

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

May 27, 2020

<u><b>Present</b></u>	<u><b>Also Present</b></u>
<ul style="list-style-type: none"> <li>• Commissioner James Williams</li> <li>• Commissioner John Cirello</li> <li>• Commissioner Dennis Daniels</li> <li>• Commissioner Wendy Mongillo</li> <li>• Commissioner Carmen Rodriguez</li> <li>• Noelia Marcano, Secretary</li> </ul> <p><u><b>Absent</b></u></p> <ul style="list-style-type: none"> <li>• None</li> </ul>	<ul style="list-style-type: none"> <li>• Assistant Corporation Counsel Atty. Robert Scott</li> <li>• Joanne Courtmanche, Executive AA Office of Labor Relations</li> <li>• Harold Brooks, President Local 3144</li> <li>• Maurine Villani, City Tax Collector</li> </ul>

Meeting opened at 12:48 P.M. and was a Zoom audio meeting.

**#1 Job Description Revision: Deputy Tax Collector**

Ms. Marcano introduced the item to the Board and explained that both a representative from the Office of Labor Relations and from Local 3144 was present to provide information to the Board and to answer questions that the Board might have.

Joanne Courtmanche, Executive Administrative Assistant from the Office of Labor Relations (OLR) addressed the Board. She provided a brief timeline of when the revised description was received from Human Resources (HR) and OLR’s discussions over the revisions with the union. Over a span of time from January 2020 through mid-May 2020, OLR was unable to obtain from the union their specific issues with the description revisions. Ultimately, the OLR Director Cathleen Simpson contacted HR to inform that OLR was releasing the revised description with a recommendation that HR continue to its next step in the process with the revised description so that the position vacancy could be posted, and job applications submitted.

Harold Brooks, President Local 3144 addressed the Board. He provided a brief timeline as well, that at some points coincided with Ms. Courtmanche’s explanation and at other times did not.

Both sides were allowed to provide additional explanation supporting both perspectives of what transpired that concluded in a standstill with negotiations and the revised job description being released to HR to proceed.

At the conclusion of a more expanded explanation from Ms. Courtmanche and Mr. Brooks, and a brief explanation for the needed revisions from City Tax Collector Maureen Villani, Commissioner Williams asked about the position’s supervisory responsibilities. Ms. Villani confirmed that the position still is and always was a supervisory position.

After a brief exchange of questions and answers concluding in showing that nothing had changed in terms of supervisory responsibilities, and that there is a need to have someone in the position due to the upcoming tax collection season, Commissioner Cirello moved to approve the revised description as presented. Motion was seconded by Commissioner Rodriguez. Votes taken: all yes; none opposed; no abstentions. Description was approved.

## **#2 Temporary Pending Test Request**

There were two temporary pending test requests before the Board for consideration; one for the position of Deputy Tax Collector, the other for Assistant Director of Comprehensive Planning. The reason for the need for these temporary pending test requests were provided to the Board by Ms. Marcano.

There being no questions, Commissioner Williams asked for a motion. Commissioner Mongillo moved to approve both temporary pending test requests. Commissioner Rodriguez seconded the motion. Votes taken: all yes; none opposed; no abstentions. Temporary pending test requests for the positions of Deputy Tax Collector and for Assistant Director of Comprehensive Planning were both approved.

## **#3 Eligibility Lists**

Ms. Marcano presented results and provided testing and pass/fail data as well as a description of the list for #20-18 Communications Supervisor. Commissioner Daniels motioned to approve this list for a period of one year. Motion seconded by Commissioner Mongillo. Votes taken: all yes; none opposed; no abstentions. List #20-18 Communications Supervisor approved.

## **#4 Request to Temporarily Waive CS Rule IV, Sec 3(b)**

As Personnel Director, Ms. Marcano had requested that the Board consider temporarily waiving its Rule IV Section 3(b), which is the rule that controls the maximum duration of eligibility lists, which request was being made due to COVID-19 restrictions on large gatherings. COVID-19 restrictions were making it impossible for the City to move forward with large scale civil service tests. The thought behind the request was that expiring lists could be kept active until the City could determine a safe method of administering large scale testing and still abide by COVID-19 restrictions.

In preparation for presenting this request, Ms. Marcano researched the various points historically where the Civil Service Board had waived its own rules and consulted with Board attorney Robert Scott to ensure that the Board did have complete purview over (including temporarily waiving) its own rules. Previous occurrences of the Board having waived its own rules for one reason, or another were gleaned from a 30+ year look back of civil service minutes. Researched information and the legal consensus that the Board was able to take these actions historically because it alone retains purview over its own rules was sent to the Board in preparation for the presentation of this request.

Commissioner Cirello stated that he thought the Board should move to put on the floor for discussion temporarily suspending Rule IV, Sec 3(b). He acknowledged that there were lists due to expire at their maximum 2 years during the COVID-19 crisis; and that this crisis affects Civil Service's ability to gather crowds for testing to replace those lists. He concluded that the temporary suspension of this rule would allow for hiring to continue from these expiring lists if needed.

During discussion, there were questions as to time limits and as to what exact lists were getting ready to expire at their 2-year max. Ms. Marcano informed that there were two promotional lists in the Fire Department, one promotional list in the Police Department and one civilian list in the Traffic & Parking Department that were getting ready to expire. Commissioner Rodriguez briefly mentioned some of the reasons that she was in accord with the temporary suspension of the rule.

Commissioner Cirello stated that if there were no more questions or further discussion, he wanted to make two motions; one to temporarily suspend the rule; and the second to instruct the Personnel Director to return to the Board with a report, to be provided no later than the November 2020 regular meeting to inform whether the temporary suspension needs to continue or to end the suspension of the rule. The Board agreed.

