

MINUTES OF MEETING
NEW JERSEY PUBLIC EMPLOYMENT RELATIONS COMMISSION
December 17, 2009
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:

Kirsten S. Branigan
Donald J. Buchanan
Patrick V. Colligan
Cheryl G. Fuller
Pierre D. Joanis
Matthew U. Watkins

Also present were:

Mary E. Hennessy-Shotter, Deputy General Counsel
Don Horowitz, Deputy General Counsel
Ira Mintz, General Counsel
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 18, 2008 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, the Bergen Record, and the Camden Courier Post, as well as to the State House press row addresses of 25 media outlets; and

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

Furthermore on December 10, 2009, copies of an additional written "Notice of Meeting" were posted and sent in a similar manner.

Chairman Henderson called the meeting to order. The first item for consideration was the minutes of the November 24, 2009 meeting. A motion to adopt the minutes was made by Commissioner Fuller and seconded by Commissioner Branigan. The motion was unanimously approved (Chairman Henderson, Commissioners Buchanan, Branigan, Buchanan, Fuller, Joanis and Watkins).

Chairman Henderson reported that four Commission positions have been nominated for replacement and will be proceeding through the Senate process for confirmation.

The General Counsel distributed his monthly report. He reported on a case involving Fort Lee in which the Commission affirmed an interest arbitration award. The Borough did not implement the award and the PBA moved in court to confirm the award and have the Commission decision enforced. The Commission moved to intervene, at which time the Borough implemented the economic portions of the award, and the motion to intervene was withdrawn. The appeal of the Commission decision is still pending. He concluded by reporting that 19 delegates from Shanghai visited the agency last month. An orientation was done for them and also a tour of the building. They were also able to observe an interim relief proceeding.

The first case for consideration was County of Passaic and Passaic County Sheriff and PBA Local 197 (Corrections Officers), PBA Local 197 (Superior Correction Officers), PBA Local 286

(Sheriff's Officers) and PBA Local 286 (Superior Sheriff's Officers), Docket No. IA-2007-115. Commissioner Watkins moved the draft decision and Commissioner Fuller seconded the motion. Commissioner Colligan recused himself because of his affiliation with the PBA. The motion was unanimously approved (Chairman Henderson, Commissioners Branigan, Buchanan, Fuller, Joanis and Watkins).

The next case for consideration was Bridgewater-Raritan Regional Board of Education and Stan J. Serafin, Docket No. CI-2009-045. Commissioner Joanis moved the draft decision and Commissioner Watkins seconded the motion. Commissioner Colligan recused himself because he is familiar with the individual that was involved with the discipline of the bus driver in this case. The motion was unanimously approved (Chairman Henderson, Commissioners Branigan, Buchanan, Fuller, Joanis and Watkins).

The next case for consideration was Township of Irvington and IAFF Locals 305 & 2004, Docket No. CO-2009-038. Commissioner Colligan moved the draft decision and Commissioner Branigan seconded the motion. Commissioner Fuller recused herself because she has worked with the Township counsel involved in this case. The motion was unanimously approved (Chairman Henderson, Commissioners Branigan, Buchanan, Colligan, Joanis and Watkins).

The next case for consideration was University of Medicine and Dentistry of New Jersey and University of Medicine and

Dentistry Council of American Association of University Professors Chapters, Docket No. SN-2009-060. Commissioner Branigan moved the draft decision and Commissioner Joanis seconded the motion. The motion was unanimously approved (Chairman Henderson, Commissioners Branigan, Buchanan, Colligan, Fuller, Joanis and Watkins).

The next case for consideration was Township of Hamilton and Communications Workers of America, Local 1040, AFL-CIO, Docket No. SN-2009-071. Commissioner Buchanan moved the draft decision and Commissioner Colligan seconded the motion. The motion was unanimously approved (Chairman Henderson, Commissioners Buchanan, Branigan, Colligan, Fuller, Joanis and Watkins).

The next case for consideration was County of Hudson and PBA Local 109, Docket No. SN-2009-074. Commissioner Branigan moved the draft decision and Commissioner Buchanan seconded the motion. Commissioner Colligan recused himself because of his affiliation with the PBA. Commissioner Fuller recused herself because she is employed by Hudson County. The motion was unanimously approved (Chairman Henderson, Commissioners Branigan, Buchanan, Joanis and Watkins).

The next case for consideration was New Jersey Institute of Technology and FOP Lodge 93, Docket No. SN-2010-014. Commissioner Fuller moved the draft decision and Commissioner Watkins seconded the motion. The motion was unanimously approved

(Chairman Henderson, Commissioners Buchanan, Branigan, Buchanan, Fuller, Joanis and Watkins).

The Commission next considered the proposed 2010 Annual Notice of Meeting. Commissioner Watkins moved that the Annual Notice of Meeting be approved and Commissioner Buchanan seconded the motion. The motion was unanimously approved (Chairman Henderson, Commissioners Buchanan, Branigan, Buchanan, Fuller, Joanis and Watkins).

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

The next meeting is scheduled to be held on Thursday, January 28, 2010 at 10:00 a.m.