



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
OCTOBER 18, 2017**

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

October 18, 2017

A regular meeting of the Civil Service Commission was held on Wednesday, October 18, 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The following appeals were withdrawn and removed from the hearing calendar:

Charles Whitfield Jr., Judiciary Clerk 2, Camden Vicinage, Superior Court of New Jersey, release at the end of the working test period.

Ronald Ward, Program Assistant Administrative Services, Rowan University, release at the end of the working test period.

Michael Boone, Police Officer, Asbury Park Police Department, removal.

Samantha Ivanic, Clerk 2, Gloucester County, Department of Social Services, 30 working day suspension.

Albert Daniels, County Correction Sergeant, Camden County Department of Corrections, release at the end of the working test period.

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

SECTION A – HEARING MATTERS**A-1 SETTLEMENTS**

Eric Miller
Correction Officer Recruit
Department of Corrections
General resignation

Maryann Agyare
Hunterdon Developmental 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 TERRI HANNAH

Terri Hannah, Human Services Assistant, Vineland Developmental Center, Department of Human Services, removal effective July 9, 2013 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-3 LYNDON JOHNSON

Lyndon Johnson, Police Lieutenant, City of Long Branch, Department of Public Safety, 120 working day suspension on charges of conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Uphold the 120 working day suspension.

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

A-4 LYNDON JOHNSON

Lyndon Johnson, Police Lieutenant, City of Long Branch, Department of Public Safety, removal effective August 12, 2013 on charges of incompetency, inefficiency, or failure to preform duties, inability to preform 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-5 LYNDON JOHNSON

Lyndon Johnson, Police Lieutenant, City of Long Branch, Department of Public Safety, demotion to Police Officer and 180 calendar day suspension on charges of neglect of duty, incompetency and conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Uphold the demotion to Police Officer and 180 calendar day suspension.

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

A-6 LYNDON JOHNSON

Lyndon Johnson, Police Lieutenant, City of Long Branch, Department of Public Safety, removal effective August 8, 2013 on charges of incompetency, inefficiency or failure to preform duties, inability to preform 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-7 PHILLIP MORRIS AND TONY COLEMAN (CONSOLIDATED)

Phillip Morris, County Correction Sergeant, Burlington County Jail, 60 working day suspension and Tony Coleman, County Correction Officer, 10 working day suspension on charges of incompetency, inefficiency or failure to preform duties, conduct unbecoming a public employee, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify Morris' 60 working day suspension to a 30 working day suspension and uphold Coleman's 10 working day suspension.

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

A-8 JAMES SLYKE

James Slyke, Human Services Specialist 1, Monmouth County, Department of Human Services, release at the end of the working test period effective November 15, 2013.

Recommendation of the Administrative Law Judge – Uphold the release at the end of the working test period.

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

SECTION B – MISCELLANEOUS MATTERS**B-1 JOSUE E. PICHARDO – CSC DOCKET NO. 2017-694**

Josue E. Pichardo, represented by Gerald D. Miller, Esq., appeals the removal of his name from the Police Officer (S9999R), City of Jersey City, eligible list due to an unsatisfactory background report.

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

B-2 CHET GANTT – CSC DOCKET NO. 2017-1891

Chet Gantt appeals his non-appointment from the Laborer 3 (PM0694U), City of Camden eligible list.

ACTION: The Civil Service Commission granted a hearing.

B-3 SILENDRA BAIJNAUTH – CSC DOCKET NO. 2017-4042

Silendra Baijnauth appeals the decision of the Division of Agency Services which found that he did not meet the educational requirements for the promotional examination for Fiscal Officer (PM0041V), Jersey City.

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

B-4 MARCIA BLACK – CSC DOCKET NO. 2018-459

Marcia Black appeals the determination of the Division of Agency Services that she was below the minimum requirements in education for the promotional examination for Vocational Rehabilitation Counselor 2 (PS2789K), Ancora Psychiatric Hospital.

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

B-5 HANNAH CAPPS – CSC DOCKET NO. 2018-898

Hannah Capps appeals the determination of the Division of Agency Service which found that she did not meet the minimum experience requirements for the open-competitive examination for Program Development Specialist Youth Services (C0397V), Hudson County.

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

B-6 DONNELL COLE, SR. – CSC DOCKET NO. 2018-494

Donnell Cole, Sr. appeals the determination of the Division of Agency Services that he was below the minimum requirements in experience for the promotional examination for Senior Youth Worker (PS4482E), Department of Military and Veterans Affairs.

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

B-7 MICHAEL CURLEY AND DAH-PAH SHU – CSC DOCKET NOS. 2018-415 AND 2018-405

Michael Curley and Dah-Pah Shu appeal the determinations of the Division of Agency Services that they did not meet the experience requirements for the promotional examination for Contract Administrator 3 (PS4493G), Department of Environmental Protection.

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

B-8 AURORA DECRISTOFANO, *ET AL.* – CSC DOCKET NO. 2018-531, *ET AL.*

Aurora DeCristofano, Charles Mars and Douglas Weidanz appeal the determinations of the Division of Agency Services that they did not meet the experience requirements for the promotional examination for Technical Support Specialist 1 (PS4132U), Office of Information Technology.

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

B-9 DEBRA PRIOLO-ALLEN – CSC DOCKET NO. 2018-59

Debra Priolo-Allen 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 3 (PS4250P), Department of Law and Public Safety.

ACTION: The Civil Service Commission directed that this appeal be denied and the appellant's position undergo a classification review.

B-10 JEFFREY RICCIARDI – CSC DOCKET NO. 2017-2520

Jeffrey Ricciardi appeals the determination of the Division of Agency Services that he did not meet the experience requirement for the promotional examination for Telecommunications Systems Analyst 3 (PS3404G), Department of Environmental Protection.

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

B-11 LISSETTE V. VILLEGAS – CSC DOCKET NO. 2017-3348

Lisette V. Villegas appeals the determination of the Division of Agency Services which found that she was below the minimum requirements in experience for the promotional examination for Personnel Assistant 3 (PS4043I), State Parole Board.

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

B-12 SHARYN WALZ – CSC DOCKET NO. 2018-204

Sharyn Walz appeals the determination of the Division of Agency Services which found that she did not meet the experience requirements for the promotional examination for Supervising Program Support Specialist Assistance Programs (PS2959K), Department of Children and Families.

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

B-13 MICHAEL KLEIN – CSC DOCKET NO. 2017-2644

Michael Klein appeals the decision of the Division of Agency Services that his position with the Office of Information Technology is correctly classified as Information Technology Specialist. The appellant seeks a Technical Support Specialist 1 job classification.

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

B-14 JEAN PETERSON – CSC DOCKET NO. 2017-2593

Jean Peterson appeals the decision of the Division of Agency Services that her position with the Department of Health is correctly classified as Information Technology Specialist. The appellant sees a Network Administrator 1 job classification.

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

B-15 DEBORAH LANIER – CSC DOCKET NO. 2018-121

Deborah LaNier petitions the Civil Service Commission to accept her untimely application for the promotional examination for Human Services Specialist 2 (PC0534V), Union County.

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

B-16 FRANKLIN ABAZIE – CSC DOCKET NO. 2018-547

Franklin Abazie requests reconsideration of the final administrative determination *In the Matter of Franklin Abazie* (CSC, decided July 26, 2017), which denied the petitioner's appeal of his resignation not in good standing.

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

B-17 ALEXANDRIA DENOIA – CSC DOCKET NO. 2017-1918

Alexandria DeNoia, an Investigator 4, Law and Public Safety, with the Division of State Police, Department of Law and Public Safety, petitions for reconsideration of the attached final decision rendered on October 19, 2016, which denied a request for a waiver of payment of a salary overpayment.

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

B-18 TODD BOYER – CSC DOCKET NO. 2018-6

Todd Boyer, an Environmental Specialist 3, Department of Environmental Protection, appeals the denial of his March 2, 2017 grievance requesting that he be reimbursed monies that he repaid to Workers' Compensation.

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

B-19 MARIA MCGOWAN – CSC DOCKET NO. 2017-2031

The Department of Human Services, on behalf of Maria McGowan, requests a waiver of repayment of a salary overpayment, pursuant to *N.J.S.A.* 11A:3-7, which provides that when an employee has erroneously received a salary overpayment, the Civil Service Commission may waive repayment based on a review of the case.

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

B-20 W.S. – CSC DOCKET NO. 2016-800

W.S., a former Senior Correction Officer with the Department of Corrections, represented by John T. Herbert, Esq., appeals the determination of the Commissioner, which found that the appellant failed to 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-21 CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of October 4, 2017.

ACTION: The Civil Service Commission adopted the minutes of its meeting on October 4, 2017.

B-22 DESTINY ARMATO – CSC DOCKET NO. 2018-906

Destiny Armato appeals the decision of the Division of Agency Services to remove her name from the May 23, 2017 certification of the Firefighter (M1557T), North Hudson Fire Rescue Service eligible list due to her failure to appear for the Physical Performance Test (PPT).

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

B-23 SERGIO RANELI AND ANTHONY IANNAZONE – CSC DOCKET NOS. 2018-884 AND 2018-895

Sergio Raneli and Anthony Iannacone appeal the determination of the Division of Agency Services which found them ineligible for the promotional examination for Police Sergeant (PM0802V), Hackensack.

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

B-24 NAKIA BRYDIE – CSC DOCKET NO. 2018-25

Nakia Brydie, represented by Raymond L. Hamlin, Esq., appeals the appointing authority's request to remove her name from the eligible list for County Correction Officer (S9999R), Morris County, on the basis of an unsatisfactory driving record.

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

B-25 SCOTT DECARLO – CSC DOCKET NO. 2017-2061

Scott DeCarlo, represented by Brian J. Aloia, Esq., appeals the appointing authority's request to remove his name from the eligible list for Fire Fighter (M1559T), Nutley, on the basis of falsification of his employment application.

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

B-26 MATTHEW GATTO – CSC DOCKET NO. 2018-600

Matthew Gatto appeals the determination of the Division of Agency Services that found that he did not meet the experience requirements for the promotional examination for Inspector Road Openings (PC0416V), Passaic County.

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

B-27 JENNIFER GONZALEZ – CSC DOCKET NO. 2017-3036

Jennifer Gonzalez appeals the determination of the Division of Agency Services which found that she did not meet the education requirements for the open competitive examination for Principal Planner (M0872U), Hoboken.

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

B-28 GIUSEPPE MANNINI – CSC DOCKET NO. 2017-2927

Giuseppe Mannini appeals the determination of the Division of Agency Services which found that he was below the minimum requirements in experience for the promotional examination for Supervisor Public Works (PM2050U), Clifton.

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

B-29 PETER HAGERTY – CSC DOCKET NO. 2018-844

Peter Hagerty requests that he be permitted to submit an application for the promotional examination for Police Sergeant (PM0805V), Hammonton, after the application filing deadline.

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

B-30 JOSEPH SANTORO – CSC DOCKET NO. 2018-287

Joseph Santoro requests that he be permitted to submit an application for the promotional examination for Police Sergeant (PM0768V), Berkeley, after the application filing deadline.

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

B-31 ADVOCATE VICTIM WITNESS PROGRAM (C0195U), MERCER COUNTY – CSC DOCKET NO. 2017-2729

Mercer County requests permission not to make an appointment from the August 30, 2016 certification for Advocate Victim Witness Program (C0195U).

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

B-32 CLERK 3 (M0712U), MANASQUAN – CSC DOCKET NO. 2018-3780

Manasquan requests permission not to make an appointment from the January 3, 2017 certification for Clerk 3 (M0712U).

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

**B-33 SUPERVISING ADVOCATE VICTIM WITNESS PROGRAM (M0868T),
NEWARK – CSC DOCKET NO. 2017-3221**

The appointing authority's failure to dispose of the certification for Supervising Advocate Victim Witness Program (M0868T), 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 immediately remove the provisional appointee, properly dispose of the outstanding certification and pay compliance costs in the amount of \$1,000.

B-34 THOMAS CARACCIO – CSC DOCKET NO. 2016-4060

The appeal of Thomas Caraccio, a County Correction Officer with Hudson County, of his removal, effective May 13, 2016, on charges, was heard by Administrative Law Judge Ellen S. Bass (ALJ), who rendered her initial decision on September 5, 2017. At its meeting on October 4, 2017, the Civil Service Commission adopted the ALJ's recommendation to uphold the appellant's removal. However, the Commission found it necessary to address the exceptions and reply filed by the parties. The proposed final decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the final decision.

VOTE: Robert M. Czech (Yes)

Dolores Gorczyca (No)

Daniel W. O'Mullan (Yes)

B-35 CHRISTOPHER BAKER – CSC DOCKET NO. 2018-464

Christopher Baker requests that he be permitted to submit an application for the promotional examination for Police Sergeant (PM2041V), Jersey City, after the application filing deadline.

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

B-36 CHRISTINA BLUM – CSC DOCKET NO. 2018-792

Christina Blum appeals the determination of the Division of Agency Services denying her request for a make-up examination for Records Technician 3 Motor Vehicles (PS4527T), Motor Vehicle Commission.

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

B-37 RACHEL BAUM – CSC DOCKET NO. 2018-797

Rachel Baum appeals the determination of the Division of Agency Services denying her request for a make-up for the promotional examination for Lieutenant Campus Police (PS4357J), Rowan University.

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

B-38 R.E. – CSC DOCKET NO. 2016-4115

R.E., represented by Craig S. Gumpel, Esq., appeals his rejection as a Fire Fighter candidate by the City of Linden and its request to remove his name from the eligible list for Fire Fighter (M2546M) 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-39 E.C.L. – CSC DOCKET NO. 2016-1053

E.C.L., represented by Michael L. Prigoff, Esq., appeals his rejection as a County Correction Officer candidate by Camden 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-40 TROY JONES – CSC DOCKET NO. 2017-2745

Troy Jones appeals the removal of his name from the eligible list for Human Services Specialist 1 (C0446S), Hudson County on the basis of his failure to complete preemployment processing.

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

B-41 JOSH KAMIS – CSC DOCKET NO. 2018-404

Josh Kamis appeals the decision of the Division of Agency Services which found that he did not meet the experience requirements for the promotional examination for Clerk 2 (PC0147V), Middlesex County.

ACTION: The Civil Service Commission directed that this appeal be denied and the appellant's position undergo a classification review.

B-42 GREGG LUCIANIN – CSC DOCKET NO. 2018-50

Gregg Lucianin appeals the decision of the Division of Agency Services which found that, per the substitution clause for education, he did not meet the experience requirements for the promotional examination for Purchasing Agent (PM0075V), Passaic Valley Water Commission.

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

B-43 GREGORY SAYELL AND MICHAEL WARGO – CSC DOCKET NOS. 2018-869 AND 2018-825

Gregory Sayell and Michael Wargo appeal the determinations of the Division of Agency Services which found that they did not meet the minimum experience requirements for the open-competitive examination for Mechanic Diesel (M0316V), Vineland School District.

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

B-44 KEYA WILLIAMS – CSC DOCKET NO. 2018-836

Keya Williams requests to file a late application for the promotional examination for Classification Officer 1 (PS5349I), Department of Corrections.

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

B-45 MATTHEW WALKER – CSC DOCKET NO. 2017-2130

Matthew Walker appeals the decision of the Division of Agency Services which found that he lacked the required amount of permanent status in a title to which the examination was open for County Correction Sergeant (PM2077U), Essex County, and requests retroactive seniority.

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

PUBLIC PORTION

No comments.

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

Robert M. Czech
Chairperson
Civil Service Commission