

**SOMERSET COUNTY JOINT INSURANCE FUND  
FUND COMMISSIONER'S MEETING MINUTES  
September 27, 2017**

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**STATEMENT OF PROPER NOTICE READ BY COMMISSIONER NAPLES:** Adequate notice of the regular meeting of the SCJIF held on Wednesday, September 27<sup>th</sup>, 2017 at 8:35 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	Present
RAYMOND A. BROWN	Somerset County Park Commission	Present
JOHN TROJAN	Raritan Valley Community College	Present
RAELENE CATTERSON	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	Present
DONALD HUTCHINS	Township of Raritan	Present
JAMES T. NAPLES	Township of Bridgewater	Present
MARIE PARDO	Township of Clinton	Absent
DIANE MC DANIEL	Township of Delaware	Present

**ALTERNATE COMMISSIONERS**

YVONNE CHILDRESS	County of Somerset	Absent
DANIEL J. LIVAK	Somerset County Park Commission	Present
NANCY MOORE	Raritan Valley Community College	Absent
WILLIAM G. HYNICK, JR.	Somerset County Vocational & Technical Schools	Absent
MARGUERITE SCHMITT	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
J. GARY HOWARTH	Township of Bridgewater	Present
JESSE LANDON	Township of Clinton	Absent
CHARLES HERMAN	Township of Delaware	Absent

**ALSO PRESENT**

**EXECUTIVE DIR/ADMIN:**

NEW JERSEY RISK MANAGERS & CONSULTANTS, INC.

- ◆ Raymond L. Hughes II     ◆ Maryjane Hydro
- ◆ H. James Griffith     ◆ Lucy Martins     ◆ Lynn Schwankert

**FUND ATTY/LITIGATION:**

DiFRANCESCO, BATEMAN, KUNZMAN, DAVIS,  
LEHRER & FLAUM, P.C.

- ◆ Stephen O. Davis, Esq.

**FUND ATTY/ADMINISTRATION:**

SAUL EWING

- ◆ M. Paige Berry, Esq.

CLAIMS ADMINISTRATION:

QUAL-LYNX

- ◆ Javier B. Esparra

RISK MANAGERS:

ACRISURE

- ◆ Louis Beckerman

BALKEN RISK

- ◆ David Balken

LAFONTAINE & BUDD

- ◆ James T. Rick, Jr.

PINNACLE RISK SOLUTIONS

- ◆ Richard Duthie

RICHLAND KNOWLES AGENCY

- ◆ Michael Sabbagh

**INTRODUCTION OF GUESTS:**

Louis Beckerman – Risk Manager for the Township of Green Brook, David Balken – Risk Manager for the Township of Clinton, Jamie Rick – Risk Manager for the Townships of Branchburg and Bridgewater, Rich Duthie – Risk Manager for the Township of Raritan and Michael Sabbagh – Risk Manager for the Township of Delaware were all present. In addition, also present to make a presentation was Mark Worthington, CHMM Group Manager Environmental Hygiene from T&M Associates.

**PUBLIC COMMENT:** None

Commissioner Palmer apologized that he had to depart at 8:37 a.m. for another meeting.

**MOTION TO APPROVE MINUTES FROM THE JULY 26<sup>th</sup>, 2017 MEETING:**

**MOTION:** Commissioner Auger

**SECOND:** Commissioner McDaniel

**VOTE:** Majority – Commissioner Bonin Abstains

**SERVICE PROVIDER REPORTS**

**Executive Director/Administrator:** Raymond Hughes stated that the reports submitted for the period ending 8/31/17 reflect Incurred But Not Reported (IBNR) Reserve Updates as of June 30<sup>th</sup> of this year.

In addition, updated SCJIF Insurance Recommendations were distributed as a tool for Fund Members to address Certificates of Insurance requests for use of facilities or professional services. Utilize the guidelines with assistance from the Fund Member's Risk Management Consultant and Counsel as they relate to the degree of exposure or the hazard associated with the work to be performed.

Raymond Hughes mentioned receipt of the 2018 Renewal Applications for SCJIF Members. He stressed importance of maintaining throughout the year, the underwriting schedules for property, vehicles and inland marine in each Excel database format as provided. Any additions or deletions are to be forwarded in real time to New Jersey Risk Managers to simplify annual renewals.

**Fund Attorney/Litigation Services:** No additions to the report submitted.

**Fund Attorney/Administrative Services:** In addition to the report submitted, Fund Attorney Berry elaborated on the Third Circuit decision that the single use of a racial slur, rather than pervasive conduct, can sustain a workplace harassment claim. Discussion followed on having clearly defined policies and regular training. Additionally, Fund Attorney Berry reviewed several recent Court matters regarding Open Public Records Act (OPRA) decisions of interest to the Fund Members.

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

**Claims Committee:** Committee Chairman Trojan stated that in addition to the report of the teleconference held on August 23<sup>rd</sup>, new claims will be discussed in Closed Session.

**Safety Committee:** In addition to the report submitted, Maryjane Hydro mentioned that George Eversmann, Athletic Director – Aquatics & Facilities at Raritan Valley Community College provided a Basic First Aid and AED Training Course to Safety Committee Members on September 12th, at the Township of Green Brook. Highlights of his presentation included but were not limited to; safely ensuring the scene & personal safety while caring for the victim, when/how to contact EMS, difference in cardiac vs. respiratory, choking, immobilization of bodily injuries, bleeding, burns, instruction for defibrillators and hands-on instruction for CPR.

Mark Worthington, CHMM Group Manager Environmental Hygiene from T&M Associates, conducted Asbestos Awareness and Personal Protective Equipment Safety Training on September 26<sup>th</sup>. Approximately 50 Fund Employees were in attendance.

