



STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION

Philip D. Murphy
Governor
Sheila Y. Oliver
Lt. Governor

Deirdré L. Webster Cobb
Chairperson

**MINUTES OF REGULAR MEETING OF
THE CIVIL SERVICE COMMISSION
OCTOBER 31, 2018**

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

October 31, 2018

A regular meeting of the Civil Service Commission was held on Wednesday, October 31, 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The following appeals were withdrawn and removed from the hearing calendar:

Phyllis Davis, Human Service Assistant, Ancora Psychiatric Hospital, Department of Human Services, indefinite suspension.

Hazel Hughes, Senior Accountant Clerk, City of Paterson, Department of Finance, suspension.

Ann Villella, Lieutenant, County of Mercer, Department of Public Safety, Corrections, removal.

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:

Christopher Calhoun, Cook-12 Months, Woodbine Developmental Center, Department of Human Services, 20 working day suspension.

Tyhera Johnson-Riley, Public Safety Telecommunicator, City of Trenton, Police Department, removal.

Jessica Kelley, Cottage Training Technician, Hunterdon Developmental Center, Department of Human Services, removal.

Kareen Leverett, Clerk 3, Monmouth County, Department of Human Services, 10 working day suspension.

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

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

Antoine Buggs
City of East Orange
Police Department
Suspension

Desiree Jones
Union County
Department of the Clerk
Suspension

George Napoleon
City of Newark
Department of Public Safety
Suspension

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

Bruce Stokes
Ancora Psychiatric Hospital
Department of Health
Removal

Precious Waters
Hudson County
Department of Roads and Public Property
Removal

Lyudmila Wittje
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 KEISHA ALLEN (consolidated)

Keisha Allen, Police Officer, Township of Hillside, Police Department, 10 working day suspension and removal effective April 28, 2014 on charges of failure to perform duties, insubordination, 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 dismissed the 10 working day suspension and affirmed the removal.

A-3 PATRICIA AYBAR-RODRIGUEZ (consolidated)

Patricia Aybar-Rodriguez, Sheriff's Officer, Middlesex County, Sheriff's Department, removal effective September 20, 2016 on charges of incompetency, inefficiently 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 CAROLYN INGE

Carolyn Inge, County Correction Officer, Mercer County Corrections Center, 15 working day suspension on charges of conduct unbecoming a public employee, neglect of duty and insubordination.

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.

SECTION B – MISCELLANEOUS MATTERS**B-1 REACTIVATION AND REALLOCATION OF POWER PLANT HELPER FROM THE COMPETITIVE TO THE NON-COMPETITIVE DIVISION OF THE CAREER SERVICE – CSC DOCKET NO. 2019-1078**

The Division of Agency Services recommends reactivation and reallocation of the Power Plant Helper title to the non-competitive division of the career service in accordance with *N.J.A.C.* 4A:3-1.2.

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

B-2 EDANA BATTAGLIA – CSC DOCKET NO. 2017-3446

Edana Battaglia petitions the Civil Service Commission to restore her name to the promotional list for Supervising Family Service Specialist 2 (PS1035K), Department of Children and Families.

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

B-3 JERROLD JACOBSON – CSC DOCKET NO. 2018-2992

Jerrold Jacobson appeals the bypass of his name on the Supervisor, Employment and Training Programs (PS5725N), Department of Labor and Workforce Development, eligible list.

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

B-4 BRADLEY GILBERT AND DONALD HUBER, JR. – CSC DOCKET NOS. 2018-1594 AND 2018-1593

Bradley Gilbert and Donald Huber, Jr. appeal the decisions of the Division of Agency Services which found that their positions with the Department of the Treasury are properly classified as Taxpayer Services Representative 1. The appellants seek a Supervisor Technical Services, Taxation job classification.

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

B-5 JOHN VANLOAN – CSC DOCKET NO. 2018-1335

John VanLoan appeals the determination of the Division of Agency Services that his position with the Juvenile Justice Commission is properly classified as Administrative Analyst 3. The appellant seeks an Administrative Analyst 4 job classification.

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

B-6 ANDY ABREU – CSC DOCKET NO. 2019-550

Andy Abreu appeals the determination of the Division of Agency Services which found that he did not meet the requirements for the examination for Automotive Mechanic (S0587W), Department of the Treasury.

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

B-7 DANIEL FORT – CSC DOCKET NO. 2019-948

Daniel Fort 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 Crew Supervisor Building Maintenance Programs (PS7305I), Department of Corrections.

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

B-8 THOMAS GLOWACKA – CSC DOCKET NO. 2019-837

Thomas Glowacka appeals the decision of the Division of Agency Services which found that he did not meet the experience requirements for the “dual” promotional examination for Supervisor Building Services/Maintenance Supervisor Grounds (PM1193W), Marlboro.

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

B-9 BENJAMIN SUDANO, JR. – CSC DOCKET NO. 2018-3335

Benjamin Sudano, Jr. appeals the determination of the Division of Agency Services that he did not meet the experience requirement for the promotional examination for Network Administrator 1 (PS3774K), Department of Human Services.

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

B-10 MONTY APPLEWHITE – CSC DOCKET NO. 2019-900

Monty Applewhite appeals his score for the promotional examination for Deputy Fire Chief (PM2642V), East Orange.

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

B-11 JOSE BERRIOS – CSC DOCKET NO. 2019-828

Jose Berrios appeals his score for the promotional examination for Deputy Fire Chief (PM2641V), Camden.

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

B-12 FRANK DEPALMA II – CSC DOCKET NO. 2019-635

Frank DePalma II appeals the multiple choice portion of the promotional examination for Sheriff's Officer Lieutenant (PC2604V), Union County.

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

B-13 SHATISHA WILLIAMS – CSC DOCKET NO. 2018-2878

Shatisha Williams, a Police Officer with Newark, represented by Anthony J. Fusco, Jr., petitions the Civil Service Commission for interim relief regarding her immediate and indefinite suspension without pay commencing on February 20, 2018.

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

B-14 CYNTHIA PENA – CSC DOCKET NO. 2019-927

Cynthia Pena, a Human Services Specialist 1 with the Passaic County Board of Social Services, represented by Pauline M.K. Young, Esq., requests reconsideration of the Civil Service Commission's August 15, 2018 decision which dismissed the appeal of her removal on the basis of her failure to appear at the July 23, 2018, settlement conference at the Office of Administrative Law.

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

B-15 T.T. – CSC DOCKET NO. 2018-1079

T.T., a Senior Correctional Police Officer with South Woods State Prison, Department of Correction, appeals the determination of the Director, Office of Legal and Regulatory Affairs, Equal Employment Division, Department of Corrections, which found that she failed to support a finding that she had been 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.

B-16 A.Z. – CSC DOCKET NO. 2019-57

A.Z., a County Services Specialist with the Department of Children and Families, requests reconsideration of the decision rendered on June 20, 2018, which found that she failed to support a finding that she had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

B-17 CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of October 17, 2018.

ACTION: The Civil Service Commission adopted the minutes of its meeting on October 17, 2018.

B-18 MONICA VILLAFANA – CSC DOCKET NO. 2019-952

Monica Villafana appeals the determination 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 Purchasing Agent (PM0433W), Hackensack.

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

B-19 ANTONIO FLORES – CSC DOCKET NO. 2019-169

Antonio Flores appeals his removal from the eligible list for Correction Officer Recruit, Juvenile Justice Commission (S9999U), on the basis of falsification of his pre-employment application.

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

B-20 Y.M. – CSC DOCKET NO. 2018-707

Y.M., represented by Theresa Richardson, Esq., appeals her rejection as a Police Officer candidate by the City of Paterson and its request to remove her 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 granted.

B-21 P.P. – CSC DOCKET NO. 2018-661

P.P., represented by Michael L. Prigoff, Esq., appeals his rejection as a Police Officer candidate by the City of Paterson 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-22 ELIA BARRETO – CSC DOCKET NO. 2018-2399

Elia Barreto appeals her removal from the Sheriff's Officer (S9999U), Union County eligible list on the basis of a falsified application.

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

B-23 STEPHANIE PEREIRA – CSC DOCKET NO. 2018-2440

Stephanie Pereira appeals her removal from the Sheriff's Officer (S9999U), Union County eligible list on the basis of a falsified application.

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

B-24 CHRISTOPHER PACHECO – CSC DOCKET NO. 2018-3153

Christopher Pacheco appeals the removal of his name from the Police Officer (S9999U), Kearny, eligible list on the basis of failure to maintain residency.

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

B-25 SEAN FITZGERALD – CSC DOCKET NO. 2019-947

Sean Fitzgerald appeals the decision of the Division of Agency Services which found that he did not meet the experience requirements for the open competitive examination for Program Development Specialist, Community Service (C0888W), Ocean County.

ACTION: The Civil Service Commission directed that this appeal be denied but the classification of the Program Development Specialist, Community Service positions in Ocean County be referred to the Division of Agency Services.

B-26 LUCIA HUNT – CSC DOCKET NO. 2019-1032

Lucia Hunt appeals the determination of the Division of Agency Services that found that, per the substitution clause for education, she did not meet the experience requirements for the promotional examination for Management Assistant (PS7164U), Department of the Treasury.

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

B-27 ZACHARY KUHLWEIN – CSC DOCKET NO. 2019-356

Zachary Kuhlwein appeals the determination of the Division of Agency Services which found that he did not meet the experience requirements for the promotional examination for County Park Manger (PC0653W), Monmouth County.

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

B-28 LISA WALKER – CSC DOCKET NO. 2019-838

Lisa Walker appeals the determination 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 Quality Assurance Specialist, Health Services (PS7299H), Department of Health.

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

B-29 QUINSHAWNA PHILLIPS, *ET AL.* – CSC DOCKET NOS. 2019-116, *ET AL.*

The Department of the Treasury appeals the calculation of the salaries of Quinshawna Phillips, Doreena Asiama, Jason Auletta, Andrea Chilson, Arielle DeMattia, Jacqueline Efstathiou, Elizabeth Giglio, Moinna Jean, Amber Lazo, Mohammad Malik, Asad Mamun, Dina Napolitano, Matthew Paken, Brianne Ricciardelli, Stephen Halpin, Sandra Wilk and Susan Davis, upon their advancement from a trainee title to the primary title, pursuant to *N.J.A.C. 4A:3-4.14(a)*.

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

PUBLIC PORTION

Bradley Gilbert and Donald Huber, Jr., asked a question about their matter (B-4) on the agenda.

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, November 21, 2018, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

Deirdré L. Webster Cobb
Chairperson
Civil Service Commission