



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
JUNE 23, 2010**

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

JUNE 23, 2010

A regular meeting of the Civil Service Commission was held on Wednesday, June 23, 2010, in Trenton, New Jersey.

PRESENT: Robert M. Czech, Chairperson, Members Flavella Branham, John Currie, Vincent E. Giordano, and Margaret E. L. Howard; George Cohen, 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.

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and are removed from the hearing calendar:

Edmund Ansara, City of Millville, Police Department, suspension.

Anthony Allen, Newark School District, removal.

Crystal Batten, Mercer County, Department of Public Safety, indefinite suspension and removal.

John Besecker, Ocean County, Department of Solid Waste Management, removal.

Jacqueline Blocker, Department of Labor and Workforce Development, release at the end of the working test period.

Michael Bollen, Rowan University, release at the end of the working test period.

City of Burlington Layoffs 2009 (Pamela Bass), City of Burlington, Department of Housing and Community Development, good faith issue only.

Jon Cato, City of East Orange, Police Department, indefinite suspension.

Candice Crayton-Johns, Burlington County, Jail, resignation not in good standing.

Shanet Davis, Greenbrook Regional Center, Department of Human Services, removal.

Tiffany DeBerry, Hunterdon Developmental Center, Department of Human Services, indefinite suspension.

Robert Dennis, Atlantic County, Department of Public Safety, removal.

Deborah Ekoue, Department of Children and Families, suspension.

Essex County Layoff 2009 (Toni Amorosi, Michael Martin, Maritza Montalvo, Pedro Osorio, and Corey Sweat), Essex County, various departments, good faith issue only.

Steven Ferranto, Burlington County, Jail, suspension.

Freehold Township Layoff 2009 (William McGee), Freehold Township, Department of Code Enforcement, good faith issue only.

Raymond Fisher, Ancora Psychiatric Hospital, Department of Human Services, suspension.

Charles Fitzmaurice, Lower Township, Police Department, removal.

Tyrone Hamilton, Union County, Department of Human Services, removal.

Edward Hanrahan, Adult Diagnostic and Treatment Center, Department of Corrections, removal.

Benjamin Hill, Jersey City, Fire Department, suspension.

Anthony Kerr, City of Newark, Police Department, suspensions (2).

Elizabeth Lewis, Trenton Psychiatric Hospital, Department of Human Services, indefinite suspension.

Ardones Livingston, Adult Diagnostic and Treatment Center, Department of Corrections, removal.

Christopher Lorenc, Jackson Township, Police Department, resignation not in good standing.

Marlboro Township Layoff 2009 (Sonia Schogel and Judy Hellman), Marlboro Township, Department of Public Safety and Department of Municipal Court respectively, good faith issue only.

Chad Muessig, Bayside State Prison, Department of Corrections, suspension.

Stacey Murphy, Gloucester County, Emergency Response Department, release at the end of the working test period.

Herman Narcisso, Atlantic City, Public Works Department, suspension.

Michael Petty, Warren County, Long Term Care Services Department, removal.

Kamesh Prasad, Burlington County, Buttonwood Hospital, release at the end of the working test period.

Christopher Pridgen, Greenbrook Regional Center, Department of Human Services, suspension and removals (2).

Kathryn Pierson, Gloucester County, Treasurer's Office, release at the end of the working test period.

Lisa Rampone, Brick Township School District, removal.

Jennifer Sanford, Vineland Developmental Center, Department of Human Services, suspension.

Ian Schultz, Camden County, Corrections Department, suspension.

Patricia Schmidt, Hudson County, Roads and Public Property Department, removal.

James Salerno, Jersey City, Fire Department, suspension.

Teaneck Township Layoffs 2009 (28 appellants), Teaneck Township, various departments, good faith issue only.

Matthew Vogel, Hudson County, Sheriff's Department, indefinite suspension.

Winslow Township Layoffs 2009 (Sheryonda Bridges, Carmen Farinelli, Arlene Fortunato, Kimiko Martino), Winslow Township, Construction Department, good faith issue only.

DISMISSAL OF APPEALS – FAILURE TO APPEAR

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

Ibon Arroyo, Montclair State University, resignation not in good standing.

Duane Cleaves, Woodbine Developmental Center, Department of Human Services, removal.

Janet Lebron, Vineland Developmental Center, Department of Human Services, return to formerly held permanent title at the end of the working test period.

