

WEST DEPTFORD TOWNSHIP

Resolution 2016- 181

RESOLUTION OF THE TOWNSHIP OF WEST DEPTFORD, COUNTY OF GLOUCESTER, STATE OF NEW JERSEY APPROVING AMENDMENTS TO THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TOWNSHIP OF WEST DEPTFORD AND PBA LOCAL #122, THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TOWNSHIP OF WEST DEPTFORD AND PBA SUPERIOR OFFICERS ASSOCIATION, AND PERSONAL SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF WEST DEPTFORD AND SAMUEL DiSIMONE III, DATED APRIL 1, 2015

WHEREAS, the Township of West Deptford (the "Township") entered into a Collective Bargaining Agreement with PBA Local #122 ("Local #122") for the years 2014 through 2018; and

WHEREAS, the Township entered into a Collective Bargaining Agreement with PBA Superior Officers Association ("SOA") for the years 2014 through 2018; and

WHEREAS, the Township and Samuel DiSimone, III ("DiSimone") entered into a Personal Services Agreement, dated April 1, 2015, which established the terms and conditions of his employment as the Chief of Police by the Township; and

WHEREAS, the Township, Local #122, SOA, and DiSimone (collectively, the "Parties") have conducted negotiations regarding the issue of off-duty pay rate; and

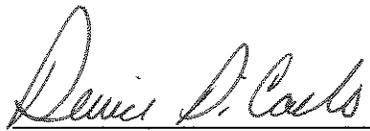
WHEREAS, the Parties have reached a tentative agreement as to the issue of off-duty pay rate;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of West Deptford, County of Gloucester, and State of New Jersey, that the terms and conditions of the amendments to the agreements attached hereto are hereby approved, ratified, and confirmed.

BE IT FURTHER RESOLVED, by the Mayor and Township Committee of the Township of West Deptford, County of Gloucester, and State of New Jersey, that the Mayor and Township Clerk are hereby authorized to execute the attached amendments to the agreements and to take any and all actions reasonably required to effectuate said amendments.

ADOPTED at the regular meeting of the Township of West Deptford, County of Gloucester, State of New Jersey held on this 15th day of June, 2016.

TOWNSHIP OF WEST DEPTFORD



DENICE DICARLO, MAYOR

ATTEST:



LEE ANN DEHART, ACTING MUNICIPAL CLERK

Amy DeHart, RMC, Deputy

**AMENDMENT TO CONTRACT BY AND BETWEEN WEST DEPTFORD TOWNSHIP AND PBA
LOCAL #122, JANUARY 1, 2014 THROUGH DECEMBER 31, 2018**

THIS AMENDMENT to the Contract by and between West Deptford Township and PBA Local #122 (this "**Amendment**"), effective as of this 16 day of June, 2016, is made by and between the Township of West Deptford, in the County of Gloucester, State of New Jersey (the "**Township**"), and PBA Local #122 (the "**Bargaining Unit**") (collectively, the "**Parties**").

WHEREAS, the Township and the Bargaining Unit entered into a Contract for the period of January 1, 2014 through December 31, 2018 (the "**Contract**"); and

WHEREAS, the Article XII, Section 1 of the Contract provides:

Effective January 1, 1977, and in accordance and addition to 9:1-6.2 entitled "Computation of Overtime" of the Police Manual, all employees covered by this Agreement shall be compensated for all authorized off duty police details, i.e. sporting events, crowd control, traffic control, parades, etc., and any other detail authorized by the Chief of Police or his designee, all employees covered by this Agreement shall be compensated at an hourly rate equal to 1 ½ times the equivalent rate prescribed in subsection 9:1-6.1 entitled "Pay Periods; Compensation of Daily and Hourly Rate" of the Personnel Policy of the Township of West Deptford.

and

WHEREAS, the Township and the Bargaining Unit both freely desire to amend Article XII, Section 1 of the Contract; and

WHEREAS, the Township and the Bargaining Unit have negotiated the issue;

NOW THEREFORE, in consideration for the mutually beneficial promises contained herein, the Township and the Bargaining Unit hereby agree to amend the Contract as follows:

1. The following language shall be added to the end of Article XII, Section 1 of the Contract:

Notwithstanding anything contained in this Section, for purposes of any private party requiring police coverage held in the community room(s) at RiverWinds Community Center only, the rate of off-duty pay shall be fifty-five dollars (\$55) per hour, which shall be payable pursuant to the Township's normal payroll procedures and subject to all required withholdings. The Township shall not deduct any service fees that may apply to such private parties from the off-duty rate.

IN WITNESS WHEREOF, acknowledging the adequacy of the consideration set forth herein, the Parties have caused this Amendment to be properly executed and attested.

