

STATE OF NEW JERSEY CIVIL SERVICE COMMISSION

MINUTES OF REGULAR MEETING OF THE CIVIL SERVICE COMMISSION September 24, 2008

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

September 24, 2008

A regular meeting of the Civil Service Commission was held on Wednesday, September 24, 2008, in Trenton, New Jersey.

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

In accordance with L.1975, c.231, Margaret E. L. Howard, Presiding, 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:

September 5, 2008

TO:

Hope L. Cooper, Acting Commissioner

Department of Personnel

FROM:

Elizabeth Van Marter, Director Classification and Compensation

SUBJECT:

Change in the State Classification Plan

DEPARTMENT OF STATE

In response to a classification appeal, the Division of Classification and Compensation was directed to review the duties assigned to the department-specific title, Supervisor, State Museum Exhibits, and determine whether a new title was warranted.

The review indicated a new title was not warranted. The job had evolved over the course of time to include additional duties and responsibilities not reflected in either the title specification or in the position requirements.

The Division of Classification and Compensation revised the title specification and requirements to reflect current use.

The resulting changes impact the title's job content evaluation; thus, the range should be adjusted accordingly.

CHANGE IN CLASS CODE:

Effective:

09-13-08

Supervisor, State Museum Exhibits R23-74523 Competitive E N4/12

Supervisor, State Museum Exhibits R25-74523 Competitive E N4/12

EVM/JJM/BP

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SECTION A - HEARING MATTERS

A-1 SETTLEMENTS

Julian Harris Mercer County Department of Public Safety Suspension

William J. Hulme Cape May County Crest Haven Nursing and Rehabilitation Center Suspension

James O'Brien Hudson County Department of Road and Public Property Suspension

Richard Petriello Department of Human Services Suspension

Jason Sabol Mercer County Department of Public Safety Suspension and Fine

Donald Sharp Millville School District Suspension and removal

Kenneth Vitali North Bergen Township Department of Public Safety Demotion and Suspension

Craig Williams
Sparta Township
Department of Public Works
Good Faith Layoff

Jermaine Wright City of Newark Police Department Removal

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

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 NAFAEESA MILLER

Nafaeesa Miller, County Correction Officer, Burlington County Jail, 15-day suspension on charges of insubordination, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the 15-day suspension.

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

A-3 HELENE M. PENNINGTON

Helene M. Pennington, Head Cottage Training Supervisor, Vineland Developmental Center, Department of Human Services, return to formerly held permanent title of Residential Living Specialist at the end of the working test period, effective October 9, 2007.

Recommendation of the Administrative Law Judge – Uphold the return to formerly held permanent title at the end of the working test period.

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

A-4 MARK BANYACKI

Mark Banyacki, Traffic Maintenance Worker, County of Mercer, Department of Transportation and Infrastructure/Highways, 10 days suspension on charges of violation of regulations concerning drug and alcohol use and testing, conduct unbecoming a public employee and violation of a rule, regulation, policy, procedure, order, or administrative decision.

Recommendation of the Administrative Law Judge – Dismiss the appeal as moot, based on the appointing authority's withdrawal of the discipline.

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

A-5 MARK BANYACKI

Mark Banyacki, Traffic Maintenace Worker, County of Mercer, Department of Transportation and Infrastructure/Highways, removal effective September 6, 2007, on the charge of inability to perform duties.

Recommendation of the Administrative Law Judge – Dismiss the appeal as moot, based on the appellant's voluntary resignation in good standing and the appointing authority's acceptance of the resignation.

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

A-6 JOSE DASILVA (REMAND)

Jose DaSilva, Police Officer, City of Newark, Police Department, removal effective October 22, 1999, on charges of conduct unbecoming a public employee, neglect of duty, and violation of Police Department rules regarding conduct, bound by duty, knowledge of crime, report of a crime, responsibility for own actions and misuse of official position.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-7 ANTHONY DELLI SANTI

Anthony Delli Santi, Supervising Sheet Metal Worker, Newark School District, removal effective May 1, 2007, on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the removal.

ACTION: The Civil Service Commission modified the recommendation of

the Administrative Law Judge to a six-month suspension.

