



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
JANUARY 13, 2010**

**Hope L. Cooper, Chairperson
Flavella Branham
John Currie**

January 13, 2010

A regular meeting of the Civil Service Commission was held on Wednesday, January 13, 2010, in Trenton, New Jersey.

PRESENT: Hope L. Cooper, Chairperson, 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, 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 20, 2009, and posted at the Civil Service Commission, 3 Station Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

Gregory Bibb, City of Newark, Police Department, removal.

Lloyd Boggs, Garden State Correctional Facility, suspension.

Kenneth Boyars, Judiciary, Middlesex County Superior Court, indefinite suspension.

Erica Calloway, Essex County, removal.

Faruque Chowdhury, Kean University, discrimination appeal.

Ray D'Amato, Township of Scotch Plains, removal.

Anthony Davis, City of Newark, Police Department, removal.

Karen Drewery, Ancora, Psychiatric Hospital, Department of Human Services, indefinite suspension.

Shantel Echevarria, Burlington County Jail, suspension.

Tyne Edwards, Essex County, Department of Corrections, removal.

Stephanie Forman, New Lisbon Developmental Center, Department of Human Services, removal.

Robert Jacobson, Weehawken Township, suspension.

Rosalind Mendez, City of Pleasantville, good faith layoff.

Joaquin Nieto, Weehawken Township, removal.

Abdul-Qaadir, Albert C. Wagner Youth Correctional Facility, suspension.

Christian Ostrowski, Scotch Plains, good faith layoff.

Ivonne Padmore, Hunterdon Developmental Center, Department of Human Services, indefinite suspension.

Perth Amboy Fire Department Emergency Medical Technicians, City of Perth Amboy, good faith layoff.

Pharenton Rolle, Ancora Psychiatric Hospital, Department of Human Services, indefinite suspension.

Carmela Santora, Hammonton, good faith layoff.

Michael Scharschmidt, Trenton Psychiatric Hospital, Department of Human Services, removal.

Louise Ann Stewart, Hudson County, Department of Corrections, suspension.

John Sullivan, Central Office Police Department, Department of Human Services, removal.

Nakia Sydnor Cumberland County, suspension.

Iesha Tellis, Vineland Developmental Center, suspension.

DISMISSAL OF APPEALS – FAILURE TO APPEAR

The Civil Service Commission dismissed the following cases without prejudice for failure to appear at the scheduled hearing before the Office of Administrative Law:

Tamika Davis, Ancora Psychiatric Hospital, Department of Human Services, suspension.

Tiona Goodwine, Ancora Psychiatric Hospital, Department of Human Services, suspensions (3).

Marc Lymych, Department of Transportation, suspension and removal.

Kim McLaughlin, New Lisbon Developmental Center, Department of Human Services, suspension.

Elvin Vallejo, Department of Children and Families, release at the end of the working test period.

Keisha Walker, Newark School District, removal.

Lamont Williams, Bergen County Board of Social Services, release at the end of the working test period.

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

In the Matter of Joseph Ajibade
Essex County
Department of Health and Rehabilitation
Removal

In the Matter of Lisa Bonifazi
Mercer County
Sheriff's Department
Removal

In the Matter of Jorge Cintron
Northern State Prison
Department of Corrections
Removal

In the Matter of Dodie Hogan
Judiciary, Union Vicinage
Suspension

In the Matter of Marlene Johnson-Banks
Cumberland County
Cumberland Manor
Suspension

In the Matter of Antonio Locascio
Bergen County
Department of Public Works
Removal

In the Mater of Mercy Perez
Department of Children and Families
Release at the end of the working test period

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

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 LAWRENCE FURLOW

Lawrence Furlow, Police Officer, City of Newark, Police Department, 30-day suspension on charges of conduct unbecoming a public employee and violation of Police Department rules regarding conduct in public and private.

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

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

A-3 ROBERT LEMAY

Robert Lemay, Public Safety Telecommunicator, City of Newark, Fire Department, 16-day suspension on charges of conduct unbecoming a public employee, neglect of duty, misuse of public property, and violation of Newark Fire Department rules and regulations.

Recommendation of the Administrative Law Judge – Modify the 16-day suspension to a six day suspension.

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

A-4 DANIEL MURRAY (REMAND)

Daniel Murray, former Correction Lieutenant, East Jersey State Prison, Department of Corrections, 30-day suspension on charges of violation of rules regarding discrimination that affects equal employment, policy prohibiting racial and/or sexual harassment, discrimination and/or retaliation, inappropriate physical contact or mistreatment of an inmate, patient, client, resident, or employee and conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Acknowledge the settlement.

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

A-5 FERNANDO SALVA

Fernando Salva, Correction Officer Recruit, New Jersey State Prison, Department of Corrections, release at the end of the working test period effective July 9, 2008.

Recommendation of the Administrative Law Judge – Reverse the release at the end of the working test period and grant a new shortened working test period.

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

A-6 GEORGE THOMAS

George Thomas, Boiler Operator, City of Newark, Department of Engineering, 10-day suspension on charges of incompetency, inefficiency or failure to perform duties, neglect of duty and other sufficient cause.

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-7 ROXANNE BANDIGAN

Roxanne Bandigan, Nurse Aide, Monmouth County, Department of Health care Facilities, removal effective January 6, 2009, on charges of inability to perform duties, 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 JEFFREY BUSCEMI

Jeffrey Buscemi, Cottage Training Technician, Hunterdon Developmental Center, Department of Human Services, removal effective July 9, 2008, on charges of 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-9 ALETHA CROSLAND

Aletha Crosland, Human Services Technician, Trenton Psychiatric Hospital, Department of Human Services, removal effective January 28, 2009, 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 – Modify the removal to a ninety-day suspension.

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

A-10 MATTHEW JUNIEWICZ

Matthew Juniewicz, Police Officer, Atlantic City, Department of Public Safety, removal effective September 19, 2008, on the charge of inability to perform duties.

Recommendation of the Administrative Law Judge – Reverse the removal.

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

A-11 MELISSA MALTBY

Melissa Maltby, Clerk Typist, Middlesex County, Department of Consumer Affairs, removal effective May 12, 2008, on charges of conduct unbecoming a public employee, other sufficient cause, violation of County personnel policy regarding false statements, neglect of duty and failure to perform duty.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-12 SETTLEMENTS

In the Matter of Beverly Lane
Cumberland County
Cumberland Manor
Suspension and removal

In the Matter of Jessica Magoulis
Township of Brick
Department of Public Safety
Removal

In the Matter of Linda Pierce
Cumberland County
Department of Corrections
Demotion, removal and resignation not in good standing

In the Matter of Jenise Santos
Camden County
Department of Corrections
Release at the end of the working test period and suspension

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

ACTION: The Civil Service Commission acknowledged the settlements.

SECTION B – MISCELLANEOUS MATTERS

B-1 KRISTINA M. COTTRELL

Kristina M. Cottrell appeals her rejection as a Police Officer candidate by Lakewood and its request to remove her 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 granted.

B-2 BRUCE GILMER

Bruce Gilmer appeals his rejection as a Police Officer candidate by Phillipsburg 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 granted.

B-3 LUCIDIA AFANADOR

Lucidia Afanador, a Practical Nurse with the Vineland Development 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.

B-4 WILLIAM CRAMPTON

William Crampton, a Correction Sergeant with the Department of Corrections, appeals the denial of sick leave injury (SLI) benefits.

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

B-5 JOSEPH DESMOND

Joseph Desmond, a Senior Correction Officer with South Woods State Prison, Department of Corrections, represented by Michael D. Capizola, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-6 CAROLYN DICKS-KEE

Carolyn Dicks-Kee, a Financial Specialist 1 with the Judiciary, Camden Vicinage, represented by John M. Chomko, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-7 RICARDO EALY

Ricardo Ealy, a Senior Correction Officer with the 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-8 LYNN ELLIOTT

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

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

B-9 ALFREDA GREGORY-KIRKLAND

Alfreda Gregory-Kirkland, a Senior Correction Officer with the Mid-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-10 ANTOINETTE MURRAY

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

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

B-11 MADELYN PEREZ

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

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

B-12 DARREL PIERCE

Darrel Pierce, a Senior Correction Officer with South Woods State Prison, Department of Corrections, represented by Donald C. Barbati, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-13 KENNETH REED

Kenneth Reed, a Senior Correction Officer, Juvenile Justice, with the Juvenile Justice Commission, 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 FREDERICK SMITH

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

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

B-15 DAVID ZALESKI

David Zaleski, a Teacher 1, 12 Months 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-16 MICHELLE DEGESO

Long Beach requests that the eligible list for Senior Public Safety Telecommunicator (PM0724E) be revived in order to effectuate the permanent appointment of Michelle DeGeso, effective January 1, 2004.

ACTION: The Civil Service Commission granted the request.

B-17 NEW JERSEY ENVIRONMENTAL MANAGEMENT SYSTEM STAFF CONSOLIDATION RETROACTIVE APPOINTMENT DATES II

The Department of Environmental Protection requests retroactive permanent appointment dates for Anne Clevenger and Annette DeBlois.

ACTION: The Civil Service Commission granted the request.

B-18 CHARLES GALLO

Charles Gallo, represented by Annette Verdesco, Esq., appeals the determinations of the former Division of Local Human Resource Management, which upheld the bypasses of his name on the November 3, 2008, December 10, 2008 and December 29, 2008 certifications of the Police Sergeant (PM2534G), Linden, eligible list.

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

B-19 CHARLES GLAGOLA

The Borough of Roselle requests that the eligible list for Health Officer (M9395F) be revived in order to effectuate the permanent appointment of Charles Glagola, effective November 18, 2004.

ACTION: The Civil Service Commission granted the request.

B-20 ANGELO MAGARELLI

Angelo Magarelli 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 his name from the Police Officer (S9999H), Jersey City, eligible list as a result of an unsatisfactory background report. The appellant also appeals the removal of his name from the Police Officer (S9999K), Jersey City, eligible list as a result of an unsatisfactory criminal record.

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

B-21 JOHN T. MCDONNELL

John T. McDonnell requests restoration of his name on the State Park Police Officer Trainee (S9999H) eligible list.

ACTION: The Civil Service Commission denied the request.

B-22 PATRICK O'HARA

Patrick O'Hara, represented by Joseph A. Ascoli, Esq., appeals the decision of the Division of Local Human Resource Management which upheld the removal of his name from the Fire Fighter (M2377H), Newark, eligible list due to his failure to meet the residency requirement.

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

B-23 KANILEAH PHELPS

Kanileah Phelps appeals the decision of the Division of State and Local Operations, which removed the appellant's name from the Supervising Family Service Specialist 2 (PS6051K), Department of Children and Families, employment list due to the appellant's failure to respond to the Certification Notice.

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

B-24 ALVIN SCULLY

Alvin Scully appeals the determination of the former Division of Local Human Resource Management, which upheld the bypasses of his name on the August 3, 2007 and June 5, 2008 certifications of the Police Captain (PM3545H), Florence, eligible list.

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

B-25 TYRONE TAYLOR

Tyrone Taylor appeals the decision of the Division of State Human Resource Management which upheld the removal of his name from the Assistant Family Service Worker 2 (S0529H), Department of Children and Families, eligible list on the basis of making false statements of material facts on his preemployment application.

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

B-26 MARTHA THOMAS

Martha Thomas appeals the bypass of her name on the June 10, 2008 certification of the Supervising Family Service Specialist 1 (PS6054K), Department of Children and Families, eligible list.

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

B-27 ACCOUNT CLERK/CASHIER TYPING (M0270K), JERSEY CITY

Jersey City requests permission not to make an appointment from the November 2008 certification for Account Clerk/Cashier Typing (M0270K).

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

B-28 PURCHASING ASSISTANT (M0208K), NEWARK SCHOOL DISTRICT

The Division of State and Local Operations requests that the Newark School District be ordered to return the January 26, 2009 certification (OL090109) of the eligible list for Purchasing Assistant (M0208K), for proper disposition.

ACTION: The Civil Service Commission granted the request.

B-29 WATER METER READER (M0931K), BELLEVILLE

Belleville requests permission not to make an appointment from the June 23, 2009 certification for Water Meter Reader (M0931K).

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

B-30 ZONING OFFICER (M0250L), ASBURY PARK

Asbury Park requests permission not to make an appointment from the June 9, 2009 certification for Zoning Officer (M0250L).

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

B-31 ANITA BOSE

Anita Bose, a Senior Laboratory Technician with the Division of State Police, Department of Law and Public Safety, appeals the determination of the Chief of Staff, which found sufficient evidence to support a finding that she had violated the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

B-32 JULIANA EBEWO

Juliana Ebewo, a Supervising Family Service Specialist 2 with the Department of Children and Families, appeals the determination of the Director of Administration, which found sufficient evidence that the appellant had violated the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

B-33 ROZELIA FLOURNOY

Rozelia Flournoy, a Police Sergeant with the Department of Human Services, appeals the determination of the Assistant Commissioner, which found that the appellant failed 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 denied.

B-34 ROBIN MAGARGAL

Robin Magargal, a former Secretarial Assistant 3 with the Department of Military and Veterans' Affairs, appeals the determination of the Acting Director of the Division of Equal Employment Opportunity and Affirmative Action, Department of Personnel, stating that the appellant failed to present sufficient evidence to support a finding that she had been subjected to additional violations of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

VOTE:	Hope L. Cooper	(Abstained)
	Flavella Branham	(Yes)
	John Currie	(Yes)

B-35 SHAWN REED

Shawn Reed, a Senior Food Service Handler with Hunterdon Developmental Center, Department of Human Services, appeals the determination of the Assistant Commissioner which found sufficient evidence that the appellant had violated the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

B-36 MICHAEL SHARP

Michael Sharp, a Senior Correction Officer with South Woods State Prison, Department of Corrections (DOC), appeals the determination of the Director of DOC's Equal Employment Division, 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.

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

B-37 JOSEPH BLUSNAVAGE

Joseph Blusnavage appeals the decision of the Division of Human Resource Management which found that his position is properly classified as Engineer in Charge of Maintenance 2, effective March 14, 2009. Mr. Blusnavage seeks a Building Manager job classification in this proceeding.

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

B-38 SONYA THOMAS

Sonya Thomas appeals the determination of the former Division of Local Human Resource Management that her position is properly classified as a Principal Clerk Typist. The appellant seeks an Administrative Secretary classification in this proceeding.

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

B-39 JUVENILE DETENTION OFFICER TITLE SERIES, MERCER COUNTY YOUTH DETENTION CENTER

The International Brotherhood of Teamsters, Local 102, represented by Dana E. Lossia, Esq., on behalf of incumbents in the Youth Worker title series employed at the Mercer County Youth Detention Center, appeals the decision of the Division of Local Human Resource Management that the proper classifications of these positions are in the Youth Worker title series. The appellant seeks Juvenile Detention Officer classifications for these positions.

ACTION: The Civil Service Commission directed the Division of State and Local Operations to conduct a further classification review of the positions in the Youth Worker title series at the Mercer County Youth Detention Center.

B-40 SPECIAL LAW ENFORCEMENT OFFICER, NEWARK SCHOOL DISTRICT

The Division of State and Local Operations requests that the Civil Service Commission order the Newark School District to remove eight employees from the title of Special Law Enforcement Officer.

ACTION: The Civil Service Commission granted the request.

VOTE: **Hope L. Cooper** **(Yes)**
 Flavella Branham **(Abstained)**
 John Currie **(Yes)**

B-41 DIANE FOGLER

Diane Fogler, a former Cashier/Food Service Worker with the Newark School District, represented by Nancy I. Oxfeld, Esq., requests a hearing on her removal from employment.

ACTION: The Civil Service Commission denied the request.

B-42 LATHEY WIRKUS

Lathey Wirkus, a Deputy Fire Chief with Elizabeth, represented by Benjamin A. Spivack, Esq., appeals his reassignment.

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

B-43 JEANNELLY RODRIGUEZ

Jeannelly Rodriguez, a former Public Safety Telecommunicator with Passaic County, represented by Benjamin A. Spivack, Esq., appeals her resignation in good standing.

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

B-44 ROBIN JONES, ET AL.

The Department of Environmental Protection requests a waiver of repayment of salary overpayments to Robin Jones, Shanya Pressley, Patrick Sanders, Philip Savoie, Matthew Zehr, Scott Michenfelder, Todd Boyer, Mark Burghoffer, Timothy Davis, Peter Madan, Michael Cisek, Vincent Garbarino and Brian Barbanish, all Principal Environmental Specialists (Air Pollution Control); Keith Vaughn, Sal Caccavale and Mildred Defeo, all Principal Environmental Specialists (Water Resources); Richelle Wormley and Patricia Conti, both Managers 4s, Environmental Protection (Technical/Scientific); Dineshbhai Patel, a Principal Environmental Engineer (Waste Management); John Smith, a Supervising Environmental Specialist (Air Pollution Control); and John Walsh, a Section Chief, Environmental Protection, pursuant to *N.J.S.A. 11A:3-7*, which provides that when an employee has erroneously received a salary overpayment, the Civil Service Commission may waive repayment based on a review of the case.

ACTION: The Civil Service Commission denied the request.

B-45 JOHN ROURKE

John Rourke, a Network Administrator 1 with the Office of Information Technology, requests a waiver of repayment of a salary overpayment pursuant to *N.J.S.A. 11A:3-7*, which provides that when an employee has erroneously received a salary overpayment, the Civil Service Commission may waive repayment based on a review of the case.

ACTION: The Civil Service Commission denied the request.

B-46 MIGUEL RIVERA

The City of Trenton, represented by Stephen E. Trimboli, Esq., seeks enforcement of the Civil Service Commission decision rendered on September 24, 2008, granting Miguel Rivera, a Water Repairer, mitigated back pay, benefits and seniority and counsel fees.

ACTION: The Civil Service Commission awarded back pay in the amount of \$3,205.82 and counsel fees in the amount of \$14, 100.

B-47 VANESSA AKBAR, ET AL.

Vanessa Akbar, Richard Carter, Edna Salas, and Matthew Tomasic, Software Development Specialists 1, Steven Goldsmith and Rosemary Stecher, Software Specialists 2, and Mark Klosinski, a Telecommunications Systems Analyst 3, with the Office of Information Technology (OIT), represented by Dudley Burdge, Senior Staff Representative, Communications Workers of America, Local 1032, request reconsideration of the decisions rendered on April 15, 2009 which found that the duties and responsibilities of their positions would be properly classified by the titles Software Development Specialist 2, Software Development Specialist 3, and Data Processing Systems Programmer 1, OIT, respectively.

ACTION: The Civil Service Commission granted the request for reconsideration in part.

B-48 NICOLE BALDWIN

Nicole Baldwin, a County Correction Officer with Mercer County, represented by Stuart J. Alterman, Esq., requests reconsideration of the final decision of the Civil Service Commission, rendered on August 19, 2009, which upheld a 10-day suspension on charges.

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

B-49 JEANETTE CRUZ

Jeanette Cruz, a Human Services Technician at Ancora Psychiatric Hospital, Department of Human Services, represented by Geoffrey B. Gompers, Esq., seeks Civil Service Commission resolution of a dispute concerning back pay, benefits, and counsel fees due to her as a result of the decision, rendered on July 22, 2009, which reversed her 90-day suspension.

ACTION: The Civil Service Commission awarded back pay in the amount of \$7,163.80, counsel fees in the amount of \$65,210, and costs in the amount of \$469.63.

B-50 DANNY GLENN

Danny Glenn, a former Public Works Inspector with Irvington, requests reconsideration of the final decision of the Civil Service Commission, rendered on March 11, 2009, which upheld his removal, effective July 24, 2006, on charges.

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

VOTE:	Hope L. Cooper	(Yes)
	Flavella Branham	(Abstained)
	John Currie	(Yes)

B-51 KYLE LEACH AND NICHOLAS ANDRIJANOFF

Cumberland County, represented by Theodore E. Baker, Esq., petitions the Civil Service Commission for reconsideration of the final decision, rendered on October 21, 2009, which awarded \$20,777.48 in back pay to Kyle Leach and \$45,564.36 in back pay to Nicholas Andrijanoff. Leach and Andrijanoff, represented by John P. Rowland, Esq., petition the Commission for enforcement of the October 21, 2009 decision.

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

B-52 SENIOR CLERK TYPIST (M1200H) & (M1576J), BOROUGH OF SOUTH PLAINFIELD

The Borough of South Plainfield requests reconsideration of the decision, rendered on April 29, 2009, by the Civil Service Commission in *In the Matter of Senior Clerk Typist (M1200H) & (M1576J), Borough of South Plainfield*, which ordered it to properly dispose of the April 2, 2008 certification within 30 days.

ACTION: The Civil Service Commission granted the request for reconsideration in part.

B-53 JOSEPH SANGER

The appeal of Joseph Sanger, a Police Officer with the City of Newark, of his six-month suspension and removal effective June 15, 2007, on charges, was heard by Administrative Law Judge Margaret M. Monaco, who rendered her initial decision on September 14, 2009. At its meeting on December 16, 2009, the Civil Service Commission adopted the ALJ's recommendation to reverse the removal, but did not adopt the ALJ's recommendation to modify the six-month suspension to a 30-day suspension. Rather, the Commission reversed the six-month suspension.

ACTION: The Civil Service Commission adopted the decision.

VOTE:	Hope L. Cooper	(Yes)
	Flavella Branham	(Abstained)
	John Currie	(Yes)

B-54 JOHN STAFFORD

The appeal of John Stafford, a Senior Police Officer with the Department of Human Services, of his 10 working day suspension, on charges, was heard by Administrative Law Judge Joseph F. Martone, who rendered his initial decision on November 2, 2009. At its meeting on December 16, 2009, the Civil Service Commission did not adopt the ALJ's recommendation to modify the 10 working day suspension to a 5 working day suspension. Rather, the Commission upheld the 10 working day suspension.

ACTION: The Civil Service Commission adopted the final decision.

B-55 VANESSA WARREN

The appeal of Vanessa Warren, a Senior Correction Officer at Northern State Prison, Department of Corrections, of her removal, effective February 6, 2009, on charges, was heard by Administrative Law Judge Walter M. Braswell, who rendered his initial decision on November 18, 2009, modifying the removal to a six-month suspension. At its meeting on December 16, 2009, 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.

ACTION: The Civil Service Commission adopted the final decision.

B-56 VANESSA ACEVEDO, ET AL.

Vanessa Acevedo, Mardea Dhaliwal, Melanie Held, Lynett Lippencott, Yakov Litovsky and Eugene Oboh appeal the determinations of the Division of Selection Services which found that they were below the minimum requirements in education for the open competitive examination for Probation Officer (S4444L). Susan Chew appeals the determination of Selection Services which found that she was not eligible for the open competitive examination for Probation Officer (S4444L) because she did not provide an evaluation of her foreign transcript. Ms. Acevedo also appeals the determination of Selection Services which found that she was below the minimum requirements in education for the open competitive examination for Probation Officer (Bilingual in Spanish and English) (S4445L).

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

B-57 BERNARD BLAKE, ET AL.

Bernard Blake, Fire Captain (PM3510L), Plainfield; Todd Bowen, Fire Captain (PM3529L), Bridgeton; Antonio Gary and Dean Koep Jr., Fire Captain (PM3533L), Irvington; William Hasko and Lawrence Kolesa, Fire Captain (PM3534L), Linden; Douglas Rowell, Fire Captain (PM3535L), Long Branch; David Hamilton, Fire Captain (PM3539L), Nutley; and Chris DuFlocq, Fire Captain (PM3542L), Ridgewood, appeal the correct responses to various questions on their respective promotional examinations.

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

B-58 GRADY BUTTS

Grady Butts appeals the determination of the Division of Selection Services that he did not meet the experience requirements for the promotional examination for Road Inspector (PC0190L), Salem County.

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

B-59 CARLTON DUDLEY, ET AL.

Carlton Dudley, Jerry Schoenleber, and Frank Sorce appeal their scores and the validity of the promotional examination for Section Chief, Environmental Protection (PS2377G), Department of Environmental Protection.

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

B-60 PATRICIA DUMPERT AND EDWIN GUEVARA-PLAZA

Morris County requests that promotional examinations for Senior Clerk Typist and Site Manager, Nutrition Program, be announced in its Department of Human Services and a waiver of the examination fee be granted to Patricia Dumpert and Edwin Guevara-Plaza.

ACTION: The Civil Service Commission directed that the eligible lists Senior Clerk Typist (PC1984K) and Site Manager, Nutrition Program (PC2018K), be certified for one time to the Department of Human Services, Morris County and then the lists be cancelled.

B-61 GLORIA T. GRANT AND MARK S. GRUZLOVIC

Gloria T. Grant and Mark S. Gruzlovic appeal their scores and the validity of the promotional examination for Section Chief, Environmental Protection (PS2371G), Department of Environmental Protection.

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

B-62 MARTIN GRAY, ET AL.

Martin Gray (PM3573L), Garfield; Anthony Minosse (PM3574L), Gloucester Township; Kenneth Deboskey, Shane Harrison and Lawrence Sweeney (PM3576L), Hamilton; Mark Ubry (PM3581L), Lawrence; and Matthew Koep (PM3595L), South Plainfield, appeal the written examination for Police Captain (various jurisdictions).

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

B-63 JOHN HALLQUIST

John Hallquist appeals the denial of his request for a make-up examination for Fire Captain (PM3537L), Millville.

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

B-64 MARCY L. KLEIN AND MICHAEL A. LAROSSA

Marcy L. Klein and Michael A. LaRossa appeal the determinations of the Division of Selection Services which found that they did not meet the experience requirement for the promotional examination for Manager 3, Division of Motor Vehicles (PS8388T), Motor Vehicle Commission.

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

B-65 DANIEL PAYNE

Daniel Payne requests to be retested for the examination for Battalion Fire Chief (PM3501L), Camden.

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

B-66 HECTOR RIVERA

Hector Rivera appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the open competitive examination for Technical Assistant 3, Community Affairs (S6980J).

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

B-67 CHRISTINE TOMER

Christine Tomer appeals the determination of the Division of Selection Services that she did not meet the experience requirement for the promotional examination for Institutional Trade Instructor 2, Cooking (PS3828I), Department of Corrections.

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

B-68 STEVEN WINTERS

The Superior Court, Appellate Division, has remanded the appeal of Steven Winters, concerning the correct response to question 40 of the multiple-choice portion of the examination for Fire Officer 2 (PM3502G), North Hudson Regional Fire and Rescue.

ACTION: The Civil Service Commission directed that Question 40 be double keyed to options a and c.

B-69 LINDA LONG

The appointing authority requests that the provisions of N.J.A.C. 4A:6-3.4(a), which govern the time period in which employees must file an application for Supplemental Compensation on Retirement (SCOR), be relaxed to permit Linda Long, a former Social Worker 2, Corrections (Bilingual in Spanish and English), with Mid-State Correctional Facility, Department of Corrections, to submit a late application for SCOR benefits.

ACTION: The Civil Service Commission granted the request.

B-70 WOODBRIDGE FIRE DISTRICT #1

The matter of whether the sick leave policy for Woodbridge Fire District #1 comports with Civil Service law and rules has been referred to the Civil Service Commission for review.

ACTION: Find that the provision in Article VIII, Section 1.13 of the collective negotiations between the Fire District and International Association of Firefighters Local 290 permitting sick leave to be used for personal business is in contravention of Civil Service rules and ordered the appointing authority to immediately desist from approving such sick leave.

B-71 WILLIAM DONAHUE

The Department of Law and Public Safety, on behalf of William Donahue, requests the relaxation of the provisions of *N.J.A.C. 4A:6-1.22* so as to permit him to donate more than 10 sick days to Paula Donahue, who is participating in the donated leave program.

ACTION: The Civil Service Commission granted the request.

B-72 CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of December 16, 2009.

ACTION: The Civil Service Commission adopted the minutes of its meeting of December 16, 2009.

B-73 LATERAL TITLE CHANGE FROM COUNTY CORRECTION OFFICER TO SHERIFF'S OFFICER I, BERGEN COUNTY SHERIFF'S OFFICE

The Bergen County Sheriff's Office, represented by Thomas Quirico, Esq., requests reconsideration of the decision rendered on June 24, 2009 concerning the appointments of 44 County Correction Officers assigned duties consistent with a Sheriff's Officer classification.

ACTION: The Civil Service Commission granted the request for reconsideration.

VOTE:	Hope L. Cooper	(Yes)
	Flavella Branham	(Yes)
	John Currie	(Abstained)

B-74 JOINT REQUEST REGARDING UNPAID FURLOUGH DAYS FOR REPRESENTED EMPLOYEES PILOT PROGRAM

The Communications Workers of America, the International Federation of Professional and Technical Engineers, Local 195, and the American Federation of State, County, and Municipal Employees, Council 1 jointly request that the Civil Service Commission take action to implement the terms of the various Memoranda of Agreement concerning unpaid furlough days, creation of Paid Leave Banks, and retention of seniority for Civil Service seniority-related programs.

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

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, January 27, 2010, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

Hope L. Cooper
Chairperson
Civil Service Commission