

MINUTES OF MEETING
NEW JERSEY PUBLIC EMPLOYMENT RELATIONS COMMISSION
October 28, 2010
10:00 a.m.
495 West State Street
Trenton, New Jersey

The meeting was called to order by Commissioner Paula Voos.

Present were:

Commissioners:

Patrick V. Colligan
Adrienne E. Eaton
Cheryl G. Fuller
Sharon Krengel
Paula B. Voos
Matthew U. Watkins

Also present were:

Mary E. Hennessy-Shotter, Deputy General Counsel
Don Horowitz, Deputy General Counsel
Christine Lucarelli-Carneiro, Deputy General Counsel
Ira Mintz, General Counsel
Annette Thompson, who acted as Stenographer

At the commencement of the meeting, Commissioner Voos, 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 17, 2009 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 room addresses of 25 media outlets;

(c) mailed to the Secretary of State for filing; and

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

Furthermore on October 21, 2010, copies of an additional written "Notice of Meeting" were posted and sent in a similar manner.

The first item for consideration was the minutes of the September 23, 2010 meeting. A motion to adopt the minutes was made by Commissioner Fuller and seconded by Commissioner Colligan. Commissioner Krengel abstained. The motion was unanimously approved (Commissioners Colligan, Eaton, Fuller, Voos and Watkins).

The General Counsel distributed his monthly report. He reported on three appeals of Commission cases. The first case was in the City of Asbury Park. The City has withdrawn its appeal of a Commission decision affirming an interest arbitration award. The other two new appeals are Borough of Keyport, which involves a reduction of work hours and the Township of Parsippany-Troy Hills, which has to do with the requirement to fill out an FMLA leave form when not taking FMLA leave.

The first case for consideration was Washington Township Board of Education and Washington Township Education Association, Docket No. CO-2009-175. Commissioner Eaton moved the draft decision and Commissioner Colligan seconded the motion. The motion was unanimously approved (Commissioners Colligan, Eaton, Fuller, Krengel, Voos and Watkins).

The next case for consideration was Township of Teaneck and Township of Teaneck Policemen's Benevolent Association, Local 215, Docket No. CO-2009-467. 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 (Commissioners Eaton, Fuller, Krengel, Voos and Watkins).

The next case for consideration was Borough of Belmar and Communications Workers of America, AFL-CIO, Docket No. CO-2010-135. Commissioner Colligan moved the draft decision and Commissioner Krengel seconded the motion. Commissioner Watkins recused himself because one of the attorneys involved in the case represents his town. Commissioner Eaton recused herself because one of the attorneys involved represents her union. The motion was unanimously approved (Commissioners Colligan, Fuller, Voos and Watkins).

The next case for consideration was Township of Mt. Laurel and Communications Workers of America, AFL-CIO and AFSCME Council 71, Docket Nos. CO-2010-128 & CO-2010-134. Commissioner Krengel moved the draft decision and Commissioner Colligan seconded the motion. Commissioner Eaton recused herself because one of the attorneys involved represents her union. The motion was unanimously approved (Commissioners Colligan, Fuller, Krengel, Voos and Watkins).

The next case for consideration was County of Passaic and Passaic County Sheriff and Police Benevolent Association Local 197 (Correction Officers), Police Benevolent Association, Local 197 (Correction Superior Officers), Police Benevolent Association

Local 286 (Sheriff's Officers) and Police Benevolent Association
Local 286 (Sheriff's Superior 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 (Commissioners Eaton, Fuller, Kregel, Voos and Watkins).

Commissioner Watkins requested that the Commission convene in an executive session at the November meeting to discuss arbitrator discipline.

The next case for consideration was Town of Kearny and Kearny Firemen's Mutual Benevolent Association, Local No. 18, Docket No. IA-2008-021. Commissioner Colligan moved the draft decision and Commissioner Voos seconded the motion. Commissioner Watkins recused himself because one of the attorneys involved in the case represents his town. The motion was unanimously approved (Commissioners Colligan, Eaton, Kregel and Voos). Commissioner Fuller abstained.

The next case for consideration was State of New Jersey Judiciary and Probation Association of New Jersey (Case-Related Professional Unit), Docket No. SN-2010-060. Commissioner Watkins moved the draft decision and Commissioner Fuller seconded the motion. The motion was unanimously approved (Commissioners Colligan, Eaton, Fuller, Kregel, Voos and Watkins).

The next case for consideration was Old Tappan Board of Education and Old Tappan Education Association, Docket No. SN-2010-062. Commissioner Fuller moved the draft decision and Commissioner Krengel seconded the motion. The motion was approved by a vote of five in favor (Commissioners Eaton, Fuller, Krengel, Voos and Watkins), and one opposed (Commissioner Colligan).

The next case for consideration was New Jersey Transit and Amalgamated Transit Union, Division 540, Docket No. SN-2010-075. Commissioner Colligan moved the draft decision and Commissioner Eaton seconded the motion. The motion was unanimously approved (Commissioners Colligan, Eaton, Fuller, Krengel, Voos and Watkins).

The next case for consideration was Township of Mount Holly and CWA Local 1036, Docket Nos. SN-2010-077 & SN-2010-078. Commissioner Eaton moved the draft decision and Commissioner Krengel seconded the motion. The motion was unanimously approved (Commissioners Colligan, Eaton, Fuller, Krengel, Voos and Watkins).

The last case for consideration was Township of Mount Holly and CWA Local 1036, Docket No. SN-2010-079. Commissioner Watkins moved the draft decision and Commissioner Fuller seconded the motion. The motion was unanimously approved (Commissioners Colligan, Eaton, Fuller, Krengel, Voos and Watkins).

The next item for consideration was the Readoption of Rules governing Representation Proceedings, N.J.A.C. 19:11.

Commissioner Eaton moved that the rules be readopted and Commissioner Watkins seconded the motion. The motion was unanimously approved (Commissioners Colligan, Eaton, Fuller, Krengel, Voos and Watkins).

The last item for consideration was the Readoption of Rules governing Unfair Practice Procedures, N.J.A.C. 19:14.

Commissioner Fuller moved that the rules be readopted and Commissioner Watkins seconded the motion. The motion was unanimously approved (Commissioners Colligan, Eaton, Fuller, Krengel, Voos and Watkins).

Commissioner Watkins 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 Tuesday, November 23, 2010 at 10:00 a.m.