



STATE OF NEW JERSEY  
CIVIL SERVICE COMMISSION

Chris Christie  
*Governor*  
Kim Guadagno  
*Lt. Governor*

Robert M. Czech  
*Chair/Chief Executive Officer*

**MINUTES OF REGULAR MEETING OF  
THE CIVIL SERVICE COMMISSION  
SEPTEMBER 7, 2011**

**Robert M. Czech, Chairperson  
Thomas J. Perna  
Richard E. Williams**

September 7, 2011

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A regular meeting of the Civil Service Commission was held on Wednesday, September 7, 2011, in Trenton, New Jersey.

**PRESENT:** Robert M. Czech, Chairperson, Members Thomas J. Perna and Richard E. Williams; Pamela Ullman, Deputy Attorney General; Henry Maurer, Director, Division of Merit System Practices and Labor Relations.

In accordance with L.1975, c.231, Robert M. Czech, 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 December 20, 2010, 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 SETTLEMENTS

In the Matter of Bianca Cabrera  
City of Perth Amboy  
Department of General Government  
Removal

In the Matter of Angela Clouston  
New Lisbon Development Center  
Department of Human Services  
Removal

In the Matter of Rhonda Crawley  
Veterans Memorial Home, Paramus  
Military and Veterans' Affairs

Removal

In the Matter of Emanuel J. Doe

Civil Service Commission

Removal and Resignation not in good standing

**VOTE: Robert M. Czech (Abstained)**

**Thomas J. Perna (Yes)**

**Richard E. Williams (Yes)**

In the Matter of Latora Lewis

Newark School District

Suspension

In the Matter of Antonio McClain

Newark School District

Suspension

In the Matter of Tyona Mitchell

Hudson County

Sheriff's Department

Removal and Resignation not in good standing

In the Matter of John Molisso

City of Irvington

Police Department

Suspension

In the Matter of Miguel A. Ortiz

City of Perth Amboy

Department of Public Works

Removal

In the Matter of Evrodie Pierre-Louis

Veterans Memorial Home, Paramus

Military and Veterans' Affairs

Suspension

In the Matter of Anthony Provoid

Northern State Prison

Department of Corrections

Suspension

In the Matter of Erica Rivera

City of Passaic

Police Department  
Removal

In the Matter of Steven Sciscio  
Albert C. Wagner Youth Correctional Facility  
Department of Corrections  
Suspension

In the Matter of Eric Swann  
New Jersey State Parole Board  
Suspension

In the Matter of Shawn Wentz  
Township of Deptford  
Department of Public Safety  
Removal

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

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

**A-2 RUTH BENJAMIN, ET AL.**

Ruth Benjamin, Data Entry Machine Operator, Sandra Currais, Clerk Typist, Yanira Escobar-Lopez, Teacher's Aide and Adrienne Vickers, Teacher's Aide, Newark School District, appeal the good faith of their layoffs effective June 30, 2010, for reasons of economy and efficiency.

Recommendation of the Administrative Law Judge – Uphold the layoffs.

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

**A-3 BRICK TOWNSHIP LAYOFFS 2008**

Matthew Ford, *et al.*, Brick Township, appeal the good faith of their layoffs effective December 29, 2008, for reasons of economy and efficiency.

Recommendation of the Administrative Law Judge – Uphold the layoffs.

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

**A-4 DURAND GILYARD**

Durand Gilyard, Senior Correction Officer, Garden State Youth Correctional Facility, Department of Corrections, 120 working day suspension on charges of neglect of duty, conduct unbecoming a public employee, other sufficient cause, violation of administrative procedure and/or regulations involving safety and security, and violation of a rule, regulation, policy, procedure, order, or administrative decision.

Recommendation of the Administrative Law Judge – Uphold the 120 working day suspension.

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

**A-5 MARCELLA SBARBARO**

Marcella Sbarbaro, Senior Clerk Typist, City of Hackensack, Department of Community Affairs, 10 working day suspension on charges of chronic and excessive absenteeism and/or tardiness, conduct unbecoming a public employee and other sufficient cause.

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

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

**A-6 ALECIA M. SEGAL**

Alecia M. Segal, Human Services Specialist 1, Bergen County Board of Social Services, release at the end of the working test period effective January 21, 2011.

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

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

**A-7 RYAN TROIANO**

Ryan Troiano, Fire Fighter, City of Wildwood, Department of Public Safety and Public Affairs, release at the end of the working test period effective December 5, 2010.

Recommendation of the Administrative Law Judge – Reverse the release at the end of the working test period.

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

**A-8 BRUCE JONES**

Bruce Jones, Senior Correction Officer, Northern State Prison, Department of Corrections, removal effective November 18, 2010, on charges of conduct unbecoming a public employee and violation of a rule, regulation, policy, procedure, order, or administrative decision.

Recommendation of the Administrative Law Judge – Modify the removal to a six-month suspension.

**ACTION:** The Civil Service Commission modified the recommendation of the Administrative Law Judge and upheld the removal.

**A-9 JOSEPH M. COLOMBO**

Joseph M. Colombo, Supervising Laborer, City of Bayonne, Department of Public Works, Parks and Recreation, removal effective August 20, 2010, on charges of incompetency, inefficiency, failure to perform duties, inability to perform duties, insubordination, conduct unbecoming a public employee, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the removal to a six-month suspension.

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

**VOTE:**     **Robert M. Czech**            **(Abstained)**  
              **Thomas J. Perna**           **(Yes)**  
              **Richard E. Williams**       **(Yes)**

**A-10 MICHAEL FERRARELLA AND DONALD HARVEY**

Michael Ferrarella and Donald Harvey, Police Officers, Borough of Oakland, Police Department, removals effective February 9, 2011, on charges of incompetency, inefficiency or failure to perform duties, conduct unbecoming a public employee, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the removal of Mr. Ferrarella to a 180-day suspension and modify the removal of Mr. Harvey to a 120-day suspension.

**ACTION:** The Civil Service Commission modified the recommendation of the Administrative Law Judge and upheld the removal of Michael Ferrarella and imposed a six-month suspension for Donald Harvey.

**A-11 MARCOS RODRIGUEZ**

Marcos Rodriguez, Police Officer, City of East Orange, Police Department, removal effective November 14, 2008, on charges of failure to perform duties, 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-12 RASHEEDAH SPATES**

Rasheedah Spates, Senior Correction Officer, East Jersey State Prison, Department of Corrections, 15 working day suspension on charges of chronic or excessive absenteeism or lateness, being absent from work as scheduled without permission and/or giving proper notice of intended absence and unsatisfactory attendance for an incident that occurred on May 11, 2010. The appellant was also removed effective October 27, 2010 on charges of chronic or excessive absenteeism or lateness, being absent from work as scheduled without permission and/or giving proper notice of intended absence and unsatisfactory attendance for an incident that occurred on July 25, 2010 that was modified to a 15 working day suspension. Finally, the appellant was removed effective March 25, 2011 on charges of chronic or excessive absenteeism or lateness, being absent from work as scheduled without permission and/or giving proper notice of intended absence and unsatisfactory attendance for an incident that occurred on February 21, 2011.

Recommendation of the Administrative Law Judge – Uphold the 15 working day suspension for the incident of July 25, 2010 and the removal for the incident of February 21, 2011.

It is noted that the Administrative Law Judge did not address the 15 working day suspension for the incident that occurred on May 11, 2010.

**ACTION:** The Civil Service Commission affirmed the recommendation of the Administrative Law Judge. The Commission also determined that the appeal of the 15 working day suspension for the incident of May 11, 2010 was moot.

### **A-13 DAVID WILLIAMS**

David Williams, Human Services Assistant, Trenton Psychiatric Hospital, Department of Human Services, removal effective March 31, 2009, on charges of neglect of duty, physical or mental abuse of a patient, inappropriate physical contact or mistreatment of a patient, violation of an administrative procedures and/or regulations involving safety and security, failure to report injury, abuse or accident involving patient, violation of a rule, regulation, policy, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the removal to a 180-calendar day suspension.

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

### **SECTION B – MISCELLANEOUS MATTERS**

**B-1** The Office of Legislature Services (OLS) requests the inactivation of the Editor/Proofreader, OLS and Senior Customer Service and Information Assistant, OLS titles.





## MEMORANDUM

DATE: August 9, 2011  
TO: Civil Service Commission  
FROM: Kenneth Connolly, Director  
State and Local Operations  
SUBJECT: Change in the Classification Plan

OK  
R. J. [Signature]  
8/15/11

### OFFICE OF LEGISLATIVE SERVICES (OLS)

We request the inactivation of two (2) State government titles, Editor/Proofreader, OLS and Senior Customer Service and Information Assistant, OLS. The titles are assigned exclusively to OLS.

There are no incumbents residing in the titles at the present time, and OLS has confirmed it has no plans to utilize these titles in the future.

#### **TITLE INACTIVATION:**

**Effective:** Changes will be effective the first pay period following the Commission's approval.

Editor/Proofreader, OLS  
X98-90468 Unclassified A NL/12

Senior Customer Service and Information Assistant, OLS  
X98-10162 Unclassified A NL/12

KC/JM/BP/GB

[www.state.nj.us/csc](http://www.state.nj.us/csc)

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

**B-2** The Division of State and Local Operations requests the reactivation of the title Manager 1, MVC.



## MEMORANDUM

DATE: August 10, 2011  
TO: Civil Service Commission  
FROM: Kenneth Connolly, Director  
State and Local Operations  
SUBJECT: Change in the Classification Plan

*OK*  
*Kenneth Connolly*  
*8/15/11*

### MOTOR VEHICLE COMMISSION

We request the reactivation of the State title, Manager 1, MVC (M34-56476), which is assigned exclusively to the Motor Vehicle Commission.

The function of this position is to administer the work programs and employee activities of a major sub-element, region, or program of the MVC.

The title was recently inactivated on April 9, 2011 as part of our title reduction effort. However, the Commission requests reactivation and plans to make a retroactive appointment.

### TITLE REACTIVATION:

Effective: 04-23-2011

Manager 1, Motor Vehicle Commission  
M34-56476 Career O NL/12

KC/JM/BP/GB

[www.state.nj.us/csc](http://www.state.nj.us/csc)

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

**B-3 ELAINE CLIDY**

Elaine Clidy, a Bus Driver 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 granted in part.

**B-4 MONIQUE GIDDENS**

Monique Giddens, a Charge Nurse 12 Months with the Trenton Psychiatric Hospital, Department of Human Services, appeals the denial of sick leave injury (SLI) benefits.

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

**B-5 GAIL MATRANGA**

Gail Matranga, a Supervisor of Nursing Services with Greystone Park Psychiatric Hospital, Department of Human Services, represented by Sima C. Milgraum, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

**B-6 MAMIE WILLIAMS**

Mamie Williams, a Senior Building Maintenance Worker with the Trenton Psychiatric Hospital, Department of Human Services, appeals the denial of sick leave injury (SLI) benefits.

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

**B-7 THOMAS KAMINSKY**

Thomas Kaminsky, a Police Officer with the Borough of Carteret Police Department, represented by Peter B. Paris, Esq., petitions the Civil Service Commission for a stay of his 30 working day suspension, effective August 11, 2011, pending the outcome of his hearing at the Office of Administrative Law.

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

**B-8 JAMIE BARKER**

Jamie Barker, a Senior Data Entry Machine Operator, Terminal with the Department of the Treasury, appeals the determination of the Office of Equal Employment Opportunity and Affirmative Action, 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-9 LILLIAN GUIA**

Lillian Guia, a Forensic Scientist 2 with the Division of State Police, Department of Law and Public Safety, appeals the determination of the Chief of Staff, Office of the Attorney General, which found that the appellant failed to establish 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.

**VOTE:**     **Robert M. Czech**            **(Abstained)**  
              **Thomas J. Perna**           **(Yes)**  
              **Richard E. Williams**       **(Yes)**

**B-10 EDWARD HAAS**

Edward Haas, a Deputy Attorney General 4 with the Division of Law, Department of Law and Public Safety, represented by Andrew L. Watson, Esq., appeals the determination of the Chief of Staff, Office of the Attorney General, stating that the appellant failed to present sufficient evidence to support a finding that he had been subjected to violations of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

**B-11 MARY THOMAS-PRESSLEY**

Mary Thomas-Pressley, a former Advanced Practice Nurse with the Division of Medical Assistance and Health Services, Department of Human Services, appeals the determination of the Assistant Commissioner, 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-12 SALAAM MUTA-ALI**

Salaam Muta-Ali, a former Maintenance Worker 1, Montclair State University, petitions the Civil Service Commission for reconsideration of the final administrative decision, rendered on June 15, 2011, in which the Director of the Division of Merit System Practices and Labor Relations denied his request for a hearing with respect to his removal.

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

**B-13 ANTONIO DOS SANTOS**

Antonio Dos Santos, a former Construction Code Inspector 2 with the Department of Community Affairs, appeals the determination of his layoff rights by the Division of State and Local Operations.

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

**B-14 JOSEPH TARDIFF**

Joseph Tardiff, an Inspector 3, Multiple Dwellings, with the Department of Community Affairs, appeals the determination of his layoff rights by the Division of State and Local Operations.

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

**B-15 VIRGINIA FLODMAND**

The Civil Service Commission, on behalf of Virginia Flodmand, requests the relaxation of the provisions of *N.J.A.C. 4A:6-1.22* so as to permit Ms. Flodmand's retroactive participation in the donated leave program.

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

**VOTE:** Robert M. Czech (Abstained)  
Thomas J. Perna (Yes)  
Richard E. Williams (Yes)

**B-16 KEVIN ABRAHAMSEN**

The Morris County Sheriff's Office, represented by Fredric M. Knapp, Esq., appeals the decision of the Division of State and Local Operations restoring the name of Kevin Abrahamson to the County Correction Officer (S9999K), Morris County, eligible list.

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

**B-17 JUAN FONTANES**

Juan Fontanes appeals the decision of the Division of State and Local Operations which removed his name from the eligible list for Supervising Community Program Specialist (PS3711K), Department of Human Services, on the basis that he was not serving in the announced unit scope.

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

**B-18 SYLVESTER HENDERSON**

Sylvester Henderson, a Medical Security Officer Recruit with the Department of Human Services, requests a review of appointments to the positions of Medical Security Officer Recruit and Senior Medical Security Officer on the basis that various individuals were improperly appointed.

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

**B-19 BRYAN KOPSIC**

Bryan Kopsic appeals the decision of the Division of State and Local Operations, which upheld the removal of his name from the Correction Officer Recruit (S9999K), Department of Corrections, eligible list due to his falsification of his employment application.

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

**B-20 ALBERT LIU**

The Division of State and Local Operations, on behalf of the Department of the Treasury, requests that Albert Liu's out-of-title work experience be accepted to qualify him for a prospective promotional examination for Data Processing Programmer 2.

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

**B-21 DIANE ROTH**

The Department of Community Affairs requests the acceptance of out-of-title experience for Diane Roth to qualify her for a prospective promotional examination for the title of Technical Assistant 3, Community Affairs.

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

**B-22 JYVAUM WILLIAMS**

Jyvaun Williams requests that the Civil Service Commission accept his out-of-title experience to qualify for a prospective promotional examination for the title of Senior Technician, Management Information Systems, Division of State Police.

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

**B-23 DEPUTY FIRE CHIEF (PM3649J), WEST ORANGE**

West Orange requests that the eligible list for Deputy Fire Chief (PM3649J) be extended for one year beyond its original expiration date.

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

**B-24 JUVENILE DETENTION OFFICER (C2164K), CAMDEN COUNTY**

Camden County requests that the eligible list for Juvenile Detention Officer (C2164K) be revived in order to effect an appointment made from the June 21, 2010 certification of the eligible list.

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

**B-25 MANAGEMENT SPECIALIST (M0248M), PASSAIC VALLEY WATER COMMISSION**

The Passaic Valley Water Commission, represented by Alan Genitempo, Esq., requests permission not to make an appointment from the April 4, 2011 certification for Management Specialist (M0248M).

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

**B-26 SUPERVISOR, PUBLIC WORKS (PM0604M), PATERSON**

Paterson requests permission not to make an appointment from the December 6, 2010 certification for Supervisor, Public Works (PM0604M).

**ACTION:** The Civil Service Commission granted an appointment waiver and assessed partial selection costs in the amount of \$557.

**B-27 DANIEL AGUILERA**

The Borough of Pompton Lakes, on behalf of Daniel Aguilera, requests that he be permitted to participate in the intergovernmental transfer program and to complete the remainder of his working test period as a Police Officer with Pompton Lakes.

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

**B-28 JOSEPH KALASCHENKOW, ET AL.**

The Middlesex County Sheriff's Office, on behalf of Joseph Kalaschenkow, Philip Nobile, Richard Ramirez, and Gabriel Suarez, requests that they be permitted to participate in the intergovernmental transfer program and to complete the remainder of their working test periods as Sheriff's Officers with the Sheriff's Office.

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

**B-29 MATTHEW SOSNOVIK**

The Town of Phillipsburg requests relaxation of *N.J.A.C. 4A:4-7.1A(c)* so as to permit the intergovernmental transfer of Matthew Sosnovik from the title of Sheriff's Officer, Warren County Sheriff's Office, to the title of Police Officer, Phillipsburg.



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

**B-30 JEANINA GOOS**

Jeanina Goos appeals the decision of the Division of State and Local Operations that the proper classification of her position with the Department of Children and Families is Purchasing Assistant. The appellant seeks an Administrative Analyst 4, Data Processing, classification.

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

**B-31 JAMES AMICI, ET AL.**

James Amici, John Delesandro, Carmine Giangeruso, Paul Lamberti, John Mosser and Carol Tillson appeal the determinations of the Division of Selection Services, which found that they did not meet the experience requirements for the promotional examination for Supervisor of Enforcement (PS6806D), Department of Community Affairs.

**ACTION:** The Civil Service Commission directed that the applications be reevaluated using current job specification.

**B-32 MILEYBI CHACON, ET AL.**

Mileybi Chacon, Jenny Gonzalez, Martha A. Iluonokhalumhe, Janet Laughery, and Lazaro Mas appeal the determinations of the Division of Selection Services which found that they did not meet the requirements for the promotional examination for Social Worker (PC0078N), Union County.

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

**B-33 MATTHEW DAHER**

Matthew Daher appeals the determination of the Division of Selection Services that he did not meet the experience requirements for the promotional examination for Building Management Services Specialist 3 (PS9568K), Department of Human Services.

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

**B-34 KARL FELTES**

Karl Feltes appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for a prospective provisional appointment to the title of Planning Associate 2, Department of Education.

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

**B-35 CANDACE GARDNER, ET AL.**

Candace Gardner, Eric Hicken, John Liqua, Michael Reilley, Christopher Ryan and Timothy Seplaki appeal the validity of the promotional examination for Public Health Representative 1, Emergency Medical Services (PS8191H), Department of Health and Senior Services.

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

**B-36 JEANINA GOOS**

Jeanina Goos appeals the determination of the Division of Selection Services that she was below the minimum requirements in experience for the promotional examination for Administrative Analyst 4, Data Processing (PS2312K), Department of Children and Families.

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

**B-37 KEITH HACKETT**

Keith Hackett appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for a prospective provisional appointment to the title of Planning Associate 2, Department of Education.

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

**B-38 GEORGE HARRIS JR., AND KEVIN SCARPA**

George Harris Jr., and Kevin Scarpa appeal the decisions of the Division of Selection Services which determined that they did not pass the written portion of the examination, and Mr. Scarpa appeals the validity and the test administration of the examination for Fire Fighter (M9999M).

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

**B-39 ROSE LILLO**

Rose Lillo appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for the open competitive examination for Supervising Clerk (M0494M), Bayonne.

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

**B-40 MARK MATTALIANO**

Mark Mattaliano appeals the decision of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Supervisor, Traffic Maintenance (PC0098N), Mercer County.

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

**B-41 VINCENT VOLINSKI**

Vincent Volinski appeals the determination of the Division of Selection Services, which found that he did not meet the experience requirements for the promotional examination for Custodian (PM0384M), Brick Township Board of Education.

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

**B-42 PROPOSED AMENDMENT: N.J.A.C. 4A:4-4.7, REMOVAL OF NAMES FROM ELIGIBLE LIST**

Submitted for the Commission's approval is a Notice of Proposal to amend *N.J.A.C. 4A:4-4.7*. The proposal would address two issues regarding eligible list removals. The Administrative Office of the Courts requests that the Civil Service Commission permit consideration of expunged criminal records in making appointments to judiciary titles, citing *N.J.S.A. 2C:52-27(c)*, which

requires an individual seeking judiciary employment to reveal expunged records. Additionally, a Juvenile Detention Officer (JDO) candidate has appealed removals based on expunged records from three different JDO lists since 2007, suggesting the need for another change to the rule. Therefore, the attached proposed amendment to *N.J.A.C. 4A:4-4.7* would expressly permit consideration of expunged records in list removals of judiciary and JDO candidates. 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 the proposal for publication.

#### **B-43 RECENT COURT DECISIONS**

Submitted for the Civil Service Commission's review are summaries of recent court decisions involving Merit System Board and Civil Service Commission determinations.

**ACTION:** The Civil Service Commission noted the decisions.

#### **B-44 CIVIL SERVICE COMMISSION MINUTES**

Submitted for adoption are the Civil Service Commission minutes of its meeting of August 17, 2011.

**ACTION:** The Civil Service Commission adopted the minutes of its meeting of August 17, 2011.

#### **B-45 EARLY SETTLEMENT**

In the Matter of Chanita Babrow  
Department of Children and Families  
Suspension

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

#### **B-46 CATIANNA AUGUSTIN AND CYNTHIA ALLEN**

The appeals of Catianna Augustin and Cynthia Allen, Cottage Training Technicians with North Jersey Developmental Center, Department of Human Services, of their removals, effective March 17, 2008, on charges, were heard by Administrative Law Judge Imre Karaszegi, Jr. (ALJ), who rendered his initial decision on June 23, 2011. At its meeting on August 17, 2011, the Civil Service Commission (Commission) adopted the ALJ's recommendation

to reverse the removals. However, the Commission found it necessary to address the exceptions and cross exceptions filed by the parties. The proposed decision is now submitted for the Commission's review.

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

**B-47 PASSAIC COUNTY CIVILIAN EMPLOYEES 2008 LAYOFFS, PASSAIC COUNTY SHERIFF'S OFFICE**

The appeals of Luz Garcia, a former Microfilm Machine Operator, and Maria Guzman, Virginia Glover, Yolanda Seabrooks-Reynolds, and Annette Hanley, former Police Records Clerks, with the Passaic County Sheriff's Office, of their layoffs, effective July 19, 2008, were heard by Administrative Law Judge Caridad F. Rigo (ALJ), who rendered her initial decision on June 7, 2011. At its meeting on August 17, 2011, the Civil Service Commission (Commission) adopted the ALJ's recommendation to uphold the layoffs and dismiss the appellants' appeals. However, the Commission found it necessary to address the exceptions and cross exceptions filed by the parties. The proposed final decision is now submitted for the Commission's review.

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

**B-48 BENJAMIN SMITH**

The appeal of Benjamin Smith, a Head Custodian with the Jersey City School District, of his removal, effective February 20, 2009, on charges, was heard by Administrative Law Judge Jeffrey A. Gerson (ALJ), who rendered his initial decision on May 23, 2011. At its meeting on August 17, 2011, the Civil Service Commission (Commission) adopted the ALJ's recommendation to uphold the removal. However, the Commission found it necessary to address the exceptions and cross exceptions filed by the parties. The proposed final decision is now submitted for the Commission's review.

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

**B-49 RICHARD C. WILLIAMS, JR.**

The appeal of Richard C. Williams, Jr., a Fire Fighter with Atlantic City, of his removal, effective August 12, 2010, on charges, was heard by Administrative Law Judge Bruce M. Gorman (ALJ), who rendered his initial decision on July 7, 2011. At its meeting on August 17, 2011, the Civil Service Commission (Commission) adopted the ALJ's recommendation to uphold the removal. However, the Commission found it necessary to address the

exceptions and cross exceptions filed by the parties. The proposed final decision is now submitted for the Commission's review.

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

**B-50 RAFAELO FILEV, ET AL.**

Rafaelo Filev, Gerardo Gonzalez, Curtis Langley and Robert Powell (PC5134M), Essex County; Thomas Campagnolo, Frank Giammarino, Daniel Hansson, Laura Huttenloch, Kevin McKittrick, Shawn Reece, Anthony Valasa and Brandy Zarkovacski (PC5136M), Monmouth County; appeal the promotional examination for County Correction Sergeant (various jurisdictions).

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

**VOTE:**     **Robert M. Czech**            **(Abstained)**  
              **Thomas J. Perna**           **(Yes)**  
              **Richard E. Williams**     **(Yes)**

**There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, September 21, 2011, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.**