

MINUTES OF MEETING
NEW JERSEY PUBLIC EMPLOYMENT RELATIONS COMMISSION
September 26, 2024
10:00 a.m.
495 West State Street
Trenton, New Jersey

The meeting was called to order by Chair Mary Beth Hennessy-Shotter.

Present were:

Commissioners:

Craig Ford
Barry Kushnir
Pasquale Papero

Also present were:

Christine Lucarelli-Carneiro, General Counsel
John Boppert, Deputy General Counsel
Frank Kanther, Deputy General Counsel
Ramiro Perez, Deputy General Counsel
William J. Campbell, IV, Deputy General Counsel
Grace Xanthacos, who acted as Stenographer

At the commencement of the meeting, Chair Hennessy-Shotter, 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, 2023 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) posted on the agency's web site.

Furthermore on September 18, 2024, 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 June 27, 2024 meeting. Commissioner Kushnir moved the minutes and Commissioner Papero seconded the motion. The motion to adopt the minutes was unanimously approved (Chair Hennessy-Shotter, Commissioners Ford, Kushnir and Papero).

The next item for consideration was the minutes of the June 27, 2024 executive session meeting. Commissioner Ford moved the minutes and Commissioner Papero seconded the motion. The motion to adopt the executive session meeting minutes were unanimously approved (Chair Hennessy-Shotter, Commissioners Ford, Kushnir and Papero).

The next item for consideration was the minutes of the September 4, 2024 special meeting. Commissioner Kushnir moved the minutes and Commissioner Ford seconded the motion. The motion to adopt the special meeting minutes were unanimously approved (Chair Hennessy-Shotter, Commissioners Ford, Kushnir and Papero).

The Chair notified the Commissioners that the Agency is moving to a Teams phone system for future remote meetings. The Chair also notified the Commissioners that the parties in the Essex County and PBAs 183 and 183A, IA-2024-008 and IA-2024-009, have jointly requested an extension of time for the award on remand to continue settlement discussions. Lastly, the Chair distributed a report from the Office of the Comptroller

concerning the collection of public sector contracts.

The General Counsel commented on PERC's second dismissal from Lutter v. JNESO, et al., 86 F.4th 111 (3d. Cir. 2023), as well as the Appellate Division's decision in Union County College and Union County College Chapter of the American Association of University Professors (AAUP), App. Div. Dkt. No. A-2993-22T4.

The first case for consideration was Sayreville Borough and AFSCME Local 3527, Docket No. SN-2024-036. Commissioner Kushnir moved the draft decision and Commissioner Papero seconded the motion. Commissioner Ford is recused from voting on matters involving the law firm of Oxfeld Cohen, P.C. The motion to adopt the draft decision was unanimously approved (Chair Hennessy-Shotter, Commissioners Kushnir and Papero).

The next item for consideration was Policemen's Benevolent Association Local 334 and J.M. and NJ State Policemen's Benevolent Association, Docket No. CI-2022-015. Commissioner Ford moved the draft decision and Commissioner Kushnir seconded the motion. Commissioner Papero is recused from voting on matters involving the NJ State Policemen's Benevolent Association. The motion to adopt the draft was unanimously approved (Chair Hennessy-Shotter, Commissioners Ford and Kushnir).

The next item for consideration was Fairfield Board of Education and Fairfield Education Association, Docket No. CO-2024-040. Commissioner Kushnir moved the draft decision and Commissioner Papero seconded the motion. Commissioner Ford is recused from voting on matters involving the law firm of Oxfeld Cohen, P.C. The motion to adopt the draft decision was unanimously approved (Chair Hennessy-Shotter, Commissioners Kushnir and Papero).

The next item for consideration was Camden City School District and K.L., Docket No. TI-2024-003. Commissioner Kushnir moved the draft decision and Commissioner Papero seconded the motion. The motion to adopt the draft decision was unanimously approved (Chair Hennessy-Shotter, Commissioners Ford, Kushnir and Papero).

The next item for consideration was Borough of Lodi and Policemen's Benevolent Association Local 26, Docket No. SN-2024-035. Commissioner Ford moved the draft decision and Commissioner Kushnir seconded the motion. Commissioner Papero is recused from voting on matters involving the NJ State Policemen's Benevolent Association. The motion to adopt the draft was unanimously approved (Chair Hennessy-Shotter, Commissioners Ford and Kushnir).

The next item for consideration was Newark Public Schools Board of Education and Local 617, Workers United, SEIU, Docket No. CO-2022-185. Commissioner Kushnir moved the draft decision and Commissioner Papero seconded the motion. Commissioner Ford is recused from voting on matters involving the law firm of Oxfeld Cohen, P.C. The motion to adopt the draft decision was unanimously approved (Chair Hennessy-Shotter, Commissioners Kushnir and Papero).

The next item for consideration was City of Newark and Newark Police Superior Officer's Association, Docket No. CO-2024-069. Commissioner Ford moved the draft decision and Commissioner Kushnir seconded the motion. The motion to adopt the draft decision was unanimously approved (Chair Hennessy-Shotter, Commissioners Ford, Kushnir and Papero).

The next item for consideration was Chester Township Board of Education and Chester Township Education Association, Docket No. SN-2025-001. Commissioner Papero moved the draft decision and Commissioner Kushnir seconded the motion. Commissioner Ford is recused from voting on matters involving the law firm of Oxfeld Cohen, P.C. The motion to adopt the draft decision was unanimously approved (Chair Hennessy-Shotter, Commissioners Kushnir and Papero).

The next item for consideration was City of Paterson and Paterson Policemen's Benevolent Association Local 1 and Paterson Policemen's Benevolent Association Local 1 Superior Officer's Association, Docket Nos. CO-2021-038, CO-2021-062 and CO-2021-101. Commissioner Kushnir moved the draft decision and Commissioner Ford seconded the motion. Commissioner Papero is recused from voting on matters involving the NJ State Policemen's Benevolent Association. The motion to adopt the draft was unanimously approved (Chair Hennessy-Shotter, Commissioners Ford and Kushnir).

The next item for consideration was Middletown Township Board of Education and International Brotherhood of Teamsters, Local 11, Docket No. SN-2024-037. Commissioner Ford moved the draft decision and Commissioner Kushnir seconded the motion. The motion to adopt the draft decision was unanimously approved (Chair Hennessy-Shotter, Commissioners Ford, Kushnir and Papero).

The next item for consideration was Saddle River Board of Education and Saddle River Education Association, Docket No. CO-2022-100. Commissioner Papero moved the draft decision and Commissioner Kushnir seconded the motion. The motion to adopt the draft decision was unanimously approved (Chair Hennessy-Shotter, Commissioners Ford, Kushnir and Papero).

The next item for consideration was the 2024 Amended Biennial Report of the New Jersey Public Employment Relations

Commission on the Police and Fire Interest Arbitration Reform Act. Commissioner Papero made a motion to approve the report and Commissioner Ford seconded the motion. A discussion ensued. The motion to approve the 2024 Amended Biennial Report of the New Jersey Public Employment Relations Commission on the Police and Fire Interest Arbitration Reform Act were unanimously approved (Chair Hennessy-Shotter, Commissioners Ford, Kushnir and Papero).

The Chair asked for a motion to adjourn the meeting. Commissioner Kushnir made a motion to adjourn the meeting and Commissioner Ford seconded the motion. The motion was unanimously approved (Chair Hennessy-Shotter, Commissioners Ford, Kushnir and Papero). The meeting was then adjourned.

The next regular meeting is scheduled to be held on Thursday, October 24, 2024.