



STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION

Phil Murphy
Governor
Sheila Oliver
Lt. Governor

Deirdrè L. Webster Cobb
Chairperson

**MINUTES OF REGULAR MEETING OF
THE CIVIL SERVICE COMMISSION
MAY 2, 2018**

**Deirdrè L. Webster Cobb, Chairperson
Dolores Gorczyca
Daniel W. O'Mullan**

May 2, 2018

A regular meeting of the Civil Service Commission was held on Tuesday, May 2, 2018, in Trenton, New Jersey.

PRESENT: Deirdrè L. Webster Cobb, Chairperson, Members Dolores Gorczyca and Daniel W. O'Mullan; Pamela Ullman, Deputy Attorney General; Christopher Myers, Director, Division of Appeals and Regulatory Affairs.

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 17, 2017, and posted at the Civil Service Commission, 3 Station Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

Thomas Auriemma, Software Development Specialist 1, Department of Health, Division of Mental Health and Addiction Services, release at the end of the working test period.

Timothy Bethea, County Correction Officer, Mercer County, Department of Public Safety, 10 working day suspension.

Timothy Bethea, County Correction Officer, Mercer County Correction Center, Department of Corrections, 15 working day suspension and fine.

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Alfonso Del Carmen, Electrical Subcode Official, City of Paterson, Department of Economic Development, removal.

Ilene Dodich, Teacher Aide, Brick Township Board of Education, removal.

John Duddy, County Correction Sergeant, Camden County, Department of Corrections, six working day suspension.

James Galea, County Correction Sergeant, Atlantic County, Department of Public Safety, 15 working day suspension.

Lewis Harvey, County Correction Officer, Mercer County Correction Center, Department of Corrections, seven working day suspension.

Lewis Harvey, County Correction Officer, Mercer County Correction Center, Department of Corrections, 12 working day suspension.

Michael Idell, Teacher Aide, Handicapped Program, Jersey City Public Schools, removal.

Pamela Jones, Omnibus Operator, Atlantic County, Department of Human Services, removal.

Jalin Lombana, Building Maintenance Worker, Hudson County, Department of Roads and Public Property, resignation not in good standing.

Enrique Marrero, Police Sergeant, Township of North Bergen, Department of Public Safety, six working day suspension.

Keith Mortenson, Bridge Operator/Public Works Repairer, Hudson County, Department of Roads and Public Property, 90 working day suspension.

Blanca Samaniego, Motor Vehicle Operator, Elderly & Handicapped Persons, Hudson County, Department of Roads and Public Property, 15 working day suspension.

Heather Stoebling, County Correction Officer, Sussex County, Sheriff's Department, removal.

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

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

Peter Guralewycz
New Jersey City University
Removal

Serge McKoczenski
New Lisbon Developmental Center
Department of Human Services
Removal

Roselee Nieves
Burlington County Jail
Removal

Boniface Osuagwu
Graystone Park Psychiatric Hospital
Department of Human Services
Removal

Tia Rodgers
Camden Central Local Office
Department of Children and Families
Suspension

Carlton Sankoh
Ancora Psychiatric Hospital
Department of Health
Removal

RECOMMENDATION OF THE ADMINISTRATIVE LAW JUDGE IN THE ABOVE CASES – SETTLEMENT

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 BERNACINE BARNES (Consolidated)

Bernacine Barnes, Senior Receptionist, Monmouth County, Department of Human Services, 20 working day and three working day suspensions on charges of insubordination, conduct unbecoming a public employee, neglect of duty, misuse of public property and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the 20 working day suspension and reverse the three working day suspension.

ACTION: The Civil Service Commission modified the 20 working day suspension to a 10 working day suspension and reversed the three working day suspension.

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

A-3 NEILA CLITUS

Neila Clitus, Human Services Technician, New Jersey Veterans Memorial Home at Paramus, Department of Military and Veterans Affairs, removal effective September 29, 2014 on charges of neglect of duty, violation of rules 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 JUAN CORTES

Juan Cortes, Boiler Operator, Jersey City School District, 90 working day suspension on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge - Reverse the 90 working day suspension.

ACTION: The Civil Service Commission directed that this matter be remanded to the Office of Administrative Law.

A-5 YOLANDA CURTIS

Yolanda Curtis, Assistant Family Service Worker 2, Department of Children and Families, 120 working day suspension on charges of incompetency, inefficiency or failure to perform duties, conduct unbecoming a public employee, misuse of public property including motor vehicles and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the 120 working day suspension.

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

A-6 SHA-KEANA DAVIS

Sha-Keana Davis, County Correction Officer, Mercer County Corrections Center, 10 working day suspension on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge - Uphold the 10 working day suspension.

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

A-7 VAN JENKINS

Van Jenkins, Mechanic, City of Camden, Department of Administration, removal effective August 1, 2017 on charges of insubordination, conduct unbecoming a public employee, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge - Reverse the removal but reinstate the appellant to suspended without pay status.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge but ordered reinstatement pending a successful drug test.

A-8 JOSEPH MAGLIONE

Joseph Maglione, Police Lieutenant, Ewing Township Police Department, removal effective October 18, 2017 on charges of violating various departmental rules, regulations and procedures.

Recommendation of the Administrative Law Judge - Uphold the removal.

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

VOTE:

Deirdrè L. Webster Cobb	(Yes)
Dolores Gorczyca	(No)
Daniel W. O'Mullan	(Yes)

A-9 JAMES REYES

James Reyes, Fire Captain, City of Paterson Fire Department, removal effective February 23, 2017 on charges of incompetency, inefficiency or failure to perform duties, inability to perform duties, neglect of duty, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the removal.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge but ordered reinstatement pending a fitness for duty evaluation.

A-10 PURVIS RICKS

Purvis Ricks, County Correction Officer, Burlington County, removal effective September 26, 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.

SECTION B – MISCELLANEOUS MATTERS

B-1 M.F. – CSC DOCKET NO. 2017-2267

M.F., represented by Michael G. Brucki, Esq., appeals his rejection as a County Correction Officer candidate by Union County and its request to remove his name from the eligible list for County Correction Officer (S9999R) 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-2 DAVID BAILEY – CSC DOCKET NO. 2018-2577

David Bailey appeals the decision of the Division of Agency Services that the proper classification of his position with the Department of Labor and Workforce Development is Program Specialist 1.

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

B-3 THOMAS SCHREFFLER – CSC DOCKET NO. 2018-184

Thomas Schreffler, represented by Frank M. Crivelli, Esq., appeals his removal from the Correction Lieutenant (PS9465I), Department of Corrections eligible list on the basis of an adverse employment history.

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

B-4 PAUL LIOBE – CSC DOCKET NO. 2018-757

Paul Liobe, represented by Stuart J. Alterman, Esq., appeals the bypass of his name on the County Correction Sergeant (PC1554S), Sussex County eligible list.

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

B-5 RAJAN BHATIA – CSC DOCKET NO. 2018-2636

Rajan Bhatia, represented by Michael Mormando, Esq., appeals the decision of the Division of Agency Services which found that his position with the Department of Corrections is properly classified as Administrative Analyst 3, Procurement. The appellant seeks an Administrative Analyst 4, Procurement job classification.

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

B-6 WALTER COSBY – CSC DOCKET NO. 2018-1156

The City of East Orange appeals the decision of the Division of Agency Services which found that Walter Cosby's position is properly classified as Deputy Fire Chief. They seek a Fire Captain job classification.

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

B-7 MARK HEIMLICH – CSC DOCKET NO. 2018-2628

Mark Heimlich appeals the decision of the Division of Agency Services which found that his position with Camden County is properly classified as Senior Engineering Aide. The appellant seeks a Chief of Survey Party job classification.

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

B-8 SHAWNA JOHNSON – CSC DOCKET NO. 2017-3598

Shawna Johnson appeals the decision of the Division of Agency Services that the proper classification of her position with the Department of Corrections is Social Worker 2, Corrections. The appellant seeks a Social Worker 1, Corrections job classification.

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

B-9 IMELDA WOLLERT – CSC DOCKET NO. 2017-3684

Imelda Wollert, represented by Dudley Burdge, Senior Staff Representative, Communications Workers of America Local 1032, appeals the decision of the Division of Agency Services that the proper classification of her position with Ewing Township is Keyboarding Clerk 2. The appellant seeks a Keyboarding Clerk 3 or Technical Assistant to the Construction Official job classification.

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

B-10 POLICE AIDE (C0015V), CAMDEN COUNTY – CSC DOCKET NO. 2018-2482

Camden County requests permission not to make an appointment from the October 12, 2017 certification for Police Aide (C0015V).

ACTION: The Civil Service Commission granted the appointment waiver and assessed no current costs.

B-11 DAVID KELSO, *ET AL* – CSC DOCKET NOS. 2018-2634, *ET AL*.

Asbury Park appeals the effective dates of the decisions of the Division of Agency Services that the proper classification of the position of David Kelso as Deputy Police Chief was February 28, 2017, the proper classification of the position of Joseph Spallina as Police Sergeant was February 28, 2017, and the proper classification of the position of Guy Thompson as Police Captain was January 6, 2017.

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

B-12 AALIYAH DENT – CSC DOCKET NO. 2018-2477

Aaliyah Dent appeals the determination of the Division of Agency Services that she did not meet the experience requirements for the promotional examination for Section Chief Health Care Facility (PS3298K), Department of Human Services.

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

B-13 CHARLES DIGIACOMO – CSC DOCKET NO. 2017-3361

Charles DiGiacomo appeals the determination of the Division of Agency Services which found that, per the substitution clause, he was below the minimum requirements in experience for the promotional examination for Contract Administrator 1 (PS3968G), Department of Environmental Protection.

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

B-14 LINDA DIPIANO – CSC DOCKET NO. 2017-3304

Linda DiPiano appeals the determination of the Division of Agency Services which found that she was below the minimum requirements in education for the promotional examination for Supervising Biologist Education (PS3966G).

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

B-15 DEON GALLMON AND RADCLIFFE TAYLOR – CSC DOCKET NOS. 2017-3537 AND 2017-3547

Deon Gallmon and Radcliffe Taylor appeal the determinations of the Division of Agency Services which found that they were below the minimum requirements in experience for the promotional examination for Crew Supervisor Building Maintenance Programs (PS4223I), Department of Corrections.

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

B-16 MICHAEL SILVESTRI – CSC DOCKET NO. 2017-3359

Michael Silvestri appeals the determination of the Division of Agency Services which found that he was below the minimum requirements in experience for the promotional examination for Building Management Services Specialist 2 (PS4100Q), Public Defender.

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

B-17 CORRECTION SERGEANT (PS6184I) AND CORRECTION LIEUTENANT (PS6183I) – CSC DOCKET NOS. 2018-2327 AND 2018-2328

The Division of Agency Services, on behalf of the Department of Corrections, requests that *N.J.A.C. 4A:4-2.15(c)* be relaxed in order that Performance Assessment Review ratings not be utilized as a scoring factor for the Correction Sergeant (PS6184I) and Correction Lieutenant (PS6183I) promotional examinations.

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

B-18 DANIEL COLLINS – CSC DOCKET NO. 2018-187

Daniel Collins, represented by Joshua Savitz, Esq., appeals the correct responses for the examination for Deputy Fire Chief (PM0130V), Clifton.

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

B-19 ANTHONY DELLA ROSA – CSC DOCKET NO. 2018-2138

Anthony Della Rosa appeals his score on the examination for Fire Officer 4 (PM2186V), Jersey City.

