

MINUTES OF MEETING  
NEW JERSEY PUBLIC EMPLOYMENT RELATIONS COMMISSION  
October 29, 2015  
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  
Paula Voos

Also present were:

Robin T. McMahon, General Counsel  
Joseph Blaney, Deputy General Counsel  
Christine Lucarelli-Carneiro, Deputy General Counsel  
David N. Gambert, Deputy General Counsel  
Don Horowitz, 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 18, 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) copies e-mailed to the Secretary of State for filing; and
- (d) posted on the agency's web site.

Furthermore on October 23, 2015, copies of an additional written "Notice of Meeting" were posted and sent in a similar manner.

The Chair introduced Robin T. McMahon, PERC's new General Counsel. Robin was formerly a partner at the Cleary, Giacobbe, Alfieri and Jacobs law firm. She also worked with Scarinci and Hollenbeck and of course, for at least ten years, worked with our former General Counsel Martin Pachman. The Chair thanked Don Horowitz for serving as Acting General Counsel. He has done an outstanding job; represented us perfectly yesterday in court. I was very proud of the work that he did yesterday.

The Chair announced that PERC's Symposium on October 16, 2015 turned out great. She commented that she received a lot of positive feedback; even Commissioner Eskilson commented on how great it turned out. We have booked the facility for next year's symposium. She also mentioned that PERC conducted an in-house training session last month and PERC's Annual Interest Arbitration Training on October 26, 2015 and we were in court yesterday.

The Counsel's Office distributed a monthly report. Senior Deputy General Counsel Don Horowitz asked to segway into Item #3 from last months meeting. We had a case where the final vote was three in favor and three opposed. Commissioner Boudreau who would have been eligible to vote was not at last months meeting. We might have left you with the impression at the end of the meeting that that was the end of the case but since that tie was in a scope of negotiations case and the tie was a "breakable

tie", meaning that the full Commissioner were present, we could have had a vote on it. Our policy, and I have a copy of that policy in your materials, which appears on our website, is that in cases of breakable ties the proposed decision will be put on the next months agenda so that is the reason you have that draft back in front of you again, although we have right now five Commissioner's present today rather than seven.

The first item on the agenda was the minutes of the September 24, 2015 regular Commission meeting. A motion to adopt the minutes was made by Commissioner Eskilson and seconded by Commissioner Bonanni. Commissioner Boudreau was not present at this meeting and will abstain from voting. The motion to adopt the minutes was unanimously approved (Chair Hatfield, Commissioners Bonanni, Eskilson and Voos).

The first case for consideration was the draft decision in Elizabeth Board of Education and Elizabeth Education Association, Docket No. SN-2015-035. 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 one opposed (Commissioners Voos).

The next case for consideration was the draft decision in Somerset County Sheriff's Office and Police Benevolent Association Local 177, Docket No. SN-2015-036. 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 and Voos).

The next case for consideration was the draft decision in Borough of Helmetta and Local 210, International Brotherhood of Teamsters, Docket No. SN-2015-048. Commissioner Boudreau moved the draft decision and Commissioner Eskilson seconded the motion. Commissioner Bonanni recused himself because the law firm Cleary, Giacobbe, Alfieri, Jacobs is labor and county counsel for Morris County. The motion to adopt the draft decision was unanimously approved (Chair Hatfield, Commissioners Boudreau, Eskilson and Voos).

The next case for consideration was the draft decision in Washington Township Board of Education and Washington Township Education Association, Docket No. SN-2015-066. Commissioner Voos 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 and Voos).

The next case for consideration was the draft decision in Township of Livingston and International Brotherhood of Teamsters Local 469, Docket No. SN-2015-075. 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 and Voos).

The next case for consideration was the draft decision in Asbury Park Board of Education and Asbury Park Education Association, Docket No. SN-2015-076. Commissioner Eskilson moved the draft decision and Commissioner Bonanni seconded the motion. The motion to adopt the draft decision was unanimously approved (Chair Hatfield, Commissioners Bonanni, Boudreau, Eskilson and Voos).

The next case for consideration was the draft decision in Borough of Carteret and Police Benevolent Association Local 47, Docket No. CO-2011-225. Commissioner Voos moved the draft decision and Commissioner Boudreau seconded the motion. Commissioner Bonanni recused himself because the law firm McManimon and Scotland has been retained to serve as Morris County Improvement Authority Counsel of which he is a Commissioner. The motion to adopt the draft decision was unanimously approved (Chair Hatfield, Commissioners Boudreau, Eskilson and Voos).

The last case for consideration was the draft decision in Newark Housing Authority and Skilled Trades Association, Inc., OAL Docket No. PRC 02872-11 & PERC Docket No. CO-2010-487; Newark Housing Authority Layoff - 2010, OAL Docket No. CSV 09080-10 and Agency Docket No. 2010-4005. Commissioner Eskilson moved the

draft decision and Commissioner Boudreau seconded the motion. The motion to adopt the draft decision was unanimously approved (Chair Hatfield, Commissioner Bonanni, Boudreau, Eskilson and Voos).

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

The next regular meeting is scheduled to be held on Thursday, November 19, 2015.