



STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION

Chris Christie
Governor
Kim Guadagno
Lt. Governor

Robert M. Czech
Chair/Chief Executive Officer

**AGENDA OF REGULAR MEETING OF
THE CIVIL SERVICE COMMISSION
JULY 30, 2014**

Robert M. Czech, Chairperson
Robert E. Brenner
Thomas J. Perna
Richard E. Williams

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

In the Matter of Pasquale Conte
Middle Township
Department of Public Safety
Removal

In the Matter of Musa Crump
Trenton Psychiatric Hospital
Department of Human Services
Suspension

In the Matter of Terrell Cullers
Trenton Psychiatric Hospital
Department of Human Services
Resignation not in good standing

In the Matter of Tyrone Gee
City of Trenton
Department of Public Works
Suspension

In the Matter of Travis Hoban
Camden County
Police Department
Removal

In the Matter of Tonya Howard
City of Newark
Police Department
Suspension

In the Matter of Marisa Makkas
Trenton Psychiatric Hospital
Department of Human Services
Suspension

In the Matter of Brandy Mallett
Union County
Department of Human Services
Removal

In the Matter of Jacquiel Miranda
Juvenile Justice Commission
Department of Law and Public Safety
Removal

In the Matter of Louis J. Muzyka
Borough of Carteret
Police Department
Suspension

In the Matter of Ebony Neal
Juvenile Justice Commission
Department of Law and Public Safety
Removal

In the Matter of Alfredo Palmer
Burlington County
Department of Corrections
Removal

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

ACTION:

**A-2 GAMALIEL CRUZ - CSC DOCKET NO. 2012-3447
OAL DOCKET NO. CSR: 8054-12**

Gamaliel Cruz, Police Officer, City of Vineland, Police Department, removal effective May 22, 2012, on charges of failure to abide by all rules, regulations and departmental procedures, conduct in accordance with high ethical standards, performance of duty, truthfulness while under oath, duty of employee to appear and testify, conduct unbecoming a public employee, other sufficient cause, incompetency, inefficiency or failure to perform duties and inability to perform duties.

Recommendation of the Administrative Law Judge – Withdraw the appeal.

ACTION:

**A-3 STEPHEN DAVIS - CSC DOCKET NO. 2011-1462
OAL DOCKET NO. CSV: 11636-10**

Stephen Davis, County Correction Officer, Mercer County, Department of Public Safety, \$4,566.90 fine equivalent to 15 working day suspension on charges of conduct unbecoming a public employee, insubordination, other sufficient cause, violation of rule regulation, policy, procedure, order or administrative decision, intentional disobedience or refusal to accept reasonable order, assaulting or resisting authority and disrespect or use of insulting or abusive language to a supervisor.

Recommendation of the Administrative Law Judge – Uphold the fine equivalent to a 15 working day suspension.

ACTION:

**A-4 ELMORE GAINES - CSC DOCKET NO. 2014-844
OAL DOCKET NO. CSV: 14166-13**

Elmore Gaines, Code Enforcement Officer, City of Newark, removal effective September 3, 2013, on charges of conduct unbecoming a public employee, misuse of public property, including motor vehicles and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

**A-5 YEVONNE ISOM - CSC DOCKET NO. 2012-862
OAL DOCKET NO. CSV: 11238-11**

Yevonne Isom, Senior Medical Security Officer, Ann Klein Forensic Psychiatric Hospital, Department of Human Services, 30 working day suspension on charges of neglect of duty, loafing, idleness, or willful failure to devote attention to task which could result in danger to person or property.

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

ACTION:

**A-6 KENNETH PETTIFORD - CSC DOCKET NO. 2014-1478
OAL DOCKET NO. CSR: 808-14**

Kenneth Pettiford, Senior Correction Officer, Central Reception and Assignment Facility, Department of Corrections, removal effective November 12, 2013, on charges of conduct unbecoming a public employee, other sufficient cause and violation of a rule, regulation, policy, procedure, order or administrative decision.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

**A-7 WILLIAM PIERCE - CSC DOCKET NO. 2013-3358
OAL DOCKET NO. CSV: 08936-13**

William Pierce, Police Sergeant, City of Hackensack, Police Department, return to previously held title at the end of working test period effective May 26, 2013.

Recommendation of the Administrative Law Judge – Dismiss the appeal.

ACTION:

**A-8 DEVIN SIMPSON - CSC DOCKET NO. 2014-1688
OAL DOCKET NO. CSR: 00391-14**

Devin Simpson, County Correction Officer, Hudson County, Department of Corrections, removal effective December 5, 2013, on charges insubordination, conduct unbecoming a public employee, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

SECTION B – MISCELLANEOUS MATTERS

B-1 B. G. – CSC DOCKET NO. 2014-1112

B. G. appeals her rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove her name from the eligible list for Correction Officer Recruit (S9988R) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:

B-2 D. A. – CSC DOCKET NO. 2014-1224

D. A., appeals her rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove her name from the eligible list for Correction Officer Recruit (S9988R) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:

B-3 D. C. – CSC DOCKET NO. 2014-167

D. C., represented by Michael Prigoff, Esq., appeals his rejection as a Fire Fighter candidate by Hoboken and its request to remove his name from the eligible list for Fire Fighter (M2537M) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:

B-4 L. K. – CSC DOCKET NO. 2013-2628

L. K., represented by Wieslaw S. Krajewski, Esq., appeals his rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove his name from the eligible list for Correction Officer Recruit (S9999K) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:

B-5 S. M. – CSC DOCKET NO. 2014-1174

S. M., appeals her rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove her name from the eligible list for Correction Officer Recruit (S9988R) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:

B-6 DAVID REEDINGER – CSC DOCKET NO. 2014-1491

David Reeding, a former County Correction Officer with the Department of Corrections, Middlesex County, represented by Peter Paris, Esq., seeks enforcement of the Civil Service Commission decision rendered on November 20, 2013, granting the appellant mitigated back pay and counsel fees.

ACTION:

B-7 MARIBEL GALARZA, ET AL. – CSC DOCKET NO. 2014-2763

Maribel Galarza, Janet Lindez, and Milagro Mendez, North Jersey Developmental Center, represented by Robert Yaeger, CWA Local 1040, request relaxation of the uniform regulatory criteria in *N.J.A.C. 4A:8-2.1 et seq.* in order to provide them with layoff rights to the Clerk, Clerk Typist and Clerk Transcriber title series.

ACTION:

B-8 RAY RAWLS – CSC DOCKET NO. 2014-1384

Ray Rawls, an Assistant Family Service Worker 2, with the Department of Children and Families, requests that the Civil Service Commission reinstate his appeal of his 10 day suspension, which was dismissed based on his failure to appear at his settlement conference.

ACTION:

B-9 TERRENCE ARRINGTON – CSC DOCKET NO. 2014-817

Terrence Arrington appeals his rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove his name from the eligible list for Correction Officer Recruit (S9988R), Department of Corrections on the basis of a positive drug test.

ACTION:

B-10 DENNIS BOLLHARDT – CSC DOCKET NO. 2014-419

Dennis Bollhardt appeals the decision of the Division of Classification and Personnel Management, which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the Maintenance Repairer, Bergen County, special reemployment list on the basis of failure to complete pre-employment processing.

ACTION:

B-11 RYAN CONNELL – CSC DOCKET NO. 2014-537

Ryan Connell appeals his rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove his name from the eligible list for Correction Officer Recruit (S9988R) on the basis of a positive drug test.

ACTION:

B-12 DAVID GREENWALD – CSC DOCKET NO. 2014-2858

David Greenwald, represented by Michael L. Prigoff, Esq., appeals the removal of his name from the eligible list for Correction Officer Recruit (S9987M), Department of Corrections, on the basis of an unsatisfactory criminal record.

ACTION:

B-13 CHAD HOPKINS – CSC DOCKET NO. 2012-3108

Chad Hopkins appeals his rejection as a Sheriff's Officer candidate by the Mercer County Sheriff's Office and its request to remove his name from the eligible list for Sheriff's Officer (S9999M), on the basis of a positive drug test.

ACTION:

B-14 RONALD MANNING – CSC DOCKET NO. 2014-668

Ronald Manning appeals the decision of the Division of Classification and Personnel Management, which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the Correction Officer Recruit (S9987M), Department of Corrections, eligible list on the basis of falsification of his employment application.

ACTION:

B-15 ARMAND MENDELSON – CSC DOCKET NO. 2013-324

Armand Mendelsohn, represented by Christine E. Burke, Esq., appeals his rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove his name from the eligible list for Correction Officer Recruit (S9999K) on the basis of a positive drug test.

ACTION:

B-16 MICHAEL NGO – CSC DOCKET NO. 2014-1579

Michael Ngo, appeals the decision of the Division of Classification and Personnel Management, which found that the appointing authority had presented a sufficient basis to remove his name from the special reemployment list for Police Officer, Trenton, on the basis of having an unsatisfactory background report.

ACTION:

B-17 KENNETH REED – CSC DOCKET NO. 2014-2578

Kenneth Reed, represented by Nancy Valentino, Esq., appeals the determination of the Division of Classification and Personnel Management upholding the removal of his name from the eligible list for Correction Officer Recruit (S9988R), Department of Corrections, on the basis of an unsatisfactory criminal record.

ACTION:

B-18 JESSE ROBINSON – CSC DOCKET NO. 2014-463

Jesse Robinson appeals his rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove his name from the eligible list for Correction Officer Recruit (S9988R) on the basis of a positive drug test.

ACTION:

B-19 DOMINIC ROTA – CSC DOCKET NO. 2013-325

Dominic Rota, represented by James Carter, Esq., appeals his rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove his name from the eligible list for Correction Officer Recruit (S9987M) on the basis of a positive drug test.

ACTION:

B-20 EVAN RUTH – CSC DOCKET NO. 2014-1503

Evan Ruth appeals the decision of the Division of Classification and Personnel Management, which found that the appointing authority had presented a sufficient basis to remove his name from the eligible list for Correction Officer Recruit (S9987M), Department of Corrections, on the basis of having an unsatisfactory employment record and falsification of his employment application.

ACTION:

B-21 JOHN P. SHARKEY, III – CSC DOCKET NO. 2014-2032

John P. Sharkey, III, represented by D. William Subin, Esq., appeals the decision of the Division of Classification and Personnel Management, which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the Police Officer (S9999M), Atlantic City eligible list on the basis of an unsatisfactory employment record.

ACTION:

B-22 TEELA M. SMITH – CSC DOCKET NO. 2013-30

Teela M. Smith, represented by Jason Charles Matey, Esq., appeals her rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove her name from the eligible list for Correction Officer Recruit (S9987M), on the basis of a positive drug test.

ACTION:

B-23 MARLYN WILLIAMS – CSC DOCKET NO. 2013-366

Marlyn Williams appeals his rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove his name from the eligible list for Correction Officer Recruit (S9987M), Department of Corrections on the basis of a positive drug test.

ACTION:

B-24 LEONARD ZAZZARINO – CSC DOCKET NO. 2014-102

Leonard Zazzarino appeals his rejection as a Bridge Operator Trainee candidate by the Department of Transportation and its request to remove his name from the eligible list for Bridge Operator Trainee (S0152N), Department of Transportation on the basis of a positive drug test.

ACTION:

B-25 DAWN KLARIN – CSC DOCKET NO. 2014-2301

Dawn Klarin appeals the determination of the Division of Selection Services that she lacked the required amount of permanent status in the title to which the examination was open for the promotional examination for Forensic Scientist 2, Department of Law & Public Safety (PS2112P).

ACTION:

B-26 LORETTA LITTLE – CSC DOCKET NO. 2014-3007

Loretta Little appeals the determination that she did not submit an application for the Secretarial Assistant 2, Non-Stenographic (PS6118K), Department of Human Services, examination.

ACTION:

**B-27 AISHA ALVI AND VINCENT GARBARINO –
CSC DOCKET NOS. 2014-2602 AND 2014-2611**

Aisha Alvi and Vincent Garbarino appeal the decisions of the Division of Classification and Personnel Management that the proper classification of their positions with the Department of Environmental Protection is Environmental Specialist 3. The appellants seek Environmental Specialist 4 job classifications.

ACTION:

B-28 LORI POTPINKA – CSC DOCKET NO. 2014-1027

Lori Potpinka appeals the determination of the Division of Classification and Personnel Management that her position with the Department of the Treasury was properly classified as a Claims Investigator. The appellant seeks an Investigator 2 or Senior Claims Investigator job classification.

ACTION:

B-29 K. B. – CSC DOCKET NO. 2014-2745

K. B., a Senior Correction Officer with the Department of Corrections appeals the decision of the Equal Employment Division, which found that the appellant did not present sufficient evidence to support a finding that he had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

ACTION:**B-30 CLERK 3 (PC1165R), ESSEX COUNTY – CSC DOCKET NO. 2014-2800**

Essex County requests permission not to make an appointment from the September 30, 2013 certification for Clerk 3 (PC1165R).

ACTION:**B-31 JERSEY CITY PARKING AUTHORITY – CSC DOCKET NO. 2015-104**

The City of Jersey City requests that the former employees of the Jersey City Parking Authority be recorded as employees of its Department of Public Safety or Department of Public Works effective July 1, 2014.

ACTION:**B-32 SENIOR COMMUNITY RELATIONS AIDE (M2417N), ATLANTIC CITY – CSC DOCKET NO. 2014-1544**

The matter of whether Atlantic City should be granted permission not to make an appointment from the February 28, 2012 certification for Senior Community Relations Aide (M2417N), has been referred to the Civil Service Commission for review.

ACTION:**B-33 SENIOR HOUSING ASSISTANCE TECHNICIAN (M0319P), PATERSON HOUSING AUTHORITY – CSC DOCKET NO. 2014-1829**

The matter of whether The Paterson Housing Authority should be granted permission not to make an appointment from the July 31, 2013 certification for Senior Housing Assistance Technician (M0319P) has been referred to the Civil Service Commission for review.

ACTION:

**B-34 VETERANS SERVICE OFFICER (M0254R), UNION CITY –
CSC DOCKET NO. 2014-1291**

Union City requests permission not to make an appointment from the July 31, 2013 certification for Veterans Service Officer (M0254R), Union City.

ACTION:**B-35 OMAR ORTIZ – CSC DOCKET NO. 2012-2997 – OAL DOCKET NO.
CSV 5727-12**

The appeal of Omar Ortiz, a Correction Lieutenant, with Hudson County, of his 30 working day suspension, on charges, was heard by Administrative Law Judge Imre Karaszegi, Jr., (ALJ), who rendered his initial decision on May 7, 2014 in which he modified the 30 working day suspension to a five working day suspension. At its meeting on June 18, 2014, the Civil Service Commission modified the 30 working day suspension to a 20 working day suspension. The proposed decision is now submitted for the Commission's review.

ACTION:**B-36 CRAIG CAVAGNARO – CSC DOCKET NO. 2014-1199**

Craig Cavagnaro requests reconsideration of the Civil Service Commission decision, rendered on June 10, 2009, acknowledging the settlement agreement between the appellant and the City of Vineland. Additionally, the appellant appeals the removal of his name from the September 5, 2013 certification of the Fire Fighter (M2576M), City of Vineland, eligible list for failure to respond to the Notice of Certification.

ACTION:**B-37 JOHNATHAN TAYLOR – CSC DOCKET NO. 2014-1424**

The City of Newark represented by Meridith Accoo, Assistant Corporation Counsel, petitions the Civil Service Commission for reconsideration of its final decision, rendered on November 7, 2013 which enforced the settlement agreement between the parties and imposed a \$1,000 fine on the appointing authority.

ACTION:

B-38 ROBERT C. ANDERSON, III – CSC DOCKET NO. 2014-2414

Robert C. Anderson, III appeals the determination of the Division of Selection Services which found that he did not meet the experience requirement for the promotional examination for Equipment Operator (PS2898T), Department of Transportation.

ACTION:

B-39 CHRISTOPHER BIRARDI – CSC DOCKET NO. 2014-1701

Christopher Birardi appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the promotional examination for Assistant Chief Investigator, Secured Facilities (PS8604I), Department of Corrections.

ACTION:

B-40 GWEN CARRICK – CSC DOCKET NO. 2014-2559

Gwen Carrick appeals the determination of the Division of Selection Services that she did not meet the experience requirement for the promotional examination for Program Specialist 4, Social/Human Services (PS6123K), Department of Human Services.

ACTION:

B-41 JEFFREY CORA – CSC DOCKET NO. 2014-2683

Jeffrey Cora appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, he was below the minimum requirements in experience for the open competitive examination for Senior Data Processing Systems Programmer (C1019R), Essex County.

ACTION:

**B-42 BERNARD DELURY, III AND ALEXANDRA FULLERTON –
CSC DOCKET NOS. 2014-2847 AND 2014-2739**

Bernard DeLury, III and Alexandra Fullerton appeal the determinations of the Division of Selection Services that they were below the minimum requirements in experience for the open competitive examination for Graphic Artist 1, (C1041R), Atlantic County.

ACTION:

B-43 CARRIE GREGORY – CSC DOCKET NO. 2014-2666

Carrie Gregory appeals the determination of the Division of Selection Services that, per the substitution clause for education, she was below the minimum requirements in experience for the promotional examination for Administrative Assistant 3 (PC0004S), Burlington County.

ACTION:

B-44 TRACIE N. HARRIS – CSC DOCKET NO. 2013-2230

Tracie N. Harris appeals the determination of the Division of Selection Services which found that she did not meet the requirements for the promotional examination for Administrative Analyst 2 (PS2500K), Department of Children and Families.

ACTION:

B-45 MARY LEE VAN HOOKER – CSC DOCKET NO. 2014-2870

Mary Lee Van Hooker appeals the determination of the Division of Selection Services that she did not meet the education requirement for the open competitive examination for Fiscal Officer (C0033S), Sussex County.

ACTION:

B-46 JACQUELINE JONES – CSC DOCKET NO. 2014-2356

Jacqueline Jones appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she was below the minimum requirements in experience for the promotional examination for Coordinator of Volunteers (PC2240R), Essex County.

ACTION:

B-47 STEPHEN KRAKOVSKY – CSC DOCKET NO. 2014-2719

Stephen Krakovsky appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the open competitive examination for Mechanic (M0013S), Brick Township.

ACTION:

B-48 THOMAS MASSIMINO – CSC DOCKET NO. 2014-434

Thomas Massimino appeals the determination of the Division of Selection Services which found that he was ineligible for the promotional examination for Police Captain (PM1544R), Irvington Township.

ACTION:

B-49 ROXANNE PADILLA – CSC DOCKET NO. 2014-2187

Roxanne Padilla appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she was below the minimum requirements in experience for the promotional examination for Assistant Purchasing Agent (PM1923R), Jersey City School District.

ACTION:

B-50 LUCY RODRIGUEZ – CSC DOCKET NO. 2014-179

Lucy Rodriguez appeals the determination of the Division of Selection Services which found that she did not meet the requirements for the promotional examination for Senior Buyer (PS7611U), Department of the Treasury.

ACTION:

B-51 JAYSON SHAW – CSC DOCKET NO. 2014-2718

Jayson Shaw appeals the determination of the Division of Selection Services that he did not meet the experience requirements for the open competitive examination for Cafeteria Manager (M0909R), Newark School District.

ACTION:

B-52 JOHN SHAW – CSC DOCKET NO. 2014-852

John Shaw appeals his seniority score for the examination for Fire Lieutenant (PM5254N) Belleville.

ACTION:

B-53 MATTHEW SMITH – CSC DOCKET NO. 2014-2716

Matthew Smith appeals the determination of the Division of Selection Services that he was below the minimum requirements in experience for the open competitive examination for Mechanic (M0010S), Brick School District.

ACTION:

B-54 DANIEL VOGDES – CSC DOCKET NO. 2014-2927

Daniel Vogdes appeals the determination of the Division of Selection Services that he did not meet the experience requirements for the promotional examination for Senior Repairer (PS6888I), Department of Corrections.

ACTION:

B-55 RECENT COURT DECISIONS

Submitted for the Civil Service Commission's review are summaries of recent court decisions involving Civil Service Commission determinations.

ACTION:

B-56 CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of July 16, 2014.

ACTION:

B-57 TABITHA HEISLER – CSC DOCKET NO. 2014-3043

Tabitha Heisler appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for the promotional examination for Contract Administrator 2 (PS7541K), Department of Human Services.

ACTION:

B-58 MELISSA VANES – CSC DOCKET NO. 2014-2394

Melissa Vanes appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Assistant Supervisor of Accounts (PM2228R), Vineland Public Library.

ACTION: