



STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION

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

Allison Chris Myers
Acting Chair/Chief Executive Officer

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

MAY 24, 2023

**Allison Chris Myers, Acting Chairperson
Dolores Gorczyca
Daniel W. O'Mullan
Diomedes Tsitouras**

MAY 24, 2023

A regular meeting of the Civil Service Commission was held on Wednesday, May 24, 2023, at 10:00 a.m., in Trenton, New Jersey.

PRESENT: Allison Chris Myers, Acting Chairperson; Members Dolores Gorczyca, Daniel O'Mullan, and Diomedes Tsitouras; Brian Ragunan, Deputy Attorney General; Nicholas F. Angiulo, Director, Division of Appeals and Regulatory Affairs; Annemarie Ragos, Commission Secretary. All individuals listed participated via teleconference.

In accordance with L.1975, c.231, the Secretary to the Civil Service Commission opened the meeting with the following statement:

Notice of this meeting was filed with the Secretary of State and sent to the Trentonian, Trenton Times, Courier-Post and Star Ledger on November 23, 2022, and posted at the Civil Service Commission, 3 Station Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of May 3, 2023.

ACTION: The Civil Service Commission adopted the minutes of its meeting of May 3, 2023.

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

Allen Gurdgiel, Building Maintenance Worker/Maintenance Repairer, Cape May County Library, removal.

Andrea Mojica, Newark, Police Department, removal.

Sean Tischler, Laborer 1, Sayreville, suspension.

ACTION: The Civil Service Commission noted the withdrawal of appeals without prejudice.

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

William DeFalco
Milltown
Police Department
Removal

Nevine Makar
Department of Labor and Workforce Development
Release at the end of the working test period

Yuliya Sandler
Department of Labor and Workforce Development
Release at the end of the working test period

Juan Velez
Clifton
Department of Public Safety
Suspension

Thomas Werner
Monmouth County
Department of Parks
Suspension

Frances Wright
Newark School District
Suspension

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 FABIAN ARROYO – CSC DOCKET NO. 2023-1353

Fabian Arroyo, Laborer 1, Hoboken, Department of Transportation and Parking, 30 working day suspension, on charges conduct unbecoming a public employee and other sufficient cause.

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

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

A-3 THEODORE BOSWELL – CSC DOCKET NO. 2020-1114

Theodore Boswell, Human Services Technician, Ancora Psychiatric Hospital, Department of Health, removal, effective October 4, 2019, on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Dismiss the appeal for failure to appear.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

A-4 JAMES CHAMBERS – CSC DOCKET NO. 2021-1072

James Chambers, County Correctional Police Officer, Mercer County Correction Center, 60 working day suspension, 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 – Modify the 60 working day suspension to a 10 working day suspension.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

A-5 PAULETTE GARRISON – CSC DOCKET NOS. 2019-2352 AND 2019-2353 (CONSOLIDATED)

Paulette Garrison, Senior Human Services Technician, Ancora Psychiatric Hospital, Department of Health, two removals, effective February 25, 2019, on charges of chronic or excessive absenteeism or lateness, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removals.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

SECTION B – MISCELLANEOUS MATTERS

B-1 M.H. – CSC DOCKET NO. 2022-2588

M.H., represented by Michael L. Prigoff, Esq., appeals his rejection as a Police Officer candidate by Kearny 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: The Civil Service Commission directed that this appeal be denied.

B-2 R.H. – CSC DOCKET NO. 2022-2156

R.H. appeals his rejection as a Fire Fighter candidate by Pleasantville and its request to remove his name from the eligible list for Fire Fighter (M1867W) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION: The Civil Service Commission directed that this request be denied.

B-3 G.M. – CSC DOCKET NO. 2022-2898

G.M., represented by Daniel J. Zirrieth, Esq., appeals his rejection as a Police Officer candidate by Kearny 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: The Civil Service Commission directed that this appeal be denied.

B-4 H.M. – CSC DOCKET NO. 2023-626

H.M., represented by Eric Marcy, Esq., appeals his rejection as a Police Officer candidate by West New York 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: The Civil Service Commission directed that this appeal be denied.

B-5 J.P. – CSC DOCKET NO. 2022-2389

J.P., represented by Robert K. Chewning, Esq., appeals his rejection as a Fire Fighter candidate by the Clifton and its request to remove his name from the eligible list for Fire Fighter (M1813W) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-6 N.R. – CSC DOCKET NO. 2022-2387

N.R., represented by Christopher L. Perkes, Esq., appeals his rejection as a Fire Fighter candidate by Clifton and its request to remove his name from the eligible list for Fire Fighter (M1813W) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION: The Civil Service Commission directed that the appellant be referred for an independent psychological evaluation.

B-7 AMANDA BARTEE – CSC DOCKET NOS. 2023-957 AND 2023-958

Amanda Bartee appeals the removal of her name from the eligible list for Family Service Specialist 1 (PS5386K), Department of Children and Families, on the basis that she failed to respond to the certification notices.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-8 KELY NUNFIO – CSC DOCKET NO. 2023-1117

Kely Nunfio appeals the removal of his name from the eligible list for Police Officer (S9999A), Jersey City on the basis that he failed to respond to the certification notice.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-9 COREY RHETT – CSC DOCKET NO. 2023-1038

Corey Rhett appeals the removal of his name from the eligible list for Police Officer (S9999A), Jersey City on the basis that he failed to respond to the certification notice.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-10 JORDY TERRONES – CSC DOCKET NO. 2023-1662

Jordy Terrones, represented by Ariel Alvarez, Esq., appeals the decision to remove his name from the County Correctional Police Officer (S9999A), Morris County Sheriff's Office eligible list on the basis of falsification of the employment application.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-11 ANTHONY WOODARD – CSC DOCKET NO. 2023-684

Anthony Woodard appeals the removal of his name from the Parole Officer Recruit (S1000A), State Parole Board eligible list on the basis of an unsatisfactory background report.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-12 NICOLE BARLOW-GRIFFIN AND DARRING VILLEGAS – CSC DOCKET NOS. 2023-1253 AND 2023-1311

Nicole Barlow-Griffin, represented by Michael L. Prigoff, Esq., appeals the bypass of her name on the Chief Juvenile Detention Officer (PC3776D), Bergen County eligible list. Darring Villegas appeals his non-appointment from the same list.

ACTION: The Civil Service Commission referred these matters to the Office of Administrative Law hearings.

B-13 M.S. AND A.V. – CSC DOCKET NOS. 2023-331 AND 2023-718

M.S. and A.V., represented by Nicholas P. Milewski, Esq., appeal the bypass of their names on the Police Sergeant (PM5120N), Jersey City, eligible list.

ACTION: The Civil Service Commission directed that these appeals be denied.

B-14 ABDELBASSET JIBBOU – CSC DOCKET NO. 2023-1122

Abdelbasset Jibbou requests that the eligible list for Police Sergeant (PM2519W), Ewing, be revived so that his name may be certified to the appointing authority.

ACTION: The Civil Service Commission directed that this request be granted.

B-15 KEITH BIERWISCH – CSC DOCKET NO. 2023-425

Keith Bierwisch appeals his score for the oral portion of the promotional examination for second-level Fire Captain (PM2331C), Irvington.

ACTION: The Civil Service Commission directed that this appeal be granted in part.

B-16 CALEB SPEER – CSC DOCKET NO. 2023-1998

Caleb Speer appeals the examination for Police Sergeant (PM5318D), Stratford.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-17 G.G. – CSC DOCKET NO. 2023-1712

G.G., an Unemployment Insurance Clerk with the Department of Labor and Workforce Development, appeals the determination of a Chief of Staff 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: The Civil Service Commission directed that this appeal be denied.

B-18 E.H. – CSC DOCKET NOS. 2022-1551 AND 2022-1565

E.H., an Administrative Analyst 3 with the Ambulatory Care Facility Assessments Unit, Office of Healthcare Financing, Division of Management and Administration, Department of Health, appeals the determinations of the Office of Diversity and Equity Services, which found that the appellant failed to support a finding that she had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-19 SHREEKK CRAWFORD – CSC DOCKET NO. 2023-1566

Shreekk Crawford, a County Correctional Police Lieutenant with Essex County, Department of Public Safety and Corrections, represented by Zinovia H. Stone, Esq., petitions the Civil Service Commission for reconsideration of the final administrative decision, rendered on January 10, 2023, in which the Director of the Division of Appeals and Regulatory Affairs denied his request for a hearing with respect to his 20 working day suspension.

ACTION: The Civil Service Commission directed that this petition be denied.

B-20 DAMIAN DALEY – CSC DOCKET NO. 2023-351

Damian Daley, represented by Thomas M. Rogers, Esq., requests reconsideration of the final administrative decision, rendered on June 29, 2022, which upheld his removal from the eligible list for Police Officer (S9999A), Perth Amboy.

ACTION: The Civil Service Commission directed that this request be denied.

B-21 ODAI MATARIEH – CSC DOCKET NO. 2023-1950

Odai Matarieh requests reconsideration of the final administrative determination in *In the Matter of Odai Matarieh* (CSC, decided February 22, 2023).

ACTION: The Civil Service Commission directed that this request be denied.

B-22 SEAN NICHOLL – CSC DOCKET NO. 2023-1637

Sean Nicholl requests reconsideration of the final administrative determination in *In the Matter of Alvin Goss, et al., 2022 Law Enforcement Examination* (CSC, decided February 1, 2023).

ACTION: The Civil Service Commission directed that this request be denied.

B-23 TELEWORK PROGRAM COMPLAINT, DEPARTMENT OF CHILDREN AND FAMILIES– CSC DOCKET NO. 2023-2003

The Division of Child Protection and Permanency Clerical Staff from the Communications Workers of America Local 1037 and Local 1038, represented by Patricia A. Villanueva, Esq., requests reconsideration of *In the Matter of Telework Program Complaint, Department of Children and Families* (CSC, decided February 1, 2023) where the Civil Service Commission denied its grievance concerning the exclusion of its participation in the Model Telework Pilot Program for State Executive Branch employees.

ACTION: The Civil Service Commission directed that this request be denied.

B-24 P.L. – CSC DOCKET NO. 2023-1569

P.L., a Police Officer with Trenton, represented by Frank C. Cioffi, Esq., petitions the Civil Service Commission for interim relief of her immediate suspension without pay, effective November 30, 2022.

ACTION: The Civil Service Commission directed that this petition be denied.

B-25 NORHAN MANSOUR AND OMAR POLANCO – CSC DOCKET NOS. 2023-1592 AND 2023-1594

Norhan Mansour and Omar Polanco, Police Officers with Jersey City, represented by Peter B. Paris, Esq., petition the Civil Service Commission for interim relief of their immediate suspensions.

ACTION: The Civil Service Commission directed that these petitions be denied.

B-26 JESSE O'BRIEN – CSC DOCKET NO. 2023-1911

Jesse O'Brien, a Police Officer with Jersey City, represented by Jared M. Wichnovitz, Esq., petitions the Civil Service Commission for interim relief regarding his immediate suspension.

ACTION: The Civil Service Commission directed that this petition be granted in part.

B-27 MATTHEW DSURNEY – CSC DOCKET NO. 2022-2930

Matthew Dsurney, represented by Frank C. Cioffi, Esq., petitions the Civil Service Commission to determine his back pay and counsel fees based on the decision rendered on March 2, 2022, granting him mitigated back pay, benefits, seniority and counsel fees.

ACTION: The Civil Service Commission directed that the petitioner be awarded \$28,597.49 in gross back pay and \$40,282.50 in counsel fees.

B-28 SENIOR BIOLOGIST, MOSQUITO CONTROL – CSC DOCKET NO. 2023-2462

The Division of Agency Services requests the reactivation of the Senior Biologist, Mosquito Control title.

ACTION: The Civil Service Commission directed that this request be granted.

PUBLIC PORTION

No comments.

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, June 7, 2023, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.



**Allison Chris Myers
Acting Chairperson
Civil Service Commission**