



STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION

Phil Murphy
Governor
Shelia Oliver
Lt. Governor

Deirdre L. Webster Cobb
Chairperson

**AGENDA OF REGULAR MEETING OF
THE CIVIL SERVICE COMMISSION
APRIL 18, 2018**

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

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:

Christina Rodriguez, Cottage Training Technician, Hunterdon Developmental Center, Department of Human Services, removal.

Christina Rodriguez, Cottage Training Technician, Hunterdon Developmental Center, Department of Human Services, removal.

Jakheira Rhett, Residential Service Worker, Woodbine Developmental Center, Department of Human Services, 20 working day suspension.

ACTION:

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

Alan Klask, Messenger, Hudson County, Department of Corrections, seven working day suspension.

Alan Klask, Messenger, Hudson County, Department of Corrections, 25 working day suspension.

ACTION:

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

Geneva Bergen
Ancora Psychiatric Hospital
Department of Health
Removal

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Department of Health
Removal

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Department of Health
Removal

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Department of Health
Removal

Geneva Bergen
Ancora Psychiatric Hospital
Department of Health
Removal

Michelle Bruno
Hunterdon Developmental Center
Department of Human Services
Resignation no in good standing

Sarah Cooke
Ancora Psychiatric Hospital
Department of Health
Release at the end of the working test period

Michael Gismondi
County of Gloucester
Department of Public Works
Removal

Kimberly Hampton
Superior Court of New Jersey
Atlantic and Cape May Vicinage
Suspension

Kerianne Hefferon
Department of Children and Families
Ocean South Local
Release at the end of the working test period

Anthony J. Rogers
City of East Orange
Police Department
Suspension

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

ACTION:

A-2 PETER DELCOLLO

Peter Delcollo, Institutional Trade Instructor 1, South Woods State Prison, Department of Corrections, 45 working day suspension on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the 45 working day suspension.

ACTION:

A-3 JOSEPH EHIOSA

Joseph Ehiosa, Cottage Training Technician, Hunterdon Developmental Center, Department of Human Services, removal effective January 6, 2017 on charges of failure to perform duties, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge - Reverse the removal.

ACTION:

A-4 LUIS FERMIN

Luis Fermin, Police Officer, City of Paterson, Police Department, 180 calendar day suspension on charges of conduct unbecoming a public employee misuse of public property including automobiles and other sufficient cause.

Recommendation of the Administrative Law Judge - Uphold the 180 calendar day suspension.

ACTION:

A-5 KEISHA LEWIS

Keisha Lewis, Police Officer, City of Orange Township, Police Department, removal effective March 29, 2017 on charges of incompetency, inefficiency or failure to perform duties and inability to perform duties.

Recommendation of the Administrative Law Judge - Uphold the removal.

ACTION:

A-6 SEAN MCGOVERN

Sean McGovern, Sheriff's Officer Sergeant, Hudson County Sheriff's Office, 30 working day suspension on charges of insubordination.

Recommendation of the Administrative Law Judge - Modify the 30 working day suspension to a 10 working day suspension.

ACTION:

A-7 TAHRON MILES (consolidated)

Tahron Miles, Police Officer, City of Newark, Police Department, indefinite suspension effective June 6, 2014 and removal effective September 15, 2014 on charges of incompetency, inefficiency or failure to perform duties, neglect of duty and violating several departmental regulations.

Recommendation of the Administrative Law Judge - Uphold the removal.

ACTION:

A-8 AMY J. ROBITALLE

Amy Robitalle, Emergency Medical Technician, Gloucester County, Department of Emergency Response, removal effective February 22, 2016 on charges of incompetency, inefficiency or failure to perform duties, conduct unbecoming a public employee and neglect of duty.

Recommendation of the Administrative Law Judge - Uphold the removal.

ACTION:

A-9 ERIC WARREN

Eric Warren, County Correction Officer, Burlington County, removal effective October 16, 2017 on charges of incompetency, inefficiency or failure to perform duties, conduct unbecoming a public employee, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge - Uphold the removal.

ACTION:

A-10 SHANDOR WINE

Shandor Wine, Building Maintenance Worker, Jersey City Public Library, removal effective April 28, 2016 on charges of conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge - Uphold the removal.

ACTION:

SECTION B – MISCELLANEOUS MATTERS

B-1 ACCOUNT CLERK TYPING, BILINGUAL IN SPANISH AND ENGLISH AND ACCOUNT CLERK TYPING, MULTILINGUAL IN SPANISH, PORTUGUESE AND ENGLISH – CSC DOCKET NO. 2018-2782

The Division of Agency Services recommends reallocation of the local government titles of Account Clerk Typing, Bilingual in Spanish and English and Account Clerk Typing, Multilingual in Spanish, Portuguese and English to the non-competitive division of the career service in accordance with *N.J.A.C. 4A:3-1.2*.

ACTION:

B-2 S.J.D. – CSC DOCKET NO. 2017-1648

S.J.D., represented by Nicholas J. Palma, Esq., appeals his rejection as a County Correction Officer candidate by Essex County and its request to remove his name from the eligible list for Essex County (S9999R) on the basis of psychological unfitness to perform effectively the duties of the positions.

ACTION:

B-3 RAY LEE – CSC DOCKET NO. 2018-570

Ray Lee appeals the removal of his name from the eligible list for Fire Fighter (M1548T), Linden on the basis of an unsatisfactory driving record.

ACTION:

B-4 LEA ANN LIBRERA – CSC DOCKET NO. 2018-2381

Lea Ann Librera appeals the removal of her name from the eligible list for Investigator (S0382S), Judiciary, Vicinage 11 - Passaic County and Vicinage 2 - Bergen County on the basis that she failed to respond to certification notices.

ACTION:

B-5 KODY SMITH – CSC DOCKET NO. 2018-2438

Kody Smith appeals the removal of his name from the Police Officer (S9999U), Voorhees Township, eligible list.

ACTION:

B-6 CLAIMS ADJUDICATOR TRAINEE DISABILITY DETERMINATIONS (S0694U) – CSC DOCKET NO. 2018-2784

The Department of Labor and Workforce Development requests the extension of the eligible list for Claims Adjudicator Trainee, Disability Determinations (S0694U).

ACTION:

B-7 ELECRIC METER WORKER (M0338V), CITY OF VINELAND – CSC DOCKET NO. 2018-343

The City of Vineland requests permission not to make an appointment from the August 21, 2017 certification for Electric Meter Worker (M0338V).

ACTION:

**B-8 PROGRAM COORDINATOR MENTAL HEALTH (S0036V),
DEPARTMENT OF MILITARY AND VETERANS AFFAIRS – CSC
DOCKET NO. 2018-2509**

The Department of Military and Veterans Affairs requests permission not to make an appointment from the September 29, 2017 certification for Program Coordinator Mental Health (S0036V).

ACTION:

**B-9 SUPERINTENDENT RECREATION (M0096U), TOWN OF
MORRISTOWN – CSC DOCKET NO. 2018-2419**

The Town of Morristown requests permission not to make an appointment from the August 8, 2016 certification for Superintendent Recreation (M0096U).

ACTION:

B-10 DANIELLE LONDON – CSC DOCKET NO. 2017-2690

Danielle London 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 Senior Administrative Analyst (PM1919U), Trenton.

ACTION:

B-11 NATALIYA PASICHNYK – CSC DOCKET NO. 2018-2069

Nataliya Pasichnyk 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 Employment Specialist (C0786V), Cumberland County.

ACTION:

B-12 SHILPA GANDHI – CSC DOCKET NO. 2018-2748

Shilpa Gandhi petitions the Civil Service Commission to allow him to change his Work Location Preference Area for Software Development Specialist 2 (S0065U), Statewide and to add his name to the issued certifications for the subject examination for retroactive and current opportunities.

ACTION:

B-13 TERRY BELL – CSC DOCKET NO. 2018-2689

Terry Bell appeals the administration of the oral portion of the examination for Fire Captain (PM1055V), Rahway.

ACTION:

B-14 SHERRY MAKO – CSC DOCKET NO. 2018-1525

Sherry Mako appeals her rank and score for the promotional examination for Administrative Assistant 1 (PS5769P), Department of Law and Public Safety.

ACTION:

B-15 KEVIN BRINK AND BRIAN DUFFY – CSC DOCKET NOS. 2018-2606 AND 2018-2751

Kevin Brink and Brian Duffy appeal the determinations of the Division of Agency Services denying their requests for make-up examinations for Fire Lieutenant (PM1043V), Lakewood and Fire Lieutenant (PM1084V), Margate, respectively.

ACTION:

B-16 EUGENE MARRA – CSC DOCKET NO. 2017-3936

Eugene Marra appeals the determination of the Division of Administrative Support and Logistics denying his request for a make-up examination for County Correction Sergeant (PC2080U), Middlesex County.

ACTION:

B-17 HOUSING COORDINATOR (M0942R), NEWARK – CSC DOCKET NO. 2018-570

Elmore Gaines requests reconsideration of the attached final administrative decision, rendered on July 17, 2015, which granted the City of Newark's request for a waiver of the appointment requirement from the Housing Coordinator (M0942R), eligible list.

ACTION:

B-18 LISA BROWN – CSC DOCKET NO. 2018-1507

Lisa Brown, a Family Service Specialist 2 with the Department of Children and Families, represented by Manuel B. Oasin, Esq., requests reconsideration of the decision rendered on October 4, 2017, which upheld the removal of her name from the eligible list for Family Service Specialist 2 (PS2267K), on the basis of an unsatisfactory employment record.

ACTION:**B-19 JOINT ORDER ON CONSOLIDATION AND PREDOMINANT INTEREST – RICHARD DENTROUX v. TOWNSHIP OF FREEHOLD – CSC DOCKET NO. 2017-3845**

Administrative Law Judge Joseph A. Ascione (ALJ) issued an Order on Consolidation and Predominant Interest in the matters of Richard Dentrux v. Township of Freehold and Richard Dentrux v. Police and Firemen's Retirement System. Based on the ALJ's Order, the Civil Service Commission and the Police and Firemen's Retirement System developed a Joint Order.

ACTION:**B-20 N.G. – CSC DOCKET NO. 2018-877**

N.G., a Cottage Training Technician with the Department of Human Services, appeals the determination of the Assistant Commissioner, Office of Legal Affairs, 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-21 P.L. – CSC DOCKET NO. 2018-1884**

P.L., a Principal Clerk Typist with the Department of Human Services, appeals the determination of the Assistant Commissioner, Office of Operations, that the appellant did not present sufficient evidence to support a finding that she had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

ACTION:

B-22 M.W. – CSC DOCKET NO. 2018-21

M.W., a Senior Technician, Management Information Systems with the Department of Human Services, appeals the determination of the Assistant Commissioner, Office of Legal Affairs, 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-23 PAUL DZIALO - CSC DOCKET NO. 2016-4333

The appeal of Paul Dzialo, a County Police Officer, Camden County Police Department, of his 20 working day suspension, on charges, was heard by Administrative Law Judge Kathleen M. Calemno (ALJ), who rendered her initial decision on December 21, 2017. At its meeting on March 27, 2018, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to uphold the 20 working day suspension. Rather, the Commission modified the penalty to a 10 working day suspension. The proposed final decision is now submitted for the Commission's review.

ACTION:

B-24 MATTHEW GOMM - CSC DOCKET NO. 2016-3502

The appeal of Matthew Gomm, a Police Officer with the Borough of Carteret, of his 45-working day suspension, on charges, was heard by Administrative Law Judge Carl V. Buck, III (ALJ), who rendered his initial decision on December 22, 2017. At its meeting on March 27, 2018, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to modify the 45 working day suspension to a 30 working day suspension. Rather, the Commission modified the penalty to a 20 working day suspension and ordered that the appellant undergo retraining. The proposed decision is now submitted for the Commission's review.

ACTION:

B-25 TONYA HOWARD - CSC DOCKET NO. 2017-2286

The appeal of Tonya Howard, a Police Communications Clerk with the City of Newark, of her removal effective September 22, 2016, on charges, was heard by Administrative Law Judge Jude-Anthony Tiscornia (ALJ), who rendered his initial decision on January 17, 2018. At its meeting on April 4, 2018, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to uphold the removal. Rather, the Commission modified the removal to a 45 working day suspension and ordered that the appellant undergo a pre-reinstatement drug test. The proposed decision is now submitted for the Commission's review.

ACTION:**B-26 FRANK MAISANO – CSC DOCKET NO. 2016-2614**

The appeal of Frank Maisano, a Police Officer with Aberdeen Township, of his 10 working day suspension, on charges, was heard by Administrative Law Judge Kathleen M. Calemno (ALJ), who rendered her initial decision on October 31, 2017. At its meeting on March 27, 2018, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to uphold the 10 working day suspension. Rather, the Commission modified the penalty to a six working day suspension. The proposed final decision is now submitted for the Commission's review.

ACTION:**B-27 PHYLLIS SLADE – CSC DOCKET NO. 2015-2912**

The appeal of Phyllis Slade, a County Correction Sergeant with the County of Essex, Department of Corrections of her 15 working day suspension, on charges, was considered by Administrative Law Judge Joann LaSala Candido (ALJ), who rendered her initial decision on December 19, 2017. At its meeting on March 27, 2018, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to uphold the 15 working day suspension. Rather, the Commission modified the penalty to a 10 working day suspension. The proposed final decision is now submitted for the Commission's review.

ACTION:**B-28 CIVIL SERVICE COMMISSION MINUTES**

Submitted for adoption are the Civil Service Commission minutes of its meeting of April 4, 2018.

ACTION:

B-29 RICHARD GIZZI, *ET AL.* - CSC DOCKET NOS. 2018-1505, *ET AL.*

Richard Gizzi, Sean McCarry, Kelly McKeand, Ashley Munoz and Drew Raslowsky (PM0762V), Bayonne; Daynel Ozorio and Marc Rispoli (PM0767V), Bergenfield; Erik Aksdal, Michael Feeney and William Vendrell (PM0772V), Brick; Ryan Kimble (PM0777V), Burlington; Michael Curran (PM0782V), Cinnaminson; Andrew Alvarez and Robert Marks (PM0784V), Clifton; Jason Smith (PM0790V), East Rutherford; Joseph Winowski (PM0799V), Freehold; David Bacsik, Eirvvn Papafilipakis and Matthew Quarino (PM0804V), Hamilton; Anthony Caruso, Robert Roman and Luke Zeszotarski (PM0809V), Hoboken; Sean Greenberger, Michael Kelly and Vincent Rubio (PM0813V), Jackson; John Fabula, Michael Farinola, Jason Ward and Benjamin Wuelfing (PM0815V), Kearny; Christopher Di Biase, Stephen Meyer and Justin Pederson (PM0819V), Lakewood; Brian Murphy and Jason Sweitzer (PM0831V), Middletown; Sean Cahill, Ryan Daughton and Erika DiMarcello (PM0840V), New Brunswick; David Hudak and Anthony Scala (PM0842V), North Arlington; Ryan Uzunis and Jason Zier (PM0843V), North Brunswick; Christopher Vivarelli and Patrick Walsh (PM0847V), Ocean City; Kevin McKeon (PM0859V), Ridgewood; Stephen Jankowski (PM0868V), Sea Isle City; An Wang (PM0870V), South Amboy; William Heater (PM0875V), Stanhope; Charles Antinori (PM0876V), Teaneck; Michelle Aviles, Yalinett Cartas, Patricia Lazzarini and Samantha Martinez (PM0877V), Union City; Joseph Rubel, Peter Simon and Salvatore Valentino (PM0878V), Union; Annmarie McCormick (PM0882V), Vineland; Joseph Angelo, Richard Hilliard and Andrew Lyszyk (PM0895V), Woodbridge; Edward Cunningham, Gregory Hollo and Diane Otero (PM0901V), Trenton; Edward Benenati, Jorge Cabral, David Haverty and Richard Hernandez (PM2030V), Elizabeth; Valerie Carriere, Lydiana Diaz, Sanny Fernandez, Maciej Kuzmicki, Luz Rojas, Matthew Scalcione and Juan Velazquez (PM2041V), Jersey City; Jimmy Michel and George Tsimpedes (PM2048V), Parsippany-Troy Hills; appeal the examination for Police Sergeant (various jurisdictions).

ACTION: