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Deirdré L. Webster Cobb, Chairperson

Dolores Gorczyca

Daniel W. O’Mullan

Diomedes Tsitouras

MAY 19, 2021

A regular meeting of the Civil Service Commission was held on Wednesday, May 19, 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 April 28, 2021.

ACTION: The Civil Service Commission adopted the minutes of its meeting of April 28, 2021.

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

Kevin Braithwaite, Road Repairer 2, Atlantic County, Department of Public Works, removal.

Erick Cruz, Laborer 1, Hoboken, Department of Environmental Services, suspension.

Fred Rasiewicz, Director of Public Works, Jackson Township, Department of Public Works, layoff.

Melissa Smith, Building Maintenance Worker, Hudson County, Department of Roads and Public Property, removal.

Edward Sperling, Police Officer, Newton Police Department, removal.

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

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

Kimberly Gross

Motor Vehicle Commission

Release at the end of the working test period

Jeffrey Maier

Department of Transportation

Suspension

VOTE: Deirdrè L. Webster Cobb (Yes)

Dolores Gorczyca (Recuse)

Daniel W. O’Mullan (Yes)

Diomedes Tsitouras (Yes)

Tregea McMann

Woodbine Developmental Center

Department of Human Services

Removal

Andrew Paris

Borough of Edgewater
Free Public Library
Removal

Christy Williams
Judiciary
Cumberland/Gloucester/Salem Vicinage
Removal

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 [SHERMAN ABRAMS](#) – CSC DOCKET NO. 2018-1874

Sherman Abrams, Operating Engineer Repairer, Northern State Prison, Department of Corrections, removal effective December 19, 2017, on charges of chronic or excessive absenteeism or lateness.

Recommendation of the Administrative Law Judge – Reverse the removal.

ACTION: The Civil Service Commission modified the removal to a 15 working day suspension.

VOTE:	Deirdrè L. Webster Cobb	(Yes)
	Dolores Gorczyca	(Recuse)
	Daniel W. O’Mullan	(Yes)
	Diomedes Tsitouras	(No)

A-3 [MUHAMMAD ASGHAR](#) – CSC DOCKET NO. 2019-2537

Muhammad Asghar, County Correctional Police Officer, Camden County, Department of Corrections, removal effective January 29, 2018, on charges of conduct unbecoming a public employee, neglect of duty, discrimination that effects equal employment opportunity 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.

B-1 [B.J.E.](#) – CSC DOCKET NO. 2021-162

B.J.E. appeals his rejection as a Police Officer candidate by Pennsauken Township 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 [C.V.](#) – CSC DOCKET NO. 2021-138

C.V., represented by Robert K. Chewning, Esq., appeals his rejection as a Police Officer candidate by the City of Vineland 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 granted.

B-3 [MATTHEW MITTLEMAN](#) – CSC DOCKET NO. 2021-1147

Matthew Mittleman, represented by James J. Carroll, Esq., appeals the decision to remove his name from the Police Officer (S9999A), Hoboken eligible list on the basis that he falsified his application.

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

B-4 [WOODLESS DORSAINVIL](#) – CSC DOCKET NO. 2021-822

Woodless Dorsainvil, represented by Robert K. Chewning, Esq., appeals the decision to remove his name from the Police Officer (S9999A), North Brunswick eligible list on the basis that he falsified his application.

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

B-5 [MARIA PEREZ](#) – CSC DOCKET NO. 2021-892

Maria Perez, represented by Robert Chewning, Esq., appeals the decision to remove her name from the Police Officer (S9999A), Township of West Orange, eligible list on the basis of falsification of her application.

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

B-6 [JOSE BADILLO](#) – CSC DOCKET NO. 2021-468

Jose Badillo, represented by Catherine M. Elston, Esq., appeals the bypass of his name on the County Correctional Police Captain (PC2063U), Essex County eligible list.

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

B-7 [JOSEPH ABELLO, III](#) - CSC DOCKET NO. 2021-1316

Joseph Abello, III, appeals the decision of the Division of Agency Services which found that his position with the Department of Law and Public Safety is properly classified as Agency Service Representative 3. The appellant seeks a Senior Management Assistant job classification.

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

B-8 [IRIS WILCOX](#) – CSC DOCKET NO. 2021-1276

Iris Wilcox appeals the decision of the Division of Agency Services that the proper classification of her position with New Jersey City University is Professional Services Specialist 2, Administrative Services. The appellant seeks a Professional Services Specialist 1, Administrative Services job classification.

ACTION: The Civil Service Commission directed that this appeal be denied, and the matter of the appellant’s position classification be referred to the Division of Agency Services for review.

B-9 [KEVIN M. BOYLE](#) – CSC DOCKET NO. 2021-1125

Kevin M. Boyle appeals the determination of the Division of Agency Services that he did not meet the experience requirement for the promotional examination for Supervisor Public Works (PM2204B), Pennsauken Township.

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

B-10 [DONALD FISCHER](#) – CSC DOCKET NO. 2021-1519

Donald Fischer appeals the determination of the Division of Agency Services that he did not meet the experience requirements for the open competitive examination for Instructor Counselor (S0880W), Statewide.

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

B-11 [NICHOLAS MITSES](#) – CSC DOCKET NO. 2021-1498

Nicholas Mites appeals the determination of the Division of Agency Services that he did not meet the experience requirements for the promotional examination for Insurance Analyst 3, Life and Health (PS2734L), Department of Banking and Insurance.

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

B-12 [DANIEL MOLINA, JR.](#) – CSC DOCKET NO. 2021-658

Daniel Molina, Jr. appeals the determination of the Division of Agency Services which found that he was below the experience requirements for the promotional examination for Head Sewing Worker (PS1551K), Department of Human Services.

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

B-13 [NICHOLAS PALATUCCI](#) – CSC DOCKET NO. 2021-1437

Nicholas Palatucci appeals the determination of the Division of Agency Services which found that he did not meet the minimum requirements in experience for the open-competitive examination for Program Development Specialist Cultural and Heritage Affairs (C0449B), Morris County.

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

B-14 [LEE PARK](#) – CSC DOCKET NO. 2021-1499

Lee Park appeals the decision 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 Fire Captain (PM2322C), Cinnaminson, and requests retroactive seniority.

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

B-15 [WALKER RISTAU](#) – CSC DOCKET NO. 2021-1234

Walker Ristau appeals the determination of the Division of Agency Services, which found that he failed a qualifying examination for the demotional title of Employee Relations Officer.

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

VOTE:

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

B-16 [SHAKEMIA SANFORD](#) – CSC DOCKET NO. 2021-1392

Shakemia Sanford appeals the determination of the Division of Agency Services that she did not meet the requirements for the promotional examination for Instructor Counselor (PS1000H), Ann Klein Forensic Center.

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

B-17 [JOEL TIRADO](#) – CSC DOCKET NO. 2021-1379

Joel Tirado appeals the determination of the Division of Agency Services that he did not meet the experience requirements for the open competitive examination for Supervisor Landscape (M0436B), Jersey City.

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

B-18 [TECHNICIAN MVC](#) – CSC DOCKET NO. 2021-1470

The Motor Vehicle Commission requests an extension of the reallocation of the title of Technician MVC to the noncompetitive division of the career service on an interim basis.

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

B-19 [PAROLE COUNSELOR APPRENTICE \(S0066V\), STATE PAROLE BOARD – CSC DOCKET NO. 2021-1505](#)

The State Parole Board requests that the eligible list for Parole Counselor Apprentice (S0066V) be revived and extended.

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

B-20 [MELANY THOMAS](#) – CSC DOCKET NO. 2021-1564

The Department of Law and Public Safety requests that the eligible list for Senior Clerk Transcriber (PS5957P), Department of Law and Public Safety, Division of State Police be revived to effectuate the regular appointment of Melany Thompson.

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

B-21 [WILLIAM P. OSBORN](#) – CSC DOCKET NO. 2021-1187

William P. Osborn requests permission to file a late application for the promotional examination for Records Support Technician 3 (PC3055B), Monmouth County.

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

B-22 [CHRISTOPHER PERKINS](#) - CSC DOCKET NO. 2021-1414

Christopher Perkins, Laborer 1, with the Township of Pemberton, Department of Recreation, represented by David Tucker, President, Government Workers Union, petitions the Civil Service Commission for reconsideration of the final administrative decision, rendered on March 3, 2021, 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-23 [HARVEY WILLS](#) - CSC DOCKET NO. 2021-1413

Harvey Wills, a Maintenance Worker 2, Grounds, with the Township of Pemberton, represented by David Tucker, President, Government Workers Union, petitions the Civil Service Commission for reconsideration of the final administrative decision, rendered on March 3, 2021, in which the Director of the Division of Appeals and Regulatory Affairs denied his request for a hearing with respect to his 15 working day suspension.

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

B-24 [KEVIN ZERR](#) - CSC DOCKET NO. 2021-1412

Kevin Zerr, Laborer 1, with the Township of Pemberton, Department of Recreation, represented by David Tucker, President, Government Workers Union, petitions the Civil Service Commission for reconsideration of the final administrative decision, rendered on March 3, 2021, in which the Director of the Division of Appeals and Regulatory Affairs denied his request for a hearing with respect to his 10 working day suspension.

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

B-25 [ABRAHAM ESTAVILLO](#) – CSC DOCKET NO. 2021-980

Abraham Estavillo, a former Principal Engineer, Electrical with the Department of Transportation, requests that the provisions of *N.J.A.C. 4A:6-3.4(a)*, which govern the time period in which employees must file an application for Supplemental Compensation on Retirement (SCORE), be relaxed to permit him to submit a late application for SCOR benefits.

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

B-26 [ELIZABETH RIVERA](#) – CSC DOCKET NO. 2021-1066

Elizabeth Rivera, a Supervising Payroll Clerk with Vineland Developmental Center, Department of Human Services, 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-27 [OVERTIME PROGRAM, DEPARTMENT OF LAW AND PUBLIC SAFETY](#) – CSC DOCKET NO. 2021-1527

The Division of Agency Services, on behalf of the Department of Law and Public Safety, Division of State Police, Criminal Justice Records Bureau and Discovery Unit, requests that the provisions of *N.J.A.C. 4A:3-5.3* be relaxed to provide certain individuals in non-limited, non-exempt title, cash compensation at the regular rate for hours worked between 35 hours and 40 hours, and cash compensation at one and one-half times the regular rate for hours worked over 40 hours.

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

B-28 [BENJAMIN RUIZ](#) – CSC DOCKET NO. 2021-1486

The Superior Court of New Jersey, Appellate Division, in *In the Matter of Benjamin Ruiz, Docket No. A-5280* (App. Div., April 9, 2021), remanded Benjamin Ruiz’s request for back pay to the Civil Service Commission for determination.

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

B-29 [PAUL CHARLES, ET AL.](#) – CSC DOCKET NOS. 2019-2247, *ET AL.*

Paul Charles (PM2514W), Bloomfield; Joseph Bolcar, Leo Colombo, George Johnson, Karl Mangino and Daniel Mondino (PM2515W), Boonton; Greg Walters (PM2539W), Mount Holly; Anthony Buono and Isabel Reyes, represented by David Beckett, Esq., Racheda Allen, Tracie Ashford, Jorge Astuquilha, Misty Camacho, Carlos Colon, Crystal Corbett, Melissa Corchado, Haniyyah Davis, Paulette Dent, Sherri Dillard, Damaris Febus, Javier Figueroa, Adolfo Furtado, Darnell Graham, Nassim Hamami, Antoinette Holland, James Holloman, Jennifer Jeffra, Andy Jimenez, Maria Lebron, Elizabeth Malave, Peter Malave, Maria Malave-Mitti, Virginia Marrero, Sharice McClees, Lamar Melvin, Jaret Perez, Jesus Rivas, Arnaldo Rivera, Luz Romero, Osbaldo Rosa, Andy Santana, Luan Serrano, Karama Thomas, Taibu Thomas and Emerson Verano (PM2540W), Newark; Jeffrey Gennari, Wilbert Negron and Melissa Velazquez (PM2541W), North Bergen; Pedro Borrero, Priscilla Caraballo, Ivan Hicks, Tyseme Holmes, Richard M'Causland, Mahmoud Rabboh, David Tanis, Luis Torres, and Anzore Tsay (PM2544W), Paterson; Brian Rosas (PM2558W), Wallington; Michael Wallace (PM2559W), Winslow; and Robert Jones (PM2561W), Wood-Ridge appeal the administration of the promotional examination for Police Sergeant (various jurisdictions).

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

PUBLIC PORTION

No comments.

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, June 2, 2021, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.



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