



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  
JUNE 24, 2009**

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

**June 24, 2009**

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A regular meeting of the Civil Service Commission was held on Wednesday, June 24, 2009, in Trenton, New Jersey.

**PRESENT:** Hope L. Cooper, Chairperson, Members John Currie and Margaret E. L. Howard; Lisa Ruch, Deputy Attorney General; Henry Maurer, Director, Division of Merit System Practices and Labor Relations.

In accordance with L.1975, c.231, Hope L. Cooper, Chairperson, opened the meeting with the following statement:

Notice of this meeting was filed with the Secretary of State and sent to the Trentonian, Trenton Times, Courier-Post and Star Ledger on November 17, 2008, and posted at the Civil Service Commission, 3 Station Plaza, Trenton, New Jersey.

It is noted that agenda Item A-13 was considered at the conclusion of all other agenda items.

All actions were by unanimous vote unless otherwise specified.

**SECTION A – HEARING MATTERS**

**A-1 SETTLEMENTS**

In the Matter of Barry Ashford  
Newark School District  
Suspension, Removal and  
Resignation not in good standing

In the Matter of Larry Babcock, Jr.  
Township of Vernon  
Department of Public Works  
Removal

In the Matter of Jose Beltran  
City of Newark  
Police Department  
Removal

In the Matter of Justin B. Diomedea  
Monmouth County  
Department of Corrections and Youth Services  
Suspension

In the Matter of Jermaine Frederick  
Mercer County  
Department of Human Services  
Removal

In the Matter of Torshika Gaye  
Vineland Developmental Center  
Department of Human Services  
Removals (2)

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

In the Matter of Edna Massop  
Vineland Developmental Center  
Department of Human Services  
Removal

In the Matter of Lisa Pepitone  
Atlantic County  
Department of Human Services  
Release at the end of the working test period

In the Matter of Phillip D. Spears  
City of Newark  
Department of Economic Development and Housing  
Release at the end of the working test period

In the Matter of Richard Singletary  
Hudson County  
Department of Corrections  
Suspension

In the Matter of Markeith Thomas  
Essex County  
Department of Parks, Recreation and Cultural Affairs  
Suspension

In the Matter of Joseph Whittick  
Camden County  
Department of Corrections  
Resignation not in good standing

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

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

**A-2 STEPHEN ALAIMO**

Stephen Alaimo, Correction Lieutenant, Northern State Prison, Department of Corrections, 10-working day suspension on charges of conduct unbecoming a public employee and violation of Department rules prohibiting discrimination, harassment or hostile environments in the workplace.

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

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

**A-3 JOHN CLARKIN, MARC GARRETT, CARLOS CRUZ AND RICHARDO CASTRO**

John Clarkin, Police Officer, four-month suspension, Marc Garrett, Police Officer, four-month suspension, Carlos Cruz, Police Officer, ten-day suspension and Richardo Castro, Police Officer, ten-day suspension, City of Newark, Police Department, on charges of conduct unbecoming a public employee, neglect of duty and violation of Police Department rules regarding conduct, neglect of duty, knowledge of laws and regulations, acts or omissions, responsibility for own actions and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the suspensions.

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

**A-4 CHRISTOPHER GLOSSON**

Christopher Glosson, Human Services Assistant, Ancora Psychiatric Hospital, Department of Human Services, 45-day suspension on charges of physical abuse of a patient and violation of a policy.

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

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

**A-5 JEFFREY GLOSSON**

Jeffrey Glosson, Human Services Assistant, Ancora Psychiatric Hospital, Department of Human Services, 15-day suspension on charges of neglect of duty, inappropriate physical contact of a patient and violation of a policy.

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

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

**A-6 JEFFREY GLOSSON AND CHRISTOPHER GLOSSON**

Jeffrey Glosson and Christopher Glosson, Human Services Assistants, Ancora Psychiatric Hospital, Department of Human Services, removals effective March 4, 2008, on charges of physical abuse of a patient, violation of a rule, regulation, policy, procedure or administrative decision and conduct unbecoming a public employee. Jeffrey Glosson was also charged with insubordination.

Recommendation of the Administrative Law Judge – Uphold the removals.

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

**A-7 DELORIA MARTIN**

Deloria Martin, County Correction Sergeant, Burlington County, County Jail, 15-working day suspension, 20-working day suspension, 30-working day suspension, and demotion to the position of County Correction Officer effective March 15, 2008, on charges of incompetency, inefficiency or failure to perform duties, insubordination, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the 15-working day suspension, the 20-working day suspension, and the 30-working day suspension. It is noted that appellant withdrew that part of her appeal seeking reinstatement to the position of County Correction Sergeant.

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

**A-8 SOPHIA MITCHELL**

Sophia Mitchell, Public Safety Telecommunicator Trainee, Jersey City, Police Department, release at the end of the working test period effective April 25, 2008.

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-9 STEVEN WHITE**

Steven White, Truck Driver, Monmouth County, Department of Public Works and Engineering, resignation not in good standing effective August 15, 2008, on charges of neglect of duty, other sufficient cause, and being absent from duty for five or more consecutive business days without the approval of a supervisor and unauthorized absences.

Recommendation of the Administrative Law Judge – Uphold the resignation not in good standing.

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

**A-10 LISA DAVENPORT**

Lisa Davenport, County Correction Officer, Monmouth County, Department of Corrections, removal effective October 7, 2005, on charges of conduct unbecoming a public employee, neglect of duty, and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

**A-11 HEMENEGIL NAZARIO**

Hemenegil Nazario, Supervisor, Streets, City of Trenton, Department of Public Works, removal effective April 29, 2008, on charges of failure to pass the impaired drug screening.

Recommendation of the Administrative Law Judge – Grant summary decision and uphold the removal.

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

**A-12 BENJAMIN RICHARDSON (REMAND)**

Benjamin Richardson, Laborer, City of Newark, Department of Water and Sewer, removal effective January 26, 2007, on charges of inability to perform duties, conduct unbecoming a public employee 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 motion was made and seconded that the open session be recessed and that, pursuant to Section 12(b) of the Open Public Meetings Act, the Civil Service Commission entered into Executive Session for the purpose of viewing a video tape of the incident which showed patients at a State facility involving the matter of A-13 Quran Santana, since the matter would constitute an unwarranted invasion of individual personal privacy. The matter was considered at the conclusion of all other agenda items. The Commission subsequently reconvened the public meeting.**



**A-13 QURAN SANTANA**

Quran Santana, Human Services Assistant, Ancora Psychiatric Hospital, Department of Human Services, removal effective October 15, 2007 on charges of physical abuse of a patient, inappropriate physical contact or mistreatment of a patient, violation of a rule, regulation, policy, procedure or administrative decision, 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.

**SECTION B – MISCELLANEOUS MATTERS**

**B-1 JEFFREY E. KOCHANSKI**

Jeffrey E. Kochanski, represented by Jeffrey G. Garrigan, Esq., appeals his rejection as a Sheriff's Officer candidate by Hudson County and its request to remove his name from the eligible list for Sheriff's Officer (S9999F) on the basis of psychological unfitness to perform effectively the duties of the position.

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

**B-2 MICHELLE M. KURZENBERGER**

Michelle M. Kurzenberger appeals her rejection as a Police Officer candidate by Jackson 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-3 JOEL VALENTIN**

Joel Valentin appeals his rejection as a Fire Fighter candidate by Plainfield and its request to remove his name from the eligible list for Fire Fighter (M2294E) 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 THOMAS HEWITT**

Thomas Hewitt, a Teacher 1 (12 Months) with Bayside State Prison, Department of Corrections, represented by Jennifer A. Geisenheimer, Senior Staff Representative, CWA Local 1040, appeals the denial of sick leave injury (SLI) benefits.

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

**B-5 SOPHIA MATE**

Sophia Mate, a Principal Audit Account Clerk with the Department of Labor and Workforce Development, appeals the denial of sick leave injury (SLI) benefits.

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

**B-6 ANTHONY BELLEZZA**

Anthony Bellezza appeals the decisions of the Division of Local Human Resource Management, which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the County Correction Officer (S9999H), Atlantic County, eligible list due to falsification of his employment application, and the County Correction Officer (S9999H), Ocean County eligible list on the basis that he made false statements of material facts.

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

**B-7 EDWARD D. COWGILL**

Edward D. Cowgill appeals the decision of the Division of Local Human Resource Management, which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the County Correction Officer (S9999H), Camden County eligible list, on the basis of failure to complete pre-employment processing.

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

**B-8 CARPENTER (C0033K), MERCER COUNTY**

Mercer County requests permission not to make an appointment from the October 22, 2008 certification for Carpenter (C0033K).

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

**B-9 BARBARA MAGLIOZZI**

Barbara Magliozzi, a Claims Adjudicator Supervisor, Disability Determinations with the Department of Labor and Workforce Development, appeals the decision of the Commissioner, which found that the appellant failed to present sufficient evidence to support a finding that she had been subjected to violations of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

**B-10 VERONICA OKOH**

Veronica Okoh, a Human Services Technician with the Department of Human Services, appeals the decision of the Assistant Commissioner which found that the appellant failed to present sufficient evidence to support a finding that she had been subjected to violations of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

**B-11 RENEE BANCROFT**

Renee Bancroft appeals the decision of the Division of State Human Resource Management that the proper classification of her position is Principal Geologist, Environmental Protection. The appellant seeks a Supervising Geologist, Environmental Protection classification.

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

**B-12 DEBRA DICELLO**

Debra DiCello appeals the determination of the Division of State Human Resource Management that her position is properly classified as Supervising Health Care Evaluator. Appellant seeks a Supervisor of Inspections, Health Facilities Evaluation and Licensing classification in the proceeding.

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

**B-13 MARIA FESTA**

Maria Festa appeals the decision of the Division of State Human Resource Management, which found that her position is properly classified as Technical Assistant 2, Labor. She seeks a Technical Assistant 1, Labor job classification in this proceeding.

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

**B-14 NORMA WYNN**

Norma Wynn appeals the determination of the Division of State Human Resource Management that her position is properly classified as a Principal Data Entry Machine Operator. Appellant seeks a Technical Assistant, Personnel classification in this proceeding.

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

**B-15 PRINCIPAL CLERK, ET AL, DEPARTMENT OF LAW AND PUBLIC SAFETY**

The Acting Director, Division of Selection Services, on behalf of the Department of Law and Public Safety, requests that the provisions of N.J.A.C. 4A:4-1.1(c) be relaxed in order to allow 12 employees to be provisionally appointed, pending promotional examination procedures, to the competitive title of Principal Clerk, Customer Service Representative 2, or Customer Service Representative 3.

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

**B-16 MICHAEL JOHNSON**

The Division of State and Local Operations, on behalf of Winslow Township, requests that the provisions of N.J.A.C. 4A:4-1.1(c) be relaxed in order to allow Michael Johnson to be provisionally appointed, pending promotional examination procedures, to the competitive title of Sign Maker (Wood and Metal).

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

**B-17 NOELIA RODRIGUEZ**

The Division of State and Local Operations, on behalf of the Department of the Treasury, requests that the provisions of N.J.A.C. 4A:4-1.1(c) be relaxed in order to allow Noelia Rodriguez to be provisionally appointed, pending promotional examination procedures, to the competitive title of Personnel Aide 1.

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

**B-18 TIMMITA MCGUIRE**

Timmita McGuire, Senior Correction Officer, appeals an official written reprimand issued by the Department of Corrections.

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

**B-19 TERESA MCLAUGHLIN**

Teresa McLaughlin, Judiciary Clerk 2, appeals a five-day suspension issued by the Judiciary.

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

**B-20 DAMIEN JOHNSON**

The City of Linden, represented by Daniel J. McCarthy, Assistant City Attorney, petitions the Civil Service Commission (Commission) for a stay of the decision rendered by the Commission in *In the Matter of Damien Johnson* (CSC, decided April 15, 2009), pending the City's appeal to the Superior Court, Appellate Division. Damien Johnson, represented by Kevin P. McGovern, Esq., petitions the Commission for enforcement of that decision, in which the Commission ordered an award of \$21,151 in back pay.

**ACTION:** The Civil Service Commission denied the request for a stay but granted the request for enforcement.

**B-21 JOHN JEWELL**

The appeal of John Jewell, Police Officer, City of Newark, of his removal effective June 9, 2008, on charges, was considered by Administrative Law Judge Margaret M. Monaco (ALJ), who rendered her initial decision on April 22, 2009, recommending acknowledgement of the settlement of the parties.

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

**B-22 BORIS SHAMBAT**

The appeal of Boris Shambat, Information Technology Specialist, with the Office of Information Technology, of his release at the end of the working test period, was considered by Administrative Law Judge Beatrice S. Tylutki (ALJ), who rendered her initial decision on January 22, 2009, recommending acknowledgement of the settlement of the parties.

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

**B-23 ROBERT DEMARCO**

Robert DeMarco petitions the Civil Service Commission for reconsideration of the decision rendered on December 3, 2008, in which his appeal of disqualification for the examination for Employment Supervisor 1 (PS6302N), Department of Labor and Workforce Development, was denied.

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

**B-24 JANICE GUY, JASON MIGNONE AND ANTHONY PIERRI**

Essex County, on behalf of Janice Guy, Jason Mignone and Anthony Pierri, requests reconsideration of the final administrative determination in *In the Matters of Richard Dey, Police Officer, Palisades Interstate Park Commission and Khalid Nash, Essex County* (MSB, decided May 18, 2005) and appeals their ineligibility for the promotional examination for County Correction Sergeant (PC2667J), Essex County. Additionally, Janice Guy, represented by Nicholas J. Palma, Esq., and Jason Mignone individually appeal their ineligibility for the promotional examination for County Correction Sergeant (PC2667J).

**ACTION:** The Civil Service Commission denied the request for reconsideration and directed that the appeals be denied.

**B-25 ANDREW HUTCHINSON AND STEVEN TORRES**

Andrew Hutchinson and Steven Torres, represented by Nicholas J. Palma, Esq., request reconsideration of the final administrative determination in *In the Matter of Jonelle Hugee, et al.* (MSB, decided May 7, 2008) which granted them retroactive dates of appointment but found them ineligible for the promotional examination for County Correction Sergeant (PC2667J), Essex County.

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

**B-26 LATERAL TITLE CHANGE FROM COUNTY CORRECTION OFFICER TO SHERIFF'S OFFICER, BERGEN COUNTY SHERIFF'S OFFICE**

The Bergen County Sheriff's Office, represented by Thomas Quirico, Esq., requests reconsideration of the decision rendered on November 21, 2007, which prohibited the continuation of the exclusive practice of effecting lateral title changes from County Correction Officer to Sheriff's Officer in Bergen County.

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

**B-27 GARY PINAR**

Gary Pinar requests reconsideration of the final administrative decision, rendered on February 11, 2009, which found that he did not meet the experience requirements for the promotional examination for Administrative Analyst 2, Fiscal Management (PS6790K).

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

**B-28 MONICA HAYMAN**

The appeal of Monica Hayman, an Investigator 2 (Child Protection) with the Department of Children and Families, of her removal, effective April 1, 2008, on charges, was before Administrative Law Judge Edward J. Delaney, Jr. (ALJ), who rendered his initial decision on April 29, 2009. At its meeting on June 10, 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.



**B-29 WALTER YOUNG**

The appeal of Walter Young, a Police Lieutenant with Irvington, of his 10 working day suspension, beginning July 6, 2008, on charges, was before Administrative Law Judge Gail M. Cookson (ALJ), who rendered her initial decision on April 24, 2009. At its meeting on June 10, 2009, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to reverse the suspension. Rather, the Commission ordered that the matter be remanded to the Office of Administrative Law. The proposed decision is now submitted for the Commission's review.

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

<b>VOTE:</b>	<b>Hope L. Cooper</b>	<b>(Abstained)</b>
	<b>Margaret E. L. Howard</b>	<b>(Yes)</b>
	<b>John Currie</b>	<b>(Yes)</b>

**B-30 MICHELLE A. ALLEN AND JAMES E. DEACON**

Michelle A. Allen and James E. Deacon appeal the determinations of the Division of Selection Services which found that they were below the minimum requirements in education for the promotional examination for Environmental Health Specialist (PC1916K), Morris County.

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

**B-31 MATTHEW ALMES**

Matthew Almes appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in education for the promotional examination for Senior Environmental Health Specialist, Hazardous Substances (PC1361K), Camden County.

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

**B-32 YOGESHKUMAR BHAVSAR AND HEMABEN MEHTA**

Yogeshkumar Bhavsar and Hemaben Mehta appeal the determinations of the Division of Selection Services which found that they were below the minimum requirements in education for the promotional examination for Senior Engineer Geotechnical (PS2340T), Department of Transportation.

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

**B-33 ASHOK BRAHMBHATT**

Ashok Brahmhatt appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in education for the promotional examinations for Assistant Engineer Traffic (PS2021T) and Assistant Engineer Transportation (PS2022T), Department of Transportation.

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

**B-34 JEANETTE BROST**

Jeanette Brost appeals the decision of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Assistant Administrative Supervisor of Income Maintenance (PC1619K), Morris County.

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

**B-35 THOMAS BUSHAR**

Thomas Bushar appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in education for the promotional examination for Engineer Specifications Transportation (PS2029T), Department of Transportation.

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

**B-36 ALBERT GARZONI**

Albert Garzoni appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in education for the promotional examinations for Senior Engineer Materials (PS2031T), Senior Engineer Transportation (PS2032T), and Senior Engineer Structural Evaluation (PS2341T), Department of Transportation.

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

**B-37 LORI GHAVAMI**

Lori Ghavami appeals the determination of the Division of Selection Services which found her to be below the experience requirements for the open competitive examination for Investment Analyst 1 (S0048K), Statewide.

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

**B-38 MARISSA GIBBONS**

Marissa Gibbons appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Social Worker 2 (PS1512P), Juvenile Justice Commission.

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

**B-39 SAUNDRA JACKSON**

Saundra Jackson appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Executive Secretarial Assistant (PS1210K), Department of Children and Families.

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

**B-40 JAMES LEPRI**

James Lepri, represented by Paul A. Pologruto, Treasurer, Communications Workers of America, Local 1032, appeals the determinations of the Division of Selection Services which found that he was below the minimum requirements in education for the promotional examinations for Senior Engineer Materials (PS2031T), Senior Engineer Transportation (PS2032T), Senior Engineer Geotechnical (PS2340T), and Senior Engineer Structural Evaluation (PS2341T), Department of Transportation.

**ACTION:** The Civil Service Commission directed that the appeals for Senior Engineer Materials (PS2031T), Senior Engineer Transportation (PS2032T), and Senior Engineer Structural Evaluation (PS2341T) be granted, but directed that the appeal for Senior Engineer Geotechnical (PS2340T) be denied.

**B-41 FEDERICO MARIANO**

Federico Mariano 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 Personnel Assistant 4 (PS5776K), Department of Children and Families.

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

**B-42 DIANE MERSON**

Diane Merson 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 Program Coordinator Special Events (PM0387K), Sea Isle City.

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

**B-43 HENRY NGUYEN**

Henry Nguyen appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in education for the promotional examination for Senior Engineer Geotechnical (PS2340T), Department of Transportation.

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

**B-44 ANATOLY SCHARKO**

Anatoly Sharko 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 Building Management Technician Labor (PS0486N), Department of Labor and Workforce Development.

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

**B-45 MICHAEL SICKELS**

Michael Sickels appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Regional Supervisor Emergency Service Patrol (PS9588T), Department of Transportation.

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

**B-46 DONNA WALTON**

Donna Walton 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 Technical Assistant 1, Higher Education (PS5236F), Department of Education. The appellant also appeals the decision of the Division of State Human Resource Management that the proper classification of her position is Principal Clerk Typist. The appellant seeks a Technical Assistant 1, Higher Education classification.

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

**B-47 VOLUNTARY FURLOUGH, FY 2010**

The Chairperson, Civil Service Commission, recommends relaxation of the eligibility criteria to extend the voluntary furlough program up to the end of fiscal year 2010.

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

**B-48 CIVIL SERVICE COMMISSION MINUTES**

Submitted for adoption are the Minutes of the Civil Service Commission Meeting of June 10, 2009.

**ACTION:** The Civil Service Commission adopted the minutes of its meeting of June 10, 2009.

**B-49 DEPUTY FIRE CHIEF (PM3619G), PATERSON**

Paterson requests that the eligible list for Deputy Fire Chief (PM3619G) be extended for one year beyond its original expiration date.

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

**B-50 FIRE OFFICER 3 (PM3634G), NORTH HUDSON REGIONAL FIRE AND RESCUE**

North Hudson Regional Fire and Rescue requests that the eligible list for Fire Officer 3 (PM3634G) be extended for one year beyond its original expiration date.

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

**B-51 GENERAL MCFADDEN**

The appeal of General McFadden, Fire Alarm Operator, indefinite suspension, effective February 14, 2007, with the City of Paterson, was considered by Administrative Law Judge Jesse H. Strauss, who rendered his initial decision December 22, 2008 recommending acknowledgement of the settlement.

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

**B-52 PEDRO DELGADO**

The appeal of Pedro Delgado, a County Correction Lieutenant with the Middlesex County Department of Adult Corrections, of his demotion to the position of County Correction Sergeant effective March 12, 2008, was heard by Administrative Law Judge Donald J. Stein (ALJ), who rendered his initial decision on March 24, 2009. At its meeting on June 10, 2009, the Civil Service Commission (Commission) adopted the ALJ's recommendation to uphold the demotion. The proposed final decision is now submitted for the Commission's review.

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

**B-53 DAVID EISENHAUER**

The appeal of David Eisenhauer, a Police Sergeant with the Township of North Bergen, of his 10-day suspension and his removals effective April 21, 1999, June 27, 2000, and July 17, 2000, on charges, was heard by Administrative Law Judge Jeffrey A. Gerson (ALJ) who rendered his initial decision on May 5, 2009. At its meeting on June 10, 2009, the Civil Service Commission (Commission) adopted the ALJ's recommendation to uphold the 10-day suspension and removals effective April 21, 1999 and July 17, 2000 and to reverse the removal effective June 27, 2000. The proposed final decision is now submitted for the Commission's review.

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

**B-54 HARIVADAN PATEL**

The appeal of Harivadan Patel, a Cottage Training Technician with New Lisbon Developmental Center, Department of Human Services, of his removal effective April 22, 2008, on charges, was heard by Administrative Law Judge Susan M. Scarola (ALJ), who rendered her initial decision on April 30, 2009. At its meeting on June 10, 2009, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to reverse the removal. Rather, the Commission modified the removal to a 60 working day suspension. The proposed decision is now submitted for the Commission's review.

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

**B-55 MAHIPAT PATEL**

The appeal of Mahipat Patel, a Security Guard with the Bergen County Sheriff's Office, of his removal effective November 16, 2006, on charges, was heard by Administrative Law Judge James A. Geraghty (ALJ), who rendered his initial decision on May 8, 2009. At its meeting on June 10, 2009, the Civil Service Commission (Commission) adopted the ALJ's recommendation to uphold the removal. The proposed final decision is now submitted for the Commission's review.

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



**B-56 JOHN WOLTMANN**

The appeal of John Woltmann, a Fire Officer 1 with North Hudson Regional Fire and Rescue, of his 15-day suspension (24-hour tours) (equivalent to a 45-day suspension at 8-hour tours), on charges was heard by Administrative Law Judge Mumtaz Bari-Brown (ALJ), who rendered her initial decision on March 25, 2009. At its meeting of June 10, 2009, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to uphold the 15-day suspension (24-hour tours) (equivalent to a 45-day suspension at 8-hour tours). Rather the Commission modified the suspension to a five-day suspension (24-hour tours) (equivalent to a 15-day suspension at 8-hour tours). The proposed decision is now submitted for the Commission's review.

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

**B-57 N.J.A.C. 4A:8-1.1A, TEMPORARY LAYOFFS**

The Chairperson, Civil Service Commission recommends an additional 45-day extension of the stay of the staggered layoff provisions of N.J.A.C. 4A:8-1.1A, Temporary Layoffs.

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

**B-58 LAYOFF OF FIRE FIGHTERS, TOWNSHIP OF TEANECK**

The Firefighters Mutual Benevolent Association, Local 42 (Fire Fighters) and Local 242 (Fire Officers), and the Teaneck Deputy Fire Chiefs, represented by David I. Fox, Esq., petitions the Civil Service Commission (Commission) for a stay of the layoff and demotion of fire personnel in the Township of Teaneck. This matter was held over from the Civil Service Commission meeting of June 10, 2009.

**ACTION:** The Civil Service Commission denied the stay but granted a hearing on the good faith of the layoff.

**B-59 EARLY SETTLEMENTS**

Arthur Hargis, III  
New Lisbon Developmental Center  
Department of Human Services  
Suspension

Christina Horne  
Motor Vehicle Commission  
Release at the end of the working test period

Jean St. Elien  
Greystone Park Psychiatric Hospital  
Department of Human Services  
Resignation not in good standing

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

**There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, July 8, 2009, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.**

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**Hope L. Cooper**  
**Chairperson**  
**Civil Service Commission**