

MINUTES OF MEETING
NEW JERSEY PUBLIC EMPLOYMENT RELATIONS COMMISSION
March 31, 2005
10:00 a.m.
495 West State Street
Trenton, New Jersey

The meeting was called to order by Chairman Lawrence Henderson.

Present were:

Chairman: Lawrence Henderson

Commissioners:

Donald J. Buchanan
Peter J. DiNardo
Cheryl G. Fuller
James W. Mastriani
Matthew U. Watkins (by phone)

Also present were:

Robert E. Anderson, General Counsel
Don Horowitz, Deputy General Counsel
Ira Mintz, Special Assistant to the Chairman
Annette Thompson, who acted as Stenographer

At the commencement of the meeting, the Chairman, 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 20, 2004 a copy of such notice was:

(a) prominently posted in a public place at the offices of the Public Employment Relations Commission;

(b) mailed to the business offices of the Trenton Times, the Bergen Record, and the Camden Courier Post, as well as to the State House press room addresses of 25 media outlets; and

(c) mailed to the Secretary of State for filing.

Furthermore on March 24, 2005, copies of an additional written "Notice of Meeting" were posted and mailed as aforesaid.

Chairman Henderson called the meeting to order. The first item for consideration was the minutes of the February 24, 2005 meeting. A motion to adopt the minutes was made by Commissioner Buchanan and seconded by Commissioner Fuller. The motion was unanimously approved (Chairman Henderson, Commissioners Buchanan, DiNardo, Fuller, Mastriani and Watkins).

Chairman Henderson reported that several hundred labor union contracts have now been placed on the agency's website and many more contracts will be posted soon. We expect to be communicating with public employers who have not yet sent us their contracts.

The General Counsel distributed his monthly report and two supplemental reports: one to his monthly report and the other to his annual report.

The Commission next considered whether to readopt its contested transfer regulations. N.J.A.C. 19:18. At its November 23, 2004 meeting, the Commission proposed readopting the regulations with minor amendments. The proposal was published in the January 3, 2005 edition of the New Jersey Register. No comments were received so no changes were made in the proposed readoption. Commissioner Mastriani moved that the proposed readoption be approved and Commissioner DiNardo seconded the motion. The motion was unanimously approved (Chairman Henderson, Commissioners Buchanan, DiNardo, Fuller, Mastriani and Watkins).

The first cases for consideration were City of Paterson and Paterson Police PBA Local 1 and City of Paterson and Paterson Police PBA Local 1, Superior Officers Ass'n, Docket Nos. CO-2003-269 & CO-2003-270. The cases were consolidated. Commissioner Watkins moved the draft decision and Commissioner Fuller seconded the motion. Commissioner Mastriani abstained from consideration because he was the designated interest arbitrator for the parties. The motion was unanimously approved (Chairman Henderson, Commissioners Buchanan, DiNardo, Fuller and Watkins).

The next case for consideration was City of Trenton and AFSCME Local 2286, Docket No. SN-2005-045. Commissioner Fuller moved the draft decision and Commissioner Mastriani seconded the motion. Commissioner Watkins abstained from consideration because the president of AFSCME Council 73 is a member of the governing body of the Township of South Brunswick, where Commissioner Watkins serves as Administrator. The motion was unanimously approved (Chairman Henderson, Commissioners Buchanan, DiNardo, Fuller and Mastriani).

The next case for consideration was City of Trenton and PBA Local 11 (Superiors), Docket No. SN-2005-041. Commissioner Fuller moved the draft decision and Commissioner DiNardo seconded the motion. The motion was unanimously approved (Chairman Henderson, Commissioners Buchanan, DiNardo, Fuller, Mastriani and Watkins).

The next case for consideration was City of Trenton and PBA Local 11 (Superiors), Docket No. SN-2005-043. Commissioner Fuller moved the draft decision and Commissioner Watkins seconded the motion. The motion was unanimously approved (Chairman Henderson, Commissioners Buchanan, DiNardo, Fuller, Mastriani and Watkins).

The next case for consideration was PBA Local 187 and James Cipriano, Docket No. CI-2002-064. Commissioner Mastriani moved the draft decision and Commissioner Fuller seconded the motion. The motion was unanimously approved (Chairman Henderson, Commissioners Buchanan, DiNardo, Fuller, Mastriani and Watkins).

The next case for consideration was State of New Jersey and Public Sector Managers Association and Communications Workers of America, Docket Nos. RO-2004-051, RO-2004-098, RO-2004-099 and RO-2005-004. Commissioner DiNardo moved the draft decision and Commissioner Watkins seconded the motion. Chairman Henderson and Commissioners Mastriani and Katz had previously abstained from consideration, as communicated to the parties by letters explaining the reasons for recusal. The motion was unanimously approved (Commissioners Buchanan, DiNardo, Fuller and Watkins).

Commissioner Fuller made a motion to adjourn the meeting and Commissioner DiNardo seconded the motion. The motion was unanimously approved. The meeting was then adjourned.

The next meeting is scheduled to be held on Thursday,
April 28, 2005 at 10:00 a.m.