

NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND



Thursday, June 22, 2023

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

Agenda and Reports

Thursday, June 22, 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. Adjournment of the May 25, 2023 Executive Board Meeting
 - Motion to Adjourn the Executive Board Meeting of May 25, 2023
3. Approval of Executive Board Meeting Minutes – May 25, 2023
 - Motion to approve minutes of Executive Board Meeting – May 25, 2023
4. Correspondence
5. Finance Report- (Robert Calise)
6. Chairman's Report
7. Committee Reports
 - a. Nominating (McNamara)
 - b. By-Laws (Kazmark)
 - c. Legislative (Vieiro)
 - d. Coverage (Konopada)
 - e. Professionals/Management Oversight (Tucci)

- Introduction of Resolution NJIIF-P-2023-018, Appointment of AIS Risk Management as Actuary for the NJIIF
 - Motion to approve Resolution NJIIF-P-2023-018, Appointment of AIS Risk Management as Actuary for the NJIIF
- Introduction of Resolution NJIIF-P-2023-019, Appointment of Additional Panel Defense Counsel for Multi-Line Matters
 - Motion to approve Resolution NJIIF-P-2023-019, Appointment of Additional Panel Defense Counsel for Multi-Line Matters

f. Budget/Finance (McNamara)

- Motion to approve the Second Amended 2023 Budget.
- Authority for NJIIF Risk Manager to bind coverage for Property and Cyber Liability for 7/1/23 through 6/30/24
- Introduction of Resolution NJIIF-O-2023-020, Approval of Payment of McAllister Workers Compensation Tail Claim on behalf of the City of Asbury Park
 - Motion to approve Resolution NJIIF-O-2023-020, Approval of Payment of McAllister Workers Compensation Tail Claim on behalf of the City of Asbury Park

g. Safety/Risk Management (Lazorisak)

h. New Member & Development (Kazmark)

8. Risk Manager's Report (John Serapiglia, Polaris Galaxy)

9. Director of Marketing Report (Al Barlas)

10. WC Loss Control Consultant's Report (Tim Weir, PMA)

11. TPA Report (Jennifer Signs, PMA)

- Motion to approve all Professionals' Reports

12. Bill List (Robert Calise)

- Motion to approve Bill List

13. Old Business

14. New Business

15. 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 NJIF 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)

16. *Closed Session – (Eric Nemeth, Esq., Eric J. Nemeth, PC) – Closed Session Matters*

- Motion to approve minutes of Closed Session from May 25, 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.

17. Adjournment

NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND



The Executive Board

MINUTES

Executive Board Meeting of May 25, 2023

THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND
MINUTES OF PUBLIC MEETING
May 25, 2023

Call to Order: A meeting of the New Jersey Intergovernmental Insurance Fund was called to order on Thursday, May 25, 2023, at 10:00 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)

Beverley Konopada (Borough of Mantoloking)

Cpt. Walter Laurencio (City of Union City)

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)

Joseph D'Arco (Township of Verona)

Sheri Samsudeen (Township of Old Bridge)

NJIIF Professionals, Risk Managers and Others

Ezio Altamura (GEM-Otterstedt Agency)

Al Barlas (Director of Marketing/Co-Administrator)

Lou Beckerman (Acrisure)

Suzanne Bridge (Brown & Brown)

Robert Calise (CMFO)

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

Justin Gallo (Polaris Galaxy/Risk Manager)

Bob Gemmell (Brown & Brown)

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

Michael Kronyak (Financial Consultant)

Angelo Lobosco (Lobosco Insurance Group)

Maria Makos (SIP)

John Matthews (PMA Safety & Loss Control)

Spiro Molfetas (Polaris Galaxy/Risk Manager)

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

John Serapiglia (Polaris Galaxy/Risk Manager)

Jennifer Signs (PMA TPA)

Scott Stohrer (PMA Safety & Loss Control)

Tim Weir (PMA Safety & Loss Control)

Chairman Tucci announced that Commissioner Sukaina Barlas (Township of Cedar Grove) and Commissioner Joe D’Arco (Township of Verona) would be voting today in the absence of Commissioners Lazorisak and Kazmark.

2. Approval of the Minutes of the Executive Board Meeting of April 27, 2023. It was moved by Konopada, seconded by Laurencio, that the Minutes of the NJIIF’s April 27, 2023 Executive Board Meeting be accepted as presented.

Roll Call:
Aye: Tucci, Barlas, D’Arco, Konopada, , Laurencio, Viero
Nay: None
Abstain: None

3. Correspondence: None.
4. Finance Report: CFO Calise reported that the monthly Fund financials through 5/22/23, including assessments and claims payments, are in the/ meeting packets, including the latest investment report as of 5/22/23. Calise advised that new CDs being opened are expected to earn interest at 4.85%.
5. Chairman’s Report: Chairman Tucci remarked on current events impacting the NJIIF.
6. Committee Reports
 - a. Nominating Committee (McNamara) – No report.
 - b. By-Law Committee (Kazmark) – No report.
 - c. Legislative Committee (Viero) – Commissioner Viero and CMFO Calise reported that the State is sending out letters requiring the return of unused emergency funds in order to assist in the balancing of the State budget.
 - d. Coverage Committee (Konopada) –See Agenda Item 16, Closed Session, below.
 - e. Professionals/Management Oversight Committee (Tucci). No report.
 - f. Budget/Finance Committee (McNamara). No report.
 - g. Safety/Risk Management Committee (Lazorisak). GC/Co-Admin Nemeth introduced Resolution No. NJIIF-P-2023-017, Appointment of Dynamic Testing Services to perform random drug testing for CDL drivers as a new service offered to members on a trial/pilot scale basis. It was moved by Konopada, seconded by Viero, to adopt Resolution No. NJIIF-P-2023-017 Appointment of Dynamic Testing Services to perform random drug testing.

Roll Call:
Aye: Tucci, Barlas, D’Arco, Konopada, Laurencio, Vieiro
Nay: None
Abstain: None

7. Member & Development Committee (Kazmark) No report.
8. Risk Manager’s Report – (Polaris Galaxy). J. Gallo reported that the Cbiz property appraisal program is underway. Further, payment of claims as a result of Hurricane Ida are wrapping up. Finally, Gallo stated that Property and Cyber liability coverage renews on July 1, and that quotes are being obtained. It is anticipated that there will be material increases for 2023-2024.
9. Director of Marketing Report (Barlas). No report.
10. Loss Control Consultant Report –(PMA) Tim Weir thanked the NJIIF for sponsoring the CDL training for supervisors. Weir also reported that PEOSH has been very active and he urged members to reach out to PMA for assistance. Finally, Weir reminded everyone of the Webinars offered through PMA. Chairman Tucci commented on the safety aspects of lithium batteries especially with respect to first responders. John Matthews indicated that information regarding the safety of lithium batteries was included in PMA’s monthly newsletter. Nemeth commented that the City of Union City is ramping up its safety programs and PMA will be assisting in that endeavor.
11. TPA Report – (PMA) Jennifer Signs provided an update on aggregate WC claims received through 5/1/23, 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 411 reported COVID cases with 9 related claim petitions filed to date. Signs also reported that May 2023 is the first month since the beginning of the COVID pandemic (March 2020) that no COVID claims were filed.

It was moved by D’Arco seconded by Vieiro to approve all Professionals’ Reports.

Roll Call:
Aye Tucci, Barlas, D’Arco, Konopada, , Laurencio, Vieiro
Nay: None
Abstain: None

12. Bill List-. It was moved by Barlas, seconded by Laurencio to approve the May Bill List as presented.

Roll Call:
Aye Tucci, Barlas, D’Arco, Konopada, , Laurencio, Vieiro
Nay: None
Abstain: None

13. Old Business – None.
14. New Business – Chairman Tucci discussed having future Executive Board meetings in person. Nemeth explained that his office would be re-posting the NJIIF’s RFP for Multi-Line Panel Defense Counsel due to a need for additional firms to handle general liability cases.
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.
16. Closed Session - It was moved by Vieiro, seconded by Konopada, that the Board move into Closed Session.

Roll Call:	
Aye:	Tucci, Barlas, D’Arco, Konopada, , Laurencio, Vieiro
Nay:	None
Abstain:	None

The Open Session portion of the May 25, 2023 Executive Board Meeting was suspended at 10:26 a.m.

**THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND
MINUTES OF PUBLIC MEETING—Closed Session Summary and Adjournment
May 25, 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)

Beverley Konopada (Borough of Mantoloking)

Cpt. Walter Laurencio (City of Union City)

Donna M. Vieiro (City of Asbury Park)

(Sukaina Barlas (Township of Cedar Grove) and Commissioner Joe D’Arco (Township of Verona) voting today in the absence of Commissioners Lazorisak and Kazmark)

Minutes of Closed Session April 27, 2023. It was moved by Vieiro, seconded by Laurencio that the Minutes of Closed Session from the NJIIF’s meeting of April 27, 2023 be accepted as presented.

Roll Call:
Aye: Tucci, Barlas, D’Arco, Konopada, Laurencio, Vieiro
Nay: None
Abstain: None

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

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

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

Roll Call:
Aye: Tucci, Barlas, D’Arco, Konopada, Laurencio, Vieiro
Nay: None
Abstain: None

It was moved by D’Arco, seconded by Laurencio, to approve all actions presented in Closed Session of the May 25, 2023, 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, Barlas, D'Arco, Konopada, Laurencio, Viero
Nay:	None
Abstain:	Each Executive Board Member abstains as to claims against its Member entity.

Chairman Tucci extended best wishes for a safe holiday weekend and to keep the Fallen in their thoughts.

The NJIIF's May 25, 2023 Meeting thereafter concluded without formal adjournment at 11:34 a.m.

NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND



The Executive Board

CLOSED SESSION MATTERS

Closed Session Motion

For the June 22, 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. Keller adv. Township of Old Bridge (W003384690)-----RSA

Case Update Reports for WC Fund Subrogation/Restitution Claims:

2. Rodriguez adv. City of Union City (W003774807)-----Pending Matter
3. Santos adv. City of Union City (W003775435) -----Pending Matter
4. Seminario adv. City of Union City (W003765981)-----Pending Matter

Multi-Line Fund Claim Matters

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

1. Lopez v. City of Bayonne (2017) ----- Case Closure
2. Mena-Ramos v. City of Bayonne (2190)----- Case Closure
3. Mulcahy v. City of Bayonne (1651) ----- Case Closure
4. Bones v. Township of Old Bridge (2091)----- Case Closure
5. Frometa v. Union City (1990) ----- RSA
6. Martinez v City of Union City (2086)----- Case Closure
7. Bonhomme v. Borough Wanaque (2327) ----- Case Closure
8. 1777 Wayne Medical v. Township of Wayne ZBA (2173) ----- Case Closure
9. Pavlak v. Township of Wayne (1609)----- Case Closure

Coverage Recommendations for New Claims/Litigation:

1. Clay/Bennett v. City of Asbury Park (2427 / L004022959)
2. McLean v. City of Asbury Park (2428 / L004023482)
3. Old v. City of Asbury Park (2425 / L003764326)
4. Diaz-Mendez v. Stancampiano v. City of Bayonne (2415 / L003395050)
5. Rojas v. City of Bayonne (2416 / L004013433)
6. Muneer v. Township of Cedar Grove (2411 / L004018727)
7. DeSimone v. Township of Old Bridge (2422 / L004018366)
8. Mendez, Estate of Luke v. Township of Old Bridge (2414 / L004013127)
9. Mohamed v. Township of Old Bridge (2412 / L004013127)
10. NAPP Brothers Properties v. Township of Old Bridge (2429 / L004023463)
11. Robinson v. Township of Old Bridge (2424 / L004020648)
12. Roshdy v. Township of Old Bridge (2413 / L004013127)
13. Holmes v. Borough of Totowa (2418 / L004015198)
14. Rivera v. City of Union City (2423 / L004021746)
15. Vasquez v. City of Union City (2420 / L003896983)

16. Vasquez v. Union City Parking Authority (2421 / L004018984)
17. Lorenzo v. Township of Verona (2419 / L003857260)
18. Maciuski v. Warren County (2426 / L003870409)
19. DeMaio Electrical Co. v. Township of Wayne (2417 / TBA)