

REPRESENTATIVE TOWN MEETING

July 27, 2015

ITEM NO. 7 ON CALL:

TO HEAR CONSIDER AND ACT UPON THE FOLLOWING RESOLUTION RECOMMENDED BY THE FIRST SELECTMAN: "RESOLVED, THAT A CERTAIN CONTRACT NEGOTIATED BY AND BETWEEN THE TOWN OF FAIRFIELD AND THE FAIRFIELD FIRE UNION, LOCAL 426, CONCERNING CONDITIONS OF EMPLOYMENT FOR THE PERIOD ENDING JUNE 30, 2013 BE, AND HEREBY IS, AMENDED, IN THE MANNER DESCRIBED IN THE ATTACHED TENTATIVE AGREEMENT SO AS TO MAKE THE CONTRACT EFFECTIVE THROUGH JUNE 30, 2017 AND TO INCORPORATE CERTAIN OTHER CHANGES REGARDING WAGES, HOURS AND OTHER MATTERS."

MOTION: Michael Herley, District 1 moved to combine Items 7 & 8 for discussion purposes only, duly seconded.

VOTE: The motion to combine items 7 & 8 for discussion purposes only was approved by unanimous voice vote.

Joe Palmer, District 4 noted that both the Fire department and the Police Department contracts were two years overdue to be resolved. He asked what had happened that both contracts were settled and presented to the RTM after such a long period of time.

First Selectman Michael Tetreau responded that both union memberships had just approved all the terms in the contracts. He stated that the process of educating the union memberships about the terms of the new contracts took time and that as soon as the two memberships had voted for the new contracts he called the Moderator to advise her.

Mr. Palmer then asked about the negotiating process and if these contracts were a compromise and why it took two years. The First Selectman stated that it takes a while for both parties to be able to agree on all items, especially with regards to healthcare, and that it took some time to understand the impact of the provisions of the contracts upon both the membership and the Town.

David Mackenzie, District 3 stated that while he appreciated all the work that had gone into the negotiations, as well as the fine work done by the police force and fire fighters he would not vote for the contracts because the rate of compensation in both contracts was 2 ½ to 3 times the rate of inflation and the Town can't afford this. The contracts do not have provisions for a 401a while other unions in the town do have such a provision. He believed that the Town should have moved to 401a, and that there had been inadequate discussion on health insurance costs. However, he could not vote against the contracts because it would be too expensive for the Town to go to arbitration, so he will abstain from voting for the two contracts to make a statement that the Town can't go on compensating employees at this rate and continue to remain solvent.

Julie Gottlieb, District 6 felt that these were good contracts and that the Town is making progress in its contract negotiations, even though the progress is slow. Ms. Gottlieb noted that the salary increases are lower than those of other Towns, and that the Town had achieved success in the health care design and copays, as well as the increased employee contribution to their pension plans. Ms. Gottlieb stated she felt that this were good and fair contracts and asked the RTM to vote for them.

Liz Zezima, District 6 noted that there were consistent comparisons of employment in the public and private sectors, but governments are bound by laws and mandates to provide a level of service that is not found in the private sector. Ms. Zezima stated that if our compensation packages are not competitive then

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we run the risk of hiring employees only to train them for other towns. She asked about the cost of the Town switching to a 401a plan.

Mr. Mayer stated that 401a plans are defined benefit plans just like a retirement plan, which also have costs to the employer. He stated that a 401a can be more expensive than a defined benefit plan. He deferred to Attorney Hibson for further explanation.

Attorney Emmet Hibson, the lead negotiator for the Police and Fire contract negotiations stated that the Town had looked at moving to 401a in the contract negotiations. He stated that as of right now the Town does not have a required contribution to the employees' retirement plan. From 2004 through 2011 the Town contributed nothing and so to change over to a 401A was not something that would benefit the Town as an employer.

Mr. Mayer noted that the Town Pension contribution is only on base wages, not on the total earnings of employees, including overtime.

Mary McCullough, District 3 asked why the Town did not have to make contributions to the pension fund during those years.

Mr. Mayer replied that every year Town employees earn benefits including pensions. If the Town was paying it would have had to pay 14% to the pension plan.

Ms. McCullough stated that Town Bodies are unable to vote items which are not presented to them for a vote. The previous Administration did not recommend contributions to the pension during that time.

Chris Tymniak, District 9 noted that he asked at a subcommittee meeting why the contracts were in negotiations for 2 ½ years and was told that it did not cost the Town anything extra to negotiate.

Mr. Mayer responded that these contracts took into account the fact that these are 4 year contracts and that the Town had achieved such a good result because it had taken years to negotiate.

Mr. Tymniak disagreed stating that there was a cost to the taxpayers and there was an opportunity lost to the Town because it was not negotiated in a timely manner. Mr. Tymniak had asked for a breakdown of the legal fees incurred in the negotiation process. He noted that in 2013 the Town paid \$110,000 to a law firm that did not finish negotiating the contracts and asked why.

First Selectman Tetreau stated that with any contract there are many issues that necessitate research, as well as examining how these issues are handled by other towns. During the negotiation process the two sides were close to arbitration which can run up legal bills very quickly because of research and preparation time.

Mr. Tymniak stated that the Town can begin to negotiate a contract 180 days before it expires and that he believes the longer the Town gets away from the expiration of a contract an arbitration panel looks more favorably at the union. He felt that the Town spent too much money on a legal firm that didn't finish the negotiations but that he would support this contract as good governmental decisions are hard to come by.

Mr. Tetreau stated that when he took office he had 6 open contracts and that in 2013 there were 7. He stated that it is the administration's goal to spread out the contracts so that they don't all come due at the same time.

Bill Gerber, District 4 asked if Mr. Mayer had anything more to say about the 2 years it took to negotiate the contracts. Mr. Mayer stated that the police and fire unions did not want to go to arbitration during

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these negotiations, and wanted to negotiate in good faith. The Town said a couple of times that it wanted to go to arbitration.

Mr. Gerber noted that these contracts salary increases are just over 2% The contract increases seem reasonable and he had heard that the Town was able to have all of its objectives met. He noted that the employees of both departments must contribute 5 % to their health insurance as well as contributing to OPEB pension contributions. Mr. Gerber said that he thinks both sides “met in the middle” and that he does not believe other towns in the area are giving 401a’s.

Kathy Braun, District 8 said that she had a few concerns regarding the contracts that would cause her to vote no on both. She said that spending \$210,000 for legal fees without having gone to arbitration was too high, and that a 2% increase each year is too high.

Peter Ambrose, District 2 said that while it was unfair to the members of the RTM to have both contracts arrive at the same time for their consideration within a 2-week period he would vote in favor of the contracts.

Michael Herley, District 1 stated that he planned to support both contracts, but wanted to know if the Town didn’t have the personnel available to negotiate with 6 unions if there was any discussion about how to stagger the end dates of the employee union contracts.

Mr. Mayer replied that the major delay in settling these contracts was not the time it took for financial research for analysis but rather the negotiations and discussions during the whole process of contract negotiation.

Mr. Tetreau replied that the administration had looked at was the time it took to be able schedule talks between attorneys. He stated that the Town had looked for additional help for the Finance Department but it was not approved by the BOF.

Mr. Herley asked if the BOF was specifically advised that the position was to help in contract negotiation.

Mr. Mayer thanked the RTM for approving the \$62,000 for part time help for his department.

Tom McCarthy, District 8 stated that the salary increases are higher than in the private sector. He noted that the public and private sectors are fundamentally different, but that the Town should move to the private sector model for medical and post retirement benefits. Mr. McCarthy stated that the facts were that this these contracts affect the Town budget more than the budget discussions the RTM have in May. He stated that while he does not agree with every element in the two contracts he is concerned about the cost of voting no.

John Donovan, District 1 stated that the key to good contracts is affordability. He stated that studies have shown that public sector employees in Connecticut earn 20% more than do private sector employees. He

asked how long the Town can afford to pay its employees, yet noted that if the RTM voted these contracts down then the Town would lose in arbitration.

Jay Wolk, District 6 noted the presence of a number of firefighters and police in the audience, and stated that the Town is lucky to have their services referencing the first responders’ work when his daughter was choking. He felt the Town does not pay the police, firefighters and teachers enough, and noted that the Town is in good fiscal health with an AAA bond rating. He asked the RTM to make this a non-partisan night for the firefighters and police by voting yes.

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Pamela Iacono, District 9 stated that she was voting in favor of the contracts. She noted that in comparing public sector to private sector employment there are no private sector jobs comparable to those of the first responders. She felt the contracts were fair but was upset that during negotiations it was proposed that union members go into a 401a plan while exempt employees are offered a pension plan.

Speaking against the contracts was Bud Morten. Speaking in favor of the contracts were Steve Krauchick, Eric Kalapir, Police Chief Gary MacNamara, and Fire Commission Chair Frank Cieplinski.

Rep. Herley moved Item 7, duly seconded.

VOTE: The contract between the Town of Fairfield and Fairfield Fire Union, Local 1426 was approved with 31 yes votes and 7 abstentions (Donovan, Mackenzie, Way, Braun, McCarthy, Jacob, Ryan).

ITEM NO. 8 ON CALL:

TO HEAR, CONSIDER AND ACT UPON THE FOLLOWING RESOLUTION RECOMMENDED BY THE FIRST SELECTMAN: "RESOLVED THAT A CERTAIN CONTRACT NEGOTIATED BY AND BETWEEN THE TOWN OF FAIRFIELD AND THE LOCAL UNION #530, CONNECTICUT ORGANIZATION FOR PUBLIC SAFETY (COPS), CONCERNING CONDITIONS OF EMPLOYMENT FOR THE PERIOD ENDING JUNE 30,2013 BE AND HEREBY IS, AMENDED, IN THE MANNER DESCRIBED IN THE ATTACHED TENTATIVE AGREEMENT SO AS TO MAKE THE CONTRACT EFFECTIVE THROUGH JUNE 30,2017 AND TO INCORPORATE CERTAIN OTHER CHANGES REGARDING WAGES, HOURS AND OTHER MATTERS.

Rep. Herley moved Item 8, duly seconded.

VOTE: The contract between the Town of Fairfield and Local Union #530 (COPS) was approved with 31 yes votes and 7 abstentions (Donovan, Mackenzie, Way, Braun, McCarthy, Jacob, Ryan).

ITEM NO.9 ON CALL:

TRANSIENT MERCHANT ORDINANCE REFERRAL

Moderator Iacono advised that these amendments were approved in L&A and will be on the full agenda in September and October.

NEW BUSINESS:

Moderator Iacono advised the body that there will be an August call for the Legislation and Administration committee.

Kathryn Braun advised the body that there an invasive species of Beetle has been found in Connecticut which attacks pine and hemlock trees, killing them off. She distributed material and asked the body to notify the DEEP should they see any evidence so a licensed arborist can take the tree down.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:30 PM.

Respectfully submitted,

Elizabeth P. Browne, CMC, MCTC
Town Clerk

Recorded by: Frances M. Daly