



STATE OF NEW JERSEY  
CIVIL SERVICE COMMISSION

Chris Christie  
*Governor*  
Kim Guadagno  
*Lt. Governor*

Robert M. Czech  
*Chair/Chief Executive Officer*

**MINUTES OF REGULAR MEETING OF  
THE CIVIL SERVICE COMMISSION  
May 12, 2010**

**Robert M. Czech, Chairperson  
Flavella Branham  
John Currie  
Vincent E. Giordano  
Margaret E. L. Howard**

May 12, 2010

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A regular meeting of the Civil Service Commission was held on Wednesday, May 12, 2010, in Trenton, New Jersey.

**PRESENT:** Robert M. Czech, Chairperson, Members Flavella Branham, John Currie, Vincent E. Giordano, and Margaret E. L. Howard; Pamela Ullman, Deputy Attorney General; Henry Maurer, Director, Division of Merit System Practices and Labor Relations.

In accordance with L.1975, c.231, Robert M. Czech, 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 20, 2009 and posted at the Civil Service Commission, 3 Station Plaza, Trenton, New Jersey.

All other actions were by unanimous vote unless otherwise specified.

**SECTION A – HEARING MATTERS**

**A-1 SETTLEMENTS**

In the Matter of Jamilah D. Baker  
Northern State Prison  
Department of Corrections  
Removal

In the Matter of Harold Bauer  
Adult Diagnostic and Treatment Center  
Department of Corrections  
Removal

In the Matter of Malik Bullock  
Woodbridge Developmental Center  
Department of Human Services  
Removal

In the Matter of Diane Cardona  
Hagedorn Gero-Psychiatric Hospital  
Department of Human Services  
Release at the end of the working test period

In the Matter of Robert Donatelli  
Monmouth County  
Sheriff's Department  
Suspension

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Monmouth County  
Sheriff's Department  
Suspension

In the Matter of Pat Gray  
Hudson County  
Department of Roads and Public Property  
Suspension

In the Matter of Frankie James  
Northern State Prison  
Department of Corrections  
Suspension

In the Matter of Marvalyn Morrison  
Veterans' Memorial Home at Menlo Park  
Department of Military and Veterans Affairs  
Suspension

In the Matter of Frederick Silbon  
Middlesex County  
Release at the end of the working test period

In the Matter of Lyntiesha Swinton  
Ancora Psychiatric Hospital  
Department of Human Services  
Suspensions (2) and Removal

In the Matter of Joseph Tragno  
Winslow Township  
Department of Public Works  
Suspension

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

**ACTION:** The Civil Service Commission acknowledged the settlements. It is noted that Chairperson Robert M. Czech abstained on both settlements for Robert Donatelli.

**A-2 JOHN COWARD, SR.**

John Coward, Sr., Social Worker, Cumberland County, Board of Social Services, release at the end of the working test period, effective August 29, 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-3 ALONZO HERRAN**

Alonzo Herran, Police Officer, City of Newark, Police Department, 10-day suspension on charges of neglect of duty and violation of Police Department rules regarding safekeeping of prisoners and disobedience of orders.

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

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

**VOTE:**     **Robert M. Czech**            **(No)**  
              **Flavella Branham**       **(Yes)**  
              **John Currie**               **(Yes)**  
              **Margaret E. L. Howard** **(Yes)**  
              **Vincent E. Giordano**   **(Yes)**

**A-4 MARK MCCULLEY**

Mark McCulley, Deputy Fire Chief, Ocean City, Department of Fire and Rescue Services, 90-day suspension and restitution in the amount of \$7,089.80, on charges of misconduct and disobedience of the rules and regulations of the Ocean City Fire and Rescue Services Department.

Recommendation of the Administrative Law Judge – Reverse the 90-day suspension and restitution in the amount of \$7,089.80.

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

**A-5 JAIMONE MYERS**

Jaimone Myers, Human Services Assistant, Ancora Psychiatric Hospital, Department of Human Services, indefinite suspension pending disposition of criminal charges.

Recommendation of the Administrative Law Judge – Uphold the indefinite suspension.

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

**A-6 DAVID BROWER**

David Brower, Senior Correction Officer, Juvenile Justice, Juvenile Justice Commission, removal effective December 29, 2009, on charges of chronic or excessive absenteeism, or lateness and other sufficient cause.

Recommendation of the Administrative Law Judge – Grant motion to dismiss the appeal for failure to appear.

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

**A-7 KEITH BUSBY**

Keith Busby, Heavy Equipment Operator, Monmouth County, Reclamation Center, removal effective May 15, 2009, on charges of inability to perform duties, conduct unbecoming a public employee, violation of Federal regulations regarding drug and alcohol use and other sufficient cause.

Recommendation of the Administrative Law Judge – Grant the appointing authority's motion for summary decision and uphold the removal.

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

**VOTE:**

<b>Robert M. Czech</b>	<b>(Abstained)</b>
<b>Flavella Branham</b>	<b>(Yes)</b>
<b>John Currie</b>	<b>(Yes)</b>
<b>Margaret E. L. Howard</b>	<b>(Yes)</b>
<b>Vincent E. Giordano</b>	<b>(Yes)</b>

**A-8 MORINE SCHROUDER**

Morine Schrouder, Senior Cottage Training Technician, Vineland Developmental Center, Department of Human Services, removal effective April 30, 2009 on charges of abuse of a client, inappropriate physical contact or mistreatment 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-9 GARY MARGULIS**

Gary Margulis, Graduate Nurse, Camden County, Health Services Center, removal effective April 5, 2007 on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the removal.

**ACTION:** The Civil Service Commission rejected the recommendation of the Administrative Law Judge and acknowledged the settlement.

**SECTION B – MISCELLANEOUS MATTERS**

**B-1 TERRELL K. JONES**

Terrell K. Jones, represented by Charles M. Grossman, Esq., appeals his rejection as a Police Officer candidate by Newark and its request to remove his name from the eligible list for Police Officer (S9999H) on the basis of psychological unfitness to perform effectively the duties of the position.

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

**B-2 NELSON L. PIERCE**

Nelson L. Pierce 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 ANTHONY J. SISK**

Anthony J. Sisk, represented by Thomas J. Cammarata, Esq., appeals his rejection as a Sheriff's Officer candidate by the County of Hudson 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 denied.

**B-4 DAVID BAILEY**

David Bailey, a Head Cook 1 with Ancora 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-5 BENITA CISROW**

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

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

**B-6 CYNTHIA FORD**

Cynthia Ford, a Head Clerk with the Department of Children and Families, appeals the denial of sick leave injury (SLI) benefits.

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

**B-7 CAROL LANE**

Carol Lane, a former Executive Secretarial Assistant with the Department of Children and Families, appeals the denial of sick leave injury (SLI) benefits.

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

**B-8 ANTONIOUS THIGPEN**

Antonious Thigpen, an Assistant Family Service Worker 4 with the Department of Children and Families, appeals the denial of sick leave injury (SLI) benefits.

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

**B-9 JOHN J. PABST**

John J. Pabst appeals the decision of the Division of State and Local Operations, which removed the appellant's name from the Human Services Specialist 2 (C1483H), Warren County, employment list due to the appellant's failure to respond to the Certification Notice.

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

**B-10 CUSTOMER SERVICE INFORMATION SPECIALIST 3, BILINGUAL IN SPANISH AND ENGLISH (S0548H), STATEWIDE**

*In In the Matter of Customer Service Information Specialist 3, Bilingual in Spanish and English (S0548H), Statewide* (Merit System Board, decided April 9, 2008), the Board granted the request of the Department of Human Services for an appointment waiver for the November 2, 2006 certification and ordered that no selection costs would be assessed at that time since there was a possibility that the list could be utilized prior to its expiration. However, the appointing authority did not utilize the eligible list and the matter of the assessment of costs is now before the Civil Service Commission.

**ACTION:** The Civil Service Commission assessed selection costs in the amount of \$8,285.

**B-11 HOUSING INSPECTOR (M0373L), SAYREVILLE**

Sayreville requests permission not to make an appointment from the November 10, 2009 certification for Housing Inspector (M0373L).

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

**B-12 POLICE AIDE (M0018L), ATLANTIC CITY**

Atlantic City requests permission not to make an appointment from the August 3, 2009 certification for Police Aide (M0018L).

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

**B-13 SUPERVISOR, DATA PROCESSING OPERATIONS (M0829K), NEWARK**

The City of Newark requests permission not to make an appointment from the March 2, 2009 certification for Supervisor, Data Processing Operations (M0829K).

**ACTION:** The Civil Service Commission referred the matter to the Division of State and Local Operations for a classification review.

**B-14 KEITH BEVACQUI**

Keith Bevacqui, a Lieutenant with the Division of State Police, Department of Law and Public Safety, appeals the determinations of the Director of the Office of Equal Employment Opportunity and the Chief of Staff of the Office of the Attorney General, stating that the appellant failed to present sufficient evidence to support a finding that he had been subject to violations of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

**B-15 THOMAS WHITNER**

Thomas Whitner, a Correction Lieutenant with the Department of Corrections, appeals the determination of the Director, Equal Employment Division, which found 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.

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

**B-16 DIANA GLEASON**

Diana Gleason appeals the determination of the Division of State and Local Operations that her position with the Department of Health and Senior Services is properly classified as a Laboratory Service Worker 1. The appellant seeks a Laboratory Technician classification in this proceeding.

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

**B-17 ROBERT HAINES, JR.**

Robert Haines, Jr., appeals the determination of the Division of State and Local Operations that his position with the Borough of Runnemede is properly classified as a Police Officer. The appellant seeks a Police Sergeant classification in this proceeding.

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

**B-18 JENNY LANNA**

Jenny Lanna appeals the decision of the Division of State and Local Operations that the proper classification of her position with the Division of State Police, Department of Law and Public Safety, is Principal Clerk Typist. The appellant seeks a Head Clerk classification.

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

**B-19 CHRISTINA ROBERTS**

Christina Roberts, a Technical Assistant Personnel, appeals a three day suspension issued by the Department of Human Services.

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

**B-20 SAMUEL ROBINSON, JR.**

Samuel Robinson, Jr., a former Juvenile Detention Officer with Middlesex County, appeals his resignation in good standing.

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

**B-21 GORDON WATTS**

Gordon Watts, a former Communications Operator with the Central Reception and Assignment Facility, Department of Corrections, requests reinstatement of the appeal of his removal, which was dismissed based on his failure to appear at a scheduled pre-hearing conference.

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

**B-22 SONIA GIRON**

Sonia Giron, represented by Ciro A. Spina, III, Esq., petitions the Civil Service Commission for enforcement of the decision rendered on November 18, 2009 wherein the Commission ordered the enforcement of a settlement agreement which it had acknowledged on October 22, 2008.

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

**B-23 ROGER HARRIS**

Roger Harris, a Police Officer with Newark, represented by Bette Grayson, Esq., seeks enforcement of the Merit System Board decision rendered on September 26, 2007, granting the appellant mitigated back pay, benefits and seniority from September 3, 2003 until his reinstatement, and counsel fees.

**ACTION:** The Civil Service Commission awarded back pay in the amount of \$331,590.98 and counsel fees in the amount of \$540.

**B-24 SHERIFF'S INVESTIGATOR, PASSAIC COUNTY SHERIFF'S OFFICE**

The Passaic County Sheriff's Office appeals the determination of the Division of State and Local Operations regarding the calculation of its entitlement to unclassified Sheriff's Investigator positions.

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

**VOTE:**     **Robert M. Czech**            **(Yes)**  
          **Flavella Branham**        **(Yes)**  
          **John Currie**               **(Abstained)**  
          **Margaret E. L. Howard** **(Yes)**  
          **Vincent E. Giordano**   **(Yes)**

**B-25 PATRICIA KRZYWULAK**

The Civil Service Commission has agreed, upon remand from the Appellate Division, Superior Court, to reopen the matter of Patricia Krzywulak's eligibility for the Administrative Secretary (PM1574H), Hamilton Township, promotional examination, originally decided by the Merit System Board (Board) in *In the Matter of Patricia Krzywulak* (MSB, decided November 21, 2007).

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

**B-26 GENIA HALL**

Genia Hall, a Residential Living Specialist with the Vineland Developmental Center, Department of Human Services, requests reconsideration of the final decision of the Civil Service Commission, rendered on September 2, 2009, which modified the 10 working day suspension to a five working day suspension.

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

**B-27 DARNELL HENRY**

Darnell Henry requests reconsideration of the final administrative determination in *In the Matter of Guy Thompson, et al., Police Lieutenant* (CSC, decided March 25, 2009).

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

**B-28 DANIEL BAKER**

The appeal of Daniel Baker, a Fire Fighter with East Orange, of his 30-day suspension, on charges, was heard by Administrative Law Judge Kelly J. Kirk (ALJ), who rendered her initial decision on March 17, 2010. At its meeting on April 28, 2010, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to reverse the 30-day suspension. Rather, the Commission remanded the matter 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.

**VOTE:**

<b>Robert M. Czech</b>	<b>(Yes)</b>
<b>Flavella Branham</b>	<b>(Yes)</b>
<b>John Currie</b>	<b>(Yes)</b>
<b>Vincent E. Giordano</b>	<b>(Yes)</b>
<b>Margaret E. L. Howard</b>	<b>(Abstained)</b>

**B-29 SHARON BESTINE**

Sharon Bestine appeals the determination of the Division of Selection Services which found that she did not meet the minimum requirements in experience for the open competitive examination for Secretary Board/Commission (M0851L), Point Pleasant.

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

**B-30 KARRIEM BEYAH, ET AL.**

Karriem Beyah, Stacey Mallory and Stephen Fornarotto appeal the determinations of the Division of Selection Services which found them ineligible for the promotional examination for Correction Sergeant (PS1818I), Department of Corrections, due to untimely applications.

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

**B-31 KAY-LA CACCIAMANI**

Kay-La Cacciamani 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 County Adjuster (PC0965L), Salem County.

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

**B-32 CANDIDA DIAZ**

Candida Diaz 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 Personnel Officer (PM1232L) Vineland School District.

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

**B-33 CASSELL ELLIS AND MARIA WHITE**

Cassell Ellis (PC2781L), Gloucester County and Maria White (PC2786L), Union County, appeal the determinations of the Division of Selection Services which found them ineligible for the promotional examination for County Correction Sergeant (various jurisdictions), due to untimely applications.

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

**B-34 CHARLES JONES**

Charles Jones 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 Supervisor, Public Works (PM1187L), Morristown.

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

**B-35 JEANMARIE KOLAYA-FLAMMIA**

Jeanmarie Kolaya-Flammia 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 Senior Clerk Typist (M1255L), Hopatcong.

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

**B-36 MICHAEL PALUMBO**

Michael Palumbo appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the open competitive examination for Research Assistant (C0020M), Bergen County.

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

**B-37 KURT SHOEMAKER**

Kurt Shoemaker appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the open competitive examination for Program Coordinator, Aging (C0647L), Salem County.

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

**B-38 ELIZABETH SIMPSON**

Elizabeth Simpson appeals the determination of the Division of Selection Services that she did not meet the experience requirements for the promotional examination for Supervisor of Telephone Systems (PM1190L), Jersey City School District.

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

**B-39 HOLLY ROBICHAUX**

Holly Robichaux appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in education for the open competitive examination for Field Representative Health Education (C0565L), Middlesex County.

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

**B-40 ADAM VITELLI**

Adam Vitelli appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the open competitive examination for Public Works Repairer (M0667L), North Brunswick.

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

**B-41 DENISE WEINBERG**

Denise Weinberg 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 Coordinator, Community Library Program (C0072K), Camden County.

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

**B-42 CHRISTINE WETZEL**

Christine Wetzel 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 Technical Support Specialist 2 (PS5297U), Department of the Treasury.

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

**B-43 JAMES COPONI**

James Coponi appeals his score for the oral portion of the promotional examination for Fire Lieutenant (PM2631J), Belleville.

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

**B-44 PHILLIP CRANWELL**

Phillip Cranwell appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM2641J), North Hudson Regional Fire and Rescue Service.

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

**B-45 MICHAEL CROSSAN**

Michael Crossan appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM2641J), North Hudson Regional Fire and Rescue Service.

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

**B-46 MITCHELL GERRITY**

Mitchell Gerrity appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM2641J), North Hudson Regional Fire and Rescue Service.

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

**B-47 THOMAS HAEMMERLE**

Thomas Haemmerle appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM2641J), North Hudson Regional Fire and Rescue Service.

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

**B-48 JOHN KURZ**

John Kurz appeals his score for the oral portion of the promotional examination for Fire Lieutenant (PM2638J), Hackensack.

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

**B-49 FREDERICK LEAYCRAFT**

Frederick Leaycraft appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM2641J), North Hudson Regional Fire and Rescue Service.

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

**B-50 JAMES LISA**

James Lisa appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM2641J), North Hudson Regional Fire and Rescue.

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

**B-51 BRIAN MILLER**

Brian Miller appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM2641J), North Hudson Regional Fire and Rescue Service.

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

**B-52 JOSE PUJOLS**

Jose Pujols appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM2641J), North Hudson Regional Fire and Rescue Service.

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

**B-53 JOSEPH ROVITO**

Joseph Rovito appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM2641J), North Hudson Regional Fire and Rescue Service.

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

**B-54 MICHAEL SANTUOSO**

Michael Santuoso appeals his score for the oral portion of the promotional examination for Fire Lieutenant (PM2631J), Belleville.

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

**B-55 ANDREW SWORDS**

Andrew Swords appeals his score for the oral portion of the promotional examination for Manager Transportation Systems (PS1543T), Department of Transportation.

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

**B-56 JOSE VARGAS**

Jose Vargas appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM2641J), North Hudson Regional Fire and Rescue Service.

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

**B-57 HILTON WHITAKER III**

Hilton Whitaker III appeals his score for the oral portion of the promotional examination for Fire Lieutenant (PM2566J), Plainfield.

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

**B-58 TODD CHAPMAN**

The Division of State and Local Operations requests that Todd Chapman's out-of-title work experience be accepted to qualify him for a lateral title change to Institutional Trade Instructor 1, Food Processing, Department of Corrections.

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

**B-59 LINDA KLEMMER**

The Division of State and Local Operations, on behalf of the Department of Community Affairs, requests that Linda Klemmer's out-of-title work experience be accepted to qualify her for a prospective promotional examination for Senior Fiscal Analyst, Department of Community Affairs.

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

**B-60 MARIE WEAVER**

The Division of State and Local Operations, on behalf of Warren County, requests that Marie Weaver's out-of-title work experience be accepted to qualify her for a prospective promotional examination for Buyer, Warren County.

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

**B-61 KEITH BRODINE SR.**

Keith Brodine Sr., appeals the test administration for the oral portion of the promotional examination for Fire Lieutenant (PM2645J), Union Township.

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

**B-62 SCOTT DUPONT**

Scott Dupont appeals the test administration of the oral portion of the promotional examination for Fire Lieutenant (PM2631J), Belleville.

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

**B-63 JOSEPH GOBIN**

Joseph Gobin appeals the test mode, specifically, the inclusion of an oral portion, of the promotional examination for Fire Officer 1 (PM2641J), North Hudson Regional Fire and Rescue Service.

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

**B-64 ERICH HOCHSTUHL**

Erich Hochstuhl appeals the test administration of the oral portion of the promotional examination for Fire Lieutenant (PM2631J), Belleville.

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

**B-65 LESLIE LUNSFORD**

Leslie Lunsford appeals the test administration of the oral portion of the promotional examination for Fire Captain (PM3564J), East Orange.

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

**B-66 LORRAINE PETERS**

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

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

**B-67 PROPOSED AMENDMENTS: N.J.A.C. 4A:4-7.1, TRANSFERS**

Submitted for the Commission's review is a Notice of Proposal to amend N.J.A.C. 4A:4-7.1, Transfers. The proposed amendments would provide that, in local service, the permanent transfer of an employee from one organizational unit to another does not require the employee's consent. It is recommended that this proposal be approved for publication in the New Jersey Register for public notice and comment.

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

**B-68 CIVIL SERVICE COMMISSION MEETING MINUTES**

The Civil Service Commission Minutes of its meeting of April 28, 2010 are submitted for adoption.

**ACTION:** The Civil Service Commission adopted the minutes of its meeting of April 28, 2010.

**VOTE:**

<b>Robert M. Czech</b>	<b>(Yes)</b>
<b>Flavella Branham</b>	<b>(Yes)</b>
<b>John Currie</b>	<b>(Yes)</b>
<b>Vincent E. Giordano</b>	<b>(Yes)</b>
<b>Margaret E. L. Howard</b>	<b>(Abstained)</b>

**B-69 KAMAL A. ABDELAZIME**

Kamal A. Abdelazime appeals the decision of the Division of State and Local Operations, which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the Senior Social Worker, Juvenile Rehabilitation (C0670K), Hudson County, eligible list basis of an unsatisfactory employment record.

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

**B-70 MONMOUTH COUNTY LAYOFFS AND PBA LOCALS 314 AND 240 V. COUNTY OF MONMOUTH (ORDER OF CONSOLIDATION AND PREDOMINANT INTEREST)**

Various good faith layoff appeals were filed by and on behalf of employees from Monmouth County with the Civil Service Commission in April and May 2009. Included in these appeals were Sheriff's Officers who were represented by PBA Local 314. Both PBA Local 314 and PBA Local 240, which represents County Correction Officers, filed unfair practice charges regarding the layoffs with the Public Employment Relations Commission (PERC). On April 14, 2010, Administrative Law Judge Patricia M. Kerins (ALJ) issued an order of consolidation and predominant interest regarding these matters. In that order, the ALJ stated that the matters would be consolidated and that the Civil Service Commission had the predominant interest. After consultation with PERC, a Joint Order was developed rejecting PBA Local 240's arguments regarding its severance from the case. It also indicates that after the ALJ renders a consolidated initial decision on the matter, PERC shall make a final determination regarding the unions' unfair practice charges and then forward the matter to the Civil Service Commission to allow it to make a determination regarding the good faith of the layoffs of all of the appellants. This joint order is now submitted to the Commission for consideration and approval.

**ACTION:** The Civil Service Commission adopted the joint order.

**VOTE:**

<b>Robert M. Czech</b>	<b>(Abstained)</b>
<b>Flavella Branham</b>	<b>(Yes)</b>
<b>John Currie</b>	<b>(Yes)</b>
<b>Vincent E. Giordano</b>	<b>(Yes)</b>
<b>Margaret E. L. Howard</b>	<b>(Yes)</b>

**B-71 MICHAEL KELLY**

The appeals of Michael Kelly, a Maintenance Repairer, Low Pressure License, with Cumberland County, of his 20 working day suspension and removal, effective December 7, 2009, were before Administrative Law Judge W. Todd Miller (ALJ), who rendered his initial decision on March 16, 2010. At its meeting on April 28, 2010, the Civil Service Commission (Commission) adopted the ALJ's recommendation to acknowledge a settlement between the parties. The proposed final decision is now submitted for the Commission's review.

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

**VOTE:**     **Robert M. Czech**                     **(Yes)**  
              **Flavella Branham**               **(Yes)**  
              **John Currie**                       **(Yes)**  
              **Vincent E. Giordano**           **(Yes)**  
              **Margaret E. L. Howard**       **(Abstained)**

**B-72 EMANUEL AMADI**

The appeal of Emanuel Amadi, a Housing Development Analyst with the City of Newark, of his removal and resignation not in good standing, effective July 9, 2009, on charges, was heard by Administrative Law Judge Gail M. Cookson (ALJ), who rendered her initial decision on March 23, 2010. At its meeting on April 28, 2010, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to modify the removal to a four-month suspension. Rather, the Commission upheld 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:**     **Robert M. Czech**                     **(Yes)**  
              **Flavella Branham**               **(Yes)**  
              **John Currie**                       **(Yes)**  
              **Vincent E. Giordano**           **(Yes)**  
              **Margaret E. L. Howard**       **(Abstained)**

**B-73 TOSHENA GRIFFIN**

The appeal of Toshena Griffin, a Senior Correction Officer with Bayside State Prison, Department of Corrections, of her removal, effective September 28, 2009, on charges, was heard by Administrative Law Judge Bruce M. Gorman (ALJ), who rendered his initial decision on March 18, 2010. At its meeting on April 28, 2010, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation modify the appellant's removal to a six-month suspension. Rather, the Commission upheld the removal. The proposed final decision is now submitted for the Commission's review.

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

**VOTE:**     **Robert M. Czech**                     **(Yes)**  
              **Flavella Branham**               **(Yes)**  
              **John Currie**                       **(Yes)**  
              **Vincent E. Giordano**           **(Yes)**  
              **Margaret E. L. Howard**       **(Abstained)**

**B-74 CHRISTOPHER STINSON**

The appeal of Christopher Stinson, a County Correction Officer with Morris County, of his removal effective September 11, 2009, on charges, was heard by Administrative Law Judge J. Howard Solomon (ALJ), who rendered his initial decision on February 18, 2010. At its meeting on April 28, 2010, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to uphold the removal. 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.

**VOTE:**     **Robert M. Czech**                     **(Yes)**  
              **Flavella Branham**               **(Yes)**  
              **John Currie**                       **(Yes)**  
              **Vincent E. Giordano**           **(Yes)**  
              **Margaret E. L. Howard**       **(Abstained)**

**B-75 MICHAEL FLOOD**

Michael Flood appeals his score of the oral portion of the promotional examination for Fire Officer 1 (PM2641J), North Hudson Regional Fire and Rescue Service.

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

**B-76 EARLY SETTLEMENTS**

Teresa Goldsborough  
Bayside State Prison  
Department of Corrections  
Suspensions (3)

Denise Spearman  
Woodbridge Developmental Center  
Department of Human Services  
Removal

Henry Talkpa  
New Lisbon Developmental Center  
Department of Human Services  
Removal

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

**B-77 PROPOSED AMENDMENT: N.J.A.C. 4A:6-1.2, VACATION LEAVE**

Submitted for the Commission's review is a Notice of Proposal to amend N.J.A.C. 4A:6-1.2, Vacation Leave. The proposed amendment would codify the Paid Leave Bank provisions of the recent Memoranda of Agreement between the State and several collective negotiations. It is recommended that this proposal be approved for publication in the New Jersey Register for public notice and comment.

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

**There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, May 26, 2010, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.**

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**Robert M. Czech**  
**Chairperson**  
**Civil Service Commission**