



STATE OF NEW JERSEY  
CIVIL SERVICE COMMISSION

JON S. CORZINE  
*GOVERNOR*

HOPE L. COOPER  
*Chair/Chief Executive Officer*

**MINUTES OF REGULAR MEETING OF  
THE CIVIL SERVICE COMMISSION  
NOVEMBER 18, 2009**

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

**November 18, 2009**

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A regular meeting of the Civil Service Commission was held on Wednesday, November 18, 2009, in Trenton, New Jersey.

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

In accordance with L.1975, c.231, Hope L. Cooper, Chairperson, opened the meeting with the following statement:

Notice of this meeting was filed with the Secretary of State and sent to the Trentonian, Trenton Times, Courier-Post and Star Ledger on November 17, 2008, and posted at the Civil Service Commission, 3 Station Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

**SECTION A – HEARING MATTERS**

**A-1 SETTLEMENT**

In the Matter of Mikle Branch  
South Woods State Prison  
Department of Corrections  
Suspension

In the Matter of John Conover  
City of Somers Point  
Police Department  
Suspension

In the Matter of Jose Diaz  
City of Perth Amboy  
Tax Department  
Removal

In the Matter of Lashonn Durant  
City of Plainfield  
Department of Public Safety  
Removal

In the Matter of Thomas Page  
Passaic County  
Sheriff's Department  
Removal

In the Matter of Stephanie Walker  
Vineland Developmental Center  
Department of Human Services  
Resignation not in good standing

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

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

**A-2 MICHAEL MOODY**

Michael Moody, Police Officer, Township of Marlboro, Department of Public Safety, 10-day suspension on charges of insubordination, neglect of duty, other sufficient cause regarding performance of duty, conduct subversive of good order and the discipline of the department, refusal to obey proper orders from a superior officer and failure to comply with directives, regulations, either written or oral.

Recommendation of the Administrative Law Judge – Uphold the 10-day suspension.

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

**A-3 JEFFREY BACON**

Jeffrey Bacon, Plumber's Helper, City of Newark, Engineering Department, removal effective December 26, 2007, on charges of conduct unbecoming a public employee, neglect of duty 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-4 DARRIA BERRY**

Darria Berry, Human Services Technician, Hagedorn Psychiatric Hospital, Department of Human Services, removal effective April 15, 2008, on charges of physical or mental abuse of a patient, inappropriate physical contact or mistreatment of a patient, falsification, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

**A-5 WENDY CONTANT**

Wendy Contant, Youth Worker, Department of Children and Families, removal effective October 6, 2008, 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-6 RAFAEL DIAZ**

Rafael Diaz, Sanitation Worker North Bergen Municipal Utilities Authority, removal effective June 27, 2008, on charges of conduct unbecoming a public employee, failure to perform duties, insubordination, neglect of duty, conviction of a crime and other sufficient cause.

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

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

**A-7 DEBORAH KINZER**

Deborah Kinzer, Correction Officer Recruit, New Jersey State Prison, Department of Corrections, removal effective January 8, 2009, on charges of insubordination, chronic or excessive absenteeism or lateness, conduct unbecoming a public employee, and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

**A-8 ERIC MIKKELSON**

Eric Mikkelson, Laborer, Township of Lakewood, Department of Public Works, removal effective January 23, 2009, on charges of incompetency, inefficiency or failure to perform duties, conduct unbecoming a public employee, misuse of public property and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the removal.

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

**A-9 AIVERY WALDEN**

Aivery Walden, Fire Fighter, City of Paterson, Fire Department, removal effective January 26, 2009, on charges of inability to perform duties, conduct unbecoming a public employee, other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

**SECTION B – MISCELLANEOUS MATTERS**

**B-1 JOSE ANTONIO BETETA**

Jose Antonio Beteta, represented by Stephen B. Hunter, Esq., appeals his rejection as a County Correction Officer candidate by Hudson 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-2 WILLIAM J. CAMPBELL**

William J. Campbell appeals his rejection as a Juvenile Detention Officer candidate by Union County and its request to remove his name from the eligible list for Juvenile Detention Officer (S9999H) on the basis of psychological unfitness to perform effectively the duties of the position.

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

**B-3 XAVIER DIXON**

Xavier Dixon, represented by Estelle J. Munn, 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 ANGELA M. FORCE**

Angela M. Force 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 denied.

**B-5 DAVID M. GERHARD**

David M. Gerhard appeals his rejection as a Fire Fighter candidate by Elizabeth and its request to remove his name from the eligible list for Fire Fighter (M2273E) 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 JOEL M. HOLMSTOCK**

Joel M. Holmstock appeals his rejection as a Parole Officer Recruit candidate by the State Parole Board and its request to remove his name from the eligible list for Parole 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 denied.

**B-7 ANTHONY MAYA**

Anthony Maya 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 denied.

**B-8 RASHID ABDUNAFI**

Rashid Abdunafi, a Senior Correction Officer at East Jersey State Prison, Department of Corrections, represented by Daniel Geddes, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

**B-9 LEE BRITTON**

Lee Britton, an Electrical Mechanic with the Department of Transportation, represented by Laurence Bafundo, Esq., appeals the denial of sick leave injury (SLI) benefits.

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



**B-10 ROY BROOKS**

Roy Brooks, a Senior Correction Officer with New Jersey State Prison, 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 denied.

**B-11 BETHANN DAVIS**

BethAnn Davis, a Family Service Specialist 2 with the Department of Children and Families, appeals the denial of sick leave injury (SLI) benefits.

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

**B-12 DINO DEVIRGILIO**

Dino DeVirgilio, a Senior Parole Officer with the Juvenile Justice Commission, appeals the denial of sick leave injury (SLI) benefits.

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

**B-13 ALLEN GASKINS**

Allen Gaskins, a Senior Correction Officer with Southern State Correctional Facility, Department of Corrections, represented by Daniel Geddes, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

**B-14 BRIAN D. GIORDANO**

Brian D. Giordano, an Emergency Service Patrol Operator with the Department of Transportation, appeals the denial of sick leave injury (SLI) benefits.

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

**B-15 KELLY GONZALEZ**

Kelly Gonzalez, a Senior Correction Officer with the Edna Mahan Correctional Facility for Women, Department of Corrections, represented by Daniel Geddes, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

**B-16 MICHAEL NICOTRA**

Michael Nicotra, an Emergency Service Patrol Operator with the Department of Transportation, represented by Milton Brown, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

**B-17 ABDUL-QAADIR J. NYAHUMA**

Abdul-Qaadir J. Nyahuma, a Correction Sergeant with Garden State Reception and Youth Correctional Facility, Department of Corrections, appeals the denial of sick leave injury (SLI) benefits. This matter was held over from the October 21, 2009 Commission meeting.

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

**B-18 THOMAS PERDUE**

Thomas Perdue, a Correction Lieutenant at Northern State Prison, Department of Corrections, represented by Mario Iavicoli, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

**B-19 TIMOTHY RICHE**

Timothy Riche, a Correction Lieutenant with Southern State Correctional Facility, Department of Corrections, represented by Mario A. Iavicoli, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

**B-20 HERBERT ROESCHKE, JR.**

Herbert Roeschke, Jr., a former Senior Correction Officer at Mountainview Youth Correctional Facility, 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-21 LUIS SANTIAGO**

Luis Santiago, a Senior Correction Officer with Southern State Correctional Facility, Department of Corrections, represented by Daniel Geddes, Esq., appeals the denial of sick leave injury (SLI) benefits.

**ACTION:** The Civil Service Commission referred the matter to the Medical Examiners Panel.

**B-22 DUANE SMITH**

Duane Smith, a Crew Supervisor, Highway Maintenance with the Department of Transportation, represented by Arsenia M. Reilly, Staff Representative, CWA Local 1032, appeals the denial of sick leave injury (SLI) benefits.

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

**B-23 RONALD TUCKER**

Ronald Tucker, a Senior Correction Officer at Northern State Prison, represented by Daniel Geddes, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

**B-24 ROBERT BAILEY**

Robert Bailey, represented by Carl J. Herman, Esq., appeals the removal of his name from the eligible list for Police Officer (S9999H), Irvington, on the basis of an unsatisfactory background report.

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

**B-25 GERALD BROWN, ET AL.**

Gerald Brown and Keith Williams appeal their non-appointments from the County Correction Officer (S9999H), Mercer County eligible list. Additionally, Kelly Gogan and Tara Hendrix appeal their non-appointments from the Sheriff's Officer (S9999H), Mercer County, eligible list.

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

**B-26 ALEXANDER GONZALEZ**

Alexander Gonzalez appeals the decision of the former Division of Local Human Resource Management, which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the Police Officer (S9999H), North Bergen eligible list based on his failure to maintain residency.

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

**B-27 JASON MONTALVO**

Jason Montalvo appeals the decision of the former Division of Local Human Resource Management, which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the Police Officer (S9999H), Newark eligible list on the basis of an unsatisfactory criminal record.

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

**B-28 STEPHEN M. POWER**

Stephen M. Power appeals the decision of the former Division of State Human Resource Management, which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the Correction Officer Recruit (S9999H), Department of Corrections eligible list on the basis of an unsatisfactory employment record.

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

**B-29 BERNARD ROLLINS**

Bernard Rollins appeals his removal from the eligible list for Electrician (S0868K), Northern State Prison, Department of Corrections, based on a lack of experience.

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

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

**B-30 SUPERVISING PRINCIPAL PERSONNEL TECHNICIAN (M3064J),  
NEWARK**

The matter of whether Newark should be granted permission not to make an appointment from the March 24, 2008 certification for Supervising Principal Personnel Technician (M3064J) has been referred to the Civil Service Commission for review.

**ACTION:** The Civil Service Commission denied the request for an appointment waiver, ordered the appointing authority to properly dispose of the certification and assessed compliance costs in amount of \$1,000.

**B-31 TRUCK DRIVER (M0446K), IRVINGTON TOWNSHIP**

The appointing authority's failure to dispose of the certification for Truck Driver (M0446K), Irvington Township, while provisionals are serving in the title, has been referred to the Civil Service Commission for enforcement.

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

**B-32 GLORIA FURLONG AND WILLIAM FURLONG**

Gloria Furlong, a Supervising Administrative Analyst, with the Board of Public Utilities (BPU), and William Furlong, a Bureau Chief, appeal the determinations of the President of BPU, stating that they had failed to present sufficient evidence to support a finding that they had been subjected to violations of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

**ACTION:** The Civil Service Commission directed that these appeals be withdrawn at the request of the appellants.

**B-33 GEORGE KEMERY**

George Kemery, a former Employee Relations Coordinator with the Vineland Developmental Center, Department of Human Services, appeals the determination of the Assistant Commissioner, DHS, which found that the appellant did not 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.

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

**B-34 SUSAN MAMMOCCIO**

Susan Mammoccio, a Family Service Specialist 1 with the Department of Children and Families (DCF), appeals the determination of the Chief of Staff of DCF, stating that the appellant failed to present sufficient evidence to support a finding that she had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

**ACTION:** The Civil Service Commission directed that this appeal be granted in part and remanded to the appointing authority for further investigation.

**B-35 ALFRED MICCIO**

Alfred Miccio, a former Correction Sergeant with the Department of Corrections, appeals the determination of the Director of Equal Employment Division, which found that the appellant failed to support a finding that he had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

**B-36 TONDALE'YA BAGBY**

Tondale'ya Bagby appeals the decision of the Division of Local Human Resource Management that the proper classification of her position is Police Records Clerk. The appellant seeks a Data Control Clerk classification.

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

**B-37 JILL BOLOGNA**

Jill Bologna appeals the decision of the Division of State Human Resource Management that the proper classification of her position is Senior Clerk Typist. The appellant seeks a Principal Clerk Typist classification.

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

**B-38 GRETCHEN FOWLES**

Gretchen Fowles appeals the decision of the Division of State Human Resource Management which found that her position is properly classified as Geographic Information Systems Specialist 2.

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

**B-39 JOHN C. JOHNSON**

Cape May County appeals the determinations of the Division of Local Human Resource Management that John C. Johnson's position is properly classified as a Property Clerk. The appointing authority seeks a Prosecutor's Agent classification in this proceeding.

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



**B-40 PATRICIA LORETI**

Patricia Loreti appeals the decision of the Division of State Human Resource Management that the proper classification of her position is Supervising Administrative Analyst. The appellant seeks a Supervising Management Improvement Specialist classification.

**ACTION:** The Civil Service Commission referred the matter of the appellant's classification to the Division of State and Local Operations for re-review.

**B-41 BRIDGET SWEENEY**

Bridget Sweeney appeals the decision of the Division of State Human Resource Management which found that her position is properly classified as a Research Scientist 3, Chemistry.

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

**B-42 FELICIA TAYLOR**

Felicia Taylor appeals the decision of the Division of Local Human Resource Management that her position is properly classified as a Police Records Clerk.

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

**B-43 GREGORY BAKER**

Gregory Baker, an Assistant District Parole Supervisor with the New Jersey State Parole Board, appeals the determination of his salary upon his promotion to his current title, pursuant to N.J.A.C. 4A:3-4.9.

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

**B-44 JANICE ECKSTEIN**

Janice Eckstein, an Assistant Director, Revenue Management, with the Department of the Treasury, represented by Christopher G. Cappio, Esq., appeals her receipt of a 2.25% salary increase pursuant to the Fiscal Year 2008 Management Salary Program. The appellant also petitions the Civil Service Commission for a determination with regard to the amount of back pay due as a result of the dismissal of the criminal charges against her.

**ACTION:** The Civil Service Commission directed that the Management Salary Program appeal be denied but granted back pay in the amount of \$178,342.11 and differential back pay from September 2, 2008 to the present.

**B-45 SONIA GIRON**

Sonia Giron, represented by Ciro A. Spina, III, Esq., petitions the Civil Service Commission for enforcement of the decision rendered on October 22, 2008, wherein the Commission acknowledged a settlement agreement as clarified.

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

**B-46 MATTHEW GREER**

The Acting Director, Division of State and Local Operations, on behalf of Gloucester Township Fire District #6 and Winslow Township Fire District #1, requests that Matthew Greer be permitted to intergovernmentally transfer from Gloucester to Winslow as a Fire Fighter.

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

**B-47 THOMAS A. GRIEB**

Thomas A. Grieb, represented by Allan C. Roth, Esq., requests additional relief regarding his removal from the Fire Fighter (M2366H), Town of Kearny, eligible list.

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

**B-48 DEBORAH MOORE**

Deborah Moore, a Systems Analyst with Newark, represented by Estelle Flynn Lord, Esq., petitions the Civil Service Commission for a determination with regard to the back pay and benefits awarded in *In the Matter of Deborah Moore* (CSC, decided July 16, 2008).

**ACTION:** The Civil Service Commission granted the request in part and directed that the appellant receive compensation for 40.25 vacation days.

**B-49 JUDY PADILLA**

Judy Padilla, a former Senior Clerk Transcriber with the State Parole Board appeals the determination of her layoff rights. This matter was held over from the August 5, 2009 Commission meeting.

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

**B-50 JERSEY CITY TEMPORARY LAYOFFS**

Jersey City Public Employees, Inc., Local 245, represented by Robert R. Cannan, Esq. petitions the Civil Service Commission for a stay of the temporary layoffs of employees in Jersey City for 12 days, commencing on December 24, 2009, pending the outcome of its anticipated appeals of the good faith of the temporary layoffs.

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

**B-51 KERRY MARTIN**

The Superior Court of New Jersey, Appellate Division, has remanded the Merit System Board's decision regarding Kerry Martin to allow him another opportunity to submit evidence of mitigation and to redetermine his back pay.

**ACTION:** The Civil Service Commission awarded back pay in the amount of \$49,020.73.

**B-52 ALBERTO VASQUEZ**

Albert Vasquez, represented by John A. Young, Jr., Esq., requests additional relief regarding his removal from the Police Officer (S9999H), Jersey City, eligible list.

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

**B-53 WAYNE WILLIAMS**

Wayne Williams, represented by Stuart Ball, Esq., appeals the denial of his demotional right to the position of Assistant Administrative Analyst, Essex County and his termination from the unclassified position of Ombudsman, Essex County.

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

**B-54 MARJORIE ANGERMUELLER**

Marjorie Angermueller, a Payroll Supervisor with Oakland, petitions the Civil Service Commission for reconsideration of the final decision, rendered on August 5, 2009, which upheld her 10-day suspension.

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

**B-55 SEAY FLETCHER**

Seay Fletcher, represented by Landry Belizaire, Esq., petitions the Civil Service Commission for reconsideration of the final administrative decision, rendered on April 23, 2008, in which the Merit System Board removed his name from the Fire Fighter (M2289E), Newark eligible list. This matter was held over from the October 7, 2009 Commission meeting.

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

**B-56 THOMAS SHAPPELL**

Thomas Shappell, a Senior Correction Officer with the Edna Mahan Correctional Facility for Women, Department of Corrections, represented by Jeffrey M. Russo, Esq., requests reconsideration of the Civil Service Commission decision rendered on January 14, 2009, denying him sick leave injury (SLI) benefits.

**ACTION:** The Civil Service Commission granted the request for reconsideration, but reaffirmed its prior decision denying SLI benefits.

**B-57 ALEKSANDRA ADAMCZYK, ET AL.**

Aleksandra Adamczyk, Maureen Clifford, W.G. Harris, and Lori Hill 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 Executive Assistant (PC0319L), Essex County.

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

**B-58 IVETTE DIAZ AND MAXINE PYLES**

Ivette Diaz and Maxine Pyles appeal the decisions of the Division of Selection Services which found that, per the substitution clause for education, they did not meet the experience requirements for the promotional examination for Assistant Municipal Tax Collector (M1874K), Plainfield.

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

**B-59 DIVYESHGIR GOSAI**

Divyeshgir Gosai appeals the determination of the Division of Selection Services that he did not meet the experience requirement for the promotional examination for Superintendent of Water Intake and Supply Mains (PM0247L), Newark.

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

**B-60 STEVEN GREENLEAF**

Steven Greenleaf 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 Plumber and Steamfitter (S0873K), Northern State Prison.

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

**B-61 VANESSA HARDING**

Vanessa Harding appeals the decision 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 Assistant Municipal Tax Collector (PM1874K), Plainfield.

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

**B-62 KATHRYN D. KENNY**

Kathryn D. Kenny appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she did not meet the requirements for the open competitive examination for Human Services Specialist 2 (C0416L), Warren County.

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

**B-63 V. MATT KNIPPLE**

V. Matt Knipple appeals the determination of the Division of Selection Services which found that he failed to indicate possession of the required license and he was below the minimum requirements in experience for the open competitive examination for Head Nurse (C0340L), Cape May County.

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

**B-64 ANDREW R. LONG**

Andrew R. Long appeals the determination of the Division of Selection Services which found that he did not meet the experience requirement for the promotional examination for Technical Assistant, Classification (PS2585I), Department of Corrections.

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

**B-65 BETTY MIRDA AND VICENTE PEREZ**

Betty Mirda and Vicente Perez 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 Executive Assistant (PC0319L), Essex County.

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

**B-66 JOSEPH TARDIFF**

Joseph Tardiff appeals the determination of the Division of Selection Services that he did not meet the experience requirements for the promotional examination for Senior Field Representative, Housing Code Enforcement (PS2904D), Department of Community Affairs.

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

**B-67 VICTORIA JOHNSON**

Victoria Johnson appeals the determination of the Division of Selection Services which found her ineligible for the open competitive Entry Level Law Enforcement Examination (S9999K), due to an untimely application.

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

**B-68 CRAIG RICHARDSON**

Craig Richardson, represented by Harley D. Breite, Esq., appeals his disqualification from the open competitive Entry Level Law Enforcement Examination (S9999K).

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

**B-69 DEVIN MOONEY**

Devin Mooney appeals the administration of the open competitive Entry Level Law Enforcement Examination (S9999K).

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

**B-70 HIMANSHU ANTALA**

Himanshu Antala requests a make-up examination for the Entry Level Law Enforcement Examination (S9999K).

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

**B-71 ANTHONY DURA**

Anthony Dura requests a make-up examination for the open competitive examination for County Park Ranger (C2148J), Monmouth County.

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

**B-72 ANNETTE AGABITI**

The Division of Selection Services, on behalf of the Department of the Treasury, requests that the provisions of N.J.A.C. 4A:4-1.1(c) be relaxed in order to allow Annette Agabiti to be provisionally appointed, pending promotional examination procedures, to the competitive title of Technical Assistant 3.

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



**B-73 ELIZABETH CARTER**

The Division of State and Local Operations, on behalf of the Department of Law and Public Safety, requests that the provisions of N.J.A.C. 4A:4-1.1(c) be relaxed in order to allow Elizabeth Carter to be provisionally appointed, pending promotional examination procedures, to the competitive title of Technician Management Information Systems.

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

**B-74 PROPOSED AMENDMENTS TO N.J.A.C. 4A:4-3.3, DURATION AND CANCELLATION OF ELIGIBLE LISTS**

Submitted for the Civil Service Commission's review are proposed amendments to N.J.A.C. 4A:4-3.3 to address concerns raised about the practice of "list shopping" by appointing authorities in certain instances where an old list is still available when a new list is issued. It is recommended that this proposal be approved for publication in the New Jersey Register for public notice and comment.

**ACTION:** The Civil Service Commission approved for publication the proposed amendments to N.J.A.C. 4A:4-3.3, Duration and Cancellation of Eligible Lists.

**B-75 PROPOSED REPEAL OF N.J.A.C. 4A:8-1.1A, TEMPORARY LAYOFFS**

Submitted for the Civil Service Commission's review is a Notice of Adoption of the proposed repeal of N.J.A.C. 4A:8-1.1A, Temporary Layoffs. One written comment was received in support of the repeal. It is recommended that this proposal be adopted by the Commission.

**ACTION:** The Civil Service Commission adopted the repeal of N.J.A.C. 4A:8-1.1A.

**B-76 PROPOSED CIVIL SERVICE COMMISSION MEETING DATES FOR 2010**

The proposed Civil Service Commission Meeting Dates for 2010 are submitted for approval.

**ACTION:** The Civil Service Commission approved the meeting schedule for 2010.

**B-77 CIVIL SERVICE COMMISSION MEETING MINUTES**

The Civil Service Commission Meeting Minutes of its meeting of November 5, 2009 are submitted for adoption.

**ACTION:** The Civil Service Commission adopted the minutes of its meeting of November 5, 2009.

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

**B-78 GEORGE ADAUOPOULOS, ET AL.**

George Adauopoulos, Margot Antonelli, Lauren Barbosa, Michael Campanile, Richard Cupparo, Michael Doyle, James Fessano, Carmelo Giustra, Christopher Howe, Timothy Lindsay, Alexander Knaggs, Henry Koziol, Robert Palu, Brian Pell, Timothy Scannell, Lawrence Smith, Gabriel Soto, Steven Stallard, and Michael Thibault request retroactive permanent appointment dates as Sheriff's Officer, Bergen County.

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

**B-79 WALTER GRAHAM**

The Department of Corrections, represented by Christopher J. Hamner, Deputy Attorney General, requests interlocutory review of the oral order of Administrative Law Judge (ALJ) W. Todd Miller in *Walter Graham v. Department of Corrections*, CSC Docket No. 2009-3782, OAL Docket No. CSV 8004-09, pursuant to N.J.A.C. 1:1-14.10(a).

**ACTION:** The Civil Service Commission granted interlocutory review and reversed the Administrative Law Judge's order.

**B-80 LAUREN SCHWARTZ**

The Superior Court of New Jersey, Appellate Division, has remanded the matter of whether Lauren Schwartz timely filed an appeal of her removal effective May 27, 2009, to the Civil Service Commission for a hearing at the Office of Administrative Law.

**ACTION:** The Civil Service Commission granted a hearing.

**B-81 MARC PITTS**

The appeal of Marc Pitts, a Laborer with the Township of Marlboro, of his 30-day suspension, on charges, was heard by Administrative Law Judge Ana C. Viscomi (ALJ), who rendered her initial decision on August 27, 2009. At its meeting on November 5, 2009, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to uphold the 30-day suspension. Rather, the Commission modified the 30-day suspension to a 15-day suspension. The proposed final decision is now submitted for the Commission's review.

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

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

**B-82 EARLY SETTLEMENTS**

Doreen Evans  
 Atlantic County  
 Department of Human Services  
 Resignation not in good standing

Krystal Perkins  
 Judiciary  
 Hudson Vicinage  
 Suspension

Nicole Scott  
Judiciary  
Essex Vicinage  
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, December 2, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.**

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**Hope L. Cooper**  
**Chairperson**  
**Civil Service Commission**