

MINUTES OF MEETING
NEW JERSEY PUBLIC EMPLOYMENT RELATIONS COMMISSION
March 30, 2006
10:30 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
Carla A. Katz
Matthew U. Watkins

Also present were:

Robert E. Anderson, General Counsel
Susan Galante, Special Counsel to the Chairman
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 15, 2005 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 row addresses of 25 media outlets; and

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

Furthermore on March 23, 2006, copies of an additional written "Notice of Meeting" were posted and mailed in a similar manner, as was a "Supplemental Notice of Meeting" on March 29, 2006.

Chairman Henderson called the meeting to order. The first

item for consideration was the minutes of the February 23, 2006 meeting. A motion to adopt the minutes was made by Commissioner Fuller and seconded by Commissioner DiNardo. The motion was unanimously approved (Chairman Henderson, Commissioners Buchanan, DiNardo, Fuller and Watkins).

The General Counsel distributed his monthly and supplemental reports. He reported on Farber v. City of Paterson, a Third Circuit Court of Appeals decision. The case holds that in a court action alleging that a majority representative breached its duty of fair representation, the statute of limitations is six years rather than six months as under the PERC statute. Also, as a reminder, financial disclosure statements must be filed by May 17, but the Governor would like them filed by May 1. On May 18 there will be a \$50 per day penalty assessed for not filing on time. Ethics training must be completed before filling out the form. Online and in-person training are both available.

Commissioner Katz joined the meeting at this time.

The first case for consideration was Burlington County College and Burlington County College Supportive Staff Association, Docket No. CU-2005-014. Commissioner Buchanan moved the draft decision and Commissioner Katz seconded the motion. The motion to adopt the decision was unanimously approved (Chairman Henderson, Commissioners Buchanan, DiNardo, Fuller, Katz and Watkins).

The next case for consideration was City of Jersey City and

Jersey City POBA, Docket No. CO-2005-128. Commissioner Watkins moved the draft decision and Commissioner Fuller seconded the motion. Commissioner DiNardo abstained from consideration because he has relatives employed in the Jersey City Police Department. The motion to adopt the decision was unanimously approved (Chairman Henderson, Commissioners Buchanan, Fuller, Katz and Watkins).

The next case for consideration was City of Englewood and Englewood PBA Local 216 (SOA), Docket No. CO-2004-074.

Commissioner Watkins moved the draft decision and Commissioner Katz seconded the motion. Commissioner Fuller abstained from consideration because the City of Englewood is her employer. The motion to adopt the decision was unanimously approved (Chairman Henderson, Commissioners Buchanan, DiNardo, Katz and Watkins).

The next case for consideration was State of New Jersey (Division of State Police) and State Troopers Superior Officers Association, Docket No. SN-2006-030. Commissioner Fuller moved the draft decision and Commissioner DiNardo seconded the motion. The motion to adopt the decision was unanimously approved (Chairman Henderson, Commissioners Buchanan, DiNardo, Fuller, Katz and Watkins).

The next case for consideration was Bergenfield Board of Education and Bergenfield Education Association, Docket No. SN-2006-044. Commissioner Buchanan moved the draft decision and

Commissioner Watkins seconded the motion. The motion to adopt the decision was unanimously approved (Chairman Henderson, Commissioners Buchanan, DiNardo, Fuller, Katz and Watkins).

The next case for consideration was New Jersey Transit Bus Operations, Inc. and Amalgamated Transit Union, New Jersey State Council, Docket No. SN-2005-049. Commissioner Buchanan moved the draft decision and Commissioner Katz seconded the motion. The motion to adopt the decision was unanimously approved (Chairman Henderson, Commissioners Buchanan, DiNardo, Fuller, Katz and Watkins).

The next case for consideration was County of Mercer and P.B.A. Local 167, Mercer County Correctional Officers, Docket No. SN-2006-037. Commissioner Buchanan moved the draft decision and Commissioner Fuller seconded the motion. The motion to adopt the decision was unanimously approved (Chairman Henderson, Commissioners Buchanan, DiNardo, Fuller, Katz and Watkins).

The next case for consideration was City of Jersey City and Jersey City Police Officers Benevolent Association, Docket No. SN-2006-053. Commissioner Fuller moved the draft decision and Commissioner Watkins seconded the motion. Commissioner DiNardo abstained from consideration because he has relatives employed in the Jersey City Police Department. The motion to adopt the decision was unanimously approved (Chairman Henderson, Commissioners Buchanan, Fuller, Katz and Watkins).

The next case for consideration was Township of Ocean and

P.B.A. Local No. 57, Docket No. SN-2005-091. Commissioner Buchanan moved the draft decision and Commissioner Katz seconded the motion. The motion to adopt the decision was unanimously approved (Chairman Henderson, Commissioners Buchanan, DiNardo, Fuller, Katz and Watkins).

The next case for consideration was City of Newark and Newark Fire Officers Union, IAFF Local 1860, Docket No. SN-2006-026. Commissioner Fuller moved the draft decision and Commissioner Watkins seconded the motion. The motion to adopt the decision was unanimously approved (Chairman Henderson, Commissioners Buchanan, DiNardo, Fuller, Katz and Watkins).

The next case for consideration was Passaic Board of Education and Education Association of Passaic, Docket No. SN-2006-038. Commissioner Katz moved the draft decision and Commissioner Watkins seconded the motion. The motion to adopt the decision was unanimously approved (Chairman Henderson, Commissioners Buchanan, DiNardo, Fuller, Katz and Watkins).

The next case for consideration was Hudson County and United Workers of America Local 322 and District 1199J, Docket No. RO-2006-059. The Commissioners took a five minute recess to review late filed submissions. Commissioner Katz moved the draft decision and Commissioner Watkins seconded the motion. Commissioners DiNardo and Fuller abstained from consideration because they both have paid positions with Hudson County. The

motion to adopt the decision was unanimously approved (Chairman Henderson, Commissioners Buchanan, Katz and Watkins).

Chairman Henderson informed the Commissioners that Susan Galante would be retiring effective April 1, 2006. The Chairman praised Ms. Galante's excellence in all her endeavors for the Commission and wished her happiness in her retirement. The other Commissioners joined in his praise and best wishes.

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

The next meeting is scheduled to be held on Thursday, April 27, 2006 at 10:00 a.m.