



**NEW JERSEY
INTERGOVERNMENTAL
INSURANCE FUND**

Thursday, October 26, 2023

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

Agenda and Reports

Thursday, October 26, 2023

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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 28, 2023
 - Motion to approve minutes of Executive Board Meeting – September 28, 2023
3. Correspondence
4. Finance Report- (Robert Calise)
5. Chairman’s Report
6. Committee Reports
 - a. Nominating (McNamara)
 - b. By-Laws (Kazmark)
 - c. Legislative (Vieiro)
 - d. Coverage (Konopada)
 - e. Professionals/Management Oversight (Tucci)
 - f. Budget/Finance (McNamara)
 - Introduction of and Motion to Approve Third Amended 2023 NJIIF Budget

- g. Safety/Risk Management (Lazorisak)
 - h. New Member & Development (Kazmark)
7. Risk Manager's Report (John Serapiglia, Polaris Galaxy)
 8. Director of Marketing Report (Al Barlas)
 9. WC Loss Control Consultant's Report (Tim Weir, PMA)
 10. TPA Report (Jennifer Signs, PMA)
 - Motion to approve all Professionals' Reports
 11. Bill List (Robert Calise)
 - Motion to approve Bill List
 12. Old Business
 13. New Business
 14. 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)
15. *Closed Session – (Eric Nemeth, Esq., Eric J. Nemeth, PC) – Closed Session Matters*
 - Motion to approve minutes of Closed Session from September 28, 2023 Executive Board Meeting
 - Motion to accept Workers Compensation and 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.
 16. Adjournment



NEW JERSEY
INTERGOVERNMENTAL
INSURANCE FUND

The Executive Board

MINUTES

Executive Board Meeting of September 28, 2023



THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND MINUTES OF PUBLIC MEETING

September 28, 2023

Call to Order: A meeting of the New Jersey Intergovernmental Insurance Fund was called to order on Thursday, September 28, 2023, at 10:02 a.m. via Zoom video and telephone 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 Wayne)
Keith Kazmark (Borough of Woodland Park)
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)
Tom Carroll (Borough of Wanaque)
Joseph D'Arco (Township of Verona)
Sheri Samsudeen (Township of Old Bridge)

NJIIF Professionals, Risk Managers and Others

Ezio Altamura (GEM – Otterstedt Agency)
David Balken (Balken Risk)
Al Barlas (Director of Marketing/Co-Administrator)
Lou Beckerman (Acrisure)
Nancy DiMartino (Eric J. Nemeth, P.C./Recording Secretary)
Justin Gallo (Polaris Galaxy/Risk Manager)
Rija Khan, Esq. (Eric J. Nemeth, P.C.-General Counsel/Co-Administrator)
John Matthews (PMA Safety & Loss Control)
Matthew McArow (GEM – Otterstedt Agency)
Eric J. Nemeth Esq. (Eric J. Nemeth, P.C.-General Counsel/Co-Administrator)
Joe Poretto (First Nonprofit)
Mario Poretto (First Nonprofit)
John Serapiglia (Polaris Galaxy/Risk Manager)

Jennifer Signs (PMA TPA)
Peter Soriero (SIP)
Myra Tufaro (Lincoln Risk Management)
Tim Weir (PMA Safety & Loss Control)
Justin Wilkinson (PMA TPA)

Chairman Tucci advised that Alternate Executive Board Commissioner Samsudeen would serve on the Executive Board today in place of Commissioner McNamara.

2. Approval of the Minutes of the Executive Board Meeting of August 10, 2023. It was moved by Kazmark, seconded by Vieiro, that the Minutes of the NJIIF's August 10, 2023 Executive Board Meeting be accepted as presented.

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

3. Correspondence: GC/Co-Administrator Nemeth reported that he received an email from DOBI seeking the filing of a report related to extension of vendor contracts. It is the NJIIF's view that the annual appointing resolutions satisfy the regulations regarding Exhibit A and that communications will be directed to DOBI in that regard.
4. Finance Report: CFO Calise reported that the monthly Fund financials through 9/24/23, including assessments and claims payments, are in the/ meeting packets, including the latest investment report.
5. Chairman's Report: Chairman Tucci welcomed Tom Carroll, who is now the Commissioner for the Borough of Wanaque, back to the NJIIF. In addition, Tucci conveyed his and the NJIIF's condolences upon the sudden death of Bill Homa, the former CFO for the Township of Cedar Grove and long-time Cedar Grove Alternate Commissioner to the NJIIF.
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 16, Closed Session, below.
 - e. Professionals Committee (Tucci).
 - Following details provided by Chairman Tucci and Co-Administrator Nemeth on the proposed addition of the firm of Semeraro & Fahrney LLC to the NJIIF ML Panel Defense Counsel list, it was moved by Lazorisak, seconded by Vieiro, to

approve Resolution NJIIF-P-2023-020: Addition of Semeraro & Fahrney LLC to the NJIIF ML Panel Defense Counsel list.

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

- Following details provided by Chairman Tucci and Co-Administrator Nemeth on the retention of The Ambrose Group LLC as NJIIF Police Operations Consultant, It was moved by Kazmark, seconded by Samsudeen, to approve Resolution NJIIF-P-2023-021: Appointment off The Ambrose Group LLC as NJIIF Police Operations Consultant.

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

- f. Budget/Finance Committee (McNamara). No report.
 - g. Safety/Risk Management Committee (Lazorisak). Commissioner Lazorisak reported that the Warren County Fire Academy created a class and program to address lithium battery fires and offered to share that information with the NJIIF Members.
 - h. Member & Development Committee (Kazmark) J. Gallo advised that his office is processing applications for three potential (3) new members. Commissioner
7. Risk Manager’s Report (Polaris Galaxy). J. Gallo reported that all Member 2024 applications have been received. Gallo also reported that the NJIIF is continuing to provide NJIIF Members with Hurricane Ida reimbursements and that payment is being coordinated with PMA and the NJIIF’s excess carriers. Gallo also announced that Polaris Galaxy will be hosting a dinner at the League of Municipalities.
 8. Director of Marketing Report (Barlas). Barlas reported that in addition to the three potential new member applications being processed, his office is speaking with at least two other prospects.
 9. Loss Control Consultant Report (PMA). Tim Weir provided an update as to PMA’s support for in- person training as well as PEOSHA compliance. PMA’s Safety Seen monthly newsletter has been circulated. Additionally, PMA is bringing back the Snow Plow Rodeo to take place on October 10, 2023 (with a rain date of October 12th) in Verona.
 10. TPA Report (PMA). J. Signs provided an update on aggregate WC claims received through 9/1/23, including the number of COVID cases. She reported that the total claims reported to date in 2023 are substantially lower than for the same period in 2022 and is below the 5-year average. Claims generally continue to be timely reported. Signs explained that the NJIIF has

a total of 412 reported COVID cases with 100 related claim petitions filed to date. Signs also reported that no COVID claims have been filed for three (3) months.

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

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

11. Bill List. It was moved by Vieiro, seconded by Kazmark to approve the September Bill List as presented.

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

12. Old Business – None.

13. New Business – None

14. Public Comment. Chairman Tucci opened the Public Comment Section of the Meeting. There being no public comment, Chairman Tucci closed the Public Comment period.

15. Presentation: Chairman Tucci introduced Joseph Poretto, Vice President, Sales & Marketing for First Nonprofit. First Nonprofit assists governmental entities in responding to statutory unemployment insurance obligations.

16. Closed Session. Following conclusion of the First Nonprofit presentation, Chairman Tucci requested a motion to go into Closed Session. It was moved by Lazorisak, seconded by Kazmark, that the Board move into Closed Session.

