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Deirdré L. Webster Cobb, Chairperson

Dolores Gorczyca

Daniel W. O'Mullan

MARCH 27, 2019

A regular meeting of the Civil Service Commission was held on Wednesday, March 27, 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.

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

-

Randy Butler, Human Services Assistant, Woodbine Developmental Center, Department of Human Services, 30 working day suspension.

John Provenzano, Senior Correctional Police Officer, South Woods State Prison, Department of Corrections, suspension.

Sonnia Supple, Judiciary Clerk 3, Bilingual Spanish and English, Judiciary, Monmouth Vicinage, removal.

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

DISMISSAL FOR FAILURE TO APPEAR

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

-
Iesha Wright, Highway Operations Technician 1, Department of Transportation, removal.

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

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

Jillian Agnello
Department of Environmental Protection
Release at the end of the working test period

Tyne Edwards
Essex County
Department of Public Safety
Dismissal from Police Academy and removal (consolidated)

Jeness Kerr
Department of Human Services
Hunterdon Developmental Center
Release at the end of the working test period

Carlton White
City of Newark
Department of Engineering
Suspension

Steven Marlin
Department of Corrections

Connor Rush, Sheriff’s Officer, Morris County Sheriff’s Office, release at the end of the working test period and removal effective January 3, 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.

SECTION B – MISCELLANEOUS MATTERS

B-1 [A.C.J.](#) – CSC DOCKET NO. 2018-1784

A.C.J., represented by Michael L. Prigoff, Esq., appeals his rejection as a Sheriff’s Officer candidate by the Bergen County Sheriff’s Department and its request to remove his name from the eligible list for Sheriff’s 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-2 [L.L.](#) – CSC DOCKET NO. 2018-1923

L.L., represented by Robert T. Pickett, Esq., appeals the removal of her name from the eligible list for Correctional Police Officer (S9988U), Department of Corrections, 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 [R.W.T.](#) – CSC DOCKET NO. 2018-2949

R.W.T., represented by Michael L. Prigoff, Esq., appeals his rejection as a Fire Fighter candidate by Hoboken and its request to remove his name from the eligible list for Fire Fighter (M1539T) 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 [JAMARA ROBINSON](#) – CSC DOCKET NO. 2019-1574

Jamara Robinson appeals her removal from the eligible list for Correctional Police Officer (S9988U), Department of Corrections on the basis that she possessed an unsatisfactory driving record.

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

B-5 [VALLINE WHITSETT-HERNANDEZ](#) – CSC DOCKET NO. 2019-1710

Valline Whitsett-Hernandez appeals her removal from the eligible list for Correctional Police Officer (S9999U), Department of Corrections on the basis that she possessed an unsatisfactory background and falsified her application.

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

B-6 [CHRISTOPHER OLIVER](#) – CSC DOCKET NO. 2018-3658

Christopher Oliver appeals the bypass of his name from the Fire Lieutenant (PM1163S), Gloucester City eligible list.

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

B-7 [JOSEPH WHITTICK](#) – CSC DOCKET NO. 2019-1490

Joseph Whittick, represented by Robert K. Chewning, Esq., appeals the bypass of his name on the County Correction Sergeant (PC2075U), Camden County, eligible list.

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

B-8 [BUSINESS MANAGER \(M0132U\), CITY OF NEWARK](#) – CSC DOCKET NO. 2019-749

The City of Newark requests permission not to make an appointment from the October 6, 2017 certification for Business Manager (M0132U).

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

B-9 [CLERK 2 \(PM2100V\), CLIFTON](#) – CSC DOCKET NO. 2019-1845

The matter of whether Clifton should be granted permission not to make an appointment from the December 4, 2017 certification for Clerk 2 (PM2100V) has been referred to the Civil Service Commission for review.

ACTION: The Civil Service Commission granted the appointment waiver and assessed selection costs in the amount of \$1,114.

B-10 [IN THE MATTER OF VARIOUS LISTS, ESSEX COUNTY](#) – CSC DOCKET NOS. 2019-729, *ET AL.*

The Division of Agency Services requests that Essex County be ordered to return the following certifications for proper disposition: Claims Investigator (OL150694), issued June 1, 2015; Secretarial Assistant, Bilingual Spanish/English (OL170427), issued April 10, 2017; and Senior Accountant (OL161177), issued October 11, 2016.

ACTION: The Civil Service Commission ordered the appointing authority to properly dispose of the certifications within 10 days and pay compliance costs in the amount of \$1,000 per certification.

B-11 [PETER ANTONUCCI, ET AL.](#) – CSC DOCKET NOS. 2018-931, *ET AL.*

Peter Antonucci, Michael McGlennon, Frank Rizzuto and Robert Wiener, represented by David J. DeFillippo, Esq., appeal the determination of the Division of Agency Services, which found that Jason Roebuck met the experience requirements for the promotional examination for Police Chief (PM1120V), Long Branch.

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

B-12 [SHERILYNN BRIGANDI](#) – CSC DOCKET NO. 2019-1412

Sherilynn Brigandi appeals the determination of the Division of Agency Services which found that she was below the minimum requirements in experience for the qualifying examination for Safety Officer, Mental Health, Department of Health.

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

B-13 [RYAN FOOTE](#) – CSC DOCKET NO. 2019-1421

Ryan Foote 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 Director of Data Processing (PM0654W), Paterson.

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

B-14 [ESTEBAN RODRIGUEZ](#) – CSC DOCKET NO. 2019-1958

Esteban Rodriguez appeals the determination of the Division of Agency Services that he did not meet the experience requirements for the open competitive examination for Coordinator of Volunteers (M1059W), Jersey City.

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

B-15 [KERRY HAZEL](#) – CSC DOCKET NO. 2019-2087

Woodbine Developmental Center requests that the Civil Service Commission waive the written test requirement for Kerry Hazel for the promotional examination for Cottage Training Technician (PS4592K), Woodbine Developmental Center, Department of Human Services.

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

B-16 [ROBERT SABIA](#) – CSC DOCKET NO. 2019-2186

Robert Sabia appeals the scoring of the promotional examination for Fire Captain (PM1051V), Paterson.

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

B-17 [ANGELA ABREU](#) – CSC DOCKET NO. 2019-1534

Angela Abreu requests to be permitted to submit an application for the open competitive examination for Technical Assistant 2, Purchasing (S2142W), Statewide, after the filing closing date.

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

B-18 [STACY NAPPI](#) – CSC DOCKET NO. 2019-1759

Stacy Nappi appeals the determination of the Division of Administrative Services to deny her request for a make-up examination for Taxpayer Services Representative 1 (PS6097U), Department of the Treasury.

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

B-19 [RANDOLPH PLIS](#) – CSC DOCKET NO. 2019-443

Lacey Township requests that the provisions of *N.J.A.C.* 4A:4-7.1A(b) be relaxed in order to permit the intergovernmental transfer of Randolph Plis from the title of Sheriff's Officer, Ocean County Sheriff's Department, to the title of Police Officer, Lacey Township.

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

B-20 [EDWARD MCCABE](#) – CSC DOCKET NO. 2019-1015

Edward McCabe, an unclassified Equal Employment Opportunity Officer, requests that the Department of Human Services return him to his permanent title, Affirmative Action Officer 2.

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

B-21 [ALEXANDRE GABLER](#) – CSC DOCKET NO. 2019-389

Alexandre Gabler requests that the decision of the Civil Service Commission rendered on March 27, 2018 be enforced against the Ocean County Library.

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

B-22 [LOUIS DI PAOLO AND CHRISTIE NEVE](#) – CSC DOCKET NOS. 2019-1172 AND 2019-1173

Louis Di Paolo and Christie Neve request reconsideration of the final decision rendered on September 5, 2018, which upheld the determinations of the Division of Agency Services that their positions with the Department of the Treasury are properly classified as Conferee 1, Taxation.

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

B-23 [ROBERT BROWN](#) – CSC DOCKET NO. 2019-2355

The Superior Court of New Jersey, Appellate Division, vacated the Civil Service Commission’s decision to deny Robert Brown’s appeal of the bypass of his name on the Police Sergeant (PM0622N), City of Salem eligible list. The Court remanded the matter for a hearing at the Office of Administrative Law. *See In the Matter of Robert Brown, Police Sergeant (PM0622N), City of Salem, ___ N.J. Super. ___ (2019).*

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

B-24 [CIVIL SERVICE COMMISSION MINUTES](#)

Submitted for adoption are the Civil Service Commission minutes of its meeting of March 6, 2019.

ACTION: The Civil Service Commission adopted the minutes of its meeting on March 6, 2019.

B-25 [H.M.G.](#) – CSC DOCKET NO. 2018-603

H.M.G., represented by Michael L. Prigoff, 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-26 [S.M.O.](#) – CSC DOCKET NO. 2018-1069

S.M.O., represented by Donald C. Barbati, Esq., appeals her rejection as a Police Officer candidate by the South Orange Police Department and its request to remove her name from the eligible list for Police Officer (S9999R), South Orange 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-27 [MARK ATKINSON](#) – CSC DOCKET NO. 2019-1647

Mark Atkinson appeals his removal from the eligible list for Correctional Police Officer (S9988T), Statewide due to an unsatisfactory background report.

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

B-28 [ANTHONY DAVIS AND CLIFFORD ROGERS, JR.](#) – CSC DOCKET NOS. 2018-2753 AND 2018-3754

Anthony Davis and Clifford Rogers, Jr., appeal the bypass of their names on the Fire Captain (PM1110S), East Orange eligible list.

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

B-29 [ROBERT LEVIN](#) – CSC DOCKET NO. 2019-407

Karen Levin, wife of Robert Levin, former Section Chief, Office of Legislative Services with the Office of Legislative Services, appeals the denial of the request for Mr. Levin’s Supplemental Compensation on Retirement.

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

B-30 [S.T.](#) – CSC DOCKET NO. 2018-3774

S.T., a Principal Examiner Unemployment Tax with the Department of Labor and Workforce Development (DLWD), appeals the determination of the Equal Employment Opportunity Officer, DLWD, that the appellant did not 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 appeal be denied.

B-31 [A.B.](#) – CSC DOCKET NO. 2018-2724

A.B., represented by Michael L. Prigoff, Esq., appeals his rejection as a Police Officer candidate by the Passaic City Police Department and its request to remove his name from the eligible list for Police Officer (S9999R), Passaic City 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 [J.J.](#) – CSC DOCKET NO. 2018-3189

J.J. appeals his rejection as a Police Officer candidate by the Kearny Police Department and its request to remove his name from the eligible list for Police Officer (S9999U), Kearny 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-33 [FREDDIE FRAZIER](#) – CSC DOCKET NO. 2018-2332

Freddie Frazier, represented by Mario A. Iavicoli, Esq., requests unpaid back pay in the amount of \$89,808.52 minus proper tax and other deductions.

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

PUBLIC PORTION

A-2: Rocco Duardo asked about the action in his case and the Chairperson advised him of the result. B-28: Clifford Rogers also asked about his matter and was referred to staff.

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, April 17, 2019, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.



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