

NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND



Thursday, May 25, 2023

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

Agenda and Reports

Thursday, May 25, 2023

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 – April 27, 2023
 - Motion to approve minutes of Executive Board Meeting – April 27, 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)
 - g. Safety/Risk Management (Lazorisak)
 - Resolution No. NJIIF-P-2023-017: Appointment of Dynamic Testing Service To Provide Random Drug Testing Services
 - 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 April 27, 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 April 27, 2023

THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND
MINUTES OF PUBLIC MEETING
April 27, 2023

Call to Order: A meeting of the New Jersey Intergovernmental Insurance Fund was called to order on Thursday, April 27, 2023, at 10:01 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 Cedar Grove)

Mayor Keith Kazmark (Borough of Woodland Park)

Beverley Konopada (Borough of Mantoloking)

Cpt. Walter Laurencio (City of Union City)

Alex Lazorisak (Warren County)

Alex Palumbo (Township of Cedar Grove)

Donna M. Vieiro (City of Asbury Park)

Executive Board Alternates, Commissioners and Commissioner Alternates

Denise Callery (City of Asbury Park)

Joseph D'Arco (Township of Verona)

Gregg Schuster (Township of Maplewood)

Sheri Samsudeen (Township of Old Bridge)

Joe Wassel (Borough of Totowa)

NJIIF Professionals, Risk Managers and Others

Al Barlas (Director of Marketing/Co-Administrator)

Robert Calise (CMFO)

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

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)

Maria Makos (SIP)

John Matthews (PMA Safety & Loss Control)

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

Joe Razzano (Fairview Insurance)

John Serapiglia (Polaris Galaxy/Risk Manager)

Jennifer Signs (PMA TPA)

Myra Tufaro (Lincoln Risk Management)

Chairman Tucci announced that this would be Commissioner Alex Palumbo’s last meeting; he has accepted the Borough Administrator position with the Borough of Caldwell. Everyone wished him well.

2. Approval of the Minutes of the Executive Board Meeting of March 23, 2023. It was moved by Kazmark, seconded by Laurencio, that the Minutes of the NJIIF’s March 23, 2023 Executive Board Meeting be accepted as presented.

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

3. Correspondence: None.
4. Finance Report: CFO Calise reported that the monthly Fund financials through 4/24/23, including assessments and claims payments, are in the/ meeting packets, including the latest investment report as of 4/24/23.
5. Chairman’s Report: Chairman Tucci stated that many police departments are struggling with crossing guard safety and recruitment.
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. Additionally, following a summary by Risk Manger J. Gallo, Konopada introduced Resolution No. NJIIF-P-2023-015: Appointment of Cbiz Valuation Group, LLC to provide property appraisal assessments for 2023. It was moved by Konopada, seconded by Lazorisak, to adopt Resolution No. NJIIF-P-2023-015 Appointment of Cbiz Valuation Group, LLC to provide property appraisal assessments for 2023.

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

- e. Professionals/Management Oversight Committee (Tucci). Following an explanation by GC/Co-Administrator Nemeth, Chairman Tucci introduced Resolution No. NJIIF-P-2023-016: Appointment of O’Toole Scrivo, LLC to the ML Matters Panel Counsel List. It was moved by Lazorisak, seconded by Kazmark, to adopt Resolution No.

NJIIF-P-2023-016 Appointment of O’Toole Scrivo, LLC to the ML Matters Panel Counsel List

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

- f. Budget/Finance Committee (McNamara). No report.
- g. Safety/Risk Management Committee (Lazorisak). No report.
- 7. Member & Development Committee (Kazmark) Commissioner Kazmark provided an update on development of the NJIIF’s new logo and the website redesign process, and indicated that Director of Marketing Barlas would provide more details in his report.
- 8. Risk Manager’s Report – (Polaris Galaxy). J. Gallo reported that the Property coverage renewal is in full swing that that he expects to have a full summary by the May or June Board meeting.
- 9. Director of Marketing Report (Barlas). Marketing Director/Co-Administrator Barlas previewed the NJIIF’s new logo and website design. Barlas also reported that Safety National has hundreds of online courses for its insured and it is expected that these resources will be available through the new NJIIF website. Barlas further reported that in addition to a recent meeting/tutorial with “Inventive” regarding its RMIS software, he will be meeting with another RMIS software provider, Origami Risk.
- 10. Loss Control Consultant Report –(PMA) John Matthews reported that PMA continues to provide compliance training and support to the NJIIF’s members. In addition, Matthews reported that there is a new fungus outbreak (mostly in hospitals and healthcare settings) and that his office is reviewing the issue with first responders.
- 11. TPA Report – (PMA) Jennifer Signs provided an update on aggregate WC claims received through 4/1/23, including the number of reported 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 and that claims generally continue to be timely reported. Signs explained that the NJIIF has a total of 411 reported COVID cases with 96 related claim petitions filed to date.

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

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

12. Bill List- It was moved by Lazorisak, seconded by Palumbo to approve the February Bill List as presented.

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

13. Old Business – None.

14. New Business – GC/Co-Admin Nemeth reported that the NJIIF is considering adding Random Drug Testing to its list of Member services; Nemeth further reported that we have received a proposal from Dynamic Testing Service and would most likely implement a trial for 2023 for a few select members.

15. 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.

Chairman Tucci thanked GC/Co-Admin Nemeth for his hard work and dedication to the NJIIF.

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

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

The Open Session portion of the April 27 ,2023 Executive Board Meeting was suspended at 10:34 a.m.

THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND
MINUTES OF PUBLIC MEETING—Closed Session Summary and Adjournment
April 27, 2023

Call to Order: Closed Session of the April 27, 2023 Meeting of the New Jersey Intergovernmental Insurance Fund was called to order at 10:36 a.m. via Zoom conference.

17. Roll Call:

Executive Board Members

Chairman: Thomas Tucci (Township of Cedar Grove)

Mayor Keith Kazmark (Borough of Woodland Park)

Beverley Konopada (Borough of Mantoloking)

Cpt. Walter Laurencio (City of Union City)

Alex Lazorisak (Warren County)

Alex Palumbo (Township of Cedar Grove)

Donna M. Vieiro (City of Asbury Park)

Minutes of Closed Session March 23, 2023. It was moved by Vieiro, seconded by Kazmark that the Minutes of Closed Session from the NJIIF's meeting of March 23, 2023 be accepted as presented.

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

It was moved by Lazorisak, seconded by Konopada, that the WC Claims recommendations and Fund Counsel's Report be accepted as presented, including the removal of the McCallister v Asbury Park claim from the approval list.

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

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

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

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

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

It was moved by Konopada, seconded by Vieiro, to approve all actions presented in Closed Session of the April 27, 2023 Executive Board Meeting, including but not limited to requests for settlement authority, if any, for WC and/or ML matters listed in the Closed Session Motion and the coverage positions recommended in Closed Session.

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

18. Adjournment – There being no further business to discuss, it was moved by Kazmark, seconded by Lazorisak, to adjourn the April 27, 2023 Executive Board Meeting.

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

The NJIIF's April 27, 2023 Meeting was adjourned at 11:34 a.m.

NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND



The Executive Board

CLOSED SESSION MATTERS

Closed Session Motion

For the May 25, 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. Alvarado v. Township of Maplewood (W002248728)-----RSA
2. Hannigan v Maplewood (W003362910) -----RSA
3. Martinez v. City of Union City (W003083162) -----RSA
4. Moore v. City of Union City (W003140329, W003304377 -----RSA and W003339568)
5. Almeida v. Warren County (W001416721)-----RSA
6. Allman v Wayne (W001069056)-----RSA
7. Daroch v. Township of Wayne (W003184639) -----RSA

Case Update Reports for WC Fund Subrogation/Restitution Claims:

1. Bergbauer adv. City of Union City (W002162957)-----Recovery
2. Jacob adv. Borough of Wanaque (W003764399) -----Pending Matter
3. Powers adv. Township of Wayne (W003765105) -----Pending Matter
4. Cook adv. Borough of Woodland Park (W003758565)-----Pending Matter

Multi-Line Fund Claim Matters

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

1. Harris v. City of Asbury Park (2167)-----Case Closure
2. Shueib v. Asbury Park (2233) -----Case Closure
3. Gunshevski v. City of Bayonne (2237)-----RSA
4. Khan v. City of Bayonne (1873) -----Case Closure
5. Sweeney v. City of Bayonne (2158)-----RSA
6. Colaneri v. Borough of Hasbrouck Heights (2067)-----Case Closure
7. Chang v. Old Bridge (2205) -----Case Closure
8. Singh v. Township of Old Bridge (2334) -----Case Closure
9. Toth v. Township of Old Bridge (1787) -----Case Closure
10. Recio v. City of Union City (1951-H)-----RSA
11. Hedemus v. Borough of Woodland Park (1946)-----RSA

Coverage Recommendations for New Claims/Litigation:

1. Breakwater Treatment & Wellness v. City of Asbury Park (2407/L004003952)
2. Kelly v. Township of Old Bridge (2409/L004009974)
3. Huerta v. City of Union City (2408/TBA)
4. Nin-Cuello v. City of Union City (2405/L003444525)
5. Miranda v. Township of Verona (2406/L004009835)
6. In Re: Galinus and Kershaw-Borough of Wanaque (2404/L004001823)

7. Alberti v. Township of Wayne (2404/L004003550)
8. Frech v. Township of Wayne (2410/L004010830)