EXECUTIVE SESSION

MEETING OF

January 26, 2023

The Nassau County Civil Service Commission met this date at 10:30 a.m. in the Office of the Commission, 40 Main Street, Hempstead, Nassau County, New York.

PRESENT: Carnell T. Foskey, Chairman

Michael M. DeLuca, Commissioner

Steven R. Markowitz, Commissioner

Martha Krisel, Secretary and Chief Examiner

Angela Grasso, Administrative Officer III

Moved by Commissioner DeLuca, seconded by Commissioner Markowitz and unanimously carried approving the minutes of the previous meeting.

e-001A-E/2023-- A motion was made by Commissioner Foskey, seconded by Commissioner DeLuca and unanimously carried adopting the following resolution:

WHEREAS the Commission reviewed five applications for a "Change in Title,"

RESOLVED, That on Commission vote:

DENIED

A. Maintenance Plumber Supervisor to Plumber Services Supervisor - Nassau Health Care Corporation

C. Senior Typist-Clerk to Principal Typist-Clerk - Hewlett-Woodmere Union Free School District

D. Admissions Officer II, NHCC to Admissions Officer III - Nassau Health Care Corporation

E. Admissions Officer II, NHCC to Admissions Officer III - Nassau Health Care Corporation

APPROVED

B. Respiratory Therapist II to Coordinator of Respiratory Therapy Program - Nassau Health Care Corporation

e-002A-B/2023-- A motion was made by Commissioner DeLuca, seconded by Commissioner Foskey and unanimously carried adopting the following resolution:

WHEREAS the Commission reviewed two employee's appeals to the Commission's rejection of an "Application for a Change in Title",

RESOLVED, That the Commission's decision be upheld and the following two appeals remains denied:

A. Clinical Technician I to Clinical Technician II

B. Social Work Assistant I to Social Work Assistant II

e-003/2023-- A motion was made by Commissioner Foskey, seconded by Commissioner Markowitz and unanimously carried adopting the following resolution:

WHEREAS the Commission reviewed a request for the classification of a new position from the Nassau County Bridge Authority nominating a candidate who meets the necessary criteria for employment under Section 55A, as a Toll Collector, PD or MD,

RESOLVED, That the Commission certifies that the appropriate civil service title for the position is Toll Collector, PD or MD, and be it further

RESOLVED, That said position be placed in the non-competitive class, in accordance with Section 55-a of the Civil Service Law.

e-004/2023-- A motion was made by Commissioner Markowitz, seconded by Commissioner DeLuca and unanimously carried adopting the following resolution:

WHEREAS the Commission has received a request from the Nassau County Civil Service Commission for the leave of absence for a Clerk-Stenographer IV to serve in the non-competitive PHI position of Special Qualifications Coordinator,

RESOLVED, That the Commission finds that pursuant to Rule XXIV, subdivision 4, of this Commission it is in the public interest that the Commission grant said leave of absence for a period not to exceed two years.

e-005A-C/2023-- A motion was made by Commissioner DeLuca, seconded by Commissioner Foskey and unanimously carried adopting the following resolution:

WHEREAS the Commission reviewed four requests for leaves of absences extensions,

RESOLVED, That the Commission, pursuant to Rule XXIV, subdivision 4 of this Commission, approve the below four leaves of absences request:

A. Telecommunication Technician - continue serving in the exempt position of Associate Dean, NCMC - Nassau Health Care Corporation until January 20, 2025
B. Deputy Sheriff - Sergeant - continue serving as the Deputy Undersheriff - Nassau County Department of the Sheriff until December 31, 2024
C. Senior Laborer - continue serving as Superintendent of Public Works until October 29, 2023

e-006/2023-- A motion was made by Commissioner Foskey, seconded by Commissioner Markowitz and unanimously carried adopting the following resolution:

WHEREAS the North Bellmore Public Library in a request has nominated a Librarian I for a non-competitive promotion to the vacant position of Librarian II, and

WHEREAS there are not more than three persons eligible for this promotion,

RESOLVED, That pursuant to the provisions of Section 52(7) of the Civil Service Law the examination for Librarian II be waived by reason of candidate having passed examination No. 7067CR Librarian II, and be it further

RESOLVED, That said candidate have their name placed on a promotion list to be certified to the North Bellmore Public Library.

e-007A-E/2023-- A motion was made by Commissioner Markowitz, seconded by Commissioner DeLuca and unanimously carried adopting the following resolution:

WHEREAS the Commission reviewed five requests from candidates requesting their names be reactivated to their respective lists, and

WHEREAS these five candidates' name were removed from their list as they accumulated more than two "no-responses" to canvass letters sent to them, which is in violation of the Nassau County Civil Service Rules, and

RESOLVED, That the Commission, pursuant to Rule XIX, subdivision 7 of the Rules of this Commission, denies the five candidates request to be reactivated to their following lists:

DENIED

A. List No. 9505D Custodian, List No. 64-745 Senior Library Clerk & List No. 69-440 Administrative Assistant/Administrative Assistant I
B. List No. 9505D Custodian
C. List No. 9505D Custodian
D. List No. 9505D Custodian
E. List No. 9011D Clerk-Typist I/Typist-Clerk & Exam No. 9012D Clerk-Typist I, Bilingual

e-008/2023-- A motion was made by Commissioner DeLuca, seconded by Commissioner Foskey and unanimously carried adopting the following resolution:

WHEREAS the Commission reviewed a request from the Port Washington Union Free School District requesting a voluntary demotion of an employee in the probationary title of Senior Maintainer to be reinstated to their former permanent position of Head Custodian I,

RESOLVED, That the Commission approves the voluntary demotion and reinstatement to the position of Head Custodian I in the Port Washington Union Free School District in accordance with Rule XXIII.I(a) of the Nassau County Civil Service Commission Rules and Regulations.

e-009/2023-- A motion was made by Commissioner Foskey, seconded by Commissioner Markowitz and unanimously carried adopting the following resolution:

WHEREAS the Commission has received three requests for a waiver of residence,

RESOLVED, That in accordance with Rule X, subdivision 1 or 2, where indicated, of the Rules of this Commission, the Commission approves the below requests for a waiver of residence:

A. Special Organized Crime Investigator - Nassau County Office of the District Attorney - open to Suffolk County
B. Superintendent of Water and Sewer Operations - Village of Garden City - open to Counties of New York City
C. Health Services Administrative Assistant - Nassau Health Care Corporation - open to Queens and Suffolk Counties

e-010A-I/2023-- A motion was made by Commissioner Foskey, seconded by Commissioner Markowitz and unanimously carried adopting the following resolution:

RESOLVED, That on Commission vote, the applications for employment for the following nine candidates are as follows:

APPROVED
A. Sewage Plant Attendant - Port Washington Water Pollution Control District
B. Parking Meter Attendant, Part-Time - Village of Farmingdale
C. Maintenance Electrician - Nassau Community College
D. Laborer I/Seasonal - Nassau County Department of Public Works
E. Automotive Mechanic - Jericho Fire District
F. Patient Care Assistant I - Nassau Health Care Corporation
G. Clerk-Typist I, Part-Time, Nassau County Office of the County Clerk
H. Nurses Aide I - A. Holly Patterson
I. Motor Equipment Operator Trainee - Village of Valley Stream

e-011A-B/2023-- A motion was made by Commissioner Markowitz, seconded by Commissioner Foskey and unanimously carried adopting the following resolution:

RESOLVED, That on Commission vote, the applications for examinations for the following two candidates are as follows:

APPROVED
A. Exam No. 60-030 Administrative Assistant/Administrative Assistant I
B. Exam No. 63-874 Discovery Expediter & Exam No. 66-211 Attorney's Assistant I/Attorney's Assistant/Legal Assistant

e-012/2023-- A motion was made by Commissioner DeLuca, seconded by Commissioner Foskey and unanimously carried adopting the following resolution:

WHEREAS per Resolution No. 273/2021, 309/2021, 374/2021, 092/2022 and 093/2022, the Commission shall include in the duties of the Executive Director the review and determination of the matters set forth and prepare a monthly memorandum for the Commission for inclusion on an agenda for ratification of the matters and reflect such actions in the executive session minutes, and

WHEREAS the Executive Director has made the following determinations on December 15, 2022, January 6, 2023 and January 18, 2023,

RESOLVED, That the Commission ratifies the following actions made by the Executive Director's actions:

DECEMBER 15, 2022

Librarian I List No. 6163CR	**Reinstate to List**	**OK to reinstate**
Clerk I, PT_ C - Health	**Reinstatement**	**OK**
Police Service Aide, PT_ C - Police	**Reinstatement**	**OK**
Radiologic Tech, PT_ D - NHCC	**Reinstatement**	**OK**
Info Tech Spec II, PT_ S - Roslyn	**Reinstatement**	**OK**
2018PO	**F/T/Coop Bkgd Invest (Memo)**	**DQ**
CO #62-751	**Withdrawal**	**OK to w/d**
CO #67-751	**(4) Withdrawals**	**OK to w/d**
PSAT #9503D	**Req Add'l Time**	**30 day ext**

JANUARY 6, 2023

CO #67-751	**Reactivation to List**	**Ok to Reactivate to List**
Librarian #61-639	**Reinstate to List - 1st Request**	**OK to Reinstate to List**
NYS Dir of Facilities III #26-536	**Reinstate to List - 1st Request**	**OK to Reinstate**

Accounting Asst I, PT_C - County Clerk	**Reinstatement**	**OK to Reinstate**
Clerk I, PT_C - Consumer Affairs	**Reinstatement**	**OK to Reinstate**
Clerk I, Pt_D - NHCC	**Reinstatement**	**OK to Reinstate**
Account Clerk, PT_S - North Shore	**Reinstatement**	**OK to Reinstate**
Asst Supt of Water Auth or Dist, PT_D - Roslyn Water	**Reinstatement**	**OK to Reinstate**
Typist-Clerk, PT_L - Bethpage	**Reinstatement**	**OK to Reinstate**
Personnel Clerk_S - Floral Pk-Bellerose/S - East	**Transfer**	**OK**
Laborer I, PT_T - NH	**F/T/Comply w/ Invest**	**DQ**
Ambulance Med Tech, PT_D - Massapequa Fire	**F/T/Comply w/ Invest**	**DQ**
Sanitation Wkr, PT_D - Sanitary Dist #2	**F/T/Comply w/ Invest**	**DQ**
Laborer, PT_V - Hempstead	**F/T/Comply w/ Invest**	**DQ**
Auto Mech Aide_V - Westbury	**F/T/Comply w/ Invest**	**DQ**
Laborer_V - East Williston	**F/T/Comply w/ Invest**	**DQ**
2018PO	**(4) F/T/Appear Phys Fitness Scr Test**	**DQ**
2018PO	**Req Military Make-up**	**OK Military Make-Up**
2018PO	**(2) F/T/Coop Bkgd Invest (Memo)**	**DQ**
2018PO	**Withdrawal**	**OK to W/D**
CO #62-751	**(47) F/T/Appear Bkgd Invest**	**DQ**

CO #62-751	(180) F/T/Comply Bkgd Invest	DQ
CO #62-751	F/T/Coop Bkgd Invest (Memo)	DQ
CO #62-751	Withdrawal	OK to W/D
CO #67-751	(5) Failed Phys Fitness Scr Test	DQ
DS #69-681	Withdrawal	OK to W/D

JANUARY 18, 2023

Sr. Typist-Clk #1011DP	Reinstate to List - 1st Request	OK to Reinstate
Child Support Invest I, Bil, Part-Time_C - Soc Svcs	Reinstatement	OK
Dir of Laboratory Svcs_D - NHCC	Reinstatement	OK
Research Analyst I, PT_ C - Social Svcs	Reinstatement	OK
Correction Officer_ C - Sheriff	Reinstatement	OK
Attny Asst II_C - County Clerk/C - District Attny	Transfer	OK
Clerk I, PT_C - Consumer Affairs	DCJS Fingerprint Retention	Notify Agency & County Attny
2018PO	(4) F/T/Coop Bkgd (Memo)	DQ
2018PO	(2) Withdrawals	OK to W/D
CO #62-751	F/T/Appear Bkgd Invest	DQ
CO #62-751	(2) F/T/Coop Bkgd (Memo)	DQ

CO #67-751	**F/T/Appear Phys Fitness Scr Test**	**DQ**
FMT #62-488	**F/T/Coop Bkgd (Memo)**	**DQ**

e-013A-B/2023-- A motion was made by Commissioner Foskey, seconded by Commissioner Markowitz and unanimously carried adopting the following resolution:

WHEREAS the Commission reviewed appeals from two disqualified candidates for Police Communications Operator examination No. 62-264,

RESOLVED, That the two candidates for Police Communications Operator examination No. 62-264, remains disqualified.

e-014A-B/2023-- A motion was made by Commissioner Markowitz, seconded by Commissioner DeLuca and unanimously carried adopting the following resolution:

WHEREAS the Commission reviewed appeals from two disqualified candidates for Probation Officer Trainee examination No. 60-332,

RESOLVED, That the two candidates for Probation Officer Trainee examination No. 60-332, remains disqualified.

e-015A-S/2023-- A motion was made by Commissioner Foskey, seconded by Commissioner DeLuca and unanimously carried adopting the following resolution:

WHEREAS the Commission reviewed the applications of nineteen candidates for Police Officer examination No. 2018PO,

RESOLVED, That on Commission vote:

- **e-015A-E, G-O & Q-S** - are permitted to continue processing
- **e-015F** - Hold for additional information
- **e-015P** - is disqualified and notified in accordance with Section 50 of the New York State Civil Service Law

e-016A-AN/2023-- A motion was made by Commissioner Markowitz, seconded by Commissioner Foskey and unanimously carried adopting the following resolution:

WHEREAS the Commission reviewed the applications of forty candidates for Correction Officer examination No. 62-751,

RESOLVED, That on Commission vote:

- **e-016A-B, D-H, K-L, N-O, R, U, W-X, Z-AE, AG-AK & AM-AN** - are permitted to continue processing
- **e-016 I**, **M**, **P-Q, V & AL** - are held for additional information
- **e-016C, J, S-T, Y, AF,** - are disqualified and notified in accordance with Section 50 of the New York State Civil Service Law

e-017/2023-- A motion was made by Commissioner Markowitz, seconded by Commissioner Foskey and unanimously carried adopting the following resolution:

RESOLVED, That the application of a candidate for Deputy Sheriff examination No. 69-681, be approved.

e-018A-D/2023-- A motion was made by Commissioner Foskey, seconded by Commissioner Markowitz and unanimously carried adopting the following resolution:

WHEREAS the Commission reviewed the applications of four candidates for Police Communications Operator examination No. 62-264:

RESOLVED, That on Commission vote:

- **e-018A & C-D** - are permitted to continue processing
- **e-018B** - is disqualified and notified in accordance with Section 50 of the New York State Civil Service Law

e-019A-B/2023--A motion was made by Commissioner DeLuca, seconded by Commissioner Markowitz and unanimously carried adopting the following resolution:

WHEREAS the Commission reviewed the applications of two candidates for Police Service Aide Trainee examination No. 9503D:

RESOLVED, That on Commission vote:

- **e-019A** - is permitted to continue processing
- **e-019B** - is disqualified and notified in accordance with Section 50 of the New York State Civil Service Law

e-020/2023-- A motion was made by Commissioner DeLuca, seconded by Commissioner Markowitz and unanimously carried adopting the following resolution:

WHEREAS the Commission reviewed General Review Supplement report dated December 6, 2022 from the Applicant Investigation Unit on a candidate for Police Officer examination No. 2018PO,

RESOLVED, That the application of one candidate for Police Officer examination No. 2018PO, be approved.

e-021A-B/2023-- A motion was made by Commissioner Foskey, seconded by Commissioner DeLuca and unanimously carried adopting the following resolution:

WHEREAS the Commission reviewed two requests from Police Officer examination No. 2018PO candidates requesting to have their processing continued,

RESOLVED, That the processing of two candidates for Police Officer examination No. 2018PO, be continued.

e-022/2023-- A motion was made by Commissioner Markowitz, seconded by Commissioner DeLuca and unanimously carried adopting the following resolution:

WHEREAS the Commission reviewed an e-mail dated January 3, 2023 from a Police Officer candidate for examination No. 2018PO, appealing the disqualification for failure to attain a passing grade on their physical fitness screening test,

RESOLVED, That the Police Officer candidate for examination No. 2018PO, remains disqualified.

e-023/2023-- A motion was made by Commissioner DeLuca, seconded by Commissioner Markowitz and unanimously carried adopting the following resolution:

WHEREAS the Commission reviewed a Inter-Departmental Memorandum dated January 6, 2023 from the Applicant Investigation Unit regarding a Correction Officer candidate for examination No. 62-751,

RESOLVED, That the Commission disqualifies the Correction Officer candidate for examination No. 62-751 subject to the provisions of the Civil Service Law and Rules of this Commission.

e-024A-C/2023-- A motion was made by Commissioner Markowitz, seconded by Commissioner DeLuca and unanimously carried adopting the following resolution:

WHEREAS the Commission reviewed appeals from three disqualified candidates for Correction Officer examination No. 62-751, appealing their disqualification for failure to comply with their background investigation,

RESOLVED, That on Commission vote:

- **e-024A&B** - remains disqualified
- **e-024C** - the disqualification be rescinded and that their withdrawal accepted

e-025/2023-- A motion was made by Commissioner Foskey, seconded by Commissioner Markowitz and unanimously carried adopting the following resolution:

WHEREAS at its meeting of September 29, 2022, the Commission disqualified a candidate for Correction Officer examination No. 67-751, on the basis of the Civil Service psychological evaluation, and

WHEREAS the Commission reviewed a report from the staff psychiatrist (Dr. David Salvage),

RESOLVED, That the candidate for Correction Officer examination No. 67-751, remains disqualified.

e-026/2023-- A motion was made by Commissioner DeLuca, seconded by Commissioner Foskey and unanimously carried adopting the following resolution:

WHEREAS the Commission reviewed an Inter-Departmental Memorandum dated December 14, 2022 from the Applicant Investigation Unit regarding a Correction Officer candidate for examination No. 67-751,

RESOLVED, That the application for a Correction Officer candidate for examination No. 67-751, be approved.

e-027/2023-- A motion was made by Commissioner DeLuca, seconded by Commissioner Markowitz and unanimously carried adopting the following resolution:

WHEREAS the Commission reviewed an appeal received January 6, 2023 from a candidate for Correction Officer examination No. 67-751, appealing their disqualification for failure to attain a passing score on the physical fitness screening test,

RESOLVED, That the Correction Officer candidate for examination No. 67-751, remains disqualified.

e-028/2023-- A motion was made by Commissioner Foskey, seconded by Commissioner Markowitz and unanimously carried adopting the following resolution:

WHEREAS the Commission reviewed a report dated November 29, 2022 from the Commission's Investigator regarding a candidate for Deputy Sheriff examination No. 69-681,

RESOLVED, That the Deputy Sheriff candidate for examination No. 69-681, remains disqualified.

e-029/2023-- A motion was made by Commissioner DeLuca, seconded by Commissioner Markowitz and unanimously carried adopting the following resolution:

WHEREAS the Commission reviewed a General Review Supplement dated December 6, 2022 from the Applicant Investigation Unit regarding a Fire Marshal Trainee candidate for examination No. 62-488,

RESOLVED, That the application for a Fire Marshal Trainee candidate for examination No. 62-488, remains approved.

e-030A-C/2023-- A motion was made by Commissioner Foskey, seconded by Commissioner Markowitz and unanimously carried adopting the following resolution:

RESOLVED, That the Commission disqualifies three candidates for Village preference on Police Communications Operator examination No. 62-264 on the basis of failure to meet the residency requirement for the below Village preference, subject to the provisions of the Civil Service Law and Rules of this Commission, and be it further

RESOLVED, That the processing of the three candidates will continue when their score is within reach for County or general village processing.

- **e-030A -** Village of Floral Park
- **e-030B -** Village of Hempstead
- **e-030C -** Village of Lynbrook

e-031/2023-- A motion was made by Commissioner DeLuca, seconded by Commissioner Foskey and unanimously carried adopting the following resolution:

WHEREAS the Commission reviewed an appeal received on December 20, 2022 from a disqualified candidate for Probation Officer Trainee examination No. 60-332, appealing their disqualification for failure to appear as scheduled for their background investigation,

RESOLVED, That the Probation Officer Trainee candidate for examination No. 60-332, remains disqualified.

e-032/2023-- A motion was made by Commissioner DeLuca, seconded by Commissioner Markowitz and unanimously carried adopting the following resolution:

WHEREAS the Commission reviewed an appeal dated November 14, 2022 from a disqualified candidate for Probation Officer Trainee examination No. 60-332, appealing their disqualification for failure to comply with their background investigation,

RESOLVED, That the Probation Officer Trainee candidate for examination No. 60-332, remains disqualified.

There being no further business, the Commission adjourned.

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CHAIRMAN