



STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION

Chris Christie
Governor
Kim Guadagno
Lt. Governor

Robert M. Czech
Chair/Chief Executive Officer

**AGENDA OF REGULAR MEETING OF
THE CIVIL SERVICE COMMISSION
OCTOBER 16, 2013**

Robert M. Czech, Chairperson
Robert E. Brenner
Thomas J. Perna
Richard E. Williams

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

In the Matter of Robert Baptiste
Hunterdon Developmental Center
Department of Human Services
Removal

In the Matter of Kenneth Czarnecki
Middlesex County
Board of Social Services
Return to previous held title

In the Matter of Stephen D'Ambrosio
Atlantic County
Department of Public Safety
Suspension

In the Matter of Warren Dixon
Camden County Health Service Center
Removal

In the Matter of Tomasso Grasso
New Jersey State Parole Board
Suspension

In the Matter of Robert Henderson
Southern State Correctional Facility
Department of Corrections
Removal

In the Matter of Davine Kelly
Hudson County
Department of Corrections
Removal

In the Matter of Thomas Massimino
Irvington Township
Police Department
List bypass

In the Matter of Issac Reyes
Camden County
Department of Corrections
Suspension

In the Matter of Michael Rouse
Gloucester County
Sheriff's Department
Suspension

In the Matter of Jose Segarra
Police-Central Office
Department of Human Services
Removal

In the Matter of Maria Sereni
Mercer County
Department of Public Safety
Removal

In the Matter of Lori Shaw
Gloucester County
Sheriff's Department
Suspension

In the Matter of Nina Wright
Mercer County
Department of Public Safety
Removal

**RECOMMENDATION OF THE ADMINISTRATIVE LAW JUDGE IN
THE ABOVE CASES – SETTLEMENTS**

ACTION:

A-2 ADDRIANNA PEREZ

Addrianna Perez, Institutional Attendant, Cape May County, Department of Crest Haven, release at the end of the working test period effective June 12, 2012

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

ACTION:

A-3 DAVID ARGUELLO

David Arguello, County Correction Officer, Hudson County, Department of Corrections, removal effective December 19, 2012 on charges of insubordination, chronic or excessive absenteeism, conduct unbecoming a public employee, neglect of duty inability to perform duties, inefficiency incompetency or failure to perform duties and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the removal.

ACTION:

A-4 CASSANDRA E. JONES

Cassandra E. Jones, Clerk 1, Essex County, Department of Citizen Services, removal effective November 9, 2012, on charges of inability to perform duties, chronic and excessive absenteeism, conduct unbecoming a public employee, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the removal to a resignation not in good standing.

ACTION:

A-5 VENUS NAYLOR

Venus Naylor, Senior Correction Officer, Adult Diagnostic and Treatment Center, Department of Corrections, removal effective April 18, 2013, on charges of conduct unbecoming a public employee, other sufficient cause, improper or unauthorized contact with inmate, undue familiarity with inmates, parolees, their families, or friends and violation of a rule, regulation, policy order or administrative decision.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

A-6 ESTHER S. PETERS

Esther S. Peters, Human Services Technician, Trenton Psychiatric Hospital, Department of Human Services, removal effective June 25, 2010, on charges of physical or mental abuse of a patient, inappropriate physical contact of a patient, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

A-7 LAWRENCE REYNOLDS

Lawrence Reynolds, Police Officer, City of Irvington, Police Department, removal effective May 8, 2012, on charges of sleeping on duty, truthfulness, failure to perform duties, neglect of duty, conduct unbecoming a public employee and obedience to laws and regulations.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

A-8 BRANDON TOLBERT

Brandon Tolbert, Juvenile Detention Officer, Burlington County, Juvenile Detention Center, removal effective May 4, 2011, on charges of conduct unbecoming a public employee, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Grant the appointing authority's motion for summary decision and uphold the removal.

ACTION:

A-9 LORETTA HILL (SETTLEMENT)

Loretta Hill, Human Services Technician, New Jersey Veterans Memorial Home, Paramus, Department of Military and Veterans Affairs, removal effective November 7, 2012, on charges of abandonment of job as a result of being absent from work as scheduled without permission for five consecutive days. Settled to a withdrawal of appeal and a retirement effective October 1, 2013.

This matter was held over from the September 18, 2013, Civil Service Commission meeting for clarification.

Recommendation of the Administrative Law Judge – Acknowledge the settlement.

ACTION:

SECTION B – MISCELLANEOUS MATTERS

B-1 ALRAY BLACKMON

Alray Blackmon, represented by Luretha M. Stribling, Esq., appeals his rejection as a County Correction Officer candidate by Essex County and its request to remove his name from the eligible list for Essex County (S9999M) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:

B-2 ERIC P. FRIED

Eric P. Fried, represented by Nicholas J. Palma, Esq., appeals his rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove his name from the eligible list for Correction Officer Recruit (S9987M) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:

B-3 JOHN MAILOT

John Mailot, represented by Frank M. Crivelli, Esq., appeals his rejection as a Police Officer candidate by the Township of Belleville and its request to remove his name from the eligible list for the Township of Belleville (S9999M) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:

B-4 ADRIAN ELLISON

Adrian Ellison, a Senior Investigator, Parole and Secured Facilities, Corrections, with Albert C. Wagner Youth Correctional Facility, Department of Corrections, represented by Thomas A. Cushane, Esq., appeals a five-day suspension issued by DOC.

ACTION:

B-5 RITCHIE ORTIZ

Ritchie Ortiz, an Executive Assistant 3, appeals an official written reprimand issued by the Department of Children and Families.

ACTION:

B-6 JOHN C. JOHNSON

The Supreme Court of New Jersey has reversed the decisions of the Superior Court, Appellate Division and the Civil Service Commission in the matter of the proper classification for John C. Johnson and remanded the matter to the Commission for administrative action in accordance with its decision.

ACTION:

B-7 ADRIANE NEIS

It is requested that the Civil Service Commission acknowledge the resolution of Adriane Neis' Appellate Division appeal of *In the Matter of Adriane Neis, Department of Children and Families* (CSC, decided November 22, 2011) and (CSC, decided March 7, 2012).

ACTION:

B-8 ROSE MATTERA

Rose Mattera, a former Supervising Clerk Transcriber with Wildwood City's Department of Public Safety and Public Affairs, appeals the determination of her layoff rights by the Division of State and Local Operations.

ACTION:

B-9 LANGSTON BURRELL

Langston Burrell, a former Senior Medical Security Officer with Ann Klein Forensic Center, Department of Human Services, requests a hearing regarding his removal effective January 29, 2013.

ACTION:

B-10 KATHLEEN CASTALDO

The Mercer County Prosecutor's Office requests that the Civil Service Commission relax the provisions of *N.J.A.C. 4A:4-1.1(c)2* to permit Kathleen Castaldo to sit for the promotional examination for Supervising Account Clerk.

ACTION:

B-11 FARAH FIORAVANTI

Farah Fioravanti, a County Correction Sergeant with Mercer County, represented by Ira W. Mintz, Esq., appeals the bypass of her name on the April 2, 2012, certification of the eligible list for County Correction Lieutenant (PC2655K), Mercer County.

ACTION:

B-12 MARISOL PEREZ-WILSON

The Judiciary requests that Marisol Perez-Wilson receive a retroactive date of appointment.

ACTION:

B-13 CAROLYN YOUNG

The Newark School District requests that Carolyn Young receive a retroactive date of appointment.

ACTION:

B-14 DAVID SOARES

David Soares, represented by Robert R. Cannan, Esq., appeals the decision of the Division of Classification and Personnel Management, which found that the appointing authority had presented a sufficient basis to remove his name from the eligible list for Correction Officer Recruit (S9987M), Department of Corrections, on the basis that he falsified his employment application.

ACTION:

B-15 JOEL STEPHENS

Joel Stephens appeals the decision of the Division of Classification and Personnel Management, which found that the appointing authority had presented a sufficient basis to remove his name from the eligible list for Correction Officer Recruit (S9987M), Department of Corrections, due to an unsatisfactory driving record.

ACTION:

B-16 SEAN SOLOMON AND TIMOTHY CARPENTER

Sean Solomon and Timothy Carpenter, County Correction Lieutenants with Passaic County, appeal the cancellation of the September 7, 2012 certification (PL121157) of the County Correction Captain (PC3595K), Passaic County eligible list.

ACTION:

B-17 DONNA DEVENEY

Donna Deveney appeals the decision of the Division of Classification and Personnel Management that the proper classification of her position with the Department of Transportation is Supervisor, Information Technology, Help Desk. The appellant seeks a Manager 1, Information Processing job classification.

ACTION:

B-18 D. K.

D. K., an Administrative Analyst 1 with the Department of Children and Families, appeals the determination of the Director, Office of Administration and Legal Affairs, stating that the appellant failed to present sufficient evidence to support a finding that she had been subjected to violations of the New Jersey State Policy Prohibiting Discrimination in the Workplace (State Policy) and that the appellant had violated the State Policy.

ACTION:

B-19 S. H.

S. H., a Senior Parole Officer with the State Parole Board (SPB), appeals the determination of the Executive Director of the SPB, stating that the appellant failed to present sufficient evidence to support a finding that she had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

ACTION:

B-20 MAINTENANCE SUPERINTENDENT (C0078P), HUDSON COUNTY

The appointing authority's failure to dispose of the certification for Maintenance Superintendent (C0078P), Hudson County, while a provisional is serving in the title, has been referred to the Civil Service Commission for enforcement.

ACTION:

B-21 SUPERVISOR, PUBLIC WORKS (PM0909P), LINDEN

The matter of whether Linden should be granted permission not to make an appointment from the December 31, 2012 certification for Supervisor, Public Works (PM0909P) has been referred to the Civil Service Commission for review.

ACTION:

B-22 JEFFREY GORMAN

Jersey City, the appointing authority, represented by Vincent Signorile, Esq., Assistant Corporation Counsel, requests reconsideration of the decision *In the Matter of Jeffrey Gorman (M2365H)*, Jersey City rendered on April 3, 2013 by the Civil Service Commission which found Jeffrey Gorman to be psychologically fit for a position as a Fire Fighter (M2365H), Jersey City.

ACTION:

B-23 LAWRENCE NORMAN

Lawrence Norman, a former Police Officer with the City of Camden, represented by Richard D. Madden, Esq., petitions for reconsideration of the final decision rendered by the Civil Service Commission on January 9, 2013, which upheld his removal.

ACTION:

B-24 SANDRA BARKER

Sandra Barker appeals the determination of the Division of Selection Services and Recruitment which found that she was not eligible for the promotional examination for Administrative Analyst 1, Fiscal Management (PS6373K), Department of Children and Families.

ACTION:

B-25 SUTTIDA BROWN

Suttida Brown appeals the administration of the promotional examination for Classification Officer 1 (PS0632I), Department of Corrections.

ACTION:

B-26 ANN GORMAN

Ann Gorman appeals the decision of the Division of Selection Services and Recruitment which found that, per the substitution clause for experience, she did not meet the experience requirements for the promotional examination for Personnel Assistant (PC0799R), Bergen County.

ACTION:

B-27 MARTIN HAMMOND

Martin Hammond appeals the determination of the Division of Selection Services and Recruitment which found that he was below the minimum requirements in experience for the promotional examination for Customer Service Representative 2 (PS4615H), Department of Health.

ACTION:

B-28 DENISE HARPER

Denise Harper appeals the determination of the Division of Selection Services and Recruitment which found that she did not meet the experience requirements for the promotional examination for Customer Service Representative 1 (PS6495J), Rowan University.

ACTION:

B-29 LUDYNILLA LANEZ-FLORESCA

Ludynilla Lanez-Floresca appeals her score on the promotional examination for Technical Support Specialist 1 (PS364K), Department of Human Services.

ACTION:

B-30 SCOTT LOUDON

Scott Loudon appeals the determination of the Division of Selection Services and Recruitment which found that he did not meet the experience requirements for the promotional examination for Project Manager Data Processing (PS1440T), Motor Vehicle Commission.

ACTION:

B-31 EDWARD MCBRIDE

Edward McBride appeals the determination of the Division of Selection Services and Recruitment that he did not meet the experience requirements for the promotional examination for Assistant Director of Consumer Protection (PC1369R), Ocean County.

ACTION:

B-32 JOSEPH VASQUEZ

Joseph Vasquez appeals the determination of the Division of Selection Services and Recruitment which found that he was below the minimum requirements in experience for the promotional examination for Maintenance Worker 3, Grounds (PC1203R), Camden County.

ACTION:

B-33 DANNY NORMAN

Cinnaminson Fire District #1 requests that Danny Norman's permanent appointment to Fire Official, Uniformed Fire Department, be recorded effective April 1, 2007.

ACTION:

B-34 HARRY TISCH

The Department of Human Services requests permission not to make an appointment from the January 4, 2013 certification for Program Support Specialist 1, Assistance Programs (S2408N). Harry Tisch appeals his non appointment from the subject certification and challenges the request for an appointment waiver.

ACTION:

B-35 KEVIN FALLUCCA

Kevin Fallucca appeals the determination of the Division of Classification and Personnel Management that his former position with the Department of the Treasury was properly classified as an Auditor 3, Taxation. The appellant seeks an Auditor 2, Taxation, job classification.

ACTION:

B-36 MATTHEW FURMAN

Matthew Furman appeals the determination of the former Division of State and Local Operations that his position with the Department of the Treasury is properly classified as a Technical Assistant Management Information Systems. The appellant seeks a Technician Management Information Systems job classification.

ACTION:

B-37 DANIEL LISANTI

Daniel Lisanti appeals the decision of the Division of Classification and Personnel Management that his former position with the Department of Transportation was properly classified as Senior Engineer, Traffic. The appellant seeks a Principal Engineer, Traffic job classification.

ACTION:

B-38 L. W.

L. W., a Printing Machine Operator 3 with the Department of the Treasury, represented by Robert W. Pursell, Staff Representative, CWA Local 1033, appeals the determination of the Office of Equal Employment Opportunity and Affirmative Action stating that there was sufficient evidence to support a finding that he had violated the New Jersey State Policy Prohibiting Discrimination in the Workplace.

ACTION:

B-39 CLAIMS ADJUDICATOR SUPERVISOR (PS2364N)

The Department of Labor and Workforce Development requests the extension of the eligible list for Claims Adjudicator Supervisor (PS2364N).

ACTION:

**B-40 SUPERVISING EMERGENCY MEDICAL TECHNICIAN (M0092N)
BORDENTOWN TOWNSHIP**

The appointing authority's failure to dispose of the certification for Supervising Emergency Medical Technician (M0092N), Bordentown Township, while a provisional is serving in the title, has been referred to the Civil Service Commission for enforcement.

ACTION:**B-41 BARRY ASHFORD**

The appeal of Barry Ashford, a Custodial Worker with the Newark School District, of his 15 working day suspension, on charges, was heard by Administrative Law Judge James A. Geraghty (ALJ), who rendered his initial decision on August 30, 2013. At its meeting on October 2, 2013, the Civil Service Commission adopted the ALJ's recommendation to modify the 15 working day suspension to a 45 working day suspension. However, the Commission found it necessary to address the exceptions and cross exceptions filed by the parties. The proposed final decision is now submitted for the Commission's review.

ACTION:**B-42 STEPHANIE WATERS**

The appeal of Stephanie Waters, a Senior Correction Officer with South Woods State Prison, Department of Corrections, of her 20 working day suspension, on charges, was heard by Administrative Law Judge Damon G. Tyner (ALJ), who rendered his initial decision on August 5, 2013, modifying the 20 working day suspension to a 10 working day suspension. At its meeting on October 2, 2013, the Civil Service Commission did not adopt the ALJ's recommendation to modify the appellant's suspension to a 10 working day suspension. Rather, the Commission upheld the 20 working day suspension. The proposed final decision is now submitted for the Commission's review.

ACTION:

B-43 DAVID ALVIN

The Department of Transportation requests that David Alvin's out-of-title experience be accepted to qualify him for a prospective promotional examination for the title of Affirmative Action Specialist 3.

ACTION:

B-44 JASON REINERT AND JACLYN SANDORSE

Jason Reinert and Jaclyn Sandorse appeal the determination of the Division of Selection Services and Recruitment denying their request for a make-up examination for Cottage Training Supervisor (PS3431K), Department of Human Services.

ACTION:

B-45 LOURDES REYES

Lourdes Reyes requests a makeup examination for the open-competitive examination for Supervisor Food Service Area Operations (S0848P), Statewide.

ACTION:

B-46 MATTHEW COOK

Matthew Cook appeals the determination of the Division of Selection Services and Recruitment which found that, per the substitution clause for education, he was below the minimum requirements in experience for the promotional examination for Technical Support Specialist 2 (PS3992K), Department of Children and Families.

ACTION:

B-47 LESLIE JACKSON

Leslie Jackson appeals the determination of the Division of Selection Services and Recruitment which found that she was below the minimum requirements in education for the open competitive examination for Accountant (M0325R), Newark School District.

ACTION:

B-48 HENRY KENRICK

Henry Kendrick appeals the decision of the Division of Selection Services and Recruitment which found him ineligible for the promotional examination for Assistant Supervisor Public Works (PM0090R), Teaneck.

ACTION:

B-49 TIMOTHY MARTEL

Timothy Martel appeals his score for the promotional examination for Clerk 2 (PC0668N), Mercer County Board of Social Services.

ACTION:

B-50 ANGELO MASTROLIA

Angelo Mastrolia appeals the determination of the Division of Selection Services and Recruitment which found that he was below the minimum requirements in experience for the promotional examination for Senior Repairer (PS2458J), William Paterson University.

ACTION:

B-51 ANDREA STUMPF

Andrea Stumpf appeals the determination of the Division of Selection Services and Recruitment that she did not meet the experience requirement for the promotional examination for Administrative Analyst 4 (PS3423K), Department of Human Services.

ACTION:

B-52 PASQUALE VELLA

Pasquale Vella appeals the determination of the Division of Selection Services and Recruitment which found that he was below the minimum requirements in experience for the promotional examination for Municipal Recycling Coordinator (PM0792R), Elizabeth.

ACTION:

B-53 CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of October 2, 2013.

ACTION: