

**NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND**



**Thursday, February 23, 2023**

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

**Agenda and Reports**

**Thursday, February 23, 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 – January 25, 2023
  - Motion to approve minutes of Executive Board Meeting – January 25, 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)
    - Motion to amend the 2023 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 January 25, 2023 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.

## 16. Adjournment

NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND



*The Executive Board*

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## ***MINUTES***

Executive Board Meeting of January 25, 2023

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

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Call to Order: A meeting of the New Jersey Intergovernmental Insurance Fund was called to order on Wednesday, January 25, 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 Cedar Grove)

Mayor Keith Kazmark (Borough of Woodland Park)

Beverley Konopada (Borough of Mantoloking)

Alex Palumbo (Township of Cedar Grove)

Executive Board Alternates, Commissioners and Commissioner Alternates

Sukaina Barlas (Township of Cedar Grove)

Bailey Barnette (Township of Maplewood)

Denise Callery (City of Asbury Park)

Joe D'Arco (Township of Verona)

Katelyn Haroldson (Township of Mine Hill)

Sheri Samsudeen (Township of Old Bridge)

Joe Wassell (Borough of Totowa)

NJIIF Professionals, Risk Managers and Others

David Balken (Balken Risk)

Al Barlas (Director of Marketing/Co-Administrator)

Lou Beckerman (Acricusre)

Robert Calise (CMFO)

Dominick Cinelli (Brown & Brown)

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

Zach Edelman (Fairview Insurance) (joined call at 10:45 a.m.)

Justin Gallo (Polaris Galaxy/Risk Manager)

Bob Gemmell (Brown & Brown)

Joe Gentile (GJEM-Otterstedt Agency)

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 J. Molfetas (Polaris Galaxy/Risk Manager)

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

Wayne Ring (Brown & Brown)

John Serapiglia (Polaris Galaxy/Risk Manager)

Jennifer Signs (PMA TPA)  
Scott Stohrer (PMA Safety & Loss Control)  
Tim Weir (PMA Safety & Loss Control)

Commissioner Tucci announced that Alternates Denise Callery (City of Asbury Park) and Sheri Samsudeen (Township of Old Bridge) would vote with the Executive Board today in the absence of Commissioners Vieiro and Laurencio.

2. Approval of the Minutes of the Executive Board Meeting of December 15, 2022. It was moved by Kazmark, seconded by Palumbo, that the Minutes of the NJIIF's December 15, 2022 Executive Board Meeting be accepted as presented.

Roll Call:
Aye: Tucci, Callery, Kazmark, Konopada, Palumbo, Samsudeen
Nay: None
Abstain: None

3. Approval of the Minutes of the Executive Board Meeting of December 29, 2022. It was moved by Samsudeen, seconded by Kazmark, that the Minutes of the December 29, 2022 Executive Board Meeting of the New Jersey Intergovernmental Insurance Fund be accepted as presented.

Roll Call:
Aye: Tucci, Callery, Kazmark, Palumbo, Samsudeen
Nay: None
Abstain: Konopada

4. Approval of the Minutes of the Reorganization Meeting of the New Jersey Intergovernmental Insurance Fund of January 5, 2023. It was moved by Konopada, seconded by Kazmark, that the Minutes of the January 5, 2023 Reorganization Meeting of the New Jersey Intergovernmental Insurance Fund be accepted as presented.

Roll Call:
Aye: Tucci, Kazmark, Konopada, Palumbo, Samsudeen
Nay: None
Abstain: Callery

5. Correspondence: None.
6. Finance Report: CFO Calise reported that the monthly Multi Line and Workers Compensation Fund financials through 1/15/23, including assessments and claims payments, are in the/ meeting packets, including the latest investment report as of 1/15/23.
7. Chairman's Report: Chairman Tucci announced the 2023 Committee assignments.
8. 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 17, Closed Session, below
  - e. Professionals/Management Oversight Committee (Tucci). No Report.
  - f. Budget/Finance Committee (McNamara). No report.
  - g. Safety/Risk Management Committee (Lazorisak). No report.
  - h. Member & Development Committee (Kazmark) No report.
9. Risk Manager’s Report – (Polaris Galaxy). J. Gallo reported that members will be receiving their first 2023 assessment invoice which payment is due in February. Gallo noted that there was an uptick in the EAP program usage based upon the report issued by the Sand Creek Group. Gallo also reported that the property appraisal program will be underway shortly. Also he reminded Members that property and cyber coverage renewal will take place in July.
10. Loss Control Consultant Report –(PMA) Tim Weir reminded everyone of PMA’s Webservice programs and topics and encouraged all to participate. Weir advised that PMA is scheduling Risk Control Forums for 2023, the first of which will take place on February 17, 2023 at the Union County Department of Public Safety, entitled “Railroad Investigation & Safety”. Weir also advised that his team has received notice of forthcoming clean truck regulations (“stop the soot”) promulgated by the NJDEP and that his office would continue to monitor this matter.
11. TPA Report – (PMA) Jennifer Signs provided an update on aggregate WC claims received through 1/1/23, including the number of reported COVID cases. She also reported on year end claims for 2022 and advised that total incurred losses for 2022 are substantially lower than the five year average. She reported that claims generally continue to be timely reported. Signs further reported that the NJIIF has a total of 404 reported COVID cases with 96 related claim petitions filed to date.

