

MINUTES OF MEETING  
NEW JERSEY PUBLIC EMPLOYMENT RELATIONS COMMISSION  
September 28, 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:

Paul Boudreau  
John Eskilson  
David Jones

Also present were:

Robin McMahon, General Counsel  
Don Horowitz, Senior Deputy General Counsel  
Christine Lucarelli-Carneiro, Deputy General Counsel  
Frank Kanther, Deputy General Counsel  
Joseph Blaney, 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) e-mailed to the business offices of the Trenton Times and the Courier Post;
- (c) e-mailed to the Secretary of State for filing; and
- (d) posted on the agency's web site.

Furthermore on September 22, 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 August 17, 2017 Commission meeting. Commissioner Eskilson was not present at the August 17, 2017 meeting. Commissioners Bonanni and Voos are not present at this meeting. As a result of these absences, a quorum of Commissioners was not present to act on this item. These minutes will be considered at the October 26, 2017 meeting.

The Chair reported that she provided the Commissioners with the symposium brochure. Martin F. Scheinman who is nationally known as a very well-versed arbitrator is going to be a guest. He has contributed 250 copies of a book he published called Evidence and Proof in Arbitration. Our own staff is going to update us on case law and decisions from the court. Unfair Practices is doing a segment called Give Peace a Chance. We have over 375 signed up and we have moved the location because we turned a lot of people away last year and the year before. It will be held at Rider University.

Commissioner Jones expressed his concern regarding the discussion of the dynamic status quo at the Symposium and how we are going to approach this. The Chair commented that General Counsel will be discussing it as part of the PERC update. He stated he did not want us to gloss over it and asked how we're not addressing it. The Chair stated that when a case is presented to the agency we will follow the Supreme Court ruling.

The Counsel's Office distributed a monthly report.

The first case for consideration was the draft decision in Paterson State-Operated School District and Paterson Education Association, Docket No. TO-2017-001. 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 Boudreau, Eskilson and Jones).

The next item for consideration was the draft decision in Ridgefield Park Board of Education and Ridgefield Park Education Association, Docket Nos. SN-2017-047 and SN-2017-056. Commissioner Eskilson is recused from voting on this consolidated matter because the Board of Education is represented by the law firm of Porzio, Brombert & Newman, which also serves as counsel for the Sussex County Community College, and Commissioner Eskilson is a member of the College's Board of Trustees. As a result of this recusal and absences, a quorum of Commissioners was not present to act on this case. This case will be considered at the October 26, 2017 meeting.

The next item for consideration was the draft decision in Township of Hanover and PBA Local 128, Docket No. CO-2016-135. 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 three in favor (Chair

Hatfield, Commissioners Boudreau and Eskilson) and one opposed (Commissioner Jones).

The next item for consideration was the draft decision in Town of Westfield and Superior Officers Association, PBA Local 90A, Docket No. SN-2017-046. 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 three in favor (Chair Hatfield, Commissioners Boudreau and Eskilson) and one opposed (Commissioner Jones).

The next item for consideration was the draft decision in Verona Board of Education and Verona Education Association, Docket No. SN-2017-045. 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 three in favor (Chair Hatfield, Commissioners Boudreau and Eskilson) and one opposed (Commissioner Jones).

The next item for consideration was the draft decision in Borough of Milltown and OPEIU Local 32, Docket No. SN-2017-050. Commissioner Eskilson is recused from voting on this matter because OPEIU Local 32 is represented by the law firm of Mets, Schiro, McGovern & Paris, which also provides legal services to unions representing employees of the City of Paterson, where the Commissioner serves as Fiscal Oversight Officer. As a result of this recusal and absences, a quorum of Commissioners was not

present to act on this case. This case will be considered at the October 26, 2017 meeting.

The last item for consideration is the Readoption of Unfair Practice Rules, N.J.A.C. 19:14. Commissioner Jones moved to readopt these rules and Commissioner Boudreau seconded the motion. The motion to readopt the Unfair Practice Rules, N.J.A.C. 19:14 was unanimously approved (Chair Hatfield, Commissioners Boudreau, Eskilson and Jones).

Commissioner Eskilson moved to adjourn the meeting and Commissioner Jones 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, October 26, 2017.