



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  
AUGUST 29, 2007**

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

AUGUST 29, 2007

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A regular meeting of the Merit System Board was held on Wednesday August 29, 2007, in Trenton, New Jersey.

**PRESENT:** Chairman Rolando Torres, Jr., Merit System Board Members, John Currie, Flavella Branham, and Margaret E. L. Howard; 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.

**MEMORANDUM**

**DATE:** August 20, 2007

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

**FROM:** Amy Laird, Acting Director  
State Human Resource Management

**SUBJECT:** Reallocation of position #'s 911107, 911134, 927000, 910898, 910809, 936524 to the unclassified service

**OFFICE OF INFORMATION TECHNOLOGY**

Executive Order #42, signed November 20, 2006, established the position of Deputy Chief Technology Officer, and allows the Chief Technology Officer to appoint up to six (6) Deputy C.T.O.'s. The subject positions are currently classified as SES.

Adel Ebeid, Chief Technology Officer of the Office of Information Technology, seeks the reallocation of the subject positions from the senior executive service to the unclassified service.

These positions report directly to the Chief Technology Officer. These positions are responsible for information technology planning, coordination, budgeting, adherence to technical architecture, and management and oversight of large information technology initiatives, in a single area of interest/affinity group of departments/agencies, as determined by the Chair of the Governing Board and the Chief Technology Officer.

The Division of State Human Resource Management supports the requested reallocation.

**Reallocation of Service**

Effective: March 17, 2007

**FROM:**  
SES

**TO:**  
Unclassified

M98 - 90752      Position # 911107

M98 - XXXXX

Effective: March 17, 2007

**FROM:**  
SES

**TO:**  
Unclassified

M98 – 90752      Position # 911134

M98 - XXXXX

Effective: March 17, 2007

**FROM:**  
SES

**TO:**  
Unclassified

M98 – 90752      Position # 927000

M98 - XXXXX

Effective: March 17, 2007

**FROM:**  
SES

**TO:**  
Unclassified

M98 – 90752      Position # 910898

M98 - XXXXX

Effective: March 17, 2007

**FROM:**  
SES

**TO:**  
Unclassified

M98 – 90752      Position # 910809

M98 - XXXXX

Effective: March 17, 2007

**FROM:**  
SES

**TO:**  
Unclassified

M98 – 90752      Position # 936524

M98 – XXXXX

AH/KN/LB



# MEMORANDUM

**DATE:** August 20, 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

*EVM*  
*OK*

## OFFICE OF INFORMATION TECHNOLOGY

The Office of Information Technology requests the creation of a new title to comply with the terms of Executive Order #42, signed by Governor Corzine.

This Order permits for the establishment of the title Deputy Chief Technology Officer, and permits for the appointment of up to six (6) incumbents, all of whom will serve at the pleasure of the Chief Technology Officer.

The title will be established in the unclassified service. The bargaining unit was assigned by the Office of Employee Relations.

## ESTABLISHMENT OF TITLE

Effective: 03-17-07

Deputy Chief Technology Officer, Office of Information Technology  
M98-\_\_\_\_ Unclassified D NL/12



EVM/AL/JJM/BP



## MEMORANDUM

**DATE:** August 20, 2007

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

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

**SUBJECT:** Reallocation of Position #s 100739 through 100750 to the Senior Executive Service (SES)

### DEPARTMENT OF CHILDREN AND FAMILIES

The Department of Children and Families (DCF) has requested the twelve subject positions, currently classified by Tentative Title, Management, be reallocated to the Senior Executive Service. Given the former title of these positions, Assistant Regional Administrator, Human Services, was no longer an appropriate title to be utilized for the function being performed in the Department of Children and Families, these positions were reclassified to Tentative Title, Management, pending our review of the appropriateness of the functions being performed for the SES or some other alternative title.

These proposed SES positions report to the SES positions for Area Director. Prior to being reallocated to SES, the Area Director functioned utilizing the career title of Regional Administrator in the Division of Youth and Family Services. The current requested SES positions function as Assistant Regional Administrators and supervise a range of senior staff in the area offices who perform such roles as planning specialists, resource family case practice specialists, area planners, and regional 4e reviewers.

As a result of a modified settlement agreement reached after a federal class action lawsuit and a commitment by the state to reform the provision of services provided to children and families, the Division of Youth and Family Services was required to expand the number of field office staff, invest additional funds, increase training, and develop and implement new policies and procedures. The allocation of the Assistant Regional Administrator function to the SES addresses the need for greater oversight at the regional level.

The positions have substantial policy executing responsibilities in that they are responsible for developing strategic plans to effect the goals and objectives established by the Area Directors. They develop new systems, both qualitative and quantitative, to track progress in reaching those goals, and to identify impediments to implementation. The positions also provide oversight of new training mandates and development and application of the new case practice model. The creation of these positions will allow children and families to receive mandated services in an efficient and effective manner. The positions receive broad direction from the Area Directors and retain considerable freedom of action in the implementation of goals and determination of priorities. They will assist in the execution of the Division's functions by implementing policy and developing, managing, and controlling plans, programs and operations.

We recommend that these positions be reallocated to the SES.

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**Reallocation of Position #s 100739 through 100750 to SES**

Effective: February 17, 2007

Position #s: 100739, 100740, 100741, 100742, 100743, 100744, 100745, 100746, 100747,  
100748, 100749, 100750

From:  
Tentative Title, Management  
X98 - 60015C

To:  
Senior Executive Service  
X98 - 90752

**CONFIDENTIAL APPOINTMENTS**

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

**Christina Mongon**, appointed as a Confidential Assistant, Department of Human Services, effective June 9, 2007, salary of \$99,774.51 per annum.

**Kenny Esser**, appointed as Confidential Secretary, Department of Environmental Protection, effective July 16, 2007, salary of \$70,000.00 per annum.

**Susan Burrows Farber**, appointed as Confidential Secretary, Department of the Treasury, effective July 9, 2007, salary of \$90,000.00 per annum.

**Cortland Coleman**, appointed as Confidential Secretary, Department of Environmental Protection, effective July 7, 2007, salary of \$75,000.00 per annum.

**Elizabeth S. Lindsey**, appointed as Confidential Assistant, Department of the Treasury, effective June 25, 2007, salary of \$75,000.00 per annum.

**Peter M. Horensky**, appointed as Confidential Assistant, Department of Transportation, effective July 2, 2007, salary of \$55,000.00 per annum.

**Brian Bauerle**, appointed as Confidential Assistant, Department of Transportation, effective June 23, 2007, salary of \$82,400.00 per annum.

**Pamela Moore**, appointed as Confidential Secretary, Department of Education, effective May 2, 2007, salary of \$67,464.62 per annum.

**Joseph Donald**, appointed as Confidential Secretary, Department of Environmental Protection, effective July 21, 2007, salary of \$90,512.20 per annum.



**WITHDRAWAL OF APPEALS**

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

**Barry Ballard**, Senior Correction Officer, Department of Corrections, Southern State Correctional Facility, removal.

**Dina Blackwell**, Senior Correction Officer, Northern State Prison, suspension.

**Nyigel Brown**, Firefighter, Newark Fire Department, City of Newark, indefinite suspension pending disposition of criminal charges.

**Frederick Ellis**, Police Officer, East Orange Police Department, City of East Orange, suspension.

**Joseph Entwistle**, Administrative Analyst 1, Division of Financial Management/Grants, Motor Vehicle Commission, return to formerly held permanent title at the end of working test period.

**Ronnie Felton**, Laborer, Department of Water and Sewer, City of Newark, removal.

**Maria Figueroa**, Public Safety Tele-Communicator Trainee, Jersey City Police Department, City of Jersey City, removal.

**Kelvin Fisher**, Repairer, Department of Human Services, Trenton Psychiatric Hospital, three removals.

**Michele Glenn**, Nursing Services Clerk, Geraldine L. Thompson Care Center, County of Monmouth, release at the end of working test period.

**Frank Hemingway**, Senior Environmental Engineer Water Resources, Department of Environmental Protection, return to formerly held permanent title at the end of working test period.

**Juan Hernandez**, Laborer Heavy, Department of Public Works, Borough of Rutherford, removal.

**Angelique Jazlkoff**, Sheriffs Officer, Middlesex County Sheriffs Department, Middlesex County, removal.

**Robert Joyner**, Recreation Aide, Department of Human Services, Trenton Psychiatric Hospital, removal.

**Rhonda Killingsworth**, Senior Therapy Program Assistant, Department of Human Services, Trenton Psychiatric Hospital, three removals.

**Exequiel Leyva**, Police Officer, Newark Police Department, City of Newark, three removals.

**Nicholas Loizzi**, Police Sergeant, Rutherford Police Department, Borough of Rutherford, removal.

**Fritz Magny**, Police Officer, Newark Police Department, City of Newark, removal and involuntary disability retirement.

**Jeanette Mcleod**, Building Maintenance Worker, Department of Health Care Facilities, Monmouth County, removal.

**Barry Perlmutter**, Safety Specialist 1 DMV, Motor Vehicle Commission, suspension.

**Richard Petersen**, County Correction Officer, Department of Corrections, Ocean County, indefinite suspension pending disposition of criminal charges.

**Mirtha Rebull**, Human Services Specialist 1, Income Maintenance Department, Bergen County Board of Social Services, release at the end of working test period.

**William Robinson**, Police Officer-Corporal, Salem City Police Department, 2 suspensions and demotion.

**Sam Rosenfeld**, Electrician, Department of Public Works, City of Atlantic City, suspension.

**Herbert Shaw**, Repairer Stationary Equipment, Newark Public Library, City of Newark, removal.

**Jason Simpkins**, Senior Correction Officer, Department of Corrections, Southern State Correctional Facility, removal.

**Dionne Sims**, Senior Clerk, Jersey City Public Schools, City of Jersey City, return to formerly held permanent title at the end of working test period.

**Michael Stanley**, Senior Water Repairer, Department of Public Works, Township of Bloomfield, suspension.

**Mary Ellen Walkowich**, Psychiatric Social Worker, Department of Health and Rehabilitation, County of Essex, suspension.

**Tereak Washington**, Radio Dispatcher, Department of Neighborhood and Recreational Services, City of Newark, removal.

**Terry Weems**, County Correction Officer, Department of Public Safety, Atlantic County, removal.

**Jason Wim**, Correction Officer, Hunterdon County Department of Corrections, Hunterdon County, release at the end of working test period.

**DISMISSAL OF APPEALS – FAILURE TO APPEAR**

**The Merit System Board dismissed the following cases without prejudice for failure to appear at the scheduled hearing before the Office of Administrative Law:**

**Philip Anter**, Police Officer, Department of Public Affairs & Safety, City of Plainfield, removal.

**Vaughn Crawford**, Juvenile Detention Officer, Hudson County Juvenile Detention Center, Hudson County, removal.

**Katharine Jones**, County Correction Officer, Department of Corrections, Cumberland County, removal.

**Joanne Martin**, Building Maintenance Worker, Department of Building and Grounds, Burlington County, removal and release at the end of the working test period.

**Daniell Morgado**, Cottage Training Supervisor, New Lisbon Developmental Center, Department of Human Services, resignation not in good standing.

**Anetra Riddick**, Data Control Clerk, Burlington County Jail, Burlington County, suspension.

**Jason Russell**, Laborer, Ocean County Roads Department, Ocean County, removal.

**Ivan Tardio**, Security Officer, Ramapo College of New Jersey, release at the end of working test period.

**SECTION A – HEARING MATTERS**

**A-1 SETTLEMENTS**

In the Matter of Lynn Barber  
County of Cumberland  
Department of Corrections  
Removal

In the Matter of Gregg Clerico  
County of Atlantic  
Department of Public Safety  
Suspension

In the Matter of George Current  
County of Sussex  
Department of Engineering and Planning  
Suspension

In the Matter of Melissa V. Foy  
Office of Children’s Services  
Department of Human Services  
Removal

In the Matter Delia General  
Newark School District  
Removal and Resignation not in good standing

In the Matter of Miguel Gonzalez  
City of Newark  
Police Department  
Removal

In the Matter of Lauren V. Laux  
Township of Lawrence  
Department of Public Safety  
Suspension

In the Matter of Orlando Martinez  
Vineland Developmental Center  
Department of Human Services  
Resignation not in good standing

In the Matter of Piyush Patel and Isabelino Pellot  
City of Passaic  
Police Department  
Suspension

In the Matter of Daniel Perez  
City of Perth Amboy  
Department of Public Works  
Removal

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

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

**A-2 ROBERT BARHAM**

Robert Barham, an employee of Camden County, 10-day suspension on charges of conduct unbecoming a public employee and violation of the County policy on sexual harassment.

Recommendation of the Administrative Law Judge – Dismiss the appeal.

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

**A-3 KAREN GREEN**

Karen Green, Clerk, County of Hudson, Department of Corrections, release at the end of the working test period effective May 6, 2006.

Recommendation of the Administrative Law Judge – Dismiss the appeal for lack of prosecution.

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

**A-4 KLEY PERALTA AND JESSE COHEN (CONSOLIDATION)**

Kley Peralta and Jesse Cohen, Police Officers, Palisades Interstate Park Commission, appeal their eight-day suspensions on charges of various violations of Department rules.

Recommendation of the Administrative Law Judge – Reverse the eight-day suspensions.

**ACTION:** The Merit System Board modified the recommendation of the Administrative Law Judge to 3-day suspensions.

**A-5 KENNETH RANKIN**

Kenneth Rankin, Police Officer, City of Newark, Police Department, indefinite suspension on the charge of inability to perform duties.

Recommendation of the Administrative Law Judge – Reverse the indefinite suspension.

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

**VOTE:**

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

**A-6 JOAN E. IVAN (CONSOLIDATION)**

Joan E. Ivan, Sheriff's Officer, County of Middlesex, Sheriff's Department, 30-day suspension and removal effective October 14, 2003, on charges of violation of Sheriff's Office rules and regulations regarding, reporting violations, reports and truthfulness, inability to perform duties and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the 30-day suspension and uphold the removal.

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

**A-7 GARY MACDONALD**

Gary MacDonald, County Correction Officer, County of Mercer, Department of Public Safety, 1)15-day suspension on charges of insubordination, conduct unbecoming a public employee and neglect of duty; 2) 15-day suspension on charges of falsification, conduct unbecoming a public employee and neglect of duty, 3) 25-day suspension on charges of insubordination, and conduct unbecoming a public employee, 4) removal, effective March 16, 2004, on charges of neglect of duty and conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Modify the suspensions to a 75-day suspension and reverse the removal.

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

**A-8 THOMAS M. MISIUR**

Thomas M. Misiur, Laborer, City of Perth Amboy, Department of Public Works, removal effective December 9, 2006, on the charge of inability to perform duties.

Recommendation of the Administrative Law Judge – Reverse the removal.

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

**A-9 MATTHEW ROBISON**

Matthew Robison, Police Officer, City of Vineland, Department of Law and Public Safety, removal effective April 27, 2004, on charges of violations of Police Department rules regarding neglect of duty, withholding information, failure to perform duties, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

**A-10 WILBERT SANCHEZ**

Wilbert Sanchez, County Correction Officer, County of Mercer, Department of Public Safety, 10-day and 20-day suspensions and three removals effective June 26, 2006, on charges of chronic and excessive absenteeism and conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Uphold the 10-day and 20-day suspensions and the removals.

**ACTION:** The Merit System Board modified the recommendation of the Administrative Law Judge to a 90-day suspension.

**A-11 PHILLIP SMITH**

Phillip Smith, Police Officer, City of Newark, Police Department, removal effective March 16, 2006, on the charge of incompetency or inefficiency. This matter was held over from the July 25, 2007 Merit System Board meeting for the receipt of cross exceptions.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

**A -12 SETTLEMENTS**

In the Matter of Christine Keelen  
Township of North Arlington  
Layoff

In the Matter of Peter Paskovich  
City of Linden  
Suspension and demotion

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



**SECTION B – MISCELLANEOUS MATTERS**

**B-1 AFOLABI BABALOLA**

Afolabi Babalola, represented by Ciro A. Spina, III, Esq., appeals his rejection as a Juvenile Detention Officer candidate by the County of Passaic and its request to remove his name from the eligible list for Juvenile Detention Officer (C2090F) on the basis of psychological unfitness to perform effectively the duties of the position.

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

**B-2 LISA MARIE ENGLESE**

Lisa Marie Englese, represented by Sidney Lehmann, Esq., appeals her rejection as a Police Officer candidate by the City of Jersey City and its request to remove her name from the eligible list for Police Officer (S9999D) on the basis of psychological unfitness to perform effectively the duties of the position.

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

**B-3 JOSETTE R. MURPHY**

Josette R. Murphy appeals her rejection as a County Correction Officer candidate by the County of Essex and its request to remove her name from the eligible list for County Correction Officer (S9999F) on the basis of psychological unfitness to perform effectively the duties of the position.

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

**B-4 KENNETH NERO**

Kenneth Nero, represented by Anthony J. Fusco, Jr., Esq., appeals the removal of his name from the (C2090F) eligible list for Juvenile Detention Officer, Passaic County on the basis of psychological unfitness.

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

**B-5 JOSHUA W. ROQUE**

Joshua W. Roque appeals the removal of his name from the (S9999F) eligible list for the title of Correction Officer Recruit, Department of Corrections on the basis of psychological unfitness.

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

**B-6 DIANE BLACK**

Diane Black, a Crew Supervisor, Building Maintenance Workers, with Ancora Psychiatric Hospital, Department of Human Services, appeals the denial of sick leave injury (SLI) benefits.

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

**B-7 QUINCI CARTER**

Quinci Carter, a Supply Support Technician 2 with the Department of the Treasury, appeals the denial of sick leave injury (SLI) benefits.

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

**B-8 DENISE COLE**

Denise Cole, a Senior Investigator, Public Defender with the Department of the Public Advocate, represented by Terry Ridley, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

**VOTE:**

<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-9 JOSEPH RUSSOMANNO**

Joseph Russomanno, a Senior Correction Officer with South Woods State Prison, 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 granted.

**B-10 GWENDOLYN TERRELL**

Gwendolyn Terrell, a Senior Food Service Handler with the Woodbridge 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-11 EUGENE ZAISS**

Eugene Zaiss, a Senior Correction Officer with Albert C. Wagner Youth Correctional Facility, Department of Corrections, appeals the denial of sick leave injury (SLI) benefits.

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

**B-12 SHEILA ETIENNE**

Sheila Etienne appeals the decision of Human Resource Information Services (HRIS), which found that the appointing authority had a presented sufficient basis to remove her name from the eligible list for Parole Officer Recruit (S2035E), New Jersey State Parole Board, due to an unsatisfactory driving record.

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

**B-13 WARREN GRAHAM**

Warren Graham, represented by Joseph J. Belle, Esq., appeals the decision of the Division of Human Resource Information Services (HRIS) which upheld his non-selection from the Crew Supervisor Mechanics (S3504G), eligible list.

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

**B-14 ETHEL KEMP**

Ethel Kemp appeals the decision of the Division of Human Resource Information Services, which upheld the removal of her name from the eligible list for Cashier (M7316G), City of Camden, on the basis that she did not complete preemployment processing.

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

**B-15 CAROL NELSON**

Carol Nelson appeals the decision of the Division of Human Resource Information Services, which upheld the removal of her name from the Family Service Specialist 2 (S6753F) eligible list on the basis that she did not complete preemployment testing.

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

**B-16 ROBERT O'NEILL**

Robert O'Neill, represented by Paul Sant'Ambrogio, Esq., appeals the determination of the Division of Human Resource Information Services (HRIS) which upheld the appointing authority's bypass of his name on the eligible list for Police Captain (PM3532C), City of East Orange.

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

**B-17 ROBERT PEPPER**

Robert Pepper appeals the decision of the Division of Human Resource Information Services (HRIS) which found that he was properly bypassed on the Assistant Supervising Maintenance Repairer (PC1507G), Ocean County eligible list.

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

**B-18 MARVIN THOMPSON**

Marvin Thompson, represented by Kendal Coleman, Esq., 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 (S9999D), County of Passaic, eligible list due to his resignation from employment.

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

**B-19 COMMUNITY RELATIONS SPECIALIST (C68987H) COUNTY CLERK'S OFFICE, PASSAIC COUNTY**

The County Clerk's Office, Passaic County requests permission not to make an appointment from the January 16, 2007 certification for Community Relations Specialist (C6987H).

**ACTION:** The Merit System Board denied the request for appointment waiver and directed that the certification be disposed of and compliance costs in the amount of \$500 be assessed.

**VOTE:** **Rolando Torres, Jr.** (Yes)  
**Flavella Branham** (Yes)  
**John Currie** (Abstained)  
**Margaret E. L. Howard** (Yes)

**B-20 LICENSE INSPECTOR (M1078H), CAMDEN CITY**

The City of Camden requests permission not to make an appointment from the May 2, 2006 certification for License Inspector (M1078H).

**ACTION:** The Merit System Board granted the request for appointment waiver and assessed partial selection costs in the amount of \$1,024.

**B-21 PARKING ENFORCEMENT OFFICER (M1076H), BLOOMFIELD TOWNSHIP**

Bloomfield Township requests permission not to make an appointment from the November 13, 2006 certification for Parking Enforcement Officer.

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

**B-22 TECHNICAL ASSISTANT 3 (M0739F), JACKSON TOWNSHIP**

Jackson Township requests permission not to make an appointment from the August 21, 2006 certification for Technical Assistant 3 (M0739F).

**ACTION:** The Merit System Board granted the request for appointment waiver but assessed costs.

**B-23 DR. CORDELIA TWOMEY**

Dr. Cordelia Twomey, the Chairperson of the Educational Technology Department for the New Jersey City University (NJCU), represented by Aurora Rodriguez Aragon, Esq., appeals the determination of NJU's President Dr. Carolos Hernandez, stating that there was probable cause to substantiate a finding that she violated the New Jersey State Policy Prohibiting Discrimination in the Workplace (State Policy). This matter was held over from the June 6, 2007 Merit System Board Meeting.

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

**B-24 LAURIE JOHNSON**

Laurie Johnson, a County Representative, Human Services, with the Department of Children and Families, represented by Rose M. Silva, Staff Representative, CWA Local 1039, appeals her reassignment.

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

**B-25 KEVIN RYAN**

Kevin Ryan, a Quality Assurance Coordinator with the Department of Children and Families, appeals his reassignment.

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

**B-26 GWEN AUGUN**

The Judiciary, Vicinage 9, Monmouth County, requests approval to place Gwen Augun, a former Judge's Secretary 1, on continuous leaves of absence from her career service title from September 13, 1998 through May 12, 2007.

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

**B-27 THOMAS DAVIS**

Monmouth County, represented by Parthenopy A. Bardis, Esq., petitions the Merit System Board for reconsideration of that part of the decision rendered on January 31, 2007, which awarded back pay to Thomas Davis, a former County Correction Officer, from September 24, 2006 through January 22, 2007.

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

**B-28 LOUIS VALORI**

Louis Valori requests reconsideration of the final administrative determination in *In the Matter of James Behre, et al., Police Lieutenant* (MSB, decided January 17, 2007).

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

**B-29 NICELLE ALSTON AND SHELIA DRAKEFORD**

Nicelle Alston and Shelia Drakeford appeal the determinations of the Division of Selection Services which found that they were below the minimum requirements in experience for the promotional examination for Secretarial Assistant 1 (PS8662K), Department of Children and Families.

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

**B-30 JAMES BOLDEN**

James Bolden appeals the determination of the Division of Selection Services that he was ineligible for the promotional examination for Personnel Director (PM0544J), City of Jersey City.

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

**B-31 RALPH CONTE**

Ralph Conte 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 Warehouse Supervisor (PM1949H), City of Trenton.

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

**B-32 WILLIAM E. CUNNINGHAM**

William E. Cunningham appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, he was below the minimum requirements in experience for the promotional examination for Supervisor, Information Recording and Processing (PS1234U), Department of Treasury.

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

**B-33 NICOLE ETIENNE**

Nicole Etienne 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 Senior Assessing Clerk (M1395H), City of East Orange.

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

**B-34 TERRY L. FOX**

Terry L. Fox 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 (C3109H0, County of Burlington.

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

**B-35 THERESA HADLEY**

Theresa Hadley appeals the decision of the Division of Selection Services which found that, per the substitution clause for education, she did not meet the minimum requirements in experience for the promotional examination for Assistant Administrative Analyst (PM1575H), Brick Township.

**ACTION:** The Merit System Board directed that this appeal be denied but referred the classification of the appellant's provisional position to the Division of Local Human Resource Management for further review.



**B-36 JOSEPH HANEY, ET AL.**

Joseph Haney Mohammad Hatefi, Allen Huggins, Gordon Pherribo, and Micheal Ruley, represented by Sidney H. Lehmann, Esq., appeal the determinations by the Division of Selection Services that they were ineligible for the examination for Fire Official UFD (PM1535F), Atlantic City, because the announced title did not represent a promotion.

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

**B-37 THERESA HAWKINS**

Theresa Hawkins appeals the determination of the Division of Selection Services that she did not meet the experience requirements for the promotional examination for Administrative Analyst 2 (PS8675K), and Administrative Analyst 1 (PS9715K), Department of Human Services.

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

**B-38 JAMES HILL**

The County of Monmouth, on behalf of James Hill appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the qualifying examination for Supervising Bridge Repairer, Monmouth County.

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

**B-39 DEANNA LYNN**

Deanna Lynn appeals the determination of the Division of Selection Services which found that the appellant did not meet the experience requirements for the open competitive examination for Recreation Therapist (C1571H), Union County.

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

**B-40 MICHAEL MEDEIROS**

Michael Medeiros appeals the determination of the Division of Selection Services which found that he did not meet the minimum experience requirements for the promotional examination for Purchasing Assistant (PM1823H), Elizabeth Housing Authority.

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

**B-41 KATHERINE NUNN**

Katherine Nunn appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she was below the minimum requirements in experience for the promotional examination for Social Worker 2 (PS1851I), Southern State Correctional Facility.

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

**B-42 MUKESH S. SHAH**

Mukesh S. Shah 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 Supervising Environmental Specialist (PS0888T), Department of Transportation.

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

**B-43 RAISSA WALKER**

Raissa Walker 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 Personnel Officer (PM1209H), Trenton.

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

**B-44 DONALD WALSH**

The County of Monmouth, on behalf of Donald Walsh, appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the qualifying examination for Bridge Inspector, Monmouth County.

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

**B-45 ROBERT AGOSTINI**

Robert Agostini appeals his score on the oral portion of the promotional examination for Fire Officer 2 (PM36206G), North Hudson Regional Fire and Rescue Service.

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

**B-46 MICHAEL GIACUMBO**

Michael Giacumbo appeals his score on the essay and oral portions of the promotional examination for Fire Officer 2 (PM3620G), North Hudson Regional Fire and Rescue Service.

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

**B-47 PIETRO MAGLIANO, ET AL.**

Pietro Magliano (PC2637H), Hudson County; and Gregory DeFranco, Stephen Pellington and George Rosario (PC2640H), Passaic County; appeal the promotional examination for County Correction Lieutenant (various jurisdictions).

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

**B-48 RECENT COURT DECISIONS**

Submitted for the Board's review are summaries of recent court decisions involving Merit System Board and Department of Personnel determinations in *In the Matter of Tammy Hermann* (New Jersey Supreme Court, decided 7/16/07); *In the Matter of Christine Veliz* (Appellate Division, decided 7/6/07); *In the Matter of Wilfredo Colon* (Appellate Division, decided 7/19/07); *In the Matter of Matthew J. Fox* (Appellate Division, decided 7/20/07); *In the Matter of Robert Czarnecki* (Appellate Division, decided 7/20/07); and *In the Matter of Paul Kennedy* (Appellate Division, decided 7/30/07).

**ACTION:** The Merit System Board noted the decisions.

**B-49 MERIT SYSTEM BOARD MINUTES**

The Merit System Board minutes of its meeting of August 15, 2007 are submitted for adoption.

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

**B-50 SALARY REGULATIONS**

The Salary regulations, FY 2008, Supplement 1, which includes salary regulations for employees in Employee Relations Groups MB, MD, M3, M, X and members of the Senior Executive Service. They have been approved by Rolando Torres, Jr., Commissioner, Department of Personnel and Charlene M. Holzbaur, Director, Division of Budget and Accounting. They are submitted for the Board's review.

**ACTION:** The Merit System Board recorded the salary regulations.

**B-51 EARLY SETTLEMENTS**

Ginger Hadden  
Vineland Developmental Center  
Department of Human Services  
Suspension

Patricia Paulaski  
Katzenbach School for the Deaf  
Release at the end of the working test period

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

**There being no further business before the Merit System Board, the meeting was adjourned to convene on Wednesday, September 12, 2007 at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.**

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