

**SOMERSET COUNTY JOINT INSURANCE FUND  
FUND COMMISSIONER'S MEETING MINUTES  
February 27, 2013**

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**STATEMENT OF PROPER NOTICE READ BY FUND ATTORNEY BERRY:** Adequate notice of the regular meeting of the SCJIF held on Wednesday, February 27, 2013 at 8:30 a.m. at the Somerset County Park Commission Headquarters located in Bridgewater, New Jersey, has been provided through posting of said notice to the *Courier News*, and the *Hunterdon County Democrat* in accordance with Section 13 of the Open Public Meetings Act.

**FLAG SALUTE/MOMENT OF SILENCE**

**ROLL CALL OF COMMISSIONERS**

PETER PALMER	County of Somerset	Absent
RAYMOND A. BROWN	Somerset County Park Commission	Absent
JOHN TROJAN	Raritan Valley Community College	Present
WILLIAM HYNCHIK	Somerset County Vocational & Technical Schools	Absent
GREGORY BONIN	Township of Branchburg	Present
BRIAN K. AUGER	Somerset County Library Commission	Present
KELLY G. CUPIT	Township of Green Brook	Absent
ALLAN D. PIETREFESA	Township of Raritan	Absent
JIM NAPLES	Township of Bridgewater	Present
KIMBERLY KIENTZ	Township of Clinton	Present
DONALD F. SCHOLL, JR.	Township of Delaware	Present

**ALTERNATE COMMISSIONERS**

YVONNE CHILDRESS	County of Somerset	Present
DANIEL J. LIVAK	Somerset County Park Commission	Absent
NANCY MOORE	Raritan Valley Community College	Absent
DIANE STROBER	Somerset County Vocational & Technical Schools	Present
SHARON L. BRIENZA	Township of Branchburg	Absent
BRIAN MORGAN	Somerset County Library Commission	Absent
RAYMOND S. MURRAY	Township of Green Brook	Absent
CAROL BARBATI	Township of Raritan	Absent
CYNTHIA L. PHILLIPS	Township of Bridgewater	Present
MARVIN JOSS	Township of Clinton	Absent
KENNETH NOVAK	Township of Delaware	Absent

**ALSO PRESENT**

**EXECUTIVE DIR/ADMIN:**

NEW JERSEY RISK MANAGERS & CONSULTANTS, INC.

- ◆ Raymond L. Hughes II      ◆ H. James Griffith
- ◆ Christina Bruno                      ◆ Harish Chandra

**FUND ATTY/LITIGATION:**

DiFRANCESCO, BATEMAN, COLEY, YOSPIN, KUNZMAN,  
DAVIS, & LEHRER, P.C.

- ◆ Harry A. Yospin, Esq.

**FUND ATTY/ADMINISTRATION:**

SAUL EWING

- ◆ M. Paige Berry, Esq.

CLAIMS ADMINISTRATION:

SCIBAL ASSOCIATES INC.

◆ Javier B. Esparra

RISK MANAGERS:

G. R. MURRAY

◆ Michael Sabbagh

BECKERMAN & COMPANY

◆ Louis Beckerman

**INTRODUCTION OF GUESTS:** Raymond Hughes II welcomed the new Commissioner from the Township of Bridgewater, Cynthia Phillips. Michael Sabbagh, Risk Manager for the Township of Delaware and Louis Beckerman, Risk Manager for the Township of Green Brook were in attendance. Mark Worthington, Vice President of Health & Safety Services from Birdsall Services Group, was present to make a presentation to the Commissioners.

**PUBLIC COMMENT:** None

**MOTION TO APPROVE MINUTES FROM THE JANUARY 23, 2013 MEETING:**

**MOTION:** Commissioner Trojan

**SECOND:** Commissioner Naples

**VOTE:** Unanimous

Commissioners Palmer and Cupit arrived at 8:36 a.m.

**SERVICE PROVIDER REPORTS**

**Executive Director/Administrator:** No additions to report submitted.

**Fund Attorney/Litigation Services:** Fund Attorney Yospin stated that claims would be addressed during closed session.

**Fund Attorney/Administrative Services:** Fund Attorney Berry elaborated on the report distributed regarding recently introduced Legislation A3282/S2165 that would clarify that first aid, ambulance or rescue squads, as entities, would be granted immunities from civil damages as a result of an act or omission of an act committed while training for or rendering any type of life support services in good faith.

**Third Party Administrator:** No additions to the report submitted.

**Custodian of Funds:** No additions to the report submitted.

**COMMITTEE REPORTS**

**Audit Committee:** No additions to the report submitted.

**Coverages Committee:** No additions to the report submitted.

**Marketing & Strategic Planning Committee:** In addition to the report submitted, Chairman Naples informed the Board that he recently held a meeting with New Jersey Risk Managers to discuss opportunities for the possible expansion of membership of the Somerset County Joint Insurance Fund.

**Claims Committee:** No additions to the report submitted.

**Safety Committee:** The Safety Committee met on Tuesday, February 5<sup>th</sup>, at the Township of Raritan. Slips, Trips & Falls and Heavy Lifting & Safe Material Handling Training has been schedule for Friday, March 1<sup>st</sup> at both the Somerset County Recycling Center and the Somerset County Park Commission.

