



STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION

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

Deirdré L. Webster Cobb
Chairperson

**AGENDA OF REGULAR MEETING OF
THE CIVIL SERVICE COMMISSION**

NOVEMBER 2, 2022

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

CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of October 12, 2022.

ACTION:

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

Lyreshia Bonds, Judiciary, Middlesex Vicinage removal.

Mario Fucci, Salem County, Sheriff's Department, demotion.

Joseph Grundlock, Wildwood City, Department of Public Safety, suspension.

Sharieff Young, Jersey City, Department of Public Safety, removal.

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

Andrew Bourney
Edna Mahan Correctional Facility
Department of Corrections
Removal

Stephanie Havrilla
Department of Labor and Workforce Development
Return to previous held permanent title at the end of the working test period

William Johnson
Irvington
Department of Public Works
Removal

Robert McCormack
New Jersey State Prison
Department of Corrections
Suspension

William McKee
Ocean County
Department of Corrections
Removal

Jeremy Nichols
Vineland Developmental Center
Department of Human Services
Removal

Christopher Oliver
Gloucester City
Department of Fire and Ambulance
Suspension

Jakheira Rhett
Woodbine Developmental Center
Department of Human Services
Removal

John Sher
Margate
Fire Department
Removals (2)

ACTION:

A-2 MICHAEL DALRYMPLE – CSC DOCKET NO. 2022-1829

Michael Dalrymple, Investigator, Secured Facilities, Edna Mahan Correctional Facility, Department of Corrections, removal, effective January 19, 2022, on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the removal.

ACTION:

A-3 GERARDO DEOLIVERA – CSC DOCKET NO. 2022-1160

Gerardo DeOlivera, Building Maintenance Worker, Ocean County, Department of Building and Grounds, removal, effective October 22, 2021, on charges of insubordination and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal

ACTION:

A-4 MARK FOGG – CSC DOCKET NO. 2022-204

Mark Fogg, Senior Correctional Police Officer, South Woods State Prison, Department of Corrections, removal, effective June 14, 2021, on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:**A-5 ANDREW GALES – CSC DOCKET NOS. 2020-980 AND 2020-1951**

Andrew Gales, Senior Correctional Police Officer, Edna Mahan Correctional Facility, Department of Corrections, two removals, effective October 17, 2019, on charges of incompetency, inefficiency or failure to perform duties, neglect of duty, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removals.

ACTION:**A-6 MICHAEL GORSKI – CSC DOCKET NO. 2021-1701**

Michael Gorski, County Correctional Police Lieutenant, Mercer County, Department of Corrections, fine equal to a 15 working day suspension, on charges of incompetency, inefficiency or failure to perform duties and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the fine.

ACTION:**A-7 CHRISTOPHER OLIVER – CSC DOCKET NO. 2022-2641**

Christopher Oliver, Fire Fighter/Emergency Medical Technician, Gloucester City, Department of Fire and Ambulance, removal, effective December 21, 2021, on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the removal to a six-month suspension.

ACTION:

A-8 LINDA ORTIZ – CSC DOCKET NO. 2021-179

Linda Ortiz, County Correctional Police Officer, Middlesex County, Department of Corrections, removal, effective October 6, 2021, on charges of inability to perform duties, chronic or excessive absenteeism or lateness and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the removal to a resignation in good standing.

ACTION:**A-9 EDWIN VASQUEZ – CSC DOCKET NOS. 2022-123 AND 2022-233**

Edwin Vasquez, Police Officer, Jersey City, Police Department 120 working day suspension and removal, effective July 15, 2021, on charges of inability to perform duties, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the 120 working day suspension and removal.

ACTION:**SECTION B – MISCELLANEOUS MATTERS****B-1 D.E.M. – DOCKET NO. 2022-2628**

D.E.M. 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 (M1809W) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:**B-2 J.R. – DOCKET NO. 2022-609**

J.R., represented by Stephen B. Hunter, Esq., appeals his rejection as a Police Officer candidate by Long Branch and its request to remove his name from the eligible list for Police Officer (S9999A) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:

B-3 AYOMIDE T. ADEBAYO – DOCKET NO. 2022-2652

Ayomide T. Adebayo appeals the determination of Middlesex County to remove his name from the eligible list for Graphic Artist 1 (C0187A), on the basis that he failed to complete pre-employment processing.

ACTION:**B-4 RAFAEL RIVERA – DOCKET NO. 2022-2639**

Rafael Rivera appeals the removal of his name from the eligible list for Police Sergeant (PM0862V), Roselle on the basis that he failed to respond to the certification notice.

ACTION:**B-5 LITASHA WORTHEN-BARNES – DOCKET NO. 2022-2892**

Litasha Worthen-Barnes, represented by Annette Verdesco, Esq., appeals the bypass of her name on the Police Sergeant (PM0849V), Orange eligible list.

ACTION:**B-6 JOSEPH DEMAIO – DOCKET NO. 2023-801**

Joseph DeMaio appeals the decision of the Division of Agency Services which found that he did not have the required amount of service in a competitive title for the promotional examination for Equipment Operator (PC4095D), Middlesex County.

ACTION:**B-7 ADRIANA MINA-OTTO – DOCKET NO. 2022-1924**

Adriana Mina-Otto appeals the determination of the Division of Agency Services which found that she did not meet the requirements for the open competitive examination for Regional Staff Nurse Medical Assistance (S0656C), Statewide.

ACTION:

B-8 VICTORIA RAMIREZ – DOCKET NO. 2022-2988

Victoria Ramirez appeals the determination of the Division of Agency Services which found that she did not meet the requirements for the promotional examination for Keyboarding Clerk 2 (PC0311D), Burlington County.

ACTION:**B-9 ISMETA SAINT CLAIR – DOCKET NO. 2022-1247**

Ismeta Saint Clair appeals the determination of the Division of Agency Services that she did not meet the experience requirement for the promotional examination for Investigator 1 (PS1572K), Department of Children and Families.

ACTION:**B-10 HAMID SALEEM – DOCKET NO. 2023-174**

Hamid Saleem 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 Sanitation Superintendent (PM5106C), Newark.

ACTION:**B-11 CYNTHIA SANTIAGO – DOCKET NO. 2022-1515**

Cynthia Santiago appeals the determination of the Division of the Agency Services, which found that she was below the minimum requirements in experience for a qualifying examination for Administrative Analyst 3, Fiscal Management.

ACTION:**B-12 RACHEL SMITH – DOCKET NO. 2022-3239**

Rachel Smith appeals the determination of the Division of Agency Services that she did not meet the experience requirements for the open competitive examination for Chemist 1 (M0377D), Millville.

ACTION:

B-13 MARK WHITE – DOCKET NO. 2022-2259

Mark White 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 Senior Mechanic Diesel (PC4912C), Mercer County.

ACTION:

B-14 LISA DAVIS – DOCKET NO. 2022-1947

Lisa Davis appeals her score on the promotional examination for Assistant Administrative Supervisor of Income Maintenance (PC4776C), Gloucester County Board of Social Services.

ACTION:

B-15 S.H. – DOCKET NO. 2023-253

S.H., a provisional Employment and Training Specialist 1 (ETS1) with the Department of Labor and Workforce Development, appeals the decision of an Assistant Commissioner, which was unable to substantiate that she was subject to discrimination in violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

ACTION:

B-16 JOSIAH ACEVEDO, *ET AL.* – DOCKET NOS. 2022-2125, *ET AL.*

Josiah Acevedo, *et al.*, Fire Fighter, Newark, represented by Craig S. Gumpel, Esq., appeal their reassignments.

ACTION:

B-17 MARC BERKEYHEISER – DOCKET NO. 2022-2894

The Division of Agency Services, on behalf of Trenton, requests that Marc Berkeyheiser be assigned a retroactive appointment date to the Police Sergeant title pursuant to a settlement agreement.

ACTION:

B-18 INTELLIGENCE ANALYST APPRENTICE, OFFICE OF HOMELAND SECURITY AND PREPAREDNESS – DOCKET NO. 2023-830

The Division of Agency Services requests the establishment of the unclassified title of Intelligence Analyst Apprentice, Office of Homeland Security and Preparedness.

ACTION:**B-19 P.S. – DOCKET NO. 2023-199**

The Department of Labor and Workforce Development requests reconsideration of *In the Matter of P.S.* (CSC, decided June 15, 2022) where the Civil Service Commission remanded the matter to the appointing authority to re-interview the candidates and redispense of the certification.

ACTION:**B-20 CHRISTOPHER FERRO – DOCKET NOS. 2022-3298, ET AL.**

The Superior Court of New Jersey, Appellate Division, in *In the Matter of Christopher Ferro*, Docket No. A-003160-21T1 (App. Div., October 11, 2022), remanded *In the Matter of Christopher Ferro* (CSC, decided May 18, 2022) to address Ferro's request for reconsideration. The Civil Service Commission is also addressing the Bergen County Sheriff's Office request for stay in this matter.

ACTION:**B-21 THOMAS VALENTE – DOCKET NO. 2023-825**

The Superior Court of New Jersey, Appellate Division, in *In the Matter of Thomas Valente, Jr., West Milford, Police Department*, Docket No. A-3180-21 (App. Div., October 14, 2022), reversed the Civil Service Commission's (Commission) decision in *In the Matter of Thomas Valente* (CSC, decided April 6, 2022) and remanded the matter to allow the Commission to issue a final decision affirming the Administrative Law Judge's initial decision.

ACTION: