



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  
SEPTEMBER 21, 2011**

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

**September 21, 2011**

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**A regular meeting of the Civil Service Commission was held on Wednesday, September 21, 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 Francis Albano  
New Jersey State Prison  
Department of Corrections  
Suspension

In the Matter of Langston Burrell  
Anne Klein Forensic Center  
Department of Human Services  
Removal

In the Matter of Margarietta Campbell  
North Jersey Developmental Center  
Department of Human Services  
Suspension

In the Matter of Genelle Eckear  
Woodbine Developmental Center  
Department of Human Services  
Removal

In the Matter of Jonathan Hodges  
Anne Klein Forensic Center  
Department of Human Services  
Removal

In the Matter of Elizabeth A. Holloway  
Ocean County Board of Social Services  
Release at the end of the working test period

In the Matter of Andrea B. Jones  
Vineland Developmental Center  
Department of Human Services  
Removal

In the Matter of John Jones  
City of Long Branch  
Department of Public Works and Parks  
Removal

In the Matter of Montoya Key  
New Jersey Veterans Memorial Home, Vineland  
Department of Military and Veterans' Affairs  
Removal

In the Matter of Stacy Koita  
Woodbine Developmental Center  
Department of Human Services  
Resignation not in good standing

In the Matter of Adrienne Lewis  
Ancora Psychiatric Hospital  
Department of Human Services  
Removal

In the Matter of Gary Pressley  
Ancora Psychiatric Hospital  
Department of Human Services  
Removal

In the Matter of Ryan Romain  
Kean University  
Removal

In the Matter of Monica Smith  
Passaic County  
Preakness Hospital  
Removal

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

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

**A-2 DUMIS BARREAU**

Dumis Barreau, Senior Probation Officer, Judiciary, Superior Court, Essex County Vicinage, 60-day suspension on charges of conduct unbecoming a public employee, other sufficient cause and violation of code of conduct.

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

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

**A-3 ANTHONY FERRAIOLI**

Anthony Ferraioli, Police Officer, City of Hackensack, Police Department, six-month suspension on charges of incompetency, inefficiency or failure to perform duties, insubordination, conduct unbecoming a public employee, other sufficient cause, and violation of Department rules and regulations.

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

**ACTION:** The Civil Service Commission modified the recommendation of the Administrative Law Judge to a three-month suspension.

**A-4 TRINA CHANCEY**

Trina Chancey, Police Officer, Township of Irvington, Police Department, removal effective January 31, 2011, on the charge of inability to perform duties and a removal effective January 31, 2011, on the charge of failure to obey laws and regulations.

Recommendation of the Administrative Law Judge – Uphold the removal for the charge of inability to perform duties and modify the removal to a 15-day suspension for the charge of failure to obey laws and regulations.

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

**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-5 LARRY JOHNSON**

Larry Johnson, Senior Correction Officer, Northern State Prison, Department of Corrections, removal effective January 13, 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 modified the recommendation of the Administrative Law Judge to a 90 working day suspension.

Agenda Item A-5 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 reviewing the videotape of the incident which showed inmates at a State facility since the matter would constitute unwarranted invasions of individual privacy. The Commission subsequently reconvened the public meeting.

**A-6 OLLIE KENDRICK**

Ollie Kendrick, Practical Nurse, North Jersey Developmental Center, Department of Human Services, removal effective May 17, 2010, on charges of violation of a rule, policy, procedures, neglect of duty, serious mistake due to carelessness which could result in danger and/or injury to persons, 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-7 TORETTA BRADFORD-WYATT**

Toretta Bradford-Wyatt, Senior Correction Officer, Edna Mahan Correctional Facility, Department of Corrections, removal effective October 20, 2010, on charges of conduct unbecoming a public employee, other sufficient cause and falsification.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

**A-8 BERGEN COUNTY LAYOFFS 2010 (SETTLEMENT)**

Margaret Martini, Administrative Clerk Typing, Department of Public Safety, Bergen County, appeals the good faith of her layoff effective May 30, 2010, for reasons of economy and efficiency. Settled to withdrawal of appeal with prejudice, retirement and appellant pays the County for her health care contribution payments.

Recommendation of the Administrative Law Judge – Acknowledge the settlement.

**ACTION:** The Civil Service Commission affirmed the recommendation of the Administrative Law Judge. The Civil Service Commission also acknowledged the withdrawals of the appeals of Robert Meluson and Thomas Wisse and dismissed the appeal of Lisa Lupardi based on her failure to appear at the hearing.

**A-9 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. This matter was held over from the July 27, 2011 Civil Service Commission meeting for review of testimony presented at the hearing.

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

**ACTION:** The Civil Service Commission modified the recommendation of the Administrative Law Judge to a six-month suspension.

**VOTE:**

<b>Robert M. Czech</b>	<b>(Yes)</b>
<b>Robert E. Brenner</b>	<b>(No)</b>
<b>Thomas J. Perna</b>	<b>(Yes)</b>
<b>Richard E. Williams</b>	<b>(Yes)</b>

**A-10 JIMMY GONZALEZ**

Jimmy Gonzalez, Senior Correction Officer, East Jersey State Prison, Department of Corrections, removal effective August 19, 2010, on charges of conduct unbecoming a public employee, discrimination that affects equal employment opportunity, including sexual harassment, other sufficient cause and violation of the Department policy prohibiting discrimination, harassment, or hostile environment in the workplace. This matter was held over from the July 13, 2011 Civil Service Commission meeting for review of testimony presented at the hearing.

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

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



**SECTION B – MISCELLANEOUS MATTERS**

**B-1** The Division of State and Local Operations requests the inactivation of the unclassified title of Capital Complex Coordinator 2, State Capital Management Commission.



**MEMORANDUM**

DATE: August 24, 2011  
TO: Civil Service Commission  
FROM: Kenneth Connolly, Director  
State and Local Operations *Kenneth Connolly*  
SUBJECT: Change in the Classification Plan

The Division of State and Local Operations requests the inactivation of the following unclassified title.

The title is assigned for use to the State Capitol Joint Management Commission, in the Legislative branch of government and is currently unencumbered. Treasury provides HR support to the Commission and has no objection to this inactivation.

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

**TITLE INACTIVATION**

Capital Complex Coordinator 2, State Capitol Joint Management Commission  
X98-90668 U A 40/12

KC/JM/BP/PM

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[www.state.nj.us/esc](http://www.state.nj.us/esc)

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

B-2 The Division of State and Local Operations requests the consolidation of 5 local government titles within Occupational Group 65 (Occupations in Printing).



## MEMORANDUM

DATE: August 25, 2011  
TO: Civil Service Commission  
FROM: Kenneth Connolly, Director  
State and Local Operations  
SUBJECT: Change in the Classification Plan

### LOCAL GOVERNMENT TITLE CONSOLIDATION INITIATIVE

The Division of State and Local Operations requests the consolidation of various local government titles within Occupational Group 65 (Occupations in Printing).

The identified titles are all in some capacity involved in bindery work. The core function, binding and repairing books, magazines, pamphlets, catalogs and other printed materials, is consistent regardless of whether or not the duties are performed manually or by machine. Thus, we request the consolidation of titles performing specialized work into a broad title series called Binding Specialist.

The definitions, requirements, knowledge, skills and abilities sections of the title specifications have been modified to accommodate the proposed title consolidation. As a result, the proposed title specifications are broader and more general, allowing for greater flexibility across jurisdictions.

The title actions will be processed as lateral employee movements; appointment type to appointment type, with retention of existing status.

Upon successful completion of the consolidation process, the consolidated titles involved will be inactivated. Any existing eligibility lists for these titles shall be processed as follows:

- Promotional and open competitive lists issued from pending announcements for any affected title in which employees with provisional appointments are serving will be certified for one time use only in order to effect permanent appointment(s) and will be declared expired upon disposition of the certification.
- A complete list that has never been used and contains no employees with current provisional appointments for the title and unit scope specified shall be declared expired.
- A complete list which contains employees with current provisional appointments for the title and unit scope specified (with the exception of such employees currently on active military duty) will be processed for one time use and will be declared expired upon the disposition of the certification.

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- An incomplete list containing no employees with current provisional appointments for the title and unit scope specified shall be declared expired.
- Any employee currently on active military duty will be afforded all applicable rights under Federal and State law upon their release from active duty and given the opportunity to apply and compete for any announcements for which they would otherwise have been eligible but for their military service.
- Eligibility lists for affected titles and unit scopes which have expired will be revived as necessary to address unanticipated situations which may arise.

Local Appointing Authorities have been given the opportunity to review this proposal and all articulated issues have been reviewed and addressed.

**TITLE CONSOLIDATION & MOVEMENT OF INCUMBENTS:**

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

**FROM:**

Bookbinder  
 00888 Career (C) Local

Bindery Worker  
 00866@ Career (C) Local

Senior Bindery Worker  
 03202@ Career (C) Local

Supervisor Bookbinding  
 06476 Career (C) Local

Supervising Bindery Worker  
 07588 Career (C) Local

**TO:**

Binding Specialist 1  
 00888 Career (C) Local

Binding Specialist 2  
 03202@ Career (C) Local

Binding Specialist 3  
 06476 Career (C) Local



KC/JM/BP/GB

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

**B-3** The Division of State and Local Operations requests the inactivation of 26 unclassified titles assigned for use in the former New Jersey Public Broadcasting Authority that are unencumbered.



## MEMORANDUM

DATE: August 24, 2011  
TO: Civil Service Commission  
FROM: Kenneth Connolly, Director  
State and Local Operations  
SUBJECT: Change in the Classification Plan

### TITLE INACTIVATION

We request the inactivation of twenty-six (26) State unclassified titles assigned for use to the former NJ Public Broadcasting Authority (NJPBA). The titles are unencumbered and there are no future plans for use.

#### TITLE INACTIVATION:

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

Assistant Producer/Director PBA P19-93085	Unclassified U	NE/12
Producer/Director PBA P26-93087	Unclassified U	NL/12
Senior Producer/Director PBA S30-93088	Unclassified U	NL/12
Executive Producer/News PBA X98-93099	Unclassified U	NL/12
Technical Assistant 1 PBA A17-93103	Unclassified U	40/12
Senior Film Editor PBA P24-93126	Unclassified U	4E/12
Manager of Film Services PBA R28-93128	Unclassified U	N4/12

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Television Station Manager PBA  
M30-93142 Unclassified U NL/12

Studio Assistant to the Director PBA  
P17-93003 Unclassified U 40/12

Executive Director PBA  
M40-93009 Unclassified U NL/12

Program Manager PBA  
M32-93037 Unclassified U NL/12

Director of Programming PBA  
M36-93038 Unclassified U NL/12

Instructional Television Utilization Specialist PBA  
P28-93056 Unclassified U NL/12

Television Cinematographer PBA  
P24-93136 Unclassified U 4E/12

News Writer PBA  
P24-93065 Unclassified U 4E/12

Assignment Editor PBA  
P25-93067 Unclassified U 4E/12

Technical Coordinator PBA  
R25-93165 Unclassified U 40/12

Technical Operations Coordinator PBA  
S28-93167 Unclassified U 4E/12

Physical Assets Engineer PBA  
S29-93177 Unclassified U NL/12

Electrical & Climate Control Systems Tech PBA  
C20-93203 Unclassified U 40/12

Eng/Film Editor PBA  
P22-93303 Unclassified U 40/12

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Assistant Director of Engineering PBA  
M31-93316 Unclassified U N4/12

Studio Maintenance Tech PBA  
C22-93336 Unclassified U 40/12

Transmitter Maintenance Tech PBA  
C22-93345 Unclassified U 40/12

Graphic Artist 1 PBA  
P22-93106 Unclassified U 40/12

Senior On-Air Talent  
X98-93100 Unclassified U NL/12

KC/JM/BP/GB

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

**B-4 RICHARD KOKAWSKI**

Richard Kokawski, a Senior Correction Officer with Mountainview Youth Correctional Facility, Department of Corrections, represented by Samuel J. Thomas, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

**B-5 EDWARD MARSHALL**

Edward Marshall, an Equipment Operator with the Department of Transportation, appeals the denial of sick leave injury (SLI) benefits.

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

**B-6 RONALD MOORE**

Ronald Moore, a Senior Correction Officer with Southern State Correctional Facility, Department of Corrections, appeals the denial of sick leave injury (SLI) benefits.

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

**B-7 TAWANNA ROGERS**

Tawanna Rogers, a Senior Correction Officer with Garden State Reception & Youth Correctional Facility, Department of Corrections, appeals the denial of sick leave injury (SLI) benefits.

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

**B-8 MICHELE M. COLES**

Michele M. Coles, a former Clerk Typist with the Borough of Fair Lawn, represented by Edward J. Nolan, Esq., appeals the determination of her layoff rights by the Division of State and Local Operations.

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

**B-9 ATEH ANYERE**

Ateh Anyere, a former Cottage Training Technician with Hunterdon Developmental Center, Department of Human Services, requests that the Civil Service Commission reinstate her appeal of her removal effective August 14, 2010, which was dismissed based on her failure to appear at her scheduled hearing.

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

**B-10 MICHAEL MCKENZIE**

Michael McKenzie, represented by Craig Gumpel, Esq., appeals his disqualification from the examination for Fire Captain (PM5066M), New Brunswick for possession of a cell phone.

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

**B-11 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 Mountainview Youth Correctional Facility to the Central Reception and Assignment Facility.

**ACTION:** The Civil Service Commission directed that this matter be remanded to the appointing authority to either initiate disciplinary procedures or return the appellant to his prior location within 20 days of issuance of this decision.

**B-12 BARBARA GALVIN**

Barbara Galvin petitions the Civil Service Commission for reconsideration of the decision rendered on June 15, 2011, which denied her appeal regarding her ineligibility for the open competitive examination for Habilitation Plan Coordinator (S0774M), Statewide.

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



**B-13 NANCY P. FRATZ**

Nancy P. Fratz, an Assistant Deputy Public Defender 3 with the Office of the Public Defender, appeals the determination of the Public Defender, 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 EDWARD HAAS**

Edward Haas, a Deputy Attorney General 4 with the Division of Law, Department of Law and Public Safety, represented by Andrew L. Watson, Esq., 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 he had been subjected to violations of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

**ACTION:** The Civil Service Commission directed that this matter be remanded to the appointing authority for further investigation.

**B-15 DEPUTY MUNICIPAL COURT ADMINISTRATOR (M0096K) AND (M0349M), ANDOVER TOWNSHIP**

Andover Township requests permission not to make an appointment from the November 12, 2010 certification for Deputy Municipal Court Administrator (M0096K) and (M0349M).

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

**B-16 RECORDS MANAGER (M0007M), PATERSON**

Paterson requests permission not to make an appointment from the August 11, 2010 certification for Records Manager (M0007M).

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

**B-17 DARIO DA COSTA**

The Director, Division of Selection Services, on behalf of 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 Dario Da Costa to be provisionally appointed, pending promotional examination procedures, to the competitive title of Building Management Services Specialist 4.

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

**B-18 JOANNE DAVIS**

Joanne Davis appeals the decision of the Division of State and Local Operations which found that the implementation of her position classification with the Department of Environmental Protection was March 26, 2011. The appellant seeks a May 8, 2007 effective date.

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

**B-19 SAKYIBERA FITZGERALD**

Sakyibera Fitzgerald appeals the March 12, 2011 effective date of her reclassification to the title Associate Supervisor 2, Facilities. The appellant seeks a May 10, 2008 effective date.

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

**B-20 COLLEEN KELLER**

Colleen Keller appeals the January 1, 2011 effective date of the reclassification of her position with the Department of Environmental Protection. The appellant seeks a May 8, 2007 effective date.

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

**B-21 ANN LAURIE FRATTICCIOLI**

Ann Laurie Fratticcioli, represented by Paul A. Pologruto, Communications Workers of America, Local 1032, appeals the decision of the Division of State and Local Operations that the proper classification of her position with the Department of Transportation was Personnel Assistant 2. The appellant seeks an Administrative Analyst 2 classification.

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

**B-22 RHONDA GIPSON-ROSE**

Rhonda Gipson-Rose appeals the decision of the Division of State and Local Operations which found that her position with the Department of Health and Senior Services is properly classified as Senior Buyer. The appellant seeks an Administrative Analyst 2, Procurement classification.

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

**B-23 DEBORAH LEWIS**

Deborah Lewis appeals the decision of the Division of State and Local Operations which found that her position with the Department of Human Services is properly classified as Technical Assistant 3. The appellant seeks a Management Assistant classification.

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

**B-24 NORMAN TAHAN**

Norman Tahan appeals the decision of the Division of Selection Services to assign the title scope for the promotional examination for Fire Chief (PM0690M), Clifton as open to the next two lower in-series titles.

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

**B-25 JOSEPH M. COLOMBO**

The appeal of Joseph M. Colombo, a Supervising Laborer with the City of Bayonne, of his removal, effective August 20, 2010, on charges, was heard by Administrative Law Judge Kelly J. Kirk (ALJ), who rendered her initial decision on July 29, 2011. At its meeting on September 7, 2011, the Civil Service Commission (Commission) adopted the ALJ's recommendation to modify the appellant's removal to a six-month suspension and impose conditions for reinstatement. However, the Commission found it necessary to address the exceptions filed by the appointing authority and impose a removal date of February 20, 2011 should the appellant not meet the conditions for reinstatement. The proposed final decision is now submitted for the Commission's review.

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

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

**B-26 BRUCE JONES**

The appeal of Bruce Jones, a Senior Correction Officer with Northern State Prison, Department of Corrections, of his removal, on charges, was heard by Administrative Law Judge JoAnn Lasala Candido (ALJ), who rendered her initial decision on July 15, 2011. At its meeting on September 7, 2011, 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**       **(Abstained)**  
              **Thomas J. Perna**           **(Yes)**  
              **Richard E. Williams**      **(Yes)**

**B-27 JASON GASKILL**

Jason Gaskill appeals the determination of the Division of Selection Services that he did not meet the experience requirement for the promotional examination for Customer Service Representative 2 (PS1489G), Department of Environmental Protection.

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

**B-28 ARAION MALONE**

Araion Malone appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the open competitive examination for Representative Citizens' Complaints (M0605M), Newark.

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

**B-29 NICHOLAS J. SABATO**

Nicholas J. Sabato appeals the determination of the Division of Selection Services which found that he did not meet the requirements for the promotional examination for Technical Assistant, Management Information Systems (PS2105F), Department of Education.

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

**B-30 TIMOTHY CARROLL, ET AL.**

Timothy Carroll, Dennis Gibson III and Joseph Smigelsky appeal their scores for the physical performance portion of the examination for Fire Fighter (M9999M).

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

**B-31 RONNIE COLON, ET AL.**

Ronnie Colon, Gregory Louis and Josner Rivadeniera appeal their scores for the physical performance portion of the examination for Fire Fighter (M9999M).

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

**B-32 PROPOSED AMENDMENT: N.J.A.C. 4A:3-3.7, TRAINEE, APPRENTICE, RECRUIT AND INTERN TITLES; AND N.J.A.C. 4A:3-4.5, ANNIVERSARY DATES: STATE SERVICE**

Submitted for the Commission's approval is a Notice of Proposal to amend *N.J.A.C. 4A:3-3.7*, Trainee, Apprentice, Recruit and Intern Titles; and *N.J.A.C. 4A:3-4.5*, Anniversary Dates: State Service. The amendment to *N.J.A.C. 4A:3-3.7*, which currently only references trainees, is intended to codify the existing program regarding trainees, apprentices, recruits and interns in both State and local service. The amendment to *N.J.A.C. 4A:3-4.5* would address adjustments of anniversary dates in State service for employees advancing to a primary title from a trainee, apprentice, recruit or intern title. 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-33 CIVIL SERVICE COMMISSION MINUTES**

Submitted for adoption are the Civil Service Commission minutes of its meeting of September 7, 2011.

**ACTION:** The Civil Service Commission adopted the minutes of its meeting of September 7, 2011.

**VOTE:**

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

**B-34 EARLY SETTLEMENT**

In the Matter of John M. Sedor  
Monmouth County  
Department of Health Care Facilities  
Suspension

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

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

**B-35 MICHAEL FERRARELLA AND DONALD HARVEY**

The appeals of Michael Ferrarella and Donald Harvey, Police Officers, Borough of Oakland, Police Department, of their removals effective February 9, 2011, on charges, were heard by Administrative Law Judge Carol I. Cohen (ALJ), who rendered her initial decision on July 13, 2011. At its meeting on September 7, 2011, the Civil Service Commission did not adopt the ALJ's recommendation to modify the removal of Mr. Ferrarella to a 180-day suspension and modify the removal of Mr. Harvey to a 120-day suspension. Rather, the Commission upheld the removal of Mr. Ferrarella and imposed a six-month suspension for Mr. Harvey. The proposed final decision for Mr. Ferrarella and the proposed decision for Mr. Harvey is now submitted for the Commission's review.

**ACTION:** The Civil Service Commission adopted the final decision for Michael Ferrarella and adopted the decision for Donald Harvey.

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

**B-36 DAVID WILLIAMS**

The appeal of David Williams, a Human Services Assistant with Trenton Psychiatric Hospital, Department of Human Services, of his removal effective March 31, 2009, on charges, was heard by Administrative Law Judge Susan M. Scarola (ALJ), who rendered her initial decision on August 5, 2011. At its meeting on September 7, 2011, the Civil Service Commission adopted the ALJ's recommendation to modify the removal to a 180 calendar day suspension. 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**       **(Abstained)**  
              **Thomas J. Perna**           **(Yes)**  
              **Richard E. Williams**      **(Yes)**

**B-37 DOMINIC MANCINI, ET AL.**

Dominic Mancini (PC5145M), Essex County; and Gordon Holder and Scott Robinson (PC5147M), Monmouth County; appeal the promotional examination for Sheriff's Officer Sergeant (various jurisdictions).

**ACTION:** The Civil Service Commission directed that the appeals be granted in part.

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

**There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, October 5, 2011, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.**