

interest in an announcement for a particular jurisdiction and title.³ It is noted that online applications were available for each announced title via the Online Application System (OAS). In the “Contact Information” section of the application, candidates were required to provide their e-mail address, mailing address and the jurisdiction where they resided. Specifically, under “Residence,” candidates are advised, “This section is used to determine your residency code. First, find the county, and then the specific town, borough, city, or township in which you reside.”⁴ As such, candidates were required to first select the county in which they resided and then the jurisdiction. Once a candidate selected the jurisdiction in which they resided, the corresponding residency code was automatically populated into the residency code field.

A review of the record finds that on January 8, 2022, Ianicelli submitted applications for Police Officer (M0047D), Freehold Township and Police Officer (M0082D), Long Branch; and on January 10, 2022, for Police Officer (M0056D), Hazlet and Police Officer (M0060D), Holmdel. Ianicelli indicated a Wanamassa address and an Ocean Township residency on all four applications. On January 3, 2022, Kim submitted an application Police Officer (M0045D), Fort Lee; and on January 10, 2022, for Sheriff’s Officer (C0213D), Bergen County. On both applications, Kim indicated a Dumont address and a Dumont residency. On January 27, 2022, Piserchio submitted applications for Police Officer (M0092D), Millburn and Police Officer (M0168D), West Orange. On both applications, Piserchio indicated a Cranford address and a Cranford residency. On January 4, 2022, Wojcik submitted an application for Sheriff’s Officer (C0236D), Union County on which he indicated an Old Bridge address and an Old Bridge Township residency.

On appeal, Ianicelli contends that he lives in Long Branch but his “name is on the non-resident list and does not reflect my status as a Long Branch resident. My Long Branch address was printed on the testing card mailed to me, which I had to bring on the day of my exam.” In support of his appeal, Ianicelli submits additional documentation including an email sent on May 11, 2022 from Xfinity to

³ As also noted in the LEE FAQs, “the Law Enforcement Aptitude Battery (LEAB) will be used to test candidates who apply for any of the LEE titles . . . Because the same examination is used, candidates will only have one opportunity to take the examination, regardless of the number of announcements for which they apply, and their score achieved on the examination will be applied to all these 2022 LEE announcements for which they have applied.”

⁴ The 2022 LEE Fact Sheet, under the section entitled, “Residency,” informed candidates, “Applicants are required to complete the residency portion of the application. Please note that your residency may be different from your mailing address. Residency information will be used to place your name in the appropriate tier for municipal and/or county eligible lists. You must be a legal resident of the jurisdiction you list as your residency as of the announcement closing date, and as of the appointment date for some jurisdictions. Please check with the municipality or county for their residency requirement.”

Ianicelli indicating a Long Branch service address; and a copy of his driver license issued August 31, 2022 which indicates a Long Branch address.

Kim presents that while he “had initially lived in Dumont, New Jersey,” he has been a “legal resident of Fort Lee since February 1st, 2022 which was before the effective closing date.” In support of his appeal, Kim submits a copy of a lease agreement for an address in Fort Lee beginning on February 1, 2022.

Piserchio maintains that “at the time of the closing date of the registration I was a resident of West Orange.” In support of his appeal, Piserchio submits copies of pay stubs from the Township of West Orange for the pay periods ending February 11, 2022 and February 25, 2022, respectively, both of which indicate a West Orange address.

Wojcik indicates that he “has been residing at my new address since 01/15/22.” In support of his appeal, Wojcik submits a copy of a lease agreement for an address in Elizabeth beginning on January 15, 2022.

CONCLUSION

N.J.A.C. 4A:4-2.1(f) permits an applicant to amend a previously submitted application prior to the filing closing date.

As indicated in the 2022 LEE FAQs page:

How do I notify the CSC about a change in my name, mailing address, or email address?

You must ***immediately*** notify the CSC in writing if you change your name, mailing address, or email address, or if it is listed incorrectly on a notice that you receive from the CSC (emphasis added). For security reasons, changes cannot be made from telephone calls.

Changes can be requested electronically through our website at <https://www.nj.gov/csc/authorities/faq/seekers/Address%20Change.pdf>.

You can also send your request through regular mail or by fax. To ensure that your records are updated correctly, please include the following in your request for change:

1. Your name;
2. Your social security number (if you have instead been assigned a unique number for the examination process, include that number);
3. Your new mailing address, including zip code;

4. Where you actually live, if it is different from your mailing address;
5. Your daytime telephone number;
6. Your current e-mail address; and
7. The effective date of the change.

This information may be mailed or faxed as follows:

NJCSC Information Center
 P. O. Box 310
 Trenton, NJ 08625-0310
 Fax: (609) 984-1064

It is noted that *N.J.A.C.* 4A:4-3.2 states that when an announcement is open to more than one local jurisdiction, the resulting list of eligibles shall be separated into sub-lists by the residency requirements as provided by applicable law and ordinance. Therefore, while non-residents of a jurisdiction may be eligible for appointment, resident applicants may receive a preference. In this regard, *N.J.S.A.* 40A:9-1.6, in conjunction with *N.J.S.A.* 40A:14-123.1a, provides for priority ranking of eligible categories or “sub-lists” of eligibles in accordance with their residency. In the event that an examination was opened beyond the municipality, eligibles would be placed on a list in the following order: residents of the municipality; county of the municipality; residents of New Jersey and finally residents of the United States. In this regard, the FAQs further provide:

Does changing my address after the Closing Date affect my eligibility for appointment?

Since eligibility needs to be established as of the Closing Date of the announcement, your residency code cannot be changed after the Closing Date, even if you change your residence address or mailing address (emphasis in original). If you change your residence to another jurisdiction after the closing date, you may not be eligible for appointment in your former or new jurisdiction. Please research with both jurisdictions to see how their residency requirements will affect you before you change your residence address or mailing address.

It is noted that each jurisdiction has its own residency requirement which must be met by the closing date. The Civil Service Commission does not have authority over the establishment of this requirement. Some jurisdictions only require candidates to be residents as of the closing date, while others also require that residency be maintained up to the date of appointment. *See N.J.A.C.* 4A:4-2.11(c).

Given this, it is imperative for Civil Service purposes that an applicant, if applicable, ***immediately*** notify the Commission of their address and residency

change after filing their application(s) but prior to the closing date for the announcement.⁵ In the present matter, although Ianicelli and Piserchio do not indicate when they moved from the addresses indicated on their applications, a review of the record finds that Ianicelli submitted a change of address request on May 4, 2022 and Piserchio on July 4, 2022. In addition, although Kim claims to have moved effective February 1, 2022, he did not submit an address change request until June 25, 2022. It is further noted that although Wojcik presents that he moved on January 15, 2022, he did not submit an address change request until June 22, 2022.⁶ Assuming, *arguendo*, that the appellants changed their legal residences prior to the February 28, 2022 closing date, none of the appellants provide an explanation as to why they were unable to submit a change of address request form in a timely manner, *i.e.*, prior to the closing date. Furthermore, Ianicelli has not provided any documentation indicating the Long Branch address as of the February 28, 2022 closing date. Kim, Piserchio and Wojcik do not provide any other documentation in addition to that noted previously, *e.g.*, credit card bill, cell phone bill, utility bill, voter registration or bank statement. Thus, the appellants have not established that the addresses they claim on appeal were their legal residences as of the February 28, 2022 closing date, or provided any information to persuade the Commission to otherwise relax the provisions of *N.J.A.C.* 4A:4-2.1(f) to permit them to change the addresses submitted on their applications.

⁵ *N.J.A.C.* 4A:4-2.11(c) provides that where residency requirements have been established in local service in addition to the New Jersey State residency requirement, residence with regard to local service requirements means a single legal residence. The following standards shall be used in determining legal residence:

1. Whether the locations in question are owned or rented;
2. Whether time actually spent in the claimed residence exceeds that of other locations;
3. Whether the relationship among those persons living in the claimed residence is closer than those with whom the individual lives elsewhere. If an individual claims a parent's residence because of separation from his or her spouse or domestic partner, a court order or other evidence of separation may be requested;
4. Whether, if the residence requirement of the anticipated or actual appointment was eliminated, the individual would be likely to remain in the claimed residence;
5. Whether the residence recorded on a driver's license, motor vehicle registration, or voter registration card and other documents is the same as the claimed legal residence. Post office box numbers shall not be acceptable; and
6. Whether the school district attended by child(ren) living with the individual is the same as the claimed residence.

⁶ A review of the record further finds that Wojcik submitted an address change request on January 4, 2022 to change his address from Fords to the Old Bridge address indicated on his application for C0236D. It is also noted that Wojcik submitted a total of three identical requests to change his address from Old Bridge to Elizabeth: on June 22, 2022, as noted above, on October 29, 2022 and on November 5, 2022, respectively.

ORDER

Therefore, it is ordered that these appeals be denied.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 18TH DAY OF JANUARY, 2023

Allison Chris Myers

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