

Minutes of May 24, 1971Special Meeting of 11th Board of Representatives
Stamford, Connecticut

A Special Meeting of the 11th Board of Representatives of the City of Stamford was held on Monday, May 24, 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.

The Meeting was called to order by the President at 8.00 P.M.

ROLL CALL was taken by the Clerk. There were 24 present and 16 absent at the calling of the Roll. Some Members arrived later in the Meeting, changing the roll call to 32 Present and 8 Absent.

The absent Members were:

CAPORIZZO, William (R), 15th District
CHIRIMBES, Peter (R), 12th District
CONNORS, George (D), 8th District
DeFOREST, John (R), 19th District
DOMBROSKI, Edward (D), 3rd District
DURSO, Robert (D), 5th District
PUETTE, William (R), 18th District
SHERMAN, Edith (R), 11th District

MOMENT OF SILENCE IN MEMORY OF THE LATE THOMAS DODD, former Senator

A moment of silence was observed in memory of the late Senator Thomas Dodd, recently deceased.

PLEDGE OF ALLEGIANCE TO THE FLAG: The President led the Members in the Pledge of Allegiance to the Flag.

THE PRESIDENT called the Members' attention to the Rules of the Board under "Voting", being Rule No. 6 - "No Members shall leave the meeting without permission of the Board."

THE PRESIDENT called upon Mr. Roos, Chairman of the Personnel Committee, to render his report.

MR. ROOS said the Committee met on May 19, 1971 on the matter before the Board and present were: Mrs. Pont Briant, Mr. Costello, Mr. Ravallese and himself. Also present were, Mr. Leonard Rovens, the Negotiator and Mr. John Morris, Personnel, Board of Education.

He said the Committee approved the contract up to and including item 3, Sec. (a). He said while it represents an appreciable boost from \$15 to \$19 per diem, the Committee felt that because an increase had not been granted in five years that the proposed rate was compatible with our area, and results in approximately \$3.64 per hour for top pay.

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He said Item 3. Sec.(b) however, wants to use the Bureau of Labor Consumer Price Index as determined for New York City, to determine the 1971-1972 salaries. He said this Index figure is to be added to the proposed per diem rates, but only when it EXCEEDS 1970's Consumer Price Index.

MR. ROOS said it was the unanimous opinion of the Personnel Committee that Stamford was not ready for this as yet, and that the Contract was unacceptable and should be REJECTED.

As far as Item 3, Sec.(d) it was felt that this Section should include a satisfactory performance clause, perhaps coupled with an Annual Increase.

THE PRESIDENT asked Mr. Roos if he wishes, to MOVE for approval of the recommendations of the Committee.

MR. ROOS SO MOVED. (That the contract be REJECTED for the reasons so stated). Seconded by Mrs. Pont Briant.

MR. BIEDER requested that Mr. Roos state clearly, for the record, the points on which the Committee rejected the contract.

MR. ROOS said the first item it was felt that this was tying us in with the Consumer Price Index of New York City and to this the Committee objected.

MR. BIEDER asked on what grounds did the Committee object.

MR. ROOS said it was felt that this could become a whipsaw action if we granted it to any one group and might possibly then have to grant it to other groups and if it was fair to one, then it could be argued that it could be fair to others.

MR. BIEDER said then he takes it that the Committee objects to the Consumer Price Index even when it is part of nine-tenths of all negotiated contracts in the United States which are now being formed.

MR. RUSSBACH said he does not think this should be part of the negotiated contract considering the inflation that we now have, plus the fact that the contract calls for an anniversary increment, plus a 7% increase, plus a cost-of-living index, which will end up in a contract that could go up 15% to 20% in just one year, depending on the automatic increases of 7% plus the cost of living increase. He said this could become very burdensome to the City.

MR. ROOS said inflation is the cause of many of our problems and he does not feel that any group should be insulated from the results of inflation that hit us all. He said he feels this should be shared by all of us.

MRS. PONT BRIANT said the per diem average will benefit the lower range more than the middle range because of the way they are going to apply

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the average. She said that she wishes to speak on the retroactive clause - that these people were certified in May and it is one year later. However, she said the other contracts do the same thing, so she does not intend to pick this one out in particular, but it just happens to be before us now. She said she hopes that in the future the Board will take a strong stand with the Unions and with the Negotiator, that we will prefer getting contracts no later than three or four months retroactive date, so that financially the City would know what was going to happen, but to get them one year after a budget has gone into effect, is not good. She said she would like this Board to consider contracts with retroactive basis of not more than three months.

MR. RUSSELL said he would like to make that in the form of a motion that we go on record that any contracts in the future not call for retroactive pay of over FOUR MONTHS and if it goes past that, we will consider rejecting it. Seconded by Mr. Russbach.

MR. TRUGLIA said he thinks that when we hire the Negotiator in the future, we should specify what we want.

THE PRESIDENT informed the Speaker that we don't hire the Negotiator.

MR. CLARK said he can see us running into difficulty, because sometimes contracts take a long time to negotiate and contracts expire, and we could very well have many months expire before a contract can be successfully negotiated. He said they can often go well past the renewal date of the contract. He objected to trying to put a time limit on negotiations.

MR. MURPHY said he cannot see how you can put a time limit on negotiations.

MR. RYBNICK said he thinks we are getting the cart before the horse. He asked that we stick with the issue now before us, rather than getting off on a tangent. He said let's talk about the contract we have before us tonight and stick with that. He asked Mr. Roos if this contract is rejected tonight, does he plan on bringing it back before the Board a month from now and renegotiate the items that are under discussion tonight.

THE PRESIDENT said it would have to come back to this Board for approval through normal channels.

MR. ROOS said the contract would have to be renegotiated by Mr. Rovens, the Negotiator. He said he asked Mr. Rovens that question - that if this contract is sent back, do they have to thrash out all of the items all over again, or just the ones in question.

MR. LIVOLSI asked a question. He asked whether or not this contract is separable - in other words, if there is only one objections, can't they just concentrate on that?

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THE PRESIDENT said the answer is "no" and that they have to renegotiate the whole contract all over again.

MR. LIVOLSI said "why"?

THE PRESIDENT said because we are not doing the negotiating and we cannot separate it.

MR. TRUGLIA asked how long it will take to renegotiate.

MRS. PONT BRIANT said she would hope that it could be acted upon at our regular Monthly Meeting in June - otherwise, it would have to wait for the July meeting.

MR. EXNICIOS spoke against the motion from the standpoint that we are putting undue pressure on our negotiators, because as the deadline draws near, the negotiator would know what he is under pressure to get it settled, and you might place shackles on him.

MR. RUSSELL said it is a very rare occasion that the contract goes further than the termination date, because usually they start negotiating many months ahead of time.

MR. MORRIS said he thinks this Board is out of order in discussing something which is not contained in the "CALL" of the meeting - that the Call relates to approval of the contract and not other things and we are getting away from the point of why the meeting was called.

THE PRESIDENT said this has to do with this particular contract.

MR. RUSSELL said that was not his motion - he was referring to all future contracts as well as this one. However, he said he would agree to change it to specify this contract only.

MR. SHERER said since he and Mrs. Varney came in late, could they be brought up to date as to what the motion is all about.

THE PRESIDENT explained the motion.

MR. BIEDER said he wants to know if the vote on this contract is to reject because it happens to be retroactive, and if it is, then it might have a bearing on how one votes. However, he said if it is just to be the sense of the Board, then it should not have any relation to do with this contract, but just be expressed as a general feeling of this Board and not be tied to the contract at all. He said he feels that this should not even be discussed at tonight's meeting.

THE PRESIDENT said he would rule that it could come up tonight if it pertains to just this contract.

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MR. JOHN BOCCUZZI said this particular contract has been see-sawing back and forth for many months and if you are going to put a time limit on this one contract, then you are singling out this one contract. He said right along we have been voting in favor of retro-active contracts that have gone on for a lot longer than four months and it is usually dated from the date the contract expires.

MR. LIVOLSI said when he asked whether we could act on part of the contract, the President said it had to be "all or none" because we would then be getting into actual negotiations. He said from the same sense, it looks as if we might be trying to negotiate now by this motion of setting a time limit on the length of negotiations and probably infringing on the Negotiator's authority. He said it looks as if we are trying to negotiate ourselves by voting on the motion as offered by Mr. Russell. He said we are setting down the terms of the contract and by doing so will tie the hands of the Negotiator. He suggested that we keep our noses out of it.

MR. RUSSBACH said he thinks we have to talk in general terms and not on the basis of one specific contract.

MR. BIEDER said he thinks the motion is an absurd and preposterous motion. He said these people have been working for months without any contract at all and now because it has taken so long, we are now saying no, you can't do it unless you come in to us within a time limit of four months. He said all we are going to accomplish is force negotiations in less time than perhaps the negotiators will be able to work out their negotiations. He said this will cause the threat of a strike to become much more of a meat ax in the hands of a Union than it is now. He said he fails to see where the City is hurt by a retroactive decision, because it benefits in that it is allowed to continue operating while negotiations are progressing and at a lower wage level.

MR. EXNICIOS said the President made a ruling regarding what we are talking about and the President did state that the motion was "with respect to this particular contract" and now the contract is well over the four month time limit. He asked are we voting with relation to this particular contract, or are we voting on future contracts, and, according to Mr. Morris, are we in order by doing so?

THE PRESIDENT said it is in order because it is germane to this contract and in a sense means we will not look favorably upon contracts with this extension in it.

The question was MOVED at this point. Seconded and CARRIED.

VOTE taken on the motion. LOST by a vote of 11 in favor and 16 opposed.

MR. BIEDER spoke against the main motion. He said Paragraph 9 of the Contract gives the Board of Education the right to "hire, fire, direct and control the staff" so if they don't want to give a person an

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increase they don't have to do so. He said the objections to paragraph 3 (d) are not pertinent. Insofar as Paragraph 3 (b) he said a previous speaker gave us some kind of "double talk" about a 20% or 30% increase. He said he fails to understand where they thought this sort of increase was coming from. He said as far as he knows no cost-of-living increase in the last ten years has increased that much and certainly the step-increases they are talking about here are very small - something like \$1.00 - and even after adding it all together it certainly does not amount to anywhere near 20% or 30%. He said Mr. Roos has stated that these people have not had a raise in five years, so they certainly deserve this raise now more than ever. He said they have bargained in good faith and have not made any threats and are honest, hard-working people. He said he does not see where this contract is at all onerous on the City and to say that something that is tied to the consumer Price Index is a ludicrous thing for this City in this day and age, is preposterous. He said he feels that these people here tonight are not the ones with which to draw the line. (applause).

THE PRESIDENT said we cannot have these outbursts and ordered the room cleared and for the spectators to leave.

MR. THEODORE BOCCUZZI asked the President to reconsider his decision to clear the room as he is sure that the spectators were not aware that they could not applaud.

MR. BITETTO supported Mr. Boccuzzi's request.

THE PRESIDENT informed the Speakers that it is his job to keep order; however, he said he would reconsider and said the spectators could remain, but he would tolerate no further outbursts.

MR. RUSSBACH spoke in favor of the motion to reject the contract. He said once this escalator clause is put in the contract, tying it to a cost-of-living increase, it opens the door to all future contracts being negotiated and we have twelve of them. He said this will only encourage spiraling costs and astronomical settlements. He said if the cost of living index goes up 8% then the wages go up 8%, but on the other hand, if it drops, nothing happens - it stays the same.

MRS. PONT BRIANT said she takes offense at the statement that if we reject the Teacher's Aides we are against them. She said this contract is due to the fact that they have not been recognized for five years by the Board of Education and is the reason why they went and requested certification so they could have a contract to force the Board of Education to give them increases. She said the Consumer Price Index is a flexible thing and is based on wages paid in New York City. She said the Negotiator said he tried to use All City which is a local or Connecticut one and the percentage could escalate, and the Committee felt it better that they specify either a 7% or an 8% increase and not tied in to a Consumer Index.

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In regard to Item (d) she said although the Board of Education does have the right to "hire, fire, etc." it says in the contract that advancement shall occur on the individual's anniversary date. She said we would like to try and encourage a Merit System within the City which Civil Service regulations call for, where employees anywhere within the City can be rated and granted their anniversary step increase IF their performance rating so warrants. She said the Committee does not wish the contract to read that the raises shall be automatic irrespective as to whether the employee's rating is good or bad.

MR. THEODORE BOCCUZZI said he has observed these people in their every day work and can vouch for their ability and said they work very hard and are very deserving. He said "we teachers would be at a tremendous loss without them".

After considerable further debate, the President called for a vote on the motion of the Committee to REJECT the contract for the reasons previously given.

MRS. KIM VARNEY said she is abstaining because she has applied for a job as a Teacher's Aide.

A ROLL CALL VOTE was requested. There being enough votes in favor, one was taken.

The contract was REJECTED by the following ROLL CALL VOTE of 17 in favor and 13 opposed:

THOSE VOTING IN FAVOR

BITETTO, Joseph (R)
BREESE, John (R)
CLARK, Reed (R)
COSTELLO, Robert (D)
DONAHUE, Alphonsus (D)
EXNICIOS, Robert (R)
GUROIAN, Armen (D)
HORNER, Watson (R)
MORABITO, Joseph (D)
MORRIS, Thomas (R)
PONT BRIANT, Lois (R)
RAVALLESE, George (D)
ROOS, John (R)
RUSSBACH, Daniel (R)
RUSSELL, George (R)
SCOFIELD, Edward (R)
SCHADE, Richard (R)

THOSE VOTING IN OPPOSITION

BIEDER, Richard (D)
BOCCUZZI, Theodore (D)
BOCCUZZI, John (D)
DIXON, Handy (D)
KELLY, Steve (D)
LIVOLSI, Frank (D)
MILLER, Frederick (D)
MURPHY, William (D)
PERILLO, Alfred (D)
RYBNICK, Gerald (D)
SHERER, Sidney (R)
SPRINGER, Clinton (R)
TRUGLIA, Anthony (D)

ABSTAINED:

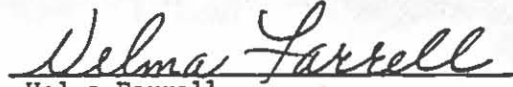
VARNEY, Kim (R)

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THE PRESIDENT reminded the Members of the Steering Committee that a Meeting will be held directly after adjournment.

ADJOURNMENT:

There being no further business to come before the Board, on motion, duly seconded and CARRIED, the Meeting was adjourned at 9 P.M.


Velma Farrell
Administrative Assistant
(Recording Secretary)

APPROVED:


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

NOTE: The above meeting was
broadcast over Radio
Station WSTC
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