



STATE OF NEW JERSEY  
CIVIL SERVICE COMMISSION

**MINUTES OF REGULAR MEETING OF  
THE CIVIL SERVICE COMMISSION  
July 30, 2008**

**Margaret E. L. Howard, Presiding  
Flavella Branham  
John Currie  
Robert Long**

July 30, 2008

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A regular meeting of the Civil Service Commission was held on Wednesday July 30, 2008, in Trenton, New Jersey.

**PRESENT:** Margaret E. L. Howard, Presiding Member; Members Flavella Branham, John Currie and Robert Long; Pamela Ullman, Deputy Attorney General; and Henry Maurer, Director, Division of Merit System Practices and Labor Relations.

In accordance with L.1975, c.231, Presiding Member Margaret E. L. Howard, 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 21, 2007, and posted at the Department of Personnel, 3 Station Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

**STATE**

The Civil Service Commission recorded the recommended changes in the State Classification Plan, copies of which are attached hereto and made a part hereof.

**MEMORANDUM**

**DATE:** July 25, 2008

**TO:** Hope L. Cooper, Acting Commissioner *HLC*  
Department of Personnel

**FROM:** Elizabeth Van Marter *EV*, Director  
Classification and Compensation

**SUBJECT:** Change in the State Classification Plan

**STATE PAROLE BOARD**

The State Parole Board (SPB) requests the creation of an apprentice title to facilitate advancement to the title of Senior Parole Counselor.

The SPB currently makes appointments to the Trainee level; incumbents advance after one year to the title of Parole Counselor.

The duties of this series have changed such that a two year preparation period is now warranted to properly develop staff to assume the duties of the primary title. The SPB has developed a detailed two-year apprentice training program, which includes specific performance criteria at six month intervals. Incumbents will be advanced from the Apprentice title to the title of Senior Parole Counselor upon successful completion of the two year program.

The SPB will reclassify existing Parole Counselor Trainees to Parole Counselor Apprentices. The length of their remaining apprenticeship will be predicated on the amount of Apprentice training completed at the time of appointment to that title. All existing Trainees will be given RCW appointments to the Apprentice title, subject to successful completion of a working test period.

Existing Parole Counselors with two or more years of experience, certified by the State Parole Board to have satisfactory performance evaluations and qualified to advance, will be promoted RCW to the title of Senior Parole Counselor, pending satisfactory completion of a working test period.

Salary for this apprentice program will be established in accordance with existing policy.

Creation of this title will eliminate the need for three titles: Parole Counselor, Parole Counselor, Bilingual in Spanish & English, and Parole Counselor Trainee. These will be inactivated once all incumbents are moved.

H. Cooper  
July 25, 2008  
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**ESTABLISHMENT OF TITLE**

**Effective:** 08-02-08

Parole Counselor Apprentice, State Parole Board  
P19-\_\_\_\_\_ Competitive W NE/12

**ELIMINATION OF TITLES**

**Effective:** 08-16-08

Parole Counselor Trainee, State Parole Board  
P95-61850 Competitive W NE/12

Parole Counselor, State Parole Board  
P19-61846 Competitive W NE/12

Parole Counselor, State Parole Board, Bilingual in Spanish & English  
P19-61846c Competitive W NE/12

EVM/JJM/BP

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**SECTION A – HEARING MATTERS**

**A-1 SETTLEMENTS**

In the Matter of Amissa Babb  
Ancora Psychiatric Hospital  
Department of Human Services  
Removal

In the Matter of Duane Carter  
Ancora Psychiatric Hospital  
Department of Human Services  
Removal

In the Matter of Wilson Castillo  
County of Hudson  
Department of Roads and Public Property  
Removal

In the Matter of Wanda Dickerson  
County of Monmouth  
Department of Health Care Facilities  
Suspension

In the Matter of Carolee Gill  
County of Essex  
Department of Health and Rehabilitation  
Resignation not in good standing

In the Matter of Frank J. Hull, Jr.  
County of Monmouth  
Department of Highways  
Removal

In the Matter of Wanda Jordan-Dennis  
Vineland Developmental Center  
Department of Human Services  
Removal

In the Matter of Lisa Kelly  
Newark School District  
Suspension

In the Matter of John Onyema  
Newark School District  
Removal

In the Matter of Dawn Shea  
County of Hudson  
Department of Corrections  
Resignation not in good standing

In the Matter of Stevie Stevenson  
County of Burlington  
County Jail  
(2) Resignations not in good standing

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

**ACTION:** The Civil Service Commission acknowledged the settlements.

**A-2 KAREN HAMSHAR**

Karen Hamshar, a Maintenance Worker 1, Transportation, with the Department of Transportation, appeals the denial of sick leave injury benefits. She also appeals the determination of the Deputy Commissioner, Department of Transportation, which stated that she 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, Harassment, or Hostile Environments in the Workplace.