Mark Lovett, City of Newark, Neighborhood and Recreational Services Department, removal and resignation not in good standing.

Town of West New York 2009 Layoffs (James Lomicky and Israel Martinez), Town of West New York, Parks and Public Property Department and Public Works Department respectively, good faith issue only.

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

In the Matter of Tameka Abner
Mercer County
Department of Public Safety
Fine

In the Matter of Eric Arzio
Ancora Psychiatric Hospital
Department of Human Services
Suspension

In the Matter of Dino D’Elia
City of Newark
Police Department
Removal

In the Matter of Jillian Gibson
Ancora Psychiatric Hospital
Department of Human Services
Suspensions (2) and removal

In the Matter of Lori Jenkins
Ancora Psychiatric Hospital
Department of Human Services
Removal

In the Matter of Bernice Johnson
Burlington County
Department of Public Safety
Resignation not in good standing

In the Matter of Samad Khuzaymah
City of Newark
Department of Neighborhood and Recreational Services
Removal

In the Matter of Alexa Kuilan
Hunterdon Developmental Center
Department of Human Services
Removal

In the Matter of Brian Lane
Hudson County
Sheriff's Department
Removals (3)

In the Matter of Najibah Lucas
City of Newark
Police Department
Suspensions (2) and written reprimand

In the Matter of Mariel Mota
Greystone Park Psychiatric Hospital
Department of Human Services
Removals (4)

In the Matter of Kai Myers
Department of Military and Veterans Affairs
Suspension

In the Matter of Michael Psaroudis
Sussex County
Department of Human Services
Removal

In the Matter of Michael Riggs
Deptford Township
Police Department
Removal

In the Matter of Linda Solomon
Vineland Developmental Center
Department of Human Services
Suspension

In the Matter of Ellen Wanser
Adult and Diagnostic Treatment Center
Department of Corrections
Removal

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

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 LOUKEELER BELL

Loukeeler Bell, Building Service Worker, Atlantic City, Department of Public Works, 45-day suspension on charges of insubordination, conduct unbecoming a public employee, and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the 45-day suspension to a 15-day suspension.

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

A-3 MARK COSTRO

Mark Costro, Building Inspector, Atlantic City, Department of Neighborhood Services, release at the end of the working test period, effective December 19, 2008.

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

ACTION The Civil Service Commission modified the recommendation of the Administrative Law Judge to reverse the release at the end of the working test period, but grant a new working test period.

A-4 JAMES MAHER

James Maher, General Supervisor, Public Works, City of Paterson, Department of Public Works, 84-day suspension on charges of incompetency, inefficiency or failure to perform duties, conduct unbecoming a public employee, neglect of duty, misuse of public property, and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the 84-day suspension to a 30-day suspension.

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

A-5 JENNIFER MICHINSKI

Jennifer Michinski, County Correction Officer, Burlington County Jail, 97-day suspension on charges of inability to perform duties and other sufficient cause.

Recommendation of the Administrative Law Judge - Reverse the 97-day suspension.

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

A-6 MATTHEW SPENCER

Matthew Spencer, Police Lieutenant, City of Newark, Police Department, 10-day suspension on charges of insubordination, violation of Police Department rules regarding obedience to orders, and uniform, and other sufficient cause.

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

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

A-7 WALDEMER STRYZ

Waldemer Stryz, County Correction Officer, Hudson County, Department of Corrections, 30-day suspension on charges of insubordination, conduct unbecoming a public employee, neglect of duty, incompetency, inefficiency, or failure to perform duties and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the 30-day suspension to a 60-day suspension.

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

A-8 CITY OF TRENTON LAYOFFS 2009

Various employees of the City of Trenton appeal the good faith of their layoffs effective January 23, 2009, for reasons of economy and efficiency.

Recommendation of the Administrative Law Judge – Withdraw the appeals of Robert Buddhi, Michelle Figueroa, Olga Figueroa, Megan Higgenbotham, Dorothy Jones, Judy Jones, Kimberly Mccray-Rawls, Margie Midura, Charles Owens, Anthony Rogers, Gwendolyn Shy, Cleveland Thompson and Amal Sheldhom. Dismiss the appeals of Vilma Cotto, Denise Marshall, Darshelle Miles, Ada Medina, Lonnie McQueen, Sonya Morgano, Juan Ramirez, Marisol Ramos, Rochelle Richardson, Pablo Rivera, Jr., Charlotte Thomas, Cheryl White, Hudson Williams, James Williams and Gregory Grant for failure to appear. Acknowledge the settlement of Carmen Cortes-Cruz.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge and acknowledged the settlement of Carmen Cortes-Cruz.

A-9 JOSEPH CADET

Joseph Cadet, Human Services Assistant, Ancora Psychiatric Hospital, Department of Human Services, 30-day suspension on charges of conduct unbecoming a public employee, neglect of duty, and violation of Department policies, and removal effective October 21, 2008, on charges of conduct unbecoming a public employee, other sufficient cause, and violation of Department policies regarding physical abuse of a patient, inappropriate physical contact, or mistreatment of a patient.

Recommendation of the Administrative Law Judge – Reverse the 30-day suspension and uphold the removal.

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

A-10 YVONNE CARSON

Yvonne Carson, Building Maintenance Worker, Morris County, Department of Public Works, removal effective September 18, 2009, on charges of failure to perform duties, chronic or excessive absenteeism, 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 CRAIG COUGHLIN

Craig Coughlin, Police Captain, Borough of Park Ridge, Police Department, removal effective January 28, 2009, on charges of insubordination, conduct unbecoming a public employee, misuse of public property and violation of various Police Department rules.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

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

A-12 LAZARO BERNAVON - SETTLEMENT

Lazaro Bernavon, County Correction Officer, Hudson County, Department of Corrections, removal effective March 25, 2009 on charges of insubordination, conduct unbecoming a public employee, neglect of duty and other sufficient cause. Settled to either a retirement or resignation in good standing effective July 1, 2010.

Recommendation of the Administrative Law Judge – Acknowledge the settlement.

ACTION: The Civil Service Commission acknowledged the settlement.

A-13 ALEXANDER LOY - SETTLEMENT

Alexander Loy, Police Officer, Town of Harrison, Police Department, 120-day suspension on the charge of conduct unbecoming a public employee. Settled to a 5-day suspension.

Recommendation of the Administrative Law Judge – Acknowledge the settlement.

ACTION: The Civil Service Commission acknowledged the settlement as clarified.

SECTION B – MISCELLANEOUS MATTERS**B-1 JASON CIVITANO (FORMERLY JASON G. SMITH)**

Jason Civitano (formerly Jason G. Smith) appeals his rejection as a Police Officer candidate by Union Township and its request to remove his name from the eligible list for Police Officer (S9999K) 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 GREGORY MAXWELL

Gregory Maxwell 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 (S9999K) 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 GININE CUFF

Ginine Cuff, a Senior Correction Officer with Edna Mahan Correctional Facility for Women, Department of Corrections, represented by Daniel Geddes, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-4 JAMES RIVERA

James Rivera, a Repairer with the Veterans' Memorial Home, Menlo Park, Department of Military and Veterans Affairs, appeals the denial of sick leave injury (SLI) benefits.

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

B-5 AIDA SALIB

Aida Salib, a Financial Examiner 3 with the Department of Banking and Insurance, appeals the denial of sick leave injury (SLI) benefits.

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

B-6 TRACY STRANDBERG

Tracy Strandberg, an Administrative Specialist 2 with the Judiciary, Vicinage 6, Hudson County, appeals the denial of sick leave injury (SLI) benefits.

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

B-7 EDWARD G. BORGER, ET AL.

Edward G. Borger, Lillian Carpenter, John Melillo, Jr., George Ramos, Scott Sayre, and Joseph Senica, represented by Gary D. Tomasella, Esq., appeal the decision of the Division of Local Human Resource Management which upheld the cancellation of the March 3, 2009 certification for Police Lieutenant (PM2622G), Newark, eligible list.

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

B-8 JASON GORSKI

Jason Gorski, represented by Brian J. Manetta, Esq., appeals the decision of the Division of Local Human Resource Management which found that the appointing authority had presented a sufficient basis to remove his name from the County Correction Officer (S9999H), Mercer County, eligible list due to an unsatisfactory background report.

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

B-9 ASSISTANT MUNICIPAL COURT DIRECTOR (M0521K), JERSEY CITY

Jersey City requests permission not to make an appointment from the April 20, 2009 certification for Assistant Municipal Court Director (M0521K).

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

B-10 FIRE PROTECTION INSPECTOR (M0764K), NEWARK

The appointing authority's failure to dispose of the certification for Fire Protection Inspector (M0764K), Newark, while provisionals are serving in the title, has been referred to the Civil Service Commission for enforcement.

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

B-11 PERMIT CLERK TYPING (M0383K), JERSEY CITY

Jersey City requests permission not to make an appointment from the December 29, 2008 certification for Permit Clerk Typing (M0383K).

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

B-12 PUBLIC HEALTH NURSE (M0280K), JERSEY CITY

The appointing authority's failure to dispose of the certification for Public Health Nurse (M0280K), Jersey City, while a provisional is serving in the title, has been referred to the Civil Service Commission for enforcement.

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

B-13 SECURITY GUARD (M0131L), VINELAND SCHOOL DISTRICT

Vineland School District requests permission not to make an appointment from the January 13, 2010 certification for Security Guard (M0131L).

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

B-14 SENIOR SYSTEMS ANALYST (M0309L), NEWARK

The appointing authority's failure to dispose of the certification for Senior Systems Analyst (M0309L), Newark, while a provisional is serving in the title, has been referred to the Civil Service Commission for enforcement.

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

B-15 SUPERVISING COST ESTIMATOR, PROPERTY IMPROVEMENT (PM0739J), JERSEY CITY

The appointing authority's failure to dispose of the certification for Supervising Cost Estimator, Property Improvement (PM0739J), Jersey City, while a provisional is serving in the title, has been referred to the Civil Service Commission for enforcement.

ACTION: The Civil Service Commission ordered the appointing authority to either remove the provisional appointee or permanently appoint him from the certification, and pay compliance costs.

B-16 SUPERVISING PROGRAM ANALYST (M3065J) AND (M0313L), NEWARK

Newark requests permission not to make an appointment from the September 17, 2009 certification for Supervising Program Analyst (M3065J) and (M0313L).

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

B-17 TRAINING AIDE (C0811K), PASSAIC COUNTY

Passaic County requests permission not to make an appointment from the January 11, 2010 certification for Training Aide (C0811K).

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

VOTE:

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

B-18 LYNDA JOHNSON

Lynda Johnson, a former Auditor 3 with the Department of Transportation (DOT), appeals the determination of the Executive Director, Division of Civil rights and Affirmative Action, DOT, which found that the appellant had violated the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

B-19 CHIEF INVESTIGATOR, SECURED FACILITIES AND ASSISTANT CHIEF INVESTIGATOR

The Department of Corrections requests that incumbents in the title of Chief Investigator, Secured Facilities and Assistant Chief Investigator, Secured Facilities be exempt from the requirement that they take self-directed furlough days.

ACTION: The Civil Service Commission denied the request.

B-20 JOHN GLEASON AND JOHN SZOT

The Borough of Bergenfield (Bergenfield), on behalf of John Gleason and John Szot, requests that they be permitted to participate in the intergovernmental transfer program and to complete the remainder of their working test periods as Police Officers with Bergenfield.

ACTION: The Civil Service Commission granted the request.

B-21 SHIRLEY JOHNSON

Shirley Johnson, a provisional Senior Clerk Typist with the Department of Children and Families, appeals the appointing authority's failure to return her to her permanent title of Nursing Services Clerk.

ACTION: The Civil Service Commission directed that this appeal be granted in part and that the appellant's application for Senior Clerk Typist (PS6302K), Department of Children and Families, examination be processed.

B-22 DEBORAH WATT

Deborah Watt appeals the determination of the Division of State and Local Operations that her position is properly classified as a Supervising Program Support Specialist (Assistance Programs). Appellant seeks and Administrative Analyst 1 classification in this proceeding.

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

B-23 TERRANCE BENSON

The appeal of Terrance Benson, a County Correction Officer with Burlington County, of his six-day suspension, on charges, was heard by Administrative Law Judge Susan M. Scarola (ALJ), who rendered her initial decision on May 3, 2010. At its meeting on June 9, 2010, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to uphold the six-day suspension. Rather, the Commission increased the penalty to a 10-day suspension. The proposed final decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the final decision.

B-24 CIRO MANGIONE

The appeal of Ciro Mangione, a Police Lieutenant with the City of Newark, of his six working day suspension, on charges, was heard by Administrative Law Judge James A. Geraghty (ALJ), who rendered his initial decision on March 11, 2010. At its meeting on June 9, 2010, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to reverse the six working day suspension. Rather, the Commission upheld the penalty. 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)
Margaret E.L. Howard	(Yes)
Vincent E. Giordano	(No)

B-25 PHARENTON ROLLE

The appeal of Pharenton Rolle, a Human Services Assistant at Ancora Psychiatric Hospital, Department of Human Services, of his removal effective April 16, 2007, on charges, was before Administrative Law Judge Donald J. Stein (ALJ), who rendered his initial decision on May 13, 2010. At its meeting on June 9, 2010, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to grant partial summary decision. Rather, the Commission returned 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.

B-26 JOSEPH BOTELHO AND PENELOPE STEPHENS

Joseph Botelho and Penelope Stephens appeal the determinations of the Division of Selection Services which found that they were below the minimum requirements in experience for the promotional examination for Supervising Program Development Specialist (Mental Health Services) (PS4972K), Department of Human Services.

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

B-27 SAMEH GIRGIS

Sameh Girgis 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 the title of Managing Examiner (S1207L).

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

B-28 GREGG LUCIANIN

Gregg Lucianin 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 Purchasing Assistant (PM0842L), Passaic Valley Water Commission (PVWC).

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

B-29 JOHN PICCOLO

John Piccolo 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 Construction Management Specialist 3 (PS4011G), Department of Environmental Protection (DEP).

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

B-30 JENNIFER SCHNITZER

Jennifer Schnitzer appeals the determination of the Division of Selection Services which found that she did not meet the experience requirement for the open competitive examination for Environmental Health Specialist (C0597L), Bergen County.

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

B-31 ROBERT TRAVERSO

Robert Traverso 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 Principal Technical Aide Public Works (PC0625L), Essex County.

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

B-32 DAWN WILSON

Dawn Wilson appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for the promotional examination for Supervisor, Food Service (PM1055L), Jersey City School District.

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

B-33 AUDREY WILLIAMS

The Division of State and Local Operations, on behalf of the Department of Environmental Protection, requests that Audrey Williams' out-of-title work experience be accepted to qualify her for a prospective promotional examination for Standards and Procedures Technician (Environmental Protection).

ACTION: The Civil Service Commission granted the request.

B-34 STEVEN ANDERSON

Steven Anderson appeals his score for the oral portion of the promotional examination for Fire Captain (PM3568J), Newark.

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

B-35 WALIYY ANDERSON

Waliyy Anderson, represented by Michael Prigoff, Esq., appeals his score for the oral portion and his seniority score on the promotional examination for Fire Officer 1 (PM2567J), Jersey City.

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

B-36 GIACOMO ANTONICELLO

Giacomo Antonicello appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM2567J), Jersey City.

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

B-37 MICHAEL BUDINICK

Michael Budinick appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM2567J), Jersey City.

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

B-38 MARK BURIANI

Mark Buriani appeals his score for the oral portion of the promotional examination for Fire Captain (PM3571J), Trenton.

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

B-39 PAUL CERRIGLIA

Paul Cerriglia, represented by Ty Hyderally, Esq., appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM2567J), Jersey City.

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

B-40 ALEXANDER COULTER

Alexander Coulter appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM2567J), Jersey City.

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

B-41 GERALD CUCCHIARA

Gerald Cucchiara appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM2567J), Jersey City.

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

B-42 JOSEPH CZACHOWSKI

Joseph Czachowski appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM2567J), Jersey City.

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

B-43 GLENN ELLERSON

Glenn Ellerson appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM2567J), Jersey City.

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

B-44 ROBERT FANNING

Robert Fanning appeals his score for the oral portion of the promotional examination for Fire Captain (PM3571J), Trenton.

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

B-45 BRUCE FLOREK

Bruce Florek appeals his score for the oral portion of the promotional examination for Fire Captain (PM3568J), Newark.

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

B-46 JEROME FRIEDMAN

Jerome Friedman appeals his score for the oral portion of the promotional examination for Fire Captain (PM3571J), Trenton.

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

B-47 ANTONIO GARY

Antonio Gary appeals his score for the oral portion of the examination for the second level Fire Captain (PM3533L), Irvington.

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

B-48 ANTHONY GIACONA

Anthony Giacona appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM2567J), Jersey City.

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

B-49 GLEN HARRIS

Glen Harris appeals his score for the oral portion of the examination for the second level Fire Captain (PM3510L), Plainfield.

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

B-50 EUGENE HURLE

Eugene Hurle appeals his score for the oral portion of the promotional examination for Fire Captain (PM3568J), Newark.

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

B-51 MATTHEW KELLEHER

Matthew Kelleher appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM2567J), Jersey City.

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

B-52 JOONG KIM

Joong Kim appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM2567J), Jersey City.

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

B-53 KEVIN KULNIS

Kevin Kulnis appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM2567J), Jersey City.

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

B-54 JAMES LYONES

James Lyones appeals his score for the oral portion of the promotional examination for Fire Captain (PM3568J), Newark.

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

B-55 VINCENT MANCHISI

Vincent Manchisi appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM2567J), Jersey City.

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

B-56 MICHAEL MARTIN

Michael Martin appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM2567J), Jersey City.

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

B-57 PIETRO MARTINO

Pietro Martino appeals his score for the oral portion of the examination for the second level Fire Captain (PM3510L), Plainfield.

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

B-58 SCOTT MCDONALD

Scott McDonald appeals his score for the oral portion of the examination for the second level Fire Captain (PM3533L), Irvington.

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

B-59 ALISA MCNEESE

Alisa McNeese appeals her score for the oral portion of the promotional examination for Fire Captain (PM3571J), Trenton.

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

B-60 ROBERT MORELLI

Robert Morelli appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM2567J), Jersey City.

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

B-61 DAVID MURRAY

David Murray appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM2567J), Jersey City.

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

B-62 JOHN NOESGES

John Noesges appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM2567J), Jersey City.

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

B-63 SHAWN O'CONNOR

Shawn O'Connor appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM2567J), Jersey City.

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

B-64 FREDERICK PECORA

Frederick Pecora appeals his score for the oral portion of the promotional examination for Fire Captain (PM3568J), Newark.

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

B-65 ANTHONY ROSS

Anthony Ross appeals his score for the oral portion of the promotional examination for Fire Captain (PM3571J), Trenton.

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

B-66 JOHN SADOWSKI

John Sadowski appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM2567J), Jersey City.

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

B-67 JOSEPH SHASTAY

Joseph Shastay appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM2567J), Jersey City.

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

B-68 MICHAEL SYTKO

Michael Sytko appeals his score for the oral portion of the examination for the second level Fire Captain (PM3533L), Irvington.

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

B-69 SCOTT TERPAK

Scott Terpak appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM2567J), Jersey City.

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

B-70 CRAIG WALLACE

Craig Wallace appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM2567J), Jersey City.

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

B-71 JAMES D'ARMORE

James D'Armored appeals the administration of the promotional examination for Correction Sergeant (PS1818I), Department of Corrections.

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

B-72 STATE VOLUNTARY FURLOUGH PROGRAM FY 2011

Various employees of the Department of Environmental Protection and the Department of Law and Public Safety petition the Civil Service Commission to extend its relaxation of the eligibility criteria for the voluntary furlough program through fiscal year 2011.

ACTION: The Civil Service Commission denied the requests, but will permit employees to take up to 30 additional voluntary furlough days off from work without pay from July 1, 2010 to December 31, 2010.

B-73 RECENT COURT DECISIONS

Summaries of recent court decisions involving Merit System Board and Civil Service Commission determinations are submitted for the Commission's review in *In the Matter of Kenneth R. Martinez* (Appellate Division, decided 4/21/10); *In the Matter of Anthony Stalworth* (Appellate Division, decided 4/22/10); *In the Matter of Jane Lyons, Department of Transportation* (Appellate Division, decided 4/26/10); *In the Matter of John Lenhardt* (Appellate Division, decided 5/4/10); *In the Matter of Dean J. Spencer* (Appellate Division, decided 5/7/10); *In the Matter of Linda Reid, Riverfront State Prison, Department of Corrections* (Appellate Division, decided 5/18/10); and *In the Matter of Bettye Griffin-Staples* (Appellate Division, decided 5/24/10).

ACTION: The Civil Service Commission noted the decisions.

B-74 CIVIL SERVICE COMMISSION MEETING MINUTES

The Civil Service Commission Minutes of its meeting of June 9, 2010 are submitted for adoption.

ACTION: The Civil Service Commission adopted the minutes of its meeting of June 9, 2010.

B-75 CHANGE IN THE STATE CLASSIFICATION PLAN

The Division of State and Local Operations requests the reactivation, work week change, and title verbiage change of the title Child Placement Review Coordinator, Judiciary, effective June 5, 2010. This title would temporarily be reactivated in order to fill federally funded positions, be renamed Project Specialist, Mental Health Caseload and be changed from 35/12 workweek to a NE/12 workweek.

**MEMORANDUM**

DATE: June 10, 2010
 TO: The Civil Service Commission (CSC)
 FROM: Kenneth Connolly, Director *Kenneth Connolly*
 State and Local Operations
 SUBJECT: Change in State Classification Plan

JUDICIARY

We request reactivation, work week and title verbiage changes for the title, Child Placement Review Coordinator, Judiciary (B98-07714). The title will be renamed Project Specialist, Mental Health Caseload at the request of the Judiciary.

The Judiciary recently hired thirty Mental Health specialists under a two year federally funded stimulus grant. These employees are represented by the Probation Association of New Jersey (PANJ). We are unable to utilize an existing title for this function due to technical issues relating to dues and pension deductions for grant positions. Therefore, in order to facilitate payroll deductions for employees in these positions, we recommend the use of an inactive, unclassified PANJ title for the duration of the grant. The title will be used on a temporary basis, and will be made archaic subsequent to all necessary appointments.

The work week designation will be changed from 35/12 to NE/12 to accommodate the needs of the Judiciary.

The title will be restricted from Common to State, and use will be limited exclusively to the Judiciary.

Attached is documentation that the negotiation representative notice required by NJAC 4A:3-3.3(f) has been made.

TITLE REACTIVATION:
Effective date: 6/5/2010

Project Specialist, Mental Health Caseload
 B98-07714 Unclassified R NE/12

KC/JMM/BP/GB

www.state.nj.us/csc

ACTION: The Civil Service Commission approved the request.

B-76 RENE RIVERA

Rene Rivera appeals the request by the City of Passaic to remove his name from the Fire Fighter (M2383H) eligible list for medical unfitness to perform effectively the duties of the position.

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

B-77 ADMINISTRATIVE CLERK (M1181H), JERSEY CITY

In *In the Matter of Administrative Clerk (M1181H), Jersey City* (CSC, decided December 3, 2008), the Civil Service Commission (Commission) granted the request of Jersey City for an appointment waiver for the January 29, 2007 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 subject eligible list and the matter of the assessment of costs is now before the Commission.

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

B-78 ASSISTANT SUPERVISOR, WATER METER REPAIRER (PM1886K), EAST ORANGE

The Division of State and Local Operations requests that the East Orange Water Department be ordered to return the March 23, 2009 certification of the eligible list for Assistant Supervisor, Water Meter Repairer (PM1886K) for proper disposition.

ACTION: The Civil Service Commission granted the request.

B-79 ELECTRICAL INSPECTOR (M0344L), EAST ORANGE

The Division of State and Local Operations requests that the Civil Service Commission order East Orange to return the July 20, 2009 certification of the eligible list for Electrical Inspector (M0344L) for proper disposition.

ACTION: The Civil Service Commission granted the request.

B-80 KAITLIN FARRELL

Kaitlin Farrell 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 Forensic Chemist (C0996L), Hudson County.

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

B-81 WALTER CHRISTY

The City of Salem (Salem), represented by David J. Puma, Esq., requests relief on behalf of Walter Christy. It is noted that this matter was held over from the June 9, 2009 Civil Service Commission meeting.

ACTION: The Civil Service Commission denied the request.

B-82 DANIEL ROYLE

Daniel Royle appeals the decision of the Division of State and Local Operations which upheld the removal of his name from the Sheriff's Officer, Monmouth County, special reemployment list due to his failure to respond to the Notice of Certification.

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

VOTE:

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

B-83 EDWARD PENGEL

The appeal of Edward Pengel, a former Groundskeeper with Morris County, of his 30-day suspension, on charges, was heard by Administrative Law Judge James A. Geraghty (ALJ), who rendered his initial decision on April 26, 2010. At its meeting on June 9, 2010, the Civil Service Commission (Commission) adopted the ALJ's recommendation to reverse the 30-day suspension. The proposed decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the decision.

B-84 EARLY SETTLEMENTS

Thomas Horton
Ann Klein Forensic Center
Department of Human Services
Removal

John Minus
Ann Klein Forensic Center
Department of Human Services
Release at the end of the working test period

Alecia Segal
Department of Labor and Workforce Development
Release at the end of the working test period

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 7, 2010, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

Robert M. Czech
Chairperson
Civil Service Commission