



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 7, 2015**

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

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

Patricia McCormack, Senior Library Assistant, Township of Sparta, Library, layoff.

Sherri Moultrie, Practical Nurse, Passaic County, Preakness Healthcare Center, suspension.

Cassandra Smalls Nicholson, Assistant Administrative Supervisor Family Services, Essex County, Citizen Services, suspension.

Theresa Spence, Human Services Assistant, Woodbridge Developmental Center, Department of Human Services, layoff.

ACTION:

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:

Keisha Nobles, Human Services Specialist, Cumberland County, Board of Social Services, release at end of working test period.

Brian Beauchamp, Cottage Training Supervisor, Woodbine Development Center, Department of Human Services, layoff.

Milton White, Senior Cottage Training Supervisor, Woodbine Development Center, Department of Human Services, layoff.

ACTION:

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

Andrey Abernovich
Cumberland County
Department of Corrections
Suspension

Richard Etzler
Bayside State Prison
Department of Corrections
Suspension

Timothy Fanning
City of Newark
Police Department
Suspension

Francine Hoverman
Cumberland County
Prosecutor's Office
Demotion

Fidelia Odutola
City of Newark
Department of Child and Family Well Being
Removal

Brian Price
Ancora Psychiatric Hospital
Department of Human Services
Removal

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

ACTION:

A-2 JOSEPH GANDOLFO

Joseph Gandolfo, Plumbing Subcode Official, Township of West Orange, Department of Planning and Development, four month suspension on charges of insubordination; neglect of duty; conduct unbecoming a public employee; failure to perform duties; and failure to meet the standards of conduct required by local policy and procedures.

Recommendation of the Administrative Law Judge – Modify the four month suspension to a 10 working day suspension.

ACTION:

A-3 ROSELAND JEAN

Roseland Jean, Probation Officer, Judiciary, Mercer Vicinage, 20 working day suspension, on charges of incompetency and inefficiency to perform duties, failure to perform duties, neglect of duty, and conduct unbecoming a public employee.

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

ACTION:

A-4 MANNY LOURENCO

Manny Lourenco, Principal Engineering Aide, City of Newark, Water & Sewer Utilities, resignation not in good standing effective July 21, 2011, on charges of chronic or excessive absenteeism or lateness.

Recommendation of the Administrative Law Judge – Uphold the resignation not in good standing.

ACTION:

A-5 EDITE MARTINS

Edite Martins, Data Processing Technician, City of Newark, Department of Engineering, removal and resignation not in good standing effective September 11, 2013, on charges of incompetency, inefficiency, or failure to perform duties; chronic or excessive absenteeism or lateness; conduct unbecoming a public employee; neglect of duty, and other sufficient cause.

Recommendation of the Administrative Law Judge – Dismiss the appeal.

ACTION:

A-6 FORTUNATO MONTELLA

Fortunato Montella, Police Officer, Borough of Stanhope, Police Department, removal effective February 25, 2015, on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the removal to a 60 working day suspension.

ACTION:

A-7 GLADYS RODRIGUEZ

Gladys Rodriguez, Police Officer, City of East Orange, Police Department, removal effective September 6, 2013, on charges of inability to perform duties.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

A-8 FERNANDO SANCHEZ

Fernando Sanchez, Police Officer, City of Plainfield, Police Department, removal effective September 22, 2014, on charges of conduct unbecoming a public employee, misuse of public property including motor vehicles, and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

SECTION B – MISCELLANEOUS MATTERS**B-1 CHANGE IN CLASSIFICATION PLAN – TITLE REACTIVATION AND TITLE INACTIVATION**

The Division of Agency Services recommends that the title Work Leader, Electrical Metering and Relay Mechanic, be reactivated, and that the title of Sewage Plant Superintendent/Sewer Superintendent/Water Superintendent, be inactivated.

ACTION:**MEMORANDUM**

DATE: September 25, 2015
 TO: The Civil Service Commission
 FROM: Kenneth Connolly, Director
 Division of Agency Services *Kenneth Connolly*
 SUBJECT: Change in Local Classification Plan

LOCAL TITLE

The City of Vineland requests the reactivation of the title Work Leader, Electrical Metering and Relay Mechanic (70353). The City of Vineland Electric Utility is the only municipally-owned electric generating utility in the State of New Jersey. The technical work performed is highly specialized, requiring distinct titles in some cases. An urgent need presently exists to fill a position in the title.

The primary function of the title involves supervising and performing work related to the installation, maintenance and repair of revenue metering, interconnection metering and relay systems.

Title history records indicate the title was established in 2008 at the request of the City of Vineland. It was inactivated approximately two years later as part of a large group of unencumbered titles. Vineland claims they did not intend for it to be inactivated at that time.

A draft title specification has been developed to accommodate this request.

The title Sewage Plant Superintendent/Sewer Superintendent/Water Superintendent will be inactivated. It has been unencumbered for approximately three years.

TITLE REACTIVATION

Effective: 10-1-15

Work Leader, Electrical Metering and Relay Mechanic
 70353 (C) local

TITLE INACTIVATION

Sewage Plant Superintendent/Sewer Superintendent/Water Superintendent
 05949 (C) local

KC/JT/GB/KG

ACTION:

B-2 E.N. - CSC DOCKET NO. 2015-1794

E.N., represented by Craig Gumpel, Esq., appeals his rejection as a Police Officer candidate by the Passaic Police Department and its request to remove his name from the eligible list for Police Officer (S9999R) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:

B-3 ROBERT DIGRAVINA – CSC DOCKET NO. 2015-2680

Robert DiGravina appeals the removal of his name from the eligible list for Fire Fighter (M2543M) on the basis of a positive drug test.

ACTION:

B-4 AKEISHA BURROUGHS – CSC DOCKET NO. 2016-584

Akeisha Burroughs appeals the determination of the Division of Agency Services, which upheld the removal of her name from the Police Officer (S9999M), Newark, eligible list due to her unsatisfactory driving record.

ACTION:

B-5 LUIS SALERNA – CSC DOCKET NO. 2015-2591

Luis Salerna, represented by David R. Bruins, Esq., appeals the decision of the Division of Agency Services, which upheld the removal of his name from the Police Officer (S9999R), Paterson, eligible list on the basis of an unsatisfactory background report.

ACTION:

**B-6 DANIEL J. HOLOVACKO AND JACOB D. MURRAY
CSC DOCKET NO. 2016-955**

The Division of Agency Services, on behalf of South Amboy, requests retroactive regular appointments effective August 20, 2014, for Daniel J. Holovacko and Jacob D. Murray from the Police Sergeant (PM5153N), South Amboy, eligible list, and to admit them to the promotional examination for Police Lieutenant (PM1263T), South Amboy.

ACTION:

B-7 MICHAEL MOELLER – CSC DOCKET NO. 2016-983

The Borough of Butler requests that the PM5012N eligible list be revived and Michael Moeller receive a retroactive date of appointment as a Police Lieutenant

ACTION:

B-8 RYAN RASBERRY – CSC DOCKET NO. 2016-1211

The Newark School District requests that Ryan Rasberry receive a retroactive date of appointment as a Truck Driver.

ACTION:

B-9 DEPUTY MUNICIPAL COURT ADMINISTRATOR (M0139R), ATLANTIC CITY – CSC DOCKET NO. 2015-934

The appointing authority requests permission not to make an appointment from the certification for Deputy Municipal Court Administrator (M0139R), Atlantic City.

ACTION:

B-10 MUNICIPAL COURT ADMINISTRATOR (M0583S), MIDDLETOWN TOWNSHIP – CSC DOCKET NO. 2015-3058

Middletown Township requests permission not to make an appointment from the February 20, 2015 certification for Municipal Court Administrator (M0583S).

ACTION:

B-11 PRINCIPAL ACCOUNT CLERK (M0349S), MIDDLE TOWNSHIP SCHOOL DISTRICT – CSC DOCKET NO. 2015-2626

Middle Township School District requests permission not to make an appointment from the October 16, 2014 certification for Principal Account Clerk (M0349S).

ACTION:

B-12 KAREN BARGE – CSC DOCKET NO. 2015-2355

Karen Barge appeals the determination of the Division of Classification and Personnel Management (CPM) that her position is properly classified as a Technical Assistant 3 Community Affairs with the Department of Community Affairs. The appellant seeks a Technical Assistant 2 Community Affairs job classification.

ACTION:**B-13 KEVIN BRENNAN – CSC DOCKET NO. 2016-420**

Kevin Brennan appeals the decision of the Division of Agency Services that the proper classification of his position with Union County is Senior Gardener. The appellant seeks a Supervisor, Landscape job classification.

ACTION:**B-14 HUGH CARBERRY – CSC DOCKET NO. 2016-603**

Hugh Carberry appeals the decision of the Division of Agency Services that the proper classification of his position with the Department of Environmental Protection is Principal Biologist, Fisheries. The appellant seeks a Supervising Biologist, Fisheries job classification.

ACTION:**B-15 ALAN HANDLER, ET AL., - CSC DOCKET NO. 2015-1852**

Alan Handler, Thomas Malar, David Menist, Minesh Patel and Christopher Pfeffer appeal the determinations of the Division of Agency Services that their positions with the Department of Labor and Workforce Development are properly classified as Auditor 2. The appellants seek Auditor 1 job classifications.

ACTION:**B-16 PANKAJ SHAH - CSC DOCKET NO. 2015-1854**

Pankaj Shah appeals the determination of the Division of Agency Services that his position with the Department of Labor and Workforce Development is properly classified as Auditor 1. The appellant seeks a Supervising Auditor job classification.

ACTION:

B-17 TOMIKA ROWELL – CSC DOCKET NO. 2015-2217

Tomika Rowell appeals the decision of the Division of Agency Services, which found that her position with the Department of Health is properly classified as Technical Assistant 2, Purchasing. The appellant seeks an Assistant Buyer job classification.

ACTION:

B-18 STAVROS PAPA FILIPAKIS – CSC DOCKET NO. 2015-3146

Stavros Papafilipakis appeals the decision of the Division of Agency Services that the proper classification of his position with the Department of the Treasury is Technical Assistant 2, Treasury. The appellant seeks a Taxpayer Service Representative 3 job classification.

ACTION:

B-19 CARLOS PEREZ – CSC DOCKET NO. 2016-605

Carols Perez appeals the decision of the Division of Classification and Personnel Management, which found that his position with Vineland School District is properly classified as a Clerk Driver. The appellant seeks a Senior Clerk Driver job classification.

ACTION:

B-20 JAMES STEIN – CSC DOCKET NO. 2016-1478

James Stein appeals the decision of the Division of Agency Services that the proper classification of his position with the Department of the Treasury is Auditor 1, Taxation. The appellant seeks a Supervising Auditor, Taxation job classification.

ACTION:

B-21 JALEILA WILSON – CSC DOCKET NO. 2015-2484

Jaleila Wilson appeals the determination of the Division of Agency Services that her position is properly classified as an Auditor 3. The appellant seeks an Auditor 2 or Investigator 1, Law and Public Safety job classification.

ACTION:

B-22 JAMES BURGER – CSC DOCKET NO. 2016-436

James Burger appeals the determination of the Division of Agency Services that he was below the minimum requirements in experience for the promotional examination for Sewer Repairer 2 (PM0870T), Wildwood.

ACTION:

B-23 MARC DIGIROLAMO – CSC DOCKET NO. 2016-871

Marc Digirolamo appeals the determination of the Division of Agency Services that he did not meet the experience requirement for the promotional examination for Agency Services Representative 4 (PS6847H), Department of Health.

ACTION:

B-24 RICHARD MALIA – CSC DOCKET NO. 2016-286

Richard Malia appeals the determination of the Division of Agency Services that he was below the minimum requirements in experience for the promotional examination for Coordinator of Maintenance Services (PM0156T), Bayonne.

ACTION:

B-25 MICHAEL PETRONACI – CSC DOCKET NO. 2016-1268

Michael Petronaci, represented by Brian Aloia, Esq., appeals the denial of his admittance, by the Division of Agency Services, to the promotional examination for Police Lieutenant (PM1213T) Bloomfield.

ACTION:

B-26 JOSEPH POLIZZI – CSC DOCKET NO. 2016-165

Joseph Polizzi appeals the determination of the Division of Agency Services that he was not eligible for the promotional examination for Construction and Maintenance Technician 2 (PS0590T), Department of Transportation since he was not employed in the announced unit scope.

ACTION:

B-27 MARILYN SANCHEZ – CSC DOCKET NO. 2016-568

Marilyn Sanchez appeals the determination of the Division of Agency Services that she was below the minimum requirements in experience for the promotional examination for Personnel Aide 2 (PS0335P), Department of Law and Public Safety, Division of State Police.

ACTION:

B-28 DEBRA SWOPE – CSC DOCKET NO. 2016-421

Debra Swope appeals the determination of the Division of Agency Services that she did not meet the experience requirements for the open competitive examination for Investigator, County Welfare Agency (C0183T), Essex County.

ACTION:

B-29 ISAAC TONEY, JR. – CSC DOCKET NO. 2016-146

Isaac Toney, Jr. appeals the determination of the Division of Agency Services that he was below the minimum requirements in experience for the promotional examination for Training Technician (PC0286T), Mercer County.

ACTION:

B-30 ANISSA TORRES – CSC DOCKET NO. 2016-592

Anissa Torres appeals the determination of the Division of Agency Services that she was below the minimum requirements in experience for the promotional examination for Administrative Assistant 3 (PS0084R), Board of Public Utilities.

ACTION:

B-31 ROCHELLE MANUEL – CSC DOCKET NO. 2015-2514

Rochelle Manuel requests permission to submit a late application for the promotional examination for Human Services Specialist 2 (PC0311T), Union County.

ACTION:

B-32 JENNIFER ROTSIDES – CSC DOCKET NO. 2016-719

The Department of Law and Public Safety requests that the provisions of *N.J.A.C.* 4A:4-1.1(c) be relaxed in order to allow Jennifer Rotsides to be provisionally appointed, pending promotional examination procedures, to the competitive title of Principal Clerk Typist.

ACTION:

B-33 LEONARDO BISCAIA – CSC DOCKET NO. 2016-952

Leonardo Biscaia appeals the administration of the BICAT portion of the open competitive examination for Investigator, Bilingual in Spanish and English, (S0381S), Statewide.

ACTION:

B-34 LARRY CARTER – CSC DOCKET NO. 2016-865

Larry Carter appeals his score on the examination for Deputy Fire Chief (PM1696S), East Orange.

ACTION:

B-35 RENE ROA, JR. – 2016-904

Rene Roa, Jr. appeals his oral score on the promotional examination for Deputy Police Chief (PM0300T), Weehawken.

ACTION:

B-36 BRIAN VALYO, ET AL. – CSC DOCKET NO. 2015-3371

Brian Valyo (PC1551S), Mercer County; Daniel Dowd, Richard Gable, Patrick Geary, Richard Nikodem, Christopher Petrone, Joseph Rice and Joseph Rubino, (PC1552S), Ocean County and Christopher Baker, Robert Scott and Richard Soltis, (PC1553S), Passaic County; appeal the promotional examination for County Correction Sergeant (various jurisdictions).

ACTION:

B-37 JAMES WHITE – CSC DOCKET NO. 2016-844

James White appeals his oral score on the promotional examination for Deputy Police Chief (PM0300T), Weehawken.

ACTION:

B-38 L.H. – CSC DOCKET NO. 2015-2715

L.H., a Taxpayer Service Representative 2 with the Department of the Treasury, appeals the determination of the Office of Equal Employment Opportunity/Affirmative Action and Diversity Programs, which found sufficient evidence that the appellant had violated the New Jersey State Policy Prohibiting Discrimination in the Workplace.

ACTION:

B-39 T.M. – CSC DOCKET NO. 2015-2726

T.M., a Taxpayer Service Representative 1 with the Department of the Treasury, appeals the determination of the Office of Equal Employment Opportunity/Affirmative Action and Diversity Programs, which found sufficient evidence that the appellant had violated the New Jersey State Policy Prohibiting Discrimination in the Workplace.