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

B-20 MOSTAFA SOLTANI – CSC DOCKET NO. 2017-3768

Mostafa Soltani appeals the determination of the Division of Administrative Services and Logistics denying his request for a make-up examination for Principal Engineer Transportation (PS3747T), Department of Transportation.

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

B-21 MARITZA AVILLEIRA, ET AL. – CSC DOCKET NOS. 2018-2144, ET AL.

Monmouth Vicinage, along with Maritza Avilleira and Maria Febles, request retroactive appointments for Maritza Avilleira, Maria Febles and Miguel Rivera to January 2, 2014 in the title of Judiciary Clerk 2, Bilingual in Spanish and English.

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

B-22 ENRIQUE MARRERO – CSC DOCKET NO. 2018-2514

The Township of North Bergen, represented by Thomas R. Kobin, Esq., and Enrique Marrero, a Police Sergeant, represented by Patrick P. Toscano, Jr. Esq., petition the Civil Service Commission for a retroactive regular date of appointment for Marrero to Police Lieutenant, effective September 9, 2015.

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

B-23 ERIC WARREN – CSC DOCKET NO. 2018-1234

The appeal of Eric Warren, a County Correction Officer with Burlington County, of his removal effective October 16, 2017, on charges, was before Administrative Law Judge Joseph A. Ascione, who rendered his initial decision on February 28, 2018. At its meeting on April 18, 2018, the Civil Service Commission ordered that this matter be remanded to the Office of Administrative Law. The proposed decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the decision.

B-24 CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of April 18, 2018.

ACTION: The Civil Service Commission adopted the minutes of its meeting on April 18, 2018.

B-25 SHANDOR WINE – CSC DOCKET NO. 2016-4015

The appeal of Shandor Wine, a Building Maintenance Worker with the Jersey City Public Library, of his removal effective April 28, 2016, on charges, was heard by Administrative Law Judge Margaret M. Monaco (ALJ), who rendered her initial decision on February 1, 2018. At its meeting on April 18, 2018, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to uphold the removal. Rather, the Commission modified the removal to a 45 working day suspension. The proposed decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the decision.

B-26 LIONEL FLORES – CSC DOCKET NO. 2018-1788

Lionel Flores appeals the removal of his name from the Police Officer (S9999U), South Orange, eligible list for falsification of his employment application and an unsatisfactory background report.

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

B-27 RICLAIR CHARLES – CSC DOCKET NO. 2018-152

Ricclair Charles, represented by Joshua M. Forsman, Esq., appeals his removal from the Police Officer (S9999R), Township of Irvington eligible list on the basis of a falsified application.

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

B-28 GREGORY KATSIMAGLES – CSC DOCKET NO. 2018-878

Gregory Katsimagles appeals the removal of his name from the eligible list for Fire Fighter (M1513T), City of Clifton on the basis that he failed to respond to the certification notice.

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

B-29 PAUL INMAN – CSC DOCKET NO. 2018-803

Paul Inman appeals the removal of his name from the eligible list for Senior Postal Clerk (S0648U), Montclair State University on the basis of his failure to complete preemployment processing.

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

B-30 ASSABOOR BEYAH, FIRE FIGHTER (M1516T), EAST ORANGE – CSC DOCKET NO. 2017-3002

AsSaboor Beyah appeals the decision of East Orange to remove his name from the Fire Fighter (M1516T) eligible list due to an unsatisfactory criminal record.

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

B-31 THOMAS WENGERTER – CSC DOCKET NO. 2017-3666

Thomas Wengerter, represented by Douglas M. Long, Esq., appeals the bypass of his name on the Fire Lieutenant (PM1172S), Linden eligible list.

ACTION: The Civil Service Commission directed that this matter be sent to the Office of Administrative Law for a hearing.

PUBLIC PORTION

No comment.

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, May 23, 2018, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

**Deirdré L. Webster Cobb
Chairperson
Civil Service Commission**