



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 22, 2017**

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

March 22, 2017

A regular meeting of the Civil Service Commission was held on Wednesday, March 22, 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.

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

Bruce Cornish
City of Millville
Police Department
Suspension and Removal

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

ACTION: The Civil Service Commission acknowledged the settlement.

A-2 JOHN BAKER

John Baker, Senior Medical Security Officer, Ann Klein Forensic Psychiatric Hospital, Department of Human Services, removal effective June 14, 2012, on charges of neglect of duty.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-3 LUIS DELEON

Luis DeLeon, Sheriff's Officer, Camden County Sheriff's Department, removal effective July 22, 2016, on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the removal.

ACTION: The Civil Service Commission directed that this matter be held over for a summary of the testimony.

A-4 TORONDA MATTHEWS (CONSOLIDATED)

Toronda Matthews, Keyboarding Clerk 1, County of Union, Department of Human Services, 45 working day suspension and removal, effective July 5, 2016, on charges of incompetency, inefficiency, or failure to perform duties; insubordination; conduct unbecoming a public employee; neglect of duty; misuse of public property, including motor vehicles; other sufficient cause; and inability to perform duties.

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

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

A-5 PAUL PEREIRA

Paul Pereira, Heavy Equipment Operator, Township of Woodbridge Department of Public Works, removal effective March 11, 2016, on charges of incompetency, inefficiency, or failure to perform duties; insubordination; 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: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

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

The Division of Agency Services requests the inactivation of the Technical Assistant Psychology Laboratory title.



MEMORANDUM

DATE: March 3, 2017
TO: Civil Service Commission
FROM: Kelly Glenn, Director *KG*
Division of Agency Services
SUBJECT: Change in State Classification Plan

STATE COLLEGES

The Civil Service Commission requests the inactivation of the Technical Assistant Psychology Laboratory (82441, A12) title. The title has been unencumbered for more than five (5) years.

The title is currently assigned to the State Colleges. All State colleges were surveyed and notified of the inactivation, and we have not received any objections.

Appropriate negotiation representative has been notified in accordance with N.J.A.C. 4A:3-3.3(f).

Effective date: The effective date of this action will be the beginning of the first pay period that follows the Commission's approval.

TITLE INACTIVATION

Technical Assistant Psychology Laboratory
A12 – 82441 Competitive Y 3512

KG/SF/PM/MS

www.state.nj.us/csc

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

B-2 CHANGE IN CLASSIFICATION PLAN – TITLE VARIANT


The Department of Labor requests to create a Deaf Language Specialist variant to its Program Planning and Development Specialist Vocational Rehabilitation Services title.



MEMORANDUM

DATE: March 3, 2017

TO: Civil Service Commission

FROM: Kelly Glenn, Director 
Division of Agency Services

SUBJECT: Change in State Classification Plan

DEPARTMENT OF LABOR

The Department of Labor (DOL) requests to create a Deaf Language Specialist variant to its Program Planning and Development Specialist Vocational Rehabilitation Services title.

The Deaf Language Specialist variant title would perform the same job, using the language of the deaf, particularly the American Sign Language.

The new title will replace the existing title of Program Planning and Development Specialist 1, Deaf Language Specialist (65286F, R27). This title will be designated archaic and subsequently inactivated once unencumbered.

Appropriate negotiation representative has been notified in accordance with N.J.A.C. 4A:3-3.3(f).

Effective date: The effective date of this action will be the beginning of the first pay period that follows the Commission's approval.

TITLE TO BE CREATED

Program Planning and Development Specialist Vocational Rehabilitation Services, Deaf Language Specialist
P27 – 65289__ Competitive L NL12

TITLE TO BE MADE ARCHAIC

Program Planning and Development Specialist 1, Deaf Language Specialist
R27 – 65286F Competitive L NL12

Civil Service Commission
March 3, 2017

CROSS WALK OF EMPLOYEES

Employee(s) in the existing title will be cross walked to the new title as follows.

The title actions will be processed as lateral employee movements; appointment type to appointment type, with retention of existing status

FROM

Program Planning and Development
Specialist 1, Deaf Language
Specialist
R27 – 65288F Competitive L NL12

TO

Program Planning and Development
Specialist Vocational Rehabilitation Services,
Deaf Language Specialist
P27 – 65289__ Competitive L NL12

KG/SF/PM/MS

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

B-3 S.A. – CSC DOCKET NO. 2015-551

S.A., represented by Michael L. Prigoff, Esq., appeals his rejection as a Police Officer candidate by Jersey City and its request to remove his name from the eligible list for Police Officer (S9999M), Jersey City on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION: The Civil Service Commission directed that the appellant be referred for an independent psychological evaluation.

B-4 T.M. – CSC DOCKET NO. 2016-1315

T.M. appeals her rejection as a Correction Officer Recruit candidate by the New Jersey Department of Corrections and its request to remove her 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 granted.

B-5 J.S. – CSC DOCKET NO. 2015-1212

J.S., represented by Michael L. Prigoff, Esq., appeals his rejection as a Police Officer candidate by Jersey City and its request to remove his name from the eligible list for Police Officer (S9999M), Jersey City on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION: The Civil Service Commission directed that the appellant be referred for an independent psychological evaluation.

B-6 MONIQUE DASILVA – CSC DOCKET NO. 2016-2683

Monique DaSilva appeals the City of Newark's request to remove her name from the eligible list for Fire Fighter (M2554M), on the basis that she failed to respond to the certification notice.

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

B-7 WATER TREATMENT PLANT REPAIRER (PM2303R), PASSAIC VALLEY WATER COMMISSION – CSC DOCKET NO. 2016-341

The appointing authority's failure to dispose of the certification for Water Treatment Plant Repairer (PM2303R), Passaic Valley Water Commission, 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 immediately remove the provisional appointee, properly dispose of the outstanding certification and pay compliance costs in the amount of \$1,000.

B-8 RAUL DERAS – CSC DOCKET NO. 2017-2374

Raul Deras appeals the determination of the Division of Agency Services which found that he did not meet the minimum experience requirements for the open-competitive examination for Housing Inspector (M0652U), Union City.

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

B-9 DONNA NEILL – CSC DOCKET NO. 2017-1238

Donna Neill appeals the decision of the Division of Agency Services which found that, per the substitution clause for education, she did not meet the experience requirements for the open-competitive examination for Recreation Program Specialist (M0452U), West Milford.

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

B-10 KARON ROSS – CSC DOCKET NO. 2017-1773

Karon Ross appeals the determination of the Division of Agency Services that she was below the minimum requirements in experience for the promotional examination for Substance Abuse Assistant (PS1435K), Ancora Psychiatric Hospital.

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

**B-11 RYAN BIER AND TIMOTHY LINDNER
CSC DOCKET NOS. 2017-981 AND 2017-1092**

Ryan Bier and Timothy Lindner appeal the determinations of the Division of Agency Services, which found that they were ineligible for the Entry Level Law Enforcement Examination (S9999U).

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

**B-12 DEBORAH RODRIGUEZ AND DAMOND YEARNES
CSC DOCKET NOS. 2017-1878 AND 2017-1888**

Deborah Rodriguez and Damond Yearnes appeal the determinations of the Division of Agency Services that they either lacked the required amount of permanent status in a title to which the examination was open or were not permanent in a title to which the examination was open for Supervising Program Support Specialist, Assistance Programs (PS1332K), Department of Children and Families.

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

B-13 KRISTEPHER TRUMPER – CSC DOCKET NO. 2017-1682

Kristepher Trumper requests that he be permitted to amend his residency on his application after the closing date for the Entry Level Law Enforcement Examination (S9999U).

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

B-14 SHANTE LEE – CSC DOCKET NO. 2016-2569

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 Shante Lee to be provisionally appointed pending promotional examination procedures, to the competitive title of Technical Assistant, Management Information Systems.

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

B-15 ERIC PEARSON – CSC DOCKET NO. 2017-1334

Eric Pearson appeals his score on the examination for Battalion Fire Chief (PM1507T), Roselle.

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

B-16 RONALD VAN KLUYVE – CSC DOCKET NO. 2017-2624

Ronald Van Kluyve appeals his oral score on the promotional examination for Deputy Police Chief (PM1598U), Paterson.

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

B-17 MICHAEL VOGEL, JR. – CSC DOCKET NO. 2017-666

Michael Vogel, Jr. appeals his score on the examination for Deputy Fire Chief (PM2734T), Linden.

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

B-18 SEAN GAVEN, *ET AL.* – CSC DOCKET NOS. 2017-2400, *ET AL.*

Sean Gaven, Rory Murphy, Cesar Soares, Christopher Brown, Celso Velez, Matthew Ruane, Lee Douglass III, and Marlin Easter, represented by Patrick Toscano, Jr., Esq., petition the Civil Service Commission for retroactive regular appointments effective December 26, 2011 to the title of Police Lieutenant, and for admittance to the promotional examination for Police Captain (PM1345U), Newark.

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

B-19 ANNETTE QUARTERMAN – CSC DOCKET NO. 2017-2566

Winslow Township requests that Annette Quarterman's out-of-title work experience in the title Keyboarding Clerk 3 be accepted to qualify her for a prospective promotional examination for Personnel Technician.

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

B-20 NICOLAS ZIENIUK – CSC DOCKET NO. 2017-2126

Nicolas Zieniuk appeals the determination of the Division of Agency Services denying his request for a make-up examination for the Entry Law Enforcement Examination (S9999U), Statewide.

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

B-21 LILLIAN NYCZEPPIR-ZITO – CSC DOCKET NO. 2016-2860

Lillian Nyczepir-Zito, a former Supervisor of Accounts with Bergen County, represented by Randi Doner April, Esq., appeals the determination of her layoff rights by the Division of Agency Services.

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

B-22 J.B. – CSC DOCKET NO. 2017-1390

J.B., a Correction Sergeant with the Department of Corrections (DOC), appeals the decision of the Commissioner, DOC, 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-23 B.G. – CSC DOCKET NO. 2017-245

B.G., a Quality Assurance Specialist, Health Services, with the Department of Human Services (DHS), appeals the determination of the Assistant Commissioner of Human Resources, DHS, which found that the appellant violated the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

B-24 JOMARIE SACCHINELLI – CSC DOCKET NO. 2015-2146

Jomarie Sacchinelli, a Program Monitor, Bergen County, appeals her return to her permanent title of Coordinator Monitoring and Evaluation.

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

B-25 GEORGE MARX – CSC DOCKET NO. 2017-447

George Marx appeals the bypass of his name on the Supervising Public Safety Telecommunicator (PC1155T), Camden County eligible list.

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

B-26 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 appeal be granted.

B-27 JEFFREY KANE – CSC DOCKET NO. 2016-4267

Jeffrey Kane appeals the decision of the Division of Agency Services that the proper classification of his position with the Department of Labor and Workforce Development is District Supervisor, Wage and Hour Compliance. The appellant seeks a Hearing and Review Officer, Labor job classification.

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

B-28 CYNTHIA GREEN – CSC DOCKET NO. 2016-4272

Cynthia Green appeals the decision of the Division of Agency Services that the proper classification of her position with the Department of Law and Public Safety is Senior Clerk Typist. The appellant seeks an Agency Services Representative 2 job classification.

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

B-29 LILAH GUMBAS – CSC DOCKET NO. 2017-1033

Lilah Gumbas appeals the decision of the Division of Agency Services that the proper classification of her position with the Department of Labor and Workforce Development is Secretarial Assistant 2, Non-Stenographic. The appellant seeks a Secretarial Assistant 1, Non-Stenographic, job classification.

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

B-30 DAWN WRONIUK – CSC DOCKET NO. 2017-703

Dawn Wroniuk appeals the determination of the Division of Agency Services which found that she did not meet the experience requirements for the promotional examination for Senior Therapy Program Assistant (PS0910K), Department of Human Services.

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

**B-31 COTTAGE TRAINING TECHNICIAN (PS8387K)
CSC DOCKET NO. 2017-2398**

Woodbine Developmental Center requests that the eligible list for Cottage Training Technician (PS8387K) be extended for one year beyond its original expiration date in order to fill future vacancies.

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

B-32 S.H. – CSC DOCKET NO. 2017-2799

The Department of Law and Public Safety, on behalf of S.H., requests the relaxation of the provisions of *N.J.S.A. 4A:6-1.22* so as to permit S.H. to receive more than the 260 donated leave days allowed to a recipient.

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

B-33- FRED EMMER – CSC DOCKET NO. 2017-774

Fred Emmer, represented by Catherine M. Elston, Esq., appeals the removal of his name from the eligible list for Police Officer (S9999R), Oakland on the bases of his age and an unsatisfactory criminal record.

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

B-34 CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of March 9, 2017.

ACTION: The Civil Service Commission adopted the minutes of its meeting on March 9, 2017.

B-35 M.S. – CSC DOCKET NO. 2016-2962

M.S., represented by C.S., Esq., appeals her rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove her 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 granted.

B-36 THOMAS JONES – CSC DOCKET NO. 2017-2671

The Department of Transportation requests that Thomas Jones' out-of-title work experience be accepted for a prospective promotional examination for Field Representative, Construction Contract Compliance.

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

B-37 THOMAS CARNEY – CSC DOCKET NOS. 2017-2001 AND 2017-2153

The Township of Parsippany-Troy Hills (Parsippany-Troy Hills), represented by Stephen E. Trimboli, Esq., requests a stay of the priority provisional certification for Police Captain (PM0886S), Parsippany-Troy Hills. Parsippany Troy-Hills also requests a waiver of promotional examination procedures and the retroactive permanent appointment of Thomas Carney as Police Captain.

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

B-38 CYNTHIA RUIZ – CSC DOCKET NO. 2017-789

Cynthia Ruiz appeals the removal of her name from the eligible list for Correction Officer Recruit (S9988T), Department of Corrections, on the basis that she falsified her preemployment application.

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

B-39 TIMOTHY HUGHES – CSC DOCKET NO. 2017-364

Timothy Hughes, represented by Dudley Burdge, Senior Staff Representative, CWA Local 1032, appeals the determination of the Division of Agency Services, which found that he did not meet the experience requirement for the promotional examination for Network Administrator 1, Office of Information Technology (PS2427U).

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

B-40 FORTUNATO MONTELLA – CSC DOCKET NO. 2016-2558

The Borough of Stanhope, represented by Robert J. Merryman, Esq., seeks enforcement of the Civil Service Commission decision rendered on June 26, 2013, granting Fortunato Montella, a Police Officer, mitigated back pay, benefits and seniority.

ACTION: The Civil Service Commission directed that the appellant be awarded back pay in the amount of \$34,862.21 and \$2,825.82 for maintaining health benefits.

B-41 ROSEMARY MONGE – CSC DOCKET NO. 2017-592

Rosemary Monge appeals the decision of the Division of Agency Services which found that her position with Clifton is properly classified as Cashier. The appellant seeks a Clerk 2 job classification.

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

B-42 LAUREN WILLIAMS – CSC DOCKET NO. 2016-2682

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 appeal be denied.

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, April 5, 2017, at 1:00 p.m., at 3 Station Plaza, Trenton, New Jersey.

Robert M. Czech
Chairperson
Civil Service Commission