ACTION:

B-40 ROBERT BROWN, SR. – CSC DOCKET NO. 2016-753

Robert Brown, Sr., petitions the Civil Service Commission for reconsideration of the decision rendered on February 4, 2015, which denied his appeal regarding his ineligibility for the open competitive examination for Veterans Service Officer 2 (S0598S), Statewide.

ACTION:

B-41 JOHANNA RIOS – CSC DOCKET NO. 2016-171

Johanna Rios, represented by Colin M. Lynch, Esq., requests reconsideration of the decision rendered on June 3, 2015, which found that her layoff rights were properly determined.

ACTION:

B-42 GAMALIEL CRUZ – CSC DOCKET NO. 2016-1020

The Superior Court of New Jersey, Law Division, Civil Part, Cumberland County, has reinstated the appeal of Gamaliel Cruz, a Police Office with the City of Vineland, regarding his removal effective May 22, 2012.

ACTION:**B-43 RICHARD HOLLAND – CSC DOCKET NO. 2009-536**

Richard Holland, a Grounds Worker with Rowan University, requests that the Civil Service Commission reinstate his appeal of his release at the end of the working test period, which was dismissed based on his failure to appear for a telephone conference.

ACTION:**B-44 J.K. – CSC DOCKET NO. 2015-3298**

J.K., an Employee Relations Coordinator with the Division of Family Development, Department of Human Services, appeals his three-day suspension.

ACTION:**B-45 MILDRED DAVIS – CSC DOCKET NO. 2015-3077**

Mildred Davis, a Principal Examiner, Unemployment Tax, with the Department of Labor and Workforce Development (DOL), appeals the adjustment of her leave allowances due to an unpaid leave of absence.

ACTION:**B-46 TINISHIA WILLIAMS – CSC DOCKET NO. 2015-1836**

Tinishia Williams, a Practical Nurse at Ancora Psychiatric Hospital, Department of Human Services (DHS), appeals the adjustment of her leave allowances due to her intermittent unpaid leave usage.

ACTION:

B-47 INFORMATION TECHNOLOGY BUREAU TITLES, DIVISION OF STATE POLICE – CSC DOCKET NO. 2016-917, *ET AL.*

The Director, Division of Agency Services, requests the reallocation of certain titles within the Information Technology Bureau, Division of State Police, to the noncompetitive division of the career service on an interim basis.

ACTION:**B-48 CIVIL SERVICE COMMISSION MINUTES**

Submitted for adoption are the Civil Service Commission minutes of its meeting of September 16, 2015.

ACTION:**B-49 RAUL MIER – CSC DOCKET NO. 2015-2796**

Raul Mier, a Fire Fighter with North Hudson Regional Fire and Rescue, represented by Clayton Giles, Esq., requests a hearing on his suspension.

ACTION:**B-50 DWAYNE CURETON – CSC DOCKET NO. 2016-1003**

The Township of Hillside requests that Dwayne Cureton be provided with a retroactive permanent appointment to the title of Police Lieutenant.

ACTION:**B-51 SOFTWARE DEVELOPMENT SPECIALIST 1, OIT, *ET AL.*
CSC DOCKET NO. 2016-938**

The Communications Workers of America (CWA), represented by Annmarie Pinarski, Esq., petitions the Civil Service Commission (Commission) for a stay of the Commission's decision rendered on July 29, 2015 assigning the Software Development Specialist 1, OIT, Software Development Specialist 2, OIT, Network Administrator 1, OIT, and Network Administrator 2, OIT titles to job bands.

ACTION:

B-52 DANIEL FARNKOPF – CSC DOCKET NO. 2016-745

Daniel Farnkopf requests a retest of the promotional examination for State Park Police Trainee (PS0426G) Department of Environmental Protection.

ACTION:

B-53 JEFF JACOBS – CSC DOCKET NO. 2016-1278

The Division of Agency Services, on behalf of Woodbridge Township, requests a retroactive regular appointment to the title of Heavy Equipment Operator, effective February 1, 2013, for Jeff Jacobs, who is serving provisionally in the title.

ACTION: