



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
MARCH 9, 2017**

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

March 9, 2017

A regular meeting of the Civil Service Commission was held on Thursday, March 9, 2017, in Trenton, New Jersey.

PRESENT: Robert M. Czech, Chairperson, Members Dolores Gorczyca and Daniel W. O'Mullan; Pamela Ullman, Deputy Attorney General; Christopher Myers, 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 November 28, 2016, 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The following appeals were withdrawn and removed from the hearing calendar:

Kevin Aure, Sheriff's Officer, Middlesex County, Sheriff's Department, suspension.

Gerard Boberick, Police Sergeant, Gloucester Township, Police Department, suspension.

Andrew Slota, Police Officer, Lacey Township, Police Department, suspension.

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

DISMISSAL FOR FAILURE TO APPEAR

The Civil Service Commission dismissed the following case without prejudice for failure to appear at the scheduled hearing before the Office of Administrative Law:

Shelly Boston, Cottage Training Technician, Hunterdon Developmental Center, Department of Human Services, removal.

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

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

Stephanie Baker
Woodbine Developmental Center
Department of Human Services
Removals (2)

Rahmaun Horton
Newark
Police Department
Suspension

Vivian Maynard
West New York
Department of Public Safety
Removal

Nicholas Mionie
Bayside State Prison
Department of Corrections
Suspension

Sean Padua
Jersey City
Public Schools
Removal

Bethzaida Vallejo
Newark
Police Department
Suspension

Stephanie Winner
Ancora Psychiatric Hospital
Department of Human Services
Removals (2)

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

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 JIANNA DIGGS

Jianna Diggs, Teacher Aide, Newark School District, removal effective May 26, 2015, on charges of conduct unbecoming a public employee, neglect of duty, inability to perform duties, and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-3 JOHNNY MENDEZ

Johnny Mendez, Senior Maintenance Repairer/Water Repairer, Newark, Department of Water and Sewer, resignation not in good standing effective July 5, 2016, on charges of job abandonment.

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

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

A-4 CHRISTOPHER MONAHAN

Christopher Monahan, Greenskeeper, Township of Scotch Plains, Department of Recreation, 10 working day suspension on charges of other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the 10 working day suspension.

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

A-5 ESTHER TYNDALL

Esther Tyndall, Clerk 1, City of East Orange, Department of Property Taxation, two 180 calendar day suspensions on charges of conduct unbecoming a public employee, insubordination, and neglect of duty.

Recommendation of the Administrative Law Judge – Modify the first 180 calendar day suspension to a 90 calendar day suspension and uphold the second 180 calendar day suspension.

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

A-6 MARION WILSON

Marion Wilson, County Correction Sergeant, Camden County, Department of Corrections, 60 calendar day suspensions on charges of incompetency, inefficiency, or failure to perform duties, conduct unbecoming a public employee, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the 60 calendar day suspension.

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

SECTION B – MISCELLANEOUS MATTERS**B-1 J.A., ET AL. – CSC DOCKET NO. 2015-2672, ET AL.**

J.A., J.R., and L.S. appeal the request of Camden County to remove their names from the County Police Officer (S9999R), Camden County, eligible list 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 in part.

B-2 M.P.P. – CSC DOCKET NO. 2015-1174

M.P.P., represented by Matthew T. Clark, Esq., appeals his rejection as a Police Officer candidate by the Bloomfield 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 granted.

B-3 A.S. – CSC DOCKET NO. 2016-2009

A.S. 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 (S9988T) 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 DAMIAN ALBANESE – CSC DOCKET NO. 2016-4396

Damian Albanese 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 (S9988T) on the basis of positive drug test.

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

B-5 ROBERT DAWKINS – CSC DOCKET NO. 2017-808

Robert Dawkins appeals the appointing authority's request to remove his name from the eligible list for Correction Officer Recruit (S9988T), Department of Corrections, on the basis of an unsatisfactory criminal record, an unsatisfactory background report and falsification of his employment application.

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

B-6 B.G. – CSC DOCKET NO. 2016-2513

B.G., appeals the determination of the Division of Agency Services which upheld the removal of her name from the eligible list for County Correction Officer (C9979M), Essex County, on the basis of an unsatisfactory background report.

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

B-7 KEITH HERNANDEZ – CSC DOCKET NO 2017-413

Keith Hernandez, represented by Michael L. Prigoff, Esq., appeals the decision of the Division of Agency Services, which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the Police Officer (S9999M), Jersey City eligible list on the basis of an unsatisfactory criminal record.

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

B-8 CINDY LIEBMAN – CSC DOCKET NOS. 2016-3446 AND 2016-3448

Cindy Liebman appeals the removal of her name on the Program Specialist 4, Social/Human Services (PS2928K) and Program Specialist 4 (PS2860K), Division of Family Services eligible lists, based on an adverse employment record.

ACTION: The Civil Service Commission directed that these appeals be denied.

B-9 STEVEN MIGLIACCI – CSC DOCKET NO. 2016-4199

Steven Migliacci, represented by Stuart Alterman, Esq., appeals the determination of the Division of Agency Services which upheld the removal of his name from the eligible list for Police Officer (S9999R), Ewing on the basis of an unsatisfactory background report.

ACTION: The Civil Service Commission directed that this appeal be granted, but the appellant's name be recorded as bypassed on the certification.

B-10 JORGE MIRANDA – CSC DOCKET NO. 2016-4392

Jorge Miranda, represented by Marcia Mitolo, Esq., appeals his removal from the eligible list for Fire Fighter (M2543M), Kearny, on the basis of falsification of his pre-employment application.

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

B-11 KYMBERLY STOCKS – CSC DOCKET NO. 2017-143

Kymberly Stocks, represented by Ronald J. Ricci, Esq., appeals her removal from the eligible list for Sheriff's Officer (S9999R), Essex County, on the basis of an unsatisfactory criminal record, unsatisfactory driving record and falsification of her application.

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

B-12 DEBRALU BIENIECKI – CSC DOCKET NO. 2016-3917

Debralu Bieniecki appeals the bypass of her name on the Manager 1, Vocational Rehabilitation Services (PS4826N), Department of Labor and Workforce Development eligible list.

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

B-13 DEBRA KING – CSC DOCKET NO. 2016-1845

Debra King appeals the bypass of her name on the Assistant Administrative Supervisor, Income Maintenance (PC1582S), Hudson County eligible list.

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

B-14 MICHAEL D'ERRICO – CSC DOCKET NO. 2016-2017

Michael D'Errico appeals the determination of the Division of Agency Services that his position with the Department of the Treasury is properly classified as Investigator 2, Taxation. The appellant seeks an Investigator 1, Taxation job classification.

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

**B-15 TINA ELBERTSON AND ALLISON SHEPPARD
CSC DOCKET NO. 2017-1080 AND 2017-1084**

Tina Elbertson and Allison Sheppard appeal the decisions of the Division of Agency Services that the proper classifications of their positions with the Department of the Treasury is Auditor 1, Taxation. The appellants seek a Conferee 2, Taxation job classification.

ACTION: The Civil Service Commission directed that these appeals be denied.

B-16 KATHLEEN ORMSBY – CSC DOCKET NO. 2017-1397

Kathleen Ormsby appeals the September 30, 2016 decision of the Division of Agency Services which found that her position with the Department of the Treasury is correctly classified as Senior Management Assistant. The appellant seeks an Administrative Analyst 3 job classification.

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

B-17 LAUREN WILLIAMS – CSC DOCKET NO. 2017-2682

Lauren Williams appeals the January 21, 2016 determination of the Division of Agency Services that her position with the Department of the Treasury is properly classified as Investigator 2, Taxation. The appellant seeks an Investigator 1, Taxation job classification.

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

B-18 LOUIS BAINBRIDGE – CSC DOCKET NO. 2017-1485

Louis Bainbridge appeals his score on the examination for Battalion Fire Chief (PM1509T), Trenton.

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

B-19 KEVIN COLAVITTI – CSC DOCKET NO. 2017-1259

Kevin Colavitti appeals his score on the examination for Battalion Fire Chief (PM1500T), Passaic.

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

B-20 DAVID DELANEY – CSC DOCKET NO. 2017-1245

David Delaney appeals his score on the examination for Battalion Fire Chief (PM1506T), Rahway.

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

B-21 JOSEPH FRANKLIN – CSC DOCKET NO. 2017-1439

Joseph Franklin appeals his score on the examination for Battalion Fire Chief (PM1504T), Plainfield.

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

B-22 JOSEPH GROSSI, JR. – CSC DOCKET NO. 2017-1267

Joseph Grossi, Jr., appeals his score on the examination for Battalion Fire Chief (PM1496T), Hoboken.

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

B-23 ANDREW MARKEY – CSC DOCKET NO. 2017-1316

Andrew Markey appeals his score on the examination for Battalion Fire Chief (PM1496T), Hoboken.

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

B-24 SCOTT CHIANESE – CSC DOCKET NO. 2017-241

Scott Chianese appeals the determination of the Division of Agency Services, which found that he did not meet the experience requirements for the promotional examination for Library Director (PM0698U), Township of Hamilton.

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

B-25 CHERIE SHREVE – CSC DOCKET NO. 2017-1739

Cherie Shreve appeals the determination of the Division of Agency Services that she lacked one year of continuous permanent service in a title to which the examination was open for the promotional examination for Project Manager Transportation (PS2075T), Department of Transportation.

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

B-26 IN THE MATER OF MAINTENANCE WORKER 3 GROUNDS (C0432S) AND (C0052T), SALEM COUNTY CSC DOCKET NO. 2017-2227

Salem County, represented by Michael M. Mulligan, Esq., requests reconsideration of the decision rendered on November 10, 2016, which ordered Salem County to be assessed selection costs in the amount of \$2,048 after granting it permission to not make an appointment from the May 19, 2015 certification for Maintenance Worker 3 Grounds and a fine of \$1,000 for noncompliance.

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

B-27 T.H. – CSC DOCKET NO. 2017-1220

T.H., a Principal Planner Transportation with the Department of Transportation, appeals the decision of the Executive Director, Division of Civil Rights and Affirmative Action, which found that the appellant did not 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-28 CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of February 22, 2017.

ACTION: The Civil Service Commission adopted the minutes of its meeting on February 22, 2017.

B-29 LAUREN HELMSTETTER – CSC DOCKET NO. 2017-1469

Lauren Helmstetter appeals the determination of the Division of Agency Services, which found that she did not meet the experience requirement for the promotional examination for Keyboarding Clerk 2 (PM0664U), Brick.

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

B-30 KAREN QUINETTE – CSC DOCKET NO. 2017-1376

Karen Quinnette appeals the determination of the Division of Agency Services, which found that, per the substitution clause for education, she did not meet the experience requirement for the promotional examination for Supervisor Housing Assistance Program (PS2936D), Department of Community Affairs.

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

B-31 ANDREA KINION – CSC DOCKET NO. 2017-1633

Andrea Kinion, a former Affirmative Action Officer with the City of Paterson, represented by Seth Gollin, Staff Attorney/Staff Representative, Council 52, AFSCME, requests reconsideration of the decision rendered on October 28, 2016, denying her request for a hearing regarding her resignation not in good standing.

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

B-32 FRANCESCA FRANCIS – CSC DOCKET NO. 2017-2597

The Department of the Treasury requests that the eligible list for Auditor 2, Taxation (PS2369U), Department of the Treasury be revived to effectuate the regular appointment of Francesca Francis.

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

**B-33 ASSISTANT FISCAL OFFICER (C0835T), BURLINGTON COUNTY
BOARD OF SOCIAL SERVICES – CSC DOCKET NO. 2017-416**

The Burlington County Board of Social Services requests permission not to make an appointment from the April 15, 2016 certification for Assistant Fiscal Officer (C0835T).

ACTION: The Civil Service Commission directed that this request be granted and no selection costs presently be assessed.

B-34 BRUNO PARENTE, JR. – CSC DOCKET NO. 2017-1124

Bruno Parente, Jr., appeals the determination of the Division of Agency Services that he did not meet the experience requirements for the promotional examination for Management Specialist (PM1255U), Elizabeth.

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

**B-35 MICHAEL ALPAUGH AND YVONNE NELSON
CSC DOCKET NOS. 2017-1885 and 2017-1769**

Michael Alpaugh and Yvonne Nelson appeal the determinations of the Division of Agency Services that they did not meet the experience requirements for the promotional examination for Program Support Specialist 2, Assistance Programs (PS1271K), Department of Human Services.

ACTION: The Civil Service Commission directed that these appeals be denied.

**B-36 SENIOR CLAIMS ADJUDICATOR, DISABILITY DETERMINATIONS
(PS8119N), DEPARTMENT OF LABOR AND WORKFORCE
DEVELOPMENT – CSC DOCKET NO. 2017-2675**

The Department of Labor and Workforce Development requests the extension of the eligible list for Senior Claims Adjudicator, Disability Determination (PS8119N), Department of Labor and Workforce Development.

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

**B-37 ARCHIVIST (M0604S), ELIZABETH PUBLIC LIBRARY
CSC DOCKET NO. 2017-852**

The Elizabeth Public Library requests permission not to make an appointment from the certification for Archivist (M0604S), Elizabeth Public Library.

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

B-38 CARLOS COMITINI – CSC DOCKET NO. 2017-359

Carlos Comitini, a Senior Correction Officer with Northern State Prison, Department of Corrections, petitions the Civil Service Commission for reconsideration of the decision, rendered on June 23, 2016, in which the Director of the Division of Appeals and Regulatory Affairs denied his request for a hearing with respect to his 10 working day suspension, effective May 20, 2016.

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

**B-39 HOUSING COORDINATOR (M0942R), CITY OF NEWARK
CSC DOCKET NO. 2016-2784**

Elmore Gaines, requests reconsideration of the final administrative decision, rendered on June 17, 2015, which granted the City of Newark's request for a waiver of the appointment requirement for the Housing Coordinator (M0942R), City of Newark eligible list.

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

B-40 BRENDA STARLING – CSC DOCKET NO. 2017-82

Brenda Starling appeals the determination of the Division of Agency Services, which found that she did not meet the experience requirement for the promotional examination for Medical Review Analyst (PS0181K), Department of Human Services.

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

B-41 J.J. – CSC DOCKET NO. 2015-2519

J.J. appeals the request by Essex County to remove her name from the County Correction Officer (S9999R) 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-42 COURTNEY MCNULTY – CSC DOCKET NO. 2017-893

Courtney McNulty appeals the decision of the Division of Agency Services, which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the eligible list for Human Services Specialist 1 (C0448S), Monmouth County on the basis that she failed to respond to the certification notice.

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

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, March 22, 2017, at 1:00 p.m., at 3 Station Plaza, Trenton, New Jersey.

Robert M. Czech
Chairperson
Civil Service Commission