Recommendation of the Administrative Law Judge – Grant SLI benefits, not to exceed one year, minus all workers’ compensation and temporary disability benefits paid to her and deny the discrimination claim.

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

**A-3 JOSE MALDONADO**

Jose Maldonado, Social Service Aide, Passaic County, Board of Social Services, release at the end of the working test period effective October 6, 2003.

Recommendation of the Administrative Law Judge – Grant a new working test period.

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

**VOTE:**     **Margaret E. L. Howard**         **(Yes)**  
              **Flavella Branham**             **(Yes)**  
              **John Currie**                 **(Abstained)**  
              **Robert J. Long**             **(Yes)**

**A-4 JAMES MULLIKAN**

James Mullikan, County Correction Sergeant, County of Hunterdon, Department of Corrections appeals:

- 1) 15-day suspension on the charge of sleeping while on duty
- 2) 5-day suspension on the charge of arriving late to work
- 3) 5-day suspension on the charge of violation of a rule, regulation, policy, procedure, order or administrative decision (divulging confidential information)
- 4) 5-day suspension on the charge of violation of a rule, regulation, policy, procedures, order or administrative decision (sick leave policy)
- 5) 30-day suspension and demotion on the charge of conduct unbecoming a public employee
- 6) Removal effective February 6, 2003 on the charge of conduct unbecoming a public employee
- 7) Removal effective March 13, 2003 on the charge of insubordination
- 8) Removal effective March 13, 2003 on the charge of abandonment

**A-4 JAMES MULLIKAN (CONTINUED)**

Recommendation of the Administrative Law Judge:

- 1) Uphold the 15-day suspension
- 2) Uphold the 5-day suspension
- 3) Uphold the 5-day suspension
- 4) Reverse the 5-day suspension
- 5) Uphold the 30-day suspension; however, the Administrative Law Judge did no indicate whether the demotion was appropriate
- 6) Uphold the removal
- 7) Uphold the removal
- 8) Reverse the removal

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

**A-5 EFRAIN BELTRE**

Efrain Beltre, Police Officer, City of Newark, Police Department, removal effective April 7, 2006, on charges of conduct unbecoming a public employee, neglect of duty and violation of Police Department rules and regulations regarding conduct in public and private, neglect of duty, false statements, knowledge of crime and radio discipline.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

**A-6 FREDDIE B. FRAZIER, SR. (REMAND)**

Freddie B. Frazier, Sr., Senior Correction Officer, Northern State Prison, Department of Corrections, removal effective June 13, 2001, on charges of conduct unbecoming a public employee and being prohibited by law from possessing or using a firearm.

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

**ACTION:** The Civil Service Commission modified the recommendation of the Administrative Law Judge to uphold the removal.

**A-7 LEROY D. HARRIS, JR.**

Leroy D. Harris, Jr., Cottage Training Technician, New Lisbon Developmental Center, Department of Human Services, removal effective April 25, 2007, on charges of physical abuse of a client and verbal abuse of a patient, client, resident, or employee.

Recommendation of the Administrative Law Judge – Reverse the removal.

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

**A-8 MICHAEL JASIECKI**

Michael Jasiecki, Police Officer, Township of Parsippany-Troy Hills, Police Department, removal effective August 13, 2002, on charges of failure to perform duties, neglect of duty, conduct unbecoming a public employee, misuse of public property, and violation of Department rules and regulations regarding Duty Responsibilities, Performance of Duty, Obedience to Laws and Regulations, and Emergency Calls and Use of Red Light and Siren.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

**A-9 SHAWN REED**

Shawn Reed, Police Officer, City of Bridgeton, Department of Public Safety, removal effective December 20, 2006, on charges of unfit for duty, inability to perform duties and chronic or excessive absenteeism or lateness, abandonment of position and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the removal.

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

**A-10 SETTLEMENTS**

In the Matter of Michael Kacsur  
Juvenile Justice Commission  
Department of Law and Public Safety  
Suspension

In the Matter of Pasquale Marrazzo  
County of Mercer  
Department of Public Safety  
Removal

In the Matter of Sharon Whitmore  
Town of Dover  
Police Department  
Demotion and Removal

**RECOMMENDATION OF THE ADMINISTRATIVE LAW JUDGE IN THE  
ABOVE MATTERS – ACKNOWLEDGE THE SETTLEMENTS**

**ACTION:** The Civil Service Commission acknowledged the settlements.

**SECTION B – MISCELLANEOUS MATTERS**

**B-1 MICHAEL ANZALONE**

Michael Anzalone, represented by Benjamin Benson, Esq., appeals his rejection as a Fire Fighter candidate by Union Township and its request to remove his name from the eligible list for Fire Fighter (M2287E) 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-2 DANIEL ARENCIBIA**

Daniel Arencibia, represented by Robert L. Tarver, Jr., Esq., appeals the removal of his name from the (S9999F) eligible list for the title of Sheriff's Officer, Ocean County on the basis of psychological unfitness.

