



STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION

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

Deirdré L. Webster Cobb
Chairperson

**MINUTES OF REGULAR MEETING OF
THE CIVIL SERVICE COMMISSION
NOVEMBER 6, 2019**

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

NOVEMBER 6, 2019

A regular meeting of the Civil Service Commission was held on Wednesday, November 6, 2019, at 10:00 a.m., in Trenton, New Jersey.

PRESENT: Deirdré L. Webster Cobb, Chairperson, Members Dolores Gorczyca and Daniel W. O'Mullan; Beau Wilson, 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 December 20, 2018, 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 October 23, 2019.

ACTION: The Civil Service Commission adopted the minutes of its meeting on October 23, 2019.

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

Evan Scott, Laborer 1, City of Newark, Department of Neighborhood and Recreational Services, 30 working day suspension.

Alise Ninaltowski, Public Safety Telecommunicator Trainee, City of Trenton, Police Department, removal.

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:

Nathaniel Gonzalez, Maintenance Worker 1 Ground/Maintenance Repairer, Burlington County, Department of Public Works, release at the end of the working test period.

Teri Carpenter, Librarian 1, City of Vineland, Public Library, layoff

Samantha Lambert, Librarian 1, City of Vineland, Public Library, layoff

Nya Johnson, Supervising Librarian Assistant, City of Vineland, Public Library, layoff

Melinda Devonshire, Principal Librarian Assistant, City of Vineland, Public Library, layoff

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

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

Timothy Condron
Woodland Park
Police Department
Removal

Harrison Hogue
Newark School District
Suspension

Linwood Jones
Newark School District
Suspension

Thomas Lawrence
Gloucester County
Department of Emergency Response
Suspension

Thomas Lawrence
Gloucester County
Department of Emergency Response
Suspension

Sue Velez (consolidated)
Southern State Correctional Facility
Department of Corrections
Suspension and Removal

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

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 SCOTT SHIELDS

Scott Shields, Senior Food Service Handler, Hunterdon Developmental Center, Department of Human Services, removal effective August 3, 2018, on charges of chronic or excessive absenteeism, 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.

SECTION B – MISCELLANEOUS MATTERS**B-1 O.C. – CSC DOCKET NO. 2020-669**

O.C., represented by Donald A. DiGioia, Esq., appeals his rejection as a Police Officer candidate by the City of Elizabeth 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 the appellant be referred for an independent psychological evaluation.

B-2 R.B. – CSC DOCKET NO. 2019-3575

R.B. appeals the removal of his name from the eligible list for Correctional Police Officer (S9988V), Department of Corrections on the basis of an unsatisfactory criminal record.

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

B-3 A.F. – CSC DOCKET NO. 2019-3479

A.F. appeals the removal of his name from the eligible list for Correctional Police Officer (S9999U), Department of Corrections on the basis of unsatisfactory criminal and driving records.

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

B-4 JOHANN PORTES – CSC DOCKET NO. 2019-3051

Johann Portes, represented by Anthony R. Troise, Esq., appeals his removal from the eligible list for Police Officer (S9999U), Jersey City based on an unsatisfactory background report.

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

B-5 EXECUTIVE ASSISTANT (M0938W), UNION TOWNSHIP – CSC DOCKET NO. 2020-775

Union Township requests permission not to make an appointment from the March 25, 2019 certification for Executive Assistant (M0938W), Union Township.

ACTION: The Civil Service Commission granted the appointment waiver and assessed selection costs in the amount of \$2,048.

B-6 PURCHASING AGENT (C0755W), CAMDEN COUNTY UTILITIES AUTHORITY – CSC DOCKET NO. 2020-858

The Camden County Utilities Authority requests permission not to make an appointment from the November 19, 2018 certification for Purchasing Agent (C0755W), Camden County Utilities Authority.

ACTION: The Civil Service Commission granted the appointment waiver and assessed selection costs in the amount of \$2,048.

B-7 SUPERVISOR INFORMATION TECHNOLOGY (M0563W), LAKEWOOD TOWNSHIP – CSC DOCKET NO. 2020-1054

Lakewood Township requests permission not to make an appointment from the February 21, 2019 certification for Supervisor Information Technology (M0563W), Lakewood Township.

ACTION: The Civil Service Commission granted the appointment waiver and assessed selection costs in the amount of \$2,048.

B-8 SUPERVISOR OF BILLING AND COLLECTING (M2014W), CITY OF PERTH AMBOY – CSC DOCKET NO. 2020-1024

The City of Perth Amboy requests permission not to make an appointment from the June 10, 2019 certification for Supervisor of Billing and Collecting (M2014W), City of Perth Amboy.

ACTION: The Civil Service Commission granted the appointment waiver and assessed selection costs in the amount of \$2,048.

B-9 ROBERT HORNBY – CSC DOCKET NO. 2020-1045

Robert Hornby appeals the determination of the Division of Agency Services that he did not meet the education requirements for the open competitive examination for Agricultural Resource Specialist 2 (C0419A), Hunterdon County.

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

B-10 CAITLIN KEENAN – CSC DOCKET NO. 2020-1042

Caitlin Keenan appeals the determination of the Division of Agency Services which found that she did not meet the experience requirements for the promotional examination for Secretarial Assistant 2, Non-Stenographic (PS9347T), Motor Vehicle Commission.

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

B-11 EDWARD MCGOWAN – CSC DOCKET NO. 2020-913

Edward McGowan appeals the determination of the Division of Agency Services that he did not meet the experience requirements for the promotional examination for Program Specialist 4, Social/Human Services (PS9457H), Department of Health.

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

B-12 POLICE CHIEF (PM0988A), MAPLE SHADE TOWNSHIP – CSC DOCKET NO. 2020-774

Maple Shade Township, represented by Eileen R. Fayey, Esq., appeals the determination of the Division of Agency Services that denied its request to waive the promotional examination for Police Chief (PM0988A), Maple Shade Township.

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

B-13 PATRICIA ENTLER-FUSCHETTO – CSC DOCKET NO. 2020-133

Freehold Township requests that Patricia Entler-Fuschetto's record be corrected to reflect her appointment to the non-competitive title of Keyboarding Clerk 1, effective September 29, 2014.

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

B-14 FATU RIMBERT – CSC DOCKET NO. 2019-578

The appeal of Fatu Rimbert, Family Service Worker, Essex County, Department of Citizen Services of her removal, effective November 28, 2017, on charges, was heard by Administrative Law Judge Julio C. Morejon (ALJ), who rendered his initial decision on September 18, 2019. At its meeting on October 23, 2019, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to modify the appellant's removal to a six-month suspension. Rather, the Commission upheld the appellant's removal. The proposed final decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the final decision.

B-15 J.L. – CSC DOCKET NO. 2020-297

J.L., a former Contract Administrator 3 with the Department of Military and Veterans Affairs, appeals the decision of the Director of the Division of Equal Employment Opportunity/Affirmative Action which did not substantiate his allegations to support a finding that he had been subject 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-16 MARGARITA CUEVAS – CSC DOCKET NO. 2020-748

Vineland School District requests a retroactive permanent appointment date for Margarita Cuevas to the title of School Aide, effective September 1, 2010.

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

B-17 PETER THABIT – CSC DOCKET NO. 2020-650

Peter Thabit appeals the determination of the Division of Agency Services that he did not meet the experience requirements for the open competitive examination for Technical Assistant to the Construction Official (M0269A), Passaic.

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

B-18 CIVIL SERVICE COMMISSION DATES FOR 2020

The proposed 2020 Civil Service Commission meeting dates are submitted for approval.

ACTION: The Civil Service Commission adopted the meeting dates for 2020.

B-19 KEVIN P. NALLY – CSC DOCKET NO. 2019-1465

Kevin P. Nally, represented by Brady M. Connaughton, Esq., appeals the bypass of his name on the eligible list for Fire Officer 3 (PM1698S), City of Jersey City.

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

B-20 E.R. – CSC DOCKET NO. 2019-662

E.R., represented by Robert Fagella, Esq., appeals his rejection as a Parole Officer Recruit candidate by the State Parole Board and its request to remove his name from the eligible list for Parole Officer Recruit (S1000U) 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-21 GABRIEL RIVERA – CSC DOCKET NO. 2020-317

Gabriel Rivera appeals his removal from the eligible list for Fire Fighter (M1513T), Clifton for failing to appear for pre-employment processing.

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

B-22 JENNIFER VALLADARES – CSC DOCKET NO. 2019-3571

Jennifer Valladares appeals the removal of her name from the eligible list for Correctional Police Officer (S9988V), Department of Corrections on the basis of an unsatisfactory background report.

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

B-23 JOSE DIAS – CSC DOCKET NO. 2020-908

Jose Dias appeals the determination of the Division of Agency Services, which found that he did not meet the experience requirement for the promotional examination for Road Repairer 2/Sign Maker 2 (PM2458W), Elizabeth.

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

B-24 JUAN HERNANDEZ – CSC DOCKET NO. 2020-1038

Juan Hernandez appeals the decision of the Division of Agency Services, which found that he did not meet the experience requirements for the promotional examination for Senior Food Service Worker (PC0507A), Essex County.

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

B-25 DEBORAH KEITH – CSC DOCKET NO. 2020-1081

Deborah Keith requests that her application processing fee for the promotional examination for Keyboard Clerk 2 (PC1249A), Cape May County Sheriff be accepted.

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

B-26 D.V. – CSC DOCKET NO. 2019-990

D.V., represented by Nicholas Palma, Esq., appeals his rejection as a Police Officer candidate by the Union Township Police Department 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-27 STEEVE AUGUSTIN – CSC DOCKET NO. 2020-655

Steeve Augustin appeals the determination of the Division of Agency Services, which found that he did not meet the experience requirements for the open competitive examination for Administrative Secretary (M0165A), Hillside Township.

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

B-28 YURI DEFREITAS – CSC DOCKET NO. 2019-2066

Yuri Defreitas appeals the removal of his name from the Sheriff's Officer (S9999U), Hudson County eligible list on the basis of a falsified application.

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

B-29 ROBIN FICHMANN – CSC DOCKET NO. 2020-602

Robin Fichmann appeals the determination of the Division of Agency Services which found that, per the substitution clause for education, she did not meet the experience requirements for the promotional examination for Purchasing Agent (PM0234A), Moorestown.

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

B-30 GREGORY MOORE – CSC DOCKET NO. 2019-2237

Gregory Moore appeals the determination of the Division of Agency Services, which found that he did not meet the experience requirements for the promotional examination for Manager, Parks and Grounds (PC2141W), Passaic County.

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

B-31 VALENTIN HERNANDEZ – CSC DOCKET NO. 2020-658

Valentin Hernandez appeals his removal from the eligible list for Correctional Police Officer (S9988A), Department of Corrections, on the basis of falsification of his employment application.

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

B-32 JOHN KELLY – CSC DOCKET NO. 2019-2812

John Kelly appeals his non-appointment for a noncompetitive position as a Laborer 1 with Salem County.

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

B-33 COORDINATOR, PRIMARY AND PREVENTATIVE HEALTH SERVICES (PS5472H), DEPARTMENT OF HEALTH – CSC DOCKET NO. 2019-586

The Department of Health requests permission not to make an appointment from the March 15, 2018, certification for Coordinator, Primary and Preventative Health Services (PS5472H).

ACTION: The Civil Service Commission granted the appointment waiver and deferred selection costs.

B-34 TECHNICIAN, MVC – CSC DOCKET NO. 2020-987

The Division of Agency Services recommends an extension of the interim noncompetitive period for the title of Technician, MVC.

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

B-35 LYNNE COX – CSC DOCKET NO. 2020-924

Lynne Cox appeals the determination of the Division of Agency Services to admit J.S. and Y.R. to the promotional examination for Office Supervisor (PS4341K), Department of Children and Families.

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

B-36 CLARENCE PHILIPS – CSC DOCKET NO. 2020-3506

Clarence Philips appeals the determination of the Division of Agency Services which found that he was below the minimum requirements in experience for the open competitive examination for Guardianship Services Specialist 1 (S0881W).

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

B-37 D.M. – CSC DOCKET NOS. 2019-412 & 2019-1822

D.M., a Program Support Specialist 3, Assistance Programs, with the Department of Health (DOH) appeals the determination of the Chief of Staff, DOH, 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. Additionally, D.M. appeals the determination by DOH to remove him from his provisional position and appoint him to a title that was comparable to his previous held title.

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

B-38 D.M. – CSC DOCKET NOS. 2019-579

D.M., a Program Support Specialist 3, Assistance Programs, with the Department of Health (DOH) appeals the determination of the Chief of Staff, DOH, 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.

PUBLIC PORTION

No comments.

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Tuesday, November 19, 2019, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

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