The next regularly scheduled Safety Meeting will be on Tuesday, March 5<sup>th</sup> at the Township of Clinton.

Mark Worthington, from Birdsall Services Group addressed the Board regarding the Workers' Compensation 2012 Year-End Claims Trend Analysis and Evaluation. He commented that, while Claims Frequency has increased the Net Paid-To-Date is lower.

**Finance Committee:** No additions to the report submitted.

**Legislative Committee:** In addition to the report submitted, Fund Attorney Berry elaborated on the teleconference of the Legislative Committee regarding the Assembly Bill A1196 – First Responder Workers' Compensation Presumption Legislation and the Companion Bill in the Senate S1778. It is the Legislative Committees' recommendation that the Fund and member entities issue letters in opposition to the Legislation. Discussion followed.

Commissioner Cupit requested that Counsel guide member entities in the drafting of these opposition letters.

**MOTION TO APPROVE OPPOSITION TO ASSEMBLY BILL A1196 AND SENATE BILL S1178:**

**MOTION:** Commissioner Naples  
**SECOND:** Commissioner Palmer  
**VOTE:** Unanimous

**#13-017 RESOLUTION APPROVING THE SERVICE PROVIDER AND COMMITTEE REPORTS:**

**MOTION:** Commissioner Trojan  
**SECOND:** Commissioner Cupit  
**VOTE:** Roll Call

ROLL CALL VOTE					
COMMISSIONER		YES	NO	ABSENT	ABSTAIN
COS	PETER PALMER	X			
SCPC	RAYMOND A. BROWN			X	
RVCC	JOHN TROJAN	X			
SCVT	DIANE STROBER	X			
TOB	GREGORY BONIN	X			
SCLC	BRIAN AUGER	X			
TOGB	KELLY G. CUPIT	X			
TOR	ALLAN PIETREFESA			X	
TOBW	JAMES T. NAPLES	X			
TOC	KIMBERLY KIENTZ	X			
TOD	DONALD F. SCHOLL, JR.	X			

**OLD BUSINESS**

**#13-018 RESOLUTION AUTHORIZING PAYMENT OF CURRENT EXPENSES AND CLAIMS REIMBURSEMENTS:**

**MOTION:** Commissioner Trojan  
**SECOND:** Commissioner Cupit  
**VOTE:** Roll Call

<b>ROLL CALL VOTE</b>					
<b>COMMISSIONER</b>		<b>YES</b>	<b>NO</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
COS	PETER PALMER	X			
SCPC	RAYMOND A. BROWN			X	
RVCC	JOHN TROJAN	X			
SCVT	DIANE STROBER	X			
TOB	GREGORY BONIN	X			
SCLC	BRIAN AUGER	X			
TOGB	KELLY G. CUPIT	X			
TOR	ALLAN PIETREFESA			X	
TOBW	JAMES T. NAPLES	X			
TOC	KIMBERLY KIENTZ	X			
TOD	DONALD F. SCHOLL, JR.	X			

**NEW BUSINESS**

**#13-019 RESOLUTION TO ENTER CLOSED SESSION AT 8:50 A.M. TO DISCUSS:**

- Workers' Compensation Claim Numbers
  - X13873
  - X35925
  - X47076
  - X48326
  - X50026

**MOTION:** Commissioner Trojan  
**SECOND:** Commissioner Auger  
**VOTE:** Unanimous

**RETURN TO OPEN SESSION AT 9:10 A.M.:**

**MOTION:** Commissioner Trojan  
**SECOND:** Commissioner Cupit  
**VOTE:** Unanimous

**#13-020 RESOLUTION AUTHORIZING PAYMENT OF CLAIMS:**

**MOTION:** Commissioner Trojan  
**SECOND:** Commissioner Cupit  
**VOTE:** Roll Call

ROLL CALL VOTE					
COMMISSIONER		YES	NO	ABSENT	ABSTAIN
COS	PETER PALMER	X			
SCPC	RAYMOND A. BROWN			X	
RVCC	JOHN TROJAN	X			
SCVT	DIANE STROBER	X			
TOB	GREGORY BONIN	X			
SCLC	BRIAN AUGER	X			
TOGB	KELLY G. CUPIT	X			
TOR	ALLAN PIETREFESA			X	
TOBW	JAMES T. NAPLES	X			
TOC	KIMBERLY KIENTZ	X			
TOD	DONALD F. SCHOLL, JR.	X			

**#13-021 RESOLUTION APPROVING ADDENDUM TO LITIGATION DEFENSE COUNSEL AGREEMENT:**

**MOTION:** Commissioner Trojan  
**SECOND:** Commissioner Palmer  
**VOTE:** Unanimous

**APPROVAL OF MINUTES FROM THE JANUARY 23, 2013 CLOSED SESSION MEETING:**

**MOTION:** Commissioner Trojan  
**SECOND:** Commissioner Naples  
**VOTE:** Majority – Cupit abstain

**MOTION TO ADJOURN AT 9:15 A.M.:**

**MOTION:** Commissioner Trojan  
**SECOND:** Commissioner Naples  
**VOTE:** Unanimous

Respectfully submitted,

  
Kelly G. Cupit, Secretary