

MINUTES OF MEETING  
NEW JERSEY PUBLIC EMPLOYMENT RELATIONS COMMISSION  
December 18, 2014  
10:00 a.m.  
495 West State Street  
Trenton, New Jersey

The meeting was called to order by Chair P. Kelly Hatfield.

Present were:

Commissioners:

John Bonanni  
Paul Boudreau  
John Eskilson  
David Jones  
Paula Voos

Also present were:

David N. Gambert, Deputy General Counsel  
Mary E. Hennessy-Shotter, Deputy General Counsel  
Don Horowitz, Deputy General Counsel  
Martin R. Pachman, General Counsel  
Kellie Hullfish, who acted as Stenographer

At the commencement of the meeting, Chair Hatfield, pursuant to Section 5 of the Open Public Meetings Act, entered this announcement into the minutes of the meeting:

Adequate notice has been provided by the dissemination of a written "Annual Notice of Meeting." On January 14, 2014 a copy of such notice was:

- (a) prominently posted in a public place at the offices of the Public Employment Relations Commission;
- (b) sent to the business offices of the Trenton Times and the Courier Post, as well as to the State House press row addresses of 25 media outlets;
- (c) e-mailed to the Secretary of State for filing; and
- (d) posted on the agency's web site.

Furthermore on December 12, 2014, copies of an additional written "Notice of Meeting" were posted and sent in a similar manner.

The first item on the agenda was the Minutes of the November 20, 2014 regular Commission meeting. A motion to adopt the minutes was made by Commissioner Eskilson and seconded by Commissioner Boudreau. The motion to adopt the minutes was approved by a vote of four in favor (Chair Hatfield, Commissioners Boudreau, Eskilson and Voos) and one opposed (Commissioner Jones).

The Counsel's Office distributed a monthly report.

Chair Hatfield noted that at the October meeting, the votes on two cases on the agenda resulted in 3-3 tie votes. One Commissioner, who would have been eligible to vote, was not at that meeting. She noted that the Commission had asked Counsel's office to examine possible methods of dealing with such situations. General Counsel Pachman said that unlike cases where a tie vote is unbreakable because of one or more recusals, the cases considered at the October meeting could again be placed on the Commission's agenda at the next opportunity. He continued that doing so was particularly important in scope of negotiations cases where the Commission normally is the sole decision-maker and the Act specifically directs the Commission to resolve negotiability disputes. After a discussion, Commissioner Jones proposed, that where a vote on a scope of negotiations case results in a breakable tie, that case should be put on the agenda at the next meeting so the full Commission can vote on it. The rest of the Commission agreed to the proposal. A notice to the

public setting forth the policy will be placed on the Commission's web site and the parties to the case will be notified.

The first case for consideration was Bloomfield Education Association, Essex County Education Association, National Education Association, New Jersey Education Association and Dmitriy Zvyagin, Docket No. CI-2014-045. Commissioner Eskilson moved the draft decision and Commissioner Voos seconded the motion. The motion to accept the draft decision was unanimously approved (Chair Hatfield, Commissioners Bonanni, Boudreau, Eskilson, Jones and Voos).

The next case for consideration was Wayne Township Board of Education and Wayne Supervisors of Curriculum/Instruction Association, Docket No. CO-2013-181. Commissioner Jones moved the draft decision and Commissioner Voos seconded the motion. The motion to adopt the draft decision was unanimously approved (Chair Hatfield, Commissioners Bonanni, Boudreau, Eskilson, Jones and Voos).

The next case for consideration was Somerset Hills Board of Education and Somerset Hills Education Association, Docket No. SN-2014-070. Commissioner Bonanni moved the draft decision and Commissioner Voos seconded the motion. The motion to adopt the draft decision was unanimously approved (Chair Hatfield, Commissioners Bonanni, Boudreau, Eskilson, Jones and Voos).

The next case for consideration was Elizabeth Board of Education and Elizabeth Education Association, Docket No. SN-2014-082. Commissioner Eskilson moved the draft decision and Commissioner Boudreau seconded the motion. The motion to adopt the draft decision was unanimously approved (Chair Hatfield, Commissioners Bonanni, Boudreau, Eskilson, Jones and Voos).

The next case for consideration was City of Plainfield and Plainfield Fire Officers Association Local 207 and Firemen's Mutual Benevolent Association, Local No. 7, Docket Nos. SN-2014-087 and SN-2014-088. Commissioner Bonanni moved the draft decision and Commissioner Boudreau seconded the motion. The motion to adopt the draft decision was approved by a vote of three in favor (Chair Hatfield, Commissioners Bonanni and Boudreau), two opposed (Commissioners Jones and Voos) and one recusal (Commissioner Eskilson). Commissioner Eskilson was recused because the County of Sussex could have potential litigation with the Mets, Schiro & McGovern law firm.

The next case for consideration was Hainesport Township Board of Education and Hainesport Education Association, Docket No. SN-2014-095. Commissioner Eskilson moved the draft decision and Commissioner Boudreau seconded the motion. The motion to adopt the draft decision was approved by a vote of four in favor (Chair Hatfield, Commissioners Bonanni, Boudreau and Eskilson) and two opposed (Commissioners Jones and Voos).

The last case for consideration was Berlin Township Board of Education and Berlin Township Education Association, Docket No.

SN-2014-101. Commissioner Voos moved the draft decision and Commissioner Jones seconded the motion. The motion to adopt the draft decision was unanimously approved (Chair Hatfield, Commissioners Bonanni, Boudreau, Eskilson, Jones and Voos).

The next item for consideration was the Annual Notice of Regularly Scheduled Meetings for 2015. Commissioner Voos moved the draft decision and Commissioner Jones seconded the motion. The motion to adopt the Notice was unanimously approved (Chair Hatfield, Commissioners Bonanni, Boudreau, Eskilson, Jones and Voos).

Commissioner Bonanni moved to enter into Executive Session to discuss personnel issues and Commissioner Voos seconded the motion. The Commission then voted unanimously to go into Executive Session (Chair Hatfield, Commissioners Bonanni, Boudreau, Eskilson, Jones and Voos).

After the Executive Session was finished, Commissioner Bonanni made a motion to adjourn the meeting and Commissioner Eskilson seconded the motion. The was unanimously approved. The meeting was then adjourned.

The next regular meeting is scheduled to be held on Thursday, January 29, 2015.