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Deirdré L. Webster Cobb, Chairperson

Dolores Gorczyca

Daniel W. O’Mullan

JULY 31, 2019

A regular meeting of the Civil Service Commission was held on Wednesday, July 31, 2019, at 10:00 a.m., in Trenton, New Jersey.

PRESENT: Deirdré L. Webster Cobb, Chairperson, Members Dolores Gorczyca (via phone) and Daniel W. O’Mullan; Pamela 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 May 23, 2019, 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 July 9, 2019.

ACTION: The Civil Service Commission adopted the minutes of its meeting on July 9, 2019.

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

Teresa Carmichael, Building Maintenance Worker, City of Trenton, Department of Public Works, removal.

Robert Colson, Management Information Systems Specialist, City of Trenton, Police Department, removal.

Nicole Dean, Social Worker, Mercer County Board of Social Services, release at the end of the working test period.

Eric Fields, Police Officer, City of Newark, Police Department, removal.

Jason Galiazzi, Police Officer, Willingboro Township, Department of Public Safety, suspension.

Miguel Pena, Jr., Police Officer, City of Newark, Department of Public Safety, suspension.

James Warnet, Police Officer, Borough of Bergenfield, Police Department, release at the end of the working test period.

ACTION: The Civil Service Commission noted the withdrawal of appeals without prejudice.

DISMISSAL FOR FAILURE TO APPEAR

The Civil Service Commission dismissed the following cases without prejudice for failure to appear at the scheduled hearing before the Office of Administrative Law:

Ted Ambrose, County Correction Officer, Camden County, Department of Corrections, release at the end of the working test period.

Lourdes Miranda, Administrative Supervisor, Income Maintenance, Hudson County, Department of Family Services, suspension.

Kelly Weiss, Highway Operations Technician 1, Department of Transportation, suspension.

ACTION: The Civil Service Commission noted the dismissal of appeals without prejudice.

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

Chanel Davis

Jersey City

Department of Administration
Removal

Daniel Flannigan
Highlands Borough
Police Department
Release at the end of the working test period

Carl Heger
Millville
Department of Public Safety
Return to previously held title at the end of the working test period

Tiffany Knights
Ancora Psychiatric Hospital
Department of Health
Removal

Robert Rouse
Newark School District
Suspension
-

Daniel Russo
Midland Park
Police Department
Suspension

Stephen Tripptree
Bergen County
Department of Public Safety
Demotion

Stephanie Wallace-Smith
Passaic County
Preakness Healthcare Center
Removal and resignation not in good standing

Thomas Wengerter

Linden

Fire Department

Bypass

-

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

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 JASMIA BUTLER

Jasmia Butler, Parking Enforcement Officer, Jersey City, Department of Public Safety, release at the end of the working test period effective December 18, 2018.

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

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

A-3 MAURICE JACKSON

-

Maurice Jackson, County Correction Officer, Mercer County Corrections Center, 50 working day suspension on charges of conduct unbecoming a public employee, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the 50 working day suspension.

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

A-4 D.M. (Consolidated)

D.M., Senior Medical Security Officer, Ann Klein Forensic Center, Department of Health, removal effective March 5, 2018, on charges of conduct unbecoming a public employee and physical or mental abuse of a patient.

Recommendation of the Administrative Law Judge – Reverse the removal.

ACTION: The Civil Service Commission rejected the recommendation of the Administrative Law Judge and upheld the removal.

A-5 CAROLYN MCKNIGHT

Carolyn McKnight, Principal Buyer, Newark, Department of Administration, removal effective July 22, 2016, on charges of incompetency, inefficiency or failure to perform duties, inability to perform duties, conduct unbecoming a public employee, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the removal to a four-month suspension.

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

A-6 [MONICA PAYLOR](#)

Monica Paylor, Accountant, Willingboro Township, General Government Department, removal effective May 31, 2018 on charges of conduct unbecoming a public employee, fraud, falsification of records 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.

SECTION B – MISCELLANEOUS MATTERS

B-1 [C.C.-J.](#) – CSC DOCKET NO. 2018-2016

C.C.-J., represented by Robert L. Utsey, Jr., Esq., appeals her rejection as a Correctional Police Officer candidate by the Department of Corrections and its request to remove her name from the eligible list for Correctional Police Officer (S9988U) on the basis of psychological unfitness to perform effectively the duties of the position.

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

B-2 [C.G.](#) – CSC DOCKET NO. 2019-310

C.G. 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 [B.J.M.](#) – CSC DOCKET NO. 2019-451

B.J.M., represented by Craig S. Gumpel, Esq., appeals his rejection as a Fire Fighter candidate by the City of Linden and its request to remove his name from the eligible list for Fire Fighter (M1548T) on the basis of psychological unfitness to perform effectively the duties of the position.

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

B-4 [T.W.](#) – CSC DOCKET NO. 2019-453

T.W., represented by Robert K. Chewning, Esq., appeals his rejection as a Police Officer candidate by the Jersey City Police Department and its request to remove his name from the eligible list for Police Officer (S9999R) on the basis of psychological unfitness to perform effectively the duties of the positions.

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

B-5 [ANTHONY AUTIERI](#) – CSC DOCKET NOS. 2019-968 AND 2018-2812

Anthony Autieri, represented by Daniel J. Zirrith, Esq., appeals the removal of his name from the eligible lists for County Correction Officer (S9999U), Passaic County Sheriff and Police Officer (S9999U), Paterson on the basis that he falsified his preemployment applications.

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

B-6 [INDIGO GLOVER](#) – CSC DOCKET NO. 2019-3136

Indigo Glover appeals her removal from the eligible list for Correctional Police Officer (S9988U), Department of Corrections, on the basis of falsification of her employment application.

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

B-7 [LORENZO GUANCI](#) – CSC DOCKET NO. 2019-2453

Lorenzo Guanci appeals his removal from the eligible list for Correctional Police Officer (S9988U), Statewide, on the basis of falsification of his employment application.

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

B-8 [WALEEK LIVINGSTON](#) – CSC DOCKET NO. 2019-2241

Waleek Livingston appeals his removal from the eligible list for Fire Fighter (M1566T), Plainfield on the basis that he possessed an unsatisfactory criminal background.

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

B-9 [ZEBEDEE MILLER](#) – CSC DOCKET NO. 2019-2747

Zebedee Miller appeals his removal from the eligible list for Correctional Police Officer (S9988U), Department of Corrections on the basis that he possessed an unsatisfactory criminal background.

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

B-10 [ADMINISTRATIVE CLERK \(M0703U\), JERSEY CITY](#) – CSC DOCKET NO. 2019-1895

Jersey City requests permission not to make an appointment from the May 1, 2017 certification (OL170551) for Administrative Clerk (M0703U).

ACTION: The Civil Service Commission granted the appointment waiver and assessed selection costs in the amount of \$2,048.

B-11 [CITY OF TRENTON, FIVE VARIOUS LISTS](#) – CSC DOCKET NOS. 2019-3463, *ET AL.*

The City of Trenton’s failure to dispose of the certifications for Assistant Supervisor of Customer Service (PM1506W); Clinic Attendant (M0489U); Principal Accountant (PM2248W); Public Health Nurse (PM0295U); and Senior Data Control Clerk (PM2409W), while provisionals are serving in the titles, have been referred to the Civil Service Commission for enforcement.

ACTION: The Civil Service Commission ordered the appointing authority to remove the provisional appointees, make appointments from the certifications, and pay compliance costs in the amount of \$5,000.

B-12 [GREG ALVAREZ](#) – CSC DOCKET NO. 2020-13

Greg Alvarez appeals the determination of the Division of Agency Services that his position with the Department of Health is properly classified as Grants Specialist. The appellant seeks an Administrative Analyst 4, Fiscal Management job classification.

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

B-13 [VINCENT CALIGUIRE](#) – CSC DOCKET NO. 2019-3148

Vincent Caliguire appeals the decision of the Division of Agency Services that the proper classification of his position with the Department of Environmental Protection is Administrative Analyst 2. The appellant seeks an Administrative Analyst 4 job classification.

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

B-14 [PURCHASING ASSISTANT \(C0732U\), COUNTY OF ESSEX](#) - CSC DOCKET NO. 2019-727

The appointing authority's failure to dispose of the certification for Purchasing Assistant (C0732U), County of Essex, while a provisional is 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 appointee, make an appointment from the certification, and pay compliance costs in the amount of \$1,000.

B-15 [MICHAEL KINSLEY](#) – CSC DOCKET NO. 2019-1943

Michael Kinsley, represented by Carl N. Tripician, Esq., appeals the bypass of his name on the County Correction Lieutenant (PC2540T), Atlantic County eligible list.

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

B-16 [EDWARD LUGO](#) – CSC DOCKET NO. 2018-3528

Edward Lugo, represented by Stuart J. Alterman, Esq., appeals his non-appointment from the Police Sergeant (PM5095M), Hamilton Township eligible list.

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

B-17 [HERBERT ACKERMAN, JR.](#) – CSC DOCKET NO. 2019-3734

Herbert Ackerman, Jr., a permanent General Supervisor, Pubic Works in Montville Township appeals the determination of the Division of Agency Services, which found that he was below the minimum requirements in experience for a qualifying examination for Public Works Inspector.

ACTION: The Civil Service Commission directed that this appeal be denied and the appellant's provisional position undergo a classification review.

B-18 [KATHERINE KEATING](#) – CSC DOCKET NO. 2019-3198

Katherine Keating appeals the determination of the Division of Agency Services which found that she did not meet the experience requirements for the promotional examination for Assistant Zoning Officer (PM2487W), Middletown Township.

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

B-19 [MARIANNE LEADLEY](#) – CSC DOCKET NO. 2019-1426

Marianne Leadley appeals the determination of the Division of Agency Services which found that she did not meet the requirements for the promotional examination for Program Specialist 3, Social/Human Services (PS6540H), Ancora Psychiatric Hospital, Division of Mental Health and Addiction Services, Department of Health.

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

B-20 [JUSTIN MORALES](#) – CSC DOCKET NO. 20019-2762

Justin Morales appeals the determination of the Division of Agency Services that he did not meet the experience requirements for the open competitive examination for Animal Control Officer (C0344W), Bergen County.

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

B-21 [ANNEMARIE RICCO](#) – CSC DOCKET NO. 2019-3250

Annemarie Ricco appeals the decision of the Division of Agency Services which found that she did not meet the experience requirements, per the substitution clause for education, for the promotional examination for Operations and Training Officer, Emergency Management (PC2597W), Cape May County.

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

B-22 [PATRICK PHILLIPS](#) – CSC DOCKET NO. 2019-2530

Patrick Phillips appeals the determination of the Division of Agency Services that he did not meet the experience requirements for the open competitive examination for Deputy Municipal Emergency Management Coordinator (M2256W), Maurice River.

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

B-23 [JOHN SANTASPIRT](#) – CSC DOCKET NO. 2019-2642

John Santaspiert appeals the determination of the Division of Agency Services that he did not meet the experience requirements for the open competitive examination for Training Officer (M0645W), Moorestown.

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

B-24 [JOHN SUTERA](#) – CSC DOCKET NO. 2019-3317

John Sutera appeals the determination of the Division of Agency Services that he did not meet the experience requirement for the promotional examination for General Supervisor of Roads (PM2813W), Fort Lee.

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

B-25 [MARC WARTENBERG](#) – CSC DOCKET NO. 2019-2583

Marc Wartenberg appeals the determination of the Division of Agency Services that he did not meet education requirements for the open competitive examination for Network Administrator 1 (M0414W), Lakewood.

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

B-26 [SAMUEL NIEVES](#) – CSC DOCKET NO. 2019-3433

Samuel Nieves appeals the administration of the oral portion of the examination for Battalion Fire Chief (PM2163W), Plainfield.

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

B-27 [TANYA BERRY](#) – CSC DOCKET NO. 2019-1991

Tanya Berry appeals her seniority score and rank on the promotional examination for Correctional Police Sergeant (PS6184I), Department of Corrections.

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

B-28 [TWANDA WALKER-VALERY](#) – CSC DOCKET NO. 2019-3403

Twanda Walker-Valery requests a retest for the Program Manager Health/Human Services (S0110W), Statewide, examination which was tested with the Management Test Battery.

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

B-29 [ELLIS TAMASI](#) – CSC DOCKET NO. 2020-106

Ellis Tamasi requests to file a late application for the open competitive examination for Parole Officer Recruit (S1000A), Statewide.

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

B-30 [SHANAN FERREIRA, ET AL.](#) – CSC DOCKET NOS. 2019-3346, ET AL.

The Brick Township School District requests retroactive permanent appointment dates for Shanan Ferreira, Jean Oates and Dorothy Abbott-Scott to the title of Teacher Aide.

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

B-31 [KATHLEEN WALKER](#) – CSC DOCKET NO. 2019-2599

Kathleen Walker, a Therapy Aide with Ancora Psychiatric Hospital, appeals her voluntary demotion from Principal Payroll Clerk to Therapy Aide, effective March 2, 2019.

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

B-32 [LINDA BERGER](#) – CSC DOCKET NO. 2019-2879

Linda Berger appeals the decision of the Division of Agency Services that the proper classification of her position with Willingboro Township is Purchasing Agent. The appellant seeks a Director of Purchasing job classification.

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

B-33 [RICHARD DEFAZIO](#) – CSC DOCKET NO. 2019-3246

Richard DeFazio appeals the determination of the Division of Agency Services, which found that he did not meet the experience requirements for the promotional examination for Correctional Police Major (PS8871I), Department of Corrections.

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

B-34 [ALAN TUSING](#) – CSC DOCKET NO. 2020-73

Alan Tusing appeals the determination of the Division of Agency Services that he did not meet the experience requirements for the open competitive examination for Equipment Operator (M0067A), Asbury Park.

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

B-35 [PROPOSED AMENDMENTS TO N.J.A.C. 4A:7-3.1](#)

Submitted for the Commission's approval is a Notice of Proposal for an amendment to *N.J.A.C. 4A:7-3.1(j)* regarding confidentiality during the investigative process.

ACTION: The Civil Service Commission approved the proposed amendments for publication in the New Jersey Register for public notice and comment.

B-36 [DAETON COPELAND](#) – CSC DOCKET NO. 2019-2067

Daeton Copeland appeals his removal from the eligible list for Correctional Police Officer (S9988V), Department of Corrections on the basis that he possessed an unsatisfactory employment record and he falsified his application.

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

B-37 [SANDRA AVANZATO](#) – CSC DOCKET NO. 2019-3278

Sandra Avanzato, a permanent Training Assistant with the Motor Vehicle Commission appeals the determination of the Division of Agency Services, which found that she was below the minimum requirements in experience for a qualifying examination for Technical Assistant Personnel.

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

B-38 [TIHANI FULLARD](#) – CSC DOCKET NO. 2019-1949

Tihani Fullard, a former Public Safety Telecommunicator with Camden County, represented by James Katz, Esq., appeal her resignation in good standing, effective January 4, 2019.

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

B-39 [VITALY SMIRNOV](#) – CSC DOCKET NO. 2019-3357

Vitaly Smirnov, a former Senior Investment Analyst with the Department of the Treasury, represented by John Kuhn Bleimaier, Esq., petitions the Civil Service Commission for a stay of his removal.

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

B-40 [T.M.](#) – CSC DOCKET NO. 2019-1956

T.M., an Education Program Development Specialist 3, appeals the decision of the Department of Education to reassign her from East Orange to Trenton. She also petitions for relief from the appointing authority’s alleged reprisal.

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

B-41 [ELZBIETA WOJTYLO AND LISA BRAXTON](#) – CSC DOCKET NOS. 2019-3263 AND 2019-3249

Elzbieta Wojtylo appeals her disqualification from the promotional examination for Supervising Family Services Specialist 1 (PS4823K), Department of Children and Families, and Lisa Braxton appeals her disqualification from the promotional examination for Supervising Family Services Specialist 2 (PS4837K), Department of Children and Families.

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

B-42 [IN THE MATTER OF DEPARTMENT OF COMMUNITY AFFAIRS, VARIOUS TITLES](#) – CSC DOCKET NO. 2020-232

The Division of Agency Services, on behalf of the Department of Community Affairs, requests that various titles be placed in the non-competitive division of the career service on an interim basis in order to permanently appoint six individuals.

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

B-43 [VANESSA BLOOR](#) – CSC DOCKET NO. 2019-1917

Vanessa Bloor, a former Secretarial Assistant 2 (Non-Stenographic) with the Department of Transportation, requests a waiver of payment 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-44 [NICOLE BOYCE-NAVARRO](#) – CSC DOCKET NO. 2019-511

Nicole Boyce-Navarro appeals the determination of the Division of Agency Services, which found that she did not meet the experience requirement for the promotional examination for Administrative Analyst 3, Procurement (PS6724H), Department of Health.

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

B-45 [VERONICA MCNEIL](#) – CSC DOCKET NO. 2019-3257

Veronica McNeil appeals the determination of the Division of Agency Services that she did not meet the experience requirements for the promotional examination for Chief, Contract Administration Section (PS4581K), Department of Children and Families.

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

B-46 [ALEXANDER OFOMA](#) – CSC DOCKET NO. 2019-502

Alexander Ofoma appeals the determination of the Division of Agency Services, which found that he did not meet the experience requirement for the promotional examination for Quality Assurance Technician (PS6730H), Trenton Psychiatric Hospital.

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

B-47 [BRUCE DAVIS](#) – CSC DOCKET NO 2018-2693

Bruce Davis, represented by Sanford R. Oxfield, Esq., appeals the bypass of his name on the Deputy Fire Chief (PM1699S), East Orange eligible list.

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

B-48 [MEGAN WATTS](#) – CSC DOCKET NO.

Megan Watts, represented by James Katz, Esq., petitions the Civil Service Commission for reconsideration of the final decision rendered on April 17, 2019, which denied her request that her name be restored to the S9999U Entry Level Law Enforcement Examination for all police titles, and that her name be added to the October 9, 2018 certification (OL181073) for Police Officer (S9999U), Pennsauken Township. Alternatively, she requests that her name be restored to the list pursuant to *N.J.A.C. 4A:4-5.5*.

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

B-49 [ISAIAH MATEO](#) – CSC DOCKET NO. 2019-2566

Isaiah Mateo, represented by Catherine M. Elston, Esq., appeals his removal from the eligible list for Police Officer (S9999U), Hoboken on the basis that he falsified his application.

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

B-50 [MEGAN FARRELL](#) – CSC DOCKET NO. 2019-1142

Megan Farrell, a former Supervising Classification Officer, Northern State Prison, Department of Corrections requests that the Civil Service Commission grant her a permanent appointment to the title of Supervising Classification Officer with the Department of Corrections.

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

PUBLIC PORTION

No comment.

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, August 14, 2019, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.



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