With that, Commissioner Cirello moved that due to the public gathering restrictions and health concerns associated with the COVID-19 pandemic, the Board hereby temporarily suspends Rule IV Section 3(b) for

those lists that are set to expire at their 2-year maximum. Such temporary suspension shall remain in effect during the period of time that the City’s Civil Service Division is prevented from or unable to safely gather groups of individuals in order to conduct civil service testing to replace such lists. This motion was seconded by Commissioner Rodriguez. Votes taken: all yes; none opposed; no abstentions. Motion passed.

Commissioner Cirello then stated a second motion that for the purposes of assessing an official end date to the temporary waiver of Rule IV Section 3(b), he moved that the Personnel Director shall submit a report no later than the November 2020 regular civil service meeting apprising the Board on whether at that point in time the City’s Civil Service Division is still prevented or unable to safely gather groups of individuals in order to conduct civil service testing. This motion was seconded by Commissioner Daniels. Votes taken: all yes; none opposed; no abstentions. Motion passed.

There was one follow-up question by Commissioner Mongillo concerning whether or not each of the lists that would have expired now needed to be individually extended. The Board’s Attorney Robert Scott clarified for Commissioner Mongillo that the temporary suspension of the rule just passed by the Board would temporarily suspend the 2-year limit and as such individual extension of each list was not necessary. Commissioner Mongillo then asked when the time comes to ‘unsuspend’ the rule, would those lists expire at that point in time? To which Ms. Marcano and Attorney Scott responded that those lists would be treated accordingly at that point in time.

**#5 List Corrections/Extensions/Exhausted**

Ms. Marcano informed that these lists were coming up on their 1-year expiration date and would need to be extended for reasons having to do with COVID-19 restrictions on the gathering of people making the administering of testing to replace such lists very difficult or impossible. She informed that the request is to extend these lists out to the end of the current calendar year, and at that time, it would be determined if these lists can be allowed to expire or would need to be extended out further. Ms. Marcano noted each list for the record as #19-18E Community Liaison Financial Trainer; #19-19E Deputy Director Manager of Parking Enforcement; #19-20E Financial & Program Analyst; #19-21E Housing Code Inspector; #19-22E Parks Foreperson; and, #19-23E Planner II.

Commissioner Mongillo moved to extend the expiration dates of the lists enumerated to a new expiration date of the end of this calendar year. Commissioner Daniels offered a second to this motion. Commissioner Cirello clarified that the end of the calendar year would be December 31, 2020. Votes taken: all yes; none opposed; no abstentions. Motion passed.

In moving on to the next agenda item, Ms. Marcano informed that she had an item associated with Item #6 that she was requesting that the Board add to today’s agenda. She explained that in a previous meeting she had presented the names of three candidates for removal. However, she later learned that those candidates were removed in error as each were declinations and not withdrawals. Ms. Marcano concluded that the request was to restore those three names back on to list #19-37C Police Officer.

Commissioner Cirello moved to add to the agenda the request to reinstate the three names to list #19-37C. Second by Commissioner Mongillo. Votes taken: all yes; none opposed; no abstentions. Motion passed.

**#6 List Removals**

Ms. Marcano presented the list of names recommended for removal from list #19-37C Police Officer. Ms. Marcano explained that the reasons for removals were that these individuals withdrew or did not respond to a recent communication from the department by a prescribed deadline. Those individuals being:

Rank	First Name	Last Name	Rank	First Name	Last Name
54	Daniel	Gonzalez	124	Schrey	Thomas

85	Rallo	Christopher	128	Ely	David
102	Olan	Jeramy	133	Silvestrini	Michael
108	Longobardi	Matthew	182	Thomasson	Mark

As for the names to reinstate to list #19-37C, Ms. Marcano reiterated how those three candidates were erroneously removed. Those individuals being:

Rank	First Name	Last Name
36	Canace	Trevor
38	Pat	Bridge, Jr.
40	Joshua	Lopez

Commissioner Mongillo motioned to remove the names listed for removal from #19-37C Police Officer. Second by Commissioner Daniels. Votes taken: all yes; none opposed; no abstentions. Removals from list #19-37C Police Officer approved.

Commissioner Mongillo then motioned to restore to list #19-37C those individuals who were removed in error. Second by Commissioner Daniels. Votes taken: all yes; none opposed; no abstentions. Reinstatements to list #19-37C Police Officer approved.

**#7 Temporary Pending Test Report**

Ms. Marcano pointed out where the table had been updated. Item acknowledged – no action needed

**#8 Meeting Minutes**

Ms. Marcano presented meeting minutes from April 22, 2020. Commissioner Williams asked for a motion. Commissioner Cirello motioned to approve the meeting minutes presented. Seconded by Commissioner Rodriguez. Votes taken: all yes; none opposed; no abstentions. Meeting minutes for April 22, 2020 approved.

**#9 Other Business**

The next regular meeting was set for June 24, 2020. All commissioners present confirmed availability. Ms. Marcano informed that as the City is following all mandated guidelines as it slowly reopens, she would see if or when it might be possible for the Board to physically convene its meetings at 200 Orange while maintaining and encouraging public attendance through Zoom. She offered to keep the Board apprised on this front.

Ms. Marcano also informed that a possibility did exist for the need for a special meeting to conduct further needed removals from 19-37C Police Officer due to the Police Department’s goal to seat its next class by June 30. She offered to contact Board about this if a special meeting was needed.

There being no more business to conduct, Commissioner Williams asked for a motion to adjourn. Motion offered by Commissioner Mongillo and seconded by Commissioner Rodriguez. All yeas. Meeting adjourned at 1:44 pm.



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:** July 22, 2020