



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
SEPTEMBER 12, 2007**

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

SEPTEMBER 12, 2007

A regular meeting of the Merit System Board was held on Wednesday, September 12, 2007, in Trenton, New Jersey.

PRESENT: Chairman Rolando Torres, Jr., Merit System Board Members, John Currie, Flavella Branham, 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 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 17, 2007

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

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

SUBJECT: Change in the Classification Plan

DEPARTMENT OF COMMUNITY AFFAIRS

The Department of Community Affairs (DCA) seeks to create a new title, Supervisor Amusement Rides and Mechanical Inspection. The title of Chief, Amusement Ride and Mechanical Inspector (M27-55927) will be inactivated upon creation of the new title.

The Chief, Amusement Ride and Mechanical Inspector title was used when the amusement ride inspection function was under the jurisdiction of the Department Labor and Workforce Development. The title was transferred to the Department of Community Affairs in May of 1998. DCA has had no need to utilize the title of Chief, Amusement Ride and Mechanical Inspection as this function is currently assumed by the Supervisor of Enforcement (S30-64426).

In lieu of the Chief, DCA requires a new title to supervise regional field staff (Code Inspectors and Sub-Code Officials) in the inspection and enforcement of Carnival and Amusement Ride Safety Act regulations (N.J.A.C. 5:14) and the Ski Lift Safety Act (N.J.A.C. 5:18).

The bargaining unit was assigned by the Governor's Office of Employee Relations.

The appropriate negotiations representatives have been notified and support this request.

ESTABLISHMENT OF NEW TITLE:

Effective: 03-31-07

Supervisor, Amusement Rides and Mechanical Inspection
R27-____ Competitive S NL/12

EVM/JMM/GB



MEMORANDUM

DATE: August 10, 2007

TO: Rolando Torres Jr., Commissioner
Department of Personnel

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

SUBJECT: Change in Classification Plan

ESTABLISHMENT OF A NEW TITLE

State and Local Government Operations requests the establishment of a new title, Supervisor, Information Technology Help Desk. The title will address a lack of an appropriate supervisory title within state and local agencies' Information Technology help desk operations. The title will have multiple workweek versions so as to supervise help desk staff working in either 35 or 40 hour workweek units, and will be common (for state and local use).

The title will be utilized to supervise the IT help desk unit, which is typically responsible for providing direct hardware and software support to end-users, including implementation and maintenance of desktop operating systems, applications, and hardware.

The new title will ensure proper classification of employees performing help desk supervisory duties and responsibilities. In addition, it will resolve a long-standing problem of agencies using inappropriate titles to supervise the help desk function.

The appropriate negotiations representatives have been notified of this request. The bargaining units were established by the Office of Employee Relations.

ESTABLISHMENT OF NEW TITLE

Effective: 09/01/2007

Supervisor IT Help Desk
R 26-_____ Career * NL12

Supervisor IT Help Desk
R 27-_____ Career * N412

EVM/JMM/AS

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

In the Matter of William Aponte
Jersey City Housing Authority
Removal

In the Matter of Crystal Bronner-Verdejo
County of Mercer
Sheriff's Department
Release at the end of the working test period

In the Matter of Keith K. Busby
County of Monmouth
Reclamation Department
Suspension

In the Matter of Larkin Combs
Township of Hillside
Police Department
Suspension

In the Matter of Jennifer DeSanto
County of Union
Department of Administrative Services
Resignation not in good standing

In the Matter of Jean Dowd
County of Essex
Department of Health and Rehabilitation
Layoff

In the Matter of Merilyne Legrand
County of Morris
Department of Senior Disability and Veteran Services
Removal

In the Matter of Tanyunekia Mitchell
Bergen County Board of Social Services
Removal

In the Matter of Rodney Ravaioli
Township of Brick
Department of Public Works
Removal

In the Matter of Anthony Sommers
County of Mercer
Department of Public Safety
Removal

In the Matter of Earle Slough
Central Reception and Assignment Facility
Department of Corrections
Suspension

In the Matter of Robert Sugrue
Department of Transportation
Resignation not in good standing

In the Matter of Ronald Ware
County of Mercer
Department of Public Safety
Suspension

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

ACTION: The Merit System Board acknowledged the settlements.

A-2 JEFFREY GRIFFIN

Jeffrey Griffin, Laborer, Newark School District, resignation not in good standing effective November 16, 2005, on charges of chronic or excessive absenteeism and other sufficient cause.

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-3 RHODERICK LOVE

Rhoderick Love, Human Services Technician, Ancora Psychiatric Hospital, Department of Human Services, 15-day suspension on the charge of conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Reverse the 15-day suspension.

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

A-4 MICHAEL SHARIN

Michael Sharin, Police Officer, Borough of Belmar, Department of Public Safety, 120-working day suspension on the charge of other sufficient cause.

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

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

A-5 WILSON COOK AKA WILSON J. PRICE

Wilson Cook aka Wilson J. Price., Laborer, Township of Jackson, Department of Public Works, removal effective May 17, 2002, on charges of conduct unbecoming a public employee and endangering the health, welfare and safety of municipal employees and the public.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-6 CHARLES BICE-BEY

Charles Bice-Bey, Cottage Training Technician, Woodbine Developmental Center, Department of Human Services, removal effective August 7, 2005, on the charge of physical abuse of a client/resident.

Recommendation of the Administrative Law Judge – Reverse the removal.

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

A-7 VERNON L. DRUMMOND, JR.

Vernon L. Drummond, Jr., Residential Services Worker, Vineland Developmental Center, Department of Human Services, removal effective February 17, 2007, on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the removal.

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

A-8 PEDRO GONZALEZ (REMAND)

Pedro Gonzalez, Correction Officer, Mountainview Youth Correctional Facility, Department of Corrections, removal effective September 30, 2002, on charges of conduct unbecoming a public employee, personal conduct, conviction of an offense involving dishonesty or of a crime of the third degree or above, or of an offense involving or touching his/her office, position or employment.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-9 VICKIE JOHNSON

Vickie Johnson, Practical Nurse, County of Cumberland, Health Department, removal effective January 9, 2006, on charges of verbal abuse of a resident, violation of resident rights, neglect of duty and threatening a co-worker.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-10 ROBERT LEWIS, JR.,

Robert Lewis, Jr., County Correction Officer, County of Hudson, Department of Corrections, removal effective September 9, 2004, on charges of neglect of duty, insubordination, conduct unbecoming a public employee, inability to perform duties 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-11 JEFFREY OLAH

Jeffrey Olah, Police Officer, Township of Woodbridge, Police Department, removal effective June 29, 2006, on charges of inability to perform duties and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the removal.

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

A-12 DALE ECKENSBERGER – SETTLEMENT

Dale Eckensberger, Laborer, Township of Woodbridge, Department of Public Works, removal effective April 16, 2004 on charges of inability to perform duties and other sufficient cause.

Recommendation of the Administrative Law Judge – Acknowledge the settlement.

ACTION: The Merit System Board acknowledged the settlement.

SECTION B – MISCELLANEOUS MATTERS**B-1 JOSEPH MOLESKI**

Joseph Moleski appeals his rejection as a Correction Officer Recruit, Juvenile Justice candidate by the Juvenile Justice Commission and its request to remove his name from the eligible list for Correction Officer Recruit, Juvenile Justice (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 granted.

B-2 JARED SALAHUDDIN

Jared Salahuddin appeals his rejection as a Police Officer candidate by the City of Perth Amboy and its request to remove his name from the eligible list for Police 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-3 LINDSAY A. TORIS

Lindsay A. Toris appeals her rejection as an Emergency Medical Technician candidate by the Township of Brick and its request to remove her name from the eligible list for Emergency Medical Technician 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 VASIL JANCEW, JR.

Vasil Jancew, Jr., appeals his rejection as a Police Officer candidate by the City of Passaic and its request to remove his name from the eligible list for Police Officer (S9999F) on the basis of medical unfitness to perform effectively the duties of the position.

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

B-5 REBECCA GARCIA

Rebecca Garcia, a Day Care Center Technician with the Regional School, Cumberland Campus, 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-6 CAROL BALDINO

Morris County, represented by Daniel W. O'Mullan, Special County Counsel, appeals the determination of the Division of Human Resource Information Systems (HRIS) which found that it did not provide a sufficient basis to remove Carol Baldino's name from the open competitive list for Advocate, Victim Witness Program (C1005G).

ACTION: The Merit System Board directed that this appeal be granted and Carol Baldino's name be removed from the subject list.

B-7 JAMES P. SINCLAIR

James P. Sinclair appeals the decision of the Division of Human Resource Information Services, which upheld the removal of his name from the eligible list for Fire Fighter (M2289E), City of Newark, on the basis of an unsatisfactory criminal record.

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

B-8 PRINCIPAL CLERK TYPIST (M1583J), CITY OF BRIDGETON

The City of Bridgeton requests permission not to make an appointment from the April 16, 2007 certification for Principal Clerk Typist (M1583J).

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

B-9 CHERINE HALL

The Division of Local Human Resource Management (LHRM) requests relaxation of N.J.A.C. 4A:4-1.1(c) in order to record the permanent appointment of Cherine Hall to the title of Deputy Municipal Court Administrator, City of East Orange.

ACTION: The Merit System Board denied the request.

B-10 ELOISE JACKSON

Eloise Jackson requests differential back pay for the period of her layoff from the title of Cafeteria Manager on October 2, 1992 to her reappointment from a special reemployment list on April 25, 2005.

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

B-11 CARRIE JOHNSON

Carrie Johnson, a former Assistant Commissioner with the Department of Corrections, appeals the determination of the Division of Human Resource Information Services, which denied her request for Supplemental Compensation on Retirement.

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

B-12 LEO F. KOZLOWSKI

Leo F. Kozlowski, a former Investigator 1, Taxation, with the Department of the Treasury, represented by Joseph Golowski, CWA Local 1033, appeals the denial of his request for Supplemental Compensation on Retirement on the basis that he resigned from employment.

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

B-13 EDMOND LEWIS

Edmond Lewis, a Charge Nurse (12 Months) with Ancora Psychiatric Hospital, Department of Human Services, petitions the Merit System Board (Board) for enforcement of the settlement agreement entered between the petitioner and the Department of Health and Senior Services, which was acknowledged by the Board on November 15, 2006.

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

B-14 HERMEAN MATTHEWS

Hermean Matthews petitions the Merit System Board for reconsideration of the decision rendered on December 20, 2006 (*In the Matter of Donna Hill and Hermean Matthews*) which found that she did not meet the experience requirements for the promotional examination for Administrative Analyst 2 (Data Processing) (PS7287T), Department of Transportation.

ACTION: The Merit System Board granted the request.

B-15 DORA SALGADO

Dora Salgado, a Senior Cottage Training Technician with Vineland Developmental Center, Department of Human Services, petitions the Merit System Board for reconsideration of the final decision rendered on June 6, 2007, granting her sick leave injury (SLI) benefits from July 26, 2006 to August 9, 2006.

ACTION: The Merit System Board granted the request.

B-16 LISA TREZZA

The Superior Court of New Jersey, Appellate Division, has remanded the matter of the denial of sick leave injury (SLI) benefits to Lisa Trezza, a Senior Rehabilitation Counselor, Mental Health, with Ann Klein Forensic Center, Department of Human Services, to the Merit System Board for consideration of additional evidence.

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

B-17 YVONNE ADAMS, ET AL.

Yvonne Adams, Kuan Bowleg, Louis Brown, Christine Campbell, Kenneth Eley, Leo Jablonski, Susan Ryan, and Nancy Shoukry appeal the determinations of the Division of Selection Services which found that they did not meet the experience requirements for the open competitive examination for Behavior Modification Program Technician (S0576J), Department of Human Services.

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

B-18 OLUFUNSHO ADESHINA, ET AL.

Olufunsho Adeshina, Debra Anderson, Jessica Balseca Cadena, Sameerah Bishop, Edward Childs, Julie Dinh, Shawonne Patterson, John Williams, and Spencer Young appeal the determination of the Division of Selection Services which found that they did not meet the experience requirements for the open competitive examination for Social Worker 2 (S0573J).

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

B-19 SONIA BENJAMIN, ET AL.

Sonia Benjamin, Armida Colangelo, Christine Hairston, Michelle Hopkins, and Lisa Serman appeal the determinations of the Division of Selection Services which found that, per the substitution clause for education, they did not meet the experience requirements for the open competitive examination for Senior Management Assistant (S6932J). Cynthia Blackwell, Limmza Davis, Mark Davis, Shawn Gardiner, Kristie Koranteng, and Kristi Ricigliano-Collins appeal the determinations of the Division of Selection Services which found that they did not meet the experience requirements for the open competitive examination for Senior Management Assistant (S6932J).

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

B-20 PATRICIA BOND

Patricia Bond 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 Deputy Municipal Court Administrator (PM0987H), Middle Township.

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

B-21 ASHOK B. BRAHMBHATT

Ashok B. Brahmhatt appeals the determination of the Division of Selection Services which found that he did not meet the educational requirements for the promotional examination for Assistant Engineer, Transportation (PS4827T), Department of Transportation.

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

B-22 SANDRA BRANDLI

Sandra Brandli appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the open competitive examination for Social Worker 2 (S0573J).

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

B-23 EUGENIA CASON

Eugenia Cason appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Secretarial Assistant 3 (Non-Stenographic) (PS2899K), Division of Child Behavioral Health Services, Department of Human Services.

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

B-24 ALISE F. DAVIS

Alise F. Davis appeals the determinations of the Division of Selection Services which found that, per the substitution clause for education, she did not meet the experience requirements for the promotional examinations for Administrative Analyst 2 (PS6804H) and (PS0642H), Office of the Commissioner, Department of Health and Senior Services.

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

B-25 ANTHONY DAVIS

Anthony Davis 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, Fiscal Management (PS9256K), Division of Developmental Disabilities, Department of Human Services.

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

B-26 KATHLEEN EKIMOGLU AND KARIN FLYNN

Kathleen Ekimoglou appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Field Monitor 3, Division of Motor Vehicles (PS9000T), Motor Vehicle Commission. Karin Flynn 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 promotional examination for Field Monitor 3, Division of Motor Vehicles (PS9000T), Motor Vehicle Commission.

ACTION: The Merit System Board directed that these appeals be denied but a new examination announcement for Field Monitor 3, Division of Motor Vehicles, Motor Vehicle Commission be issued as soon as possible.

B-27 WILLIAM ELLER

William Eller appeals the determination of the Division of Selection Services that he was ineligible for the promotional examination for Police Sergeant (PM2580H), Gloucester City.

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

B-28 TIFFANY GULBRANSON, ET AL.

Tiffany Gulbranson, Doreen Lewis, Susan Shriver, and Evelyn Wimbish appeal the determinations of the Division of Selection Services which found that they did not meet the experience requirements for the promotional examination for Field Monitor 2, Division of Motor Vehicles (PS9003T), Motor Vehicle Commission.

ACTION: The Merit System Board directed that these appeals be denied but a new examination announcement for Field Monitor 2, Division of Motor Vehicles, Motor Vehicle Commission be issued as soon as possible

B-29 KIRK HAYES

Kirk Hayes appeals the determination of the Division of Selection Services which found that he did not meet the minimum requirements for the promotional examination for Head Grounds Worker (PS2586J), Rowan University.

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

B-30 SYBIL JACKSON-BROWN

Sybil Jackson-Brown 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 Employment Counselor (C1562H), Essex County open-competitive examination.

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

B-31 NOLLERINE JEFFERS

Nollerine Jeffers appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the open competitive examination for Technical Library Assistant (S0560H).

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

B-32 THOMAS MARMARA

Thomas Marmara appeals the determinations of the Division of Selection Services, which found that he was below the minimum requirements in experience for the open competitive examinations for Management Specialist (C6977H), Morris County and Management Specialist (C6027J), Morris County.

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

B-33 JOSEPH NYZIO

Joseph Nyzio appeals the determination of the Division of Selection Services that he did not meet the experience requirement for the open competitive examination for Veterans' Service Officer (S3052J).

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

B-34 EDWARD SCARFI

Edward Scarfi appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the open competitive examination for Assistant Real Estate Officer (C6114J), Monmouth County.

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

B-35 JULIO SILVA

Julio Silva appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the open competitive examination for Radio Dispatcher (C6030J) Mercer County.

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

B-36 VIRGINIA TRAVIS

Virginia Travis appeals the determination of the Division of Selection Services that found that she did not meet the experience requirements for the open competitive examination for Senior Clerk Transcriber (C1781J), Hunterdon County.

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

B-37 LUCIANO COLLAZO

Luciano Collazo appeals his seniority score for the promotional examination for Police Captain (PM3544G), Newark.

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

B-38 VINCENT GIGLIO, ET AL.

Vincent Giglio (PC2654H), Monmouth County; Darren Burns, Steven Post and Kenneth Sharrock (PC2655H), Morris County; John Lazzara and Alan Souto (PC2567H), Passaic County; appeal the promotional examination for Sheriff's Officer Lieutenant (various jurisdictions).

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

B-39 HUGO FREEMAN

Hugo Freeman appeals the administration of the open competitive examination for Senior Custodian (M9656G), Newark School District.

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

B-40 ANTHONY VALENTINO

The Township of Aberdeen requests relaxation of N.J.A.C. 4A:4-7.1A(c) so as to permit the intergovernmental transfer of Anthony Valentino from the title of Sheriff's Officer, Hudson County Sheriff's Office to the title of Police Officer, Township of Aberdeen.

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

B-41 MERIT SYSTEM BOARD MINUTES

The Merit System Board Minutes of its meeting of August 15, 2007 are submitted for adoption. This matter was held over from the August 29, 2007 meeting for lack of quorum.

ACTION: The Merit System Board adopted the minutes of its meeting of August 15, 2007.

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

B-42 MERIT SYSTEM BOARD MINUTES

The Merit System Board Minutes of its meeting of August 29, 2007 are submitted for adoption.

ACTION: The Merit System Board adopted the minutes of its meeting of August 29, 2007.

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

B-43 SUZANNE BUTLER

The appeal of Suzanne Butler, a Police Officer with the Township of Scotch Plains, of her 90-day suspension, on charges, was heard by Administrative Law Judge (ALJ) Barry E. Moscowitz, who rendered his initial decision on June 14, 2007. At its meeting on August 15, 2007, the Merit System Board did not adopt the ALJ's recommendation to modify the suspension to a 90-day suspension to a 21-day suspension. Rather, the Board modified the 90-day suspension to a 30 working day suspension. The proposed decision is now submitted for the Board's review.

ACTION: The Merit System Board adopted the decision.

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

B-44 JUSTO DELGADO

The appeal of Justo Delgado, a Laborer with the City of Union of his removal, effective July 11, 2005, on charges, was heard by Administrative Law Judge Imre Karaszegi (ALJ), who rendered his initial decision on June 15, 2007. At its meeting on August 15, 2007, the Merit System Board did not adopt the ALJ's recommendation to dismiss the charges. Rather, the Board ordered that the matter be remanded to the Office of Administrative Law. The proposed decision is now submitted for the Board's review.

ACTION: The Merit System Board adopted the decision.

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

B-45 DAMIEN JOHNSON

The appeal of Damien Johnson, a Laborer with the City of Linden, of his removal, effective October 4, 2004, on charges, was heard by Administrative Law Judge Diana C. Sukovich (ALJ), who rendered her initial decision on May 29, 2007. At its meeting on August 15, 2007, the Board did not adopt the ALJ's recommendation to uphold the appellant's removal. Rather, the Board modified the removal to a three-month suspension. The proposed decision is now submitted for the Board's review.

ACTION: The Merit System Board adopted the decision.

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

B-46 SUSAN O'BRIEN

The appeal of Susan O'Brien, a Laborer with the City of Linden, of her removal effective July 7, 2005, on charges, was heard by Administrative Law Judge Ken R. Springer (ALJ), who rendered his initial decision on May 24, 2007. At its meeting on August 15, 2007, the Merit System Board adopted the ALJ's recommendation to uphold the removal. The proposed final decision is now submitted for the Board's review.

ACTION: The Merit System Board adopted the final decision.

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

B-47 JOAN IVAN

The appeals of Joan Ivan, a Sheriff's Officer with Middlesex County, of her 30-day suspension and her removal, effective October 14, 2003, on charges, were heard by Administrative Law Judge Dennis P. Blake (ALJ), who rendered his initial decision on July 16, 2007. At its meeting on August 29, 2007, the Merit System Board accepted the ALJ's recommendation to reverse the 30-day suspension and uphold the removal. The proposed decision is now submitted for the Board's review.

ACTION: The Merit System Board adopted the decision.

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

B-48 GARY MACDONALD

The appeal of Gary MacDonald, a County Correction Officer with the County of Mercer, of three 15-day suspensions, a 25-day suspension, and removal, effective March 16, 2004 on charges, was heard by Administrative Law Judge Patricia M. Kerins (ALJ), who rendered her initial decision on May 3, 2007. At its meeting on August 29, 2007, the Merit System Board adopted the ALJ's recommendation to modify the suspensions to a 30-day and 45-day suspension and reverse the appellant's removal. The proposed decision is now submitted for the Board's review.

ACTION: The Merit System Board adopted the decision.

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

B-49 KLEY PERALTA AND JESSE COHEN

The appeals of Kley Peralta and Jesse Cohen, Police Officers with the Palisades Interstate Park Commission, of their eight-day suspensions, on charges were heard by Administrative Law Judge (ALJ) Jesse H. Strauss, who rendered his initial decision on July 11, 2007. At its meeting on August 29, 2007, the Merit System Board did not adopt the ALJ's recommendation to reverse the eight day suspensions. Rather, the Board modified the eight-day suspensions to three-day suspensions. The proposed final decision is now submitted for the Board's review.

ACTION: The Merit System Board adopted the final decision.

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

B-50 KENNETH RANKIN

The appeal of Kenneth Rankin, a Police Officer with the City of Newark, Police Department, of his indefinite suspension effective May 9, 2006, on charges, was heard by Administrative Law Judge Sandra Ann Robinson (ALJ), who rendered her initial decision on July 10, 2007. At its meeting on August 29, 2007, the Merit System Board adopted the ALJ's recommendation to reverse the suspension. The proposed decision is now submitted for the Board's review.

ACTION: The Merit System Board adopted the decision.

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

B-51 EARLY SETTLEMENTS

Mervin Ganesh
New Jersey State Prison
Department of Corrections
Suspension

William Higgs
New Jersey State Prison
Department of Corrections
Suspension

Anthony Marrero
New Lisbon Developmental Center
Department of Human Services
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 26, 2007 at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

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