



STATE OF NEW JERSEY  
CIVIL SERVICE COMMISSION

Chris Christie  
*Governor*  
Kim Guadagno  
*Lt. Governor*

Robert M. Czech  
*Chair/Chief Executive Officer*

**MINUTES OF REGULAR MEETING OF  
THE CIVIL SERVICE COMMISSION  
SEPTEMBER 2, 2015**

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

September 2, 2015

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A regular meeting of the Civil Service Commission was held on Wednesday, September 2, 2015, in Trenton, New Jersey.

**PRESENT:** Robert M. Czech, Chairperson, Members Thomas J. Perna and Richard E. Williams; Todd Wigder, Deputy Attorney General; Henry Maurer, Director, Division of Appeals and Regulatory Affairs.

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 December 11, 2014, and posted at the Civil Service Commission, 3 Station Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

**WITHDRAWAL OF APPEALS**

**The following appeals were withdrawn and removed from the hearing calendar:**

Josue Hernandez, Building Maintenance Worker, Hudson County, Department of Roads and Public Property, suspension.

Thomas Baulch, Building Maintenance Worker, Hudson County, Department of Roads and Public Property, suspension.

Benedicta Sasah, Human Services Assistant, Woodbridge Developmental Center, Department of Human Services, layoff.

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

**SECTION A – HEARING MATTERS**

**A-1 SETTLEMENTS**

Kim Hemmingway  
Union County  
Department of the County Clerk  
Suspension

Michelle Kinsey  
Middlesex County  
Department of Adult Corrections  
Removal

Anthony Sanchez  
Monmouth County  
Department of Corrections and Youth Services  
Suspension

**VOTE:**     **Robert M. Czech**            **(Abstained)**  
              **Thomas J. Perna**            **(Yes)**  
              **Richard E. Williams**       **(Yes)**

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

**ACTION:** The Civil Service Commission acknowledged the settlements.

**A-2 NICOLE BALDWIN (consolidated)**

Nicole Baldwin, County Correction Officer, Mercer County, Department of Public Safety, 12 working day suspension and fine equal to one working day and seven working day suspension and fine equal to one-half working day on charges of excessive absenteeism or lateness, conduct unbecoming a public employee, and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the 12 working day and seven working day suspensions and fines equal to one and one-half working days.

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

**A-3 CINDY NORCROSS**

Cindy Norcross, Public Safety Telecommunicator, Township of Winslow, Department of Public Safety, good faith layoff.

Recommendation of the Administrative Law Judge – Grant motion for summary decision and dismiss the appeal.

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

**A-4 MICHAEL PRIBRAMSKY**

Michael Pribramsky, Laborer, Grounds, Borough of Clementon, Department of Roads, removal effective July 17, 2014, on charges of failure to report to work during regularly scheduled work hours, failure to report absences in accordance with policy, and excessive absenteeism.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

**SECTION B – MISCELLANEOUS MATTERS**

**B-1 D.D. – CSC DOCKET NO. 2014-2323**

D.D. appeals her rejection as a Parole Officer Recruit candidate by the State Parole Board and its request to removal her name from the eligible list for Parole Officer Recruit (S0738M) 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-2 F.D. – CSC DOCKET NO. 2015-1615**

F.D. 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 (S9988R) 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-3 T.D. – CSC DOCKET NO. 2015-329**

T.D., represented by Daniel J. Zirrieth, Esq., appeals his rejection as a Police Officer candidate by the Berkeley Township 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:** The Civil Service Commission directed that this appeal be denied.

**B-4 J.M. – CSC DOCKET NO. 2015-844**

J.M. appeals his rejection as a Sheriff's Officer candidate by the Morris County Sheriff's Office and its request to removal his name from the eligible list for Sheriff's Officer (S9999M) 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-5 O.T. – CSC DOCKET NO. 2015-1245**

O.T. appeals his rejection as a County Correction Officer candidate by Union County and its request to remove his name from the eligible list for County Correction Officer (S9999R) 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-6 W.A. – CSC DOCKET NO. 2015-1383**

W.A. appeals the request by the Department of Corrections to remove his name from the Correction Officer Recruit (S9988R) eligible list for medical unfitness to perform effectively the duties of the position.

