



STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION

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

Deirdré L. Webster Cobb
Chairperson

**AGENDA OF REGULAR MEETING OF
THE CIVIL SERVICE COMMISSION
JULY 31, 2019**

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

CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of July 9, 2019.

ACTION:

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

Teresa Carmichael, Building Maintenance Worker, City of Trenton, Department of Public Works, removal.

Robert Colson, Management Information Systems Specialist, City of Trenton, Police Department, removal.

Nicole Dean, Social Worker, Mercer County Board of Social Services, release at the end of the working test period.

Eric Fields, Police Officer, City of Newark, Police Department, removal.

Jason Galiazzi, Police Officer, Willingboro Township, Department of Public Safety, suspension.

Miguel Pena, Jr., Police Officer, City of Newark, Department of Public Safety, suspension.

James Warnet, Police Officer, Borough of Bergenfield, Police Department, release at the end of the working test period.

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:

Ted Ambrose, County Correction Officer, Camden County, Department of Corrections, release at the end of the working test period.

Lourdes Miranda, Administrative Supervisor, Income Maintenance, Hudson County, Department of Family Services, suspension.

Kelly Weiss, Highway Operations Technician 1, Department of Transportation, suspension.

ACTION:

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

Chanel Davis
Jersey City
Department of Administration
Removal

Daniel Flannigan
Highlands Borough
Police Department
Release at the end of the working test period

Carl Heger
Millville
Department of Public Safety
Return to previously held title at the end of the working test period

Tiffany Knights
Ancora Psychiatric Hospital
Department of Health
Removal

Robert Rouse
Newark School District
Suspension

Daniel Russo
Midland Park
Police Department
Suspension

Stephen Tripptree
Bergen County
Department of Public Safety
Demotion

Stephanie Wallace-Smith
Passaic County
Preakness Healthcare Center
Removal and resignation not in good standing

Thomas Wengerter
Linden
Fire Department
Bypass

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

ACTION:

A-2 JASMIA BUTLER

Jasmia Butler, Parking Enforcement Officer, Jersey City, Department of Public Safety, release at the end of the working test period effective December 18, 2018.

Recommendation of the Administrative Law Judge – Dismiss the appeal for failure to appear.

A-3 MAURICE JACKSON

Maurice Jackson, County Correction Officer, Mercer County Corrections Center, 50 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 50 working day suspension.

ACTION:

A-4 D.M. (Consolidated)

D.M., Senior Medical Security Officer, Ann Klein Forensic Center, Department of Health, removal effective March 5, 2018, on charges of conduct unbecoming a public employee and physical or mental abuse of a patient.

Recommendation of the Administrative Law Judge – Reverse the removal.

ACTION:

A-5 CAROLYN MCKNIGHT

Carolyn McKnight, Principal Buyer, Newark, Department of Administration, removal effective July 22, 2016, on charges of incompetency, inefficiency or failure to perform duties, inability to perform duties, conduct unbecoming a public employee, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the removal to a four-month suspension.

ACTION:

A-6 MONICA PAYLOR

Monica Paylor, Accountant, Willingboro Township, General Government Department, removal effective May 31, 2018 on charges of conduct unbecoming a public employee, fraud, falsification of records and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

SECTION B – MISCELLANEOUS MATTERS

B-1 C.C.-J. – CSC DOCKET NO. 2018-2016

C.C.-J., represented by Robert L. Utsey, Jr., Esq., appeals her rejection as a Correctional Police Officer candidate by the Department of Corrections and its request to remove her name from the eligible list for Correctional Police Officer (S9988U) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:

B-2 C.G. – CSC DOCKET NO. 2019-310

C.G. appeals his rejection as a Correctional Police Officer candidate by the Department of Corrections and its request to remove his name from the eligible list for Correctional Police Officer (S9988V) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:

B-3 B.J.M. – CSC DOCKET NO. 2019-451

B.J.M., represented by Craig S. Gumpel, Esq., appeals his rejection as a Fire Fighter candidate by the City of Linden and its request to remove his name from the eligible list for Fire Fighter (M1548T) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:

B-4 T.W. – CSC DOCKET NO. 2019-453

T.W., represented by Robert K. Chewning, Esq., appeals his rejection as a Police Officer candidate by the Jersey City 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 positions.

ACTION:

B-5 ANTHONY AUTIERI – CSC DOCKET NOS. 2019-968 AND 2018-2812

Anthony Autieri, represented by Daniel J. Zirrith, Esq., appeals the removal of his name from the eligible lists for County Correction Officer (S9999U), Passaic County Sheriff and Police Officer (S9999U), Paterson on the basis that he falsified his preemployment applications.

ACTION:

B-6 INDIGO GLOVER – CSC DOCKET NO. 2019-3136

Indigo Glover appeals her removal from the eligible list for Correctional Police Officer (S9988U), Department of Corrections, on the basis of falsification of her employment application.

ACTION:

B-7 LORENZO GUANCI – CSC DOCKET NO. 2019-2453

Lorenzo Guanci appeals his removal from the eligible list for Correctional Police Officer (S9988U), Statewide, on the basis of falsification of his employment application.

ACTION:

B-8 WALEEK LIVINGSTON – CSC DOCKET NO. 2019-2241

Waleek Livingston appeals his removal from the eligible list for Fire Fighter (M1566T), Plainfield on the basis that he possessed an unsatisfactory criminal background.

ACTION:

B-9 ZEBEDEE MILLER – CSC DOCKET NO. 2019-2747

Zebedee Miller appeals his removal from the eligible list for Correctional Police Officer (S9988U), Department of Corrections on the basis that he possessed an unsatisfactory criminal background.

ACTION:

B-10 ADMINISTRATIVE CLERK (M0703U), JERSEY CITY – CSC DOCKET NO. 2019-1895

Jersey City requests permission not to make an appointment from the May 1, 2017 certification (OL170551) for Administrative Clerk (M0703U).

ACTION:

B-11 CITY OF TRENTON, FIVE VARIOUS LISTS – CSC DOCKET NOS. 2019-3463, *ET AL.*

The City of Trenton's failure to dispose of the certifications for Assistant Supervisor of Customer Service (PM1506W); Clinic Attendant (M0489U); Principal Accountant (PM2248W); Public Health Nurse (PM0295U); and Senior Data Control Clerk (PM2409W), while provisionals are serving in the titles, have been referred to the Civil Service Commission for enforcement.

ACTION:

B-12 GREG ALVAREZ – CSC DOCKET NO. 2020-13

Greg Alvarez appeals the determination of the Division of Agency Services that his position with the Department of Health is properly classified as Grants Specialist. The appellant seeks an Administrative Analyst 4, Fiscal Management job classification.

ACTION:

B-13 VINCENT CALIGUIRE – CSC DOCKET NO. 2019-3148

Vincent Caliguire appeals the decision of the Division of Agency Services that the proper classification of his position with the Department of Environmental Protection is Administrative Analyst 2. The appellant seeks an Administrative Analyst 4 job classification.

ACTION:

B-14 PURCHASING ASSISTANT (C0732U), COUNTY OF ESSEX

The appointing authority's failure to dispose of the certification for Purchasing Assistant (C0732U), County of Essex, while a provisional is serving in the title, has been referred to the Civil Service Commission for enforcement.

ACTION:

B-15 MICHAEL KINSLEY – CSC DOCKET NO. 2019-1943

Michael Kinsley, represented by Carl N. Tripician, Esq., appeals the bypass of his name on the County Correction Lieutenant (PC2540T), Atlantic County eligible list.

ACTION:

B-16 EDWARD LUGO – CSC DOCKET NO. 2018-3528

Edward Lugo, represented by Stuart J. Alterman, Esq., appeals his non-appointment from the Police Sergeant (PM5095M), Hamilton Township eligible list.

ACTION:

B-17 HERBERT ACKERMAN, JR. – CSC DOCKET NO. 2019-3734

Herbert Ackerman, Jr., a permanent General Supervisor, Pubic Works in Montville Township appeals the determination of the Division of Agency Services, which found that he was below the minimum requirements in experience for a qualifying examination for Public Works Inspector.

ACTION:

B-18 KATHERINE KEATING – CSC DOCKET NO. 2019-3198

Katherine Keating appeals the determination of the Division of Agency Services which found that she did not meet the experience requirements for the promotional examination for Assistant Zoning Officer (PM2487W), Middletown Township.

ACTION:

B-19 MARIANNE LEADLEY – CSC DOCKET NO. 2019-1426

Marianne Leadley appeals the determination of the Division of Agency Services which found that she did not meet the requirements for the promotional examination for Program Specialist 3, Social/Human Services (PS6540H), Ancora Psychiatric Hospital, Division of Mental Health and Addiction Services, Department of Health.

ACTION:

B-20 JUSTIN MORALES – CSC DOCKET NO. 20019-2762

Justin Morales appeals the determination of the Division of Agency Services that he did not meet the experience requirements for the open competitive examination for Animal Control Officer (C0344W), Bergen County.

ACTION:

B-21 ANNEMARIE RICCO – CSC DOCKET NO. 2019-3250

Annemarie Ricco appeals the decision of the Division of Agency Services which found that she did not meet the experience requirements, per the substitution clause for education, for the promotional examination for Operations and Training Officer, Emergency Management (PC2597W), Cape May County.

ACTION:

B-22 PATRICK PHILLIPS – CSC DOCKET NO. 2019-2530

Patrick Phillips appeals the determination of the Division of Agency Services that he did not meet the experience requirements for the open competitive examination for Deputy Municipal Emergency Management Coordinator (M2256W), Maurice River.

ACTION:

B-23 JOHN SANTASPIRT – CSC DOCKET NO. 2019-2642

John Santaspirt appeals the determination of the Division of Agency Services that he did not meet the experience requirements for the open competitive examination for Training Officer (M0645W), Moorestown.

ACTION:

B-24 JOHN SUTERA – CSC DOCKET NO. 2019-3317

John Sutera appeals the determination of the Division of Agency Services that he did not meet the experience requirement for the promotional examination for General Supervisor of Roads (PM2813W), Fort Lee.

ACTION:

B-25 MARC WARTENBERG – CSC DOCKET NO. 2019-2583

Marc Wartenberg appeals the determination of the Division of Agency Services that he did not meet education requirements for the open competitive examination for Network Administrator 1 (M0414W), Lakewood.

ACTION:

B-26 SAMUEL NIEVES – CSC DOCKET NO. 2019-3433

Samuel Nieves appeals the administration of the oral portion of the examination for Battalion Fire Chief (PM2163W), Plainfield.

ACTION:

B-27 TANYA BERRY – CSC DOCKET NO. 2019-1991

Tanya Berry appeals her seniority score and rank on the promotional examination for Correctional Police Sergeant (PS6184I), Department of Corrections.

ACTION:

B-28 TWANDA WALKER-VALERY – CSC DOCKET NO. 2019-3403

Twanda Walker-Valery requests a retest for the Program Manager Health/Human Services (S0110W), Statewide, examination which was tested with the Management Test Battery.

ACTION:

B-29 ELLIS TAMASI – CSC DOCKET NO. 2020-106

Ellis Tamasi requests to file a late application for the open competitive examination for Parole Officer Recruit (S1000A), Statewide.

ACTION:

B-30 SHANAN FERREIRA, *ET AL.* – CSC DOCKET NOS. 2019-3346, *ET AL.*

The Brick Township School District requests retroactive permanent appointment dates for Shanana Ferreira, Jean Oates and Dorothy Abbott-Scott to the title of Teacher Aide.

ACTION:

B-31 KATHLEEN WALKER – CSC DOCKET NO. 2019-2599

Kathleen Walker, a Therapy Aide with Ancora Psychiatric Hospital, appeals her voluntary demotion from Principal Payroll Clerk to Therapy Aide, effective March 2, 2019.

ACTION:

B-32 LINDA BERGER – CSC DOCKET NO. 2019-2879

Linda Berger appeals the decision of the Division of Agency Services that the proper classification of her position with Willingboro Township is Purchasing Agent. The appellant seeks a Director of Purchasing job classification.

ACTION:

B-33 RICHARD DEFAZIO – CSC DOCKET NO. 2019-3246

Richard DeFazio appeals the determination of the Division of Agency Services, which found that he did not meet the experience requirements for the promotional examination for Correctional Police Major (PS8871I), Department of Corrections.

ACTION:

B-34 ALAN TUSING – CSC DOCKET NO. 2020-73

Alan Tusing appeals the determination of the Division of Agency Services that he did not meet the experience requirements for the open competitive examination for Equipment Operator (M0067A), Asbury Park.

ACTION:

B-35 PROPOSED AMENDMENTS TO *N.J.A.C.* 4A:7-3.1

Submitted for the Commission's approval is a Notice of Proposal for an amendment to *N.J.A.C.* 4A:7-3.1(j) regarding confidentiality during the investigative process.

ACTION:

B-36 DAETON COPELAND – CSC DOCKET NO. 2019-2067

Daeton Copeland appeals his removal from the eligible list for Correctional Police Officer (S9988V), Department of Corrections on the basis that he possessed an unsatisfactory employment record and he falsified his application.

ACTION:

B-37 SANDRA AVANZATO – CSC DOCKET NO. 2019-3278

Sandra Avanzato, a permanent Training Assistant with the Motor Vehicle Commission appeals the determination of the Division of Agency Services, which found that she was below the minimum requirements in experience for a qualifying examination for Technical Assistant Personnel.

ACTION:

B-38 TIHANI FULLARD – CSC DOCKET NO. 2019-1949

Tihani Fullard, a former Public Safety Telecommunicator with Camden County, represented by James Katz, Esq., appeal her resignation in good standing, effective January 4, 2019.

ACTION:

B-39 VITALY SMIRNOV – CSC DOCKET NO. 2019-3357

Vitaly Smirnov, a former Senior Investment Analyst with the Department of the Treasury, represented by John Kuhn Bleimaier, Esq., petitions the Civil Service Commission for a stay of his removal.

ACTION:

B-40 T.M. – CSC DOCKET NO. 2019-1956

T.M., an Education Program Development Specialist 3, appeals the decision of the Department of Education to reassign her from East Orange to Trenton. She also petitions for relief from the appointing authority's alleged reprisal.

ACTION:

B-41 ELZBIETA WOJTYLO AND LISA BRAXTON – CSC DOCKET NOS. 2019-3263 AND 2019-3249

Elzbieta Wojtylo appeals her disqualification from the promotional examination for Supervising Family Services Specialist 1 (PS4823K), Department of Children and Families, and Lisa Braxton appeals her disqualification from the promotional examination for Supervising Family Services Specialist 2 (PS4837K), Department of Children and Families.

ACTION:

B-42 IN THE MATTER OF DEPARTMENT OF COMMUNITY AFFAIRS, VARIOUS TITLES – CSC DOCKET NO. 2020-232

The Division of Agency Services, on behalf of the Department of Community Affairs, requests that various titles be placed in the non-competitive division of the career service on an interim basis in order to permanently appoint six individuals.

ACTION: