



**STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION**

**MINUTES OF REGULAR MEETING OF
THE CIVIL SERVICE COMMISSION
October 8, 2008**

**Hope L. Cooper, Acting Chairperson
Flavella Branham
John Currie
Margaret E. L. Howard**

October 8, 2008

A regular meeting of the Civil Service Commission was held on Wednesday, October 8, 2008, in Trenton, New Jersey.

PRESENT: Hope L. Cooper, Acting Chairperson, Members Flavella Branham, John Currie and Margaret E. L. Howard; Pamela Ullman, Deputy Attorney General; Henry Maurer, Director, Division of Merit System Practices and Labor Relations.

In accordance with L.1975, c.231, Hope L. Cooper, Acting Chairperson, 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: September 16, 2008

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

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

SUBJECT: Change in the State Classification Plan

GENERAL TITLE

The Department of Human Services and the Department of Personnel request an upward salary re-evaluation for a general-use title.

Substance Abuse Counselors are subject to the regulations established by N.J.A.C. 13:34 C2-2(b)1. The title of Supervising Substance Abuse Counselor formerly required an unspecified Bachelor's degree, for which related experience could be substituted. The Administrative Code was recently amended, impacting the requirements. Incumbents must obtain a license, for which a non-substitutable Master's degree is required.

The resulting change impacts the title's compensable factor evaluation; thus, the range should be adjusted accordingly.

Negotiations representatives have been notified.

CHANGE IN CLASS CODE:

Effective: 09-13-08

Supervising Substance Abuse Counselor
~~S25~~-63116 * Competitive NL/12

Supervising Substance Abuse Counselor
~~S26~~-63116 * Competitive NL/12

EVM/JJM/BP

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

In the Matter of Tabettha Collier
Ancora Psychiatric Hospital
Department of Human Services
Suspension

In the Matter of Robert Jandoli
City of Orange
Department of Public Works
Removal

In the Matter of Clifford Johnson
City of Long Branch
Department of Public Works and Parks
Removals (2)

In the Matter of Ilunga Maryse-Kapend
City of Newark
Department of Economic and Housing Development
Removal

In the Matter of Theresa Morgan-Lemons
Atlantic County
Department of Human Services
Suspension

In the Matter of Freddie Richburg
Central Reception and Assignment Facility
Department of Corrections
Suspension

In the Matter of Estelle Ward
Newark School District
Removal

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

ACTION: The Civil Service Commission acknowledged the settlements except for Robert Jandoli which was held over.

A-2 JAMES MANSON

James Manson, Police Officer, Township of Willingboro, Police Department, 30-day suspension on charges of violation of rules and regulations regarding being in an alcoholic beverage licensed establishment, in uniform, not in an official capacity, failure to follow directives, unauthorized absence from assignment and untruthfulness.

Recommendation of the Administrative Law Judge – Modify the 30-day suspension to a 20-day suspension.

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

A-3 JENNIFER MCCRARY

Jennifer McCrary, Cottage Training Technician, New Lisbon Developmental Center, Department of Human Services, 15-day suspension on the charge of neglect of duty resulting in injury to persons or damage to property.

Recommendation of the Administrative Law Judge – Modify the 15-day suspension to a three-day suspension.

ACTION: The Civil Service Commission modified the recommendation of the Administrative Law Judge to a fine equivalent to 3-day's pay.

A-4 DANIEL MURRAY

Daniel Murray, Correction Lieutenant, East Jersey State Prison, Department of Corrections, 30-day suspension on charges of violation of rules regarding discrimination that affects equal employment, policy prohibiting racial and/or sexual harassment, discrimination and/or retaliation, inappropriate physical contact or mistreatment of an inmate, patient, client, resident, or employee and conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Reverse the 30-day suspension.

ACTION: The Civil Service Commission remanded this matter to the Office of Administrative Law.

A-5 ANDREW ROSS

Andrew Ross, Correction Sergeant, Riverfront State Prison, Department of Corrections, 10-working day suspension on charges of violation of Correction Department policy prohibiting discrimination harassment or hostile work environment and conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Modify the 10-working day suspension to a six-day suspension and award counsel fees in the amount of \$800.

