



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  
JULY 27, 2011**

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

**July 27, 2011**

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**A regular meeting of the Civil Service Commission was held on Wednesday, July 27, 2011, in Trenton, New Jersey.**

**PRESENT: Robert M. Czech, Chairperson, Members Robert E. Brenner, Thomas J. Perna and Richard E. Williams; Pamela Ullman, Deputy Attorney General; Henry Maurer, Director, Division of Merit System Practices and Labor Relations.**

**In accordance with L.1975, c.231, Robert M. Czech, Chairperson, opened the meeting with the following statement:**

**Notice of this meeting was filed with the Secretary of State and sent to the Trentonian, Trenton Times, Courier-Post and Star Ledger on 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.**

**WITHDRAWAL OF APPEALS**

**The following appeals were withdrawn and removed from the hearing calendar:**

Louis Andreola, Laborer, Borough of Milltown, Department of Utilities, removal.

Elmer Bethea, Sheet Metal Worker, Newark School District, good faith layoff.

Eddie Brown, Police Officer, City of Newark, Police Department, removal.

Kathleen Butcher, *et al.*, City of Bridgeton, temporary layoffs.

Daniel Byrne, Fire Captain, City of Elizabeth, Fire Department, suspension.

John Carroll, Police Officer, City of Jersey City, Police Department, suspension.

Brian Irving, Engineer in Charge of Maintenance, Central Office, Department of Corrections, suspension.

Michael Lalley, Police Sergeant, City of Newark, Police Department, removal.

Joseph A. Maimone, Jr., Police Officer, Town of Hammonton, Department of Public Safety, bypass.

Anthony McCaskill, Laborer, City of Newark, Department of Neighborhood and Recreational, suspension.

Reginald McCluney, Police Officer, City of Newark, Police Department, removal.

John E. Polcyn, Police Officer, City of Camden, Police Department, good faith layoff.

Shannon Rocks, Police Officer, City of North Wildwood, Police Department, removal.

John Reinbeck, Laborer, Middlesex County, Department of Adult Corrections, removal.

Jose Rosado, Police Officer, City of Newark, Police Department, two suspensions.

Mark Santiago, Police Officer, City of Newark, Police Department, removal.

Vivian Tinson, Cottage Training Technician, New Lisbon Developmental Center, Department of Human Services, removal.

Gai Troublefield, Human Services Specialist 3, Union County, Department of Human Services, suspension and demotion.

Nicholas Wagner, Police Officer, City of Somers Point, Department of Public Safety, suspension.

**DISMISSAL FOR FAILURE TO APPEAR**

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

Tangee Bell, Institutional Attendant, Atlantic County, Department of Human Services, release at the end of the working test period.

Flora Cruz, Tenant Interviewer/Tenant Investigator, City of Paterson, Housing Authority, removal.

Rakiyah Floyd, Human Services Assistant, Woodbine Developmental Center, Department of Human Services, two removals.

Kesica Hill, Nursing Assistant, Cape May County, Crest Haven Nursing and Rehabilitation Center, release at the end of the working test period.

Althea Thomas-McLean, County Correction Lieutenant, Mercer County, Department of Public Safety, suspension.

Kelvin Perry, Clerk, Passaic County, Sherriff's Department, removal.

Pharenton Rolle, Human Services Assistant, Ancora Psychiatric Hospital, Department of Human Services, removal.

**SECTION A – HEARING MATTERS**

**A-1 SETTLEMENTS**

In the Matter of Kelly Arocho  
Middlesex County  
Board of Social Services  
Release at the end of the working test period

In the Matter of Angela Ragan-Cantiello  
Juvenile Justice Commission  
Department of Law and Public Safety  
Suspension

In the Matter of Charles Casey  
Ancora Psychiatric Hospital  
Department of Human Services  
Resignation not in good standing

In the Matter of Gary Degree  
Burlington County  
County Jail  
Suspension

In the Matter of Phillip DiPetta  
Albert C. Wagner Youth Correctional Facility  
Department of Corrections  
Removal

In the Matter of Gina Fritts  
North Jersey Developmental Center  
Department of Human Services  
Removal

In the Matter of Yesenia Granados  
City of Bridgeton  
Department of Public Safety  
Suspension

In the Matter of Iris Hines  
Essex County  
Department of Citizen Services  
Removal

In the Matter of Marie Johnson

New Lisbon Developmental Center  
Department of Human Services  
Removal

In the Matter of Steven Krushinsky  
Towns of Harrison  
Police Department  
Suspension

In the Matter of Rodney McMillian  
Burlington County  
County Jail  
Suspension

In the Matter of Modesto Miranda  
City of Newark  
Police Department  
Suspension

In the Matter of Keith Penn  
Burlington County  
County Jail  
Resignation not in good standing and Suspension

In the Matter of James Spadoni  
Hunterdon Developmental Center  
Department of Human Services  
Suspension

In the Matter of Gwendolyn Taylor  
Salem County  
Department of Corrections  
Removal

In the Matter of Rudolph Waldinger  
Monmouth County  
Department of Finance  
Layoff

<b>VOTE:</b>	<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>

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

**ACTION:** The Civil Service Commission acknowledged the settlements with the exception of Phillip DiPetta and Gina Fritts which were held over.

**A-2 NICOLE YOUNGER-DOYLE**

Nicole Younger-Doyle, Library Associate, Roselle Public Library, appeals the good faith of her layoff effective August 21, 2010, 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-3 GEORGE KALINOWSKI**

George Kalinowski, County Correction Sergeant, Mercer County, Department of Public Safety, 15 working day suspension on charges of conduct unbecoming a public employee, other sufficient cause, violation of a rule, regulation, policy, procedure, order or administrative decision, involving safety and security and falsification.

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-4 THOMAS LYNCH**

Thomas Lynch, Police Officer, Township of Voorhees, Department of Public Safety, 560-hour (70-day) suspension on charges of insubordination and conduct unbecoming public employee.

Recommendation of the Administrative Law Judge – Modify the 70-day suspension to a 30-day suspension.

**ACTION:** The Civil Service Commission modified the recommendation of the Administrative Law Judge and upheld the 70-day suspension.

**A-5 THOMAS MITCHELL**

Thomas Mitchell, Institutional Trade Instructor 2, Cooking, Northern State Prison, Department of Corrections, 45 working day suspension on charges of chronic or excessive absenteeism or lateness, other sufficient cause and falsification.

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

**ACTION:** The Civil Service Commission modified the recommendation of the Administrative Law Judge and upheld the 45 working day suspension.

**A-6 DEAN MANNION**

Dean Mannion, Fire Fighter, North Hudson Regional Fire and Rescue, eight-day (24-hour tour) suspension on charges of chronic or excessive absenteeism or lateness, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the eight-day (24-hour tour) suspension to a six-day (24-hour tour) suspension.

**ACTION:** The Civil Service Commission modified the recommendation of the Administrative Law Judge and upheld the eight-day (24-hour tour) suspension.

**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-7 MAYLANA RHODES**

Maylana Rhodes, Juvenile Detention Officer, Hudson County, Department of Corrections, resignation not in good standing effective July 21, 2010, on charges of neglect of duty, conduct unbecoming a public employee, other sufficient cause and insubordination.

Recommendation of the Administrative Law Judge – Modify the resignation not in good standing to a six-month suspension.

**ACTION:** The Civil Service Commission modified the recommendation of the Administrative Law Judge to a removal.



**A-8 DYSHEA UPSHAW**

Dyshea Upshaw, Senior Correction Officer, Albert C. Wagner Youth Correctional Facility, Department of Corrections, 30 working day suspension on charges of conduct unbecoming a public employee, other sufficient cause and violation of the Department policy prohibiting discrimination, harassment or hostile environments in the workplace.

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-9 NAJEE WEBB**

Najee Webb, Police Officer, City of Newark, Police Department, 15-day suspension on charges of conduct unbecoming a public employee and violation of the Department rules and regulations regarding false statements and responsibility for own actions.

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

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

**A-10 WALTER BURNS**

Walter Burns, Senior Food Service Handler, Ancora Psychiatric Hospital, Department of Human Services, removal effective May 25, 2010, on charges of chronic or excessive absenteeism or lateness, conduct unbecoming a public employee 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-11 JOHN CERRATO**

John Cerrato, Human Services Specialist 2, Passaic County Board of Social Services, removal effective January 25, 2010, on charges of conduct unbecoming a public employee, dishonesty and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the removal to a 90-day suspension.

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

**A-12 ALAN DENNIS**

Alan Dennis, Senior Correction Officer, Northern State Prison, Department of Corrections, removal effective January 11, 2011, on charges of conduct unbecoming a public employee, other sufficient cause, falsification and violation of a rule, regulation, policy, procedure, order, or administrative decision.

Recommendation of the Administrative Law Judge – Reverse the removal.

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

**A-13 DWAYNE SMITH**

Dwayne Smith, Senior Correction Officer, Northern State Prison, Department of Corrections, removal effective November 22, 2010, 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 removal.

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

**A-14 TAMMY SMITH (CONSOLIDATION)**

Tammy Smith, Human Services Assistant, Woodbridge Developmental Center, Department of Human Services, two removals, effective May 12, 2009 and May 13, 2009, on charges of violation of policy and/or procedure, neglect of duty, willful failure to devote attention to tasks which could result in danger to a client and sleeping while on duty.

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

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

**A-15 SERIFATU TIAMIYU**

Serifatu Tiamiyu, Cottage Training Technician, Hunterdon Developmental Center, Department of Human Services, removal effective April 15, 2010, on charges of conduct unbecoming a public employee, neglect of duty and other sufficient cause.

Recommendations of the Administrative Law Judge – Uphold the removal.

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

**A-16 MICHELLE WATSON (CONSOLIDATION)**

Michelle Watson, Senior Correction Officer Juvenile Justice, Department of Law and Public Safety, 15 working day suspension and removal effective November 26, 2010, on charges of chronic or excessive absenteeism and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the 15 working day suspension and modify the removal to a six-month suspension.

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

**A-17 ANTHONY WILLIAMS**

Anthony Williams, Senior Youth Worker, Juvenile Justice Commission, Department of Law and Public Safety, removal effective February 20, 2010, on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Grant appointing authority's motion for summary decision and dismiss appellant's appeal as moot.

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

**SECTION B – MISCELLANEOUS MATTERS****B-1 CHANGE IN CLASSIFICATION PLAN – OFFICE OF LEGISLATIVE SERVICES – SENIOR STAFF SUPPORT SERVICES ASSISTANT AND SENIOR TRAINER, DMU**

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

**MEMORANDUM**

DATE: June 29, 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 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.

**CREATE TITLES EFFECTIVE JULY 2, 2011**

Senior Staff Support Services Assistant, OLS (35) X98

Senior Trainer, DMU, OLS (NL) X98

Attachments  
KC/JMM/SR

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

**B-2 KAREN BARKER**

Karen Barker, a Field Representative Housing, Housing Assistance Program, Department of Community Affairs, appeals the denial of sick leave injury (SLI) benefits.

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

**B-3 RAFAEL CEPEDA**

Rafael Cepeda, a Senior Correction Officer with 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-4 HEATHER INGERSOLL**

Heather Ingersoll, a Senior Correction Officer with Bayside 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 referred to the Medical Examiners Panel.

**B-5 ROBERT LOPER**

Robert Loper, a Senior Correction Officer with Bayside 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 referred to the Medical Examiners Panel.

**B-6 JAMAAL TYUS**

Jamaal Tyus appeals the removal of his name from the eligible list for Medical Security Officer Recruit (S0616J), Department of Human Services, on the basis of an unsatisfactory criminal background.

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

**B-7 ELIZABETH BROKER**

Elizabeth Broker, a Program Assistant, Corrections, with the Department of Corrections, represented by Robert O. Yaeger, CWA Local 1040, requests a retroactive date of permanent appointment and back pay.

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

**B-8 JEFFREY HELLER**

Jeffrey Heller, a former Supervising Medical Security Officer at the Ann Klein Forensic Center, Department of Human Services, seeks resolution of a dispute concerning back pay.

**ACTION:** The Civil Service Commission directed that the request for additional back pay be denied but awarded \$898 for reimbursement of health insurance.

**B-9 MATTHEW KOEP**

The Borough of South Plainfield requests that Matthew Koep receive a retroactive date of appointment.

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

**B-10 FAUSTO CAAMANO AND ANDRE JACKSON**

The Middlesex County Sheriff's Office, on behalf of Fausto Caamano and Andre Jackson, requests that they be permitted to participate in the intergovernmental transfer program and to complete the remainder of their working test periods as Sheriff's Officers with the Sheriff's Office.

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

**B-11 DOUGLAS COOK**

Douglas Cook appeals the determination of the Division of Selection Services which found that he was not eligible for the promotional examination for Greens Superintendent (PC0018N), Bergen County, because his application was postmarked after the closing date of the examination announcement.

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

**B-12 ALAN GATTO**

Alan Gatto appeals the decision of the Division of State and Local Operations denying his request to extend the eligible list for Employment Services Trainee (S0075L), Statewide for two years beyond its expiration date.

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

**B-13 ZAHEER HUSSAIN**

The Division of State and Local Operations, on behalf of the Department of Environmental Protection, requests that Zaheer Hussain's out-of-title work experience be accepted to qualify him for a prospective promotional examination for Network Administrator 1.

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

**B-14 CHRISTOPHER LAVER**

The Town of Hackettstown requests relaxation of *N.J.A.C. 4A:4-7.1A(c)* so as to permit the intergovernmental transfer of Christopher Laver from the title of Sheriff's Officer, Sussex County Sheriff's Office, to the title of Police Officer, Hackettstown.

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



**B-15 TANIELLE SMITH**

The Department of the Treasury requests that the provisions of *N.J.A.C. 4A:4-1.1(c)* be relaxed in order to allow Tanielle Smith to be provisionally appointed, pending promotional examination procedures, to the title of Technician, Management Information Systems.

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

**B-16 ROBERT TRENT**

Robert Trent, a Senior Investigator, Parole and Secured Facilities, represented by Catherine Elston, Esq., appeals the decision of the Department of Corrections to reassign him from the Mountainview Youth Correctional Facility to the Central Reception and Assignment Facility.

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

**B-17 CATRINA WASHINGTON**

Catrina Washington, a former Cottage Training Technician with New Lisbon Developmental Center, Department of Human Services, represented by Stephan Siegel, Esq., requests that the Civil Service Commission reinstate her appeal of her removal effective November 24, 2008, which was dismissed based on her failure to appear at her scheduled hearing.

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

**B-18 JOHN C. WELSH AND ROBERT VARCADIPANE**

The Passaic County Sheriff's Office seeks acknowledgment of a rider to the settlement agreement between John C. Welsh and the Passaic County Sheriff's Office to grant Welsh a retroactive date of appointment to January 28, 2005. It also requests that a retroactive date of appointment of January 28, 2005 be provided to Robert Varcadipane.

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

**B-19 BHAGWAN DASS**

Bhagwan Dass, a former Construction Management Specialist 2 with the Department of Corrections (DOC), represented by Christopher Young, CWA Local 1040, appeals the determinations of the Director, Equal Employment Division, DOC, 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 these appeals be denied.

**B-20 STEPHEN BEREZNY**

Stephen Berezny appeals the determination of the Division of State and Local Operations (SLO) that his position with the Department of Community Affairs was properly classified as a Planned Real Estate Development Analyst 2. The appellant seeks a Planned Real Estate Development Analyst 1 classification.

**ACTION:** The Civil Service Commission directed that this appeal be denied and the matter of the proper classification of the positions held by Roy Annese and Ronald Cavanaugh be remanded to SLO for further review. Additionally, SLO is ordered to review the job specifications for Planned Real Estate Development Analyst 1 and 2.

**B-21 MARK BILDER AND JOSHUA WATSON**

Mark Bilder and Joshua Watson appeal the decisions of the Division of State and Local Operations which found that their positions with the Department of the Treasury are correctly classified as Building Management Services Specialist 3. The appellants seek an Administrative Analyst 1 or a Building Management Services Specialist 1 classification.

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

**B-22 CODE ENFORCEMENT OFFICER TRAINEE (M0305L),  
LINDENWOLD**

Lindenwold requests reconsideration of that part of the decision rendered on April 20, 2011 by the Civil Service Commission in *In the Matter of Code Enforcement Trainee (M0305L), Lindenwold*, which assessed costs of the selection process in the amount of \$1,024.

**ACTION:** The Civil Service Commission directed that the request for reconsideration be denied and prior costs of \$1,024 be assessed.

**B-23 KEVIN GEORGE**

Kevin George, represented by William S. Greenberg, Esq., requests reconsideration of the decision of the Civil Service Commission, rendered on March 16, 2011, ordering that the matter of his removal as a Police Sergeant with the City of Newark be remanded to the Office of Administrative Law for further proceedings.

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

**B-24 ANTHONY STALLWORTH**

The Supreme Court of New Jersey has remanded the matter of the proper disciplinary action for Anthony Stallworth to the Civil Service Commission to reconsider the appellant's disciplinary history and for the Commission to address the concerns regarding the effect the appellant's reinstatement would have on deterring other employees from similar misconduct. *See In the Matter of Anthony Stallworth, \_\_\_N.J.\_\_\_*(April 12, 2011).

**ACTION:** The Civil Service Commission modified the removal to a four-month suspension.

**B-25 BUDGET ANALYST 3, (S0958L), STATEWIDE**

The Department of the Treasury and the Department of Children and Families request permission not to make an appointment from the February 9, 2010 certifications (OS100073 and OS100068, respectively) for Budget Analyst 3 (S0958L). Alan Gatto appeals the request for an appointment waiver for the two February 9, 2010 certifications. He also appeals the determination of the Office of Equal Employment and Affirmative Action, Treasury, stating that he 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 the requests for appointment waivers be granted and no selection costs presently be assessed. The Civil Service Commission further directed that Alan Gatto's appeals be denied.

**B-26 ELECTRICIAN (S0049K), BAYSIDE STATE PRISON**

In *In the Matter of Electrician (S0049K), Bayside State Prison* (CSC, decided January 14, 2009), the appointing authority's request for an appointment waiver from the June 9, 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 appointing authority did not utilize the subject eligible list and the matter of the assessment of costs is now before the Civil Service Commission.

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

**B-27 LIBRARIAN (M0571M), BLOOMFIELD PUBLIC LIBRARY**

Bloomfield Public Library, represented by Thomas O. Johnston, Esq., requests permission not to make an appointment from the April 4, 2011 certification for Librarian (M0571M).

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

**B-28 PROGRAM SUPPORT SPECIALIST 3, ASSISTANCE PROGRAM AND SUPPORT SPECIALIST 1, ASSISTANCE PROGRAM, DEPARTMENT OF HUMAN SERVICES**

The Director, State and Local Operations, requests the reallocation of the Program Support Specialist 3, Assistance Program and Program Support Specialist 1, Assistance Program, Department of Human Services titles to the noncompetitive division of the career service for one pay period.

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

**B-29 TAM DANG**

The appeal of Tam Dang, a Senior Maintenance Repairer with the Summit Housing Authority, of his removal, effective March 3, 2010, on charges, was heard by Administrative Law Judge Evelyn J. Marose, who rendered her initial decision on April 12, 2011. At its meeting on July 13, 2011, the Civil Service Commission adopted the ALJ's recommendation to acknowledge the settlement agreement between the parties. 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-30 DAN JUNIOR HINES**

The appeal of Dan Junior Hines, a Supervisor Sewers/Supervisor Streets with the City of Hackensack, of his removal, effective October 12, 2010, on charges, was heard by Administrative Law Judge Kimberly A. Moss, who rendered her initial decision on May 17, 2011. At its meeting on July 13, 2011, the Civil Service Commission adopted the ALJ's recommendation to modify the removal to a six-month suspension. Additionally, the Commission ordered that the appellant be demoted to a non-supervisory position. The proposed decision is now submitted for the Commission's review.

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

**B-31 JOSE SANTANA**

The appeal of Jose Santana, a Painter at Stockton State College, of his 10-day suspension, on charges, was heard by Administrative Law Judge Bruce M. Gorman, who rendered his initial decision on July 16, 2010, reversing the 10-day suspension. At its meeting on July 13, 2011, the Civil Service Commission did not adopt the ALJ's recommendation. Rather, the Commission upheld the 10-day suspension. The proposed final decision is now submitted for the Commission's review.

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

**B-32 MICHAEL ACKER**

Michael Acker appeals the determination of the Division of Selection Services, which found that he did not meet the experience requirements for the promotional examination for Network Administrator 1 (PC0543M), Camden County.

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

**B-33 CORNELIUS BARKER**

Cornelius Barker appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, he was below the minimum requirements in experience for the promotional examination for Assistant Director of Social Rehabilitation Services (PC0147N), Hudson County.

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

**B-34 DIANNE HABERSTICK**

Dianne Haberstick appeals the determination of the Division of Selection Services which found that, as per the substitution clause for education, she was below the minimum requirements in experience for the open competitive examination for Chief of Investigations (S0733M).

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

**B-35 TIMOTHY KELLY**

Timothy Kelly appeals the administration of the oral portion of the examination for Police Captain (PM7529M), West Orange.

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

**B-36 DONNA LEE-THOMAS**

Donna Lee-Thomas appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she did not meet the requirements for the promotional examination for Senior Management Assistant (PS0522R), Board of Public Utilities.

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

**B-37 JEANETTE W. MARQUEZ**

Jeanette W. Marquez appeals the determination of the Division of Selection Services which found that she did not meet the requirements for the promotional examination for Supervising Community Program Specialist (PS3711K), Department of Human Services.

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

**B-38 BARBARA STOFF**

Barbara Stoff appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in education and experience for the promotional examination for Manager 4, Environmental Protection, Natural Resources Wildlife (PS6813G), Department of Environmental Protection.

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

**B-39 CHRISTOPHER PARRELL**

Christopher Parrell, a Senior Correction Officer at the Adult Diagnostic and Treatment Center, 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 referred to the Medical Examiners Panel.

**B-40 MARGARET HUGHES AND KELLI MARTINEZ**

The Vineland Developmental Center, Department of Human Services, requests that the names of Margaret Hughes and Kelli Martinez be placed on the regular reemployment list for Residential Living Specialist.

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

**B-41 JAE LEE**

The Borough of Pompton Lakes, on behalf of Jae Lee, 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 Pompton Lakes.

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

**B-42 MICHAEL PIGOTT**

Michael Pigott requests a retroactive permanent appointment date of August 19, 2010 to the title of Police Sergeant and that he be admitted to the examination for Police Lieutenant (PM5026N), Holmdel Township.

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



**B-43 NICOLAS CASTILLO**

The appeal of Nicolas Castillo, a Sheriff's Officer Bilingual in Spanish and English with Monmouth County, of his removal, effective May 24, 2010, on charges, was heard by Administrative Law Judge Joseph Lavery, who rendered his initial decision on May 31, 2011. At its meeting on July 13, 2011, the Civil Service Commission adopted the ALJ's recommendation to 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**             **(Abstained)**  
              **Robert E. Brenner**       **(Yes)**  
              **Thomas J. Perna**         **(Yes)**  
              **Richard E. Williams**   **(Yes)**

**B-44 SAMUEL WILLIAMS**

The appeal of Samuel Williams, a Chief Operating Engineer 1 at William Paterson University, concerning his release at the end of his working test period, effective August 23, 2009, was heard by Administrative Law Judge Tahesha L. Way, who rendered her initial decision on March 28, 2011. At its meeting on July 13, 2011, the Civil Service Commission adopted the ALJ's recommendation to reverse the appellant's release at the end of his working test period. The Commission also ordered that the appellant complete a new working test period with a new supervisor. Further, 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-45 RECENT COURT DECISION**

Submitted for the Civil Service Commission's review is a summary of a recent Supreme Court decision involving a Civil Service Commission determination for *In the Matter of Nicholas R. Foglio, Fire Fighter (M2246D), Ocean City, \_\_ N.J. \_\_* (2011).

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

**B-46 CIVIL SERVICE COMMISSION MINUTES**

Submitted for adoption are the Civil Service Commission minutes of its meeting of July 13, 2011.

**ACTION:** The Civil Service Commission adopted the minutes of its meeting of July 13, 2011.

**There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, August 17, 2011, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.**