



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
JULY 13, 2017**

**Robert M. Czech, Chairperson
Dolores Gorczyca
Daniel W. O'Mullan**

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

Vincent Carleo, Fire Fighter, City of Atlantic City, Department of Public Safety, Suspension.

Jennifer Torres, Clerk 1, Camden County, Police Department, Suspension.

ACTION:

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

Claudio Camacho
Mercer County
Transportation and Infrastructure
Removal

Hubert Davis
Essex County
Department of Health and Rehabilitation
Removal

Denise Deleon
Middlesex County
Board of Social Services
Removal

John Howard
Cumberland County
Department of Corrections
Removal

Enrique Marrero
North Bergen Township
Department of Public Safety
Suspension

Fadette McDaniels
New Jersey Veterans Memorial Home - Menlo Park
Department of Military and Veterans Affairs
Suspension

Yesenia Pucheta
Passaic County
Passaic County Sheriff's Department
Removal

Richard Sanders (consolidated)
Northern State Prison
Department of Corrections
Suspension and Removal

Caroline Tucker
Vineland Developmental Center
Department of Human Services
Removal and Resignation

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

ACTION:

A-2 MATTHEW CALIO

Matthew Calio, County Correction Officer, Camden County Department of Corrections, 30 calendar day suspension on charges of insubordination, conduct unbecoming a public employee, neglect of duty, and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the 30 calendar day suspension.

ACTION:

A-3 MATTHEW CALIO

Matthew Calio, County Correction Officer, Camden County Department of Corrections, 150 calendar day suspension on charges of incompetency, inefficiency or failure to perform duties, insubordination, conduct unbecoming a public employee, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the 150 calendar day suspension to a 180 calendar day suspension.

ACTION:

A-4 FELIX COLON

Felix Colon, Laborer 1, City of Passaic, Department of Public Works, 90 working day suspension on charges of incompetency, inefficiency or failure to perform duties, inability 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 – Modify the 90 working day suspension to a 15 working day suspension.

ACTION:

A-5 JULISSA DEL GAUDIO

Julissa Del Gaudio, Human Services Aide, Bergen County, Board of Social Services, release at the end of the working test period, effective June 3, 2016.

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

ACTION:

A-6 R. BERNARD GARNER

R. Bernard Garner, Technician Trainee, Motor Vehicle Commission, release at the end of the working test period, effective March 24, 2013.

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

ACTION:

A-7 ROLAND HARRIS

Roland Harris, Laborer 1, City of Paterson, Department of Public Works, removal effective July 28, 2015, on charges of conduct unbecoming a public employee, neglect of duty, misuse of public property, including motor vehicles, and other sufficient cause.

Recommendation of the Administrative Law Judge – Dismiss with prejudice.

ACTION:

A-8 REBECCA RECINE

Rebecca Recine, Public Safety Telecommunicator, Hamilton Township, Department of Public Safety, removal effective December 15, 2015, on charges of inability to perform duties, conduct unbecoming a public employee, and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the removal.

ACTION:

A-9 FELIX RIVERA

Felix Rivera, Police Officer, City of Millville, Police Department, removal effective May 28, 2016, on charges of incompetency, inefficiency, 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:

A-10 CHRISTOPHER SPIVEY

Christopher Spivey, Heating and Air Conditioning Mechanic, Newark School District, 15 working day suspension, on charges of conduct unbecoming a public employee, neglect of duty, and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the 15 working day suspension.

ACTION:

A-11 BRANDY VALASA

Brandy Valasa, County Correction Officer, Monmouth County, Department of Corrections and Youth Services, 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:

A-12 ABDUL-RAHEEM YASIN

Abdul-Raheem Yasin, Laborer 1, City of Newark, Department of Water and Sewer, removal effective September 1, 2016, on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

SECTION B – MISCELLANEOUS MATTERS**B-1 JOSE RIVERA – CSC DOCKET NO. 2017-2170**

Jose Rivera appeals the appointing authority's request to remove his name from the eligible list for Police Officer (S9999R), Lakewood, on the basis of falsification of his employment application.

ACTION:

B-2 DAVID THUMMEL – CSC DOCKET NO. 2017-3083

David Thummel appeals the decision of the Division of Agency Services which found that his position with the Department of the Treasury is properly classified as Auditor 1, Taxation. The appellant seeks a Supervising Auditor, Taxation job classification.

ACTION:

B-3 ANTHONY CATTANI AND JEFFREY FIFIELD - CSC DOCKET NOS. 2017-2875 AND 2017-2835

Anthony Cattani and Jeffrey Fifield appeal the determinations of the Division of Agency Services that they did not meet the education and experience requirements for the promotional examination for Network Administrator 1 (PS2088K), Department of Human Services

ACTION:

B-4 RYAN BALOG – CSC DOCKET NO. 2017-1288

Ryan Balog appeals the determination of the Division of Agency Services, which found that he did not meet the experience requirement for the promotional examination for Assistant Engineer in Charge of Maintenance 1 (PS2764I), Edna Mahan Correctional Facility.

ACTION:

B-5 YOLANDA MIRANDA – CSC DOCKET NO. 2017-1497

Yolanda Miranda appeals the determination of the Division of Agency Services, which found that she did not meet the experience requirement for the open competitive examination for Assistant Program Analyst (M0378U), Jersey City.

ACTION:**B-6 KIMBERLY JONES – CSC DOCKET NO. 2017-1301**

Kimberly Jones appeals the bypass of her name on the Assistant Supervisor of Recreation (PS1125K), Woodbine Developmental Center, eligible list.

ACTION:**B-7 INVESTIGATOR, SECURED FACILITIES (PC1032T), ESSEX COUNTY CSC DOCKET NO. 2017-3469**

The appointing authority's failure to dispose of the certification for Investigator, Secured Facilities (PC1032T), Essex County, while provisionals are serving in the title, has been referred to the Civil Service Commission for enforcement.

ACTION:**B-8 G.D. – CSC DOCKET NO. 2017-4016**

The Office of Information Technology, on behalf of G.D., requests the relaxation of the provisions of N.J.A.C. 4A:6-1.22, so as to permit G.D. to receive more than the 260 donated leave days allowed to a recipient.

ACTION:**B-9 RONALD OSADACZ – CSC DOCKET NO. 2017-3918**

The Township of Aberdeen, on behalf of Ronald Osadacz, requests that he be permitted to participate in the intergovernmental transfer program and to complete his working test period as a Police Officer with Aberdeen.

ACTION:

B-10 JOSEPH GROSSI, JR. – CSC DOCKET NO. 2017-3518

Joseph Grossi, Jr., petitions the Civil Service Commission for reconsideration of the decision rendered on March 9, 2017, which found that his scores are correct on the promotional examination for Battalion Fire Chief (PM1496T), Hoboken.

ACTION:**B-11 ROSEMARY MONGE – CSC DOCKET NO. 2017-3244**

The City of Clifton, represented by Sean Joyce, Esq., requests reconsideration of the decision rendered on March 22, 2017, which upheld the determination of the Division of Agency Services that Rosemary Monge's position is properly classified as Clerk 2.

ACTION:**B-12 CHRISTOPHER TIGHE - CSC DOCKET NOS. 2017-1447 AND 2017-2557**

The Mercer County Sheriff's Department, represented by Stephen E. Trimboli, Esq., requests reconsideration of the initial decision of the Administrative Law Judge which was deemed adopted as a final decision on August 19, 2016, modifying the removal of Christopher Tighe, a Sheriff's Officer Sergeant with the Mercer County Sheriff's Department, to a six-month suspension. Tighe, represented by Bryan H. Mintz, Esq., seeks resolution of a dispute concerning back pay.

ACTION:**B-13 CLAUDIO TUNDO – CSC DOCKET NO. 2014-3227**

The Superior Court of New Jersey, Appellate Division, has remanded the July 11, 2012 final decision of the Civil Service Commission to reconsider the appeal of Claudio Tundo.

ACTION:**B-14 CIVIL SERVICE COMMISSION MINUTES**

Submitted for adoption are the Civil Service Commission minutes of its meeting of June 21, 2017.

ACTION:

B-15 DONNA GONZALEZ – CSC DOCKET NO. 2017-2840

Donna Gonzalez appeals the removal of her name from the eligible list for Police Sergeant (PM0167S), Marlboro Township on the basis that she failed to respond to the certification notice.

ACTION:

B-16 DEANNA MILLER – CSC DOCKET NO. 2017-1476

Deanna Miller appeals the determination of the Division of Agency Services, which found that she did not meet the experience requirement for the open competitive examination for Assistant District Recycling Coordinator (C0483U), Middlesex County.

ACTION:

B-17 CHARLES MARTINA, JR. – CSC DOCKET NO. 2017-2098

Charles Martina, Jr., represented by Wolodymyr Tyshchenko, Esq., appeals the bypass of his name on the Police Sergeant (PM5146N), Plainfield eligible list.

ACTION:

B-18 TOMASZ PETRYKIEWICZ – CSC DOCKET NO. 2017-2494

Tomasz Petrykiewicz requests a retroactive date of permanent appointment to the title of Auditor 2, Taxation.

ACTION:

B-19 CHANGE IN CLASSIFICATION PLAN – TITLE CONSOLIDATION

The Division of Agency Services requests consolidation of the unclassified titles of Municipal Magistrate and Judge of the Municipal Court. The incumbents in the Municipal Magistrate title will be cross-walked to the title of Judge of the Municipal Court, and upon completion of the consolidation process, the Municipal Magistrate title will be inactivated.



MEMORANDUM

DATE: June 21, 2017

TO: The Civil Service Commission

FROM: Kelly Glenn, Director *(Signature)*
Division of Agency Services

SUBJECT: Change in the Local Classification Plan

LOCAL TITLE CONSOLIDATION

The Division of Agency Services requests title consolidation involving two substantially similar unclassified judge titles: Municipal Magistrate (02532) and Judge of the Municipal Court (02219).

Research indicates 'magistrate' is a term in the New Jersey court system that is now obsolete due to the repeal of substantive sections of N.J.S.A. 2A. Incumbents serve as judges that rule on a variety of municipal court matters, mirroring the core duties and responsibilities of a municipal court judge.

The N.J. Judiciary's Administrative Office of the Court (AOC), Municipal Division, has confirmed our research is accurate and supports our decision to consolidate Municipal Magistrate into Judge of the Municipal Court.

Incumbents involved in this transaction will be cross-walked to the title Judge of the Municipal Court via a mass CAMPS transaction. Upon completion of the consolidation process, the title of Municipal Magistrate will be inactivated.

All impacted Local Appointing Authorities were given the opportunity to review this proposal and all articulated issues have been reviewed and addressed.

TITLE CONSOLIDATION & MOVEMENT OF INCUMBENTS:

Effective: Changes will be effective the first Monday following the Commission's approval.

FROM:	TO:
Municipal Magistrate 02532 Unclassified (U) Local	Judge of the Municipal Court 02219 Unclassified (U) Local
	⇒

KG/SF/GB/MP

ACTION:

B-20 SETH WAINER – CSC DOCKET NO. 2017-1612

Seth Wainer appeals the determination of the Division of Agency Services, which found that he did not meet the experience requirement for the open competitive examination for Business Manager (M0132U), City of Newark.

ACTION:**B-21 ROBERT BROWN – CSC DOCKET NO. 2017-2287**

Robert Brown, represented by Lauren Sandy, Esq., appeals the bypass of his name on the Police Sergeant (PM0622N), City of Salem eligible list.

ACTION:**B-22 ANTONIO CRUZ – CSC DOCKET NO. 2017-1988**

The appeal of Antonio Cruz, a Fire Fighter with the City of Newark, of his removal, effective June 25, 2016, on charges, was heard by the Administrative Law Judge Jude-Anthony Tiscornia (ALJ), who rendered his initial decision on May 4, 2017. At its meeting on June 21, 2017, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to reverse the removal. Rather, the Commission upheld the removal. The proposed final decision is now submitted for the Commission's review.

ACTION:**B-23 VARIOUS LISTS, ESSEX COUNTY – CSC DOCKET NOS. 2017-3475, ET AL.**

The Division of Agency Services (DAS) requests that Essex County (Essex) be ordered to return the following certifications for proper disposition: Supervising Accountant (OL140953), issued July 15, 2014; Coordinator Monitoring and Evaluation (OL141372), issued October 21, 2014; Social Service Technician (OL150796), issued June 29, 2015; Technician, MIS (OL151159), issued September 22, 2015. Additionally, DAS referred to the Civil Service Commission for enforcement Essex County's failure to dispose of the certifications for Research Assistant (OL151432), issued, November 19, 2015, and Boiler Operator/Maintenance Repairer (OL161214), issued February 16, 2016 while provisionals are serving in the title.

ACTION:

B-24 GILBERTO REYES – CSC DOCKET NO. 2017-521

Hudson County, represented by Daniel Sexton, Esq., appeals the decision rendered on December 16, 2015, granting Gilberto Reyes back pay.

ACTION:

B-25 STEVEN GARZIO – CSC DOCKET NO. 2017-2547

Steven Garzio, represented by Daniel S. Sweetser, Esq., requests reconsideration of the decision rendered on December 7, 2016, which found that he did not meet the requirements for placement on the Statewide Law Enforcement Eligible List (Rice Bill).

ACTION: