



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
MAY 3, 2017**

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

May 3, 2017

A regular meeting of the Civil Service Commission was held on Wednesday, May 3, 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The following appeal(s) were withdrawn and removed from the hearing calendar:

Tamarind Creary-Dwyer, Correction Lieutenant, Garden State Youth Correctional Facility, Department of Corrections, removal.

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

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

Pamela Estes
Newark
Department of Public Safety
Suspension

Nkem Felix
Essex County
Department of Citizen Services
Release at end of the working test period

Barasa Kukubo
Union City
Department of Public Safety
Resignation not in good standing

Shanda Laberth
Hunterdon Developmental Center
Department of Human Services
Removal

Emerald Platzer
Monmouth County
Department of Parks
Suspension

Arti Sahni
Ewing Township
Department of Administration, Finance, and Public Works
Removal

Dominique Saint-Preux
Hunterdon Developmental Center
Department of Human Services
Removal

Matthew Scheier
Hunterdon Developmental Center
Department of Human Services
Suspension

Troy Williams
Ann Klein Forensic Center
Department of Human Services
Removal

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

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 JOANNE MARINO

Joanne Marino, Assistant Family Service Worker 2, Department of Children and Families, removal effective June 30, 2015, on charges of incompetency, inefficiency, or failure to perform duties; neglect of duty; conduct unbecoming a public employee; and other sufficient cause.

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

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

A-3 JOSE MORALES

Jose Morales, Stationary Engineer, Hudson County, Department of Roads and Public Property, six-month suspension on charges of conduct unbecoming a public employee, neglect of duty, insubordination, and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the six-month suspension.

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

A-4 DAVID REID

David Reid, Senior Medical Security Officer, Ann Klein Forensic Center, Department of Human Services, removal effective November 9, 2015, on charges of conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-5 ISAAC REYES

Isaac Reyes, County Correction Officer, Camden County, Department of Corrections, 120 calendar 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 120 calendar day suspension.

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

A-6 JOHN WILLIAMS

John Williams, Human Services Technician, Trenton Psychiatric Hospital, Department of Human Services, removal effective April 18, 2012, on charges of conduct unbecoming a public employee 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-7 SETTLEMENT

Sabrina Minervini (Consolidated)
Hudson County
Department of Corrections
Suspensions

ACTION: The Civil Service Commission acknowledged the settlement.

SECTION B – MISCELLANEOUS MATTERS

B-1 A.C. – CSC DOCKET NO. 2016-3024

A.C., represented by Charles M. Grossman, Esq., appeals her rejection as a Police Officer candidate by the City of Newark Police Department and its request to remove her 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-2 D.R.R. – CSC DOCKET NO. 2016-3023

D.R.R. appeals her rejection as a Police Officer candidate by the City of Newark Police Department and its request to remove her 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-3 MICHELE BEADLE – CSC DOCKET NO. 2017-1266

Michele Beadle 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 (S9988T), Department of Corrections on the basis of a positive drug test.

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

B-4 CYNTHIA WILLIAMS – CSC DOCKET NO. 2017-1289

Cynthia Williams appeals the removal of her name from the special reemployment list for Practical Nurse, New Lisbon Developmental Center, Department of Human Services, on the basis of a positive drug test.

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

B-5 KATHIE DESANDO – CSC DOCKET NO. 2017-633

Kathie DeSando appeals the bypass of her name on the Pensions Benefits Specialist 2 (PS7608U), Department of the Treasury eligible list.

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

B-6 SONIA FERNANDEZ – CSC DOCKET NO. 2017-1675

Sonia Fernandez appeals the determination of the Division of Agency Services which found that, per the substitution clause for education, she did not meet the experience requirements for the promotional examination for Personnel Officer (PM1673U), North Brunswick.

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

B-7 BRITTANY HUNT – CSC DOCKET NO. 2017-1073

Brittany Hunt appeals the removal of her name from the eligible list for County Correction Officer (S9999R), Passaic County Sheriff's Office on the basis of an unsatisfactory background report.

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

B-8 CATHERINE KENNER – CSC DOCKET NO. 2017-1711

Catherine Kenner appeals the determination of the Division of Agency Services that she did not meet the experience requirement for the promotional examination for Contract Administrator 2 (PS3148G), Department of Environmental Protection.

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

B-9 STACEY KUKLINSKI – CSC DOCKET NO. 2017-2536

Stacey Kuklinski appeals the determination of the Division of Agency Services which found that she did not meet the experience requirement for the promotional examination for Clerk 3/Senior Purchasing Agent (PM1628U), Gloucester Township.

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

B-10 PABLO LOPEZ – CSC DOCKET NO. 2017-1375

Pablo Lopez appeals the determination of the Division of Agency Services that he did not meet the experience requirements for the open competitive examination for Senior Mail Clerk (S0423U), Statewide.

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

B-11 ROSA LUNA – CSC DOCKET NO. 2017-1380

Rosa Luna appeals the removal of her name from the special reemployment list for Building Maintenance Worker, Morris County on the basis that she failed to respond to the certification notice.

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

B-12 ERIC MCLEMORE – CSC DOCKET NO. 2016-3056

Eric McLemore appeals the decision of the appointing authority to remove his name from the Police Officer (S9999R), City of Newark eligible list on the basis of an unsatisfactory criminal background, falsification of his application and an unsatisfactory employment history.

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

B-13 THELMA MCMULLEN – CSC DOCKET NO. 2017-1666

Thelma McMullen appeals the determination of the Division of Agency Services that she did not meet the experience requirement for the promotional examination for Social Worker 2, Corrections (PS3191I), Department of Corrections.

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

B-14 KERRI RITZ – CSC DOCKET NO. 2017-1882

Kerri Ritz appeals the determination of the Division of Agency Services that she was below the minimum requirements in experience for the promotional examination for Technician, Management Information System (PS3041P), Department of Law and Public Safety.

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

B-15 DWAYNE ROGALINSKI – CSC DOCKET NO. 2017-1736

Dwayne Rogalinski appeals the determination of the Division of Agency Services that he did not meet the experience requirements for the open competitive examination for Automotive Mechanic (S0646U), Statewide.

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

B-16 JAMES SORENSON – CSC DOCKET NO. 2017-1949

James Sorenson appeals the determination of the Division of Agency Services that he was below the minimum requirements in experience for the promotional examination for Highway Operations Training and Quality Assurance Specialist (PS3065T), Department of Transportation.

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

B-17 TEZRA STANLEY – CSC DOCKET NO. 2017-1834

Tezra Stanley appeals the determination of the Division of Agency Services that she did not meet the experience requirements for the promotional examination for Technical Program Assistant (PS3192I), Department of Corrections.

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

B-18 FRANCIS TULIPANO – CSC DOCKET NO. 2017-1553

Francis Tulipano appeals the removal of his name from the eligible list for Assistant Zoning Officer (M0237U), Teaneck on the basis that he failed to respond to the certification notice.

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

B-19 WILLIAM WALMSLEY – CSC DOCKET NO. 2017-2574

William Walmsley 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 Assistant Engineer Civil (C0707U), Morris County.

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

B-20 ROBERT MORSE – CSC DOCKET NO 2017-1679

Robert Morse appeals the determination of the Division of Agency Services denying his request for a make-up examination for Police Lieutenant (PM1405U), Elizabeth.

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

B-21 RAMONA CARTER – CSC DOCKET NO. 2017-2774

The Superior Court of New Jersey, Appellant Division, has remanded the matter of the original 15 working day suspension imposed upon Ramona Carter, a County Correction Officer, Mercer County, by the Civil Service Commission for reconsideration of the penalty.

ACTION: The Civil Service Commission imposed a 15 working day suspension and \$152.23 fine.

B-22 SAM SCHULMAN – CSC DOCKET NO. 2016-3498

Sam Schulman, a former Truck Driver, Heavy with Lakewood Township, represented by David M. Bander, Esq., appeals an alleged resignation in good standing.

ACTION: The Civil Service Commission directed that this appeal be dismissed as untimely.

B-23 RUDDY CASTILLO – CSC DOCKET NO. 2016-2387

Ruddy Castillo, a former Laborer 1 with Union City, represented by Timothy Smith, Esq., requests reconsideration of the final decision of the Civil Service Commission, rendered on November 5, 2015, which denied his request to reinstate his appeal of removal.

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

B-24 R.C. – CSC DOCKET NO. 2017-1168

R.C., a former Assistant Crew Supervisor Mechanics with the Department of Law and Public Safety, requests reconsideration of the final administrative decision, rendered on April 15, 2015 which denied his appeal of the determination of the Office of Equal Employment Opportunity, which determined that the petitioner 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 request be denied.

B-25 HERO DENGHAH – CSC DOCKET NO. 2017-2965

Hero Dengah appeals his score for the physical performance portion of the examination for Fire Fighter (M1556T), Newark.

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

B-26 A – CSC DOCKET NO. 2017-1107

Appellant A appeals the determination of the Division of Agency Services, which found that the appellant was ineligible for the promotional examination for Police Lieutenant (PM1436U), Paterson.

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

B-27 B - CSC DOCKET NO. 2017-1109

Appellant B appeals the determination of the Division of Agency Services, which found that the appellant was ineligible for the promotional examination for Police Lieutenant (PM1436U), Paterson.

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 April 19, 2017.

ACTION: The Civil Service Commission adopted the minutes of its meeting on April 19, 2017.

B-29 LISA LEWIS – CSC DOCKET NO. 2017-1869

Lisa Lewis appeals the determination of the Division of Agency Services that she did not meet the experience requirements for the promotional examination for Program Support Specialist 2 (Assistance Programs) (PS1543K), Department of Children and Families.

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

B-30 P.F. – CSC DOCKET NO. 2016-967

P.F., a former Administrator of Plant Services, Department of Human Services, appeals his three working day suspension.

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

B-31 SUSAN SLACHTA – CSC DOCKET NO. 2017-1544

Susan Slachta 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 Executive Assistant 3 (PS3144G), Department of Environmental Protection.

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

B-32 K.R. – CSC DOCKET NO. 2017-1910

K.R., a former Senior Human Services Technician with the New Jersey Veterans Memorial Home Paramus, represented by Theresa Richardson, Esq., appeals the decision of the Deputy Commissioner, New Jersey Department of Military and Veterans Affairs, which found sufficient evidence to support a finding that she violated the New Jersey Policy Prohibiting Discrimination in the Workplace.

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

B-33 NIKOLAOS KANELIS – CSC DOCKET NO. 2017-2183

The Division of Agency Services, on behalf of the appointing authority for the Civil Service Commission, requests that Nikolaos Kanellis' out-of-title supervisory experience be accepted for the promotional examination for Supervisor Records Management (PS4138C).

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

VOTE: **Robert M. Czech** **(Abstain)**
 Dolores Gorczyca **(Yes)**
 Daniel W. O'Mullan **(Yes)**

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

B-34 DANIEL RYALL – CSC DOCKET NO. 2017-166

Daniel Ryall appeals the removal of his name from the eligible list for County Correction Officer (S9999R), Camden County on the basis of his failure to appear for an interview.

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

B-35 LAWRENCE MARINARI – CSC DOCKET NO. 2017-1484

Lawrence Marinari appeals the determination of the Division of Agency Services that he did not meet the experience requirement for the promotional examination for Technical Support Specialist 2 (PS3078U), Department of the Treasury.

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

B-36 LUIS DELEON

The appeal of Luis DeLeon, a Sheriff's Officer with the Camden County Sheriff's Department, of his removal, effective July 22, 2016, on charges, was heard by Administrative Law Judge Joseph Lavery (ALJ), who rendered his initial decision on February 21, 2017. At its meeting on April 19, 2017, the Civil Service Commission (Commission) adopted the ALJ's recommendation to reverse the removal. The proposed decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the decision.

B-37 E.C. – CSC DOCKET NO. 2016-626

E.C., represented by Matthew R. Dempsey, Esq., 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 granted.

B-38 G.C. – CSC DOCKET NO. 2016-2888

G.C., represented by Frank M. Crivelli, Esq., appeals his rejection as a Police Officer candidate by the Belleville 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-39 L.H. – CSC DOCKET NO. 2016-1163

L.H. appeals his rejection as a Police Officer candidate by the Fairlawn Police Department and its request to remove his name from the eligible list for Police Officer (S9999R), Fairlawn 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-40 A.O. – CSC DOCKET NO. 2015-2813

The Town of Hammonton requests the approval of its removal of A.O.'s name from the Laborer 1, Hammonton special reemployment list.

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

B-41 ANGEL BARREIRO – CSC DOCKET NO. 2017-2885

Angel Barreiro appeals the decision of the Division of Agency Services which found that he did not meet the experience requirements for the promotional examination for Supervising Greenskeeper (PC2040U), Passaic County.

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

B-42 TANYA FRASER – CSC DOCKET NO. 2017-1709

Tanya Fraser appeals the determination of the Division of Agency Services which found that she did not meet the experience requirements for the promotional examination for Executive Assistant (PM1237U), Newark.

ACTION: The Civil Service Commission directed that this appeal be denied and the matter of the appellant's classification be referred to the Division of Agency Services for review.

B-43 TAMMIE SMITH – CSC DOCKET NO. 2017-1964

Tammie Smith appeals the determination of the Division of Agency Services that she was below the minimum requirements in experience for the promotional examination for Program Coordinator Mental Health (PS1758K), Trenton Psychiatric Hospital.

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

B-44 STEPHEN DACIEK – CSC DOCKET NO. 2017-2676

The Division of Agency Services requests that Stephen Daciek's out-of-title work experience in the title of Software Development Specialist Assistant be accepted to qualify him for a prospective promotional examination for Technical Support Specialist 2.

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

B-45 TARSHEIMA FIELD-BOYD – CSC DOCKET NO. 2017-2677

The Division of Agency Services requests that Tarsheima Fields-Boyd's out-of-title work experience in the title Clerk Transcriber be accepted to qualify her for a prospective promotional examination for Agency Services Representative 2.

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

B-46 THOMAS LANDERS – CSC DOCKET NO. 2016-658

Thomas Landers, a Laborer 1 with the Village of Ridgewood, petitions the Civil Service Commission for a retroactive date of appointment and benefits.

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

B-47 NAOMI MINUS-JACKSON – CSC DOCKET NO. 2017-1207

Naomi Minus-Jackson appeals the determination of the Division of Agency Services denying her request for a make-up examination for Supervising Family Service Specialist 1 (PS1032K), Department of Children and Families.

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

B-48 WILLIAM PEPPARD – CSC DOCKET NO. 2017-1865

William Peppard, represented by the Bergen PBA Local 49, requests a retroactive appointment based on his eligibility to take a make-up examination for County Police Sergeant (PC5095N), Bergen County.

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

B-49 OVERTIME PROGRAM, DEPARTMENT OF LAW AND PUBLIC SAFETY – CSC DOCKET NO. 2017-3450

The Division of Agency Services, on behalf of the Department of Law and Public Safety (DL&PS), Division of State Police, Office of Forensic Sciences, requests that the provisions of *N.J.A.C.* 4A:3-5.3 continue to be relaxed to provide individuals in the non-limited, non-exempt (NE) titles of Forensic Scientist 1, DL&PS and Forensic Scientist 2, DL&PS, cash compensation at one and one-half times the regular rate for hours worked between 35 and 40 hours.

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, May 17, 2017, at 1:00 p.m., at 3 Station Plaza, Trenton, New Jersey.

Robert M. Czech
Chairperson
Civil Service Commission