

MINUTES OF MEETING
NEW JERSEY PUBLIC EMPLOYMENT RELATIONS COMMISSION
April 27, 2017
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:

Robin McMahon, General Counsel
Don Horowitz, Senior Deputy General Counsel
Christine Lucarelli-Carneiro, Deputy General Counsel
David Gambert, Deputy General Counsel
Frank Kanther, Deputy 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 December 22, 2016 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) copies e-mailed to the Secretary of State for filing; and

(d) posted on the agency's web site.

Furthermore on April 21, 2017, 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 March 30, 2017 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 five in favor (Chair Hatfield, Commissioners Bonanni, Boudreau, Eskilson and Voos) and one opposed (Commissioner Jones).

The Counsel's Office distributed a monthly report. Commissioner Bonanni asked if we knew when the Supreme Court might issue a decision in the dynamic status quo cases. Deputy General Counsel Horowitz replied that the Court generally tries to issue its decisions before the summer recess. Commissioner Jones asked if an appeal could be taken to a federal court. Deputy General Counsel Horowitz replied that as no federal claim has been raised, the case will end with the decision of the state Supreme Court.

The next item for consideration was the draft decision in County of Burlington and PBA Local 249, CO-2009-317. Commissioner Bonanni moved the draft decision and Commissioner Boudreau seconded the motion. Commissioner Eskilson was recused from voting on this matter because Mets, Schiro and McGovern (the Mets firm) represents PBA Local 249. The Mets firm represents unions who represent employees of the City of Paterson (the City), and Commissioner Eskilson is the City's Fiscal Oversight

Officer. The motion to adopt the draft decision was approved by a vote of four in favor (Chair Hatfield, Commissioners Bonanni, Boudreau and Voos) and one opposed (Commissioner Jones).

The next item for consideration was the draft decision in Township of Hillsborough and PBA Local 205, Docket No. CO-2016-215. Commissioner Bonanni moved the draft decision and Commissioner Eskilson 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 draft decision in West Orange Board of Education and West Orange Education Association, Docket No. SN-2017-013. General Counsel was recused from this matter and excused herself from the room. Commissioner Eskilson moved the draft decision and Commissioner Boudreau seconded the motion. Commissioner Bonanni was recused from voting on this matter because the law firm Cleary, Giacobbe, Alfieri and Jacobs (the Cleary firm) represents the Board. The Cleary firm serves as counsel for Morris County. The motion to adopt the draft decision was approved by a vote of three in favor (Chair Hatfield, Commissioners Boudreau and Eskilson) and two opposed (Commissioners Jones and Voos).

General Counsel returned to the room at this time.

The next item for consideration was the draft decision in Middlesex Borough Board of Education and Middlesex Education

Association, Docket No. SN-2017-025. Commissioner Bonanni 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 item for consideration was the draft decision in Manville Board of Education and Manville Education Association, Docket No. SN-2017-028. Commissioner Bonanni 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 item for consideration was the draft decision in Paterson State-Operated School District and Paterson Education Association, Docket No. SN-2016-083. Commissioner Boudreau 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 draft decision in Essex County and FOP Lodge 71 and PBA Local 382, Docket No. RO-2017-029. The Chair conveyed that the PBA withdrew its objection to the representation petition and accordingly, this matter is now closed.

The final item for consideration was the draft decision in Arti Sahni and Township of Ewing, OAL Docket No. CSV 15050-14 and Agency Docket No. 2015-1296 and CWA Local 1032 and Township of Ewing, P.E.R.C. Docket No. CO-2015-024. 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).

Commissioner Bonanni moved to adjourn the meeting and Commissioner Eskilson seconded the motion. The motion to adjourn the meeting was unanimously approved. The meeting was adjourned.

The next regular meeting is scheduled to be held on Thursday, May 25, 2017.