



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  
APRIL 20, 2011**

**Robert M. Czech, Chairperson  
Robert E. Brenner  
Richard E. Williams**

April 20, 2011

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A regular meeting of the Civil Service Commission was held on Wednesday, April 20, 2011, in Trenton, New Jersey.

**PRESENT:** Robert M. Czech, Chairperson, Members Robert E. Brenner and Richard E. Williams; Todd Wigder, 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 December 20, 2010, and posted at the Civil Service Commission, 3 Station Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

**SECTION A – HEARING MATTERS**

**A-1** In the Matter of Brian Breeden  
Woodbine Developmental Center  
Department of Human Services  
Suspensions (2)

In the Matter of Troy Brooks  
Veterans Memorial Home, Vineland  
Department of Military and Veterans Affairs  
Release at the end of the working test period

In the Matter of Gwendolyn Bussey  
Vineland Developmental Center  
Department of Human Services  
Removal

In the Matter of Andres Castillo  
North Bergen Municipal Utilities Authority  
Layoff

In the Matter of Pietro Gallott  
Edna Mahan Correctional Facility  
Department of Corrections  
Suspension

In the Matter of John P. Gervato  
Township of Teaneck  
Building Department  
Removal

In the Matter of Bernardino Lemme  
Passaic County  
Sheriff's Department  
Removal

In the Matter of James Miano  
Jackson Township Municipal Utilities Authority  
Removal

In the Matter of Thomas Mitchell  
Hudson County  
Sheriff's Department  
Removal

In the Matter of Rory Palmer  
City of Newark  
Police Department  
Removal

In the Matter of Theodore Pennock  
Mount Holly Township  
Department of Public Works  
Suspensions (2) and Fine

In the Matter of Roger Phillips  
Brick Township  
Department of Public Works  
Removal

In the Matter of Victoria Rivera  
New Lisbon Developmental Center  
Department of Human Services  
Removal

In the Matter of Shirlene Smith  
Woodbine Developmental Center  
Department of Human Services  
Removal

In the Matter of Jennifer Stidham  
Woodbine Developmental Center  
Department of Human Services  
Removals (3)

In the Matter of Michelle Thurber  
City of Burlington  
Municipal Court  
Removal

In the Matter of Carl Wescoat  
Atlantic County  
Department of Public Safety  
Removal

In the Matter of Janine Barkely-Whitaker  
Sheriff's Department  
Removal

In the Matter of Michele Wideman  
Hudson County  
Department of Roads and Public Property  
Suspension

In the Matter of Willie Winns  
City of Newark  
Police Department  
Suspension

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

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

**A-2 BRUCE COOPER**

Bruce Cooper, Senior Police Officer, Department of Human Services, five-day suspension on charges of conduct unbecoming a public employee, neglect of duty and violation of a rule, regulation, policy, procedure, order or administrative decision and 10-day suspension on charges of vending soliciting or collecting a contribution on State property without authorization, distribution of written or printed matter on premises without authorization and violation of a rule regulation, policy, procedure, order or administrative decision.

Recommendation of the Administrative Law Judge – Modify the five-day suspension and the 10-day suspension to a 40-day suspension.

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

Agenda Item A-3 was held to be considered at the conclusion of the regular agenda. At that time, 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 legal advice. The Commission subsequently reconvened the public meeting.

**A-3 DAVID LAMARR**

David Lamarr, Police Officer, City of Newark, Police Department, 30-day suspension on charges of conduct unbecoming a public employee and violation of Police Department rules regarding telling the truth.

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

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

**A-4 ROY REYNOLDS**

Roy Reynolds, Laborer, Sparta Township, Department of Recreation, appeals the good faith of his layoff effective April 30, 2008, for reasons of economy and efficiency.

Recommendation of the Administrative Law Judge – Uphold the layoff.

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

**A-5 RAYMOND RUST**

Raymond Rust, Plumber, Monmouth County, Department of Public Works Buildings and Grounds, 45-day suspension on charges of incompetency, inefficiency, or failure to perform duty, insubordination, conduct unbecoming a public employee, neglect of duty, other sufficient cause and violation of several county policies.

Recommendation of the Administrative Law Judge – Uphold the 45-day suspension.

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

**VOTE:**     **Robert M. Czech**            **(Abstained)**  
              **Robert E. Brenner**       **(Yes)**  
              **Richard E. Williams**     **(Yes)**

**A-6 ROLANDO SANTIAGO**

Rolando Santiago, Police Officer, City of Camden, Police Department, suspension for the period from February 7, 2001 to December 1, 2004 on charges of conduct unbecoming a public employee, falsifying records, untruthfulness, and conduct subversive to the good order of the department.

Recommendation of the Administrative Law Judge – Reverse the suspension.

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

**A-7 DONNA SAUNDERS**

Donna Saunders, Family Services Specialist 2, Department of Children and Families, release at the end of the working test period effective September 14, 2009.

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-8 JERRY UGRINA**

Jerry Ugrina, County Correction Officer, Morris County, Sheriff's Department, 20-day suspension on charges of other sufficient cause, violation of Sheriff's Department policy, procedure regarding anticipated use of force and violation of Sheriff's Department rules and regulations regarding arrests and prisoners.

Recommendation of the Administrative Law Judge – Reverse the 20-day suspension.

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

**VOTE:**     **Robert M. Czech**            **(No)**  
              **Robert E. Brenner**       **(Yes)**  
              **Richard E. Williams**   **(Yes)**

**A-9 MAVIS C. FAULKNOR**

Mavis C. Faulknor, Nutrition Program Coordinator Women, Infants and Children Program, City of Newark, Department of Health and Human Services, removal effective May 31, 2007, on charges of incompetency, inefficiency or failure to perform duties, insubordination, chronic or excessive absenteeism or lateness, conduct unbecoming a public employee, and neglect of duty.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

**A-10 MICHAEL HOLMES**

Michael Holmes, Senior Therapy Program Assistant, New Lisbon Developmental Center, Department of Human Services, removal effective October 20, 2008, on charges of falsification, 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-11 MICHAEL JAMES**

Michael James, Police Officer, Deptford Township, Police Department, removal effective June 17, 2008, on charges of inability to perform duties and other sufficient cause.

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

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



**A-12 CHARLES KING**

Charles King, Police Officer, City of Long Branch, Department of Public Safety, removal effective March 6, 2009, on charges of conduct unbecoming a public employee, neglect of duty, incompetency 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 and upheld the immediate suspension.

**A-13 DERRICK MATTHEWS**

Derrick Matthews, Senior Correction Officer, Northern State Prison, Department of Corrections, removal effective October 16, 2010, on charges of other sufficient cause, conduct unbecoming a public employee and violation of a rule, regulation, policy, procedure, order or administrative decision.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

**A-14 BRIAN OTT**

Brian Ott, Police Officer, City of Somers Point, Department of Public Safety, removal effective October 26, 2010, on charges of conduct unbecoming a public employee, other sufficient cause, and violation of rules and regulations regarding obedience to laws.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

**A-15 WILLIAM PIERCE**

William Pierce, Human Services Assistant, Ancora Psychiatric Hospital, Department of Human Services, removal effective September 16, 2009, on charges of conduct unbecoming a public employee, other sufficient cause, leaving assigned work area without permission but not creating a danger to persons or property, verbal abuse of a patient, client, resident or employee, falsification, and violation of a rule, regulation, policy, procedure, order or administrative decision.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

**A-16 ANDRE WILSON**

Andre Wilson, Program Coordinator Special Events, Burlington County, Department of Resource Conservation, removal effective September 25, 2009, on charges of conduct unbecoming a public employee, misuse of County property, including motor vehicles and other sufficient cause.

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

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

**A-17 TIMOTHY STEWART (CONSOLIDATION)**

Timothy Stewart, Investigator, Judiciary Union Vicinage, 60-day suspension on charges of conduct unbecoming a public employee and other sufficient cause and removal effective May 22, 2007, on the charge of inability to perform duties.

Recommendation of the Administrative Law Judge – Uphold the 60-day suspension and removal.

**ACTION:** The Civil Service Commission rejected the recommendation of the Administrative Law Judge and acknowledged the settlement to a resignation in good standing effective May 22, 2007.

**SECTION B – MISCELLANEOUS MATTERS****B-1 CHANGE IN CLASSIFICATION PLAN - OFFICE OF LEGISLATURE SERVICES**

The Office of Legislature Services (OLS) requests title changes and the establishment of new unclassified titles. In accordance with *N.J.S.A. 11A:3-4(c)*, State Unclassified Service, employees in the Legislative Branch of State Government shall be in the unclassified service.

**MEMORANDUM**

DATE: April 7, 2011  
 TO: Civil Service Commission  
 FROM: Kenneth Connolly, Director  
 State and Local Operations  
 SUBJECT: Change in the Classification Plan

**Legislature**

The Office of Legislative Services (OLS) requests the following title changes and establishment of new unclassified titles.

In accordance with *N.J.S.A. 11A:3-4(c)*, employees in the Legislative branch of State government shall be in the unclassified service.

The use of these titles will be restricted to OLS.

**TITLE CHANGES EFFECTIVE MARCH 26, 2011**

<b>FROM:</b>	<b>TO:</b>
Assistant Fiscal Analyst, OLS X98-91144 Unclassified (NL)	Assistant Fiscal Analyst 1, OLS X98-91144 Unclassified (NL)
Assistant Research Analyst, OLS X98-90445 Unclassified (NL)	Assistant Research Analyst 1, OLS X98-90445 Unclassified (NL)
Deputy Counsel, OLS (NL) X98-90405 Unclassified (NL)	Deputy Counsel 1, OLS X98-90405 Unclassified (NL)

**ADDITION OF TITLES EFFECTIVE MARCH 26, 2011**

Assistant Fiscal Analyst 2, OLS  
X98-\_\_\_\_\_ Unclassified (NL)

Assistant Research Analyst 2, OLS  
X98-\_\_\_\_\_ Unclassified (NL)

Deputy Counsel 2, OLS  
X98-\_\_\_\_\_ Unclassified (NL)

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

**B-2 RICHARD BALDISH**

Richard Baldish, a Senior Correction Officer at 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 denied.

**B-3 LORETTA BREWSTER**

Loretta Brewster, a Court Services Supervisor 2, with the Judiciary, Vicinage 1, Atlantic and Cape May Counties, appeals the denial of sick leave injury (SLI) benefits.

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

**B-4 ROBBIN CONOVER**

Robbin Conover, a Correction Lieutenant at Albert C. Wagner Youth Correctional Facility, Department of Corrections, appeals the denial of sick leave injury (SLI) benefits.

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

**B-5 VALENTINE COOPER**

Valentine Cooper, a Senior Correction Officer at Northern 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 denied.

**B-6 GERALDINE DAVIES**

Geraldine Davies, a Standards and Procedures Technician with the Department of Environmental Protection, appeals the denial of sick leave injury (SLI) benefits.

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

**B-7 THOMAS DAVIS**

Thomas Davis, an Automotive Mechanic with the Department of Transportation, appeals the denial of sick leave injury (SLI) benefits.

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

**B-8 JANET DIXON**

Janet Dixon, a Senior Probation Officer with the Judiciary, Vicinage 12, Union County, represented by Richard B. Rubenstein, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

**B-9 RUTH ESPADA**

Ruth Espada, a Family Service Specialist 2 with the Department of Children and Families, represented by Kevin M. Mulderig, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

**B-10 JOHN FRANSCKIEWICH**

John Fransckiewich, a Senior Correction Officer at the Garden State Youth Correctional Facility, represented by Daniel Geddes, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

**B-11 ANDREW HANDO**

Andrew Hando, a Truck Driver with the Department of Transportation, appeals the denial of sick leave injury (SLI) benefits.

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

**B-12 PATRICIA HARDY**

Patricia Hardy, a Principal Clerk Typist with the Department of Children and Families, represented by Catherine Danatos, Staff Representative, CWA Local 1037, appeals the denial of sick leave injury (SLI) benefits.

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

**B-13 JOHN HARTWICK**

John Hartwick, a former Investigator 2 with the Motor Vehicle Commission, represented by Patrick Bradshaw, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

**B-14 SHIRLEY HECKSTALL**

Shirley Heckstall, a Therapy Aide at 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 granted.

**B-15 BARBARA HOFFMAN**

Barbara Hoffman, a Senior Building Maintenance Worker with Hagedorn Psychiatric Hospital, Department of Human Services, appeals the denial of sick leave injury (SLI) benefits.

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

**B-16 WANDA JENKINS**

Wanda Jenkins, a Senior Clerk Transcriber with the New Jersey State Parole Board, represented by Brett Richter, Staff Representative, CWA Local 1039, appeals the denial of sick leave injury (SLI) benefits.

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

**B-17 DARYL JOHNSON**

Daryl Johnson, a Senior Correction Officer with the Central Reception and Assignment Facility, Department of Corrections, represented by Michael S. Ahearn, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

**B-18 BRIAN LEONARD**

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

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

**B-19 BRIAN MCGILL**

Brian McGill, a Senior Correction Officer at Northern 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-20 HERBERTINA MCKEEVER**

Herbertina McKeever, a Senior Therapy Program Assistant with Hunterdon Developmental Center, Department of Human Services, represented by Danielle S. Chandonnet, Esq., appeals the denial of sick leave injury (SLI) benefits.

**ACTION:** The Civil Service Commission directed that this appeal be referred to the Medical Examiners Panel.

**B-21 MARIE MICHAUD**

Marie Michaud, a Head Sewing Worker with Hagedorn Psychiatric Hospital, Department of Human Services, represented by Robert O. Yaeger, Principal Staff Representative, CWA Local 1040, appeals the denial of sick leave injury (SLI) benefits.

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

**B-22 MICHAEL NITSCHKE**

Michael Nitsche, an Institutional Trade Instructor 1, Carpentry, at Southern State Correctional Facility, Department of Corrections, appeals the denial of sick leave injury (SLI) benefits.

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

**B-23 JANKI PANCHU**

Janki Panchu, a Maintenance Worker 1 with Montclair State University, appeals the denial of sick leave injury (SLI) benefits.

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

**B-24 BRIDGETTE PIERCE**

Bridgette Pierce, an Institutional Trade Instructor 2, Cooking with the Adult Diagnostic and Treatment Center, Department of Corrections, appeals the denial of sick leave injury (SLI) benefits.

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

**B-25 FRANK PIMPINELLA**

Frank Pimpinella, a Special Staff Officer 2 with the Department of Military and Veteran's Affairs, represented by Stephen W. Barry, Esq., appeals the denial of sick leave injury (SLI) benefits.

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



**B-26 PATRICK STEVENS**

Patrick Stevens, an Investigator, Secured Facilities with New Jersey State Prison, Department of Corrections, represented by Lauren Sandy, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

**B-27 TRACY L. STITES**

Tracy L. Stites, a Conservation Officer 3 with the Department of Environmental Protection, appeals the denial of sick leave injury (SLI) benefits.

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

**B-28 MARTINEZ TAYLOR**

Martinez Taylor, a Maintenance Worker 1 with the Department of Transportation, appeals the denial of sick leave injury (SLI) benefits.

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

**B-29 MICHAEL WALSH**

Michael Walsh, a Senior Correction Officer with the Central Reception and Assignment Facility, 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 denied.

**B-30 BARBARA WEBB**

Barbara Webb, an Assistant District Parole Supervisor with the New Jersey State Parole Board appeals the denial of sick leave injury (SLI) benefits.

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

**B-31 AL-NISA WHITE**

Al-Nisa White, a Clerk Typist 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 granted.

**B-32 JOYCE WILLIAMS**

Joyce Williams, an Education Program Developmental Specialist 3 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-33 MIGUEL RIVERA**

The City of Trenton, represented by James T. Prusinowski, Esq., petitions the Civil Service Commission for a stay of the final decision rendered on January 13, 2010, which ordered Trenton to pay Miguel Rivera the gross amount of \$3,205.82 for back pay and \$14,100 for counsel fees, pending the outcome of its appeal to the Superior Court, Appellate Division.

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

**B-34 DARNELL HARDWICK**

Darnell Hardwick, a Construction and Maintenance Technician 1 with the Department of Transportation, appeals the determination of the Director, Division of Equal Employment Opportunity and Affirmative Action, Department of the Treasury, stating that the appellant failed to present sufficient evidence to support a finding that he 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-35 ERIC FETTEROLF**

Eric Fetterolf, a former Project Coordinator, Redevelopment, with the Department of Community Development, Gloucester City, represented by Christopher A. Gray, Esq., appeals the determination of his layoff rights by the Division of State and Local Operations.

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

**B-36 DANIEL GRAVES**

Daniel Graves appeals the decision of the Division of State and Local Operations to remove his name from the County Correction Officer (S9999K), Camden County eligible list due to his failure to respond to the Notice of Certification.

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

**B-37 JULIAN J. MARURI**

Julian J. Maruri, represented by Wolodymyr P. Tyshchenko, Esq., 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 Police Officer (S9999K), Union City, eligible list on the basis of an unsatisfactory employment record.

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

**B-38 ROGER RICHARDSON**

Roger Richardson appeals the determination by the Department of Corrections to remove his name from the Correction Officer Recruit (S9999F), eligible list due to falsification of his pre-employment application.

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

**B-39 ASSISTANT SECRETARY BOARD/COMMISSION (M1634J), NEWARK**

Newark, represented by David N. Gambert, Assistant Corporation Counsel, requests permission not to make an appointment from the September 2, 2008 certification for Assistant Secretary Board/Commission (M1634J).

**ACTION:** The Civil Service Commission granted the appointment waiver and assessed partial selection costs in the amount of \$1,024.

**B-40 CODE ENFORCEMENT OFFICER TRAINEE (M0305L)  
LINDENWOLD**

Lindenwold requests permission not to make an appointment from the November 10, 2009 certification for Code Enforcement Officer Trainee (M0305L).

**ACTION:** The Civil Service Commission granted the appointment waiver and assessed partial selection costs in the amount of \$1,024.

**B-41 DATA CONTROL CLERK (M1623J) AND (M0736L), NEWARK**

Newark requests permission not to make an appointment from the January 7, 2010 certification for Data Control Clerk (M1623J) and (M0736L).

**ACTION:** The Civil Service Commission granted the appointment waiver and assessed partial selection costs in the amount of \$1,024.

**B-42 PRINCIPAL ACCOUNTANT (M0888K), NEWARK**

Newark requests permission not to make an appointment from the February 16, 2010 certification for Principal Accountant (M0888K).

