



STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION

JON S. CORZINE
GOVERNOR

HOPE L. COOPER
Chair/Chief Executive Officer

**MINUTES OF REGULAR MEETING OF
THE CIVIL SERVICE COMMISSION
DECEMBER 16, 2009**

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

DECEMBER 16, 2009

A regular meeting of the Civil Service Commission was held on Wednesday, December 16, 2009, in Trenton, New Jersey.

PRESENT: Hope L. Cooper, 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, 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 17, 2008, and posted at the Civil Service Commission, 3 Station Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

In the Matter of Margaret Bamidele
Greystone Park Psychiatric Hospital
Department of Human Services
Removal

In the Matter of Chana Bass
Ancora Psychiatric Hospital
Department of Human Services
Suspension and Removal

In the Matter of Mignon Boone
Cumberland County
Cumberland Manor
Removal

In the Matter of Isaac Brown
City of Newark
Department of Neighborhood and Recreation
Resignation not in good standing

In the Matter of Lance Byrd
Northern State Prison
Department of Corrections
Removal

In the Matter of Rhoda Campbell
City of Newark
Police Department
Suspension

In the Matter of Ermand Centofanti
Township of Brick
Department of Administration, Finance and Public Affairs
Removal

In the Matter of John Crenshaw
Newark School District
Removal

In the Matter of Denise Dozier
Camden County
Department of Corrections
Suspension

In the Matter of Irma Flores
Ancora Psychiatric Hospital
Department of Human Services
Suspension

In the Matter of Bryon Frank
Camden County
Department of Health Services
Removal

In the Matter of Miriam Grell
Ancora Psychiatric Hospital
Department of Human Services
Removal

In the Matter of Frances Hannah
Ancora Psychiatric Hospital
Department of Human Services
Suspension

In the Matter of Genedine Inigo
Ancora Psychiatric Hospital
Department of Human Services
Removal

In the Matter of Anthony Irvin
Newark School District
Suspension

In the Matter of Velvette Jardine
Ancora Psychiatric Hospital
Department of Human Services
Suspensions (2)

In the Matter of Ebony Johnson
Trenton Psychiatric Hospital
Department of Human Services
Removal

In the Matter of Jason Martin
Ancora Psychiatric Hospital
Department of Human Services
Removal

In the Matter of Diane Mc Fee
Middlesex County
Department of Youth Services
Removal

In the Matter of Derrick Mc Nair
Hudson County
Department of Human Services
Suspension

In the Matter of Gail Murray
Woodbine Developmental Center
Department of Human Services
Removal

In the Matter of Helen O'Connor
Ancora Psychiatric Hospital
Department of Human Services
Suspension

In the Matter of Willie C. Rowe
City of East Orange
Police Department
Removal

In the Matter of Anthony Ruiz
Jersey City School District
Removal

In the Matter of Yolanda Walls
Ancora Psychiatric Hospital
Department of Human Services
Suspension

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

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 JEFFREY BORDLEY

Jeffrey Bordley, Police Officer, City of Bridgeton, Department of Public Safety, fine in the amount of \$6,748.20 (equal to 30 days' pay) on charges of insubordination and violation of Police Department rules and regulations.

Recommendation of the Administrative Law Judge – Uphold the fine in the amount of \$6,748.20 (equal to 30 days' pay).

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

A-3 JOHN CASALINHO

John Casalinho, Police Officer, City of Newark, Police Department, 20-day suspension on charges of conduct unbecoming a public employee, neglect of duty, and violation of Police Department rules regarding conduct and false statement.

Recommendation of the Administrative Law Judge – Uphold the 20-day suspension.

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

A-4 JOHN J. DOWD, III

John J. Dowd, III, Senior Engineering Aide, Township of Parsippany, Department of Public Works, removal (no Final Notice of Disciplinary Action served), on charges of insubordination 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-5 HEATHER RAGSDALE

Heather Ragsdale, Cottage Training Technician, Vineland Developmental Center, Department of Human Services, resignation not in good standing effective June 12, 2008, on the charge of job abandonment.

Recommendation of the Administrative Law Judge – Dismiss the appeal with prejudice for failure to pursue the matter.

ACTION: The Civil Service Commission modified the recommendation of the Administrative Law Judge to dismiss the appeal without prejudice for failure to pursue the matter.

A-6 SAKINAH COTTON (REMAND)

Sakinah Cotton, Police Officer, City of Newark, Police Department, removal effective June 18, 2007 on charges of conduct unbecoming a public employee, and violation of Police Department rules regarding conduct in public and private, association with the criminal element, and false statement.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-7 BOBBY E. COYLE

Bobby E. Coyle, Clerk Typist, Middlesex County, Department of Corrections, removal effective December 9, 2008, on the charge of neglect of duty.

Recommendation of the Administrative Law Judge – Dismiss the appeal as moot.

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

A-8 FRANCESCO LIOTTI

Francesco Liotti, Laborer, Township of Belleville, Department of Public Works, removal effective November 26, 2007, on charges of possession, use or being under the influence of a controlled substance 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-9 SEAN MC TERRELL

Sean Mc Terrell, Laborer, City of Newark, Department of Neighborhood and Recreational Services, removal effective July 8, 2008, on the charge of resignation not in good standing.

Recommendation of the Administrative Law Judge – Modify the removal to a resignation not in good standing effective October 19, 2008.

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

A-10 JOSEPH SANGER

Joseph Sanger, Police Officer, City of Newark, Police Department, six-month suspension and removal effective June 15, 2007, on charges of conduct unbecoming a public employee and violation of Police Department rules regarding criminal law.

Recommendation of the Administrative Law Judge – Modify the six-month suspension to a 30-day suspension and reverse the removal.

ACTION: The Civil Service Commission modified the recommendation of the Administrative Law Judge to reverse the six-month suspension and removal.

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

A-11 JOHN STAFFORD

John Stafford, Senior Police Officer, Central Office Police, Department of Human Services, 10-day suspension on charges of insubordination and conduct unbecoming a public employee.

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

ACTION: The Civil Service Commission modified the recommendation of the Administrative Law Judge to uphold the 10-day suspension.

A-12 VANESSA WARREN

Vanessa Warren, Senior Correction Officer, Northern State Prison, Department of Corrections, removal on charges of conduct unbecoming a public employee and violation of administrative procedures and/or regulations involving safety and security.

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-13 ANTHONY HARDY – SETTLEMENT

Anthony Hardy, Juvenile Detention Officer, Middlesex County, Department of Youth Services, removal effective May 26, 2009 on charges of neglect of duty and other sufficient cause and removal effective June 4, 2009 on charges of insubordination and other sufficient causes.

Recommendation of the Administrative Law Judge – Acknowledge the Settlement.

ACTION: The Civil Service Commission acknowledged the settlement.

A-14 STANLEY LEVEY – SETTLEMENT

Stanley Levey, Building Maintenance Worker, Township of North Brunswick, Department of Public Works, 15-day suspension on charges of incompetency and insubordination. Settled to a 10-day suspension and 5 days' back pay.

Recommendation of the Administrative Law Judge – Acknowledge the settlement.

ACTION: The Civil Service Commission acknowledged the settlement.

SECTION B – MISCELLANEOUS MATTERS

B-1 LUIS A. ARRAIGA

Luis A. Arraiga appeals his rejection as a Police Officer candidate by Newark and its request to remove his name from the eligible list for Police Officer (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-2 SAMUEL BENNETT

Samuel Bennett 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 LYNNE A. DELEON

Lynne A. DeLeon appeals her rejection as a Sheriff's Officer candidate by Atlantic City and its request to remove her name from the eligible list for Sheriff's Officer (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-4 JAMAAL HALL

Jamaal Hall, represented by Jennifer Webb-McRae, 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 referred the matter for an independent psychological evaluation.

B-5 MILES PIRES

Miles Pires, represented by Peter L. Festa, Esq., appeals his rejection as a Police Officer candidate by Paterson and its request to remove his name from the eligible list for Police Officer (S9999H) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION: The Civil Service Commission referred the matter for an independent psychological evaluation.

B-6 CHRYSTAL STOKES

Chrystal Stokes 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-7 ROBERT SZCZUR

Robert Szczur, represented by Justine L. Talley, Esq., appeals his rejection as a Police Officer candidate by Montville Township and its request to remove his name from the eligible list for Police Officer (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-8 PEARL WILLIAMS

Pearl Williams 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 denied.

B-9 NICOLE BALL

Nicole Ball, a Human Services Technician with the Trenton Psychiatric Hospital, Department of Human Services, appeals the denial of sick leave injury (SLI) benefits.

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

B-10 MARILYN BOFFA

Marilyn Boffa, a Teacher 1 with the Garden State 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 denied.

B-11 WILLIAM DATZ

William Datz, a Senior Correction Officer with the Adult Diagnostic and Treatment Center, Department of Corrections, represented by Daniel Geddes, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-12 SAMANTHA DOFFONT

Samantha Doffont, a Senior Correction Officer at the East Jersey State Prison, Department of Corrections, represented by Daniel Geddes, Esq., appeals the denial of sick leave injury (SLI) benefits.

ACTION: The Civil Service Commission referred the matter to the Medical Examiners Panel.

B-13 VERNELL HILTON

Vernell Hilton, a Bus Driver with the Department of Children and Families, appeals the denial of sick leave injury (SLI) benefits.

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

B-14 BOBBIE HODGES

Bobbie Hodges, a former Senior Correction Officer with the Central Reception and Assignment Facility, Department of Corrections, appeals the denial of sick leave injury (SLI) benefits.

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

B-15 CASSANDRA HOLMES

Cassandra Holmes, a Senior Correction Officer with the East Jersey State Prison, Department of Corrections, represented by Henry 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-16 JACKIE HOLMES

Jackie Holmes, a Senior Correction Officer with South Woods State Prison, Department of Corrections, represented by Daniel Geddes, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-17 MARY MASON

Mary Mason, a Family Service Specialist 2 with the Department of Children and Families, appeals the denial of sick leave injury (SLI) benefits.

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

B-18 DARLENE MUSTO

Darlene Musto, a Senior Correction Officer at Albert C. Wagner Correctional Facility, Department of Corrections, represented by Daniel Geddes, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-19 DAVID NARVAEZ

David Narvaez, a former Senior Correction Officer with the 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 granted.

B-20 ISABEL NICHOLS

Isabel Nichols, an Information Technology Specialist 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 granted.

B-21 GEORGE PINAHA

George Pinaha, a Chief Bridge Operator 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-22 THOMAS RIDGE

Thomas Ridge, an Assistant District Parole Supervisor with the New Jersey State Parole Board, appeals the denial of sick leave injury (SLI) benefits.

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

B-23 ELEANOR THOMAS

Eleanor Thomas, a Practical Nurse at New Lisbon Developmental Center, Department of Human Services, appeals the denial of sick leave injury (SLI) benefits.

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

B-24 DREW THOMPSON

Drew Thompson a Correction Lieutenant with the Adult Diagnostic and Treatment Center, Department of Corrections, appeals the denial of sick leave injury (SLI) benefits.

ACTION: The Civil Service Commission referred the matter to the Medical Examiners Panel.

B-25 MAURICE WARE

Maurice Ware, a Senior Correction Officer at Northern State Prison, Department of Corrections, represented by Daniel Geddes, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-26 DONALD FILLINGER

Donald Fillinger, represented by G. Robert Wills, Esq., appeals the decision of the former Division of Local Human Resource Management, which upheld the bypass of his name on the February 26, 2009 certification of the Police Captain (PM3557G), Trenton, eligible list.

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

B-27 RAMON MALDONADO, JR.

Ramon Maldonado, Jr., appeals the decision of the Division of State Human Resource Management which upheld the removal of the appellant's name from the Correction Officer Recruit (S9999H), Department of Corrections, eligible list on the basis of an unsatisfactory criminal record.

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

B-28 MARGARET MCDONALD

Margaret McDonald appeals the decision of the Division of State and Local Operations, which removed the appellant's name from the Supervising Family Service Specialist 2 (PS6051K), Department of Children and Families, employment list due to the appellant's failure to respond to the Certification Notice.

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

B-29 KATHLEEN MERCEDES

Kathleen Mercedes appeals the removal of her name from the Correction Officer Recruit (S9999H), Department of Corrections eligible list due to an unsatisfactory background report and falsification of her employment application.

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

B-30 JOSEFA VAZQUEZ

Josefa Vazquez appeals the decision of the former Division of State Human Resource Management (SHRM), which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the Correction Officer Recruit (S9999H), Department of Corrections eligible list on the basis of an unsatisfactory criminal background.

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

B-31 DATA ENTRY MACHINE OPERATOR (M1768J), NEWARK

The appointing authority's failure to dispose of the certification for Data Entry Machine Operator (M1768J), Newark while provisionals are serving in the title, has been referred to the Civil Service Commission for enforcement.

ACTION: The Civil Service Commission ordered the appointing authority to remove the provisional appointees, properly dispose of the certification and pay compliance costs.

B-32 MATTHEW LINKER

Matthew Linker, a Buyer with the Department of Labor and Workforce Development, appeals the determination of the Commissioner, which found sufficient evidence that the appellant violated the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

B-33 STEVEN COSTANZO

Steven Costanzo appeals the determination of the Division of State and Local Operations that his position is properly classified as Engineer in Charge of Maintenance 2. Appellant seeks a Building Manager classification in this proceeding.

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

B-34 CHARLES METZGER

The City of Trenton appeals the decision of the Division of State and Local Operations that the proper classification of Charles Metzger's position is Fire Captain. The appointing authority seeks a Fire Fighter classification.

ACTION: The Civil Service Commission ordered the appointing authority to provide the Division of State and Local Operations with documentation in support of the discontinuance of Charles Metzger's interim appointment as Fire Captain.

B-35 JAYANTHI NADIG

Jayanthi Nadig, a Software Development Specialist 1 with the Office of Information Technology, represented by Dudley Burdge, Senior Staff Representative, Communications Workers of America, Local 1032, seeks enforcement of the April 28, 2008 determination of the Division of Human Resource Management finding that the duties and responsibilities of her position would be properly classified by the title Software Development Specialist 2.

ACTION: The Civil Service Commission granted the request in part.

B-36 ANDREA STUMPF

Andrea Stumpf appeals the determinations of the Division of State and Local Operations that her position is properly classified as a Technical Assistant 3 with the Department of Human Services. The appellant seeks an Administrative Analyst 4 classification in this proceeding.

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

B-37 CHERYLANNE WILSON

Cherylanne Wilson appeals the decisions of the Division of Human Resource Management (HRM) that the proper classification of her position is Engineering Technician 3. The appellant seeks a Program Development Specialist 3 classification. Ms. Wilson also appeals the determination of the Division of Selection Services that she was below the minimum requirements in experience for the promotional examination for Program Development Specialist 3 (PS8759T), Department of Transportation.

ACTION: The Civil Service Commission directed that these appeals be denied but directed that the Division of State and Local Operations conduct an updated classification review of the appellant's position, including an on-site desk audit, to determine if it would be properly classified as Research Assistant Transportation.

B-38 ANDREW LOVELL AND CHARLENE VITALE

Gloucester County requests that it be permitted to permanently appoint Andrew Lovell and Charlene Vitale to the titles of Chief Emergency Management Technician and Deputy Chief Emergency Management Technician, respectively.

ACTION: The Civil Service Commission granted the request.

B-39 CHARLES ESPOSITO

Gloucester County requests that the eligible list for Traffic Signal Electrician (PC4013V) be revived in order to effectuate the permanent appointment of Charles Esposito, effective December 18, 1997.

ACTION: The Civil Service Commission granted the request.

B-40 NEW JERSEY ENVIRONMENTAL MANAGEMENT SYSTEM STAFF CONSOLIDATION RETROACTIVE APPOINTMENT DATES

The Department of Environmental Protection requests retroactive permanent appointment dates for Richard Gunoskey, Joseph Ludovico, James Marinucci, Theresa Pagodin, and Russell Polo.

ACTION: The Civil Service Commission granted the request.

B-41 MICHAEL BROWN

Michael Brown, represented by Charles J. Sciarra, Esq., petitions the Civil Service Commission for enforcement of the decision rendered by the Superior Court, Appellate Division, in *In the Matter of Michael Brown*, Docket No. A-5157-07T3 (App. Div. July 16, 2009), which reversed his removal.

ACTION: The Civil Service Commission granted the request.

B-42 NAGY SOLIMAN

Nagy Soliman, a former Supervising Electrician with the Borough of Fair Lawn, represented by Dennis Cummins, Jr., Esq., seeks enforcement of the Civil Service Commission decision rendered on August 27, 2008, awarding him counsel fees.

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

B-43 MICHELLE M. KURZENBERGER

The appointing authority petitions the Civil Service Commission for reconsideration of the final decision, rendered on June 24, 2009, which restored the name of Michelle M. Kurzenberger to the eligible list for Police Officer (S9999H), Jackson and ordered her appointment.

ACTION: The Civil Service Commission granted the request in part.

B-44 ROBERT A. ANDREWS

The appeal of Robert A. Andrews, a Police Lieutenant with Berkeley, of his removal on charges, effective December 7, 2005, was heard by Administrative Law Judge Patricia Kerins (ALJ), who rendered her initial decision on August 21, 2009. At its meeting on December 2, 2009, the Civil Service Commission (Commission) adopted the ALJ's recommendation to dismiss the charges and reverse the removal. The proposed decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the decision.

B-45 WILLIAM J. BUNCE

William J. Bunce appeals the determination of the Division of Selection Services which found that he did not meet the requirements for the promotional examination for Assistant Supervisor, Public Works (PM1223K), Roselle.

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

B-46 CHRISTINE COBB

Christine Cobb appeals the determination of the Division of Selection Services which found that she did not meet the minimum requirements in experience for the open competitive examination for Site Manager Nutrition Program (C0700L), Bergen County.

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

B-47 CARMEN J. GARCIA

Carmen J. Garcia appeals the determination of the Division of Selection Services which found that she did not meet the requirements for the promotional examination for Supervisor of Data Entry Machine Operator (PC0490L), Hudson County.

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

B-48 FRANK MASONE

Frank Masone appeals the decision of the Division of Selection Services denying his request for a make-up examination for County Correction Captain (PC3641J), Middlesex County.

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

B-49 ROBERT GIBSON

The Department of Agriculture requests that Robert Gibson's out-of title work experience be accepted to qualify him for a prospective promotional examination for Administrative Analyst 1.

ACTION: The Civil Service Commission granted the request.

B-50 MARYANN MARAZZO

The Office of the Public Defender requests that Maryann Marazzo's out-of-title work experience be accepted to qualify her for a prospective promotional examination for Senior Buyer.

ACTION: The Civil Service Commission granted the request in part.

B-51 JOHN GOLDEN

The Office of the Attorney General, Department of Law and Public Safety, requests that the provisions of N.J.A.C. 4A:4-1.1(c) be relaxed in order to allow John Golden to be provisionally appointed, pending promotional examination procedures, to the competitive title of Technician, Management Information Systems.

ACTION: The Civil Service Commission granted the request.

B-52 LAWRENCE GRECO

The Department of the Treasury, on behalf of Lawrence Greco, requests the relaxation of the provisions of N.J.A.C. 4A:6-1.22 so as to permit him to donate more than 10 sick days to Stuart Junger, who is participating in the donated leave program.

ACTION: The Civil Service Commission granted the request.

B-53 LANCE MILLER

The Board of Public Utilities, on behalf of Lance Miller, requests the relaxation of the provisions of N.J.A.C. 4A:6-1.22 so as to permit him to donate more than 10 sick days to Olivia Campbell-Muldrow, who is participating in the donated leave program.

ACTION: The Civil Service Commission granted the request.

B-54 PROPOSED AMENDMENTS TO N.J.A.C. 4A:2-2.10, BACK PAY

Submitted for the Civil Service Commission's review is a Notice of Proposal to amend N.J.A.C. 4A:2-2.10, Back pay. The amendment would codify the prohibition enunciated in prior Merit System Board decisions that a back pay award shall not include a clothing, uniform, or equipment allowance. It is recommended that this proposal be approved for publication in the New Jersey Register for public notice and comment.

ACTION: The Civil Service Commission approved the proposed amendments for publication in the New Jersey Register.

B-55 RECENT COURT DECISIONS

Submitted for the Civil Service Commission's review are summaries of recent court decisions involving Merit System Board and Civil Service Commission determinations for *In the Matter of William Malayter, Township of Jackson* (Appellate Division, decided 9/29/09); *In the Matter of John Fasanella* (Appellate Division, decided 10/5/09); *In the Matter of Sheila Walker* (Appellate Division, decided 10/8/09); *In the Matter of Justo Delgado* (Appellate Division, decided 10/15/09); *In the Matter of Stephanie M. Carter-Green* (Appellate Division, decided 1/4/09); *In the Matter of Michael Curtin, Battalion Fire Chief (PM35903G), Elizabeth* (Appellate Division, decided 11/4/09);

ACTION: The Civil Service Commission noted the decisions.

B-56 CIVIL SERVICE COMMISSION MEETING MINUTES

The minutes of the Civil Service Commission meeting of December 2, 2009 are submitted for adoption.

ACTION: The Civil Service Commission adopted the minutes of its meeting of December 2, 2009.

B-57 MARSHA TARCZA

Marsha Tarcza, a Technical Assistant 2, Treasury, with the Department of the Treasury appeals the denial of sick leave injury (SLI) benefits.

ACTION: The Civil Service Commission referred the matter to the Medical Examiners Panel.

B-58 EDRAS SUERO

The appeals of Edras Suero, Police Officer City of Newark, of his 15-day suspension and two removals effective October 11, 2005, on charges, were before Administrative Law Judge Irene Jones, who rendered her initial decision March 17, 2009, recommending acknowledgement of the settlement.

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

B-59 SHARON MARCHISHIN

Sharon Marchishin, represented by John F. McDonnell, Esq., petitions the Civil Service Commission to return to the Office of Administrative Law her appeals of a fine in the amount of \$11,085.60 or equal to 93 days' pay and her removal effective August 3, 2008, which were dismissed by the Office of Administrative Law based on her failure to appear at a scheduled proceeding on July 14, 2009.

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

B-60 TAMMY LEVINE

Tammy Levine, represented by John F. McDonnell, Esq., petitions the Civil Service Commission to return to the Office of Administrative Law her appeal of her removal effective March 14, 2009, which was dismissed by the Office of Administrative Law based on her failure to appear at a scheduled proceeding on July 14, 2009.

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

B-61 RON SMITH

The appeal of Ron Smith, a Repairer with the Kean University, of his removal effective February 25, 2008 on charges, was heard by Administrative Law Judge Imre Karaszegi, Jr. (ALJ), who rendered his initial decision on August 27, 2009. At its meeting on December 2, 2009, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to modify the removal to a 30-day 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-62 TASIA BLOCKER

Tasia Blocker 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 Payroll Supervisor (M0071L), Roselle Borough.

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

B-63 MANAGEMENT INFORMATION SYSTEMS SPECIALIST (M6192J), JERSEY CITY

The matter of whether Jersey City should be granted permission not to make an appointment from the December 24, 2007 certification for Management Information Systems Specialist (M6192J) has been referred to the Civil Service Commission for review.

ACTION: The Civil Service Commission denied the request for an appointment waiver and ordered the appointing authority to properly dispose of the certification and pay \$1,000 in compliance costs.

B-64 IRENE M. PERCELLI

Irene M. Percelli appeals the decision of the Division of Local Human Resource Management, which upheld the removal of her name from the Principal Librarian (M6208J0, Trenton Library, eligible list due to an unsatisfactory employment record.

ACTION: The Civil Service Commission granted a hearing.

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, January 13, 2010, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

Hope L. Cooper
Chairperson
Civil Service Commission