



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  
AUGUST 17, 2011**

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

August 17, 2011

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A regular meeting of the Civil Service Commission was held on Wednesday, August 17, 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.

**SECTION A – HEARING MATTERS**

**A-1 SETTLEMENTS**

In the Matter of Charmaine Ali  
Hudson County  
Department of Corrections  
Removal

In the Matter of Michael Camp  
City of Atlantic City  
Department of Law and Public Safety  
Suspensions (3)

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 Charlotte Holland  
Woodbine Developmental Center  
Department of Human Services  
Removal

In the Matter of Kevin Johnson and Louis Wohltman  
City of Newark  
Police Department  
Suspensions

In the Matter of Deborah Johnson-McCall  
Atlantic County  
Department of Human Services  
Removal

In the Matter of John McKenna  
Department of Children and Families  
Resignation not in good standing

In the Matter of Janet Medlin  
Edna Mahan Correctional Facility  
Department of Corrections  
Removals

In the Matter of Gerald Stewart  
Borough of Red Bank Housing Authority  
Removal

In the Matter of Tabatha Vincent  
Ocean County  
Sheriff's Department  
Suspension and Demotion

In the Matter of Donna Zier  
Township of North Brunswick  
Department of Public Safety  
Removal

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

**ACTION:** The Civil Service Commission acknowledged the settlements with the exception of Deborah Johnson-McCall which was held over.

**A-2 ALONZO CUMBERLANDER**

Alonzo Cumberlander, Senior Correction Officer, Northern State Prison, Department of Corrections, 120 working day suspension on charges of conduct unbecoming a public employee, other sufficient cause, violation of administrative procedure and/or regulations involving safety and security, and violation of a rule, regulation, policy, procedure, order or administrative decision.

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

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

**A-3 PASSAIC COUNTY CIVILIAN EMPLOYEES 2008 LAYOFFS**

Luz Garcia, *et al.*, Passaic County, Sheriff's Office, appeal the good faith of their layoffs effective July 7, 2008, for reasons of economy and efficiency.

Recommendation of the Administrative Law Judge – Uphold the layoffs.

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

**A-4 CATIANNA AUGUSTIN AND CYNTHIA ALLEN (CONSOLIDATION)**

Catianna Augustin and Cynthia Allen, Cottage Training Technicians, North Jersey Developmental Center, Department of Human Services, removals effective March 17, 2008, on the charge of physical abuse of a client.

Recommendation of the Administrative Law Judge – Reverse the removals.

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

**A-5 AUGYANNA FACEY**

Augyanna Facey, Cottage Training Technician, North Jersey Developmental Center, Department of Human Services, removal effective May 14, 2009, on charges of physical abuse of a client, mistreatment of a client, violation of a rule, regulation, or policy, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the removal.

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

**A-6 JON K. GRUBB**

Jon K. Grubb, Truck Driver, Upper Township, Department of Public Works, Health and Grounds, removal effective June 15, 2005, on charges of conduct unbecoming a public employee, insubordination, failure to perform duties and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

**A-7 MALIKAH HAMILTON (CONSOLIDATION)**

Malikah Hamilton, Senior Correction Officer, East Jersey State Prison, Department of Corrections, 15 working day suspension and a removal effective October 26, 2010, on charges of chronic or excessive absenteeism or lateness, unsatisfactory attendance, absent from work as scheduled without permission and/or giving proper notice of intended absence.

Recommendation of the Administrative Law Judge – Uphold the removal.

It is noted that the ALJ did not address the 15 working day suspension.

**ACTION:** The Civil Service Commission affirmed the recommendation of the Administrative Law Judge to uphold the removal. The Commission also upheld the 15 working day suspension.

**A-8 MARGARET NAROUSKI**

Margaret Narouski, Senior Cottage Training Technician, New Lisbon Developmental Center, Department of Human Services, removal effective July 16, 2010, on charges of neglect of duty, incompetency or inefficiency, physical or mental abuse of a patient, individual, resident or employee, inappropriate physical contact or mistreatment of a patient, individual, resident or employee, falsification, violation of a rule, regulation, policy, procedure, order or administrative decision, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

**A-9 BENJAMIN SMITH**

Benjamin Smith, Head Custodian, Jersey City School District, removal effective February 20, 2009, on charges of conduct unbecoming a public employee, misuse of public property and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

**A-10 MICHAEL TOWNES**

Michael Townes, Sr., Senior Food Service Handler, Greystone Park Psychiatric Hospital, Department of Human Services, removal effective October 2, 2009, on charges of chronic absenteeism and being absent from work as scheduled without permission and without proper notice of intended absence.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

**A-11 IRA WILLIAMS**

Ira Williams, Cottage Training Technician, New Lisbon Developmental Center, Department of Human Services, removal effective May 6, 2010, on charges of being absent from work as scheduled without permission and without giving proper notice of intended absence, violation of a rule, regulation, policy, procedure, order, or administrative decision, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

**A-12 RICHARD C. WILLIAMS, JR.**

Richard C. Williams, Jr., Fire Fighter, City of Atlantic City, Department of Public Safety, removal effective August 12, 2010, on charges of conduct unbecoming a public employee, misuse of public property, including motor vehicles and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

Agenda Item A-12 was held to be considered at the conclusion of the regular agenda. At that time, a motion was made and seconded that the open session be recessed and that, pursuant to Section 12(b) of the Open Public Meetings Act, the Civil Service Commission entered into Executive Session for the purpose of legal advice. The Commission subsequently reconvened the public meeting.

**A-13 EARLY SETTLEMENTS**

In the Matter of Winsome Buckley  
Hunterdon Developmental Center  
Department of Human Services  
Removal

In the Matter of Kyle Piazza  
Hunterdon Developmental Center  
Department of Human Services  
Suspension

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



**SECTION B – MISCELLANEOUS MATTERS**

**B-1** The Office of Legislature Services (OLS) requests the establishment of a new unclassified title. 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: July 14, 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**

District Office Projects Specialist, OLS (35) X98

Attachment  
KC/JMM/SR

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

- B-2** The Division of State and Local Operations requests the inactivation of sixty-seven titles used in various county and municipal government jurisdictions.



## MEMORANDUM

DATE: July 18, 2011  
 TO: Civil Service Commission  
 FROM: Kenneth Connolly, Director  
 State and Local Operations *Kenneth Connolly*  
 SUBJECT: Change in the Classification Plan

### LOCAL GOVERNMENT TITLES

The Division of State and Local Operations requests the inactivation of sixty-seven (67) titles used in various county and municipal government jurisdictions.

The titles are unencumbered. There are no plans for future use for most of these titles; others were consolidated into alternate titles, or are planned for consolidation in the near future. We have notified local Appointing Authorities of our plans to inactivate, and have provided them with the opportunity to review and comment.

This action is requested to comply with Civil Service Commission goals of title reduction of unnecessary titles.

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

### TITLE INACTIVATIONS

ACCT CLK STENO  
00002 Competitive Local

ASSISTANT POLICE AND FIRE  
SURGEON  
00652 Unclassified Local

ADMINV SEC/PRNCPL ACCT CLK  
TYPG  
07985 Competitive Local

ASSISTANT POLICE SURGEON  
00653 Unclassified Local

ADMTG CLK  
00228 Competitive Local

ASST ANML CNTRL OFCR/LABRR  
03780 Competitive Local

ANML CNTRL OFCR/CD ENF OFCR  
06239 Competitive Local

ASST CHF AUDTR  
00346 Competitive Local

ASSISTANT PHYSICIAN  
00644 Unclassified Local

ASST CHF IDENTFCN OFCR  
00388 Competitive Local

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ASST DIR PRCHSG  
00497 Competitive Local

CHF INVSTGR ELCTN  
07656 Competitive Local

ASST EXEC HSEKPR  
00530 Competitive Local

CHLD SPPRT WKR  
05590 Competitive Local

ASST SPVG HSPTL ATTNDT  
00745@ Competitive Local

CHLD SPPRT WRKR BIL SP/ENG  
07082 Competitive Local

ASST SPVR SR CITZN ACTVTS  
BI SP/ENG  
05958 Competitive Local

CMNTY ORG SPCLST BI SP/ENG  
07260 Competitive Local

ASST SUPINTDT CHLDRN SHLTR  
00717 Competitive Local

CMPTR OPRTR/DP PROGR  
06021 Competitive Local

ASST SUPINTDT JUVNL SPVSN FAC  
05070 Competitive Local

CNTY CRCTN SGT/LCKSMTH  
07554 Competitive Local

ASST TRFC SFTY COORDR  
00797 Competitive Local

CNTY CRRCTN LT/TRNG OFCR  
CRRCTNS  
06883 Competitive Local

AUDTR-INVSTGTR  
00847 Competitive Local

CNTY CRRECTN LIEUT/RNG MSTR  
08005 Competitive Local

BLDG SUBCD OFCL/FIRE PRTCTN  
INSPCTR  
07843 Competitive Local

CNTY POLC INSPCTR  
01418 Competitive Local

BLDG SVC WKR/SMSTRS  
06855 Non-Competitive Local

COORDINATOR ADMINISTRATIVE  
SERVICES  
01349 Competitive Local

CHF CHAUFFR  
01030 Competitive Local

DAY CARE CNTR WKR  
01478 Competitive Local

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DCKT CKL TYPG BI SP/ENG  
 01676 Competitive Local

HMN SVCS ADMINR  
 05097 Competitive Local

DIR FINC/MUNCPL TREASR  
 06906 Competitive Local

HMN SVCS SPCLST 1 BI RSN/ENG  
 09004 Competitive Local

DIR OF LBR RELTNS  
 01610 Competitive Local

LIBRY EXHBT ARTST/PUBLIC INFO  
 ASST  
 02285 Competitive Local

DIR OF URBN RENWL  
 01648 Competitive Local

MGR SWRS/MGR WTR SPLY  
 07267 Competitive Local

DIRECTOR OF MEDICAL EDUCATION  
 05320 Unclassified Local

NRS COORDR PSYCHTRC THRPY  
 02560 Competitive Local

DRG ABUSE AIDE  
 01686 Competitive Local

PERMT INSPCTR  
 02642 Competitive Local

ECNOMST  
 05276 Competitive Local

PMPG STATN INSPCTR  
 02944 Competitive Local

ELCTRL INSPCTR/TRFC MAINT WKR  
 05899 Competitive Local

PROG COORDR DRG TRTMNT PROG  
 02874@ Competitive Local

EMPL BENFTS CLK TYPG/SEC ASST  
 BI SP/ENG  
 06587 Competitive Local

PUBL SFTY TELCMCTR/SECURTY  
 GUARD  
 06997 Competitive Local

EXEC ASST PUBL SFTY  
 04801 Competitive Local

SANITN INSPCTR BI SP/ENG  
 05825 Competitive Local

EXEC ASST/PSNL DIR  
 05532 Competitive Local

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SENIOR STREET AND SIDEWALK  
INSPECTOR  
03602 Competitive Local

SR TNT RELTNS ASST  
07797 Competitive Local

SPVG MAINT RPRER HIGH PRESR LIC  
07341 Competitive Local

SR X-RAY TECHN  
03655 Competitive Local

SPVG RECPTNST & CMNTY INTRPRTR  
BI SP/ENG  
04797 Competitive Local

SUPERVISING DENTIST  
03873@ Unclassified Local

SPVR BK STACK SVCS  
03981 Competitive Local

SUPINTDT PUBL BLDGS  
MRKTS & DCKS  
07731 Competitive Local

SPVR CTRL SPLY  
03952@ Competitive Local

TECHL ASST DEV  
04138@ Competitive Local

SR ACCT CLK STENO  
03167@ Competitive Local

WELL FLD ATTNDT  
04316 Competitive Local

SR TELPHN OPRTR BI SP/ENG  
04372 Competitive Local

YTH AIDE BI SP/ENG  
08012 Competitive Local

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

- B-3** The Division of State and Local Operations requests the inactivation of 11 Program Development Specialist variant titles.



## MEMORANDUM

DATE: August 1, 2011  
TO: The Civil Service Commission (CSC)  
FROM: Kenneth Connolly, Director State and Local Operations  
SUBJECT: Change in State Classification Plan

*Not fully*

### TITLE INACTIVATION

We request the inactivation of eleven (11) State variant titles.

The Division of State and Local Operations recently conducted a study to determine the practicality and appropriateness of consolidating several Program Development Specialist (PDS) titles. The results of this study identified several titles for consolidation, inactivation, and others to be retained as they currently exist.

We recommend the inactivation of the following PDS variant titles, as the function has either evolved or become obsolete over time.

#### **TITLE INACTIVATIONS:**

**Effective:** Changes will be effective the first pay period following the Commission's approval.

Program Development Specialist 2, Legal Services  
P21-31542 State Career\* NE/12

Program Development Specialist 1, Management & Finance  
R26-64485S State Career\* NL/12

Supervising Program Development Specialist, Management & Finance  
S30-64487D State Career M N4/12

Program Development Specialist 1, Financial Management  
R26-64485G State Career\* NL/12

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Supervising Program Development Specialist, Financial Management  
S29-64486D State Career\* NL/12

Program Development Specialist 3, Recreation  
P18-64482E State Career S NE/12

Program Development Specialist 2, Recreation  
P21-64483E State Career S NE/12

Program Development Specialist 1, Recreation  
R26-64485E State Career S NL/12

Program Development Specialist 3, Operations  
P18-644821 State Career\* NE/12

Program Development Specialist 2, Operations  
P21-64483H State Career\* NE/12

Program Development Specialist 1, Operations  
R26-644855 State Career\* NL/12

KC/JM/BP/GB

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

**B-4 PEDRO CAPPAS**

Pedro Cappas appeals his rejection as a Police Officer candidate by Trenton and its request to remove his name from the eligible list for Police Officer (S9999K) on the basis of psychological unfitness to perform effectively the duties of the position.

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

**B-5 PAUL RODESKY**

Paul Rodesky appeals his rejection as a County Correction Officer candidate by Camden County and its request to remove his name from the eligible list for County Correction Officer (S9999K) on the basis of psychological unfitness to perform effectively the duties of the position.

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

**B-6 MAUREEN COLLAZO**

Maureen Collazo, a Teacher 1, 12 Months, with Garden State Youth Correctional Facility, Department of Corrections, represented by Samuel M. Gaylord, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

**B-7 MARLON JORDON**

Marlon Jordon, a former Youth Worker Supervisor with the Department of Children and Families, appeals the denial of sick leave injury (SLI) benefits.

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

**B-8 JEAN KELLY**

Jean Kelly, an Administrative Assistant 3 with the Department of Banking and Insurance, appeals the denial of sick leave injury (SLI) benefits.

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



**B-9 JOSEPH MARTIN**

Joseph Martin, a Senior Parole Officer with the State Parole Board, appeals the denial of sick leave injury (SLI) benefits.

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

**B-10 DARRELL MORTON**

Darrell Morton, a Painter with Greystone Park Psychiatric Hospital, Department of Human Services, appeals the denial of sick leave injury (SLI) benefits.

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

**B-11 ABDUR AZIM**

Abdur Azim appeals the removal of his name from the eligible list for Social Worker 1 (S0608J), Juvenile Justice Commission, on the basis of falsification of his employment application.

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

**B-12 FRANK BROGDEN**

Frank Brogden appeals the decision of the Division of State and Local Operations which upheld the removal of his name from the Correction Officer Recruit (S9999K), Department of Corrections, eligible list due to his unsatisfactory criminal record and falsification of his employment application.

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

**B-13 MICHAEL RYAN**

Michael Ryan appeals the determination of the Division of Selection Services which found him ineligible for the Entry Level Law Enforcement (S9999M) examination for various titles due to an untimely application.

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

**B-14 SHARON STOW AND JENNIFER DAY**

The Burlington County Board of Social Services appeals the determination of the Division of State and Local Operations which denied its request to remove Sharon Stow and Jennifer Day from the November 3, 2010 certification of the eligible list for Human Services Specialist 1 (C0413L) on the basis that they do not meet the announced requirements.

**ACTION:** The Civil Service Commission directed that this appeal be granted and the names of Sharon Stow and Jennifer Day be removed from the subject eligible list.

**B-15 ANITRA BEALS**

Anitra Beals, a Human Services Specialist 2 with the Cumberland County Board of Social Services, appeals the bypass of her name on the June 10, 2010 certification of the Human Services Specialist 4 (PC0590L) eligible list.

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

**B-16 PASQUALE ANGELASTRO**

Pasquale Angelastro, Camden County, Public Safety and Juvenile Justice Department, petitions the Civil Service Commission for reconsideration of the decision rendered on June 1, 2011, which found that the layoff tie-breaker criteria were correctly applied.

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

**B-17 SHERI BROWN, ET AL.**

Sheri Brown, Towanna Richardson, Keisha Newell, Angel Hollaway, Sharon Smiley-McCormick, Shakima Bacon, Vanolio Deloatch, and Sandra Currais, former Clerk Typists with the Newark School District, appeal the determinations of their layoff rights by the Division of State and Local Operations (SLO). Additionally, Keneesha Haynes, a former Data Control Clerk, Typing, and Ernette Willis-Pinkston, a former Word Processing Operator, appeal the determinations of their layoff rights by SLO.

**ACTION:** The Civil Service Commission directed that Sharon Smiley-McCormick's appeal be granted in part and the rest of the appeals be denied.

**B-18 TERRENCE GILLIAM**

Terrence Gilliam, a former Social Worker with the Mercer County Board of Social Services, appeals the determination of his layoff rights by the Division of State and Local Operations.

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

**B-19 RICHARD CASELLA**

Richard Casella petitions the Civil Service Commission for reconsideration of the decision rendered on May 4, 2011, which found that his scores are correct on the promotional examination for Fire Officer 2 (PM3504L), Jersey City.

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

**B-20 ROSANN D'ERRICO, ET AL.**

The Office of the Public Defender (OPD), on behalf of Rosann D'Errico, a former Supervisor, Fiscal Accounts, Maryann Marazzo, a provisional Administrative Analyst 2, and Charlotte Nixon, a Technical Assistant 2, Treasury, requests a waiver of repayment of salary overpayments, pursuant to *N.J.S.A.* 11A:3-7, which provides that when an employee has erroneously received a salary overpayment, the Civil Service Commission may waive repayment based on a review of the case. The OPD also requests that their salaries be red-circled.

**ACTION:** The Civil Service Commission granted the request for reconsideration in part and vacated the prior determination with respect to removing the red-circle designations for Rosann D'Errico and Charlotte Nixon. The Civil Service Commission also denied the request for a waiver of the repayment for Maryann Marazzo, but ordered that she be provisionally appointed as a Senior Buyer effective May 22, 2010.

**B-21 JOHN FASANELLA**

The Mercer County Office of the Sheriff and John Fasanella, represented by Charles P. Allen, Jr., Esq., seek acknowledgement of the July 21, 2011 settlement agreement between the parties.

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

**B-22 TAMESHIA RUSSELL**

Tameshia Russell, a Secretarial Assistant 1 (Non-Stenographic), represented by Daniel S. Sweetser, Esq., appeals the decision of the Motor Vehicle Commission to reassign her from the Assistant Chief Administrator's Office to the Motor Carriers Unit.

**ACTION:** The Civil Service Commission remanded the matter to the appointing authority to either initiate disciplinary procedures or return the appellant to her prior position.

**B-23 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. This matter was held over from the Commission's July 27, 2011 meeting for further review.

**ACTION:** The Civil Service Commission granted the request.

**B-24 JOHN WOOD**

John Wood, a Correction Sergeant, with Bayside State Prison, Department of Corrections, requests that the Civil Service Commission reinstate his appeal of his indefinite suspension pending criminal charges effective September 13, 2010, which was dismissed based on his failure to appear at his scheduled hearing.

**ACTION:** The Civil Service Commission denied the request.

**B-25 JOHN CAMPANILE, ET AL.**

John Campanile, James Just and Jose Rosario appeal the determinations of the Division of Selection Services denying their requests for make-up examinations for the Entry Level Law Enforcement Examination (S9999M).

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

**B-26 LAUREN BRADFORD**

The Department of the Treasury requests that Lauren Bradford's out-of-title experience be accepted to qualify her for a prospective promotional examination for Administrative Analyst 3, Data Processing.

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

**B-27 MATTHEW COHEN**

The Department of Community Affairs requests the acceptance of out-of-title experience for Matthew Cohen to qualify him for a promotional examination for the title of Supervising Program Development Specialist, Management and Finance.

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

**B-28 MICHAEL FERRARO**

Michael Ferraro requests additional differential back pay for the duties he was performing as an Assistant Supervisor 2, Administrative Services with the Richard Stockton State College.

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

**B-29 STEVE DOBROSKY AND ERIN PEEK**

The Department of Environmental Protection requests that the provisions of *N.J.A.C. 4A:4-1.1(c)* be relaxed in order to allow Steve Dobrosky and Erin Peek to be provisionally appointed, pending promotional examination procedures, to the title of Heavy Equipment Operator.

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

**B-30 KEVIN MCGRATH**

The Division of Selection Services, on behalf of the Department of Banking and Insurance, requests that the educational requirements for the promotional examination for Managing Examiner (PS1390L), Department of Banking and Insurance, be relaxed in order to effect Kevin McGrath's eligibility to the examination.

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

**B-31 JOANNE ROBINSON**

The Motor Vehicle Commission requests that the eligible list for Administrative Analyst 2 (PS8042T) be revived to allow for the retroactive permanent appointment of Joanne Robinson, effective January 15, 2011.

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

**B-32 SUPERVISING DRIVER IMPROVEMENT ANALYST (PS5991T),  
MOTOR VEHICLE COMMISSION**

The Motor Vehicle Commission requests that the eligible list for Supervising Driver Improvement Analyst (PS5991T) be revived in order to effectuate the permanent appointment of Dennis Maddalena.

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

**B-33 ROBERT BIELSTEN**

The City of Clifton, represented by Joseph M. Hannon, Esq., appeals the decision of the Division of State and Local Operations which found that Robert Bielsten's position is properly classified as a Police Captain.

**ACTION:** The Civil Service Commission directed that this appeal be granted and concluded that the proper classification of Robert Bielsten's position in the Field Operations Bureau was Police Lieutenant.

**B-34 MICHELLE CIMORELLI**

Michelle Cimorelli 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 1, Treasury. The appellant seeks an Administrative Analyst 3 classification.

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

**B-35 JOANN TOMARO**

Joann Tomaro appeals the decision of the Division of State and Local Operations that the proper classification of her position with the Department of Corrections is Head Audit Account Clerk. The appellant seeks a Supervisor of Accounts classification.

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

**B-36 ACCOUNT CLERK (M1342L), LAVALLETTE**

Lavallette requests permission not to make an appointment from the August 11, 2010 certification for Account Clerk (M1342L).

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

**B-37 MANAGEMENT ASSISTANT (C1325L), HUDSON COUNTY**

The appointing authority's failure to dispose of the certification for Management Assistant (C1325L), Hudson County, while provisionals are serving in the title, has been referred to the Civil Service Commission for enforcement.

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

**B-38 PUBLIC INFORMATION ASSISTANT (C0425L), MIDDLESEX COUNTY**

Middlesex County requests permission not to make an appointment from the January 12, 2010 certification for Public Information Assistant (C0425L).

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



**B-39 SENIOR ACCOUNT CLERK (C1151L), BERGEN COUNTY**

The matter of whether Bergen County should be granted permission not to make an appointment from the August 11, 2010 certification for Senior Account Clerk (C1151L) has been referred to the Civil Service Commission for review.

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

**B-40 ADMINISTRATIVE ANALYST 1, DATA PROCESSING (PS5021I), DEPARTMENT OF CORRECTIONS**

In *In the Matter of Administrative Analyst 1, Data Processing (PS5021I), Department of Corrections* (CSC, decided April 29, 2009), the Civil Service Commission granted the request of the Department of Corrections for an appointment waiver for the April 7, 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 \$1,602.

**B-41 INSTITUTIONAL TRADE INSTRUCTOR 1, WAREHOUSING (S6955J), DEPARTMENT OF CORRECTIONS**

In *In the Matter of Institutional Trade Instructor 1, Warehousing (S6955J), Department of Corrections* (CSC, decided August 19, 2009), the appointing authority's request for an appointment waiver from the June 20, 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 partial selection costs in the amount of \$4,142.50.

**B-42 CONSTRUCTION OFFICIAL (M0043M), POINT PLEASANT BOROUGH**

The appointing authority's failure to dispose of the certification for Construction Official (M0043M), Point Pleasant Borough, while a provisional is serving in the title, has been referred to the Civil Service Commission for enforcement.

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

**B-43 HUMAN SERVICES SPECIALIST 1 (C0015K)**

The Ocean County Board of Social Services requests that the eligible list for Human Services Specialist 1 (C0015K) be extended for one year beyond its original expiration date.

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

**B-44 VANESSA BARNES**

Vanessa Barnes, a former Social Worker 1 with the Juvenile Justice Commission, Department of Law and Public Safety, represented by Christopher Young, Staff Representative, CWA Local 1040, appeals the determination of the Chief of Staff, Office of the Attorney General, stating that the appellant failed to present sufficient evidence to support a finding that she had been subjected to violations of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

**B-45 THOMAS LYNCH**

The appeal of Thomas Lynch, a Police Officer with Voorhees Township Police Department, of his 70 working day suspension, on charges, was heard by Administrative Law Judge Ronald W. Reba, who rendered his initial decision on June 15, 2011. At its meeting on July 27, 2011, the Civil Service Commission did not adopt the ALJ's recommendation to modify the 70 working day suspension to a 30 working day suspension. Rather, the Commission upheld the 70 working day suspension. The proposed final decision is now submitted for the Commission's review.

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

**B-46 DEAN MANNION**

The appeal of Dean Mannion, a Fire Fighter with North Hudson Regional Fire and Rescue, of his eight-day (24-hour tours of duty) suspension, on charges, was heard by Administrative Law Judge Michael Antoniewicz, who rendered his initial decision on June 22, 2011. At its meeting on July 27, 2011, the Civil Service Commission did not adopt the ALJ's recommendation to modify the appellant's suspension to a six-day (24-hour tours of duty) suspension. Rather, the Commission upheld the eight-day (24-hour tours of duty) suspension. 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-47 THOMAS MITCHELL**

The appeal of Thomas Mitchell, an Institutional Trade Instructor 2, Cooking, with Northern State Prison, Department of Corrections, of his 45 working day suspension, on charges, was heard by Administrative Law Judge Leslie Z. Celentano, who rendered her initial decision on May 23, 2011. At its meeting on July 27, 2011, the Civil Service Commission did not adopt the ALJ's recommendation to modify the 45 working day suspension to a 15 working day suspension. Rather, the Commission upheld the 45 working day suspension. The proposed final decision is now submitted for the Commission's review.

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

**B-48 MAYLANA RHODES**

The appeal of Maylana Rhodes, a Juvenile Detention Officer with Hudson County, Department of Corrections, of her resignation not in good standing effective July 21, 2010, on charges, was heard by Administrative Law Judge Kimberly A. Moss, who rendered her initial decision on June 1, 2011. At its meeting on July 27, 2011, the Civil Service Commission did not adopt the ALJ's recommendation to modify the resignation not in good standing to a six-month suspension. Rather, the Commission upheld the appellant's removal. The proposed final decision is now submitted for the Commission's review.

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

**B-49 DWAYNE SMITH**

The appeal of Dwayne Smith, a Senior Correction Officer at Northern State Prison, Department of Corrections, of his removal effective November 22, 2010, on charges, was heard by Administrative Law Judge Leslie A. Celentano, who rendered her initial decision on April 12, 2011. At its meeting on July 27, 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.

**B-50 HAZEL BENJAMIN**

Hazel Benjamin 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 Community Service Worker (C0004N), Ocean County.

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

**B-51 ELLIOTT CLARK AND HARPREET SINGH**

Elliott Clark and Harpreet Singh appeal the determinations of the Division of Selection Services that they lacked the required amount of permanent status in a title to which the examination is open for the promotional examination for Forensic Scientist 3, Department of Law and Public Safety (PS9104P).

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

**B-52 OMAR CORDERO**

Omar Cordero appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Equipment Operator (PM0392M), Plainfield.

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

**B-53 CHARLES DISCHER**

Charles Discher appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the promotional examination for Supervisor of Motor Pool (PC0085N), Hudson County.

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

**B-54 KEVIN DORAN, ET AL.**

Kevin Doran, Soma Rench and Mary Trongone appeal the determinations of the Division of Selection Services which found that they did not meet the experience requirements for the open competitive examination for Customer Service Representative 1 (S0756M), Statewide.

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

**B-55 DANA S. FRECK**

Dana S. Freck appeals the determination of the Division of Selection Services which found that she did not meet the requirements for the promotional examination for Manager 1, Information Processing (PS5923K), Department of Children and Families.

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

**B-56 RAYMOND GRIMES, JR.**

Raymond Grimes, 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 Section Forest Firewarden (S0070N), Department of Environmental Protection.

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

**B-57 WAYNE JACOBSEN**

Wayne Jacobsen appeals the determination of the Division of Selection Services that found that he did not meet the experience requirements for the promotional examination for Buyer (PS1408P), Division of State Police.

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

**B-58 KAREN LAVELLE-JACKSON**

Karen Lavelle-Jackson appeals the validity of the promotional examination for Paralegal Specialist (PS1109L), Gloucester County.

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

**B-59 AMY LUCAS**

Amy Lucas appeals the determination of the Division of Selection Services that she did not meet the experience requirement for the open competitive examination for Home Instructor, Commission for the Blind and Visually Impaired (S0082N), Statewide.

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

**B-60 DANIEL PANARELLO**

Daniel Panarello appeals the decision of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Management Information Systems Coordinator (PC0168N), Atlantic County.

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

**B-61 KATHY RODRIGUEZ**

Kathy Rodriguez appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she did not meet the experience requirements for the promotional examination for Director of Welfare (PC0774K), Cumberland County Board of Social Services.

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

**B-62 GLEN SZABLEWSKI**

Glen Szablewski appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the promotional examination for Assistant Supervisor Public Works (PM0008N), Brick Township.

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

**B-63 JOHN ZOLDI**

John Zoldi appeals the determination of the Division of Selection Services which found that he was below the experience requirements per the substitution clause for education for the promotional examination for Administrative Analyst 2 Data Processing (PS2325P), Department of Law and Public Safety.

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

**B-64 PROPOSED AMENDMENT: N.J.A.C. 4A:3-3.9, CLASSIFICATION APPEALS**

Submitted for the Commission's approval is a Notice of Proposal to amend *N.J.A.C. 4A:3-3.9*, Classification appeals. The amendments are intended to make the classification appeal process more efficient and are based on recommendations by Kenneth Connolly, the Director of State and Local Operations. 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 approved the proposal for publication.

**B-65 PROPOSED AMENDMENT: N.J.A.C. 4A:2-1.5, REMEDIES**

Submitted for the Commission's approval is a Notice of Proposal to amend *N.J.A.C. 4A:2-1.5*, Remedies. The amendment would define the term "sufficient cause" in the context of determining whether a prevailing appellant may receive back pay, benefits, or counsel fees where the appeal is neither disciplinary nor concerns a layoff action done in bad faith. Defining "sufficient cause" is necessary in the wake of the decision in *In the Matter of Hearn*, 417 *N.J. Super.* 289 (App. Div 2010), wherein the court held that the Commission's working definition of "sufficient cause" could be applied only via rulemaking, not adjudication. 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 approved the proposal for publication.



**B-66 PROPOSED AMENDMENT: *N.J.A.C.* 4A:4-2.4, PROMOTIONAL TITLE SCOPE: LOCAL SERVICE**

Submitted for the Commission's approval is a Notice of Proposal to amend *N.J.A.C.* 4A:4-2.4, Promotional title scope: local service. The amendment would make the rule parallel to *N.J.A.C.* 4A:4-2.5, Promotional title scope: State service, by permitting a promotional title scope in local service to be set with or without all or part of the open competitive requirements, as appropriate. 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 approved the proposal for publication.

**B-67 PROPOSED AMENDMENT: *N.J.A.C.* 4A:4-3.9, REEMPLOYMENT PROGRAM FOR CERTAIN FIREFIGHTERS**

Submitted for the Commission's approval is a Notice of Proposal to amend *N.J.A.C.* 4A:4-3.9, concerning the reemployment program known as the "Rice Bill" for laid off municipal firefighters or those municipal firefighters demoted to a non-firefighting title, and laid off civilian Federal firefighters. The amendment would codify P.L. 2010, c.43, which provides that the afore-described individuals would be eligible to participate in the Rice Bill program if the layoff or demotion, as the case may be, occurred within the last 60 months. 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 approved the proposal for publication.

**B-68 PROPOSED AMENDMENT: *N.J.A.C.* 4A:2-2.8 AND 2.13; PROPOSED FOR DELETION: APPENDICES TO *N.J.A.C.* 4A:2-2.8 AND *N.J.A.C.* 4A:2-2.13; AND PROPOSED NEW APPENDICES TO THOSE RULES (MAJOR DISCIPLINARY APPEALS OF CERTAIN CIVIL SERVICE EMPLOYEES AND REMOVAL APPEALS OF CERTAIN LAW ENFORCEMENT OFFICERS AND FIREFIGHTERS)**

Submitted for the Commission's approval is a Notice of Proposal to amend *N.J.A.C.* 4A:2-2.8 and 2.13; delete the current Appendices to *N.J.A.C.* 4A:2-2.8 and 4A:2-2.13; and replace them with new Appendices to those rules, concerning major disciplinary appeals of certain Civil Service employees and removal appeals of certain law enforcement officers and firefighters. The proposed amendments would provide that an appeal may be dismissed where, after notice of and a reasonable opportunity to correct a deficiency, the appellant still fails to include the required information with his or her appeal form. A new Appendix to *N.J.A.C.* 4A:2-2.8 would include a revised Major Disciplinary Appeal Form. A new Appendix to *N.J.A.C.* 4A:2-2.13 would include a revised Law Enforcement Officer and Firefighter Removal Appeal Form. 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 approved the proposal for publication.

**B-69 CIVIL SERVICE COMMISSION MINUTES**

Submitted for adoption are the Civil Service Commission minutes of its meeting of July 27, 2011.

**ACTION:** The Civil Service Commission adopted the minutes of its meeting of July 27, 2011.

**B-70 ELVIS JIMENEZ, ET AL.**

Elvis Jimenez, represented by Catherine M. Elston, Esq., Priscilla Leon, represented by Patrick P. Toscano, Jr., Esq., and Jason Tangorra, represented by Danielle G. Miele Tangorra, Esq., appeal the decisions of the Division of State and Local Operations, which found that their names should not be placed on the Statewide Eligible List for reemployment of displaced law enforcement officers (Rice Bill list).

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

**B-71 POLICE SERGEANT PROMOTIONAL EXAMINATIONS**

The Division of Selection Services requests that *N.J.A.C. 4A:4-2.6(a)2* be relaxed to allow the November 30, 2010 closing date for certain promotional examinations for Police Sergeant to be extended to November 30, 2011.

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

**B-72 PHILLIP BAUKNIGHT**

Phillip Bauknight, an Assistant Deputy Public Defender 1 with the Office of the Public Defender, appeals the denial of sick leave injury (SLI) benefits.

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

**There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, September 7, 2011, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.**