VOTE: Margaret E. L. Howard (Yes)

Flavella Branham (Abstained)

John Currie (Yes)

A-8 DONNECE V. BAILEY

Donnece V. Bailey, Cottage Training Technician, New Lisbon Developmental Center, Department of Human Services, removal effective July 20, 2007, on the charge of being absent from work as scheduled without permission and without giving proper notice of intended 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 MIGUEL RIVERA

Miguel Rivera, Water Repairer, City of Trenton, Department of Public Works, removal effective June 29, 2007, on the charge of chronic or excessive absenteeism or lateness.

Recommendation of the Administrative Law Judge – Reverse the removal.

ACTION: The Civil Service Commission affirmed the recommendation of

the Administrative Law Judge.

A-10 ANDREA ROUSE-BALDWIN

Andrea Rouse-Baldwin, Assistant Family Service Worker II, Department of Children and Families, 1) 10-day suspension and fine of \$313.47 on charges of failure or excessive delay in carrying out an order which would not result in danger to persons or property, violation of a rule, regulation, policy, procedure, order or administrative decision and conduct unbecoming a public employee, 2) release at the end of the working test period effective August 5, 2007 and 3) removal effective November 23, 2007, on charge of insubordination.

Recommendation of the Administrative Law Judge – Dismiss the appeals.

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

A-11 SUZETTE SHABAZZ-ALLEN

Suzette Shabazz-Allen, Judiciary Account Clerk 2, State of New Jersey Judiciary, Union Vicinage, removal effective January 19, 2006, on charges of conduct unbecoming a public employee, failure to perform 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-12 MICHAEL SHARIN

Michael Sharin, Police Officer, Borough of Belmar, Department of Public Safety, removal effective May 19, 2005, on charges of failure to perform duties, conduct unbecoming a public employee, neglect of duty, and violation of rules regarding standard of conduct, custody of prisoners, impartial attitude, issuance of summons/warrant and obedience of laws and regulations.

Recommendation of the Administrative Law Judge – Reverse the removal.

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

A-13 ESTELE SMITH (REMAND)

Estelle Smith, Senior Correction Officer, Garden State Youth Correctional Facility, Department of Corrections, removal, effective March 8, 2007, on charges of conduct unbecoming a public employee and violation of rules regarding improper or unauthorized contact with an inmate, and violation of various procedures including safety and security.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-14 DANIEL WILLIAMS

Daniel Williams, Laborer, City of Newark, Department of Water and Sewer Utilities, removal effective November 30, 2007, on charges of conduct unbecoming a public employee and other sufficient cause.

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

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

A-15 JOSEPH WRIGHT

Joseph Wright, Police Officer, City of Elizabeth, Police Department, removal effective April 17, 2007, on charges of unauthorized absence, conduct unbecoming a public employee and neglect of duty.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-16 LEROY D. HARRIS

Leroy D. Harris, Cottage Training Technician, New Lisbon Developmental Center, Department of Human Services, removal effective April 25, 2007, on charges of physical and verbal abuse of a client. This matter was held over from the July 30, 2008 Civil Service Commission meeting.

Recommendation of the Administrative Law Judge – Reverse the removal.

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

SECTION B - MISCELLANEOUS MATTERS

B-1 HAMZA ABDUL-QAWWEE

Hamza Abdul-Qawwee, a Senior Correction Officer at Northern 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 denied.

B-2 LUIS CEPEDA

Luis Cepeda, a former Senior Correction Officer at Northern 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 denied.

B-3 OTHA CHAPMAN

Otha Chapman, a Senior Correction Officer with Northern State prison, Department of Corrections, represented by Henry J. Cistrelli, Esq., appeals the denial of sick leave (SLI) benefits.

B-4 JODY DREBES

Jody Drebes, an Administrative Analyst 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-5 MANDI GROFF

Mandi Groff, a Maintenance Worker 1 with the Department of Transportation, appeals the decision denying sick leave injury (SLI) benefits.

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

B-6 MALIKAH HAMILTON

Malikah Hamilton, a Senior Correction Officer with 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 denied.

B-7 FATIMA RUIZ

Fatima Ruiz, a Senior Correction Officer with South Woods 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-8 TAMIKO SMITH

Tamiko Smith, a School Psychologist with the Juvenile Justice Commission, Department of Law and Public Safety, represented by Donald L. Klein, Executive Vice President, CWA Local 1040, appeals the denial of sick leave injury (SLI) benefits.

B-9 ANTHONY SORANTINO

Anthony Sorantino, a Senior Correction Officer at South Woods 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 in part.

B-10 BRIAN WEISS

Brian Weiss, a Grounds Worker with the Department of Military and Veterans Affairs, appeals the denial of sick leave injury (SLI) benefits.

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

B-11 ABBAS J. BASHITI

Abbas J. Bashiti appeals the bypass of his name on the March 23, 2007 certifications (PS070547 and PS070548) and his non-appointment from the March 26, 2007 certification (PS070551) of the Assistant District Parole Supervisor (PS0310I), State Parole Board, eligible list.

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

B-12 JERRY CAMACHO

Jerry Camacho, represented by Eric Winston, Esq., appeals the decision of the Division of Local Human Resource Management (LHRM), which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the Police Officer (S9999F), Newark eligible list on the basis of an unsatisfactory driving record and for failure to maintain residency.

B-13 JESUS GARCIA AND ALFREDO RAMOS

Jesus Garcia and Alfredo Ramos, represented by Mark C. Rushfield, Esq., appeal the decision of the Division of Local Human Resource Management which upheld the appointing authority's bypass of their names on a certification for Police Lieutenant (PM2538J), Paterson, eligible list.

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

B-14 ANTHONY R. SCUDERI

Anthony R. Scuderi appeals the decision of the former Division of Human Resource Information Services (HRIS), which found that the appointing authority had presented a sufficient evidence to remove the appellant's name from the Correction Officer Recruit (S9999F), Department of Corrections, eligible list due to an unsatisfactory background report and for falsification of his employment application. The appellant also appeals the request to remove his name from the County Correction Officer (S9999F), Cape May County subject eligible list on the basis of falsification of his application.

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

B-15 WILLIAM F. WATTS

William F. Watts appeals the removal of his name from the eligible list for Bridge Attendant (C0685F), Monmouth County, on the basis that he was no longer interested in the position.

B-16 COUNTY CORRECTION OFFICER (S9999D) AND (S9999F), PASSAIC

The Acting Director of the Division of Local Human Resource Management (LHRM) requests that the eligible lists for County Correction Officer (S9999D), Passaic County and County Correction Officer (S9999F), Passaic County, be revived in order to effect appointments made from the October 5, 2004, September 2, 2005, and December 22, 2006 certifications of the eligible lists.

ACTION: The Civil Service Commission directed that this request be

granted.

VOTE: Margaret E. L. Howard (Yes)

Flavella Branham (Yes)

John Currie (Abstained)

B-17 FIRE FIGHTER (M2259D), GLOUCESTER CITY

The Division of Local Human Resource Management requests that Gloucester City be ordered to return the January 30, 2006 certification (OL060227) of the eligible list for Fire Fighter (M2259D) for proper disposition.

ACTION: The Civil Service Commission directed that this request be

granted in part and the matter referred to the Division of Local

Human Resource Management for a classification review.

B-18 MARIE KAFKA

Marie Kafka, a Senior Clerk Transcriber at North Jersey Developmental Center, Department of Human Services (DHS), appeals the determination of the Assistant Commissioner of the DHS, stating that the appellant 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-19 TAMIKO SMITH

Tamiko Smith, a School Psychologist with the Juvenile Justice Commission, Department of Law and Public Safety, appeals the determination of the Office of Equal Employment Opportunity stating that the appellant 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-20 JOSEPH CHMIELENSKI

Edgewater Park petitions the Civil Service Commission for a determination of Joseph Chmielenski's entitlement to permanent status in the title of Housing Inspector.

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

B-21 EDWARD OSKAY

Edward Oskay, a former Hearing Officer 3, State Parole Board, with the State Parole Board, appeals his retirement.

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

B-22 TEAIRA CLARK

Teaira Clark a County Correction Officer with Hudson County Department of Corrections, petitions for reconsideration of a final decision rendered on December 19, 2007, which upheld her removal.

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

B-23 HEATH BERNSTEIN

The Superior Court, Appellate Division, has temporarily remanded the February 13, 2008 decision, which upheld the determination that Health Bernstein did not meet the experience requirements for the promotional examination for Manager 2, Human Resources (PS5721K), Department of Children and Families.

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

B-24 ROBERT JORDAN

The Department of Corrections, represented by Betty Ng, Deputy Attorney General, requests reconsideration of the decision rendered on December 19, 2007, which reinstated Robert Jordan to his position as a Correction Sergeant.

ACTION: The Civil Service Commission directed that this petition for reconsideration be denied, but the appellant's request for additional counsel fees for enforcement of the counsel fee award be granted.

B-25 SOCIAL WORKER (PC1367H), UNION COUNTY

The Communications Workers of America, Local 1080 (Local 1080), on behalf of incumbents in the Social Worker title series, Union County Division of Social Services, represented by JoAnn Colucci-Turbett, President, petitions for reconsideration of the decision, *In the Matter of Tecia Bulle, et al., Social Worker (PC1367H0, Union County* (MSB, decided January 16, 2008), which admitted Tecia Bulle, Martha DaSilva, Martha Ilunokhalumhe, Janet Laughery, Kimberlie Mangina, Sean McGarry, Komal Patel, Lottie Riley, and Rita Steed to the promotional examination for Social Worker (PC1367H), Union County.

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

B-26 STEPHANIE M. CARTER-GREEN

The appeal of Stephanie M. Carter-Green, a Correction Sergeant with Riverfront State Prison, Department of Corrections, of her 10 working day suspension, on charges, was heard by Administrative Law Judge Ronald W. Reba (ALJ), who rendered his initial decision on July 9, 2008. At its meeting on September 10, 2008, the Civil Service Commission did not adopt the ALJ's recommendation to dismiss a charge and modify the penalty to a five working day suspension. Rather, the Commission upheld all of the charges and the 10 working day suspension. The proposed final decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the final decision.

B-27 PHILLIP FAIRMON

The appeal of Phillip Fairmon, a Cottage Training Technician at the North Jersey Developmental Center, Department of Human Services, of his removal effective November 29, 2007, on charges, was heard by Administrative Law Judge Gail M. Cookson (ALJ), who rendered her initial decision on June 26, 2008, reversing the removal. At its meeting on September 10, 2008, the Civil Service Commission adopted the ALJ's recommendation. The proposed decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the decision.

B-28 WILLIAM LEE

The appeals of William Lee, a Senior Correction Officer with the Garden State Youth Correctional Facility, Department of Corrections, of his 15 working day suspension and removal effective April 18, 2007, on charges, was heard by Administrative Law Judge Joseph Lavery (ALJ), who rendered his initial decision on July 25, 2008. At its meeting on August 27, 2008, the Civil Service Commission (Commission) adopted the ALJ's recommendation to uphold the 15 working day suspension and the removal. The proposed final decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the final decision.

VOTE: Margaret E. L. Howard (Yes)

Flavella Branham (Yes)

John Currie (Abstained)

B-29 JOHN TEGANO AND PATRICK FLYNN

The appeals of John Tegano and Patrick Flynn, Senior Correction Officers at the Garden State Reception and Youth Correctional Facility, of their removals effective January 17 and January 19, 2006, respectively, on charges were heard by Administrative Law Judge Dennis P. Blake (ALJ), who rendered his initial decision on April 15, 2008, reversing the removal of Tegano and upholding the removal of Flynn. At its meeting on September 10, 2008, the Civil Service Commission adopted the ALJ's recommendation. The proposed decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the decision.

B-30 JOANA AIDOO

Joana Aidoo appeals the determination of the Division of Selection Services which found that she did not meet the minimum requirements in experience for the promotional examination for Assignment Clerk (PM1384J), East Orange.

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

B-31 JOHN BOCCI

John Bocci appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the qualifying examination for Administrative Analyst 4 (Data Processing), Department of Labor and Workforce Development.

ACTION: The Civil Service Commission directed that this appeal be denied but the matter of Mr. Bocci's classification be referred to the Division of State Human Resource Management.

B-32 PAZ BUTLER

Paz Butler appeals the determination of the Division of Selection Services which found that she did not meet the minimum requirements in experience for the open competitive examination for Property Clerk (M1882K), Camden City.

B-33 SCHRONE COPPIN

Larry Ross, Personnel Director with Jersey City, on behalf of Schrone Coppin, appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for the qualifying examination for Administrative Secretary, Jersey City.

ACTION: The Civil Service Commission directed that this appeal be denied but the matter of Ms. Coppin's classification be referred to the Division of Local Human Resource Management.

B-34 BARRETT M. COX

Ocean County of behalf of Barrett M. Cox appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the qualifying examination for Supervisor, Parks, Ocean County.

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

B-35 KATHLEEN M. CRISPO AND BEVERLY J. FOWLER

Kathleen M. Crispo and Beverly J. Fowler appeal the determinations of the Division of Selection Services which found that they did not meet the experience requirement for the promotional examination for Classification Officer 1 (PS6744I), Department of Corrections.

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

B-36 SANDRA DIAZ AND BEVERLY ROBINSON

Sandra Diaz and Beverly Robinson appeal the decisions of the Division of Selection Services that found that, per the substitution clause for education, Ms. Diaz was below the minimum requirements in experience, and Ms. Robinson was below the minimum requirements in education and experience for the promotional examination for Instructor Counselor (PS5522K), North Jersey Developmental Center.

B-37 TIMOTHY D. DUFFY

Timothy D. Duffy appeals the determination of the Division of Selection Services which found that he did not meet the experience requirement for the promotional examination for Supervisor Public Works (PM1385H), Pompton Lakes.

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

B-38 JANE DUKE

Jane Duke appeals the determination of the Division of Selection Services which found that she did not meet the minimum requirements in experience for the open competitive examination for Housing Assistance Technician (C0139K), Hunterdon County.

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

B-39 ELIZABETH FLYNN

Elizabeth Flynn appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Principal Clerk Typist (PS7441T), Motor Vehicle Commission.

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

B-40 THOMAS HYNES AND ANTHONY VENTORINO

Thomas Hynes and Anthony Ventorino appeal the determination of the Division of Selection Services which found that they were ineligible for the promotional examination for Equipment Operator (PM0198K), Brick Township, because the announced title did not represent a promotion.

B-41 RICHARD JENNINGS

Richard Jennings 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 Training Officer, Law Enforcement (C0164K), Essex County.

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

B-42 RICHARD KENNY

Richard Kenny 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 open competitive examination for Coordinator of Monitoring and Evaluation (C6266J), Ocean County.

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

B-43 JOHN LORD

John Lord appeals the decision of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Assistant Municipal Parks Superintendent (PM0507J), Garfield.

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

B-44 ABNER MATEO

Abner Mateo appeals the determination of the Division of Selection Services that he did not meet the experience requirement for the open competitive examination for Senior Program Analyst (M0179K), Newark.

B-45 FRANK MAZZA

Frank Mazza appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in education for the open competitive examination for Social Rehabilitation Therapist, Penal Institution (C0141K), Hudson County.

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

B-46 JOHN QUINN

John Quinn appeals the determination of the Division of Selection Services which found that she did not meet the minimum requirements in experience for the open competitive examination for Assistant Storekeeper (PC1656J), Burlington County.

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

B-47 GREGORY C. ROLLINS AND ANTHONY ROSA

Gregory C. Rollins and Anthony Rosa appeal the determinations of the Division of Selection Services which found that they did not meet the experience requirements for the promotional examination for Principal Custodian (PM0556J), Jersey City Board of Education.

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

B-48 GERARD TARINO

Gerard Tarino, represented by John F. Russo, Esq., appeals the determination of the Division of Selection Services which found that he did not meet the experience requirement for the promotional examination for Supervisor Public Works (PM1385H), Pompton Lakes.

B-49 LINDSEY TERRY

Lindsey Terry appeals the determination of the Division of Selection Services which found that she did not meet the minimum requirements in experience for the promotional examination for Governmental Relations Specialist 3 (PS5718T), Motor Vehicle Commission.

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

B-50 ROSA I. TORRES AND CASSANDRA TELFAIR

Rosa I. Torres and Cassandra Telfair 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 Administrative Secretary (M1523J), Camden City.

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

B-51 CHARLES VOLPINI

Charles Volpini appeals the determination of the Division of Selection Services which found him to be below the experience requirements for the open competitive examination for Building Services Management Specialist 4 (S0044K), Statewide.

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

B-52 JOHN ZEGARSKI

John Zegarski appeals the decision of the Division of Selection Services which found that he did not meet the experience requirements for the open competitive examination for Public Information Assistant (S0640J), Statewide.

B-53 SENIOR ACCOUNT CLERK (C1772J), CUMBERLAND COUNTY

The Division of Local Human Resource Management, on behalf of Cumberland County, requests that Erin Latimer be allowed to submit a late application for the examination for Senior Account Clerk (C1772J).

ACTION: The Civil Service Commission granted the request.

B-54 TERESA CARLISI

Teresa Carlisi appeals the manner of the examination review for the open competitive examination for Paralegal Specialist (M1527J), Newark.

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

B-55 EDWARD ESPOSITO, ET AL.

Edward Espositio and John Sherwood (PC2655J), Essex County; and Eric DeProssimo, (PC2656J), Middlesex County; appeal the promotional examination for Sheriff's Officer Sergeant (various jurisdictions).

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

B-56 GARY FLORIO, ET AL.

Gary Florio and Vera Langley (PC2667J), Essex County; Paul DeAmicis and Joseph Rekulak (PC2669J), Middlesex County; and Richard Vilacoba (PC2670J), Monmouth County; appeal the promotional examination for County Correction Sergeant (various jurisdictions).

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

VOTE: Margaret E. L. Howard (Yes)

Flavella Branham (Abstained)

John Currie (Yes)

B-57 THAISE CHAPMAN

Thaise Chapman appeals the administration of the physical performance portion of the examination for Fire Fighter (M9999H0.

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

B-58 JOSEPH RIGANO

Joseph Rigano, represented by Lynsey Johnson, Esq., appeals the test administration for the examination for Fire Fighter (M9999H). Specifically, he did not receive Americans with Disabilities Act (ADA) accommodation for the teamwork portion of the examination.

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

B-59 KEVIN MCCARTHY

Kevin McCarthy appeals his score for the promotional oral examination for Fire Chief (PM3613J), Clifton.

ACTION: The Civil Service Commission directed that this appeal be dismissed as moot.

B-60 THOMAS MONTESION

Thomas Montesion, represented by Timothy R. Smith, Esq., appeals his score for the oral portion of the examination for Police Captain (PM3560J), West Orange.

B-61 BRUCE TERRITO

The Acting Director, Division of Local Human Resource Management (LHRM) on behalf of the Sussex County Sheriff's Office, requests that the provisions of *N.J.A.C.* 4A:4-7.6 be relaxed in order to effectuate a lateral title change for Bruce Territo from the title of Juvenile Detention Officer, Sussex County, to the title of County Correction Officer, Sussex County Sheriff's Office.

ACTION: The Civil Service Commission granted the request.

B-62 MARILYN NELSON

The Department of Law and public Safety, on behalf of Marilyn Nelson, requests the relaxation of the provisions of *N.J.A.C.* 4A:6-1.22 so as to permit her to donate more than ten leave days to Charla Ward, who is participating in the donated leave program.

ACTION: The Civil Service Commission granted the request.

B-63 LENORE STRATHERN

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

ACTION: The Civil Service Commission granted the request.

B-64 CIVIL SERVICE COMMISSION MINUTES

Submitted for the Commission's adoption are the Minutes of the Civil Service Commission Meeting of September 10, 2008.

ACTION: The Civil Service Commission adopted the minutes of its meeting of September 10, 2008.

B-65 YVETTE RUE

The Motor Vehicle Commission appeals the decision of the Division of State Human Resource Management, which restored the name of Yvette Rue to the Examination Technician, Motor Vehicles (PS2052T), Motor Vehicle Commission, eligible list.

ACTION: The Civil Service Commission directed that this appeal be denied and Ms. Rue's name remain on the subject eligible list.

B-66 SHAE NORRIS

The Superior Court of New Jersey, Appellate Division, has remanded the matter of the removal of Shae Norris from his Judiciary Clerk 2 position to the Civil Service Commission to allow Norris the opportunity for a hearing on the merits of his removal.

ACTION: The Civil Service Commission directed that this appeal be referred to the Office of Administrative Law for a hearing.

B-67 DENISE CANNULI

The appeal of Denise Cannuli, a Secretarial Assistant 1 (Non-Stenographic), with the Department of Agriculture, of her resignation not in good standing effective December 28, 2006, on charges, was heard by Administrative Law Judge John Schuster, III (ALJ), who rendered his initial decision on July 17, 2008. At is meeting on September 10, 2008, the Civil Service Commission did not adopt the ALJ's recommendation to modify the resignation not in good standing to a 30-day suspension. Rather, the Commission modified the resignation not in good standing to a 15-day suspension. The proposed decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the decision.

B-68 LATEIF DICKERSON

The appeal of Lateif Dickerson, a County Correction Officer with the Hudson County Department of Corrections, of his removal effective July 19, 2006, on charges, was heard by Administrative Law Judge James A. Geraghty (ALJ), who rendered his initial decision on June 2, 2008. At its meeting on September 10, 2008, the Civil Service Commission did not adopt the ALJ's recommendation to modify the removal to a fine equal to 90 working days' pay. 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-69 CHRISTOPHER GIALANELLA AND FIORE PURCELL

The appeals of Christopher Gialanella and Fiore Purcell, Police Sergeants, of their disqualification from the promotional examination for Police Lieutenant (PM2622G), Newark, and future Police Lieutenant examinations for a threeyear period commencing on February 8, 2006 were heard by Administrative Law Judge J. Howard Solomon (ALJ), who rendered his initial decision on July 15, 2008. At is meeting on September 10, 2008, the Civil Service Commission accepted the ALJ's recommendation to dismiss the appellant's appeals regarding their disqualification from the promotional examination for Police Lieutenant (PM2622G), Newark. However, the Commission permitted the appellants to sit for the September 25, 2008 Police Lieutenant (PM2539K), Newark, examination. Subsequently, the appellants requested a make-up examination and were denied. The decision is now submitted for the Commission's review to adopt the decision which was rendered on September 10, 2008 and to consider the appellants' appeals for make-up examinations.

ACTION: The Civil Service Commission adopted the decision which was rendered on September 10, 2008 and denied the appellant's appeals for make-up examinations.

B-70 MICHELE MOORE

The appeal of Michele Moore, a County Correction Lieutenant with Hudson County of her removal, effective February 7, 2007, on charges was heard by Administrative Law Judge Imre Karaszegi (ALJ), who rendered his initial decision on May 5, 2008. At its meeting on September 10, 2008, the Civil Service Commission adopted the ALJ's recommendation to dismiss the charges and reverse the removal. The proposed decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the decision.

B-71 MICHAEL KOWNACKI

Michael Kownacki, a County Correction Sergeant with Mercer County, represented by Sidney H. Lehmann, Esq., petitions the Merit System Board for interim relief of his immediate suspension without pay, commencing on March 2, 2007.

ACTION: The Civil Service Commission directed that the appellant be granted back pay from April 1, 2007 through May 14, 2008.

B-72 EARLY SETTLEMENTS

Jerome W. Longmuir Burlington County Highway Department

Olaitan Sangobiyi Woodbridge Developmental Center Human Service Suspension

Marcia Thompson Burlington County County Jail Suspension

ACTION: The Civil Service Commission acknowledged the settlements.

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, October 8, 2008, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

Margaret E. L. Howard Presiding Member Civil Service Commission