

**CITY OF BRIDGEPORT
CIVIL SERVICE COMMISSION REGULAR MEETING
CITY HALL, WHEELER ROOMS A AND B
JULY 12, 2022 AT 4:30 P.M.**

MINUTES

Vice Chairperson Hall called the regular meeting of the Civil Service Commission to order at 4:33 p.m. Present were Commissioners Ford, Grech and Rodgers; Personnel Director Eric Amado; Clerk to the Commission Deborah Brelsford; Atty. John Mitola, Atty. John Bohannon, Ebony Jackson-Shaheed, Health and Social Services Director; Sumit Sharma, Public Health Emergency Preparedness Coordinator, Andre Forde, Labor Relations Director; Attorney Tamara Titre, Senior Labor Relations Officer; Police Sergeant Johnson; Police Lieutenant Rozum, Aaron Curry, Municipal Garage Manager; Joe Tiago, Deputy Public Facilities Director; Jackson Sainville, Michele Davila

1. Meeting Minutes

The Minutes from regular monthly meeting on June 14, 2022 are submitted for review.

**** COMMISSIONER FORD MOVED TO APPROVE THE MINUTES OF JUNE 14, 2022 REGULAR MONTHLY MEETING AS SUBMITTED.**

**** COMMISSIONER GRECH SECONDED.**

**** THE MOTION TO APPROVE THE MINUTES OF THE JUNE 14, 2022 REGULAR MONTHLY MEETING AS SUBMITTED PASSED UNANIMOUSLY.**

2. Merit Increases – Certify for Payroll

Mr. Amado presented the report.

MERIT INCREASES FOR JULY 12, 2022 C.S.C MEETING

<u>FIRE</u>	<u>JOB TITLE</u>	<u>EFFECTIVE AUGUST 4, 2022</u>
JUSTIN BRUNYANSKY	FIRE FIGHTER	\$58,454.00 (2) TO \$65,996.00 (3)

MERIT INCREASES FOR JULY 12, 2022 C.S.C MEETING

<u>POLICE</u>	<u>JOB TITLE</u>	<u>EFFECTIVE AUGUST 6, 2022</u>
JOHN ANDREWS	POLICE LIEUTENANT	\$96,611.00 (2) TO \$99,399.00 (3) TOP

**** COMMISSIONER FORD MOVED TO APPROVE THE MERIT INCREASES AS PRESENTED.**

**** COMMISSIONER GRECH SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

3. Permanent Appointments – Certify for Payroll

Mr. Amado presented the report.

PERMANENT APPOINTMENTS – July 2022 MEETING				
ID#	LAST NAME	FIRST NAME	JOB TITLE	EFFECTIVE DATE
220699	Cascella	Anthony	Maintainer I, Grade I	6/13/2022
110690	Cook	James	Maintainer I, Grade I	6/13/2022
220686	Molnar	Garrett	Maintainer I, Grade I	6/3/2022

PERMANENT APPOINTMENTS			
Dept	Employee	Position	Effective Date
Comptroller's	Kemeasha McDonald	Chief Accountant	6/11/2022

**** COMMISSIONER FORD MOVED TO APPROVE THE PERMANENT APPOINTMENTS -- CERTIFY FOR PAYROLL AS PRESENTED.**

**** COMMISSIONER GRECH SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

4. Vacancy Report

Mr. Amado presented the report.

VACANCIES	Report - 7/12/22			
<u>Competitive Positions</u>		<u>Former</u>		<u>Replacement</u>
FIRE				
Fire Lieutenant		Francis McNellis		Justin Conte
Fire Lieutenant		Michael Dibble		Earl King
Fire Lieutenant		Shane Porter		Brian Coppolo
Fire Lieutenant		Timothy Shephard		Sean Canfield

<u>Non-competitive Positions</u>		<u>Former</u>		<u>Replacement</u>
CITY ATTORNEY				
City Attorney (Part-Time)		New		Vacant
POLICE				
Typist I		Joanna Foster		Vacant

PUBLIC FACILITIES				
Maintainer III		Antonio Fernandes		Vacant
Maintainer III		Elvin Garcia		Vacant

Maintainer II				Kenneth Beaugard		Vacant
Maintainer II				Ryan Daddana		Vacant

Maintainer I Grade I				William K Cotter		Vacant
Maintainer I Grade I				Marques Osborne		Vacant
Welder				Chris Loide		Vacant
Automotive Servicer				Alberto Marchese		Vacant
Public Works Foreman II				Ronald Simms		Vacant
Public Works Foreman II				Jose. J Demoura		Vacant
Seasonal Maintainer I Grade I				Seasonal		
Seasonal Maintainer I Grade II				Seasonal		
LIGHTHOUSE YOUTH SERVICES						
Summer Youth Employment Monitors				Seasonal		
Summer Youth Employment Wildlife Guards				Seasonal		
Summer Youth Employment Junior Counselors				Seasonal		
Summer Youth Employment Senior Counselors				Seasonal		
Summer Youth Employment Park Ground Assistants				Seasonal		
TAX COLLECTOR						
Senior Tax Clerk				Vacant		Luz Gonzalez
FINANCE						
Financial Management Specialist				Robert Jones		Vacant
AIRPORT						
Airport Serviceman II				Cruz Anthony Delgado		Vacant

**** COMMISSIONER FORD MOVED TO CERTIFY THE PERMANENT APPOINTMENTS FOR PAYROLL.**

**** COMMISSIONER GRECH SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

5. Updated Job Description – Director of Environmental Sanitation (Tabled from June 29, 2022 Special Meeting)

The Commission is asked to approve the updated job description for Director of Environmental Sanitation in the Health Department.

Mr. Amado said that the job description was not quite complete and requested the item be tabled.

**** COMMISSIONER FORD MOVED TO TABLE THE UPDATED JOB DESCRIPTION FOR THE DIRECTOR of ENVIROMENTAL SANITATION IN THE HEALTH DEPARTMENT TO THE REGULARLY SCHEDULED AUGUST MEETING OF THE CIVIL SERVICE COMMISSION.**

**** COMMISSIONER GRECH SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

New Job Classification and New Job Description – Healthcare Administrator

The Commission is asked to approve the new job classification and new job description for the Healthcare Administrator in the Health Department.

Mr. Amado presented the item and Mr. Sharma then gave a brief overview. Mr. Amado said that there were many outdated job classifications. They are being updated and integrated with the more modern services.

Commissioner Ford asked about the minimum educational requirement of a Bachelor's. Mr. Amado said that there were people who had solid experience in running clinics but may not have the educational degree. Discussion followed.

Ms. Jackson-Shaheed joined the meeting at 4:45 p.m.

Ms. Jackson-Shaheed said that most people who are involved in health care administration have their Master's. Those who have their Master's can apply for their license, but this is actually not necessary since Bridgeport does not have overnight clients in a clinic.

**** COMMISSIONER FORD MOVED TO APPROVE THE UPDATED JOB DESCRIPTION FOR THE NEW JOB CLASSIFICATION AND NEW JOB DESCRIPTION FOR THE HEALTHCARE ADMINISTRATOR IN THE HEALTH DEPARTMENT.**

**** COMMISSIONER GRECH SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

7. Request to Extend Probationary Period

The Commission has received a request from Mr. Aaron Curry and Mr. Joe Tiago to extend the probationary period another six (6) months to 12/1/22 for Jackson Sainville, Mechanic in Public Facilities, to pass his ASE test. The Civil Service Commission previously extended his probationary period for six (6) months at its December 14, 2021 meeting

Mr. Amado then gave a brief overview. He noted that Mr. Sainville was an excellent employee and they would like to keep him on the job. Mr. Curry said that he was pleased with Mr. Sainville's work and Mr. Sainville is working on obtaining his Automotive Service Excellence Certificate. He requested an additional six months for Mr. Sainville to obtain this certification.

**** COMMISSIONER FORD MOVED TO APPROVE THE REQUEST FROM MR. AARON CURRY AND MR. JOE TIAGO TO EXTEND THE PROBATIONARY PERIOD ANOTHER SIX (6) MONTHS TO 12/1/22 FOR JACKSON SAINVILLE, MECHANIC IN PUBLIC FACILITIES, TO PASS HIS ASE TEST.**

**** COMMISSIONER GRECH SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

8. Waiver Request

The Commission has received a request for a 6-month waiver from Michele Davila entry level Firefighter #2380 applicant to pass CPAT.

Mr. Amado presented the item. Ms. Davila greeted the Commissioners and said that she was working on passing the CPAT.

**** COMMISSIONER GRECH MOVED TO APPROVE THE REQUEST FOR A 6-MONTH WAIVER FROM MICHELE DAVILA ENTRY LEVEL FIREFIGHTER #2380 APPLICANT TO PASS CPAT.**

**** COMMISSIONER FORD SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

Mr. Amado asked the Commission to amend the agenda to allow them to present the Legal Report at this time due to time constraints.

**** COMMISSIONER GRECH MOVED TO SUSPEND THE RULES AND AMEND THE AGENDA TO ALLOW THE LEGAL REPORT TO BE PRESENTED AT THAT TIME DUE TO TIME CONSTRAINTS.**

**** COMMISSIONER FORD SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

9. Legal Report

U.S. District Court Decision Cummings vs. City of Bridgeport, Et Al, USDC 3:20-cv-00647-SVN

Attorney John Bohannon will discuss the court decision with the Commission.

