

COMMON COUNCIL PROCEEDINGS
- Special Meeting -
January 22, 2013

The meeting was called to order at 4:30 PM by Councilwoman-at-large Kiyak.

Present: Councilmen Michalski, Rivera, Gonzalez, Councilwoman Szukala and Councilwoman-at-large Kiyak.

Also present: Mayor Dolce, City Attorney Szot, Public Works Director Gugino, City Treasurer Woods, Board of Assessors Mleczko, and Police Chief Ortolano.

Notice of Special Meeting was read by Councilwoman-at-large Kiyak.

RESOLUTION #05-2013
JANUARY 22, 2013

By The Entire Council:

**RATIFICATION OF COLLECTIVE BARGAINING AGREEMENT WITH THE DUNKIRK
POLICE BENEVOLENT ASSOCIATION
(JANUARY 1, 2012 TO DECEMBER 31, 2015)**

WHEREAS, the City of Dunkirk and the Dunkirk Police Benevolent Association ("PBA") have been involved in labor negotiations to reach an agreement on a new Collective Bargaining Agreement to replace the previous Collective Bargaining Agreement between the parties which expired on December 31, 2011; and

WHEREAS, after such negotiations, the City and the PBA have executed a Memorandum of Agreement regarding such proposed contract; and

WHEREAS, the Civil Service Law requires that this Common Council review and vote upon the issue of ratification of the proposed Collective Bargaining Agreement, now, therefore, be it

RESOLVED, that the Dunkirk Common Council hereby ratifies and approves said Collective Bargaining Agreement and directs the Mayor to execute said agreement between the PBA and the City for the period January 1, 2012 through December 31, 2015.

PUBLIC COMMENTS:

Tom Taylor, 223 Temple Street, Dunkirk, NY questioned the cost increase for the PBA contract and where the money was coming from.

Councilwoman-at-large Kiyak advised that this was for public comment only, not for answers to be given, and he would be aware of the details shortly.

Councilwoman Szukala moved to meet in Executive Session to discuss collective negotiations pursuant to Article 14 of the Civil Service Law, with business to follow after this session. Seconded by Councilman Rivera.

Carried, all voting aye.

Executive Session entered at 4:32 PM.

Councilwoman Szukala moved to reconvene the Special Meeting after the Executive Session at 4:44 PM. Seconded by Councilman Rivera.

Councilwoman Szukala stated that both sides compromised, we can move forward in being positive for the City, and a contract negotiation requires give and take from both sides. She advised that Officers will be paying into the health insurance costs which is a huge plus for the city, and three years with zero percent raises was negotiated with a three percent raise for the final year. She advised that the police are entitled to binding arbitration, the outcome would be unknown, and felt that this was the best for everyone. She also thanked everyone for their efforts in this negotiation, the PBA and its Officers for all that they do.

Councilman Rivera congratulated Mayor Dolce for making this look easy, as it was the process for the 2013 budget. He also congratulated the Council for working with this agreement and being able to scratch this off the list so early in 2013. Councilman Rivera further thanked the Police Chief and his men for stepping up to the plate when the city needed this, and the City Attorney for ironing out the particulars, leaving nothing to argue over. He stated that this was a great day for the city, the contract is very responsible on both parties, and was proud to be a part of this process.

Councilwoman Szukala requested a clarification on the longevity issue that was in the Observer.

City Attorney Szot explained that the memorandum agreement contained the language two different ways, advising that the bottom line was that the 2012 additional longevity contribution was zero, and \$200 for 2013, 2014, and 2015 (not \$1,015.)

Councilman Gonzalez thanked the PBA, Council and City Attorney, stating that the city can be proud of this contract .

Mayor Dolce stated that he was extremely pleased that this was a mutually beneficial resolution with the PBA for a new Collective Bargaining Agreement for the period January 1, 2012 through December 31, 2015. He thanked Chief Ortolano, the PBA's negotiating team and membership for their cooperation during the process and support of the Agreement. He further thanked the Council for their support throughout this process. Mayor Dolce further stated that each contract negotiation process is unique, he believed that this Agreement properly and rationally balanced the short/long term fiscal concerns of the city, and the realistic financial outcome that could have been imposed upon the city if binding arbitration had been utilized. He informed that the city has two open agreements left with AFSCME Local 912 and Steelworkers Local 2693, and hopes to work cooperatively to bring those matters to positive closure in the near future.

Vote on resolution: Carried, all voting aye.

Councilwoman Szukala moved to adjourn. Seconded by Councilman Gonzalez.

Carried, all voting aye.

Adjourned at 4:53 PM

Lacy Lawrence, City Clerk
