



STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION

JON S. CORZINE
GOVERNOR

HOPE L. COOPER
Chair/Chief Executive Officer

**MINUTES OF REGULAR MEETING OF
THE CIVIL SERVICE COMMISSION
OCTOBER 7, 2009**

**Hope L. Cooper, Chairperson
Flavella Branham
John Currie
Margaret E. L. Howard**

OCTOBER 7, 2009

A regular meeting of the Civil Service Commission was held on Wednesday, October 7, 2009, in Trenton, New Jersey.

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

In accordance with L.1975, c.231, Hope L. Cooper, Chairperson, 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 17, 2008, and posted at the Civil Service Commission, 3 Station Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

*It is noted that Flavella Branham was not present during, and did not vote on agenda, times A-1 through A-10.

STATE

The Civil Service Commission recorded the recommended changes in the State Classification Plan, copies of which are attached hereto and made a part hereof.



MEMORANDUM

DATE: September 14, 2009

TO: Hope L. Cooper
Chair/Chief Executive Officer *HLC*

FROM: Elizabeth Van Marter, Director
Classification and Compensation *EVM*

SUBJECT: Change in the State Classification Plan

DEPARTMENT OF TREASURY

Senate Bill No. 2356, which was recently signed by Governor Corzine, establishes a pilot program in Gloucester County, transferring the municipal tax assessment function to the county, through appointment of a County Tax Assessor and a Deputy County Tax Assessor.

The unclassified titles County Tax Assessor and Deputy County Tax Assessor must be created in order to accommodate staff of the newly created office, pursuant to the enabling legislation.

The County Tax Assessor title will be responsible to the county governing body for the efficient operation of the County Tax Assessor's office, and supervision of the Deputy County Tax Assessors within the pilot county.

The titles will be restricted for use by Gloucester County.

ESTABLISHMENT OF UNCLASSIFIED TITLES

Effective: September 14, 2009

County Tax Assessor
___ Unclassified Local

Deputy County Tax Assessor
___ Unclassified Local

EVM/JMM/RMD

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

Diana Blackwell, Northern State Prison, Department of Corrections, removal.

Dilonie Brown, Greystone Park Psychiatric Hospital, Department of Human Services, removal.

Lauren Breslin, Vineland School District, removal.

City of Clifton Firefighter Layoffs, City of Clifton, good faith layoff.

Terrance Crowder, City of Camden, suspensions (2).

Deborah Cummins-Curry, North Bergen Township, removal.

Arthur Dando, III, Woodbridge Township, List bypass appeal.

George Elentrio, Judiciary, Camden Vicinage, suspension.

Cesar Estrella, City of Newark, suspension.

Michael Evans, Mount Laurel Township, Fire District 1, removal.

John Fine, City of Linden, suspension and demotion.

Cheryl Janssen, Passaic County, suspension.

Hamilton Township Layoffs, good faith layoff.

Janine Ingram, Willingboro Township, removal.

Werner Kube, City of Trenton Fire Department, suspension.

Ira Kupersmit, Motor Vehicle Commission, suspension and demotion.

Joseph Latona, Passaic Valley Water Commission, removal.

Barbara Losagio, Township of Pohatcong, good faith layoff.

Daniel Lundy, Newark Public Schools, suspension.

Jessica Magoulis, Brick Township, release at the end of the working test period.

Quatisha Mott, Northern State Prison, Department of Corrections, indefinite suspension and removal.

John Mulholland, Borough of Ringwood, suspension.

Gertrude Okonkwo, Camden County Municipal Utilities Authority, suspension (2).

Marie Palmeiro, Department of Health and Senior Services, Discrimination appeal.

Michelle Richardson, Mid-State Correctional Facility, Department of Corrections.

James Roche, Union County, suspension.

Dawn Sands, Township of Teaneck, suspension.

Kevin Stewart, Passaic County, good faith layoff.

Jamie Tangorra, Passaic County, good faith layoff.

Yves Thermezy, Hudson County, suspension.

Kennard Weaver, Atlantic County, suspension.

Ricky Williams, City of Atlantic City, suspension.

Robert Williams, Warren County, indefinite suspension.

Matthew Wojak, Passaic County, good faith layoff.

DISMISSAL OF APPEALS – 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:

George Ayad, City of Jersey City, suspension.

Ashley Barrett, Vineland Developmental Center, Department of Human Services, removal.

Tara Bloomquist, Hunterdon Developmental Center, Department of Human Services, removal.

Delicia Chamber, Newark Public School District, suspension.

Eugene Coleman, Ann Klein Forensic Center, Department of Human Services, indefinite suspension.

Schnaill Forrest, Cumberland County, removal.

Kathy Harney-Heath, Division of State Police, Department of Law and Public Safety, suspension.

Rahman Idlett, East Jersey State Prison, Department of Corrections, suspension.

Simon Irving, Greystone Park Psychiatric Hospital, resignation not in good standing.

Catrece Lark, Atlantic County, removal.

Lanika Mathews, Vineland Developmental Center, Department of Human Services, removal.

Sharon Marchishin, Hunterdon Developmental Center, Department of Human Services, fine and removal.

Aileen Teri Monahan, Hazlet Township, good faith layoff.

Tonya Morton, Albert C. Wagner Youth Correctional Facility, Department of Corrections, removal.

Alonzo Nock, South Woods State Prison, Department of Corrections, suspension.

Michael Pierce, Central Reception and Assignment Facility, Department of Corrections, removal.

Donna Pittman, New Lisbon Developmental Center, Department of Human Services, suspension.

Lori Lang, Essex County, removal.

Bruce Rogan, Ancora Psychiatric Hospital, Department of Human Services, suspension and resignation not in good standing.

Luz Rouse, Sussex County, resignation not in good standing.

Winston Simms, Department of Military and Veterans Affairs, suspension.

Jamil Stewart, Ancora Psychiatric Hospital, Department of Human Services, resignation not in good standing.

Jason Taylor, City of Trenton, removal.

Frankie Walls, Newark Public School District, suspension.

Kennard Weever, Atlantic County, suspension.

Daniel Wiggins, Passaic County, removal.

Jerome Young, Juvenile Justice Commission, Department of Law and Public Safety, suspension.

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

In the Matter of Selena Fleming
Vineland Developmental Center
Department of Human Services
Removal

In the Matter of Jasmine Greene
Essex County
Juvenile Detention Center
Removal

In the Matter of Natasha Jones
New Jersey Veterans Memorial Home
Department of Military and Veterans Affairs
Removal

In the Matter of Michael Mitchell
New Jersey State Prison
Department of Corrections
Suspension

In the Matter of Innocent Obuah
Greystone Park Psychiatric Hospital
Department of Human Services
Removal

In the Matter of Sheree Patnaude
Atlantic County
Administration Department
Resignation not in good standing

In the Matter of Michael Randall
Ancora Psychiatric Hospital
Department of Human Services
Removal

In the Matter of Shannon Washington
Ancora Psychiatric Hospital
Department of Human Services
Suspension

In the Matter of Jerry Watt
Salem County
Department of Corrections
Suspensions (2)

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

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 COMFORT F. AJEWOLE

Comfort F. Ajewole, Human Services Specialist 1, Middlesex County Board of Social Services, release at the end of the working test period effective October 7, 2008.

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

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

A-3 SAYGBEH FLUMO

Saygbeh Flumo, Human Services Assistant, New Lisbon Developmental Center, Department of Human Services, 30-working day suspension on charges of neglect of duty and sleeping while on duty. This matter was held over from the September 2, 2009 Civil Services Commission meeting.

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

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

A-4 DONNA GALLAGHER

Donna Gallagher, Hospital Attendant, Hudson County, Department of Health and Human Services, 30-working day suspension on charges of conduct unbecoming a public employee, insubordination and neglect of duty.

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

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

A-5 ORLANDO GOMEZ

Orlando Gomez, Motor Vehicle Operator, Hudson County, Department of Roads and Public Property, resignation not in good standing effective September 10, 2008 on charges of insubordination, conduct unbecoming a public employee, neglect of duty, and resignation not in good standing.

Recommendation of the Administrative Law Judge – Dismiss the appeal without prejudice for failure to appear.

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

A-6 DANIEL SMITH

Daniel Smith, Senior Correction Officer, Adult Diagnostic and Treatment Center, Department of Corrections, 45-working day suspension on the charge of neglect of duty.

Recommendation of the Administrative Law Judge – Reverse the 45-working day suspension, but ordered sanctions against the appellant to pay three Department of Corrections employees who were delayed at the hearing due to appellant's tardiness.

ACTION: The Civil Service Commission modified the recommendation of the Administrative Law Judge to reverse the 45-working day suspension but did not order sanctions against the appellant to pay three Department of Corrections employees who were delayed at the hearing due to the appellant's tardiness.

A-7 JAMES THORPE

James Thorpe, Senior Youth Worker, Juvenile Justice Commission, Department of Law and Public Safety, 60-working day suspension on charges of conduct unbecoming a public employee, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Dismiss the appeal.

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

A-8 GREGORY GLEATON

Gregory Gleaton, Plumber/Steamfitter, Greystone Park Psychiatric Hospital, Department of Human Services, removal effective May 1, 2007, on the charge of conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Dismiss the appeal pursuant to an Order of Forfeiture of Public Employment.

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

A-9 GILDA MATTHEWS

Gilda Matthews, Human Services Assistant, Woodbine Developmental Center, Department of Human Services, removal effective May 14, 2008, on charges of conduct of unbecoming a public employee and neglect of duty or failure to devote attention to tasks which could result in danger to persons or property.

Recommendation of the Administrative Law Judge – Modify the removal to a 10-day suspension.

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

A-10 CECELIA OWENS

Cecelia Owens, Human Services Assistant, Trenton Psychiatric Hospital, Department of Human Services, removal effective July 29, 2008, on charges of fighting or creating a disturbance on State property, inappropriate physical contact or mistreatment of a patient, client, resident or employee, conduct unbecoming a public employee and violation of Department policy.

Recommendation of the Administrative Law Judge – Modify the removal to a 30-day suspension.

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

A-11 DARLA TIGNER

Darla Tigner, Practical Nurse, Veteran's Memorial Home at Menlo Park, Department of Military and Veteran's Affairs, indefinite suspension pending deposition of the criminal charges.

Recommendation of the Administrative Law Judge – Dismiss the appeal as moot.

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

A-12 BROOKE WALLER (CONSOLIDATION)

Brooke Waller, County Correction Officer, Cumberland County, Department of Corrections, indefinite suspension, pending the outcome of an investigation and removal effective March 31, 2008, 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.

SECTION B – MISCELLANEOUS MATTERS

B-1 NICHOLAS A. BERARDIS

Nicholas A. Berardis, represented by James J. Leonard, Jr., 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-2 WILLIAM O. BUILES

William O. Builes, represented by Justin Talley, Esq., appeals his rejection as a Police Officer candidate by the City of Passaic 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-3 THERESA HILL

Theresa Hill, a Human Services Assistant with Trenton Psychiatric Hospital, Department of Human Services, appeals the denial of sick leave injury (SLI) benefits.

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

B-4 TIFFANY JONES

Tiffany Jones, a Family Service Specialist 2 with the 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-5 EDWARD OLSZEWSKI

Edward Olszewski, a Heavy Equipment Operator with South Woods State Prison, Department of Corrections, represented by Robert G. Malestein, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-6 DORITA PANIAGUA

Dorita Paniagua, an Institutional Trade Instructor 1, Cooking, with East Jersey State Prison, Department of Corrections, appeals the denial of sick leave injury (SLI) benefits.

