

SOMERSET COUNTY JOINT INSURANCE FUND
FUND COMMISSIONER'S MEETING MINUTES
September 23, 2020

STATEMENT OF PROPER NOTICE READ BY GEOFFREY SORIANO: Adequate notice of the regular meeting of the SCJIF held on Wednesday, September 23, 2020 at 8:33 a.m. via telephone conference, 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.

ROLL CALL OF COMMISSIONERS

SHANEL Y ROBINSON	County of Somerset	Present
GEOFFREY D. SORIANO	Somerset County Park Commission	Present
JOHN TROJAN	Raritan Valley Community College	Present
RAELENE SIPPLE	Somerset County Vocational & Technical Schools	Present
GREGORY J. 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	Absent
MICHAEL PAPPAS	Township of Bridgewater	Present
CARLA CONNER	Township of Clinton	Absent
DIANE MC DANIEL	Township of Delaware	Present
DANIEL JAXEL	Borough of Raritan	Present
BONNIE ANN FLEMING	Borough of High Bridge	Absent

ALTERNATE COMMISSIONERS

YVONNE CHILDRESS	County of Somerset	Present
DONNA UMGELTER	Somerset County Park Commission	Absent
CHERYL WALLACE	Raritan Valley Community College	Absent
RICHARD ST. PIERRE	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
THOMAS GENOVA	Township of Bridgewater	Present
TOM SILVIA	Township of Clinton	Absent
CHARLES HERMAN	Township of Delaware	Absent
ERIC COLVIN	Borough of Raritan	Present
JENNIFER HARRINGTON	Borough of High Bridge	Present

ADDITIONAL PARTICIPANTS/GUESTS

EXECUTIVE DIR/ADMIN: NEW JERSEY RISK MANAGERS & CONSULTANTS, INC.
♦ Raymond L. Hughes II ♦ Maryjane Hydro ♦ Javier Esparra
♦ H. James Griffith ♦ Cindy Villagran ♦ Lucy Martins

FUND ATTY/CLAIMS MANAGEMENT/LITIGATION:

DiFRANCESCO, BATEMAN, KUNZMAN, DAVIS, LEHRER & FLAUM, P.C.
♦ Stephen O. Davis, Esq.

FUND ATTY/REGULATORY COMPLIANCE/LEGISLATION:

SAUL EWING ARNSTEIN & LEHR
♦ M. Paige Berry, Esq.

ADDITIONAL RISK MANAGERS:

ACRISURE, David Balken
♦ Township of Clinton & Borough of High Bridge

ACRISURE, Louis Beckerman
♦ Township of Green Brook

ACRISURE, Amy Pieroni
♦ Township of Bridgewater

LAFONTAINE & BUDD, James T. Rick, Jr.
♦ Township of Branchburg

RICHLAND KNOWLES AGENCY, Michael Sabbagh
♦ Township of Delaware

CLAIMS ADMINISTRATOR:

GUARDIAN PUBLIC ENTITY CLAIMS SERVICES
♦ Jacquelyn Fresco

SAFETY CONSULTANT:

T&M ASSOCIATES
♦ Mark Worthington

PUBLIC COMMENT: None.

MOTION TO APPROVE MINUTES FROM THE JULY 22ND, 2020 MEETING:

MOTION: Commissioner Trojan
SECOND: Commissioner Auger
VOTE: Unanimous

SERVICE PROVIDER REPORTS

Executive Director/Administrator: No additions to the report submitted, however, Raymond L. Hughes II welcomed any questions and/or comments.

Fund Attorney - Claims Management / Litigation: No additions to the report submitted.

Fund Attorney – Regulatory Compliance / Legislation: In addition to the report submitted, Fund Attorney Berry provided comments on recent caselaw regarding a Township's obligation to maintain an easement located on

private property. Further, an Appellate Division matter regarding an order to produce a settlement agreement with a former employee. Attorney Berry elaborated on these decisions and the impact on public entities.

There was also review of recently signed legislation that may impact the Fund and its Members. Specifically, A3641, which requires the Department of Law and Public Safety to amend its training materials for public entities to provide a more uniform bias training to include understanding of implicit bias and employing strategies to eliminate unconscious biases. Attorney Berry also elaborated on a Bill signed into law dealing with rebuttable presumption of Workers' Compensation coverage for COVID-19 cases contracted by "essential employees" during the public health emergency. In other words, employers will have the burden of proving that an alleged COVID-19 contraction is not work related. This law is effective immediately and retroactive to March 9, 2020. Discussion followed.

She also discussed other pending legislation which seeks to amend Title 59 by placing certain restrictions on the qualified immunity doctrine which protects public employees, and law enforcement officers from civil liability. Additional bills and legislation pending were discussed and questions followed.

Third Party Administrator: No additions to the report submitted, however, Raymond Hughes welcomed questions from the Fund Members.

Custodian of Funds: No additions to the report submitted.

COMMITTEE REPORTS

Safety Committee: In addition to the report submitted, Maryjane Hydro, NJRM advised that the SCJIF Safety Committed met telephonically on September 15th, 2020 and approximately 20 participants were on the telephone conference. Unfortunately, the 2020 Safety Recognition Breakfast has been postponed until further notice due to the COVID-19 pandemic. However, congratulations were extended to the following entities for the 2019 Safety Incentive Program:

First Place - \$1,000 and Plaque/Plate:

County of Somerset
Somerset County Park Commission
Somerset County Vocational & Technical Schools
Township of Raritan
Township of Bridgewater

Second Place- \$750 and Plaque/Plate:

Somerset County Library Commission

Third Place - \$500 and Plaque/Plate

Raritan Valley Community College

Winners were commended for their outstanding work and commitment to maintaining the safety culture in their individual entities and for promoting workplace safety awareness.

Mark Worthington of T&M Associates has completed the 2020 Loss Prevention/Loss Control Audits and stated that this year he was very pleased with the results, as no significant issues were found. The Safety Audit Reports

have been distributed to each Fund Member. Ms. Hydro reminded those Entities that need to address any safety issues to provide documentation in order to receive proper credit toward the 2020 Safety Incentive Program.

The 2020 Safety Incentive Program progress updates have been distributed to all Safety Committee Representatives. NJRM is providing all options available to allow Members to continue to accumulate points during this challenging year.

The next regular SCJIF Safety Committee Meeting is scheduled for 9:00 a.m., Tuesday, October 6th, 2020.

Furthermore, the 2020 Mid-Year Workers' Compensation Trend Analysis and Evaluation for the Fund and for each individual Member were distributed and are available on the website. Mark Worthington of T&M Associates discussed the positive findings. Despite the fact that there has been an increase in the total number of claims, the actual cost of all claims is lower than in previous years. He welcomed questions from the Members.

Raymond L. Hughes II, NJRM, attributed these positive results to the Fund's emphasis on encouraging a safety culture which is also evidenced by the amount of surplus currently available to return to the Fund Members.

Claim PAR Committee: Committee Chair Trojan stated that the Committee met on August 26th and September 14th, 2020 and the Meeting Minutes are submitted in the Meeting Package. Actions will be ratified during the Old Business portion of the agenda.

#20-032 RESOLUTION APPROVING SERVICE PROVIDER AND COMMITTEE REPORTS:

MOTION: Commissioner Trojan
SECOND: Commissioner Robinson
VOTE: Roll Call

ROLL CALL VOTE					
COMMISSIONER		YES	NO	ABSENT	ABSTAIN
COS	SHANEL ROBINSON	X			
SCPC	GEOFFREY D. SORIANO	X			
RVCC	JOHN TROJAN	X			
SCVT	RAELENE SIPPLE	X			
TOB	GREGORY J. BONIN	X			
SCLC	BRIAN AUGER	X			
TOGB	KELLY G. CUPIT	X			
TOR	DONALD HUTCHINS			X	
TOBW	MICHAEL PAPPAS	X			
TOC	CARLA CONNER			X	
TOD	DIANE Mc DANIEL	X			
BOR	DANIEL JAXEL	X			
BHB	JENNIFFER HARRINGTON	X			

OLD BUSINESS

#20-030 RESOLUTION RATIFYING PAYMENT OF EXPENSES & CLAIMS REIMBURSEMENTS PAID IN AUGUST 2020:

MOTION: Commissioner Trojan
SECOND: Commissioner McDaniel
VOTE: Roll Call

ROLL CALL VOTE					
COMMISSIONER		YES	NO	ABSENT	ABSTAIN
COS	SHANEL ROBINSON	X			
SCPC	GEOFFREY D. SORIANO	X			
RVCC	JOHN TROJAN	X			
SCVT	RAELENE SIPPLE	X			
TOB	GREGORY J. BONIN	X			
SCLC	BRIAN AUGER	X			
TOGB	KELLY G. CUPIT	X			
TOR	DONALD HUTCHINS			X	
TOBW	MICHAEL PAPPAS	X			
TOC	CARLA CONNER			X	
TOD	DIANE Mc DANIEL	X			
BOR	DANIEL JAXEL	X			
BHB	JENNIFER HARRINGTON	X			

#20-031 RESOLUTION RATIFYING PAYMENT OF EXPENSES & CLAIMS REIMBURSEMENTS PAID IN SEPTEMBER 2020:

MOTION: Commissioner Trojan
SECOND: Commissioner Auger
VOTE: Roll Call

ROLL CALL VOTE					
COMMISSIONER		YES	NO	ABSENT	ABSTAIN
COS	SHANEL ROBINSON	X			
SCPC	GEOFFREY D. SORIANO	X			
RVCC	JOHN TROJAN	X			
SCVT	RAELENE SIPPLE	X			
TOB	GREGORY J. BONIN	X			
SCLC	BRIAN AUGER	X			
TOGB	KELLY G. CUPIT	X			
TOR	DONALD HUTCHINS			X	
TOBW	MICHAEL PAPPAS	X			
TOC	CARLA CONNER			X	
TOD	DIANE McDANIEL	X			
BOR	DANIEL JAXEL	X			
BHB	JENNIFER HARRINGTON	X			

NEW BUSINESS:

#20-033 RESOLUTION AUTHORIZING INTER-TRUST FUND TRANSFERS:

MOTION: Commissioner Trojan
SECOND: Commissioner Auger
VOTE: Roll Call

ROLL CALL VOTE					
COMMISSIONER		YES	NO	ABSENT	ABSTAIN
COS	SHANEL ROBINSON	X			
SCPC	GEOFFREY D. SORIANO	X			
RVCC	JOHN TROJAN	X			
SCVT	RAELENE SIPPLE	X			
TOB	GREGORY J. BONIN	X			
SCLC	BRIAN AUGER	X			
TOGB	KELLY G. CUPIT	X			
TOR	DONALD HUTCHINS			X	
TOBW	MICHAEL PAPPAS	X			
TOC	CARLA CONNER			X	
TOD	DIANE McDANIEL	X			
BOR	DANIEL JAXEL	X			
BHB	JENNIFER HARRINGTON	X			

At this time, Mr. Raymond L. Hughes II reviewed the documentation for the 2020 Return of Surplus. He discussed the procedures that need to be taken in order to return a surplus. After this discussion, it was determined that a 15% of return of surplus was appropriate.

#20-034 RESOLUTION DECLARING A DIVIDEND:

MOTION: Commissioner Trojan
SECOND: Commissioner Auger
VOTE: Roll Call

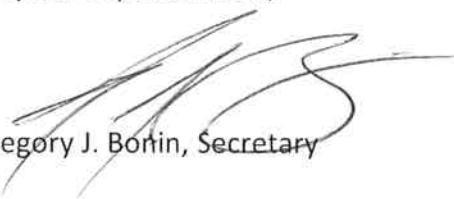
ROLL CALL VOTE					
COMMISSIONER		YES	NO	ABSENT	ABSTAIN
COS	SHANEL ROBINSON	X			
SCPC	GEOFFREY D. SORIANO	X			
RVCC	JOHN TROJAN	X			
SCVT	RAELENE SIPPLE	X			
TOB	GREGORY J. BONIN	X			
SCLC	BRIAN AUGER	X			
TOGB	KELLY G. CUPIT	X			
TOR	DONALD HUTCHINS			X	
TOBW	MICHAEL PAPPAS	X			

TOC	CARLA CONNER			X	
TOD	DIANE McDANIEL	X			
BOR	DANIEL JAXEL	X			
BHB	JENNIFER HARRINGTON	X			

MOTION TO ADJOURN AT 9:17 A.M.:

MOTION: Commissioner Trojan
SECOND: Commissioner Auger
VOTE: Unanimous

Respectfully submitted,



Gregory J. Borin, Secretary