

STATE OF NEW JERSEY CIVIL SERVICE COMMISSION

Phil Murphy Governor Sheila Oliver Lt. Governor Deirdré L. Webster Cobb Chairperson

MINUTES OF REGULAR MEETING OF THE CIVIL SERVICE COMMISSION AUGUST 1, 2018

Deirdré L. Webster Cobb, Chairperson Dolores Gorczyca Daniel W. O'Mullan

August 1, 2018

A regular meeting of the Civil Service Commission was held on Wednesday, August 1, 2018 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 November 17, 2017, 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The following appeals were withdrawn and removed from the hearing calendar:

Jeanline Castro, Maintenance Worker, Hudson County, Department of Roads and Public Property, suspension.

Vincent Conti, Investigator Secured Facilities, Essex County, Department of Public Safety, demotion.

Randall Hanson, Police Officer, City of Trenton, Department of Law and Public Safety, removal.

Zina Velez, Clerk 1, Burlington County Board of Social Services, release at the end of the working test period.

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

SECTION A - HEARING MATTERS

A-1 SETTLEMENTS

Hakiem Batemon City of Newark Department of Public Works Suspension

Jose DeJesus Hunterdon Developmental Center Department of Human Services Removal

Timothy Grimsley Newark Public School District Suspension

Allen Holden Woodbine Developmental Center Department of Human Services Removal and Resignation Not in Good Standing

Gregory Kimbro Palisades Interstate Park Commission Suspension

Pearl Noble Ancora Psychiatric Hospital Department of Health Resignation Not in Good Standing

Alphonze Richardson Newark Public School District Department of Public Safety Removal

Janette Rodriguez Middlesex County Board of Social Services Removal

Jessica Stewart Ancora Psychiatric Hospital Department of Health Removals (3) Christina Walker Ancora Psychiatric Hospital Department of Health Removal

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

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 JUAREZ HILL

Juarez Hill, Code Enforcement Officer, City of Newark, Department of Neighborhood and Recreational Services, removal effective January 2, 2015 on charges of conduct unbecoming a public employee, misuse of public property and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-3 SHAWYNAE LOATMAN

Shawynae Loatman, Human Service Assistant, Woodbine Developmental Center, Department of Human Services, 20 working day suspension on charges of insubordination, intentional disobedience or refusal to accept a reasonable order, assaulting or resisting authority and disrespect or use of insulting or abusive language to supervisor.

Recommendation of the Administrative Law Judge – Uphold the 20 working day suspension.

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

A-4 MALCOLM POULARD

Malcolm Poulard, Human Service Specialist 3, Hudson County, Department of Family Services, 15 working day suspension on charges of chronic or excessive absenteeism or lateness, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the 15 working day suspension.

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

A-5 JUAN RIVERA (Consolidated)

Juan Rivera, Truck Driver, Hudson County, Department of Roads and Public Property, 10 working day suspension and two 20 working day suspensions on charges of conduct unbecoming a public employee, insubordination, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the 10 working day suspension, modify the first 20 working day suspension to a 15 working day suspension and uphold the second 20 working day suspension.

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

A-6 MARY WYVILLE

Mary Wyville, Human Services Specialist 1, Hudson County, Department of Family Services, 10 working day suspension on charges of incompetency, inefficiency or failure to perform duties, chronic or excessive absenteeism or lateness and neglect of duty.

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.

SECTION B - MISCELLANEOUS MATTERS

B-1 AGUSTIN MELENDEZ - CSC DOCKET NO. 2018-3032

Agustin Melendez appeals the removal of his name from the eligible list for Sheriff's Officer (S9999U), Middlesex County based on his failure to meet the residency requirement.

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

B-2 MICHAEL WOODS - CSC DOCKET NO. 2018-740

Michael Woods, represented by Michael L. Prigoff, appeals the removal of his name from the eligible list for Fire Fighter (M1544T), Jersey City on the basis that he falsified his preemployment application.

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

B-3 RICHARD DRESSLER, ET AL. - CSC DOCKET NOS. 2018-249, ET AL.

Richard Dressler, Matthew Kelleher, Theodore Kwiatkowski and Michael Somma appeal their non-appointment from the Fire Officer 1 (PM5205N), Jersey City eligible list.

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

B-4 SUPERVISING ADVOCATE VICTIM WITNESS PROGRAM (M0868T), NEWARK – CSC DOCKET NO. 2018-3181

Newark requests permission not to make an appointment from the April 11, 2016 certification for Supervising Advocate Victim Witness Program (M0868T).

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

B-5 JULIAN MESA AND JOSUE MARTINEZ – CSC DOCKET NOS. 2018-3305 AND 2018-3306

The appointing authority appeals the decisions of the Division of Agency Services which found that the positions of Julian Mesa and Josue Martinez with Camden City are properly classified as Electrician and Traffic Signal Technician 1 part-time. It seeks an Electrician job classification.

ACTION: The Civil Service Commission directed that these appeals be denied and Mesa and Martinez receive provisional appointments pending qualifying examination as Signal Systems Technician 1, effective June 8, 2017.

B-6 THOMAS MORTON, JR. - CSC DOCKET NO. 2018-3599

Thomas Morton, Jr. appeals the decision of the Division of Agency Services which found that his position in Manasquan is properly classified as a Police Officer. The appellant seeks a Police Sergeant job classification.

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

B-7 FRANCIS ANTONOWICZ, ET AL. – CSC DOCKET NOS. 2018-3313, ET AL.

Francis Antonowicz, Thomas Campagnolo, Michael Gall, Jonathan Gaul, Stephen Mascio and Raymond Paul appeal the promotional examination for County Correction Lieutenant (PC2616V), Monmouth County.

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

B-8 BRYAN KEPLER AND WILLIAM RODGERS – CSC DOCKET NOS. 2018-704 AND 2018-717

Bryan Kepler and William Rodgers appeal the determinations of the Division of Agency Services which found that, per the substitution clause for education, they were below the minimum requirements in experience for the promotional examination for Telecommunications Systems Analyst 1 (PS4933T), Department of Transportation.

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

B-9 HERMAN HOLDEN AND ERNEST NOSEDA, JR. – CSC DOCKET NOS. 2018-3742 AND 2018-3682

Herman Holden and Ernest Noseda, Jr. appeal the determinations of the Division of Agency Services that they were below the minimum requirements in experience for the promotional examination for Assistant Food Service Supervisor 1 (PS5038I), South Woods State Prison.

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

B-10 GRAHAM RAYWOOD-LAMSON - CSC DOCKET NO. 2018-3757

Graham Raywood-Lamson appeals the determination of the Division of Agency Services that he did not meet the experience requirements for the promotional examination for Highway Operations Training & Quality Assurance Specialist (PS6811T), Department of Transportation.

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

B-11 GLENN SAVARY - CSC DOCKET NO. 2017-3575

Glenn Savary 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 Administrative Analyst 3, Information Systems (PS4147G), Department of Environmental Protection.

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

B-12 THOMAS STROWE - CSC DOCKET NO. 2018-3542

Thomas Strowe appeals the determination of the Division of Agency Services which found that he did not meet the minimum experience requirements for the open-competitive examination for Project Coordinator Redevelopment (M0936V), Scotch Plains.

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

B-13 FRANK ROSSI - CSC DOCKET NO. 2018-3180

Frank Rossi, represented by Bette Grayson, Esq., petitions the Civil Service Commission for reconsideration of *In the Matter of Frank Rossi*, *City of Newark* (CSC, decided April 4, 2018).

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

B-14 TOMASZ PETRYKIEWICZ - CSC DOCKET NO. 2018-2344

Tomasz Petrykiewicz, an Auditor 2, Taxation with the Department of the Treasury, appeals the determination of his salary upon his promotion to his current title, pursuant to *N.J.A.C.* 4A:3-4.9.

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

B-15 ROBERT BILUCK - CSC DOCKET NO. 2018-298

Robert Biluck, a provisional Manager 3, Fiscal Resources with the Department of Corrections, represented by Alfred C. Laubsch, Business Manager, IBEW Local 30, requests a waiver of repayment of a salary overpayment, pursuant to *N.J.S.A.* 11A:3-7.

ACTION: The Civil Service Commission directed that this request be granted and the petitioner be awarded differential back pay.

B-16 MILDRED DAVIS - CSC DOCKET NO. 2018-2532

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

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

B-17 CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of July 18, 2018.

ACTION: The Civil Service Commission adopted the minutes of its meeting on July 18, 2018.

B-18 JEFFERSON NAH – CSC DOCKET NO. 2018-3224

Jefferson Nah, a former Clerk Driver with the Office of the Public Defender, represented by Penelope Scudder, Esq., appeals the denial of his request for Supplemental Compensation on Retirement pursuant to *N.J.A.C.* 4A:6-3.1(b)1.

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

B-19 CRISTINA ALLEN, ET AL. - CSC DOCKET NOS. 2018-3681, ET AL.

Cristina Allen, Lakesha Amons, Joseph Bellavance, Jose Borrero, William Brady, Isaac Carrero, Jerry Coker, Kimberly Collins, Matthew Coogan, Cook, Jasmin Copeland, Delilah Correa-Perrione, DeHainaut, Edward Drzewiecki, Stephen Echevarria, Luis Estrada, Alexander Figueroa-Sanchez, Thomas Frizziola, Todd Galganske, Shanice Gaskin, Delmar Glanton, James Gross, Jr., Samuel Hansen, Marquis Hill, Jonathan Huang, Stephen Indoe, Anthony Jacobs, Keith Karrer, Thomas Kish, Daniel Klein, Kimeko Lancaster, John Latona, Alnetha Little, Hai Luong, George Mach Michael Mann, Marcin Markowski, Anthony Martinez, John McCloskey, Gregory McCrary, Jr., Antonio Megaro, William Meringer, David Mollyk Sr., Jason Morozowski, Harmon Murphy Jr., Denisse Narvaez, Amir Nathari, Douglas Perrone, Szymon Popek, John Raebig, Victoria Reese, Ashley Riegel, Rafiel Rodriquez, Kevin Rodriquez, Jr., Santiago Roman, Joseph Sandomierski, William Searless, Alyce Serlick, Jamal Sloan El, Richard Smialowicz, David Smith, Jarron Smith, Eddie Solis, Kenny Solrzano, Tavon Spearman, Graig Sweetman, Brigham Tallmadge, Mark Thornton, Raquel Tirado, Dana Walker, Christopher Whitlock and Tamika Williams, Senior Correctional Police Officers or Correctional Police Sergeants with the Department of Corrections, appeal the determination of their salaries upon appointment to the title of Senior Correction Officer.

ACTION: The Civil Service Commission directed that these appeals be dismissed as untimely.

B-20 LAUREN STRAZZERI – CSC DOCKET NO. 2018-3117

Lauren Strazzeri appeals the determination of the Division of Agency Services that the proper classification of her position with the Department of Environmental Protection is Agency Services Representative 3. The appellant seeks an Agency Services Representative 4 job classification.

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

B-21 KEITH HUNTLEY AND FRANK MARTORANO (PM2346T) – CSC DOCKET NOS. 2018-3592 AND 2018-3593

The City of Clifton requests a retroactive permanent appointment date for Keith Huntley and Frank Martorano to the title of Equipment Operator, effective July 16, 2017.

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

B-22 SELENA PERKINS - CSC DOCKET NO. 2016-4547

Selena Perkins appeals the determination of the Division of Agency Services which found that she was below the minimum requirements in experience for a prospective promotional examination for the title of Supervisor of Patient Accounts 2, Department of Human Services.

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

B-23 DIEGO PADILLA - CSC DOCKET NO. 2018-3338

Diego Padilla appeals the promotional examination for County Correction Captain (PC2597V), Passaic County.

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

B-24 LYDIA GATTUSO - CSC DOCKET NO. 2019-28

Lydia Gattuso, a Legal Secretary 2, requests a permanent appointment as a Legal Secretary 1 with the Department of Law and Public Safety.

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

B-25 CHARLES BROWN - CSC DOCKET NO. 2018-3442

Charles Brown requests reconsideration of the decision rendered on April 4, 2018, which denied his request that his record be adjusted to reflect continuous permanent services.

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

B-26 JENNIE BLAKNEY - CSC DOCKET NO. 2018-928

Jennie Blakney appeals the determination of the Division of Agency Services that she did not meet the education and experience requirements for the open competitive examination for Coordinator, Health Projects 3 (S0319V), Statewide.

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

B-27 LORRAINE AZZARANO – CSC DOCKET NO. 2018-3631

Lorraine Azzarano petitions the Civil Service Commission for reconsideration of the decision rendered on May 23, 2018, which denied her appeal regarding her ineligibility for the promotional examination for Business Manager (PM2315V), Winslow Township.

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

B-28 D.B. - CSC DOCKET NO. 2017-3761

D.B. appeals his rejection as a Fire Fighter candidate by the City of Camden and its request to remove his name from the eligible list for Fire Fighter (M1509T) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION: The Civil Service Commission directed that the appellant be referred for an independent psychological evaluation.

B-29 LORETTA CREGGETT - CSC DOCKET NO. 2018-3166

Loretta Creggett appeals the decision of the Division of Agency Services that the proper classification of her position is Investigator 3, Law and Public Safety. The appellant seeks an Investigator 4, Law and Public Safety job classification.

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

B-30 NERMIN MESSIHA – CSC DOCKET NO. 2018-3298

Nermin Messiha appeals the decision of the Division of Agency Services that the proper classification of her position is Agency Services Representative 4. The appellant seeks an Investigator 1, Law and Public Safety job classification.

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

B-31 SAMIRA WASHINGTON – CSC DOCKET NO. 2019-161

Samira Washington appeals the determination of the Division of Administrative Services denying her request for a make-up examination for Human Services Specialist 2 (PC0343W), Atlantic County.

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

B-32 KUDIRAT ONITIRI – CSC DOCKET NO. 2018-3068

Kudirat Onitiri appeals the determination of the Division of Agency Services, which found that she was below the minimum requirements in experience for a qualifying examination for Substance Abuse Counselor 2, Mental Health/Alcoholism Services.

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

PUBLIC PORTION

Michael Woods asked if his matter (Item B-2) could be reconsidered. Both Chairperson Webster Cobb and Director Myers explained the options Woods would have to file either reconsideration or with the Appellate Division upon receipt of the Commission's written decision.

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, August 15, 2018, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

Deirdré L. Webster Cobb Chairperson Civil Service Commission