



STATE OF NEW JERSEY  
CIVIL SERVICE COMMISSION

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

Robert M. Czech  
*Chair/Chief Executive Officer*

**AGENDA OF REGULAR MEETING OF  
THE CIVIL SERVICE COMMISSION  
NOVEMBER 7, 2012**

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

**SECTION A – HEARING MATTERS**

**A-1 SETTLEMENTS**

In the Matter of Richard Abed  
Central Reception and Assignment Facility  
Department of Corrections  
Removal

In the Matter of Soreos Antar  
Veterans Memorial Home-Paramus  
Department of Military and Veterans' Affairs  
Release at the end of the working test period

In the Matter of Toni Blake  
Trenton Psychiatric Hospital  
Department of Human Services  
Removal

In the Matter of Marisol Gonzalez  
Vineland Developmental Center  
Department of Human Services  
Removal

In the Matter of Latoya Jackson  
Department of Children and Families  
Suspension

In the Matter of Darryl Taylor  
City of Newark  
Police Department  
Removal

In the Matter of Catina Wainwright  
Veterans Memorial Home-Vineland  
Department of Military and Veterans' Affairs  
Suspension

In the Matter of Saundra Wilkins  
Mercer County  
Department of Public Safety  
Removal

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

**ACTION:**

**A-2 ROBERT GRAHAM**

Robert Graham, State Park Police Sergeant, Department of Environmental Protection, 15 working day suspension on charges of incompetency, inefficiency or failure to perform duties, insubordination, conduct unbecoming a public employee and neglect of duty.

Recommendation of the Administrative Law Judge – Grant the appointing authority's motion to dismiss.

**ACTION:**

**A-3 PATRICIA MABEY**

Patricia Mabey, Technician Motor Vehicle Commission, Motor Vehicle Commission, release at the end of the working test period effective March 12, 2012.

Recommendation of the Administrative Law Judge – Uphold the release at the end of the working test period.

**ACTION:**

**A-4 EDWARD LEVERETT**

Edward Leverett, Senior Correction Officer, Northern State Prison, Department of Corrections, 30 working day suspension on charges of conduct unbecoming a public employee, other sufficient cause, discourtesy to public, visitors, inmates, residents or patients and violation of a rule, regulation, policy, procedure, order, or administrative decision.

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

**ACTION:**

**A-5 MATTHEW LIGHTBODY (CONSOLIDATION)**

Matthew Lightbody, Truck Driver, Berkeley Township, Department of Administrative Services, 30-day suspension on charges of chronic or excessive absenteeism or lateness, six month suspension and 15 working day suspension on charges of incompetency, inefficiency or failure to perform duties, inability to perform duties, chronic and/or excessive absenteeism or lateness, conduct unbecoming a public employee, neglect of duty and other sufficient cause.

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

**ACTION:****A-6 HAWA CLARKE**

Hawa Clarke, Human Services Assistant, Trenton Psychiatric Hospital, Department of Human Services, removal effective November 23, 2010, on charges of neglect of duty, loafing, idleness, or willful failure to devote attention to task which could result in danger to persons, falsification, violation of safety and security procedures, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the removal.

**ACTION:****A-7 MAISHA COON**

Maisha Coon, County Correction Officer, Mercer County, Department of Public Safety, release at the end of the working test period and removal effective August 14, 2009, on charges of conduct unbecoming a public employee, violation of Department policy regarding familiarity with inmates, ex-inmates, and family, internal institutional relationships, safety and security precautions and violation of a rule, regulation, policy, procedure, order or administrative decision.

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

**ACTION:**

**A-8 GARRY FERRARO**

Garry Ferraro, Water Repairer, Passaic Valley Water Commission, removal effective October 14, 2011, on the charge of conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Uphold the removal.

**ACTION:**

**A-9 STEVEN FLESH (CONSOLIDATION)**

Steven Flesh, Senior Correction Officer, Albert C. Wagner Youth Correctional Facility, Department of Corrections, 60 working day suspension and removal effective April 16, 2012, on charges of conduct unbecoming a public employee, other sufficient cause and violation of a rule, regulation, policy, procedure, order or administrative action.

Recommendation of the Administrative Law Judge – Uphold the 60 working day suspension and the removal.

**ACTION:**

**A-10 NANETTE MARINNIE**

Nanette Marinnie, Senior Medical Security Officer, Ann Klein Forensic Psychiatric Hospital, Department of Human Services, removal effective September 10, 2011, on charges of conduct unbecoming a public employee, other sufficient cause, neglect of duty, falsification, leaving assigned work area without permission creating a danger to persons or property and violation of a policy.

Recommendation of the Administrative Law Judge – Uphold the removal.

**ACTION:**

**A-11 CAREY R. MINCEY, III**

Carey R. Mincey, III, Senior Correction Officer, Juvenile Justice Commission, removal effective April 2, 2012, on charges of conduct unbecoming a public employee and other sufficient cause.

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

**ACTION:**

**A-12 DARREN NANCE**

Darren Nance, Police Officer, City of Newark, Police Department, removal effective September 3, 1996, on charges of incompetency, inefficiency or failure to perform duties, insubordination, inability to perform duties, chronic or excessive absenteeism or lateness, conviction of a crime, conduct unbecoming a public employee, neglect of duty and other sufficient cause.

This matter was held over from the October 3, 2012, Civil Services Commission meeting pending a determination of an appeal to the Third Circuit Court of Appeals.

Recommendation of the Administrative Law Judge – Reverse the removal, grant appellant's motion for summary decision and deny appointing authority's motion for summary decision.

**ACTION:**

**A-13 JAMES WOODWARD**

James Woodward, Building Maintenance Worker, Hudson County, Department of Roads and Public Property, removal effective February 20, 2012, on charges of conduct unbecoming a public employee, neglect of duty, insubordination, chronic and excessive absenteeism or lateness and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the removal to a 180-day suspension.

**ACTION:**

**SECTION B – MISCELLANEOUS MATTERS****B-1 RAHEEM L. ORR**

Raheem L. Orr appeals his rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove his name from the eligible list for Correction Officer Recruit (S9987M) on the basis of medical unfitness to perform effectively the duties of the position.

**ACTION:**

**B-2 GWENDOLYN BETHEA**

Gwendolyn Bethea, a former Clerk Typist with Newark Housing Authority requests enforcement of the decision, *In the Matter of Anna Marie Clark, et al.* (CSC, decided April 18, 2012), which ordered that Bethea be reinstated and granted back pay, benefits and seniority from the time of her improper layoff.

**ACTION:**

**B-3 MARTIN CARLUCCIO**

The Superior Court of New Jersey, Appellate Division, has remanded the Civil Service Commission's decision upholding the removal of Martin Carluccio's name from the Safety Specialist Trainee, DMV (S0599J), Motor Vehicle Commission, eligible list.

**ACTION:**

**B-4 DWAYNE PRICE**

Dwayne Price, a Police Officer with Newark, represented by Anthony J. Fusco, Jr., Esq., petitions the Civil Service Commission for interim relief of his immediate suspension.

**ACTION:**

**B-5 NART MARZA**

The Bergen County Sheriff's Office, on behalf of Nart Marza, requests that he be permitted to participate in the intergovernmental transfer program and to complete the remainder of his working test period as a Sheriff's Officer with Bergen County.

**ACTION:**

**B-6 ROSALINE MUNYASYA**

The Camden County Health Services Center requests that the provisions of *N.J.A.C. 4A:4-7.1A(b)* be relaxed in order to permit the intergovernmental transfer of Rosaline Munyasya from the title of Hospital Attendant, Burlington County, to the title of Institutional Attendant, Health Services Center.

**ACTION:**

**B-7 GREGORY VOICI**

The Superior Court of New Jersey, Appellate Division, has remanded the Civil Service Commission's decision upholding the removal of Gregory Voci, a former Police Sergeant with Atlantic City, for a redetermination of the propriety of the penalty. *See In the Matter of Gregory Voci, Atlantic City Department of Public Safety*, Docket No. A-3026-10T1 (App. Div. April 25, 2012).

**ACTION:**

**B-8 SUZANNE M. CAMPBELL**

The appointing authority requests that the provisions of *N.J.A.C. 4A:6-3.4(a)*, which govern the time period in which employees must file an application for Supplemental Compensation on Retirement (SCOR), be relaxed to permit Suzanne M. Campbell, a former Staff Clinical Psychologist 3 at Senator G.W. Hagedorn Psychiatric Hospital, Department of Human Services, to submit a late application for SCOR benefits.

**ACTION:**

**B-9 JEFFREY CHIARA**

The Department of Health requests that the provisions of *N.J.A.C.* 4A:6-3.4(a), which govern the time period in which employees must file an application for Supplemental Compensation on Retirement (SCOR), be relaxed to permit Jeffrey Chiara, a former Administrative Analyst 1, Accounting, to submit a late application for SCOR benefits.

**ACTION:**

**B-10 RICHARD M. KALTZ**

The Department of Health requests that the provisions of *N.J.A.C.* 4A:6-3.4(a), which govern the time period in which employees must file an application for Supplemental Compensation on Retirement (SCOR), be relaxed to permit Richard M. Kaltz, a former Microbiologist 3, to submit a late application for SCOR benefits.

**ACTION:**

**B-11 JOHN PLONSKI**

John Plonski requests that the provisions of *N.J.A.C.* 4A:6-3.1 (b)4 be relaxed to allow him to be eligible for Supplemental Compensation on Retirement.

**ACTION:**

**B-12 NORMA ROSADO**

The appointing authority requests that the provisions of *N.J.A.C.* 4A:6-3.4(a), which govern the time period in which employees must file an application for Supplemental Compensation on Retirement (SCOR), be relaxed to permit Norma Rosado, a former Senior Building Maintenance Worker at Ancora Psychiatric Hospital, Department of Human Services, to submit a late application for SCOR benefits.

**ACTION:**

**B-13 GAIL SUZZO**

The Department of Health requests that the provisions of *N.J.A.C. 4A:6-3.4(a)*, which govern the time period in which employees must file an application for Supplemental Compensation on Retirement (SCOR), be relaxed to permit Gail Suzzo, a former Research Scientist 2, Chemistry, to submit a late application for SCOR benefits.

**ACTION:**

**B-14 CARMEN TORRES**

Carmen Torres, a former Practical Nurse with the Department of Military and Veterans Affairs, requests that the provisions of *N.J.A.C. 4A:6-3.4(a)*, which govern the time period in which employees must file an application for Supplemental Compensation on Retirement (SCOR), be relaxed to permit her to submit a late application for SCOR benefits.

**ACTION:**

**B-15 ROBERT BARRA**

Robert Barra requests retroactive seniority for the examination for Deputy Fire Chief (PM1252N), Bloomfield on the basis that his situation is identical to the situation presented in *In the Matter of Joseph Coletta, Deputy Fire Chief (PM1252N), Bloomfield* (CSC, decided June 6, 2012).

**ACTION:**

**B-16 STEPHEN DOUDOUKJIAN**

Stephen Doudoukjian, represented by William J. Quirk, Esq., requests that he be permitted to amend his residency on his application after the closing date for the Entry Level Law Enforcement Examination (S9999M).

**ACTION:**

**B-17 ANITRA BEALS**

Anitra Beals appeals the determination of the Division of Selection Services and Recruitment which found that she was not eligible for the promotional examination for Human Services Specialist 4 (PC0543P), Cumberland County Board of Social Services, because she is not serving in a title to which the examination was open.

**ACTION:**

**B-18 MARIBEL GERMAN**

Maribel German appeals the decision of the former Division of State and Local Operations, which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the Family Service Specialist 1 (PS6667K), Department of Children and Families, eligible list due to her failure to respond to the Notice of Certification.

**ACTION:**

**B-19 BEATRIZ NUNEZ**

Beatriz Nunez appeals the decision of the former Division of State and Local Operations, which found that the Department of Corrections had presented a sufficient basis to remove the appellant's name from the Correction Officer Recruit (S9999K), Department of Corrections, eligible list on the basis that she falsified her employment application.

**ACTION:**

**B-20 JOSEPH GILSENAN**

The Division of Classification and Personnel Management, on behalf of Brick Township, requests that Joseph Gilsenan's out-of-title work experience be accepted to qualify him for a prospective promotional examination for Risk Manager.

**ACTION:**

**B-21 CHRISTOPHER E. JENNINGS**

Christopher E. Jennings appeals the determination of the Division of Selection Services and Recruitment which found that he was not eligible for the promotional examination for Industrial Manager 2, State Use Industries (PS2953I), Bayside State Prison, because he was not employed in the announced unit scope.

**ACTION:**

**B-22 THAKUR PERSAUD**

Thakur Persaud, a Program Manager, Disease Prevention and Control, with Paterson, represented by John J. Segreto, Esq., appeals the bypass of his name on the eligible list for Health Officer (M0040N), Paterson.

**ACTION:**

**B-23 JORGE PORRES**

Jorge Porres, represented by Darryl M. Saunders, Esq., appeals the removal of his name from the Police Sergeant (PM2616J), Union City, eligible list due to an unsatisfactory employment record.

**ACTION:**

**B-24 ROBERT SOSTRE**

Robert Sostre appeals the determination of the Division of Selection Services and Recruitment which found that he was not eligible for the promotional examination for Assistant Supervisor Parks (PC0007P), Hudson County, because he is not permanent in a competitive title.

**ACTION:**

**B-25 JOSEPH THIBAUT**

Joseph Thibault, represented by Kristin M. Lis, Esq., appeals the determination of the Division of Selection Services, which found that he was ineligible for the promotional examination for Sheriff's Officer Sergeant (PC0999N), Atlantic County.

**ACTION:**

**B-26 ROBERT CARNEY**

Robert Carney appeals the June 27, 2012 decision of the Division of Classification and Personnel Management which found that his position in Bergen County is properly classified as a County Police Sergeant. The appellant seeks a County Police Lieutenant job classification.

**ACTION:**

**B-27 NICHOLE CARTHAN**

Nichole Carthan appeals the August 31, 2012 decision of the Division of Classification and Personnel Management which found that her position with the Department of the Treasury is correctly classified as Administrative Analyst 2, Data Processing. The appellant seeks an Administrative Analyst 1, Data Processing job classification.

**ACTION:**

**B-28 CHRISTINE MARPLE**

Christine Marple appeals the decision of the Division of Classification and Personnel Management which found that her position with Middlesex County is properly classified as Clerk 2. The appellant seeks a Clerk 3 job classification.

**ACTION:**

**B-29 RAYMOND TURTON**

Raymond Turton appeals the decision of the Division of Classification and Personnel Management which found that his position with Fair Lawn Borough is properly classified as Senior Public Works Repairer. The appellant seeks an Assistant Supervisor, Public Works job classification.

**ACTION:**

**B-30 ANTOINETTE WASIEWICZ**

Antoinette Wasiewicz appeals the determination of the former Division of State and Local Operations that her position with Sussex County is properly classified as a Clerk 3. The appellant seeks a Senior Planning Aide job classification.

**ACTION:**

**B-31 LIONEL DABNEY**

The appeal of Lionel Dabney, a Laborer 1 with the Atlantic City Municipal Utilities Authority, of his removal, effective June 24, 2011, on charges, was heard by Administrative Law Judge W. Todd Miller (ALJ) who rendered his initial decision on June 20, 2012. At its meeting on October 17, 2012, the Civil Service Commission did not adopt the ALJ's recommendation to uphold the removal. Rather, the Commission ordered that the matter be remanded to the Office of Administrative Law. The proposed decision is now submitted for the Commission's review.

**ACTION:**

**B-32 MAINTENANCE WORKER 1, GROUNDS (PC0794N) AND MAINTENANCE WORKER 2, GROUNDS (PC0967N), MIDDLESEX COUNTY**

Middlesex County Requests that the promotional lists for Maintenance Worker 1, Grounds (PC0794N) and Maintenance Worker 2, Grounds (PC0967N) be revived in order to make permanent appointments from the lists.

**ACTION:**

**B-33 IN THE MATTER OF ASSISTANT SUPERVISOR, WATER METER REPAIRER (PM1886K), EAST ORANGE WATER DEPARTMENT**

The East Orange Water Department, represented by Stafani C. Schwartz, Esq., requests reconsideration of the decision rendered on May 2, 2012 by the Civil Service Commission in *In the Matter of Assistant Supervisor, Water Meter Repairer (PM1886K), East Orange Water Department*, which ordered it to properly dispose of the March 23, 2009 certification within 20 days and remit \$10,000 in fines and \$500 in compliance costs.

**ACTION:**

**B-34 AVERY SHARP**

Avery Sharp, a former Human Services Assistant with Ancora Psychiatric Hospital, Department of Human Services, represented by William Nash, Esq., petitions the Civil Service Commission for reconsideration of the decision rendered on May 18, 2011, in which the Director of the former Division of Merit System Practices and Labor Relations denied his request for a hearing with respect to his removal.

**ACTION:**

**B-35 JOANNE EICHENBERG, ET AL.**

Joann Eichenberg, Barbara Rohrer, and Suzanne Wozniak appeal the determinations of the Division of Selection Services which found that, per the substitution clause for education, they were below the minimum requirements in experience for the promotional examination for Paralegal Specialist (PC0559N), Gloucester County.

**ACTION:**

**B-36 JUDY ANN MARCHESANI**

Judy Ann Marchesani appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she was below the minimum requirements in experience for the promotional examination for Paralegal Specialist (PC0559N), Gloucester County.

**ACTION:**

**B-37 MARY PAGANO**

Mary Pagano appeals the decision of the Division of Selection Services and Recruitment which found that she did not meet the experience requirements for the promotional examination for Fiscal Officer (PC0201P), Camden County Board of Social Services.

**ACTION:**

**B-38 JANICE SWIERCZEK**

Janice Swierczek appeals the validity of the promotional examination for Personnel Assistant 2, Employee Relations (PS3082N), Department of Labor and Workforce Development.

**ACTION:**

**B-39 SHEILA URRUTIA**

Sheila Urrutia appeals the decision of the Division of Selection Services and Recruitment which found that she did not meet the experience requirements for the promotional examination for Head Audit Account Clerk (PS7102K), Department of Human Services.

**ACTION:**

**B-40 CIVIL SERVICE COMMISSION MINUTES**

Submitted for adoption are the Civil Service Commission minutes of its meeting of October 17, 2012.

**ACTION:**

**B-41 JOINT ORDER OF CONSOLIDATION AND PREDOMINANT INTEREST – SEATON SAMUEL AND INTERNATIONAL FEDERATION OF PROFESSIONAL AND TECHNICAL ENGINEERS, LOCAL 195 (IFPTE) V. NEW JERSEY DEPARTMENT OF HUMAN SERVICES, CSC DOCKET NO. 2012-2888; PERC DOCKET NO. CO-2012-287; OAL DOCKET NO. CSV 4564-12**

Administrative Law Judge (ALJ) Edward J. Delanoy issued an Order of Consolidation and Predominant Interest in *In the Matter of Seaton Samuel and International Federation of Professional and Technical Engineers, Local 195 (IFPTE) v. New Jersey Department of Human Services*. Based on the ALJ's Order, the Civil Service Commission and the Public Employment Relations Commission developed a Joint Order. The proposed Order is now submitted for the Commission's adoption.

**ACTION:**

**B-42 KERRI ARMSTRONG AND LAURA MARTIN**

Kerri Armstrong, a part-time Violations Clerk, and Laura Martin, a part-time Municipal Director of Welfare with the Borough of Edgewater appeal Edgewater's denial of their request for retroactive compensation for sick and vacation leave.

**ACTION:**

**B-43 NICHOLAS R. FOGLIO**

The Superior Court of New Jersey, Appellate Division, has temporarily remanded the February 22, 2012 decision of the Civil Service Commission, which denied the appeal of Nicholas R. Foglio of his bypass on the Fire Fighter (M2246D), Ocean City, eligible list.

**ACTION:**