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Deirdré L. Webster Cobb, Chairperson

Dolores Gorczyca

Daniel W. O’Mullan

Diomedes Tsitouras

APRIL 15, 2020

A regular meeting of the Civil Service Commission was held on Wednesday, April 15, 2020, at 10:00 a.m., in Trenton, New Jersey.

PRESENT: Deirdré L. Webster Cobb, Chairperson, Members Dolores Gorczyca, Daniel W. O’Mullan and Diomedes Tsitouras; Pamela Ullman, Deputy Attorney General; Christopher Myers, Director, Division of Appeals and Regulatory Affairs. All individuals listed participated via teleconference.

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 November 13, 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 March 12, 2020.

ACTION: The Civil Service Commission adopted the minutes of its meeting of March 12, 2020

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

-
Mathew Martindell, County Correction Officer, Mercer County Correction Center, 10 working day suspension

Sidney Terrell, Director, Police School, Atlantic County, Department of Public Safety, removal.

Kyle Turner, Laborer 1, City of Trenton, Department of Public Works, six working day suspension.

Kyle Turner, Laborer 1, City of Trenton, Department of Public Works, six working day suspension.

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:

Georgena Brooks, Human Service Specialist 1, Union County, Department of Human Services, release at the end of the working test period.

Tonnieyvette Brower, Human Services Assistant, Ancora Psychiatric Hospital, Department of Health, removals (4).

Raymond Frey, Garage Attendant, Ocean County, Department of Roads, release at the end of the working test period.

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

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

-
James Baker
East Orange
Department of Public Safety
Suspension

-

Linda Benway

Passaic County

Sheriff's Department

Removal

-

Vincenzo Billero

Central Reception and Assignment Facility

Department of Corrections

Suspension

-

Charlsie Buongiorno

Montville Township

Municipal Court

Release at the end of the working test period

-

Mary Cardone **(Consolidated)**

Department of Military and Veterans Affairs

Removals (2)

-

Maria Cartem

Hunterdon Developmental Center

Department of Human Services

Removal

-

Marcelle Casimir

Hunterdon Developmental Center

Department of Human Services

Suspension

-

Bruce Davis

East Orange

Department of Public Safety

Bypass

-

Ricardo Garden

Newark
Department of Public Safety
Suspension
Jill Giannini
Burlington County
Sheriff's Office
Bypass

Erika Hudgins
Woodbine Developmental Center
Department of Human Services
Removal

Louis Ricca **(Consolidated)**
Newark
Department of Public Safety
Suspensions (2)

Kressida Scott-Miller
Hunterdon Developmental Center
Department of Human Services
Removal

Kressida Scott-Miller
Hunterdon Developmental Center
Department of Human Services
Removal

Wilberto Serrano
Newark School District
Suspension

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

ACTION: The Civil Service Commission acknowledged the settlements

A-2 [CHARITY BROWN](#)

Charity Brown, Safety Specialist 1, MVC, Motor Vehicle Commission, 17 working day suspension on charges of conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Uphold the 17 working day suspension.

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

A-3 [DERRICK DIXON](#)

Derrick Dixon, a Senior Building Maintenance Worker with The College of New Jersey, removal effective August 27, 2018 on charges of conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

VOTE: **Deirdrè L. Webster Cobb** **(Yes)**

Dolores Gorczyca **(Recuse)**

Daniel W. O’Mullan **(Yes)**

Diomedes Tsitouras **(Yes)**

A-4 [JOSEPH DOWNAR](#)

Joseph Downar, Fire Fighter, City of Newark, removal effective December 8, 2018, on charges of conviction of a crime, 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-5 [ISMAEL GIRADO](#) **(Consolidated)**

Ismael Girado, Human Services Assistant, Ancora Psychiatric Hospital, Department of Health, six removals effective January 12, 2018, on charges of chronic or excessive absenteeism or lateness, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Dismiss the appeals.

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

A-6 [DONNA ROCHE](#)

Donna Roche, Judiciary Clerk 3, Middlesex Vicinage, Judiciary, 10 working day suspension on charges of violating policies regarding codes of conduct and the use of social media.

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

ACTION: The Civil Service Commission modified the 10 working day suspension to a two working day suspension.

| | | |
|--------------|--------------------------------|-----------------|
| VOTE: | Deirdrè L. Webster Cobb | (Yes) |
| | Dolores Gorczyca | (Yes) |
| | Daniel W. O’Mullan | (Yes) |
| | Diomedes Tsitouras | (Recuse) |

A-7 [CHRISTOPHER STONER](#)

Christopher Stoner, Human Services Assistant, Ancora Psychiatric Hospital, Department of Health, removal effective March 14, 2013, 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 [J.R.B.](#) – CSC DOCKET NO. 2019-2541

J.R.B., represented by Eric W. Feinberg, Esq., appeals his rejection as a Police Officer candidate by the Township of Irvington 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 [C.C.](#) – CSC DOCKET NO. 2019-2336

C.C., represented by Michael L. Prigoff, Esq., appeals his rejection as a Sheriff's Officer candidate by Middlesex County 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-3 [C.R.](#) – CSC DOCKET NO. 2019-2219

C.R., represented by Michael L. Prigoff, Esq. appeals his rejection as a Police Officer candidate by the North Bergen Township 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-4 [R.E.F.](#) – CSC DOCKET NO. 2019-2462

R.E.F. appeals her rejection as a Sheriff's Officer candidate by Atlantic County and its request to remove her 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-5 [M.L.P.](#) – CSC DOCKET NO. 2019-2718

M.L.P. appeals her rejection as a Sheriff's Officer candidate by Middlesex County and its request to remove her 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-6 [I.A.R.](#) – CSC DOCKET NO. 2019-2371

I.A.R., represented by Joseph P. Slawinski, Esq. appeals his rejection as a Fire Fighter candidate by the Township of Bloomfield and its request to remove his name from the eligible list for Fire Fighter (M1505T) 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-7 [ANDY ECHEVARRIA-RUIZ](#) – CSC DOCKET NO. 2020-645

Andy Echevarria-Ruiz appeals his removal 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 denied.

B-8 [RYAN HEUSSLER](#) – CSC DOCKET NO. 2019-2112

Ryan Heussler appeals the removal of his name from the eligible list for Police Officer (S9999U), City of Newark due to his failure to complete pre-employment processing.

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

B-9 [ROBERTO MALDONADO](#) – CSC DOCKET NO. 2018-3048

Roberto Maldonado appeals the Passaic County Sheriff’s request to remove his name from the eligible list for Sheriff’s Officer (S9999U), on the basis that he did not meet the education requirements for the subject title.

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

B-10 [K.O.](#) – CSC DOCKET NO. 2020-821

K.O. appeals the removal of her 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-11 [ANABELLE RODRIGUEZ](#) – CSC DOCKET NO. 2019-3406

Anabelle Rodriguez appeals the Borough of Sayreville’s request to remove her name from the eligible list for Police Officer (S9999U), on the basis that she failed to respond to the certification notice.

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

B-12 [JOSEPH SEYMOUR](#) – CSC DOCKET NO. 2019-3615

Joseph Seymour appeals the decision to remove his name from the Correctional Police Officer (S9988V), Department of Corrections, eligible list on the basis of falsification of his application.

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

B-13 [ANTOINE SINGLETARY](#) – CSC DOCKET NO. 2019-2057

Antoine (Ballentyn) Singletary appeals the City of Trenton’s request to remove his name from the eligible list for Fire Fighter (M1574T), on the basis that he failed to complete preemployment processing.

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

B-14 [JOSEPH STICKLES](#) – CSC DOCKET NO. 2020-1927

Joseph Stickles appeals the removal of his name from the Fire Fighter (M1840W), Irvington eligible list due to his failure to appear for the Physical Performance Test.

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

B-15 [ALPHONSO TERRELL](#) – CSC DOCKET NO. 2019-3419

Alphonso Terrell appeals his removal from the Correctional Police Officer (S9988V), Department of Corrections eligible list on the basis of an unsatisfactory criminal background.

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

B-16 [KARA CROWLEY](#) – CSC DOCKET NO. 2020-367

Kara Crowley appeals the bypass of her name on the Family Service Specialist 1 (PS2267K), Department of Children and Families, eligible list.

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

B-17 [MATTHEW MIZAK](#) – CSC DOCKET NO. 2020-899

Matthew J. Mizak appeals the bypass of his name on the February 15, 2019 certification of the Fire Fighter (M1584T), Woodbridge Township Fire District #1, eligible list.

