

**MINUTES  
REPRESENTATIVE TOWN MEETING  
March 17, 2014**

**RECEIVED**  
**MAR 19 2014**  
WN CLERK'S OFFICE  
DARIEN CT.

**CALL TO ORDER**

A Regular Meeting of the Representative Town Meeting was called to order at 8:10 P.M. by Donna Rajczewski, Town Clerk.

Upon Roll Call, the following members were present:

From District I, there were 9 members present, 4 absent.  
From District II, there were 10 members present, 7 absent.  
From District III, there were 9 members present, 6 absent.  
From District IV, there were 13 members present, 3 absent.  
From District V, there were 13 members present, 4 absent.  
From District VI, there were 13 members present, 4 absent.

The absentees from District I was : Dupont, Dweck, Hayes, Henderson.  
The absentees from District II were: Bacon, Ebrahimi, Finn, Keith, Matton, McNally,  
B. Thorne.  
The absentees from District III were: Camuti, Coye, Coyle Downs, George, Hegarty,  
Maroney.  
The absentees from District IV was :Cameron, Morrison, Rycenga.  
The absentees from District V were: Coyne, Fead, Lublin, McLachlin.  
The absentees from District VI were: McDermott, McLean, Plehaty, Whitehead.

Mrs. Rajczewski reminded members to sign up for hard copies of Budget Books.

The Moderator, Sarah Seelye, assumed the Chair.

**ACCEPTANCE OF THE AGENDA**

**\*\* THE AGENDA WAS ACCEPTED BY UNIVERSAL CONSENT.**

**APPROVAL OF THE MINUTES OF THE FEBRUARY 24, 2014 MEETING**

**\*\* THE MINUTES WERE ACCEPTED BY UNIVERSAL CONSENT.**

**ANNOUNCEMENTS**

The Moderator acknowledged the issues/problems that are being experienced by members with the newly established email address system, in which all members were assigned Town email addresses for Town business. Concerns should be addressed to the support folks at dariendps.org.

The Moderator noted, for anyone watching the RTM meeting on Channel 79, that the resolutions being discussed can be found on Darien's website. An overview provided by F&B Chair Jim Palen explaining the issues can also be found on line.

The Moderator then invited Alan Gray, Director of the Darien Library, to come forward and present an overview of the Library's services and activities. His remarks are attached.

**14-8**

**CONSIDERATION AND ACTION ON THE STIPULATED AGREEMENT BETWEEN THE TOWN OF DARIEN AND THE UNITED PUBLIC SERVICE EMPLOYEES UNION, DARIEN BOARD OF EDUCATION PARAPROFESSIONALS UNIT**

**\*\* JAMES PALEN, DISTRICT VI, CHAIRMAN OF THE FINANCE & BUDGET COMMITTEE, MOVED:**

**WHEREAS, the Town of Darien has been in negotiations with the United Public Employees Union, Darien Board of Education Paraprofessionals Unit; and**

**WHEREAS, part of those negotiations related to the retirement plan provided for under the Darien Town Code; and**

**WHEREAS, a stipulated agreement has been reached, which specifically calls for a modification to section 50-91 of the Darien Town Code;**

**NOW THEREFORE BE AND IT IS HEREBY RESOLVED that the RTM approves the stipulated agreement as more particularly set out in the document attached hereto and made part thereof.**

**See Exhibit A Attached**

**\*\* THE MOTION WAS SECONDED FROM THE FLOOR.**

James Palen, District VI, Chairman of the Finance & Budget Committee, read the committee report (attached), indicating that the RTM was only addressing the pension portion of agreement, since pensions are paid by the Town, not the Board of Education.

Frank Kemp, District IV, Chairman of TGS&A presented his Committee's report (attached) indicating the need for a future amendment to the Code of Ordinances regarding pensions.

**\*\* ITEM 14-8 CARRIED ON A RISING TALLY VOTE OF 62 IN FAVOR, 0 OPPOSED, 4 ABSTENTIONS.**

As Resolution 14-9 addresses the same pension issue as Resolution 14-8, merely for a different bargaining unit, that of the BOE Secretaries Unit, Mrs. Seelye called for a voice vote to waive the reading and reports for the following and go directly to a tally vote. The motion passed.

