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Deirdré L. Webster Cobb, Chairperson

Dolores Gorczyca

Daniel W. O’Mullan

DECEMBER 18, 2019

\*\*\*\*\*

A regular meeting of the Civil Service Commission was held on Wednesday, December 18, 2019, at 10:00 a.m., in Trenton, New Jersey.

PRESENT: Deirdré L. Webster Cobb, Chairperson, Members Dolores Gorczyca and Daniel W. O’Mullan; Pamula Ullman, Deputy Attorney General; Christopher Myers, Director, Division of Appeals and Regulatory Affairs.

In accordance with L.1975, c.231, the Secretary to the Civil Service Commission opened the meeting with the following statement:

Notice of this meeting was filed with the Secretary of State and sent to the Trentonian, Trenton Times, Courier-Post and Star Ledger on December 20, 2018, and posted at the Civil Service Commission, 3 Station Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of December 4, 2019.

ACTION: The Civil Service Commission adopted the minutes of its meeting on December 4, 2019.

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

Danielle Bryant  
Juvenile Justice Commission  
Release at the end of the working test period

Lenae Hairston  
Ancora Psychiatric Hospital  
Department of Health  
Removal

Anne Kenyon  
Department of Labor and Workforce Development  
Return to permanent title at the end of the working test period

Jakeya Kirkland  
Woodbine Developmental Center  
Department of Human Services  
Resignation not in good standing

Nathan Leary  
City of Newark  
Department of Public Works  
Suspension

Yobani Marti  
Cumberland County  
Department of Corrections  
Suspension

Frank Tidwell  
City of Plainfield  
Fire Department  
Suspension and Demotion

Vanessa Vergara  
Passaic County

Board of Social Services

Return to permanent title at the end of the working test period

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

**ACTION:** The Civil Service Commission acknowledged the settlements.

**A-2 [DYSHEEKA ATKINS](#) (consolidated)**

Dysheeka Atkins, Parking Enforcement Officer, Irvington Township, Police Department, four removals effective September 6, 2018, on charges including making false statements and examination and selection disqualification.

Recommendation of the Administrative Law Judge – Uphold the removals.

**ACTION:** The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

**A-3 [DOUGLAS ELDER](#)**

Douglas Elder, Assistant Public Works Superintendent, Borough of Ringwood, Department of Public Works, good faith layoff effective May 1, 2019.

Recommendation of the Administrative Law Judge – Dismiss the appeal for failure to appear with prejudice.

**ACTION:** The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

**A-4 [MAURICE JACKSON](#)**

Maurice Jackson, County Correction Officer, Essex County, Department of Public Safety and Corrections, 10 working day suspension, on charges of incompetency, inefficiency or failure to perform duties, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the 10 working day suspension to a two working day suspension.

**ACTION:** The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

**A-5 [ERNEST MANNING](#)**

Ernest Manning, Laborer 1, City of Newark, Department of Public Works, removal and resignation not in good standing effective April 3, 2018, on charges of chronic absenteeism, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal and resignation not in good standing.

**ACTION:** The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

**A-6** [LISA SCHWEIZER](#)

Lisa Schweizer, Keyboarding Clerk 1, Middle Township School District, removal effective November 19, 2015, on charges of other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the removal.

**ACTION:** The Civil Service Commission rejected the Administrative Law Judge’s recommendation to reverse the removal. Rather, the Commission imposed a 20 working day suspension.

**A-7** [TAMARA SMITH-BROWN](#)

Tamara Smith-Brown, Code Enforcement Officer, Township of Irvington, Department of Public Works, removal effective November 7, 2017, on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

**ACTION:** The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

**A-8** [WILLIAM WILSON](#)

William Wilson, Employment Specialist, Atlantic County, Department of Administrator, 10 working day suspension on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the 10 working day suspension.

**ACTION:** The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

**SECTION B – MISCELLANEOUS MATTERS**

**B-1** [A.B.](#) – CSC DOCKET NO. 2019-982

A.B., represented by Peter B. Paris, Esq., appeals his rejection as a Police Officer candidate by the Plainfield Police Department and its request to remove his name from the eligible list for Police Officer (S9999U) on the basis of psychological unfitness to perform effectively the duties of the position.

**ACTION:** The Civil Service Commission directed that this appeal be denied.

**B-2   [M.R.](#) – CSC DOCKET NO. 2018-2851**

M.R., represented by Donald A. DiGioia, Esq., appeals his rejection as a Correctional Police Officer candidate by the Department of Corrections and its request to remove his name from the eligible list for Correctional Police Officer (S9988V) on the basis of psychological unfitness to perform effectively the duties of the position.

**ACTION:**    The Civil Service Commission directed that this appeal be denied.

**B-3   [D.M.D.](#) – CSC DOCKET NO. 2019-1135**

D.M.D. appeals his rejection as a County Police Officer candidate by Camden County and its request to remove his name from the eligible list for County Police Officer (S9999U) on the basis of psychological unfitness to perform effectively the duties of the position.

**ACTION:**    The Civil Service Commission directed that this appeal be denied.

**B-4   [M.N.](#) – CSC DOCKET NO. 2019-2062**

M.N. appeals the removal of his name from the Sheriff's Officer (S9999U), Hudson County eligible list on the basis of an unsatisfactory background report.

**ACTION:**    The Civil Service Commission directed that this appeal be denied.

**B-5   [BYRON ROBINSON](#) – CSC DOCKET NO. 2020-828**

Byron Robinson appeals his removal from the eligible list for Motor Vehicle Operator 1 (S0574W), New Lisbon Developmental Center, on the basis of an unsatisfactory criminal background.

**ACTION:**    The Civil Service Commission directed that this appeal be granted.

**B-6   [G.S.](#) – CSC DOCKET NO. 2020-52**

G.S. appeals the removal of his name from the eligible list for Correctional Police Officer (S9999U), Department of Corrections on the basis of an unsatisfactory criminal record.

**ACTION:**    The Civil Service Commission directed that this appeal be granted.

**B-7   [T.T.](#) – CSC DOCKET NO. 2020-118**

T.T. appeals the removal of his name from the eligible list for Correctional Police Officer (S9999U), Department of Corrections on the basis of an unsatisfactory criminal record.

**ACTION:** The Civil Service Commission directed that this appeal be granted.

**B-8 [ADMINISTRATIVE CLERK \(M0802S\), CLARK](#) – CSC DOCKET NO. 2019-146**

In *In the Matter of Administrative Clerk (M0802S), Clark* (CSC, decided November 10, 2016), the Civil Service Commission (Commission) granted the request of the Clark Public Library for an appointment waiver for the July 13, 2015 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:** The Civil Service Commission ordered the appointing authority to pay selection costs in the amount of \$2,048.

**B-9 [WILLIAM APSLEY](#) – CSC DOCKET NO. 2020-790**

William Apsley appeals the determination of the Division of Agency Services which found that he did not meet the experience requirements for the open-competitive examination for Fire Instructor (C0205A), Hunterdon County.

**ACTION:** The Civil Service Commission directed that this appeal be denied.

**B-10 [MICHELE BUCKLEY](#) – CSC DOCKET NO. 2020-1068**

Michele Buckley appeals the determination of the Division of Agency Services that she does not meet the experience requirements, per the substitution clause for education, for the promotional examination for Administrative Analyst 4 (PS9468G), Department of Environmental Protection.

**ACTION:** The Civil Service Commission directed that this appeal be denied and the matter of the appellant's position classification be referred to Agency Service for review.

**B-11 [MADELINE GUZMAN AND DULCELINA PENA](#) – CSC DOCKET NOS. 2020-303 AND 2020-493**

The Department of Law and Public Safety, on behalf of Madeline Guzman and Dulcelina Pena, appeals the determination of the Division of Agency Services which found that they did not meet the experience requirements for the promotional examination for Public Information Assistant (PS8948P), Department of Law and Public Safety.

**ACTION:** The Civil Service Commission directed that these appeals be granted.

**B-12 [MARY HAGGAR](#) – CSC DOCKET NO. 2020-1127**

Mary Haggar appeals the determination of the Division of Agency Services that she did not meet the experience requirement for the promotional examination for Classification Officer 1 (PS9516I), Department of Corrections.

**ACTION:** The Civil Service Commission directed that this appeal be granted.

**B-13 DIANA LOGAN – CSC DOCKET NO. 2020-799**

Diana Logan appeals the decision of the Division of Agency Services which found that she lacked the required amount of permanent status in the competitive division for the promotional examination for Principal Clerk Typist (PS5264K), Department of Children and Families.

**ACTION:** The Civil Service Commission directed that this matter be held over.

**B-14 [PAUL MAYERNICK](#) – CSC DOCKET NO. 2020-404**

Paul Mayernick appeals the determination of the Division of Agency Services which found that he was below the minimum requirements in experience for a qualifying demotional examination for Project Coordinator, Construction.

**ACTION:** The Civil Service Commission directed that this appeal be denied.

**B-15 [MICHELLE SMITH](#) – CSC DOCKET NO. 2020-1071**

Michelle Smith appeals the determination of the Division of Agency Services which found that she did not meet the experience requirements for the promotional examination for Secretarial Assistant 2 Non-Stenographic (PS9503H), Department of Health.

