



STATE OF NEW JERSEY  
DEPARTMENT OF PERSONNEL

JON S. CORZINE  
GOVERNOR

ROLANDO TORRES, JR.  
COMMISSIONER

**Merit System Board**

**MINUTES OF REGULAR MEETING OF  
THE MERIT SYSTEM BOARD  
MARCH 28, 2007**

**Rolando Torres, Jr., Chairman  
Flavella Branham  
John Currie  
Margaret E. L. Howard  
Robert Long**

MARCH 28, 2007

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A regular meeting of the Merit System Board was held on Wednesday March 28, 2007, in Trenton, New Jersey.

**PRESENT:** Chairman Rolando Torres, Jr., Merit System Board Members, Flavella Branham, John Currie, Margaret E. L. Howard, and Robert J. Long; Pamela Ullman, Deputy Attorney General; and Henry Maurer, Director, Division of Merit System Practices and Labor Relations.

In accordance with L.1975, c.231, Chairman Rolando Torres Jr., 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 8, 2006 and posted at the Department of Personnel, 3 Station Plaza, Trenton, New Jersey.

All other actions were by unanimous vote unless otherwise specified.

**STATE**

The Merit System Board recorded the recommended changes in the State Classification Plan, copies of which are attached hereto and made a part hereof.

DATE: March 2, 2007

TO: Rolando Torres, Jr., Commissioner  
Department of Personnel

FROM: Elizabeth Van Marter, Managing Director  
State and Local Government Operations

SUBJECT: Change in the State Classification Plan

**ESTABLISHMENT OF COMMON TITLE**

It is requested that the State title of Senior Management Assistant (56493) be made common for local use.

The Division of Human Resource Management audited a position in the Monmouth County Sheriff's Department to determine whether the current classification of the incumbent was appropriate. The audit revealed the position is responsible for the coordination of a variety of administrative activities in the department of assignment.

The audit determined that the State title of Senior Management Assistant most appropriately classifies the duties performed by the incumbent.

**ESTABLISHMENT OF COMMON TITLE**

Effective: 01-07-06

<b><u>FROM:</u></b>	<b><u>TO:</u></b>
Senior Management Assistant Senior Management Assistant	P21-56493 Competitive <u>State</u> 35/12 P21-56493 Competitive <u>Common</u> 35/12

EVM/JJM/BP

**CONFIDENTIAL APPOINTMENTS**

The Merit System Board recorded the following Confidential Appointment under N.J.S.A. 11A:3-4(h):

Ms. Michele Kent Guhl, appointed as a Confidential Assistant, Department of Health and Senior Services, effective February 23, 2007, salary of \$105,000.00 per annum.

**SECTION A – HEARING MATTERS**

**A-1 SETTLEMENTS**

In the Matter of Victor Abban  
County of Monmouth  
Department of Health Care Facilities  
Removal

In the Matter of William J. Bowen  
City of Margate  
Department of Public Safety  
Removal

In the Matter of Larry Boyd  
City of Newark  
Department of Neighborhood and Recreation Services  
Suspension

In the Matter of Cynthia Godown  
County of Cumberland  
Office on Aging  
Suspension

In the Matter of John Kobel  
County of Essex  
Department of Citizen Services  
Release at the end of the working test period

In the Matter of Loleta Matlock  
City of Trenton  
Department of Public Works  
Demotion

In the Matter of Phyllis Mary Meyers

Judiciary - Camden Vicinage  
Release at the end of the working test period

In Matter of Linda C. Roach  
City of New Brunswick  
Department of Policy, Planning and Economic Department  
Removal

In Matter of Monique L. Williams  
County of Burlington  
County Jail  
Suspension

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

**ACTION:** The Merit System Board acknowledged the settlements.

**A-2 ANDREW BOOKER**

Andrew Booker, Senior Correction Officer, Adult Diagnostic and Treatment Center, Department of Corrections, 30-working day suspension on charges of conduct unbecoming a public employee and other sufficient cause: violation of the Department policy prohibiting racial and/or sexual harassment, discrimination, and/or retaliation.

Recommendation of the Administrative Law Judge – Grant the appointing authority's motion to amend suspension from 30-working day suspension to a five-working day suspension and dismiss for lack of jurisdiction.

**ACTION:** The Merit System Board affirmed the recommendation of the Administrative Law Judge and referred the matter to the Commissioner of Personnel for processing under the minor disciplinary rules.

**A-3 THOMAS V. HATCHER**

Thomas V. Hatcher, Senior Storekeeper, County of Cape May, Department of Facilities and Services, 90-working day suspension on charges of incompetency, inefficiency or failure to perform duties, insubordination and conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Modify the 90-working day suspension to a 60-working day suspension.

**ACTION:** The Merit System Board affirmed the recommendation of the Administrative Law Judge.

**A-4 IDRIS KENDRICK**

Idris Kendrick, County Correction Officer, Burlington County Jail, 10-day suspension on charges of chronic or excessive absenteeism or lateness and other sufficient cause: violation of County time and attendance policy.

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

**ACTION:** The Merit System Board affirmed the recommendation of the Administrative Law Judge.

**A-5 ALEXIS ORTIZ**

Alexis Ortiz, Police Officer, City of Passaic, Police Department, six-day suspension on charges of incompetency, inefficiency, or failure to perform duties, conduct unbecoming a public employee and other sufficient cause: violation of Department rules and regulations.

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

**ACTION:** The Merit System Board modified the recommendation of the Administrative Law Judge to a 1-day suspension.

<b>VOTE:</b>	<b>Rolando Torres, Jr.</b>	<b>(Yes)</b>
	<b>Flavella Branham</b>	<b>(Yes)</b>
	<b>John Currie</b>	<b>(Abstained)</b>
	<b>Margaret E. L. Howard</b>	<b>(Yes)</b>
	<b>Robert J. Long</b>	<b>(Yes)</b>

**A-6 JOSEPH RISCINTI**

Joseph Riscinti, Safety Specialist 1, Motor Vehicle Commission, seven-day suspension on charges of falsification and neglect of duty.

Recommendation of the Administrative Law Judge – Modify the seven-day suspension to a five-day suspension.

**ACTION:** The Merit System Board modified the recommendation of the Administrative Law Judge to uphold the 7-day suspension.

**A-7 VINCENT A. STEFANI**

Vincent A. Stefani, Public Works Repairer, Township of Parsippany-Troy Hills, Department of Public Works, 15-day suspension on charges of conduct unbecoming a public employee, misuse of public property and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the 15-day suspension to a seven-day suspension.

**ACTION:** The Merit System Board modified the recommendation of the Administrative Law Judge to uphold the 15-day suspension.

**A-8 GUILLERMO AROCHO**

Guillermo Arocho, Aide, Commission for the Blind and Visually Impaired, Department of Human Services, removal effective July 29, 2005, on charges of violation of a rule, regulation, policy, procedure, order, or administrative decision, misuse of public property, theft of State property or equipment or the property of other employees, residents, clients, or patients, falsification, intentional abuse of misuse of authority or position and conduct unbecoming a public employee.

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

**ACTION:** The Merit System Board affirmed the recommendation of the Administrative Law Judge.

**A-9 ROBBY JACKSON**

Robby Jackson, Cottage Training Technician, North Jersey Developmental Center, Department of Human Services, removal effective March 18, 2005, on charges of conduct unbecoming a public employee and violation of a rule, regulation, policy, or procedure.

Recommendation of the Administrative Law Judge – Reverse the removal.

**ACTION:** The Merit System Board directed that this matter be held over.

**A-10 JASMIAH PARKS**

Jasmiah Parks, Human Services Assistant, North Jersey Developmental Center, Department of Human Services, removal effective October 14, 2004, on the charge of physical abuse of a client.

Recommendation of the Administrative Law Judge – Reverse the removal.

**ACTION:** The Merit System Board remanded this matter to the Office of Administrative Law.

**SECTION B – MISCELLANEOUS MATTERS**

**B-1 ALEXANDRA SOTO**

Alexandra Soto appeals the removal of her name from the (S9999F) eligible list for the title of County Correction Officer, County of Hudson on the basis of psychological unfitness.

**ACTION:** The Merit System Board directed that this appeal be denied.

**B-2 LEONARD CARTER**

Leonard Carter, a Senior Correction Officer with the Edna Mahan Correctional Facility for Women, Department of Corrections, represented by Henry J. Cistrelli, Esq., appeals the denial of sick leave injury (SLI) benefits.

**ACTION:** The Merit System Board directed that this appeal be denied.

**B-3 DONTE EVANS**



Donte Evans, a former Cook with the Department of Children and Families, appeals the denial of sick leave injury (SLI) benefits.

**ACTION:** The Merit System Board directed that this appeal be denied.

**B-4 LAWRENCE FREEMAN**

Lawrence Freeman, a Bridge Operator with the Department of Transportation, appeals the denial of sick leave injury (SLI) benefits.

**ACTION:** The Merit System Board directed that this appeal be granted.

**B-5 AMY FOY**

Amy Foy, a Senior Correction Officer with the New Jersey State Prison, Department of Corrections, appeals the denial of sick leave injury (SLI) benefits.

**ACTION:** The Merit System Board directed that this appeal be granted.

**B-6 CELESTE KIRBY**

Celeste Kirby, a Senior Correction Officer with New Jersey State Prison, Department of Corrections, appeals the denial of sick leave injury (SLI) benefits.

**ACTION:** The Merit System Board directed that this appeal be denied.

**B-7 JON LANGEVIN**

Jon Langevin, an Automotive Mechanic with the Department of Transportation, appeals the denial of sick leave injury (SLI) benefits.

**ACTION:** The Merit System Board directed that this appeal be denied.

**B-8 PERRIN MAYNES AND NICHOLAS SALANITRO**

Perrin Maynes and Nicholas Salanitro, Senior Correction Officers with the Albert C. Wagner Youth Correctional Facility, Department of Corrections, represented by Brian W. Shea, Esq., appeal the denial of sick leave injury (SLI) benefits.

**ACTION:** The Merit System Board directed that these appeals be denied.

**B-9 SARAH PHILLIPS**

Sarah Phillips, a Senior Building Maintenance Worker with Ann Klein Forensic Center, Department of Human Services, represented by Ronald Brown, President, AFSCME Local 2222, appeals the denial of sick leave injury (SLI) benefits.

**ACTION:** The Merit System Board directed that this appeal be granted.

**B-10 DANNY RODRIGUEZ**

Danny Rodriguez, a Senior Correction Officer with New Jersey State Prison, Department of Corrections, represented by Brian W. Shea, Esq., appeals the denial of sick leave injury (SLI) benefits.

**ACTION:** The Merit System Board directed that this appeal be denied.

**B-11 WANDA SLATER**

Wanda Slater, a Senior Correction Officer with Northern State Prison, Department of Corrections, represented by David Tykulsker, Esq., appeals the denial of sick leave injury (SLI) benefits.

**ACTION:** The Merit System Board directed that this appeal be granted in part.

**B-12 GAIL SUOZZO**

Gail Suozzo, a Research Scientist 2 (Chemistry) with the Department of Health and Senior Services, appeals the denial of sick leave injury (SLI) benefits.

**ACTION:** The Merit System Board directed that this appeal be granted.

**B-13 SHEILA WALKER**

Sheila Walker, a Data Processing Scheduler 1 with the Office of Information Technology, represented by Dudley Burdge, Staff Representative, Communications Workers of America, Local 1032, appeals the denial of sick leave injury (SLI) benefits.

**ACTION:** The Merit System Board directed that this appeal be denied.

**B-14 RONALD WHEATON**

Ronald Wheaton, a Senior Correction Officer with Bayside State Prison, Department of Corrections, represented by Shirley Naylor, Esq., appeals the denial of sick leave injury (SLI) benefits.

**ACTION:** The Merit System Board directed that this appeal be denied.

**B-15 RONALD KOSZTYU**

Ronald Kosztyu, a Fire Fighter with the City of Trenton, appeals the bypass of his name for appointment on the Fire Captain (PM3517F), City of Trenton eligible list.

**ACTION:** The Merit System Board granted a hearing.

**B-16 ERIC CHASZAR**

Eric Chaszar petitions the Merit System Board for reconsideration of the final decision rendered on December 20, 2006, which denied his appeal regarding the promotional examination for Supervisor, Public Works (PM1719G), Township of North Brunswick.

**ACTION:** The Merit System Board directed that this request for reconsideration be denied.

**B-17 FIRE CAPTAIN (PM3517F), CITY OF TRENTON**

The Trenton Fire Superior Officers Association, FMBA Local No. 206 and FMBA Local No. 6, represented by Craig S. Gumpel, Esq., petition the Merit System Board for reconsideration of the administrative decision rendered on August 9, 2006, in which the Board ordered that the City of Trenton either permanently appoint seven firefighters who were serving in the capacity of "Acting Fire Captain" or provide evidence that they were no longer performing the duties of a Fire Captain.

**ACTION:** The Merit System Board directed that this request for reconsideration be denied.

#### **B-18 JEFFREY SHORTENCARRIER**

The Department of Corrections petitions the Merit System Board for reconsideration of the final decision rendered on November 15, 2006, which granted sick leave injury (SLI) benefits to Jeffrey Shortencarrier, a Senior Correction Officer with South Woods State Prison.

**ACTION:** The Merit System Board directed that this request for reconsideration be denied.

#### **B-19 DANIEL BOCK**

The City of Bayonne, represented by Arthur R. Thibault, Jr., Esq., appeals the decision of the Division of Human Resource Information Services which restored Daniel Bock's name to the Fire Fighter (M2201D), City of Bayonne, eligible list. Daniel Bock, represented by Benjamin Benson, Esq., requests additional relief regarding his restoration to the Fire Fighter (M2202D), City of Bayonne, eligible list.

**ACTION:** The Merit System Board directed that the appeal of the City of Bayonne be granted, the appeal of Daniel Bock be denied and Daniel Bock's name be removed from the subject eligible list.

#### **B-20 CAROLYN BRATHWAITE**

Carolyn Brathwaite appeals the decision of the Division of Human Resource Information Services which found that the City of East Orange had presented a sufficient basis to remove the appellant's name from the Police Officer (S9999F), City of East Orange eligible list on the basis of making false statements of material fact on her pre-employment application.

**ACTION:** The Merit System Board directed that this appeal be denied.

**B-21 JONATHAN CROW**

Jonathan Crow appeals the decision of the Division of Human Resource Information Services which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the County Correction Officer (S9999F), County of Ocean, eligible list due to an unsatisfactory background report.

**ACTION:** The Merit System Board directed that this appeal be denied.

**B-22 GREGORY ENGSTLER**

Gregory Engstler appeals the decision of the Division of Human Resource Information Services which found that the appointing authority had a sufficient basis to remove the appellant's name from the Sheriff's Officer (S9999F), Atlantic County, eligible list, due to failing to complete pre-employment processing.

**ACTION:** The Merit System Board directed that this appeal be granted.

**B-23 LUIS A. FURCAL**

Luis A. Furcal appeals the decision of the Division of Human Resource Information Services which found that the City of Passaic had presented a sufficient basis to remove the appellant's name from the Police Officer (S9999F), City of Passaic, eligible list, due to an unsatisfactory driving record.

**ACTION:** The Merit System Board directed that this appeal be denied.

**B-24 PATRICK LAVIN**

Patrick Lavin, represented by Marcie L. Mackolin, Esq., appeals the decision of the Division of Human Resource Information Services which removed his name from the Police Officer (S9999F), Lakewood Township, eligible list, based on an unsatisfactory employment history and unsatisfactory driving record.

**ACTION:** The Merit System Board directed that this appeal be denied.

**B-25 ROBERT D. PATTERSON**

Robert D. Patterson appeals the decision of the Division of Human Resource Information Services which found that the appointing authority had presented a sufficient basis to remove his name from the eligible list for Juvenile Detention Officer (C2128G), Warren County, on the basis that he failed to appear for an interview.

**ACTION:** The Merit System Board directed that this appeal be denied.

**B-26 THOMAS D. KEENE**

Thomas D. Keene, represented by Sebastian B. Ionno, Esq., appeals the decision of the Division of Human Resource Information Services, which found that the appointing authority had sufficient basis to remove the appellant's name from the Police Officer (S9999F), City of Atlantic City, eligible list due to an unsatisfactory driving record.

**ACTION:** The Merit System Board directed that this appeal be denied.

**B-27 IN THE MATTER OF OPEN-COMPETITIVE LISTS FOR FIRE FIGHTER**

The Director of Selection Services requests that the eligible lists for Fire Fighter for certain local municipalities and entities be extended for one year beyond their expiration dates or until new lists are issued, whichever occurs first.

**ACTION:** The Merit System Board granted the request.

**B-28 DEBRA CUMMINS-CURRY**

Debra Cummins-Curry, a Police Officer with the Township of North Bergen, represented by Catherine M. Elston, Esq., appeals the termination of her salary, effective November 3, 2006.

**ACTION:** The Merit System Board directed that this appeal be denied.

**B-29 LUCY GRACIA-BROWN**

Lucy Gracia-Brown, a Senior Administrative Analyst with the City of Newark, represented by Eric M. Winston, Esq., appeals her transfer from the Mayor's Office to the Department of Neighborhood and Recreational Services, effective July 17, 2006.

**ACTION:** The Merit System Board directed that this appeal be granted.

**B-30 REGISTRAR OF VITAL STATISTICS (TYPING) (M1135H), SADDLE BROOK**

The Township of Saddle Brook requests permission not to make an appointment from the June 5, 2006 certification for Registrar of Vital Statistics (Typing) (M1135H), Saddle Brook.

**ACTION:** The Merit System Board directed that the matter be referred to the Division of Local Human Resource Management for a Classification Review.

**B-31 WATER METER READER (M6332H), CITY OF NEWARK**

The City of Newark requests permission not to make an appointment from the July 10, 2006 certification for Water Meter Reader (M6332H), City of Newark.

**ACTION:** The Merit System Board granted the request for an appointment waiver and assessed selection costs in the amount of \$2,048.00.

**B-32 CATENA RIDGEWAY**

The Department of Corrections, on behalf on Catena Ridgeway, requests the relaxation of the provisions of *N.J.A.C. 4A:6-1.22* so as to permit Jane Bando, an employee of the Department of Personnel, to donate more than ten leave days to Ms. Ridgeway, who is participating in the donated leave program.

**ACTION:** The Merit System Board granted the request.

<b>VOTE:</b>	<b>Rolando Torres, Jr.</b>	<b>(Abstained)</b>
	<b>Flavella Branham</b>	<b>(Yes)</b>
	<b>John Currie</b>	<b>(Yes)</b>
	<b>Margaret E. L. Howard</b>	<b>(Yes)</b>
	<b>Robert J. Long</b>	<b>(Yes)</b>

### **B-33 MAHMOUD M. AMER**

Mahmoud M. Amer appeals the determination of the Acting Director of the Equal Employment Division with the Department of Corrections, 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, Harassment, or Hostile Environments in Workplace.

**ACTION:** The Merit System Board granted a hearing.

### **B-34 PHYLLIS ATKINSON**

Phyllis Atkinson, a Principal Clerk Typist with the North Jersey Developmental Center, Department of Human Services, appeals the determination of the Assistant Commissioner for Human Resources, stating that the appellant did not present sufficient evidence to support a finding that she had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination, Harassment, or Hostile Environments in Workplace.

**ACTION:** The Merit System Board directed that this appeal be denied.

### **B-35 JEANETTE INCORVAIA**



Jeanette Incorvaia, a Technical Assistant, Management Information Systems, with the Department of Labor and Workforce Development, (DLWD) appeals the determination of the Commissioner of the DLWD, 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, Harassment or Hostile Environments in the Workplace.

**ACTION:** The Merit System Board directed that this appeal be denied.

**B-36 THOMAS JEANETTE**

Thomas Jeanette, a Senior Clerk Typist with the New Lisbon Developmental Center, Department of Human Services, appeals the determination of the Assistant Commissioner for Human Resources, stating that he violated the New Jersey State Policy Prohibiting Discrimination, Harassment, or Hostile Environments in the Workplace.

**ACTION:** The Merit System Board directed that this appeal be denied.

**B-37 JOSEPH MARTIN**

Joseph Martin, a Senior Parole Officer with the State Parole Board, appeals the determination of the Acting Director with 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 he had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination, Harassment, or Hostile Environments in Workplace.

**ACTION:** The Merit System Board directed that this appeal be denied.

<b>VOTE:</b>	<b>Rolando Torres, Jr.</b>	<b>(Abstained)</b>
	<b>Flavella Branham</b>	<b>(Yes)</b>
	<b>John Currie</b>	<b>(Yes)</b>
	<b>Margaret E. L. Howard</b>	<b>(Yes)</b>
	<b>Robert J. Long</b>	<b>(Yes)</b>

**B-38 JO ANN DELLA PESCA AND ANN RIVERS**

Jo Ann Della Pesca, a Senior Clerk Transcriber with the State Parole Board, appeals the determination of the Executive Director, stating that Della Pesca presented sufficient evidence to support a finding that she had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination, Harassment, or Hostile Environments in the Workplace (State Policy) based on religion, but not based on a disability or retaliation. Additionally, Ann Rivers, an Assistant District Parole Supervisor, appeals the determination of the Executive Director, stating that there was probable cause to substantiate a finding that she violated the State Policy with regard to the complaint filed by Della Pesca.

**ACTION:** The Merit System Board directed that these appeals be denied.

#### **B-39 ANN RIVERS**

Ann Rivers, an Assistant District Parole Supervisor with the State Parole Board, appeals the determination of the Executive Director, stating that the appellant failed to present sufficient evidence to support a finding that she had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination, Harassment, or Hostile Environments in the Workplace (State Policy). Additionally, the appellant appeals the determination of the Executive Director, stating that there was probable cause to substantiate a finding that she violated the State Policy.

**ACTION:** The Merit System Board directed that these appeals be denied.

#### **B-40 PERSONNEL ASSISTANT 2, EMPLOYEE RELATIONS (S0487G), STATEWIDE**

The Department of State requests permission not to make an appointment from the May 8, 2006 certification for Personnel Assistant 2, Employee Relations (S0487G), Statewide.

**ACTION:** The Merit System Board granted the request for an appointment waiver and deferred selection costs.

#### **B-41 MICHAEL STORCK**

Michael Storck appeals the decision of the Division of Selection Services which found that he was above the maximum age requirement for the open-competitive examination for Fire Fighter (M9999H).

**ACTION:** The Merit System Board directed that this appeal be denied.

**B-42 DANIEL WILLIAMS**

Daniel Williams, represented by Arnold S. Cohen, Esq., petitions the Merit System Board for a determination with regard to the back pay awarded in *In the Matter of Daniel Williams* (MSB, decided May 28, 2003).

**ACTION:** The Merit System Board granted back pay in the amount of \$5,094.74.

**B-43 RANDY CLIVER**

The appeal of Randy Cliver, a County Correction Officer with the County of Mercer of his 10-day suspension, on charges, was heard by Chief Administrative Law Judge Laura Sanders, who rendered her initial decision on January 17, 2007. At its meeting on March 14, 2007, the Merit System Board did not adopt the ALJ's recommendation to modify the appellant's 10-day suspension to a five-day suspension. Rather, the Board upheld the 10-day suspension. The proposed final decision is now submitted for the Board's review.

**ACTION:** The Merit System Board adopted the final decision.

<b>VOTE:</b>	<b>Rolando Torres, Jr.</b>	<b>(Yes)</b>
	<b>Flavella Branham</b>	<b>(Yes)</b>
	<b>John Currie</b>	<b>(Abstained)</b>
	<b>Margaret E. L. Howard</b>	<b>(Yes)</b>
	<b>Robert J. Long</b>	<b>(Abstained)</b>

**B-44 SHYLAINE LOUISSAINT**

The appeal of Shylaine Louissaint, a Human Services Technician with the Greystone Psychiatric Hospital, Department of Human Services, of her removal, effective August 4, 2005, on charges, was heard by Administrative Law Judge J. Howard Solomon, who rendered his initial decision on February 1, 2007. At its meeting on March 14, 2007, the Merit System Board did not adopt the ALJ's recommendation to modify the removal to a six-month suspension. Rather, the Board upheld the removal. The proposed final decision is now submitted for the Board's review.

**ACTION:** The Merit System Board adopted the final decision.

<b>VOTE:</b>	<b>Rolando Torres, Jr.</b>	<b>(Yes)</b>
	<b>Flavella Branham</b>	<b>(Yes)</b>
	<b>John Currie</b>	<b>(Abstained)</b>
	<b>Margaret E. L. Howard</b>	<b>(Yes)</b>
	<b>Robert J. Long</b>	<b>(Abstained)</b>

#### **B-45 JOHN ONYEMA**

The appeal of John Onyema, a Senior Security Guard with the Newark School District, of his 30-day suspension, commencing on July 11, 2005, on charges, was heard by Administrative Law Judge Carol I. Cohen, who rendered her initial decision on January 30, 2007. At its meeting on March 14, 2007, the Merit System Board did not adopt the ALJ's recommendation to modify the penalty to a 15-working day suspension. Rather, the Board increased the penalty to a 90-working day suspension. The proposed final decision is now submitted for the Board's review.

**ACTION:** The Merit System Board adopted the final decision.

<b>VOTE:</b>	<b>Rolando Torres, Jr.</b>	<b>(Yes)</b>
	<b>Flavella Branham</b>	<b>(Yes)</b>
	<b>John Currie</b>	<b>(Abstained)</b>
	<b>Margaret E. L. Howard</b>	<b>(Yes)</b>
	<b>Robert J. Long</b>	<b>(Abstained)</b>

#### **B-46 D. ZEOGAR WILSON**

The appeal of D. Zeogar Wilson, a Human Services Assistant at Trenton Psychiatric Hospital, Department of Human Services, of his removal, effective July 27, 2005, on charges, was heard by Administrative Law Judge Jeff S. Masin, who rendered his initial decision on November 20, 2006. At its meeting on March 14, 2007, the Merit System Board did not adopt the ALJ's recommendation to reverse the removal. Rather the Board upheld the removal. The proposed final decision is now submitted for the Board's review.

**ACTION:** The Merit System Board adopted the final decision.

<b>VOTE:</b>	<b>Rolando Torres, Jr.</b>	<b>(Yes)</b>
	<b>Flavella Branham</b>	<b>(Yes)</b>
	<b>John Currie</b>	<b>(Abstained)</b>
	<b>Margaret E. L. Howard</b>	<b>(Yes)</b>
	<b>Robert J. Long</b>	<b>(Abstained)</b>

**B-47 MILONI BHATT, ET AL.**

Miloni Bhatt, Alice Carroll, Feliciano Del Valle, Sharon Durkee, Ann Eaton-Darlington, Keisia James, Tanya Robinson, Kyle Smith, Carla Tillman, and Kelly Weisneck appeal the determination of the Division of Selection Services which found that they were below the minimum requirements in experience for the promotional examination for Quality Assurance Specialist, Health Services (PS0260K), Office of Integrity and Accountability, Department of Human Services.

**ACTION:** The Merit System Board directed that these appeals be denied and the classification of Feliciano Del Valle's position be referred to the Division of State Human Resource Management for further review.

**B-48 KATHY BOARDLEY**

Kathy Boardley appeals the determination of the Division of Selection Services that per the substitution clause for education, she did not meet the experience requirements for the promotional examination for Administrative Analyst 3 (PS8342P), Department of Law and Public Safety.

**ACTION:** The Merit System Board directed that this appeal be denied.

**B-49 SCOTT CARSWELL, ET AL.**

Scott Carswell, A.K.M. Maniruzzaman and Evelyn Modlin appeal the determination of the Division of Selection Services which found that they did not meet the experience requirement for the open competitive examination for Institutional Trade Instructor 2 (Cooking) (S6914H), Department of Corrections.

**ACTION:** The Merit System Board directed that these appeals be denied.

**B-50 DEIDRE DAVIS**

Deidre Davis appeals the determination of the Division of Selection Services that she did not meet the experience requirements for the promotional examination for Supervising Tax Clerk (PM1708G), Atlantic City.

**ACTION:** The Merit System Board directed that this appeal be granted.

**B-51 PATRICK M. DOREMUS, SR., ET AL.**

Patrick M. Doremus, Sr., represented by John Segreto, Esq., Dirk Dority, Theodore J. Grubiak, William J. Gumann, Jose R. Montalvo, Luis C. Munoz, and Robert S. Tannis appeal the determination of the Division of Selection Services which found that they did not meet the requirements for the promotional examination for Supervisor of Public Works, (PM0776H), City of Clifton.

**ACTION:** The Merit System Board directed that these appeals be denied.

**B-52 ALBERT A. GARZONI**

Albert A. Garzoni appeals the determination of the Division of Selection Services which found that he did not meet the education requirements for the promotional examination for Senior Engineer, Structural Bridge Design (PS9018T), Capitol Program Management, Department of Transportation.

**ACTION:** The Merit System Board directed that this appeal be denied.

**B-53 TERRI HIRSCHHORN**

Terri Hirschhorn appeals the determination of the Division of Selection Services that she did not meet the experience requirements for the promotional examination for Supervising Program Development Specialist, Human Services (PS6656K), Department of Human Services.

**ACTION:** The Merit System Board directed that this appeal be granted and the matter be referred to the Division of State Human Resource Management for a review of the classification of the appellant's position.

**B-54 SUSAN JACKSON**

Susan Jackson appeals the determination of the Division of Selection Services that she did not meet the experience requirements for the promotional examination for Data Processing Input/Output Control Specialist 2 (PS7814H), Department of Health and Senior Services.

**ACTION:** The Merit System Board directed that this appeal be denied and the matter be referred to the Division of State Human Resource Management for a review of the classification of the appellant's position.

**B-55 DEBORAH JOHNSON-KINNARD, ET AL.**

Deborah Johnson-Kinnard, Josephine Pohl and Lemonte Sanders appeal the determination of the Division of Selection Services which found that they were below the minimum requirements in experience for the promotional examination for County Representative Human Services (PS7358K), Division of Prevention and Community Partnership, Department of Human Services.

**ACTION:** The Merit System Board directed that these appeals be denied.

**B-56 KEITH KIRBY**

Keith Kirby appeals the determination of the Division of Selection Services that he did not meet the experience requirement for the promotional examination for Communications Systems Technician 2 (PS9401T), Department of Transportation.

**ACTION:** The Merit System Board directed that this appeal be granted.

**B-57 ANTHONY LISTA**

Anthony Lista appeals the determination of the Division of Selection Services that he did not meet the experience requirements for the promotional examination for Management Improvement Specialist 2 (PS8905K), Ancora Psychiatric Hospital, Department of Human Services.

**ACTION:** The Merit System Board directed that this appeal be granted.

**B-58 DAVID OLSEN**

David Olsen appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Administrative Analyst 2 (Data Processing) (PS5915P), Department of Law and Public Safety.

**ACTION:** The Merit System Board directed that this appeal be denied.

**B-59 JOHN ORTIZ**

John Ortiz appeals the determination of the Division of Selection Services that he did not meet the experience requirements for the open-competitive examination for Supervisor, Public Works (M3335H), City of Pleasantville.

**ACTION:** The Merit System Board directed that this appeal be denied.

**B-60 PHEOBE PAGE-ASKIE**

Pheobe Page-Askie appeals the use of the Management Test Battery for the promotional examination for Administrator, Employee Relations (PS0470K), Department of Human Services.

**ACTION:** The Merit System Board directed that this appeal be denied.

**B-61 FRANCISCO SANCHEZ**

Francisco Sanchez, a Fire Captain with the City of Passaic appeals the determination of the Division of Selection Services that due to his failure to meet the one year of permanent service requirement he was ineligible for the Deputy Fire Chief (PM3618G), City of Passaic examination.

**ACTION:** The Merit System Board directed that this appeal be denied.

**B-62 LOUIS M. ULRICH**



Louis M. Ulrich appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Supervising Inventory Control Clerk (PM1011G), Department of Public Works, Union Township.

**ACTION:** The Merit System Board directed that this appeal be denied.

**B-63 BARBARA J. BERNARD**

Barbara J. Bernard appeals her rank and score on the promotional examination for Legal Secretary 1 (PS6680P), Division of Law, Department of Law and Public Safety.

**ACTION:** The Merit System Board directed that this appeal be denied.

**B-64 JANICE C. BROWN, ET AL.**

Janice C. Brown, Catherine M. Donatos, Kathleen Cioffi, and Joanne Fillimon appeal their ranks and scores on the promotional examination for Supervising Family Service Specialist 1 (PS5495K), Metro Region, Department of Children and Families.

**ACTION:** The Merit System Board directed that these appeals be denied.

**B-65 COLLEEN A. CORBETT, ET AL.**

Colleen A. Corbett, Michelle Stone, and Linda D. Walker appeal their ranks and scores on the promotional examination for Supervising Family Service Specialist 1 (PS5464K), Southern Region, Department of Children and Families.

**ACTION:** The Merit System Board directed that these appeals be denied.

**B-66 CARA ANNE M. (RODRIGUEZ) FORT AND MELISSA MCNISH**

Cara Anne M. (Rodriguez) Fort and Melissa McNish appeal their rank and score on the promotional examination for Supervising Family Service Specialist 2 (PS5458K), Central Region, Department of Children and Families.

**ACTION:** The Merit System Board directed that these appeals be denied.

**B-67 JOSEPH T. FRANCIS, JR., ET AL.**

Joseph T. Francis, Jr., Jean D. Palmer, and Robert Wright appeal their rank and score on the promotional examination for Supervising Family Service Specialist 2 (PS5465K), Southern Region, Department of Children and Families.

**ACTION:** The Merit System Board directed that these appeals be denied.

**B-68 CONSTANCE M. HAWKINS, ET AL.**

Constance M. Hawkins, Edward Murphy, and Diane M. Smith appeal their ranks and scores on the promotional examination for Supervising Family Service Specialist 1 (PS5473K), Central Region, Department of Children and Families.

**ACTION:** The Merit System Board directed that these appeals be denied.

**B-69 LIANA A. MOLINA, ET AL.**

Liana A. Molina, Elizabeth Montalvo, Shannon E. Morrison, Diana L. Organes, Carmen V. Perez-Rojas, William S. Saunders, and Linda R. Swartz appeal their ranks and scores on the promotional examination for Supervising Family Service Specialist 2 (PS5460K), Northern Region, Department of Children and Families.

**ACTION:** The Merit System Board directed that these appeals be denied.

**B-70 LIANA A. MOLINA AND ELIZABETH MONTALVO**

Liana A. Molina and Elizabeth Montalvo appeal their rank and score on the promotional examination for Supervising Family Service Specialist 2, Bilingual in Spanish and English (PS5461K), Northern Region, Department of Children and Families.

**ACTION:** The Merit System Board directed that these appeals be denied.

**B-71 KATHERINE SHEERAN**

Katherine Sheeran appeals the scoring of the examination for Probation Officer Bilingual in Spanish and English (S0509H).

**ACTION:** The Merit System Board directed that this appeal be denied.

**B-72 WILLIAM BOWMAN**

William Bowman appeals his score of the oral portion of the promotional examination for Deputy Fire Chief (PM3638G), Ocean City.

**ACTION:** The Merit System Board directed that this appeal be denied.

**B-73 CHRISTOPHER BREUNIG**

Christopher Breunig appeals his score of the oral portion of the promotional examination for Deputy Fire Chief (PM3638G), Ocean City.

**ACTION:** The Merit System Board directed that this appeal be denied.

**B-74 SCOTT GOUCHER**

Scott Goucher appeals his score of the oral portion of the promotional examination for Deputy Fire Chief (PM3638G), Ocean City.

**ACTION:** The Merit System Board directed that this appeal be granted in part and the appellant's score for the technical component of the Incident Command-Non Fire-Incident be changed from 3 to 4. The Board directed that the remainder of the appeal be denied.

**B-75 CARL HEITMEYER**

Carl Heitmeyer appeals his score of the oral portion of the promotional examination for Deputy Fire Chief (PM3616G), Elizabeth.

**ACTION:** The Merit System Board directed that this appeal be denied.

**B-76 ROBERT INDERWIES**

Robert Inderwies appeals his score of the oral portion of the promotional examination for Deputy Fire Chief (PM3616G), Elizabeth.

**ACTION:** The Merit System Board directed that this appeal be denied.

**B-77 FREDERICK LEONARDO**

Frederick Leonardo appeals his score of the oral portion of the promotional examination for Deputy Fire Chief (PM3658F), West Orange.

**ACTION:** The Merit System Board directed that this appeal be denied.

**B-78 MARK RICCIARDI**

Mark Ricciardi, represented by Steven Veltri, Esq., appeals his score of the oral portion of the promotional examination for Deputy Fire Chief (PM3619G), Paterson.

**ACTION:** The Merit System Board directed that this appeal be denied.

**B-79 ANDREW SANDOUKAS**

Andrew Sandoukas appeals his score of the oral portion of the promotional examination for Deputy Fire Chief (PM3616G), Elizabeth.

**ACTION:** The Merit System Board directed that this appeal be denied.

**B-80 ROBERT STANTON**

Robert Stanton appeals his score of the oral portion of the promotional examination for Deputy Fire Chief (PM3638G), Ocean City.

**ACTION:** The Merit System Board directed that this appeal be denied.

**B-81 JOHN TIERNEY**

John Tierney appeals his score of the oral portion of the promotional examination for Deputy Fire Chief (PM3637G), Irvington.

**ACTION:** The Merit System Board directed that this appeal be denied.

**B-82 GELAINE ALEXANDRE**

Gelaine Alexandre requests a make-up for the open competitive examination for Senior Custodian (M9656G), Newark School District.

**ACTION:** The Merit System Board granted the request.

**B-83 EDWARD ATKIN**

Edward Atkin appeals the denial of his request for a make-up for the open competitive examination for Driver Improvement Analyst Trainee (S0539H), Motor Vehicle Commission.

**ACTION:** The Merit System Board directed that this appeal be denied.

**B-84 FATU BAILEY, ET AL.**

Fatu Bailey, Jeremy Butler, Nathaniel Butler III, Johnny Ceron, Rashad Clark, Harrison Daley, Jose Diaz, Donald Pepka, Leonard Foote, Raheem Funderbunk, Ison Joseph, Jason Nelly, John Lassiter, Chenedu Offomata, John Pienciak, Tazarre Polyak, Wilber Pome, William Sanchez Jr., Christopher Stevens, Jermaine Taylor and Sharnell Williams request make-up examinations for the open-competitive examination for Fire Fighter (M9999H).

**ACTION:** The Merit System Board directed that these appeals be denied.

**B-85 JANET RODRIGUEZ**

Janet Rodriguez, represented by Peter G. Maurer, Staff Representative, Communications Workers of America, Local 1033, requests a make-up for the promotional examination for Technical Assistant 2, Treasury (PS9049U), Department of the Treasury.

**ACTION:** The Merit System Board granted the request.

**B-86 JOHN ALSTON JR., ET AL.**

John Alston Jr., Fire Officer 2 (PM3595G), Jersey City; Edward Camuso, Donald Cole and Raul Malave III, Battalion Fire Chief (PM3596G), Newark; and Brian McDermott and Andrew Selby, Battalion Fire Chief (PM3597G) Paterson appeal the test administration for the written portion of their respective examinations.

**ACTION:** The Merit System Board directed that these appeals be denied.

**B-87 JOSEPH BATTISTA, ET AL.**

Joseph Battista, Riccardi Henriquez, Jamal Kemp, Melvin McCloud, Thomas Meicke III, Ian Nunez, Dalia Rodriguez, Daniel Taggart, Patrick Trezza, Scott Tuosto and Brian Willging appeal their disqualifications by the Division of Selection Services for the open-competitive examination for Fire Fighter (M9999H) for possession of cell phones.

**ACTION:** The Merit System Board directed that these appeals be denied.

**B-88 CHRISTIAN NEGRON**

Christian Negron appeals his disqualification by the Division of Selection Services for the open-competitive examination for Fire Fighter (M9999H) for possession of a cell phone.

**ACTION:** The Merit System Board directed that this appeal be granted.

**B-89 MATTHEW CORDASCO, ET AL.**

Matthew Cordasco and Jerry Rohrbach appeal the test administration for the written portion of the examination for Battalion Fire Chief (PM3596G), Newark, while Robert Gardner appeals the test administration for the written portion of the examination for Battalion Fire Chief (PM3597G), Paterson.

**ACTION:** The Merit System Board directed that these appeals be denied.

**B-90 BRETT HARLING, ET AL.**

Brett Harling, Phillipa Rhone, Daniel Truppo and Allen Williams appeal the administration of the Entry Level Law Enforcement Examination (S9999H).

**ACTION:** The Merit System Board directed that these appeals be denied.

**B-91 EDWARD MCNAIR**

Edward McNair appeals the administration of the Entry Level Law Enforcement Examination (S9999H).

**ACTION:** The Merit System Board directed that this appeal be denied.

**B-92 MERIT SYSTEM BOARD MINUTES**

The Merit System Board minutes of its meeting of March 14, 2007 are submitted for adoption.

**ACTION:** The Merit System Board adopted the minutes of its meeting of March 14, 2007.

<b>VOTE:</b>	<b>Rolando Torres, Jr.</b>	<b>(Yes)</b>
	<b>Flavella Branham</b>	<b>(Yes)</b>
	<b>John Currie</b>	<b>(Abstained)</b>
	<b>Margaret E. L. Howard</b>	<b>(Yes)</b>
	<b>Robert J. Long</b>	<b>(Abstained)</b>

### **B-93 KRISTY BOWSER**

The appeal of Kristy Bowser, a County Correction Officer with the County of Mercer, of her 10-day suspension on charges, was heard by Chief Administrative Law Judge Laura Sanders, who rendered her initial decision on January 11, 2007. At its meeting on March 14, 2007, the Merit System Board did not adopt the ALJ's recommendation that the appellant's five-day suspension for a prior infraction be a sufficient penalty for the current matter. Rather, the Board modified the 10-day suspension to a five-day suspension. The proposed decision is now submitted for the Board's review.

**ACTION:** The Merit System Board adopted the decision.

<b>VOTE:</b>	<b>Rolando Torres, Jr.</b>	<b>(Yes)</b>
	<b>Flavella Branham</b>	<b>(Yes)</b>
	<b>John Currie</b>	<b>(Abstained)</b>
	<b>Margaret E. L. Howard</b>	<b>(Yes)</b>
	<b>Robert J. Long</b>	<b>(Abstained)</b>

### **B-94 JERRY FISHER**

Jerry Fisher, a former Police Officer with the Township of Irvington, represented by Samuel J. Halpern, Esq., requests that the Merit System Board reinstate him to his position after a determination by the Police and Firemen's Retirement System that he is no longer disabled and is fit for duty.

**ACTION:** The Merit System Board directed that this matter be held over.

### **B-95 JANICE GREENLEE**

Janice Greenlee appeals her lack of notification for the promotional examination for Senior Clerk Typist (PC2442F), Essex County.

**ACTION:** The Merit System Board directed that this appeal be granted in part.

**B-96 EARLY SETTLEMENT**

Jamie Camargo  
Hagedorn Psychiatric Hospital  
Department of Human Services  
Suspension

**ACTION:** The Merit System Board acknowledged the settlement.

**There being no further business before the Merit System Board, the meeting was adjourned to convene on Wednesday, April 11, 2007 at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.**

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**ROLANDO TORRES, JR.  
COMMISSIONER  
MERIT SYSTEM BOARD**