



STATE OF NEW JERSEY

In the Matter of Hamilton Township
Special Reemployment Lists

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

CSC Docket No. 2025-1926

Request for Rule Relaxation

ISSUED: April 9, 2025 (ABR)

Hamilton Township (Hamilton) requests that the provisions of *N.J.A.C. 4A:8-2.3* be relaxed so that it may utilize special reemployment lists created due to personnel actions stemming from the transfer of employees from Hamilton Fire Districts 2, 3, 4, 5, 6, 7, 8 and 9 to the Fire Division within Hamilton, effective January 1, 2021.

Hamilton presents that there are existing special reemployment lists for the titles of Fire Chief, Deputy Fire Chief, and Mechanic UFD for the defunct Fire Districts that it wishes to certify for appointment. The Division of Agency Services (Agency Services) recommends that the appointing authority's request be granted. Agency Services presents that approval of this request will enable the appointing authority to hire individuals who are already trained and experienced in the respective titles.¹ Further, it would provide the affected employees, who are currently serving in lower level titles, an opportunity to be made whole through restoration to their prior-held higher-level titles. Accordingly, Agency Services maintains that it would be appropriate to allow the appointing authority to utilize the special reemployment lists for Fire Chief, Deputy Fire Chief, and Mechanic UFD that were generated due to the personnel actions that resulted from the transfer of the Hamilton Fire Districts to Hamilton. In this regard, a rule relaxation is requested to allow Hamilton to utilize the above-referenced special reemployment lists from the

¹ It is noted that Hamilton does not presently have any active promotional lists for the subject titles.

now-defunct fire districts since, in the absence of a rule relaxation, a special reemployment list from one jurisdiction would not be certified to another jurisdiction. See *N.J.A.C.* 4A:8-2.1(c)1. The five employees, special reemployment list jurisdictions and special reemployment list titles are:

Employee	Special Reemployment List Jurisdiction	Title
Christopher Tozzi	Hamilton Fire District 2	Fire Chief ²
Steven Kraemer	Hamilton Fire District 3	Fire Chief
John Retalis	Hamilton Fire District 7	Fire Chief
Blair Sullivan	Hamilton Fire District 2	Deputy Fire Chief
Jay Benjamin	Hamilton Fire District 9	Mechanic UFD

CONCLUSION

N.J.A.C. 4A:8-2.1(c)1 provides that a special reemployment list from one governmental jurisdiction shall not be certified to another jurisdiction. In local service, for purposes of this chapter, an autonomous agency shall be considered a separate jurisdiction. An autonomous agency is one which, by statute, is a body corporate and has the powers of an appointing authority. *N.J.A.C.* 4A:8-2.3(a) states that a permanent employee shall be granted special reemployment rights based on the permanent title from which he or she has been laid off, demoted, or displaced by job location. In addition, the employee shall be entitled to special reemployment rights to his or her previously held lateral or demotional title.

N.J.A.C. 4A:1-1.2(c) provides that the Civil Service Commission may relax rules for good cause in a particular situation, on notice to affected parties, in order to effectuate the purposes of Title 11A, New Jersey Statutes. Based upon the particular circumstances presented, good cause has been established to relax the provisions of *N.J.A.C.* 4A:8-2.3 so that Hamilton may utilize the special reemployment lists created due to the transfer of employees from Hamilton Fire Districts 2, 3, 4, 5, 6, 7, 8 and 9 to the Fire Division within Hamilton proper.

ORDER

Therefore, it is ordered that this request be granted.

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

² Tozzi is serving provisionally in the title of Fire Chief, but is presently on an approved leave of absence.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 9TH DAY OF APRIL, 2025

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Chairperson
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