The next SCJIF Safety Committee meeting is scheduled for 9:00 a.m., Tuesday, October 3<sup>rd</sup> at the Somerset County Vocational and Technical School TradeWins Restaurant.

Mark Worthington addressed the Board. Each Fund Member received their 2017 Mid-Year Workers' Compensation Trend Analysis and Evaluation. The number of total claims and costs are trending downward which is favorable. Although these numbers have not yet fully matured, total net paid to date for all locations is tracking much lower than last year. In terms of frequency, strains and sprains, slips, trips and falls, continue to lead, all of which remain major training focuses for the Committee.

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

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

**#17-037 RESOLUTION APPROVING SERVICE PROVIDER AND COMMITTEE REPORTS:**

**MOTION:** Commissioner Brown  
**SECOND:** Commissioner Trojan  
**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	RAELENE CATTERSON			X	
TOB	GREGORY J. BONIN	X			
SCLC	BRIAN AUGER	X			
TOGB	KELLY G. CUPIT	X			
TOR	DONALD HUTCHINS	X			
TOBW	JAMES T. NAPLES	X			
TOC	MARIE PARDO			X	
TOD	DIANE Mc DANIEL	X			

**OLD BUSINESS**

**#17-036 RESOLUTION RATIFYING PAYMENT OF EXPENSES & CLAIMS REIMBURSEMENTS PAID IN AUGUST 2017**

**MOTION:** Commissioner Cupit  
**SECOND:** Commissioner Brown  
**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	RAELENE CATTERSON			X	
TOB	GREGORY J. BONIN	X			
SCLC	BRIAN AUGER	X			
TOGB	KELLY G. CUPIT	X			
TOR	DONALD HUTCHINS	X			
TOBW	JAMES T. NAPLES	X			
TOC	MARIE PARDO			X	
TOD	DIANE Mc DANIEL	X			

**#17-038 RESOLUTION AUTHORIZING PAYMENT OF CURRENT EXPENSES & CLAIMS REIMBURSEMENTS**

**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	RAELENE CATTERSON			X	
TOB	GREGORY J. BONIN	X			
SCLC	BRIAN AUGER	X			
TOGB	KELLY G. CUPIT	X			
TOR	DONALD HUTCHINS	X			
TOBW	JAMES T. NAPLES	X			
TOC	MARIE PARDO			X	
TOD	DIANE Mc DANIEL	X			

**NEW BUSINESS**

For the benefit of those Commissioners not familiar with State filing requirements prior to the Return of Surplus, Fund Attorney Berry explained the Inter-Trust Fund Transfers.

**#17-039 RESOLUTION AUTHORIZING AN INTER-TRUST FUND TRANSFER:**

**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	RAELENE CATTERSON			X	
TOB	GREGORY J. BONIN	X			
SCLC	BRIAN AUGER	X			
TOGB	KELLY G. CUPIT	X			
TOR	DONALD HUTCHINS	X			
TOBW	JAMES T. NAPLES	X			
TOC	MARIE PARDO			X	
TOD	DIANE Mc DANIEL	X			

At this time, Fund Attorney Berry reviewed the documentation regarding the 2017 Return of Surplus and Payout Options. Following discussion, it was determined that Resolution #17-040 reflecting a 25% Return of Surplus would be authorized. Proper filing will be made with the NJ Department of Banking & Insurance and the NJ Department of Community Affairs prior to distribution of the Return of Surplus.

**#17-040 RESOLUTION DECLARING A DIVIDEND:**

**MOTION: Commissioner Bonin**  
**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>
<b>COS</b>	<b>PETER PALMER</b>			<b>X</b>	
<b>SCPC</b>	<b>RAYMOND A. BROWN</b>	<b>X</b>			
<b>RVCC</b>	<b>JOHN TROJAN</b>	<b>X</b>			
<b>SCVT</b>	<b>RAELENE CATTERSON</b>			<b>X</b>	
<b>TOB</b>	<b>GREGORY J. BONIN</b>	<b>X</b>			
<b>SCLC</b>	<b>BRIAN AUGER</b>	<b>X</b>			
<b>TOGB</b>	<b>KELLY G. CUPIT</b>	<b>X</b>			
<b>TOR</b>	<b>DONALD HUTCHINS</b>	<b>X</b>			
<b>TOBW</b>	<b>JAMES T. NAPLES</b>	<b>X</b>			
<b>TOC</b>	<b>MARIE PARDO</b>			<b>X</b>	
<b>TOD</b>	<b>DIANE Mc DANIEL</b>	<b>X</b>			

**#17-041 RESOLUTION TO ENTER CLOSED SESSION AT 9:00 A.M.:**

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

Workers' Compensation Claims:

- 2017089540
- 2017101798
- 2018108289

**MOTION TO RETURN TO REGULAR MEETING AT 9:09 A.M.:**

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

**#17-042 RESOLUTION AUTHORIZING PAYMENT OF CLAIMS:**

**MOTION: Commissioner Bonin**  
**SECOND: Commissioner Trojan**  
**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	RAELENE CATTERSON			X	
TOB	GREGORY J. BONIN	X			
SCLC	BRIAN AUGER	X			
TOGB	KELLY G. CUPIT	X			
TOR	DONALD HUTCHINS	X			
TOBW	JAMES T. NAPLES	X			
TOC	MARIE PARDO			X	
TOD	DIANE Mc DANIEL	X			

**MOTION TO APPROVE MINUTES FROM JULY 26<sup>th</sup>, 2017 CLOSED SESSION:**

**MOTION:** Commissioner Trojan  
**SECOND:** Commissioner Cupit  
**VOTE:** Majority – Bonin Abstains

**MOTION TO ADJOURN AT 9:10 A.M.:**

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

Respectfully submitted,



Diane McDaniel, Secretary