**CONSIDERATION AND ACTION ON THE STIPULATED AGREEMENT BETWEEN  
THE TOWN OF DARIEN AND THE UNITED PUBLIC SERVICE EMPLOYEES  
UNION, DARIEN BOARD OF EDUCATION SECRETARIES UNIT**

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See Exhibit B Attached

**\*\* ITEM 14-9 CARRIED ON A RISING TALLY VOTE OF 62 IN FAVOR WITH 4 ABSTENTIONS.**

While awaiting the tally results, additional concerns were expressed concerning the security of the new email system to be used by RTM members. Mrs. Seelye indicated that these concerns will be addressed.

**\*\* UPON MOTION MADE AND SECONDED FROM THE FLOOR, IT WAS UNANIMOUSLY VOTED TO ADJOURN AT 8:37 P.M.**

Respectfully submitted,

Donna Rajczewski  
Acting Secretary

APPENDIX

<u>DISTRICT I</u>	<u>(14-8)</u>	<u>(14-9)</u>	<u>DISTRICT IV</u>	<u>(14-8)</u>	<u>(14-9)</u>
Buchesky	yes	yes	Banks	yes	yes
Bumgardner	yes	yes	Cameron	absent	absent
Conologue	yes	yes	Davis, Joan	yes	yes
Conze	yes	yes	Domittner	yes	yes
Dupont	absent	absent	Fiore	yes	yes
Dweck	absent	absent	Haidinger	yes	yes
Glassmeyer	yes	yes	Hardison	yes	yes
Hayes	absent	absent	Hawkins	yes	yes
Henderson	absent	absent	Kemp	yes	yes
Kelly	abstain	abstain	Miceli	yes	yes
Schneider	yes	yes	Millar	yes	yes
Valentino	yes	yes	Morrison	absent	absent
van der Kieft	yes	yes	Peters	yes	yes
			Rayhill	yes	yes
<u>DISTRICT II</u>			Rycenga	absent	absent
Bacon	absent	absent	Savage	abstain	abstain
Ebrahimi	absent	absent	<u>DISTRICT V</u>		
Finn	absent	absent	Adiletta	yes	yes
Hoffman	yes	yes	Bayne	yes	yes
Howe	yes	yes	Boulton	yes	yes
Keith	absent	absent	Burke	yes	yes
Marston	yes	yes	Coyne	absent	absent
Matton	absent	absent	Duffy	yes	yes
McIlmurray	yes	yes	Fead	absent	absent
McNally	absent	absent	Fiveson	yes	yes
Miller	yes	yes	Hennessy	abstain	abstain
Mundt	yes	yes	LeHan	yes	yes
Sartori	yes	yes	Lublin	absent	absent
Sawitsky	abstain	abstain	McLachlin	absent	absent
Seelye		DID NOT VOTE	Mosher	yes	yes
Thorne, B.	absent	absent	Patrick	yes	yes
Thorne, M	yes	yes	Russell	yes	yes
			Stolar	yes	yes
<u>DISTRICT III</u>			Young, Rob	yes	yes
Anderson	yes	yes	<u>DISTRICT VI</u>		
Camuti	absent	absent	Adelman	yes	yes
Cardone	yes	yes	Ball	yes	yes
Cepeda	yes	yes	Broecking	yes	yes
Conniff	yes	yes	Cherico	yes	yes
Coyle	absent	absent	Grogan	yes	yes
Coyle Downs	absent	absent	Hawkins	yes	yes
Davis	yes	yes	Luz	yes	yes
George	absent	absent	McDermott	absent	absent
Hegarty	absent	absent	McLean	absent	absent
Larkins	yes	yes	Palen	yes	yes
Maroney	absent	absent	Plehaty	absent	absent
Moore	yes	yes	Poli	yes	yes
Morton	yes	yes	Ritchie	yes	yes
Schulz-Amatruda	yes	yes	Swenson	yes	yes
			Van Loan	yes	yes
			Whitehead	absent	absent
			Young, David	yes	yes

This is not an advertisement for Darien Library. Many of you undoubtedly use the Library, and know of its traditional services --- books, DVDs, programs, research sources and a great staff.

When you speak about the Library's positive things, you're really talking about Darien itself.

The residents of the Town take out more items from the Library per capital than the residents of any other community in the state: 23.6 per person.

The Library is also 1<sup>st</sup> in visits and 1<sup>st</sup> in Internet access.

This says the Town is smart and active, but you knew that already.

Here are some things you might not know about the Library, though:

Hoopla                      Digital videos and audio

MoMA passes              Reserve a MoMA pass in advance for you and four friends. Good for a week.

Digital Media Lab        Create, convert, invent

Lynda.com                Learn software and technology at your own speed at home or in the Library

Banner Printer            Print banners up to 42 inches wide

EXHIBIT A

STIPULATED AGREEMENT  
BETWEEN THE  
TOWN OF DARIEN  
AND  
THE UNITED PUBLIC SERVICE EMPLOYEES UNION,  
DARIEN BOARD OF EDUCATION PARAPROFESSIONALS UNIT

This AGREEMENT is made and entered into on this 21st day of January, 2014 by and between the TOWN OF DARIEN (hereinafter referred to as the "Town") and THE UNITED PUBLIC SERVICE EMPLOYEES UNION, DARIEN BOARD OF EDUCATION PARAPROFESSIONALS UNIT (hereinafter referred to as the "Union").

WHEREAS, Representatives of the Town and the Union have met and negotiated changes to certain of the existing pension benefits enjoyed by members of the Union and they have reached agreement on said changes;

WHEREAS, the Town and the Union desire to set forth in this Stipulation the express terms of their entire agreement.

NOW THEREFORE, the Town and Union agree as follows:

1. Section 50-91 of the Darien Code of Ordinances shall be amended to include the following language:

(c) Effective July 1, 2017, no annual retirement benefit shall exceed a maximum of seventy percent (70%) of the employee's "average annual compensation" as defined in Section 50-36.

Notwithstanding the above:

Employees with at least twenty-five (25) years of credited service in the pension plan on 7/1/17 shall not receive an annual retirement benefit plan that is greater than:

1. seventy-five percent (75%) of the employee's "average annual compensation"

or

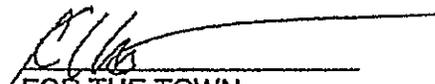
2. the percentage of the employee's "average annual compensation" that he/she would have been entitled to receive had he/she retired on 7/1/17.

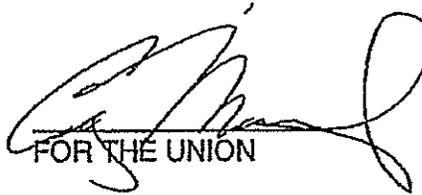
2. The parties agree that the earliest date that either party may demand to make any additional changes to the Town of Darien Retirement System is the earlier of window period concurrent with the expiration of the Collective Bargaining Agreement between the Darien Board of Education and the Union which

succeeds the current agreement (July 1, 2013 – June 30, 2017) or between January 1 and January 31, 2020.

3. All terms and conditions in the Town Retirement System as codified in Chapter 50 of the Darien Town Ordinance shall remain in full force and effect except as modified, changed, or replaced in accordance with the terms of this Stipulation.
4. The parties agree to submit this Stipulation to their respective bodies for ratification in accordance with the parties' Ground Rules for negotiations.

IN WITNESS WHEREOF, the parties hereto have set their hands and seal this \_\_\_\_ day of \_\_\_\_\_, 2014.

  
\_\_\_\_\_  
FOR THE TOWN

  
\_\_\_\_\_  
FOR THE UNION

Jan. 27, 2014  
DATE

1/27/14  
DATE

**Finance & Budget Committee  
Report to RTM, March 17, 2014**

**(14-8) RESOLUTION REGARDING THE STIPULATED AGREEMENT  
BETWEEN THE TOWN OF DARIEN AND THE UNITED PUBLIC SERVICE  
EMPLOYEES UNION, DARIEN BOARD OF EDUCATION  
PARAPROFESSIONAL UNIT**

I am James Palen, District 6 and Chair of the Finance and Budget Committee.

I move Resolution (14-8) Regarding The Stipulated Agreement Between the Town of Darien and the United Public Service Employees Union, Darien Board of Education Paraprofessionals Unit.

If there are no objections, I propose to waive the reading of the Resolution.

The F&B committee met at a special meeting on Tuesday, March 11, 2014 with 12 of 15 members present, comprising a quorum, to discuss and take action on RTM Resolution 14-8 and 14-9. We were joined by the TGS&A committee for a joint discussion and answer session with Nancy Markey - Town Director of Human Resources, Kate Buch - Town Director of Finance, Karl Kilduff - Town Administrator and Wayne Fox - Town Attorney.

The resolutions are both related to recent contract agreements that have been reached between the BOE and two of their non-certified employee groups. Unlike the teacher and administrator contracts that must come before the RTM to be approved, contracts for non-certified groups, such as the secretaries and the paraprofessionals, are exempt from approval by the RTM under the Municipal Employee Relations Act (MERA).

The reason that the RTM is involved in approving the two stipulated agreements is that as part of the broader contract negotiations that took place between the BOE and the two employee groups, the parties agreed to institute a cap on the amount of retirement benefits that employees can receive once they stop working. Although these employees are paid by the BOE, their pensions are part of the Town of Darien's pension program and therefore fall under the Town Code of Ordinances and therefore any changes to the pensions must come before the RTM.

The changes being proposed are to institute "cap" on what employees can earn as part of their retirement package. Currently, employees earn retirement benefits equal to 2% of the average of their highest 3 of the last 5 years of service. For example, if an employee works for 20 years, they can earn 40% of their average salary, if an employee works 30 years, they can earn 60% of their average salary. The stipulated agreement that we are voting to approve tonight will cap what an employee who retires on or after July 2017 can earn at 70% of their average salary, effectively capping their benefits at 35 years of service. In certain circumstances, employees who would already have been above 35 years and 70% will be capped at 75% or what they would have earned under the current plan, but of the 150+ employees who are covered in the two employee groups before us tonight, only 1 is beyond 35 years.

Financially, the change to this provision is good for the Town in that it caps what it must pay for retiree benefits and therefore may reduce the amount that we need to fund into the pension in future years. In short, a cap is better than no cap.

What will happen next? If we approve these two resolutions tonight, then 2 of the 6 non-certified employee groups at the BOE will be subject to the cap for the term of their new 3-year contracts. We do not need to amend the Town Code to lock-in these provisions for these contracts.

Two other BOE groups have also approved similar changes and are in the process of receiving approval from their full membership. The BOE is also in active discussions with the last 2 of its groups and if agreed, will also be put out to their membership for a formal vote.

Once all 6 B BOE groups and 2 Town of Darien groups that are covered under the Town Pension have agreed to the same changes, the RTM can then go forward with a final resolution and make these changes permanent in the Town Code so that it will be binding on all future employee contracts.

The F&B committee, with 12 of 15 members present, voted unanimously to recommend that the full RTM approve both resolutions.

Thank you.

James Palen  
Chair, Finance & Budget Committee  
February 24, 2014

A report from the Town Government Structure and Administration Committee to the RTM,  
Monday March 17, 2014.

On Tuesday March 11, 2014, the TGS&A Committee with seven (7) out of 11 members present,  
voted six (6) For, none (0) Against, with one (1) Abstaining, to approve this report to the RTM.

***The TGS&A Committee has reviewed the stipulated agreements with  
the Education Paraprofessional and the Secretaries Units of the Board  
of Education, and has no objection to amending Darien Code of  
Ordinances, Section 50-91 in accordance with the stipulated  
agreements.***

***The TGS&A understands that amending the Code will take place after  
2016 when negotiations are completed with all unions participating in  
the plan.***

=====

***Respectufly,  
Frank B. Kemp, Chairman***

EXHIBIT B

STIPULATED AGREEMENT  
BETWEEN THE  
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AND  
THE UNITED PUBLIC SERVICE EMPLOYEES UNION,  
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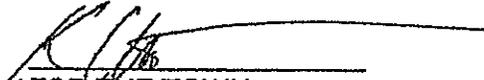
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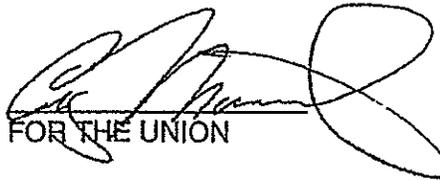
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UNIT**

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