

**CITY OF NEW HAVEN CIVIL SERVICE
BOARD
MINUTES OF MEETING – June 2020 Regular
Meeting
June 24, 2020**

<u>Present</u>	<u>Also Present</u>
<ul style="list-style-type: none"> • Commissioner James Williams • Commissioner John Cirello • Commissioner Carmen Rodriguez • Commissioner Wendy Mongillo • Commissioner Dennis Daniels (<i>joined at 12:54 pm via Zoom</i>) • Noelia Marcano, Secretary 	<ul style="list-style-type: none"> • Assistant Corporation Counsel Atty. Robert Scott • Director of Labor Relations Cathleen Simpson (<i>via Zoom</i>)
<p><u>Absent</u></p> <ul style="list-style-type: none"> • None 	

Meeting opened at 12:38 P.M.

#1 Personnel Director Report on Continued Need for Temporary Suspension of Civil Service Rule IV Section 3(b)

Ms. Marcano referenced the request and Board action to temporarily suspend Rule IV Section 3(b) and the reason for it. She referred to the continued research by Human Resources and discussions with others in the testing field like other municipalities and the test vendor who has performed multiple projects for the City in the past. This research has revealed some ways to continue with a regular testing program. Ms. Marcano reported that the discussion with the test vendor focused on a method used in other places that could work in New Haven with entry-level public safety testing and with larger groups for promotional testing and would comply with COVID-19 restrictions. Ms. Marcano also informed that since the Board’s action, administrators in the Board of Education have communicated that it would continue to grant access to its school buildings as it has in the past for the administration of civil service testing.

Ms. Marcano expressed that while the Board allowed until its November regular Board meeting to report back on the City’s ability to safely gather large groups for testing, she felt given this update that it was therefore necessary to report this information now because it appears that the Civil Service Division could return to its regular testing program sooner rather than later.

Discussion ensued and Commissioner Williams questioned whether the temporary suspension of Rule IV Section 3(b) was now still necessary. He noted that the reason associated with the rule’s temporary suspension appears to no longer exists. Attorney Scott agreed and also concluded that the basis upon which the temporary suspension was found appears no longer needed.

Discussion then centered on whether there were any lists that were extended under the temporary waiver that would now need any kind of Board action. Ms. Marcano clarified for the Board that there were no lists that were extended by the Board’s action that it took to temporarily suspend Rule IV Section 3(b). Rather, the Board’s action would have allowed any list surpassing its two-year maximum existence to continue to remain active while the rule at issue is temporarily suspended.

Commissioner Mongillo inquired what would happen to the lists that have reached their 2-year mark if the Board now lifts the temporary suspension. Attorney Scott and Ms. Marcano responded that those lists would immediately expire. Ms. Marcano then explained that there were four lists that were in line to be initially

affected by the temporary suspension of the rule at issue. Two lists are Fire Department promotional lists (Deputy Fire Chief and Fire Lieutenant); one list is a Police Department promotional list (Police Detective); and one was an entry-level list for a position in the Department of Transportation, Traffic & Parking (Parking Enforcement Officer). Ms. Marcano added that the two-year expiration date for the two lists in the Fire Department and the one list in the Police Department would be June 20, 2020 if the temporary suspension of the rule at issue is lifted today. She reported that the list for the position in the Department of Transportation, Traffic & Parking would not expire until July 24, 2020 as it was previously extended to the 18-month mark under the two-year maximum afforded by Rule IV, and it could still be extended by three more months if needed to reach that 2-year mark in accordance with the rule.

At the conclusion of the discussion sorting out that the temporary suspension of Rule IV Section 3(b) appeared no longer necessary; and, clarifying that no Board action was needed for any of the lists that were in line to be initially affected by the temporary suspension of the rule at issue; and, that during the short span of time that the rule at issue was temporarily suspended, that no appointments had taken place from any eligibility lists after a list had surpassed its original 2-year maximum period, Commissioner Rodriguez motioned to lift the temporary suspension of Rule IV Section 3(b). Motion was seconded by Commissioner Mongillo. Votes taken: all yeas by Commissioners Williams, Rodriguez and Mongillo. Commissioner Cirello abstained; Commissioner Daniels was not yet in attendance. Motion carries. Temporary suspension of Rule IV Section 3(b) was lifted. Rule now back in full force and effect.

#2 Job Descriptions

New: Labor Relations Staff Attorney - Ms. Marcano clarified that the job description is a new job description, and not a revision. Ms. Marcano then announced that Cathleen Simpson, the Director of Labor Relations was in attendance via Zoom to present this item to the Board. Ms. Simpson explained the need for this new job description and job title for the Office of Labor Relations. Commissioner Cirello moved to approve the new job description and title. Seconded by Commissioner Mongillo. Votes taken: all yeas, none opposed; no abstentions. New job description and title for Labor Relations Staff Attorney approved.

#3 Temporary Pending Test Request

Ms. Marcano explained to the Board the need for a temporary pending test hire for the new position of Labor Relations Staff Attorney, which coincides with the previous discussion of the new job description. Ms. Marcano explained the current position of Public Safety Human Resources Manager will cease to exist as of July 1st and is being replaced with the position of Labor Relations Staff Attorney. The temporary pending test hire would allow the incumbent currently in the position of Public Safety Human Resources Manager to continue to serve in the Office of Labor Relations. However, to keep the position on a permanent basis, the incumbent would have to apply for the new position, take the test and pass in a reachable rank to be considered for hire in the new position. There were few questions that were answered by Ms. Marcano to the satisfaction of the Board.

Commissioner Cirello motioned to approve a temporary pending test hire for the position of Labor Relations Staff Attorney. Seconded by Commissioner Daniels. Votes taken: all yeas, none opposed, no abstentions. Temporary pending test request approved.

#4 List Removals

Ms. Marcano presented the list of names recommended for removal from list #19-37C Police Officer and explained that the reasons for removal were a combination of individuals who have failed at least one condition of the conditional offer, have withdrawn from the process, or stopped responding to contacts from the Police Department. Commissioner Mongillo motioned to remove the following individuals from list #19-37C:

Rank	First Name	Last Name	Rank	First Name	Last Name
1	Raul	Castro	72	Max	Padro
19	Justin	Summers	76	Athanasios	Koletsos

25	Christopher	Gargiulo	77	Mark	Welz
31	Marlon	Tapper	78	Michael	Davia
32	James	Quarto	79	Jason	Serrano
34	Guiseppe	Izzo	80	Christian	Rivera
37	Josue	Vega	83	Steven	Herbette
49	Shaelees	Bell	86	James	Tommaselli
50	Victor	Lopez	87	Blake	Black
52	Nickesha	Birch	88	Frank	Romanelli
60	Joshua	Bennitt	89	Aaron	Cash
61	William	Morey IV	92	Myles	Morrison
62	Joshua	Brown	96	Robert	Christiani
63	Dominick	Mastro	98	Peter	Monaco
66	Lucas	Swan	112	Carlton	Williams
67	Rafael	Batalla	118	Kareem	El-Ayoub
69	Christian	Cavanaugh	168	Thomas	Bonvisuto Jr.
71	Allen	Blanco			

Motion was seconded by Commissioner Rodriguez. Votes taken: all yeas; none opposed; no abstentions. Removals approved.

Ms. Marcano then presented a list removal from list #19-45 Administrative Assistant and explained that the individual did not respond within the notification period when invited to interview. Commissioner Cirello motioned to remove the following individual from list #19-45:

Rank	First Name	Last Name
2	Tyler	Agyemang

Motion was seconded by Commissioner Rodriguez. Votes taken: all yeas; none opposed; no abstentions. Removal approved.

#5 Board Correspondence

Ms. Marcano reported the correspondence sent by Mr. DelPrete, which Ms. Marcano sent to the Board in advance of this meeting. Ms. Marcano also reported that Mr. DelPrete was in attendance via Zoom in the event the Board wanted to invite him to speak. The Board decided that there was no reason for Mr. Del Prete to address the Board, as the concern expressed in the letter was now resolved with the action the Board took in the first item on today’s agenda. Board Correspondence acknowledged.

#6 Temporary Pending Test Report

Ms. Marcano acknowledged the item for the record. No action required.

#7 Meeting Minutes – May 27, 2020

Ms. Marcano presented the meeting minutes for May 27, 2020 regular meeting. The Board took a moment to review. Commissioner Daniels moved to accept the minutes as presented. Seconded by Commissioner Rodriguez. In discussion Commissioner Cirello expressed concern that the minutes did not fully reflect all that the Board considered in taking the action to temporarily suspend Rule IV Section 3(b) at the last regular meeting. There was information sent to the Board in preparation for that meeting and presented at that meeting that informed that the action was an appropriate one for the Board to make. The Board proceeded based on that information and in consideration of the impact COVID-19 was causing on testing. Because Commissioner Cirello did not feel that all of this was reflected in the meeting minutes, he requested that the minutes be amended to reflect this and that the Board considered past precedents and advice from the June 24, 2020 – Civil Service Regular Meeting Minutes

Corporation Counsel's office that the temporary suspension of any of its rules would be a legal action within the purview of the Board.

Discussion followed among the commissioners which then touched on the Board being named in a lawsuit for the action it took to temporarily suspend Rule IV Section 3(b) per Commissioner Cirello and that he was a named defendant. Further discussion led by Commissioner Rodriguez ensued expressing her concern about not all Board members being timely informed with the same information, especially in terms of legal actions against the Board.

There was concern expressed by the Board's attorney Mr. Scott that the discussion appeared to be now delving into areas that would be best handled in executive session. Ms. Marcano informed that she just messaged IT to obtain technical assistance to use the breakout room feature on Zoom to allow the Board the ability to continue the discussion in executive session.

In waiting for IT to respond, the Board ensued discussing the option to table the minutes instead. With that Commissioner Daniels withdrew his motion to approve the minutes. Commissioner Rodriguez withdrew her second. Commissioner Cirello motion to table the minutes of the May 27th meeting, to be taken up again at the next regular meeting after the amendments concluding from the concern he expressed could be made. Motion was seconded by Commissioner Daniels. Votes taken: all yeas; none opposed; no abstentions. Minutes of the May 27th meeting tabled.

#8 Other Business

The next regular meeting scheduled for July 22, 2020 was confirmed.

Ms. Marcano took a moment to ask the commissioners if transitioning to a hybrid virtual/physical meeting format, where only those Board members comfortable with physically attending, and all others (guests and the public) attending remotely was a format that the Board wanted to continue for the time being. The commissioners expressed interest in continuing with this meeting format.

Ms. Marcano informed that going forward she will arrange for a technical facilitator who would tend to all of the details of the technical aspects of operating the equipment, admitting Zoom participants, etc., so that she could focus on facilitating the agenda for the Board's meeting. Ms. Marcano informed that in facilitating today's Zoom session, admitting guests and explaining items on the agenda, she unfortunately did not realize until the meeting had reached item #2 on today's agenda that she had not engaged the record button at the start of the Zoom meeting. Nor, did she engage the record button on the separate backup recorder. Consequently, discussions prior to the recording being engaged were not recorded. Ms. Marcano apologized and expressed that inasmuch as the minutes are transcribed in summary format, she would use her notes and retain the assistance of the Board's attorney Mr. Scott immediately after the meeting adjourns to ensure a fresh recollection and as accurate a summary of the agenda's unrecorded discussions as possible.

There being no more business to conduct, Commissioner Williams asked for a motion to adjourn. Commissioner Williams motioned to adjourn; seconded by Commissioner Rodriguez. All yeas. Meeting adjourned at 1:33 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