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2011 RESOLUTION

WHEREAS, it is necessary from time to time to provide for supplementary personnel for use by municipal departments for special projects, as seasonal personnel, and in the event of emergencies; and

WHEREAS, the Laborers' International Union and the International Union of Operating Engineers, are capable of supplying such personnel at prevailing rates.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey hereby authorizes the Township Administrator to enter into the attached agreement on behalf of the Township of Bloomfield with the Laborers' International Union and the International Union of Operating Engineers for supplementary personnel for use by municipals departments for special projects, as seasonal personnel, and in the event of emergencies, as directed and approved by the Township Administrator at prevailing rates.

* * *

I hereby certify that the above resolution was duly adopted by the Mayor and Council of the Township of Bloomfield at a meeting of said Township Council held on June 20, 2011.

Luis P. Palagano

Municipal Clerk of the Township of Bloomfield

Raymond A. ...
Mayor of the Township of Bloomfield

READ AS TO FORM AND PROCEED THEREON ON BASIS OF FACTS SET FORTH
Steven J. ...
Attorney at Law
Township Attorney

ROLL CALL VOTE

MAYOR & COUNCIL	YES	NO	ABSTAIN	ABSENT
COUNCILWOMAN LITTERIO				X
COUNCILMAN JOANOW	X			
COUNCILMAN RUANE	X			
COUNCILMAN VENEZIA	X			
COUNCILWOMAN DUNIGAN	X			
COUNCILMAN HAMILTON	X			
MAYOR McCARTHY	X			

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MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding dated as below set forth, is made by and between:

(Municipality), a Municipal Corporation having its offices at _____, County of _____, New Jersey _____, hereinafter the "Municipality".

And

The Laborers International Union of North America, Local Union No. _____, having offices at _____, New Jersey, hereinafter the "Local Union".

WITNESSETH:

WHEREAS, the Municipality intends to employ construction laborers on an as-needed, temporary basis to supplement its existing workforce; and

WHEREAS, the Local Union has, in its ranks numerous individuals residing in or near the municipality who are qualified to perform such services.

NOW, THEREFORE, BE IT AGREED AS FOLLOWS:

1. The Municipality shall hire, as temporary employees, such laborers referred by the Local Union as may be required by the Municipality, from time to time, to perform maintenance, repairs and/or construction work on a temporary basis.
2. Both parties acknowledge that the number of workers required and the length of time for which they may be required is indefinite. Both parties agree that the Local Union shall provide such labor as may be required by the Municipality in the Municipality's sole discretion.
3. The scope of work shall include maintenance, repair and construction work provided by and under the direction of the Superintendent or Director of the Department of Public Works and or his or her designee(s). The Local Union agrees to provide laborers to perform such work as may be required to said specifications and to perform same under the direction of the Superintendent/Director or his designee(s). The laborers employed will work in harmony with the Municipality's full-time employees.
4. The wages, benefits, benefit contributions collection procedure, and arbitration provisions shall be as specified in the most recent collective bargaining agreement negotiated on behalf of the Local Union for the State of New Jersey, a current copy of which is annexed hereto and incorporated herein as Exhibit "A".

5. A. This Agreement shall be governed by and construed in accordance with the laws of the State of New Jersey.

B. This Agreement shall not be modified or amended except pursuant to an instrument in writing signed by all parties hereto.

C. Either party may terminate this agreement on thirty days written notice to the other party.

Dated:

Municipal Clerk-attest

_____, Mayor

Laborers International Union of North
America, Local _____

, Business Manager

I hereby ~~app~~rove / disapprove of the passage of the attached Resolution.



Yoshi Manale
Township Administrator

If the Township Administrator disapproves of the attached resolution the reasons are as follows: