



**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
March 25, 2009**

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

March 25, 2009

A regular meeting of the Civil Service Commission was held on Wednesday March 25, 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, 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.

STATE

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

**MEMORANDUM**

DATE: March 13, 2009

TO: Hope L. Cooper, Chair/CEO *HLC*
Civil Service Commission

FROM: Elizabeth Van Marter, Director *James Van Marter for*
Division of Classification and Compensation

SUBJECT: Change in the State Classification Plan

We request that a new title be created and a local title be made common for State use in order to provide appropriate classification for incumbents who operate heating systems in State facilities. At present time, there are no state titles which may be used at facilities whose heating systems require less than a Blue Seal Operating Engineer's license.

State agencies employing incumbents to perform these functions have been using inappropriate titles, creating classification and eligibility issues.

Hay factors have been evaluated for each title and support the proposed class codes. The appropriate collective bargaining organizations have been notified. Employee Relations Group assignments have been made by the Office of Employee Relations.

LOCAL TITLE MADE COMMON FOR STATE USE

Effective: 03-14-09

Boiler Operator

C12-00880 * Competitive 40/12

NEW TITLE

Effective: 03-14-09

Boiler Operator Repairer

C13- * Competitive 40/12

EVM/JMM/JAG

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

In the Matter of Robert Brassell, Jr.
Mercer County
Department of Corrections
Fine

In the Matter of Norman Brooks
Essex County
Department of Corrections
Removal

In the Matter of Barbara Eckheard
Cumberland County
Cumberland Manor
Suspension

In the Matter of Peter Farlow
Camden County
Department of Corrections
Removal

In the Matter of Tommie Farrior
Burlington County
Jail
Suspension

In the Matter of Tamika Green
Ancora Psychiatric Hospital
Department of Human Services
Removal

In the Matter of Lakisha Felesce Harris
Woodbridge Developmental Center
Department of Human Services
Suspension

In the Matter of Mark Henderson
Riverfront State Prison
Department of Corrections
Suspension

In the Matter of William Horn
City of Trenton
Department of Public Works
Fine and Removal

In the Matter of John Kobel
Essex County
Department of Citizen Services
Release at the end of the working test period

In the Matter of Piyush Patel and Isabelino Pellet
City of Passaic
List Bypass

In the Matter of Matthew Pinder
Mercer County
Department of Corrections
Fine

In the Matter of Pasquale Popolizio
City of Newark
Police Department
Removal

In the Matter of Paul Reilly
Township of West Milford
Department of Parks and Recreation
Suspension

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

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 JEFFREY CARTER

Jeffrey Carter, Youth Worker, Department of Military and Veterans' Affairs, 30-working day suspension on charges of conduct unbecoming a public employee and violation of a rule, policy, order, or administrative decision.

Recommendation of the Administrative Law Judge – Dismiss the appeal for failure to prosecute.

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

A-3 RICHARD JACOBSEN AND JOSEPH T. CAIN

Richard Jacobsen, Emergency Medical Technician, City of Vineland, Department of Health, 15-tours of duty (12 hour days) suspension, and Joseph Cain, Senior Emergency Medical Technician, City of Vineland, Department of Health, three-tours of duty (12 hour days) suspension and demotion to the position of Emergency Medical Technician, effective January 5, 2007, on charges of incompetency, inefficiency or failure to perform duties, conduct unbecoming a public employee, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold Jacobsen's 15-tours of duty suspension and modify Cain's three-tours of duty suspension to 15-tours of duty suspension and reverse the demotion to the position of Emergency Medical Technician.

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

A-4 MARTIN BRUCE KANIS

Martin Bruce Kanis, Animal Control Officer, City of Camden, Police Department, release at the end of the working test period effective November 7, 2006.

Recommendation of the Administrative Law Judge – Uphold the release at the end of the working test period.

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

A-5 JEFFREY LEWIS

Jeffrey Lewis, Senior Therapy Program Assistant, New Lisbon Developmental Center, Department of Human Services, 10-day suspension on the charge of insubordination.

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

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

A-6 GREGORY POEPPPEL

Gregory Poeppel, Fire Lieutenant, City of Bridgeton, Department of Public Safety, fine of \$6,344.67 (equal to 30 days' pay) on charges of violation of rules regarding failure to conduct monthly training drills, failing to follow directive of training and failure to provide written paperwork for drills and a fine of \$3,172.34 (equal to 15 days' pay) on charges of violation of rules regarding insubordination, failure or refusal to obey a lawful order by a supervisor and failure to comply with a specific memorandum.

Recommendation of the Administrative Law Judge – Allow the appointing authority to modify the penalty to a five-day suspension and return the appeal to the Civil Service Commission for disposition as a minor discipline.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge to allow the appointing authority to modify the penalty to a minor discipline. However, the Civil Service Commission does not have jurisdiction to review minor discipline in local service, and therefore did not affirm that portion of the initial decision.

A-7 ESTELLE SMITH (REMAND)

Estelle Smith, Senior Correction Officer, Garden State Youth Correctional Facility, Department of Corrections, removal effective March 8, 2007, on charges of conduct unbecoming a public employee and violation of rules regarding improper or unauthorized contact with an inmate, and violation of various procedures including safety and security.

Recommendation of the Administrative Law Judge – Reverse the removal.

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

A-8 JAMES BELLAMY

James Bellamy, Technical Assistant 3, Division of Youth and Family Services (now the Department of Children and Families), Department of Human Services, removal effective January 6, 2004 on the charge of threatening a fellow employee.

Recommendation of the Administrative Law Judge – Reverse the removal.

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

A-9 ROBIN M. BROWN

Robin M. Brown, Custodial Worker, Newark School District, removal effective January 2, 2008, on charges of chronic or excessive absenteeism or lateness and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-10 ARTHUR KING

Arthur King, Custodial Worker, Newark School District, removal effective June 27, 2008, on charges of chronic or excessive absenteeism or lateness, neglect of duty and other sufficient cause.

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-11 NICHOLAS P. LACAVA

Nicholas P. LaCava, Motor Vehicle Operator, Elderly and Handicapped Persons, Mercer County, Department of Transportation, removal effective March 8, 2007, on the charge of inability to perform duties.

Recommendation of the Administrative Law Judge – Modify the removal to a resignation in good standing.

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

A-12 YIN MATTEO

Yin Matteo, Cottage Training Technician, Hunterdon Developmental Center, Department of Human Services, removal effective May 12, 2008, on charges of physical or mental abuse of a client, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the removal.

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

A-13 JOYCE MOSS

Joyce Moss, County Correction Officer, Mercer County, Department of Public Safety, removal effective August 29, 2007, on charges of conduct unbecoming a public employee and falsification.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-14 HEIDI SCHUMACHER

Heidi Schumacher, Residential Living Specialist, Greystone Park Psychiatric Hospital, Department of Human Services, removal effective April 18, 2007, on the charges of physical abuse of a patient.

Recommendation of the Administrative Law Judge – Reverse the removal.

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

SECTION B – MISCELLANEOUS MATTERS

B-1 RICKY BURGMAN

Ricky Burgman 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 evaluation.

B-2 OMAR CHAUDHERY

Omar Chaudhery, represented by Jessica L. Talar, Esq., appeals his rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove his name from the eligible list for Correction Officer Recruit (S9999H) on the basis of psychological unfitness to perform effectively the duties of the position.

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

B-3 SHALONDA LITTLE

Shalonda Little appeals the removal of her name from the (S9999H) eligible list for the title of Police Officer, East Orange on the basis of psychological unfitness.

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

B-4 JAMEEL Q. MATTHEWS

Jameel Q. Matthews appeals the removal of his name from the (S9999H) eligible list for the title of Police Officer, City of Newark on the basis of psychological unfitness.

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

B-5 MARY BERNHEY

Mary Bernhey, a Recreation Assistant with the New Jersey Veterans Memorial Home at Paramus, Department of Military and Veterans Affairs, appeals the denial of sick leave injury (SLI) benefits.

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

B-6 NEELY BUSCEMI

Neely Buscemi, a Communications Operator, Secured Facilities at South Woods State Prison, Department of Corrections, appeals the denial of sick leave injury (SLI) benefits.

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

B-7 JOHN LLOYD

John Lloyd, a Practical Nurse with the Division of Mental Health Services, 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 NICHOLAS MIONIE

Nicholas Mionie, a Senior Correction Officer with Southern State 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-9 MICHAEL KERWIN

Michael Kerwin, represented by Nicholas Bergamotto, Esq., appeals the removal of his name from the Fire Fighter (M2289E), Newark, eligible list due to his failure to meet the residency requirement.

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

B-10 MEREDITH REILLY

Meredith Reilly appeals the determination of the Division of Selection Services which found that the appointing authority had presented a sufficient basis to remove her name from the eligible list for Program Development Specialist, Community Service (C0217K), Sussex County.

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

B-11 JOSEPH SULLIVAN

Joseph Sullivan, represented by Joseph S. Murphy, Esq., appeals the decision of the Division of Local Human Resource Management, which upheld the appointing authority's bypasses of his name on certifications for Police Sergeant (PM2536F), Ringwood, eligible list.

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

B-12 AUDIO/VISUAL SPECIALIST (M0155K), JERSEY CITY

The Division of Local Human Resource Management requests that Jersey City be ordered to return the August 4, 2008 certification (OL081302) of the eligible list for Audio/Video Specialist (M0155K) for proper disposition.

ACTION: The Civil Service Commission granted the request.

B-13 CASHIER (M1526J), NEWARK SCHOOL DISTRICT

The Newark School District requests permission not to make an appointment from the July 16, 2007 certification for Cashier (M1526J).

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

B-14 CODE ENFORCEMENT OFFICER TRAINEE (M6229H), PLAINFIELD

Plainfield requests permission not to make an appointment from the August 8, 2008 certification for Code Enforcement Officer Trainee (M6229H).

ACTION: The Civil Service Commission granted the request for an appointment waiver and assessed no costs.

B-15 HOUSING INSPECTOR TRAINEE (M0152K), VINELAND

Vineland requests permission not to make an appointment from the September 9, 2008 certification for Housing Inspector Trainee (M0152K).

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

B-16 PERSONNEL CLERK (M1574J), CITY OF NEWARK

The matter of whether the City of Newark should be granted permission not to make an appointment from the September 10, 2007 certification for Personnel Clerk (M1574J) has been referred to the Civil Service Commission for review.

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

B-17 POLICE COMMUNICATIONS CLERK (M1002G) AND (SPECIAL REEMPLOYMENT LIST), NEWARK

The matter of whether Newark should be granted permission not to make an appointment from the March 17, 2008 certification for Police Communications Clerk (M1002G) and (Special Reemployment List) has been referred to the Civil Service Commission for review.

ACTION: The Civil Service Commission granted the request for an appointment waiver but assessed compliance costs in the amount of \$500.

B-18 SECRETARIAL ASSISTANT (SPECIAL), NEWARK

The Division of Local Human Resource Management requests that Newark be ordered to return the February 19, 2008 certification (OL080305) of the eligible list for Secretarial Assistant (Special) for proper disposition.

ACTION: The Civil Service Commission granted the request.

B-19 SENIOR PLUMING INSPECTOR (M9605G) AND (M9050J), NEWARK

The Division of Local Human Resource Management requests that Newark be ordered to return the May 17, 2007 certification (OL071144) of the eligible list for Senior Plumbing Inspector (M9605G) and (M9050J) for proper disposition.

ACTION: The Civil Service Commission granted the request.

B-20 SORAYA GARDNER

Soraya Gardner, an Employment and Training Specialist 1 with the Department of Labor and Workforce Development (DLWD), appeals the determination of the Commissioner, DLWD, stating that the appellant did not present sufficient evidence to support a finding that she had been subject to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

B-21 KATHERINE KLEMP

Katherine Klempe, a Sergeant with the State Police, Department of Law and Public Safety, represented by George T. Daggett, Esq., appeals the determination of the First Assistant Attorney General, stating that the appellant failed to present sufficient evidence to support a finding that she had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

B-22 DENNIS MULLIGAN

Dennis Mulligan, a Sewage Plant Attendant with Bergen County Utilities Authority, represented by Daniel J. Zirrith, Esq., petitions the Civil Service Commission for interim relief of his immediate suspension, effective January 15, 2009.

ACTION: The Civil Service Commission granted the request.

B-23 DORRET BROWN

Dorret Brown, a former Practical Nurse at the New Jersey Veterans Memorial Home at Paramus, Department of Military and Veterans Affairs, represented by Sylvia I. Onyejekwe, Esq., requests a hearing regarding her return to her former permanent title at the end of her working test period.

ACTION: The Civil Service Commission denied the request.

B-24 WILLIAM BOYD

William Boyd, a Laborer Heavy with Trenton, represented by Samuel M. Gaylord, Esq., seeks Civil Service Commission resolution of a dispute concerning the amount of back pay and benefits due to him as a result of the decision rendered on May 7, 2008, which modified his removal to a 60 working day suspension.

ACTION: The Civil Service Commission denied the request.

B-25 TAJA DURLING

Taja Durling, a Police Officer with the Trenton Police Department, represented by Stuart J. Alterman, Esq., requests that the Civil Service Commission reinstate the appeal of her 10-day suspension, which was dismissed based on her failure to appear at a scheduled settlement conference.

ACTION: The Civil Service Commission granted the request.

B-26 LINDA SULLIVAN

Linda Sullivan, a Classification Officer 2 at Southern State Correctional Facility, Department of Corrections, represented by Mario A. Iavicoli, Esq., requests an award of counsel fees, in accordance with the Civil Service Commission decision rendered on July 16, 2008, which granted her sick leave injury (SLI) benefits from July 5, 2007 to July 4, 2008.

ACTION: The Civil Service Commission denied the request.

B-27 KAREN WOOD

Karen Wood, a former Assistant Director, Taxation, with the Department of the Treasury, represented by Robert E. Lytle, Esq., appeals her receipt of a 1.5% salary increase pursuant to the Fiscal Year 2008 Management Salary Program. The appellant also challenges her receipt of 50 vacation days and 3 administrative leave days upon her reinstatement to employment on September 2, 2008.

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

B-28 ERIN DELAGARZA AND SHERRY JANKOWSKY

The Township of Pemberton appeals the decisions of the Division of Local Human Resource Management that the proper classification of Erin DeLa Garza's and Sherry Jankowsky's positions is Senior Police Records Clerk. The appointing authority seeks Police Records Clerk Classifications.

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

B-29 VERNELLE LAGRANDE, ET AL.

Vernelle LaGrande, Yolanda Parker and Pauline Wade, represented by Robert O. Yaeger, Principal Staff Representative, Communications Workers of America, Local 1040, appeal the decisions of the Division of State Human Resource Management that the proper classification of their positions is Head Cottage Training Supervisor. The appellants seek Assistant Supervisor of Resident Living (Developmental Disabilities) classifications.

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

B-30 ANNA MARIE MECCA

Anna Marie Mecca appeals the decision of the Division of State Human Resource Management that the proper classification of her position is Principal Clerk. The appellant seeks a Professional Service Specialist 3, Administrative Services classification.

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

B-31 NOREEN RIZZOLO

Noreen Rizzolo appeals the decision of the Division of Local Human Resource Management that the proper classification of her position is Administrative Clerk. The appellant seeks an Executive Assistant classification. Ms. Rizzolo also appeals the determination of the Division of Selection Services, that per the substitution clause for education, she was below the minimum requirements in experience for the promotional examination for Executive Assistant (PC0528J), Hudson County.

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

B-32 AMY WELLS

Amy Wells, represented by Adam Liebttag, Senior Staff Representative, CWA Local 1034, appeals the determination of the Division of State Human Resource Management that her position is properly classified as a Customer Service Representative 1. The appellant seeks a Standards and Procedures Technician classification.

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

B-33 PHILLIP BROWN

Plainfield requests that the eligible list for Senior Building Maintenance Worker (PM0481F) be revived to effectuate the permanent appointment of Phillip Brown.

ACTION: The Civil Service Commission granted the request.

B-34 PETER GALLAGHER

Peter Gallagher, represented by Michael A. D'Aquanni, Esq., requests that he be assigned a retroactive appointment date for Police Captain (PM3535G), Jersey City.

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

B-35 LOIS JOHANN

The Department of Transportation (DOT) petitions the Civil Service Commission for reconsideration of the decision, rendered on December 3, 2008, in which the Commission granted Lois Johann's appeal of the decision of the DOT which denied her request to participate in the School Volunteer Leave Program.

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

B-36 PRINICIPAL CLERK TYPIST (M1221H) BOROUGH OF ROSELLE

The Borough of Roselle requests reconsideration of the decision rendered on July 16, 2008 by the Civil Service Commission in *In the Matter of Principal Clerk Typist (M1221H), Borough of Roselle* which denied its request for an appointment waiver and ordered it to properly dispose of the January 29, 2007 certification within 30 days.

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

B-37 FRANCISCO SANCHEZ

Francisco Sanchez petitions the Civil Service Commission for reconsideration of the final administrative decision, rendered on March 28, 2007, in which the Merit System Board denied his request to be found eligible for the Deputy Fire Chief (PM3618G), City of Passaic examination.

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

B-38 VERONICA ALLEN

Veronica Allen appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she did not meet the experience requirements for the promotional examination for Principal Income Maintenance Technician (PS4925K), Ancora Psychiatric Hospital.

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

B-39 DEAN ANDERSON

Dean Anderson appeals the determination of the Division of Selection Services that he did not meet the experience requirement for the promotional examination for Executive Assistant 3 (PS9910G), Department of Environmental Protection.

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

B-40 ROGER BORICHEWSKI

Roger Borichewski appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Supervising Administrative Analyst (PS6761K), Department of Human Services.

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

B-41 SHARON BRENNER CADALZO

Sharon Brenner Cadalzo appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the open competitive examination for Director of Neighborhood Preservation Program (M6206J), Point Pleasant Beach.

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

B-42 TRINA BROOKS

Trina Brooks appeals the determination of the Division of Selection Services that found that per the substitution clause for education, she did not meet the experience requirements for the promotional examination for Field Monitor 2, Division of Motor Vehicles (PS6067T), Motor Vehicle Commission.

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

B-43 HERMAN BROWN

Herman Brown 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 Management Information Systems Specialist (M6192J), Jersey City.

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

B-44 KENNETH BUCK

Kenneth Buck 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 Training Officer Law Enforcement (C6263J), Atlantic County.

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

B-45 CAROLYN COOPER, ET AL.

Carolyn Cooper, Noemi Munoz, Susan Warner and Sharae Woodards appeal the determinations of the Division of Selection Services which found that they did not meet the educational requirements for the open competitive examination for Human Services Specialist 1 (C0395K), Camden County.

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

B-46 PAUL DREXEL

Paul Drexel appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in education for the open competitive examination for Public Information Officer (M1809J), Hoboken.

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

B-47 JEANETTE JOHNSON

Jeanette Johnson appeals the determination of the Division of Selection Services which found her to be below the education and experience requirements for the open competitive examination for Supervisor of Recreation (S0101K), Statewide.

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

B-48 MARIA MIRYS

Maria Mirys appeals the determination of the Division of Selection Services that she did not meet the experience requirements for the promotional examination for Personnel Assistant 3 (PS8720K), Department of Human Services.

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

B-49 CYNTHIA NIEMIEC

Cynthia Niemiec appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she was below the minimum requirements in experience for the promotional examination for Contract Administrator 2 (PS0220K), Department of Children and Families.

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

B-50 ANNMARIE RUIZ

Annmarie Ruiz appeals the determination of the Division of Selection Services which found that she was not eligible for the promotional examination for Director of Health Education (PC0640K), Salem County.

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

B-51 SHERMAYNE VANAMAN

Shermayne Vanaman appeals the decision of the Division of Selection Services which found that, per the substitution clause for education, she did not meet the experience requirements for the promotional examination for Personnel Assistant (PC0676J), Salem County.

ACTION: The Civil Service Commission directed that this appeal be denied and directed the Division of Local Human Resource Management to correct the appellant's employment record consistent with *IMO Shermayne Vanaman* (Merit System Board, decided July 25, 1989).

B-52 JOSE CASIANO, ET AL.

Jose Casiano, Frank Gonzalez and Trent White appeal their scores for the promotional examination for Public Works Repairer (PM1105K), Passaic.

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

B-53 ROBERT DEGAETANO, ET AL.

Robert DeGaetano (PM3519K), Atlantic City; Robert Geisler, Anthony Larino, Robert Mullins and David Tobey (PM3520K), Bayonne; Lawrence Loos and Dean Smith (PS3531K), Freehold; Mark Cowan, Thomas Cowan and Timothy Lockwood (PM3536K), Jersey City; Michael Palardy (PM3542K), Millburn; Wayne Smith (PM3543K), Millville; Gerald Buglione (PM3546K), Newark; John Daubner and Scott Davis (PM3559K), Union Township; appeal the written examination for Police Captain (various jurisdictions).

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

B-54 GUY THOMPSON ET AL.

Guy Thompson (PM2507K), Asbury Park; David Muller (PM2516K), Ewing Township; Vincent Cook, James Hamilton, William Hoffman, Michael Johnston, Michael Kenny, Peter Lagis, Carmine Lancellotti, John McLellan, Timothy O'Brien, Joseph Sarao, Mitchell Schnee and Ilias Voustas (PM2521K), Jersey City; David Feldhan and Timothy Wagner (PM2522K), Kearny; Thomas Keywood (PM2530K), Lower Township; Bryan O'Hare (PM2532K), Marlboro; Pasquale Conte (PM2533K), Middle Township; Brian O'Hara (PM2539K), Newark; Joseph Botti, Glenn Gaston, Donald Michelson and Thomas Surowiec (PM2561K), Union City; appeal the written examination for Police Lieutenant (various jurisdictions).

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

B-55 DAVID MARTINDALE

David Martindale requests the relaxation of the provisions of N.J.A.C. 4A:4-2.1(f) so as to permit him to amend his application for the 2008 Law Enforcement Examination (LEE).

ACTION: The Civil Service Commission denied the request.

B-56 WILLIAM CAHILL

The Department of Human Services, on behalf of William Cahill, 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 five employees, who are participating in the donated leave program.

ACTION: The Civil Service Commission granted the request.

B-57 PAULA DONAHUE

The Office of Information Technology, on behalf of Paula Donahue, requests the relaxation of the provisions of N.J.A.C. 4A:6-1.22 so as to permit Ms. Donahue, 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-58 MARK FERNANDEZ, ET AL.

Ocean County, on behalf of Mark Fernandez, Douglas Franzoso, and Jeffrey Pluta, requests that they be permitted to participate in the intergovernmental transfer program and to complete the remainder of their working test periods as Senior Corrections Officers that they began with the New Jersey Department of Corrections as County Correction Officers with the Ocean County Department of Corrections.

ACTION: The Civil Service Commission granted the request.

B-59 BRENDA HAFESH

The Motor Vehicle Commission, on behalf of Brenda Hafesh, requests the relaxation of the provisions of N.J.A.C. 4A:6-1.22 so as to permit Ms. Hafesh to donate more than 10 sick days to Louis Demarcello, who is participating in the donated leave program.

ACTION: The Civil Service Commission granted the request.

B-60 DEPUTY FIRE CHIEF (PM3602K), BORDENTOWN, FIRE DISTRICT #1

Bordentown Township, Fire District #1, represented by Robert L. Sexton, Esq., appeals the determination of the Division of Selection Services, which denied its request to waive the promotional examination for Deputy Fire Chief (PM3602K), Fire District #1.

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

B-61 INVESTIGATOR, COUNTY WELFARE AGENCY (PC1069K), OCEAN COUNTY BOARD OF SOCIAL SERVICES

The Ocean County Board of Social Services, on behalf of Joanna Bassie, Christopher Byron, Matthew Guthorn, and Patricia Lamken, requests that the movement of incumbents in the Child Support Worker title to the title of Investigator, County Welfare Agency, be considered a promotion.

ACTION: The Civil Service Commission granted the request.

B-62 RECENT COURT DECISIONS

Submitted for the Commission's review are summaries of recent court decisions involving Merit System Board and New Jersey Employee Awards Committee determinations regarding *In the Matter of Paul Bishop* (Appellate Division, decided 1/8/09); *In the Matter of Thomas E. Fricano, Borough of Freehold* (Appellate Division, decided 1/13/09); *In the Matter of Pedro Gonzalez* (Appellate Division, decided 1/15/09); *In the Matter of Phillip Boone* (Appellate Division, decided 2/9/09); *In the Matter of Vincent Greenfield* (Appellate Division, decided 2/19/09); *In the Matter of Anthony D'Altrui* (Appellate Division, decided 2/24/09); *In the Matter of Giacomo Novielli* (Appellate Division, decided 2/24/09); *In the Matter of Scott Barker v. State of New Jersey* (Appellate Division, decided 2/25/09).

ACTION: The Civil Service Commission noted the decisions.

B-63 CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of March 11, 2009.

ACTION: The Civil Service Commission adopted the minutes of its meeting of March 11, 2009.

B-64 MARK ALESSIO

The Director of the Division of Classification and Compensation petitions the Civil Service Commission (Commission) for reconsideration of the final administrative decision, rendered on November 19, 2008, in which the Commission authorized the provisional appointment of Mark Alessio to the competitive title of Mechanic Non-Automotive Heating System and ordered that a promotional examination for Mechanic Non-Automotive Heating System in Alessio's unit scope be announced.

ACTION: The Civil Service Commission granted the request.

B-65 DANNY GLENN

The appeal of Danny Glenn, a Public Works Inspector with Irvington, of his removal, effective July 24, 2006, on charges, was heard by Administrative Law Judge Irene Jones (ALJ), who rendered her initial decision on February 5, 2009. At its meeting on March 11, 2009, the Civil Service Commission (Commission) adopted the recommendation of the ALJ to uphold the appellant's removal. The proposed final decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the final decision.

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

B-66 GARY S. DEMARZO

The appeal of Gary S. DeMarzo, a Police Officer with the City of Wildwood, of his 60 working day suspension on charges, was heard by Administrative Law Judge W. Todd Miller (ALJ), who rendered his initial decision on January 28, 2009. At its meeting March 11, 2009, the Civil Service Commission (Commission) adopted the ALJ's recommendation to uphold the 60 working day suspension. The proposed final decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the final decision.

B-67 SHANTEL ECHEVARRIA

The appeal of Shantel Echevarria, a County Correction Officer with the Burlington County Jail, of her 10 working day and 60 working day suspensions, on charges, was heard by Chief Administrative Law Judge Laura Sanders (ALJ), who rendered her initial decision on January 29, 2009. At its meeting on March 11, 2009, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to uphold the 10 working day suspension. Rather, the Commission reversed the 10 working day suspension. However, the Commission adopted the ALJ's recommendation to modify the 60 working day suspension to a 10 working day suspension. The proposed decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the decision.

B-68 JOANNE CARTER, ET AL.

Joanne Carter, Michael Commini, and Kai L. Scott appeal the determinations of the Division of Selection Services which found that they did not meet the requirements for the promotional examination for Technical Assistant 3 (PS7781U), Department of the Treasury.

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

B-69 EMERGENCY ADOPTION AND CONCURRENT RULE PROPOSAL: AMENDMENTS TO N.J.A.C. 4A:8-1.1 AND NEW RULE N.J.A.C. 4A:8-1.1A, TEMPORARY LAYOFFS

Submitted for the Commission's review and adoption are a Statement of Imminent Peril, emergency amendments to N.J.A.C. 4A:8-1.1 and emergency new rule N.J.A.C. 4A:8-1.1A. Also submitted for the Commission's approval for publication in the New Jersey Register for comment and review is a Notice of Proposal for ordinary rulemaking to amend N.J.A.C. 4A:8-1.1 and promulgate new rule N.J.A.C. 4A:8-1.1A beyond the 60-day emergency period.

ACTION: The Civil Service Commission adopted the emergency amendments and new rule. The Civil Service Commission approved for publication the amendments and new rule in concurrent ordinary rulemaking.

There being no further business before the Merit System Board, the meeting was adjourned to convene on Wednesday, April 15, 2009, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

Hope L. Cooper
Chairperson
Civil Service Commission