

**MINUTES OF THE ANNUAL ORGANIZATIONAL MEETING OF THE TOWN OF FAIRFIELD
NOVEMBER 24, 2014**

The Annual Organizational Meeting of the Town of Fairfield was held on Monday, November 24, 2014, at the Education Center, Kings Highway, Fairfield, Connecticut.

The meeting was called to order at 8:00 P.M. by First Selectman Michael Tetreau.

PRESENT: 46 ABSENT: 4 VACANCY: 0

PRESENT: Donovan, Herley, Lipp, Meyer, Sundman, Ambrose, Burshtein, Steele, Varian, Bateson, Devlin, Ference, Mackenzie, McCullough, Dean, Gerber, Palmer, Waldron, Garskof, O'Brien, Semmel, Smey, Way, Gottlieb, Marks, Marmion, Wolk, Zezima, Hochberg, Hoffkins, Newman, Pires, Schwartz, Braun, Durrell, Li, McCarthy, Melaragno, Iacono, Jacob, McArdle, Pontrelli, Tymniak, Farnen, Neuberger, Ryan

ABSENT: Schindler, DeMartino, Cafferelli, Perugini

ITEM NO. 1 ON CALL: PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE

ITEM NO. 2 ON CALL: TO ELECT A MODERATOR AND DEPUTY MODERATOR FOR THE ENSUING YEAR

Mr. Tetreau asked for nominations from the floor for a Moderator.

Edward Bateson, District 3, nominated Pam Iacono, duly seconded by Michael Herley, District 1.

Upon motion made, duly seconded and carried unanimously, nominations for Moderator were closed.

VOTE: Ms. Iacono was elected Moderator with 43 in favor, 2 abstentions (O'Brien, Smey) (Mr. Schwartz was not present to vote).

The Moderator asked for nominations from the floor for Deputy Moderator.

Michael Herley, District 1, nominated Hank Ference, duly seconded by Peter Ambrose, District 2.

Upon motion made, duly seconded and carried unanimously, nominations for Deputy Moderator were closed.

VOTE: Mr. Ference was elected Deputy Moderator by unanimous voice vote.

The Moderator instructed the RTM on the Town Charter Standards of Conduct, ethical matters, Freedom of Information matters and conflicts of interest. She reminded members that e-mailing a majority of the Body constitutes a meeting under FOI regulations.

ITEM NO. 3 ON CALL: TO NOMINATE AND ELECT MEMBERS TO SERVE ON THE SPECIAL LEGISLATIVE MANAGEMENT COMMITTEE

Majority Leader Ed Bateson nominated Ed Bateson, District 3; Michael Herley, District 1 and Kathy Braun, District 8, to serve on the SLMC, duly seconded.

Minority Leader Sheila Marmion nominated Sheila Marmion, District 6, and Hal Schwartz, District 7, to serve on the SLMC, duly seconded.

The nominated members of the SLMC were approved by unanimous voice vote.

MOTION: Ed Bateson moved to take Item #7 out of order, duly seconded and carried unanimously.

ITEM NO. 7 ON CALL: RESOLVED, THAT IN ACCORDANCE WITH CONNECTICUT GENERAL STATUTE §10-153D(B), THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE BOARD OF EDUCATION AND THE FAIRFIELD EDUCATION ASSOCIATION, FOR THE PERIOD OF JULY 1, 2015 THROUGH JUNE 30, 2018, IS REJECTED

Ed Bateson moved this item as distributed with the Call, duly seconded by Jennifer Hochberg.

Joe Palmer, District 4, said he intends to support this item. However, despite the increased health care cost share, it does not address the Cadillac health plan. It will force the Board of Education to cut costs elsewhere, and he does not believe the budget can handle the costs.

Julie Gottlieb, District 6, asked for a description of the net/net cost savings to the Town.

Board of Education Chairman Phil Dwyer explained how having a PPO is the best way to go.

Ms. Gottlieb said she supports this item, and she supports the teachers and staff, as education is important.

Jay Lipp, District 1, asked for a projected net increase to the education budget.

Chairman Dwyer said that salaries and health benefits account for 75 to 80 percent of the budget. Although the current budget process is not complete, it is projected to increase by 1.7 percent.

Mr. Lipp said that he expects the Board to give direction to the Superintendent to live within that figure. He said each year at the budget meeting we are told the increase is due to personnel benefits and salaries. Taxes are being raised more than citizens can afford. This is the largest employee contract and it will shape the budget for the next three years.

Mr. Dwyer explained that the Board of Ed does not tell the administration that here is the figure; work it out. The Board asks for the needs of the district and the students, and to bring in the budget in a responsible basis.

Tom McCarthy, District 8, echoed some of the comments he has heard already. He is conflicted and feels like tonight's meeting is more of a budget meeting than the Annual Budget Meeting held in May. Although he feels that we are moving in the right direction, we are not moving quickly enough. He has difficulty supporting this item without hearing what the rest of the education budget contains.

Michael Herley, District 1, said he supports this item and called the contract fair and reasonable.

Kevin Hoffkins, District 7, asked what would happen if the vote failed.

Board of Education Attorney Donald Houston said that if the contract were rejected it would head to binding interest arbitration, which is not inexpensive. Each issue is treated as a separate case to be

judicated, which could cost up to \$100,000, without a guarantee we would do better. He said this is a fair and reasonable agreement.

Mr. Hoffkins said both sides negotiated in good faith, and he urged support.

Bill Gerber, District 4, asked how a 3 percent salary increase ends up costing only 1.7 percent.

Atty. Houston explained that 1.7 represents the net number considering salary versus insurance concessions.

Allen Marks, District 6, said that the contract addresses growing insurance costs and this is good for the Town. He will support it.

Chris Tymniak, District 9, said that an HSA plan is offered by 131 boards of education throughout the State. It could be cost saving for both teachers and the Town. Page 25 of the contract said that the Board can implement an alternative plan, and he urged the Board of Ed to take advantage.

Peter Ambrose, District 2, called the contract fair and said he supports it.

Ellen Jacob, District 9, said that taxes need to be kept down.

Jay Wolk, District 6, spoke in support of the contract.

Jeff Steele, District 2, said he supports the contract and that the givebacks are significant. We are making progress, year by year.

Speaking in support of the teachers' contract were FEA President Bob Smoler; Tina Brown; Martha Murphy; Charles Flynn, and Mark Patten.

MOTION: Mr. Ambrose moved the question, duly seconded by Mr. Steele and carried with 3 abstentions (Dean, Garskof, Marks).

VOTE: The resolution to reject the collective bargaining agreement between the Town and the Fairfield Education Association (Teachers) failed with a vote of 7 in favor, 37 opposed and 1 abstention (Mr. Schwartz was not present to vote).

IN FAVOR: Donovan, Meyer, Bateson, McCullough, Braun, McCarthy, Melaragno

OPPOSED: Herley, Lipp, Sundman, Ambrose, Burshtein, Steele, Varian, Devlin, Ference, Mackenzie, Dean, Gerber, Palmer, Waldron, Garskof, O'Brien, Semmel, Smey, Way, Gottlieb, Marks, Marmion, Wolk, Zezima, Hochberg, Newman, Pires, Durrell, Li, Iacono, Jacob, McArdle, Pontrelli, Tymniak, Farnen, Neuberger, Ryan

ABSTAINED: Hoffkins

ITEM NO. 4 ON CALL: APPROVAL OF 2015 MEETING CALENDAR

Heather Dean, District 4 moved this item as distributed with the Call, duly seconded by Sheila Marmion.

Ed Bateson, District 3, said that the time has come to add April budget meetings to the annual meeting calendar.

MOTION: Mr. Bateson moved to add April 6, 7 and 8 as RTM Public Budget meeting dates, duly seconded.

VOTE: The motion to add 3 days for budget meetings to the annual calendar was approved unanimously.

VOTE: The 2015 RTM Meeting Calendar, as amended, was approved unanimously, as follows:

January 26	April 6, 7, 8 & 27	July 27	October 26
February 23	May 4 and 18	August 24	November 30
March 23	June 22	September 28	December 21

ITEM NO. 5 ON CALL: TO CONSIDER AND ACT UPON THE MINUTES OF THE REGULAR MEETING HELD ON OCTOBER 27, 2014

Upon motion made, duly seconded and carried unanimously, the minutes of the previous meeting were approved as distributed.

ITEM NO. 6 ON CALL: RESOLVED, THAT A CERTAIN CONTRACT NEGOTIATED BY AND BETWEEN THE TOWN OF FAIRFIELD AND THE UNITED PUBLIC SERVICE EMPLOYEES UNION (UPSEU) UNIT #222 (TOWN HALL EMPLOYEES ASSOCIATION) CONCERNING CONDITIONS OF EMPLOYMENT FOR THE PERIOD ENDING JUNE 30, 2013 BE, AND HEREBY IS, AMENDED, IN THE MANNER DESCRIBED IN THE ATTACHED MEMORANDUM OF AGREEMENT SO AS TO MAKE THE CONTRACT EFFECTIVE THROUGH JUNE 30, 2017 AND TO INCORPORATE CERTAIN OTHER CHANGES REGARDING WAGES, HOURS AND OTHER MATTERS

Josh Garskof, District 5, moved this item as distributed with the Call, duly seconded.

David Mackenzie, District 3, said there was only four days to review this item which implies that the RTM is to rubber-stamp the contract. He asked if it is possible to expand the time to review contracts.

First Selectman Tetreau explained that we only have 45 days in which to approve the contract after it is voted on by the union. If it does not go to the RTM by then, it passes automatically.

Mr. Mackenzie suggested amending the statute. Atty. Ipsen said that CCM has proposed changing the Connecticut General Statutes.

Mr. Mackenzie asked why this is a four-year contract while the others are three.

First Selectman Tetreau explained that at some point, one of his predecessors decided to line up all of the contracts so they all expire at the same time. He is trying to spread them out, in order that they do not all have to be negotiated at once.

Mr. Mackenzie asked if the contract term will go back to three years next time. Mr. Tetreau replied that the term will go to whatever is appropriate. Contracts are not always three years.

Mr. Mackenzie said that this contract extends into 2017 without addressing the Cadillac tax, and he intends to vote against it.

First Selectman Tetreau pointed out that the so-called Cadillac tax is one size fits all, and costs are higher here than in other states.

Joe Palmer, District 4, agreed with Mr. Mackenzie on the time allotted for reviewing the contract, but that he would support it. He indicated the Board of Education outline was very well done, and asked that the Town use that as a model going forward.

Ed Bateson, District 3, said that it is good we are starting to address health care costs, but objected to the step increases.

John Donovan, District 1, said that the public sector employees are paid more than in the private sector, and this cannot continue. He said he is voting against the contract.

VOTE: The resolution to approve the collective bargaining agreement between the Town and UPSEU (Town Hall Employees' Association/THEA) was approved with 24 in favor, 22 opposed.

IN FAVOR: Herley, Steele, Varian, Bateson, Ference, Dean, Gerber, Palmer, Waldron, Garskof, O'Brien, Semmel, Smey, Way, Gottlieb, Marks, Marmion, Wolk, Zezima, Hochberg, Hoffkins, Newman, Pires, Schwartz

OPPOSED: Donovan, Lipp, Meyer, Sundman, Ambrose, Burshtein, Devlin, Mackenzie, McCullough, Braun, Durrell, Li, McCarthy, Melaragno, Iacono, Jacob, McArdle, Pontrelli, Tymniak, Farnen, Neuberger, Ryan

ITEM NO. 8 ON CALL: BOND RESOLUTION APPROPRIATING \$4,558,399 FOR THE REPAIR OF PENFIELD PAVILION

This item had been subject to approval of the Board of Finance, which it did not receive.

ITEM NO. 9 ON CALL: REDISTRICTING ORDINANCE

Chris Tymniak, District 9, and Phil Pires, District 7, introduced this item.

Sheila Marmion, District 6, asked for clarification in the process of amending this item.

Town Attorney Stanton Lesser explained that only the Redistricting Committee is able to amend the ordinance. The metes and bounds description has been converted to maps, and Engineering has the map. The Engineering Department will write up the metes and bounds description.

Peter Ambrose, District 2, asked if the item will go back to the Legislation and Administration committee.

Atty. Lesser said that the ordinance will be amended in order to add the metes and bounds description. Any proposed amendments must come from the Redistricting Committee.

Michael Herley, District 1, said he was under the impression that any member could make a motion to amend the ordinance, and that the Redistricting Committee would convene during the RTM meeting to approve the amendment.

Atty. Lesser said the Redistricting Committee may consider amendments but is not required to.

Mr. Pires and Mr. Tymniak indicated that the committee would meet to discuss any proposed amendments.

Atty. Lesser said that if a substantive change occurs, it would have to go back for review to L&A. If it is just being amended to add the metes and bounds description, that would not be considered substantive and it would not have to go back.

Jeff Steele, District 2, asked why other ordinances can be amended on the floor.

Atty. Lesser explained that the Charter states that the resolution shall be proposed by the Redistricting Committee.

Ellen Jacob, District 9, said that we need more time to review the ordinance.

Mr. Tymniak said that the maps were included in the previous month's mailing, and this month is the first month of discussion. This is a three-month process.

Mr. Bateson said that this is an all-encompassing ordinance, and that he is not opposed to holding off on the vote until January.

Mr. Tymniak said that the metes and bounds description probably would not be ready in time for the December meeting.

Mr. Herley asked what would constitute a substantive change. Atty. Lesser said that any change to a boundary line would be considered substantive.

Mr. Bateson asked if a change would be considered substantive if a border changed but did not impact a voter, to which Atty. Lesser answered that the Moderator determines what is a substantive change.

Ms. Marmion thanked the Redistricting Committee, and said that she supports a 10-district plan with four representatives to each district.

Mr. Herley asked what the latest date the ordinance could be approved to be ready for the 2015 election.

The Moderator said the Registrars of Voters need 90 days before the primary, which would put the presentation date the beginning of March for a vote in April.

Allen Marks, District 6, pointed out that the earlier it is approved the better, so that the voters have a chance to get used to their polling locations.

As this item is an ordinance, it shall be held over.

ITEM NO. 10 ON CALL: REFERRAL OF AMENDMENT TO TAX RELIEF ORDINANCE

The L&A Committee took no action on this item.

ITEM NO. 11 ON CALL: REFERRAL OF FAIR TV ORDINANCE

The L&A Committee voted to release this item to the Body.

ITEM NO. 12 ON CALL: REFERRAL OF ALTERNATE SIDE OF THE STREET ORDINANCE

The L&A Committee tabled this item.

ADJOURNMENT

There being no further business and upon motion made, duly seconded and carried unanimously, the meeting was adjourned at 10:20 P.M.

Respectfully submitted,

Elizabeth P. Browne
Town Clerk

Recorded by: Ann Roche