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Deirdré L. Webster Cobb, Chairperson

Dolores Gorczyca

Daniel W. O’Mullan

Diomedes Tsitouras

June 30, 2021

A regular meeting of the Civil Service Commission was held on Wednesday, June 30, 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; Allison Chris 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 June 2, 2021.

ACTION: The Civil Service Commission adopted the minutes of its meeting of June 2, 2021.

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

John Boeren, County Correctional Police Officer, Sussex County, Sheriff’s Department, layoff.

Gabriella Costa, Receptionist/Telephone Operator, Nutley Township, Department of Parks and Public Property, layoff.

Robert Cottrell, County Correctional Police Officer, Sussex County, Sheriff’s Department, layoff.

Ashley Hudley, Judiciary Clerk 2, Judiciary, Bergen Vicinage, release at the end of the working test period.

Paul Liobe, County Correctional Police Officer, Sussex County, Sheriff’s Department, layoff.

Robin Logan, Clerk 2, City of Jersey City, Department of Public Safety, suspension.

Thomas Lorenz, County Correctional Police Officer, Sussex County, Sheriff’s Department, layoff.

Thomas O’Mara, Mechanic, Fire Apparatus, City of East Orange, Department of Public Safety, suspension.

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

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:

David Chance, Residential Services Worker, Woodbine Developmental Center, Department of Human Services, resignation not in good standing.

Lisa Murray, Civil Service Commission, release at the end of the working test period.

VOTE:	Deirdrè L. Webster Cobb	(Recuse)
	Dolores Gorczyca	(Yes)
	Daniel W. O’Mullan	(Yes)
	Diomedes Tsitouras	(Yes)

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

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

Adeola Aromolaran

City of Newark

Department of Public Safety

Suspension

VOTE: Deirdrè L. Webster Cobb (Yes)

Dolores Gorczyca (Recuse)

Daniel W. O’Mullan (Yes)

Diomedes Tsitouras (Yes)

Jose Diaz

Northern State Prison

Department of Corrections

Suspension

Valentina Katusic

Middlesex County

Board of Social Services

Removal and resignation not in good standing

Angel Lopez

Passaic County

Sheriff’s Office

Removal

Keeon Rodgers

Hudson County

Department of Parks, Engineering and Planning

Suspension

Miriam Samuels

Newark School District

Removal

Anthony Varga
Edna Mahan Correctional Facility
Department of Corrections
Removal

Kamil Warraich
City of Asbury Park
Police Department
Return to previously held title at the end of the working test period

Charles Watkins
Ancora Psychiatric Hospital
Department of Health
Removal

John White, III
Woodbine Developmental Center
Department of Human Services
Removal

VOTE: **Deirdrè L. Webster Cobb** **(Yes)**
 Dolores Gorczyca **(Recuse)**
 Daniel W. O’Mullan **(Yes)**
 Diomedes Tsitouras **(Yes)**

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 [DOUGLAS BURKHOLDER](#) – CSC DOCKET NO. 2021-879

Douglas Burkholder, Senior Correctional Police Officer, South Woods State Prison, Department of Corrections, removal effective December 11, 2020, 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: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

A-3 [DANIEL CARROLL](#) – CSC DOCKET NO. 2021-341

Daniel Carroll, Police Officer, Township of West Orange, Police Department, 60 working day suspension on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the 60 working day suspension to a 45 working day suspension.

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

A-4 [BRENDA DOLLY](#) – CSC DOCKET NO. 2020-38

Brenda Dolly, Residential Services Worker, Woodbine Developmental Center, Department of Human Services, 20 working day suspension on charges of violation of a rule, regulation, policy, procedure, order or administrative decision.

Recommendation of the Administrative Law Judge – Modify the 20 working day suspension to a five working day suspension.

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

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

Dolores Gorczyca (Recuse)

Daniel W. O’Mullan (Yes)

Diomedes Tsitouras (Yes)

A-5 [DAVID HARRINGTON](#) – CSC DOCKET NO. 2020-2019

David Harrington, Police Officer, City of Jersey City, Department of Public Safety, removal effective June 11, 2019, on charges of incompetency, inefficiency or failure to perform duties, inability to perform duties 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-6 [SHEREECE HOLDER](#) – CSC DOCKET NO. 2021-479

Shereece Holder, County Correctional Police Officer, Salem County Correctional Facility, removal effective October 16, 2020, on charges of incompetency, inefficiency or failure to perform duties, insubordination, inability 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-7 [DANIEL O'CONNOR](#) – CSC DOCKET NO. 2021-150

Daniel O'Connor, Building Maintenance Worker, Hudson County, Department of Roads and Public Property, removal effective July 1, 2020, on charges of conduct unbecoming a public employee, chronic or excessive absenteeism or lateness 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-8 [JUSTIN PAYNE](#) – CSC DOCKET NO. 2019-2574

Justin Payne, County Correctional Police Officer, Camden County, Department of Corrections, release at the end of the working test period effective February 22, 2019.

Recommendation of the Administrative Law Judge – Uphold the release at the end of the working test period.

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

A-9 [PAUL SMITH](#) – CSC DOCKET NO. 2020-2352

Paul Smith, Nurses Aide, Passaic County, Preakness Healthcare Center, removal effective February 21, 2020, on charges of conduct unbecoming a public employee, discrimination including sexual harassment 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-10 [DENNIS TOWNSEND](#) – CSC DOCKET NO. 2019-336

Dennis Townsend, Heavy Equipment Operator, Monmouth County, Department of Public Works and Engineering, removal effective August 3, 2018, 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 – Uphold the removal.

ACTION: The Civil Service Commission rejected the recommendation of the Administrative Law Judge and acknowledged the settlement.

SECTION B – MISCELLANEOUS MATTERS

B-1 [J.M.](#) – CSC DOCKET NO. 2020-2161

J.M., represented by Stephen B. Hunter, Esq., appeals his rejection as a Police Officer candidate by the City of Jersey City and its requests to remove his name from the eligible list for Police Officer (S9999U) 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 [A.M.R.](#) – CSC DOCKET NO. 2021-513

A.M.R., represented by Theresa Richardson, Esq., appeals her rejection as a Police Officer candidate by the City of Paterson and its request to remove her 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 granted.

B-3 [N.J.R.](#) – CSC DOCKET NO. 2021-512

N.J.R., represented by Giovanna Giampa, Esq., appeals his rejection as a Police Officer candidate by the City of Newark and its request to remove his name from the eligible list for Police Officer (S9999U) on the basis of psychological unfitness to perform effectively the duties of the position.

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

B-4 [JEMAR BENNETT](#) – CSC DOCKET NO. 2021-1122

Jemar Bennett, represented by Robert K. Chewning, Esq., appeals the removal of his name from the Fire Fighter (M1866W), City of Plainfield eligible list due to an unsatisfactory background report.

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

B-5 [ELIZABETH ROJAS](#) – CSC DOCKET NOS. 2021-636, *ET AL.*

Elizabeth Rojas appeals the bypasses of her name on the Supervising Family Services Specialist 2 (PS5396K), Department of Children and Families, eligible list.

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

B-6 [KEITH KOLENSKY](#) – CSC DOCKET NO. 2021-408

Keith Kolensky requests revival of the promotional list for Communications Systems Technician 2 (PS4562P), Department of Law and Public Safety, in order to effectuate his permanent appointment.

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

VOTE: Deirdrè L. Webster Cobb (Yes)

Dolores Gorczyca (Recuse)

Daniel W. O’Mullan (Yes)

Diomedes Tsitouras (Yes)

B-7 [SECRETARIAL ASSISTANT \(PC0981V\), MERCER COUNTY BOARD OF SOCIAL SERVICES](#) – CSC DOCKET NO. 2021-1764

The Mercer County Board of Social Services requests that the eligible list for Secretarial Assistant (PC0981V) be revived and extended.

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

B-8 [SUPERVISING AUDITOR, TAXATION \(PS6642U\), DEPARTMENT OF THE TREASURY](#) – CSC DOCKET NO. 2021-1832

The Department of the Treasury requests that the eligible list for Supervising Auditor, Taxation (PS6642U), Department of the Treasury be revived and extended.

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

B-9 [RICHARD JACKSON AND LAWRENCE GLEASON](#) – CSC DOCKET NOS. 2021-1398 AND 2021-1399

The Juvenile Justice Commission requests retroactive regular appointment dates for Richard Jackson and Lawrence Gleason to the title of Assistant Superintendent, Residential Group Center, effective December 26, 2019.

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

B-10 [PEGGY CARTER](#) – CSC DOCKET NO. 2021-1397

The Juvenile Justice Commission requests a retroactive appointment date for Peggy Carter to the title of Institutional Trade Instructor 1, Cooking (PS9728P).

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

B-11 [JAMES HARTNETT](#) – CSC DOCKET NO. 2021-1652

James Hartnett, a former Police Captain with Pennsauken, represented by Katherine D. Hartman, Esq., petitions the Civil Service Commission for interim relief of his separation from the employment, effective April 30, 2021.

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

B-12 [MICHAEL JOHNSON](#) – CSC DOCKET NO. 2021-1803

Michael Johnson, a Police Officer with Elmwood Park, represented by Stuart J. Alterman, Esq., petitions the Civil Service Commission for interim relief of the Civil Service Commission’s May 10, 2021 letter decision, declining to address his request for Interlocutory Review.

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

B-13 [CHARLES LAWSON](#) – CSC DOCKET NO. 2021-1709

Charles Lawson, a County Correctional Police Officer with Essex County, represented by Luretha M. Stribling, Esq., petitions the Civil Service Commission for interim relief of his immediate and indefinite suspension.

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

B-14 [UNION COUNTY LAYOFFS](#) – CSC DOCKET NOS. 2021-1676 AND 2021-1831

The Policemen’s Benevolent Association (PBA) Local 199, represented by Robert A. Fagella, Esq., and PBA Local 199A, represented by James M. Mets, Esq., petition for interim relief from the layoff scheduled for June 30, 2021.

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

B-15 [MATTHEW LONG](#) – CSC DOCKET NO. 2021-1461

Matthew Long, represented by Craig Gumpel, Esq., requests retroactive seniority for service in another jurisdiction prior to his intergovernmental transfer to Ocean City. Long also appeals the determination of the Division of Agency Services which found that he lacked the required amount of permanent status in a title to which the examination was open for the promotional examination for Fire Captain (PM2340C), Ocean City.

ACTION: The Civil Service Commission directed that the request and appeal be denied.

B-16 [AKACHI ADIBEMMA AND NGOZI UCHUNO](#) – CSC DOCKET NOS. 2021-1708 AND 2021-1047

Akachi Adibemma and Ngozi Uchuno appeal the determinations of the Division of Agency Services that they did not meet the experience requirements for the promotional examination for Rehabilitation Counselor, Mental Health (PS2660H), Greystone Park Psychiatric Hospital.

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

B-17 [ANDREA JAMES-CAMPBELL AND KYLE PIAZZA](#) – CSC DOCKET NOS. 2021-1757 AND 2021-1586

Andrea James-Campbell and Kyle Piazza appeal the determinations of the Division of Agency Service that they did not meet the experience requirements for the promotional examination for Rehabilitation Counselor, Mental Health (PS2660H), Greystone Park Psychiatric Hospital.

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

B-18 [JOSE CARDONA, JR., ET AL.](#) – CSC DOCKET NOS. 2021-1634, ET AL.

Jose Cardona, Jr., Thaddeus Dalton, Charlene Harris, Nicole Jones, Lashique McDuffie, Jocelyn McNeil, and Lourdes Ramirez appeal the determinations of the Division of Agency Services that they did not meet the experience requirements for the open competitive examination for Field Representative Housing, Housing Assistance Program (S0046C), Statewide.

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

B-19 [CHRISTOPHER MORIAU](#) – CSC DOCKET NO. 2021-1778

Christopher Moriau appeals the determination of the Division of Agency Services that he did not meet the experience requirements for the promotional examination for Sewer Repairer 1 (PM2707B), Jackson Utilities Authority.

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

B-20 [SUSAN RADOSTI](#) – CSC DOCKET NO. 2021-1797

Susan Radosti appeals the determination of the Division of Agency Services that she did not meet the experience requirements for the promotional examination for Secretarial Assistant 2, Non-Stenographic (PS3726K), Department of Children and Families.

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

B-21 [PETER TSISTINAS](#) – CSC DOCKET NO. 221-1588

Peter Tsistinas appeals the determination of the Division of Agency Services that he did not meet the experience requirements for the promotional examination for Technical Assistant 3 (PS2797T), Department of Transportation.

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

B-22 [ZACHARY TUFARO](#) – CSC DOCKET NO. 2021-1771

Zachary Tufaro, represented by Daniel J. Zirrith, Esq., appeals the determination of the Division of Agency Services that he did not meet the experience requirements for the open competitive examination for Sewage Plant Operator (C0705B), Bergen County.

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

B-23 [JOHN VINCENTINI](#) – CSC DOCKET NO. 2021-1794

John Vincentini appeals the determination of the Division of Agency Services that he did not meet the experience requirements for the promotional examination for Supervisor, Public Works (PM2713B), Lacey.

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

B-24 [CHARLES ESTELOW](#) – CSC DOCKET NO. 2021-1520

Florence Township Fire District 1, on behalf of Charles Estelow, appeals the decision of the Division of Agency Services which found that he was not permanent in a title to which the examination was open for Fire Lieutenant (PM2363C), Florence Township.

ACTION: The Civil Service Commission directed that this appeal be denied, but Estelow’s CAMPS record be amended to reflect passing the Qualifying Examination for Emergency Medical Technician, UFD effective August 6, 2016.

B-25 [JAMES ARPINO AND RICH MARSH](#) – CSC DOCKET NOS. 2021-1261 AND 2021-1300

James Arpino and Rich Marsh appeal the correct answer to questions on the multiple-choice examination for Battalion Fire Chief (PM2170W), Voorhees Township, and Battalion Fire Chief (PM2153W), Hoboken.

ACTION: The Civil Service Commission directed that question 8 be doubled-keyed, question 11 be deleted, and the remaining appeals to questions be denied.

B-26 [EDWIN DYE](#) – CSC DOCKET NO. 2021-1516

The City of Passaic (City), represented by Joseph P. Horan, II, Esq., requests reconsideration of *In the Matter of Edwin Dye* (CSC, decided March 24, 2021). In the alternative, the City requests a stay and remand to the Office of Administrative Law for a further hearing.

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

B-27 [K.T.](#) – CSC DOCKET NO. 2021-688

K.T., a Chief, Bureau of Inspection and Enforcement with the Department of Labor and Workforce Development (DOL), appeals the determination of the Assistant Commissioner, DOL, stating that the appellant violated the New Jersey State Policy Prohibiting Discrimination in the Workplace.

ACTION: The Civil Service Commission directed that this appeal be dismissed for lack of jurisdiction.

B-28 [BRYANT ISAAC, SR.](#) – CSC DOCKET NO. 2020-2685

Bryant Isaac, Sr., represented by Edward H. Kerwin, Esq., appeals the removal of his name from the Correctional Police Officer (S9988A), Department of Corrections eligible list on the basis of an unsatisfactory criminal record, unsatisfactory background report and an unsatisfactory driving record.

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

B-29 [PATRICIA LAZZARINI](#) – CSC DOCKET NO. 2021-1418

Patricia Lazzarini, a Police Sergeant with Union City, represented by Ben Weathers, Esq., petitions the Civil Service Commission for interim relief of her immediate suspension.

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

B-30 [KIMBERLY CLINTON](#) – CSC DOCKET NO. 2021-1137

Kimberly Clinton, a Court Services Supervisor 2 with the Judiciary, Vicinage 15 - Gloucester, Cumberland,

and Salem Counties, represented by Lynsey A. Stehling, Esq., requests a waiver of repayment of a salary overpayment pursuant to *N.J.S.A. 11A:3-7*.

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

B-31 [DANIEL ANTINORI, ET AL.](#) - CSC DOCKET NOS. 2021-1080, ET AL.

Daniel Antinori, Alexander Echevarria, Oscar Lopez, Michael Marciniak, Christopher Tinio, and Wendy Tinio, represented by Michael A. Bukosky, Esq., and Jason Gretkowski appeal the determination of their layoff rights as a result of the Civil Service Commission’s acknowledgment of a Memorandum of Agreement in *In the Matter of the Bergen County Sheriff and County Police Officer Title Series* (CSC, decided October 21, 2020).

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

B-32 [NAJEE JENKINS](#) - CSC DOCKET NO. 2021-1403

Najee Jenkins, represented by George T. Dougherty, Esq., appeals the decision to remove his name from the Fire Fighter (M1874W), Trenton eligible list on the basis of falsifying his application.

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

B-33 [MARK BROWN](#) - CSC DOCKET NO. 2021-1521

Mark Brown, a Tree Maintenance Worker with the City of Plainfield, Department of Public Works, requests reconsideration of the dismissal of the appeal of his demotion, based on his failure to appear at an December 22, 2020 settlement conference at the Office of Administrative Law.

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

B-34 [MIAN SHI](#) - CSC DOCKET NO. 2021-863

Mian Shi, a Manager 1, Fiscal Resources, with the Department of Human Services, represented by Casey P. Acker, Esq., appeals a five working-day suspension.

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

B-35 [MARK TRICOCCI](#) - CSC DOCKET NO. 2020-2678

Mark Tricocci requests relief regarding the 2019 Entry Level Law Enforcement Examination (S9999A).

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, July 21, 2021, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.



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