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Deirdré L. Webster Cobb, Chairperson

Dolores Gorczyca

Daniel W. O’Mullan

Diomedes Tsitouras

AUGUST 19, 2020

\*\*\*\*\*

A regular meeting of the Civil Service Commission was held on Wednesday, August 19, 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 July 29, 2020.

**ACTION:** The Civil Service Commission adopted the minutes of its meeting of July 29, 2020.

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

Lawrence Robinson, Laborer 1, City of Newark, Department of engineering, removal and resignation not in good standing, effective September 5, 2018.

Anthony Viola, City of Jersey City, Police Department, removal, effective December 11, 2019.

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

**SECTION A – HEARING MATTERS**

**A-1 SETTLEMENTS**

Abanoub Bekhit  
City of Jersey City  
Department of Public Safety  
Removal

Michele Bernich  
City of Long Branch  
Department of Building and Development  
Removal

Eduardo Roces  
City of Newark  
Police Department  
Removal

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

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

**A-2 MATTHEW OLSEN**

Matthew Olsen, Highway Operations Technician 1, Department of Transportation, removal effective May 1, 2019, on charges of violation of federal regulations concerning drug and alcohol use and other sufficient cause.

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.

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

**A-3**    [MARISHA PENN](#)

Marisha Penn, Human Services Specialist 4, Hudson County, Department of Family Services, removal effective August 13, 2018, on charges of incompetency, inefficiency or failure to perform duties, conduct unbecoming a public employee and neglect of duty.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

**A-4**    [KAREN ROUSE](#)

Karen Rouse, Senior Human Services Technician, 60 working day suspension and removal effective February 7, 2017, on charges including verbal abuse of a resident, insubordination, neglect of duty and violation of various other rules and regulations.

Recommendation of the Administrative Law Judge – Reverse the 60 working day suspension and modify the removal to a 30 working day suspension.

**ACTION:** The Civil Service Commission rejected the recommendation of the Administrative Law Judge and acknowledged the settlement.

**A-5**    [ALFONSO SAMAYOA](#)

Alfonso Samayoa, Senior Medical Security Officer, Ann Klein Forensic Center, Department of Health, removal effective October 26, 2015, on charges of conduct unbecoming a public employee, physical or mental abuse of a patient, client or resident and inappropriate physical contact or mistreatment of a patient, client, resident or employee.

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 [INTERIM PUBLIC HEALTH RECOVERY DIVISION, DEPARTMENT OF HEALTH](#) – CSC DOCKET NO. 2021-158**

The Division of Agency Services seeks Civil Service Commission approval to make temporary unclassified appointments to various career service titles in order to allow expedited staffing of the Interim Public Health Recovery Division, Epidemiology and Laboratory Capacity Enhancing Detection, Department of Health.

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

**B-2 [MICHAEL HABBART](#) – CSC DOCKET NO. 2020-2686**

Michael Habbart appeals the decision to remove his name from the Fire Fighter (M1889W), Woodbridge Fire District #5, eligible list on the basis of an unsatisfactory background report.

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

**B-3 [L.J.](#) – CSC DOCKET NO. 2020-2524**

L.J. appeals the removal of his name from the Correction Police Officer (S9988A), Department of Corrections eligible list on the basis of an unsatisfactory criminal record.

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

**B-4 [GARY LYONS, JR.](#) – CSC DOCKET NO. 2020-2398**

Gary Lyons, Jr., represented by Timothy J. Prol, Esq., appeals the decision to remove his name from the Sheriff's Officer (S9999U), Camden County Sheriff's Office, eligible list on the basis of falsification of his application.

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

**B-5 JESSE MOYA – CSC DOCKET NO. 2020-1572**

Jesse Moya appeals the removal of his name from the Sheriff's Officer (S9999U), Hudson County eligible list for failure to maintain residency.

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

**B-6 [EDWARD YARNGO](#) – CSC DOCKET NO. 2019-3611**

Edward Yarngo appeals the removal of his name from the eligible list for Medical Security Officer Recruit (S0239T), Statewide on the basis that he failed to respond to the certification notice.

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

**B-7 [J.F.G.](#) – CSC DOCKET NO. 2020-1524**

J.F.G., represented by Jeffrey S. Ziegelheim, Esq., appeals the bypass of his name on the Correctional Police Officer (S9999U), Department of Corrections eligible list.

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

**B-8 [PHILIP SCHENA](#) – CSC DOCKET NO. 2020-1853**

Philip Schena, represented by David J. DeFillippo, Esq., appeals the bypass of his name on the Police Sergeant (PM0764V), Borough of Beachwood, eligible list.

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

**B-9 [ADMINISTRATIVE OFFICE OF THE COURTS](#) – CSC DOCKET NOS. 2020-2743, *ET AL.***

The Administrative Office of the Courts requests permission not to make appointments from certifications for various lists, Administrative Office of the Courts.

**ACTION:** The Civil Service Commission granted the appointment waivers and assessed no selection costs for all lists except for (S0591A) and (S0592A). For (S0591A) and (S0592A), the costs will be re-examined after the expiration of those lists.

**B-10 [KEYBOARDING CLERK 2, BILINUGAL IN SPANISH AND ENGLISH \(PM1094A\), VINELAND SCHOOL DISTRICT](#) - CSC DOCKET NO. 2020-2568**

The Division of Agency Services requests that Vineland School District be ordered to return the December 12, 2019 certification of the eligible list for Keyboarding Clerk 2, Bilingual in Spanish and English (PM1094A) 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.

**B-11 [VINCENT BUONANNO](#) – CSC DOCKET NO. 2021-93**

Vincent Buonanno appeals the decision of the Division of Agency Services that the proper classification of his position is Investigator 3, Law and Public Safety. The appellant seeks an Investigator 4, Law and Public Safety classification.

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

**B-12 [DONNYELL CAMPBELL](#) – CSC DOCKET NO. 2020-5**

Donnyell Campbell appeals the decision of the Division of Agency Services which found that her position with Willingboro Township is properly classified as Records Support Technician 2. The appellant seeks a Records Support Technician 3 job classification.

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

**B-13 [ANTOINETTE MCCARTHY](#) – CSC DOCKET NO. 2020-2272**

Antoinette McCarthy 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 Administrative Analyst 2, Information Systems. The appellant seeks an Administrative Analyst 3, Information Systems job classification.

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

**B-14 [DIANE SCOTT](#) – CSC DOCKET NO. 2020-2738**

Diane Scott appeals the decision of the Division of Agency Services which found that her position with the Department of Law and Public Safety is properly classified as Supervisor, Licensing Unit, Professional Board. The appellant seeks an Management and Operations Analyst 1 job classification.

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

**B-15 [GAYLE FERRARINI](#) – CSC DOCKET NO. 2021-111**

Gayle Ferrarini appeals the decision of the Division of Agency Services which found that, per the substitution clause for education, she did not meet the experience requirements for the promotional examination for Fiscal Analyst (PC1379A), Bergen County.

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

**B-16 [MARK MCCARTHY, ET AL.](#) – CSC DOCKET NOS. 2020-208, ET AL.**

Mark McCarthy, Sean Keating and Milagros Rivera appeal the determinations of the Division of Agency Services that they did not meet the experience requirement for the promotional examination for Senior Juvenile Detention Officer (PC0422A), Camden County.

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

**B-17 [ROGER MCLARNON](#)- CSC DOCKET NO. 2020-1954**

Roger McLarnon appeals the determination of the Division of Agency Services which found that he did not meet the minimum requirements in experience for the promotional examination for Zoning Officer (PM1180A), Margate.

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

**B-18 [XAVIER MORALES](#) – CSC DOCKET NO. 2020-2030**

Xavier Morales appeals the decision of the Division of Agency Services which found that he did not meet the experience requirements for the promotional examination for Supervising Parking Enforcement Officer (PM1190A), Jersey City.

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

**B-19 [TINA HOFFMAN](#) – CSC DOCKET NO. 2021-77**

Tina Hoffman requests to file a late application for the promotional examination for Technical Assistant 1, Treasury (PS2806U), Department of the Treasury.

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

**B-20 [DIANNE SANAN-GARAY](#) – CSC DOCKET NO. 2020-2733**

Dianne Sanan-Garay appeals her rank and score for the promotional examination for Senior Employment Specialist (PC1452A), Essex County.

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

**B-21 [RAUL VIRELLA](#) – DOCKET NO. 2020-2385**

Raul Virella, represented by Arthur Murray, Esq., appeals the test conditions for the promotional examination for District Supervisor, Wage and Hour Compliance (PS9723N), Department of Labor and Workforce Development.

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

**B-22 [HEATHER OSOWSKI, ET AL.](#) – CSC DOCKET NOS. 2019-629, ET AL.**

Heather Osowski, Barbara Poling, Gina Bencivengo, Jennifer Matthews, Jeffrey Arvin and Patricia Pierro, all Instructor 1 Education, 10-months, Marie H. Katzenbach School for the Deaf, Department of Education, appeal their salaries upon their initial appointments.

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

**B-23 [SHANTE CURRY](#) – CSC DOCKET NO. 2021-6**

Shante Curry, a County Correctional Police Officer with Essex County, represented by Luretha Stribling, Esq., petitions the Civil Service Commission for interim relief regarding her pending disciplinary action.

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

**B-24 [DANIEL VNENCAK](#) – CSC DOCKET NO. 2020-2039**

Daniel Vnencak, a former Parking Enforcement Officer with the Town of Boonton, Police Department, appeals his layoff effective January 24, 2020.

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

**B-25 [ERNEST MANNING](#) – CSC DOCKET NO. 2020-1784**

Ernest Manning petitions the Civil Service Commission for reconsideration of the final decision rendered on December 18, 2019, which upheld his removal and resignation not in good standing.

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

**B-26 [S.F.](#) – CSC DOCKET NO. 2020-1983**

S.F., an Administrative Analyst 4 with the Office of Technology appeals the decision of the Special Assistant to the State Chief Technology Officer, which substantiated allegations that he violated the New Jersey State Policy Prohibiting Discrimination in the Workplace.



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

**B-27 [M.B.](#) – CSC DOCKET NO. 2020-1274**

M.B. appeals the removal of his name from the Correctional Police Officer (S9988A), Department of Corrections eligible list.

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

**B-28 [BRENDON DEVEAUX](#) – CSC DOCKET NO. 2020-2230**

Brendon Deveau appeals the decision to remove his name from the Correctional Police Officer (S9988A), Department of Corrections, eligible list on the basis of an unsatisfactory driving record.

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

**B-29 [SENIOR ACCOUNT CLERK \(C0248V\), BERGEN COUNTY](#) – CSC DOCKET NO. 2020-1454**

Bergen County requests permission not to make an appointment from the August 7, 2017 certification for Senior Account Clerk (C0248V), Bergen County.

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

**PUBLIC PORTION**

No comments.

**There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, September 2, 2020, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.**



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