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

**B-7 Y.C.-M. – CSC DOCKET NO. 2015-2324**

Y. C.-M. appeals the request by the County of Hudson to remove her name from the County Correction Officer (C9977M) eligible list for medical unfitness to perform effectively the duties of the position.

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

**B-8 D.L.H. – CSC DOCKET NO. 2015-605**

D.L.H. appeals the request by the County of Essex to remove her name from the County Correction Officer (C9979M) eligible list for medical unfitness to perform effectively the duties of the position.

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

**B-9 MATTHEW JOHNSON – CSC DOCKET NO. 2016-764**

Matthew Johnson appeals the determination of the Division of Agency Services upholding the removal of his name from the eligible list for Police Officer (S9999R), Mount Laurel, on the basis of failure to respond to the Notice of Certification.

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

**B-10 DAYRON AARON, THOMAS FALKENBERG, JOHN HAMMOCK AND ALLEN SUGGS – CSC DOCKET NO. 2016-756**

The Township of Ewing requests that Dayron Aaron, Thomas Falkenberg, John Hammock and Allen Suggs be provided with retroactive appointment dates effective January 7, 2013; September 30, 2014; September 4, 2012; and January 22, 2013, respectively, from the special reemployment list for Laborer 1.

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

**B-11 CECILIA RODGERS – CSC DOCKET NO. 2016-781**

The Department of Law and Public Safety requests that the eligible list for Technical Support Specialist 1 (PS1412P), Department of Law and Public Safety be revived to allow for the retroactive permanent appointment of Cecilia Rodgers, effective March 22, 2014.

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

**B-12 CYNTHIA STUBBS – CSC DOCKET NO. 2016-780**

The Department of Law and Public Safety requests that the eligible list for Senior Clerk Typist (PS1738P), Department of Law and Public Safety be revived to allow for the retroactive permanent appointment of Cynthia Stubbs, effective May 17, 2014.

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

**B-13 ASSISTANT BUDGET OFFICER (M0408P), UNION CITY  
CSC DOCKET NO. 2015-2358**

Union City requests permission not to make an appointment from the November 13, 2012 certification for Assistant Budget Officer (M0408P), Union City.

**ACTION:** The Civil Service Commission granted the appointment waiver and assessed partial selection costs in the amount of \$1,024.

**B-14 DEPUTY MUNICIPAL COURT ADMINISTRATOR (M0228S),  
NEWARK – CSC DOCKET NO. 2015-2660**

Newark requests permission not to make an appointment from the July 7, 2014 certification for Deputy Municipal Court Administrator (M0228S), Newark.

**ACTION:** The Civil Service Commission granted the appointment waiver and assessed selection costs in the amount of \$2,048.

**B-15 TECHNICAL ASSISTANT, LAND USE (M0225S), NEWARK  
CSC DOCKET NO. 2015-1871**

Newark requests permission not to make an appointment from the August 27, 2014 certification for Technical Assistant, Land Use (M0225S), Newark.

**ACTION:** The Civil Service Commission granted the appointment waiver and assessed selection costs in the amount of \$2,048.

**B-16 ACCOUNTANT (M0076S), NEWARK – CSC DOCKET NO. 2016-416**

The appointing authority's failure to dispose of the certification for Accountant (M0076S), Newark, while a provisional is serving in the title, has been referred to the Civil Service Commission for enforcement.

**ACTION:** The Civil Service Commission ordered the appointing authority to remove the provisional appointee, make an appointment from the certification, and pay compliance costs.

**B-17 COMPTROLLER (PM0574S), NEWARK – CSC DOCKET NO. 2016-413**

The appointing authority's failure to dispose of the certification for Comptroller (PM0574S), Newark, while a provisional is serving in the title, has been referred to the Civil Service Commission for enforcement.

**ACTION:** The Civil Service Commission ordered the appointing authority to either remove the provisional appointee or permanently appoint him from the certification, and pay compliance costs.



**B-18 SUPERVISING LABORATORY TECHNICIAN, WATER ANALYSIS (M0189S), NEWARK – CSC DOCKET NO. 2016-415**

The appointing authority's failure to dispose of the certification for Supervising Laboratory Technician, Water Analysis (M0189S), Newark, while a provisional is serving in the title, has been referred to the Civil Service Commission for enforcement.

**ACTION:** The Civil Service Commission ordered the appointing authority to remove the provisional appointee, make an appointment from the certification, and pay compliance costs.

**B-19 KEVIN CLEMENTS – CSC DOCKET NO. 2016-801**

Deptford Township requests that Kevin Clements receive a retroactive permanent appointment date of August 11, 2014 to the title of Police Sergeant and that he be admitted to the promotional examination for Police Lieutenant (PM1219T), Deptford Township.

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

**B-20 VIERGINA DUDLEY – CSC DOCKET NO. 2015-2106**

Viergina Dudley appeals the decision of the Division of Classification and Personnel Management that the proper classification of her position with Essex County is Senior Counselor, Penal Institution. The appellant seeks a Director of Social Work Services job classification.

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

**B-21 PAUL TARLOWE – CSC DOCKET NO. 2015-2506**

Paul Tarlowe appeals the decision of the Division of Agency Services that the proper classification of his position with the Department of Environmental Protection is Senior Biologist, Education. The appellant seeks a Principal Biologist, Education or Principal Public Information Assistant job classification.

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

**B-22 KAREEN VILLANO – CSC DOCKET NO. 2015-3190**

Kareen Villano appeals the decision of the Division of Agency Services which found that she did not meet the experience requirements for the promotional examination for Supervisor of Inspections Health Facilities Evaluation and Licensing (PS9658H), Department of Health.

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

**B-23 J.B. – CSC DOCKET NO. 2015-1830**

J.B., a Data Entry Operator 2 with the Department of the Treasury, represented by Lourdes Lucas, Esq., appeals the decision of the appointing authority's Equal Employment Opportunity/Affirmative Action/Diversity Officer, which found that the appellant did not 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:** The Civil Service Commission directed that this appeal be denied.

**B-24 L.W.H. – CSC DOCKET NO. 2015-3194**

L.W.H., a Family Service Specialist 2 with the Department of Children and Families (DCF), appeals the determination of the Director of Administration, DCF, which found that the appellant failed to present sufficient evidence to support a finding that he had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

**B-25 G.N. – CSC DOCKET NO. 2015-1941**

G.N., a former Senior Examiner, Unemployment Tax with the Department of the Labor and Workforce Development, requests reconsideration of the final administrative decision, rendered on October 1, 2014, which denied his appeal of the determination of the Office of Diversity and Compliance, Department of Labor and Workforce Development, which determined that D.W. did not falsely allege that the appellant violated the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

**B-26 C.O. - CSC DOCKET NO. 2015-2458**

C.O. appeals the determination of the Director of Administration, Department of Children and Families, which found that the appellant failed to support a finding that she had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

**B-27 THOMAS BORR – CSC DOCKET NO. 2015-2670**

Thomas Borr, an Assistant District Parole Supervisor with the State Parole Board, requests a waiver of repayment of a salary overpayment pursuant to *N.J.S.A. 11A:3-7*.

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

**B-28 CIVIL SERVICE COMMISSION MINUTES**

Submitted for adoption are the Civil Service Commission minutes of its meeting of August 19, 2015.

**ACTION:** The Civil Service Commission adopted the minutes of its meeting on August 19, 2015.

**B-29 I.C. – CSC DOCKET NO. 2014-3238**

I.C., represented by Alfred V. Gellene, Esq., appeals his rejection as a Police Officer candidate by the City of Newark and its request to remove his name from the eligible list for Police Officer (S9999M), Newark 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-30 J.M. – CSC DOCKET NO. 2015-2371**

J.M., a Technician, MVC with the Motor Vehicle Commission (MVC), appeals the decision of the Chairman and Chief Administrator of the MVC, which found that the appellant did not 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:** The Civil Service Commission directed that this appeal be denied.

**B-31 C.B-P. – CSC DOCKET NO. 2015-2727**

C.B-P., an Administrative Analyst 2 (Data Processing) with the Department of Health, appeals the decision of the Chief of Staff, which substantiated that she violated the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

**B-32 GIOVANI COLON – CSC DOCKET NO. 2015-2827**

The appeal of Giovanni Colon, a Senior Correction Officer with the Edna Mahan Correctional Facility, Department of Corrections, of his removal effective April 6, 2015, on charges, was heard by Acting Director and Chief Administrative Law Judge Laura Sanders (ALJ), who rendered her initial decision on July 14, 2015. At its meeting on August 19, 2015, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to modify the removal to a 40 working day suspension. Rather, the Commission upheld the removal. The proposed final decision is now submitted for the Commission's review.

**ACTION:** The Civil Service Commission adopted the final decision.

**B-33 DAVID ANTHONY – CSC DOCKET NO. 2015-1886**

The appeal of David Anthony, a Management Specialist with the Hudson County Sheriff's Office, of his removal effective November 26, 2014, on charges, was heard by Administrative Law Judge Joann Lasala Candido (ALJ), who rendered her initial decision on July 9, 2015. At its meeting on August 19, 2015, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to modify the removal to a 90 working day suspension. Rather, the Commission imposed a 30 working day suspension. The proposed decision is now submitted for the Commission's review.

**ACTION:** The Civil Service Commission adopted the final decision.

**VOTE:**     **Robert M. Czech**             **(Abstained)**  
              **Thomas J. Perna**           **(Yes)**  
              **Richard E. Williams**       **(Yes)**

**B-34 CHRISTOPHER HIGGINS – CSC DOCKET NO. 2014-1790**

The appeal of Christopher Higgins, a Repairer with Vineland Developmental Center, Department of Human Services, of his removal effective January 10, 2014, on charges, was heard by Administrative Law Judge W. Todd Miller (ALJ), who rendered his initial decision on June 26, 2015. At its meeting on August 19, 2015, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to reverse the removal. Rather, the Commission upheld the appellant's removal. The proposed final decision is now submitted for the Commission's review.

**ACTION:** The Civil Service Commission adopted the final decision.

**B-35 ACCOUNTANT (M0970R), PLAINFIELD HOUSING AUTHORITY  
CSC DOCKET NO. 2015-2429**

The Plainfield Housing Authority requests permission not to make an appointment from the July 7, 2014 certification for Accountant (M0970R).

**ACTION:** The Civil Service Commission granted the appointment waiver and assessed selection costs in the amount of \$2,048.

**B-36 REALLOCATION OF INVESTMENT ANALYST TRAINEE FROM THE  
COMPETITIVE TO THE NON-COMPETITIVE DIVISION OF THE  
CAREER SERVICE – CSC DOCKET NO. 2016-915**

The Division of Agency Services (Agency Services) recommends reactivation and reallocation of the Investment Analyst Trainee title to the non-competitive division of the career service in accordance with *N.J.A.C. 4A:3-1.2*. Agency Services also requests that the title of Supervisor Data Entry Unit Pensions be inactivated.

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

**There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, September 16, 2015, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.**

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**Robert M. Czech**  
**Chairperson**  
**Civil Service Commission**