

**CITY OF NEW HAVEN CIVIL SERVICE BOARD
MINUTES OF MEETING – October 2022 Regular Meeting**

October 26, 2022

<u>Present</u>	<u>Also Present</u>
<ul style="list-style-type: none"> • Commissioner Wendy Mongillo • Commissioner Dennis Daniels • Commissioner Leasley Negron • Noelia Marcano Secretary 	<ul style="list-style-type: none"> • Assistant Corporation Counsel Att. Robert Scott • Personnel Analyst HR, Paola Acosta • Personnel Analyst HR, Richard Campos • Administrative Assistant HR, Emma Acampora • Other members of the Public
<p><u>Absent</u></p> <ul style="list-style-type: none"> • Commissioner Carmen Rodriguez 	

Meeting opened at 12:38 pm.

#1 Exam Eligibility

Ms. Marcano presented this item with background. Ms. Marcano introduced Lieutenant Neftali Ortiz who is bringing this matter before the Board today but continued with her presentation before Lieutenant Ortiz could argue his case in front of the Board. Ms. Marcano informed Assistant Fire Chief, Justin McCarthy made aware that two candidates that applied for the Fire Captain’s exam did not meet the minimum time in rank requirement to sit for this exam. Ms. Marcano explained to the Board that once being aware of this information, she reached out to those two applicants to explain why they did not qualify to test for the position of Fire Captain. Ms. Marcano read to the Board the job description’s minimum qualifications, which included that each applicant needed to hold the position of Lieutenant for a period of one year before qualifying to take the exam for the position of captain. Lieutenant Ortiz, would not have met this requirement until on or near December 10, 2022. Ms. Marcano sent a letter to Lieutenant Ortiz explaining his disqualification. Lieutenant Ortiz responded by wishing to challenge the reason for his disqualification. Lieutenant Ortiz supplied information to Ms. Marcano providing support to his challenge which involved past scenarios where exceptions were made by the Board for certain firefighters to sit for tests when they did not meet the minimum time and rank qualifications. Ms. Marcano explained that the past scenarios Lieutenant Ortiz seeks to use involving the Fire Marshall’s Office and non-suppression positions, are not relevant to this current challenge as they have very different job descriptions and qualifications.

Ms. Marcano informed that the most relevant case from the past that Lieutenant Ortiz could use to argue his point is the 2018 administration of the Battalion Chief exam. During this time there was an individual that did not meet the time and rank requirement, but by the time that posting had closed, the individual would only have been short by 2 weeks to meet the minimum time in rank requirement. That matter did come to the Board and it voted to allow that individual to sit for that exam, especially since that individual would have exceeded the minimum time in rank requirement by three months by the time the exam would have taken place. It was made clear that this situation was not the same as Lieutenant Ortiz, as he would still not have met the minimum time in rank requirement by the time of the scheduled date for the Captain examination.

Ms. Marcano introduced Lieutenant Ortiz again to speak on his own behalf and testimony. Lieutenant Ortiz reiterated the same cases within the New Haven Fire Department, where exceptions were made by the Board to allow the candidates to test. He also added his explanation of how working hours in acting capacity equate to physical time working the position.

Commissioner Negron asked at large is there was anyone present at the meeting to speak on behalf in support of, or against Lieutenant Ortiz. No member of the public present responded. Commissioner Negron spoke to Lieutenant Ortiz regarding the fairness of allowing a person who does not meet the minimum time in rank requirement to sit for a test, and then have an outcome of possible scoring higher than another candidate who did meet the minimum time in rank requirement. Lieutenant Ortiz proceeded to respond and speak his opinion on the matter and used the example again of the 2018 Battalion Chief exam. Commissioner Mongillo clarified that in case, that applicant exceeded the time in rank requirement by the time he sat for his exam, where Lieutenant Ortiz would still fall short by more time in comparison.

Commissioner Negron and Commissioner Mongillo asked Ms. Marcano if approving this item would result in others to sit for this test to take issue. Ms. Marcano informed that answer is unknown.

Virtual hand was raised by a member of the public and Ms. Marcano asked the Board if they thought it was appropriate to have that person speak as the available time to have the public speak on the matter has passed. The Board elected to not have the member of the public who raised a virtual hand speak.

There being no more discussion, Commissioner Daniels motions to deny the request from Lieutenant Ortiz to sit for the Fire Captain exam. Seconded by Commissioner Negron. Votes taken, two yeas, one opposed. Motion carries.

#2 Late RSVP Acceptance Request

Ms. Marcano presented this item to the Board. The Fire Inspector examination was given the weekend prior to this Board meeting. The RSVP deadline for the Fire Inspector examination invite was October 20, 2022. The first email received by Ms. Marcano by Firefighter Steve Martin was October 21, 2022 in attempt to RSVP to the exam at which time Ms. Marcano notified Mr. Martin that the RSVP deadline had passed so his RSVP could not be accepted. Mr. Martin proceeded to call and email Ms. Marcano in hopes to appeal that disqualification. Mr. Martin at the time attempted to provide information attempting to explain and show that he did RSVP by the deadline earlier that week. He explained that there were pre-made answers at the bottom on his email response in which he clicked in thinking that would automatically send a response back signifying that he would attend the Fire Inspector exam. Mr. Martin explained other candidates had heard back from Ms. Marcano and he had not and therefore tried to RSVP again to secure his seat at the exam. Ms. Marcano informed that since Mr. Martin's appeal to not being allowed to RSVP after the deadline was taking place the day before the exam, she decided Mr. Martin should provisionally test and have his exam sealed until this matter was brought to the Board and voted on. Depending on the Board voted, his exam would either be scored or destroyed. Ms. Marcano visually showed and explained to the Board that Mr. Martin had signed a provisional exam statement understanding the terms of his testing. Ms. Marcano provided a visual display to the Board of the pre-made, Gmail produced shortcut responses and explains to the Board that these responses are in no way in connection with her department as a way for candidates to respond. Once clicking on a pre-made shortcut, a dialogue box will come up where the user still has to manually press send in order for these responses to be actually sent.

Ms. Marcano presented Firefighter Steve Martin to the Board to provide his testimony. Mr. Martin reiterated what had already been presented to the Board by Ms. Marcano. Mr. Martin explained the last few months he has been out on medical leave after being diagnosed with three separate cancers. He has gone under radiation, hormone, and chemotherapy, along with three surgeries and one last surgery still to come. Mr. Martin states that these are not excuses that this was an important piece for a promotional position, where email is vital within the fire department. Commissioner Mongillo and Commissioner Negron asked some clarifying questions of dates to Mr. Martin to which he answered adequately. Commissioner Mongillo and Commissioner Daniels also asked Ms. Marcano some clarifying questions in which she answered adequately.

Commissioner Daniels motioned to accept the late RSVP acceptance request of Firefighter Steve Martin. Seconded by Commissioner Negrón. Votes taken; all yeas, none opposed. No Abstentions.

#3 Job Descriptions

Zoning Officer

Ms. Marcano presented the item and then explained the new position and job description to the Board. She explained and gave an overview of the structure of the Office of Building Inspection & Enforcement department and the role of that position within the department's structure.

Commissioner Daniels motioned to accept the job description. Seconded by Commissioner Negrón. Votes taken, all yeas, none opposed. Job description for Zoning Officer approved.

#4 Eligibility List

The Board was given the opportunity to view the list virtually on screen before deliberating or voting. Guests were placed in the virtual waiting room.

Ms. Marcano presented results and provided pass/fail data for list #22-52 Assistant Information Clerk. Commissioner Daniels motioned to approve the list for an initial period of one year. Seconded by Commissioner Negrón. Votes taken: all yeas; none opposed.

#5 List Removals

Guests were then moved to the virtual waiting room. Ms. Marcano presented the names for removal from list eligibility #22-17 Police Officer. Commissioner Daniels moved to approve the names to be removed. Seconded by Commissioner Negrón. Votes taken; all yeas, none opposed. No Abstentions. List removals approved.

List #22-17 Police Officer- Removals

Rank	Last Name	First Name
70	Beichner	Daniel
73	Marranca	Duane
81	Manning	Jamian
95	Beaujor	Alex
103	Padro	Evan

#6 List Amendments/Corrections/Extensions /Expirations

Ms. Marcano presented the item #22-42 Program Director Nursing and invited Brooke Logan, Deputy Director of Health to speak on behalf of the list exhaustion. Ms. Logan addressed the Board as to the reasoning for there still one candidate left on the list but after interviewing those candidates, Ms. Logan feels as though they are not experienced enough in the some of the important aspects that the position entails. For this reason, she asks the Board to exhaust the list and repost the position for a new group of candidates. Questions were asked by the Board and answered to their satisfaction by Ms. Marcano and Ms. Logan.

Commissioner Daniels moved to approve the list exhaustion. Seconded by Commissioner Negrón. Votes taken; all yeas, none opposed. No Abstentions.

Ms. Marcano presented the next item of exhausting list #22-52 HR Generalist. Ms. Marcano explained to the Board that though the list was recently certified, there is a similar problem to that which was discussed in the previous item. Ms. Marcano explained that after the interview process there were gaps in experience for some of the specific aspects that the position entails for the one remaining candidate.

Commissioner Daniels moved to approve the list exhaustion. Seconded by Commissioner Negron. Votes taken; all yeas, none opposed. No Abstentions.

#7 Temporary Pending Test Request(s)

Board of Education Administrative Assistant

Ms. Marcano presented this item to Board and reminded the Board that at a previous meeting they approved continuous testing for the position of Administrative Assistant due to the fact that there are more vacancies than candidates on each certified list brought each month to the Board, across the City and the Board of Education. To the point the Board of Education is requesting a TPT to temporarily fill positions until the next test can be conducted and certified.

Municipal Assistant Animal Control Officer

Ms. Marcano presented Officer Joseph Mangiello to speak on behalf of the next item. He explained to the Board that now a days his staff normally runs on a "skeleton crew" with recent staff members leaving to work at other municipalities. Officer Mangiello described to the Board the duties his department are responsible for and the support they provide to the New Haven Police Department. The last certified list for this position was exhausted quickly as it only had one candidate. Questions were asked by the Board to Officer Mangiello and the Board was satisfied by his answers.

Public Health Nurse Coordinator

Ms. Marcano presented Brooke Logan, Deputy Director of Health to speak on behalf of this item. Ms. Logan explains to the Board how there is an employee working in the position of Public Health Nurse Coordinator which is grant funded. This grant is expected to end November 17, 2022. Ms. Logan explained that in order to have continuity of service and overseeing daily operations of all public health nurses and school nurses a TPT position would fill that void until the test could be administered and a list certified.

Commissioner Daniels motioned to accept the temporary pending test request for the Board of Education Administrative Assistant, Municipal Assistant Animal Control Officer, and Public Health Nurse Coordinator. Seconded by Commissioner Negron. Votes taken; all yeas, none opposed. No Abstentions.

#8 Reinstatement Request(s)

None received this month

#9 Transfer Request(s)

None received this month

#10 Board Correspondence

Ms. Marcano mentioned the letter submitted regarding the exam eligibility of Lieutenant Ortiz and the matter discussed at the beginning of this meeting.

#11 Corporation Counsel Update

None received this month

#12 Temporary Pending Test Report

Acknowledged. No Board action required.

#13 Meeting Minutes

Ms. Marcano presented the minutes from the meeting conducted on September 28, 2022 and October 12, 2022. Motioned to accept the meeting minutes as presented was made by Commissioner Daniels.

Seconded by Commissioner Negron. Votes taken: All yes; Commissioner Negron abstained due to absence of both meetings. Meeting minutes for both meeting were approved.

#14 Other Business

The next regular meeting date scheduled for November 16, 2022 at 12:30 pm was confirmed. Next special meeting date requested for November 30, 2022 was discussed and confirmed to take place at 12:30 pm.

There being no further business to conduct, Commissioner Mongillo motioned to adjourn meeting. Seconded by commissioner Negron. Meeting adjourned at 2:12 p.m.



Noelia Marcano
Secretary

NOTE: For the purpose of compliance with the Freedom of Information Act, these minutes are made available for review subject to later review, revision and approval by the Civil Service Board.

Civil Service Board Approval Date: 11/16/2022