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Deirdré L. Webster Cobb, Chairperson

Dolores Gorczyca

Daniel W. O’Mullan

JUNE 26, 2019

A regular meeting of the Civil Service Commission was held on Wednesday, June 26, 2019, at 10:00 a.m., in Trenton, New Jersey.

PRESENT: Deirdré L. Webster Cobb, Chairperson, Members Dolores Gorczyca 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 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 June 12, 2019.

ACTION: The Civil Service Commission adopted the minutes of its meeting on June 12, 2019.

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

-
Christopher Munn, Police Officer, City of Trenton, Police Department, 120 hour suspension.

Stephen Kohler, Fire Fighter, City of Atlantic City, Department of Public Safety, 60 working day suspension.

-
Brad Pierce, County Correction Lieutenant, Cumberland County, Department of Corrections, removal.

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

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

Johnnie Bell
City of Newark
Department of Public Works
Removal

Rebecca Korvah
Woodbine Developmental Center
Department of Human Services
Resignation not in good standing

Jessica Perez (**Consolidated**)
Judiciary
Essex Vicinage
Suspension and Removal

Carine Simeon
Green Brook Regional Center
Department of Human Services
Suspension

Marvin Thom

City of East Orange
Department of Public Safety
Suspension

Robert Tierney
City of South Amboy
Department of Public Works
Removal

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

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 [MICHAEL J. FLYNN](#)

Michael J. Flynn, Motor Vehicle Operator, Elderly and Handicapped Persons, Monmouth County, Department of Transportation, removal effective July 9, 2015 on charges of inability to perform duties, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the removal to a 120 working day suspension with a return to duty drug test.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge but denied back pay.

A-3 [MEAGAN GUNDRY](#) (Consolidated)

Meagan Gundry, Sheriff’s Officer, County of Union, Department of Public Safety, removal effective August 31, 2015 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 – Uphold the removal.

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

A-4 [BENJAMIN RUIZ](#) (Consolidated)

Benjamin Ruiz, Police Chief, City of Perth Amboy, Department of Public Safety, two removals effective June 7, 2016 on charges of insubordination, conduct unbecoming a public employee, misuse of public property, including motor vehicles, violation of rules and regulations and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removals.

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

A-5 [SONNIA SUPPLE](#)

Sonnia Supple, Judiciary Clerk 3 Bilingual in Spanish and English, Judiciary, Monmouth Vicinage, 14 working day suspension on charges of incompetency, inefficiency or failure to perform duties, neglect of duty and insubordination.

Recommendation of the Administrative Law Judge – Uphold the 14 working day suspension.

ACTION: The Civil Service Commission rejected the recommendation of the Administrative Law Judge and noted the withdrawal of Sonnia Supple’s appeal with prejudice.

SECTION B – MISCELLANEOUS MATTERS

B-1 [W.A.](#) – CSC DOCKET NO. 2018-3420

W.A., represented by John D. Feeley, Esq., appeals the removal of his name from the eligible list for Police Officer (S9999U), City of Newark, on the basis of psychological unfitnes to perform effectively the duties of the position.

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

B-2 [F.B.](#) – CSC DOCKET NO. 2018-3418

F.B., represented by Ronald Ricci, Esq., appeals the removal of his name from the eligible list for Police Officer (S9999U), City of Newark, on the basis of psychological unfitnes to perform effectively the duties of the position.

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

B-3 [RYAN ANDRICK](#) – CSC DOCKET NO. 2018-1794

Ryan Andrick appeals the removal of his name from the eligible list for County Police Officer (S9999U), Camden County due to his failure to appear for an interview.

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

B-4 ROBERT BLAKE – CSC DOCKET NO. 2019-3525

Robert Blake appeals the removal of his name from the eligible list for Fire Fighter (M1500T), Asbury Park on the basis that he failed to respond to the certification notice.

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

B-5 [D.B.](#) – CSC DOCKET NO. 2019-1815

D.B., represented by Ciro Spina, Esq., appeals the removal of his name from the eligible list for Correctional Police Officer (S9988V), Department of Corrections on the basis of an unsatisfactory background report.

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

B-6 [NATALIE GARCIA](#) – CSC DOCKET NO. 2019-1996

Natalie Garcia appeals her removal from the eligible list for Correctional Police Officer (S9988V), Department of Corrections on the basis that she possessed an unsatisfactory criminal background.

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

B-7 [ENRIQUE TORRES](#) – CSC DOCKET NO. 2019-1780

Enrique Torres, represented by Catherine Elston, Esq., appeals the removal of his name from the eligible list for Correctional Police Officer (S9999U), Department of Corrections on the basis of an unsatisfactory driving record.

