



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
NOVEMBER 7, 2013**

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

NOVEMBER 7, 2013

A regular meeting of the Civil Service Commission was held on Thursday, November 7, 2013, in Trenton, New Jersey.

PRESENT: Robert M. Czech, Chairperson, Members Robert E. Brenner, Thomas J. Perna and Richard E. Williams; Pamela Ullman, Deputy Attorney General; Henry Maurer, Director, Division of Appeals and Regulatory Affairs.

In accordance with L.1975, c.231, the Secretary to the Civil Service Commission 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 30, 2012, and posted at the Civil Service Commission, 3 Station Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

DISMISSAL FOR 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:

Lola Davis, Human Service Specialist 1, Monmouth County, Department of Human Services, release at the end of the working test period.

Evelyn Lovins, Human Services Assistant, New Lisbon Developmental Center, Department of Human Services, suspension.

ACTION: The Civil Service Commission noted the dismissal of appeals without prejudice.

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

John Beckermeyer, Bus Attendant, Middle Township School District, removal.

Justin Diomede, County Correction Officer, Monmouth County, Department of Corrections and Youth Services, indefinite suspension.

Robert Kelly, Maintenance Worker 1, Department of Transportation, removal.

Robert Kelly, Maintenance Worker 1, Department of Transportation, suspension.

Arthour Montano Jr., Counselor, Juvenile Family Crisis Unit, Cape May County, Department of Youth Shelter, good faith layoff.

Thomas Perrault, Senior Correction Officer, Juvenile Justice Commission, removal.

Thomas Troutman, Truck Driver, Mount Laurel, Department of Public Works and Community Affairs, layoff.

ACTION: The Civil Service Commission noted the withdrawal of appeals without prejudice.

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

In the Matter of George Clayton
Office of the Attorney General
Department of State Police
Removal

In the Matter of Russel Cogill
Motor Vehicle Commission
Removal

In the Matter of David DeMarco
Salem County
Department of Corrections
Removal

In the Matter of David DeMarco
Salem County
Department of Corrections
Demotion

In the Matter of Lashaya Fowler
Vineland Developmental Center
Department of Human Service
Removal

In the Matter of Nicola Speight
Woodbridge Developmental Center
Department of Human Services
Indefinite Suspension

In the Matter of John Taylor
Ancora Psychiatric Hospital
Department of Human Services
Removal

In the Matter of Ankit Upadhyay
Jersey City
Police Department
Removal

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

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 MARTY DIAS

Marty Dias, Police Officer, City of East Orange, Police Department, 180 calendar day suspension on charges of chronic or excessive absenteeism.

Recommendation of the Administrative Law Judge – Uphold the 180 calendar day suspension.

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

A-3 CATHERINE KALIPETIS-STONE

Catherine Kalipetis-Stone, Institutional Attendant, Cape May County, Crest Haven Nursing and Rehabilitation Center, 60 day suspension on charges of inefficiency in performing duties, neglect in performing duties, conduct unbecoming a public employee and violation of policy and procedures.

Recommendation of the Administrative Law Judge – Uphold the 60 day suspension.

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

A-4 CARLOS MORAN

Carlos Moran, Judiciary Clerk 3, Union Vicinage, Judiciary, 10 working day suspension on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the 10 working day suspension to a 5 working day suspension.

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

A-5 D'SHASHOWNA BOYKINS

D'Shashowna Boykins, Police Officer, City of Newark, Police Department, removal effective October 16, 2012, on charges of conduct unbecoming a public employee, association with the criminal element, feigning sickness or injury, malingering, accessibility to department surgeons and superior officers, chronic inefficiency or incompetency, disobedience of orders, neglect of duty and unauthorized absence.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-6 MARQUERITE VERNE CHERAMY

Marguerite Verne Cheramy, Cottage Training Technician, North Jersey Developmental Center, Department of Human Services, removal effective July 27, 2012, on charges of neglect of duty, violation of a rule, regulation, policy, procedure or administrative order, falsification, other sufficient cause and conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Reverse the removal.

ACTION: The Civil Service Commission rejected the recommendation of the Administrative Law Judge and modified the removal to a 120 calendar day suspension.

A-7 CARMEN CORUJO

Carmen Corujo, Clerk 2, Township of North Brunswick, Department of Administration, removal effective September 7, 2012, on charges of excessive absenteeism and failure to return to duty following an approved leave of absence.

Recommendation of the Administrative Law Judge – Dismissal for failure to appear.

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

A-8 SANDRA HINTON

Sandra Hinton, Cottage Training Technician, Hunterdon County Developmental Center, Department of Human Services, removal effective November 24, 2010 on charges of neglect of duty, physical or mental abuse of a client, verbal abuse of a patient, client, resident or employee, inappropriate physical contact or mistreatment of a client, any improper conduct which violates common decency and violation of psychology procedures.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-9 MICHELLE MORAN

Michelle Moran, Senior Payroll Clerk, Cumberland County Board of Social Services, removal effective February 5, 2013, 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-10 SHAWNTEZ SANDERS

Shawntez Sanders, Custodial Worker, Newark Public School District, removal effective June 3, 2013, on charges of chronic or excessive absenteeism or lateness, conduct unbecoming a public employee, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge - Dismiss for lack of prosecution.

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

SECTION B – MISCELLANEOUS MATTERS

B-1 CHANGE IN CLASSIFICATION PLAN – SENIOR EXECUTIVE SERVICE

The Department of Transportation requests the allocation of the position 021912 (Manager 1, Department of Transportation, Construction and Maintenance Engineering) to the Senior Executive Service.

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

B-2 CHARLES M. LEMAR

Charles M. Lemar 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 (S9987M) 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 BRIAN OECKEL

Brian Oeckel 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 (S9987M) 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-4 ASHLEY L. PASTORIZA

Ashley L. Pastoriza 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 (S9987M) 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 RAHMAN TERRELL

Rahman Terrell, represented by Charles M. Grossman, Esq., appeals his rejection as a Police Officer candidate by East Orange and its request to remove his name from the eligible list for Police Officer (S9999M) 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-6 TAMIEKA DWYER

Tamieka Dwyer, a Police Officer with the City of East Orange Police Department, represented by Steven J. Kafowitz, Esq., petitions the Civil Service Commission for a stay and interim relief of her removal, effective August 15, 2013, pending the outcome of her hearing at the Office of Administrative Law (OAL).

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

B-7 PHILIP RODRIGUEZ

Philip Rodriguez, a Police Officer with East Orange, represented by Timothy R. Smith, Esq., petitions the Civil Service Commission for interim relief of his 30-day suspension.

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

B-8 THOMAS BEALE AND WILLIAM MARTIN

The Sussex County Sheriff's Office requests that the provisions of *N.J.A.C. 4A:4-7.1A(b)* be relaxed in order to permit the retroactive Intergovernmental Transfer of Thomas Beale and William Martin from the title of Senior Correction Officer, Department of Corrections, to the title of County Correction Officer, Sussex County.

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

B-9 BENITA CISROW

Benita Cisrow, a Senior Correction Officer with the Department of Corrections, represented by Arnold Feldman, Esq., petitions the Civil Service Commission for enforcement of the settlement agreement acknowledged by the Commission at its meeting on December 5, 2012.

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

B-10 IRIS HINES

Iris Hines, a former Family Service Worker with Essex County, petitions the Civil Service Commission for enforcement of the settlement agreement acknowledged by the Commission at its meeting on July 27, 2011.

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

B-11 EDITE MARTINS

Edite Martins, a Data Processing Technician with the City of Newark, represented by Alex Klein, Esq., petitions the Civil Service Commission for enforcement of the settlement agreement acknowledged by the Commission at its meeting on July 17, 2013.

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

B-12 TODD PICKETT

Todd Pickett, a former Fire Fighter with the City of Passaic, represented by Jill Horton-Miller, Esq., petitions the Civil Service Commission for enforcement of the settlement agreement acknowledged by the Commission at its meeting on June 5, 2013.

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

B-13 JOHNATHAN TAYLOR

Johnathan Taylor, a Police Officer with the City of Newark, represented by Anthony J. Fusco, Jr., petitions the Civil Service Commission for enforcement of the settlement agreement acknowledged by the Commission at its meeting on January 9, 2013.

ACTION: The Civil Service Commission directed that this request be granted and the City of Newark be assessed a fine of \$1,000.

B-14 DEBORAH VASSILIADES

Deborah Vassiliades, a former Senior Citizen Program Aide, Woodbridge Township, appeals her resignation in good standing effective May 24, 2013.

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

B-15 JUNE BAKER AND ANDREW BAKER

June Baker and Andrew Baker, a former Nursing Services Clerk and Truck Driver Single Axle, respectively, with the Department of Human Services, appeal the adjustment of their leave allowances upon their resignations. Since these matters pertain to the same issues, the matters have been consolidated herein.

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

B-16 MICHAEL MORIZIO

Michael Morizio, represented by Steven A. Varano, Esq., appeals the decision of the Division of Classification and Personnel Management, which found a sufficient basis to remove the appellant's name from the Correction Officer Recruit (S9987M), 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-17 WAYNE MORRISON

Wayne Morrison, represented by Wolodymyr P. Tyshchenko, Esq., appeals the removal of his name from the special reemployment list for Police Officer, Paterson, for failure to meet the age requirement of the position.

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

B-18 IJEOME M. NWACHUKWU

Ijeome M. Nwachukwu appeals the request of the Department of Human Services to remove her name from the eligible list for Regional Staff Nurse (S0300P) based on a claimed inability to communicate effectively in English in order to perform the duties of the position.

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

B-19 STUART TAYLOR

Stuart Taylor appeals the decision of the Division of Classification and Personnel Management, which found that the appointing authority had presented a sufficient basis to remove his name from the eligible list for Police Officer (S9999M), City of Bayonne, on the basis that he falsified his employment application.

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

B-20 BRIAN WUNK

Brian Wunk appeals the decision of the Division of Classification and Personnel Management which upheld the removal of his name from the Police Officer (S9999M), City of Clifton, eligible list on the basis that he did not complete pre-employment processing.

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

B-21 ALBERTO DOS SANTOS, ET AL.

The Township of Union, on behalf of Alberto Dos Santos, Nuno Lopes and Marco Novoa-Rios, requests that they be permitted to participate in the intergovernmental transfer program and to complete the remainder of their working test periods as Police Officers with Union.

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

B-22 YOLANDE DUBUISSON

Yolande Dubuisson, a former Cottage Training Technician with the Woodbridge Developmental Center, Department of Human Services, represented by Edward A. Berger, Esq., requests that the Civil Service Commission reinstate her appeal of her two removals effective September 14, 2012, which was dismissed based on her failure to appear at her scheduled settlement conference.

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

B-23 YVETTE N. GIBSON

Yvette N. Gibson appeals the decision of the Division of Selection Services denying her request for a make-up examination for Principal Clerk Transcriber (PS0507N), Department of Labor.

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

B-24 ROBERT DRISCOLL, ET AL.

The Department of Environmental Protection requests that Robert Driscoll, Andrew Ocampo, Brice Paey and James Woerner receive retroactive dates of appointment.

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

B-25 SHANNON NAMEY

The Division of Classification and Personnel Management, on behalf of the Department of Transportation, requests that Shannon Namey's out-of-title work experience be accepted to qualify her for a prospective future promotional examination for Management Assistant, Department of Transportation.

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

B-26 ROCCO PALMIERI

The Township of Brick petitions the Civil Service Commission for revival of the Assistant Supervisor, Public Works (PM0472H), Brick, eligible list, in order to effectuate the permanent appointment of Rocco Palmieri.

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

B-27 MARGARET AGABITI

Margaret Agabiti appeals the decision of the Division of Classification and Personnel Management which found that her position is properly classified as Technical Assistant 3. The appellant seeks a Technical Assistant 2, Treasury job classification.

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

B-28 RON ASNIN, ET AL.

Ron Asnin, LaDawn Coleman, Richard Giannone, Martin Ingenbrandt, Susanne LaCourte, Tracey Marshall, Gregory Rauch, and Allison Schwab appeal the decisions of the Division of Classification and Personnel Management which found that their positions with the Department of the Treasury is correctly classified as Taxpayer Service Representative 3. The appellants seek a Taxpayer Service Representative 2 job classification.

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

B-29 SUSAN BARRETT

Susan Barrett appeals the decision of the Division of Classification and Personnel Management which found that her position with the Department of the Treasury is properly classified as Pensions Benefits Specialist 2. The appellant seeks a Pensions Benefits Specialist 1 job classification.

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

B-30 MARTIN BENDORF

Martin Bendorf appeals the decision of the Division of Classification and Personnel Management which found that his position with the Department of Environmental Protection is properly classified as Environmental Specialist 2. The appellant seeks an Environmental Specialist 3 job classification.

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

B-31 MICHELLE CIMORELLI

Michelle Cimorelli appeals the June 12, 2013 decision of the Division of Classification and Personnel Management which found that her position with the Department of the Treasury is correctly classified as Technical Assistant 1, Treasury. The appellant seeks a Senior Fiscal Analyst job classification.

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

B-32 WILLIAM DOYLE

William Doyle appeals the decision of the Division of Classification and Personnel Management that his position with the Motor Vehicle Commission is correctly classified as Technician, Management Information Systems. The appellant seeks a Senior Technician, Management Information Systems job classification.

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

B-33 LATRESSA GLASCO

LaTressa Glasco appeals the decision of the Division of Classification and Personnel Management which found that her position with the Department of the Treasury is properly classified as Field Representative, Local Property Tax. The appellant seeks a Senior Field Representative, Local Property Tax job classification.

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

B-34 RICHARD GUNOSKEY

Richard Gunoskey appeals the decision of the Division of Classification and Personnel Management that the proper classification of his position with the Department of Environmental Protection is Data Base Analyst 2. The appellant seeks an Environmental Specialist 4 job classification.

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

B-35 ELIZABETH HENNESSEY

Elizabeth Hennessey appeals the May 21, 2012 decision of the Division of State and Local Operations which found that her position with the Department of Environmental Protection is properly classified as Head Clerk. The appellant seeks a Program Technician job classification.

ACTION: The Civil Service Commission directed that this appeal be granted and the position be reclassified to the title of Program Technician, effective July 30, 2011.

B-36 XAVIER IZQUIERDO

Xavier Izquierdo appeals the determination of the Division of Classification and Personnel Management that his position with Sussex County is properly classified as a Senior Systems Analyst. The appellant seeks a Principal Systems Analyst job classification.

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

B-37 RANDALL KENNER

Randall Kenner appeals the decision of the former Division of State and Local Operations that the proper classification of his position with the Department of the Treasury is Data Processing Programmer 2. The appellant seeks a Data Processing Programmer 1 job classification.

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

B-38 JANICE PADULA-PEDOTA

Janice Padula-Pedota appeals the decision of the Division of Classification and Personnel Management which found that her position with the Department of Health is correctly classified as Administrative Analyst 2, Fiscal Management. The appellant seeks an Administrative Analyst 1, Data Processing, Administrative Analyst 1, or Supervising Program Development Specialist, Management and Finance job classification.

ACTION: The Civil Service Commission directed that this appeal be granted in part and the classification of the position be changed to Administrative Analyst 2, Data Processing.

B-39 MICHAEL PIGLIACELLI

Michael Pigliacelli appeals the decision of the Division of Classification and Personnel Management which found that his position with the Department of Environmental Protection is properly classified as Environmental Specialist 2. The appellant seeks an Environmental Specialist 3 job classification.

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

B-40 SHAREE WILSON

Sharee Wilson appeals the decision of the Division of Classification and Personnel Management which found that her position with the Department of the Treasury is properly classified as Senior Clerk. The appellant seeks a Technical Assistant 3 job classification.

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

B-41 W. B.

W. B., a Teacher 3, 12 Months, with the Juvenile Justice Commission, appeals the determination of the Director of the Office of Equal Employment Opportunity, 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-42 W. R.

W. R., a Principal Investigator, Parole and Secured Facilities with the Department of Corrections, appeals the determination of the Director, Division of Civil Rights and Affirmative Action, Department of Transportation, stating that he 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 matter be held over.

B-43 LAWRENCE REYNOLDS

The appeal of Lawrence Reynolds, a Police Officer with the Township of Irvington of his removal, effective May 8, 2012, on charges, was heard by Administrative Law Judge Leland S. McGee (ALJ), who rendered his initial decision on September 19, 2013. At its meeting on October 16, 2013, the Civil Service Commission adopted the ALJ's recommendation to uphold the appellant's 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.

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

B-44 HUMAN SERVICES TECHNICIAN (PS7399K), ANCORA PSYCHIATRIC HOSPITAL

Ancora Psychiatric Hospital, Department of Human Services, requests that the eligible list for Human Services Technician (PS7399K) be extended for one year beyond its original expiration date.

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

B-45 SENIOR MANAGEMENT ASSISTANT (S0562P), STATEWIDE

The State Parole Board requests permission not to make an appointment from the April 22, 2013 certification for Senior Management Assistant (S0562P), Statewide.

ACTION: The Civil Service Commission directed that this request be granted and no selection costs presently be assessed.

B-46 SALVATORE AMICO

Salvatore Amico appeals the determination of the Division of Selection Services which found that he was not eligible for the promotional examination for Technical Support Specialist 1 (PS6430U), Office of Information Technology.

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

B-47 NEIL APOLDITE

Neil Apoldite appeals the determination of the Division of Selection Services which found that he was not eligible for the promotional examination for Technical Support Specialist 1 (PS6430U), Office of Information Technology.

ACTION: The Civil Service Commission directed that this appeal be denied and the appellant's provisional position undergo a classification review.

B-48 CAITLIN BROWN

Caitlin Brown, represented by Robert H. Leiner, Esq., appeals the determination of the Division of Selection Services that she did not meet the experience requirements for the open competitive examination for Habilitation Plan Coordinator (S0847P).

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

B-49 NYDIA DAVILA

Nydia Davila appeals her score for the Bilingual Communication Abilities Test (BICAT) for English/Spanish for Family Service Specialist Trainee.

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

B-50 TASHIA DAVIS

Tashia Davis appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for the promotional examination for Quality Assurance Specialist, Health Services (PS4815K), Department of Human Services.

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

B-51 LISA DE LAURA

Lisa De Laura appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Management Assistant (PC0651P), Monmouth County.

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

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

B-52 NICHOLAS DIPIERRO AND JOHN HUGATE

Nicholas DiPierro and John Hugate appeal the promotional examination for Assistant Crew Supervisor Mechanics (PS6396T), Department of Transportation.

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

B-53 JONATHAN GALLEGO

Jonathan Gallego appeals his score for the Bilingual Communication Abilities Test (BICAT) for English/Spanish for Family Service Specialist Trainee.

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

B-54 DONNA GARVIN

Donna Garvin appeals the determination of the Division of Selection Services that she did not meet the experience requirements for the promotional examination for Assistant Payroll Supervisor (PM1083P), Jersey City.

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

B-55 PAUL GIORDANO

Paul Giordano appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Manager 2, Division of Motor Vehicles (PS0083T), Motor Vehicle Commission.

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

B-56 CARLI B. GLANTON

Carli B. Glanton appeals the determination of the Division of Selection Services which found that she did not meet the requirements for the promotional examination for Buyer (PM0416P), East Orange.

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

B-57 FRANK GURCSIK

Frank Gurcsik 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 Quality Assurance Specialist, Health Services (S0840P).

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

B-58 MONICA J. KAM

Monica J. Kam 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 Supervisor, Senior Citizen Outreach and Referral Program (C0512R), Monmouth County.

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

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

B-59 ROBERT LANIK

Robert Lanik appeals the determination of the Division of Selection Services that he did not meet the experience requirements for the promotional examination for Administrative Analyst 2, Data Processing (PS3683N), Department of Labor and Workforce Development.

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

B-60 NICOLE LEWIS

Nicole Lewis 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 Supervisor, Senior Citizens Outreach and Referral Program (C0512R), Monmouth County.

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

B-61 PATRICK MCGRATH

Patrick McGrath appeals the determination of the Division of Selection Services which found that he did not meet the educational requirements for the promotional examination for Entomologist, Mosquito Extermination (PC0833P), Atlantic County.

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

B-62 PATRICK MEOLA, JR.

Patrick Meola, Jr., appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the promotional examination for Data Processing Systems Programmer 2 (PS2592U), Office of Information Technology.

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

B-63 ROBERT MERLO

Robert Merlo appeals the determination of the former Division of State and Local Operation that he be returned to his permanent title of Accounting Assistant because he did not meet the education and experience requirements for Assistant Municipal Treasurer.

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

B-64 ANNA MISSERI

Anna Misseri appeals the decision of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Assistant Payroll Supervisor (PS1077R), Union County.

ACTION: The Civil Service Commission directed that this appeal be denied and the appellant's position undergo a classification review.

B-65 JACQUELINE NEILL

Jacqueline Neill appeals the determination of the Division of Selection Services that she did not meet the experience requirement for the promotional examination for Recreation Supervisor (PC0778P), Middlesex County.

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

B-66 SONIA NEIRA

Sonia Neira appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she was below the experience requirements for the promotional examination for Personnel Officer (PM0800R), Perth Amboy.

ACTION: The Civil Service Commission directed that this appeal be denied and the appellant's position undergo a classification review.

B-67 GARY OKULEWICZ

Gary Okulewicz appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Chief of Administrative Services (PC0523R), Middlesex County.

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

B-68 PRERAKBHAI K. PATEL

Prerakbhai K. Patel appeals the determination of the Division of Selection Services which found that he was not eligible for the promotional examination for Analyst 2, Health Care Facilities (Mental Health Services) (PS7116K), Department of Human Services.

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

B-69 RUPAL PATEL

Rupal Patel appeals the decision of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Supervising Engineer Utilities (PS8139R), Board of Public Utilities.

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

B-70 MEGAN PATRICK

Megan Patrick appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for the promotional examination for Assistant Municipal Clerk (PM0188R), Millburn.

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

B-71 EDNA RASHAD

Edna Rashad appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she was below the experience requirements for the promotional examination for Training Technician 2 (PS7113K), Woodbridge Developmental Center.

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

B-72 TRACIE REED

Tracie Reed appeals the determination of the Division of Selection Services that she did not meet the experience requirement for the promotional examination for Recreation Supervisor (PC0778P), Middlesex County.

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

B-73 MARIA RIVERA

Maria Rivera appeals the decision of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Administrative Secretary (PM0405R), Perth Amboy.

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

B-74 DAVID ROBBINS

David Robbins appeals the decision of the Division of Selection Services to remove his name from the eligible list for Conservation Officer 3 (S0584P), Statewide, on the basis that he did not meet the eligibility requirements for the subject examination.

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

B-75 WILLIAM RODRIGUEZ

William Rodriguez appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Senior Investigator, County Welfare Agency (PC1227R), Middlesex County.

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

B-76 ELIZABETH ROY

Elizabeth Roy appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for the prospective provisional appointment to the title of Principal Planner.

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

B-77 TRACEY SHEETS

Tracey Sheets appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for the promotional examination for Supervisor of Accounts (PM1059R), Millville.

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

B-78 HARLEEN SINGH

Harleen Singh appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for the promotional examination for Supervisor of Patient Accounts 2 (PS7107K), Department of Human Services.

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

B-79 JOSETTE VAN DYKE

Josette Van Dyke appeals the determination of the Division of Selection Services which found that she was not eligible for the promotional examination for Supervising Program Development Specialist, Community Service (PC0278R), Essex County.

ACTION: The Civil Service Commission directed that this appeal be denied and the appellant's provisional position undergo a classification review.

B-80 GILBERT VAZQUEZ, JR.

Gilbert Vazquez, Jr., appeals the determination of the Division of Selection Services that he did not meet the experience requirement for the open competitive examination for Carpenter (M0227P), Newark School District.

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

B-81 FRANK VOLLERO

Frank Vollero appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the promotional examination for Supervisor of Warehouses (PS7535J), Kean University.

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

B-82 KELLY WARBOYS

Kelly Warboys appeals the determination of the Division of Selection Services which found that she was below the minimum requirement in experience for the promotional examination for Budget Analyst 2 (PS2532K), Department of Human Services.

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

B-83 DONNA ZALIS

Donna Zalis appeals the determination of the Division of Selection Services that she did not meet the experience requirement for the promotional examination for Program Technician (PS2882G), Department of Environmental Protection.

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

B-84 CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of October 16, 2013.

ACTION: The Civil Service Commission adopted the minutes of its meeting of October 16, 2013.

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

B-85 SILVIO ACOSTA

The Town of West New York appeals the decision of the Division of Classification and Personnel Management which ordered removal of the duties performed in the Department of Public Works by Silvio Acosta, a Confidential Aide to the Mayor.

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

B-86 ANTHONY D'ERRICO

Anthony D'Errico 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 Buyer.

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

B-87 ZAHEER HUSSAIN

Zaheer Hussain appeals the decision of the Division of State and Local Operations that his position with the Department of Environmental Protection is properly classified as Network Administrator 1. The appellant seeks a Network Administrator 2 job classification.

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

B-88 JULIUS MALLEPALLE

Julius Mallepalle appeals the decision of the Division of State and Local Operations that his position with the Department of Environmental Protection is properly classified as Network Administrator 1. The appellant seeks a Network Administrator 2 job classification.

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

B-89 V. J.

V. J., a Building Services Coordinator 2 with the Motor Vehicle Commission, appeals the determination of the Equal Employment Opportunity Officer, stating that the appellant failed to present sufficient evidence to support a finding that he had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

B-90 JOSEPH HERZBERG

The appeal of Joseph Herzberg, a Fire Captain with the Bordentown Township Fire District #2, of his removal effective June 13, 2011, was before Administrative Law Judge (ALJ) Jeff S. Masin, who rendered his initial decision on August 12, 2013, recommending acknowledgement of the settlement of the parties.

ACTION: The Civil Service Commission directed that this matter be remanded to the Office of Administrative Law.

B-91 JOHN DONNELLAN

John Donnellan, a County Correction Officer with Monmouth County, represented by Charles J. Sciarra, Esq., requests interlocutory review of Administrative Law Judge Susan M. Scarola's October 11, 2023 order denying his motion to compel discovery in his pending hearing of his 10 working day suspension.

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

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

B-92 ALEXIS FITZSIMMONS

Alexis Fitzsimmons, a former Advanced Practice Nurse with the Bergen County Sheriff's Office, represented by Justin D. Santagata, Esq., requests interlocutory review of the amended order of Administrative Law Judge Irene Jones (ALJ) in *Alexis Fitzsimmons v. Bergen County Sheriff's Office*, CSC Docket No. 2011-4181, OAL Docket No. CSV 4724-11, pursuant to N.J.A.C. 1:1-14.10(a).

ACTION: The Civil Service Commission directed that this request for interlocutory review be granted and remanded the ALJ's order for clarification.

B-93 DAVID ARGUELLO

The appeal of David Arguello, County Correction Officer, Hudson County, of his removal effective December 19, 2012, on charges, was heard by Administrative Law Judge Imre Kazraszegi, Jr. (ALJ), who rendered his initial decision on September 3, 2013. At its meeting on October 16, 2013, the Civil Service Commission affirmed the recommendation to reverse the removal. However, the Commission ordered the reversal of the appellant's removal contingent upon his successful completion of a fitness for duty examination. The proposed decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the decision.

VOTE: **Robert M. Czech** **(Abstained)**
 Robert E. Brenner **(Yes)**
 Thomas J. Perna **(No)**
 Richard E. Williams **(Yes)**

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, November 20, 2013, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

Robert M. Czech
Chairperson
Civil Service Commission