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

B-18 [MICHAEL STALLONE](#) – CSC DOCKET NO. 2019-1594

Ewing Township, represented by Maeve Cannon Esq., appeals the decision of the Division of Agency Services which found that the position of Michael Stallone is properly classified as Electrical Subcode Official and ordered

the removal of out-of-title Assistant Construction Official duties.

ACTION: The Civil Service Commission ordered the appointing authority to remove Michael Stallone’s out-of-title Assistant Construction Official duties or provisionally appoint him, pending promotional examination procedures, to the title of Assistant Construction Official.

B-19 [STEPHANIE TAMAGNI](#) – CSC DOCKET NO. 2020-1692

The appointing authority appeals the decision of the Division of Agency Services which found that Stephanie Tamagni’s position with Vineland is properly classified as Customer Service Representative. It does not request a specific job classification.

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

B-20 [ANDREA FAIR](#) – CSC DOCKET NO. 2020-1430

Andrea Fair appeals the determination of the Division of Agency Services that she did not meet the requirements for the promotional examination for Administrative Assistant 3 (PS9718N), Department of Labor and Workforce Development.

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

B-21 [NICOLE FUNKHOUSER](#) – CSC DOCKET NO. 2020-1862

Nicole Funkhouser appeals the determination of the Division of Agency Services that she did not meet the experience requirement for the open competitive examination for Behavior Analyst 2 (S0744A), Statewide.

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

B-22 [DARRYL MCDEDE](#) – CSC DOCKET NO. 2020-1633

Darryl McDede appeals the determination of the Division of Agency Services, which found that he did not meet the experience requirement for the open-competitive examination for Investigator (S0625A), Statewide.

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

B-23 [ISABELLE PROCACCINO](#) – CSC DOCKET NO. 2020-1946

Isabelle Procaccino appeals the determination of the Division of Agency Services which found that she did not meet the experience requirements for the open-competitive examination for Administrative Secretary (M0791A), Jersey City.

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

B-24 [SHIRLISSA R. ZUHLCKE](#) – CSC DOCKET NO. 2019-2791

Shirlissa R. Zuhlcke appeals the determination of the Division of Agency Services which found that she did not meet the requirements for the promotional examination for Technical Assistant Contract Administration (PS4582K), Department of Children and Families.

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

B-25 [PROGRAM COORDINATOR SENIOR CITIZENS TRANSPORTATION \(M0297V\), CITY OF NEWARK](#) – CSC DOCKET NO. 2019-1853

The Division of Agency Services requests that the City of Newark be ordered to return the January 10, 2018 certification (OL180036) of the eligible list for Program Coordinator Senior Citizens Transportation (M0297V) for proper disposition.

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

| | | |
|--------------|--------------------------------|-----------------|
| VOTE: | Deirdrè L. Webster Cobb | (Yes) |
| | Dolores Gorczyca | (Recuse) |
| | Daniel W. O’Mullan | (Yes) |
| | Diomedes Tsitouras | (Yes) |

B-26 [DIRECTOR OF SOCIAL WORK SERVICES \(PC0401V\), ESSEX COUNTY](#) – CSC DOCKET NO. 2019-726

The appointing authority’s failure to dispose of the certification for Director of Social Work Services (PC0401V), 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 either vacate the position or permanently appoint the provisional appointee, and pay compliance costs in the amount of \$1,000.

B-27 [SEAN MCMANUS](#) – CSC DOCKET NO. 2020-835

Sean McManus, a Conservation Officer 3 with the Department of Environmental Protection, represented by David Beckett, Esq., appeals the denial of his grievance concerning the rate of cash overtime compensation for emergency-related work.

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

B-28 [ALINA FIALLO](#) – CSC DOCKET NO. 2020-1874

Alina Fiallo, a provisional Senior Clerk Typist, requests that she be permanently appointed as a Senior Clerk.

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

B-29 [FRANCINE GARY](#) – CSC DOCKET NO. 2019-3252

Francine Gary, a former Supervisor 1 with the Judiciary, Vicinage 11, Passaic County, requests that the provision of *N.J.A.C. 4A:6-3.4(a)*, which govern the time period in which employees must file an application for Supplemental Compensation on Retirement (SCOR), be relaxed to permit her to submit a late application for SCOR benefits.

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

B-30 [SAM SCHULMAN](#) – CSC DOCKET NO. 2020-1681

Sam Schulman, a former Truck Driver, Heavy with Lakewood Township, requests reconsideration of the decision of the Civil Service Commission rendered on May 3, 2017, denying his appeal of his resignation in good standing effective February 9, 2016.

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

B-31 [ANTHONY GRAVES](#) – CSC DOCKET NO. 2020-1446

Anthony Graves, a Fire Captain with Newark, represented by Tisha N. Adams, Esq., petitions the Civil Service Commission for enforcement of prior Commission decisions and interim relief regarding a Preliminary Notice of Disciplinary Action (PNDA) that was issued against him.

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

B-32 [KIMBERLY HAYES](#) – CSC DOCKET NOS. 2020-1602 AND 2020-711

Kimberly Hayes, represented by William A. Nash, Esq., requests additional back pay and counsel fees in accordance with the Civil Service Commission decision rendered on July 9, 2019. Additionally, Hayes requests counsel fees for enforcement of the back pay award. The New Jersey Veterans Memorial Home – Vineland, Department of Military and Veterans Affairs, represented by Emily Marie Bisnauth, Deputy Attorney General, requests a reduction in the requested counsel fees.

ACTION: The Civil Service Commission awarded counsel fees in the amount of \$15,040 and denied all other requests.

B-33 [CAROLINE JONES](#) – CSC DOCKET NO. 2020-1235

Caroline Jones petitions the Civil Service Commission (Commission) for enforcement of the Commission’s decision rendered on June 26, 2018, wherein the Commission ordered that the petitioner’s salary be reconstructed and differential back pay be remitted.

ACTION: The Civil Service Commission ordered the Department of Human Services and the Department of Health to remit the differential back pay, and pay compliance costs of \$1,000 each.

B-34 [VANESSA BARDACHINO](#) – CSC DOCKET NO. 2020-1971

Vanessa Bardachino requests to file a late application for the promotional examination for Investor 1, Child Protection (PS5748K), Department of Children and Families.

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

| | | |
|--------------|--------------------------------|-----------------|
| VOTE: | Deirdrè L. Webster Cobb | (Yes) |
| | Dolores Gorczyca | (Recuse) |
| | Daniel W. O’Mullan | (Yes) |
| | Diomedes Tsitouras | (Yes) |

B-35 [REGINALD BLEDSOE](#) – CSC DOCKET NO. 2020-2255

Reginald Bledsoe appeals the determination of the Division of Administrative Services denying his request for a make-up examination for Recreation Program Coordinator (C0227A), Essex County.

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

B-36 [BRIAN KALARJIAN](#) – CSC DOCKET NO. 2020-1772

Brian Kalarjian requests to have his application and application processing fee for Sheriff’s Officer Sergeant (PC1562A), Monmouth County applied to County Correction Sergeant (PC1542A), Monmouth County.

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

B-37 [KENNETH KUZICKI](#) – CSC DOCKET NO. 2020-1016

Kenneth Kuzicki requests that he be permitted to submit an application for the promotional examination for Police Lieutenant (PM0966A), Vernon after the application filing deadline.

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

B-38 [LOURDES LUGO](#) – CSC DOCKET NO. 2020-1193

Lourdes Lugo requests to file a late application for Senior Unemployment Insurance Clerk (PS0383N), Department of Labor and Workforce Development.

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

B-39 [KAREN MUZZARELLI](#) – CSC DOCKET NO. 2020-1957

Karen Muzzarelli requests to file a late application for the open competitive examination for Management Assistant (S0016B), Statewide.

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

B-40 [BRANDON NENO](#) – CSC DOCKET NO. 2020-1208

Brandon Neno requests that he be permitted to submit an application for the Entry Level Law Enforcement Examination (S9999A) after the application filing deadline.

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

B-41 [K.D.](#) – CSC DOCKET NO. 2019-3632

K.D., a Legal Specialist with the Division on Civil Rights, Department of Law and Public Safety, appeals the decision of the Director, Office of Equal Employment Opportunity, which did not substantiate her allegation that she was 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 remanded to the Office of Equal Employment Opportunity for further investigation.

B-42 [K.P.](#) – CSC DOCKET NO. 2019-3416

K.P., a Correctional Police Sergeant with the Department of Corrections, appeals the decision of the Director of the Equal Employment Division, which did not substantiate her allegation that she was 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.

PUBLIC PORTION

No comments.

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, April 29, 2020, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.



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