**ACTION:** The Civil Service Commission directed that this appeal be granted.

**B-16 [DERRICK TURNER](#) – CSC DOCKET NO. 2020-1487**

Derrick Turner appeals the determination of the Division of Agency Services, which found that he did not meet the experience requirements for the promotional examination for General Supervisor, Public Works (PM0833A), Long Branch.

**ACTION:** The Civil Service Commission directed that this appeal be granted.

**B-17 [EMILENA VELTRI](#) – CSC DOCKET NO. 2019-3581**

Emilena Veltri, represented by Jef Henninger, Esq., appeals her score on the promotional examination for Child Support Specialist 3 (PS4620K), Department of Human Services.

**ACTION:** The Civil Service Commission directed that this appeal be denied.

**B-18 [FRANK LICATA, JR.](#) – CSC DOCKET NO. 2019-2512**

Frank Licata, Jr., appeals the determination of the Division of Agency Services that he failed to indicate that he possessed the required license for the Senior Maintenance Repairer, Low Pressure License (PM2417W), Borough of Lodi Housing Authority examination.

**ACTION:** The Civil Service Commission directed that this appeal be granted.

**B-19 [KIMBERLY LIANO](#) – CSC DOCKET NO. 2020-1159**

Kimberly Liano requests reconsideration of the decision of the Civil Service Commission, rendered on September 27, 2019, which upheld the determination that she did not meet the requirements for the promotional examination for Quality Assurance Specialist, Health Services (PS4301K), Department of Human Services.

**ACTION:** The Civil Service Commission directed that this request be denied.

**B-20 [ERIC BEAGIN](#) – CSC DOCKET NO. 2016-1336**

The appeal of Eric Beagin, Fire Fighter, City of Paterson, Fire Department, removal effective September 18, 2015, on charges was heard by Administrative Law Judge Leslie Z. Celentano (ALJ), who rendered her initial decision on October 24, 2019 reversing the removal. At its meeting on December 4, 2019, the Civil Service Commission (Commission) rejected the ALJ's recommendation and upheld the removal. The proposed final decision is now submitted for the Commission's review.

**ACTION:** The Civil Service Commission adopted the final decision.

**B-21 [TARALYN YOUNG](#) – CSC DOCKET NO. 2020-1344**

Taralyn Young, a State Park Police Officer with the Department of Environmental Protection, represented by Jeffrey S. Ziegelheim, Esq., requests a hearing regarding her removal, effective July 12, 2019.

**ACTION:** The Civil Service Commission directed that this request be denied.

**B-22 [TONYA HOWARD](#) – CSC DOCKET NO. 2019-1398**



Tonya Howard, a Police Communications Clerk with the City of Newark, represented by Samuel Wenocur, Esq., requests resolution of a dispute concerning back pay and benefits.

**ACTION:** The Civil Service Commission directed that this request be granted in part.

**B-23 [SEAN CIRIANNI-JONES](#) – CSC DOCKET NO. 2020-65**

Sean Cirianni-Jones appeals the removal of his name from the eligible list for Senior Repairer (S0139W), Central Reception and Assignment Facility, Department of Corrections on the basis that he did not appear for or complete preemployment processing.

**ACTION:** The Civil Service Commission directed that this appeal be granted in part.

**B-24 [J.J.](#) – CSC DOCKET NOS. 2019-3352 AND 2019-2055**

J.J. appeals his removal from the eligible list for Correctional Police Officer (S9999U), Department of Corrections, on the basis of a falsified application. The appellant also appeals his removal from the eligible list for Sheriff's Officer (S9999U), Hudson County on the basis of an unsatisfactory background.

**ACTION:** The Civil Service Commission directed that this appeal be denied.

**B-25 [F.E.U.](#) – CSC DOCKET NO. 2020-819**

F.E.U. appeals his removal from the eligible list for Correctional Police Officer (S9988A), Department of Corrections, on the basis of an unsatisfactory criminal record and background report.

**ACTION:** The Civil Service Commission directed that this appeal be granted.

**B-26 [CODE ENFORCEMENT OFFICER \(M0424V\), CITY OF NEWARK](#) – CSC DOCKET NO. 2020-749**

The appointing authority's failure to dispose of the certification for Code Enforcement Officer (M0424V), City of Newark, while provisional appointees were serving in the title, has been referred to the Civil Service Commission for enforcement.

**ACTION:** The Civil Service Commission ordered the appointing authority to remove the provisional appointees, make an appointment from the certification, and pay compliance costs in the amount of \$1,000.

**B-27 [COUNSELOR 1, EMPLOYEE ADVISORY SERVICE](#) – CSC DOCKET NO. 2019-2828**

The Division of Administration and the Division of Agency Services request reallocation of the Counselor 1, Employee Advisory Service title to the non-competitive division of the career service on the interim basis in accordance with *N.J.A.C.* 4A:3-1.2.

**ACTION:** The Civil Service Commission directed that this request be granted.

**B-28 OLASUMBO OLADERU – CSC DOCKET NO. 2020-1094**

Olasumbo Oladeru petitions the Civil Service Commission to allow him to change his Work Location Preference Area for Assistant Director of Nursing Services (PS7948H), Trenton Psychiatric Hospital and add his name to the current certification.

**ACTION:** The Civil Service Commission directed that this petition be granted in part.

**B-29 [VINCENT ANTENUCCI](#) – CSC DOCKET NO. 2019-3633**

Vincent Antenucci, a Sergeant, Field Operations with the Division of State Police, Department of Law and Public Safety, requests a waiver of repayment of a salary overpayment pursuant to *N.J.S.A.* 11A:3-7, which provides that when an employee has erroneously received a salary overpayment, the Civil Service Commission may waive repayment based on a review of the case.

**ACTION:** The Civil Service Commission directed that this request be denied.

**B-30 [J.E.](#) – CSC DOCKET NO. 2019-1552**

J.E. a Cottage Training Supervisor at Woodbine Developmental Center, appeals the determination of the Chief of Staff, Department of Human Services, which found that he failed to present sufficient evidence to support a finding that he had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

**ACTION:** The Civil Service Commission directed that this matter be referred to the Office of Administrative Law for a hearing.

**B-31 [KEVIN ALBRECHCINSKI](#) – CSC DOCKET NO. 2020-892**

Kevin Albrechcinski appeals the removal of his name from the eligible list for Correctional Police Officer (S9988A), Department of Corrections, on the basis of an unsatisfactory criminal record.

**ACTION:** The Civil Service Commission directed that this appeal be granted.

**B-32 [DAWN KLUTSARITS](#) – CSC DOCKET NO. 2019-3213**

Dawn Klutsarits appeals the removal of her name from the Police Officer (S9999U), Paterson, eligible list on the basis of falsification of the employment application.

**ACTION:** The Civil Service Commission directed that this appeal be denied.

**B-33 [MARGARET VIGGIANO](#) – CSC DOCKET NO. 2020-1223**

Margaret Viggiano appeals the decision of the Division of Agency Services that the proper classification of her position with Rowan University is Assistant Supervisor 3, Administrative Services. The appellant seeks to have clerical duties removed from her position.

**ACTION:** The Civil Service Commission directed that the appeal be dismissed as moot and the matter of the appellant’s position classification be referred to Agency Service for review.

**B-34 [MONICA MEDLEY-MACKSON](#) – CSC DOCKET NO. 2020-781**

Monica Medley-Mackson appeals the decision of the Division of Agency Services which found that her position with the Department of Banking and Insurance is properly classified as Clerk Typist. The appellant seeks a Senior Clerk Typist job classification.

**ACTION:** The Civil Service Commission directed that this appeal be denied.

**B-35 [REGINA WILLIAMSON](#) – CSC DOCKET NO. 2020-266**

Regina Williamson appeals the determination of the Division of Agency Services that her position with Paterson is properly classified as Employee Benefits Clerk. The appellant seeks an Employee Benefits Specialist job classification.

**ACTION:** The Civil Service Commission directed that this appeal be denied.

**B-36 [SYLVIA BALLARD](#) – CSC DOCKET NO. 2020-1126**

Sylvia Ballard appeals the determination of the Division of Agency Services which found that she did not meet the experience requirements for the promotional examination for Administrative Analyst 4 (S5293K), Department of Human Services.

**ACTION:** The Civil Service Commission directed that this appeal be denied and the matter of the appellant’s position classification be referred to Agency Services for review.

**B-37 [CATHERINE GOPEZ AND NANCY O’DONNELL](#) – CSC DOCKET NOS. 2019-1427 AND 2019-1455**

Catherine Gopez and Nancy O’Donnell appeal the determinations of the Division of Agency Services which found that they did not meet the requirements for the promotional examination for Quality Assurance Specialist, Health Services (PS4301K), Department of Human Services.

**ACTION:** The Civil Service Commission directed that these appeals be denied.

**B-38 [SHANIQUEA MCRAE](#) – CSC DOCKET NO. 2020-1134**

Shaniqua McRae appeals the determination of the Division of Agency Services that she did not meet the experience requirement for the promotional examination for Administrative Analyst 3 (PS9564P), Juvenile Justice Commission.

**ACTION:** The Civil Service Commission directed that this appeal be granted.

**B-39 FRANCHESKA DEJESUS – CSC DOCKET NO. 2019-3434**

Francheska DeJesus requests that she be permitted to amend her residency on her application after the closing date for the Entry Level Law Enforcement Examination (S9999U).

**ACTION:** The Civil Service Commission directed that this request be granted.

**PUBLIC PORTION**

No comments.

**There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, January 15, 2020, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.**



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