

**Minutes
Representative Town Meeting
January 23, 2023**

CALL TO ORDER

The meeting was called to order at 8:00 p.m. by Christa McNamara, Town Clerk, who acknowledged the work of Eric Kanigan, District IV, who has resigned from the RTM. She also noted the RTM membership information. District III has 2 vacancies, District IV has one vacancy and District V has 2 vacancies.

Upon Attendance, the following members were present:

From District I, there were 11 members present, 5 absent.
From District II, there were 11 members present, 5 absent.
From District III, there were 12 members present, 3 absent.
From District IV, there were 14 members present, 1 absent.
From District V, there were 10 members present, 6 absent.
From District VI, there were 14 members present, 3 absent.

The absentees from District I were: Baldwin, Bumgardner, Keane, Lublin, Wong.

The absentees from District II were: Casolo, Hult, Hudson, Russell, Salmore.

The absentees from District III were: Hesli, Mitchell, Washecka.

The absentee from District IV was: Bhat.

The absentees from District V were: Adiletta, Fiveson, Laird, Larino, Parwal, Pope.

The absentees from District VI were: Conway, Orphanos, Silsby.

The Moderator, Seth Morton, Assumed the Chair.

ACCEPTANCE OF THE AGENDA

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

**APPROVAL OF THE MINUTES OF THE DECEMBER 12, 2022 STATE OF THE
TOWN MEETING**

**** THE MOTION TO APPROVE THE MINUTES WAS MADE FROM THE FLOOR.**

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

Amy Zabetakis, District V, clarified that she had been the unidentified speaker.

**** THE MINUTES, AS AMENDED, WERE APPROVED UNANIMOUSLY BY VOICE VOTE.**

PRESENTATION BY THE DARIEN ADVISORY COMMITTEE ON SUSTAINABILITY ABOUT SINGLE STREAM RECYCLING

Kathy Finnegan, Chair of the Darien Advisory Committee on Sustainability, reviewed her Power Point presentation on single stream recycling.

PRESENTATION BY THE RTM FINANCE AND BUDGET COMMITTEE ON THE STATUS OF THE TOWN BUDGET

Jack Davis, District III, Chairman of the Finance & Budget Committee, reviewed the following:

I am Jack Davis, District 3, RTM Finance and Budget Chair

As we are now in budget season for FY24, it's worthwhile to see where the Town and BOE stand with the FY23 budgets approved last May.

The BOE

The BOE is projected a surplus of \$623m. This is broken down into two component parts – General Education RCs and Special Education RCs. This is after transfer adjustments. Transfer adjustments are a normal course of business as the original budget is really a compilation of placeholders based upon anticipated expenses. A bit more on this later.

General Education RCs

New schedule for maintenance, custodians and groundskeepers

There is a new salary schedule for those employees hired after July 1st 2022 that has generated savings in various RCs. Currently there are 4 of 43 employees on the new schedule. This has really significant savings to the BOE and taxpayers in future years and should be recognized as such.

Curriculum

There is a positive balance of \$80,617 in the Director of Mental Health. The start date is now expected to be March. The adjusted budget for this position was \$147m.

Fixed Expenses – Healthcare

Health Insurance is forecasted with a positive balance of \$116,747. This is due to three under-enrolled elementary sections, one less teacher in residence, and an increase in insurance due to a job share for a MMS nurse and insurance for the newly created Director of Mental Health. The positive balance increased as our Director of Security is waiving benefits and the Director of Mental Health start date is delayed until March.

Other positive variances

This is a net number primarily due to vacancies, salary savings (interns (\$29.7) and others), not participating in the China Exchange this year (4.7 + 7), only Holmes Elementary school having intramurals this year (7), et. al. net of several incremental expenses such as new goal posts attributed to Rugby's move to MMS due to HHR project (10), et. al.

Revenue Shortfalls

There is an anticipated deficit of \$16m in building rentals (30m) due to decline in revenue for Darien Arts Center, Dance on the Down Low offset by increases in parking & turkey bowl fees and Medicare reimbursement.

Special Education Variance

There are two main drivers here ECR and slightly lower ELP revenues. All other expenses, after transfer adjustments to the original budget, are forecasted to be on or close to adjusted budget.

Excess Cost Reimbursement is forecasted as a positive balance of \$334,975. BOE has submitted their December 1st filing of \$3,452,800. This represents 56 students slightly less than the anticipated 59 students resulting in a lower claim of \$61,474. With a 70% reimbursement rate, this should result in reimbursement of \$2,416,960. The original amount budgeted was \$2,081,985. The first receipt of payment should be February 28th. We will submit an additional filing on March 1st to capture changes between December 1st and March 1st.

The primary driver of the additional revenue associated with excess cost is due to our 4.5 times threshold of \$104,310, which is \$5,656 less than budget. The drop in the 4.5 times threshold is in part due to enrollment, which increased the BOEs average daily membership within the calculation and carry-forward of American Rescue Grant.

ELP revenue is forecasted as a deficit of \$(31,328) as BOE has 46 paying students against a budget of 49. ELP tends to enroll students throughout the year so this deficit could change as the year progresses.

BOE Final projections. The current positive variance is estimated to be 0.56% of the original budget. However, that percentage does not include the reallocation of funds for the incremental security initiative with salaries estimated to be about \$254m, the Director of Mental Health's salary (\$66m) and the related healthcare and other benefits. Hence, the "true" positive variance is a bit less than 1% of the original budget. (estimate between 85bp and 95bp)

The BOS

This is going to sound like a train schedule but all expenses appear to be on or close to schedule. The Director of Finance does have a % spent versus the 5-year average spent for each month during the year. This becomes an excellent guide to immediately spot potential variances.

Just FYI the Library grant is paid quarterly.

Risks to expenses – the town is down 4 to 5 police officers plus one of our officers is currently at the Academy. Whilst police salaries might be down, there is significant overtime to cover those vacancies. Fuel costs are another risk which might be offset by the current lack of snow storms...which hopefully I have not jinxed by mentioning that.

There was an overage in Register of Voters (11m) due to the primary.

Contingencies – explain all three and RFCNRE – closeouts and return of HHR.

Revenues are the big area. The original budget was calculated before the Fed decided to increase rates significantly. Whilst our Treasurer suggested that there be a recalculation. Even with the recalculation, not sure anyone could have predicted where rates are today.

Investment Income for the GL is \$368m as of November – there is a one-month lag. Portfolio at end of December is \$75,985,193.65. The town has only \$2 million in T-bills so it is not a large part of the portfolio as of December. The catch is that because of the accounting issues we do not take any T-bill income into revenue until they mature towards the end of February. Then they will add an additional \$29-30,000 in February. This is unlike CD's which we take into income every month regardless of maturity.

The Town is also receiving this year MRSA sales tax sharing which was absent in prior years. That amounts to an additional \$186m accrued from FY22.

Tax collection is a bit down. This is partly attributable to the M&T Bank purchase of Peoples. Peoples paid taxes in December whilst M&T pays in January. It was also noted by the tax collector that there might be a bit of softness in tax collections compared to prior years. Obviously, this will be watched closely.

General fund was 17+% of adopted budget. Minimum is 12% but its my understanding that the credit rating agencies prefer in excess of 16% which the town meets.

Lastly, I want to encourage members of the RTM to be aware of four areas to keep abreast.

- The town does quarterly department head reports – the packet is quite informative.
- The BOE finance committee does monthly financial reports which is then presented to the full BOE. These reports, prepared by Rich Rudl, are quite detailed but provide an excellent review of the BOE budget.
- The Director of Finance provides a full financial picture to the BOF covering the entire town, expenditures, revenues, contingencies, bonds and various reserve accounts. Its within the monthly BOF packet.
- And the Town Administrator also reports to the BOS at the start of each BOS meeting that provides information.

Thank you for your time.

23-1 APPROVAL CONTRACT BETWEEN THE TOWN OF DARIEN AND THE DARIEN POLICE ASSOCIATION

**** MAC PATRICK, DISTRICT V, CHAIRMAN OF HEALTH & PUBLIC SAFETY, MOVED:**

WHEREAS, contract negotiations between the Town of Darien and the Darien Police Association have been ongoing; and

WHEREAS, the Town recently came to terms on a new collective bargaining agreement with the Darien Police Association; and

WHEREAS, the Association ratified the terms of the successor Agreement on January 3, 2023; and

WHEREAS, the new contract runs for four (4) years from July 1, 2023 through June 30, 2027; and

WHEREAS, the new contract calls for a 2.75% wage increase in the first two years and 3.125% in the third and fourth years; and

WHEREAS, the Employee medical premium cost share increases incrementally over the life of the contract to 13% on the last day of the contract.

NOW THEREFORE, BE IT RESOLVED THAT the Representative Town Meeting of the Town of Darien pursuant to Connecticut General Statutes §7-474 hereby approves said four (4) year agreement with the Darien Police Association as summarized in the memoranda attached hereto and made part hereof which is more specifically described in the contract on file with the Darien Town Clerk.

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

Mac Patrick. District V, read the report of the Health & Public Safety Committee:

The Public Health and Safety Committee met virtually and jointly with the Finance and Budget Committee in a Special Meeting on Wednesday, January 18, 2023 at 7:00pm.

Both Committees had a quorum, Public Health and Safety with 13 of 16 members present.

Kate Buch, our Town Administrator, gave an overview of the Contract.

Kate noted that general wage increases of 2.75% start July 1, 2022 and July 1, 2023.
3.125% wage increases start July 1, 2024 and July 1, 2025.

Kate noted a one time \$1500 payment to every member employed as of the date of the execution of the agreement, as a consideration for the area cost of living. She noted the Town negotiated to manage medical costs by increasing the premium cost share by employees.

Questions were raised regarding how Darien's pay to Police members stacks up against other comparable towns nearby. Kate noted Darien pays its Police well, but the overall department is relatively small and there is less opportunity for advancement in rank. Personnel do leave Darien, not for better pay but for the ability to move up in rank.

The Police Pension Plan has not changed, but members can "cash in" up to 6 sick days each year in exchange for a contribution to the employee 457 account. This is an encouragement to manage sick time appropriately.

The 2 Committees broke from the Joint Meeting and the Public Health and Safety Committee discussed and voted unanimously to not reject the Police Contract and we ask that the Full RTM do the same. Thank you.

Jack Davis, District III, read the Finance & Budget Committee report:

I am Jack Davis, RTM Finance & Budget Chair. Mac, thank you for that excellent report. I will try not to repeat anything. F&B, as mentioned, held a joint meeting with RTM PHS with Town Administrator, Kate Buch present.

Overall comment, you have heard before in the 6-month presentation that certain municipal professions are getting harder and harder to fill. Especially as Darien does not fill positions with bodies, but rather looks to the right person. Police officers is one of those difficult positions.

Overall, the average annual increase in cost of this contract is approximately .03 mills per year, based on the October 1, 2022 Grand List. This assumes status quo in union positions and medical premiums, and is based on currently quantifiable items.

This contract covers 4 years versus the prior contracts that were for three years. This longer contract term was requested by the union and agreed to by the town.

The general wage increases agreed to are as follows:

- 7/01/22 – 2.75%
- 7/01/23 – 2.75%
- 7/01/24 – 3.125%
- 7/01/25 – 3.125%

As a consideration for the currently high cost of living, the Town agreed to a bonus of \$1,500 per member who is employed as of the date of the execution of the agreement.

As with other Town employees' groups, this is a mature union, with approximately two-thirds of the members on the top step of their rank. As such, they will only receive the general wage increase for the life of this contract. By the end of the contract, assuming no retirements or changes in rank, over 90% of the members will be at the top step. When considering those members who will still receive step increases, and assuming there are no changes in positions over the contract period, the average cost increase over the duration of the contract is 3.95%. The overall cost of this contract would be impacted by changes in personnel and rank.

There are no changes to the provisions of the medical plan. The contract agreed to the following increases in employees' premium cost share:

- o 7/01/23 – increase to 11.0%
- o 7/01/24 – increase to 12%
- o 6/30/26 – increase to 13.0%

Cost savings from the above medical changes are estimated at \$8,000 per year.

The committee applauds the retirement plan change allowing allocation of sick days to an employees 457 account. Whilst the financial impact cannot be determined, this will save the town funds down the road.

The committee voted unanimously to approve this contract and recommends the same to the full RTM. I should note there was one abstention due to job requirements.

Respectfully submitted
Jack Davis, RTM Finance & Budget Chair
January 23, 2023

**** ITEM 23-1 CARRIED ON A ROLL CALL VOTE OF 71 IN FAVOR, 0 OPPOSED, 1 ABSTENTION.**

23-2 APPROVAL AGREEMENT BETWEEN THE DARIEN BOARD OF EDUCATION AND THE DARIEN EDUCATION ASSOCIATION

**** LIZA LUCAS, DISTRICT VI, VICE CHAIR OF THE EDUCATION COMMITTEE, MOVED:**

WHEREAS, the proposed contract between the Darien Board of Education and the Darien Education Association has been filed with the Darien Town Clerk as required by law on January 5, 2023; and

WHEREAS, pursuant to §10-153d of the Connecticut General Statutes calls for a review of said contract by the local legislative body; and

WHEREAS, pursuant to §10-153d(b) of the Connecticut General Statutes, the terms of said contract shall be binding on the legislative body of the local school district unless said body rejects said contract at a regular or special meeting called and convened for said purpose within thirty (30) days of the filing of the contract; and

WHEREAS, said terms and conditions of such contract are more specifically set out in the documents on file with the Darien Town Clerk.

NOW THEREFORE AND BE IT RESOLVED that the Representative Town Meeting of the Town of Darien hereby approves and does not reject the contract between the Darien Board of Education and the Darien Education Association covering salaries, health and other conditions of employment for the three-year term beginning July 1, 2023 through June 30, 2026.

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

Liza Lucas, District VI, Vice Chair of the Education Committee, read the Committee report:

Good evening. I am Liza Lucas, Vice Chair of the RTM Education Committee. Tonight I am presenting item 23-2, the recently negotiated Agreement between the Darien Board of Education and the Darien Education Association; which I will refer to as the “Teachers’ Contract.”

The Education Committee met twice to discuss the Teachers’ Contract. First on January 16th and second on January 18th in a joint meeting with the RTM Finance and Budget committee, where we were joined by members of the school administration as well as by members of the Board of Education.

The Teachers’ Contract was negotiated in the midst of a a teacher shortage. For example, Darien lost 70 certified teachers in the past year. Through exit interviews, the administration was able to learn that teachers left for a variety of reasons including retirement, and the desire to leave the teaching profession, but also many were leaving for positions in school districts closer to their homes and/or for higher salaries. The Board of Education wanted to make the new Teachers’ Contract more competitive to both retain experienced teachers and to attract the youngest teachers. Superintendent Dr. Addley considered this an “opportunity to recognize the hard work and dedication” of our

teachers. Board of Education Chair Duke Dineen noted that the negotiations between the parties was a collaborative effort.

The new Teachers' Contract will govern from July 1, 2023 through June 30th, 2026.

The salary increases were done through an equal dollar distribution. Steps 5 through 19 will increase \$1,500 per step and the increase for Step 20 will be \$2,600. The new salary schedule eliminates Steps 3 and 4 and adds Step 20, which reduces the total number of steps to 16 and increases the starting pay for a younger teacher to the top salary of our DRG. This would amount to a 13.68% settlement or a cumulative \$6,361,006 over the course of three years. With assumed turnover of approximately \$600,000 per year or about 1.2% of the base, this would bring the net settlement to \$4,561,006 or 9.82%.

Other notable changes include an increase in the teachers' Premium Cost Share from 21% to 23% over the life of the contract; paid maternity leave extended past the FMLA disability time frame by 4 days; Stipends (for example Co-Curricular Positions and leadership positions) will increase by 2.5% each of the the three years; strengthened language around bereavement leave; personal days become no reason days; and one additional professional development day.

At the RTM Education Committee meeting on January 16th, with 11 of 14 members present constituting a quorum, the RTM Education Committee voted to support the Teachers' Contract - with the exact expression of voting "not to reject" the Teachers' Contract - with 10 in favor and 1 abstention and we recommend to the full RTM to do the same. For the sake of clarity, the member voting to abstain did so because he was awaiting additional information and answers to questions, which were subsequently provided in the meeting on January 18th. This member told us that he intends to support the contract tonight. Thank you.

Jack Davis, District III, Chairman of Finance & Budget, read the following Committee report:

I am Jack Davis, RTM Finance & Budget chair. Thank you to the RTM Education for that thorough report. I will try not to repeat facts already discussed.

It is important to note that although this is referred to as the Teachers contract, it covers all educationally certified staff to include teachers, school psychologists, social workers, PT professionals, curriculum advisors, et. al.

Again, we are voting not to reject. So, a yes vote means you are not rejecting the contract. If this contract is rejected, it goes to arbitration.

Two important things to understand from the committee's perspective are:

- To become more competitive at the lower end of the salary schedule to help attract new teachers
- To address recruitment and retention

This is not to diminish recognizing the excellence of the town's teachers.

Contract Duration The new contract is for three years, July 1, 2023 through June 30, 2026. Salary The salary increase was done through equal dollar distribution:

- \$1,500 for Steps 5 through 19
- \$2,600 for Step 20

Equal Dollar Distribution allowed for a greater increase in Steps 5 through 10 while slowing the rate of growth in Steps 11 through 19.

Eliminates Steps 3 and 4, adds Step 20, This reduces the total number of steps to 16 and increases starting pay for a younger teacher to the top of the DRG.

Based on these terms and the existing staff that comprise the Teacher Experience Grid (TEG), this would amount to a 13.68% settlement or a cumulative \$6,361,006 over the course of three years. The breakdown is as follows:

- Year 1: \$2,153,487 or 4.85%
- Year 2: \$2,116,614 or 4.54%
- Year 3: \$2,090,905 or 4.29%
- Total: \$6,361,006 or 13.68%

With assumed turnover of approximately \$600,000 per year or about 1.2% of the base, this would bring the net settlement to \$4,561,006 or 9.82%. On an annual basis, the agreed upon increase is typically reduced by 100bp when turnover is taken into account. That being said, it is hopeful that this contract reduces some of the turnover experienced over the last few years.

Our Minimum salaries went from 15th & 16th in ranking in Fairfield County to 5th. Our Minimum salaries went from 5th and 6th in DRG A to 1st and 2nd. Step & GWI rate of increase over 3 years begins to shrink over time across the steps.

Other Notable Items

- Premium Cost Share will increase from 21% to 23% over the life of the contract:
 - FY24: 21%
 - FY25: 22%
 - FY26: 23%
- All personal days will be no reason days.
- Paid maternity leave will be extended past the FMLA disability timeframe by 5 days.

- Stipends will increase by 2.5% each year of the 3 years.
- Strengthened language around bereavement leave.
- Teacher workday will be moved to the beginning of the school year to provide one additional Professional Development Day.

The RTM committee voted not to reject this contract and recommends the same to the full RTM.

Respectfully submitted

Jack Davis, RTM Finance & Budget Chair

**** ITEM 23-2 PASSED ON A ROLL CALL VOTE OF 71 IN FAVOR, 0 OPPOSED, 1 ABSTENTION.**

**** UPON MOTION MADE AND SECONDED FROM THE FLOOR, IT WAS UNANIMOUSLY VOTED TO ADJOURN BY VOICE VOTE AT 9:15 P.M.**

Respectfully submitted,

Cheryl Telesco Blois
Telesco Secretarial Services