

MEMORANDUM OF AGREEMENT

BY AND AMONG

CITY OF NORTHFIELD AND MAINLAND PBA LOCAL 77 AND LT. SCOTT POLLAK, LT. ROBERT DEVER SGT. MICHAEL BUCCAFURNI, SGT. GAETANO DIMARCO

WHEREAS, the City of Northfield's Police Department is established under Chapter 61 of the City Code of the City of Northfield; and

WHEREAS, PBA Mainland Local 77 is the majority representative for members of the Northfield Police Department below the rank of Chief; and

WHEREAS, the City of Northfield's promotional procedures are governed by City Code Chapter 61, Article IV; and

WHEREAS, the City of Northfield has one vacancy in the position of Police Captain; and

WHEREAS, according to Chapter 61, Article IV, Section 61-24(B)1-5, only four members of the Northfield City Police Department are eligible for the position of Captain-Lt. Scott Pollak, Lt. Robert Dever, Sgt. Michael Buccafurni, Sgt. Gaetano Dimarco; and

WHEREAS, the City of Northfield was approached by the PBA, on behalf of the four employees listed above, with a request to forego certain testing procedures outlined in Chapter 61 of the City Code based upon the fact that City Code utilizes the "rule of three" in the final selection process; and

WHEREAS, the City of Northfield and PBA Mainland Local 77 and the four members of the police department who are eligible for the position of Captain have discussed an alternative procedure to be implemented on a one-time basis, due to extenuating and specific circumstances; and

WHEREAS, all parties wish to fill these positions in a manner which is fair, cost effective and expeditious and which they believe to be in the best interest of the operations of the police department; and

WHEREAS, the City of Northfield, PBA Mainland Local 77 and the four eligible members of the police department agree to a one-time alternative method for the position of Police Captain and desire to memorialize this understanding.

NOW THEREFORE, the parties agree as follows:

1. The statements of the preamble are hereby restated as if set forth herein.
2. For the position of Captain for the City of Northfield Police Department, for the year 2024 only, the parties agree to waive all examination procedures outlined in City Code Chapter 61, Article IV, including but not limited to those set forth in Section 61-25.
3. For the position of Captain for the City of Northfield Police Department, for the year 2024 only, the parties agree to utilize the list of candidates for the position which resulted from when the same four (4) individuals tested for Lieutenant in 2023. Accordingly, the Captain list from 2024 will be the same list that resulted for Lieutenant in 2023, just with a different expiration date.
4. It is expressly understood that the 2024 Captain list, consistent with Chapter 61, Article IV, Section 61-26 (M) will be effective for a period of three years from May 1, 2024. The parties agree to abide by the "rule of three" when making the selection from the Captain's list. Therefore, if any additional promotions to Police Captain are made within a three-year period of time, said promotions shall be made from the next top three individuals on this Captain promotional list. It is further understood that upon the expiration of that three-year period, the promotion list shall be void. Finally, it is understood that this list shall only apply to promotions to the position of Police Captain.
5. Mainland PBA Local 77 agrees to hold the City of Northfield harmless for not abiding by the procedures set forth in Chapter 61 of the City of Northfield Code, Article IV, Promotion Procedures and further agrees to hold the City harmless for the ultimate selection of the Police Captains provided that the City complies with the terms of this Memorandum of Agreement.
6. The four members of the Northfield City Police Department who have signed this MOA below hereby agree to hold the City of Northfield harmless for not abiding by the procedures set forth in Chapter 61 of the City of Northfield Code, Article IV, Promotion Procedures and further agrees to hold the City harmless for the ultimate selection of the Captain provided that the City complies with the terms of this Memorandum of Agreement. This includes any future appointments or non-appointments which may take the results of this process into account. Accordingly, it is acknowledged that the

individuals ultimately selected for Captain may have a slight advantage in future promotional opportunities. The individuals acknowledge they have considered this and agree to the terms. These individuals acknowledge that they have entered into this agreement voluntarily and after having an opportunity to consult with independent counsel.

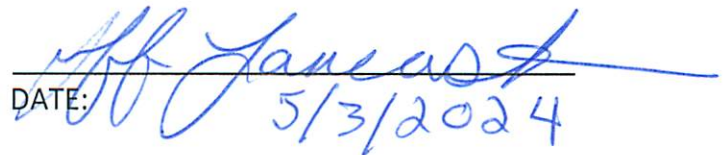
7. All parties agree that this Agreement shall not set a precedent for how promotional examinations are conducted in the future and agree that this is a one-time procedure based upon specific circumstances and the cooperation/agreement of all parties involved.
8. In the event the City changes, by Ordinance, Chapter 61 of the City of Northfield Code, the City Ordinance shall supersede this Memorandum of Agreement.

CITY OF NORTHFIELD
BY: ERIC LEEDS, COUNCIL PRESIDENT

 5/7/2024

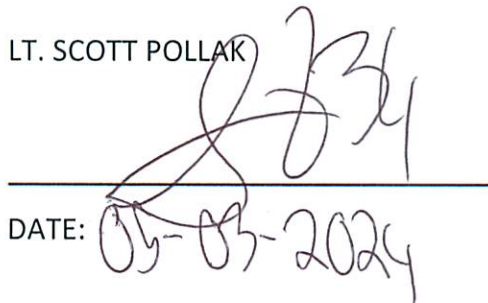
DATE:

MAINLAND PBA LOCAL #77
BY: JEFFREY LANCASTER, PRESIDENT

 5/3/2024

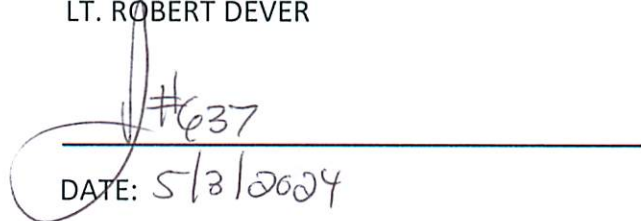
DATE:

LT. SCOTT POLLAK

 05-03-2024

DATE:

LT. ROBERT DEVER

 #637 5/3/2024

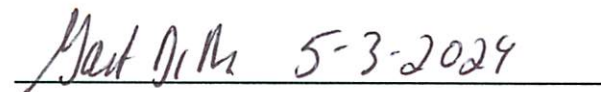
DATE:

SGT. MICHAEL BUCCAFURNI

5/3/24 Sgt. Michael Buccafurni

DATE:

SGT. GAETANO DIMARCO

 5-3-2024

DATE: