

A special meeting of the City Council of the City of Newburgh was held on Tuesday, December 20, 2011 at 6:00 P.M. in the Council Chambers at City Hall, 83 Broadway, Newburgh, N.Y.

Present: Mayor Valentine presiding; Councilwoman Angelo, Councilwoman Bell, Councilwoman Bello, Councilman Dillard - 5

The Pledge of Allegiance was led by Councilwoman Bell

Councilwoman Angelo moved and Councilwoman Bello seconded to enter Executive Session to discuss contract negotiations.

All in favor the Council entered Executive Session at 6:03 P.M.

Councilwoman Bello moved and Councilwoman Angelo seconded to exit Executive Session.

All in favor the Council exited Executive Session at 6:20 P.M.

COMMENTS FROM THE PUBLIC REGARDING THE AGENDA

Denise Ribble, City of Newburgh asked for an explanation of resolution #259-2011 in terms of what that is modifying and also an explanation of #260-2011.

Mary Ann Prokosch, City of Newburgh thanked everyone who sat around the negotiating table for the job they did and concessions that they might have made. She wished everyone a happy, healthy and safe New Year. She feels that everyone finally realized that the taxpayers just don't have a whole lot more to give so thanks again for the negotiating.

Janet Gianopoulos also wanted to thank everyone including the people at the Council table. She understands that the police received an accreditation a couple of years ago which is an indication of the quality of our police force. Hopefully going forward we will come out of this economic depression and she sees signs that we can do that.

Paul Weber, Artrip & Weber for the City of Newburgh PBA, thanked Mr. Herbek personally and Cheryl Gross for taking the time to negotiate when we were getting absolutely nowhere with the Long Island Firm. Mr. Herbek took the time to sit down and meet with them on a couple of occasions to come to this resolution so he thanked him for that.

There being no further comments this portion of the meeting was closed.

Acting City Manager, Richard Herbek explained that resolution #259-11 is to take the funds from various accounts in 2012. There are concessions that have been agreed to by the PBA so we are doing budget modifications to take funds out of certain lines and add them to others. The net effect of that is that we will be preventing the layoff of all of the Officers. There will be no layoffs. Resolution #260-11 is a resolution authorizing the City Manager to execute a stipulation of agreement and approving a collective bargaining agreement with the Patrolmen's Benevolent Association of Newburgh, New York. He noted that this is a four year agreement through 2012 and there will be no salary increases for those years. They are establishing a new starting rate of \$40,000.00 for any new Officers hired after January 1, 2012 and there will be a seventh step incorporated into the contract. For a one year period the PBA is foregoing the shift differential and there will be a reduction in Holidays from fourteen to twelve. Training time will be reduced from forty hours to twenty one hours and they are cleaning up a provision relating to compensation for Officers after working fifty six hours of standby time. The education benefit will also not be in effect for 2012 and there will be a new 207c procedure for Officers who are injured in the line of duty incorporated into the agreement. For one year there will be a reduction in sick days from thirteen to twelve and they are establishing a sick leave incentive program that will provide a bonus of \$1,000.00 for any Officers that takes no sick days during the year and if an Officer takes between one and three sick days they will receive a \$500.00 bonus. They are eliminating two personal days in 2012 and there is a new provision for drug and alcohol testing. That is the bulk of the changes.

RESOLUTION NO.: 259- 2011

OF

DECEMBER 20, 2011

**RESOLUTION AMENDING RESOLUTION NO: 238-2011,
THE 2012 BUDGET FOR THE CITY OF NEWBURGH, NEW YORK**

BE IT RESOLVED, by the Council of the City of Newburgh, New York, that Resolution No: 238-2011, the 2012 Budget of the City of Newburgh, is hereby amended as indicated on the attached spreadsheet.

Mayor Valentine asked if this was reviewed with the State Comptroller.

Cheryl Gross, Comptroller said that there was no change in the bottom line so we don't have to.

Councilwoman Bello moved and Councilwoman Angelo seconded that the resolution be adopted.

