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**Deirdré L. Webster Cobb, Chairperson**

**Dolores Gorczyca**

**Daniel W. O’Mullan**

**Diomedes Tsitouras**

**JULY 29, 2020**

\*\*\*\*\*

**A regular meeting of the Civil Service Commission was held on Wednesday, July 29, 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 special meeting of July 17, 2020.

**ACTION:** The Civil Service Commission adopted the minutes of its special meeting of July 17, 2020.

**WITHDRAWAL OF APPEALS**

The following appeals were withdrawn and removed from the hearing calendar:

-  
Heriberto Delgado, County Police Officer, Camden County, Police Department, removal effective February 21, 2018.

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

**SECTION A – HEARING MATTERS**

**A-1 SETTLEMENTS**

-  
Angie Espinal  
Hudson County  
Department of Roads and Public Property  
Removal

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

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

**A-2 [NADIRA DUVAL](#)**

Nadira Duval, County Correctional Police Officer, Hudson County, Department of Corrections, removal effective January 14, 2019, on charges of 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-3 [RUTH HENRIQUEZ](#)**

Ruth Henriquez, Sheriff’s Officer, Middlesex County Sheriff’s Office, removal effective October 28, 2016, on charges of incompetency, inefficiency or failure to perform duties 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 [DAVID PREZIOSI](#)**

David Preziosi, Police Officer, Township of West Orange, Police Department, 30 working day suspension on charges of inability to chronic or excessive absenteeism or lateness and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the 30 working day suspension.

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

**A-5 [LUIS SUAREZ](#)**

Luis Suarez, Sheriff's Officer, Middlesex County Sheriff's Office, 10 working day suspension on charges or conduct unbecoming a public employee, neglect of duty, violation of various departmental policies and other sufficient cause.

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

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

**SECTION B – MISCELLANEOUS MATTERS**

**B-1 [J.W.R.](#) – CSC DOCKET NO. 2019-1764**

J.W.R. represented by Oleg Nekritin, Esq., appeals his rejection as a Police Officer candidate by the Woodbridge Police Department and its request to remove his name from the eligible list for Police Officer (S9999U), Woodbridge 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 [JOHN PIENCIAK](#) – CSC DOCKET NO. 2018-1970**

John Pienciak, represented by Michael L. Prigoff, Esq., appeals Hillside's decision to bypass his name for appointment from the Deputy Fire Chief (PM3241V), Hillside eligible list.

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

**B-3 [ASSISTANT COUNTY TREASURER \(C2029W\), SUSSEX COUNTY](#) – CSC DOCKET NO. 2020-**

1432

Sussex County requests permission not to make an appointment from the June 17, 2019 certification for Assistant County Treasurer (C20209W).

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

**B-4 [SUPERVISOR, SANITATION \(M0429V\), NEWARK](#) – CSC DOCKET NO. 2019-1852**

The Division of Agency Services requests that Newark be ordered to return the January 10, 2018 certification (OL180037) of the eligible list for Supervisor, Sanitation (M0429V) 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-5 [ALEJANDRO MADERA](#) – CSC DOCKET NO. 2020-2329**

Alejandro Madera requests that he be permitted to submit an application for the promotional examination for Sheriff's Officer Sergeant (PC1559A), Essex County, after the application filing deadline.

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

**B-6 [RONALD PERSAUD](#) – CSC DOCKET NO. 2020-2137**

Ronald Persaud, a Laborer 1 with the Plainfield Housing Authority, represented by Arnold Shep Cohen, Esq., requests relief related to the involuntary reduction in his workweek.

**ACTION:** The Civil Service Commission ordered the appointing authority to return the appellant to full-time status and pay him differential back pay.

**B-7 [LISA SCHWEIZER](#) – CSC DOCKET NO. 2020-2383**

Lisa Schweizer, represented by Louis P. McFadden, Jr., Esq., requests that the Civil Service Commission determine the amount of back pay and benefits due based on the decision *In the Matter of Lisa Schweizer* (CSC, decided December 18, 2019). She also requests interest and counsel fees.

**ACTION:** The Civil Service Commission granted gross back pay in the amount of \$63,928.50. The remainder of the requests were denied.

**B-8 [CITY OF HOBOKEN LAYOFF](#) – CSC DOCKET NO. 2020-2660**

The Hoboken Municipal Employees Association, represented by Marcia J. Mitolo, Esq., petitions for a stay of the May 7, 2020 layoff.

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

**B-9 [D.S.](#) – CSC DOCKET NO. 2020-2288**

D.S. appeals the removal of her name from the Correctional Police Officer (S9988A), Department of Corrections eligible list on the basis of an unsatisfactory background report.

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

**B-10 [JAISON ALEX](#) – CSC DOCKET NO. 2020-6**

Jaison Alex appeals the determination of the Division of Agency Services that the proper classification of his position with Bergen County is Senior Engineer, Traffic. The appellant seeks a Principal Engineer, Traffic job classification.

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

**B-11 [FISCAL ANALYST \(C0920U\), BERGEN COUNTY](#) – CSC DOCKET NO. 2020-2514**

The matter of Bergen County’s failure to make an appointment from the OL170498 certification for Fiscal Analyst (C0920U), Bergen County has been referred to the Civil Service Commission for review.

**ACTION:** The Civil Service Commission directed that the appointing authority pay selection costs in the amount of \$2,048.

**B-12 [JONATHAN TORRES](#) – CSC DOCKET NO. 2020-2324**

Jonathan Torres appeals the removal of his name from the Fire Fighter (M1844W), Jersey City 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-13 [VICENTE PEREZ](#) – CSC DOCKET NO. 2020-2727**

Vicente Perez appeals his 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-14 [MARY BETH PECENAK](#) – CSC DOCKET NO. 2020-1619**

Mary Beth Pecenak 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 Senior Clerk Typist. The appellant seeks a Technical Assistant job classification.

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

**B-15 [W.M.](#) - CSC DOCKET NO. 2020-1754**

W.M. appeals the removal of his name from the eligible list for Cottage Training Supervisor (PS4067K), Department of Human Services, due to an unsatisfactory employment record.

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

**B-16 [ASSABOOR BEYAH](#) - CSC DOCKET NO. 2020-2506**

East Orange requests that the Civil Service Commission revive the eligible list for Fire Fighter (M1516T), East Orange so that AsSaboor Beyah's name may be certified to the appointing authority for consideration at the time of the next certification.

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

**B-17 [ALECIA INSHAN](#) - CSC DOCKET NO. 2020-2508**

Alecia Inshan appeals the decision to remove her 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-18 [BRIAN PIO](#) - CSC DOCKET NO. 2020-2193**

The Salem County Sheriff's Office, represented by Joseph M. DiNicola, Jr., Esq., petitions the Civil Service Commission for reconsideration of the decision rendered on January 15, 2020, which modified the removal of Brian Pio to a six-month suspension and ordered that he attend diversity training.

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

**B-19 COVID-19 TEMPORARY RULE RELAXATIONS**

Proposed Notice of Adoption for Temporary Rule Relaxations and Modifications to various provisions of *N.J.A.C.* 4A in accordance with Section 6 of Executive Order 103, issued in response to the COVID-19 pandemic.

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

**PUBLIC PORTION**

No comments.

**There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, August 19, 2020, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.**



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