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

B-8 [EARLY CHILDHOOD SPECIALIST \(C0068W\), BERGEN COUNTY](#) – CSC DOCKET NO. 2019-2882

Bergen County requests permission not to make an appointment from the OL181021 certification for Early Childhood Specialist (C0068W), Bergen County.

ACTION: The Civil Service Commission granted the appointment waiver and deferred selection costs.

B-9 [FISCAL ANALYST \(C0920U\), BERGEN COUNTY](#) – CSC DOCKET NO. 2019-2686

Bergen County requests permission not to make an appointment from the OL170498 certification for Fiscal Analyst (C0920U), Bergen County.

ACTION: The Civil Service Commission granted the appointment waiver and deferred selection costs.

B-10 PROPERTY CLERK (M0813T), TOWNSHIP OF IRVINGTON – CSC DOCKET NO. 2019-846

The appointing authority’s failure to dispose of the certification for Property Clerk (M0813T), Township of Irvington, 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-11 RESEARCH ASSISTANT, CRIMINAL INFORMATION (M0529V), CITY OF EAST ORANGE – CSC DOCKET NO. 2019-2103

The City of East Orange requests permission not to make an appointment from the March 19, 2018 certification for Research Assistant, Criminal Information (M0592V).

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

B-12 SENIOR FOOD SERVICE HANDLER, MONTCLAIR STATE UNIVERSITY – CSC DOCKET NO. 2019-3203

The Division of Agency Services requests that Montclair State University be ordered to return the May 2, 2018 certification of the eligible list for Senior Food Service Handler (Special) for proper disposition.

ACTION: The Civil Service Commission ordered the appointing authority to properly dispose of the outstanding certification and pay compliance costs in the amount of \$1,000.

B-13 FRANCIA BENAVIDES – CSC DOCKET NO. 2019-2056

Francia Benavides appeals the decision of the Division of Agency Services that the proper classification of her position with the Department of Law and Public Safety is Agency Service Representative 3. The appellant seeks an Agency Services Representative 4 job classification.

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

B-14 [FRED CASSEL](#) – CSC DOCKET NO. 2019-1442

Fred Cassel, represented by Albert K. Marmero, Esq., appeals his bypass on the Deputy Fire Chief (PM2734T), City of Linden eligible list.

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

B-15 [MENA ALEX](#) – CSC DOCKET NO. 2019-3285

Mena Alex appeals the determination of the Division of Agency Services which found that he did not meet the experience requirements for the promotional examination for Assistant Chief Accountant (PC2332W), Hudson County.

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

B-16 [CLAUDE BERNARD](#) – CSC DOCKET NO. 2019-3173

Claude Bernard appeals the determination of the Division of Agency Services which found that he did not meet the experience requirements for the promotional examination for Assistant Training Supervisor, County Welfare Agency (PC2788W), Essex County.

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

B-17 [JUSTIN CLAUSER AND TIMOTHY MARTEL](#) – CSC DOCKET NOS. 2019-3115 AND 2019-3116

Justin Clauser and Timothy Martel appeal the determinations of the Division of Agency Services, which found that they did not meet the experience requirement for the promotional examination for Investigator, County Welfare Agency (PC0035A), Mercer County Board of Social Services.

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

B-18 [KOUNDINYA KALINADHABHOTLA](#) – CSC DOCKET NO. 2019-3164

Koundinya Kalinadhabhotla, represented by Dudley Burdge, CWA local 1032, appeals the decision of the Division of Agency Services which found that he did not meet the educational requirements for the promotional examination for Network Administrator 1, OIT (PS8151U), Office of Information Technology.

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

B-19 [LUECIEL MORGAN](#) – CSC DOCKET NO. 2019-3543

Lueciel Morgan requests to file a late application for the promotional examination for Senior Practical Nurse (PS9629E), New Jersey Veterans Memorial Home, Vineland.

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

B-20 [CAROLINE JONES](#) – CSC DOCKET NO. 2019-407

Caroline Jones, a former Auditor 1, Department of Human Services, appeals the denial of an anniversary date increment in 2016 when she was serving in the title of Auditor Accountant Trainee.

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

B-21 [STEPHEN GOODMAN](#) – CSC DOCKET NO. 2019-2122

Stephen Goodman, a former provisional Assistant Director, Economic and Industrial Development with Long Branch, represented by Mark E. Belland, Esq., appeals his separation, effective January 11, 2019.

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

B-22 [ANTHONY RICKS](#) – CSC DOCKET NO. 2019-2614

Anthony Ricks, a Police Sergeant with East Orange, represented by R. Armen McOmber, Esq., petitions the Civil Service Commission for interim relief regarding his immediate suspension.

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

B-23 [YANZAN ABAZA AND NICHOLAS SALIBA](#) – CSC DOCKET NOS. 2019-2634 AND 2019-2630

The Passaic County Sheriff’s Office requests reconsideration of *In the Matters of Yanzan Abaza and Nicholas Saliba* (CSC, decided February 6, 2019), where the Civil Service Commission restored Yanzan Abaza’s and Nicholas Saliba’s names to the eligible list for County Correction Officer (S9999U), Passaic County Sheriff’s Office.

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

B-24 [KELLY CHESLER](#) – CSC DOCKET NO. 2019-2008

Kelly Chesler, represented by Nicholas P. Milewski, Esq., requests reconsideration of *In the Matter of Kelly Chesler* (CSC, decided December 19, 2018) where the Civil Service Commission upheld the bypass of her

name on the Police Captain (PM0863S), Jersey City eligible list.

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

B-25 [VILMA PLAZA](#) – CSC DOCKET NO. 2019-2155

Vilma Plaza requests reconsideration of the final administrative determination in *In the Matter of Thomas Del Mauro, et al., Police Sergeant* (CSC, decided February 6, 2019).

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

B-26 [H.P.](#) – CSC DOCKET NO. 2019-1723

H.P., a Project Engineer, Planning with the Department of Transportation, appeals the determination of the Director, Division of Equal Employment Opportunity/Affirmative Action, Civil Service Commission, which found that his various complaints did not implicate the State Policy Prohibiting Discrimination in the Workplace.

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

B-27 [J.A.](#) – CSC DOCKET NO. 2018-3421

J.A. appeals her rejection as a Police Officer candidate by the Newark Police Department and its request to remove her name from the eligible list for Police Officer (S9999U) 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-28 [P.A.](#) – CSC DOCKET NO. 2019-135

P.A. 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-29 [A.D.](#) – CSC DOCKET NO. 2019-340

A.D., represented by Michael P. DeRose, Esq., appeals his rejection as a Police Officer candidate by the Belleville 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 granted.

B-30 [K.E.](#) – CSC DOCKET NO. 2018-3423

K.E., appeals his rejection as a Police Officer candidate by the City of Newark 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-31 [F.M.G.](#) – CSC DOCKET NO. 2018-3623

F.M.G., represented by Amie Di Cola, Esq., appeals his rejection as a Police Officer candidate by the Newark 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 granted.

B-32 [S.G.](#) – CSC DOCKET NO. 2018-73

S.G., represented by Michael L. Prigoff, Esq., appeals her rejection as a Police Officer candidate by the Jersey City Police Department and its request to remove her 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 granted.

B-33 [E.L.H.](#) – CSC DOCKET NO. 2018-3765

E.L.H., 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-34 [CAROL ROTONDO](#) – CSC DOCKET NO. 2019-2086

Carol Rotondo appeals the determination of the Division of Agency Services that the proper classification of her position with the Department of Law and Public Safety is Paralegal Technician 1. The appellant seeks a Paralegal Technician 2 job classification.

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

B-35 [ALBA AQUINO](#) – CSC DOCKET NO. 2019-648

Alba Aquino petitions the Civil Service Commission for reconsideration of its final administrative decision, rendered on July 18, 2018, in which the Commission found that she was below the minimum requirements in experience for the promotional examination for Human Services Specialist 1 (PC2741V), Hudson County.

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

B-36 [JERALD LEO](#) – CSC DOCKET NO. 2019-2202

Jerald Leo appeals the determination of the Division of Agency Services, which found that he did not meet the experience requirement for the promotional examination for Assistant Supervisor of Building Repairs (PS7847J), College of New Jersey.

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

B-37 [JOSEPH POLICASTRO](#) – CSC DOCKET NO. 2019-2954

The Department of Law and Public Safety, on behalf of the estate of Joseph Policastro, former Investigator 4, Law and Public Safety, appeals the denial of the request for Mr. Policastro’s Supplemental Compensation on Retirement.

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

B-38 [ALEX NAVAS](#) – CSC DOCKET NO. 2018-1279

The appeal of Alex Navas, a Laborer 1 with the Department of Public Safety, Town of West New York, of his 30 working day suspension, on charges, was heard by Administrative Law Judge Susana E. Guerrero (ALJ), who rendered her initial decision on April 25, 2019. At its meeting on June 12, 2019, the Civil Service Commission (Commission) did not adopt the ALJ’s recommendation to modify the 30 working day suspension to a 20 working day suspension. Rather, the Commission reversed the 30 working day suspension. The proposed decision is now submitted for the Commission’s review.

ACTION: The Civil Service Commission adopted the decision.

PUBLIC PORTION

No comment.

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Tuesday, July 9, 2019, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.



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