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

The Open Session portion of the September 28, 2023 Executive Board Meeting was suspended at 10:56 a.m.



**THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND
MINUTES OF PUBLIC MEETING – Closed Session Summary and
Adjournment**

September 28, 2023

Call to Order: Closed Session of the September 28, 2023 Meeting of the New Jersey Intergovernmental Insurance Fund was called to order at 10:58 a.m. via Zoom conference.

17. Roll Call:

Executive Board Members

Chairman: Thomas Tucci (Township of Wayne)

Keith Kazmark (Borough of Woodland Park)

Alex Lazorisak (Warren County)

Sheri Samsudeen (Township of Old Bridge) {substituting for Commissioner McNamara}

Donna M. Vieiro (City of Asbury Park)

Minutes of Closed Session August 10, 2023. It was moved by Vieiro, seconded by Samsudeen that the Minutes of Closed Session from the NJIIF’s meeting of August 10, 2023 be accepted as presented.

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

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

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

(* At this time, Commissioner Vieiro was called away from the meeting.)

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

Roll Call: *	
Aye	Tucci, Kazmark, Lazorisak, Samsudeen
Nay:	None
Abstain:	None

(* At this time, Commissioner Kazmark left the meeting.)

It was moved by Lazorisak, seconded by Samsudeen, to approve all actions presented in Closed Session of the September 28, 2023 Executive Board Meeting, including but not limited to requests for settlement authority for WC and/or ML matters listed in the Closed Session Motion and the coverage positions recommended in Closed Session.

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

17. Adjournment - There being no further business to discuss, it was moved by Lazorisak, seconded by Samsudeen, to adjourn the September 28, 2023 Executive Board Meeting.

Roll Call:	
Aye	Tucci, Lazorisak, Samsudeen
Nay:	None
Abstain:	None

The NJIIF's September 28, 2023 Meeting was adjourned at 11:44 a.m.



NEW JERSEY
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The Executive Board

CLOSED SESSION MATTERS



Closed Session Motion

For the October 26, 2023 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. Williams adv. City of Asbury Park (W003617082)----- RSA
2. Molina adv. City of Union City (W003640955)----- RSA

Case Update Reports for WC Fund Subrogation/Restitution Claims:

1. Thoma adv. Borough of Woodland Park (W003471135) ----- Recovery
2. Lawson adv. City of Asbury Park (W003856490) ----- Case Update
3. Jaworski adv. City of Bayonne (W003849954) ----- Case Update
4. Munoz adv. Township of Wayne (W003858013) ----- Case Update

Multi-Line Fund Claim Matters

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

1. Vitale v. Township of Aberdeen (2022) ----- Case Closure
2. Tobe v. Borough of Roselle Park (1489) ----- Case Closure
3. Berroa/Castillo v. City of Union City (2170) ----- Case Closure
4. Martinez v. City of Union City UIM (2248) ----- Case Closure
5. Price v. Union City Planning Board (1563) ----- Case Closure
6. Semenko v. Marquez (City of Union City) (2124) ----- Case Closure
7. Vargas v. City of Union City (1951-L) ----- RSA
8. Stinson v. Warren County (2028) ----- Case Closure
9. Stinson v. Warren County Mosq. Comm (2030) ----- Case Closure
10. Tomkevich v. Township of Wayne ZBA (2227) ----- Case Closure

Coverage Recommendations for New Claims/Litigation:

1. Peterson-Daily v. City of Asbury Park (2469 / TBA)
2. Warraich v. City of Asbury Park (2461 / L004177436)
3. Ortiz v. City of Bayonne (2463 / L004178345)
4. Torrella v. City of Bayonne (2460 / L004174403)
5. Ferrara v. Township of Cedar Grove (2464 / TBA)
6. Gawroriski v. Township of Old Bridge (2462 / L004178380)
7. In Re: Paula Baez adv. City of Union City (2468 / TBA)
8. New Jersey Transit v. City of Union City