



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 2, 2012**

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

**May 2, 2012**

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**A regular meeting of the Civil Service Commission was held on Wednesday, May 2, 2012, in Trenton, New Jersey.**

**PRESENT: Robert M. Czech, Chairperson, Members Robert E. Brenner, Thomas J. Perna 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, 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 28, 2011, 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 SETTLEMENTS**

In the Matter of Buster Bennett  
Department of Children and Families  
Removal

In the Matter of Stephen D’Arcangelis  
New Jersey State Prison  
Department of Corrections  
Removal

In the Matter of Daniel Diaz  
City of Camden  
Police Department  
Suspension

In the Matter of Tina Dickey  
Camden County  
Department of Health Services  
Removal

In the Matter of Mike Gbeyi  
New Lisbon Developmental Center  
Department of Human Services  
Release at the end of the working test period

In the Matter of Michella Gerald  
Hunterdon Developmental Center  
Department of Human Services  
Removal

In the Matter of David Hoffman  
Ancora Psychiatric Hospital  
Department of Human Services  
Suspension

In the Matter of Rahmaun Horton  
City of Newark  
Police Department  
Suspension

In the Matter of Robby Jackson  
North Jersey Developmental Center  
Department of Human Services  
Suspension

In the Matter of Jean Joseph  
Hunterdon Developmental Center  
Department of Human Services  
Resignation not in good standing

In the Matter of Clifford Lawrence  
Montclair State University  
Suspension

In the Matter of Timmita McQuire  
Adult Diagnostic and Treatment Center  
Department of Corrections  
Suspension

In the Matter of Charles Miller  
North Jersey Developmental Center  
Department of Human Services  
Removal

In the Matter of Irving Rodgers  
Juvenile Justice Commission  
Department of Law and Public Safety  
Suspension

In the Matter of Carol Sasso  
Ocean County  
Sheriff's Department  
Removal

In the Matter of Sonia Schogel  
Marlboro Township  
Department of Public Safety  
Suspension, Demotion and Removal

In the Matter of Adam Smith  
Pennsauken Township  
Golf Course  
Removal

In the Matter of Steven Soto  
Ancora Psychiatric Hospital  
Department of Human Services  
Removal

In the Matter of Megan Streaker  
Woodbine Developmental Center  
Department of Human Services  
Suspension

In the Matter of Joseph Westerburg  
Hunterdon Developmental Center  
Department of Human Services  
Removal

In the Matter of Rosalyn Williams  
City of Linden  
Municipal Court  
Removal

In the Matter of Thom L. Wooten  
Department of Labor and Workforce Development  
Release at the end of the working test period

In the Matter of Wallace Wynn  
Department of Health and Senior Services  
Resignation not in good standing

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

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

**A-2 LISA ALSTON (REMAND)**

Lisa Alston, Clerk Stenographer, City of Paterson, Clerk's Department, 10-day suspension on charges of incompetency, inefficiency or failure to perform duties, insubordination, conduct unbecoming a public employee, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Dismiss the appeal with prejudice.

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

**A-3 JEFFREY EATON (REMAND)**

Jeffrey Eaton, Senior Correction Officer, Albert C. Wagner Youth Correctional Facility, Department of Corrections, 120 working day suspension on charges of neglect of duty, other sufficient cause and violation of a rule, regulation, policy, procedure, order, or administrative decision.

Recommendation of the Administrative Law Judge – Reverse the 120 working day suspension.

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

**A-4 ANTHONY IEMELLO**

Anthony Iemello, Police Officer, City of Newark, Police Department, eight-day suspension on charges of violation of Police Department rules and regulations regarding neglect of duty and disobedience of orders.

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

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

**A-5 MONICA MILLER**

Monica Miller, Correction Sergeant, Northern State Prison, Department of Corrections, 15 working day suspension, on charges of conduct unbecoming a public employee, other sufficient cause, failure or excessive delay in carrying out an order which would not result in damage to persons or property and insubordination.

Recommendation of the Administrative Law Judge – Uphold the 15 working day suspension.