Ayes - Councilwoman Angelo, Councilwoman Bell, Councilwoman Bello, Councilman Dillard, Mayor Valentine - 5

ADOPTED

RESOLUTION NO.: 260 - 2011

OF

DECEMBER 20, 2011

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO
EXECUTE A STIPULATION OF AGREEMENT AND
APPROVING A COLLECTIVE BARGAINING AGREEMENT
WITH THE PATROLMEN'S BENEVOLENT ASSOCIATION
OF NEWBURGH, NEW YORK**

WHEREAS, the City of Newburgh and the Patrolmen's Benevolent Association of Newburgh, New York, Inc. ("PBA") are parties to a collective bargaining agreement which expired on December 31, 2008; and

WHEREAS, the City Manager and negotiators representing the City of Newburgh and PBA have engaged in collective negotiations for a successor agreement pursuant to the requirements of the Taylor Law; and

WHEREAS, the City Council has reviewed the terms negotiated as set forth in the Stipulation of Agreement between the City of Newburgh and the PBA, a copy of which is attached hereto, which sets forth the terms and conditions of employment for the term January 1, 2009 through December 31, 2012 and has consulted with the representatives of the City who have recommended that the City Council approve the negotiated changes and new collective bargaining agreement;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the terms of the attached Stipulation of Agreement are ratified; and

BE IT FURTHER RESOLVED, that the City Manager is directed and authorized to enter into a complete collective bargaining agreement incorporating the terms of the Stipulation of Agreement into a complete collective bargaining agreement with the PBA for the term January 1, 2009 through December 31, 2012.

Councilwoman Bell said that she first became the member of a Union back in 1975 and she has always been a pro union person. She feels that the reason it is called a Brotherhood is because we stand together. This is not the ideal situation but it will maintain the positions of eight Police Officers.

Everyone gave something and as one resident mentioned earlier we are tapped out to the max. She said that they did an incredible thing here and she believes that it is a win, win under the current circumstances. She thanked everyone who worked on the negotiations as well as the men and women on the police force because we value them highly.

Councilwoman Angelo thanked Mr. Herbek, Cheryl Gross and Mr. Weber for coming to a compatible agreement. At this time of year with the Holiday season she is sure that the Policemen and their families are very happy as we all are.

Mayor Valentine said that a night like tonight does not happen easily. There were times during the negotiations where the teams changed and usually when that happens it is very difficult to get people back to the table again. He was very pleased to hear that after the Budget vote there was communication between the City Manager and the Police Officers to talk. In these difficult times you can't let whatever happened in the past or someone's favorite something get in the way of what the final agreement should be. In this particular case he thinks that the City Manager and the team from City Hall, obviously Cheryl Gross and Michelle Kelson, worked so hard to never give up and be creative to make changes as they were needed. Now we know where we are and there is a good playing field that we didn't have before. The year 2005 was a long time go and the air needed to be cleared but this was the year it had to be done. We send a message as a community that does not have a lot of resources. We went through a 40% tax increase and stayed within the 2% cap and we were still able to strike a fair and equitable agreement with Officers that mean so much to all of us that sit at this table. He personally wanted to thank not only the staff and department heads but also the Officers individually and collectively for saying that they would come back and never give up knowing that in the end we could come up with an agreement for everyone. He thanked them and said it is a much better Holiday season with this. This is something that not one of the City Council members liked because there is no satisfaction in laying anyone off. We have had a couple of tough years so he thinks that maybe hopefully we are pulling out of it a little bit.

Councilman Dillard thanked the Officers and said that he applauded them.

Councilwoman Angelo moved and Councilwoman Bello seconded that the resolution be adopted.

Ayes - Councilwoman Angelo, Councilwoman Bell, Councilwoman Bello, Councilman Dillard, Mayor Valentine - 5

ADOPTED

There being no further business to come before the Council the meeting adjourned at 6:35 P.M.

**LORENE VITEK
CITY CLERK**