



STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION

Chris Christie
Governor
Kim Guadagno
Lt. Governor

Robert M. Czech
Chair/Chief Executive Officer

**MINUTES OF REGULAR MEETING OF
THE CIVIL SERVICE COMMISSION
JANUARY 11, 2012**

**Robert M. Czech, Chairperson
Robert E. Brenner
Thomas J. Perna
Richard E. Williams**

January 11, 2012

A regular meeting of the Civil Service Commission was held on Wednesday, January 11, 2012, in Trenton, New Jersey.

PRESENT: Robert M. Czech, Chairperson, Members Robert E. Brenner, Thomas J. Perna and Richard E. Williams; Pamela Ullman, Deputy Attorney General; Henry Maurer, Director, Division of Merit System Practices and Labor Relations.

In accordance with L.1975, c.231, the Secretary to the Civil Service Commission 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 28, 2011, and posted at the Civil Service Commission, 3 Station Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

CONFIDENTIAL APPOINTMENTS

The Civil Service Commission recorded the following Confidential Appointment under *N.J.S.A. 11A:3-4(h)*:

Jason R. Martucci, appointed as a Confidential Assistant, Department of Community Affairs, effective November 28, 2011, salary of \$75,000.00 per annum.

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:

Gregory Alston, Human Services Assistant, Ancora Psychiatric Hospital, Department of Human Services, two removals.

Kenneth Carey Sr., *et al.*, City of Jersey City, layoffs.

Glenwood Lattimer, Jr., Senior Building Maintenance Worker, Trenton Psychiatric Hospital, Department of Human Services, suspension.

Charles Markovich, Senior Correction Officer, Edna Mahan Correctional Facility, Department of Corrections, suspension.

Silfredo Martinez, Assistant Animal Control Officer, City of Trenton, Department of Health and Human Services, suspension.

Kisha Natal, Cottage Training Technician, New Lisbon Developmental Center, Department of Human Services, removal.

William Ordonez, Field Representative Property Improvement, Bilingual in Spanish/English, Township of West Orange, Department of Planning and Development, layoff.

Brian D. Sheaf, Repairer, Department of the Treasury, removal.

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

Michael Anderson, *et al.*, Fire Fighter, City of Linden, Fire Department, layoffs.

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

Ralph Arroyo, Laborer Heavy, City of Camden, Department of Public Works, suspension.

James Baker, Senior Correction Officer, South Woods State Prison, Department of Corrections, removal.

John Beckermeyer, Bus Attendant, Middle Township School District, removal.

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

Linda Block, Judiciary Clerk 2, Superior Court of New Jersey, Middlesex Vicinage, release at the end of the working test period.

Joann Domenico and Michelle Vayo, Town of Hammonton, layoffs.

Daniel C. Everett, County Correction Officer, Burlington County, County Jail, removal.

Lynne Flax, Senior Correction Officer, Southern State Correctional Facility, Department of Corrections, removal.

Robert Hach, Police Sergeant, Hillside Township, Police Department, removal.

Rhonda Love, Terence O'Neill and Theresa P. Zebrowski, Cape May County, Youth Shelter, layoffs.

Gregory Lukaszyk, *et al.*, Morris County, Sheriff's Department, layoffs.

Mohammed Mahoud, Police Officer, City of Paterson, Police Department, removal.

Kara McIntosh, Police Officer, Mount Holly Township, Police Department, suspension.

Ashley E. Mize, *et al.*, Clerk, Township of Little Egg Harbor, Police Department, layoffs.

Robert Palubinskas, Housing Inspector, City of Asbury Park, Department of Building and Housing, two removals.

Debra Robson, Principal Clerk Typist, Middle Township School District, suspension.

Tiffany Szwajkowski, Human Services Assistant, Vineland Developmental Center, Department of Human Services, removal.

Michael Walker, Police Officer, City of Newark, Police Department, suspension.

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

In the Matter of Denise Banks
City of Orange
Police Department
Removal

In the Matter of Marie Castor
Trenton Psychiatric Hospital
Department of Human Services
Removal

In the Matter of Cashteal Cooley
City of Camden
Police Department
Suspension and Removal

In the Matter of Dante Daniel
Albert C. Wagner Youth Correctional Facility
Department of Corrections
Removal

In the Matter of Jawwaad Fareed
Newark School District
Removal

In the Matter of Dehaven Graham
Ancora Psychiatric Hospital
Department of Human Services
Removal

In the Matter of The Estate of Gregory Graham
Ancora Psychiatric Hospital
Department of Human Services
Removal

In the Matter of Hodari Grant
Juvenile Justice Commission
Department of Law and Public Safety
Resignation not in good standing

In the Matter of Mimi Ityough
Ancora Psychiatric Hospital
Department of Human Services
Removal

In the Matter of Lakisha Jones
City of Paterson
Police Department
Removal

In the Matter of Loretta Ogle
Ancora Psychiatric Hospital
Department of Human Services
Suspension

In the Matter of James Rivera
Ann Klein Forensic Center
Department of Human Services
Removal

In the Matter of John Sanders
Monmouth County
Bridge Maintenance Department
Suspension

VOTE:	Robert M. Czech	(Abstained)
	Robert E. Brenner	(Yes)
	Thomas J. Perna	(Yes)
	Richard E. Williams	(Yes)

In the Matter of Marc Scherling
Mercer County
Department of Corrections
Removal

In the Matter of Edgar VanBuskirk
Southern State Correctional Facility
Department of Corrections
Suspension

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

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 MICHAEL MERCOGLIANA

Michael Mercogliana, Sheriff's Officer, Cumberland County, Sheriff's Department, 10 working day suspension on charges of insubordination, neglect of duty, performance of duty, and obedience to laws, rules, and regulations.

Recommendation of the Administrative Law Judge – Modify the 10 working day suspension to a five working day suspension.

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

A-3 OLABISI O. FASINA, ET AL.

Olabisi O. Fasina, *et al.*, City of Newark, appeal the good faith of their layoffs effective November 10, 2007 and December 31, 2009, for reasons of economy and efficiency.

Recommendation of the Administrative Law Judge – Dismiss five appeals for failure to appear and acknowledge withdrawal of the remaining appeals.

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

A-4 EDWARD SANTIAGO

Edward Santiago, Police Chief, City of Plainfield, Department of Public Affairs and Public Safety, appeals the good faith of his demotion to Police Captain in lieu of layoff effective April 11, 2008, for reasons of economy and efficiency.

Recommendation of the Administrative Law Judge – Grant the appointing authority's motion and uphold the appellant's demotion to Police Captain in lieu of layoff.

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

A-5 THE ESTATE OF JAMES AUKERMAN

The Estate of James Aukerman, Sewage Plant Operator, Camden County, Municipal Utilities Authority, removal effective January 15, 2010, on charges of conduct unbecoming a public employee, other sufficient cause, falsification, incompetency, inefficiency or failure to perform duties, neglect of duty and misuse of public property, including motor vehicles.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-6 SAAD RADWAN EID (CONSOLIDATION)

Saad Radwan Eid, Custodial Worker Low Pressure License, Borough of Carteret, Department of Sewage Disposal, 1) removal on the charge of inability to perform duties, 2) removal effective September 18, 2009, on charges of misuse of public property, including motor vehicles, conduct unbecoming a public employee and other sufficient cause, 3) removal effective September 18, 2009, on charges of incompetency, inefficiency or failure to perform duties, conduct unbecoming a public employee, neglect of duty and other sufficient cause and 4) removal effective September 18, 2009, on charges of incompetency, inefficiency or failure to perform duties, insubordination, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – 1) modify the removal to a resignation in good standing, 2) reverse the removal, 3) reverse the removal and 4) modify the removal to a fine equivalent to a maximum of 20 working day's pay.

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

A-7 NICHOLAS MANLA

Nicholas Manla, Cottage Training Technician, North Jersey Developmental Center, Department of Human Services, removal effective November 23, 2010, on charges of physical or mental abuse of a patient, client, resident or employee, inappropriate physical contact or mistreatment of a patient, client, resident or employee, falsification, violation of a rule, regulation, policy, procedure, order or administrative decision, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the removal to a 20 working day suspension.

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

A-8 CHRISTINE LEEDS

Christine Leeds, Senior Clerk, Atlantic County, Clerk Department, removal effective February 9, 2010, on charges of inability to perform duties, chronic or excessive absenteeism, other sufficient cause and unauthorized absence.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-9 CLIFFORD LEWIS (CONSOLIDATION)

Clifford Lewis, Institutional Trade Instructor 1, Warehousing, South Woods State Prison, Department of Corrections, two removals effective October 28, 2010 and November 17, 2010, on charges of conduct unbecoming a public employee, other sufficient cause, leaving assigned work area without permission but not creating a danger to persons or property, falsification, unsatisfactory attendance, violation of a rule, regulation, policy, procedure, order, or administrative decision.

Recommendation of the Administrative Law Judge – Uphold the removals.

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

A-10 MARZETTIE SHAMBERGER

Marzettie Shamberger, Senior Correction Officer, Northern State Prison, Department of Corrections, removal effective June 3, 2010, on charges of conduct unbecoming a public employee, other sufficient cause, neglect of duty, insubordination, and violation of a rule, regulation, policy, procedure, order, or administrative decision. This matter was held over from the October 5, 2011 Civil Service Commission meeting for a summary of the testimony.

Recommendation of the Administrative Law Judge – Modify the removal to an official written reprimand.

ACTION: The Civil Service Commission modified the recommendation of the Administrative Law Judge to a 30 working day suspension.

A-11 CHRISTOPHER P. TANG, JR. (EARLY SETTLEMENT)

Christopher P. Tang, Jr., Family Service Specialist 2, Department of Children and Families, release at the end of the working test period effective April 15, 2011. Settled to a general resignation effective April 15, 2011.

Recommendation of the Administrative Law Judge – Acknowledge the settlement.

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

SECTION B – MISCELLANEOUS MATTERS

- B-1** The Division of State and Local Operations requests the inactivation of 48 State titles.

**MEMORANDUM**

DATE: December 8, 2011

TO: Civil Service Commission

FROM: Kenneth Connolly, Director
State and Local Operations

A handwritten signature in black ink, appearing to read "Kenneth Connolly".

SUBJECT: Change in State Classification Plan

TITLE INACTIVATIONS

The Division of State and Local Operations requests inactivation of the following State titles. The titles are unencumbered and there are no future plans for use.

The affected agencies and the appropriate negotiations representatives have been notified.

Effective date: The effective date of the inactivations will be the beginning of the first pay period that follows the Commission's approval of this change in the State Classification plan.

TITLES TO BE INACTIVATED

Baker
H12-44623 C * 4012

Head Baker
R16-44625 C * 4012

Butcher
H12-44633 C * 4012

Head Butcher
R16-44635 C * 4012

Training Assistant, Computer Technology
H14-63613D C F 3512

Institutional trade Instructor 1, Mattress Making
H19-40623U C W 4012

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Institutional trade Instructor 2, Needle Trades
H17-40624I C W 4012

Institutional trade Instructor 2, Needle Trades Clothing Manufacture
H17-40624R C W 4012

Supervising Institutional Trade Instructor, Knitting & Mattress Making
S21-40644G C W 4012

Accounting Assistant
A15-50447 C * 4012

Supervisor Data Processing Machine Operations 2
S19-53333 C * 3512

Principal Engineer Industrial
R26-17094 C * 4E12

Management Trainee
P95-56489 C * 4012

Supervisor Microfilm Services
S21-22046 C * NL12

Procurement Controller
R17-55632 C * 3512

Community Program Analyst 1
R23-64184 C * NE12

Electronics Technician 1
A13-16642 C * NE12

Electronics Technician 2
A16-16643 C * NE12

Operator Automated Typewriter
A08-23213 C * 3512

Operator Automated Typewriter 10 months
A05-23211 C Y 3510

Senior Operator Automated Typewriter 10 months
A06-23212 C Y 3510

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Photographer
A09-44942 C * 3512

Senior Photographer
A12-44944 C * 3512

Senior Procedures Analyst
P21-54243 C * 3512

Statistician Trainee
P95-54080 C * 3512

Statistician
P18-54082 C * 3512

Principal Statistician
R24-54084 C * 3E12

Agent Services Assistant Lottery
A12-52353 C D 3512

Supervisor State Office Centrex Systems
S20-21844 C D NE12

Hispanic Affairs Officer 2, Commerce & Economic Development
P26-55525 C V NL12

Senior Operations Analyst, Corrections
P21-55303C C W 3512

Community Service Officer 3, Addictions, Bilingual Spanish/English
P18-63003D C K NE12

Community Service Officer 2, Addictions, Bilingual Spanish/English
R21-63153C C K NE12

Community Service Officer 1, Addictions, Bilingual Spanish/English
R26-63154D C K NL12

Assistant Supervisor Buildings and Equipment DMV
S21-42415 C O 4012

Supervisor Buildings and Equipment MV Inspection
S24-42416 C O 4E12

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Senior Research Analyst Transportation
P21-03172F C O NE12

Principal Research Analyst Transportation
P24-03173H C O NL12

Transportation Analyst
P20-13282 C O 4012

Senior Transportation Analyst
P23-13283 C O 4012

Principal Transportation Analyst
R26-13284 C O 4E12

Executive Assistant 2, Bilingual Spanish/English
V29-59917D C * NL12

Assistant Coordinator Library Programs
M27-74104 C * NL12

Supervising Community Program Analyst
M27-64185 C * NL12

Manager Word Processing System
M24-52706 C * NL12

Assistant Regional Administrator DOP
V31-63655 C F NL12

Director Human Services Planning
M36-60259 C P NL12

Director Human Services Programs
M32-00763 C P NL12

KC/JMM/BP/PM

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

- B-2** The Division of State and Local Operations requests the inactivation of one title and the designation of archaic for three titles used in various local government jurisdictions.



MEMORANDUM

DATE: December 15, 2011
TO: Civil Service Commission
FROM: Kenneth Connolly, Director
State and Local Operations
SUBJECT: Change in the Classification Plan

OK
Kenneth Connolly
12/21/11

LOCAL GOVERNMENT TITLES

The Division of State and Local Operations requests the inactivation of one (1) title and the designation of archaic of three (3) titles used in various local government jurisdictions.

This action is requested to comply with an order of the Supreme Court (amendments to Rules of Court, R. 1:41-3), as these titles do not conform to the established quasi-judicial duties performed in the municipal courts.

As a result, there is no further use for these titles; however the Administrative Office of the Courts is willing to allow incumbents to continue serving in these titles as long as they do not perform quasi-judicial or managerial duties. Because there are no incumbents in the title of Deputy Municipal Court Director, we recommend it be inactivated. The remaining titles will be made archaic, thereby prohibiting any future appointment to those titles, and will be inactivated as they become vacated. Local Appointing Authorities have been notified of our plans to inactivate.

The effective date of these actions will be December 31, 2011, pending the Commissioner's approval of the action.

TITLE INACTIVATIONS

Deputy Municipal Court Director
07787 Unclassified Local

TITLES TO BE MADE ARCHAIC

Assistant Chief Municipal Court Administrator
07793 Competitive Local

Assistant Municipal Court Director
07785 Competitive Local

Chief Municipal Court Administrator
07794 Competitive Local

KC/JM/GS

www.state.nj.us/csc

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

- B-3** The Office of Legislative Services requests the establishment of new unclassified titles. In accordance with *N.J.S.A. 11A:3-4c*, State Unclassified Service, employees in the Legislative Branch of State Government shall be in the unclassified service.



MEMORANDUM

DATE: December 16, 2011
TO: Civil Service Commission
FROM: Kenneth Connolly, Director
State and Local Operations
SUBJECT: Change in the Classification Plan

Legislature

The Office of Legislative Services (OLS) requests establishment of the following new unclassified title.

In accordance with *N.J.S.A. 11A:3-4(c)*, employees in the Legislative branch of State government shall be in the unclassified service.

The use of this title will be restricted to OLS.

CREATE TITLE EFFECTIVE DECEMBER 3, 2011

Data Analyst, OSA, OLS (NL) X98

Attachment
KC/JMM/SR

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

- B-4** The Division of State and Local Operations requests the inactivation of the Residential Services Specialist 1, Developmental Disabilities and Residential Services Specialist 1, Residential Center Accreditation titles.



MEMORANDUM

DATE: December 20, 2011
TO: Civil Service Commission
FROM: Kenneth Connolly, Director
State and Local Operations
SUBJECT: Change in State Classification Plan

TITLE INACTIVATIONS

The Division of State and Local Operations requests inactivation of the following State titles. The titles are unencumbered and there are no future plans for use.

The affected agencies and the appropriate negotiations representatives have been notified.

Effective date: The effective date of the inactivation will be the beginning of the first pay period that follows the Commission's approval of this change in the State Classification plan.

TITLES TO BE INACTIVATED

Residential Services Specialist 1, Developmental Disabilities
R25-04184D C P NL12

Residential Services Specialist 1, Residential Center Accreditation
R25-04184E C P NL12

KC/JMM/BP/PM

www.state.nj.us/csc

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

B-5 ALBA E. FEBUS

Alba E. Febus, represented by Eric M. Mark, Esq., appeals her rejection as a County Correction Officer candidate by Essex County and its request to remove her name from the eligible list for County Correction 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 referred for an independent evaluation.

B-6 TAJUDDIN ABDUR-RAOOF

Tajuddin Abdur-Raoof, a Senior Correction Officer at Northern State Prison, Department of Corrections, represented by Daniel Geddes, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-7 LORI BELL

Lori Bell, a Human Services Assistant with the Vineland Developmental Center, Department of Human Services, represented by Michael D. Capizola, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-8 MECHAEL CORTES

Mechael Cortes, a Senior Correction Officer at South Woods State Prison, Department of Corrections, represented by Daniel Geddes, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-9 JOSEPH DAVIS

Joseph Davis, an Assistant Director of Nursing Services 1 at Ancora 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 denied.

B-10 MARY GRIMES

Mary Grimes, a Family Service Specialist 1 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-11 HEATHER INGERSOLL

Heather Ingersoll, a Senior Correction Officer with Bayside State Prison, Department of Corrections, represented by Daniel Geddes, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-12 EUGENE MATZO

Eugene Matzo, a Senior Correction Officer with Mountainview Youth Correctional Facility, Department of Corrections, represented by Anthony M. Rotunno, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-13 MARTHA MESSINA

Martha Messina, a Pension Benefits Specialist 2 with the Department of the Treasury, represented by Andrew M. Kusnirik, III, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-14 EDDIE WELDON

Eddie Weldon, a Correction Lieutenant with Northern 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-15 VIVIAN COLEY

Vivian Coley, a Police Officer with the City of Camden's Police Department, represented by Timothy J.P. Quinlan, Esq., appeals the determination of her layoff rights by the Division of State and Local Operations.

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

B-16 EDWARD PINEIRO

Edward Pineiro, a Police Officer with the City of Camden's Police Department, appeals the determination of his layoff rights by the Division of State and Local Operations.

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

B-17 NICHOLAS RAO

Nicholas Rao, a Police Officer with the City of Camden's Police Department, represented by Christopher A. Gray, Esq., appeals the determination of his Special Reemployment rights by the Division of State and Local Operations.

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

B-18 DAVID SEYBERT

David Seybert, a Police Officer with the City of Camden's Police Department, represented by Christopher A. Gray, Esq., appeals the determination of his Special Reemployment rights by the Division of State and Local Operations.

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

B-19 BARBARA EARLING

Barbara Earling, a Senior Correction Officer with South Woods State Prison, represented by Michael K. Sharp, PBA Local 105, appeals an official written reprimand issued by the Department of Corrections.

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

B-20 TOSHENA GRIFFIN

Toshena Griffin, a former Senior Correction Officer with Bayside State Prison, Department of Corrections, represented by Kevin P. McCann, Esq., requests counsel fees in accordance with the Civil Service Commission decision rendered on August 18, 2010.

ACTION: The Civil Service Commission directed that the petitioner be awarded \$4,380 in counsel fees and \$436.90 in costs.

B-21 GARY MACDONALD

Gary MacDonald, a County Correction Officer with Mercer County, represented by Christopher A. Gray, Esq., requests Civil Service Commission resolution of a dispute concerning counsel fees due him as result of the decision, rendered on August 29, 2007, which modified four suspensions and reversed his removal.

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

B-22 THOMAS SWEENEY

Thomas Sweeney, a former Laborer with the City of Hoboken, Department of Human Services, represented by Catherine M. Elston, Esq., petitions the Civil Service Commission for a hearing with respect to his removal.

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

B-23 PHYLLIS SLADE

Phyllis Slade, represented by Benjamin A. Spivack, Esq., petitions the Civil Service Commission for revival of the County Correction Sergeant (PC2652F), Essex County, eligible list, in order to effectuate the terms of the settlement agreement between her and Essex County.

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

B-24 JERRY AQUINO

The Township of Belleville, on behalf of Jerry Aquino, requests that he be permitted to participate in the intergovernmental transfer program and to complete the remainder of his working test period as a Police Officer with Belleville.

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

B-25 JUNE AYERS, ET AL.

June Ayers, Tammy Blount, Lynn Brozowski, Rhonda Curry, Brian Hinds, Roxanne Padilla, Patrick Pisano, Marisol Rodriguez, Rosalinda Rodriguez, Beverly Rogers, Kimberly Sampson, Marcus Samuels, Renee Walker and Loretta Wilson, represented by Philip Feintuch, Esq., appeal the termination of their provisional positions by the Jersey City Board of Education.

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

B-26 HENRY B. CLAGETT, III AND WILLIAM J. ARMENTI

The Borough of Highlands requests that the eligible list for Police Chief (PM3545E) be revived, and used as appropriate, to allow for the retroactive permanent appointments of Henry B. Clagett, III, to the title of Police Captain, and William J. Armenti to the title of Police Lieutenant, effective July 21, 2004.

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

B-27 ELIZABETH VAZQUEZ

The Department of the Treasury requests that the eligible list for Technical Assistant 2, Treasury (PS1231U), be revived in order to appoint Elizabeth Vazquez effective April 23, 2011.

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

B-28 STEPHEN KEHAYES AND MARK SOUDERS

The Department of Environmental Protection requests that Stephen Kehayes and Mark Souders be granted lateral appointments to the title of Environmental Specialist 4 effective May 7, 2011.

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

B-29 JOHN R. MALINOWSKI, JR.

The City of Wildwood requests that John R. Malinowski, Jr., be provided with a retroactive date of appointment from the special reemployment list for Supervisor, Water Meter Reading/Supervisor, Water Meter Repair.

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

B-30 RADEE MAHONEY

Radee Mahoney, a former Cottage Training Technician with New Lisbon Developmental Center, Department of Human Services, represented by William A. Nash, Esq., requests that the Civil Service Commission reinstate his appeal of his removal effective December 20, 2010, which was dismissed based on his failure to appear at his scheduled hearing.

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

B-31 STEVEN J. MOSKOWITZ

Steven J. Moskowitz appeals the determination of the Division of State and Local Operations which removed his name from the Librarian (Special Re-employment List), Trenton Public Library due to his failure to respond to the Certification Notice.

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

B-32 MICHAEL ACEY

Michael Acey, represented by Mariesa C. Iuolo, Esq., appeals the decision of the Division of State and Local Operations, which upheld the removal of his name from the Police Officer (S9999K), City of Paterson, eligible list due to his unsatisfactory background report.

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

B-33 FRANK TAYLOR

Frank Taylor appeals the removal of his name from the Boiler Operator (PM0101N), Atlantic City, employment list due to his failure to respond to the Certification Notice.

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

B-34 ANTHONY VANNOZZI

Anthony Vannozzi, a Supervising Auditor, Taxation, with the Department of the Treasury, appeals the determination of his salary upon his promotion to his current title, pursuant to *N.J.A.C. 4A:3-4.9*.

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

B-35 JENNIFER GRZANKOWSKI

Middlesex County, on behalf of Jennifer Grzankowski, requests that her out-of-title work experience in the title Clerk 2 be accepted to qualify her for a prospective promotional examination for Contract Administrator 1.

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

B-36 JEFFREY M. SIMON

Jeffrey M. Simon appeals the bypass of his name on the County Correction Officer (S9999H), Monmouth County, eligible list.

ACTION: The Civil Service Commission directed that the bypass appeal be denied, but that the appellant's name be certified at the time of the next certification for County Correction Officer, Monmouth, for prospective appointment only.

VOTE:

Robert M. Czech	(Abstained)
Robert E. Brenner	(Yes)
Thomas J. Perna	(Yes)
Richard E. Williams	(Yes)

B-37 JOANNE DAVIS

Joanne Davis requests reconsideration of the final administrative determination *In the Matter of Joanne Davis* (CSC, decided September 21, 2011) which determined that the effective date of her position as Environmental Specialist 4 with the Department of Environmental Protection was January 15, 2011.

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

B-38 COLLEEN KELLER

Colleen Keller requests reconsideration of the final administrative determination *In the Matter of Colleen Keller* (CSC, decided September 21, 2011) which determined that the effective date of her position as Environmental Specialist 4 with the Department of Environmental Protection was January 1, 2011.

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

B-39 ASSISTANT COUNTY ENGINEER (C0556M), PASSAIC COUNTY

Passaic County requests permission not to make an appointment from the March 21, 2011 certification for Assistant County Engineer (C0556M), Passaic County.

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

B-40 CLERK 2 (PM1608J) AND CLERK 3 (PM0173N), JERSEY CITY SCHOOL DISTRICT

The Jersey City School District requests that the promotional lists for Clerk 2 (PM1608J) and Clerk 3 (PM0173N) be revived in order to make permanent appointments from the lists.

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

B-41 FIELD OFFICE SUPERVISOR, COUNTY WELFARE AGENCY (PC0746M), CUMBERLAND COUNTY BOARD OF SOCIAL SERVICES

The Cumberland County Board of Social Services requests permission not to make an appointment from the April 12, 2011 certification for Field Office Supervisor, County Welfare Agency (PC0746M).

ACTION: The Civil Service Commission granted the appointment waiver and assessed selection costs in the amount of \$1,114.

B-42 SUPERVISING PUBLIC SAFETY TELECOMMUNICATOR (PM0207M), POINT PLEASANT BOROUGH

The appointing authority's failure to dispose of the certification for Supervising Public Safety Telecommunicator (PM0207M), Point Pleasant Borough, while a provisional is serving in the title, has been referred to the Civil Service Commission for enforcement.

ACTION: The Civil Service Commission ordered the appointing authority to properly dispose of the certification and pay compliance costs.

B-43 HARRY CHEN

Harry Chen appeals the determination of the Division of State and Local Operations that his position with the Department of Environmental Protection is properly classified as Administrative Analyst 2, Data Processing. The appellant seeks a Project Manager, Data Processing classification.

ACTION: The Civil Service Commission directed that this appeal be denied and the matter of the proper classification of Angela Witcher's position be referred to the Division of State and Local Operations for further review.

B-44 CYNTHIA HAMPTON

Cynthia Hampton appeals the decision of the Division of State and Local Operations that the proper classification of her position with the Department of Environmental Protection is Head Clerk. The appellant seeks a Customer Service Representative 1 classification.

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

B-45 MEGAN MANOCCHIO

Megan Manocchio appeals the decision of the Division of State and Local Operations which found that her position with the Department of the Treasury is correctly classified as Taxpayer Service Representative 2. The appellant seeks a Taxpayer Service Representative 1 classification.

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

B-46 ELIZABETH MATLACK

Elizabeth Matlack appeals the determination of the Division of State and Local Operations that her position in the Department of Law and Public Safety is properly classified as a Senior Microfilm Machine Operator. The appellant seeks a Principal Clerk classification. The appellant also appeals the test mode of the promotional examination for Principal Clerk (PS8471P), Department of Law and Public Safety.

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

B-47 JANET PRESTER

Janet Prester appeals the decision of the Division of State and Local Operations that the proper classification of her position with the Department of Health and Senior Services is Program Support Specialist 2 (Assistance Programs). The appellant seeks a Program Development Specialist 1 classification.

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

B-48 STACY ROONEY

Stacy Rooney appeals the decision of the Division of State and Local Operations which found that her position with the Department of the Treasury is properly classified as Technical Assistant 3. The appellant seeks a Pensions Benefits Specialist 2 or 3, or Technical Assistant 2, Treasury classification.

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

B-49 SHERRI SHEEHAN

Sherri Sheehan appeals the decision of the Division of State and Local Operations which found that her position with the Department of the Treasury is properly classified as Technical Assistant 2, Treasury. The appellant seeks a Pensions Benefits Specialist 3 classification.

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

B-50 KAREN SOOY-LEWANDOWSKI

Karen Sooy-Lewandowski appeals the decision of the Division of State and Local Operations which found that her position with the Department of Law and Public Safety is properly classified as Technical Assistant 2, Purchasing. The appellant seeks an Assistant Buyer classification.

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

B-51 FREDDIE FRAZIER

The appeal of Freddie Frazier, a Senior Correction Officer at Northern State Prison, Department of Corrections, of his removal, on charges, was heard by Administrative Law Judge JoAnn LaSala Candido (ALJ), who rendered her initial decision on October 31, 2011. At its meeting on December 21, 2011, the Civil Service Commission (Commission) adopted the ALJ's recommendation to grant the appointing authority's motion for summary decision and uphold the removal. However, the Commission found it necessary to address the exceptions filed by the parties and to limit the appellant's entitlement to back pay to the period of December 13, 2011 through January 13, 2004. The proposed final decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the final decision.

VOTE: **Robert M. Czech** **(Yes)**
 Robert E. Brenner **(Abstained)**
 Thomas J. Perna **(Yes)**
 Richard E. Williams **(Yes)**

B-52 MARK SALAMANDRA

The appeal of Mark Salamandra, an Assistant District Parole Supervisor with the State Parole Board, of his removal, effective October 5, 2010, on charges, was heard by Administrative Law Judge Jeff S. Masin, (ALJ), who rendered his initial decision on November 4, 2011. At its meeting on December 21, 2011, the Civil Service Commission (Commission) adopted the ALJ's recommendation to uphold the appellant's removal. However, the Commission found it necessary to address the exceptions and cross exceptions filed by the parties. The proposed final decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the final decision.

VOTE: **Robert M. Czech** **(Yes)**
 Robert E. Brenner **(Abstained)**
 Thomas J. Perna **(Yes)**
 Richard E. Williams **(Yes)**

B-53 JOSE VALENTIN

The appeal of Jose Valentin, a Senior Correction Officer with the Adult Diagnostic and Treatment Center, Department of Corrections, of his removal, effective March 9, 2011, on charges, was heard by Administrative Law Judge Imre Karaszegi, Jr., (ALJ), who rendered his initial decision on October 21, 2011. At its meeting on December 21, 2011, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to modify the removal to a six-month 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.

VOTE: **Robert M. Czech** **(Yes)**
 Robert E. Brenner **(Abstained)**
 Thomas J. Perna **(Yes)**
 Richard E. Williams **(Yes)**

B-54 GEORGE ALBERTO, ET AL.

George Alberto, James Astacio and Greis Tadeo appeal the determinations of the Division of Selection Services which found that they did not meet the experience requirements for the open competitive examination for Investigator Bilingual Spanish & English (S0050N), Statewide. George Alberto and James Astacio also appeal the determinations of the Division of Selection Services which found that they did not meet the experience requirements for the open competitive examination for Investigator (S0049N), Statewide.

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

B-55 KENDRA BROWN, ET AL.

Kendra Brown, Gerard Conzentino, Cynthia Malone, Helen Muff, Frank Papaiani, Alison Perez-Cabret, Sherian Seegers and Matthew Yu appeal the determinations of the Division of Selection Services which found that they did not meet the experience requirements for the open competitive examination for Investigator (S0049N), Statewide.

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

B-56 JOSEPH P. CALLAHAN, JR.

Joseph P. Callahan, Jr. appeals the determination of the Division of Selection Services which found that he did not meet the requirements for the promotional examination for Building Services Coordinator 3 (PS3638K), Department of Children and Families.

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

B-57 SEAN CONRAD AND JOHN DAUBNER

Sean Conrad (PM7527N), Jefferson; and John Daubner (PM7564N), Union; appeal the written portion of the examination for Police Captain (various jurisdictions).

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

B-58 CHEAREEN JONES, ET AL.

Cheareen Jones, Lisa Kline, Madeleine Morrow, and Melissa Velez appeal the determinations of the Division of Selection Services which found that they did not meet the experience requirements for the open competitive examination for Secretarial Assistant 3 (S2138N).

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

B-59 JANE OUDSHOORN

Jane Oudshoorn appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for the open competitive examination for Business Manager (M2087N), Clifton.

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

B-60 FELICIA WU

Felicia Wu appeals the correct answer to three questions on the examination for State Budget Specialist 3 (PS2070U), Department of the Treasury.

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

B-61 KEVIN KONECNY

Kevin Konecny appeals the denial of his request for a make-up examination for Fire Lieutenant (PM5185N), Linden.

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

B-62 ADOPTED AMENDMENT: N.J.A.C. 4A:4-4.7, REMOVAL OF NAMES FROM ELIGIBLE LIST

Submitted for the Commission's approval is a Notice of Adoption amending *N.J.A.C. 4A:4-4.7*, concerning the removal of names from an eligible list. The Administrative Office of the Courts requested that the Civil Service Commission permit consideration of expunged criminal records in making appointments to judiciary titles, citing *N.J.S.A. 2C:52-27(c)*, which requires an individual seeking judiciary employment to reveal expunged records. Additionally, a Juvenile Detention Officer (JDO) candidate has appealed removals based on expunged records from three different JDO lists since 2007, suggesting the need for another change to the rule. Therefore, the Commission proposed an amendment to *N.J.A.C. 4A:4-4.7* to expressly permit consideration of expunged records in list removals of judiciary and JDO candidates. No comments were received during the public comment period. Therefore, it is recommended that the Commission adopt this proposal.

ACTION: The Civil Service Commission adopted the proposal.

B-63 CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of December 21, 2011.

ACTION: The Civil Service Commission adopted the minutes of its meeting of December 21, 2011.

VOTE: **Robert M. Czech** **(Yes)**
 Robert E. Brenner **(Abstained)**
 Thomas J. Perna **(Yes)**
 Richard E. Williams **(Yes)**

B-64 EARLY SETTLEMENT

In the Matter of Reginald Theodore
Woodbine Developmental Center
Department of Human Services
Removals (3)

ACTION: The Civil Service Commission acknowledged the settlement.

B-65 ERNEST COURSEY, JR.

Ernest Coursey, Jr., represented by George L. Farmer, Esq., petitions the Civil Service Commission for reconsideration of the final administrative decision, rendered on February 2, 2011, in which the Commission denied the petitioner's appeal as untimely.

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

B-66 JASON ARVELO

Jason Arvelo appeals his non-appointment from the June 16, 2009 certification of the Fire Fighter (M2386H), Perth Amboy, eligible list.

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

B-67 JAMESON ROSADO

Jameson Rosado appeals his non-appointment from the Police Officer (S9999K), Jersey City, eligible list.

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

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, January 25, 2012, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

Robert M. Czech
Chairperson
Civil Service Commission