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

B-7 GABE ADDONIZIO

Gabe Addonizio, represented by Robert J. DeGroot, Esq., appeals the decision of the Division of Local Human Resource Management which upheld the removal of his name from the Police Officer (S9999H), Newark eligible list due to his failure to meet the residency requirement.

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

B-8 KEISHA BOYD

Keisha Boyd appeals the determination of the Division of State Human Resource Management, which upheld the removal of her name for the Correction Officer Recruit (S9999H), Department of Corrections, eligible list on the basis of an unsatisfactory employment record and falsification of her employment application.

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

B-9 DAMION CALLAWAY

Damion Callaway appeals the decision of the Division of Local Human Resource Management, which found that the appointing authority had presented a sufficient basis to remove his name from the eligible list for Police Officer (S9999H), Atlantic City based on his failure to meet the residency requirements.

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

B-10 MICHAEL FEITH

Michael Feith appeals the bypass of his name on the Senior Inspector, Mosquito Extermination (PC1340J), Essex County eligible list.

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

B-11 ASA PARIS

Asa Paris, a County Correction Officer with Mercer County, represented by Fred Shahrooz Scampato, Esq., appeals the decision of the Division of Local Human Resource Management, which upheld the removal of his name from the August 28, 2007 certification of the County Correction Sergeant (PC2666G), Mercer County, eligible list on the basis of an unsatisfactory employment record.

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

B-12 KENNETH PARADA

Kenneth Parada, represented by Jeffrey D. Catrambone, Esq., appeals the removal of his name from the Police Officer (S9999F), South Plainfield, eligible list on the basis of an unsatisfactory background report and falsification.

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

B-13 JOHN W. RUIZ

John W. Ruiz appeals the decision of the former Division of Local Human Resource Management, which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the Police Officer, Bilingual in Spanish/English (S9999H), Perth Amboy, eligible list on the basis of failure to complete pre-employment processing.

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

B-14 PROGRAM MONITOR (C6186J), ESSEX COUNTY

Essex County requests permission not to make an appointment from the September 29, 2008 certification for Program Monitor (C6186J).

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

B-15 FELICIA FIEO, ET AL.

Felicia Fieo, a Principal Environmental Specialist, Water Resources, Richard Gunoskey, a Data Base Analyst 2, Kristin Hansen, a Principal Environmental Specialist, Water Resources, Joseph Ludovico, a Data Processing Analyst 2, and Linda Walsh, a Principal Environmental Specialist, Water Resources with the Department of Environmental Protection, appeal the determinations of the Assistant Commissioner of Management and Budget, which found that the appellants did not present sufficient evidence to support a finding that they had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

B-16 CAROLINE GAVIGAN

Caroline Gavigan, a Communications Operator, Secured Facilities with South Woods State Prison, Department of Corrections appeals the determination of the Director, Equal Employment Division, which found that the appellant did not 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.

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

B-17 ANNETTE REID

Annette Reid, a Family Service Specialist 2 with the Department of Children and Families, appeals the determination of the Chief of Staff, which found that the appellant did not 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.

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

B-18 JANET L. TIGHE

Janet L. Tighe, a Technical Assistant 1 Purchasing, with The Richard Stockton College of New Jersey, appeals the determination of the Acting President and Provost, which found that the appellant did not 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.

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

B-19 BRADFORD L. WATSON

Bradford L. Watson, a Senior Claims Adjudicator, Disability Determinations, with the Department of Labor and Workforce Development, appeals the determination of the Commissioner, which found that the appellant failed to support a finding that he had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace (State Policy). Additionally, the appellant appeals the determination that he violated the State Policy.

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

B-20 MORGAN FAULKNER

Morgan Faulkner appeals the decision of the Division of State Human Resource Management that the proper classification of his position is Customer Service Representative 2. The appellant seeks a Customer Service Representative 1 classification.

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

B-21 DEBBIE GIDEON

Debbie Gideon appeals the decision of the Division of State Human Resource Management that the proper classification of her position is Business Development Representative 2. The appellant seeks a Business Development Representative 1 classification.

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

B-22 DOROTHY IANNIELLI

Dorothy Iannielli appeals the decision of the Division of Local Human Resource Management that the proper classification of her position is Principal Clerk Transcriber. The appellant seeks a Secretarial Assistant Transcribing classification.

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

B-23 SUSAN SLACHTA

Susan Slachta appeals the decision of the Division of State Human Resource Management which found that her position is properly classified as Senior Management Assistant.

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

B-24 DEBORAH HORAN

Deborah Horan, a former Family Service Specialist 2 with the Department of Children and Families, represented by Dominick Antonicello, CWA Local 1037, requests cash compensation for her balance of compensatory time.

ACTION: The Civil Service Commission denied the request.

B-25 TRACI BURTON AND JASON WEILAND

The Department of Human Services requests a waiver of repayment of a salary overpayment to Traci Burton and Jason Weiland pursuant to N.J.S.A. 11A:3-7, which provides that when an employee has erroneously received a salary overpayment, the Civil Service Commission may waive repayment based on a review of the case.

ACTION: The Civil Service Commission denied the request.

B-26 MICHAEL PILSBURY

Michael Pilsbury, an employee with the Department of Transportation, appeals the determination to place him on step nine of salary range S31, upon his voluntary demotion to the title of Supervising Highway Engineer 2, Traffic.

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

B-27 JOHN GOSSARD

John Gossard, a former Juvenile Detention Officer with Burlington County, appeals his resignation in good standing.

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

B-28 MARTIN SCHWEIGHARDT

The matter of the employment status of Martin Schweighardt, a former Assistant Animal Control Officer with West Orange, has been referred to the Civil Service Commission for review.

ACTION: The Civil Service Commission referred the matter of the Office of Administrative Law for a hearing.

B-29 BRIAN COLLINS AND MICHELLE JOHNSON

Brian Collins and Michelle Johnson appeal their permanent appointment dates as County Park Rangers with Gloucester County.

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

B-30 DAISY DAVIS

Newark requests that the open competitive list for Supervisor of Accounts (M05620) be revived in order to effectuate the permanent appointment of Daisy Davis, effective December 8, 1998.

ACTION: The Civil Service Commission granted the request.

B-31 JAMES PECK, JR.

Hoboken, represented by Robert E. Levy, Esq., requests that the Civil Service Commission acknowledge and approve the portion of a settlement agreement, which provides for retroactive dates of appointments for James Peck, Jr., to Police Sergeant and Police Lieutenant.

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

B-32 BRUCE PIECHOCKI

The Jersey City School District requests that the eligible list for Clerk Driver (M3743R) be revived in order to effectuate the permanent appointment of Bruce Piechocki, effective September 1, 1995.

ACTION: The Civil Service Commission granted the request.

B-33 JERSEY CITY REDEVELOPMENT AGENCY

The Jersey City Redevelopment Agency (JCRA), represented by Michael T. Scaraggi, Esq., requests a stay of the May 27, 2009 Civil Service Commission decision, which denied its request to grant eight current employees of the JCRA permanent status in their respective titles, pending the outcome of its appeal to the Superior Court, Appellate Division.

ACTION: The Civil Service Commission denied the request.

B-34 EVELYN LACCITIELLO AND MICHELLE JONES

Evelyn Laccitiello, Tax Assessor, and Michelle Jones, Tax Collector, with the City of Newark, petition the Civil Service Commission for a stay of their temporary layoffs on September 8, 2009, October 9, 2009, November 2, 2009, and December 28, 2009.

ACTION: The Civil Service Commission denied the requests.

B-35 TEMPORARY LAYOFFS, CITY OF NEWARK AND THE NEWARK PUBLIC LIBRARY

The American Federation of State, County and Municipal Employees, Council 52, Locals 2297 and 2299 on behalf of certain employees of Newark, and Local 2298 on behalf of certain employees of the Newark Public Library (Library), represented by Sidney H. Lehmann, Esq., petition the Civil Service Commission for a stay of Newark's and the Library's implementation of temporary layoffs on September 8, 2009, October 9, 2009, November 2, 2009, and December 28, 2009 for Newark employees and on October 9, 2009, November 2, 2009, November 25, 2009, and December 28, 2009 for Library employees.

ACTION: The Civil Service Commission denied the requests.

B-36 ROBERT CLARKE

Robert Clarke, a Police Sergeant with Atlantic City, represented by Christian M. Scheurman, Esq., petitions the Civil Service Commission for interim relief of a proposed 180-day suspension and demotion.

ACTION: The Civil Service Commission denied the request.

B-37 WENDELL HARPER

Wendell Harper, represented by Anthony J. Fusco, Jr., Esq., petitions the Civil Service Commission for a determination with regard to the back pay, benefits and seniority, and counsel fees awarded in *In the Matter of Wendell Harper* (MSB, decided December 20, 2006). The appellant also requests interim relief regarding his training.

ACTION: The Civil Service Commission granted a hearing regarding the request for back pay and ordered the appointing authority to immediately send the appellant for proper training.

B-38 RICHARD LASCO

Richard Lasco, a Police Officer with Atlantic City, represented by Louis M. Barbone, Esq., seeks enforcement of the decision of the Merit System Board, *In the Matter of Richard Lasco* (MSB, decided March 12, 2008), granting him back pay following his 120 working day suspension.

ACTION: The Civil Service Commission denied the request.

B-39 JAMES H. KENNEDY

James H. Kennedy requests enforcement of the decision rendered on November 6, 2008 awarding him a retroactive appointment date of July 5, 2005 as a County Park Ranger for seniority and salary step placement purposes.

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

B-40 SEAY FLETCHER

Seay Fletcher, represented by Landry Belizaire, Esq., petitions the Civil Service Commission for reconsideration of the final administrative decision, rendered on April 23, 2008, in which the Merit System Board removed his name from the Fire Fighter (M2289E), Newark eligible list.

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

B-41 ANTHONY SCUDERI

Antony Scuderi requests reconsideration of the final administrative decision, rendered on September 24, 2008, which found that the Department of Corrections presented sufficient evidence to uphold the decision removing his name from the eligible list for Correction Officer Recruit (S9999F), Department of Corrections.

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

B-42 MICHELLE DAVIS

The appeal of Michelle Davis, a Police Officer with Newark, of her removal effective December 5, 2007, on charges, was heard by Administrative Law Judge Barry E. Moscovitz (ALJ), who rendered his initial decision on August 13, 2009. At is meeting on September 16, 2009, the Civil Service Commission (Commission) adopted the ALJ's recommendation to grant summary decision in favor of the appointing authority and uphold the removal, but on a different basis than that stated by the ALJ. The proposed final decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the final decision.

B-43 SERGIO DONA

The appeal of Sergio Dona, a County Correction Officer with the Camden County Department of Corrections, of his 20 working day suspension on charges was heard by Administrative Law Judge Lisa James-Beavers (ALJ), who rendered her initial decision on August 3, 2009. At its meeting on September 16, 2009, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to modify the 20 working day suspension to a five working day suspension. Rather, the Commission upheld the 20 working day suspension. The proposed final decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the final decision.

B-44 JOSHUA FELDMAN

The appeal of Joshua Feldman, a County Correction Sergeant with Hudson County, of his 20 working day suspension, on charges, was heard by Administrative Law Judge Leslie Z. Celentano (ALJ), who rendered her initial decision on July 24, 2009. At its meeting on September 16, 2009, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to modify the 20 working day suspension to a five working day suspension. Rather the Commission upheld the 20 working day suspension. The proposed final decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the final decision.

B-45 FRANCES CIPOT

Frances Cipot appeals the determination of the Division of Selection Services that she did not meet the experience requirement for the promotional examination for Assistant Municipal Tax Collector (PM0317L), North Brunswick.

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

B-46 HEATHER COLTS-WANTON

Heather Colts-Wanton appeals the determination of the Division of Selection Services that she did not meet the experience requirement for the promotional examination for Technician, Management Information Systems (PC2061K), Atlantic County.

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

B-47 PATRICK COUNCIL

Patrick Council appeals the determination of the Division of Selection Services that he did not meet the experience requirements for the open competitive examination for Coordinator of Scheduling, Recreational Activities (M0043K), Newark School District.

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

B-48 MARIA DAMASCO

Maria Damasco appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in education for the open competitive examination for Instructor of In-Service Nursing (C0122L), Essex County.

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

B-49 MELISSA H. DIGREGORIO

Melissa H. DiGregorio appeals the determination of the Division of Selection Services which found that she did not meet the experience requirement for the promotional examination for Senior Standards and Procedures Technician (PS9189I), Department of Corrections.

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

B-50 SABRINA FRANCO

Sabrina Franco appeals the determination of the Division of Selection Services which found that she did not meet the minimum experience requirements for the promotional examination for Senior Clerk (PC0067L), Hudson County.

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

B-51 GARY HICKEY

Gary Hickey appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Assistant Municipal Engineer (PM1636K), Borough of Fair Lawn.

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

B-52 MARY JENNINGS

Mary Jennings appeals the determination of the Division of Selection Services which found that she did not meet the minimum experience requirements for the promotional examination for Instructor of Nursing (PS1464K), Ancora Psychiatric Hospital.

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

B-53 THOMAS LAYDEN

Thomas Layden appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Assistant Executive Director, Office on Aging (PC1653J), Union County.

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

B-54 EDWARD MINELLI

Edward Minelli appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Administrative Analyst 1 (PS5546K), Department of Human Services.

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

B-55 JOSEPH POWELL

Joseph Powell appeals the decision of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Senior Planner, Transportation (PS1248T), Department of Transportation (DOT).

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

B-56 KENNETH SOLINSKI

Kenneth Solinski, represented by Paul L. Kleinbaum, Esq., appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the promotional examination for Supervisor, Public Works (PM0728K), Kearny.

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

B-57 BRIAN MCVEY

Brian McVey appeals the scoring of the unassembled promotional examination for Fire Official UFD (PM0020L), Mount Laurel.

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

B-58 LARRY TERRY

Larry Terry appeals the administration of the open competitive examination for Management Information Systems Coordinator (M0431K), Willingboro.

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

B-59 ROBERT CHUMAR

The Acting Director, Division of State and Local Operations, on behalf of the Department of Education, requests that Robert Chumar's out-of-title work experience be accepted to allow him to meet the eligibility requirements for Senior Fiscal Analyst.

ACTION: The Civil Service Commission granted the request.

B-60 RUSSELL M. PAULINE

The Division of State and Local Operations, on behalf of the Department of the Treasury, requests that Russell M. Pauline's out-of-title work experience be accepted to qualify him for a prospective promotional examination for Building Management Services Specialist 3, Department of the Treasury.

ACTION: The Civil Service Commission granted the request.

B-61 JIMMY BORGES, ET AL.

Jimmy Borges, Joseph DeLorme, John DeLuisi, Robert Dickert, and John Horbacewicz, Fire Lieutenant (PM2510L), Irvington; Glenn Curtin and Anthony Principato, Fire Lieutenant (PM2511L), Linden; Armand Guzzi, Jr., Fire Lieutenant (PM2512L), Long Branch; Edward Mullen, Fire Lieutenant (PM2513L), Perth Amboy; Peter Scott, Fire Lieutenant (PM2531L), South Orange; Gavino Siciliano, Fire Captain (PM2503H), Asbury Park; Christopher Barkalow, Fire Captain (PM3526L), Asbury Park; Jeffrey Chuss, John Cleary, Salvatore Gaetani, Robert Nunez and Michael Petrakian, Fire Captain (PM3527L), Bayonne; Vito DiMarco, Fire Captain (PM3540L), Ocean City; Joseph Byrne, Sean Gaynor, Salvatore Maiorino, Kenneth Reitmeyer, Robert Ryan and Daniel Shelley, Fire Captain (PM3545L), West Orange; Marc Friddell Sr., Fire Captain (PM3546L), Willingboro Township; Frank Friend III Fire Captain (PM3547L), Winslow Township; and Troy O'Brien, Fire Captain (PM3565L), Elizabeth; appeal the correct responses to various questions on their respective promotional examinations.

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

B-62 RICHARD KUNZ

Richard Kunz appeals the denial of his request for a make up examination for Fire Captain (PM3536L), Millburn.

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

B-63 DANIEL BYRNE

Daniel Byrne, represented by Raymond Heineman, Esq., appeals the denial of his request for a make up examination for Battalion Fire Chief (PM3502L), Elizabeth.

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

B-64 KATHLEEN GUSLER

The Department of Law and Public Safety, on behalf of Kathleen Gusler, requests the relaxation of the provisions of N.J.A.C. 4A:6-1.22 so as to permit Ms. Gusler, who is participating in the donated leave program, to receive more than the 180 donated leave days allowed to a recipient.

ACTION: The Civil Service Commission granted the request.

B-65 MICHELLE MANNI

The Department of Children and Families, on behalf of Michelle Manni requests the relaxation of the provisions of N.J.A.C. 4A:6-1.22 so as to permit Ms. Manni, who is participating in the donated leave program to receive more than 180 donated leave days allowed to a recipient.

ACTION: The Civil Service Commission granted the request.

B-66 JOYCE TUMILLO

The Department of Law and Public Safety, on behalf of Joyce Tumillo, requests the relaxation of the provisions of N.J.A.C. 4A:6-1.22 so as to permit Ms. Tumillo, who is participating in the donated leave program, to receive more than the 180 donated leave days allowed to a recipient.

ACTION: The Civil Service Commission granted the request.

B-67 CIVIL SERVICE COMMISSION MEETING MINUTES

The Civil Service Commission minutes of its meeting of September 16, 2009 are submitted for adoption.

ACTION: The Civil Service Commission adopted the minutes of its meeting of September 16, 2009.

B-68 DANIEL MERCANO AND CHRISTOPHER FRUCCI

The City of Camden, represented by Caryl M. Amana, Esq., petitions the Civil Service Commission (Commission) for a stay of *In the Matters of Daniel Marcano and Christopher Frucci* (CSC, decided August 5, 2009), pending its appeal to the Superior Court of New Jersey, Appellate Division. Daniel Marcano, represented by William H. Buckman, Esq., and Christopher Frucci, represented by John P. Rowland, Esq., petition the Commission for enforcement of the decision.

ACTION: The Civil Service Commission denied the request for a stay, but granted the requests for enforcement.

B-69 BOROUGH OF ROSELLE APPOINTING AUTHORITY

The Division of State and Local Operations requests that the Civil Service Commission resolve a dispute regarding the appointing authority for the Borough of Roselle.

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

B-70 CITY OF CAMDEN POLICE DEPARTMENT PILOT PROGRAM

The Chairperson, Civil Service Commission recommends the establishment of a Pilot Program to provide for the expeditious hiring of Police Officers in the City of Camden Police Department.

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

B-71 EARLY SETTLEMENTS

Kimberly Haskins
Greystone Park Psychiatric Hospital
Department of Human Services
Removal (3)

Gary Moten
Juvenile Justice Commission
Department of Public Safety
Suspension

Isaac Oke
Greystone Park Psychiatric Hospital
Department of Human Services
Removal and Fine

Gertrude Samuels
Hunterdon Developmental Center
Department of Human Services
Suspension

Lori Storm
New Jersey Veterans Memorial Home
Department of Military and Veterans Affairs
Removal

ACTION: The Civil Service Commission acknowledged the settlements. It is noted that Flavella Branham abstained on the Matter of Kimberly Haskins.

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, October 21, 2009, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

Hope L. Cooper
Chairperson
Civil Service Commission