



**STATE OF NEW JERSEY  
CIVIL SERVICE COMMISSION**

**MINUTES OF REGULAR MEETING OF  
THE CIVIL SERVICE COMMISSION  
December 17, 2008**

**Margaret E. L. Howard, Presiding  
Flavella Branham  
John Currie**

DECEMBER 17, 2008

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A regular meeting of the Civil Service Commission was held on Wednesday December 17, 2008, in Trenton, New Jersey.

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

In accordance with L.1975, c.231, Presiding Member Margaret E. L. Howard, opened the meeting with the following statement:

Notice of this meeting was filed with the Secretary of State and sent to the Trentonian, Trenton Times, Courier-Post and Star Ledger on November 21, 2007, and posted at the Department of Personnel, 3 Station Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

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:** December 4, 2008  
**TO:** Hope L. Cooper, Acting Commissioner  
Department of Personnel *HLC*  
**FROM:** Elizabeth Van Marter, Director  
Division of Classification and Compensation *(Signature)*  
**SUBJECT:** Change in the State Classification Plan

DEPARTMENT OF HUMAN SERVICES

The Department of Human Services (DHS) requests a new title series for the identification and modification of behavior.

This series is intended to provide the appropriate level of service to clients by spanning the gap between psychologists and behavior modification technicians, addressing the shift in trend from evaluating to changing behavior, and complying with regulatory obligations.

The Department currently uses one title to perform a portion of this function; contracted services are used to provide the remainder of needed services. The Department contends it has traditionally experienced both recruitment and retention problems with this arrangement. An analysis of new hire, separation and promotion data supports this.

This new series will consist of four titles: two for the development, implementation and monitoring of behavior support programs, one for the conduct of basic or descriptive behavior assessments, and one for the conduct of systematic behavior assessments.

This action requires the creation of three new titles, and a title verbiage change for one title for its continued use in this series.

DHS requests that the entry level position be established as a Trainee to permit the recruitment of college graduates having job-appropriate degrees, and who are interested in the behavior analyst career ladder. The Division of Developmental Disabilities plans to recruit through the Association for Behavior Analysis International's job placement service "START" (Service to Apply, Recruit and Train). The training period will permit incumbents to gain the technical experience needed to learn the development of behavior support programs. Incumbents will advance to the re-named primary title, which will continue to be responsible for the development of behavior support programs.

The remaining two levels of the series will be used to replace contracted staff performing behavior assessments; the higher of the two will also function as a first level supervisor.

Acting Commissioner Cooper  
December 4, 2008  
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Negotiations representatives are aware of this request. The bargaining units were established by the Office of Employee Relations.

**ESTABLISHMENT OF TITLES:**

Effective: 11-08-08

Behavior Support Technician Trainee  
P95-\_\_\_\_\_ Career P 40/12

Behavior Analyst 1  
P22-\_\_\_\_\_ Career P 40/12

Behavior Analyst 2  
R25-\_\_\_\_\_ Career P 40/12

**TITLE VERBIAGE CHANGE:**

Effective: 11-08-08

**FROM:**

Behavior Modification Program Technician  
P19-03646 Career P 40/12

**TO:**

Behavior Support Technician  
P19-03646 Career P 40/12

EVM/JJM/BP



## MEMORANDUM

**DATE:** December 4, 2008

**TO:** Hope L. Cooper, Acting Commissioner  
Department of Personnel

**FROM:** Amy Laird, Director  
Division of State Human Resource Management

**SUBJECT:** Reallocation of Position # 956276 to the Senior Executive Service

### Board of Public Utilities

The Board of Public Utilities (BPU) has requested that an existing management position be allocated to the Senior Executive Service.

This proposed SES position, which is currently classified as a Manager 4, EP, reports to the unclassified position, Chief of Policy and Planning, Office of the President, and acts as the Director of Clean Energy, Office of Clean Energy Program (OCE). The position supervises the Bureau of Energy Efficiency, the Bureau of Renewable Energy, and Marketing and Outreach. The position supervises a Chief (SES), three Research Scientists 1, an Administrative Analyst 1, an Administrative Analyst 2, and Administrative Assistant 3. The position manages a total staff of 20, and a budget of approximately \$1.3 million.

The Office of Clean Energy was created through resolution in 2003, and has since grown in staff and responsibility as the promotion of energy efficiency continues to grow. The position is responsible for promoting energy efficiency and generating clean and renewable energy using regulatory and non-regulatory tools. The position has substantial policy influencing responsibility in that it is responsible for developing policies that affect the NJ State Energy Programs. Policy development includes Renewable Portfolio Standards (RPS), solar transition and securitization, net metering and interconnection, and the reduction of greenhouse gases. Policies and recommendations made by this position fulfill the mission of the BPU and have vast impact on energy programs for NJ state consumers. In addition, the position plans for the effective utilization of available clean energy funds and allocates funds to operating units. The BPU is requesting to convert an existing management position which is currently encumbered by Mr. Michael Winka.

I recommend approval of this request for reallocation.

### Reallocation of Position to SES

Effective: July 19, 2008

Position #: 956276

**FROM:** Manager 4, EP  
M 32 - 64994H

**TO:** Senior Executive Service  
X 98 - 90752

AL/NK



# MEMORANDUM

**DATE:** November 19, 2008

**TO:** Hope L. Cooper, Acting Commissioner  
Department of Personnel *HL*

**FROM:** Elizabeth Van Marter, Director  
Division of Classification and Compensation *EM*

**SUBJECT:** Change in the State Classification Plan

**DEPARTMENTS OF HUMAN SERVICES/ENVIRONMENTAL PROTECTION AND  
STATE UNIVERSITIES**

The creation of three titles is requested to comply with the terms of a Memorandum of Agreement (MOA) reached between the Office of Employee Relations, and the Policeman's Benevolent Association State Law Enforcement Units.

The first new title, Campus Police Officer Recruit, will permit for the appointment of recruits to be trained as police officers at New Jersey State Universities. The State Universities currently do not have the availability of a recruit title.

Two additional titles, Police Officer Recruit Human Services and State Park Police Officer Trainee, are needed to comply with salary terms which are part of this agreement. Salaries for these titles will be established in compliance with the MOA. These titles will be used for appointments made on a prospective basis.

Incumbents currently serving in the titles of Police Officer Recruit, Human Services (32255) and State Park Police Officer Trainee (32090) will not be subject to the revised salary plan. Once all incumbents serving in the existing titles of Police Officer Recruit, Human Services and State Park Police Officer Trainee are advanced to their respective primary titles, the existing recruit and trainee titles will be eliminated. These same titles were made archaic to avoid further appointments.

The bargaining unit of existing recruit titles will be changed from F to FA, retroactive to July 7, 2007 pursuant to the terms of this MOA. This change is required for payment purposes only.

**ESTABLISHMENT OF TITLES:**

Effective: 09/13/08

Police Officer Recruit Human Services  
FA99-\_\_\_\_\_ Competitive P 40/12

Campus Police Officer Recruit  
FA99-\_\_\_\_\_ Competitive Y 40/12

State Park Police Officer Trainee  
FA99-\_\_\_\_\_ Competitive M 40/12

EVM/JJM/BP

**SECTION A – HEARING MATTERS**

**A-1 SETTLEMENTS**

In the Matter of Claudy Augustin  
Albert C. Wagner Youth Correctional Facility  
Department of Corrections  
Removal

In the Matter of Michael Bakogiannis  
Edna Mahan Correctional Facility for Women  
Department of Corrections

In the Matter of Deloyd Banks  
Newark School District  
Removal

In the Matter of Stefanie Bhoorasingh  
Essex County  
Department of Corrections  
Removal

In the Matter of Robin Billand  
Township of North Brunswick  
Department of Parks and Recreation Community Services  
Removal

In the Matter of Philip D. Bliidi  
New Lisbon Developmental Center  
Department of Human Services  
Suspension

In the Matter of Martin Burch  
New Jersey State Prison  
Department of Corrections  
Release at the end of the working test period

In the Matter of Michael Cobb  
Essex County  
Department of Public Safety  
Removal

In the Matter of Robert Comisky  
The College of New Jersey  
Suspension

In the Matter of Mario Correia  
City of Newark  
Police Department  
Removal

In the Matter of Sharise Ganie  
Ann Klein Forensic Center  
Department of Human Services  
Suspension

In the Matter of Curtis Goins  
Greystone Psychiatric Hospital  
Department of Human Services  
Removal

In the Matter of Darius Houston  
Woodbridge Developmental Center  
Department of Human Services  
Removal (2)

In the Matter of Tia Johnson  
Trenton Psychiatric Hospital  
Department of Human Services  
Removal

In the Matter of Kenneth Kriete  
Department of Environmental Protection  
Suspension

In the Matter of William H. Madara  
Salem County  
Police Department  
Suspension

In the Matter of Dayna Maksynowicz  
Garden State Correctional Facility  
Department of Corrections  
Suspension



In the Matter of Michael Mesday  
Township of Ewing  
Department of Public Safety  
Removal

In the Matter of Miguel Ojeda  
City of Perth Amboy  
Department of Public Works  
Suspension

In the Matter of Tae Ung Pak  
Passaic Valley Water Commission  
Suspension

In the Matter of Matthew Parsons  
Sussex County  
Department of Central and Shared Services  
Removal

In the Matter of James Quartey  
Hudson County  
Department of Health and Human Services  
Suspension and Removal

In the Matter of Luis Ramirez  
Ancora Psychiatric Hospital  
Department of Human Services  
Removal

In the Matter of Tyree Toney  
Union County  
Runnells Hospital  
Release at the end of the working test period

In the Matter of Loraine Veach  
Vineland Developmental Center  
Department of Human Services  
Removal

In the Matter of Annette Woods  
Ancora Psychiatric Hospital  
Department of Human Services  
Suspension

In the Matter of Linda L. Wright  
Vineland Developmental Center  
Department of Human Services  
Removal

In the Matter of Paul Zielinski  
City of Wildwood  
Department of Public Safety and Public Affairs  
Suspension

In the Matter of Robert W. Zorn, Jr.  
Mercer County  
Back pay enforcement

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

**ACTION:** The Civil Service Commission acknowledged the settlements.

**A-2 AARON DARGON**

Aaron Dargon, Security Guard, Newark School District, 15-day suspension, on charges of conduct unbecoming a public employee, neglect of duty, incompetency, inefficiency or failure to perform duties and other sufficient cause.

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

**ACTION:** The Civil Service Commission modified the recommendation of the Administrative Law Judge to dismiss the appeal without prejudice.

**A-3 PAUL DRAYTON**

Paul Drayton, Supervisor of Sanitation, City of Newark, Department of Neighborhood and Recreational Services, indefinite suspension pending disposition of criminal charges.

Recommendation of the Administrative Law Judge – Uphold the indefinite suspension pending disposition of criminal charges.

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

**A-4 KEVIN ORAS**

Kevin Oras, Police Captain, City of Jersey City, Police Department, demotion to the position of Lieutenant, effective October 21, 2005, on charges of violation of various Police Department rules and regulations regarding, among other things, truthfulness and release of information.

Recommendation of the Administrative Law Judge – Uphold the demotion to the position of Lieutenant.

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

**A-5 ROGER CALDWELL, JR. (REMAND)**

Roger Caldwell, Jr., Human Services Specialist 2, Mercer County Board of Social Services, removal effective August 1, 2005, on the charge of conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Reverse the removal.

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

**A-6 JOSEPH GAINES**

Joseph Gaines, Sanitation Inspector, City of Trenton, Administration Department, removal effective February 9, 2005, on charges of incompetency, inefficiency or failure to perform duties, neglect of duties and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

**A-7 STANFORD HARRIS**

Stanford Harris, Human Services Technician, Greystone Park Psychiatric Hospital, Department of Human Services, removal effective May 2, 2004, on the charge of conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Uphold the removal, but award partial back pay.

**ACTION:** The Civil Service Commission affirmed the recommendation of the Administrative Law Judge but modified the award of back pay.

**A-8 ERIC HEIGLER**

Eric Heigler, Senior Juvenile Detention Officer, Gloucester County, Department of Correctional Services, removal effective August 9, 2005, on the charge of conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

**A-9 CAROLINE B. JOHNSON**

Caroline B. Johnson, Human Services Assistant, New Lisbon Developmental Center, Department of Human Services, removal effective December 15, 2006, on the charge of physical or mental abuse of a patient, client, resident or employee.

Recommendation of the Administrative Law Judge – Reverse the removal.

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

**A-10 TRACY JOHNSON**

Tracy Johnson, Correction Sergeant, Northern State Prison, Department of Corrections, removal, on charges of physical or mental abuse of an inmate, patient, client, resident, or employee, falsification, conduct unbecoming a public employee and violation of administrative procedures and/or regulations involving safety and security.

Recommendation of the Administrative Law Judge – Reverse the removal.

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

**A-11 STACY MCCANTS**

Stacy McCants, Security Guard, City of Trenton, Department of Public Works, removal effective January 9, 2008, on the charge of chronic or excessive absenteeism or lateness.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

**A-12 DONALD MITCHELL**

Donald Mitchell, County Correction Sergeant, Hudson County, Department of Corrections, removal and resignation not in good standing effective June 29, 2006, on charges of resignation not in good standing, insubordination, neglect of duty, conduct unbecoming a public employee, chronic and excessive absenteeism and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the resignation not in good standing and removal.

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

**A-13 DANIEL O’MULLAN**

Daniel O’Mullan, County Correction Officer, Essex County, Department of Corrections, removal effective March 14, 2005, on charges of incompetency, inefficiency, failure to perform duties, inability to perform duties, conduct unbecoming a public employee, neglect of duty and other sufficient cause including bribery.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

<b>VOTE:</b>	<b>Margaret E. L. Howard</b>	<b>(Yes)</b>
	<b>Flavella Branham</b>	<b>(Abstained)</b>
	<b>John Currie</b>	<b>(Yes)</b>

**A-14 ANTHONY RENIERI**

Anthony Renieri, Senior Correction Officer, Juvenile Justice Commission, removal effective September 7, 2004, on charges of conduct unbecoming a public employee, and violation of policies regarding drug free workplace, random drug testing, and the use, possession or sale of any controlled substance.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

**A-15 SWARNA VENKATESAN**

Swarna Venkatesan, Judiciary Clerk 3, State of New Jersey Judiciary, Middlesex Vicinage, removal effective June 21, 2007, on charges of conduct unbecoming a public employee, violation of policies regarding code of conduct and failure to follow the Court's policies and procedures related to family member involvement in litigation before the Court.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

**A-16 MARK FOSTER, ET AL. (CONSOLIDATION)**

Mark Foster, Steven Lewis, Brainard Samuels, Hudson Williams and Carl Winrow were laid off from their respective positions with the Trenton Housing Authority, effective September 11, 2006, for reasons of economy and efficiency.

Recommendation of the Administrative Law Judge – Grant summary decision and uphold the layoffs.

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



**A-17 JOHN TAYLOR (CONSOLIDATION)**

John Taylor, Senior Correction Officer, Garden State Youth Correctional Facility, Department of Corrections, removal effective July 25, 2006, on charges of physical or mental abuse of an inmate, patient, client, resident or employee, inappropriate physical contact, or mistreatment of an inmate, patient, client, resident or employee, conduct unbecoming a public employee and other sufficient cause. This matter was held over from the November 6, 2008 Civil Service Commission meeting for a testimony summary.

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

**ACTION:** The Civil Service Commission reversed the recommendation of the Administrative Law Judge to uphold the removal.

**A-18 SETTLEMENTS**

In the Matter of Tanisha Leach  
New Lisbon Developmental Center  
Department of Human Services  
Release at the end of the working test period

In the Matter of Richard S. Padmore, Jr.  
New Lisbon Developmental Center  
Department of Human Services  
Removal (2)

**ACTION:** The Civil Service Commission acknowledged the settlements.

**SECTION B – MISCELLANEOUS MATTERS**

**B-1 DERICK BOWMAN**

Derick Bowman appeals his rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove his name from the eligible list for Correction Officer Recruit (S9999H) on the basis of psychological unfitness to perform effectively the duties of the position.

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

**B-2 WYKENA GREEN**

Wykena Green appeals her rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove her name from the eligible list for Correction Officer Recruit (S9999H) on the basis of psychological unfitness to perform effectively the duties of the position.

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

**B-3 ALEXANDER GONZALEZ**

Alexander Gonzalez, represented by Charles M. Grossman, Esq. appeals his rejection as a County Correction Officer candidate by Union County and its request to remove his 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 granted.

**B-4 JAMES R. GRAVES**

James R. Graves, represented by Sidney H. Lehmann, Esq., appeals his rejection as a Police Officer candidate by Verona Township 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-5 JEFFREY HARKINS**

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

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

**B-6 TIMOTHY O'HARE**

Timothy O'Hare, represented by James D. Addis, Esq., appeals his rejection as a County Correction Officer candidate by Bergen County and its request to remove his 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 granted.

**B-7 ANDREW ROTT**

Andrew Rott, represented by Thomas P. Farnoly, Esq., appeals the removal of his name from the (S9999H) eligible list for the title of Correction Officer Recruit, Department of Corrections on the basis of psychological unfitness.

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

**B-8 MATTHEW TATALIKAS**

Matthew Tatalikas, represented by Lynsey A. Johnson, Esq., appeals his rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove his name from the eligible list for Correction Officer Recruit (S9999H) on the basis of psychological unfitness to perform effectively the duties of the position.

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

**B-9 LUIS UNDA, JR.**

Luis Unda, Jr., appeals his rejection as a Sheriff's Officer candidate by Atlantic County and its request to remove his name from the eligible list for Sheriff's Officer (S9999H) on the basis of psychological unfitness to perform effectively the duties of the position.

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

**B-10 NIAM CAMP**

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

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

**B-11 ABU KOSIAH**

Abu Kosiah, a Cottage Training Technician with Hunterdon Developmental Center, 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-12 ELIZABETH MILLER**

Elizabeth Miller, a Head Cottage Training Supervisor with Hunterdon Developmental Center, Department of Human Services, appeals the denial of sick leave injury (SLI) benefits.

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

**B-13 LUCILLE ROBINSON**

Lucille Robinson, a Senior Income Maintenance Technician with Division of Medical Assistance and Health Services, 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-14 CINDY SHAMOON CASTRO**

Cindy Shamoan Castro, a Senior Correction Officer at East Jersey State Prison, Department of Corrections, represented by Henry J. Cistrelli, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

**B-15 LINDA C. WILLIAMS**

Linda C. Williams, a Senior Correction Officer with New 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 granted.

**B-16 ESTEBAN HEREDIA**

Esteban Heredia appeals the decision of the Division of Local Human Resource Management (LHRM) which found that the appointing authority had presented a sufficient basis to remove his name from the eligible list for Police Officer (S9999H), Hillside Township, for failure to meet the residency requirement.

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

**B-17 HEIDI SIEVERS**

The Department of Corrections appeals the decision of the Division of State Human Resource Management (SHRM), which found that Heidi Sievers had presented a sufficient basis to restore her name to the Correction Officer Recruit (S9999H) subject eligible list.

**ACTION:** The Civil Service Commission directed that this appeal be denied but Ms. Sievers' name be reflected as bypassed on the subject certification.

**B-18 CHARLES WILLIAMS**

Charles Williams appeals the decision of the Division of Local Human Resource Management (LHRM) which found that the appointing authority had presented a sufficient basis to remove his name from the eligible list for County Correction Officer (S9999H), Hudson County, on the basis of falsification of his employment application.

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

**B-19 ACCOUNT CLERK (M1502H), MILLTOWN**

The Borough of Milltown requests permission not to make an appointment from the May 29, 2007 certification for Account Clerk (M1502H).

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

**B-20 ADMINISTRATIVE CLERK, TYPING (M1517J), TOWN OF KEARNY**

The Town of Kearny requests permission not to make an appointment from the March 19, 2007 certification for Administrative Clerk, Typing (M1517J).

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

**B-21 ADVOCATE, VICTIM-WITNESS PROGRAM (C1914J), SALEM COUNTY**

Salem County requests permission not to make an appointment from the December 17, 2007 certification for Advocate, Victim-Witness Program (C1914J).

**ACTION:** The Civil Service Commission denied an appointment waiver and directed that the certification be disposed of and assessed compliance costs in the amount of \$500.

**B-22 DATA PROCESSING ANALYST 1 (S6772F), DEPARTMENT OF HEALTH AND SENIOR SERVICES**

*In In the Matter of Data Processing Analyst 1 (S6772F), Department of Health and Senior Services (MSB, decided August 9, 2006), the Merit System Board granted the request of the Department of Health and Senior Services (DHSS), for an appointment waiver from the September 1, 2005 certification and ordered that no selection costs would be assessed at that time since there was a possibility that the list could be utilized prior to its expiration. However, the eligible list was not utilized and the matter of the assessment of costs is now before the Civil Service Commission.*

**ACTION:** The Civil Service Commission assessed selection costs in the amount of \$8,285.

**B-23 ECONOMIC DEVELOPMENT REPRESENTATIVE 2 (M1459H),  
TOWN OF KEARNY**

The Town of Kearny requests permission not to make an appointment from the January 29, 2007 certification for Economic Development Representative 2 (M1459H).

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

**B-24 RECREATION SUPERVISOR (M0971G), ASBURY PARK**

Asbury Park requests permission not to make an appointment from the January 3, 2006 certification for Recreation Supervisor (M0971G).

**ACTION:** The Civil Service Commission granted an appointment waiver but assessed partial selections costs in the amount of \$1,024.

**B-25 SANITATION DRIVER (PM0651G), WOODBRIDGE TOWNSHIP**

Woodbridge Township requests the revival of the Sanitation Driver (PM0651G) eligible list in order to effectuate two appointments.

**ACTION:** The Civil Service Commission granted the request.

**B-26 SENIOR ACCOUNT CLERK (M0139K), BERKELEY TOWNSHIP  
SCHOOL DISTRICT**

The Berkeley Township School District request permission not to make an appointment from the August 18, 2008 certification for Senior Account Clerk (M0139K).

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



**B-27 SUPERVISING CONTRACT ADMINISTRATOR (S3040G), STATEWIDE**

The Department of State requests permission not to make an appointment from the May 21, 2007 certification for Supervising Contract Administrator (S3040G), Statewide.

**ACTION:** The Civil Service Commission granted an appointment waiver but assessed no selection costs at this time.

**B-28 SUPERVISOR OF RECORDS (C1753J), HUDSON COUNTY**

Hudson County requests permission not to make an appointment from the July 2, 2007 certification for Supervisor of Records (C1753J).

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

**B-29 TECHNICAL ASSISTANT 3 (M1403H), MOUNT HOLLY**

The Township of Mount Holly requests permission not to make an appointment from the June 11, 2007 certification for Technical Assistant 3 (M1403H).

**ACTION:** The Civil Service Commission granted an appointment waiver but assessed no selection costs at this time.

**B-30 VIOLATIONS CLERK (M1805J), MOUNT HOLLY**

The Township of Mount Holly requests permission not to make an appointment from the February 26, 2008 certification for Violations Clerk (M1805J).

**ACTION:** The Civil Service Commission granted an appointment waiver but assessed no selection costs at this time.

**B-31 PAMELA ISLAM**

Pamela Islam, a Social Worker 2, Corrections, at South Woods State Prison, Department of Corrections (DOC), appeals the determination of the Assistant Director of the Equal Employment Division (EED) of the DOC, stating that the appellant had failed to present sufficient evidence to support a finding that she had been subjected to violations of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

**B-32 ALEX ROBOTIN**

Alex Robotin, a Supervisor 3, Motor Vehicles with the Motor Vehicle Commission (MVC), represented by Joseph A. Carmen, Esq., appeals the determination of the MVC's Equal Employment Opportunity Officer, stating that the appellant failed to present sufficient evidence 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). This matter was held over from the December 3, 2008 Civil Service Commission meeting.

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

**B-33 ALEX ROBOTIN**

Alex Robotin, a Supervisor 3, Motor Vehicles with the Motor Vehicle Commission (MVC), represented by Justin M. Murphy, Esq., appeals the determination of the MVC's Acting Equal Employment Opportunity Officer, stating that there was probable cause to substantiate a finding that he violated the New Jersey State Police Prohibiting Discrimination in the Workplace (State Policy). This matter was held over from the December 3, 2008 Civil Service Commission meeting.

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

**B-34 JANE LYONS**

The Department of Transportation (DOT), represented by Nonee Lee Wagner, Deputy Attorney General, requests a determination regarding the amount of counsel fees due to Jane Lyons in accordance with the Merit System Board decision rendered on May 9, 2007.

**ACTION:** The Civil Service Commission directed that Jane Lyons not be awarded any counsel fees.

**B-35 PIERRE VALLES**

Pierre Valles, a former County Correction Officer with Essex County, represented by Anthony J. Fusco, Jr., Esq., requests counsel fees in regard to the Merit System Board's decision, *In the Matter of Pierre Valles* (MSB, decided November 1, 2006).

**ACTION:** The Civil Service Commission granted the request.

**B-36 ELIZABETH ASHTON AND LUCYNA SINGURA**

Elizabeth Ashton and Lucyna Singura, Supervising Field Representatives, Local Property Tax with the Department of the Treasury, request that the Supervising Field Representative Local Property Tax (PS1762U) eligible list be revived in order to effectuate their permanent appointments.

**ACTION:** The Civil Service Commission denied the requests.

**B-37 WILLIAM AYRES**

William Ayres, a Communications Network Monitor with the Office of Information Technology (OIT), represented by Dudley Burdge, Senior Staff Representative, Communications Workers of America, Local 1032 (Local 1032), seeks enforcement of the July 22, 2008 determination of the Division of State Human Resource Management (SHRM) finding that the duties and responsibilities of his position would be properly classified by the title Technical Support Specialist 2, OIT.

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

**B-38 COMMERCE COMMISSION REORGANIZATION**

The Director, Division of State Human Resource Management, requests the reallocation of various titles to the non competitive division of the career service from September 27, 2008 to October 10, 2008.

**ACTION:** The Civil Service Commission granted the request.

**B-39 COURT ATTENDANT (M6011G), UNION TOWNSHIP**

The Division of Local Human Resource Management, requests that Union Township be ordered to return the November 9, 2005 certification of the eligible list for Court Attendant (M6011G) for proper disposition.

**ACTION:** The Civil Service Commission granted the request.

**B-40 ROSEMARY COLEMAN**

Rosemary Coleman appeals the decision of the Division of Local Human Resource Management (LHRM) that the proper classification of her position is Senior Account Clerk with an effective date of August 5, 2007. The appellant seeks an earlier date of reclassification to the title of Senior Account Clerk.

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

**B-41 GUILLERMO DACPANO, ET AL.**

Guillermo Dacpano, Kathleen Gallagher, Ankit Parikh, Arthur Phillips, Miriam Rogado, Jason Tsai and Manhong Wu, Software Development Specialist 1 with the Office of Information Technology (OIT), represented by Dudley Burge, Senior Staff Representative, Communications Workers of America, Local 1032 (Local 1032), seek enforcement of the June 23, 2008, June 24, 2008, July 11, 2008 and July 22, 2008 determinations of the Division of State Human Resource Management (SHRM) finding that the duties and responsibilities of their positions would be properly classified by the title Software Development Specialist 2.

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

**B-42 MARVENE GOODIN**

Atlantic County appeals the October 1, 2008 decision of the Division of Local Human Resource Management (LHRM) which found that the position encumbered by Marvene Goodin is correctly classified as Principal Tax Clerk.

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

**B-43 RONALD LUCCARELLI**

Ronald Luccarelli, a Supervisor, Data Processing Technical Support, Office of Information Technology (OIT), with the OIT, represented by Dudley Burge, Senior Staff Representative, Communications Workers of America, Local 1032 (Local 1032), seeks enforcement of the June 24, 2008 determination of the Division of State Human Resource Management (SHRM) finding that the duties and responsibilities of his position would be properly classified by the title Supervisor, Information Technology.

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

**B-44 MARIA SIGNORA**

Maria Signora, a Secretarial Assistant 3 (Non-Stenographic) with the Office of Information Technology (OIT), represented by Dudley Burdge, Senior Staff Representative, Communications Workers of America, Local 1032 (Local 1032), seeks enforcement of the March 3, 2008 determination of the Division of State Human Resource Management (SHRM) finding that the duties and responsibilities of her position would be properly classified by the title Secretarial Assistant 1 (Non-Stenographic).

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

**B-45 AUDIO VISUAL SPECIALIST (M6559H), SADDLE BROOK TOWNSHIP**

Saddle Brook Township requests reconsideration of that part of the decision rendered on July 16, 2008 by the Civil Service Commission in *In the Matter of Audio Visual Specialist (M6559H), Saddle Brook Township*, which assessed costs of the selection process in the amount of \$2,048.

**ACTION:** The Civil Service Commission denied the request for reconsideration and ordered the appointing authority to pay the prior assessment of \$2,048 within 30 days.

**B-46 VERNON L. DRUMMOND, JR.**

Vernon L. Drummond, Jr., a Residential Services Worker with the Vineland Developmental Center, Department of Human Services, requests reconsideration of that portion of the final decision of the Merit System Board, rendered on April 23, 2008, which limited his award of back pay, benefits, and seniority.

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

**B-47 BARBARA LOSAGIO**

Barbara Losagio, a former part-time Technical Assistant, Construction Official, with the Township of Pohatcong, represented by Donald E. Souders, Jr., Esq., petitions for reconsideration of that portion of the decision, *In the Matter of Barbara Losagio* (MSB, decided February 27, 2008), regarding payment for accrued sick leave with respect to the estate of her late husband. Ms. Losagio also seeks enforcement of the Board's determination.

**ACTION:** The Civil Service Commission denied the request for reconsideration but granted the request for enforcement in part.

**B-48 POLICE CAPTAIN (PM3519K) ATLANTIC CITY**

William Mazur, James Pasquale, Atlantic City, represented by Robert Tarver, Jr., City Solicitor, and the Policeman's Benevolent Association Local 24, represented by Brett Last, Esq., request reconsideration of the final decision of the Civil Service Commission, rendered on August 27, 2008, which reduced the one-year service requirement for the Police Captain (PM3519K), Atlantic City, examination to the completion of the working test period for Police Lieutenant.

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

**B-49 NATHANIEL RICHARDSON**

Nathaniel Richardson request reconsideration of the final decision of the Merit System Board, rendered on February 13, 2008, which upheld the bypass of his name on the County Correction Sergeant (PC2652F), Essex County, eligible list.

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

<b>VOTE:</b>	<b>Margaret E. L. Howard</b>	<b>(Yes)</b>
	<b>Flavella Branham</b>	<b>(Abstained)</b>
	<b>John Currie</b>	<b>(Yes)</b>

**B-50 COLOSSAIN DAVIS**

The appeal of Colossain Davis, a Police Aide with the City of Newark, concerning her removals, effective November 13, 2006, on charges, was heard by Administrative Law Judge Caridad F. Rigo (ALJ), who rendered her initial decision on October 23, 2008. At its meeting on December 3, 2008, the Civil Service Commission (Commission) adopted the ALJ's recommendation to reverse two of the removals but did not adopt the ALJ's recommendation to modify the third removal to a 30-day suspension. Rather, the Commission imposed a 60-working day suspension. The proposed decision is now submitted for the Commission's review.

**ACTION:** The Civil Service Commission adopted the decision.

**B-51 DANIELLE M. GAINES**

The appeal of Danielle M. Gaines, a County Correction Officer with Burlington County, of her 130-working day suspension, on charges, was heard by Administrative Law Judge Jeff S. Masin (ALJ), who rendered his initial decision on October 20, 2008 upholding the suspension. However, prior to the matter being presented to the Civil Service Commission (Commission) for a final administrative determination, the appellant filed a request to withdraw her appeal. Accordingly, the Commission, at its meeting on December 3, 2008 acknowledged the withdrawal of the appellant's appeal with prejudice, which rendered the ALJ's initial decision moot. The proposed final decision is now submitted for the Commission's review.

**ACTION:** The Civil Service Commission adopted the final decision.



**B-52 MATTHEW VANDERVELDEN**

The appeal of Matthew VanDerVelden, a Police Sergeant with the City of Paterson, of his 60-day suspension on charges, was heard by Administrative Law Judge Walter M. Braswell (ALJ), who rendered his initial decision on October 27, 2008. At its meeting on December 3, 2008, the Civil Service Commission did not adopt the ALJ's recommendation to uphold the 60-day suspension. Rather, the Commission increased the penalty to a six-month suspension. The proposed final decision is now submitted for the Commission's review.

**ACTION:** The Civil Service Commission adopted the final decision.

**B-53 ANNATTA WADE**

The appeal of Annatta Wade, a Hospital Attendant with Essex County, of her removal, effective October 5, 2007, on charges, was heard by Administrative Law Judge Imre Karaszegi, Jr. (ALJ), who rendered his initial decision on October 6, 2008. At its meeting on December 3, 2008, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to reverse the appellant's removal. Rather, the Commission modified the penalty to a three-month suspension. The proposed decision is now submitted for the Commission's review.

**ACTION:** The Civil Service Commission adopted the decision.

**B-54 PALMER J. ASKIN, ET AL.**

Palmer J. Askin, Ilce Kocovoski, and Timonty J. Leuallen appeal the determinations of the Division of Selection Services which found that they did not meet the experience requirement for the promotional examination for Landscape Technician (PS7451T), Department of Transportation.

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

**B-55 BARBARA BRYAN**

Barbara Bryan appeals the determination of the Division of Selection Services which found that she did not meet the requirements for the promotional examination for Quality Assurance Technician (PS4931K), Department of Human Services.

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

**B-56 MELANIE R. BUFFALOE AND LORIE A. FREDERICKS**

Melanie R. Buffaloe and Lorie A. Fredericks appeals the determinations of the Division of Selection Services which found that they did not meet the requirements for the promotional examination for Quality Assurance Technician (PS4931K), Department of Human Services.

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

**B-57 MICHAEL CLIFFORD**

Michael Clifford appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the open competitive examination for Welder (C0238K), Camden County.

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

**B-58 DEBBIE COLEMAN**

Debbie Coleman appeals the determination of the Division of Selection Services that she did not meet the education and experience requirements for the promotional examination for Administrative Assistant 3 (PS7400N), Department of Labor and Workforce Development.

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

**B-59 JILL COSTA**

Jill Costa appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she did not meet the experience requirements for the promotional examination for Technical Assistant 1, Higher Education (PS7131J), The Richard Stockton College of New Jersey.

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

**B-60 ROBIN DELPECHE**

Robin Delpeche appeals the determination of the Division of Selection Services which found that she did not meet the education and experience requirements for the promotional examination for Accountant 2 (PS7013K), Department of Children and Families.

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

**B-61 EUGENE DUNCAN**

Eugene Duncan appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, he did not meet the experience requirements for the promotional examination for Social Worker 2, Corrections (PS8145I), Mountainview Correctional Institution.

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

**B-62 PATRICIA EPPS, ET AL.**

Patricia Epps, Carressa Nelson, and Audra Pagano appeal the determinations of the Division of Selection Services which found that they did not meet the experience requirements for the promotional examination for Assistant Training Supervisor County Welfare Agency (PC0356J), Essex County.

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

**B-63 STACY FORMAN**

Stacy Forman appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Senior Administrative Analyst (PC0242K), Atlantic County.

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

**B-64 ROSS A. FRIEDMAN, ET AL.**

Ross A. Friedman, William T. Hubbard and Eric T. Madurki appeal the determinations of the Division of Selection Services which found that they did not meet the requirements for the promotional examination for Section Chief Health Care Facility (PS7679K), Department of Human Services.

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

**B-65 GEORGE GAWRON AND PHILIP QUIGLEY**

George Gawron, represented by David De Fillippo, Esq., and Philip Quigley appeal the determinations of the Division of Selection Services that they did not meet the experience requirements for the promotional examination for Supervisor Public Works (PM0601K), Sayreville.

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

**B-66 CYNTHIA GRAHAM**

Cynthia Graham appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she did not meet the experience requirements for the promotional examination for Administrative Assistant 2 (PS6500R), Board of Public Utilities.

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

**B-67 RICHARD D. GUNOSKEY AND JOSEPH LUDOVICO**

Richard D. Gunoskey and Joseph D. Ludovico appeal the determinations of the Division of Selection Services which found that they did not meet the requirements for the promotional examination for Data Processing Analyst 2 (PS4887G), Department of Environmental Protection.

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

**B-68 DAVID HEWITT, ET AL.**

David Hewitt, James Ligotti, and Mark Phillips appeal the determinations of the Division of Selection Services which found that they were below the minimum requirements in experience for the promotional examination for Supervisor, Amusement Rides and Mechanical Inspection (PS8492D), Department of Community Affairs.

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

**B-69 THOMAS HOPKINS**

Thomas Hopkins appeals the decision of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Signal System Maintenance Worker (PC0579K), Ocean County.

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

**B-70 KELLY HOURIGAN**

Kelly Hourigan appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she did not meet the experience requirements for the promotional examination for Program Development Specialist 2, Corrections (PS7414P), Juvenile Justice Commission.

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

**B-71 PHYLLIS JOHNSON**

Phyllis Johnson appeals the decision of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Nursing Administrator, Psychiatric Services (PS5885K), Trenton Psychiatric Hospital.

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

**B-72 SHEILA KRAYBILL**

Sheila Kraybill appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Technical Support Specialist 1 (PC1037J), Ocean County.

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

**B-73 AKILESWARAN ALAN KUMARASAMY**

Akileswaran Alan Kumarasamy appeals the determination of the Division of Selection Services which found that he failed to submit the required evaluation of his foreign transcript and he was below the minimum requirements in experience for the promotional examination for Supervising Program Development Specialist Management and Finance (PS5560K), Department of Human Services.

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

**B-74 DEBBIE MARVEL**

Debbie Marvel appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for the promotional examination for Administrative Secretary (PC1254J), Essex County.

**ACTION:** The Civil Service Commission referred the matter to the Division of Local Human Management to determine if Ms. Marvel's position should be classified as Administrative Secretary or Deputy Clerk, Board of Freeholders.

**B-75 ROBERT G. MOORE**

Robert G. Moore appeals the determination of the Division of Selection Services which found that he was not eligible for the promotional examination for Administrative Analyst 1 (PS0850K), Department of Children and Families.

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

**B-76 JOSEPH PACELLI**

Joseph Pacelli appeals the determination of the Division of Selection Services that he did not meet the experience requirements for the promotional examination for Supervisor, Central Mail Room (PC1778J), Hudson County.

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

**B-77 SHARON ROSENBERGER-MUGRAUER**

Sharon Rosenberger-Mugrauer appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Personnel Assistant 3 (PS5727K), Department of Children and Families.

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

**B-78 DWIGHT ROSS**

Dwight Ross appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in education for the promotional examination for Administrative Analyst 3 Fiscal Management (PS7045G), Department of Environmental Protection.

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

**B-79 JOHN CENTANNI**

John Centanni appeals his score on the examination for Deputy Fire Chief (PM3629J), Newark.

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



**B-80 NICHOLAS CROSTA**

Nicholas Crosta appeals his score on the examination for Deputy Fire Chief (PM3648J), Hillside.

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

**B-81 JOHN DOLL**

John Doll appeals his score on the examination for Deputy Fire Chief (PM3629J), Newark.

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

**B-82 JOSEPH DOUGERT**

Joseph Dougert appeals his score on the examination for Deputy Fire Chief (PM3629J), Newark.

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

**B-83 RYAN FITZSIMMONS**

Ryan Fitzsimmons appeals his score for the oral portion of the examination for the second level Fire Captain (PM3583J), Clifton.

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

**B-84 DEHAVEN GRAHAM**

Dehaven Graham appeals his scores for the open competitive examinations for Social Worker (S0619J), Statewide and Assistant Social Work Supervisor, Psychiatric (S0620J), Statewide.

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

**B-85 ROSS KOWNATSKY**

Ross Kownatsky appeals his score for the oral portion of the examination for the second level Fire Captain (PM3598J), Mount Laurel Township.

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

**B-86 FREDERICK LEONARDO**

Frederick Leonardo appeals his score on the examination for Deputy Fire Chief (PM3649J), West Orange.

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

**B-87 RAMZE RAMADAN**

Ramze Ramadan appeals his score for the oral portion of the examination for the second level Fire Captain (PM3569J), Passaic.

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

**B-88 SUPERVISOR PUBLIC WORKS (PM0301K), CLARK TOWNSHIP**

Clark Township appeals the validity of the promotional examination for Supervisor Public Works (PM0301K).

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

**B-89 JAMES WEISS**

James Weiss appeals his score on the examination for Deputy Fire Chief (PM3629J), Newark.

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

**B-90 MICHAEL WITTE**

Michael Witte appeals his score on the examination for Deputy Fire Chief (PM3629J), Newark.

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

**B-91 SUSAN MCNULTY**

The Department of Human Services, on behalf of Susan McNulty, requests the relaxation of the provisions of *N.J.A.C. 4A:6-1.22* so as to permit Ms. McNulty, 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-92 SHERRY ROGERS**

The Office of Information Technology, on behalf of Sherry Rogers, requests the relaxation of the provisions of *N.J.A.C. 4A:6-1.22* so as to permit Ms. Rogers, 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-93 READOPTION WITH AMENDMENTS: N.J.A.C. 4A-8, LAYOFFS**

Submitted for the Commission's readoption is *N.J.A.C. 4A:8, Layoffs*. These rules are scheduled to expire on December 27, 2008. A hearing was scheduled September 8, 2008; no comments were received at that time, although one written comment was received during the public comment period. The comment does not necessitate that any changes be made to the proposed readoption with amendments. Therefore, it is recommended that the Commission adopt the proposal without change.

**ACTION:** The Civil Service Commission adopted the proposal without change.

**B-94 CIVIL SERVICE COMMISSION MINUTES**

The minutes of the Civil Service Commission meeting of December 3, 2008 are submitted for adoption.

**ACTION:** The Civil Service Commission adopted the minutes of its meeting of December 3, 2008.

**B-95 THOMAS J. NOVAK**

Submitted for the Commissions review is a Joint Order of Consolidation and Predominant Interest between the Civil Service Commission and the Public Employment Relations Commission (PERC). At the OAL, Administrative Law Judge Maria Mancini LaFiandra (ALJ) issued an order of consolidation and predominant interest in these matters. In that Order, the ALJ consolidated the matters and stated that, since the factual issue of whether the suspensions were imposed for legitimate reasons will necessarily encompass the claim of anti-union animus raised before PERC, the Civil Service Commission should have the predominant interest. The Joint Order was drafted to adopt the order with one addition; namely, that after the Commission renders its final decision, it would return the matter to PERC for consideration of any remaining issues that are within its jurisdiction.

**ACTION:** The Civil Service Commission adopted the joint order.

**B-96 TRUCK DRIVER (M9933H) RINGWOOD**

Ringwood, represented by Sean D. Dias, Esq., requests reconsideration of the decision rendered on December 19, 2007 by the Merit System Board in *In the Matter of Truck Driver (M9933H), Borough of Ringwood*, which denied its request for an appointment waiver and ordered it to properly dispose of the certification within 30 days.

**ACTION:** The Civil Service Commission granted the request for an appointment waiver but assessed selections costs in the amount of \$2,048 and a prior assessment of \$500 for compliance also be assessed.

**B-97 CHARLES HAWKINS III**

The appeal of Charles Hawkins, III, Police Officer with Woodbridge Township of his removal effective February 28, 2005, on charges, was heard by Administrative Law Judge (ALJ) Israel D. Dubin, who rendered his initial decision on July 22, 2008. At its meeting on December 3, 2008, the Civil Service Commission adopted the ALJ's recommendation to uphold the removal. The proposed final decision is now submitted for the Commission's review.

**ACTION:** The Civil Service Commission adopted the final decision.

**B-98 FREDERICK LEE**

The appeal of Frederick Lee, a Human Services Assistant with Ancora Psychiatric Hospital, Department of Human Services, of his removal effective June 26, 2007, on charges, was heard by Administrative Law Judge, Joseph F. Martone (ALJ), who rendered his initial decision on October 28, 2008. At its meeting on December 3, 2008, the Civil Service Commission did not adopt the ALJ's recommendation to modify the removal to a six-month suspension. Rather, the Commission upheld the removal. The proposed final decision is now submitted for the Commission's review.

**ACTION:** The Civil Service Commission adopted the final decision.

**B-99 ANDREW PETTIT**

The appeal of Andrew Pettit, a Cottage Training Technician with Woodbine Developmental Center, Department of Human Services, of his removal effective October 26, 2008, was heard by Administrative Law Judge W. Todd Miller (ALJ), who rendered his initial decision on September 9, 2008. At its meeting on December 3, 2008, the Civil Service Commission did not adopt the ALJ's recommendation to modify the appellant's removal to a 90-day suspension. Rather, the Commission modified the removal to a six-month suspension. The proposed decision is now submitted for the Commission's review.

**ACTION:** The Civil Service Commission adopted the decision.

**B-100 ROBERT COBB**

Robert Cobb appeals his oral scores of the promotional examination for Fire Officer 4 (PM3576J), Jersey City.

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

**B-101 MARTIN MCNULTY**

Martin McNulty appeals his oral and seniority scores of the promotional examination for Fire Officer 4 (PM3576J0, Jersey City.

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

**B-102 VOLUNTARY FURLOUGH FISCAL YEAR 2009**

Various employees of the Department of Environmental Protection (DEP), represented by Adam Liebttag, Lead Staff Representative, Communications Workers of America, Local 1034 (Local 1034) and various employees of the Department of Law and Public Safety (DLPS), petitions the Civil Service Commission to continue to extend its relaxation of the eligibility criteria for the voluntary furlough program through the remainder of fiscal year 2009.

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

There being no further business before the Merit System Board, the meeting was adjourned to convene on Wednesday, January 14, 2009, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

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**Margaret E. L. Howard**  
**Presiding Member**  
**Civil Service Commission**