

**CITY OF VENTNOR
ATLANTIC COUNTY
NEW JERSEY**

RESOLUTION 265 -2017

SUBJECT: A RESOLUTION APPROVING THE TERMS OF A MEMORANDUM OF AGREEMENT WITH PBA LOCAL 97 AND AUTHORIZING THE EXECUTION OF A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY AND PBA CONSISTENT WITH THE TERMS OF THAT MEMORANDUM OF AGREEMENT FOR THE PERIOD JANUARY 1, 2017 THROUGH DECEMBER 31, 2020.

WHEREAS, the City of Ventnor (the City) and PBA Local 97 (the PBA) engaged in collective bargaining negotiations to replace the current Agreement between the City and PBA, which expired on December 31, 2016; and

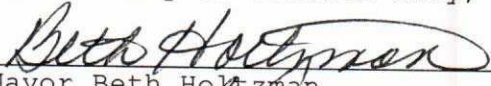
WHEREAS, the City Commissioners are in agreement with the terms proposed in the MOA; and

WHEREAS, the City Commissioners have also determined that the MOA between the parties should be memorialized in a final contract covering the period January 1, 2017 through December 31, 2020.

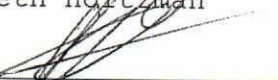
NOW, THEREFORE, BE IT RESOLVED by the City Commissioners of the City of Ventnor, County of Atlantic, State of New Jersey, that:

1. Statements of the preamble hereto are incorporated herein by this reference.
2. The MOA between the City and the PBA covering the period January 1, 2017 through December 31, 2020, a copy of which is on file with the City Clerk, is hereby approved.
3. The Commissioners hereby authorize the execution of a collective bargaining agreement between the City of Ventnor and PBA Local 97 covering the period January 1, 2017 through December 31, 2020 which is consistent with the terms contained in the MOA.
4. The Mayor of the City is hereby authorized, directed and empowered to execute said collective bargaining agreement on behalf of the City of Ventnor subject such final editing as may be approved by City labor counsel.
3. The City Clerk is further authorized, directed and empowered to seal said collective bargaining agreement with the seal of the City of Ventnor.

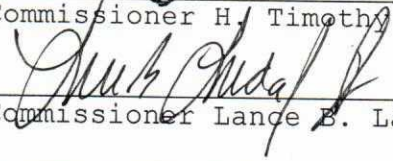
Members of the Board of Commissioners
of the City of Ventnor City, NJ



Mayor Beth Holtzman



Commissioner H. Timothy Kriebel



Commissioner Lance B. Landgraf Jr.

I, **LISA H. HAND**, City Clerk of the **CITY OF VENTNOR CITY**, do hereby certify that the foregoing resolution was duly adopted at a regular meeting of the **Ventnor City Board of Commissioners** held this 19th day of September, 2017 and in witness whereof I have hereunder set my hand and official seal on this date written.

	Motion	Second	Yes	Nay	Abstain	Absent
Holtzman			x			
Kriebel		x	x			
Landgraf	x		x			



LISA H. HAND, RMC
CITY CLERK

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement (hereinafter referred to "MOA") is made on this 30 day of December, 2016, by and between the City of Ventnor, Atlantic County, State of New Jersey, (hereinafter referred to as "the City") and PBA Local 97, (hereinafter referred to as "the PBA").

RECITALS

WHEREAS, The City is a Civil Service Municipality, subject to the provisions of the New Jersey Employer-Employee Relations Act.

WHEREAS, The City and the PBA are parties to a collective bargaining agreement ("CBA") effective January 1, 2013 through December 31, 2016 governing the terms and conditions of the Union members;

WHEREAS, in the CBA, the parties negotiated a clause including the sum of \$400.00 in base pay for the CALEA Certification;

WHEREAS, on or about December 15, 2016 it was discussed that the above referenced sum was never properly calculated and paid to the PBA members;

WHEREAS, as a result of discussions between representatives of the PBA and the City, a resolution was reached at the informal stage dispensing with any need to initiate a formal grievance;

WHEREAS, the City and the PBA have agreed that it is in both their best interests that that the outstanding issues be resolved in accordance with the terms and conditions set forth in this Agreement, therefore, saving time and expense and mutually deem this resolution in the best interest of the parties.


NOW, THEREFORE, in consideration of the mutual promises and representations herein contained, and intending to be legally bound, the parties understand and agree as follows:

1. Each effected member of the "PBA" shall receive the sum of Five Thousand Dollars (\$5,000.00) payable through a payroll check and subject to normal payroll deductions, provided they were employed full time during the entire time of the contract period of the existing CBA. Said sum is not pensionable.
2. For any member not employed for the entire contract period of the existing "CBA", the sum of Six Hundred Twenty Five Dollars (\$625.00) shall be payable through a payroll check and subject to normal payroll deductions on a pro-rated basis for every six (6) months of employment but not exceeding the amount of Five Thousand Dollars (\$5,000.00). Said sum is not pensionable.

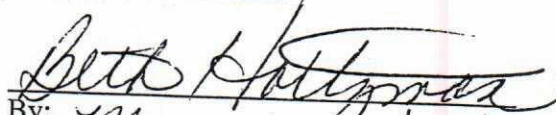
3. The sum of One Thousand Six Hundred Dollars (\$1,600.00) shall be placed in the base pay of all members of the "PBA" as of January 1, 2017.
4. The PBA on behalf of its active members waive any further claims referencing this matter under any current or expired contract between the City and the PBA regarding the payment of \$400.00 for the "Accreditation Acknowledgment Adjustment" as it is referenced in Article 11, Section E of the current Agreement and however it may be referenced in prior agreements, and to be clear the waiver is related to all claims through December 31, 2016 for past contract violations about this matter, only.
5. The Contract shall be enforced moving forward, except that the parties acknowledge that the Accreditation Acknowledgment Adjustment set forth in Article 11, Section E of the current Agreement is a negotiable term and condition of employment and, as such, can be subject to negotiations during the collective bargaining for a successor agreement.
6. This resolution is for active members only and does not affect any rights of retired members.
7. Severability. In the event that any section or part of this MOA shall be found to be void or unenforceable, such section or part shall be deemed to be surplusage and the remainder of the Agreement shall remain in full force and effect.

This Memorandum of Agreement is agreed to and signed by the PBA and the Mayor of the City of Ventnor.

PBA LOCAL 97


By: PATRICK HILTNER PRESIDENT

CITY OF VENTNOR


By: Mayor of Ventnor City

2018 OCT 22 2:33

PERC