

SPECIAL MEETING OF 11th BOARD OF REPRESENTATIVES
Minutes of January 18, 1971
Stamford, Connecticut

A Special Meeting of the 11th Board of Representatives of the City of Stamford was held on Monday, January 18, 1971, pursuant to a "Call" from the President, Charles J. Heinzer, III, in the Meeting Room of the Board, 2nd Floor, Municipal Office Building, 429 Atlantic Street, Stamford, Connecticut.

Personnel Committee - Meeting - "COMMITTEE OF THE WHOLE"

Before the Special Meeting, a Meeting of the Personnel Committee was held, meeting as a "COMMITTEE OF THE WHOLE".

A question and answer period was held with the Members asking questions of the City's Negotiator, Mr. Eugene Gordon. A representative from the Corporation Counsel's Office was present to assist in the discussion, Mr. Ronald M. Schwartz.

The question and answer session ended at 8.40 P.M. and the President called the Special Meeting to order, and Mr. Gordon and Mr. Schwartz were excused and left the meeting.

"CALL" of Meeting:

The President read the following "CALL" of the Meeting:

January 12, 1971

TO: All Members of 11th Board of Representatives
FROM: President Charles J. Heinzer, III
SUBJECT: "CALL" of Special Board Meeting

I, CHARLES J. HEINZER, III, President of the 11th Board of Representatives of the City of Stamford, pursuant to Section 202 of the Stamford Charter, hereby call a SPECIAL MEETING of said Board of Representatives for MONDAY, JANUARY 18, 1971, at 8.00 P.M. in the Board Room at the Municipal Office Building, 2nd floor, 429 Atlantic Street, Stamford, Connecticut, for the following purposes:

COLLECTIVE BARGAINING CONTRACTS:

- (1) Contract covering Two Years - From July 1, 1970 and including June 30, 1972 - Between City of Stamford and TEAMSTERS LOCAL UNION #145. and the HUBBARD HEIGHTS GOLF COMMISSION - (Contract signed 12/21/70)
- (2) Contract covering Two Years - From July 1, 1970 to and including June 30, 1972 - Between City of Stamford and TEAMSTERS LOCAL UNION #145, and the DEPARTMENT OF PARKS & TREES - (Contract signed 12/21/70)

COLLECTIVE BARGAINING CONTRACTS (CONT'D)

- (3) Contract covering Two Years - From July 1, 1970 to and including June 30, 1972 - Between City of Stamford and TEAMSTERS LOCAL UNION #145 and the PARKING AUTHORITY -
(Contract signed 12/21/70)

(NOTE: Length of work week to be decided by binding arbitration)

(signed) CHARLES J. HEINZER, III
President, Board of Representatives
City of Stamford, Connecticut

THE PRESIDENT announced that there will be another Special Meeting to be held on FRIDAY, JANUARY 29, 1971, at which time the Personnel Committee will hold another session of a "COMMITTEE OF THE WHOLE" before the Board Meeting at 7.30 P.M.

He requested Mr. Gordon to attend that meeting also, to which he agreed.

ROLL CALL was taken by the Clerk. At the calling of the roll, there were 31 present and 9 absent. However, Mr. LiVolsi arrived shortly afterward, changing the roll call to 32 present and 8 absent.

The absent Members were:

DOMBROSKI, Edward (D) 3rd District	ELLSWORTH, Stephen (R) 13th District
DURSO, Robert (D) 5th District	CAPORIZZO, William (R) 15th District
SHERMAN, Edith (R) 11th District	PUETTE, William (R) 18th District
CHIRIMBES, Peter (R) 12th District	DeFOREST, John (R) 19th District

MRS. PONT-BRIANT reported on the following matters on the Agenda:

- (1) Contract covering Two Years - From July 1, 1970 and including June 30, 1972 Between City of Stamford and TEAMSTERS LOCAL UNION #145, and the HUBBARD HEIGHTS GOLF COMMISSION - (Contract signed 12/21/70)

MRS. PONT-BRIANT said the Committee voted four to one in favor of approval of this contract. SHE MOVED for its approval.

MR. BITETTO said it is his opinion that this Board has already committed itself by approving other contracts and it would not be right to refuse to approve the same thing for these few people tonight.

MR. RUSSBACH said he thinks we have made a mistake in letting these prior contracts go through and he understands some of the legal ramifications behind it, but we should not continue to compound a mistake. He spoke against approving "open end" contracts and this Board must realize that to

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approve such a contract, leaving it up to an Arbitrator to come up with binding legislation is wrong. He stressed the astronomical cost of some of these pensions. He said this City is in dire trouble and feels these contracts should be rejected, even though this Board has approved contracts covering 600 or more employees. He said when you do not know the ultimate cost figure it is very foolish to vote in favor of it. He said he does not feel we should leave the total cost figures to someone else to decide, and if we do so, we are passing the buck and shirking our duty.

MR. KETCHAM said he presumes that in the demands of the Unions involved tonight, there is no demand for a 20 year pension. He said it is his understanding that the only employees so far to publicly make mention of a 20 year pension plan are the Police and Firemen. He asked if this is correct and was informed by the President that it is correct.

MR. HORNER said we may be placing ourselves in a ridiculous position if we fail to approve these contracts when we did approve the other contracts that came before us previously.

MR. EXNICIOS said he agrees with Mr. Russbach and it is unfortunate that the 27 people included in these contracts tonight have to be made the sacrificial lambs. However, he said it is incumbent upon this Board to reject the contract on the basis of unknown cost figures. He said he feels if we send these contracts back for renegotiation, that it will have a definite influence on the arbitrator when he looks at the previous contracts that we have approved. He said he feels these contracts should be rejected and he intends to vote against it.

MR. BIEDER said he has two questions. He said in regard to the contracts we are voting on tonight - are the pension provisions similar to the ones that we previously passed?

THE PRESIDENT said there are no pension provisions - they are left for binding arbitration.

MR. BIEDER said his second question is - on Page 12 of the contract under consideration - VIII - INSURANCE AND PENSIONS, paragraph "D" where it refers to a pension plan as provided for in the Charter of the City of Stamford, and then refers to other benefits provided in Article XIII of contract dated December 18, 1968 (except Article XIII-C, 3) shall remain in effect until July 1, 1971.

MR. BIEDER said the question that was asked of the Assistant Corporation Counsel (Ronald Schwartz), was if the Charter provides one thing for pensions and the Collective Bargaining Agreements come out to something else, the answer from the Corporation Counsel was that Collective Bargaining contracts would govern, even though the Charter provides something else.

THE PRESIDENT said since the Charter was printed, there has been State

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Statutes passed on Collective Bargaining and that is what supercedes the Charter and not the contract itself. He explained that the Contract supercedes the Charter by virtue of the State Statutes on Collective Bargaining.

MRS. PONT-BRIANT explained that the Collective Bargaining Act states under Section 7-474, Paragraph (f), that the Collective Bargaining Contracts take precedence over the Charter.

MR. CLARK said after having approved contracts for over 600 people he finds it difficult to rationalize the inconsistency of denying the same privilege to 27 people. He said he does not see that this will get us out of any difficulty, because we have already gotten ourselves into the difficulty by passing it for 600 or some other people. He said none of us know what the trends will be 20 years from now.

MR. RUSSELL said he agrees with what Mr. Exnicios and Mr. Russbach have said. He said it is sad that we passed the earlier contracts a little too easily, and maybe we should lean a little more heavily on Committees to give us the cold facts. He said he does not think it right to make these 27 employees suffer when we have given benefits to the vast majority. He said we are going to have to start being a little cruel and reject these contracts as of now.

MR. JOHN BOCCUZZI said we have already set a precedent with the other contracts, and when the Police and Firemen come in with theirs, perhaps it will be another story. He said he got the understanding from what Mr. Gordon said that the Administration did not take a strong enough stand in dealing with these contracts. He said he thinks that this Board should let it be known to this Administration and future Administrations that a firmer stand has to be taken with all contracts with the City, including the Board of Education contracts.

MR. SCOFIELD said if we admitted that we made a mistake in passing hurriedly open ended contracts by allowing to go to arbitration the pension plan for the 600+ employees

THE PRESIDENT said couldn't we say that we had second thoughts about the advisability.

MR. SCOFIELD said he would accept that - and if we reject these contracts coming up tonight on the basis that we are telling the arbitrator that we want fair treatment as far as the City goes and that we won't accept these contracts tonight and will go on a fixed pension plan as far as the arbitrator is concerned. He urged that this Board go on record as not being in favor of open end pension plans and are rejecting these contracts only on that basis. He said he would be in favor of rejecting to show our intent.

MR. GUROIAN said the final jolt that got him out of a sick bed to attend this meeting was the receipt of Norman Gluss' letter (former Commissioner of Finance in 1960) and this letter, together with the statement from the

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Commissioner of Finance Aretakis that this City's fiscal problems are severe, would encourage us to act accordingly - to try to relieve the tax burden on the people.

MR. TRUGLIA said the thing that bothers him is that it appears that Mr. Gordon (labor negotiator), is responsible to only one individual, the Mayor. He said this Board was derelict in not insisting on participating step-by-step as this negotiation took place. He said perhaps the Mayor should have called the leadership of the Board in, or pass word down to us as to what was happening. He said in the future, this Board should participate more in what is going on in collective bargaining through a Committee or the Board leadership, so that we won't again be caught in this bind as we are this evening.

MR. SHERER said the Members are discussing the pension factors of this contract rather than the salary ramifications. He said he did not find any provisions for pensions in it. He asked if there is a chance in passing on one facet of the contract without allowing for the other. He asked if we have to approve or disapprove and was informed this is correct.

MR. DONAHUE said it seems typical to him that the way this Board passes contracts is also true of the way they pass appropriations and obligate the Stamford taxpayers to an increasingly intolerable burden. He said we apparently have made a great mistake in allowing the other contracts through and he does not believe we should compound the error, and he would rather look foolish and perhaps save his constituents some money than sit here and blindly pass every contract that comes along.

MRS. PONT-BRIANT said she has been a Member of this Board for three years and was not a Member of the previous Personnel Committee during the first two years on the 10th Board. She said she was one of the VERY FEW at that time who took the trouble to read the contracts and can bet there are very few here tonight who took the trouble and time to read these contracts. She said they sat in Caucus and were going to change everything, but no recommendations were made and nothing was done about it. She said she is not putting the blame on any one party. She said all 40 Board Members are to blame - that she invited both the Majority Leader, Minority Leader and Assistant Majority and Minority Leaders, the President of the Board, to each session that the Personnel Committee had on the contracts, and only a couple came plus the Chairman of the Fiscal Committee. She said she repeatedly asked the Members that if there were any questions they had and if they were interested in coming to the meetings, to please let her know and she has heard from NO ONE. She said the Committee met and painstakingly went over these contracts and checked them with previous years and went over them item by item. She said Mr. Ravallese was at every meeting and asked questions and took part in the discussion with Mr. Gordon. She said at that time they brought out the open endness of the contracts and all the things that are being discussed tonight and there were four "no" votes on this floor of which she was one. She said

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she objects to being told that her Committee did not do a good job - and if the Members had any questions they should have presented them to her and she received none. She said the Board certainly cannot be unaware of what has been going on and they were passed with everyone's eyes open, but now is not the time to go back and say we did not know what we were doing.

MR. MURPHY asked what happens if we vote against these contracts - it will then go back to bargaining again, and asked if he is correct. He was told this was true.

MR. EXNICIOS said he wants to speak on one point and the word "cruel" was mentioned to these people. He said he certainly did not mean to even imply such a thing, but was trying to impress on everyone, the fact that he feels that by sending this contract back for one reason only - pensions - which they could then negotiate and it does not affect their salaries, but whatever came out of that re-negotiation would affect the arbitrator and the other 600 people would probably be treated the same way.

MR. BIEDER said it would be wrong not to consider these 27 people who will no doubt look on this Board in a very bad light if they hold them up after approving the same thing for more than 600 others. He suggested a middle of the road ground whereby the intent of this Board to not in the future approve open ended contracts, can be gotten across to any arbitrator of the City and in addition there is a way that this Administration and future Administrations can be made aware of the strong feelings of this Board that they should be consulted from time to time on negotiations as they progress. He asked for permission to present a resolution at this time.

THE PRESIDENT asked Mr. Bieder to hold his resolution because there is a motion on the floor at this time to approve the first contract for the HUBBARD HEIGHTS GOLF COMMISSION - Teamsters Local Union #145 and that has to be acted upon first.

MR. MORRIS said he is sure that everyone was well aware of what they were voting on, whether they voted right or wrong. He said he must defend Mrs. Pont-Briant because everyone received a copy of the contracts and they were all notified to be at the meetings and he attended one of the meetings at which time this matter was thoroughly discussed. He said this Board made a decision - now stand by it. He said for the Chairman of the Personnel Committee to get criticized now is wrong, because everyone was well informed.

MR. RUSSBACH MOVED THE QUESTION. Seconded and CARRIED unanimously.

THE PRESIDENT called for a vote on the first contract for the HUBBARD HEIGHTS GOLF COMMISSION.

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MR. TRUGLIA asked for a RECESS at 9.15 P.M. which was approved.

The meeting was called to order at 9.30 P.M.

THE PRESIDENT called for a vote on the HUBBARD HEIGHTS CONTRACT. Votes were taken on the Voting Machine. CARRIED by a vote of 19 in favor and 12 opposed.

- (2) Contract covering Two Years - From July 1, 1970 to and including June 30, 1972 - between City of Stamford and TEAMSTERS LOCAL UNION #145, and the DEPARTMENT OF PARKS & TREES - (Contract signed 12/21/70)

MRS. PONT-BRIANT said the above contract was approved by the Committee by a vote of four to one. SHE MOVED for approval of the above contract. Seconded, and CARRIED by a vote of 17 in favor and 14 opposed. (Machine vote).

- (3) Contract covering Two Years - From July 1, 1970 to and including June 30, 1972 - Between City of Stamford and TEAMSTERS LOCAL UNION #145, and the PARKING AUTHORITY - (Contract signed 12/21/70)

MRS. PONT-BRIANT said the above contract was also approved by the Committee by a vote of four to one. She explained that the Parking Authority stands on its own feet and does its own funding, so it does not cost the City any money. Seconded and CARRIED by a vote of 16 in favor and 15 opposed. (Machine vote).

THE PRESIDENT said before we adjourn, Mr. Bieder has a resolution he wants to present.

MR. BIEDER said because it does not appear on the Agenda, he is wondering if it can be considered inasmuch as the Charter (Sec. 202 - Meetings) provides that "No business can be transacted at a Special Meeting which is not within the purposes of the Call".

THE PRESIDENT said he will rule that it is within the purview of the Call as we are here to act on these three contracts and this is definitely concerned with that matter and the resolution would be in order.

MR. MORRIS said he thinks it is a good idea to act on this now.

THE PRESIDENT RULED that the resolution is germane to the three items on the Agenda for tonight's Special Meeting and therefore would be allowable.

- (4) Resolution No. 723 - Concerning Disapproval of Open-Ended Employment Contracts - (Collective Bargaining Contracts)

MR. BIEDER MOVED for approval of the following Resolution. Seconded and CARRIED unanimously:

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RESOLUTION NO. 723

CONCERNING DISAPPROVAL OF OPEN-ENDED EMPLOYMENT CONTRACTS
(COLLECTIVE BARGAINING CONTRACTS)

WHEREAS, the Board of Representatives is concerned that they are not properly being informed of the status of negotiations of Employment Contracts between the City and its contract employees; and

WHEREAS, the Board of Representatives is greatly concerned at the open-ended nature of City employment contracts; and

NOW, BE AND IT IS HEREBY RESOLVED that the Administration from now and hereafter consult from time to time with the Board of Representatives regarding the status of negotiations of City employment contracts; and

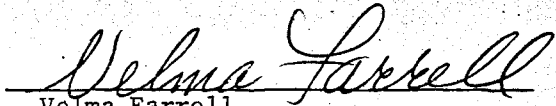
BE IT FURTHER RESOLVED that it is the intent of the Board of Representatives to look unfavorably in the future on employment contracts with open-ended monetary provisions.

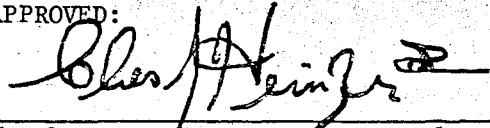
STEERING COMMITTEE MEETING:

THE PRESIDENT announced that there is a Steering Committee Meeting immediately after the adjournment of this Meeting.

ADJOURNMENT:

There being no further business to come before the Meeting, on motion, duly seconded and CARRIED, the Meeting was adjourned at 9.45 P.M.


Velma Farrell
Administrative Assistant
(Recording Secretary)

APPROVED:

Charles J. Heinz, III, President
11th Board of Representatives.