



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 2, 2022

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

NOVEMBER 2, 2022

A regular meeting of the Civil Service Commission was held on Wednesday, November 2, 2022, at 10:00 a.m., in Trenton, New Jersey.

PRESENT: Deirdré L. Webster Cobb, Chairperson; Members Dolores Gorczyca, Daniel O'Mullan and Diomedes Tsitouras; Susan Scott, Deputy Attorney General; Nicholas F. Angiulo, 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 November 22, 2021, 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 12, 2022.

ACTION: The Civil Service Commission adopted the minutes of its meeting of October 12, 2022.

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

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

Lyreshia Bonds, Judiciary, Middlesex Vicinage removal.

Mario Fucci, Salem County, Sheriff's Department, demotion.

Joseph Grundlock, Wildwood City, Department of Public Safety, suspension.

Sharieff Young, Jersey City, Department of Public Safety, removal.

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

SECTION A – HEARING MATTERS**A-1 SETTLEMENTS**

Andrew Bourey
Edna Mahan Correctional Facility
Department of Corrections
Removal

Stephanie Havrilla
Department of Labor and Workforce Development
Return to previous held permanent title at the end of the working test period

William Johnson
Irvington
Department of Public Works
Removal

Robert McCormack
New Jersey State Prison
Department of Corrections
Suspension

William McKee
Ocean County
Department of Corrections
Removal

ACTION: The Civil Service Commission directed that this matter be held over.

Jeremy Nichols
Vineland Developmental Center
Department of Human Services
Removal

Christopher Oliver
Gloucester City
Department of Fire and Ambulance
Suspension

Jakheira Rhett
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)

John Sher
Margate
Fire Department
Removals (2)

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 MICHAEL DALRYMPLE – DOCKET NO. 2022-1829

Michael Dalrymple, Investigator, Secured Facilities, Edna Mahan Correctional Facility, Department of Corrections, removal, effective January 19, 2022, on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the removal.

ACTION: The Civil Service Commission modified the removal to a 30 working day suspension.

A-3 GERARDO DEOLIVERA – DOCKET NO. 2022-1160

Gerardo DeOlivera, Building Maintenance Worker, Ocean County, Department of Building and Grounds, removal, effective October 22, 2021, on charges of insubordination 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 MARK FOGG – DOCKET NO. 2022-204

Mark Fogg, Senior Correctional Police Officer, South Woods State Prison, Department of Corrections, removal, effective June 14, 2021, 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 rejected the initial decision and acknowledged the settlement.

A-5 ANDREW GALES – DOCKET NOS. 2020-980 AND 2020-1951

Andrew Gales, Senior Correctional Police Officer, Edna Mahan Correctional Facility, Department of Corrections, two removals, effective October 17, 2019, on charges of incompetency, inefficiency or failure to perform duties, neglect of duty, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removals.

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

A-6 MICHAEL GORSKI – DOCKET NO. 2021-1701

Michael Gorski, County Correctional Police Lieutenant, Mercer County, Department of Corrections, fine equal to a 15 working day suspension, on charges of incompetency, inefficiency or failure to perform duties and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the fine.

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

A-7 CHRISTOPHER OLIVER – DOCKET NO. 2022-2641

Christopher Oliver, Fire Fighter/Emergency Medical Technician, Gloucester City, Department of Fire and Ambulance, removal, effective December 21, 2021, 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 directed that the appeal be held over.

A-8 LINDA ORTIZ – DOCKET NO. 2022-1445

Linda Ortiz, County Correctional Police Officer, Middlesex County, Department of Corrections, removal, effective October 6, 2021, on charges of inability to perform duties, chronic or excessive absenteeism or lateness and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the removal to a resignation in good standing.

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

A-9 EDWIN VASQUEZ – CSC DOCKET NOS. 2022-123 AND 2022-233

Edwin Vasquez, Police Officer, Jersey City, Police Department 120 working day suspension and removal, effective July 15, 2021, on charges of inability to perform duties, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the 120 working day suspension and removal.

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

SECTION B – MISCELLANEOUS MATTERS**B-1 D.E.M. – DOCKET NO. 2022-2628**

D.E.M. appeals his rejection as a Fire Fighter candidate by the City of Camden and its request to remove his name from the eligible list for Fire Fighter (M1809W) 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 J.R. – DOCKET NO. 2022-609

J.R., represented by Stephen B. Hunter, Esq., appeals his rejection as a Police Officer candidate by Long Branch 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 AYOMIDE T. ADEBAYO – DOCKET NO. 2022-2652

Ayomide T. Adebayo appeals the determination of Middlesex County to remove his name from the eligible list for Graphic Artist 1 (C0187A), on the basis that he failed to complete pre-employment processing.

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

B-4 RAFAEL RIVERA – DOCKET NO. 2022-2639

Rafael Rivera appeals the removal of his name from the eligible list for Police Sergeant (PM0862V), Roselle on the basis that he failed to respond to the certification notice.

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

B-5 LITASHA WORTHEN-BARNES – DOCKET NO. 2022-2892

Litasha Worthen-Barnes, represented by Annette Verdesco, Esq., appeals the bypass of her name on the Police Sergeant (PM0849V), Orange eligible list.

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

B-6 JOSEPH DEMAIO – DOCKET NO. 2023-301

Joseph DeMaio appeals the decision of the Division of Agency Services which found that he did not have the required amount of service in a competitive title for the promotional examination for Equipment Operator (PC4095D), Middlesex County.

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

B-7 ADRIANA MINA-OTTO – DOCKET NO. 2022-1924

Adriana Mina-Otto appeals the determination of the Division of Agency Services which found that she did not meet the requirements for the open competitive examination for Regional Staff Nurse Medical Assistance (S0656C), Statewide.

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

B-8 VICTORIA RAMIREZ – DOCKET NO. 2022-2988

Victoria Ramirez appeals the determination of the Division of Agency Services which found that she did not meet the requirements for the promotional examination for Keyboarding Clerk 2 (PC0311D), Burlington County.

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

B-9 ISMETA SAINT CLAIR – DOCKET NO. 2022-1247

Ismeta Saint Clair appeals the determination of the Division of Agency Services that she did not meet the experience requirement for the promotional examination for Investigator 1 (PS1572K), Department of Children and Families.

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

B-10 HAMID SALEEM – DOCKET NO. 2023-174

Hamid Saleem appeals the determination of the Division of Agency Services which found that he did not meet the minimum requirements in experience for the promotional examination for Sanitation Superintendent (PM5106C), Newark.

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

B-11 CYNTHIA SANTIAGO – DOCKET NO. 2022-1515

Cynthia Santiago appeals the determination of the Division of the Agency Services, which found that she was below the minimum requirements in experience for a qualifying examination for Administrative Analyst 3, Fiscal Management.

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

B-12 RACHEL SMITH – DOCKET NO. 2022-3239

Rachel Smith appeals the determination of the Division of Agency Services that she did not meet the experience requirements for the open competitive examination for Chemist 1 (M0377D), Millville.

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

B-13 MARK WHITE – DOCKET NO. 2022-2259

Mark White 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 Senior Mechanic Diesel (PC4912C), Mercer County.

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

B-14 LISA DAVIS – DOCKET NO. 2022-1947

Lisa Davis appeals her score on the promotional examination for Assistant Administrative Supervisor of Income Maintenance (PC4776C), Gloucester County Board of Social Services.

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

B-15 S.H. – DOCKET NO. 2023-253

S.H., a provisional Employment and Training Specialist 1 with the Department of Labor and Workforce Development, appeals the decision of an Assistant Commissioner, which was unable to substantiate that she was subject to 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.

B-16 JOSIAH ACEVEDO, *ET AL.* – DOCKET NOS. 2022-2125, *ET AL.*

Josiah Acevedo, *et al.*, Fire Fighter, Newark, represented by Craig S. Gumpel, Esq., appeal their reassignments.

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

B-17 MARC BERKEYHEISER – DOCKET NO. 2022-2894

The Division of Agency Services, on behalf of Trenton, requests that Marc Berkeyheiser be assigned a retroactive appointment date to the Police Sergeant title pursuant to a settlement agreement.

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

B-18 INTELLIGENCE ANALYST APPRENTICE, OFFICE OF HOMELAND SECURITY AND PREPAREDNESS – DOCKET NO. 2023-830

The Division of Agency Services requests the establishment of the unclassified title of Intelligence Analyst Apprentice, Office of Homeland Security and Preparedness.

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

B-19 P.S. – CSC DOCKET NO. 2023-199

The Department of Labor and Workforce Development requests reconsideration of *In the Matter of P.S.* (CSC, decided June 15, 2022) where the Civil Service Commission remanded the matter to the appointing authority to re-interview the candidates and redispense of the certification.

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

B-20 CHRISTOPHER FERRO – DOCKET NOS. 2022-3298, ET AL.

The Superior Court of New Jersey, Appellate Division, in *In the Matter of Christopher Ferro*, Docket No. A-003160-21T1 (App. Div., October 11, 2022), remanded *In the Matter of Christopher Ferro* (CSC, decided May 18, 2022) to address Ferro's request for reconsideration. The Civil Service Commission is also addressing the Bergen County Sheriff's Office request for stay in this matter.

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

B-21 THOMAS VALENTE – DOCKET NO. 2023-825

The Superior Court of New Jersey, Appellate Division, in *In the Matter of Thomas Valente, Jr., West Milford, Police Department*, Docket No. A-3180-21 (App. Div., October 14, 2022), reversed the Civil Service Commission's (Commission) decision in *In the Matter of Thomas Valente* (CSC, decided April 6, 2022) and remanded the matter to allow the Commission to issue a final decision affirming the Administrative Law Judge's initial decision.

ACTION: The Civil Service Commission rescinded the Commission's April 6, 2022 decision and affirmed the Administrative Law Judge's initial decision.

PUBLIC PORTION

No comments.

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, November 23, 2022, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.



Deirdré L. Webster Cobb
Chairperson
Civil Service Commission