



**STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION**

**MINUTES OF REGULAR MEETING OF
THE CIVIL SERVICE COMMISSION
November 6, 2008**

**Hope L. Cooper, Acting Chairperson
Flavella Branham
John Currie**

NOVEMBER 6, 2008

A regular meeting of the Civil Service Commission was held on Thursday, November 6, 2008, in Trenton, New Jersey.

PRESENT: Hope L. Cooper, Acting Chairperson; Members Flavella Branham and John Currie; Pamela Ullman, Deputy Attorney General; and Henry Maurer, Director, Division of Merit System Practices and Labor Relations.

In accordance with L.1975, c.231, Chairperson Hope L. Cooper, 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 November 21, 2007, and posted at the Department of Personnel, 3 Station Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

Joseph Ackerman, Fire Fighter, City of Hackensack, Fire Department, removal.

Khadijah Allen, Custodial Worker, City of Newark, Newark Public Schools, suspension.

Dean Barcalow, Senior Building Maintenance Worker, County of Mercer, Division of Transportation and Infrastructure, removal (2), consolidated.

Jerilynn Buckley, Family Service Specialist 2, Division of Youth and Family Services, Department of Children and Families, return to previously held permanent title at the end of working test period.

City of Plainfield Layoffs, good faith issue only.

Ceanea Cooper, Human Services Specialist 1, County of Union, Department of Human Services, release at the end of working test period.

Theoharis Galanakis, Juvenile Detention Officer, Monmouth County, Department of Corrections and Youth Services, indefinite suspension.

Britney Garrison, Building Service Worker, Cumberland County, Cumberland Manor, suspension.

Scott Jodzio, Mechanic, Township of Teaneck, Department of Public Works, suspension.

Barry Levine, Account Clerk, City of Atlantic City, Administration Department, suspension.

Jason Mascio, County Correction Officer, Atlantic County, Department of Public Safety, suspension.

Anthony Moretti, Park Maintenance Worker, County of Union, Department of Parks, Recreation and Facilities, removal.

Joseph Napoleone, Police Officer, City of Clifton, Police Department, suspension.

Oluyomi Odumosu, Management Specialist, City of Trenton, Department of Recreation, Natural Resources and Culture, removal.

Dan Polo, Jr., Police Officer, City of Willingboro, Police Department, suspension.

Robert Ricci, Family Service Worker, Essex County, Department of Citizen Services, release at the end of working test period.

Patricia Scheiderman, Judiciary Clerk 4, Ocean Vicinage, Judiciary, suspension.

Athena Sidlar, Cottage Training Technician, Hunterdon Developmental Center, Department of Human Services, resignation not in good standing.

Vincent Surace, Police Officer, Borough of Fort Lee, Police Department, list removal.

Tynaesha Thompson, Correction Officer, Cumberland County, Department of Corrections, indefinite suspension.

Howard Wilkins, Construction Official/Fire Official, City of Burlington, Department of Housing and Community Development, suspension.

Shannell Wimbush, Senior Building Maintenance Worker, Trenton Psychiatric Hospital, Department of Human Services, indefinite suspension.

DISMISSAL FOR FAILURE TO APPEAR

The Civil Service Commission dismissed the following cases without prejudice for failure to appear at the scheduled hearing before the Office of Administrative Law:

Abdush Shahid Ahmad, Identification Officer, City of Newark, Police Department, thirteen (13) removals.

Reginald Carter, Judiciary Clerk 1, Judiciary, Passaic Vicinage, removal and resignation not in good standing.

Vivian Chestnut, Custodial Worker, City of Newark, Department of Human Resource Services, resignation not in good standing.

Ronnie Felton, Laborer, Pneumatic Drill, City of Newark, Department of Water & Sewer Utilities, removal.

Shon Green, Senior Field Representative Property Improvement, City of Newark, Department of Neighborhood and Recreational Services, indefinite suspension.

Alfred Harris, Garage Attendant, City of Newark, Department of Engineering, removal.

Darryl Jackson, Laborer, Township of Parsippany-Troy Hills, Department of Water, removal.

Natalie Lariver, Communications Operator, New Jersey State Prison, Department of Corrections, resignation not in good standing.

