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Deirdré L. Webster Cobb, Chairperson

Dolores Gorczyca

Daniel W. O’Mullan

Diomedes Tsitouras

FEBRUARY 3, 2021

\*\*\*\*\*

A regular meeting of the Civil Service Commission was held on Wednesday, February 3, 2021, at 10:00 a.m., in Trenton, New Jersey.

PRESENT: Deirdré L. Webster Cobb, Chairperson, Members Dolores Gorczyca, Daniel W. O’Mullan and Diomedes Tsitouras; Pamela Ullman, Deputy Attorney General; Christopher Myers, Director, Division of Appeals and Regulatory Affairs. 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 December 2, 2020, 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 January 20, 2021.

**ACTION:** The Civil Service Commission adopted the minutes of its meeting of January 20, 2021.

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

Edward Bradley, Laborer 1, City of Newark, Department of Public Works, resignation not in good standing.

Sakinah Slatton, Omnibus Operator, City of Atlantic City, Department of Health and Human Services, suspensions (3).

Derrick Thomas, Omnibus Operator, City of Atlantic City, Department of Health and Human Services, suspension and removal.

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

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

- Isaac Ajayi
  - Ancora Psychiatric Hospital
  - Department of Health
  - Removal
- Katrina Covington
  - Ancora Psychiatric Hospital
  - Department of Health
  - Removal
- Susan Endicott
  - Woodbine Developmental Center
  - Department of Human Services
  - Resignation not in good standing
- Eric Gonzalez
  - Lakewood Township
  - Department of Public Works
  - Removal
- Jessenia Irizarry

Bergen County Board of Social Services  
Suspension

Brian McIntosh  
Garden State Youth Correctional Facility  
Department of Corrections  
Removal

Stellah Onyango  
Ancora Psychiatric Hospital  
Department of Health  
Suspension

Teresa Tucker  
Newark School District  
Removal

**ACTION:** The Civil Service Commission acknowledged the settlements.

**A-2 [TIMOTHY HUDDY](#) – CSC DOCKET NO. 2020-2170**

Timothy Huddy, County Correctional Police Officer, Monmouth County, Department of Corrections and Youth Services, removal effective December 19, 2019, on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

**A-3 [MICHAEL ISNER](#) – CSC DOCKET NO. 2017-3863**

Michael Isner, County Correctional Police Officer, Camden County, Department of Corrections, removal effective January 27, 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:** The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

**A-4    [MICHAEL JEAN BAPTISTE](#) – CSC DOCKET NO. 2020-1365**

Michael Jean Baptiste, Truck Driver, Township of West Orange, Department of Public Works, removal effective October 25, 2019, on charges of incompetency, inefficiency or failure to perform duties, conduct unbecoming a public employee, neglect of duty, misuse of public property and other sufficient cause.

Recommendation of the Administrative Law Judge – Dismiss the appeal.

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

**A-5    [MONIQUE SMITH](#) – CSC DOCKET NO. 2018-1878 (on remand)**

Monique Smith, Police Captain, Irvington Township, Department of Public Safety, six-month suspension on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the six-month suspension to a 15 working day suspension.

**ACTION:**    The Civil Service Commission modified the recommendation of the Administrative Law Judge to a 60 working day suspension.

**SECTION B – MISCELLANEOUS MATTERS**

**B-1    [D.Z.](#) – CSC DOCKET NO. 2019-3106**

D.Z., represented by Luretha M. Stribling, Esq., appeals his rejection as a Correctional Police Officer candidate by the Department of Corrections and its request to remove his name from the eligible list for Correctional Police Officer (S9988T) 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    [CARMINE LUNELLI](#) – CSC DOCKET NO. 2021-568**

Carmine Lunelli, represented by Giovanna Giampa, Esq., appeals the decision to remove his name from the Correctional Police Officer (S9988A), Department of Corrections eligible list on the basis that he had an unsatisfactory background report.

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

**B-3 [CRAIG SIMKO](#) – CSC DOCKET NO. 2021-137**

Craig Simko, represented by Lori A. Dvorak, Esq., appeals the bypass of his name on the Sergeant, Campus Police (PS5057J), William Paterson University eligible list. He also petitions for relief from alleged reprisal.

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

**B-4 [CARL MOORE AND DAVID SHAW](#) – CSC DOCKET NOS. 2021-634 AND 2021-838**

Carl Moore and David Shaw petition the Civil Service Commission to accept their untimely applications for the promotional examination for Crew Supervisor, Building Maintenance Programs (PS3334K), Department of Human Services.

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

**B-5 [DIANE KOVAL](#) – CSC DOCKET NO. 2021-351**

Diane Koval 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 promotional examination for Administrative Assistant 3 (PS1038T), Motor Vehicle Commission.

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

**B-6 [O.C.](#) – CSC DOCKET NO. 2021-332**

O.C., represented by Donald A. DiGioia, Esq., petitions the Civil Service Commission (Commission) for enforcement of its final administrative determination *In the Matter of O.C.* (CSC, decided February 26, 2020), in which the Commission restored O.C. to the Police Officer (S9999U), City of Elizabeth, eligible list and granted him a retroactive date of appointment.

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

**B-7 [M.D.](#) – CSC DOCKET NO. 2021-579**

M.D., an Assistant Supervisor of Recreation with the New Lisbon Developmental Center, Department of Human Services (DHS), appeals the decision of an Assistant Commissioner, DHS, which was unable to substantiate allegations that he was subjected to race 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 and remanded the matter to the Office of Equal Employment Opportunity for a new allegation.

**B-8   [E.L.](#) – CSC DOCKET NO. 2020-1865**

E.L., a Training and Staff Development Officer, Department of Human Services (DHS), appeals the determination of the Assistant Commissioner, DHS, stating that the appellant failed to present sufficient evidence to support a finding that he had been subjected to violations of the New Jersey State Policy prohibiting Discrimination in the Workplace.

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

**VOTE:**        **Deirdrè L. Webster Cobb        (Recuse)**

**Dolores Gorczyca                                (Yes)**

**Daniel W. O’Mullan                                (Yes)**

**Diomedes Tsitouras                                (Yes)**

**B-9   [COVID-19 TEMPORARY RULE RELAXATIONS](#)**

Proposed Notice of Adoption for Temporary Rule Relaxations and Modifications to various provisions of *N.J.A.C.* 4A in accordance with Section 6 of Executive Order 103, issued in response to the COVID-19 pandemic.

**ACTION:**    The Civil Service Commission approved the proposed rule relaxations and modifications for publication in the New Jersey Register.

**B-10   [JEFFREY DESIMONE](#) - CSC DOCKET NO. 2021-449**

Jeffrey DeSimone, represented by Ben Weathers, Esq., appeals his removal from the eligible list for Police Officer (S9999A), Lakewood Township on the basis that he falsified his preemployment application.

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

**B-11   [JOHN DAVIS](#) - CSC DOCKET NO. 2021-557**

John Davis, a Code Enforcement Officer with the City of Wildwood, represented by Louis M. Barbone, Esq., petitions the Civil Service Commission for relief of his immediate suspension and removal effective October 13, 2020.

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

**PUBLIC PORTION**

No comments.

**There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, February 17, 2021, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.**



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