



STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION

Chris Christie
Governor
Kim Guadagno
Lt. Governor

Robert M. Czech
Chair/Chief Executive Officer

**AGENDA OF REGULAR MEETING OF
THE CIVIL SERVICE COMMISSION
APRIL 15, 2015**

Robert M. Czech, Chairperson
Thomas J. Perna
Richard E. Williams

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

Bruce Kentos, Sherriff's Officer, Middlesex County, Sheriff's Office, removal.

Merilyn Acosta Majewski, Senior Laundry Worker, Hunterdon Developmental Center, Department of Human Services, layoff.

ACTION:

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

Melanie Antkiewicz
Union County
Department of Human Services
Release at end of working test period

Julie Domboski
The College of New Jersey
Release at the end of working test period

Lee Frazzano
Palisades Interstate Parkway Commission
Police Department
General resignation

Olga Gonzalez
Vineland Developmental Center
Department of Human Services
Removal

Louis Migliorino
Hudson County
Department of Corrections
Removal

Randolph Pugh
Moorestown Township
Police Department
Removal

**RECOMMENDATION OF THE ADMINISTRATIVE LAW JUDGE IN
THE ABOVE CASES – SETTLEMENTS**

ACTION:

A-2 DRAKE BARANYI

Drake Baranyi, Senior Repairer, Central Office, Department of Corrections, 15-day suspension, on charges of conduct unbecoming a public employee, insubordination, and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the suspension.

ACTION:

A-3 TERRY BEASLEY

Terry Beasley, Senior Correction Officer, Edna Mahan Correctional Facility for Women, Department of Corrections, removal effective October 22, 2014, on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

A-4 DURAND GILYARD

Durand Gilyard, Senior Correction Officer, Garden State Youth Correctional Facility, Department of Corrections, removal effective March 25, 2014, on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

A-5 WANDA HUNT (CONSOLIDATED)

Wanda Hunt, Senior Therapy Program Assistant, Trenton Psychiatric Hospital, Department of Human Services, removal effective September 20, 2014, on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the removal.

ACTION:

A-6 KIMBERLE MALTA-ROMAN

Kimberle Malta-Roman, Human Services Specialist 1, Hudson County, Department of Family Services, removal effective June 12, 2013, on charges of conduct unbecoming a public employee and inability to perform duties.

Recommendation of the Administrative Law Judge – Reverse the removal.

ACTION:

A-7 MIOSHA SOREY

Miosha Sorey, Security Guard, Newark Public School District, 30 working day suspension, on charges of conduct unbecoming a public employee, chronic or excessive absenteeism or lateness, neglect of duty, inability to perform duties, and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the suspension.

ACTION:

A-8 DENNIE YOUNG

Dennie Young, Police Sergeant, Township of Irvington, Police Department, removal effective June 25, 2014, on charges of inability to perform duties.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

SECTION B – MISCELLANEOUS MATTERS

B-1 S. F. – CSC DOCKET NO. 2014-383

S. F., represented by Jacqueline M. Vigilante, Esq., appeals the request by Gloucester Township to remove his name from the Police Officer (S9999M) eligible list for medical unfitness to perform effectively the duties of the position.

ACTION:

B-2 MICHAEL DENHAM – CSC DOCKET NO. 2015-293

Michael Denham, a Police Officer with Freehold Township, represented by John Anello, Esq., petitions the Civil Service Commission for interim relief of his termination.

ACTION:

B-3 SEAN DEHAIS – CSC DOCKET NO. 2014-1454

Sean Dehais, represented by Stuart Alterman, Esq., appeals the decision of the Division of Classification and Personnel Management, which found that the appointing authority had presented a sufficient basis to remove his name from the eligible list for Police Officer (S9999M), City of Clinton, due to an unsatisfactory driving record.

ACTION:

B-4 MYLON KELSEY – CSC DOCKET NO. 2015-1021

Mylon Kelsey appeals the decision of the Division of Classification and Personnel Management to uphold the removal of his name from the Police Officer, City of Trenton special reemployment list due to an unsatisfactory background report.

ACTION:

B-5 STEVEN RUZEK – CSC DOCKET NO. 2015-1045

Steven Ruzek, represented by Harvey Fruchter, Esq., appeals his rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove his name from the eligible list for Correction Officer Recruit (S9988R) on the basis of a positive drug test.

ACTION:

B-6 MARIA YAP-ATTIA – CSC DOCKET NO. 2014-2722

Maria Yap-Attia appeals the decision of the Division of Classification and Personnel Management, which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the Police Officer (S9999M), Union Beach eligible list on the basis of an unsatisfactory driving record.

ACTION:

B-7 NANCY FINSTERBUSCH – CSC DOCKET NO. 2015-529

Nancy Finsterbusch appeals the decision of the Division of State and Local Operations which found that her position with the Department of Military and Veterans Affairs is properly classified as Buyer. The appellant seeks a Senior Buyer job classification.

ACTION:

B-8 THERESA MILLER – CSC DOCKET NO. 2015-752

Theresa Miller, represented by Brett Richter, CWA Local 1039, appeals the decision of the Division of Classification and Personnel Management which found that her position with the Department of Community Affairs is properly classified as Senior Clerk Typist. The appellant seeks a Principal Clerk Typist job classification.

ACTION:

B-9 ANNETTA YOUNG – CSC DOCKET NO. 2015-2302

Annetta Young appeals the decision of the Division of Classification and Personnel Management that the proper classification of her position with Gloucester County is Clerk 2. The appellant seeks a Keyboarding Clerk 3 job classification.

ACTION:

B-10 W. C. AND L. L. – CSC DOCKET NOS. 2015-966 AND 2015-1089

W. C., an Assistant Division Director with the Department of Human Services, appeals the decision of the Equal Employment Opportunity Director of the DHS which substantiated that he violated the New Jersey State Policy Prohibiting Discrimination in the Workplace. L. L., a Technical Assistant 3 with the DHS, appeals the decision of the EEO Director which substantiated one allegation that she had been subjected to a violation of the State Policy but found that she did not present sufficient evidence for other allegations to support a finding that she had been subjected to a violation of the State Policy.

ACTION:**B-11 C. M. – CSC DOCKET NO. 2015-455**

C. M., an Associate Professor of Sociology with the Department of Sociology, William Paterson University, appeals the determination of the Associate Vice President-Human Resources and Presidential Designee, which found that the appellant failed to support a finding that he had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

ACTION:**B-12 R. M. – CSC DOCKET NO. 2014-1797**

R. M., an Education Program Assistant 1 at the Department of Education, appeals the decision of the Chief of Staff, DOE, which found no violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

ACTION:**B-13 M. S. – CSC DOCKET NO. 2015-137**

M. S., a Storekeeper 2 with the Department of Corrections, appeals the decision of the Equal Employment Division for DOC, which found that the appellant did not present sufficient evidence to support a finding that she had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

ACTION:

B-14 KEYBOARDING CLERK 2 (SPECIAL), BOROUGH OF NORTH ARLINGTON – CSC DOCKET NO. 2015-936

The appointing authority's failure to dispose of the certification for Keyboarding Clerk 2 (Special), Borough of North Arlington, while a provisional employee is serving in the title, has been referred to the Civil Service Commission for enforcement.

ACTION:**B-15 KEYBOARDING CLERK 2 (M0248S), MAURICE RIVER TOWNSHIP SCHOOL DISTRICT – CSC DOCKET NO. 2015-2455**

Maurice River Township School District requests permission not to make an appointment from the September 22, 2014 certification for Keyboarding Clerk 2 (M0248S).

ACTION:**B-16 PROGRAM SUPPORT SPECIALIST 1, ASSISTANCE PROGRAMS (S2408N), STATEWIDE – CSC DOCKET NO. 2015-1917**

In In the Matter of Harry Tisch, Program Support Specialist 1, Assistance Programs (S2408N), Statewide (CSC, decided October 16, 2013), the Civil Service Commission granted the request of the Department of Human Services for an appointment waiver for the January 4, 2013 certification and ordered that no selection costs would be assessed at that time since there was a possibility that the list could be utilized prior to its expiration. However, the appointing authority did not utilize the subject eligible list and the matter of the assessment of costs is now before the Commission.

ACTION:**B-17 NANCY STEIN – CSC DOCKET NO. 2015-1638**

Nancy Stein requests reconsideration of the decision rendered on November 6, 2014, which found that she was not eligible for the promotional examination for Senior Clerk Typist (PS8590J), Rowan University.

ACTION:

B-18 PAULA (KNIGHT) BETHEA – CSC DOCKET NO. 2015-1405

Paula (Knight) Bethea appeals the determination of the Division of Selection Services, which found that she did not meet the experience requirement for the promotional examination for Secretarial Assistant 1 Non-Stenographic (PS7153J), Rowan University.

ACTION:

B-19 MAUREEN FARRINGTON, ET. AL. – CSC DOCKET NOS. 2015-1247, 2015-1234, 2015-1200, 2015-1239 AND 2015-129

Maureen Farrington, Shona Fatta, Margot Neumeier, Pamela Orpel, and Daniel Powlesland appeal the determinations of the Division of Agency Services which found that they were below the minimum requirements in experience for the promotional examination for Assistant Training Supervisor County Welfare Agency (PC0646S), Monmouth County.

ACTION:

B-20 MURIEL GODOWN – CSC DOCKET NO. 2015-1057

Muriel Godown appeals the determination of the Division of Agency Services which found that, per the substitution clause for education, she was below the minimum requirements in experience for the promotional examination for Personnel Assistant 2 (PS8666I), Department of Corrections.

ACTION:

B-21 DEREK ODEN – CSC DOCKET NO. 2015-2631

Derek Oden, represented by Robert O. Yaeger, Staff Representative, Communications Workers of America, Local 1040, appeals the determination of the Division of Agency Services that he was below the minimum requirements in experience for the promotional examination for Contract Administrator 1, Corrections (PS9428I), Department of Corrections.

ACTION:

B-22 SCOTT PERELLI AND DWIGHT ROSS – CSC DOCKET NOS. 2015-1154 AND 2015-1166

Scott Perelli and Dwight Ross appeal the determinations of the Division of Agency Services which found that they were below the minimum requirements in experience for the promotional examination for Contract Administrator 2 (PS8625G), Department of Environmental Protection.

ACTION:

B-23 PETER RENDINE – CSC DOCKET NO. 2015-1438

Peter Rendine appeals the determination of the Division of Selection Services that he did not meet the education requirement for the promotional examination for Superintendent Mosquito Extermination (PC0820S), Bergen County.

ACTION:

B-24 MARICELA RIVERA – CSC DOCKET NO. 2014-1065

Maricela Rivera appeals the determination of the Division of Selection Services which found that she did not meet the requirements for the promotional examination for Assistant Supervisor of Motor Pool (PM0565S), Hoboken.

ACTION:

B-25 SIDNEY TERRELL – CSC DOCKET NOS. 2015-2621 AND 2015-2584

Sidney Terrell appeals the determinations of the Division of Agency Services which found that, per the substitution clause for education, he was below the minimum requirements in experience for the promotional examinations for Director Police School (PC0660S) and (PC1609S), Atlantic County.

ACTION:

B-26 KATHLEEN VITALE – CSC DOCKET NO. 2015-1221

Kathleen Vitale appeals the determination of the Division of Agency Services which found that, per the substitution clause for education, she was below the minimum requirements in experience for the promotional examination for Assistant Training Supervisor County Welfare Agency (PC0646S), Monmouth County.

ACTION:

B-27 CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of April 1, 2015.

ACTION:

B-28 JOHN SEITH – CSC DOCKET NO. 2015-1229

John Seith appeals the determination of the Division of Classification and Personnel Management that his position with the Office of Information Technology is properly classified as a Network Administrator 1. The appellant seeks a Data Processing Systems Programmer 1 job classification.

ACTION:

B-29 WENDY SWAYSLAND – CSC DOCKET NO. 2015-179

Wendy Swaysland appeals the determination of the Division of Classification and Personnel Management that her position is properly classified as Agency Services Representative 4, with the Department of Environmental Protection. The appellant seeks a Senior Management Assistant job classification.

ACTION:

B-30 S. L. – CSC DOCKET NO. 2014-2379

S. L., a Supervising Medical Security Officer with Ann Klein Forensic Center, Department of Human Services, appeals the determination of the Chief of Staff, which found sufficient evidence that the appellant had violated the New Jersey State Policy Prohibiting Discrimination in the Workplace.

ACTION:

B-31 C. R. – CSC DOCKET NO. 2015-1690

C. R., a former Senior Claims Reviewer, Health Services with the Department of the Treasury, appeals the determination of the Office of Equal Employment Opportunity/Affirmative Action and Diversity Programs, stating that the appellant failed to present sufficient evidence to support a finding that she had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

ACTION:

B-32 JESSICA FACKLER – CSC DOCKET NO. 2014-1440

The appeal of Jessica Fackler, a Public Safety Telecommunicator with Salem County, of her removal effective November 6, 2013, on charges, was heard by Administrative Law Judge Bruce M. Gorman (ALJ), who rendered his initial decision on March 4, 2015. At its meeting on April 1, 2015, the Civil Service Commission did not adopt the ALJ's recommendation to reverse the removal. Rather, the Commission modified the removal to a 10 working day suspension. The proposed decision is now submitted for the Commission's review.

ACTION:**B-33 THOMAS MASSIMINO – CSC DOCKET NO. 2015-747**

Thomas Massimino, represented by David A. Krenkel, Esq., requests reconsideration of the decision rendered on July 30, 2014, which found that he was ineligible for the promotional examination for Police Captain (PM 1544R), Irvington Township on the basis that he did not have one year of continuous permanent service in a title to which the examination was open.

ACTION:**B-34 JANICE CLARK AND WILLIAM RUSSO – CSC DOCKET NOS. 2015-2436 AND 2015-1568**

Janice Clark and William Russo appeal the determinations of the Division of Selection Services that they did not meet the experience requirements for the open competitive examination for Secretarial Assistant 1 Non-Stenographic (S0363S), Statewide.

ACTION:**B-35 MARK DEBRECKI AND JUAN HUERTAS – CSC DOCKET NOS. 2015-2669 AND 2015-2678**

Mark Debrecki and Juan Huertas appeal the determinations of the Division of Agency Services which found that they were below the minimum requirements in education for the promotional examination for Senior Counselor Adolescent Unit (PC1490S), Morris County.

ACTION:

B-36 RYAN KIMBLE – CSC DOCKET NO. 2015-1224

Ryan Kimble appeals the determination of the Division of Agency Services which found that he was below the minimum requirements in experience for the promotional examination for Assistant Recreation Supervisor (PC0643S), Monmouth County.

ACTION:**B-37 ROCHELLE KLINK AND VICTORIA LIZAIRE – CSC DOCKET NOS. 2015-1632 AND 2015-2365**

Rochelle Klink and Victoria Lizaire appeal the determinations of the Division of Selection Services that they did not meet the experience requirements for the open competitive examination for Secretarial Assistant 1 Non-Stenographic (S0363S), Statewide.

ACTION:**B-38 MICHAEL ROSS – CSC DOCKET NO. 2015-2616**

Michael Ross, represented by Charly Gayden, Esq., appeals the test administration of the examination for Fire Lieutenant (PM1176S), New Brunswick.

ACTION:**B-39 NICOLA KNOX – CSC DOCKET NO. 2015-787**

The appeal of Nicola Knox, a Fire Fighter with the City of Atlantic City, of her removal effective September 18, 2014, on charges, was heard by Administrative Law Judge Bruce M. Gorman (ALJ), who rendered his initial decision on February 25, 2015. At its meeting on April 1, 2015, the Civil Service Commission did not adopt the ALJ's recommendation to reverse the removal. Rather, the Commission imposed a six-month suspension and ordered that the appellant undergo a fitness-for-duty examination. The proposed decision is now submitted for the Commission's review.

ACTION:

B-40 CHRISTOPHER WHITE – CSC DOCKET NO. 2015-2599

The Superior Court of New Jersey, Appellate Division has remanded the matter of Christopher White's appeal of the Civil Service Commission's decision denying his appeal of his reassignment, to allow the parties to submit additional information for the Commission to consider.

ACTION: