

Memorandum of Understanding

This Memorandum of Understanding is entered on this 5th day of January, 2021, between the collective negotiations teams for the Superior Officers Bargaining Unit ("Union") representing the Superior Police Officers, and the City of Burlington, ("City") collectively, referred to as "the parties."

Whereas, the parties, having bargained in good faith, mutually agree to amend the terms of their current contract, which expires on December 31, 2020; and

Whereas, the parties, having bargained in good faith, mutually agree that the language and comprehensive terms of the present contract shall remain in effect for an extension of the present contract for a term of one additional year, with an increase in the salaries of the members as set forth herein; and

Whereas, the within Memorandum of Understanding ("MOU") is intended to continue the existing contract between the parties and to incorporate by reference the terms and conditions of the existing contract between the parties; and

Whereas, the parties agree that the within MOU, which incorporates the terms of the existing contract, is intended to serve as the written contract document providing for the extension of the existing contract term between the parties; and

Whereas, the form of the contract was previously reviewed by the authorized representatives of the respective parties and previously approved and authorized by the Common Council; and

Whereas, parties agree that the memorialization of the terms for the extension of the contract between the parties consists of the within MOU with the incorporation of the other applicable terms and conditions of the existing expiring contract; and

Whereas, the parties mutually acknowledge and agree that their current collective negotiations have resulted in an agreement to amend and extend the current contract through the following terms and conditions, which shall serve to amend the prior collective agreement and extend the term of the contract:

1. Term of the Agreement: The parties agree to the extension of the existing contract for a term of one (1) year, starting on January 1, 2021 and expiring on December 31, 2021.
2. The parties agree to maintain and incorporate all of the other terms and conditions of the existing contract between the parties, which was for the term from January 1, 2017 – December 31, 2020, and as set forth in the contract attached as Exhibit "A."
3. The parties agreed to the following revisions and amendments to the terms of the prior contract between the parties:

Article X: Salaries

Effective January 1, 2021, the salary guide to be paid to the Superior Officers shall be increased by 1.70% for the year 2021 under this one-year contract term, which expires on December 31, 2021. This provision for the extension of the terms of the existing contract with an increase in the salary guide becomes effective upon the Ratification of this contract extension by the Common Council of the City of Burlington. Any retroactive pay due to any superior officer from the effective date of January 1, 2021 to the date of the Ratification of this contract extension shall be paid upon the City's ratification and adoption of salary ordinances.

4. This Memorandum of Understanding is subject to ratification of the bargaining unit members of the Union and by the City, respectively, in accordance with their respective rules and procedures related thereto and in accordance with any relevant laws. The undersigned parties agree to recommend the terms and conditions contained in this Memorandum of Understanding to their respective constituents for approval and ratification. This Memorandum of Understanding shall not be legally effective absent said ratification.

5. The City and the Union agree that the within MOU is intended to act as the final contract document in effect between the parties for the subject one-year extension of the prior contract term and that the within MOU incorporates the terms and conditions of the expiring contract between the parties with the modification as forth herein as to the revision to the salaries of the Officers and that all other terms and conditions of the prior contract shall remain in full force and effect and are incorporated by reference.

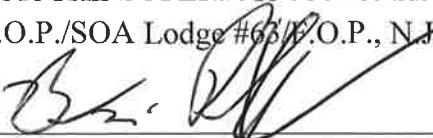
6. The undersigned represent that they are authorized to enter into this Memorandum of Understanding on behalf of their respective constituencies subject to the terms and conditions herein.

7. In ratifying the Memorandum of Understanding, the City authorizes the Mayor to sign the within Memorandum of Understanding as the final document memorializing the terms for the extension of the contract term between the parties, by signing the MOU on behalf of the City of Burlington as necessary to fulfill the intent of the governing body.

[Remainder of this page intentionally left blank – Signatures on the following page]

In witness whereof, the parties here to have caused the hands of their respective officers and the seals of their respective organizations to be affixed hereto this 5th day of January 2021.

FOR THE SUPERIOR OFFICERS' UNION
F.O.P./SOA Lodge #63/F.O.P., N.J.L.C.



F.O.P./SOA Negotiations Team



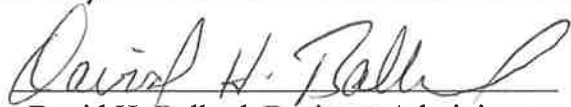
F.O.P./SOA Negotiations Team

F.O.P., N.J. Labor Council

FOR THE CITY OF BURLINGTON

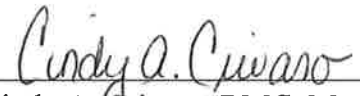
 10 JAN 2021

MAYOR BARRY CONAWAY



David H. Ballard, Business Administrator

ATTEST:



Cindy A. Crivaro, RMC, Municipal Clerk

RESOLUTION NO. 57-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON RATIFYING A ONE-YEAR AGREEMENT WITH F.O.P./SOA LODGE #63 REPRESENTING CITY OF BURLINGTON SUPERIOR OFFICERS' UNIT

WHEREAS, the City of Burlington has a contract for the employment of its Superior Police Officers through the FOP/SOA Lodge #63 Union (hereinafter "the Union") which contract is scheduled to expire on December 31, 2020; and

WHEREAS, the City of Burlington engaged in negotiations with the Union with respect to terms for a one year extension of the terms and conditions of the current contract with an adjustment to the salaries of the Superior Officers of 1.70% which increase would be effective on January 1, 2021 with the term of the MOU contract extension expiring on December 31, 2021; and

WHEREAS, the City and the Union have agreed upon a form of Memorandum of Understanding ("MOU") which memorializes the terms of the extension of the current contract and which does not revise all of the other rights and responsibilities of the parties under the existing contract; and

WHEREAS, the MOU has been negotiated, reviewed and prepared with the input and legal advice of the City Solicitor; and

WHEREAS, the proposed MOU between the City and the Union is attached hereto along with the current contract; and

WHEREAS, the proposed terms for the extension of the contract pursuant to this MOU have been reviewed and recommended the Business Administrator and the Chief Finance Officer; and

WHEREAS, the Common Council for the City of Burlington has reviewed the same and found it to be fair, reasonable, and in the best interests of the citizens in the City of Burlington to authorize the Mayor to execute this contract for a one year extension of the current contract with the agreed upon increase in the salaries of the Superior officers.

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Burlington as follows:

1. The Common Council for the City of Burlington hereby accepts and ratifies the MOU with the FOP/SOA Lodge #63 Union, representing the City's Superior officers, for a one-year extension of the current terms and conditions of the current contract in which the current terms remain in place and the agreed upon adjustment to the salary is effective as of January 1, 2021; and

2. The Mayor and Municipal Clerk are hereby authorized to execute the MOU and the Mayor, his Administration and the City Solicitor are authorized to take such other action as is necessary and appropriate to effectuate the terms of this MOU consistent with the contract and the intent of this Resolution.

RESOLUTION NO. 57-2020


President
Common Council

Attest:


Cindy A. Crivaro, RMC
City Clerk

January 5, 2021

RECORD OF VOTE OF PASSAGE BY THE COMMON COUNCIL						
	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
BABULA	✓		✓			
CHACHIS			✓			
HATALA			✓			
HOLLINGSWORTH			✓			
LOLLAR			✓			
SWAN			✓			
WOODARD		✓	✓			