William Mason, Supervising Program Specialist, Substance Abuse/AIDS, Monmouth County, Department of Corrections, removal.

Doneysa McCullough, Human Services Assistant, Vineland Developmental Center, Department of Human Services, release at the end of working test period.

Christopher McKnight, Cottage Training Technician, New Lisbon Developmental Center, Department of Human Services, resignation not in good standing.

Ray Milton, Bus Driver, Department of Children and Families, release at the end of working test period.

Ismail Muhammad, Human Services Assistant, Ancora Psychiatric Hospital, Department of Human Services, resignation not in good standing.

Stephanie Nevels, Identification Officer, City of Newark, Police Department, suspension.

Marlene Parent, Correction Officer Recruit, South Woods State Prison, Department of Corrections, suspension.

Richard Peters, Emergency Medical Technician, City of Vineland, Department of Health, removal.

Shawn Reeves, Laborer, City of Newark, Department of Water and Sewer Utilities, removal.

Melinda Rodriguez, Police Officer, City of Jersey City, Police Department, removal.

Raymond Scully, Sergeant-Campus Police, The College of New Jersey, suspension.

Kenneth Sullivan, Grounds Worker, William Paterson University of New Jersey, suspension.

Norman Terry, Custodial Worker, Newark School District, removal and resignation not in good standing.

Joyce Watson, Nurse's Aide, Monmouth County, Department of Health Care Facilities, release at the end of the working testing period.

Spurgeon Williams, Police Officer, City of East Orange, Police Department, release at the end of working test period.

Tony Wright, Public Safety Telecommunicator, City of Newark, Fire Department, suspension.

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

In the Matter of Charles L. Blaylock, Jr.
Camden County
Department of Corrections
Suspension

In the Matter of Ora Jane Bell
Passaic County Board of Social Services
Demotion

In the Matter of Natasha Boone
City of Newark
Police Department
Indefinite Suspension

In the Matter of Felicia Floyd
City of Newark
Police Department
Removal

In the Matter of Dennis Garrison
Monmouth County
Department of Corrections
Removal

In the Matter of Harold Jacques, III
Woodbridge Township
Department of Public Works
Removal

In the Matter of Vanessa Johnson-Shavers
Newark School District
Removal

In the Matter of Kathy Jones
City of Newark
Police Department
Removal

In the Matter of Renaldo King
Burlington County
Buttonwood Hospital
Suspension and Demotion

In the Matter of Ellen Kohler
Department of Children and Families Services
Bypass

In the Matter of Iris Quezergue
Atlantic County
Department of Public Safety
Suspensions (6) and Demotion

In the Matter of Mary Spivey
City of Paterson
Department of Public Safety
Removal

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

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 JOSEPH DIMEMMO

Joseph DiMemmo, County Correction Officer, Mercer County, Department of Public Safety, fine in the amount of \$2920.50 (equal to 10 days' pay) on charges of chronic and excessive absenteeism and conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Uphold the fine of \$2920.50 (equal to 10 days' pay).

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

A-3 DONALD DUDICH

Donald Dudich, Correction Lieutenant, New Jersey State Prison, Department of Corrections, 45-working day suspension on charges of conduct unbecoming a public employee, neglect of duty and violation of a rule, regulation, policy, procedure, order, or administrative decision.

Recommendation of the Administrative Law Judge – Modify the 45-working day suspension to a 15-working day suspension.

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

A-4 JOHN HENRIQUES

John Henriques, Police Officer, City of Newark, Police Department, 20-day suspension on charges of conduct unbecoming a public employee, neglect of duty and violation of Police Department rules regarding conduct and false statement.

Recommendation of the Administrative Law Judge – Uphold the 20-day suspension.

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

A-5 JENNIFER JONES

Jennifer Jones, Affirmative Action Specialist, Department of Labor, return to formerly held permanent title at the end of the working test period effective October 11, 2006.

Recommendation of the Administrative Law Judge – Dismiss the appeal for failure to appear and failure to provide discovery.

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

A-6 CARLOS ALEJO

Carlos Alejo, County Correction Officer, County of Passaic, Sheriff's Department, removal effective April 19, 2007, on the charge of conduct unbecoming a public employee. This matter was held over from the June 25, 2008 Civil Services Commission meeting to determine whether an appeal had been filed with the Police Training Commission.

Recommendation of the Administrative Law Judge – Grant respondent's motion for summary decision and dismiss the appeal.

ACTION: The Civil Service Commission remanded the matter to the Office of Administrative Law.

A-7 ELIZABETH BURGESS

Elizabeth Burgess, Cottage Training Technician, North Jersey Developmental Center, Department of Human Services, removal effective April 4, 2006, on charges.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-8 ADEBOLA DEMPSTER

Adebola Dempster, Human Services Assistant, Hunterdon Developmental Center, Department of Human Services, removal effective September 1, 2006, on the charge of physical or mental abuse of a client.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-9 STEVEN FLEMING

Steven Fleming, Sergeant, Campus Police, The College of New Jersey, removal effective April 5, 2007, on charges of 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-10 HELEN FORD

Helen Ford, County Correction Sergeant, County of Hudson, Department of Corrections, immediate suspension effective March 29, 2006 and removal effective May 5, 2006, on charges of incompetency, inefficiency or failure to perform duties, insubordination, conduct unbecoming a public employee, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the immediate suspension and removal.

ACTION: The Civil Service Commission remanded the matter to the Office of Administrative Law.

A-11 GERALD LE GRAND

Gerald Le Grand, Institutional Attendant, Union County, Runnells Hospital, removal effective April 1, 2008, on charges of incompetency, inefficiency, and/or failure to perform duties, insubordination, chronic and excessive absenteeism, conduct unbecoming a public employee, neglect of duty, and violation of the County attendance policies and a Last Chance Agreement.

Recommendation of the Administrative Law Judge – Dismiss the appeal with prejudice.

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

A-12 JAMES MARSALA

James Marsala, Senior Correction Officer, New Jersey State Prison, Department of Corrections, removal effective March 21, 2007 on charges of insubordination, conduct unbecoming a public employee and other sufficient cause. This matter was held over from the October 22, 2008 Civil Services Commission meeting for further review.

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

ACTION: The Civil Service Commission rejected the recommendation of the Administrative Law Judge and acknowledged the settlement.

A-13 BRUCIE MICKENS

Brucie Mickens, Laborer, City of Newark, Department of Neighborhood and Recreational Services, removal effective August 20, 2007, on charges of chronic or excessive absenteeism, or lateness 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-14 JOHN TAYLOR (CONSOLIDATION)

John Taylor, Senior Correction Officer, Garden State Youth Correctional Facility, Department of Corrections, removal effective July 25, 2006, on charges of physical or mental abuse of an inmate, patient, client, resident or employee, inappropriate physical contact, or mistreatment of an, inmate, patient, client, resident or employee, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the removal, reverse the denial of accidental disability benefits and reverse the forfeiture of one year of pension service credit.

ACTION: The Civil Service Commission directed that this matter be held over.

A-15 ISAAC UREY

Isaac Urey, Human Services Assistant, New Lisbon Developmental Center, Department of Human Services, removal effective September 24, 2007, on charges of physical abuse of a client, inappropriate physical contact or mistreatment of a patient, client, resident or employee, and conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Reverse the removal.

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

SECTION B – MISCELLANEOUS MATTERS**B-1 CAZZIE L. BRISTER**

Cazzie L. Brister appeals his rejection as a Fire Fighter candidate by Plainfield and its request to remove his name from the eligible list for Fire Fighter (M2294E) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION: The Civil Service Commission referred the matter for an independent psychological evaluation.

B-2 KYLE EISENBEIS

Kyle Eisenbeis, represented by James P. Swift, Esq., appeals his rejection as a Police Officer candidate by Atlantic City and its request to remove his name from the eligible list for Police Officer (S9999H) on the basis of psychological unfitness to perform effectively the duties of the position.

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

B-3 MARK FLANIGAN

Mark Flanigan, represented by David J. DeFillippo, Esq., appeals his rejection as a Police Officer candidate by Atlantic City and its request to remove his name from the eligible list for Police Officer (S9999H) on the basis of psychological unfitness to perform effectively the duties of the position.

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

B-4 BRIAN GONTARZ

Brian Gontarz 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 (S9999H) on the basis of psychological unfitness to perform the duties of the position.

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

B-5 MILTON HILL, JR.

Milton Hill, Jr., represented by James P. Swift, Esq., appeals his rejection as a Police Officer candidate by Atlantic City and its request to remove his name from the eligible list for Police Officer (S9999H) on the basis of psychological unfitness to perform effectively the duties of the position.

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

B-6 CHRISTOPHER LODICO

Christopher LoDico, represented by Steven P. Scheffler, Esq., appeals his rejection as a Police Officer candidate by Atlantic City and its request to remove his name from the eligible list for Police Officer (S9999H) on the basis of psychological unfitness to perform effectively the duties of the position.

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

B-7 DERRICK SPANN

Derrick Spann appeals the removal of his name from the (M2294E) eligible list for the title of Fire Fighter, City of Plainfield on the basis of psychological unfitness.

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

B-8 RYAN VALERI

Ryan Valeri, represented by David DeFillippo, Esq., appeals his rejection as a Sheriff's Officer candidate by Ocean County and its request to remove his name from the eligible list for Sheriff's Officer (S9999H) on the basis of psychological unfitness to perform effectively the duties of the position.

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

B-9 DIONNE BENSON

Dionne Benson, a Senior Correction Officer at South Woods State Prison, Department of Corrections (DOC), represented by Henry J. Cistrelli, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-10 TONI-LYNNE CALABRESE

Toni-Lynne Calabrese, a Clinical Psychiatrist at Ancora Psychiatric Hospital, Department of Human Services, represented by Michael D. Landis, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-11 MEREDITH CLINE

Meredith Cline, a Senior Correction Officer with South Woods State Prison, Department of Corrections, represented by Joseph A. Carmen, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-12 JULIO ESCOBAR

Julio Escobar, a Family Service Specialist II with the Division of Youth and Family Services, Department of Children and Families, appeals the denial of sick leave injury (SLI) benefits.

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

B-13 EDWARD T. MARICONDA

Edward T. Mariconda, a Senior Correction Officer with the Garden State Youth Correctional Facility, Department of Corrections, represented by Henry J. Cistrelli, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-14 INES MIENHEARTT

Ines Mienheartt, a Court Investigator 1 with the Judiciary, Vicinage 2 – Bergen County, appeals the denial of sick leave injury (SLI) benefits.

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

B-15 PAUL MILLER

Paul Miller, a Correction Sergeant with Garden State 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 in part.

B-16 MARILYN MUNIZ

Marilyn Muniz, Judiciary Clerk 4 with the Judiciary, Vicinage 1 – Atlantic and Cape May Counties, appeals the denial of sick leave injury (SLI) benefits.

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

B-17 RANDOLPH NEUES

Randolph Neues, a Senior Correction Officer at the Adult Diagnostic and Treatment Center, Department of Corrections, represented by Henry J. Cistrelli, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-18 CLAUDE PAMPHILE

Claude Pamphile, a former Charge Nurse, 12 months, with the Greystone Park Psychiatric Hospital, Department of Human Services, represented by William L. Kauffman, Staff Representative with CWA Local 1040, appeals the denial of sick leave injury (SLI) benefits.

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

B-19 DAN SEALS

Dan Seals, a Senior Correction Officer with the Department of Corrections, represented by Henry J. Cistrelli, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-20 SHARI SIMON

Shari Simon, a Physician Specialist 1 with the Vineland Developmental Center, Department of Human Services, represented by Laurence P. Bafundo, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-21 TEQUILA THOMPSON

Tequila Thompson, a Senior Correction Officer with the Department of Corrections, represented by Frank M. Crivelli, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-22 RAYMOND VISCITO

Raymond Viscito, a Senior Correction Officer with the Albert C. Wagner 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 denied.

B-23 STEVEN K. HAVENS

Steven K. Havens appeals the decision of the Division of State Human Resource Management (SHRM), which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the Probation Officer (S0300F), Judiciary, Bergen Vicinage, eligible list due to the fact that he was no longer interested in the position.

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

B-24 HARVEY LANE

Harvey Lane appeals the decision of the Division of Local Human Resource Management (LHRM), which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the Police Aide (M6925G), Newark eligible list due to failure to maintain residency.

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

B-25 PENNY MATTHEWS

Penny Matthews appeals the decision of the Division of Selection Services, which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the Field Representative Housing, Housing Assistance Program (S0557H), Department of Community Affairs eligible list due to the appellant's failure to meet the requirements of the title.

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

B-26 COORDINATOR FOR FEDERAL AND STATE AID (M6161J), JERSEY CITY

Jersey City requests permission not to make an appointment from the January 14, 2008 certification for Coordinator for Federal and State Aid (M6161J).

ACTION: The Civil Service Commission granted the request for an appointment waiver but assessed selection costs in the amount of \$2,048.

B-27 EMPLOYMENT COUNSELOR (C0800F) AND (C1562H), ESSEX COUNTY

Essex County requests permission not to make an appointment from the January 4, 2007 certification for Employment Counselor (C0800F) and (C1562H).

ACTION: The Civil Service Commission granted the request for an appointment waiver but assessed selection costs in the amount of \$2,048.

B-28 LILLIAN GUIA

Lillian Guia, a Forensic Scientist 2, with the Division of State Police (State Police), Department of Law and Public Safety, appeals the determination of the Director of the Office of Equal Employment Opportunity (EEO), which found that the appellant failed to support a finding that she was subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace (State Policy).

ACTION: The Civil Service Commission remanded the matter to the Equal Employment Opportunity Officer at the Department of Labor and Workforce Development for further investigation.

VOTE:	Hope L. Cooper	(Abstained)
	Flavella Branham	(Yes)
	John Currie	(Yes)

B-29 MARIA RIVERA

Maria Rivera, a Senior Correction Officer with the Department of Corrections (DOC), appeals the determination of the Assistant Director, Equal Employment Division, with the DOC, stating that the appellant failed to present sufficient evidence to support a finding that she had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace (State Policy).

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

B-30 MARK ALESSIO

The Department of Law and Public Safety (DL&PS) requests relief on behalf of Mark Alessio, a Repairer.

ACTION: The Civil Service Commission granted the request.

B-31 KATHLEEN ASFOUR AND DIANE SEIGEL

Kathleen Asfour and Diane Seigel appeal the decisions of the Division of State Human Resource Management (SHRM) regarding their classification to the title of Site Manager for record purposes only. The appellants seek a Senior Project Manager classification.

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

B-32 ROBERT AUERMILLER

Robert Auermiller requests a retroactive effective date of the reclassification of his position from Superintendent Parks and Forestry 3 to Superintendent Parks and Forestry 1.

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

B-33 JACQUELINE FLYNN

Jacquelyn Flynn, a Secretarial Assistant 3 (Non-Stenographic) with the Department of Children and Families, requests a retroactive date of permanent appointment of December 24, 2005.

ACTION: The Civil Service Commission denied the request.

B-34 ROBERT CORKE

Robert Corke appeals the decision of the Division of Local Human Resource Management (LHRM) which determined that he did not have a prior held displacement right to his former title of Community Organization Specialist.

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

B-35 WENDELL HARPER

Wendell Harper, a Police Officer with Newark, represented by Matthew D. Areman, Esq., requests that the Civil Service Commission revive the eligible list for Police Sergeant (PM2530C), Newark and restore his name to it.

ACTION: The Civil Service Commission denied the request.

B-36 JAMES H. KENNEDY

James H. Kennedy appeals actions concerning the application of his veterans preference with respect to his permanent appointment to County Park Ranger, Gloucester County and with respect to a provisional appointment to Weights and Measures Apprentice, Gloucester County.

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

B-37 LEON LINTHICUM

Leon Linthicum, a Police Officer with Middle Township, represented by Merick H. Limsky, Esq., requests the dismissal of disciplinary charges set forth in May 14, 2008 Preliminary Notices of Disciplinary Action.

ACTION: The Civil Service Commission denied the request.

B-38 WILLIAM REHE

The Borough of Hopatcong requests that the eligible list for Police Captain (PM3525D) be revived in order to effectuate the permanent appointment of William Rehe, effective September 3, 2003.

ACTION: The Civil Service Commission granted the request.

B-39 ARIEL RIVERA

Ariel Rivera, a Teacher 1, 12 Months with the Juvenile Justice Commission, represented by Donald L. Klein, Executive Vice President, CWA Local 1040, requests differential back pay for the period of September 10, 2007 to July 19, 2008.

ACTION: The Civil Service Commission denied the request.

B-40 MOIRE REILLY

Moire Reilly, a Sheriff's Officer Sergeant with the Morris County Sheriff's Office requests back pay, benefits and seniority from March 2, 2007 through May 2, 2007.

ACTION: The Civil Service Commission denied the request.

B-41 INVESTIGATOR, MOTOR CARRIERS TITLE SERIES

The Communications Workers of America, Local 1033, represented by Peter Maurer, Staff Representative, appeals the determination of the Division of Classification and Compensation that an insufficient basis had been presented to warrant reevaluation of the Investigator, Motor Carriers title series.

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

B-42 ELVIS BERNAL

The appeal of Elvis Bernal, an Executive Assistant with Newark, concerning his release at the end of his working test period, effective November 3, 2006, was heard by Administrative Law Judge Caridad F. Rigo (ALJ), who rendered her initial decision on September 12, 2008. At its meeting on October 22, 2008, the Civil Service Commission adopted the ALJ's recommendation to reverse the appellant's release and grant a new working test period. However, the Commission did not adopt the ALJ's recommendation to award back pay and counsel fees. The proposed final decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the final decision.

B-43 TERRENCE CROWDER

The appeal of Terrence Crowder, a Deputy Fire Chief with the Camden City Fire Department, of his seven-day suspension on charges, was before Administrative Law Judge Israel D. Dubin (ALJ), who rendered his initial decision on September 18, 2008, dismissing the appeal. At its meeting on October 22, 2008, the Civil Service 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: The Civil Service Commission adopted the decision.

B-44 ALI ELMAGHRABI

The appeal of Ali Elmaghrabi, an Institutional Trade Instructor 2 (Cooking) with Northern State Prison, Department of Corrections, of his removal effective January 24, 2008, on charges was heard by Administrative Law Judge Gail M. Cookson (ALJ) who rendered her initial decision on September 4, 2008. At its meeting on October 22, 2008, the Civil Service Commission adopted the ALJ's recommendation to uphold the removal. The proposed final decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the final decision.

B-45 JOHN LA PIERRE

The appeal of John La Pierre, a Correction Sergeant at the Albert C. Wagner Youth Correctional Facility, Department of Corrections, regarding his three removals, effective December 6, 2007, on charges, was heard by Administrative Law Judge Daniel B. McKeown (ALJ), who rendered his initial decision on August 14, 2008. At its meeting on October 22, 2008, the Civil Service Commission did not adopt the ALJ's recommendation to reverse two removals and modify one removal to a six-month suspension. Rather the Commission upheld one removal and modified the other two removals to six-month suspensions. The proposed final decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the final decision.

B-46 TROY MUSE

The appeal of Troy Muse, a Senior Correction Officer with the Central Reception and Assignment Facility, Department of Corrections, of his 30-day suspension, on charges, was heard by Administrative Law Judge Ronald W. Reba (ALJ), who rendered his initial decision on September 5, 2008. At its meeting on October 22, 2008, the Civil Service Commission did not adopt the ALJ's recommendation to reverse the 30-day suspension. 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: The Civil Service Commission adopted the decision.

B-47 MARGARET AGABITI

Margaret Agabiti appeals the determination of the Division of State Human Resource Management (SHRM) that her position is properly classified as a Senior Clerk with the Department of the Treasury. The appellant seeks a Technical Assistant 3 classification in this proceeding.

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

B-48 JUDITH M. CARSWELL

Judith M. Carswell appeals the decision of the Division of Local Human Resource Management (LHRM) that the proper classification of her position is Senior Probate Clerk. The appellant seeks a Chief Probate Clerk or Chief Clerk, Surrogates classification.

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

B-49 NEERU CHOPRA

Neeru Chopra 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 Supervising Program Development Specialist, Management and Finance (PS4263K), Division of Medical Assistance and Health Services.

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

B-50 SUSAN M. DAHL

Susan M. Dahl appeals the determination of the Division of Selection Services which found that she did not meet the experience requirement for the promotional examination for Personnel Assistant 4 (PS5775K), Department of Children and Families.

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

B-51 THOMAS IANDIORIO

Thomas Iandiorio appeals the determination of the Division of Selection Services that he was ineligible for the promotional examination for Sheriff's Officer Lieutenant (PC2672G), Essex County.

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

B-52 BRIAN MORELLO

The City of Vineland, on behalf of Brian Morello, appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the qualifying examination for Electric Meter Worker, Vineland.

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

B-53 SHEILA PETTIFORD

Sheila Pettiford appeals the decision of the Division of Local Human Resource Management (LHRM) that her position is properly classified as Clerk.

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

B-54 DIANE ROSCI

Diane Rosci appeals the decision of the Division of State Human Resource Management that her position is properly classified as Senior Clerk Typist. Appellant seeks a Principal Clerk Typist classification in this proceeding.

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

B-55 EDITH SMITH

Edith Smith appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for the promotional examination for Assistant Director of Nursing (C0131K), Essex County.

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

B-56 JESSE TYREE

East Orange appeals the decision of the Division of Local Human Resource Management (LHRM) that Jesse Tyree's position is properly classified as Field Representative, Housing Rehabilitation.

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

B-57 ERIC WEIR

The Borough of Belmar requests that it be permitted to permanently appoint Eric Weir as a Police Officer.

ACTION: The Civil Service Commission granted the request in part.

B-58 LILLIAN FOSTER

Lillian Foster petitions for reconsideration of the decision, *In the Matter of Lillian Foster* (MSB, decided October 24, 2007), which determined that her non-selection from the open competitive list for Administrative Assistant 3 (S6760F) was proper.

ACTION: The Civil Service Commission denied the request for reconsideration.

B-59 LILLIAN FOSTER

Lillian Foster petitions for reconsideration of the decision, *In the Matter of Lillian Foster* (MSB, decided November 8, 2007), which determined that the bypass of her name on the open competitive list for Probation Officer (S0300F), Judiciary Vicinage 13, Somerset, Hunterdon, and Warren Counties was proper.

ACTION: The Civil Service Commission denied the request for reconsideration.

B-60 LORRAINE GRAYDON

The New Jersey Judiciary, Ocean Vicinage, represented by Thomas Russo, Esq., requests reconsideration of the final administrative decision, rendered on June 25, 2008, granting Lorraine Graydon's request for sick leave injury (SLI) benefits.

ACTION: The Civil Service Commission denied the request for reconsideration.

B-61 IVELLISE COLLAZO

Ivellise Collazo appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she did not meet the minimum experience requirements for the promotional examination for Field Monitor 2 Division of Motor Vehicles (PS8383T), Motor Vehicle Commission.

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

B-62 YVONNE HEMINGWAY AND DONNA M. HUBER

Yvonne Hemingway and Donna M. Huber appeal the determinations of the Division of Selection Services which found that, per the substitution clause for education, they did not meet the requirements for the promotional examination for Driver Improvement Analyst 1 (PS2053T), Motor Vehicle Commission.

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

B-63 JASON JACOBS AND GARFIELD WILSON

Jason Jacobs and Garfield Wilson 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 Senior Training Technician (PS4927K), Ancora Psychiatric Hospital.

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

B-64 TINA LARSON

Tina Larson 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 Classification Officer 1 (PS5807I), Albert C. Wagner Youth Correctional Facility, Department of Corrections.

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

B-65 ERIN LECKI

Ocean County, on behalf of Erin Lecki, appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for the qualifying examination for Principal Clerk Typist, Ocean County.

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

B-66 JAHAIIRA OLIVERO

Jahaira Olivero 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 Principal Clerk Typist (C0099K), Mercer County.

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

B-67 LISA SERMON

Lisa Sermon, represented by Adam Liebttag, Lead Staff Representative, Communications Workers of America, Local 1034, appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in education and experience for a prospective provisional appointment to the title of Management Assistant, Department of Environmental Protection.

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

B-68 MARK AMOROSI

Mark Amorosi appeals his score on the open competitive examination for Senior Public Information Specialist (S6940J), Statewide.

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

B-69 ANTHONY KURNEL

Anthony Kurnel appeals the scope of eligibility for the promotional examination for Police Captain (PM3523K), Berkeley Township.

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

B-70 HOSSEIN ABEDINI, ET AL.

Hossein Abedini, Sarah Abraham, Albert Adolf, Nicholas Alfano, Zakrollah Asadpour, Karl Bevans, Roland Bisda, Phillip Boone, Rajendra Brahmbhatt, Charles Brodowicz, Niculina Chivulescu, Arthur Christian, Antoine Cook, Larry Cotton, James Coyle, Frederick Czepiga, Bhuleshwar Darji, Mahesh Desai, Miguel Faucette, Daud Ferozan, Luis Galarza, Robert Galinat, Prakash Gandhi, Nicholas Gephart, Paul Hanczaryk, Michael Horan, Jude Kianka, Ronald Kuzma, Thomas Loftus, Robert May, Nirmin Nasef, Jayesh Patel, Naresh Patel, Natvar Patel, Pankaj Patel, Rajeshku Patel, Rameshbhai Patel, Vinubhai Patel, Frank Pinto, Wael Quasmieh, Jayantilal Rana, Kamalavathany Ravishankar, Wahabuddin Roomi, Myrna Santos, Jack Scire, Matt Schiariti, Robert Scholink, Kumar Selvakumar, Kalphesh Shah, Mahendra Shah, Pankajkumar Shah, David Smith, Terance Smith, Ramesh Suvagiya, Pinakin Tank, Girish Thakkar, Richard Thayer, Gregory Varone, Gary Vetro, David Wong and Frank Zrinsky, represented by Rosemarie Cipparulo, Esq., petition for reconsideration of *In the Matter of Hossein Abedini, et al.* (MSB, decided February 13, 2008), which found that they were below the minimum requirements in experience for the promotional examination for Project Engineer, Surface Design (PS5762T), Department of Transportation.

ACTION: The Civil Service Commission denied the requests for reconsideration.

B-71 AKHIRAH MUHAMMAD

The Administrative Office of the Courts, on behalf of Akhirah Muhammad, requests relaxation of the provisions of N.J.A.C. 4A:6-1.22 so as to permit her to donate more than 10 leave days to Lorraine Peters, who is participating in the donated leave program.

ACTION: The Civil Service Commission granted the request.

B-72 SHERIFF'S INVESTIGATORS TO SHERIFF'S OFFICER, HUNTERDON COUNTY SHERIFF'S OFFICE

Deborah V. Trout, Sheriff, Hunterdon County, requests that the provisions of N.J.A.C. 4A:4-7.1A be relaxed in order to permit the Intergovernmental Transfers of laid off incumbents in the unclassified title of Sheriff's Investigator, Passaic County Sheriff's Office, to the career service title of Sheriff's Officer, Hunterdon County Sheriff's Office.

ACTION: The Civil Service Commission granted the request.

B-73 PROPOSED CIVIL SERVICE COMMISSION MEETING DATES FOR 2009

Submitted for the Commission's approval are the proposed Civil Service Meeting Dates for 2009.

ACTION: The Civil Service Commission approved the meeting dates for 2009.

B-74 CIVIL SERVICE COMMISSION MINUTES

Submitted for the Commission's adoption are the minutes of its meeting of October 22, 2008.

ACTION: The Civil Service Commission adopted the minutes of its meeting of October 22, 2008.

B-75 MICHAEL SWEDO

Michael Swedo petitions the Civil Service Commission for reconsideration of the administrative decision rendered on November 27, 2007, in which the Commissioner of Personnel found that his position was properly classified as Administrative Analyst 1 Management Auditor. Petitioner seeks a Management Improvement Specialist 1 classification in this proceeding.

ACTION: The Civil Service Commission denied the request.

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, November 19, 2008, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

Hope L. Cooper
Acting Chairperson
Civil Service Commission