

**A RESOLUTION AUTHORIZING AN AGREEMENT WITH
POLICE OFFICER JONATHAN W. KELLY AND THE
POLICEMEN'S BENEVOLENT ASSOCIATION OF NORTH BRUNSWICK-LOCAL 160**

WHEREAS, the Township Council of the Township of North Brunswick has previously authorized approval of a collective bargaining agreement between the Township of North Brunswick and the Policemen's Benevolent Association of North Brunswick, Local 160, hereinafter the "PBA"; and

WHEREAS, Officer Kelly has requested to receive payout of his accumulated time with the Township in scheduled increments, to begin prior to his anticipated retirement date; and

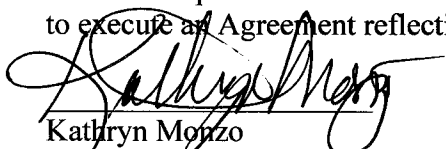
WHEREAS, Jason Vallese, President of the PBA, has been involved in discussions between Officer Kelly and the Township; and

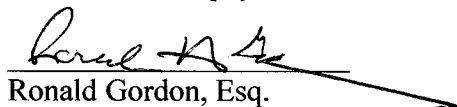
WHEREAS, after consultation between the Township, the PBA, and Officer Kelly, the parties have reached an agreement on terms and conditions; and

WHEREAS, the PBA has agreed that this payment is unique and will not constitute a precedent that would entitle other officers to expect a same or similar payout option and has agreed to memorialize this as a separate agreement outlining the payment terms; and

WHEREAS, the Business Administrator has reviewed the circumstances with the Mayor and is recommending approval of this action.

NOW, THEREFORE, BE IT RESOLVED on this 18th day of September, 2017 that the Township Council of the Township of North Brunswick does hereby authorize Officer Kelly to receive payout of his accumulated time with the Township in scheduled increments, to begin prior to his anticipated retirement date, and further authorizes the Mayor and/or Business Administrator to execute an Agreement reflecting the terms and conditions of such payment and other conditions.



Kathryn Monzo
Business Administrator


Ronald Gordon, Esq.
Township Attorney
Approved as to legal form

RECORDED VOTE:

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
GUADAGNINO	✓			
PALADINO	✓			
ANDREWS 2	✓			
CORBIN	✓			
DAVIS 1	✓			
SOCIO	✓			
MAYOR WOMACK				

I hereby certify that the above Resolution was duly adopted by the Township Council of the Township of North Brunswick, County of Middlesex, at its meeting held on September 18, 2017.


Lisa Russo
Township Clerk

C: K. Monzo



Township of North Brunswick
Office of the Business Administrator
710 Hermann Road
North Brunswick, NJ 08902

PAYOUT SCHEDULE OF ACCUMULATED TIME

August 11, 2017

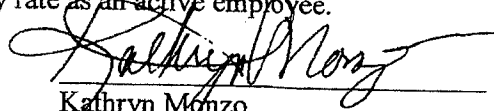
Jonathan W. Kelly
10 Alexander Drive
Allentown, NJ 08501

RE: Request to receive scheduled payouts of accumulated time

Mr. Kelly:

I am writing to confirm your request on July 11, 2017 in which you requested to receive payout of your accumulated time with the Township in scheduled increments. While this request is not specifically authorized within the PBA Local 160 collective bargaining Agreement, and requires Administrative approval, I have reviewed with the Mayor and fully support your request with the understanding this will not constitute a precedent with the Union and that all requests are evaluated on a case-by-case basis.

Please see Exhibit A, attached hereto, with regards to the financial breakdown of accumulated time, as of August 11, 2017, along with the planned scheduled payout. Please note **with each payout**, it is incumbent upon you to notify Finance (the Payroll Division) the amount to be applied to your deferred compensation plan. In addition, any payouts after your retirement from the Township will be at your last hourly rate as an active employee.


Kathryn Monzo
Business Administrator

Please sign below to affirmatively state your request and agreement to the payout schedule on Exhibit A.

Signature: _____

(Signature)

Date: _____

8.21.17

**AGREEMENT BETWEEN THE TOWNSHIP OF NORTH BRUNSWICK, THE NORTH
BRUNSWICK POLICEMEN'S BENEVOLENT (PBA LOCAL 160), AND
POLICE OFFICER JONATHAN W. KELLY**

WHEREAS, Police Officer Jonathan W. Kelly, hereinafter "Officer Kelly" is a police officer in the North Brunswick Department of Public Safety; and

WHEREAS, Officer Kelly is represented by the Policemen's Benevolent Association of North Brunswick, Local 160, hereinafter the "PBA"; and

WHEREAS, Officer Kelly has requested to receive payout of his accumulated time with the Township in scheduled increments; and

WHEREAS, Jason Vallese, President of the PBA, has been involved in discussions between Officer Kelly and the Township; and

WHEREAS, after consultation between the Township, the PBA, and Officer Kelly, the parties have reached agreement on the following terms and conditions;

IT IS HEREBY STIPULATED AND AGREED by and between the Policemen's Benevolent Association of North Brunswick, Local 160 ("PBA"), the Township of North Brunswick ("Township"), and Police Officer Jonathan W. Kelly ("Officer Kelly"), as follows:

- A. Officer Kelly will receive his **Accumulated Schedule Adjustment**, as of August 11, 2017, subject to taxable withholding, payable in accordance with Exhibit A.

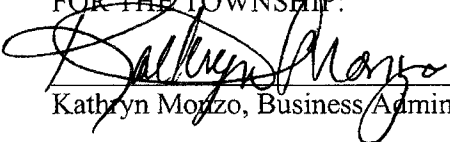
- B. After September 2017, Officer Kelly agrees to use, or forfeit by December 31st of each year any remaining balance of his **Accumulated Schedule Adjustment** leave between now and his retirement. Officer Kelly shall be required to follow current procedure to request to use his schedule adjustment leave, and his superiors shall make every reasonable effort to accommodate each request. With each payout, it is incumbent upon Officer Kelly to notify Finance (the Payroll Division) the amount (if any) to be applied to a deferred compensation plan.

C. Officer Kelly will receive in payments for his accumulated time (**Sick, Vacation, Compensatory Time, and Holiday**), outlined on Exhibit A (As of August 11, 2017 but subject to change), subject to taxable withholdings, payable in September of 2017, August of 2018, August of 2019, August of 2020 and January of 2021. With each payout, it is incumbent upon Officer Kelly to notify Finance (the Payroll Division) the amount (if any) to be applied to a deferred compensation plan. In addition, any payouts issued after the retirement date shall be at Officer Kelly's last hourly rate as an active employee.

D. The PBA agrees that it will not rely upon this event as a precedent or other standard in law which would create any entitlement by any other member of the PBA for similar payments for any form of Leave, except as provided in the collective bargaining agreement for members who separate their employment with the Township via retirement or other cause.

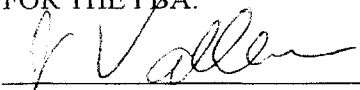
E. Except as so agreed to herein, this Agreement represents the entire understanding of the Parties and all other standards of the Collective Bargaining Agreement by and between the Township and the PBA shall remain in effect.

FOR THE TOWNSHIP:


Kathryn Morzo, Business Administrator

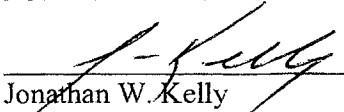
8/30/17
Date

FOR THE PBA:


Jason Vallese, President

8/20/17
Date

FOR POLICE OFFICER JONATHAN W. KELLY:


Jonathan W. Kelly

8.20.17
Date

Exhibit A

Payout Calculation - Jonathan W. Kelly

Hourly Rate	\$71.06	
	\$53.30	(paid 75% at retirement)
Sick Hours as of 12/31/11	342.5	
Sick Pay	<u>\$18,253.54</u>	
Hourly Rate	\$71.06	
Vacation Hours as of 12/31/11	282.5	
Vacation Pay	<u>\$20,074.45</u>	
Hourly Rate	\$71.06	
Vacation Hours 1/1/12-Present	265.5	548 - 282.5 as of 12/31/11=265.5
Vacation Pay	<u>\$18,866.43</u>	*440 Max - as of 2017 Contract
Hourly Rate	\$71.06	
Schedule Adjustment (Admin)	905	
Schedule Adjustment Pay	<u>\$64,309.30</u>	
Hourly Rate	\$71.06	
Comp. Hours	4.00	
Comp. Pay	<u>\$284.24</u>	
Hourly Rate	\$71.06	
Holiday (Other)	397.5	
Holiday Pay	<u>\$28,246.35</u>	
Final Payout (As of August 11, 2017)	<u>\$150,034.31</u>	

Payout Schedule

Payout 1 - September 2017	\$33,000.00	\$36,000 max - \$3,000 (\$200/per pay as 8/4/17)
Payout 2 - August 2018	\$36,000.00	457(b) 3 Year Catch-up (Year 2)
Payout 3 - August 2019	\$36,000.00	457(b) 3 Year Catch-up (Year 3)
Payout 4 - August 2020	\$36,000.00	457 -2020 Retire Sept 1 / Turn Age 50 12/7/2020
Payout 5 - January 2021	\$9,034.31	Direct Payment - balance owed after Payouts 1-4

**Sick, Vacation, and Holiday hours are subject to change*

Signature agreeing to the payout schedule presented :

Jonathan W. Kelly: 

Date: 8.21.17