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

**B-3 DENNIS CLAY**

Dennis Clay appeals the removal of his name from the (S9999F) eligible list for the title of Correction Officer Recruit, Department of Corrections on the basis of psychological unfitness.

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

**B-4 JOEL COSSABOON**

Joel Cossaboon 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 (S9999H) 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-5 JENNIFER HENRY**

Jennifer Henry appeals her rejection as a Police Officer candidate by Newark and its request to remove her name from the eligible list for Police Officer (S9999F) 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-6 WENDY BANKA**

Wendy Banka, a Personnel Assistant 1 with the Department of the Treasury appeals the denial of sick leave injury (SLI) benefits.

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

**B-7 STACY BRUMELL**

Stacy Brumell, a Senior Correction Officer with Northern State Prison, Department of Corrections, represented by Henry J. Cistrelli, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

**B-8 CARL DURHAM**

Carl Durham, a Senior Correction Officer with the Department of Corrections, represented by Henry J. Cistrelli, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

**B-9 LESLIE EARL**

Leslie Earl, a Data Processing Programmer with the Department of Corrections, appeals the denial of sick leave injury (SLI) benefits.

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

**B-10 PASQUALE GIOVANNONE**

Pasquale Giovannone, a Senior Correction Officer with Mountainview Youth Correctional Facility, Department of Corrections, appeals the denial of sick leave injury (SLI) benefits.

**ACTION:** The Civil Service Commission directed that this appeal be referred to the Medical Examiner's Panel.

**B-11 DEIDRE GWALTNEY**

Deidre Gwaltney, a Senior Correction Officer with the Department of Corrections, represented by Henry J. Cistrelli, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

**B-12 RHONDA WARE**

Rhonda Ware, a Senior Correction Officer at Riverfront State Prison, Department of Corrections, appeals the denial of sick leave injury (SLI) benefits.

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

**B-13 MICHELLE WHITE**

Michelle White, an Administrative Analyst 4 (Data Processing) with the Department of the Treasury, appeals the denial of sick leave injury (SLI) benefits.

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

**B-14 DAMIAN J. ALBANESE**

Damian J. Albanese appeals the request by the Department of Corrections to remove his name from the eligible list for Correction Officer Recruit (S9999H), Department of Corrections, on the basis of an unsatisfactory background report.

**ACTION:** The Civil Service Commission directed that this appeal be granted but that the appellant's name be reflected as bypassed on the certification.

**B-15 DYSHON BEMBRY**

Dyshon Bembry, represented by Patricia Hurt, Esq., appeals the appointing authority's request to remove his name from the eligible list for Police Officer (S9999F), Newark, on the basis of an unsatisfactory background report.

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

**B-16 DANNIS DUBLIN**

Dannis Dublin appeals the determination of the Division of Local Human Resource Management (HLRM) which found that the appointing authority had presented a sufficient basis to remove his name from the open competitive list for Juvenile Detention Officer (C2131H), Union County, based on his unsatisfactory criminal record.

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

**B-17 ANTHONY EBNER**

Anthony Ebner, represented by Michael L. Testa, Esq., appeals the decision of the Division of State Human Resource Management (SHRM), which found that the appointing authority had represented a sufficient basis to remove the appellant's name from the Correction Officer Recruit (S9999H), Department of Corrections eligible list due to an unsatisfactory criminal background.

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

**B-18 SHAWN R. WILLIAMS**

Shawn R. Williams appeals the decision of the former Division of Human Resource Information Services (HRIS), which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the County Correction Sergeant (PC2629D), Hudson County eligible list on the basis of an unsatisfactory employment record.

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

**B-19 MARION WITHERSPOON**

Marion Witherspoon appeals the decision of the Division of Local Human Resource Management (LHRM), which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the Human Services Specialist 2 (C1529H), Morris County eligible list on the basis of her failure to appear for an interview.

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

**B-20 JAMES SCHULTZ**

James Schultz appeals the bypass of his name on a certification of the eligible list for Fire Captain (PM3512H), Morristown.

**ACTION:** The Civil Service Commission granted a hearing.

**B-21 LAURA VERDI**

Laura Verdi appeals the decision of the Division of Local Human Resource Management (LHRM) which removed her name from the Social Worker, Aging (C1795J), Hunterdon County eligible list, based on an unsatisfactory employment record. Ms. Verdi, represented by Greg Badini, Branch President, Communications Workers of America, Local 1034 (Local 1034), also appeals the removal of her name from the Housing Assistance Technician (C1868J), Hunterdon County eligible list, based on an unsatisfactory employment record. The matter of the appellant's removal from the Social Worker, Aging (C1795J), Hunterdon County eligible list was held over at the March 26, 2008 Merit System Board meeting.

**ACTION:** The Civil Service Commission directed that the appeals be granted and for the Social Worker, Aging (C1795J) eligible list, the appellant's name be recorded as interested and reachable but not appointed on certification OL071710 and added to certification OL080867 issued against the provisional appointment of Melissa Dolgos. The Commission also directed that the appellant's name be restored to the Housing Assistance Technician (C1868J) list and added to the certification for OL080938. Moreover, the Commission directed the appointing authority to dispose of certifications OL080867 and OL080938 in accordance with the Commission's decision. Finally, the Commission directed that the appellant's name on the Field Representative, Senior Citizens Programs (C1763J) be certified against the provisional appointment of Edward Regan.

**B-22 PERMIT CLERK (M1037H), JERSEY CITY**

Jersey City requests permission not to make an appointment from the September 6, 2006 certification for Permit Clerk (M1037H).

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

**B-23 PRINCIPAL PAYROLL CLERK (M1121H), CITY OF NEWARK**

The City of Newark, represented by David Gambert, Assistant Corporation Counsel, requests permission not to make an appointment from the September 6, 2006 certification for Principal Payroll Clerk (M1121H).

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

**B-24 SENIOR ROAD INSPECTOR (C6974H), BURLINGTON COUNTY**

Burlington County requests permission not to make an appointment from the January 2, 2007 certification for Senior Road Inspector (C6974H).

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

**B-25 LEONARD HOFFMAN**

Leonard Hoffman, a Lieutenant with the New Jersey State Police, Department of Law and Public Safety, appeals the determination of the Chief of Staff to the Attorney General, stating that the appellant failed to present sufficient evidence to support a finding that he had been subjected to violations of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

**B-26 CHERYL JENKINS**

Cheryl Jenkins, a former Government Representative 1, with the Department of Human Services, appeals the determination of the Assistant Commissioner for Human Resources which found sufficient evidence to support a finding that she had violated the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

**VOTE:**

<b>Margaret E. L. Howard</b>	<b>(Yes)</b>
<b>Flavella Branham</b>	<b>(Yes)</b>
<b>John Currie</b>	<b>(Yes)</b>
<b>Robert J. Long</b>	<b>(Abstained)</b>

**B-27 MERRILL MAIN**

Merrill Main, a Clinical Director 1 with the Department of Human Services (DHS), appeals the determination of the Acting Chief of Staff of the DHS, stating that there was sufficient evidence to support a finding that the appellant had subjected Manual Iser, a Clinical Psychologist 2, Division of Mental Health Services, to violations of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

**B-28 DAWN MCRAE AND AKISHA RUE**

Dawn McRae, a Senior Community Program Specialist, and Akisha Rue, a Teaching Assistant 12 Months, with the Juvenile Justice Commission, Department of Law and Public Safety, appeal the determinations of the Director of the Office of Equal Employment Opportunity (EEO), stating that the appellants failed to present sufficient evidence to support a finding that they had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

**B-29 JAMES SMITH**

James Smith, a former Student Financial Aid Administrator 1 with the Higher Education Student Assistance Authority (HESAA), appeals the determination of the Executive Director of the HESAA which found that the appellant had violated the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

**B-30 ALI ALEXANDARANE**

The Department of Transportation (DOT) requests relief on behalf of Ali Alexandarane, a Bridge Operator with the DOT.

**ACTION:** The Civil Service Commission granted the request.

**B-31 ROBERT CHESTER, MICHAEL CROISSETTE, AND RICHARD DIAMANTI**

Robert Chester, Michael Croisette, and Richard Diamanti, Fire Fighters with Pennsauken, represented by Craig S. Gumpel, Esq., appeal their reassignments effective May 7, 2007.

**ACTION:** The Civil Service Commission granted a hearing.

**B-32 BARBARA EDGE**

The Department of Law and Public Safety requests that the provisions of N.J.A.C. 4A:6-3.4(a), which govern the time period in which employees must file an application for Supplemental Compensation on Retirement (SCOR), be relaxed to permit Barbara Edge to submit a late application for SCOR benefits.

**ACTION:** The Civil Service Commission granted the request.

**B-33 JEAN AVENOSO**

The Newark School District requests that the eligible list for Senior Personnel Assistant (PM0723E) be revived in order to effectuate the permanent appointment of Jean Avenoso, effective September 12, 2005.

**ACTION:** The Civil Service Commission granted the request.

**B-34 AMY COLLINS**

Hamilton Township requests that Amy Collins be provided a retroactive permanent appointment, effective April 1, 2004.

**ACTION:** The Civil Service Commission granted the request.

**B-35 FREDERICK MABEY AND STEPHEN ZOELLER**

Lincoln Park requests that the eligible list for Police Sergeant (PM2523C) be revived to record the permanent appointments of Frederick Mabey and Stephen Zoeller, effective November 15, 2004 and September 19, 2005, respectively.

**ACTION:** The Civil Service Commission granted the request.

**B-36 JOSH OSOWSKI**

Josh Osowski, represented by Ken McNamara, Staff Representative, CWA Local 1037, requests a retroactive effective date of the reclassification of his position from Superintendent Parks and Forestry 3 to Superintendent Parks and Forestry 1.

**ACTION:** The Civil Service Commission granted the request.

**B-37 WARREN SUNDBERG AND MARK WEST**

Lincoln Park requests that the eligible list for Police Lieutenant (PM2571C) be revived to record the permanent appointments of Warren Sundberg and Mark West, effective November 15, 2004 and September 19, 2005 respectively.

**ACTION:** The Civil Service Commission granted the request.

**B-38 PATRICK GOAN**

Patrick Goan appeals the determination of the Division of State Human Resource Management (SHRM) that his position is properly classified as a Grants Specialist. The appellant seeks an Administrative Analyst 1, Accounting classification in this proceeding.

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

**B-39 WILLIAM J. MCDONNELL**

William J. McDonnell, a Veterans Service Officer 2 with the Department of Military and Veterans Affairs (DMAVA), appeals DMAVA's failure to promote him to that title until March 29, 2008.

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

**B-40 WALTER SHARPE**

Walter Sharpe, an employee with the Department of Transportation, represented by Richard M. Schall, Esq., appeals the determination to place him on step eight of salary range R31, upon his voluntary demotion to the title of Project Manager, Transportation.

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

**B-41 KYLE VEALEY**

Kyle Vealey, a former Senior Correction Officer with the Department of Corrections, requests reemployment as a Senior Correction Officer.

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

**B-42 LILLIAN FOSTER**

Lillian Foster requests reconsideration of the decision rendered on January 16, 2008, which upheld the bypass of her name for appointment on the eligible list for Probation Officer (S0300F), Judiciary, Vicinage 8, Middlesex County.

**ACTION:** The Civil Service Commission denied the request.

**B-43 MICHAEL DAVINO**

The appeal of Michael Davino, a Crew Supervisor, Mechanics, with the Department of Transportation, concerning his return to his formerly held permanent title at the end of his working test period, effective April 24, 2007, was heard by Chief Administrative Law Judge Laura Sanders (ALJ), who rendered her initial decision on May 8, 2008. At its meeting on July 16, 2008, the Civil Service Commission did not adopt the ALJ's recommendation to grant the appellant a new working test period. Rather, the Commission upheld the appellant's return to his former permanent title at the end of his working test period. The proposed final decision is now submitted for the Commission's review.

**ACTION:** The Civil Service Commission adopted the final decision.

**B-44 MARCIA ADAMS**

Marcia Adams appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for the promotional examination for Management Improvement Specialist 1 (PS5049K), Division of Mental Health Services, Department of Human Services.

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

**B-45 BLANCA APONTE**

Christine T.J. Tucker, Business Administrator, City of Camden, on behalf of Blanca Aponte, appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for the qualifying examination for a lateral title change to Administrative Secretary.

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

**B-46 JEROME ARLT**

Jerome Arlt appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the promotional examination for Senior Repairer (PS5885K), Trenton Psychiatric Hospital.

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

**B-47 BRIAN BANNISTER**

Brian Bannister appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the promotional examination for Supervisor of Patient Accounts 1 (PS5879K), Ancora Psychiatric Hospital.

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

**B-48 REGINA BARSAMILO**

Regina Barsamilo appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she was below the minimum requirements in experience for the promotional examination for Program Technician (PS5243G), Department of Environmental Protection.

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

**B-49 SUSAN BILDER**

Susan Bilder appeals the determination of the Division of Selection Services which found that she was below the minimum requirement in experience for the promotional examination for Supervising Program Analyst (PC1523J), Monmouth County.

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

**B-50 JOSEPH CANALE**

Joseph Canale appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, he was below the minimum requirements in experience for the promotional examination for Administrative Analyst 1 (PS4919K), Ancora Psychiatric Hospital.

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

**B-51 JEFFREY CARRICK**

Jeffrey Carrick appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the promotional examination for Program Coordinator, Mental Health (PS5713K), Trenton Psychiatric Hospital.

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

**B-52 ARTHUR CHILDS AND JOSEPH LIOTINO**

Arthur Childs and Joseph Liotino appeal the determinations of the Division of Selection Services which found that they did not meet the experience requirements for the promotional examination for Supervisor, Public Works (PM1693H), Brick Township.

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

**B-53 FRANK CILIBERTO**

Thomas DeSomma, Executive Director, Lodi Housing Authority, on behalf of Frank Ciliberto, appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the qualifying examination for Housing Assistance Technician, Lodi Housing Authority.

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

**B-54 JOHN DAWSON, JR.**

Ralph S. Brownlee, Deputy County Administrator, Cumberland County, on behalf of John Dawson, Jr., appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the qualifying examination for a lateral title change to Supervisor of Motor Pool.

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

**B-55 DALE J. ELBEUF AND ELEANOR C. SCHUREMAN**

Dale J. Elbeuf, represented by Michael L. Testa, Jr., Esq., and Eleanor C. Schureman appeal the determinations of the Division of Selection Services which found that they did not meet the education and/or experience requirements for the open competitive examination for Superintendent of Recreation (M0145K), Vineland.

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

**B-56 MARGARET FISHER**

Margaret Fisher appeals the determination of the Division of Selection Services that found that, per the substitution clause for education, she did not meet the experience requirements for the promotional examination for Administrative Analyst 4 (PS4981T), Department of Transportation.

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

**B-57 SHALINI GALLAGHER**

Shalini Gallagher appeals the decision of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Program Development Specialist, Community Service (C6261J), Atlantic County.

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

**B-58 SHARRON GREGORY**

Sharron Gregory appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she did not meet the experience requirements for the promotional examination for Technician, Management Information Systems (PS1832H), Department of Health and Senior Services.

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

**B-59 VIVIAN GRIFFIN**

Vivian Griffin appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the open competitive examination for Juvenile Officer (M2318J), Trenton.

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

**B-60 JACQUELINE HARDNEY-RICKS**

Jacqueline Hardney-Ricks appeals the decision of the Division of Selection Services which determined that she failed to meet the experience requirements for the promotional examination for Supervising Clerk Typist (PM0855J), East Orange.

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

**B-61 FREDERICK KRUG**

Frederick Krug appeals the decision of the Division of Selection Services which found that, per the substitution clause for education, he did not meet the experience requirements for the promotional examination for Senior Systems Analyst (PC1202J), Mercer County.

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

**B-62 PETE LESZCZUK**

Pete Leszczuk appeals the decision of the Division of Selection Services which found that, per the substitution clause for education, he did not meet the experience requirement for the promotional examination for Senior Systems Analyst (PC1202J), Mercer County.

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

**B-63 KEITH M. LEWANDOWSKI**

Keith M. Lewandowski appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, he did not meet the experience requirements for the promotional examination for Administrative Analyst 2, Data Processing (PS1382N), Department of Labor and Workforce Development.

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

**B-64 GIRARD LUKOWIAK**

Girard Lukowiak appeals the decision of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Superintendent of Weights and Measures (PM1513J), East Orange.

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

**B-65 BECKY MATLACK**

Becky Matlack appeals the determination of the Division of Selection Services which found that she did not meet the experience requirement for the promotional examination for Assistant Director of Nursing Services 1, Developmental Disabilities (PS7702K), Hunterdon Developmental Center.

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

**B-66 LORRAINE MCGOUGH**

Lorraine McGough appeals the decision of the Division of Selection Services which found that she did not meet the experience requirements for the open competitive examination for Employment Counselor (C1906J), Union County.

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

**B-67 HECTOR MELENDEZ**

Hector Melendez appeals the determination of the Division of Selection Services which found that he did not meet the minimum experience requirements for the promotional examination for Mechanic Non-Automotive (PS4923K), Ancora Psychiatric Hospital.

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

**B-68 KELLY MOOIJ**

Kelly Mooij appeals the determination of the Division of Selection Services that found that she did not meet the experience requirements for the promotional examination for Administrative Analyst 2 (PS5155T), Motor Vehicle Commission.

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

**B-69 RACHEL MORGAN**

On behalf of Rachel Morgan, Burlington County appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, Ms. Morgan did not meet the experience requirements for the promotional examination for Program Analyst (PC0407J), Burlington County.

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

**B-70 JANICE OLSZEWSKI**

Janice Olszewski appeals the determination of the Division of Selection Services that found that, per the substitution clause for education, she did not meet the experience requirements for the open competitive examination for Assistant Personnel Director (C1894J), Mercer County.

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

**B-71 MEREDITH REILLY**

Melissa Latronica, Youth Shelter Director, Sussex County, appeals the determination of the Division of Selection Services which found that Meredith Reilly was below the minimum requirements in experience for the qualifying examination for Program Development Specialist, Community Service, Sussex County.

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

**B-72 ALVIN RIVERS**

Alvin Rivers appeals the determinations of the Division of Selection Services which found that, per the substitution clause for education, he did not meet the experience requirements for the promotional examinations for Technical Assistant 1, Treasury (PS0228U) and (PS3998U), Division of State Lottery.

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

**B-73 CARLOS ROLON-TORRES**

Carlos Rolon-Torres appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Head Housekeeper (PS4012E), New Jersey Veteran's Memorial Home (Vineland).

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

**B-74 MARGARET SCHOTT**

Margaret Schott appeals the determination of the Division of Selection Services that found that she did not meet the experience requirements for the promotional examination for Assistant County Tax Administrator (PC0879J), Atlantic County.

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

**B-75 MICHELLE SMITH**

Michelle Smith appeals the determination of the Division of Selection Services that found that, per the substitution clause for education, she did not meet the experience requirements for the open competitive examination for Management Assistant (C6282J), Mercer County.

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

**B-76 BETTY LOU PICATAGI**

Betty Lou Picatagi appeals the use of the Management Test Battery (MTB) for the promotional examination for Chief Accountant (PC1739H), Mercer County.

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

**B-77 WILLIAM BORKE III, ET AL.**

William Borke III, Fire Captain (PM3567J), New Brunswick; Brett Blake and Ryan Fitzsimmons, Fire Captain (PM3683J), Clifton; John Ingallinera, Fire Captain (PM3587J), Hackensack; Paul Kearns Jr., and Joseph Zbierski, Fire Captain (PM3604J), Teaneck; Michael Scanio, Fire Captain (PM3605J), Union Township; Daniel Walters, Fire Captain (PM3607J), Vineland; and James Poland, Fire Captain (PM3608J), Voorhees Township appeal the correct responses to various questions on the written portion of their respective promotional examinations.

**ACTION:** The Civil Service Commission directed that question 42 be rekeyed from option d to option b, question 60 be doublekeyed as option a and option c, question 70 be doublekeyed as option a and option b and the remainder of the appeals be denied.

**B-78 KAREN KLEIN**

Karen Klein appeals the decision of the Division of Selection Services concerning the correct answers to specific questions on the promotional examination for Senior Security Guard (PC1006J), Ocean County.

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

**B-79 STEVEN WINTERS**

Steven Winters appeals the correct response to question 40 on the promotional examination for Fire Officer 2 (PM3602G), North Hudson Regional Fire and Rescue.

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

**B-80 NETU JAMES**

Netu James requests that volunteer points be added to his final average for the eligible list for Fire Fighter (M2377H), Newark produced from the examination for Fire Fighter (M9999H). In addition, Mr. James appeals the test administration and scoring of the obstacle course component of the physical performance portion of the examination.

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

**B-81 JARRETT SMITH**

Jarrett Smith appeals the administration of the physical performance portion of the examination for Fire Fighter (M9999H).

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

**B-82 GARY MITCHELL AND ROSEMARIE PERRONE-CRISHAM**

Gary Mitchell and Rosemarie Perrone-Crisham appeal their failure of the promotional examination for Vocational Rehabilitation Counselor 2 (Deaf Language Specialist) (PS9871N), Department of Labor and Workforce Development, on the basis that they were not provided with a sufficient reasonable accommodation for their disabilities.

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

**B-83 CALEB DEAN**

Warren County requests that Caleb Dean's out-of-title work experience be accepted to qualify him for a prospective promotional examination for the "dual" title Senior Traffic Maintenance Worker/Sign Maker 2.

**ACTION:** The Civil Service Commission the request.

**B-84 WILFREDO GONZALEZ**

Wilfredo Gonzalez appeals the denial of his request for a make-up for the promotional examination for Investigator 2, Unemployment Insurance (PS3016N), Department of Labor and Workforce Development.

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

**B-85 RECENT COURT DECISIONS**

Submitted for the Commission's review are recent court decisions involving Merit System Board and Department of Personnel determinations *In the Matter of Enrique Torres* (Appellate Division, decided 6/4/08); *In the Matter of Robert Lacaillade, Correction Officer Recruit* (Appellate Division, decided 6/6/08); *In the Matter of Keith Stouch* (Appellate Division, decided 6/13/08); and *In the Matter of John Bell* (Appellate Division, decided 6/17/08).

**ACTION:** The Civil Service Commission noted the decisions.

**B-86 CIVIL SERVICE COMMISSION MINUTES**

Submitted for adoption are the Minutes of the Civil Service Commission Meeting of July 16, 2008.

**ACTION:** The Civil Service Commission adopted the minutes of its meeting of July 16, 2008.

**B-87 ROBERT JORDAN**

Robert Jordan, a Correction Sergeant with East Jersey State Prison, Department of Corrections, represented by Stuart Ball, Esq., requests reconsideration of that part of the decision rendered on June 11, 2008, which found that the appellant was entitled to the gross amount of \$12,936.72 in back pay.

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

**B-88 GEORGE AHERNS**

The appeals of George Aherns, a County Correction Sergeant with Hudson County, of a 10-day suspension and 20-day suspension on charges, was heard by Administrative Law Judge James A. Geraghty (ALJ), who rendered his initial decision on June 12, 2008. At its meeting on July 16, 2008, the Civil Service Commission adopted the ALJ's recommendations to modify the 10-day suspension to a 30-day suspension and to reverse the 20-day suspension. The proposed decision is now submitted for the Commission's review.

**ACTION:** The Civil Service Commission adopted the decision.

**B-89 YVONNE BUNDY**

The appeal of Yvonne Bundy, an Institutional Attendant with Salem County of her removal effective December 19, 2007, on charges, was heard by Administrative Law Judge Bruce M. Gorman (ALJ), who rendered his initial decision on June 4, 2008. At its meeting on July 16, 2008, the Civil Service Commission did not adopt the ALJ's recommendation to modify the removal to a six-month suspension. Rather, the Commission upheld the removal. The proposed final decision is now submitted for the Commission's review.

**ACTION:** The Civil Service Commission adopted the final decision.

**B-90 WILLIAM FITZGERALD**

The appeal of William Fitzgerald, a Guard with the Division of State Police, Department of Law and Public Safety, of his 45-day suspension and removal effective September 5, 2006, on charges, was heard by Administrative Law Judge Solomon A. Metzger (ALJ), who rendered his initial decision on May 5, 2008. At its meeting on July 16, 2008, the Civil Service Commission adopted the ALJ's recommendation to uphold the 45-day suspension and removal. The proposed final decision is now submitted for the Commission's review.

**ACTION:** The Civil Service Commission adopted the final decision.

**B-91 ELIZABETH BEITEL**

Elizabeth Beitel appeals the decision of the Division of State Human Resource Management (SHRM) that the proper classification of her position is Supervisor, State Museum Exhibits. The appellant seeks a Supervisor of Operations classification. The Department of State, on behalf of Ms. Beitel, requests relaxation of the provisions of N.J.A.C. 4A:4-2.6(a) in order for her to be deemed eligible to compete in a prospective promotional examination for Assistant Curator, Department of State.

**ACTION:** The Civil Service Commission denied the classification appeal but granted the rule relaxation in part.

**B-92 NICHOLAS CATALANO**

The Department of the Treasury, on behalf of Nicholas Catalano, requests the relaxation of the provisions of N.J.A.C. 4A:6-1.22 so as to permit him to donate more than ten leave days to Elizabeth Lipari-Walsh, who is participating in the donated leave program.

**ACTION:** The Civil Service Commission granted the request.

**B-93 RONALD GITTER**

The Department of Labor and Workforce Development, on behalf of Ronald Gitter, requests the relaxation of the provisions of N.J.A.C. 4A:6-1.22 so as to permit him to donate more than ten leave days to Kenneth Kuebler, who is participating in the donated leave program.

**ACTION:** The Civil Service Commission granted the request.

**B-94 LEONA JOYNER**

The Department of Banking and Insurance, on behalf of Leona Joyner, requests relaxation of the provisions of N.J.A.C. 4A:6-1.22 so as to permit her to donate more than ten leave days to Frank Fercoskie, who is participating in the donated leave program.

**ACTION:** The Civil Service Commission granted the request.

**B-95 PETER MAURER**

The Department of the Treasury, on behalf of Peter Maurer, requests the relaxation of the provisions of N.J.A.C. 4A:6-1.22 so as to permit him to donate more than ten leave days to Joanne Pascucci, who is participating the donated leave program.

**ACTION:** The Civil Service Commission granted the request.

**There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, August 13, 2008 at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.**

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**Margaret E. L. Howard**  
**Presiding**  
**Civil Service Commission**