Atty. Bohannon came forward and said that there was a decision from the U.S. District Court that invalidates a decades long Commission practice extending the useful life of promotional eligibility lists two years from the date of the first appointment from that list as opposed to two years from the date that the list is enforced by operations of the law according to the provisions of the Charter.

He explained that this was the decision coming from the case of John Cummings who was a Bridgeport Police officer. Officer Cummings sat for a promotional exam that was administered in 2015. Based on the results of the examination, the Personnel Director posted a list of eligible individuals for promotion on October 30, 2015. The Charter allows for a 30 day appeal period. Strict compliance with the Charter is required. All appeals have to be resolved within that 30 day period. This means as of November 30th, all appeals would have been expired. There were no appeals in this case.

Atty. Bohannon said that the Civil Service Commission had certified the list on December 8, 2015. Atty. Bohannon noted that there was nothing in the Charter that indicates that the Civil Service Commission has to certify the eligibility list. The mandatory provisions of the Charter

provide for the Personnel Director to post the list, a 30 day appeal period when the issues are resolved and at the end of that process, the list becoming operational under the terms of the Charter.

The first appointments of the 2015 Eligible Promotional List were made on January 14, 2016. Consistent with the long standing practice that dates back more than 50 years for dating the life of the list from the first appointment as opposed to when the date that the list is enforced according to the the Charter.

In January 14, 2018, the Police Union approached then Police Chief Perez and noted that the list was about to expire and Officer Cummings was the next officer on the list for promotion. They requested Chief Perez to write a letter to the Commission. When then Personnel Director Dunn received that letter, he declined to certify the promotion, citing the fact that there was not enough money. Atty. Mitola wrote a letter stating that Officer Cummings was entitled to the promotion since the lack of funding was not a sufficient reason to deny the promotion. The Civil Service Commission then heard the appeal and granted Officer Cummings the promotion to Captain. Atty. Bohannon stated that for some reason, the promotion never took place and no one knows why.

Officer Cummings filed a claim with the United States District Court claiming that he had been deprived the due process of law. Specifically, that means since the Commission had granted his appeal, he should have been promoted and the failure of the City to promote him was a constitutional deprivation of his due process rights. Atty. Bucci filed the case in the United States District Court looking for immediate relief in having Officer Cummings promoted to that position.

Atty. Bohannon explained that he was assigned the case and did research on the City Charter, which requires mandatory compliance. He discovered that the eligibility list becomes operational 30 days after the appeal period ends under the terms of the Charter.

Atty. Bohannon then outlined his defense that there was no constitutional deprivation for the Commission and the Court agreed that the eligibility list becomes operational 30 days after the appeal period ends under the terms of the Charter.

Atty. Bohannon stated that the Commission must comply with the mandated provisions of the Charter. He provided the Commissioners with copies of the Court decision. The Commission's procedures must be in conformity with the Charter. The Commission cannot extend the life of the list by dating it for 2 years from the date of the first appointment because it is illegal.

Atty. Bohannon said that the Commission has had a longstanding practice of certifying a list after the 30 day appeal period ends. However, the Charter states that the Personnel Director shall post a list of the eligible candidates from the examination and there shall be a 30 day appeal period. Then the list becomes operational as a matter of law. He reviewed the time sequence of the case and how Officer Cummings' claim was denied by the Court.

This is a significant change for Civil Service because they can no longer use lists from the date of first appointment and the Commission no longer has to certify the eligibility list. Discussion followed about the 30 day appeal period.

10. Appeal – Mr. David Hall

The Commission has received a request from Mr. Hall regarding his disqualification from the entry level Firefighter exam #2380.

Mr. David Hall came forward and said that the hearing could be in public session. He said that he had received a phone call regarding a home visit from Internal Affairs. He was later informed that the meeting was at a City Hall.

Mr. Hall said that he had not received the certified letter and it was returned. Mr. Hall said that Civil Service sends a letter via U.S. Mail and an email.

Sgt. Johnson came forward and presented a letter that was sent from Sergeant Jessi Pizarro about the call made to Mr. Hall.

**** COMMISSIONER GRECH MOVED TO ENTER THE DOCUMENT IN TO THE RECORD.**

**** COMMISSIONER FORD SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

To: Lieutenant Adam Rozum

From: Sergeant Jessi Pizarro

Date; July 6, 2022

Regarding; candidate David Hall/background orientation process

Civil Service requested the Office Of Internal Affairs to proceed with conducting the background orientation process for the Bridgeport Fire Fighter candidate. Civil Service provided the Office Of Internal Affairs a candidate list in order to commence the process. The undersigned sergeant was provided by Lieutenant Adam Rozum, commander of Internal Affairs, with several candidate names from the list. The task was to verify each candidates' address so correspondence can be sent out to them indicating the date, time, and location of the background orientation.

One of the candidates the undersigned called candidate David Hall. Mr. Hall answered the phone and I explained to him that the Office Of Internal Affairs will be conducting background orientation for the fire fighter process. I explained to Mr. Hall the reason I was calling was to verify his address so that we can send correspondence with the information needed to attend orientation. Mr. Hall verified his address and asked, "Do you need to come to my house". I explained to Mr. Hall that a part of the background check process, investigators would have to visit his residence and neighborhood. Mr. Hall replied by saying, "They did not do this last time". I then explain to Mr. Hall that, the

background at that time was conducted by a different company and that because the background process is now assigned to the police department, that is the process. I again told him all the information needed to attend the orientation would be in the correspondence being sent by mail. After the conversation, the call was terminated.

It has to be noted that the same information is given to all candidates during the process. The undersigned Sergeant called several candidates the same day.

Respectfully, Sergeant Jessi Pizarro

Mr. Hall said that the first time that he applied, he was disqualified due to the results of the psychological evaluation. Discussion followed.

**** COMMISSIONER HALL ASKED THE COMMISSIONERS TO VOTE ON THE REQUEST FROM MR. HALL REGARDING HIS DISQUALIFICATION FROM THE ENTRY LEVEL FIREFIGHTER EXAM #2380.**

**COMMISSIONER FORD MOVED TO APPROVE.
COMMISSIONER GRECH MOVED TO APPROVE.
COMMISSIONER RODGERS MOVED TO DENY.**

**** THE REQUEST FROM MR. HALL REGARDING HIS DISQUALIFICATION FROM THE ENTRY LEVEL FIREFIGHTER EXAM #2380 PASSED.**

#11 Appeal – Mr. Delbert Layne, Jr.

The Commission has received a request from Mr. Layne regarding his disqualification from the entry level Firefighter exam #2380

Mr. Amado asked Mr. Layne if he wished to have the hearing in Executive Session or in Public Session. Mr. Layne stated that the hearing could be held in public session. He explained that he and his father have the same name. When the letter was sent, his parents were in the process of a divorce. At the present time, he is staying with other family members at a different address for the time being. His father signed for the letter, but failed to tell him. During that time, he was staying with his mother at a Capitol Avenue address. He had expected to receive either a phone call or an email.

**** COMMISSIONER HALL ASKED THE COMMISSIONERS TO VOTE ON THE REQUEST FROM MR. LAYNE REGARDING HIS DISQUALIFICATION FROM THE ENTRY LEVEL FIREFIGHTER EXAM #2380.**

**COMMISSIONER GRECH MOVED TO APPROVE.
COMMISSIONER FORD MOVED TO APPROVE.
COMMISSIONER RODGERS MOVED TO APPROVE.**

**** THE REQUEST FROM MR. LAYNE REGARDING HIS DISQUALIFICATION FROM THE ENTRY LEVEL FIREFIGHTER EXAM #2380 PASSED UNANIMOUSLY.**

DIRECTOR'S REPORT.

- **Entry Level Police Officer** – Engaged with Bridgeport Training Academy and the Communications Department. 94 applications have been received. The deadline for applications is August 14, 2022. Recruitment efforts continue.

- **Entry Level Fire Fighter** – Good recruitment and a strong list has been created. The office hopes for 20 hires from this list.

- **Police Chief** – The International Association of Police Chiefs is receiving the applications directly. Currently there are 17 applications of which 94% are males and 6% female. 12% of the applicants have a Ph.D.; 6% have a Juris doctorate; 76% have Masters degrees and 6% have Associates.

- **Police Captain** – The subject matter experts are engaged. The application is ready and the deadline to apply is July 22nd.

- **Tax Assessor** – The updated job description for Tax Assessor was approved at the last meeting. It will be presented to the City Council for ratification and then the process will begin.

- The next regular meeting of the Civil Service Commission will be August 9, 2022.

A discussion followed about a potential meeting on August 3, 2022 at 12:30 p.m. Ms. Brelsford said that if any Commissioner wished to have a photo identification card on it, she could arrange this.

ADJOURNMENT

**** COMMISSIONER GRECH MOVED TO ADJOURN.**

**** COMMISSIONER RODGERS SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 5:50 p.m.

Respectfully submitted,

S. L. Soltes
Telesco Secretarial Services