



**STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION**

**MINUTES OF REGULAR MEETING OF
THE CIVIL SERVICE COMMISSION**

February 11, 2009

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

FEBRUARY 11, 2009

A regular meeting of the Civil Service Commission was held on Wednesday, February 11, 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; and Henry Maurer, Director, Division of Merit System Practices and Labor Relations.

In accordance with L.1975, c.231, Chairperson Hope L. Cooper 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 Department of Personnel, 3 Station Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

Efrain Algarin, Juvenile Detention Officer, Middlesex County, removal.

Emilia Biskup, Dietician, Morris County, good faith layoff.

Sean Carter, Senior Correction Officer, South Woods State Prison, Department of Corrections, suspension.

Paciencia De Guzman, Clerk Typist, Irvington Housing Authority, good faith layoff.

James Foussadier, Street Superintendent, Willingboro Township, removal.

Valery Green, Hospital Attendant, Cumberland County, removal.

Miriam Grell, Human Services Assistant, Ancora Psychiatric Hospital, Department of Human Services, removal.

Jacqueline Gregory, Housing Assistant Technician, Atlantic City Housing Authority, removal and resignation not in good standing.

Kenji Ham, Human Services Assistant, Ancora Psychiatric Hospital, Department of Human Services, indefinite suspension.

Julianne Kolakowski, Principal Clerk Typist, Vernon Township, good faith layoff.

Ronald Kosztyu, Fire Fighter, City of Trenton, list bypass.

Jose Martinez, County Correction Officer, Atlantic County, suspension.

Marine O'Brien, Practical Nurse, Ancora Psychiatric Hospital, Department of Human Services resignation not in good standing.

Thomas Raji, Police Officer, Perth Amboy, suspension.

Timothy Slack, Fire Fighter, City of Trenton, suspension.

Cynthia St. John, Graduate Nurse, Public Health, City of Trenton, removal.

Eric Tornblom, County Correction Officer, Atlantic County, suspension.

Matthew Vanderveldon, Police Sergeant, City of Paterson, suspension.

David Vargas, Cook/County Correction Officer, Essex County, good faith
layoff.

Michael Vogt, Laborer, Middlesex County, removal.

Vanessa Woods, Senior Juvenile Detention Officer, Gloucester County,
removal.

DISMISSAL OF APPEALS – FAILURE TO APPEAR

**The Civil Service Commission dismissed the following cases without
prejudice for failure to appear at the scheduled hearing before the
Office of Administrative Law:**

Shinese Banks, Senior Clerk, Morris County, suspension

Vanetta Cole, Graduate Nurse, Camden County, suspension.

Idalina Garcia, Human Services Assistant, Woodbine Developmental Center,
Department of Human Services, suspension.

Peter Mitchell, Emergency Medical Technician, City of Paterson, suspension.

Eric Nielsen, Senior Correction Officer, Mountainview Youth Correctional
Facility, Department of Corrections, removal.

Jose Rosado, Police Officer, City of Newark, suspension.

William Zito, Laborer, Borough of East Rutherford, removal.

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

In the Matter of Paulette Caputo
Juvenile Justice Commission
Suspension

In the Matter of Dolores Dockery
Vineland Developmental Center
Department of Human Services
Removal

In the Matter of William Jenkins
City of Wildwood
Department of Public Works and Public Property
Removal

In the Matter of Dwight Jones
Ancora Psychiatric Hospital
Department of Human Services
Suspension

In the Matter of Marshodey Kershaw
Mercer County
Department of Public Safety
Removal

In the Matter of Jerome Mastrofilippo
Garden State Youth Correctional Facility
Department of Corrections
Removal

In the Matter of Michael Murdza
Mercer County
Department of Public Safety
Suspension and demotion

In the Matter of Alan J. Randall
New Lisbon Developmental Center
Department of Human Services
Suspension

In the Matter of Zino Salnave
East Jersey State Prison
Department of Corrections
Suspension

In the Matter of Erica Wilson
New Lisbon Developmental Center
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 ANSELMO BREMMER, ET AL.

Anselmo Bremmer, David Harris, Matthew Hicks, John Mendes, Marie Rangaswamy, Richard Strucek and Owen Williams, former Senior Juvenile Detention Officers with Monmouth County, appeal the good faith issue of their demotions to Juvenile Detention Officers in lieu of layoff, effective February 16, 2007, for reasons of economy and efficiency.

Recommendation of the Administrative Law Judge – Grant the appointing authority’s motion for summary decision and dismiss the appeals.

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

A-3 LAWRENCE COPLING

Lawrence Copling, Senior Correction Officer, Riverfront State Prison, Department of Corrections, 15-working day suspension, on the charge of insubordination.

Recommendation of the Administrative Law Judge – Modify the 15-working day suspension to a 120-day suspension or a fine equal to a 120-day suspension.

ACTION: The Civil Service Commission modified the recommendation of the Administrative Law Judge to uphold the 15-working day suspension.

A-4 ROBERT W. GILL, JR.

Robert W. Gill, Jr., a former Section Forest Firewarden, Department of Environmental Protection, appeals his return to his formerly held permanent title of Forest Fire Observer at the end of the working test period effective January 14, 2007.

Recommendation of the Administrative Law Judge – Uphold the return to formerly held permanent title at the end of the working test period.

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

A-5 JEANETTE RAMOS

Jeanette Ramos, Personnel Assistant 3, Office of the Public Defender, five-day suspension and demotion to the position of Personnel Assistant 4, effective November 5, 2005, on charges of conduct unbecoming a public employee and neglect of duty.

Recommendation of the Administrative Law Judge – Modify the five-day suspension and demotion to a 60-day suspension and reinstatement to the position of Personnel Assistant 3, along with mandatory retraining.

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

A-6 FERNANDO ACEVEDO

Fernando Acevedo, Police Officer, City of Newark, Police Department, removal effective May 30, 2008, on charges of inability to perform duties and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the removal to an ordinary disability retirement.

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

A-7 ESTHER K. RICKS

Esther K. Ricks, Cottage Training Technician, New Lisbon Developmental Center, Department of Human Services, removal effective January 9, 2008, on charges of physical abuse of a client, verbal abuse of a client 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-8 DANIEL MURRAY (REMAND)

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. This matter was held over from the January 14, 2009 meeting.

Recommendation of the Administrative Law Judge – Accept the appointing authority’s modification of the 30-day suspension to an official written reprimand and dismiss the appeal for lack of jurisdiction.

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

A-9 ROGER CALDWELL, JR. (REMAND)

Roger Caldwell, Jr., Human Services Specialist 2, Mercer County Board of Social Services, removal effective August 1, 2005, on the charge of conduct unbecoming a public employee. This matter was held over from the December 17, 2008 Civil Service Commission meeting.

Recommendation of the Administrative Law Judge – Reverse the removal.

ACTION: The Civil Service Commission rejected the recommendation of the Administrative Law Judge and upheld the removal.

A-10 SETTLEMENTS

In the Matter of Ralph Collura and Fredrick Southerland
Township of Irvington
Police Department
Suspension

In the Matter of Jeffrey Dare
Salem County
Nursing and Convalescent Home
Removal

In the Matter of Sandra Fonseca
Department of Military and Veterans' Affairs
New Jersey Veterans' Memorial Home at Menlo Park
Removal

In the Matter of Shena Grimes
East Orange
Police Department
Suspension

In the Matter of Christopher Kiceina
Hunterdon County
Department of Public Safety
Release at the end of the working test period

In the Matter of Lynn Lofton
North Jersey Developmental Center
Department of Human Services
Return to previously held permanent title at the end of the working
test period

In the Matter of Pietro Magliano
Hudson County
Department of Corrections
Suspensions (2)

In the Matter of Julian Maruri
Hudson County
Department of Corrections
Resignation not in good standing

In the Matter of Ana Urmachea
City of Newark
Administration Department
Removal

RECOMMENDATION OF THE ADMINISTRATIVE LAW JUDGE IN THE ABOVE CASES – SETTLEMENT (with the exception of Fredrick Southland which the ALJ dismissed)

ACTION: The Civil Service Commission acknowledged the settlements with the exception of Fredrick Southerland, which was dismissed.

A-11 JOHN LENHARDT

John Lenhardt, Fire Captain, Township of Hamilton, Fire District 2, 45-day suspension (eight hour days) on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the 45-day suspension to a 30-day suspension.

ACTION: The Civil Service Commission modified the recommendation of the Administrative Law Judge to uphold the 45-day suspension.

A-12 BIANCA LAMPLEY

Bianca Lampley, Police Officer, Township of Lawrence, Department of Public Safety, three removals effective September 20, 2007, on charges of conduct unbecoming a public employee, and violation of various Police Department rules regarding subversive conduct, prejudicial conduct, conviction of or charged with a criminal offense, and failure to take appropriate action.

Recommendation of the Administrative Law Judge – Reverse removals one and two and uphold the third removal.

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

A-13 DENISE SIMMONS

Denise Simmons, Cottage Training Technician, North Jersey Developmental Center, Department of Human Services, removal effective April 17, 2007, on the charge of physical abuse of a client.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-14 TYREESE WICKER

Tyreese Wicker, Senior Building Maintenance Worker, Greystone Psychiatric Hospital, Department of Human Services, 20-day suspension on the charge of leaving an assigned work area without permission (2nd infraction), 20-day suspension on the charge of creating a disturbance on State property and a removal effective October 4, 2007, on the charge of leaving an assigned work area without permission (3rd infraction).

Recommendation of the Administrative Law Judge – Modify the 20-day suspension and removal on the charge of leaving an assigned work area to a 6-month suspension.

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

SECTION B – MISCELLANEOUS MATTERS

B-1 JOEY N. DELORENZO

Joey N. DeLorenzo appeals her rejection as a County Correction Officer candidate by Sussex County and its request to remove her name from the eligible list for County Correction 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 RICHARD GALLARDO

Richard Gallardo, represented by James A. Young, Jr., Esq., appeals his rejection as a Police Officer candidate by Jersey City 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-3 CYNTHIA MILLER

Cynthia Miller, represented by Stephen B. Hunter, Esq., appeals her rejection as a Police Officer candidate by Jersey City and its request to remove her 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-4 WILLIAM NABINGER

William Nabinger 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 granted.

B-5 ANGEL SANTIAGO

Angel Santiago appeals his rejection as a Police Officer candidate by North Bergen 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 matter be held over.

B-6 ROBERT R. SUTTON

Robert R. Sutton, represented by Stephen B. Hunter, Esq., appeals his rejection as a Sheriff's Officer candidate by Essex County and its request to remove his 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-7 TONIMARIE ANELLO

Tonimarie Anello, a Human Services Technician with Hagedorn 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 denied.

B-8 FRANCIS DANLEY

Francis Danley, a Senior Correction Officer with the New Jersey State Prison, Department of Corrections, represented by Frank M. Crivelli, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-9 GEORGE FRANZ

George Franz, a Principal Environmental Engineer 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-10 CHRISTOPER J. PALADINO

Christopher J. Paladino, an Operating Engineer 1 with Greystone Park 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 denied.

B-11 WILLIAM SCHUYLER

William Schuyler, a Senior Correction Officer with New Jersey State Prison, Department of Corrections, represented by Frank M. Crivelli, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-12 ELLEN SEITZ

Ellen Seitz, a Senior Clerk with the Division of Law, Department of Law and Public Safety, appeals the denial of sick leave injury (SLI) benefits.

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

B-13 SHARON WILLIAMS

Sharon Williams, a Social Worker 2 with 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-14 WERNER ZAAK

Werner Zaaak, a Senior Correction Officer with the Department of Corrections, represented by Victoria S. Kavanagh, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-15 CHRISTOPHER BARNABLE

Christopher Barnable appeals the removal of his name from the eligible list for Fire Fighter (M2286E), Jersey City, for failure to meet the residency requirement.

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

B-16 JERMAINE CURRY

Jermaine Curry appeals the decision of the Division of State Human Resource Management which found that the appointing authority had presented a sufficient basis to remove his name from the eligible list for Correction Officer Recruit (S9999H), Department of Corrections, based on his unsatisfactory employment record and falsification of his employment application.

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

B-17 COLOSSAIN T. DAVIS

Colossain T. Davis 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 her name from the eligible list for Police Officer (S9999H), City of Newark, on the basis of an unsatisfactory driving record.

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

B-18 NICHOLAS R. FOGLIO

Nicholas R. Foglio, represented by Carl N. Tripician, Esq., appeals the decision of the Division of Local Human Resource Management, which upheld the bypass of his name on the Fire Fighter (M2247D), Ocean City, eligible list.

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

B-19 LILLIAN FOSTER

Lillian Foster appeals the decision of the Division of State Human Resource Management (SHRM), which upheld the bypass of her name for appointment on the eligible list for Instructor Counselor (S0326F), Trenton Psychiatric Hospital, Department of Human Services (DHS). Ms. Foster also appeals the determination of the Assistant Commissioner, DHS, 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 these appeals be denied.

B-20 TED HALPERN

Ted Halpern appeals the decision of the 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 Investigator Trainee, Taxation (S0586J), Department of the Treasury, eligible list on the basis of failure to respond to the notice of certification.

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

B-21 STACY KITCHEN

Stacy Kitchen, a County Correction Officer with Mercer County, represented by Justin R. Callow, Esq., appeals the removal of his name from the August 28, 2007 certification of the County Correction Sergeant (PC2666G), Mercer County eligible list on the basis of an unsatisfactory employment record.

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

B-22 SALVATORE LOFFREDO

Salvatore Loffredo, represented by James C. DeZao, Esq., appeals the decision of the 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 due to falsification of his employment application.

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

B-23 MIKE PACCIONE

Mike Paccione appeals the removal of his name from the eligible list for Employee Relations Coordinator (S3053J), Ancora Psychiatric Hospital on the basis that he lacked the required experience.

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

B-24 ANGEL RODRIGUEZ

Angel Rodriguez appeals the decision of the Division of State Human Resource Management (SHRM) which upheld the removal of his name from the Correction Officer Recruit (S9999H), Department of Corrections, eligible list due to an unsatisfactory background report.

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

B-25 DENNIS SANDERS

Dennis Sanders appeals the removal of his name from the eligible list for Employee Relations Coordinator (S3053J), Ancora Psychiatric Hospital on the basis that he lacked the required experience.

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

B-26 DEPUTY REGISTRAR OF VITAL STATISTICS (M1911K) AND (M1231H), PATERSON

Paterson requests permission not to make an appointment from the July 8, 2008 certification for Deputy Registrar of Vital Statistics (M1911K) and (M1231H), Paterson.

ACTION: The Civil Service Commission granted the request for an appointment waiver but assessed costs in the amount of \$1,024.

B-27 LEGAL ANALYST (M6134J), JERSEY CITY

Jersey City requests permission not to make an appointment from the October 9, 2007 certification for Legal Analyst (M6134J).

ACTION: The Civil Service Commission denied the request for an appointment waiver, ordered that the certification be disposed of and assessed compliance costs in the amount of \$500.

B-28 MECHANIC'S HELPER (C0052K), PASSAIC COUNTY SHERIFF'S DEPARTMENT

Passaic County Sheriff's Department requests permission not to make an appointment from the April 14, 2008 certification for Mechanic's Helper (C0052K).

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

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

B-29 POLICE RECORDS CLERK (M1556J), SPARTA TOWNSHIP

Sparta Township requests permission not to make an appointment from the September 10, 2007 certification for Police Records Clerk (M1556J).

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

B-30 SENIOR ADMINISTRATIVE ANALYST (M6777F) AND (M6501H)

The appointing authority's failure to dispose of the certification for Senior Administrative Analyst (M6777F) and (M6501H), 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, make an appointment from the certification and pay compliance costs.

**B-31 SENIOR REPRESENTATIVE CITIZEN COMPLAINTS
(SPECIAL REEMPLOYMENT LIST), NEWARK**

The appointing authority's failure to dispose of the certification for Senior Representative Citizen Complaints (Special Reemployment List), Newark, while a provisional is serving in the title, has been referred to the Civil Service Commission for enforcement.

ACTION: The Civil Service Commission ordered the appointing authority to remove the provisional appointee, make an appointment from the certification and pay compliance costs.

**B-32 SUPERVISOR SENIOR CITIZENS ACTIVITIES (M1034H),
NEWARK**

The appointing authority's failure to dispose of the certification for Supervisor Senior Citizens Activities (M1034H), Newark, while a provisional is serving in the title, has been referred to the Civil Service Commission for enforcement.

ACTION: The Civil Service Commission ordered the appointing authority to remove the provisional appointee, make an appointment from the certification, and pay compliance costs.

B-33 ELLEN ARTHUR

Ellen Arthur, a former Regional Program Supervisor with the Juvenile Justice Commission, appeals the determination of the Counsel to the Attorney General, which found sufficient evidence that the appellant had violated the New Jersey State Policy Prohibiting Discrimination in the Workplace (State Policy).

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

B-34 MICHELE CRONON

Michele Cronon, a former Clerk Typist with the New Jersey State Prison, Department of Corrections, appeals the decision of the Assistant Director of the Equal Employment Division (EED) which found that the appellant failed 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-35 LAWRENCE CRAIG AND LOUIS MUZYKA

The Borough of Carteret (Carteret), represented by Robert J. Bergen, Esq., appeals the decision of the Division of Local Human Resource Management (LHRM) that the proper classification for the positions of Lawrence Craig and Louis Muzyka is Police Lieutenant. The appointing authority seeks Police Sergeant classifications.

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

B-36 KATHLEEN LEAR

Kathleen Lear appeals the decision of the Division of State Human Resource Management that the proper classification of her position is Principal Planner, Emergency Management. The appellant seeks a Supervising Planner, Emergency Management classification.

ACTION: The Civil Service Commission directed that this appeal be denied but the matter of the appellant's classification be referred to the Division of State Human Resource Management for further review.

B-37 WILLIAM ROBERTS

William Roberts, a Senior Youth Worker with the Juvenile Justice Commission, petitions the Civil Service Commission for enforcement of the decision rendered on May 28, 2008 by the Division of State Human Resource Management, regarding the classification of his position.

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

B-38 CHRISTINE SANTIAGO

Christine Santiago, represented by Robert O. Yeager, Principal Staff Representative, CWA Local 1040, appeals the decision of the Division of State Human Resource Management that her position is properly classified as a Principal Clerk Bookkeeper.

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

B-39 RODNEY SANDERS

Rodney Sanders, a Police Officer with Plainfield, represented by Michael J. Mitzner, Esq., petitions the Civil Service Commission for interim relief of his indefinite suspension, commencing on September 14, 2007, pending the disposition of criminal charges.

ACTION: The Civil Service Commission denied the request.

B-40 ADMINISTRATIVE CLERK (M1203H), CITY OF ORANGE TOWNSHIP

The City of Orange Township requests reconsideration of the decision rendered on April 23, 2008 by the Merit System Board in *In the Matter of Administrative Clerk (M1203H), City of Orange Township*, which denied its request for an appointment waiver and ordered it to properly dispose of the certification within 30 days.

ACTION: The Civil Service Commission granted the requests for reconsideration and an appointment waiver, but assessed selection costs in the amount of \$2,048 and prior costs of \$500 for compliance.

B-41 SONIA DANIELS

Sonia Daniels, a former Human Services Assistant with Ancora Psychiatric Hospital, represented by Sherryl Gordon, Executive Director AFSCME Council 1, petitions the Civil Service Commission for reconsideration of the final administrative decision rendered on October 8, 2008, in which the Director of the Division of Merit System Practices and Labor Relations denied her request for a hearing with respect to her removal.

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

B-42 ANTHONY SORANTINO

Anthony Sorantino, a Senior Correction Officer with the Department of Corrections, represented by Henry J. Cistrelli, Esq., petitions the Civil Service Commission for reconsideration of the final decision rendered on September 24, 2008, which granted, in part, his request for sick leave injury (SLI) benefits.

ACTION: The Civil Service Commission granted the request for reconsideration.

B-43 JACQUELINE SUPERS

Jacqueline Supers, a former Human Services Assistant with Ancora Psychiatric Hospital, represented by Sherryl Gordon, Executive Director, AFSCME Council 1, petitions the Civil Service Commission for reconsideration of the final administrative decision, rendered on October 8, 2008, in which the Director of the Division of Merit System Practices and Labor Relations denied her request for a hearing with respect to her removal.

ACTION: The Civil Service Commission denied the request for reconsideration.

B-44 LARRY TAYLOR

Larry Taylor, represented by Paul R. Melletz, Esq., petitions the Civil Service Commission for reconsideration of the final decision rendered on August 27, 2008, which upheld his removal from employment as a Senior Food Service Handler at Vineland Developmental Center and dismissed as moot his appeals of his five removals from subsequent employment as a Cook-12 Months at Ancora Psychiatric Hospital.

ACTION: The Civil Service Commission granted the request for reconsideration, but affirmed its prior decision.

B-45 DONNA VILLECCA

Donna Villecca petitions for reconsideration of the final decision rendered on June 25, 2008, which upheld her release at the end of her working test period.

ACTION: The Civil Service Commission denied the request for reconsideration.

B-46 JOHN BEERS

John Beers appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the open competitive examination for Social Worker Juvenile Rehabilitation (C0273K), Cape May County.

ACTION: The Civil Service Commission directed that this appeal be granted and directed the Division of Classification and Compensation to determine if changes to the job specification for Social Worker Juvenile Rehabilitation are warranted.

B-47 RICHARD BEHM

Richard Behm appeals the determination of the Division of Selection which found that, per the substitution clause for education, he did not meet the experience requirements for the promotional examination for Senior Data Processing Systems Programmer (PC0117K), Camden County.

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

B-48 CAMILLE BLOOMBERG

Camille Bloomberg appeals the decision of the Division of Selection Services which found that she did not meet the experience requirements, per the substitution clause for education, for the promotional examination for County Alcoholism Coordinator (PC1087J), Mercer County.

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

B-49 JOHN T. BROCKWELL

John T. Brockwell appeals the determination of the Division of Selection Services which found that he did not meet the requirements for the promotional examination for Supervisor Information Technology (PC0862J), Monmouth County.

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

B-50 SHARON CAROLINA-JONES

Sharon Carolina-Jones appeals the decision of the Division of Selection Services which found that she did not meet the experience requirement for the promotional examination for Secretarial Assistant 3 (Non-Stenographic) (PS4270K), Ancora Psychiatric Hospital.

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

B-51 CHINMANN CHIEN

Chinmann Chien appeals the decision of the Division of Selection Services that found that she was below the experience requirements for the promotional examination for Administrative Analyst 2 Data Processing (PS7300K), Department of Human Services.

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

B-52 ASHA R. DESAI AND PATRICIA ROSSI

Asha R. Desai and Patricia Rossi appeal the determinations of the Division of Selection Services which found that they did not meet the requirements for the promotional examination for Management Improvement Specialist 2 (PS3941K), Department of Children and Families.

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

B-53 JUDITH P. ELDRIDGE

Judith P. Eldridge appeals the determination of the Division of Selection Services which found that she did not meet the requirements for the promotional examination for Quality Assurance Specialist, Health Services (PS0127K), Department of Human Services.

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

B-54 JOSEPH C. FROST AND ANN M. LORD

Joseph C. Frost and Ann M. Lord appeal the determinations of the Division of Selection Services which found that they did not meet the requirements for the open competitive examination for Business Representative 3 (S6942J).

ACTION: The Civil Service Commission directed that these appeals be granted and the matter of the proper classification of the appellants' current positions be referred to the Division of State Human Resource Management for further review.

B-55 SHRAVANI KOSNIK

Shravani Kosnik 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 Administrative Analyst 2, Data Processing (PS9567N), Department of Labor and Workforce Development.

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

B-56 KEITH LEWANDOWSKI

Keith 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 (PS8722N), Department of Labor and Workforce Development.

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

B-57 NICHOLAS MANOCCHIO

Nicholas Manocchio 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 Technician, Management Information Systems (PS8804U), Department of the Treasury.

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

B-58 GARY PINAR

Gary Pinar appeals the determination of the Division of Selection Services that he did not meet the experience requirement for the promotional examination for Administrative Analyst 2, Fiscal Management (PS6790K), Department of Human Services (DHS).

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

B-59 CRAIG ROSS

Craig Ross appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Administrative Analyst 1 (PS8875H), Department of Health and Senior Services.

ACTION: The Civil Service Commission directed that this appeal be denied but the matter of the appellant's classification be referred to the Division of State Human Resource Management for further review.

B-60 MATTHEW SCHNEIDERMAN

Matthew Schneiderman appeals the determination of the Division of Selection Services that he did not meet the education and experience requirements for the promotional examination for Environmental Health Specialist (PC1671J), Bergen County.

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

B-61 WILLIAM MURAWSKI

William Murawski, represented by Andrew Baron, Esq., appeals his score for the promotional examination for Maintenance Supervisor (PM0787K), Jersey City School District.

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

B-62 SHEILA BEERS

Sheila Beers appeals the validity of the promotional examinations for Administrative Analyst 2 Procurement (PS7771U), and Procurement Specialist 2 (PS8429U), Department of the Treasury.

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

B-63 SENIOR SYSTEMS ANALYST (PC1676H), MORRIS COUNTY

Morris County appeals the determination of the Director, Division of Selection Services, to conduct a written examination instead of an unassembled examination for the promotional examination for Senior Systems Analyst (PC1676H), Morris County.

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

B-64 KENNETH BULGER

Kenneth Bulger requests a make up examination for Fire Captain (PM3596J), Kearny

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

B-65 FRANK LIATYS AND MARTIN MAINZER

The Division of Selection Services requests that the provisions of N.J.A.C. 4A:4-1.1(c) be relaxed in order to permit the continued appointments of Frank Liatys and Martin Mainzer from the Sewage Plant Repairer (PM0578K), Hamilton Township, eligible list and the amendment of the examination announcement.

ACTION: The Civil Service Commission granted the request.

B-66 SCOTT JONES

The City of Linden requests relaxation of N.J.A.C. 4A:4-7.1A(c) so as to permit the intergovernmental transfer of Scott Jones from the title of Sheriff's Officer, Union County Sheriff's Office, to the title of Police Officer, Linden.

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

B-67 DORA FRALIN

Dora Fralin, a Senior Clerk Typist with the Department of Corrections (DOC), appeals the decision of the DOC which denied her request to participate in the donated leave program.

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

B-68 ALFA LANTIGUA-CERDA

The Department of Children and Families, on behalf of Alfa Lantigua-Cerda, requests the relaxation of the provisions of N.J.A.C. 4A:6-1.22 so as to permit Ms. Lantigua-Cerda, 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 granted the request.

B-69 READOPTION WITH AMENDMENTS: N.J.A.C. 4A:4, SELECTION AND APPOINTMENT

Submitted for the Commission's review is a Notice of Adoption regarding the proposed readoption with amendments of N.J.A.C. 4A:4, Selection and Appointment. These rules are scheduled to expire on March 9, 2009. A hearing was scheduled for November 18, 2008; no comments were received at that time, nor were any written comments received during the public comment period. Therefore, it is recommended that the Commission adopt the proposal without change.

ACTION: The Civil Service Commission adopted the proposal without change.

B-70 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 Denise Shepherd, Social Worker (PC1367H), Union County* (Appellate Division, decided 9/29/08); *In the Matter of Karen L. Johnson* (Appellate Division, decided 11/28/08); and *In the Matter of James Joyce* (Appellate Division, decided 12/4/08).

ACTION: The Civil Service Commission noted the decisions.

B-71 CIVIL SERVICE COMMISSION MINUTES

Submitted for the Commission's adoption are the minutes of its meeting of January 14, 2009.

ACTION: The Civil Service Commission adopted the minutes of its meeting of January 14, 2009.

B-72 RANDY CLIVER

The appeal of Randy Cliver, a County Correction Officer with Mercer County, of his fines of \$1,899.80 (equal to 10 days' pay) and \$3,799.60 (equal to 20 days' pay), on charges, was heard by Administrative Law Judge Daniel B. McKeown (ALJ), who rendered his initial decision on December 8, 2008. At its meeting on January 14, 2009, the Civil Service Commission adopted the ALJ's recommendation to uphold the discipline. However, the Commission did not adopt the ALJ's recommendation to uphold the form of penalties. Rather, the Commission ordered that suspensions of 10 and 20 days be imposed. The proposed final decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the final decision.

B-73 ALONZO CUMBERLANDER

The appeal of Alonzo Cumberlander, a Senior Correction Officer with Northern State Prison, Department of Corrections, of his removal effective December 5, 2006, on charges, was heard by Administrative Law Judge Sandra Ann Robinson (ALJ), who rendered her initial decision on October 8, 2008. At its meeting on January 14, 2009, the Civil Service Commission adopted the ALJ's recommendation to reverse the appellant's removal. The proposed decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the decision.

B-74 DIONNE HASLAM

The appeal of Dionne Haslam, a Cottage Training Technician with the North Jersey Developmental Center, Department of Human Services, of her removal effective February 8, 2007, on charges, was heard by Administrative Law Judge James A. Geraghty (ALJ), who rendered his initial decision on July 7, 2008. At its meeting on January 14, 2009, 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.

B-75 DANIEL MARCANO AND CHRISTOPHER FRUCCI

The appeals of Daniel Marcano and Christopher Frucci, Police Officers with the City of Camden, of their removals, effective May 8, 2007 and December 13, 2007, respectively, on charges, were heard by Administrative Law Judge Joseph Lavery (ALJ), who rendered his initial decision on December 5, 2008. At its meeting on January 14, 2009, the Civil Service Commission did not adopt the ALJ's recommendation to reverse the removals. Rather, the Commission remanded the matters to the Office of Administrative Law for further proceedings. The proposed decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the decision.

B-76 CURTIS MOSS

The appeal of Curtis Moss, a Human Services Assistant at Ancora Psychiatric Hospital, Department of Human Services, of his removal, effective September 10, 2007, on charges, was heard by Administrative Law Judge Daniel B. McKeown (ALJ), who rendered his initial decision on November 3, 2008. At its meeting on January 14, 2009, the Civil Service Commission did not adopt the ALJ's recommendation to modify the removal to a 60-day suspension but award no back pay. 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-77 JOSEPH DEL VECCHIO

Joseph Del Vecchio 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 medical unfitness to perform effectively the duties of the position.

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

B-78 JOHNNY LANTIGUA

Johnny Lantigua appeals his rejection as a Police Officer candidate by the Township of Irvington and its request to remove his name from the eligible list for Police Officer (S9999H) on the basis of medical unfitness to perform effectively the duties of the position.

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

B-79 JOSEPH A. EVERT

Joseph A. Evert, an Electrician 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 granted.

B-80 DOMINICK FRIZINO

Dominick Frizino, a Senior Correction Officer at Garden State Youth Correctional Facility, 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-81 JEANETTE LEE

Jeanette Lee, a Senior Correction Officer with Southern State Correctional Facility, Department of Corrections, represented by Robert S. Greenberg, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-82 THELMA SEABROOKS

Thelma Seabrooks, a Clinical Dietitian with South Woods State Prison, Department of Corrections, represented by Michele Long-Vickers, Staff Representative, CWA Local 1040, appeals the denial of sick leave injury (SLI) benefits.

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

B-83 JOANNE SMITH

Joanne Smith, an Institutional Trade Instructor, Cooking, with the Edna Mahan Correctional Facility for Women, Department of Corrections, appeals the denial of sick leave injury (SLI) benefits.

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

B-84 PAMELA SMITH-WILLE

Pamela Smith-Wille, a Senior Correction Officer with Albert C. Wagner Adult Diagnostic and Treatment Center, 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-85 PEARL TOLDENS

Pearl Toldens, 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 granted.

B-86 RICKY ACEVEDO

Ricky Acevedo 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 his name from the County Correction Officer (S9999H), Cumberland County, eligible list as a result of an unsatisfactory criminal record.

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

B-87 CAROL KIDD

Carol Kidd appeals the decision of the Division of State Human Resource Management (SHRM), which upheld the removal of her name from the Correction Officer Recruit (S9999F), Department of Corrections, eligible list, based on an unsatisfactory employment record.

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

B-88 YOBANY MARTI

Yobany Marti challenges two appointments made from the County Correction Sergeant (PC2651F), Cumberland County, eligible list, effective November 3, and November 29, 2008.

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

B-89 RASUL MARTIN

Rasul Martin appeals the decision of the Division of State Human Resource Management (SHRM), which found that the appointing authority had presented a sufficient basis to remove his name from the Correction Officer Recruit (S9999H), Department of Corrections, eligible list as a result of an unsatisfactory employment record.

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

B-90 ROBERT MARTINEZ

Robert Martinez 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 his name from the County Correction Officer (S9999H), Hudson County, eligible list as a result of an unsatisfactory criminal record.

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

B-91 NICHOLAS SNYDER

Nicholas Snyder, represented by Samuel M. Gaylord, Esq., appeals the decision of the 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 falsification of his employment application.

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

B-92 FELISHA T. STOKLEY

Felisha T. Stokley, represented by Darryl M. Saunders, Esq., 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 her name from the eligible list for Police Officer (S9999H), Orange Township, on the basis of an unsatisfactory background report.

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

B-93 COLLECTOR DELINQUENT ACCOUNTS (M1460H), NEWARK

The appointing authority's failure to dispose of the certification for Collector Delinquent Accounts (M1460H), Newark, while a provisional is serving in the title, has been referred to the Civil Service Commission for enforcement.

ACTION: The Civil Service Commission ordered the appointing authority to remove the provisional appointee, make an appointment from the certification and pay compliance costs.

B-94 SECURITY GUARD (M1541J), CITY OF ELIZABETH

The City of Elizabeth requests permission not to make an appointment from the March 26, 2007 certification for Security Guard (M1541J).

ACTION: The Civil Service Commission denied the request for an appointment waiver, ordered the appointing authority to properly dispose of the certification, and pay \$1000 in compliance costs.

B-95 SUPERVISING PROGRAM DEVELOPMENT SPECIALIST, MANAGEMENT AND FINANCE (S3045G)

The Department of Human Services requests the revival of the Supervising Program Development Specialist, Management and Finance (S3045G) eligible list in order to fill a recently vacated position.

ACTION: The Civil Service Commission granted the request.

B-96 JOSEPH AMOROSO

Joseph Amoroso, a Disabilities Services Specialist with the Department of Human Services (DHS), appeals the determination of the Chief of Staff which found sufficient evidence that the appellant had violated the New Jersey State Policy Prohibiting Discrimination in the Workplace (State Policy).

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

B-97 COREY CALDWELL

Corey Caldwell, a Senior Correction Officer with the Adult Diagnostic and Treatment Center, Department of Corrections (DOC), appeals the determination of the former Assistant Director, Equal Employment Division, DOC, stating that the appellant did not present sufficient evidence to support a finding that he 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-98 ZSOLT TOLNAI

Zsolt Tolnai, an Attorney Assistant with the Department of Law and Public Safety, appeals the determination of the Counsel to the Attorney General, stating that the appellant failed to present sufficient evidence to support a finding that he 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-99 LISA ASHBAUGH

Lisa Ashbaugh appeals the decision of the Division of State Human Resource Management (SHRM) that the proper classification of her position is Supervising Program Support Specialist (Assistance Programs). The appellant seeks a Director, Human Services Programs, Management Improvement Specialist 1, or Manager 1, Human Resources classification.

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

B-100 MARIA CHIARELLO

Maria Chiarello appeals the decision of the Division of State Human Resource Management (SHRM) that the proper classification of her position is Supervisor of Patients' Accounts 1. The appellant seeks a Supervising Medical Review Analyst classification.

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

B-101 ROBYN JOHNSTON

Robyn Johnston appeals the decision of the Division of State Human Resource Management (SHRM) that the proper classification of her position is Investigator 1, Law and Public Safety. The appellant seeks a Supervising Investigator, Law and Public Safety classification.

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

B-102 KIMBERLY SMITH

Kimberly Smith appeals the decision of the Division of State Human Resource Management (SHRM) that the proper classification of her position is Investigator 3, Law and Public Safety. The appellant seeks an Investigator 2, Law and Public Safety or an Investigator 1, Law and Public Safety classification.

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

B-103 JANET SMOLENSKI

Janet Smolenski appeals the decision of the Division of State Human Resource Management (SHRM) that the proper classification of her position is Program Development Specialist 1 (Environmental Protection). The appellant seeks an Administrative Analyst 1 classification.

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

B-104 TAMARA TALAVERA

Tamara Talavera appeals the decision of the Division of State Human Resource Management (SHRM) that the proper classification of her position is Investigator 3, Law and Public Safety. The appellant seeks an Investigator 2, Law and Public Safety classification.

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

B-105 JYVAUN WILLIAMS

Jyvaun Williams appeals the decision of the Division of State Human Resource Management (SHRM) which found that his position is properly classified as Communications Systems Technician 1.

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

B-106 WILLIAM SMALL

William Small, an Assistant District Parole Supervisor with the New Jersey State Parole Board, appeals the determination of his salary upon his promotion to his current title, pursuant to N.J.A.C. 4A:3-4.9.

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

B-107 POLICE SERGEANT, CLARK

The Township of Clark (Clark), on behalf of Patrick Grady, Antonio Manata, George Marmarou, Thomas Sarnecki, and Brian Soos, requests transfer of their accumulated seniority from other jurisdictions to Clark.

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

B-108 MARY GREENWALD

Irvington petitions the Civil Service Commission for a retroactive date of permanent appointment to the title of Administrative Clerk for Mary Greenwald.

ACTION: The Civil Service Commission granted the request.

B-109 OFFICE OF MEDICAID INSPECTOR GENERAL

The Director, Division of Classification and Compensation, requests the reallocation of various titles to the noncompetitive division of the career service for a maximum of three pay periods, beginning on February 28, 2009.

ACTION: The Civil Service Commission granted the request.

B-110 KENNETH PETTIFORD

Kenneth Pettiford, a Senior Correction Officer with the Department of Corrections, represented by Jason E. Sokolowski, Esq., requests enforcement of the Merit System Board decision rendered on May 21, 2008, which ordered that he immediately be reinstated to his permanent position as a Senior Correction Officer. Specifically, the appellant requests reinstatement to his prior position at the Central Reception and Assignment Facility.

ACTION: The Civil Service Commission denied the request.

B-111 ROLAN E. CARTER

Rolan E. Carter, a Police Officer with the City of Camden, represented by Clifford L. Van Syoc, Esq., petitions the Civil Service Commission for interim relief of his immediate suspension effective August 4, 2008.

ACTION: The Civil Service Commission denied the requests for interim relief of the immediate suspension and counsel fees but awarded back pay, benefits and seniority from October 16, 2008 until December 5, 2008.

B-112 LAWRENCE E. NORMAN

Lawrence E. Norman, a Police Officer with the City of Camden, represented by Timothy J.P. Quinlan, Esq., petitions the Civil Service Commission for interim relief of his immediate suspension.

ACTION: The Civil Service Commission granted the request for interim relief in part and awarded back pay from the end of his indefinite suspension until the issuance of a new Preliminary Notice.

B-113 KEVIN HOUGHTON

Kevin Houghton, represented by Catherine Elston, Esq., and the City of Hoboken, represented by Sean Dias, Esq., seek acknowledgement of a settlement agreement between the parties.

ACTION: The Civil Service Commission acknowledged the settlement.

B-114 ANTHONY HEARN

The Superior Court of New Jersey, Appellate Division, has temporarily remanded the June 25, 2008 decision of the Merit System Board, which reaffirmed its October 10, 2007 determination to rescind Anthony Hearn's appointment as an Education Program Development Specialist 1 and return him to his unclassified position as a Manager 1, Education.

ACTION: The Civil Service Commission ordered Anthony Hearn's permanent appointment to the non-competitive title of Planning Associate 1, effective January 17, 2009, and granted a retroactive date of appointment, effective July 23, 2005, upon the successful completion of a current working test period.

B-115 JOSEPH LATONA

The appeal of Joseph Latona, Water Treatment Plant Repairer with the Passaic Valley Water Commission, of his removal effective October 29, 2007 on charges, was considered by Administrative Law Judge J. Howard Solomon (ALJ), who rendered his initial decision on May 22, 2008, recommending acknowledgement of the settlement of the parties.

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

B-116 LENIN SIMICICH

The Palisades Interstate Park Commission (Palisades) requests reconsideration of the final administrative decision, rendered June 25, 2008, granting Lenin Simicich's request for sick leave injury (SLI) benefits.

ACTION: The Civil Service Commission denied the request for reconsideration.

B-117 WILFREDO MEDINA

The appeal of Wilfredo Medina, a Police Officer with the City of Newark, of his removal, effective June 1, 2007, on charges, was heard by Administrative Law Judge Imre Karaszegi, Jr. (ALJ), who rendered his initial decision on August 8, 2008. At its meeting on January 14, 2009, the Civil Service Commission (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.

B-118 WILMARIE ALAMO-LEBRON

Wilmarie Alamo-Lebron 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 Identification Officer (S0056K), Department of Corrections.

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

B-119 ROBIN L. BATTE, ET AL.

Robin L. Batte, Suzanne K. Callanan, and Maria Tlatelpa appeal the determinations of the Division of Selection Services which found that they did not meet the requirements for the promotional examination for Management Assistant (PS2006I), State Parole Board.

ACTION: The Civil Service Commission directed that these appeals be denied and the matter of the proper classification of Maria Tlatelpa's position be referred to the Division of State Human Resource Management for further review.

B-120 MEAZA BERIH, ET AL.

Meaza Berih, Rochelle Harris, Diedra Samuel, and Olga Sexton appeal the determinations of the Division of Selection Services which found that, per the substitution clause for education, they were below the minimum requirements in experience for the promotional examination for Claims Reviewer, Medical Assistance and Health Services (PS8535H), Department of Health and Senior Services.

ACTION: The Civil Service Commission directed that these appeals be denied but the Division of Selection Services should re-review all of the applications for the subject examination consistent with this decision.

B-121 ANTONIO CARDONA

Antonio Cardona appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Coordinator, Division of Motor Vehicles (PS1929T), Motor Vehicle Commission.

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

B-122 ASHWANI CHOPRA

Ashwani Chopra appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the open competitive examination for Administrative Analyst 1 (S0655K).

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

B-123 MADELINE CINQUE

North Jersey Developmental Center, on behalf of Madeline Cinque, appeals the determination of the Division of Selection Services that she did not meet the experience requirements for the promotional examination for Supervisor of Patients Accounts 1 (PS7314K).

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

B-124 GUY A. CUCINOTTA

Guy A. Cucinotta appeals the determination of the Division of Selection Services which found that he did not meet the experience requirement for the promotional examination for Technical Support Specialist 1 (PS1700K), Department of Children and Families.

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

B-125 ROSAURA INGRAM

Rosaura Ingram appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Technical Assistant Personnel (PS9556K), Department of Children and Families.

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

B-126 THERESA M. KENNEDY

Theresa M. Kennedy appeals the determination of the Division of Selection Services that she did not meet the experience requirement for the open competitive examination for Specification Writer, Purchasing (PC0582K), Atlantic County.

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

B-127 KELLY MITCHELL

Kelly Mitchell 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 open competitive examination for Program Development Specialist 1 (C0347K), Ocean County.

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

B-128 DIANA A. SNYDER

Diana A. Snyder 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 Technical Assistant Personnel (PS9556K), Department of Children and Families.

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

B-129 MELISSA STEVENSON

Union County appeals the determination of the Division of Selection Services which found that Melissa Stevenson was below the minimum requirements in education for the promotional examination for Human Services Specialist 1 (C0396K).

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

B-130 JOHN WALSH

John Walsh 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 Supervising Program Development Specialist (PS7002K), Commission for the Blind and Visually Impaired.

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

B-131 JANICE WILLIAMS

Janice Williams appeals the determination of the Division of Selection Services that she did not meet the experience requirement for the promotional examination for Regional Supervisor of County Representatives (PS8721K), Department of Human Services.

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

B-132 ROSABEATRIZ LOPEZ

Rosabeatriz Lopez petitions the Civil Service Commission to allow her to file untimely applications for the promotional examinations for Supervising Family Service Specialist 2 (PS6062K) and Supervising Family Service Specialist 2, Bilingual in Spanish and English (PS6063K), Department of Children and Families.

ACTION: The Civil Service Commission denied the request.

B-133 CLINT RHUBART

The Acting Director, Division of Local Human Resource Management (LHRM), on behalf of the Vineland Public Library, requests that Clint Rhubart's out-of-title work experience be accepted to qualify him for a promotional examination for Network Administrator 1.

ACTION: The Civil Service Commission granted the request.

B-134 PATRICIA DAVIS

The Department of the Treasury, on behalf of Patricia Davis, requests the relaxation of the provisions of N.J.A.C. 4A:6-1.22 so as to permit her to donate more than 10 leave days to Donna Samuels, who is participating in the donated leave program.

ACTION: The Civil Service Commission granted the request.

B-135 KAREN MCBRIARTY

The Department of Corrections, on behalf of Karen McBriarty, requests the relaxation of the provisions of N.J.A.C. 4A:6-1.22 so as to permit employees of the Department of Corrections to donate more than ten leave days to Ms. McBriarty, who is participating in the donated leave program.

ACTION: The Civil Service Commission granted the request.

B-136 CHERYL ANN MCGUIGAN

The Department of the Treasury, on behalf of Cheryl Ann McGuigan, requests the relaxation of the provisions of N.J.A.C. 4A:6-1.22 so as to permit her to donate more than 10 leave days to Sandy Davis, who is participating in the donated leave program.

ACTION: The Civil Service Commission granted the request.

B-137 HERBERT STOUT

The Department of the Treasury, on behalf of Herbert Stout, 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 leave days to Carol Ricigliani, who is participating in the donated leave program.

ACTION: The Civil Service Commission granted the request.

B-138 SALARY REGULATION, SUPPLEMENT 1, FY 2009

Submitted for the Commission's review is the Salary Regulation, Supplement 1, Fiscal Year 2009. This salary regulation, with its attachments A and B, pertains to salary increases for certain Employee Relations Groups, effective July 5, 2008, except that the effective date for 10-month employees will be September 13, 2008. It has been approved by Hope L. Cooper, Chair/CEO, Civil Service Commission and Charlene M. Holzbaur, Director, Division of Budget and Accounting. It is recommended that the Commission record this Salary Regulation.

ACTION: The Civil Service Commission recorded the salary regulation.

B-139 ERIK DIAZ

Erik Diaz, a Police Officer with Paterson, represented by Steven Olimpio, President PBA Local No. 1, requests a retroactive date of appointment.

ACTION: The Civil Service Commission granted the request.

B-140 MARY ANN BONCZYK

The Department of Environmental Protection, on behalf of Mary Ann Bonczyk, requests the relaxation of the provisions of N.J.A.C. 4A:6-1.22 so as to permit Ms. Bonczyk, 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 granted the request.

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, February 25, 2009, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

Hope L. Cooper, Chairperson
Civil Service Commission