



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
JULY 26, 2017**

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

July 26, 2017

A regular meeting of the Civil Service Commission was held on Wednesday, July 26, 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The following appeals were withdrawn and removed from the hearing calendar:

John Caudill, Mechanic, City of Vineland, Vineland Board of Education, Removal

Dominique Connors, County Correction Officer, Mercer County Correction Center, Suspension.

Rebeca Hernandez, Human Service Specialist 3, County of Union, Department of Human Services, Suspension.

Stacie Percella, Deputy Registrar of Vital Statistics/Keyboarding Clerk 3, City of Bayonne, Department of Public Works, Removal

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

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

Peter Belonis
Middlesex County
Department of Parks and Recreation
Removal

Nick Kirey
City of Millville
Millville School District
Removal

Charles Knighton, Jr.
Voorhees Township
Voorhees Fire District
Demotion

Vincent Maiaroto
Voorhees Township
Voorhees Fire District
Removal

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

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 PETER CHIRICO

Peter Chirico, Police Officer, City of Newark, Newark Police Department, 9 working day suspension on charges of criminal law and conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Uphold the 9 working day suspension.

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

A-3 YESMEAN DAMON (Consolidated)

Yesmean Damon, Sheriff's Officer, Union County, Department of Public Safety, removal August 31, 2015 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 – Uphold the removal.

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

A-4 DORIS GONZALEZ (Consolidated)

Doris Gonzalez, Police Officer, City of Newark, Newark Police Department, 6 working day, 15 working day, 30 working day, and 45 working day suspensions on charges of insubordination, absence without leave, neglect of duty, obedience to orders, unprofessional use of language, and false statements.

Recommendation of the Administrative Law Judge – Affirm the 6 working day and 15 working day suspensions, dismiss the 30 working day suspension, and modify the 45 working day to a 15 working day suspension.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge with the exception of modifying the 45 working day suspension to a 30 working day suspension.

A-5 HAYFORD JARPA

Hayford Jarpa, Human Services Assistant, Veterans Haven Transitional Home, Department of Military and Veterans Affairs, 60 working day suspension, on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the 60 working day suspension.

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

A-6 ELLEN RUSSELL (Consolidated)

Ellen Russell, Senior Cottage Training Technician, Vineland Developmental Center, Department of Human Services, two removals effective May 24, 2016, on charges of chronic or excessive absenteeism or lateness.

Recommendation of the Administrative Law Judge – Uphold the removals.

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

A-7 LUIS VALLE

Luis Valle, Building Maintenance Worker, City of Passaic, Department of Public Works, removal effective December 2, 2016, on charges of incompetency, inefficiency or failure to perform duties, insubordination, inability to perform duties, chronic or excessive absenteeism, conduct unbecoming a public employee, neglect of duty, and other sufficient cause.

Recommendation of the Administrative Law Judge – Acknowledge the settlement.

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

SECTION B – MISCELLANEOUS MATTERS

B-1 J.L. – CSC DOCKET NO. 2016-750

J.L. appeals his rejection as a Sheriff's Officer candidate by Passaic County and its request to remove his name from the eligible list for Sheriff's Officer (S9999R) on the basis of a 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-2 S.F. – CSC DOCKET NO. 2016-1454

S.F. 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 JACKELLA BLACKWELL – CSC DOCKET NO. 2017-2863

Jackella Blackwell appeals her removal from the eligible list for Telephone Operator (S0449U), Ancora Psychiatric Hospital, on the basis of falsification of her pre-employment application and unsatisfactory employment history.

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

B-4 NAZARRA THOMAS – CSC DOCKET NO. 2017-2449

Nazarra Thomas appeals the removal of her name from the Correction Officer Recruit (S9988T), Department of Corrections, eligible list on the basis of a positive drug test.

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

B-5 MICHAEL GELESKY – CSC DOCKET NO. 2017-2826

Michael Gelesky appeals the determination of the Division of Agency Services which found that he was below the experience requirements for the promotional examination for Maintenance Worker 3 Grounds (PC2001U), Middlesex County.

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

B-6 GIOVANNA GUARRAGGI – CSC DOCKET NO. 2017-3053

Giovanna Guarraggi appeals the determination of the Division of Agency Services which found that she did not meet the experience requirements for the open-competitive examination for Administrative Director of Nursing (M0831U), Hamilton.

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

B-7 CHRISTOPHER SMITH – CSC DOCKET NO. 2017-2109

Christopher Smith appeals the determination of the Division of Agency Services that he was not eligible for the promotional examination for Senior Public Safety Telecommunicator (PM1283U), Jersey City since he was not employed in the announced unit scope.

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

B-8 STEPHANIE SMITH – CSC DOCKET NO. 2016-1480

The Department of Human Services, on behalf of Stephanie Smith, appeals the determination of the Division of Agency Services that Ms. Smith did not meet the experience requirements for the promotional examination for Administrative Analyst 4 (PS6415K), Department of Human Services.

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

B-9 ROBERT MOORE – CSC DOCKET NO. 2017-2355

Robert Moore requests admittance to the promotional examination for Administrative Analyst 4 (PS2138K), Department of Children and Families.

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

B-10 GWENDOLYN ROBINSON – CSC DOCKET NO. 2017-1807

Gwendolyn Robinson 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 Agency Services Representative 1. The appellant seeks an Agency Services Representative 2 job classification.

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

B-11 TITLE EXAMINER TITLE SERIES, DEPARTMENT OF TRANSPORTATION - CSC DOCKET NO. 2018-73

The Division of Agency Services requests creation of the non-competitive title of Title Examiner Trainee. Agency Service also requests various changes to the Title Examiner title series.

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

B-12 INVESTIGATOR 2 – CSC DOCKET NOS. 2016-4299 AND 2016-4300

The Salem County Sheriff's Office requests permission not to make appointments from the February 5, 2016 and February 26, 2016 certifications for Investigator 2 (C0668T).

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

B-13 JONATHAN BREGMAN – CSC DOCKET NO. 2017-3758

The Division of Agency Services, on behalf of West Milford, requests revival of the list for Police Officer (S9999R) (OL150363) and retroactive regular appointment to the title of Police Officer, effective January 25, 2016, for Jonathan Bregman.

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

B-14 PENSION BENEFITS SPECIALIST 1 – CSC DOCKET NO. 2018-94

The Department of the Treasury requests that the promotional eligible list for Pension Benefits Specialist 1 (PS1483U), Department of the Treasury, be revived in order to permanently appoint Matthew Hoffman effective April 16, 2016.

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

B-15 CHRISTOPHER BIRARDI AND TERRENCE SMITH – CSC DOCKET NOS. 2017-1752 AND 2017-1751

The Department of Corrections requests reconsideration of the initial decision of the Administrative Law Judge, which was deemed adopted as the final decision on November 1, 2016, reversing the demotion and 15 working day suspension of Christopher Birardi, a Senior Investigator, Parole and Secured Facilities, and the 30 working day suspension of Terrence Smith, a Principal Investigator, Parole and Secured Facilities.

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

B-16 R.A. – CSC DOCKET NO. 2017-2697

The Department of the Treasury, on behalf of R.A., requests the relaxation of the provisions of *N.J.A.C. 4A:6-1.22* so as to permit R.A. to receive more than the 260 donated leave days allowed to a recipient.

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

B-17 C.M. – CSC DOCKET NO. 2017-2881

C.M., an Assistant Chief Forensic Scientist with the Division of State Police, Department of Law and Public Safety, appeals the decision of the Executive Director, Division of Civil Rights and Affirmative Action, Department of Transportation, which did not substantiate one of her allegations to support a finding that she had been subject 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-18 CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of July 13, 2017.

ACTION: The Civil Service Commission adopted the minutes of its meeting on July 13, 2017.

B-19 J.S. – CSC DOCKET NO. 2017-2003

J.S., represented by Nicole M. Sharpe, Staff Representative, CWA Local 1039, requests the relaxation of the provisions of *N.J.A.C.* 4A:6-1.22 so as to permit her to receive more than the 260 donated leave days allowed to a recipient and to permit her to use it on an intermittent basis.

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

B-20 BRIAN BEACHAUMP – CSC DOCKET NO. 2016-3117

Brian Beachaump appeals the removal of his name from the special reemployment list for Cottage Training Supervisor (Special), Department of Human Services.

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

B-21 POLICE OFFICER (S9999R), HILLSIDE – CSC DOCKET NO. 2016-1480

The Division of Agency Services requests that the Civil Service Commission order Hillside to return the May 22, 2014, certification of the eligible list for Police Officer (S9999R) for proper disposition.

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

B-22 DANIELLE COLE-WILLIAMS – CSC DOCKET NO. 2017-828

Danielle Cole-Williams, represented by Robert O. Yaeger, CWA Local 1040, appeals the decision of the Division of Agency Services, which found that her position with the Department of Corrections is properly classified as Instructional Technician, Secured Facilities. The appellant seeks an Educational Program Assistant 1 job classification.

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

B-23 DANIEL SHUSTACK – CSC DOCKET NO. 2017-2185

Daniel Shustack appeals the determination of the Division of Agency Services that he was below the minimum requirements in experience for the promotional examination for Purchasing Agent (PM1796U), Cape May.

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

B-24 FRANKLIN ABAZIE – CSC DOCKET NO. 2017-2168

Franklin Abazie, a former Cottage Training Supervisor, Hunterdon Developmental Center, Department of Human Services, appeals his resignation in good standing effective February 18, 2015.

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

B-25 DONJU FRAZIER – CSC DOCKET NO. 2017-1809

The Department of Corrections, represented by Christopher Weber, Deputy Attorney General, petitions the Civil Service Commission for a stay of the initial decision of the Administrative Law Judge, which modified Donju Frazier's removal to a 120 working day suspension and was deemed adopted as a final decision on October 11, 2016, pending the outcome of its appeal to the Superior Court, Appellate Division.

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

**B-26 CHIEF, FINANCE AND ACCOUNTS (M0257U), CITY OF NEWARK
CSC DOCKET NO. 2017-3868**

The appointing authority's failure to dispose of the certification for Chief, Finance and Accounts (M0257U), 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-27 VINCENT RICCIARDI AND LOUIS PANARESE
CSC DOCKET NOS. 2017-3487 AND 2017-3895**

The Superior Court of New Jersey has transferred the issue of Louis Panarese's status as a Police Chief with Hillside Township to the Civil Service Commission. Vincent Ricciardi, represented by Rubin Sinins, Esq., also contests Panarese's appointment as Police Chief and seeks a determination of his employment status.

ACTION: The Civil Service Commission directed that Louis Panarese be returned to his permanent title of Police Captain and Vincent Ricciardi's regular appointment to the title of Police Chief be recorded.

B-28 K.B. – CSC DOCKET NO. 2016-3588

The Communications Workers of America, AFL-CIO, represented by Annmarie Pinarski, Esq., appeals the appointment of K.B. to the noncompetitive title of Geographic Information Systems Specialist 3 with the Department of Environmental Protection.

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

B-29 MICHAEL KELLY – CSC DOCKET NO. 2017-3625

Michael Kelly appeals his score on the oral portion of the promotional examination for Police Captain (PM1327U), Elizabeth.

ACTION: The Civil Service Commission directed that this appeal be granted in part and the score for the technical component be raised from 3.5 to 4.

B-30 NATHANIEL SINGLETON – CSC DOCKET NO. 2017-3188

Nathaniel Singleton appeals the decision of the Division of Agency Services which found that he did not meet the experience requirements for the open-competitive examination for Manager 1 Information Processing (M0797U), Plainfield

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

PUBLIC PORTION

Christopher Gray, Esq., asked a question regarding Item B-27 - Vincent Ricciardi and Louis Panarese.

Dudley Burdge, CWA Local 1038 commented and asked questions regarding the transfers of staff from the Office of Administrative Law. This matter was not on the meeting agenda.

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, August 16, 2017, at 1:00 p.m., at 3 Station Plaza, Trenton, New Jersey.

Robert M. Czech
Chairperson
Civil Service Commission