

RESOLUTION 93-22

**RESOLUTION AUTHORIZING EXECUTION OF A MEMORANDUM OF AGREEMENT
BETWEEN THE BOROUGH OF CLAYTON AND FRATERNAL ORDER OF POLICE
LODGE NO. 130**

WHEREAS, the Borough of Clayton has agreed to enter into a Memorandum of Agreement with the Fraternal Order of Police Lodge No. 130 to address Robert Martines unused compensatory time; and

WHEREAS, a copy of the Memorandum of Agreement has been reviewed by all parties and attached hereto.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Clayton, County of Gloucester, and State of New Jersey as follows:

1. That the governing body does hereby approve and authorize the execution of the attached Memorandum of Agreement between the Borough of Clayton and Fraternal Order of Police Lodge No. 130.
2. That the Mayor and/or Borough Administrator be and is hereby authorized to execute said Agreement on behalf of the Borough of Clayton.


ADOPTED at the meeting of the Borough Council of the Borough of Clayton held on April 14, 2022.

BOROUGH OF CLAYTON



THOMAS BIANCO, Mayor

ATTEST:


Christine Newcomb, Borough Clerk

CERTIFICATION

I, Christine Newcomb, Borough Clerk, of the Borough of Clayton, in the County of Gloucester, do hereby certify that the foregoing Resolution was presented and duly adopted by the Borough Council at a meeting of the Borough of Clayton held on April 14, 2022.

Christine Newcomb, Borough Clerk

MEMORANDUM OF AGREEMENT

Between

BOROUGH OF CLAYTON

and

FRATERNAL ORDER OF POLICE LODGE NO. 130

WHEREAS, Robert Martines has indicated an intent to retire from the Clayton Police Department on May 1, 2022; and

WHEREAS, Officer Martines has accrued compensatory time remaining; and

WHEREAS, Article XI of the Collective Negotiations Agreement Between the Borough of Clayton and the Fraternal Order of Police Lodge No. 130 (Patrol Officers) provides, "When an employee retires, he/she will be paid all compensatory time on a bi-weekly basis at the employee's current rate of pay"; and

WHEREAS, the Borough and the FOP have conferred regarding how to treat the disposition of the unused compensatory time of Officer Martines; and

WHEREAS, the parties seek to avoid grievance proceedings or other litigation regarding the unique issues raised in these circumstances;

NOW, THEREFORE, it is mutually understood and agreed as follows:

1. In light of the intent of Officer Martines to retire on May 1, 2022, the remaining compensatory time for Officer Martines shall be paid by April 22, 2022.
2. Nothing in this Memorandum of Agreement shall constitute a past practice or precedent of any kind. Nothing in this Memorandum of Agreement shall bind either the Borough or the FOP in future situations.

BOROUGH OF CLAYTON

By: William F. Cook
William F. Cook, Esquire

Date: 4/5/22

BOROUGH OF CLAYTON

BY: Tom Bianco
Tom Bianco, Mayor

FRATERNAL ORDER OF POLICE
LODGE NO. 130

By: [Signature]

Date: 4/5/22

FRATERNAL ORDER OF POLICE
LODGE NO. 130

BY: Ed Hyder #213
Patrolman Ed Hyder

ATTEST:

Christine Newcomb
Christine Newcomb, Clerk