commented that the final budget numbers may be further revised depending on certain factors, for example the cost of excess insurance.

It was moved by Kronyak, seconded by Tucci to introduce the 2021 WC Fund Budget as presented.

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| Roll Call: |
| Aye Cavallo, Kronyak, Laurencio, Tucci |
| Nay: None |
| Abstain: None |

It was moved by Kronyak, seconded by Tucci, to introduce the 2021 ML Fund Budget as presented.

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| Roll Call: |
| Aye Cavallo, Kronyak, Laurencio, Tucci |
| Nay: None |
| Abstain: None |

Chairman Kronyak thanked the Finance Committee and Fund Professionals for their efforts in supporting the 2021 budget development.

- g. Safety/Loss Control Committee. (Cavallo). Cavallo reported that Governor Murphy has signed Executive Order No. 192 requiring, effective November 5, 2020, that every

business, non-profit, and governmental or educational entity that requires or permits its workforce to be present at their worksite, conform with a number of COVID-19 related practices, including having policies regarding the mandatory wearing of masks as well as the screening of employees and visitors to the workplace.

- h. New Member & Development Committee (Kronyak) – Serapiglia reported that his office has responding to 6 new member applications and that M. Makos will be working on the underwriting process.
 - i. Risk Management Committee No report.
6. Chairman’s Report – Chairman Kronyak advised that the 2021 budgets will be presented for adoption at the next Board meeting currently scheduled for December 3, 2020.
 7. Risk Manager’s Report – (Serapiglia). See Section 6 (h) New Member & Development Committee report, above. M. Makos also reported that due to the anticipated premium increases and decrease in certain coverage, she is shopping several excess markets.
 8. Loss Control Consultant Report – Tim Weir/PMA commented on Governor Murphy’s Executive Order 192 and observed that most NJIIF Members already satisfy those requirements. He also reported that PMA attended the Township of Old Bridge’s recent Safety meeting. He also recommended to Members that they follow PMA’s monthly safety newsletters.
 9. TPA Report – Jennifer Signs/PMA provided an update on aggregate WC claims received through 11/1/20 and the number of reported COVID cases. She advised that claims generally continue to be timely reported and that several Members have not had any reported claims in 2020. Signs also reported that the NJIIF has a total of 97 reported COVID cases (with four (4) pending Claim Petitions), with the majority of those cases being record-only claims.

It was moved by Tucci seconded by Cavallo to approve all Professionals’ Reports.

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| Roll Call: |
| Aye Cavallo, Kronyak, Laurencio, Tucci |
| Nay: None |
| Abstain: None |

10. Bill List-WC Fund/ML Fund. It was moved by Laurencio seconded by Tucci to approve the November Bill List (copies provided in the meeting package).

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| Roll Call: |
| Aye Cavallo, Kronyak, Laurencio, Tucci |
| Nay: None |
| Abstain: None |

11. Old Business – None

12. New Business – GC/C-Admin Nemeth announced that Commissioner Laurencio has been promoted to Captain with the Union City Police Department. Chairman Kronyak offered the NJIIF’s congratulations.
13. Public Comment - Chairman Kronyak requested a motion to open the Public Comment section of the meeting.

It was moved by Cavallo seconded by Tucci to open the meeting for public comment.

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| Roll Call: |
| Aye Cavallo, Kronyak, Laurencio, Tucci |
| Nay: None |
| Abstain: None |

No public comment.

It was moved by Kronyak, seconded by Cavallo to close the public comment section of the meeting.

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| Roll Call: |
| Aye Cavallo, Kronyak, Laurencio, Tucci |
| Nay: None |
| Abstain: None |

Chairman Kronyak requested a motion to close the Open Session of the November 5, 2020 Meeting

It was moved by Tucci, seconded by Cavallo to close the Open Session of the November 5, 2020 Meeting

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| Roll Call: |
| Aye Cavallo, Kronyak, Laurencio, Tucci |
| Nay: None |
| Abstain: None |

At this time the NJIIF concluded its Open Session portion of the November 5, 2020 Executive Board Meeting at 10:54 a.m.

THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND
MINUTES OF PUBLIC MEETING
November 5, 2020

Call to Order: The Closed Session of the November 5, 2020 Meeting of the New Jersey Intergovernmental Insurance Fund was called to order at 10:58am via telephone conference.

Roll Call:

Commissioners Present: Matthew Cavallo (Township of Verona), Michael Kronyak (Borough of Hasbrouck Heights), Walter Laurencio (City of Union City) Thomas Tucci (Township of Cedar Grove)

Others Present: Ezio Altamura (GJEM-Otterstet Agency), David Balken (Balken Risk), Lou Beckerman (Acrisure), Christopher Brid (PMA Safety & Loss Control), Robert Calise (CMFO), John Daly (Scirocco), Michael DelBalso (Township of Wayne), Nancy DiMartino (Eric J. Nemeth, P.C/Recording Secretary); Rija F. Khan (Eric J. Nemeth, P.C.); Angelo Lobosco (Lobosco Insurance), Maria Makos (Polaris Galaxy-Risk Manager/Co-Administrator), Steven Neale (Township of Verona), 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), Tony Tamburro (Alliant), Danielle Voda (Fairview Insurance), Justin Wilkinson (PMA-TPA), Tim Weir (PMA Safety & Loss Control), Jack Zisa (Regional Risk Managers)

14. Closed Session: It was moved by Tucci, seconded by Cavallo, that pursuant to the form of Closed Session Motion presented in the meeting agenda packet (the “Closed Session Motion”), the Board should move into Closed Session to discuss matters as outlined in the Closed Session Motion.

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| Roll Call: |
| Aye Cavallo, Kronyak, Laurencio, Tucci |
| Nay: None |
| Abstain: None |

It was moved by Laurencio seconded by Cavallo, that the Minutes of Closed Session from the Fund’s meeting of October 22, 2020 be accepted as presented.

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| Roll Call: |
| Aye Cavallo, Kronyak, Laurencio, Tucci |
| Nay: None |
| Abstain: None |

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

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| Roll Call: |
| Aye Cavallo, Kronyak, Laurencio, Tucci |
| Nay: None |
| Abstain: *Each Executive Board Member abstains as to claims against its Member entity |

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

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| Roll Call: |
| Aye:* Cavallo, Kronyak, Laurencio, Tucci |
| Nay: None |
| Abstain: *Each Executive Board Member abstains as to claims against its Member entity. |

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

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| Roll Call: |
| Aye Cavallo, Kronyak, Laurencio, Tucci |
| Nay: None |
| Abstain: None |

It was moved by Laurencio, seconded by Tucci, to approve all actions presented in Closed Session of the November 5, 2020 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,

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| Roll Call: |
| Aye Cavallo, Kronyak, Laurencio, Tucci |
| Nay: None |
| Abstain: None |

Chairman Kronyak confirmed that the next meeting will be on Thursday, December 3, 2020 at 10:00am.

15. Adjournment - There being no further business to discuss, motion by Tucci, seconded by Laurencio to adjourn the November 5, 2020 Executive Board Meeting.

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| Roll Call: |
| Aye Cavallo, Kronyak, Laurencio, Tucci |
| Nay: None |
| Abstain: None |

The NJIIF's November 5, 2020 Meeting was adjourned at 11:18 a.m.

APPENDIX II

Closed Session Motion

For the December 3, 2020 Meeting of the New Jersey Intergovernmental Insurance Fund

In order to discuss matters involving litigation or potential litigation or contract matters, and in order to maintain the attorney-client privilege, motion is made by _____, seconded by _____ for the NJIIF Executive Board 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. The specific purpose of closed session is to discuss the following matters:

Workers Compensation Fund Claim Matters

Case Update Reports, Coverage Recommendations and Requests for Settlement Authority (RSA):

1. Raisin adv. City of Asbury Park (W002255454)-----RSA

Case Update Reports for WC Fund Subrogation/Restitution Claims:

1. Gonzalez-Cabrera adv. Borough of Hasbrouck Heights (W002219513)--Recovery
2. Kirchgessner adv. City of Asbury Park (W002921459)-----Case Update
3. Hromy adv. Bayonne (W002834387)-----Case Closure
4. Umana adv. City of Union City (W002711199)-----Case Closure

Multi-Line Fund Claim Matters

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

1. Styles v. City of Bayonne (L002743786)-----RSA
2. Shaw v. Township of Maplewood (1480)-----Case Closure
3. Jones v. Township of Old Bridge (1815) -----Case Closure
4. Lynskey v. Township of Old Bridge (1675) -----Case Closure
5. Mazza v. Township of Old Bridge (1742) -----Case Closure
6. Fabian v. Borough of Teterboro (1498) -----Case Closure
7. Cruz-Moncada v. City of Union City (1757)-----RSA

Coverage Recommendations for New Claims/Litigation:

1. Matthews adv. City of Bayonne
2. Bassantes-Hinojosa v. City of Union City
3. Beltran v. City of Union City
4. Neri v. City of Union City
5. Cavallo adv. Township of Verona
6. Lee, Estate of Stewart v. Warren County
7. Gish v. Township of Wayne