



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
APRIL 9, 2008**

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

APRIL 9, 2008

A regular meeting of the Merit System Board was held on Wednesday April 9, 2008, in Trenton, New Jersey.

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

In accordance with L.1975, c.231, Chairman Rolando Torres Jr., opened the meeting with the following statement:

Notice of this meeting was filed with the Secretary of State and sent to the Trentonian, Trenton Times, Courier-Post and Star Ledger on November 21, 2007, and posted at the Department of Personnel, 3 Station Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

In the Matter of Andrew Booker
Adult Diagnostic and Treatment Center
Department of Corrections
Suspension and removal

In the Matter of Stephanie Brooks
County of Passaic
Sheriff's Department
Removal

In the Matter of Teron Brown-Darby
State of New Jersey Judiciary
Essex Vicinage
Removal

In the Matter of Osvaldo Castro
Township of Aberdeen
Department of Public Works
Removal

In the Matter of Howard Conk, Jr.
Township of Jackson
Department of Public Works
Return to permanent title at the end of the working test period

In the Matter of Nancy Drake
City of Rahway
Police Department
Resignation not in good standing

In the Matter of Gregory Green
Count of Hudson
Department of Corrections
Suspension

In the Matter of Joseph Lynch, Jr.
Township of Winslow
Department of Parks and Recreation
Release at the end of the working test period

In the Matter of George Napoleon
Essex County
Department of Citizen Services
Removal

In the Matter of Steven M. Newcomb
Borough of Clementon
Water Department
Suspension

In the Matter of Lawrence Reynolds
Township of Irvington
Police Department
Suspension

In the Matter of Madelin Santiago
Woodbine Developmental Center
Department of Human Services
Removal

In the Matter of Erik Silva
City of Newark
Police Department
Removal

In the Matter Norman Wallace
County of Camden
Department of Corrections and Juvenile Justice
Release at the end of the working test period

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

ACTION: The Merit System Board acknowledged the settlements.

A-2 LUCY ALONSO

Lucy Alonso, Personnel Assistant 2, Northern State Prison, Department of Corrections, 60-working day suspension on charges of incompetency, inefficiency, failure to perform duties, neglect of duty and falsification.

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

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

A-3 KEITH CURRY

Keith Curry, Police Officer, Township of Vernon, Department of Public Safety, 30-day suspension on charges of violation of Department rules, regulations regarding the release of information and conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Modify the 30-day suspension to a 15-day suspension.

ACTION: The Merit System Board modified the recommendation of the Administrative Law Judge to uphold the 30-day suspension.

A-4 DEBORAH JOHNSON-MCCALL

Deborah Johnson-McCall, Cook, County of Atlantic, Department of Human Services, 10-day suspension on the charge of conduct unbecoming a public employee.

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

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

A-5 KEVIN MORRISON

Kevin Morrison, Laborer, City of Newark, Department of Neighborhood and Recreation Services, resignation not in good standing effective October 2, 2006, on charges of excessive unauthorized absenteeism and/or absent without leave and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the resignation not in good standing.

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

A-6 W. L. WILSON

W. L. Wilson, County Correction Officer, County of Hudson, Department of Corrections, 6-day, 10-day, 30-day, 45-day and 90-day suspensions on charges of insubordination, conduct unbecoming a public employee and neglect of duty.

Recommendation of the Administrative Law Judge – Reverse the 6-day, 10-day, 30-day, 45-day and 90-day suspensions.

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

A-7 CHRISTOPHER BAYLOR

Christopher Baylor, Senior Correction Officer, New Jersey State Prison, Department of Corrections, removal effective February 3, 2006 on charges of conduct unbecoming a public employee and violation of rules regarding personal conduct.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-8 ROBERT DEINER

Robert Deiner, Police Officer, City of New Brunswick, Police Department, removal effective February 8, 2004 on charges of violation of various Police Department rules, or regulations, conduct unbecoming a public employee, insubordination, 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-9 JAMES FLAGLER

James Flagler, Police Aide, Township of Irvington, Police Department, removal effective July 13, 2005, on charges of incompetency, inefficiency or failure to perform duties, neglect of duty and violation of police department rules regarding general responsibilities, performance of duty and incompetence. This matter was held over from the March 26, 2008 Merit System Board meeting.

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 H. FOSTER

Robert H. Foster, Aide, Commission for the Blind and Visually Impaired, Department of Human Services, removal, effective March 30, 2007, on charges of conduct unbecoming a public employee and inability to perform duties.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-11 JEROME HOLLAND

Jerome Holland, Computer Service Technician, Newark School District, removal and resignation not in good standing effective December 20, 2005 on charges of neglect of duty, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal and modify the resignation not in good standing to a resignation in good standing.

ACTION: The Merit System Board affirmed the recommendation of the Administrative Law Judge to uphold the removal but modified the recommendation of the Administrative Law Judge to uphold the resignation not in good standing.

A-12 CLEVELAND JOHNSON

Cleveland Johnson, Paralegal Specialist, City of Newark, Law Department, removal effective April 21, 2006 on the charge of violation of the City's residency ordinance.

Recommendation of the Administrative Law Judge – Reverse the removal.

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

A-13 JAMES JONES

James Jones, Laborer, City of Newark, Water and Sewer Department, removal effective November 28, 2006, on charges of inability 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-14 SETTLEMENTS

In the Matter of Leanora Baum
Sussex County
Department of Health and Human Services
Removal

In the Matter of Alisha Robertson
Newark School District
Removal

In the Matter of Keisha Williams
Department of Children and Families
Release at the end of the working test period

**RECOMMENDATION OF THE ADMINISTRATIVE LAW JUDGE –
ACKNOWLEDGE THE SETTLEMENTS**

ACTION: The Merit System Board acknowledged the settlements.

SECTION B – MISCELLANEOUS MATTERS

B-1 JUAN RAFAEL FLORES

Juan Rafael Flores, represented by James J. Leonard, Jr., Esq., appeals his rejection as a Police Officer candidate by the City of Atlantic City 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-2 JOSEPH STEINMAN, JR.

Joseph Steinman, Jr., represented by Steven P. Scheffler, Esq., appeals his rejection as a Police Officer candidate by the City of Margate 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 EUGENE BEJOT

Eugene Bejot, represented by Stephen B. Hunter, Esq., appeals his rejection as a Police Officer candidate by Jersey City 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 granted.

B-4 SHAWN J. MCCABE

Shawn J. McCabe, represented by James P. Swift, Esq., appeals his rejection as a Police Officer candidate by Atlantic City 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 granted.

B-5 JEFFREY S. COX

Jeffrey S. Cox, a Truck Driver, Single Axle, Department of Transportation, represented by Anthony M. Rotunno, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-6 DONNA FRASIER

Donna Frasier, a Senior Correction Officer with the 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-7 PATSY LEFLORE

Patsy LeFlore, a Social Work Supervisor 1 (Secured Facilities) with the Albert C. Wagner Youth Correctional Facility, Department of Corrections, represented by Richard D. Cordry, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-8 THOMAS GUERRIERO

Thomas Guerriero, an Assistant Engineer in Charge of Maintenance 2 with Mid-State 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-9 LARRY JOHNSON

Larry Johnson, a Senior Correction Officer with Northern 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 denied.

B-10 PAUL KUBALA

Paul Kubala, a Construction and Maintenance Technician 4 with the Department of Transportation appeals the appointing authority's denial of an extension to the one-year period for receipt of sick leave injury (SLI) benefits.

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

B-11 ERIC RAUCHBACH

Eric Rauchbach, a Senior Correction Officer at East Jersey 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 in part.

B-12 KEVIN SAVOY

Kevin Savoy, an Assistant Engineer in Charge of Maintenance 1 with East Jersey State Prison, Department of Corrections, represented by Randall P. Brett, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-13 ALFONZIO WILLIAMS

Alfonzio Williams, a former Day Care Technician with the Department of Children and Families, appeals the denial of sick leave injury (SLI) benefits.

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

B-14 KAREN ATTICS

Karen Attics appeals the removal of her name from the eligible list for Paralegal Technician 2 (S0488G), Department of Children and Families, for failure to complete re-employment processing.

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

B-15 LOUIS W. BARTLESON

Louis W. Bartleson appeals the decision of the Division of Local Human Resource Management which found that the appointing authority had presented a sufficient basis to remove his name from the eligible list for County Correction Officer (S9999H), Cape May County on the basis of unsatisfactory driving record.

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

B-16 MARC BLAHA

Marc Blaha, represented by Frederick D. Miceli, Esq., appeals the decision of the former Division of Human Resource Information Services (HRIS), which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the Correction Officer Recruit (S9999F), Department of Corrections eligible list, on the basis of an unsatisfactory criminal record.

