



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
AUGUST 13, 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 Diego Aguirre
Ann Klein Forensic Center
Department of Human Services
Removal

In the Matter of Angelina C. Brescia
Essex County
Department of Citizen Services
Release at the end of working test period

In the Matter of Antonette Brooks
Edna Mahan Correctional Facility for Woman
Department of Corrections
Suspension

In the Matter of Marcia Davis (Consolidated)
Edna Mahan Correctional Facility for Woman
Mountainview Youth Correctional Facility
Department of Corrections
Suspension

In the Matter of Olga Goimbert
Hunterdon Developmental Center
Department of Human Services
Resignation not in good standing

In the Matter of Jackson Guerrero
City of Newark
Police Department
Suspension

In the Matter of Robert Kornett
Monmouth County
Department of Corrections
Suspension

In the Matter of Tiffany Mincy
Trenton Psychiatric Hospital
Department of Human Services
Suspension

In the Matter of Christopher Nnamdindu
Ancora Psychiatric Hospital
Department of Human Services
Removal

In the Matter of Eliezer Ramos
City of Trenton
Police Department
Suspension

In the Matter of John Schutts
Warren County
Department of Public Safety
Removal

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

ACTION:

**A-2 COLBY ADAMS- CSC DOCKET NO. 2013-3549
OAL DOCKET NO. CSV: 09458-13**

Colby Adams, Police Officer, City of Newark, Police Department, six month suspension on charges of chronic inefficiency, incompetency, or failure to perform duties and violation of Newark Police Department rules and regulations.

Recommendation of the Administrative Law Judge – Uphold the six month suspension.

ACTION:

**A-3 LAQUAN BUSH- CSC DOCKET NO. 2014-961
OAL DOCKET NO. CSR: 14630-13**

Laquan Bush, Senior Correction Officer, East Jersey State Prison, Department of Corrections, removal effective October 5, 2013, on charges of conduct unbecoming a public employee, fighting or creating a disturbance on State property, falsification, other sufficient cause, violation of a rule, regulation, policy, procedure, order or administrative decision, physical or mental abuse or an inmate, patient, client resident or employee, verbal abuse of an inmate, patient, client, resident, or employee and inappropriate physical contact or mistreatment of an inmate, patient, client, resident or employee.

Recommendation of the Administrative Law Judge – Reverse the removal.

ACTION:

**A-4 CHRISTOPHER GROS - CSC DOCKET NO. 2012-1223
OAL DOCKET NO. CSV: 13296-11**

Christopher Gros, Laborer 1, West Milford Township, Municipal Utilities Authority, removal effective September 13, 2011, on charges of unexcused absence, harassment, insubordination, refusal to follow directions, failure to perform duties, inefficiency, violation of rules and regulations and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

**A-5 MELVIN JONES (CONSOLIDATED) - CSC DOCKET NO. 2012-3095 &
2014-1706, OAL DOCKET NO. CSV: 5770-12 & 0778-14**

Melvin Jones, Supervisor Sanitation, Atlantic City, Department of Public Works, 180 day suspension and demotion to Laborer 1 effective August 6, 2012, on charges of incompetency, inefficiency, or failure to perform duties, neglect of duty, conduct unbecoming a public employee, misuse of public property, including public vehicles and removal effective November 22, 2013, on charges of inability to perform duties, chronic or excessive absenteeism and/or lateness, and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the removal and modify the 180 day suspension and demotion to a 30 working day suspension and demotion to Equipment Operator.

ACTION:

**A-6 RAVIN MORRISON- CSC DOCKET NO. 2014-1671
OAL DOCKET NO. CSV: 00844-14**

Ravin Morrison, Principal Account Clerk, City of Newark, Department of Engineering, resignation not in good standing and removal effective August 19, 2013, on charges of resignation not in good standing, other sufficient cause, failure to comply with the terms and conditions of previously signed conditional letter of employment, failure to report to work for five consecutive days without approval and conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Uphold the resignation not in good standing effective August 19, 2013.

ACTION:

**A-7 STACIE PERCELLA- CSC DOCKET NO. 2014-1902
OAL DOCKET NO. CSV: 01647-14**

Stacie Percella, Deputy Registrar of Vital Statistics/Keyboarding Clerk 3, City of Bayonne, Department of Public Works, 60 working day suspension on charges of conduct unbecoming a public employee, incompetency, inefficiency or failure to perform duties, neglect of duty, other sufficient cause, and providing inaccurate information.

Recommendation of the Administrative Law Judge – Dismiss the appeal.

ACTION:

**A-8 GABRIEL PABON- CSC DOCKET NO. 2014-2775
OAL DOCKET NO. CSV: 6345-14**

Gabriel Pabon, Page, Trenton Public Library, removal and release at the end of working test period effective February 20, 2014, on charges of incompetency, inefficiency or failure to perform duties, inability to perform duties and neglect of duty.

Recommendation of the Administrative Law Judge – Dismiss the appeal.

ACTION:

**A-9 EDWARD SANTIAGO- CSC DOCKET NO. 2008-3461
OAL DOCKET NO. CSV: 01366-12**

Edward Santiago, Police Chief, City of Plainfield, Department of Public Affairs, good faith of his demotion to Police Captain in lieu of layoff effective April 11, 2008.

Recommendation of the Administrative Law Judge – Uphold the demotion to Police Captain in lieu of layoff.

ACTION:

SECTION B – MISCELLANEOUS MATTERS

B-1 M. P. – CSC DOCKET NO. 2013-1212

M. P., represented by Darryl M. Sanders, Esq., appeals his rejection as a Police Officer candidate by the Borough of Roselle and its request to remove his name from the eligible list for Police Officer (S9999M) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:

B-2 ROBERT VOGT, ET AL. – CSC DOCKET NO. 2011-4505

The Superior Court of New Jersey, Appellate Division has remanded the matters of Robert Vogt, Gracia Hernandan, H. James Boor, Joseph A. Castagna, Timothy Hurley, Michael A. Perchun, Vera Smith and Charles Mays, Jr.'s appeals of the decision of the Superior Court of New Jersey, Law Division to allow them to exhaust their administrative remedies.

ACTION:

B-3 DIANA WESTLUND – CSC DOCKET NO. 2015-232

Berkeley Township requests that the provisions of *N.J.A.C. 4A:4-7.1A(b)* be relaxed in order to permit the retroactive Intergovernmental Transfer of Diana Westlund.

ACTION:

**B-4 THOMAS M. JARDINE AND KARRIEM BEYAH –
CSC DOCKET NO. 2014-1810**

Thomas M. Jardine and Karriem Beyah, Senior Correction Officers with the Department of Corrections, represented by Colin M. Lynch, Esq., appeal the determination of the appointing authority which denied them an increase in their vacation leave.

ACTION:

B-5 HENRIETTA BRASK – CSC DOCKET NO. 2014-2768

Henrietta Brask, a Supervisor of Nursing Services with the Department of Human Services, North Jersey Developmental Center, appeals her lateral displacement to the same title at Greystone Park Psychiatric Hospital.

ACTION:

B-6 TONI WILLIAMS – CSC DOCKET NO. 2014-2749

Toni Williams, a Social Worker 1 at Woodbridge Developmental Center, appeals her demotion in lieu of layoff to Social Worker 2.

ACTION:

B-7 SCOTT MCGILL – CSC DOCKET NO. 2015-235

Scott McGill requests a make-up for the Manager 1, Vocational Rehabilitation Services (PS4826N), Department of Labor examination.

ACTION:

B-8 DAVID VACIRCA – CSC DOCKET NO. 2014-2808

David Vacirca requests that he be permitted to amend his application for the Entry Level Law Enforcement Examination (S9999R).

ACTION:

B-9 ALBERT J. MARESCA, III – CSC DOCKET NO. 2014-1090

Albert J. Maresca, III, appeals the decision of the Division of Classification and Personnel Management, which upheld the removal of his name from the Fire Fighter (M2554M), City of Newark, eligible list due to his failure to meet the residency requirement.

ACTION:

B-10 DYLAN MARESCA – CSC DOCKET NO. 2014-1997

Dylan Maresca appeals the decision of the Division of Classification and Personnel Management, which upheld the removal of his name from the Fire Fighter (M2554M), City of Newark, eligible list due to his failure to meet the residency requirement.

ACTION:

B-11 LAURA OLEXA – CSC DOCKET NO. 2014-1723

Laura Olexa appeals the decision of the Division of Classification and Personnel Management which found that her position with the Department of Law and Public Safety, Division of State Police is properly classified as Supervising Accountant. The appellant seeks an Administrative Analyst 1 job classification.

ACTION:

**B-12 CLERK 4 (M0303R), CITY OF PLAINFIELD –
CSC DOCKET NO. 2014-2546**

The City of Plainfield requests permission not to make an appointment from the August 13, 2013 certification for Clerk 4 (M0303R), City of Plainfield.

ACTION:

B-13 EDDIE ACOSTA – CSC DOCKET NO. 2014-2172

The Department of Corrections requests reconsideration of the final administrative decision rendered on December 4, 2013, which restored Eddie Acosta's name to the Correction Officer Recruit (S9987M), Department of Corrections, eligible list.

ACTION:

B-14 MITCHELL KAFTON – CSC DOCKET NO. 2014-1982

Mitchell Kafton, a Police Officer with Jackson Township, represented by Robert Rosenberg, Esq., seeks reconsideration of the decision rendered on December 18, 2013 which modified his 10 working day suspension to a formal written reprimand.

ACTION:

B-15 NIKIA RIVERA – CSC DOCKET NO. 2014-2237

Nikia Rivera, a County Correction Officer with Cumberland County, represented by Stuart J. Alterman, Esq., requests reconsideration of that portion of the Civil Service Commission decision, rendered on December 18, 2013, denying her back pay.

ACTION:

**B-16 MICHAEL AMABILE AND KIM RISCART-CARDELLA –
CSC DOCKET NOS. 2014-2957 AND 2014-3015**

Michael Amabile and Kim Riscart-Cardella appeal the determinations of the Division of Selection Services that they did not meet the experience requirements for the promotional examination for Assistant Director of Maintenance Services (PC0010S), Hudson County.

ACTION:

B-17 DENISE BRANTLEY – CSC DOCKET NO. 2014-1486

Denise Brantley 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 open competitive examination for Customer Representative 3, Public Utilities (S0543R), Board of Public Utilities.

ACTION:

B-18 JOHN GRIFFITH – CSC DOCKET NO. 2014-2432

John Griffith appeals the determination of the Division of Selection Services, which found that he did not meet the experience requirement for the promotional examination for Administrative Analyst 2 (Data Processing) (PS1513H), Department of Health.

ACTION:

B-19 DAVID KELSEY – CSC DOCKET NO. 2014-3024

David Kelsey appeals the promotional examination for County Correction Captain (PC2004R), Atlantic County.

ACTION:

B-20 SCOTT WEED – CSC DOCKET NO. 2014-2416

Scott Weed appeals the determination of the Division of Selection Services, which found that he did not meet the experience requirement for the promotional examination for Administrative Analyst 2 (Data Processing) (PS1513H), Department of Health.

ACTION:

B-21 E.B.T. – CSC DOCKET NO. 2014-3242

The City of Hoboken (City), represented by Bryant Gonzalez, Esq., petitions the Civil Service Commission (Commission) for a stay of the Commission's decision in *In the Matter of E.B.T.* (CSC, decided April 9, 2014) pending the City's appeal to the Appellate Division of the Superior Court of New Jersey.

ACTION:

B-22 ADMINISTRATIVE ANALYST (C0561P), MERCER COUNTY – CSC DOCKET NO. 2014-1826

Mercer County requests permission not to make an appointment from the April 22, 2013 certification for Administrative Analyst (C0561P).

ACTION:

B-23 STATE GOVERNMENT MANAGERS – CSC DOCKET NO. 2015-307

The Governor's Office of Employee Relations (OER) requests that the provisions of *N.J.A.C. 4A:3-4.5* and *N.J.A.C. 4A:3-4.13* be relaxed in order to implement the wage provisions of the collective negotiations agreement between the State of New Jersey and the International Brotherhood of Electrical Workers, Local 30, for eligible State Government Managers.

ACTION:

B-24 CHANGE IN CLASSIFICATION PLAN – TITLE CREATION

The Division of Classification and Personnel Management requests the creation of the variant County Police Officer, Bilingual in Korean and English title.

	<h1>MEMORANDUM</h1>
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DATE:	July 29, 2014
TO:	The Civil Service Commission
FROM:	Kenneth Connolly, Director Division of Classification & Personnel Management 
SUBJECT:	Change in the Local Classification Plan
 <u>TITLE VARIANT CREATION</u> 	
Bergen County has requested the creation of a new variant title, County Police Officer, Bilingual in Korean & English.	
The title will be utilized to better serve the growing Korean-American population. Such a bilingual title already exists at the municipal level; however, Bergen County consists of numerous smaller municipalities that frequently rely on the larger, county-level police force for support, particularly for a variety of specialized emergency response teams which the smaller units cannot feasibly maintain. Thus, in order to best provide these language skills to the public under a wide range of circumstances, a bilingual variant must also be made available at the county level.	
<u>ESTABLISHMENT OF NEW TITLE:</u>	
01420_	County Police Officer, Bilingual in Korean & English
Local	Competitive
Changes will be effective the first pay period following the Commission's approval.	
<hr/> <small>www.state.nj.us/csc</small>	

ACTION:**B-25 C. P. – CSC DOCKET NO. 2013-2826**

C. P., appeals the request by the Department of Corrections to remove his name from the Correction Officer Recruit (S9987M) eligible list for medical unfitness to perform effectively the duties of the position.

ACTION:

B-26 F. P. – CSC DOCKET NO. 2014-946

F. P., appeals the request by the County of Essex to remove his name from the County Correction Officer (C9979M) eligible list for medical unfitness to perform effectively the duties of the position.

ACTION:**B-27 KELLY MCVEIGH – CSC DOCKET NO. 2015-268**

Kelly McVeigh appeals the decision of the Division of Selection Services denying his request for a make-up examination for Senior Engineer Traffic (PS7158T), Department of Transportation.

ACTION:**B-28 JOINT ORDER OF CONSOLIDATION AND PREDOMINANT INTEREST – PENNY GRACIA ET AL., CAMDEN CITY POLICE DEPARTMENT AND FRATERNAL ORDER OF POLICE, LODGE 1 (FOP LODGE 1) V. CITY OF CAMDEN AND COUNTY OF CAMDEN, CSC DOCKET NOS. 2013-2016 ET AL.; PERC DOCKET NOS. CO-2013-094 AND CO-2014-106; OAL DOCKET NO. CSV 7220-13**

Administrative Law Judge (ALJ) Joseph Lavery issued an Order of Consolidation and Predominant Interest in *In the Matter of Penny Gracia et al., Camden City Police Department and Fraternal Order of Police, Lodge 1 (FOP Lodge 1) v. City of Camden and County of Camden*. Based on the ALJ's Order, the Civil Service Commission and the Public Employment Relations Commission developed a Joint Order. The proposed Order is now submitted for the Commission's adoption.

ACTION: