



**STATE OF NEW JERSEY**

**FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION**

In the Matter of Ralph Angolemmo,  
Sheriff's Officer (S9999A), Sussex  
County

CSC Docket No. 2023-2329

List Removal

**ISSUED: October 11, 2023 (VJ)**

Ralph Angolemmo appeals the determination of the Sussex County Sheriff's Office to remove his name from the eligible list for Sheriff's Officer (S9999A), on the basis that he failed to respond to the certification notice.

The appellant, a non-veteran, took and passed the open competitive examination for Sheriff's Officer (S9999A), which had a closing date of August 31, 2019. The resulting eligible list promulgated on May 15, 2020, and expired on November 9, 2022. The appellant's name was certified to the appointing authority on October 12, 2022, with a notice date of November 2, 2022. In disposing of the certification, the appointing authority requested the removal of the appellant's name on the basis that he failed to respond to the certification notice.

In support of his appeal to the Civil Service Commission (Commission), the appellant submits a sworn, notarized statement indicating that he did not receive a certification notice in the mail.

In response, the appointing authority states that the appellant's name was removed because he did not respond to the certification, and it never received a letter of interest from him. However, it provides no objection to his name being restored to the subject eligible list.

## CONCLUSION

*N.J.A.C.* 4A:4-4.7(a)6 provides that an eligible's name may be removed from a list for "non-compliance with the instructions listed on the notice of certification." *N.J.A.C.* 4A:4-6.3(b), in conjunction with *N.J.A.C.* 4A:4-4.7(d), provides that the appellant has the burden of proof to show by a preponderance of the evidence that an appointing authority's decision to remove his name from an eligible list was in error. Additionally, *N.J.S.A.* 11A:4-6 and *N.J.A.C.* 4A:4-3.4 provide that an eligible list may be revived in order to implement a court order or decision of the Commission in the event of a successful appeal instituted during the life of a list, to correct an administrative error, or for other good cause.

In the instant matter, the appellant claims that he did not receive the subject certification notice. In reply, the appointing authority has provided no objection to restoring his name to the eligible list. While there is a presumption that mail correctly addressed, stamped and mailed was received by the party to whom it was addressed, the appellant has rebutted that presumption in submitting his sworn, notarized statement. See *SSI Medical Services, Inc. v. State Department of Human Services*, 146 *N.J.* 614 (1996); *Szczesny v. Vasquez*, 71 *N.J. Super.* 347, 354 (App. Div. 1962); *In the Matter of Joseph Bahun*, Docket No. A-1132-00T5F (App. Div. May 21, 2001). Thus, it is appropriate that the appellant's name be restored to the subject eligible list. Based on the foregoing, ample cause exists to revive the S9999A eligible list to restore the appellant's name for prospective employment opportunities only.

## ORDER

Therefore, it is ordered that this appeal be granted and the eligible list for Sheriff's Officer (S9999A), Sussex County, be revived in order for the appellant to be considered for prospective employment opportunities only at the time of the next certification.

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 11<sup>TH</sup> DAY OF OCTOBER, 2023



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