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

B-17 ARNOLD DAVION

Arnold Davion appeals the decision of the former Division of Human Resource Information Services (HRIS), which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the Social Worker (C1080G), Middlesex County eligible list, on the basis of his failure to appear for an interview.

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

B-18 AMY HARRISON

Amy Harrison appeals the removal of her name from the eligible lists for Correction Officer Recruit (S9999F and S9999H), Department of Corrections due to an unsatisfactory employment history.

ACTION: The Merit System Board directed that these appeals be granted, but that the appellant's name be reflected as bypassed on the certifications.

B-19 SEAN A. HILL

Sean A. Hill appeals the decision of the former Division of Human Resource Information Services (HRIS), which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the Police Officer (S9999F), City of Asbury Park eligible list due to falsification of his application and failure to maintain residency.

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

B-20 SHAWKI HILL

Shawki Hill, represented by Paul W. Bergrin, Esq., appeals the decision of the former Division of Human Resource Information Services which found that the appointing authority had presented a sufficient basis to remove his name from the eligible list for Fire Fighter (M2289E), City of Newark, for failure to meet the residency requirements.

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

B-21 GERARDO PEANEY

The Middlesex County Board of Social Services appeals the decision of the former Division of Human Resource Information Services (HRIS) which restored Gerardo Peaney's name to the eligible list for Supervising Security Guard (C1514H), Middlesex County Board of Social Services.

ACTION: The Merit System Board directed that this appeal be granted and Gerardo Peaney's name be removed from the eligible list.

B-22 JAMEEL R. PERRY

Jameel R. Perry appeals the decision of the former Division of Human Resource Information Services (HRIS), which found that the appointing authority had presented a sufficient basis to remove his name from the Correction Officer Recruit (S9999F), Department of Corrections eligible list due to falsification of his application.

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

B-23 JUDY ANN VINCI

Judy Ann Vinci appeals the removal of her name from the Police Officer (S9999F), Middletown Township, eligible list due to an unsatisfactory employment record.

ACTION: The Merit System Board directed that this appeal be granted and the appellant's name be reflected as bypassed on the March 9, 2006 certification.

B-24 ACCOUNTING ASSISTANT (C6168J), SALEM COUNTY

Salem County requests permission not to make an appointment from the October 2, 2007 certification for Accounting Assistant (C6168J).

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

B-25 CUSTOMER SERVICE INFORMATION SPECIALIST 3, BILINGUAL IN SPANISH AND ENGLISH (S0548H) STATEWIDE

The Department of Human Services requests permission not to make an appointment from the November 2, 2006 certification for Customer Service Information Specialist 3, Bilingual in Spanish and English (S0548H), Statewide.

ACTION: The Merit System Board granted the appointment waiver and assessed no costs at this time.

B-26 MANAGER 1, INFORMATION PROCESSING (S4103G), STATEWIDE

The Division of Mental Health Services, Department of Human Services, requests permission not to make an appointment from the June 1, 2006 certification for Manager 1, Information Processing (S4103G).

ACTION: The Merit System Board denied the request for appointment waiver and assessed compliance costs.

B-27 OPERATIONS AND TRAINING OFFICER, EMERGENCY MANAGEMENT (C6779H), HUDSON COUNTY

Hudson County requests permission not to make an appointment from the June 12 2006 certification for Operations and Training Officer, Emergency Management (C6779H).

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

B-28 SENIOR LOAN ADVISOR (M1611J), EAST ORANGE

East Orange requests permission not to make an appointment from the May 17, 2007 certification for Senior Loan Advisor (M1611J).

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

B-29 TECHNICAL ASSISTANT 2, PURCHASING (S0552H), STATEWIDE

Richard Stockton College of New Jersey requests permission not to make an appointment from the November 9, 2006 certification for Technical Assistant 2, Purchasing (S0552H), Statewide.

ACTION: The Merit System Board granted the appointment waiver and assessed no selection costs at this time.

B-30 TRAINING TECHNICIAN TRAINEE (S0524H), STATEWIDE

The Department of Human Services requests permission not to make an appointment from the certification for Training Technician Trainee (S0524H), Statewide.

ACTION: The Merit System Board granted the appointment waiver but assessed selection costs in the amount of \$8,285.

B-31 MARILYN BONNY

Marilyn Bonny, an Assistant Director of Nursing Services 1 (Psychiatric) with the Department of Human Services, appeals the determination of the Acting Chief of Staff, stating that there was probable cause to substantiate a finding that she violated the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

B-32 MARGARITA LISNAK

Margarita Lisnak, a Communications Operator with Albert C. Wagner Youth Correctional Facility, Department of Corrections, appeals the determination of the Acting Director, Equal Employment Division, which found that the appellant failed to present sufficient evidence to support a finding that she had been subjected to violations of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

B-33 ALFRED MICCIO

Alfred Miccio, a Correction Sergeant with Southern State Correctional Facility, Department of Corrections, appeals the determinations of the Acting and Assistant Directors of the Equal Employment Division (EED) with the Department of Corrections, stating that the appellant failed to present sufficient evidence to support a finding that he had been subjected to violations of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

ACTION: The Merit System Board remanded the matter to the Department of Corrections for further investigation.

B-34 JOANNE ANNACONE

Joanne Annacone, a former Principal Clerk Stenographer with Camden County, represented by Joseph A. Carmen, Esq., seeks enforcement of the decision of the Merit System Board, *In the Matter of Camden County Layoffs* (MSB, decided July 12, 1998), *aff'd*, Docket No. A-709-98T5 (App. Div. March 22, 2001), granting her differential back pay, benefits, and counsel fees.

ACTION: The Merit System Board ordered Camden County to pay the appellant \$44,324.08 in back pay and \$9,962.64 in counsel fees.

B-35 ANDREW GAFFNEY

The City of Atlantic City, represented by Anthony A. Swan, Deputy City Solicitor, petitions the Merit System Board for a retroactive date of permanent appointment to the title of Fire Captain for Andrew Gaffney, in order to effectuate the terms of the settlement agreement between Gaffney and the City.

ACTION: The Merit System Board granted the request.

B-36 JESSICA BALSECA CADENA

Jessica Balseca Cadena petitions the Merit System Board for reconsideration of the decision rendered on September 12, 2007 (*In the Matter of Olufunsho Adeshina, et al.*) 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 denied the request for reconsideration.

B-37 PHILIP BENNETT

The Department of Corrections, represented by Betty M. Ng, Deputy Attorney General, petitions the Merit System Board for reconsideration of its final decision, rendered on October 24, 2007, which reversed the removal of Philip Bennett.

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

B-38 ALEISHA CRUZ

Aleisha Cruz, represented by Peter J. Cresci, Esq., requests reconsideration of the decision rendered on December 19, 2007 by the Merit System Board which found her to be psychologically unfit for a position as a Police Officer (S9999F), Jersey City.

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

B-39 RAUL MENDEZ

The Department of Corrections, represented by Kathleen Asher, Deputy Attorney General, petitions the Merit System Board for reconsideration of that part of its final decision, rendered on November 8, 2007, which reversed the removal of Raul Mendez. Mendez, represented by Robert A. Fagella, Esq., petitions the Merit System Board for enforcement of its decision.

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

B-40 LARRY TAYLOR

The Department of Human Services, represented by Kathleen Asher, Deputy Attorney General, requests interlocutory review of the order of Chief Administrative Law Judge (ALJ) Laura Sanders in *Larry Taylor v. Department of Human Services*, DOP Docket No. 2006-421, OAL Docket No. CSV 6937-05, pursuant to N.J.A.C. 1:1-14.10(a).

ACTION: The Merit System Board granted interlocutory review and reversed the ALJ's order.

B-41 BRIAN COHAN

The appeal of Brian Cohan, a Human Services Assistant at Ancora Psychiatric Hospital, Department of Human Services, of his removal, effective March 31, 2006, on charges, was heard by Administrative Law Judge (ALJ) Donald J. Stein, who rendered his initial decision on November 29, 2007. At its meeting on March 26, 2008, the Merit System Board adopted the ALJ's recommendation to dismiss the charges and reverse the removal. The proposed decision is now submitted for the Board's review.

ACTION: The Merit System Board adopted the decision.

B-42 JOHN SIMPSON

The appeal of John Simpson, a Truck Driver with the Township of Monroe, of his removal effective January 5, 2007, on charges, was heard by Administrative Law Judge Joseph Lavery (ALJ), who rendered his initial decision on January 8, 2008. At its meeting on March 26, 2008, the Merit System Board did not adopt the ALJ's recommendation to uphold the removal. Rather, the Board modified the removal to a four-month suspension, ordered that the appellant's reinstatement be subject to a return to work drug test, referred the appellant to the appointing authority's Employee Assistance Program, and required the appellant to undergo random monthly drug testing for a period of one year. The proposed decision is now submitted for the Board's review.

ACTION: The Merit System Board adopted the decision.

B-43 ABLA D. BERRY, ET AL.

Abla D. Berry, Tracie C. Daves, and Yamei L. Melendez 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 Head Clerk (PS3936K), Department of Children and Families.

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

B-44 KEITH BLAKE

Keith Blake 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 Social Worker, Nursing Home, Morris County.

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

B-45 MARY E. BROWNE, ET AL.

Mary E. Browne, Bonita M. Christmas, Ailime P. Daddazio, David M. Johnston, Jeffrey A. Klein, Lizette Mateo, Victor M. Niedbalski, Eileen W. Oppel, Paul V. Ranello, and Regina Simmons appeal the determinations of the Division of Selection Services which found that they did not meet the experience requirements for the promotional examination for Administrative Analyst 1 (PS4146K), Department of Children and Families.

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

B-46 BARBARA CHILMONIK

Barbara Chilmonik appeals the determination of the Division of Selection Services which found that she did not meet the minimum requirements in experience for the open competitive examination for Housing Assistance Technician (C1868J), Hunterdon County.

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

B-47 SAJALA CLAMATTATHIL

Sajala Clamattathil appeals the determination of the Division of Selection Services which found her to be below minimum requirements in experience for the open competitive examination for Charge Nurse 12 Months (S9370J), Statewide.

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

B-48 CY DAMON AND ROBERT DELIBERIS

Cy Damon and Robert DeLiberis appeal the determinations of the Division of Selection Services that they did not meet the experience requirements for the open competitive examination for Compost Project Worker/Laboratory Technician, Water Analysis/Sewage Plant Operator (M6037J), Buena Borough.

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

B-49 FLOYD DYER

Floyd Dyer appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Supervising Institutional Trade Instructor Warehousing (PS5256I), Bayside State Prison (Leesburg).

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

B-50 SUZANNE ENGELHARDT

Suzanne Engelhardt appeals the determination of the Division of Selection Services which found that she did not meet the minimum requirements in experience for the open competitive examination for Legal Analyst (M6134J), Jersey City.

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

B-51 LOUIS FORNOFF

Louis Fornoff 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 Program Development Specialist 1 (C1901J), Essex County.

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

B-52 JOHN HOOF

John Hoof appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Carpenter (PS5514K), Hunterdon Developmental Center.

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

B-53 FRANK JANKOWSKI

Frank Jankowski appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in education and experience for the open competitive examination for the "dual" title of Code Enforcement Officer/Program Monitor (PM6406H), Township of Sparta.

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

B-54 SONIA JOHNSON

Sonia Johnson appeals the determination of the Division of Selection Services which found that she did not meet the minimum requirements in experience for the open competitive examination for Nursing Services Clerk (C1866J), Union County.

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

B-55 ALICIA KAGAN

Alicia Kagan appeals the determination of the Division of Selection Services which found that she did not meet the education requirements for the promotional examination for Coordinator of Long Term and Alternate Care for the Elderly (PC1744H), County of Camden.

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

B-56 JOHN KALAFUT

John Kalafut, represented by David H. Weiner, President, CWA Local 1081, appeals the determination of the Division of Selection Services that he was not eligible for the promotional examination for Senior Investigator, County Welfare Agency (PC1341J), Essex County, because he did not possess an aggregate of one year of continuous permanent service in a title to which the examination was open. He further requests a retroactive date of appointment to the title of Investigator, County Welfare Agency, for examination eligibility and seniority purposes.

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

B-57 JAMES MILLER

James Miller 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 Fire Official (M9147J), Rockaway Township.

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

B-58 IRVINA MOODY

Irvina Moody 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 Data Control Clerk (M1623J), City of Newark.

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

B-59 AKIN OYEWOLE

Akin Oyewole appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Institutional Trade Instructor 1 Warehousing (PS5245I), Adult Diagnostic Treatment Center (Avenel).

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

B-60 JOSEPH PELAN

Jane Dougherty, Personnel Director, Wildwood, appeals on behalf of Joseph Pelan, the determination of the Division of Selection Services which found that he did not meet the experience requirements for the open competitive examination for Water Meter Reader/Water Meter Repairer (M65076J), Wildwood.

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

B-61 THOMAS PIERCE

Thomas Pierce 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 Fire Instructor (C2152J), Morris County).

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

B-62 KENNETH QUINN

Kenneth Quinn appeals the determination of the Division of Selection Services that he did not meet the experience requirements for the open competitive examination for Home Instructor, Commission for the Blind and Visually Impaired (S6973J).

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

B-63 STEPHANIE ROBINSON

Atlantic County, on behalf of Stephanie Robinson, appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for the qualifying examination for Investigator, County Adjustor's Office, Atlantic County.

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

B-64 STEVEN ROCKHILL

Steven Rockhill 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 Mechanic Fire Apparatus (M6221J), Mount Laurel Township.

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

B-65 MONIFA SPRINGER

Monifa Springer appeals the determination of the Division of Selection Services that she did not meet the experience requirements for the open competitive examination for Public Health Epidemiologist (M1168H), City of Newark.

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

B-66 JOSPEH STEVENSON

Joseph Stevenson 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 County Emergency Management Planner (C6258J), Cape May County.

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

B-67 ANTONIO SUAREZ

Antonio Suarez appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the open competitive examination for Coordinator Health Projects 3, Emergency Medical Services (S6952J), Department of Health and Senior Services.

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

B-68 KIM Y. TAYLOR

Kim Y. Taylor appeals the determination of the Division of Selection Services which found that she did not meet the education requirements for the promotional examination for Accountant, County of Hunterdon (PC1054J).

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

B-69 SELAMAWIT TEKLEBIRHAN

Selamawit Teklebirhan appeals the determination of the Division of Selection Services that she did not meet the experience requirements for the promotional examination for Senior Library Assistant (PS0657J), Kean University.

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

B-70 DAMON WIENCKE

Damon Wiencke appeals the eligibility of other candidates for the promotional examination for Supervisor, Trees (PC0152J), Ocean County.

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

B-71 ALEX SOUZA

Alex Souza appeals his score for the open competitive examination for Carpenter (M6250J), Newark School District.

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

B-72 JOHN DEANGELO

The Director, Division of State Human Resource Management (SHRM), on behalf of the Department of the Treasury, requests that John DeAngelo's out-of-title work experience be accepted to qualify him for a prospective promotional examination for Contract Administrator 1, Department of the Treasury.

ACTION: The Merit System Board granted the request.

B-73 JOLENE COZZOLONGO

Jolene Cozzolongo petitions the Merit System Board to allow her to file an untimely application for the open competitive examination for Physical Therapist Assistant (C9051J), County of Passaic.

ACTION: The Merit System Board granted the request.

B-74 PAM NICKISHER

Pam Nickisher petitions the Merit System Board to allow her to file an untimely application for the open competitive examination for Investigator, Public Defender (S0614J), Statewide.

ACTION: The Merit System Board granted the request.

B-75 PAUL KOMOSINSKY

The Department of Environmental Protection requests that the provisions of N.J.A.C. 4A:4-1.1(c) be relaxed to permit the provisional appointment of Paul Komosinsky, a Chemical Safety Engineer, to the title of Section Chief, pending promotional examination procedures.

ACTION: The Merit System Board granted the request.

B-76 MICHAEL BLOOM

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

ACTION: The Merit System Board granted the request.

B-77 MERIT SYSTEM BOARD MINUTES

The Minutes of the Merit System Board Meeting of March 26, 2008 are submitted for adoption.

ACTION: The Merit System Board adopted the Minutes of its meeting of March 26, 2008.

B-78 LAURIN C. STAHL

Laurin C. Stahl, an Administrative Analyst 1 with the Department of Children and Families, appeals the determination of the Director of Administration stating that the appellant did not present sufficient evidence to support a finding that she had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace (State Policy).

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

B-79 JOHN FASANELLA

John Fasanella, represented by Charles P. Allen, Jr., Esq., appeals the determination of the Department of Personnel that the appellant's veteran status was not retroactive to the closing date of the examination for Sheriff's Officer Lieutenant (PC2660F), Mercer County. The appellant also appeals the determination of the Division of Selection Services that he was ineligible for the promotional examination for Sheriff's Officer Captain (PC3633J), Mercer County on the basis that he was not permanent in a title to which the examination was open.

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

B-80 ANTHONY ABATE AND PATRICK FORMENTIN

The Director, Division of Classification and Compensation, on behalf of the Township of Belleville requests relaxation of N.J.A.C. 4A:4-7.1A(c) so as to permit the intergovernmental transfers of Anthony Abate and Patrick Formentin from the title of Sheriff's Officer, Passaic County Sheriff's Office, to the title of Police Officer, Township of Belleville.

ACTION: The Merit System Board granted the requests.

There being no further business before the Merit System Board, the meeting was adjourned to convene on Wednesday, April 23, 2008 at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

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