



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
JUNE 6, 2007**

**Rolando Torres, Jr., Chairman
Flavella Branham
John Currie
Robert Long**

JUNE 6, 2007

A regular meeting of the Merit System Board was held on Wednesday June 6, 2007, in Trenton, New Jersey.

PRESENT: Chairman Rolando Torres, Jr., Merit System Board Members, John Currie, Flavella Branham, and Robert 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 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: May 16, 2007

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

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

SUBJECT: Change in the State Classification Plan

PUBLIC BROADCASTING AUTHORITY

Pursuant to the terms of an agreement between the Office of Employee Relations, and the Communications Workers of America, certain "on-air" employees of New Jersey Network, who are currently in the titles Tentative Title (60015) and Senior Producer Director (93088), have been designated as confidential and/or managerial and excluded from CWA negotiations units:

- Michael Aron
- Barbara Manahan
- Marie DeNoia
- Kent Hicks
- James Hooker

Accordingly, a new title is required in order to properly classify these employees.

This memo requests the creation of a new title for classification purposes.

Addition of Title

Effective: 12/23/2006

Senior On-Air Talent
X98-____ Unclassified U NL/12

EVM/JMM/BP



MEMORANDUM

DATE: May 29, 2007

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

FROM: Amy Laird, Acting Director
Division of State Human Resource Management

SUBJECT: Reallocation of Position # 934821 to the Senior Executive Service

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT

The Department of Labor and Workforce Development (DOLWD) has requested that the following position be allocated to the Senior Executive Service.

Assistant Director, One Stop Programs and Services (functional title): This proposed SES position reports to the unclassified position, Director, Employment and Training, and supervises two Supervising Employment Services Specialists, one Supervising Business Representative, and one Supervisor Employment and Training Programs. The position manages a staff of 63, with an operating budget of approximately \$6,000,000.

The position has substantial policy executing responsibility in that it is responsible for planning, developing and administering the Rapid Response Team, the Business Resource Centers, the Alien Labor Certification unit, and the Work Opportunity Tax Credit unit. The purpose of this organization is to contribute to a strong linkage between workforce development and economic development in the State of New Jersey. Under the leadership of this position, employers in New Jersey are assisted in securing workers, and in planning for downsizing or closing of their businesses. The position receives broad direction from the Director, and retains considerable freedom of action in the allocation of resources, the establishment of goals and objectives, and the determination of priorities. The position will assist in the execution of the Division's functions through the implementation of policy and the development, management, and control of plans, programs and operations. The DOLWD is requesting to convert an existing management position which is currently vacant, which will result in the inactivation of the title, Assistant Director, Program and Grant Operations.

I recommend approval of this request for reallocation.

Reallocation of Position to SES

Effective: December 10, 2005

Position #: 934821
Assistant Director Program and Grant Operations Senior Executive Service
M 32 - 64641 X 98 - 90752

AL/NK



MEMORANDUM

DATE: May 31, 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

DEPARTMENT OF THE TREASURY

The Department of the Treasury seeks to create a new unclassified title, Director of Risk Management.

Senate Bill #45 was signed into legislation on March 16, 2007 and establishes a Division of Risk Management within the Department of the Treasury. The Bill stipulates that the Division is to be under the immediate supervision of a Director, who shall be appointed by the Governor.

Approval of this request will permit the Department of the Treasury to comply with the terms of Senate Bill #45.

ESTABLISHMENT OF NEW TITLE

Effective: 03/31/07

Director, Division of Risk Management
M98- U Treasury NL/12

EVM/JJM/BP

WITHDRAWAL OF APPEALS

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

Zedenia Alexis, Public Safety Telecommunicator, City of Jersey City, Police Department, removal.

Leo Bende, County Correction Officer, Burlington County, County Jail, removal.

John Bruno, Jr., Sheriff's Officer Lieutenant, Cumberland County, Sheriff's Department, suspension.

Troy Cates, Senior Correction Officer, Department of Corrections, New Jersey State Prison, indefinite suspension.

Shannon Conway, Public Safety Telecommunicator, Monmouth County, Sheriff's Department, suspension.

Sharon DiChurch, Human Services Assistant, Department of Human Services, New Lisbon Developmental Center, indefinite suspension.

Kathy Erickson, Principal Librarian, Little Egg Harbor, Library Department, suspension.

Brandon Escobar, Code Enforcement Officer, Jersey City, Public Works Department, removal.

Lajuana Liking, Institutional Attendant, Passaic County, Preakness Healthcare Center, removal.

Stacey Mangum, Senior Correction Officer, Department of Corrections, Edna Mahan Correctional Facility for Women, suspension.

Thomas Massimino, Police Sergeant, Irvington Township, Police Department, suspension.

Sean Miller, Senior Correction Officer, Department of Corrections, Southern State Correctional Facility, removal.

Steven Munyon, Senior Correction Officer, Department of Corrections, Southern State Correctional Facility, removal.

Gabriel Pierre, Mason's Helper, Newark Public Schools, release at the end of the working test period.

Deborah Romano, Principal Clerk Stenographer, Bergen County, Sheriff's Office, resignation not in good standing.

Fred Watkins III, Human Services Assistant, Department of Human Services, Woodbine Developmental Center, removals (2).

Tanisha Watson, County Correction Officer, Hudson County, Department of Corrections, removal.

Dieter Wiklanski, Senior Correction Officer, Department of Corrections, Adult Diagnostic and Treatment Center, suspension.

DISMISSAL OF APPEALS – FAILURE TO APPEAR

RECOMMENDATION: The following cases were dismissed without prejudice.

The following appellants failed to appear at the scheduled hearing before the Office of Administrative Law and have not submitted an explanation for their failure to appear:

John Bambino, Senior Correction Officer, Department of Corrections, New Jersey State Prison, removal.

Stephen Bock, Supply Support Technician 2, Department of Transportation, suspension and removals (2).

Nydia Bradshaw, Therapy Aide, Department of Human Services, Ancora Psychiatric Hospital, resignation not in good standing.

Ramona Monin Fernandez, Customer Service Representative 4, Motor Vehicle Commission, release at the end of the working test period.

Peter Glendon, Correction Sergeant, Department of Corrections, Central Medical Division, suspension.

Marvin McClain, Boiler Operator, Newark Housing Authority, removal.

Tanyunekia Mitchell, Human Services Specialist 2, Bergen County Board of Social Services, suspension.

Bienvenido Montalvo, Senior Correction Officer, Department of Corrections, Northern State Prison, suspension.

George Penn, Boat Attendant, Department of Environmental Protection, resignation not in good standing.

Jose Rodriguez, Maintenance Repairer, City of Paterson, Housing Authority, resignation not in good standing.

Wanda Thomas, Clerk Typist, Newark School District, removal.

Camelia Viera, Customer Service Representative Trainee, Motor Vehicle Commission, release at the end of the working test period.

Reginald Warren, Motor Vehicle Operator, Elderly and Handicapped, Monmouth County, Department of Human Services, suspension.

William Winkler, Groundskeeper, Pennsauken Township, Golf Course, removal.

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

In the Matter of James Brewer
Trenton Psychiatric Hospital
Department of Human Services
Removals (2)

In the Matter of Candida Dawkins
County of Hudson
Department of Corrections
Suspension

In the Matter of Carmen Del Valle
Garden State Prison
Department of Corrections
Suspension

In the Matter of John R. Gabauer, III, Alfred H. Henry, Jr. and Paul Meyer
City of Trenton
Layoffs

In the Matter of Luke Ivey
Judiciary
Cumberland/Gloucester/Salem Counties Vicinage
Suspension

In the Matter of Linc Palmer
Newark Housing Authority
Removal

In the Matter of Sharon Smith
Jersey Judiciary
Union Vicinage
Removal

In the Matter Harold S. Veal
New Jersey Veterans' Home at Paramus
Suspensions

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

ACTION: The Merit System Board acknowledged the settlements.

A-2 CLIFTON SQUARE - SETTLEMENT

Clifton Square, Supply Support Technician 2, Department of Treasury, 30-day suspension on charges of insubordination, conduct unbecoming a public employee, neglect of duty and disruption of the work place and impeding the effective delivery of services. Settled to a 25-day suspension (20 days served and five days for record purposes only) and reimbursement of 10 days' back pay.

Recommendation of the Administrative Law Judge – Acknowledge the settlement.

ACTION: The Merit System Board acknowledged the settlement.

A-3 TERESA CARLISI

Teresa Carlisi, Legal Secretary 2, Office of Public Defender, release at the end of the working test period effective June 15, 2006.

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

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

A-4 KAREN COOPER

Karen Cooper, Police Lieutenant, City of Trenton, Police Department, 10-day suspension on charges of violation of various Police Department rules and regulations regarding conduct in public and private, demonstration of respect and making a false official statement.

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

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

A-5 WARREN COOPER

Warren Cooper, Custodial Worker, Newark School District, removal and resignation not in good standing effective April 19, 2005 on charges of resignation not in good standing, chronic or excessive absenteeism and other sufficient cause.

Recommendation of the Administrative Law Judge – Dismiss the appeal without prejudice.

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

A-6 MARIA TORSIELLO

Maria Torsiello, Clerk, Township of Sparta, Department of Public Works, appeals the good faith of her layoff effective June 30, 2004, for reasons of economy and efficiency.

Recommendation of the Administrative Law Judge – Uphold the layoff.

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

A-7 SAAD BAKER

Saad Baker, Human Services Assistant, Woodbridge Developmental Center, Department of Human Services, removal effective April 11, 2006 on the charge of physical abuse of a client and removal effective April 12, 2006, on the charge of neglect of duty.

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

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

A-8 PAUL BISHOP

Paul Bishop, Employment Specialist, County of Essex, Department of Economic Development, Training and Employment, removal effective August 18, 2005, on the charge of excessive absenteeism.

Recommendation of the Administrative Law Judge – Reverse the removal.

ACTION: The Merit System Board reversed the Administrative Law Judge to uphold the removal.

A-9 LEO BOYD

Leo Boyd, Code Enforcement Officer, City of Plainfield, Department of Public Works and Urban Development, removal effective August 2, 2005, on charges of incompetency, inefficiency or failure to perform duties, insubordination and inability to perform duties.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION: The Merit System Board modified the recommendation of the Administrative Law Judge to uphold a release at the end of the working test period.

A-10 GENEVA COPES

Geneva Copes, Human Services Assistant, Ancora Psychiatric Hospital, Department of Human Services, removal effective December 21, 2005, on the charge of physical abuse of a patient.

Recommendation of the Administrative Law Judge – Reverse the removal.

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

A-11 ALFRED JONES

Alfred Jones, Institutional Trade Instructor 2, Cooking, Riverfront State Prison, Department of Corrections, removal effective August 10, 2004, on charges of insubordination and conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-12 UDOBATA NWADIOZOR

Udobata Nwadiozor, Cottage Training Technician, Woodbridge Developmental Center, Department of Human Services, removal effective February 24, 2006, on charges of physical abuse of a client and verbal abuse of a client.

Recommendation of the Administrative Law Judge – Reverse the removal.

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

A-13 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. This matter was held over from the March 28, 2007 Merit System Board meeting for testimony summary.

Recommendation of the Administrative Law Judge – Reverse the removal.

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

SECTION B – MISCELLANEOUS MATTERS

B-1 ROBERT ANELLO

Robert Anello, a Crew Supervisor, Building Maintenance Programs, with Northern 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 in part.

B-2 JACK DOOLEY

Jack Dooley, a Senior Correction Officer with South Woods 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 granted.

B-3 ROSE FISHER

Rose Fisher, a Residential Living Specialist with Vineland Developmental Center, Department of Human Services, appeals the denial of sick leave injury (SLI) benefits.

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

B-4 DORA SALGADO

Dora Salgado, a Senior Cottage Training Technician with Vineland Developmental Center, Department of Human Services, appeals the denial of sick leave injury (SLI) benefits.

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

B-5 MARCIA SHIPLEY

Marcia Shipley, a Senior Probation Officer with the Judiciary, Vicinage 15 – Gloucester, Cumberland, and Salem Counties, appeals the denial of sick leave injury (SLI) benefits.

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

B-6 VICKIE SINGLETARY

Vickie Singletary, a Communications Operator, Secured Facilities, with South Woods 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 DAVID WEIR

David Weir, an Administrative Specialist 4, with the Administrative Office of the Courts, appeals the denial of sick leave injury (SLI) benefits.

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

B-8 ROBERT WOLFE

Robert Wolfe, a Crew Supervisor, Electrical Operations 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-9 TAWANA WYCHE-LEWIS

Tawana Wyche-Lewis, a Senior Correction Officer with Edna Mahan Correctional Facility for Women, Department of Corrections, appeals the denial of sick leave injury (SLI) benefits.

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

B-10 CHRISTOPER ALOI

Christopher Aloï, represented by Michael L. Prigoff, Esq., appeals the removal of his name from the Fire Fighter (M2054A), Jersey City, eligible list due to his failure to meet the residency requirement.

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

B-11 DONALD O. GATES

The Division of Local Human Resource Management requests Merit System Board review of Atlantic City's determination not to appoint Donald O. Gates from the December 27, 2005 certification of the Supervisor, Building Service (M3519G) eligible list.

ACTION: The Merit System Board upheld Atlantic City's determination not to permanently appoint Donald O. Gates and ordered that the regular appointment dates of Carolyn Muhammad and Akbar Salaam remain March 27, 2006.

B-12 JOSEPH HETZEL

Joseph Hetzel, a County Correction Sergeant with the Gloucester County Sheriff's Office, represented by Mario A. Iavicoli, Esq., appeals the bypass of his name on the promotional list for County Correction Lieutenant (PC2637E), Gloucester County Sheriff's Office.

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

B-13 TAWINE KIRKLAND

Tawine Kirkland appeals the decision of the Division of Human Resource Information Services (HRIS) which upheld the removal of his name from the Police Officer (S9999F), Township of Irvington, eligible list due to his failure to meet the residency requirement.

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

B-14 IRENE MASLANIK

Irene Maslanik appeals the decision of the Division of Human Resource Information Services (HRIS) which found that she was properly bypassed on the Senior County Park Ranger (PC2549F), Gloucester County eligible list.

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

B-15 CHRISTOPHER R. MYERS

Christopher R. Myers appeals the decision of the Division of Human Resource Information Services, which upheld the removal of his name from the eligible list for Correction Officer Recruit (S9999F), Department of Corrections, due to an unsatisfactory background report.

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

B-16 ERIC M. ORGEN

Eric M. Orgen, represented by Benjamin Benson, Esq., appeals the decision of the Division of Human Resource Information Systems which found that the appointing authority had presented a sufficient basis to remove his name from the eligible list for Police Officer (S9999F), Township of Teaneck, on the basis of an unsatisfactory background report.

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

B-17 JAMES R. SWEITZER

James R. Sweitzer appeals the bypass on two certifications of the Police Officer (S9999F), Middle Township eligible list.

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

B-18 KIMBERLY VAUGHN

Kimberly Vaughn, represented by Donald L. Klein, Executive Vice President, Communications Workers of America, Local 1040, appeals the decision of the Division of Human Resource Information Systems (HRIS) which found that she was properly bypassed on the Secretarial Assistant 3 (Non-Stenographic) (PS6834I), New Jersey State Prison, Department of Corrections eligible list.

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

B-19 SHARON WILLIAMS

Sharon Williams, represented by Nancy S. Sokol, Esq., appeals the bypass of her name on the Administrative Supervisor of Income Maintenance (PC0435G), Cumberland County Board of Social Services eligible list.

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

B-20 HOUSING COORDINATOR (M1384H), TOWNSHIP OF PARSIPPANY-TROY HILLS

The Township of Parsippany-Troy Hills requests permission not to make an appointment from the December 4, 2006 certification for Housing Coordinator (M1384H).

ACTION: The Merit System Board granted the request for an appointment waiver but assessed selection costs in the amount of \$2,048.

B-21 DR. CORDELIA TWOMEY

Dr. Cordelia Twomey, the Chairperson of the Education Technology Department for the New Jersey City University (NJCU), represented by Aurora Rodriguez Aragon, Esq., appeals the determination of NJCU's President Dr. Carlos Hernandez, stating that there was probable cause to substantiate a finding that she violated the New Jersey State Policy Prohibiting Discrimination, Harassment or Hostile Environments in the Workplace (State Policy).

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

B-22 LOUANNE NORTON-WEHNER

Louanne Norton-Wehner, a former Project Engineer, Local Aid, with the Department of Transportation, represented by Bruce P. McMoran, Esq., appeals the determination of the Executive Director, Division of Civil Rights and Affirmative Action, stating that the appellant had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination, Harassment or Hostile Environments in the Workplace (State Policy) by Robert Werkmeister but dismissing the rest of her complaint.

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

B-23 DANIEL CRUZ

Daniel Cruz, represented by Craig S. Gumpel, Esq., petitions the Merit System Board for interim relief of his pending removal proceedings due to his failure to meet the age requirement for the Fire Fighter (M12289E), City of Newark, examination.

ACTION: The Merit System Board granted the request and directed that the charges against the petitioner be dismissed.

B-24 DEBORAH CAMA AND JOSEPH DOMAN

Deborah Cama, a County Correction Sergeant, and Joseph Doman, a County Correction Captain, with the Gloucester County Sheriff's Office, represented by Peter H. Demkovitz, Esq., request a retroactive date of appointment of June 29, 2003 to the title of County Correction Lieutenant from the County Correction Lieutenant (PC2553A), Gloucester County Sheriff's Office eligible list. Cama also appeals her non-appointment from the eligible list for County Correction Lieutenant (PC2637E), Gloucester County Sheriff's Office.

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

B-25 RONALD MISTRETTA

Ronald Mistretta, a Trooper 2 with the Division of State Police, Department of Law and Public Safety, requests restoration of prior State service in order for his personnel record to reflect continuous service for vacation leave entitlement purposes.

ACTION: The Merit System Board granted the request in part.

B-26 JONATHAN GUTIERREZ

Jonathan Gutierrez, represented by Paul Kleinbaum, Esq., petitions the Merit System Board for a waiver of the age requirement for the Fire Fighter (M2286E), City of Jersey City, examination.

ACTION: The Merit System Board denied the request.

B-27 BEVERLY WILLIAMS

Beverly Williams, County Correction Officer, Hudson County, requests Merit System Board review of a fine equal to three days pay.

ACTION: The Merit System Board remanded the matter to the Appointing Authority.

B-28 JOHN RAGAN

John Ragan, a former Police Chief with the Borough of Woodlynne petitions the Merit System Board for reconsideration of the decision rendered on September 6, 2006 which found that he did not file a timely appeal of the circumstances surrounding his resignation/retirement.

ACTION: The Merit System Board denied the request for reconsideration.

B-29 WATER TREATMENT PLANT REPAIRER (M0810G) PASSAIC VALLEY WATER COMMISSION

The Passaic Valley Water Commission requests reconsideration of the decision *In the Matter of Water Treatment Plant Repairer (M0810G), Passaic Valley Water Commission* (MSB decided October 18, 2006), which ordered it to immediately remove the provisional incumbent Keith Witte, and to properly dispose of the May 2, 2005 certification within 30 days.

ACTION: The Merit System Board granted the request but assessed the appointing authority \$500 in compliance costs and assessed no costs for the selection process.

B-30 TERRELL TWIGGS

The appeal of Terrell Twiggs, a Human Services Assistant with Ancora Psychiatric Hospital, Department of Human Services, of his removal effective April 22, 2004, on charges, was heard by Administrative Law Judge Donald J. Stein (ALJ), who rendered his initial decision on March 2, 2007. At its meeting on May 9, 2007, the Merit System Board (Board) adopted the ALJ's recommendation to reverse the removal. The proposed decision is now submitted for the Board's review.

ACTION: The Merit System Board adopted the decision.

B-31 ANN MARIE CASABIANCA, ET AL.

Ann Marie Casabianca, Janice Cerra, Noelle Humphrey, Deborah Lucci, represented by David Weiner, Representative, CWA Local 1037, Marlene Makelele, Frederick Ofili, Luis Rivera, Toni Clark-Hardin, Tosha Draper, Maria Fernandes, Linda Sembler, Patricia Smith, and Katrina Turner appeal the determination of the Division of Selection Services, Department of Personnel, regarding their placement and eligibility for the titles of Paralegal Technician 2, Paralegal Technician Assistant, and Transitional Paralegal, Department of Children and Families.

ACTION: The Merit System Board directed that the appeals of Ann Marie Casabianca, Janice Cerra, Noelle Humphrey, Frederick Ofili, Deborah Lucci, Luis Rivera, Marlene Makelele, and Katrina Turner be denied. The Merit System Board directed that the appeals of Toni Clark-Hardin, Tosha Draper and Maria Fernandes be granted in part. The Merit System Board directed that the appeals of Linda Sembler and Patricia Smith be granted.

B-32 ARCANGELO FERRARO, ET AL.

Arcangelo Ferraro, Victor Gangemi, John Guerrero, Harold Q. Pryor, and Rocco A. Senatore, Jr., appeal the determination of the Division of Selection Services which found that they were ineligible for the promotional examination for Supervisor Trades (PM1694H9), Newark School District, because the announced title did not represent a promotion.

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

B-33 JOAN FRYC

Joan Fryc appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she did not meet the experience requirements for the Personnel Officer (M1022H), Hamilton Township promotional examination.

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

B-34 THOMAS W. FURLONG

Thomas W. Furlong appeals the determination of the Division of Selection Services which found that he did not meet the education requirements for the open competitive examination for Accounting Assistant, County of Hudson (C6032H).

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

B-35 CHRISTINE MCDERMOTT

Candie L. Brown, former Chief, Human Resources, State Parole Board, on behalf of Christine McDermott, appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, Ms. McDermott did not meet the experience requirements for the promotional examination for Administrative Assistant 2 (PS0343I), State Parole Board.

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

B-36 JEFFREY SZALC

Jeffrey Szalc appeals the determination of the Division of Selection Services that he did not meet the education and experience requirements for the promotional examination for Assistant County Park Superintendent (PC1722H), Monmouth County.

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

B-37 VIROSHA EVANS

Virosha Evans appeals her failure of the multiple choice examination for Senior Instructor Counselor Re-Adjustment Unit (PS1377K), New Lisbon Developmental Center.

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

B-38 THOMAS YFANTIS

The Township of North Bergen, represented by Rachel M. Caruso, Esq., requests relaxation of N.J.A.C. 4A:4-7.1A(c) so as to permit the intergovernmental transfer of Thomas Yfantis from the title of Sheriff's Officer, Hudson County Sheriff's Office, to the title of Police Officer, Township of Bergen.

ACTION: The Merit System Board granted the request.

B-39 SALARY REGULATIONS, SUPPLEMENT 3 FY 2007

Submitted for the Board's review are Salary Regulations, Supplement 3, Fiscal Year 2007. The Supplement includes Section 4 – Miscellaneous and Table A, a list of the affected titles. It has been approved by Rolando Torres, Jr., Commissioner, Department of Personnel, and Charlene Holzbaur, Director, Division of Budget and Accounting.

ACTION: The Merit System Board recorded the salary regulations.

B-40 MERIT SYSTEM BOARD MINUTES

The minutes of the Merit System Board Meeting of May 23, 2007 are submitted for adoption.

ACTION: The Merit System Board adopted the minutes of its meeting of May 23, 2007.

B-41 FRANK BROOKS

The appeal of Frank Brooks, a Principal Planner with the City of Plainfield, of the good faith of his layoff, effective May 6, 2003, for reasons of economy and efficiency, was heard by Administrative Law Judge (ALJ) JoAnn LaSala Candido, who rendered her initial decision on April 11, 2007, upholding the layoff. At its meeting of May 23, 2007, the Board affirmed the ALJ's decision. The proposed final decision is now submitted for the Board's review.

ACTION: The Merit System Board adopted the final decision.

B-42 VINCENT GREENFIELD

The appeal of Vincent Greenfield, a Senior Correction Officer with Bayside State Prison, Department of Corrections, of his removal effective April 27, 2005, on charges, was heard by Administrative Law Judge W. Todd Miller (ALJ), who rendered his initial decision on March 2, 2007. At its meeting on May 23, 2007, the Merit System Board did not adopt the ALJ's recommendation to reverse the removal. The proposed final decision is now submitted for the Board's review.

ACTION: The Merit System Board adopted the final decision.

B-43 MARK WEBBER

Mark Webber appeals the decision of the Division of Selection Services which found that he was below the minimum requirements in experience for the promotional examination for Principal Railroad Inspector (PS0840T), Department of Transportation.

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

There being no further business before the Merit System Board, the meeting was adjourned to convene on Wednesday, June 20, 2007 at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

ROLANDO TORRES, JR.
COMMISSIONER
MERIT SYSTEM BOARD