



STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION

Philip D. Murphy
Governor
Tahesha L. Way
Lt. Governor

Allison Chris Myers
Chair/Chief Executive Officer

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

MARCH 20, 2024

Allison Chris Myers, Chairperson
Dolores Gorczyca
Daniel W. O'Mullan
Diomedes Tsitouras
Christina Mongon

CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of February 28, 2024.

ACTION:

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

Brandon Baker-Brewer, Senior Therapy Program Assistant, New Lisbon Developmental Center, Department of Human Services, removal.

Dayvon Bailey, Police Officer, Newark, Department of Public Safety, suspension.

Belinda Fontanez, Senior Code Enforcement Officer, Pemberton Township, Department of Community Development, removal.

Tina Holdsworth, Human Services Specialist 1, Burlington County, Board of Social Services, return to previous held permanent title at the end of the working test period.

Joel Martinez, Police Officer, Newark, Department of Public Safety, suspension.

Luis Melendez, Weights and Measures Apprentice, Hudson County, Sheriff's Department, suspension.

Aneesah Phillips, Senior Therapy Program Assistant, New Lisbon Developmental Center, Department of Human Services, removal.

Jason Robles, Police Officer, Union City, Department of Public Safety, removal.

Erin Senape, Keyboarding Clerk 2, South Amboy, Department of Public Works, removal.

ACTION:

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:

Quamir Armstrong, Senior Medical Security Worker, Ann Klein Forensic Center, Department of Health, removal.

ACTION:

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

Ronny Byers
Cumberland County
Department of Employment and Training
Removal

Alexander Cardillo
Fair Lawn Library
Removal

Emily DeScala
Cape May County
Sheriff's Office
Removal

Ericka Horsley
East Orange
Department of Public Safety
Suspension

Favio Tavarez
Hudson County
Department of Health and Human Services
Resignation not in good standing

ACTION:

A-2 ADAM AUSTINO – CSC DOCKET NO. 2023-932

Adam Austino, Police Captain, Vineland, Police Department, removal, effective November 15, 2021, on charges of conduct unbecoming a public employee, discrimination that affects equal employment opportunity, and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the removal.

ACTION:

A-3 DENISE CAMPBELL-OWENS – CSC DOCKET NO. 2021-1338

Denise Campbell-Owens, Human Services Assistant, New Jersey Veterans Memorial Home – Vineland, Department of Military and Veterans Affairs, removal, effective December 10, 2020, on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

A-4 J.D. – CSC DOCKET NO. 2021-1245

J.D., Senior Repairer, Ann Klein Forensic Center, Department of Health, 15 working day suspension, on charges of conduct unbecoming a public employee, discrimination that affects equal employment opportunity and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the 15 working day suspension.

ACTION:

A-5 SHERI JANOSKI – CSC DOCKET NO. 2024-170

Sheri Janoski, Clerk 1, Green Township, removal, effective June 20, 2023, on charges of insubordination, chronic or excessive absenteeism or lateness, conduct unbecoming a public employee, and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

A-6 JOSEPH PETTIT – CSC DOCKET NO. 2022-1265

Joseph Pettit, Laborer 1, Dennis Township, Department of Public Works, removal, effective November 6, 2021, on charges of incompetency, inefficiency or failure to perform duties, insubordination, conduct unbecoming a public employee, neglect of duty, and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the removal to a 100 working day suspension and mandatory anger management programming.

ACTION:

A-7 ALEXANDER PLAZA – CSC DOCKET NO. 2023-2670

Alexander Plaza, Police Officer, Lindenwold, Police Department, removal, effective May 18, 2023, on charges of violating several departmental policies.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

SECTION B – MISCELLANEOUS MATTERS**B-1 J.B., *ET AL.* – CSC DOCKET NOS. 2024-372, *ET AL.***

J.B., S.D., and D.K. appeal the decisions to remove their names from the Police Officer (M0034D), East Orange eligible list on the basis of a failed urinalysis examination.

ACTION:

B-2 T.A. – CSC DOCKET NO. 2024-445

T.A. appeals the bypass of his name on the Data Entry Operator 4 (PS0455U), Department of the Treasury eligible list.

ACTION:

B-3 BRENDA PESCORAN – CSC DOCKET NO. 2024-575

Brenda Pescoran appeals the determination of the Division of Agency Services, which found that, per the substitution clause for education, she did not meet the experience requirement for the open competitive examination for Senior Personnel Assistant (M0658E), Newark School District.

ACTION:

B-4 GENNARO BASSO – CSC DOCKET NO. 2023-1915

Gennaro Basso appeals his score on the promotional examination for Battalion Fire Chief (PM4444C), Atlantic City.

ACTION:

B-5 BRIAN BUTLER – CSC DOCKET NO. 2023-2075

Brian Butler appeals his score on the promotional examination for Battalion Fire Chief (PM3398C), Trenton.

ACTION:

B-6 WAYNE DANIEL, JR. – CSC DOCKET NO. 2023-2015

Wayne Daniel, Jr. appeals his score on the oral portion of the promotional examination for Battalion Fire Chief (PM3388C), Newark.

ACTION:

B-7 JOSEPH DELIKAT – CSC DOCKET NO. 2023-1994

Joseph Delikat appeals his score on the promotional examination for Battalion Fire Chief (PM3388C), Newark.

ACTION:

B-8 THOMAS FLANAGAN, III – CSC DOCKET NO. 2023-2024

Thomas Flanagan III appeals his score on the promotional examination for Battalion Fire Chief (PM4444C), Atlantic City.

ACTION:

B-9 BRAD FLEISCHMAN – CSC DOCKET NO. 2023-1857

Brad Fleischman appeals his score on the promotional examination for Battalion Fire Chief (PM3395C), Rahway.

ACTION:

B-10 KEITH KAUFMAN – CSC DOCKET NO. 2023-1957

Keith Kaufman appeals his score on the promotional examination for Fire Officer 2 (PM4200C), Jersey City.

ACTION:

B-11 STANLEY KOLBE, JR. – CSC DOCKET NO. 2023-1954

Stanley Kolbe, Jr. appeals his score on the promotional examination for Battalion Fire Chief (PM3394C), Pleasantville.

ACTION:

B-12 RAMON LOPEZ – CSC DOCKET NO. 2023-1858

Ramon Lopez appeals his score on the promotional examination for Battalion Fire Chief (PM3395C), Rahway.

ACTION:

B-13 ERNEST LUNETTA – CSC DOCKET NO. 2023-1918

Ernest Lunetta appeals his score on the promotional examination for Battalion Fire Chief (PM3388C), Newark.

ACTION:

B-14 SCOTT MCCARTHY – CSC DOCKET NO. 2023-2086

Scott McCarthy appeals his score on the promotional examination for Battalion Fire Chief (PM3395C), Rahway.

ACTION:

B-15 BRENT MEISENHELTER – CSC DOCKET NO. 2024-265

Brent Meisenhelter appeals the multiple-choice portion of the promotional examination for Battalion Fire Chief (PM2480E), Ocean City.

ACTION:

B-16 BERTRAND MOORE – CSC DOCKET NO. 2023-2023

Bertrand Moore, Jr. appeals his score on the promotional examination for Fire Officer 2 (PM4200C), Jersey City.

ACTION:

B-17 STEPHEN MUNI, JR. – CSC DOCKET NO. 2023-1973

Stephen Muni, Jr. appeals his score on the promotional examination for Battalion Fire Chief (PM3398C), Trenton.

ACTION:

B-18 VINCENT PALAMARA, JR. – CSC DOCKET NO. 2023-1971

Vincent Palamara, Jr. appeals his score on the promotional examination for Fire Officer 2 (PM4200C), Jersey City.

ACTION:

B-19 JAMES PAPPAS – CSC DOCKET NO. 2023-2064

James Pappas appeals his score on the promotional examination for Fire Officer 2 (PM4200C), Jersey City.

ACTION:

B-20 KENNETH PEREZ – CSC DOCKET NO. 2023-2069

Kenneth Perez appeals his score on the promotional examination for Battalion Fire Chief (PM3388C), Newark.

ACTION:

B-21 FRANK PHILLIPS, III – CSC DOCKET NO. 2023-2090

Frank Phillips III appeals his score on the promotional examination for Battalion Fire Chief (PM4444C), Atlantic City.

ACTION:

B-22 JOSE RUIZ – CSC DOCKET NO. 2023-1920

Jose Ruiz appeals his score on the oral portion of the promotional examination for Battalion Fire Chief (PM3388C), Newark.

ACTION:

B-23 DEXTER SMITH, SR. – CSC DOCKET NO. 2023-2026

Dexter Smith, Sr. appeals his score on the promotional examination for Fire Officer 2 (PM4200C), Jersey City.

ACTION:

B-24 ROBERT UNDERHILL – CSC DOCKET NO. 2023-1875

Robert Underhill appeals his score on the promotional examination for Battalion Fire Chief (PM3384C), Harrison.

ACTION:

B-25 JERAY WALKER – CSC DOCKET NO. 2023-1919

Jeray Walker appeals his score on the promotional examination for Battalion Fire Chief (PM3388C), Newark.

ACTION:

B-26 TYLER BENDER, *ET AL.* – CSC DOCKET NOS. 2024-1067, *ET AL.*

Tyler Bender and Caitlin Hurley (PM3226E), Ewing; and Dane Coleman, Joemy Fernandez, Ryan Macaluso, Sean Mullahey, Matthew Scalcione, Juan Velazquez and Gregory Wojtowicz (PM3381E), Jersey City; appeal the promotional examination for Police Lieutenant (various jurisdictions).

ACTION:

B-27 I.L.– CSC DOCKET NO. 2024-1512

I.L., a Supervisor of Educational Programs 1 with the Edna Mahan Correctional Facility, Department of Corrections, appeals the determination of a Commissioner, which was unable to substantiate that she was subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

ACTION:

B-28 T.N.– CSC DOCKET NO. 2023-221

T.N., a Correctional Police Lieutenant with the Department of Corrections appeals the determinations of the Director of the Equal Employment Division, stating that the appellant failed to present sufficient evidence to support findings that she had been subjected to violations of the New Jersey State Policy Prohibiting Discrimination in the Workplace or that she had been subjected to reprisal.

ACTION:

B-29 C.T. – CSC DOCKET NO. 2022-2860

C.T., a Professional Services Specialist 4 Administrative Services with Stockton University, appeals the determination of the Vice President for Personnel, Labor and Government Relations, which found that the appellant failed to 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-30 SEAN MCMANUS – CSC DOCKET NO. 2024-1445

Sean McManus, a Conservation Police Officer 2 with the Department of Environmental Protection (DEP), represented by David Beckett, Esq., requests reconsideration of the final decision of the Civil Service Commission, rendered on November 22, 2023, ordering that the DEP recalculate McManus' rate of cash overtime compensation in accordance with the decision of the Superior Court of New Jersey, Appellate Division, in *In the Matter of Sean McManus*, Docket No. A-0845-20 (App. Div. August 1, 2023).

ACTION:

B-31 CHRISTIAN COLON – CSC DOCKET NO. 2024-1486

Christian Colon, a County Correctional Police Officer with the Passaic County Sheriff's Office, represented by Frank C. Cioffi, Esq., petitions the Civil Service Commission for interim relief of his immediate suspension without pay, effective January 5, 2024.

ACTION:

B-32 FERDINAND FERNANDEZ – CSC DOCKET NO. 2024-1572

Ferdinand Fernandez, a Sheriff's Officer with the Passaic County Sheriff's Office, represented by Lori A. Dvorak, Esq., petitions the Civil Service Commission for interim relief regarding his immediate suspension.

ACTION:

B-33 DANE COLEMAN, *ET AL.* – CSC DOCKET NOS. 2024-1249, *ET AL.*

The Jersey City Superior Officers' Association, represented by Frank C. Cioffi, Esq., on behalf of Dane Coleman, Alberto Vasquez, Osama Badawi, Michael Stise, Christian Ona, Matthew Scalcione, Michael Galvez, Anthony Moschella, Joziph Soliman, Maria Cortes, Miguel Rivera, William Braker, Ismael Cortes, and Michael Szymanski, requests that they be assigned regular retroactive appointments, effective November 24, 2020, to the title of Police Sergeant.

ACTION:

B-34 P.G.– CSC DOCKET NO. 2024-1748

Hoboken requests that the eligible list for Fire Fighter (M1839W) be revived so that P.G.'s name may be certified to the appointing authority for consideration at the time of the next certification.

ACTION:

B-35 OMAR HOWARD – CSC DOCKET NO. 2024-1831

Omar Howard, represented by Matthew C. Dorsi, Esq., requests clarification of the Civil Service Commission's decision in *In the Matter of Omar Howard, Principal Investigator Parole and Secured Facilities (PS2734I), Department of Corrections* (CSC, decided August 4, 2021).

ACTION:

B-36 MARRISA TAYLOR – CSC DOCKET NO. 2024-512

Marrisa Taylor challenges the August 1, 2023 appointment of Tammy Burrell to the title of County Correctional Police Sergeant with Union County.

ACTION:

B-37 IN THE MATTER OF OVERTIME PROGRAM, DEPARTMENT OF LAW AND PUBLIC SAFETY – CSC DOCKET NO. 2024-1833

The Division of Agency Services, on behalf of the Department of Law and Public Safety, Division of State Police, Office of Forensic Sciences, requests that the provisions of *N.J.A.C.* 4A:3-5.3 be relaxed to provide individuals in the non-limited, non-exempt titles of Forensic Scientist 1, DL&PS and Forensic Scientist 2, DL&PS, cash compensation at one and one-half times the regular rate for hours worked between 35 and 40 hours.

ACTION: