

MINUTES OF SPECIAL MEETING - THURSDAY, JANUARY 20, 1994

23RD BOARD OF REPRESENTATIVES

STAMFORD, CONNECTICUT

A Special Meeting of the 23rd Board of Representatives of the City of Stamford, Connecticut was held on Thursday, January 20, 1994, pursuant to a "Call" issued by President Mary Lou Rinaldi. The meeting was held in the Legislative Chambers of the Board of Representatives, Government Center, 888 Washington Boulevard, Stamford, Connecticut. The Call was for 8:00 p.m.

The meeting was called to order at 8:50 p.m. by President Mary Lou Rinaldi.

PRESIDENT RINALDI read the Call of the meeting. "I, Mary Lou Rinaldi, President of the 23rd Board of Representatives of the City of Stamford, Connecticut, and pursuant to Section 2-10-4 of the Stamford Charter, hereby call a Special Meeting of said Board of Representatives at the following time and place:

THURSDAY, JANUARY 20, 1994
AT 8:00 P.M.
LEGISLATIVE CHAMBER, 4TH FLOOR
GOVERNMENT CENTER
888 WASHINGTON BOULEVARD
STAMFORD, CONNECTICUT

To consider and act upon the following:

APPROVAL OF ARBITRATION AWARDS BETWEEN THE STAMFORD BOARD OF EDUCATION AND THE STAMFORD EDUCATION ASSOCIATION AND THE STAMFORD BOARD OF EDUCATION AND THE STAMFORD ADMINISTRATORS ASSOCIATION."

INVOCATION was given by Rep. Nicholas Pavia, R-10.

"Dear Lord, let us remember tonight all those who are in California, help them and the entire nation to cope with nature's fury. Let us grow in the knowledge that You are God and in Your hands everyone rests. Guide our minds tonight as we prepare to vote on the two labor contracts. Bless us all tonight and in the future as we strive to do Your holy will. Amen."

PLEDGE OF ALLEGIANCE TO THE FLAG: was led by President Mary Lou Rinaldi.

ROLL CALL was taken by Acting Clerk Maria Nakian. Clerk Summerville was absent. There were 32 members present and eight absent. Absent were Fred Johnson (excused), Kit Martinsen (excused), John J. Hogan, Jr., (excused), Annie Summerville (excused), Carmen Domonkos (excused), Angela Housey, Mildred Perillo and Michael Larobina.

The Chair declared a quorum.

The record will note that Rep. Michael Larobina joined the meeting; 33 members present and seven absent.

MACHINE TEST VOTE: Test votes were taken by President Mary Lou Rinaldi. The machine was in good working order.

For the record, Acting Clerk Maria Nakian voted from Clerk Summerville's seat.

PERSONNEL COMMITTEE - John J. Hogan, Chairman

Chairman Hogan was absent. Vice Chairman Joseph Vitti reported.

REP. VITTI said that the Personnel Committee met on Tuesday, January 18, 1994 in the Democratic Caucus Room. There being a quorum present, the meeting was called to order at 7:35 p.m. Present were Committee members Joseph Vitti, Vice Chairman; John Zelinsky, Jr., Robert McLaughlin, Liz Conti and Philip Stork; also present were Majority Leader John Boccuzzi and Rep. Marggie Laurie. Invited guest present were Ray Grebey, Stamford's labor negotiator; Mary Levine, SEA negotiator; Walter Domeika, President of SEA; Eileen Iannazzi from the Board of Education and Marc Peyser from the Board of Education and many observers.

Rep. Vitti stated that at the meeting, Mr. Grebey outlined the options the Committee and the Board had concerning the matter: 1) Approval of the Arbitration Award by a simple majority of the Board present and voting; 2) Rejection of the Arbitration Award which must be by two-thirds of the Board present and voting and 3) No action which would mean automatic approval within 25 days of the award. Rep. Vitti said that the deadline for acting on the Awards is January 25, 1994; if no action is taken by that date, the Awards become effective by default.

1. APPROVAL OF ARBITRATION AWARD BETWEEN THE STAMFORD BOARD OF EDUCATION AND THE STAMFORD EDUCATION ASSOCIATION. Submitted by Gerald C. Pia, President, Board of Education, 1/6/94. January 25, 1994 is the deadline for any action to be taken. If no action is taken by then, the award becomes effective by default. Board of Finance recommended rejection, 1/13/94.

REP. VITTI said that the Committee heard detailed documentation by the SEA and their representative and by members of the Board of Education. Rep. Vitti said that the Committee voted four in favor, none opposed and one abstention to recommend approval of the Arbitration Award between the Stamford Board of Education and the Stamford Education Association that was dated December 28, 1993. Rep. Vitti Moved for approval. The motion was Seconded.

The record will note that Rep. Patrick White and Rep. John F. Leydon, Jr. left the Floor and did not participate in any discussion or vote on both items on the Agenda.

REP. BOCCUZZI asked how many members were present to vote and how many votes were needed for approval?

PRESIDENT RINALDI stated that 31 members were present and 21 votes would be needed for approval.

REP. BOCCUZZI said that he would be speaking against the contract. He said that the contract for two years totals over \$3 million for the teachers and at this point, the fiscal standing of the City of Stamford with re-evaluation coming, that in itself, will be a great increase on taxes for the homeowner.

Rep. Boccuzzi said that the City is broken down into many, many income groups, but the majority of the income groups are way below the \$43,000 or whatever the figure was that the union came up as the spending power for people in Stamford. He said if one looks at what the increase will be for two years, it's over \$3 million and that transferred into taxes will be an increase in taxes for all homeowners.

PERSONNEL COMMITTEE: (continued)

REP. BOCCUZZI said that there are many homeowners in the City who are on fixed incomes and they will be having a problem even without this contract being approved to meet their taxes, and with the contract, it will be a greater burden. Rep. Boccuzzi said that the people he was referring to do not have the opportunity or the possibility of moving out of Stamford; they are here, their roots are here and they have been longtime residents of the city. He said that to put on the burden of extra taxes at this point in their lives, would make it hard for them to meet their tax payments.

Rep. Boccuzzi said that it has been said that the Grand List was going up \$6 million. He said that if the \$6 million is turned into actual taxes and with all the taxes this money brings in, still would not pay for the contract. Rep. Boccuzzi said that in that past few weeks with all the bad weather, there is going to be a tab for salt and sand and we must come up with the money to pay for that.

Rep. Boccuzzi said that the contract will be an extra burden and should be rejected. He said that people are making \$25 and \$30,000 and to give raises to people who are making \$53,000 is robbing Peter to pay Paul and Peter does not have anymore money. Rep. Boccuzzi asked the Board to turn down the contract.

REP. SHERER said he had a point of information. He said that in reading the statute regarding the role of the Board, unlike other cases where the votes are tried in the affirmative, the statute indicates that if nothing is done, the award is automatically approved and rejection must be by two-thirds. Rep. Sherer asked if the motion should be to reject because the statute talks in terms of rejection, not approval?

PRESIDENT RINALDI stated that the past practice of the Board has always been to frame any motion in the positive and if the motion is defeated, the vote will represent the percentage of rejection needed to turn the item down.

REP. SHERER said that he did not want the Board to be caught in a legal jam.

PRESIDENT RINALDI said that there should be no question of that because in addition to the actual vote, the Board must provide the rationale to the Arbitration Board.

REP. STORK said that he was speaking as a member of the Personnel Committee and he was present at their meeting. Rep. Stork said that when he walked into the meeting, he did not reach a firm decision and went in with an open mind to hear what would be presented to the Committee. He said that by the end of the meeting, he was persuaded to support the teachers' contract for various reasons.

Rep. Stork said that in negotiations for a contract, it is a give and take situation and both sides try to reach the best agreement for the side they represent. He said that he thought there was a clear-cut victory in this contract in that regard. He said that the Association was getting what they wanted in the first year of the contract and the city getting what it wanted in the second year of the contract; that was the way the arbitration panel ruled.

Rep. Stork said that the teachers' union is a prime example of not being hard-nosed and stubborn in negotiating their contract. He said the Association went the extra step; highlighted by the Arbitration Panel in their decision was the give backs on the health care plan.

PERSONNEL COMMITTEE: (continued)

REP. STORK (continued) said that no one else volunteered give backs on the health plan. Rep. Stork said that the give backs were a major concession on the part of the Association. He said that for the reasons he mentioned and seeing the documents received at the Committee meeting, he wholeheartedly supports the contract. He said that the contract was fair and hoped that the Board would join him in supporting the contract.

REP. DeLUCA said that the contract may be fair as far as the teachers go but as far as the taxpayers go, the contract is not fair. He said that looking over the contract for a period of two years, it will cost the city approximately \$3 million.

Rep. DeLuca said that for all his years on the Board, this was the first time that the Board of Education urged the Board of Representatives to reject the contracts, both the teachers and administrators. Rep. DeLuca said that the Board of Finance and the Mayor is telling the Board of Education to come in with a zero increase in their budget; the approval of the contract will prevent the Board of Education from submitting a budget without an increase. Rep. DeLuca questioned where the cost will come from if the contract is approved, the \$1.7 million that will have to be funded. He said that again, it will be programs that affect the children.

Rep. DeLuca said that three or four years ago, he would have gladly voted for this contract of 1.8% but he cannot vote for it today, especially, in view of the fact that each day, you read that many corporations are letting people go; if people are not being terminated, the salaries are being frozen. He said the comment that per capita income in Stamford is \$50,000, try telling that to the people that are out of work and the ones on fixed incomes. Rep. DeLuca said that with the cold weather that people are enduring, people on fixed incomes who were saving money to pay their taxes, will be paying for heat for their homes. Rep. DeLuca said that the city cannot afford this contract. He said even though the contract is rejected this evening, the majority of teachers will be getting about a 3.8% increase because of the automatic step increases. Rep. DeLuca said the Board would not be hurting the teachers as their average pay is \$53,000. He urged the Board to reject the contract not only because the Board of Education is urging the Board to reject but also because the city cannot afford it.

Rep. DeLuca said that in the past, lobbying was done and resolutions were passed urging the state to revise their arbitration laws whereby municipalities can go back a second time to the arbitrators. He said that he was willing to take a chance to go before the arbitration panel again and to risk the \$12,000 fee that it may cost the city for expenses to possibly save the city a \$1.7 million. Rep. DeLuca stated that by going back, there may be a 1/2% increase which is better than 1.8%. He said that in all fairness to the taxpayers in the city, a rejection of the contract would be a plus.

REP. VITTI said that the Committee was very diligent and listened to all the information that was given and they were impressed by the presentation made by the Stamford Education Association. Rep. Vitti said that by rejecting the contract this evening, does not mean the matter is over because it isn't. He said that if the contract is rejected, it will go back to an arbitrator and if the Board thinks that the contract will come back with a zero percent increase is like believing in the tooth fairy.

PERSONNEL COMMITTEE: (continued)

REP. VITTI (continuing) said that the Board of Education stated that they will pick up the tab for the negotiations; however, the money is received from the City of Stamford. He said that he thought the contract is fair, the Committee was diligent in their deliberations and was in favor of supporting the award.

REP. CONTI said that as a member of the Personnel Committee and looking over all the information the Committee received, and reading the award, she thought the contract was fair. She said that some of her reasons were that the taxpayers of Stamford are overburdened in many ways but there were sacrifices made on behalf of the union. She said that the union will always go for an increase in any situation and in any municipality. Rep. Conti said that the arbitration was fair as both sides made their requests and the union made sacrifices on the health care side and on the percentage they were willing to pay towards their health care.

Rep. Conti said that on the point of the step increases, people don't realize that the teachers do get automatic raises per year and per step. She said that the union, the Board of Education and the city does not always reimburse teachers for the education they have to go through; an MAA costs a person about \$9,000 in tuition and a person will not pay this to receive no increase in pay. She said that we want our teachers to continue their education in order to continue quality education in Stamford; people fail to understand that point. Rep. Conti said that with the step increase of 3%, the teachers are getting an increase. She said that the arbitration award is fair and she urged members of the Board to go along with it as sending it back to arbitration will not benefit the city.

REP. CORELLI Moved the question. Seconded.

PRESIDENT RINALDI called for a vote to Move the question. APPROVED by voice vote.

PRESIDENT RINALDI explained that if you are in favor of the award, you vote yes, if opposed, you vote no and to reject the award, a two-thirds vote is needed of those present and voting which is 21 no votes.

President Rinaldi proceeded to a vote to approve the Arbitration Award between the Board of Education and the Stamford Education Association. The award was REJECTED by a vote of 21 no, 9 yes votes with one abstention.

2. APPROVAL OF ARBITRATION AWARD BETWEEN THE STAMFORD BOARD OF EDUCATION AND THE STAMFORD ADMINISTRATORS ASSOCIATION. Submitted by Gerald C. Pia, President, Board of Education, 1/6/94. January 25, 1994 is the deadline for any action to be taken. If no action is taken by then, the award becomes effective by default. Board of Finance recommended rejection 1/13/94.

REP. VITTI said that there were no representatives present from the Administrators Association and the representatives from the Board of Education left at this point in the meeting. Rep. Vitti said that after viewing the information contained in the Arbitration Award, the Committee voted five in favor, none in opposition with no absentions to recommend rejection of the award.

REP. VITTI said that being motions must be made in the positive form, he Moved for approval of the award between the Board of Education and the Administrators Association; the Committee voted to reject. The motion was Seconded.

REP. LOGLISCI said that he could not see how anyone could vote for this award when the teachers' award was just rejected.

PRESIDENT RINALDI again explained the voting on this motion. The motion was made in the positive and if one is in favor of the award, you will vote yes; if you want to reject the award, you will vote no. Two thirds of the members present and voting is needed to reject the award; 21 votes needed to reject the item.

President Rinaldi proceeded to a vote to approve the award between the Board of Education and the Administrators Association. REJECTED by a vote of 30 no votes and one abstention.

REP. ZELINSKY said that the legislative body has 10 days in which to notify the state as well as the parties affected by the votes this evening and also the reasons for the rejections.


PRESIDENT RINALDI stated that everyone is aware of the state statute and the Board will comply.

ADJOURNMENT - Upon a motion duly made and Seconded and Approved by a voice vote, the meeting was adjourned at 9:23 p.m.



Anne A. Kachaluba, Administrative Assistant
and Recording Secretary
23rd Board of Representatives

APPROVED:


Mary Lou T. Rinaldi, President
23rd Board of Representatives

MTR:ak

Enclosures