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

A-6 BRIAN ANDERSON (REMAND)

Brian Anderson, County Correction Officer, County of Monmouth, Department of Corrections and Youth Services, removal effective October 17, 2001, on charges of failure to meet qualifications of the job title for County Correction Officer, falsification of job application, lying under oath and conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-7 JEFFREY D. DARE

Jeffrey D. Dare, Building Service Worker, County of Salem, Nursing and Convalescent Home, removal effective December 26, 2007, on charges of violation of the County alcohol and drug policy, insubordination, conduct unbecoming a public employee, other sufficient cause and violation of a Last Chance Agreement.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION: The Civil Service Commission remanded this matter to the Office of Administrative Law.

A-8 SHARON DAVIS (CONSOLIDATION)

Sharon Davis, Police Officer, City of Newark, Police Department, two six-day suspensions, one on charges of violation of Departmental rules regarding official written communication, public disparagement and discrediting communications, and one on charges of violation of rules regarding obedience to orders and accessibility to Department Surgeons and superior officer, and removal effective July 1, 2007, on charges of inability to perform duties, other sufficient cause, and violation of rules regarding mental and physical capability.

Recommendation of the Administrative Law Judge – Modify the two six-day suspensions to a three-day suspension and dismiss the appeal of the removal.

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

A-9 MICHAEL MEROLA

Michael Merola, Maintenance Repairer, Township of Brick, Department of Public Works, 30-day suspension on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the 30-day suspension to a 10-day suspension.

ACTION: The Civil Service Commission modified the recommendation of the Administrative Law Judge to uphold the 30-day suspension.

A-10 GEMETA DECOSEY

Gemeta Decosey, Police Officer, City of Newark, Police Department, removal effective September 7, 2007, on charges of violation of Department rules and regulations regarding conduct in public and private, conduct unbecoming a public employee, association with the criminal element, pre-employment statements, knowledge of crime, knowledge of laws and regulations, change of residency notification, leaving post and report off-duty.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-11 ALI ELMAGHRABI

Ali Elmaghrabi, Institutional Trade Instructor 2, Northern State Prison, Department of Corrections, removal effective January 24, 2008, on charges of falsification, conduct unbecoming a public employee and engaging in financial transactions between employees, patients, residents or inmates.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-12 EDWIN GARCIA

Edwin Garcia, County Correction Officer, Hudson County, Department of Corrections, removal effective June 7, 2007, on charges of insubordination, 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-13 HIRAM GONZALEZ

Hiram Gonzalez, Senior Correction Officer, East Jersey State Prison, Department of Corrections, removal effective June 8, 2007, on charges of conduct unbecoming a public employee and improper or unauthorized contact with inmate, undue familiarity with inmates, parolees, their families, or friends.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-14 KYLE LEACH AND NICHOLAS ANDRIJANOFF (CONSOLIDATION)

Kyle Leach and Nicholas Andrijanoff, both Sheriff's Officer, Cumberland County, Sheriff's Department, removals effective August 24, 2006 on charges of conduct unbecoming a public employee, neglect of duty, misuse of public property, and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the removals to five-day suspensions.

ACTION: The Civil Service Commission modified the recommendation of the Administrative Law Judge to a 30-working day suspension.

A-15 JOHN LONGO

John Longo, Inspector 3, Multiple Dwellings, Department of Community Affairs, 10-day suspension on charges of violation of Department rules regarding misuse of official position or information and approval for all employment and misuse of authority.

Recommendation of the Administrative Law Judge – Uphold the 10-day suspension.

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

A-16 JOHN LONGO

John Longo, Inspector 3, Multiple Dwellings, Department of Community Affairs, removal effective April 19, 2005, on charges of conduct unbecoming a public employee and other sufficient cause for violation of rules regarding falsification, failure to follow procedures, misuse of official position or information and misuse of authority.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

JOHN CURRIEA-17 WILFREDO MEDINA

Wilfredo Medina, Police Officer, City of Newark, Police, removal effective June 1, 2007, on charges of inability to perform duties and violation of Police Department rules regarding mental and physical capability.

Recommendation of the Administrative Law Judge – Reverse the removal.

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

A-18 THOMAS ZIAH

Thomas Ziah, Cottage Training Technician, Hunterdon Developmental Center, Department of Human Services, removal effective September 27, 2007, on the charge of physical or mental abuse of a client. This matter was held over from the September 10, 2008, Civil Service Commission meeting for testimony summary.

Recommendation of the Administrative Law Judge – Reverse the removal.

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

VOTE:	Hope L. Cooper	(Yes)
	Margaret E. L. Howard	(Abstained)
	Flavella Branham	(Yes)
	John Currie	(Yes)

A-19 JESSE IOFFREDO (SETTLEMENT)

Jesse Ioffredo, Laborer, Borough of Hopatcong, Department of Public Works, removal effective February 1, 2006 on charges of inability to perform duties, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Acknowledge the settlement.

ACTION: The Civil Service Commission acknowledged the settlement.

A-20 MICHAEL L. MAJUR

Michael L. Majur, Parks Maintenance Worker, Borough of Carteret, Department of Parks, removal effective May 31, 2007, on charges of incompetence, inefficiency, or failure to perform duties, insubordination, conduct unbecoming a public employee, neglect of duty, misuse of public property and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

The parties request that the Commission reject the initial decision and accept an ordinary disability retirement in lieu of removal.

ACTION: The Civil Service Commission rejected the initial decision and acknowledged the settlement.

A-21 ESTELLE SMITH

The appeal of Estelle Smith, a Senior Correction Officer with the Garden State Youth Correctional Facility, Department of Corrections, of her removal, effective March 8, 2007, on charges, was heard by Administrative Law Judge Beatrice S. Tylutki (ALJ), who rendered his initial decision on November 29, 2007, recommending that the appellant's removal be upheld. However, at its meeting on January 30, 2008, the Merit System Board remanded the matter to the Office of Administrative Law to call a confidential informant as a witness. At its meeting on September 24, 2008, the Civil Service Commission did not adopt the ALJ's July 15, 2008 initial decision, wherein the ALJ once again recommended that the appellant be removed from employment. Rather, the Commission ordered that the matter again be remanded to the OAL. It is requested that the Commission reopen the matter, though, to consider the appointing authority's cross exceptions, which due to a misunderstanding were not previously presented to the Commission.

ACTION: The Civil Service Commission reopened this matter and adopted the prior decision to remand the matter to the Office of Administrative Law.

SECTION B – MISCELLANEOUS MATTERS**B-1 DESIREE ADAMS**

Desiree Adams appeals her rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove her name from the eligible list for Correction Officer Recruit (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 granted.

B-2 NELSON FERREIRA

Nelson Ferreira 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-3 SHASHAWNA KELLEY

Shashawna Kelley, represented by Richard A. Gantner, Esq., 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 granted.

B-4 JEANNETTE LINDSEY

Jeanette Lindsey appeals her rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove her name from the eligible list for Correction Officer Recruit (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 granted.

B-5 STEVEN OBANDO

Steven Obando, represented by Stephen B. Hunter, Esq., appeals his rejections as a Fire Fighter candidate by the City of Elizabeth and its request to remove his name from the eligible list for Fire Fighter (M2273E) 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-6 LORENZO RAGNACCI

Lorenzo Ragnacci, represented by George T. Dougherty, Esq., appeals his rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove his name from the eligible list for Correction Officer Recruit (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-7 HERBERT BACON

Herbert Bacon, a Senior Correction Officer with East Jersey 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 granted.

B-8 ANNA VEREEN

Anna Vereen, a Secretarial Assistant 2 (Non-Stenograph) with the Department of Transportation, appeals the denial of sick leave injury (SLI) benefits.

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

B-9 LISA WHITE

Lisa White, a Records Technician 3 with the Motor Vehicle Commission, represented by M. Scott Tashjy, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-10 MICHAEL P. BISKUPSKI

Michael P. Biskupski, represented by Gary A. Werner, Esq., appeals the decision of the Division of State Human Resource Management (SHRM) which found that the appellant's appeal of his removal from the eligible list for Correction Officer Recruit (S9999F), Department of Corrections, on the basis of an unsatisfactory criminal record and an unsatisfactory driving record, was untimely.

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

B-11 AARON CLEMENTS

The Juvenile Justice Commission appeals the decision of the Division of State Human Resource Management, which restored the name of Aaron Clements to the regular reemployment list for Senior Correction Officer, Juvenile Justice, Juvenile Justice Commission.

ACTION: The Civil Service Commission directed that this appeal be granted and Aaron Clements' name be removed from the regular reemployment list for Senior Correction Officer, Juvenile Justice, Juvenile Justice Commission.

B-12 ROSANNA LEONARD

Rosanna Leonard, represented by Peter G. Maurer, Staff Representative, Communications Workers of America, Local 1033, appeals the determination of the Division of State Human Resource Management (SHRM) which found that her name was properly bypassed on the promotional list for Data Entry Machine Operator (Terminal) (PS0595U), Department of the Treasury.

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

B-13 ALEXANDER TORRES

Alexander Torres appeals the decision of the Division of State Human Resource Management, which upheld the removal of his name from the Correction Officer Recruit (S9999H), Department of Corrections, eligible list due to an unsatisfactory criminal record.

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

B-14 SENIOR STANDARDS AND PROCEDURES TECHNICIAN (S6904H), STATEWIDE

The Division of State Human Resource Management has referred the matter of whether the Department of Children and Families should be granted permission not to make an appointment from the October 26, 2006 certification for Senior Standards and Procedures Technician (S6904H) to the Civil Service Commission.

ACTION: The Civil Service Commission granted the request for an appointment waiver and assesses no selection costs at this time.

B-15 VIRGINIA LARRY

Virginia Larry, a Legal Secretary 1 with the Department of Law and Public Safety (DLPS), appeals the determination of the Director, Office of Equal Employment Opportunity (EEO), DLPS, stating that the appellant did not 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 (State Policy).

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

B-16 BRENDEN WEBER

Hudson County, represented by Michael L. Dermody, First Assistant County Counsel, petitions the Civil Service Commission for a retroactive date of permanent appointment to the title of Sheriff's Officer Sergeant for Brendan Weber, in order to effectuate the terms of the settlement agreement between Weber and the County.

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

B-17 JAMES DELILLO

James DeLillo appeals the determination of the Division of Local Human Resource Management that his position is properly classified as a Supervisor, Public Works with Clifton. The appellant seeks a General Supervisor, Public Works classification in this proceeding.

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

B-18 LOUIS FERRARA

Louis Ferrara appeals the determination of the Division of Local Human Resource Management that his position is properly classified as a Director of Redevelopment. The appellant seeks an Executive Director classification in this proceeding.

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

B-19 CHERYL MURADO

Cheryl Murado appeals the decision of the Division of State Human Resource Management (SHRM) that the proper classification of her position is Data Processing Programmer 2. The appellant seeks a Data Processing Programmer 1 classification.

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

B-20 HACKENSACK EMERGENCY MEDICAL TECHNICIAN LAYOFF

The International Association of Firefighters, Local 2081A, represented by Bruce D. Leder, Esq., petitions the Civil Service Commission for interim relief of the September 14, 2008 layoff of Emergency Medical Technicians (EMTs) with Hackensack, pending the outcome of its appeal on the merits of the good faith of the layoff.

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

B-21 POLICE SERGEANT (PM2524G) AND (PM2597K), HAMMONTON

Reynold Theriault, President of Mainland PBA Local 77, requests review of the Township of Hammonton Ordinance R040-2008 as it relates to Civil Service rules and seeks extension of the PM2524G eligible list for Police Sergeant and a delay in announcing or promulgating PM2597K Police Sergeant list.

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

B-22 PEDRO PARDO

The Department of Corrections (DOC), represented by Nicole P. Grosvenor, Deputy Attorney General, petitions for reconsideration of the final decision rendered on December 19, 2007, which modified Pedro Pardo's removal to a six-month suspension. The DOC also petitions for a stay of that decision, which ordered it to reinstate Pardo, a Senior Correction Officer, and provide him with back pay, benefits, and seniority from the end of his suspension to the date of his reinstatement to employment.

ACTION: The Civil Service Commission directed that this request for reconsideration be granted and Pedro Pardo's removal be upheld.

B-23 LUIS OYOLA

The appeal of Luis Oyola, a County Correction Lieutenant with Hudson County, Department of Corrections, of his 60-day suspension on charges, was heard by Administrative Law Judge Carol I. Cohen (ALJ), who rendered her initial decision on June 20, 2008. At its meeting on September 10, 2008, the Civil Service Commission did not adopt the ALJ's recommendation to modify the 60-day suspension to a 30-day suspension. Rather, the Commission upheld the 60-day suspension. The proposed final decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the final decision.

B-24 STEVEN J. WINTERS

The appeal of Steven J. Winters, a Fire Fighter with North Hudson Regional Fire and Rescue, of his removal effective November 30, 2006, on charges, was heard by Administrative Law Judge James A. Geherty (ALJ), who rendered his initial decision on February 5, 2008. At its meeting on September 10, 2008, the Civil Service Commission adopted the ALJ's recommendation to grant the appointing authority's motion for partial summary decision and uphold the removal. However, the Commission did not adopt the appellant's motion for partial summary decision. The proposed final decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the final decision.

B-25 JILL BABASHAK

Jill Babashak appeals the determination of the Division of Selection Services which found that she did not meet the minimum experience requirements for the promotional examination for Contract Administrator 1 (PS7299K), Department of Human Services.

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

B-26 KEITH BOGNER AND HOWARD NEWMAN

Keith Bogner and Howard Newman appeal the determinations of the Division of Selection Services which found that they did not meet the education and experience requirements for the open competitive examination for Principal Photographer (S0079K).

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

B-27 JILL BUTCHER

Jill Butcher appeals the determination of the Division of Selection Services which found that she did not meet the minimum experience requirements for the promotional examination for Supervising Librarian Reference (PC0591K), Warren County.

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

B-28 DEBORAH DELCOLLO

Deborah DelCollo appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for the open competitive examination for Records Manager (M6229J), Hamilton Township.

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

B-29 ROBERT DUBENEZIC

Robert Dubenezic appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the open competitive examination for Emergency Medical Services Technician (S0022K).

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

B-30 BRIAN ENGISCH

Brian Engisch 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 Senior Youth Worker (PC1763J0, Hunterdon County.

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

B-31 EVARISTO FONTANEZ

Evaristo Fontanez appeals the determination of the Division of Selection Services which found that he did not meet the experience requirement for the promotional examination for Supervising Family Specialist 1 (PS6046K), Department of Children and Families.

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

B-32 IAIN GRIFFITHS

Iain Griffiths, represented by Jeffrey R. Caccese, Esq., appeals the determination of the Division of Selection Services which found that he was not eligible for the promotional examination for Assistant Supervisor, Water (PM0331K), Millville, because he was not permanent in the title to which the examination was open.

ACTION: The Civil Service Commission directed that this appeal be denied, but the matter of Mr. Griffiths' classification be referred to the Division of Local Human Resource Management.

B-33 OLGA ITHIER

Olga Ithier 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 Field Monitor 2, Division of Motor Vehicles (PS6067T), Motor Vehicle Commission.

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

B-34 CONCETTA PRIMONT

Concetta Primont 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 Assistant Real Estate Officer (C0041K), Monmouth County.

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

B-35 SHEILA RISLEY

Sheila Risley appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in education and experience for a prospective provisional appointment to the title of Public Health Epidemiologist, Warren County.

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

B-36 CHIDINMA UGOARU

Chidinma Ugoaru appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Training Technician (PC1640J), Union County.

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

B-37 DARRYL SCHMIDT

Darryl Schmidt appeals his score on and test mode for the promotional examination for Parks Maintenance Specialist 1 (PS7565G), Department of Environmental Protection.

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

B-38 SCOTT SCHOELLKOPF

Scott Schoellkopf appeals the promotional examination for Sheriff's Officer Lieutenant (PC2653J), Mercer County.

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

B-39 SHERIFF'S OFFICER CAPTAIN (PC3632J), HUDSON COUNTY

The appointing authority appeals the determination of the Division of Selection Services, which denied its request to reduce the one-year service requirement in the title of Sheriff's Officer Lieutenant to the completion of the working test period for the promotional examination for Sheriff's Captain (PC3632J), Hudson County. Additionally, Thomas Cerwinski, a Sheriff's Officer Lieutenant with Hudson County, appeals the scope of eligibility for the promotional examination for Sheriff's Officer Captain (PC3632J), Hudson County.

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

B-40 VINCENT INZANO, ET AL.

Vincent Inzano, Darrin Van Demark, and Robb Schaffer, Fire Lieutenant (PM2564J), New Brunswick; Michael Budinick, Michael Cannon, Daniel Chevestick, Kevin Child, David DePierro, Jonathan Gamutan, Loren Hart, Joong Kim, Kevin Kulnis, Anthony Lemanski, Brian Lowery, Robert McCann, David Murray, Brett Paladino, Carmine Rizzi, John Sadowski, Joseph Shastay, John Strich and Joseph Untisz, Fire Officer 1 (PM2567J), Jersey City; George DelGrande, Fire Lieutenant (PM2631J), Belleville; John Katinsky, Anthony Malfatto and Louis Venezia, Fire Lieutenant (PM2633J), Bloomfield; Jack Justice Jr. and Donald Sims Jr., Fire Lieutenant (PM2634J), Bridgeton; Kevin Danielson, Fikret Darzanoff, Thomas Lanza and William LeGates Jr., Fire Lieutenant (PM2637J), Clifton; Christopher Annunziata and Spero Leakas, Fire Lieutenant (PM2638J), Hackensack; Eric Grace and Michael Palmer, Fire Lieutenant (PM2639J), Margate; Mark Jenkins, Fire Lieutenant (PM2640J), Mount Laurel; Joseph Arena, Richard Barreres, Michael Crossan, Raymond D'Ambrosio, Robert D'Antonio, Daniel DeOrio, Peter Ellerbrock, Daniel Fresse, Thomas Haemmerle, David LaCarrubba, Frederick Leaycraft, Nicholas Prato, Brian Stahl, Jose Vargas, Thomas Willbergh and Steven Wojtowicz, Fire Officer 1 (PM2641J), North Hudson Regional Fire and Rescue; Edward Paul III, Fire Lieutenant (PM2643J), Pennsauken Township; Daniel Pigoncelli, Fire Lieutenant (PM2644J), Teaneck; Eric Stroming and David Zeh, Fire Lieutenant (PM2645J), Union Township; Christian Hamilton, Fire Lieutenant (PM2648J), Nutley; James Poland, Fire Lieutenant (PM2668J), Voorhees Township; Christopher Broccoli, Richard Johnston, Larry Reese, Daniel Stratton, Orlando Torres, and John Vincent, Fire Captain (PM3563J), Camden; Michael Gaurino, Alfredo Irizarry, John Kuhn, Christian Lysy, Steve O'Gorman, Steve McConlogue, Frederick Mohr, Juan Moreno, Michael Shuflat, Sean Sullivan, Jose Torres and Sean Wasacz, Fire Captain (PM3565J), Elizabeth; Brian Crimmins, Andrew Frey and Michael Stefano, Fire Captain (PM3566J), Hoboken; Wyndell Cooper, Artur Evaristo, Thomas Jenkins, Ronald Lucas, Paul Mazza, John Meixedo, Juan Palleija, Kenneth Reeds, and Scott Wolf, Fire Captain (PM3568J), Newark; Lamar Colclough, Joseph Henderson, Pete Lobosco Jr., Orlando Rodriguez, Louie Roman and Michael Trommelen, Fire Captain (PM3570J), Paterson; Mark Buriani, Brian Butler, David Jobses, Alisa McNeese, Kevin Rice, Augustine Tackacs and Michael Welsh, Fire Captain (PM3571J), Trenton; Joseph Cavanaugh, Fire Captain (PM3593J), Harrison; Kenneth Bulger, John DeGiovanni, Joseph Mastandrea and Michael Richardson, Fire Captain (PM3596J), Kearny;

B-40 VINCENT INZANO, ET AL. (CONTINUED)

Joseph Juliano and Matthew Kohaut, Fire Captain (PM3600J), Orange, appeal the correct responses to various questions on their respective promotional examinations.

ACTION: The Civil Service Commission directed that questions 5 and 65 be double-keyed and the remainder of the appeals be denied.

B-41 PATRICIA BURGOS

Patricia Burgos, a former Deputy Court Administrator with Montville Township, represented by Clayton Giles, Esq., requests the relaxation of the provisions of N.J.A.C. 4A:4-2.1(e) so as to permit her to file a late application for the Deputy Municipal Court Administrator (M0206K), Montville, Township, examination.

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

B-42 CHARLES SKEENES

The Director, Division of Human Resources, Department of Military and Veterans Affairs, requests that the provisions of N.J.A.C. 4A:4-1.1(c) be relaxed in order to allow Charles Skeenes to be provisionally appointed, pending promotional examination procedures, to the competitive title of Purchasing Assistant.

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

B-43 GRACE GENOVESI

The Administrative Office of the Courts, on behalf of Grace Genovesi, requests the relaxation of the provisions of N.J.A.C. 4A:6-1.22 so as to permit Ms. Genovesi who is participating in the donated leave program, to receive more than 180 donated leave days allowed to a recipient.

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

B-44 JOHN KELLY

The Department of the Treasury, on behalf of John Kelly, requests the relaxation of the provisions of N.J.A.C. 4A:6-1.22 so as to permit him to donate more than 20 leave days to Gloria Myles-Smith, who is participating in the donated leave program.

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

B-45 DONNA VANVELDHUISEN

The Department of Environmental Protection, on behalf of Donna VanVeldhuisen, requests the relaxation of the provisions of N.J.A.C. 4A:6-1.22 so as to permit Ms. VanVeldhuisen, who is participating in the donated leave program, to receive more than 180 donated leave days allowed to a recipient.

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

B-46 RECENT COURT DECISIONS

Submitted for the Commission's review are summaries of recent court decisions involving Merit System Board and Department of Personnel determinations of *In the Matter of Peter Phillips* (Appellate Division, decided 8/5/08); *In the Matter of Anthony Matarazza, Hudson County* (Appellate Division, decided 8/11/08); *In the Matter of Kadihha Blackson, et al.* (Appellate Division, decided 8/12/08); *In the Matter of Vincent W. Surace, Police Officer (S9999D), Borough of Fort Lee* (Appellate Division, decided 8/12/08); *In the Matter of Mark Campbell* (Appellate Division, decided 8/25/08); *In the Matter of Maizeline Dotts, Department of Human Services* (Appellate Division, decided 8/27/08); and *In the Matter of Shae Norris, Essex Vicinage, Superior Court of New Jersey* (Appellate Division, decided 8/27/08)..

ACTION: The Civil Service Commission noted the decisions.

B-47 CIVIL SERVICE COMMISSION MINUTES

The Civil Service Commission minutes of its meeting of September 24, 2008 are submitted for adoption.

ACTION: The Civil Service Commission adopted the minutes of its meeting of September 24, 2008.

VOTE:	Hope L. Cooper	(Abstained)
	Margaret E. L. Howard	(Yes)
	Flavella Branham	(Yes)
	John Currie	(Yes)

B-48 AUDITOR 1, TAXATION (PS5170U) AND (PS5995U)

The Communications Workers of America Local 1033 (union), represented by Rae Roeder, President requests that the eligible lists for Auditor 1, Taxation (PS5170U) and (PS5995U) be extended for one year beyond their expiration dates.

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

B-49 OSAIE OKEKE

Osaie Okeke, represented by David Krenkel, Esq., requests reconsideration of the final administrative determination that his position is properly classified as a Senior Auditor.

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

B-50 ANTHONY DELLI SANTI

The appeal of Miguel Rivera, a Water Repairer with the City of Trenton, of his removal, effective June 29, 2007, on charges, was heard by Administrative Law Judge Jeff S. Masin (ALJ), who rendered his initial decision on July 8, 2008. At its meeting on September 24, 2008, the Civil Service Commission adopted the ALJ's recommendation to reverse the removal. The proposed decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the decision.

VOTE: **Hope L. Cooper** **(Abstained)**
 Margaret E. L. Howard **(Yes)**
 Flavella Branham **(Yes)**
 John Currie **(Yes)**

B-53 SUZETTE SHABAZZ-ALLEN

Suzette Shabazz-Allen, a Judiciary Account Clerk 2, with the Judiciary, Union Vicinage, of her removal effective January 19, 2006, on charges, was heard by Administrative Law Judge Irene Jones (ALJ), who rendered her initial decision on July 28, 2008. At its meeting on September 24, 2008, the Civil Service Commission adopted the ALJ's recommendation to uphold the removal. The proposed final decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the final decision.

VOTE: **Hope L. Cooper** **(Abstained)**
 Margaret E. L. Howard **(Yes)**
 Flavella Branham **(Yes)**
 John Currie **(Yes)**

B-54 MICHAEL SHARIN

The appeal of Michael Sharin, a Police Officer with Belmar, of his removal effective May 19, 2005, on charges, was heard by Administrative Law Judge John Schuster, III, (ALJ), who rendered his initial decision on July 30, 2008, reversing the removal. At its meeting on September 24, 2008, the Civil Service Commission did not adopt the ALJ's recommendation to reverse the removal. 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.

VOTE:

Hope L. Cooper	(Abstained)
Margaret E. L. Howard	(Yes)
Flavella Branham	(Yes)
John Currie	(Yes)

There being no further business before the Merit System Board, the meeting was adjourned to convene on Wednesday, October 22, 2008, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

Hope L. Cooper
Acting Chairperson
Civil Service Commission