

Resolution 2024-205

RESOLUTION OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING SETTLEMENT AND AMENDING THE COLLECTIVE BARGAINING AGREEMENT TOWNSHIP SUPERIOR OFFICERS' ASSOCIATION

WHEREAS, the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey (hereinafter referred to as the "Township") and the PBA Local 296 Barnegat Township Superior Officers' Association (hereinafter referred to as the "SOA") are parties to a Collective Negotiations Agreement (hereinafter referred to as the "SOA Contract") covering the period from January 1, 2022 through December 31, 2026; and

WHEREAS, the Township finds it necessary and appropriate to authorize the Settlement by and between the Township and Sergeant Richard Boyle and Sergeant Kyle Cranmer and awarding longevity pay/Senior Officer pay; and

WHEREAS, the Township finds it necessary and appropriate to authorize execution of an Amendment to the SOA Contract currently in place; and

WHEREAS, the current PBA Local 296 Barnegat Township Superior Officers' Association Collective Bargaining Agreement is on file at the Office of the Township Clerk and can be viewed during normal business hours.

NOW, THEREFORE, BE IT RESOLVED on this 7th day of May, 2024 by the Mayor and Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey as follows:

1. The Township hereby authorizes the settlement agreement and amendments codified hereto and attached herewith.

2. The agreement is on file at the Office of Township Clerk and can be viewed during normal business hours.

3. The Township hereby authorizes the Mayor, Township Committee, Township Administrator, Township Clerk and Township CFO to execute any and all documents to implement the intent of this resolution.

4. A certified copy of this Resolution shall be forwarded by the Township Clerk to the following:

- (a) Joseph Marte, Mayor
- (b) Martin Lisella, Township Administrator
- (c) Tom Lombarski, CFO
- (d) Susan McCabe, Esq., Township Labor Counsel

CERTIFICATION

I, Donna M. Manno Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify that the foregoing resolution was duly adopted by the Township Committee of the Township of Barnegat at their regular meeting held on the 7th day of May, 2024 in the Municipal Complex, 900 West Bay Avenue, Barnegat, New Jersey.

Donna M. Manno, RMC
Municipal Clerk

Prepared by:

THE LAW OFFICES OF SUSAN MCCABE

SOA UNION CONTRACT SETTLEMENT AGREEMENT/ADDENDUM

The Township of Barnegat (“Township”) and PBA Local 296 Barnegat Township Superior Officers’ Association (“SOA”) enter into this Agreement as follows:

WHEREAS, the Township and the SOA are parties to a Collective Negotiations Agreement (herein “SOA Contract”) covering the period from January 1, 2022 through December 31, 2026; and

WHEREAS, the V of the SOA Contract provides:

A. Each employee of the Township shall be paid in addition to his/her current annual wages a longevity increment, based upon his/her years of employment with the employer, including all time employed including all positions within the police department, a percentage of his/her basic salary, in accordance with the following schedule:

Start of the 5 th year of service	=	5 percent
Start of the 8 th year of service	=	6 percent
Start of the 11 th year of service	=	7 percent
Start of the 14 th year of service	=	8 percent
Start of the 17 th year of service	=	9 percent
Start of the 20 th year of service	=	10 percent

B. Beginning with the start of the employee's tenth year of service with the Township employees shall receive \$2,500 Senior Officer Status pay to be paid pursuant to Article IV paragraph 2.

C. Longevity payments will be included in the computation of the daily rates that apply for the calculation of benefits, excluding salary increases. Longevity increments shall be included in the salary based upon the January and July increments described in Article IV.

WHEREAS, Sergeant Richard Boyle (“Boyle”) was hired as a police officer by the Township on September 4, 2018 and promoted to Sergeant on March 7, 2023; and

WHEREAS, Boyle requested that the Township pay him 5% longevity pursuant to Article V of the SOA Contract when he commenced his 5th year of service; and

WHEREAS, Sergeant Kyle Cranmer (“Cranmer”) was hired as a police officer by the Township on April 14, 2014 and promoted to Sergeant on July 1, 2023; and

WHEREAS, Cranmer requested that the Township pay him \$2500 Senior Officer pay pursuant to Article V of the SOA Contract when he commenced his 10th year of service; and

WHEREAS, the Township denied both requests claiming that Boyle and Cranmer were not entitled to longevity pay and Senior Officer pay, respectively based on the PBA Local 296 collective negotiations agreement (“PBA Contract”) that covers a unit of patrol officers but excludes the rank of Sergeant and above; and

WHEREAS, the SOA filed grievances for Boyle and Cranmer alleging that the Township violated the SOA Contract by refusing to provide Boyle with longevity pay and Cranmer with Senior Officer pay;

WHEREAS, the Township and the SOA were unable to resolve the Boyle grievance through the steps of the SOA Contract’s grievance procedure and the SOA filed for binding arbitration with the Public Employment Relations Commission (“PERC”); and

WHEREAS, PERC docketed the arbitration as AR-2024-305 and assigned it to Arbitrator Gayle Mazuco ; and

WHEREAS, the parties agreed to stay the Cranmer grievance and apply the decision of Arbitrator Mazuco in the Boyle grievance to the former; and

WHEREAS, all parties to this Agreement desire to settle both grievances;

NOW THEREFORE, in consideration of the mutual covenants and undertakings herein the parties agree as follows:

1. The Township acknowledges that Boyle is entitled to longevity pursuant to Article V of the SOA Contract and agrees to pay hm 5% longevity effective and retroactive to the commencement of his 5th year of employment.
2. The Township acknowledges that Cranmer is entitled to Senior Officer pay of \$2500 pursuant to Article V of the SOA Contract and agrees to pay him that amount effective and retroactive to the commencement of his 10th year of employment.
3. The Township further agrees that the following Sergeants and patrol officers who were hired after the eligibility dates set forth in the PBA Contract for Senior Officer pay (on or before 1/1/12) and longevity pay (on or before 1/1/18) are eligible to receive Senior Officer and longevity pay as current or future members of the SOA negotiations unit:

Richard Boyle (currently a Sergeant)

Kyle Cranmer (currently a Sergeant)

Anthony Carlo

Mark Simko

Angel Roman

Keith Smith

4. In consideration for the relief set forth in paragraphs 1 through 3, above, the SOA agrees to add the following language to Article V of the SOA Contract: “Except for the Officers covered by the grievance settlement between the SOA and the Township regarding PERC arbitration docket No. AR-2024-305, and annexed to this Contract as Exhibit A, officers hired after January 1, 2018 and after January 1, 2012, shall not be eligible for Longevity and/or Senior Officer pay, respectively.”

5. In further consideration for the relief set forth in paragraphs 1 through 3, above, the SOA agrees to withdraw the grievances filed on behalf of Boyle and Cranmer and to dismiss AR-2024-305 with prejudice.

6. This Agreement is subject to ratification by the SOA membership before it is effective.

7. All other language of the SOA Contract not addressed herein shall remain unchanged.

**PBA LOCAL 296 BARNEGAT TOWNSHIP
SUPERIOR OFFICERS’ ASSOCIATION**

TOWNSHIP OF BARNEGAT

WAYNE ESLINGER,
President

MARTIN LISELLA
Township Administrator

CHRIS EBERT
PBA 296 State Delegate