

B-48

STATE OF NEW JERSEY

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

In the Matter of Allison LaRocca,
Code Enforcement Officer/Zoning
Officer (M0918S), Vernon

Examination Appeal

CSC Docket No. 2015-2732

ISSUED: JUN 05 2015 (SLK)

Allison LaRocca appeals the determination of the Division of Agency Services (Agency Services) that she was below the minimum requirements in experience for the open competitive examination for Code Enforcement Officer/Zoning Officer (M0918S), Vernon.

The examination at issue was announced with specific requirements that had to be met as of the December 16, 2014 closing date (see attached). A total of six individuals applied for and two were deemed eligible for the subject examination. Certification OL150438 was issued containing the names of the two eligibles and the disposition is due July 1, 2015. The eligible list expires on March 25, 2018.

Ms. LaRocca indicated on her application that she was serving provisionally in the subject title from October 2014 to the December 16, 2014 closing date, a Security Manager for Highland Lakes LCPOA from May 1994 to September 2014, and a Survey Technician for GEOD (20 hours per week) from January 2007 to June 2013. Agency Services credited her with one and a half months of zoning inspections experience and one and a half months of zoning enforcement experience. As such, it determined that she lacked 10.5 months of zoning inspections experience and 34.5 months of zoning enforcement experience.

On appeal, Ms. LaRocca presents that for over six years, she worked for a mapping and surveying firm where her duties involved revising survey drawings in order to meet the local code as instructed by the local planning and zoning boards. Additionally, since 2002 as a Security Manager for a country club and community association, she patrolled every day looking for zoning issues. In this position, she provided zoning compliance and enforcement in the community by identifying code

violations and then contacting the local government for enforcement. Further, she has written summonses and appeared in court on many occasions for zoning issues, brought properties into compliance with township zoning regulations, and been a witness to help prosecute the fraudulent renting of foreclosed homes. She also submits letters from individuals with whom she has worked who confirm her knowledge of zoning laws and her involvement with zoning inspection and enforcement issues.

CONCLUSION

N.J.A.C. 4A:4-2.3(b)2 requires applicants to possess all the requirements specified in an announcement for an open competitive examination by the closing date. Further, *N.J.A.C.* 4A:1-1.2(c) states that the Civil Service Commission (Commission) may relax a rule for good cause in order to effectuate the purposes of Title 11A, New Jersey Statutes.

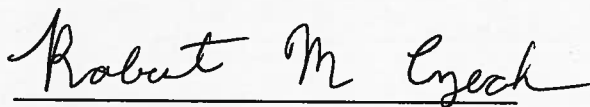
Initially, Agency Services correctly determined that the appellant did not meet the required experience as of the December 16, 2014 closing date as she did not indicate in her application that as a Security Manager, her work involving zoning inspection and enforcement was at the level and scope necessary for the position as the primary focus of her position was supervisory. Moreover, as a Survey Technician, she did not indicate that she was involved with the preparation and revision of building construction plans or zoning inspection and enforcement. However, the appellant did indicate in her application that as a Security Manager she did regularly look for zoning issues in the community and worked with the local government to assist with zoning compliance and enforcement, and as a Survey Technician, her work involved survey drawings to ensure compliance with local zoning codes. Therefore, although Ms. LaRocca's experience does not precisely mirror the requirements contained in the announcement, the Commission is satisfied that the totality of her experience including her provisional service in the subject title and as a Security Manager and Survey Technician, as far back as 2002, warrants her admission to the subject examination. Furthermore, the appellant continues to serve provisionally in the subject title and this is not a competitive situation as there are only two names on the eligible list. Therefore, under these circumstances, good cause exists to relax the provisions of *N.J.A.C.* 4A:4-2.3(b)2 and accept the totality of Ms. LaRocca's experience, for eligibility purposes only, and admit her to the subject examination.

ORDER

Therefore, it is ordered that this appeal be granted and Ms. LaRocca's application be processed for prospective employment opportunities only.

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

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 3rd DAY OF JUNE, 2015



Robert M. Czech
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and
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Attachment

c: Allison LaRocca
Victor Marotta
Kelly Glenn
Joseph Gambino



Job Announcements

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printable version

Symbol: M0918S

Title: CODE ENFORCEMENT OFFICER/ZONING OFFICER

Issue Date: 11/25/2014

Closing Date: 12/16/2014

Jurisdiction: VERNON

Salary: \$50,000.00 Per Year

Num. of Positions: 1

Workweek: 35 Hours per week

Application Fee: \$25.00

OPEN TO RESIDENTS OF:

New Jersey

REQUIREMENTS:

EXPERIENCE: One (1) year of experience in conducting inspections or investigations to detect violations of and ensure compliance with laws, rules, and regulations **AND** three (3) years of experience in the preparation and revision of building construction plans and specifications or in the full time inspection and enforcement of zoning and/or building construction laws and regulations.

LICENSE: Appointees will be required to possess a driver's license valid in New Jersey only if the operation of a vehicle, rather than employee mobility, is necessary to perform the essential duties of the position.


NOTE: You must meet the requirements for both titles in order to be eligible.

Customer Care and Technical Support: If you are having difficulty submitting your application online, customer care and technical support are available during regular business hours, 8:00 a.m. to 4:00 p.m. EST, Monday - Friday, excluding holidays and emergency closings. Please email: OAS.support@csc.state.nj.us or call (609) 292-4144. Please note that application support requests received outside regular business hours on the closing date will not change the application filing deadline so PLEASE FILE EARLY.

IMPORTANT INFORMATION:

1. NJAC 4A:4-2.3(b) states that all requirements must be met as of the closing date.
2. Online applications must be completed and submitted by the closing date listed above.
3. **You must complete your application in detail.** Your score may be based on a comparison of your background with the job requirements. **Failure to complete your application properly may lower your score or cause you to fail.**
4. If an employment list results from this announcement, it may be certified to fill full-time and part-time positions.
5. Effective September 1, 2011, the New Jersey First residency law was enacted. Please click here for additional information.
6. In accordance with Public Law 2010 c. 26, Veterans pay a reduced application fee of \$15.00 if they have previously established Veteran's Preference with the DMAVA (as defined by NJSA 11A:5-1 et seq) or their claim is approved by DMAVA at least 8 days prior to the issuance of the eligibility list. Please note this reduced fee does not apply to Public Safety titles.
 - Read Description of Job and Specification: **05897**
 - **Click here to apply via the Online Application System**



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