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

**A-6 STEVEN MILLER**

Steven Miller, Senior Correction Officer, New Jersey State Prison, Department of Corrections, 30 working day suspension on charges of 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-7 LAUREN SCHWARTZ (CONSOLIDATION)**

Lauren Schwartz, Human Services Specialist 2, Bergen County Board of Social Services, 25-day suspension on charges of insubordination and removal effective May 27, 2009, on charges of failure to perform duties, insubordination, conduct unbecoming a public employee, neglect of duty and other sufficient cause.

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

**ACTION:** The Civil Service Commission affirmed the recommendation of the Administrative Law Judge and dismissed the appeal of the 25-day suspension as moot.

**A-8 ALEX SINIAVSKY**

Alex Siniavsky, Institutional Trade Instructor 1, Welding, South Woods State Prison, Department of Corrections, 15 working day suspension on charges of insubordination, conduct unbecoming a public employee, other sufficient cause and threatening, intimidating, harassing, coercing, or interfering with fellow employees on State property.

Recommendation of the Administrative Law Judge – Reverse the 15 working day suspension.

**ACTION:** The Civil Service Commission modified the recommendation of the Administrative Law Judge and imposed a 5 working day suspension.

**A-9 DURWIN SMALLS**

Durwin Smalls, Senior Correction Officer, East Jersey State Prison, Department of Corrections, 30 working day suspension on the charge of insubordination.

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

**ACTION:** The Civil Service Commission rejected the recommendation of the Administrative Law Judge and dismissed the appeal as moot.

**A-10 CLAUDETTE DYE-WRIGHT**

Claudette Dye-Wright, Senior Juvenile Detention Officer, Union County, Department of Human Services, 60 working day suspension and demotion to the position of Juvenile Detention Officer on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the 60 working day suspension and uphold the demotion to the position of Juvenile Detention Officer.

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



**A-11 CORNEL MENDS-COLE (CONSOLIDATION)**

Cornel Mends-Cole, Senior Probation Officer, Superior Court of New Jersey-Essex Vicinage, 1) 25 working day suspension on charges of failure to perform duties, insubordination, conduct unbecoming a public employee, neglect of duty, and other sufficient cause and 2) 50 working day suspension and removal effective March 15, 2011, on charges of insubordination, conduct unbecoming a public employee, other sufficient cause, and unauthorized leave.

Recommendation of the Administrative Law Judge – Uphold the 25 working day suspension, 50 working day suspension and removal.

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

**A-12 DANIEL EVERETT**

Daniel Everett, County Correction Officer, Burlington County, County Jail, resignation in good standing effective February 23, 2011, on charges of chronic or excessive absenteeism or lateness.

Recommendation of the Administrative Law Judge – Uphold the resignation in good standing.

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

**A-13 EDWARD MARI**

Edward Mari, Senior Police Officer Human Services, Department of Human Services, three removals effective June 8, 2007 on charges of conduct unbecoming a public employee, threatening, intimidating, coercing or interfering with fellow employees on State grounds, inappropriate physical contact or mistreatment of a patient, client, resident or employee and violation of Department policies regarding intentional abuse or misuse of authority or position and neglect of duty which would not result in causing a danger to persons or property, unwelcome sexual advances, gross sexual imposition, violation of State policy prohibiting discrimination, harassment or hostile environments in the workplace, and inability to perform duties.

Recommendation of the Administrative Law Judge – Uphold the removals.

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

**A-14 JENNIFER NIKIPER**

Jennifer Nikiper, Public Safety Telecommunicator, Township of Mount Laurel, Police Department, removal effective April 13, 2011, on charges of failure to perform duties, conduct unbecoming a public employee, neglect of duty, violation of Township rules and regulations and failure to take appropriate action to perform the duties promptly, faithfully and diligently.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

**A-15 LARRY ROBINSON**

Larry Robinson, Custodial Worker, Jersey City School District, removal, effective April 11, 2011, on charges of conduct unbecoming a public employee and neglect of duties.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

**A-16 MARCOS KELLY (SETTLEMENT)**

Marcos Kelly, Police Officer, City of Jersey City, Police Department, removal, effective September 8, 2011, on charges of violation of Department rules regarding criminal acts, neglect of duty and conduct unbecoming a public employee. Settled to a general resignation.

Recommendation of the Administrative Law Judge – Acknowledge the settlement.

**ACTION:** The Civil Service Commission rejected the recommendation of the Administrative Law Judge and ordered the recording of the appellant’s forfeiture of employment.

**A-17 MONMOUTH COUNTY LAYOFFS AND PBA LOCALS 314 AND 240**

Various good faith layoff appeals were filed by and on behalf of employees from Monmouth County with the Civil Service Commission in April and May 2009.

Recommendation of the Administrative Law Judge – Dismiss the appellants’ appeals and uphold the layoffs.

**ACTION:** The Civil Service Commission affirmed the recommendation of the Administrative Law Judge and adopted the final decision.

**VOTE:**

<b>Robert M. Czech</b>	<b>(Abstained)</b>
<b>Robert E. Brenner</b>	<b>(Yes)</b>
<b>Thomas J. Perna</b>	<b>(Yes)</b>
<b>Richard E. Williams</b>	<b>(Yes)</b>

**A-18 SETTLEMENTS**

In the Matter of Charles Robinson  
Hudson County Department of Engineering and Planning  
Suspensions (2) and Removal

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

**SECTION B – MISCELLANEOUS MATTERS****B-1 JENNIFER CROSSMAN**

Jennifer Crossman, a former Family Service Specialist 2 with the Department of Children and Families, represented by Bob Regan, Staff Representative, Communications Workers of America, Local 1037, requests that the Civil Service Commission review her request for interim relief regarding her disciplinary hearing.

**ACTION:** The Civil Service Commission directed that this request for interim relief be dismissed.

**B-2 MARY TOMSIA**

Mary Tomsia, a former Family Service Specialist 2 with the Department of Children and Families, represented by M. Catherine Danatos, Staff Representative, Communications Workers of America, Local 1037, requests that the Civil Service Commission review her request for interim relief regarding her disciplinary hearing.

**ACTION:** The Civil Service Commission directed that this request for interim relief be dismissed.

**B-3 LATHELIA ANGLIN, ET AL.**

Lathelia Anglin, Valvonda Brickhouse, Brenda Harrison-Moore, Marlon Jordan, Kevin Ladd, Stanley Moses, and Gary Pitts, Youth Worker Supervisors, and Monica Collins and William Hobbs, Senior Youth Workers, with the Ewing Residential Treatment Center (Ewing) and Vineland Residential Treatment Center (Vineland), Department of Children and Families, appeal the determinations of their layoff rights by the Division of State and Local Operations.

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

**B-4 MONICA HUGHES**

Monica Hughes, a former Keyboarding Clerk 1 with Camden County, appeals the determination of her layoff rights.

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

**B-5 THOMAS CINQUE**

Thomas Cinque, a former Police Officer with the City of Newark, represented by Timothy R. Smith, Esq., requests counsel fees regarding his removal, which was modified to an accidental disability retirement, effective May 1, 2008.

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

**B-6 SUSAN KANE**

Susan Kane, Chief of Operations, Treasury, with the Department of the Treasury, appeals her receipt of a 4.25% salary increase pursuant to the fiscal Year 2008 Management Salary Program.

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

**B-7 CYNTHIA COWAN, ET AL.**

The City of Jersey City requests relaxation of *N.J.A.C.* 4A:4-7.1A(c) so as to permit the intergovernmental transfers of Cynthia Cowan, Joseph Dwyer, George Egan, Jeffrey Kochanski, Kevin Lowry, Ryan Macaluso, and Anthony Roman from the title of Sheriff's Officer, Hudson County Sheriff's Office, to the title of Police Officer, Jersey City. Jersey City also requests relaxation of *N.J.A.C.* 4A:4-7.1A(c) so as to permit the intergovernmental transfer of Patrick Egan from the title of Sheriff's Officer, Middlesex County Sheriff's Office, to the title of Police Officer, Jersey City.

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

**B-8 YOUNG SOOK PARK**

The appointing authority requests that the provisions of *N.J.A.C.* 4A:6-3.4(a), which govern the time period in which employees must file an application for Supplemental Compensation on Retirement (SCOR), be relaxed to permit Young Sook Park, a former Physician Specialist 1 at Trenton Psychiatric Hospital, Department of Human Services, to submit a late application for SCOR benefits.

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

**B-9 EROS SIANO**

The appointing authority requests that the provisions of *N.J.A.C. 4A:6-3.4(a)*, which govern the time period in which employees must file an application for Supplemental Compensation on Retirement (SCOR), be relaxed to permit Eros Siano, a former Substance Abuse Counselor 1 at Trenton Psychiatric Hospital, Department of Human Services, to submit a late application for SCOR benefits.

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

**B-10 GEORGE EVANS**

George Evans, represented by Gail Oxfeld Kanef, Esq., appeals his return to his permanent title of Laborer 1 and the decision of the Division of State and Local Operations, denying the Newark School District's request to grant him a permanent appointment as a Glazier.

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

**B-11 DEBBIE MARVEL**

Essex County, on behalf of Debbie Marvel, requests a retroactive permanent appointment date as an Administrative Secretary.

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

**B-12 NANCY M. BIDDLE**

Nancy M. Biddle appeals the removal of her name from the Clerk Typist 1, Evidence Handling (S2386N), Statewide, employment list due to the appellant's failure to respond to the Certification Notice.

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

**B-13 LYNEDRA STINSON**

Lynedra Stinson, a Senior Correction Officer with New Jersey State Prison, Department of Corrections, appeals the determination of the Director of the Equal Employment Division, which found that the appellant failed to support a finding that she 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-14 CAROLYN BARBEE**

Carolyn Barbee appeals the determination of the Division of State and Local Operations that her position with the Department of Health and Senior Services is properly classified as Laboratory Service Worker 1. The appellant seeks a Laboratory Service Worker 2 classification.

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

**B-15 DENISE BRONSON**

Denise Bronson appeals the decision of the Division of State and Local Operations which found that her position with the Department of Environmental Protection is properly classified as Principal Clerk Typist. The appellant seeks a Secretarial Assistant 3, Non-Stenographic classification.

**ACTION:** The Civil Service Commission directed that this appeal be denied and the proper classification of Mary Simpson's position be referred to the Division of State and Local Operations for a classification review.

**B-16 STEVEN DRESSLER**

Steven Dressler appeals the decision of the Division of State and Local Operations which found that his position with the Department of the Treasury is correctly classified as Technical Assistant 2, Treasury. The appellant seeks an Investigator 3, Administrative Analyst 4 or Senior Claims Investigator classification.

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

**B-17 JOHN LANDIS**

John Landis appeals the decision of the Division of State and Local Operations which found that his position with the Department of the Treasury is properly classified as Pensions Benefits Specialist 3. The appellant seeks a Pensions Benefits Specialist 2 job classification.

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

**B-18 PATRICIA MARK**

Patricia Mark appeals the decision of the Division of State and Local Operations which found that her position with the Department of the Treasury is correctly classified as Technical Assistant 2, Treasury. The appellant seeks a Senior Management Assistant or Management Assistant classification.

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

**B-19 MICHAEL SANDHORST AND BRIAN THORNTON**

Michael Sandhorst and Brian Thornton, represented by Kevin P. McGovern, Esq., appeal the decisions of the Division of State and Local Operations that their positions with Rahway are properly classified as Fire Fighters. The appellants seek Fire Captain classifications.

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

**B-20 DIANE SCOTT**

Diane Scott appeals the decision of the Division of State and Local Operations that the proper classification of her position with the Department of Law and Public Safety is Secretarial Assistant 3 (Non-Stenographic). The appellant seeks an Administrative Analyst 3 classification.

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



**B-21 ADMINISTRATIVE ANALYST 1, DATA PROCESSING (S2095N), STATEWIDE**

The Department of Human Services, Hunterdon Developmental Center requests permission not to make an appointment from the December 2, 2011 certification for Administrative Analyst 1, Data Processing (S2095N), Statewide.

**ACTION:** The Civil Service Commission granted an appointment waiver and assessed no selection costs.

**B-22 ASSISTANT SUPERVISOR, WATER METER REPAIRER (PM1886K), EAST ORANGE WATER DEPARTMENT**

The Division of State and Local Operations seeks enforcement of the Civil Service Commission decision rendered on June 23, 2010, which ordered the East Orange Water Department to properly dispose of the March 23, 2009 certification (PL090490) of the eligible list for Assistant Supervisor, Water Meter Repairer (PM1886K) within 20 days of the issuance of the decision.

**ACTION:** The Civil Service Commission granted this request and assessed a fine in the amount of \$10,000.

**B-23 CARPENTER (C0033K), MERCER COUNTY**

In *In the Matter of Carpenter (C0033K), Mercer County* (CSC, decided June 24, 2009), the Civil Service Commission granted the appointing authority's request for an appointment waiver from the October 22, 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-24 HUMAN SERVICES SPECIALIST 1 (PC0021P), PASSAIC COUNTY BOARD OF SOCIAL SERVICES**

The Director, Division of State and Local Operations, on behalf of the Passaic County Board of Social Services, requests relaxation of *N.J.A.C. 4A:4-2.4(a)3* in order to allow employees in the non-competitive titles of Keyboarding Clerk 1 and Messenger to be admitted to the promotional examination for Human Services Specialist 1 (PC0021P), Passaic County Board of Social Services.

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

**B-25 PARALEGAL SPECIALIST (C2043N), UNION COUNTY**

Union County requests permission not to make an appointment from the September 15, 2011 certification for Paralegal Specialist (C2043N).

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

**B-26 SECRETARIAL ASSISTANT 1 (S1333L), STATEWIDE**

The Office of the Public Defender requests permission not to make an appointment from the March 30, 2011 certification for Secretarial Assistant 1 (S1333L), Statewide.

**ACTION:** The Civil Service Commission granted an appointment waiver and assessed no selection costs.

**B-27 LAURIE FANNING**

Laurie Fanning requests reconsideration of the final administrative determination *In the Matter of Laurie Fanning, Department of Treasury* (CSC, decided February 8, 2012) which determined that her position is properly classified as Pensions Benefits Specialist 2. The appellant seeks a Pensions Benefits Specialist 1 job classification.

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

**B-28 THOMAS SWEENEY**

Thomas Sweeney, a former Laborer with the City of Hoboken, represented by Catherine M. Elston, Esq., requests reconsideration of the decision, rendered on January 11, 2012, in which the Civil Service Commission denied his request for a hearing with respect to his removal.

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

**B-29 TAMESHIA RUSSELL**

The Motor Vehicle Commission requests reconsideration of the final administrative decision, rendered on August 17, 2011, in which the Civil Service Commission found the Motor Vehicle Commission's decision to reassign Tameshia Russell from the Assistant Chief Administrator's Office to the Motor Carriers Unit inappropriate since it failed to utilize disciplinary procedures. Additionally, the Commission found that if the Motor Vehicle Commission failed to issue a Preliminary Notice of Disciplinary Action within 20 days of that decision, then Russell was to be returned to her assignment in the Assistant Chief Administrator's Office.

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

**B-30 CHRISTOPHER MERCARDO**

The appeal of Christopher Mercardo, a Senior Correction Officer with South Woods State Prison, Department of Corrections, of his 15 working day suspension and removal, effective July 11, 2011, on charges, was heard by Administrative Law Judge W. Todd Miller (ALJ), who rendered his initial decision on February 23, 2012. At its meeting on April 18, 2012, the Civil Service Commission did not adopt the ALJ's recommendation to reverse the 15 working day suspension and modify the removal to a 90 working day suspension. Rather, the Commission upheld the 15 working day suspension and modified the removal to a 90 working day suspension. The proposed decision is now submitted for the Commission's review.

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

**VOTE:**

<b>Robert M. Czech</b>	<b>(Yes)</b>
<b>Robert E. Brenner</b>	<b>(Yes)</b>
<b>Thomas J. Perna</b>	<b>(Abstained)</b>
<b>Richard E. Williams</b>	<b>(Yes)</b>

**B-31 AMY DELLABELLA**

Amy Dellabella appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Purchasing Agent (PM0564N), Bayonne.

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

**B-32 COURTNEY EDDINGTON**

Courtney Eddington appeals the decision of the Division of Selection Services which found that she did not meet the requirements for the promotional examination for the “dual” title Clerk 3/Senior Purchasing Assistant (PM0520N), Woodbridge.

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

**B-33 PAUL HARDIFER, JR.**

Paul Hardifer, Jr., 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 Agricultural Products Agent Trainee (S0873K), Statewide.

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

**B-34 ESTHER MENDEZ**

Esther Mendez appeals the determination of the Division of Selection Services that she did not meet the experience requirements for the promotional examination for Claims Examiner, Unemployment and Disability Insurance (PS3089N), Department of Labor and Workforce Development.

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

**B-35 ROBERT NELSON AND ANDREA STUMPF**

The Division of Selection Services requests that Robert Nelson and Andrea Stumpf be removed from the eligible list for Fiscal Analyst (PS4968K), Division of Medical Assistance and Health Services, Department of Human Services, on the basis that they lacked the required experience.

**ACTION:** The Civil Service Commission directed that this request be granted in part, the conditional status be removed from Robert Nelson's permanent appointment as a Fiscal Analyst and Andrea Stumpf's name be removed from the eligible list for Fiscal Analyst (PS4986K).

**B-36 DIALIXA SANTOS**

Dialixa Santos appeals the determination of the Division of Selection Services that she did not meet the experience requirements for the promotional examination for Claims Examiner, Unemployment and Disability Insurance (PS3089N), Department of Labor and workforce Development.

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

**B-37 APRIL WOLCOTT**

April Wolcott appeals the determination of the Division of Selection Services that she did not meet the experience requirements for the promotional examination for Secretarial Assistant 3, Non-Stenographic (PS5566K), Department of Human Services.

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

**B-38 WILLIAM ANDERSON**

William Anderson appeals his oral scores for the promotional examination for Police Captain (PM7527N), Jefferson.

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

**B-39 ANTHONY AVILLO**

Anthony Avillo appeals his oral score for the promotional examination for Fire Officer 4 (PM0503N), North Hudson Regional Fire and Rescue Service.

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

**B-40 KYLE BROADFIELD, ET AL.**

Kyle Broadfield, Mark Burkhardt, Tony DaSilva, Joseph DeSomma, Vincent Doffont, Herbert Eggers, Michael Elias, Kenneth Emmich, Patrick Flynn, Patrick Foley, Nicholas Galante, Christian Garofalo, Jesse Harding, Scott Hickey, Devin Hughes, Robert Lawson, Joseph McAllister, Neil Morgado, James Piorkowski, Joseph Ponzio, Jr., Patrick Revan, Jr., Mark Ricciardi, Thomas Roman, Guillermo Saccone, Christopher Skomal, Nicholas Snyder, Matthew Vilardo, Steven Weingartner, Edward Wilson, and Richard Zieser; and Robert Courtney, represented by Michael Rubas, Esq.; and Michael Payne represented by Robert Cascone, Esq. appeal their scores, the lack of an examination review, and the validity for the situational judgment portion of the examination for Fire Fighter (M9999M), various jurisdictions.

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

**B-41 MICHAEL CRANWELL**

Michael Cranwell appeals his oral score for the promotional examination for Fire Officer 4 (PM0503N), North Hudson Regional Fire and Rescue Service.

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

**B-42 DONALD FILLINGER**

Donald Fillinger appeals his oral scores for the promotional examination for Police Captain (PM7562N), Trenton.

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

**B-43 LOUIS GENTILE**

Louis Gentile appeals his oral scores for the promotional examination for Police Captain (PM7552N), Passaic.

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

**B-44 JOSEPH PEZZANO**

Joseph Pezzano appeals his oral scores for the promotional examination for Police Captain (PM7529N), Keansburg.

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

**B-45 JAMES GILES**

James Giles appeals the denial of his request for a make-up examination for Fire Captain (PM5234N), Newark.

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

**B-46 MICHAEL HARRIS**

Michael Harris appeals the denial of his request for a make-up examination for Fire Officer 1 (PM5205N), Jersey City.

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

**B-47 CHARLES TUCKER**

Charles Tucker appeals the test administration and requests a make-up for the examination for Fire Lieutenant (PM5189N), New Brunswick.

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

**B-48 GREGORY WALCZAK**

Gregory Walczak requests that volunteer points be added to his final average for the eligible list for Fire Fighter (M2552M), Mount Laurel, produced from the examination for Fire Fighter (M9999M).

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

**B-49 CIVIL SERVICE COMMISSION MINUTES**

Submitted for adoption are the Civil Service Commission minutes of its meeting of April 18, 2012.

**ACTION:** The Civil Service Commission adopted the minutes of its meeting of April 18, 2012.

**VOTE:**

<b>Robert M. Czech</b>	<b>(Yes)</b>
<b>Robert E. Brenner</b>	<b>(Yes)</b>
<b>Thomas J. Perna</b>	<b>(Abstained)</b>
<b>Richard E. Williams</b>	<b>(Yes)</b>

**B-50 SHANNON DALTON, ET. AL.**

Shannon Dalton, Kelly Glenn, Ernie Guia, Janet Hoesly, Christopher Myers, Elizabeth Rosenthal, Dulce Sulit-Villamor, Megan Timmins, and John Tartaglia appeal the determination of the Office of Classification and Compensation in the Division of State and Local Operations denying their request to have the education requirements of the Personnel & Labor Analyst title series revised to require a Juris Doctorate degree for all titles above Trainee and to have the class codes of those titles commensurately increased to reflect the proposed revision.

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

**VOTE:**

<b>Robert M. Czech</b>	<b>(Recused)</b>
<b>Robert E. Brenner</b>	<b>(Yes)</b>
<b>Thomas J. Perna</b>	<b>(Yes)</b>
<b>Richard E. Williams</b>	<b>(Yes)</b>



**B-51 SHANNON DALTON, ET. AL.**

Shannon Dalton, Cheryl Gane, Kelly Glenn, Ernie Guia, Janet Hoesly, Christopher Myers, Elizabeth Rosenthal, Bob Schremser, Dulce Sulit-Villamor, John Tartaglia, and Megan Timmins appeal the determination of the Office of Classification and Compensation in the Division of State and Local Operations which determined that the Personnel & Labor Analyst title series was not entitled to an increased salary range.

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

**VOTE:**     **Robert M. Czech**            **(Recused)**  
              **Robert E. Brenner**       **(Yes)**  
              **Thomas J. Perna**        **(Yes)**  
              **Richard E. Williams**   **(Yes)**

**B-52 ROSEMARY AKPARANTA**

Rosemary Akparanta 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 Correction Officer Recruit (S9999K), Department of Corrections, eligible list on the basis of falsification of her employment application.

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

**B-53 TIFFANY LINDSEY**

The Executive Director of Administration, Civil Service Commission, on behalf of Tiffany Lindsey, requests the relaxation of the provisions of *N.J.A.C. 4A:6-1.22* so as to permit Ms. Lindsey to participate in the Donated Leave Program without having completed at least one year of continuous State service and to allow her to receive donated leave time on a retroactive basis.

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

**VOTE:**     **Robert M. Czech**            **(Recused)**  
              **Robert E. Brenner**       **(Yes)**  
              **Thomas J. Perna**       **(Yes)**  
              **Richard E. Williams**   **(Yes)**

**B-54 ROBERTO TELLEZ**

The Township of Millburn, on behalf of Roberto Tellez, 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 Millburn.

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

**B-55 ANNA MARIE CLARK, ET AL.**

The appeals of Anna Marie Clark, and Lugene Sherman, former Senior Clerk Typists, Gwendolyn Bethea, a former Clerk Typist, and Sheila Everett, a former Supervising Clerk Typist, with the Newark Housing Authority, of their layoffs, effective October 19, 2009, were heard by Administrative Law Judge JoAnn LaSala Candido (ALJ), who rendered her initial decision on February 17, 2012. At its meeting on April 18, 2012, the Civil Service Commission (Commission) adopted the ALJ's recommendation to reverse the layoffs. 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.

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

**B-56 NICHOLAS KRAMER**

The appeal of Nicholas Kramer, a Police Officer with Jersey City, of his 159-day suspension, on charges, was heard by Administrative Law Judge Leslie Z. Celentano (ALJ), who rendered her initial decision on February 21, 2012. At its meeting on April 18, 2012, the Civil Service Commission (Commission), adopted the ALJ's recommendation to modify the suspension to a leave of absence without pay. 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.

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

**B-57 KENNETH MCDUGAL**

The appeal of Kenneth McDougal, a Police Officer with the City of Orange, of his resignation not in good standing effective January 15, 2011, on charges, was heard by Administrative Law Judge Margaret M. Monaco (ALJ), who rendered her initial decision on March 13, 2012. At its meeting on April 18, 2012, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to reverse the appellant's resignation not in good standing. Rather, the Commission modified the appellant's resignation not in good standing to a six working day suspension. The proposed decision is now submitted for the Commission's review.

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

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

**B-58 MICHAEL ROBINSON, JR.**

The appeal of Michael Robinson, Jr., a Human Services Assistant with Woodbine Developmental Center, Department of Human Services, of his removal, effective May 9, 2010, on charges, was heard by Administrative Law Judge W. Todd Miller, (ALJ), who rendered his initial decision on March 13, 2012. At its meeting on April 18, 2012, the Civil Service Commission (Commission) adopted the ALJ's recommendation to grant the appointing authority's motion for summary decision and uphold the removal. 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.

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

**B-59 JOSE VALENTIN**

The appeal of Jose Valentin, Senior Correction Officer with the Adult Diagnostic and Treatment Center, Department of Corrections, of his removal effective March 9, 2011, on charges, was heard by Administrative Law Judge Imre Karaszegi, Jr., (ALJ), who rendered his initial decision on March 8, 2012. At its meeting on April 18, 2012, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to modify the removal to a six-month suspension. Rather, the Commission upheld the removal. The proposed final decision is now submitted for the Commission's review.

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

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

**B-60 STEVEN COLTRE, ET AL.**

The City of Trenton Fire and Emergency Services and the Fireman's Mutual Benevolent Association Local #206 (FMBA), request that Steven Coltre, Jerome Friedman, Kalamn Gyoffry, Michael Hubsher, Michael Kennedy, Jeffrey Korchick, Ron Kosztyu, Anthony Moran, Carlos Otero, Anthony Ross, James Scott, Frank Seidl, Augustine Tackacs and Clifford Willever receive retroactive or revised dates of appointment pursuant to a Superior Court Order and a Memorandum of Agreement. In addition, Coltre and Tackas appeal the determinations of the Division of Selection Services which found that they lacked one year of continuous permanent service as a Battalion Fire Chief and Fire Captain respectively as of the closing date for the promotional examinations for Deputy Fire Chief (PM1257N) and Battalion Fire Chief (PM0155P).

**ACTION:** The Civil Service Commission directed that the request for retroactive dates of appointment be granted and the eligibility appeals be granted.

**B-61 BRIAN WILDRICK**

Brian Wildrick, a former County Correction Officer with Monmouth County, represented by Charles F. Clark, Jr., Esq., appeals his resignation in good standing.

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

**VOTE:**

<b>Robert M. Czech</b>	<b>(Abstained)</b>
<b>Robert E. Brenner</b>	<b>(Yes)</b>
<b>Thomas J. Perna</b>	<b>(Yes)</b>
<b>Richard E. Williams</b>	<b>(Yes)</b>

**B-62 PROPOSED REPEAL: N.J.A.C. 4A:6-1.2(l), (m) and (n) and RELATED APPENDICES A THROUGH E, PAID LEAVE BANK PROGRAM**

Submitted for the Commission's approval is a Notice of Proposal of the repeal of *N.J.A.C. 4A:6-1.21(l), (m) and (n)* and related appendices A through E, paid leave bank program. These provisions are recommended for repeal as a result of the recent Superior Court, Appellate Division, decision in *Communications Workers of America, AFL-CIO, et al. v. New Jersey Civil Service Commission*, Docket No. A-1110-10T3 (January 18, 2012), which reversed the Commission's adoption of the paid leave bank amendments to the vacation leave rule at *N.J.A.C. 4A:6-1.2*. It is recommended that this proposal be approved for publication in the New Jersey Register for public notice and comment.

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

**B-63 PAID LEAVE BANK DAYS**

In *Communications Workers of America v. New Jersey Civil Service Commission*, Docket No. A-1110-10T3 (App. Div. January 18, 2012), the Appellate Division, Superior Court of New Jersey, reversed the adoption of *N.J.A.C. 4A:6-1.2(l)* and remanded to the Civil Service Commission to consider whether the creation of Paid Leave Bank (PLB) days in various Memoranda of Agreements between the State and the Communications Workers of America, Local 195 of the International Federation of Professional and Technical Engineers, Local 518 of the New Jersey State Motor Vehicle Employees Union, and the American Federation of State, County, and Municipal Employees was contrary to existing law and, in the event the Commission concludes that Legislative action is not necessary, whether other provisions of Title 11A (Civil Service Act) and Title 4A permit the adoption of a regulation that mirrors the provisions of the MOAs.

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

**There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, May 16, 2012, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.**

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