

# **BenchNOTES Newsletter**

**July 2019**

The documents below are in PDF format. [Download the Adobe Reader.](#)

## **Personnel**

### **Deputy improperly designated employees.**

A former Deputy Commissioner and staff analyst was charged with inaccurately designating 30 agency employees as performing exclusively Medicaid work.

[\*Dep't of Social Services \(Human Resources Admin.\) v. Colon\*](#), OATH Index No. 1236/19 (June 13, 2019).

[Read more about \*Dep't of Social Services \(Human Resources Admin.\) v. Colon\*](#)

## **Vehicle Retention**

### **ALJ orders return of seized car.**

The Police Department sought to retain a car seized in connection with the owner's arrest.

[\*Police Dep't v. Coulanges\*](#), OATH Index No. 2494/19, mem. dec. (June 14, 2019).

[Read more about \*Police Dep't v. Coulanges\*](#)

## **Human Rights**

### **Pre-trial motion to dismiss denied.**

The management agent of a housing development moved pre-trial to dismiss a discrimination claim on the ground that it was not a proper party.

[\*Comm'n on Human Rights ex rel. Bryant v. Shinda Management Corp.\*](#), OATH Index No. 1400/19, mem. dec. (June 13, 2019).

[Read more about \*Comm'n on Human Rights ex rel. Bryant v. Shinda Management Corp.\*](#)

## **Licensing**

### **Grant of marriage license recommended.**

The City Clerk denied a marriage license application after discovering a license had been issued in 1996 to an individual using the same name and birth date as the applicant.

[Office of the City Clerk v. Orona](#), OATH Index No. 1401/19 (June 6, 2019).

[Read more about Office of the City Clerk v. Orona](#)

## **Contracts**

### **CDRB denies claim as time-barred and waived.**

A contractor who was engaged to install main sewer pump upgrades and controls and piping replacements at a wastewater treatment plant, sought an additional \$198,048 in compensation after respondent insisted that oil-lubricated motors be used instead of grease-lubricated motors.

[Picone-Schiavone Bowery Bay v. Dep't of Environmental Protection](#), OATH Index No. 140/19, mem. dec. (June 3, 2019).

[Read more about Picone-Schiavone Bowery Bay v. Dep't of Environmental Protection](#)

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