



**STATE OF NEW JERSEY**

**FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION**

In the Matter of Fred Moramarco,  
Code Enforcement Officer (M0471A),  
Seaside Park

CSC Docket No. 2020-1451

Examination Appeal

**ISSUED:** February 13, 2020 (RE)

Fred Moramarco appeals the determination of the Division of Agency Services (Agency Services) which found that he did not meet the experience requirements for the open competitive examination for Code Enforcement Officer (M0471A), Seaside Park.

The subject examination announcement was issued with a closing date of May 21, 2019. The examination was open to residents of Seaside Park and Ocean County who met the announced requirements of one year of experience in conducting inspections or investigations to detect violations of and ensure compliance with laws, rules and regulations. The appellant was found to be below minimum requirements in experience. There were four candidates on the eligible list, which has been certified once, but no appointments have yet been made.

The appellant listed one position on his application, Code Enforcement Officer from January 2012 to July 2018 (part-time, 20 hours per week). Official records indicate that the appellant was a provisional Code Enforcement Officer from January 2019 to the May 2019 closing date. The appellant indicated his duties for his position as, “conducted inspections to detect violations of and ensure compliance with laws, rules and regulations.” As the appellant copied the announced requirement as his duties, his experience was not accepted, and he was found be lacking one year of qualifying experience.

On appeal, the appellant provides documentation that he worked “in Code Enforcement” in 2012, 2013, 2018 and 2019.

## CONCLUSION

*N.J.A.C.* 4A:4-2.3(b) provides that applicants shall meet all requirements specified in the open competitive examination announcement by the closing date.

*N.J.A.C.* 4A:4-2.1(f) provides that an application may only be amended prior to the announced closing date.

In the instant matter, based on the information available to Agency Services, it appropriately found that the appellant was not qualified for the subject title based on his failure to meet the experience requirements. He listed one position, Code Enforcement Officer from 2012 to 2018, and he copied the requirements as duties. There are many issues with this determination. First, and most obvious, is that duties that mimic the the job specification rather than describing actual responsibilities while serving in a particular position, in the absence of any corroborating information, are not acceptable. Candidates are instructed to describe their duties in detail, and the appellant did not do so.

Secondly, the appellant indicated employment from January 2012 to July 2018, when he produced documentation on appeal only from 2012, 2013, 2018 and 2019. Candidates were instructed to list each position separately, and if the appellant did not work from 2014 through 2017, then he should not include that time on his application.

Thirdly, Agency Services reached out to the appointing authority regarding the lapse in time in the appellant's County And Municipal Personnel System (CAMPS), in order to verify his prior employment. They did not respond in writing, but verbally indicated that records were lost after a layoff in 2017 which involved Lavallette. The appellant provides documentation dated July 12, 2012 that Seaside was employing seasonal employees in the Code Enforcement Office. In a work session dated July 5, 2012, it was reported that two new code office employees would be hired to fill the vacant Code Enforcement Officer position. If the appellant worked at the same salary as 2019, the gross wages on his 2012 W-2 calculate to 32 work days or 6 hours per week. A meeting agenda dated March 28, 2013 indicates that Seaside appointed a seasonal employee to conduct rental housing inspections. Using the same salary as 2019, the gross wages on his 2013 W-2 calculate to almost 9 work days or 1.3 hours per week. The minutes of the March 5, 2018 meeting of the Mayor and Council state that the appellant would be a temporary part-time Code Enforcement Officer. The appellant does not provide a 2018 W-2, and therefore, his time for this year cannot be quantified. The appellant's 2019 employment is reflected in CAMPS.

As a result of this analysis, the appellant's time in grade for 2018 cannot be quantified. He did not include his 2019 employment on his application, and he had

41 working days, just short of two months of experience, in 2012 and 2013. Nonetheless, the appellant did not provide any duties in his own words for his experience. Therefore, this experience cannot be qualified. The additional information does not support that the appellant meets the announced requirements. However, it does bring up the issue of an incomplete official record. If the appointing authority is having trouble recreating records, it should reach out to the employees whose records are affected to get information and documentation that would assist in completing the official CAMPS records for those individuals.

Lastly, the appellant is cautioned to fully complete any future applications, and provide all requested information regarding his employment, including the duties for each position given in his own words. Failure to do so may result in ineligibility.


An independent review of all material presented indicates that the decision of Agency Services that the appellant did not meet the announced requirements for eligibility by the closing date is amply supported by the record. The appellant provides no basis to disturb this decision. Thus, the appellant has failed to support his burden of proof in this matter.

### ORDER

Therefore, it is ordered that this appeal be denied.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE  
CIVIL SERVICE COMMISSION ON  
THE 12<sup>th</sup> DAY OF FEBRUARY, 2020



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