

NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND



Thursday, March 23, 2023

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

Agenda and Reports

Thursday, March 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 – February 23, 2023
 - Motion to approve minutes of Executive Board Meeting – February 23, 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)

- h. New Member & Development (Kazmark)
 - Appointment of Website and Logo Design Consultant
 - Motion to adopt Resolution NJIIF-P-2023-014: Appointment of MAD Global Strategy Group as Website and Logo Design Consultant
- 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 February 23, 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

MINUTES

Executive Board Meeting of February 23, 2023

THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND
MINUTES OF PUBLIC MEETING
February 23, 2023

Call to Order: A meeting of the New Jersey Intergovernmental Insurance Fund was called to order on Thursday, February 23, 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 Palumbo (Township of Cedar Grove)

Donna M. Vieiro (City of Asbury Park)

Executive Board Alternates, Commissioners and Commissioner Alternates

Sukaina Barlas (Township of Cedar Grove)

Bailey Barnette (Township of Maplewood)

Denise Callery (City of Asbury Park)

Katelyn Haroldson (Township of Mine Hill)

Sheri Samsudeen (Township of Old Bridge)

Joe Wassell (Borough of Totowa)

NJIIF Professionals, Risk Managers and Others

Ezio Altamura (GJEM-Otterstedt Agency)

Al Barlas (Director of Marketing/Co-Administrator)

Lou Beckerman (Acricusre)

Robert Calise (CMFO)

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)

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

Michael Kronyak (Financial Consultant)

Angelo Lobosco (Lobosco Insurance Group)

Maria Makos (SIP)

Spiro J. Molfetas (Polaris Galaxy/Risk Manager)

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

Wayne Ring (Brown & Brown)

Jennifer Signs (PMA TPA)

Scott Stohrer (PMA Safety & Loss Control)

Myra Tufaro (Lincoln Risk Management)
Tim Weir (PMA Safety & Loss Control)

2. Approval of the Minutes of the Executive Board Meeting of January 25, 2023. It was moved by Kazmark, seconded by Konopada, that the Minutes of the NJIIF's January 25, 2023 Executive Board Meeting be accepted as presented.

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

3. Correspondence: None.
4. Finance Report: CFO Calise reported that the monthly Fund financials through 2/19/23, including assessments and claims payments, are in the/ meeting packets, including the latest investment report as of 2/19/23.
5. Chairman's Report: No report.
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 17, Closed Session, below
 - e. Professionals/Management Oversight Committee (Tucci). Chairman Tucci inquired about the status of the Broker Agreements and the Defense Counsel Contracts; GC/Co-Admin Nemeth indicated that several RMC agreements are outstanding and that completed defense counsel agreements are slowly being returned.
 - f. Budget/Finance Committee (McNamara). Following summaries of 2023 Budget amendments by CFO Calise and Financial Consultant Kronyak, it was moved by Vieiro, seconded by Kazmark, that the 2023 Budget Amendment be adopted.

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

- g. Safety/Risk Management Committee (Lazorisak). No report.
- h. Member & Development Committee (Kazmark) No report.

7. Risk Manager’s Report – (Polaris Galaxy). J. Gallo reported that he and PMA/Safety & Loss Control consultant Tim Wier will be making an in-person presentation about the EAP program to the City of Union City.
8. Director of Marketing Report (Barlas). Al Barlas reported that he, GC/Co-Admin Nemeth and J. Gallo conducted an initial assessment of the request by the City of Paterson to be considered for membership, however, it was determined that it was not in the NJIIF’s best interest to pursue that application. Barlas also reported that he is investigating options to update the NJIIF’s website and logo, and will present a summary to the Executive Board for review and discussion at a later meeting. Additionally, his office is working with Safety National to ensure members are aware of the free training that they have available.
9. Loss Control Consultant Report –(PMA) Tim Weir reported that its first Risk Control Forum for 2023, “Railroad Investigation & Safety”, was well attended. Weir also advised that his office made multiple in-person Member contacts regarding OSHA and PEOSH requirements. Finally, Weir reported that PMA will present a webinar on March 9 regarding slips and falls.
10. TPA Report – (PMA) Jennifer Signs provided an update on aggregate WC claims received through 2/1/23, including the number of reported COVID cases. She also reported that the total claims reported so far in 2023 are substantially lower than for the same period in 2022 and is below the 5 year average. She reported that claims generally continue to be timely reported. Signs further reported that the NJIIF has a total of 406 reported COVID cases with 96 related claim petitions filed to date.

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

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

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

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

12. Old Business – None.
13. New Business – J. Wassel (Borough of Totowa) inquired about the availability of random drug and alcohol testing. Chairman Tucci and GC/Co-Admin Nemeth advised that the NJIIF would investigate the Borough’s needs in this area.

14. 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.
15. Closed Session - It was moved by Kazmark, seconded by Konopada, that the Board move into Closed Session.

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

The Open Session portion of the February 23 ,2023 Executive Board Meeting was suspended at 10:31 a.m.

**THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND
MINUTES OF PUBLIC MEETING—Closed Session Summary and Adjournment
February 23, 2023**

Call to Order: Closed Session of the February 23, 2023 Meeting of the New Jersey Intergovernmental Insurance Fund was called to order at 10:33 a.m. via Zoom conference.

16. 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 Palumbo (Township of Cedar Grove)

Donna M. Vieiro (City of Asbury Park)

Minutes of Closed Session January 25, 2023. It was moved by Kazmark, seconded by Konopada that the Minutes of Closed Session from the NJIIF's meeting of January 25, 2023 be accepted as presented.

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

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

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

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

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

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

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

It was moved by Vieiro, seconded by Palumbo, to approve all actions presented in Closed Session of the February 23, 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.

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| Roll Call: | |
| Aye | Tucci, Kazmark, Konopada, Laurencio, Palumbo, Vieiro |
| 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 Kazmark, seconded by Konopada, to adjourn the February 23, 2023 Executive Board Meeting.

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

The NJIIF's February 23, 2023 Meeting was adjourned at 11:38 a.m.

NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND



The Executive Board

CLOSED SESSION MATTERS

Closed Session Motion

For the March 23, 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. Nadeu adv. Morris Township (W001069570)-----RSA
2. Armas adv. City of Union City (W003366892)-----RSA
3. Ojeda adv. City of Union City (W002232628)-----RSA
4. Watson adv. City of Union City (W002403799)-----RSA

Case Update Reports for WC Fund Subrogation/Restitution Claims:

1. Salama, Doaa adv. City of Bayonne (W003670676) -----Pending Matter
2. Cepin, Alex adv. City of Union City (W003603109)-----Pending Matter
3. Molina, Steve adv. City of Union City (W003640955) -----Pending Matter
4. Reyes, Julio adv. City of Union City (W003603110) -----Pending Matter

Multi-Line Fund Claim Matters

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

1. Archibald v. City of Bayonne (2229)----- Case Closure
2. Khan v. City of Bayonne (1808) ----- Case Closure
3. Walsh v. City of Bayonne (1240) ----- Case Closure
4. Ostrowsky v. Borough of Hasbrouck Heights (1617)----- Case Closure
5. 214 44th St LLC v. City of Union City (2116)----- Case Closure
6. Bassante-Hinjosa v. City of Union City (2107)----- Case Closure
7. Castro v. City of Union City (2249) ----- RSA
8. Espino v. City of Union City (1951-C)----- Case Closure
9. Medina v. Borough of Wanaque (2193)----- Case Closure
10. Fishman, Estate of v. Warren County (1968)----- Case Closure
11. Huizing v. Borough of Woodland Park (2081)----- Case Closure

Coverage Recommendations for New Claims/Litigation:

1. Boatworks Condominium Assoc. v. City of Bayonne (2390/L003974114)
2. Ghoubrial v. City of Bayonne (2382/L003346742)
3. Kobryn v. City of Bayonne (2383/L003423467)
4. Vega v. Township of Cedar Grove (2384/L003722174)
5. Acciardi v. Township of Old Bridge (2388/L003974718)
6. Morales v. Township of Old Bridge (2385/L003966938)
7. Morales v. Blue Jeanz v. City of Union City (2386/L003055336)