

Memorandum of Agreement made this 21<sup>st</sup> day of September, 2007, by and between the County of Nassau ("County"), a municipal corporation in the State of New York, having its principal place of business at One West Street, Mineola, New York, and the Police Benevolent Association of the Police Department of the County of Nassau, Inc. ("PBA"), an employee organization having its principal place of business at 89 East Jericho Turnpike, Mineola, New York.

WHEREAS, the PBA filed grievances dated August 2, 2006, and September 18, 2006, alleging that during the months of July and August 2006, the Fifth Precinct failed to follow agreed upon overtime book procedures by the manner in which police officers were assigned to work overtime; and

WHEREAS, the County denies all of these allegations; and

WHEREAS, hearings were commenced on June 25, 2007; and

WHEREAS, the parties wish to resolve these matters in an amicable way amongst them, without the uncertainties, costs and risks of continued litigation.

NOW THEREFORE, the parties agree to the following:

1. Even though it enters into this Agreement, the PBA continues to believe that the Department's actions violated the parties' Collective Bargaining Agreement or relevant memoranda of agreement concerning overtime and overtime book procedures, and that it would prevail should the grievance be decided by an arbitrator. For its part, the County believes that the grievance is without merit and that it would prevail should the grievance be decided by an arbitrator.
2. The following fifteen police officers in the Fifth Precinct who were scheduled to be called in for overtime during July 2006, shall each be paid the number of hours indicated at their applicable overtime rate:

<u>Name</u>	<u>Hours</u>
John Sikorski, Serial # 6758	8
Duke Grodine, Serial # 6397	4
Bruce Kasin, Serial # 4935	4
Anthony Sasso, Serial # 6075	4
Guy Benedetto, Serial # 7696	4
Ken Magnuson, Serial # 8303	4
Laurene Daly, Serial # 8567	4
Frank DiConza, Serial # 8285	4
Richard Muller, Serial # 8339	4
Joseph Nocella, Serial # 8039	8
Bruce Heithaus, Serial # 5316	4
Gregory Martin, Serial # 7893	4

Roy McComb, Serial # 7209	4
Thomas Amadio, Serial # 7123	4
John Miller, Serial # 7214	4

3. The following thirteen police officers in the Fifth Precinct who were scheduled to be called in for overtime during August 2006, shall each be paid the number of hours indicated at their applicable overtime rate:

<u>Name</u>	<u>Hours</u>
Kevin Vahey, Serial # 8324	4
Timothy Canner, Serial # 6808	8
James Lee, Serial # 7598	4
Ken Magnuson, Serial # 8303	4
Dean Losquadro, Serial # 7009	4
Roy McComb, Serial # 7209	4
Allison Beyerlein, Serial # 7639	4
Charles Mitchell, Serial # 8618	4
Douglas Penna, Serial # 8418	4
Glenn Greenseich, Serial # 7314	4
Nerissa McCollin, Serial # 8238	4
Edward Eilenberger, Serial # 8731	8
Rubens Edouard, Serial # 8515	4

- 4. In addition, the police officers described in paragraphs 2 and 3 above shall not be charged for this time for purposes of calculating and recording overtime in the Overtime Book.
- 5. This Agreement constitutes the entire agreement between the County and the PBA regarding its subject matter. No other promises have been made. This Agreement may not be modified except by a written agreement between the parties.
- 6. Nothing contained in this Agreement shall be precedent setting or required the parties to enter into similar agreements in the future.
- 7. The grievance is withdrawn, with prejudice.
- 8. This Memorandum of Agreement is subject to PBA ratification.

For the County [Signature] 9/21/07 For the PBA [Signature]  
 For the Department [Signature] 9/29/07  
 T.O.B.I.W. 2<sup>ND</sup> V.P.