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

Roll Call:	
Aye	Tucci, Callery, Kazmark, Konopada, Palumbo, Samsudeen
Nay:	None
Abstain:	None



12. Bill List-. It was moved by Konopada, seconded by Kazmark to approve the Amended January Bill List as presented.

Roll Call:
Aye: Tucci, Callery, Kazmark, Konopada, Palumbo, Samsudeen
Nay: None
Abstain: None

13. Old Business – No report.

14. New Business – GC/Co-Administrator Nemeth announced that the PRIMA Conference registration for 2023 is open. It will be held June 4-6, 2023 in Long Beach, California. Nemeth indicated that anyone interested in attending should contact him or Justin Gallo for further information.

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 Kazmark, seconded by Konopada, that the Board move into Closed Session.

Roll Call:
Aye: Tucci, Callery, Kazmark, Konopada, Palumbo, Samsudeen
Nay: None
Abstain: None

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

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

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Call to Order: Closed Session of the January 25, 2023 Meeting of the New Jersey Intergovernmental Insurance Fund was called to order at 10:28 a.m. via Zoom conference.

17. Roll Call:

Executive Board Members

Chairman: Thomas Tucci (Township of Cedar Grove)

Secretary: Heather McNamara (Township of Wayne) (joined call at 10:28 am)

Mayor Keith Kazmark (Borough of Woodland Park)

Beverley Konopada (Borough of Mantoloking)

Alex Palumbo (Township of Cedar Grove)

Executive Board Alternates, Commissioners and Commissioner Alternates

Denise Callery (City of Asbury Park)

Sheri Samsudeen (Township of Old Bridge)

Minutes of Closed Session December 15, 2022. It was moved by Kazmark, seconded by Samsudeen that the Minutes of Closed Session from the Fund's meeting of December 15, 2022 be accepted as presented.

Roll Call:
Aye: Tucci, McNamara , Callery, Kazmark, Palumbo, Samsudeen
Nay: None
Abstain: Konopada

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

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

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

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

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

Roll Call:	
Aye	Tucci, McNamara , Callery, Kazmark, Konopada, Palumbo, Samsudeen
Nay:	None
Abstain:	None

It was moved by Palumbo, seconded by Kazmark, to approve all actions presented in Closed Session of the January 25, 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, McNamara , Callery, Kazmark, Konopada, Palumbo, Samsudeen
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 Callery, to adjourn the January 25, 2023 Executive Board Meeting.

Roll Call:	
Aye	Tucci, McNamara , Callery, Kazmark, Konopada, Palumbo, Samsudeen
Nay:	None
Abstain:	None

The NJIIF's January 25, 2023 Meeting was adjourned at 11:33 a.m.

NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND



*The Executive Board*

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***CLOSED SESSION MATTERS***

## Closed Session Motion

### For the February 23, 2023 Meeting of the New Jersey Intergovernmental Insurance Fund

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Following are the matters to be discussed in Closed Session:

#### **Workers Compensation Claim Matters**

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

1. Kirchgessner adv. City of Asbury Park (W0002921459)-----RSA
2. Soto adv. City of Union City (W003293111)-----RSA
3. Morely adv. Warren County (W003018658)-----RSA

##### Case Update Reports for Subrogation/Restitution Claims:

1. Portenti adv. City of Bayonne (W003011700)-----Recovery
2. Gaston adv. City of Union City (W003350567)-----Pending Matter

#### **Multi-Line Claim Matters**

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

1. Love v. City of Asbury Park (1671)-----RSA
2. Harvie v. City of Bayonne (1674)-----Case Closure
3. PBA adv, Chief Colaneri/Hasbrouck Heights (1960)-----Case Closure
4. Scudder v. Township of Maplewood (1796)-----Case Closure
5. Castillo/DelRosario v. City of Union City (2170)-----RSA
6. Mojali v. City of Union City (2285)-----Case Closure
7. Paik/New Day Spa v. City of Union City (2018)-----Case Closure
8. Gish v. Township of Wayne (2104)-----Case Closure

##### Coverage Recommendations for New Claims/Litigation:

1. In Re: Blackmon (City of Asbury Park) (2379/TBA)
2. Farparan v. City of Asbury Park (2375/L003952872)
3. Mazzarro v. City of Asbury Park (2371/L003949836)
4. Stierle v. City of Asbury Park (2376/L003908743)
5. Turner v. City of Asbury Park (2378/L003787199)
6. In Re: Virtgaym II (City of Asbury Park) (2381/L003962183)
7. State of NJ (Teira) v. City of Bayonne (Wotjkowski) (2373/L003962155)
8. Dabal v. Borough of Hasbrouck Heights (2371/L003689954)
9. Pietz v. Borough of Hasbrouck Heights (2370/L003950592)
10. Nappi Trucking v. Township of Old Bridge (2374/L003859443)
11. Nunez, Nelson v. City of Union City (2380/TBA)