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Deirdré L. Webster Cobb, Chairperson

Dolores Gorczyca

Daniel W. O’Mullan

Diomedes Tsitouras

September 30, 2020

A regular meeting of the Civil Service Commission was held on Wednesday, September 30, 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 September 16, 2020.

ACTION: The Civil Service Commission adopted the minutes of its meeting of September 16, 2020.

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

Jocelyn Bell
Newark School District
Removal

Roshelle Blackwell
Jersey City School District
Suspension

Crystal Stokes
Essex County
Department of Public Safety and Corrections
Suspension

Dorian Webb
Judiciary – Essex Vicinage
Removal

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 [TEODORO AROCHO-RAMOS](#) – CSC DOCKET NO. 2019-3692

Teodoro Arocho-Ramos, Correctional Police Sergeant, East Jersey State Prison, Department of Corrections, removal effective May 30, 2019, on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Grant the appointing authority’s motion for summary decision and dismiss the appeal with prejudice.

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

A-3 [STACEY POLANCO](#) – CSC DOCKET NO. 2014-3054

Stacey Polanco, Public Safety Telecommunicator, Borough of Fair Lawn, Police Department, removal effective May 20, 2014, on charges of incompetency, inefficiency or failure to perform duties, inability to perform duties and other sufficient cause.

Recommendation of the Administrative Law Judge – Dismiss the appeal with prejudice.

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

A-4 [GEORGE SHOWELL](#) – CSC DOCKET NO. 2019-3178

George Showell, Human Services Technician, Ancora Psychiatric Hospital, Department of Health, removal effective December 10, 2018, on charges of conduct unbecoming a public employee, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Grant the appointing authority’s motion for summary decision and dismiss the appeal as moot.

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

SECTION B – MISCELLANEOUS MATTERS

B-1 [S.B.](#) – CSC DOCKET NO. 2020-1923

S.B. 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 (S9988A) 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 [C.K.](#) – CSC DOCKET NO. 2020-1556

C.K. 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 (S9988A) 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 [A.C.M.](#) – CSC DOCKET NO. 2020-1625

A.C.M. appeals her rejection as a Correctional Police Officer candidate by the Department of Corrections and its request to remove her name from the eligible list for Correctional Police Officer (S9988A) 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 [J.O.R.](#) – CSC DOCKET NO. 2020-1530

J.O.R., represented by Craig S. Gumpel, Esq., appeals his rejection as a Fire Fighter candidate by Jersey City and its request to remove his name from the eligible list for Fire Fighter (M1844W) 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 [R.B.](#) – CSC DOCKET NO. 2020-2231

R.B. appeals the removal of his name from the Correctional Police Officer (S9988A), Department of Corrections eligible list on the basis of an unsatisfactory background report and false statements of material fact.

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

B-6 [DENISE PORTER](#) – CSC DOCKET NO. 2020-2753

Denise Porter 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-7 [DOMENICO SACCA](#) – CSC DOCKET NO. 2020-2345

Domenico Sacca appeals the bypass of his name on the Road Repairer 2/Sign Maker 2 (PM2458W), Elizabeth eligible list.

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

B-8 [C.T.](#) – CSC DOCKET NO. 2021-43

C.T., a Technical Assistant 2 with the Department of Transportation, appeals the decision of the Director, Division of Civil Rights and Affirmative Action, which was unable to substantiate allegations that she was subjected to retaliation in violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

B-9 [MILDRED DAVIS](#) – CSC DOCKET NO. 2020-2366

Mildred Davis, a Principal Examiner, Unemployment Tax, with the Department of Labor and Workforce Development, appeals the adjustment of her leave allowances due to her leaves of absence.

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

B-10 [LILLIAN DAVIS](#) – CSC DOCKET NO. 2020-2559

Lillian Davis requests enforcement of the settlement agreement which was acknowledged by the Civil Service Commission at its March 12, 2020 meeting. *See In the Matter of Lillian Davis* (CSC, decided March 12, 2020).

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

B-11 [K.W.](#) – CSC DOCKET NO. 2020-2657

K.W., a Police Sergeant with the City of Asbury Park, represented by Ben Weathers, Esq., appeals a May 19, 2020 order to submit to a psychological evaluation.

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

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

Dolores Gorczyca (Yes)

Daniel W. O’Mullan (Yes)

Diomedes Tsitouras (Yes)

B-12 [NICHOLAS PROCOPIO](#) – CSC DOCKET NO. 2020-2334

Nicholas Procopio appeals his score for the oral portion of the promotional examination for Fire Captain (PM1030A), Gloucester Township #2.

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

B-13 [RICHARD BORNSTAD](#) – CSC DOCKET NO. 2020-1115

Richard Bornstad appeals his score on the examination for Deputy Fire Chief (PM0120A), Linden.

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

B-14 [BARRY KAVERICK](#) – CSC DOCKET NO. 2020-2265

Barry Kaverick appeals his score for the oral portion of the promotional examination for second-level Fire Captain (PM0149A), Linden.

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

B-15 [BRIAN ROCKLEIN](#) – CSC DOCKET NO. 2020-2268

Brian Rocklein appeals his score for the oral portion of the promotional examination for second-level Fire Captain (PM0158A), Union Township.

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

B-16 [CHRISTOPHER STEITZ](#) – CSC DOCKET NO. 2020-2365

Christopher Steitz appeals his score for the oral portion of the promotional examination for second-level Fire Captain (PM0158A), Union Township.

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

B-17 [FELICIA OJOLO](#) – CSC DOCKET NO. 2021-50

The Department of Corrections requests that the provisions of *N.J.A.C.* 4A:6-3.4(a), which govern the time in which employees must file an application for Supplemental Compensation on Retirement (SCOR), be relaxed to permit Felicia Ojolo, a former Senior Correctional Police Officer, to submit a late application for SCOR benefits.

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

B-18 [FRANK CERAMI](#) – CSC DOCKET NO. 2021-227

Frank Cerami, a Fire Fighter with Newark, represented by Craig S. Gumpel, Esq. and Michael L. Prigoff, 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-19 [WILLIAM GREEN](#) – CSC DOCKET NO. 2020-2259

William Green, represented by Anthony J. Harvatt II, Esq., requests enforcement of a September 26, 2019 settlement.

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

B-20 [ROBERT PHARO](#) – CSC DOCKET NO. 2021-37

Atlantic County, represented by Jennifer P. Starr, Esq., requests reconsideration of the decision, *In the Matter of Robert Pharo* (CSC, decided May 20, 2020), which modified Pharo’s removal to a 45 working day suspension.

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

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

 Dolores Gorczyca (Yes)

 Daniel W. O’Mullan (No)

 Diomedes Tsitouras (Yes)

B-21 [MARK LEWIS, ET AL.](#) – CSC DOCKET NOS. 2020-1968, *ET AL.*

Mark Lewis, Darryl Rowell and Rubin Marquez appeal the determinations of the Division of Agency Services that they were ineligible for the open-competitive examination for Water Repairer 1 (M0884A), City of Trenton.

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

B-22 [ELIZABETH HULSE](#) – CSC DOCKET NO. 2021-183

Elizabeth Hulse appeals the determination of the Division of Agency Services which found that she was below the minimum requirements in experience for a qualifying lateral examination for Executive Assistant 3.

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

B-23 [FIRE FIGHTER PHYSICAL PERFORMANCE TEST -](#) CSC DOCKET **NO. 2021-236**

The Township of Belleville, City of Long Branch, Village of South Orange, City of Perth Amboy, and the Township of Nutley petition the Civil Service Commission (Commission) to temporarily waive the Physical Performance Test for the title of Fire Fighter.

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

B-24 [COVID-19 UNCLASSIFIED TITLES](#) - CSC DOCKET NO. 2021-273

The Division of Agency Services requests the establishment of the unclassified titles of NJLINCS COVID-19 Coordinator; NJLINCS COVID-19 Data Manager/Epidemiologist; and NJLINCS COVID-19 Social Support Coordinator for use in county government.

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

B-25 [D.B.](#) - CSC DOCKET NO. 2020-552

D.B., represented by Robert K. Chewning, Esq., appeals his rejection as a County Correctional Police Officer candidate by Essex County and its request to remove his name from the eligible list for County Correctional 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-26 [MARYANNE SEWARD](#) - CSC DOCKET NO. 2020-1460

The Department of Law and Public Safety, Division of State Police, on behalf of Maryanne Seward, a Technical Assistant 2, requests a waiver of repayment of a salary overpayment pursuant to *N.J.S.A.* 11A:3-7, which provides that when an employee has erroneously received a salary overpayment, the Civil Service Commission may waive repayment based on a review of the case.

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

B-27 [EBONY ANTHONY](#) - CSC DOCKET NO. 2019-3469

Ebony Anthony appeals the determination of the Division of Agency Services, which found that she did not meet the experience requirement for the open competitive examination for Senior Therapy Program Assistant (S0168W), Statewide.

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

B-28 [PATRICK DUGAN](#) - CSC DOCKET NO. 2021-311

Patrick Dugan, represented by Carl N. Tripician, Esq., and Ocean City, represented by Dorothy F. McCrosson, Solicitor, petition the Civil Service Commission for revival of the Fire Fighter (M1560T), Ocean City, eligible list and acknowledgment of the settlement agreement reached by the parties which provides for Dugan's appointment.

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

B-29 BERGEN COUNTY SHERIFF AND COUNTY POLICE OFFICER TITLE SERIES - CSC DOCKET NOS. 2018-1723 AND 2021-310

Bergen County, represented by Julien X. Neals, Esq., County Counsel, the Bergen County Sheriff, represented by Daniel Zwillenberg, Esq., and the Police Benevolent Association (PBA) Local 134/134A,

represented by Stephen B. Hunter, Esq., petition the Civil Service Commission for acknowledgment of a Memorandum of Agreement, including the Sidebar Agreements with PBA Local 134/134A and PBA Local 49, represented by Michael A. Bukosky, Esq., which was entered into by the parties on August 14, 2020 and ratified by the Bergen County Board of Chosen Freeholders by resolution on September 2, 2020.

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

B-30 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 adopted and approved the proposed rule relaxations and modifications for publication in the New Jersey Register.

PUBLIC PORTION

No comments.

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, October 21, 2020, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.



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