



STATE OF NEW JERSEY  
CIVIL SERVICE COMMISSION

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

Robert M. Czech  
*Chair/Chief Executive Officer*

**MINUTES OF REGULAR MEETING OF  
THE CIVIL SERVICE COMMISSION  
MAY 1, 2013**

**Robert M. Czech, Chairperson  
Robert E. Brenner  
Thomas J. Perna**

**MAY 1, 2013**

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**A regular meeting of the Civil Service Commission was held on Wednesday, May 1, 2013, in Trenton, New Jersey.**

**PRESENT: Robert M. Czech, Chairperson, Members Robert E. Brenner and Thomas J. Perna; Pamela Ullman, Deputy Attorney General; Henry Maurer, Director, Division of Appeals and Regulatory Affairs.**

**In accordance with L.1975, c.231, the Secretary to the Civil Service Commission 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 30, 2012, and posted at the Civil Service Commission, 3 Station Plaza, Trenton, New Jersey.**

**All actions were by unanimous vote unless otherwise specified.**

**WITHDRAWAL OF APPEALS**

**The following appeals were withdrawn and removed from the hearing calendar:**

Wonwhe Baker, Institutional Trade Instructor 2 Cooking, New Jersey State Prison, Department of Corrections, removal.

Joseph Bass, Senior Correction Officer, New Jersey State Prison, Department of Corrections, removal.

Jeaneen Bishop, Police Aide, City of Irvington, Police Department, suspension.

Ruddy Castillo, Laborer 1, City of Union City, Department of Public Works, removal.

Matthew Chrzanowski, Water Repairer1/Water Treatment Plant Operator, Mt. Laurel Utilities Authority, removal.

Elizabeth Crespo, Police Officer, City of Passaic, Police Department, layoff.

Omar Diaz, Police Officer, City of Newark, Police Department, suspension.

Priscilla Garcia, Parole Officer Recruit, New Jersey State Parole Board, removal

Jennifer Hiltner, County Correction Officer, Camden County, Correctional Facility, removal.

Michael Mercogliana, Sheriff's Officer, Cumberland County, Sheriff's Department, suspension.

Ann Osterman, Keyboarding Clerk 1, Middlesex County, Prosecutor's Office, suspension.

Kevin Rios, Residential Living Specialist, Greystone Park Psychiatric Hospital, Department, removal.

Norma Roman, Teacher's Aide, Newark School District, layoff.

Marvin Smith, Police Officer, City of Camden, Police Department, suspension.

Marvin Smith, Police Officer, City of Camden, Police Department, suspension.

Marvin Smith, Police Officer, City of Camden, Police Department, suspension.

Marvin Smith, Police Officer, City of Camden, Police Department, removal.

Albert Tarbotton, Recreation Program Coordinator, Department of Recreation, removal.

Jonathan Treacy, School Bus Driver, Township of Brick, Board of Education, removal.

Esther Tyndal, Clerk 1, City of East Orange, Department of Property Taxation, removal.

**ACTION:** The Civil Service Commission noted the withdrawal of appeals without prejudice.

**SECTION A – HEARING MATTERS**

**A-1 SETTLEMENTS**

In the Matter of Jacqueline Arguello  
Hunterdon Developmental Center  
Department of Human Services  
Removal

In the Matter of Carmen Colon  
Borough of Lawnside  
Police Department  
Suspension

In the Matter of Nicole Espinosa  
Passaic County  
Board of Social Services  
Removal

In the Matter of Darryl Gatewood  
Greystone Park Psychiatric Hospital  
Department of Human Services  
Suspension

In the Matter of Jill Jarrett  
Monmouth County  
Department of Police Radio  
Suspension

**VOTE:**      **Robert M. Czech**            **(Abstained)**  
                 **Robert E. Brenner**           **(Yes)**  
                 **Thomas J. Perna**            **(Yes)**

In the Matter of Joequan Jenkins  
City of Newark  
Police Department  
Removal

In the Matter of Nacisha Only  
Department of Children and Families  
Removal

In the Matter of Lorraine Ramsammy  
Union County  
Runnells Hospital  
Removal

In the Matter of Dawn Wilson  
Jersey City School District  
Suspension

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

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

**A-2 CHRISTOPHER BURLAP**

Christopher Burlap, County Correction Officer, Camden County, Department of Corrections, 45 working day suspension on charges of insubordination, conduct unbecoming a public employee, neglect of duty and other sufficient cause.

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

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

**A-3 KEISHA MCGEE**

Keisha McGee, Senior Correction Officer, Northern State Prison, Department of Corrections, 30 working day suspension on charges of insubordination, conduct unbecoming a public employee, other sufficient cause and violation of a rule, regulation, policy, procedure, order, or administrative decision.

Recommendation of the Administrative Law Judge – Uphold the 30 working day suspension.

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

**A-4 BRETT SCHMIDT**

Brett Schmidt, Senior Correction Officer, Bayside State Prison, Department of Corrections, 120 working day suspension on charges of incompetency or failure to perform duties, other sufficient cause and violation of a rule, regulation, policy, procedure, order, or administrative decision.

Recommendation of the Administrative Law Judge – Modify the 120 working day suspension to a 30 working day suspension.

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

**A-5 HAROLD HOWELL**

Harold Howell, Cottage Training Technician, Woodbine Developmental Center, Department of Human Services, removal effective March 31, 2010, on charges of conduct unbecoming a public employee, other sufficient cause and conviction of a criminal offense.

Recommendation of the Administrative Law Judge – Grant motion to dismiss appellant's appeal as moot because appellant's job was forfeited.

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

**SECTION B – MISCELLANEOUS MATTERS**

**B-1 STEVEN PONTICELLI**

Steven Ponticelli, a Senior Correction Officer, Juvenile Justice, with the Juvenile Justice Commission, represented by Donald B. Barbati, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

**B-2 SHARON DELVALLE**

Sharon DelValle, an Investigator, County Welfare Agency, with the Department of Human Services, Union County, represented by Clayton Giles, Esq., appeals the determination of her layoff rights by the former Division of State and Local Operations.

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

**B-3 DAVID BERKLEY**

David Berkley, a former Claims Adjudicator, Disability Determinations, with the Department of Labor and Workforce Development, appeals the adjustment of his leave allowances due to his resignation.

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

**B-4 KYLE CAMARAZA**

Kyle Camaraza appeals the determination by the Division of Classification and Personnel Management which found that the appointing authority had presented a sufficient basis to remove his name from the Correction Officer Recruit (S9987M), Department of Corrections, eligible list due to an unsatisfactory driving record.

**ACTION:** The Civil Service Commission directed that this appeal be granted, but the appellant's name be recorded as bypassed for appointment.

**B-5 MICHAEL C. JAKUB, JR.**

Michael C. Jakub, Jr., appeals the decision of the Division of Classification and Personnel Management, which upheld the removal of his name from the Correction Officer Recruit (S9987M), Department of Corrections, eligible list due to his unsatisfactory criminal record.

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

**B-6 SHAUN MCNEIL**

Shaun McNeil, represented by Daniel M. Kurkowski, Esq., appeals the decision of the former Division of State and Local Operations, which found that the appointing authority had presented a sufficient basis to remove his name from the eligible list for Correction Officer Recruit (S9987M), Department of Corrections, on the basis of having an unsatisfactory criminal record and falsification of his employment application.

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

**B-7 THOMAS MOORE IV**

Thomas Moore IV appeals the decision of the former Division of State and Local Operations, which found that the appointing authority had presented a sufficient basis to remove his name from the eligible list for Correction Officer Recruit (S9987M), Department of Corrections, due to an unsatisfactory driving record.

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

**B-8 EDWARD MULLER**

Edward Muller appeals the determination of the Division of Selection Services and Recruitment that denied his admittance to the promotional examination for Fire Captain (PM0178R), New Brunswick, due to non-receipt of an application.

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

**B-9 WILFREDO RUIZ**

Wilfredo Ruiz, represented by Diego F. Navas, Esq., appeals the request of the appointing authority to remove his name from the eligible list for Fire Fighter (M2561M), City of Paterson, on the basis of his age.

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

**B-10 ATIYA WHITTEN**

Atiya Whitten appeals the decision of the former Division of State and Local Operations, which found that the appointing authority had presented a sufficient basis to remove her name from the eligible list for Correction Officer Recruit (S9999K), Department of Corrections, because she did not complete pre-employment processing.

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

**B-11 JEFFREY CLARK**

Jeffrey Clark, a Head Procurement Clerk with the Motor Vehicle Commission, appeals the determination of the Equal Employment Opportunity Officer, stating that the appellant failed to present sufficient evidence to support a finding that he had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

**B-12 FRITZ G. FRAGE**

Fritz G. Frage, a Sergeant First Class (112 Day Pay Status) with the Division of State Police, appeals the decisions of the Chief of Staff, which found that the appellant failed 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 these appeals be denied.

**B-13 SIMAR DHILLON**

Simar Dhillon appeals the determination of the Division of Classification and Personnel Management that her position with the Office of Information Technology is properly classified as a Software Development Specialist 2. The appellant seeks a Software Development Specialist 3 job classification.

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

**B-14 MARY ANN DONNELLY**

Mary Ann Donnelly appeals the decision of the Division of Classification and Personnel Management which found that her position with the Department of Agriculture is properly classified as Technical Assistant, Agriculture. The appellant seeks a Customer Service Representative 1 job classification.

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

**B-15 JOHN FREISE**

John Freise appeals the decision of the Division of Classification and Personnel Management that his position with the Department of the Treasury is properly classified as Network Administrator 1. The appellant seeks a Network Administrator 2 job classification.

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

**B-16 MARIA RICCI**

Maria Ricci appeals the determination of the former Division of State and Local Operations that her position with the Office of Information Technology is properly classified as a Data Processing Input/Output Control Specialist 2. The appellant seeks a Data Processing Input/Output Control Specialist 1 job classification.

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

**B-17 WENDY SZELINGOWSKI**

Wendy Szelingowski appeals the decision of the former Division of State and Local Operations that her position with the Department of Law and Public Safety is properly classified as Senior Clerk Typist. The appellant seeks a Principal Clerk Typist job classification.

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

**B-18 TINA TOAL WOLFORD**

Tina Toal Wolford appeals the determination of the Division of Selection Services and Recruitment denying her request for a make-up examination for the promotional examination for Senior Unemployment Insurance Clerk (PS8071N), Department of Labor and Workforce Development.

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

**B-19 SHAMUS ELLIS**

The Borough of Brooklawn requests that Shamus Ellis receive a retroactive date of appointment.

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

**B-20 MICHAEL RATCLIFFE**

Lawrence Township requests that Michael Ratcliffe be provided a retroactive appointment, effective January 2, 2013.

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

**B-21 JOSEPH ROBERTAZZI**

Berkeley Township, represented by Thomas G. Gannon, Esq., petitions for revival of the Police Sergeant (PM2571J), Berkeley Township, eligible list, in order to effectuate the terms of a settlement agreement between it and Joseph Robertazzi.

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

**B-22 ANTHONY WOODS**

The College of New Jersey requests that Anthony Woods be added to the current eligible list for Plumber and Steamfitter.

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

**B-23 ADMINISTRATIVE ANALYST (SPECIAL) AND (M0191M), NEWARK**

Newark requests permission not to make an appointment from the April 4, 2011 certification of the Administrative Analyst (Special) and (M0191M) eligible lists.

**ACTION:** The Civil Service Commission directed that this request be granted and assessed partial selection costs in the amount of \$1,024.

**B-24 POLICE OFFICER (SPECIAL), NEWARK**

The Division of Classification and Personnel Management requests that the Civil Service Commission order Newark to return the May 21, 2012 certification of the eligible list for Police Officer (Special) for proper disposition.

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

**B-25 ROBERT ZORN**

Robert Zorn, a former Youth Worker with the Youth Detention Center, Mercer County, represented by Susan J. Cameron, Esq., seeks reconsideration of the decision rendered on February 24, 2011 by Administrative Law Judge Susan M. Scarola, reversing his removal, ordering his reinstatement to the Juvenile Justice Commission Training Academy, and imposing a 60 day suspension. The appellant seeks back pay, benefits and seniority pursuant to *N.J.A.C. 4A:2-2.10* and counsel fees pursuant to *N.J.A.C. 4A:2-2.12*.

**ACTION:** The Civil Service Commission directed that this request for reconsideration be granted, but the prior decision be affirmed.

**B-26 PATRICIA ANDERSON AND ROBERT MCNEIL**

Patricia Anderson and Robert McNeil appeal the validity of the promotional examination for Assistant Buyer (PS6414T), Department of Transportation.

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

**B-27 VELMA L. BOURNE**

Velma L. Bourne, represented by Christopher Young, Staff Representative, CWA Local 1040, appeals the determination of the Division of Selection Services and Recruitment which found that she was below the minimum requirements in education for the promotional examination for Program Coordinator, Mental Health (PS9830K), Greystone Park Psychiatric Hospital, Department of Human Services.

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

**B-28 KENNETH BULGER**

Kenneth Bulger appeals his score for the oral portion of the promotional examination for Fire Captain (PM5229N), Kearny.

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

**B-29 ROBERT BUZZETTA**

Robert Buzzetta appeals his score for the oral portion of the promotional examination for Fire Captain (PM5243N), Trenton.

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

**B-30 DAMIAN CACERES**

Damian Caceres appeals his score for the oral portion of the promotional examination for Fire Captain (PM5229N), Kearny.

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

**B-31 DAVID HOLLYWOOD**

David Hollywood appeals his score for the oral portion of the promotional examination for Fire Lieutenant (PM5191N), Nutley.

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

**B-32 ANTHONY RINALDI**

Anthony Rinaldi appeals his score for the oral portion of the promotional examination for Fire Captain (PM5212N), Bordentown Township.

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

**B-33 JUAN RIVERA III**

Juan Rivera III appeals his score for the oral portion of the promotional examination for Fire Captain (PM5243N), Trenton.

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

**B-34 MICHAEL SMITH**

Michael Smith appeals his score for the oral portion of the promotional examination for Fire Captain (PM5209N), Bayonne.

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

**B-35 RICHARD SMITH**

Richard Smith appeals his score for the oral portion of the promotional examination for Fire Captain (PM5246N), West Orange.

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

**B-36 WILLIAM URBANSKI**

William Urbanski appeals his score for the oral portion of the promotional examination for Fire Captain (PM5209N), Bayonne.

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

**B-37 CIVIL SERVICE COMMISSION MINUTES**

Submitted for adoption are the Civil Service Commission minutes of its meeting of April 17, 2013.

**ACTION:** The Civil Service Commission adopted the minutes of its meeting of April 17, 2013.

**B-38 BENJAMIN ORTEGA**

Benjamin Ortega, represented by Patrick P. Toscano, Esq., appeals his removal from the promotional list for Police Sergeant (PM2714L) by the North Bergen Police Department on the basis of psychological unfitness to perform effectively the duties of the position.

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

**VOTE:**     **Robert M. Czech**             **(Abstained)**  
              **Robert E. Brenner**       **(Yes)**  
              **Thomas J. Perna**         **(Yes)**

**B-39 WILLIAM J. GIEGERICH**

William J. Giegerich appeals the determination of the Division of Selection Services and Recruitment which found that he did not meet the requirements for the promotional examination for Economic Development Representative 2 (PS2551S), Department of State.

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

**B-40 JAMES MARNELL**

James Marnell, a Police Sergeant with the Hoboken Police Department, represented by Catherine M. Elston, Esq., appeals the bypass of his name on the promotional list for Police Lieutenant (PM2629L).

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

**B-41 HELMUT KRAUTH**

Helmut Krauth appeals his score for the oral portion of the promotional examination for Fire Lieutenant (PM5200N), Union Township.

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

**B-42 RAYMOND REILLY**

Raymond Reilly appeals his score for the oral portion of the promotional examination for Fire Lieutenant (PM5200N), Union Township.

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

**B-43 JODY WEINER**

Jody Weiner appeals his score for the oral portion of the promotional examination for Fire Lieutenant (PM5202N), Vineland.

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

**B-44 CHANGE IN CLASSIFICATION PLAN – TITLE INACTIVATION**

The Division of Classification and Personnel Management requests the inactivation of the Geographic Information Systems Specialist Trainee and Operating Engineer Trainee titles.



**MEMORANDUM**

DATE: April 10, 2013  
TO: Civil Service Commission  
FROM: Kenneth Connolly, Director  
Division of Classification and Personnel Management  
SUBJECT: Change in the Classification Plan

A handwritten signature in black ink, appearing to read "Kenneth Connolly", written over the printed name in the "FROM" field.

**STATE GOVERNMENT TITLES**

The Division of Classification and Personnel Management requests the inactivation of two (2) trainee titles, one common and the other state.

The primary titles have been reallocated to the non-competitive division, and as such, we do not anticipate their future use by the Appointing Authorities.

We have notified union representatives of our plans to inactivate, and provided them with the opportunity to review and comment.

The effective date of these title inactivations will be the first pay period that follows the Commission's approval of the action.

**TITLE INACTIVATIONS**

Geographic Information Systems Specialist Trainee  
P95-03174 Common NC NL12

Operating Engineer Trainee  
C99-40420 State NC NL12

KC/JT/BP/LR

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

**B-45 CHANGE IN CLASSIFICATION PLAN – COMMON TITLE**

The Division of Classification and Personnel Management requests that the State title Crew Supervisor Building Maintenance Workers be made common.

**MEMORANDUM**

DATE: April 23, 2013  
 TO: Civil Service Commission  
 FROM: Kenneth Connolly, Director  
 Division of Classification and Personnel Management  
 SUBJECT: Change in the Classification Plan

**COMMON TITLE**

Middlesex County has requested the use of the non-competitive title, Crew Supervisor, Building Maintenance Workers, to classify a position the agency plans to fill.

A review of the duties information provided reveals it is an appropriate title. Granting this request will provide local Appointing Authorities the same benefit of the use of a non-competitive title as is currently afforded to State government.

The appropriate negotiations representatives impacting State government employees were notified of our intentions, April 16, 2013.

This action will become effective the first pay period following approval by the Civil Service Commission.

**ESTABLISHMENT OF COMMON TITLE:**

|   |  |
|---|--|
| <b><u>FROM:</u></b>   | <b><u>TO:</u></b>  |
| Crew Supervisor Building Maintenance Workers<br>R10-44135 NC <u>State/General</u> 40/12 | Crew Supervisor Building Maintenance Workers<br>44135 NC <u>Common</u> |

KC/JT/BP/KP

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

**B-46 FAMILY SERVICE SPECIALIST 1 (PS3070K) (PS3417K)  
(PS3420K) AND FAMILY SERVICE SPECIALIST 1 (BILINGUAL  
IN SPANISH AND ENGLISH) (PS3416K)**

Various applicants appeal the determinations of the Division of Selection Services and Recruitment which found that they were not eligible for the promotional examinations for Family Service Specialist 1 (PS3070K), (PS3417K), (PS3420K) and Family Service Specialist 1 (Bilingual in Spanish and English) (PS3416K) because they were not employed in the announced unit scopes.

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

**There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, May 15, 2013, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.**

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