PBA Local #122

Township of West Deptford

Cpl. 1 → 4105
Cpl. Richard Penney

Denice DiCarlo
Denice DiCarlo, Mayor

Amy Leso
Lee Ann DeHart, Acting Municipal Clerk
Amy Leso, RMC, Deputy

**AMENDMENT TO PERSONAL SERVICES AGREEMENT
BETWEEN THE TOWNSHIP OF WEST DEPTFORD
AND SAMUEL DiSIMONE, III, DATED APRIL 1, 2015**

THIS AMENDMENT to the Personal Services Agreement Between the Township of West Deptford and Samuel DiSimone, III (this "**Amendment**"), effective as of this 16 day of June, 2016, is made by and between the Township of West Deptford, in the County of Gloucester, State of New Jersey (the "**Township**"), and Samuel DiSimone, III ("**DiSimone**") (collectively, the "**Parties**").

WHEREAS, the Township and DiSimone entered into a Personal Services Agreement, dated April 1, 2015 (the "Contract"); and

WHEREAS, the Contract does not address the issue of the off-duty pay rate for DiSimone; and

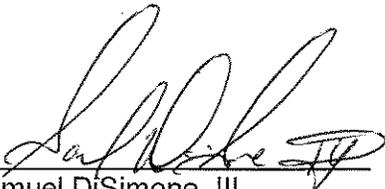
WHEREAS, the Township and DiSimone both freely desire to amend the Contract to address this issue; and

WHEREAS, the Township and DiSimone have negotiated the issue;

NOW THEREFORE, in consideration for the mutually beneficial promises contained herein, the Township and DiSimone hereby agree to amend the Contract as follows:

1. The Contract shall be amended to add a new Article XVII, which shall provide as follows: The Chief of Police shall be compensated for all off duty police details, i.e. sporting events, crowd control, traffic control, parades, etc., in the event that coverage by lower ranking members of the Police Department can not be obtained, at an hourly rate equal to 1 ½ times the base salary (as converted to an hourly rate) outlined in Article V of the Personal Services Agreement dated April 1, 2015 by and Between West Deptford Township and Chief of Police Samuel DiSimone. Notwithstanding anything contained in this Section, for purposes of any private party requiring police coverage held in the community room(s) at RiverWinds Community Center only, the rate of off-duty pay shall be fifty-five dollars (\$55) per hour, which shall be payable pursuant to the Township's normal payroll procedures and subject to all required withholdings. The Township shall not deduct any service fees that may apply to such private parties from the off-duty rate.

IN WITNESS WHEREOF, acknowledging the adequacy of the consideration set forth herein, the Parties have caused this Amendment to be properly executed and attested.



Samuel DiSimone, III

Township of West Deptford



Denice DiCarlo, Mayor



Lee Ann DeHart, Acting Municipal Clerk
Amy Lasb, RMC, Deputy

AMENDMENT TO CONTRACT BY AND BETWEEN WEST DEPTFORD TOWNSHIP AND PBA SUPERIOR OFFICERS ASSOCIATION, JANUARY 1, 2014 THROUGH DECEMBER 31, 2018

THIS AMENDMENT to the Contract by and between West Deptford Township and PBA Superior Officer Association (this "**Amendment**"), effective as of this 16 day of June, 2016, is made by and between the Township of West Deptford, in the County of Gloucester, State of New Jersey (the "**Township**"), and PBA Superior Officer Association (the "**Bargaining Unit**") (collectively, the "**Parties**").

WHEREAS, the Township and the Bargaining Unit entered into a Contract for the period of January 1, 2014 through December 31, 2018 (the "Contract"); and

WHEREAS, the Contract does not address the issue of the off-duty pay rate for members of the Bargaining Unit; and

WHEREAS, the Township and the Bargaining Unit both freely desire to amend the Contract to address this issue; and

WHEREAS, the Township and the Bargaining Unit have negotiated the issue;

NOW THEREFORE, in consideration for the mutually beneficial promises contained herein, the Township and the Bargaining Unit hereby agree to amend the Contract as follows:

1. Article XV of the Contract shall be amended to add a new Section 2, which shall provide as follows:

All employees covered by this Agreement shall be compensated for all authorized off duty police details, i.e. sporting events, crowd control, traffic control, parades, etc., and any other detail authorized by the Chief of Police or his designee, at an hourly rate equal to 1 ½ times the base salary (as converted to an hourly rate) outlined in Article VI, Section 2 of the PBA Superior Officer's Contract dated January 1, 2014 through December 31, 2018, for the specific Superior Officer assigned to the off duty detail. Notwithstanding anything contained in this Section, for purposes of any private party requiring police coverage held in the community room(s) at RiverWinds Community Center only, the rate of off-duty pay shall be fifty-five dollars (\$55) per hour, which shall be payable pursuant to the Township's normal payroll procedures and subject to all required withholdings. The Township shall not deduct any service fees that may apply to such private parties from the off-duty rate.

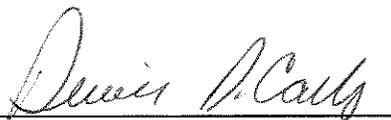
IN WITNESS WHEREOF, acknowledging the adequacy of the consideration set forth herein, the Parties have caused this Amendment to be properly executed and attested.

PBA Superior Officers Association

Township of West Deptford



Lt. Grant Worrell



Denice DiCarlo, Mayor



Lee Ann DeHart, Acting Municipal Clerk
Amy Liso, RMC, Deputy