**ACTION:** The Civil Service Commission granted the appointment waiver and assessed partial selection costs in the amount of \$1,024.

**B-43 MICHELLE KEMLER**

The Mercer County Prosecutor's Office requests that the provisions of *N.J.A.C. 4A:4-1.1(c)* be relaxed in order to allow Michelle Kemler to be provisionally appointed, pending promotional examination procedures, to the title of Senior Docket Clerk, Typing.

**ACTION:** The Civil Service Commission directed that the request be granted.

**B-44 BUSINESS REPRESENTATIVE 3 (S6942J), STATEWIDE**

In *In the Matter of Business Representative 3 (S6942J), Statewide* (CSC, decided October 22, 2008), the appointing authority's request for an appointment waiver from the January 14, 2008 certification was granted and no selection costs were assessed at that time since there was a possibility that the list could be utilized prior to its expiration. However, the subject eligible list was not utilized 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 \$8,285.

**B-45 PUBLIC WORKS REPAIRER (M6255K), CLARK**

In *In the Matter of Public Works Repairer (M6255K), Clark* (CSC, decided January 14, 2009), the Civil Service Commission granted the appointing authority's request for an appointment waiver from the March 10, 2008 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-46 SECRETARIAL ASSISTANT 1, NON-STENOGRAPHIC (PS0129K), DEPARTMENT OF HUMAN SERVICES, DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES**

In *In the Matter of Secretarial Assistant 1, Non-Stenographic (PS0129K), Department of Human Services, Division of Medical Assistance and Health Services* (CSC, decided May 7, 2008), the appointing authority's request for an appointment waiver from the June 29, 2007 certification was granted and no selection costs were 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 \$1,602.

**B-47 ROCHELLE ANDRESS**

Rochelle Andress requests reconsideration of the final administrative determination in *In the Matter of Rochelle Andress* (CSC, decided September 15, 2010).

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

**B-48 CUSTOMER SERVICE REPRESENTATIVE (M0170K), NEWARK**

Newark, represented by David N. Gambert, Assistant Corporation Counsel, requests reconsideration of the decision rendered on August 5, 2009 by the Civil Service Commission in *In the Matter of Customer Service Representative (M0170K), Newark*, which ordered it to immediately remove the provisional incumbent, Tyram Black-Andrews, and to properly dispose of the July 7, 2008 certification within 30 days.

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

**B-49 INDEX CLERK (M1480H), NEWARK**

Newark, represented by David N. Gambert, Assistant Corporation Counsel, requests reconsideration of the decision rendered on July 16, 2008 by the Civil Service Commission in *In the Matter of Index Clerk (M1480H), Newark*, which ordered it to immediately remove the provisional incumbent, Jimmy Rodriguez, and to properly dispose of the May 30, 2007 certification within 30 days.

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

**B-50 LILLIAN FOSTER**

Lillian Foster petitions the Civil Service Commission for reconsideration of the final administrative decision, rendered on July 17, 2002, in which her removal was modified to a resignation in good standing.

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

**B-51 DIANE LEE**

The Department of Corrections petitions the Civil Service Commission for reconsideration of the final administrative decision, rendered on March 10, 2010, in which the Commission restored Diane Lee to the Correction Officer Recruit (S9999H) eligible list.

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

**B-52 ROBIN MAGARGAL**

Robin Magargal, a former Secretarial Assistant 3 with the Department of Military and Veterans' Affairs, requests reconsideration of the final decision of the Civil Service Commission rendered on January 13, 2010, stating that the petitioner failed to present sufficient evidence to support a finding that she had been subjected to additional violations of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

**B-53 DERRICK MURPHY**

Derrick Murphy petitions the Civil Service Commission for reconsideration of the final administrative decision, rendered on March 24, 2010, in which the Commission upheld the removal of his name from the Assistant Supervisor Residential Living, Developmental Disability (PS4771K), Department of Human Services eligible list.

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

**B-54 GEORGETTA RODGERS**

The Department of Human Services petitions the Civil Service Commission for reconsideration of the final administrative decision, rendered on April 28, 2010, in which the Commission granted Georgetta Rodgers' appeal requesting SLI benefits.

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

**B-55 MARLON YON**

Marlon Yon, a County Correction Officer with Mercer County, represented by Stuart J. Alterman, Esq., petitions the Civil Service Commission for reconsideration of the final administrative decision, rendered on September 24, 2010, in which the Director of Division of Merit System Practices and Labor Relations denied his request for a hearing with respect to his fine of \$3,261.15.

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

**B-56 NADINE DOWNING**

The appeal of Nadine Downing, a Substance Abuse Counselor 2 with Cumberland County, of her removal effective January 20, 2010, on charges, was heard by Administrative Law Judge W. Todd Miller, who rendered his initial decision on September 14, 2010. At its meeting on April 6, 2011, the Civil Service Commission did not adopt the ALJ's recommendation to uphold the removal. Rather, the Commission modified the removal to a resignation in good standing. The proposed final decision is now submitted for the Commission's review.

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

**B-57 EDDIE JIMENEZ**

The appeal of Eddie Jimenez, a Laborer with the City of Newark, of his removal effective March 22, 2010, on charges, was heard by Administrative Law Judge Gail M. Cookson, who rendered her initial decision on October 15, 2010. At its meeting on April 6, 2011, the Civil Service Commission did not adopt the ALJ's recommendation to modify the removal to a 60-day 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.



**B-58 MARK MCCULLEY**

The appeal of Mark McCulley, a Deputy Fire Chief with Ocean City, of his 90-day suspension and restitution in the amount of \$7,089.80, on charges, was heard by Administrative Law Judge W. Todd Miller, who rendered his initial decision on September 13, 2010, recommending the reversal of the 90-day suspension and the payment of restitution in the amount of \$7,089.80. At its meeting on April 6, 2011, the Civil Service Commission adopted the ALJ's recommendation. However, the Commission found it necessary to address the exceptions and cross exceptions filed by the parties. The proposed decision is now submitted for the Commission's review.

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

**B-59 MICHAEL AUBLE**

Michael Auble appeals his score on the examination for Battalion Fire Chief (PM3500L), Atlantic City.

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

**B-60 DOUGLAS BANKS AND VANESSA ROBERTS**

Douglas Banks and Vanessa Roberts appeal the determinations of the Division of Selection Services that found that they did not meet the experience requirements for the promotional examination for Personnel Assistant 1 (PS5920K), Department of Children and Families.

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

**B-61 KEVIN BENNETT**

Kevin Bennett appeals his score on the examination for Battalion Fire Chief (PM3500L), Atlantic City.

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

**B-62 SUSAN BERTOLDO, ET AL.**

Susan Bertoldo, Kristin Ciraola, Parker Flores, and Mosudi Idowu appeal the determination of the Division of Selection Services which found that they did not meet the education requirements for the open competitive examination for Habilitation Plan Coordinator (S0774M), Statewide.

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

**B-63 GERARD CAPRIO**

Gerard Caprio appeals his score on the examination for Battalion Fire Chief (PM3506L), Newark.

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

**B-64 COLLEEN CARBONE**

Colleen Carbone appeals the determination of the Division of Selection Services, that, per the substitution clause for education, she did not meet the experience requirement for the promotional examination for Senior Systems Analyst (PM0829M), City of Jersey City.

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

**B-65 ANDRE CORBIN**

Atlantic City requests a permanent date of appointment for Andre Corbin to the title of Police Officer.

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

**B-66 EDWARD COURSEY**

Edward Coursey appeals his score on the examination for Battalion Fire Chief (PM3500L), Atlantic City.

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

**B-67 HAROLD COURSEY**

Harold Coursey appeals his score on the examination for Battalion Fire Chief (PM3500L), Atlantic City.

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

**B-68 KEITH COURSEY**

Keith Coursey appeals his score on the examination for Battalion Fire Chief (PM3500L), Atlantic City.

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

**B-69 THOMAS CULLENY, JR.**

Thomas Culleney, Jr. appeals his score on the examination for Battalion Fire Chief (PM3500L), Atlantic City.

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

**B-70 RHONDA CURRY**

Rhonda Curry appeals the determination of the Division of Selection Services, which found that she did not meet the experience requirements for the open competitive examination for Chief of Administrative Services (M0283M), Jersey City School District.

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

**B-71 ANGELO DEMAIO**

Angelo DeMaio appeals his score on the examination for Battalion Fire Chief (PM3500L), Atlantic City.

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

**B-72 JANICE FISHBEIN**

Janice Fishbein appeals her score on the promotional examination for Vocational Rehabilitation Counselor 2 (PS9886N), Department of Labor and Workforce Development.

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

**B-73 TIMOTHEA GABRIEL**

Timothea Gabriel appeals the determination of the Division of Selection Services that, per the substitution clause for education, she did not meet the experience requirement for the promotional examination for Investigator Secured Facilities (PC0797M), Hudson County.

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

**B-74 TIMOTHY GAY**

Timothy Gay appeals his score on the examination for Battalion Fire Chief (PM3506L), Newark.

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

**B-75 MICHAEL GOLDBERG**

Michael Goldberg appeals the denial of his request for a make-up examination for Fire Fighter (M9999M).

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

**B-76 WANDA INGRAM AND JENNIFER KLEIN**

Wanda Ingram and Jennifer Klein appeal the determination of the Division of Selection Services which found that they did not meet the education requirements for the open competitive examination for Habilitation Plan Coordinator (S0774M), Statewide.

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

**B-77 KENNETH JENNINGS, JR.**

Kenneth Jennings, Jr., appeals the determination of the Division of Selection Services, which found that he did not meet the education and experience requirements for the promotional examination for the title of Assistant Director, Parks and Recreation (PC1652J), Hudson County.

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

**B-78 RODERICK KNOX**

Roderick Knox appeals his score on the examination for Battalion Fire Chief (PM3500L), Atlantic City.

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

**B-79 MICHAEL KORMASH**

Michael Kormash appeals his score on the examination for Battalion Fire Chief (PM3506L), Newark.

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

**B-80 JOSEPH LAROSA**

Joseph LaRosa appeals the denial of his request for a make-up examination for Fire Fighter (M9999M).

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

**B-81 SYLVESTER LEE**

Sylvester Lee appeals his score on the examination for Battalion Fire Chief (PM3506L), Newark.

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

**B-82 RAUL MALAVE III**

Raul Malave III appeals his score on the examination for Battalion Fire Chief (PM3506L), Newark.

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

**B-83 PETER MCCABE**

Peter McCabe appeals his score on the examination for Battalion Fire Chief (PM3500L), Atlantic City.

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

**B-84 MARYBETH MCLOUGHLIN**

Marybeth McLoughlin appeals her score on the promotional examination for Vocational Rehabilitation Counselor 2 (PS9886N), Department of Labor and Workforce Development.

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

**B-85 DANIEL MISKOWSKY**

Daniel Miskowsky appeals the validity of the promotional examination for Construction and Maintenance Technician 2 (PS6761T), Department of Transportation.

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

**B-86 GEORGE MOTT**

George Mott appeals his score on the examination for Battalion Fire Chief (PM3500L), Atlantic City.

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

**B-87 LUIS MOYENO**

Luis Moyeno appeals the score on the examination for Battalion Fire Chief (PM3503L), Hoboken.

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

**B-88 NICOLE NADLER AND THERESA ROESSNER**

Nicole Nadler and Theresa Roessner appeal the determinations of the Division of Selection Services which found that they did not meet the education and experience requirements for the open competitive examination for Habilitation Plan Coordinator (S0774M), Statewide.

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

**B-89 JOSEPH OLIVER**

Joseph Oliver appeals the determination of Division of Selection Services that he did not meet the experience requirement for the promotional examination for Supervisor Information Technology, Help Desk (PS9164U), Department of the Treasury.

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

**B-90 AUDRIENE S. PAYNE**

Audriene S. Payne appeals the determination of the Division of Selection Services which found that she was not eligible for the promotional examination for Program Coordinator, Mental Health (PS8430K), Ann Klein Forensic Center.

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

**B-91 ANTON PESKENS**

Anton Peskens appeals his score on the examination for Battalion Fire Chief (PM3503L), Hoboken.

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

**B-92 BRENDAN RHODES**

Brendan Rhodes appeals the correct answer to three questions on the multiple choice examination for Fire Captain (PM5056M), Carteret.

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

**B-93 MIKHAIL ROZENBERG**

Mikhail Rozenberg 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 Data Processing Analyst 2, (S0138M).

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

**B-94 THOMAS SMITH**

Thomas Smith appeals his score on the examination for Battalion Fire Chief (PM3500L), Atlantic City.

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

**B-95 DANIEL SNYDER**

Daniel Snyder appeals his score on the examination for Battalion Fire Chief (PM3506L), Newark.

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



**B-96 JOSEPH SPERLI**

Joseph Sperli appeals his score on the examination for Battalion Fire Chief (PM3506L), Newark.

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

**B-97 CECEILIA TAYLOR**

Ceceilia Taylor appeals the decision of the Division of Selection Services which found that the appellant did not possess the necessary education and experience for Social Worker (C1829J), Burlington County and removed her name from the eligible list.

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

**B-98 TIMOTHY WAINWRIGHT, ET AL.**

Timothy Wainwright, Fire Captain (PM5064M), Margate; Robb Schaffer, Fire Captain (PM5066M), New Brunswick; Ramze Ramadan, Fire Captain (PM5067M), Passaic; and John Anderson, Daniel Collins, Frank Prezioso and Patrick Tanski, Fire Captain (PM5076M), Clifton appeal the correct responses to various questions on their respective promotional examinations.

**ACTION:** The Civil Service Commission directed that question 59 be doublekeyed to options b and d, and the remainder of the appeals be denied.

**B-99 WILLIAM WEIDELE**

William Weidele appeals his score on the examination for Battalion Fire Chief (PM3506L), Newark.

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

**B-100 LINDA WILKINS**

Linda Wilkins appeals the determination of the Division of Selection Services that she did not meet the experience requirement for the promotional examination for Supervisor of Checks, Reconciliation (PM0817M), City of Newark.

**ACTION:** The Civil Service Commission directed that this appeal be denied and the classification of the appellant's position be referred to the Division of State and Local Operation for further review.

**B-101 CIVIL SERVICE COMMISSION MINUTES**

Submitted for adoption are the Civil Service Commission minutes of its meeting of April 6, 2011.

**ACTION:** The Civil Service Commission adopted the minutes of its meeting of April 6, 2011.

**B-102 ALTERNATIVE WORKWEEK PROGRAM, DEPARTMENT OF LAW AND PUBLIC SAFETY**

Various employees of the Department of Law and Public Safety, represented by Gaye Palmer, Staff Representative, Communications Workers of America Local 1033, or Vikki Thurston, Executive Vice President, CWA Local 1037, appeal the termination of the Alternative Workweek Program.

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

**B-103 PAUL R. CASALE, JR.**

The Borough of North Arlington, on behalf of Paul R. Casale, Jr., requests that he be permitted to participate in the intergovernmental transfer program and to complete the remainder of his working test period as a Police Officer with North Arlington.

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

**B-104 MOISE FLANAGAN AND TRAVARA MORTON**

The City of Hackensack, on behalf of Moise Flanagan and Travara Morton, 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 Hackensack.

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

**B-105 ROBERT PALUBINSKAS**

The appeal of Robert Palubinskas, a Housing Inspector with the City of Asbury Park, of two removals, on charges, effective April 24, 2008 and May 19, 2008, was before Administrative Law Judge Ronald W. Reba, who rendered his initial decision on September 2, 2010, recommending acknowledgement of the settlement of the parties.

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

**B-106 ANDREW BAKER**

The appeal of Andrew Baker, a Truck Driver, Single Axle, with Greystone Park Psychiatric Hospital, Department of Human Services, of his 40-working day suspension, on charges, was heard by Administrative Law Judge Michael Antoniewicz, who rendered his initial decision on December 8, 2010. At its meeting on April 6, 2011, the Civil Service Commission adopted the ALJ's recommendation to uphold the 40 working day suspension. However, the Commission found it necessary to address the exceptions filed by the appellant. The proposed final decision is now submitted for the Commission's review.

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

**B-107 BERGEN COUNTY 2008 LAYOFFS**

The appeal of Frank D'Ercole, a former Executive Assistant, Donna O'Shea, a former Principal Clerk, Robert Kobylarz, a former Public Safety Telecommunicator, Patricia Montero, a former Clerk Typist, and Dina Kreis Mohl, a former Animal Control Officer with Bergen County, of their layoffs, effective August 30, 2008, were heard by Administrative Law Judge Walter M. Braswell, who rendered his initial decision on January 13, 2011. At its meeting on April 6, 2011, the Civil Service Commission adopted the ALJ's recommendation to uphold the layoffs and dismiss the appellants' appeals. However, the Commission found it necessary to address the exceptions and cross exceptions filed by the parties. The proposed final decision is now submitted for the Commission's review.

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

**B-108 SCOTT LABAN**

The appeal of Scott Laban, a Heavy Equipment Operator with Bergen County Department of Parks, of his removal, effective August 22, 2009, on charges, was heard by Administrative Law Judge Ellen S. Bass, who rendered her initial decision on November 29, 2010. At its meeting on April 6, 2011, the Civil Service Commission did not adopt the ALJ's recommendation to modify the removal to a 45-day 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.

**B-109 MICHAEL PRINS**

The appeal of Michael Prins, a County Correction Sergeant with Hudson County, of his removal effective April 16, 2010, on charges, was heard by Administrative Law Judge Barry E. Moscowitz, who rendered his initial decision on January 6, 2011. At its meeting on April 6, 2011, the Civil Service Commission adopted the ALJ's recommendation to reverse the removal. However, the Commission found it necessary to address the exceptions filed by the appointing authority. The proposed decision is now submitted for the Commission's review.

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

**B-110 ROBERT J. REID AND JARROD M. CAREY**

The appeals of Robert J. Reid and Jarrod M. Carey, Police Officers with the City of Camden, Police Department, of their removals effective July 7, 2010, on charges, was heard by Administrative Law Judge Joseph F. Martone, who rendered his initial decision on January 14, 2011. At its meeting on April 6, 2011, the Civil Service Commission adopted the ALJ's recommendation to modify the removals to resignations in good standing. However, the Commission found it necessary to address the exceptions filed by the appellants. The proposed final decision is now submitted for the Commission's review.

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

**There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, May 4, 2011, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.**

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