



STATE OF NEW JERSEY  
DEPARTMENT OF PERSONNEL

RICHARD J. CODEY  
ACTING GOVERNOR

ROLANDO TORRES, JR.  
ACTING COMMISSIONER

**Merit System Board**

**MINUTES OF REGULAR MEETING OF  
THE MERIT SYSTEM BOARD  
JANUARY 26, 2005**

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

**JANUARY 26, 2005**

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**A regular meeting of the Merit System Board was held on Wednesday, January 26, 2005, in Trenton, New Jersey.**

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

**In accordance with L.1975, c.231, Acting 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 11, 2003, and posted at the Department of Personnel, 3 Station Plaza, Trenton, New Jersey.**

**All actions were by unanimous vote unless otherwise specified.**

**WITHDRAWAL OF APPEALS**

**The following appeals were withdrawn and removed from the hearing calendar:**

**Renee Bradley**, Probation Officer, Department of Judiciary, indefinite suspension pending disposition of criminal charges.

**Maria Carbone**, Senior Data Entry Machine Operator, Department of Labor, suspension.

**Michael Lisa**, Sanitation Worker, Sanitation Department, City of Hackensack, suspension.

**Raymond Novak**, Fire Fighter, Jersey City Fire Department, suspension.

**Craig Rogers**, Senior Correction Officer, Northern State Prison, Department of Corrections, removal.

**Ronald Szott**, Repairer, Richard Stockton College, removal.

**Lawrence Travis, Jr.**, Groundskeeper Driver, Department of Public Resources, County of Hudson, resignation not in good standing.

**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:**

**Marcus Alexander**, Laborer, Department of Neighborhood and Recreational Services, City of Newark, suspension.

**Suzanne Cannata**, Clerk Typist, County Jail, County of Burlington, suspension.

**James Holloway, Jr.**, Laborer, Highway Department, County of Burlington, suspension.

**Barbara Holmes**, Practical Nurse, Department of Human Resources, City of Paterson, good faith layoff.

**Jason Howard**, Laborer, Township of Willingboro, release at the end of the working test period.

**Raymond Otterbine**, County Correction Officer, Department of Corrections/Youth Services, County of Monmouth, suspension.

**Richard Vantuh**, Equipment Operator, Department of Parks and Recreation, County of Middlesex, removal.

**SECTION A – HEARING MATTERS**

**A-1 SETTLEMENTS**

In the Matter of Donald Ging  
County of Monmouth  
Police Radio Department  
Release at the end of the working test period

In the Matter of Rosemary Glass  
New Lisbon Developmental Center  
Department of Human Services  
Suspension

In the Matter of Edward Graham  
Albert C. Wagner Correctional Facility  
Department of Corrections  
Removal

In the Matter of Brad Hawkins  
Riverfront State Prison  
Department of Corrections  
Suspension

In the Matter of Inell C. Jones  
East Jersey State Prison  
Department of Corrections  
Suspensions (3)

In the Matter of Melissa Klein  
Juvenile Justice Commission  
Release at the end of the working test period

In the Matter of Jean Navarin  
City of Asbury Park  
Department of Public Safety  
Removal

In the Matter of Shirley Royal  
Bayside State Prison  
Department of Corrections  
Resignation not in good standing

In the Matter of Robert Stephens  
County of Union  
Department Parks and Recreation

Suspension  
County of Burlington

In the Matter of Robert Swenson  
County of Jail  
Suspension

In the Matter of Paul Usine  
Newark Housing Authority  
Removal

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

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

**A2 BRIAN ANDERSON**

Brian Anderson, County Correction Officer, County of Monmouth, Department of Corrections and Youth Services, removal effective October 17, 2001, on charges of failure to meet qualifications of the job title for County Correction Officer, falsification of job application, lying under oath and conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Grant Motion to dismiss and reverse the removal.

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

**A-3 SHARON CAROLINA**

Sharon Carolina, Senior Clerk Transcriber, Ancora Psychiatric Hospital, Department of Human Service, ten-day suspension on the charge of conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Uphold the suspension.

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

**A-4 RODNEY COPELAND (CONSOLIDATION)**

Rodney Copeland, County Correction Officer, County of Monmouth, Sheriff's Department, ten-day and 30-day suspensions on charges of tardiness and unauthorized absences.

Recommendation of the Administrative Law Judge – Uphold the suspensions.

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

**A-5 RUTH EISEN**

Ruth Eisen, Health Data Specialist 3, Department of Health and Senior Services, release at the end of the working test period effective September 10, 2003 for unsatisfactory services.

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

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

**A-6 JOAN HUTCHINSON**

Joan Hutchinson, Head Cottage Training Supervisor, Hunterdon Developmental Center, Department of Human Services, demotion to the position of Cottage Training Supervisor effective November 30, 2003, on the charge of violation of administrative decisions.

Recommendation of the Administrative Law Judge – Modify the demotion to a 20-day suspension and thereafter reinstatement to the position of Head Cottage Training Supervisor.

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

**A-7 FREDDIE B. FRAZIER**

Freddie B. Frazier, Sr., Senior Correction Officer, Northern State Prison, Department of Corrections, removal effective June 13, 2001, on charges of conduct unbecoming a public employee and being prohibited by law from possessing or using a firearm.

Recommendation of the Administrative Law Judge – Grant Motion for Summary Decision and uphold the removal.

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

**A-8 JULIUS A. HOWARD, JR.**

Julius A. Howard, Jr., Senior Correction Officer, Garden State Correctional Youth Facility, Department of Corrections, removal effective July 17, 2003, on charges of conviction of a crime, prohibited by law from possessing or using a firearm, conduct unbecoming of a public employee, violation of rule, regulation, policy, procedure, order or administrative decision and reporting of summons arrests, incarcerations, the confiscation of weapons.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

**A-9 FRANK SPEZIALE**

Frank Speziale, Police Officer, City of Hackensack, Police Department, removal effective September 11, 2002, on the charge of failure to maintain the minimum standards for the physical fitness portion of the Police Training Program.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

**SECTION B – MISCELLANEOUS MATTERS**

**B-1 NICOLE KOBILIS**

Nicole Kobilis appeals the removal of her name from the (S9999B) eligible list for the title of Sheriff's Officer, Ocean County, on the basis of psychological unfitness.

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

**B-2 SCOTT MAKSYMOWICZ**

Scott Maksymowicz appeals the removal of his name from the (M2036A) eligible list for the title of Fire Fighter, Gloucester Township, on the basis of psychological unfitness.

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

**B-3 DAVID A. MOS**

David A. Mos, represented by Richard P. Gonzalez, Esq., appeals his rejection as a Police Officer candidate by the City of Newark and its request to remove his 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-4 CHRISTOPHER J. SACINA**

Christopher J. Sacina appeals the removal of his name from the (S9999B) eligible list for the title of County Correction officer, Middlesex County, on the basis of psychological unfitness.

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

**B-5 RALPH SATERO**

Ralph Satero appeals the removal of his name from the (S9999B) 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 BRENDA A. SILVERA**

Brenda A. Silvera appeals the removal of her name from the (S9999B) 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-7 RYAN W. TULKO**

Ryan W. Tulko, represented by William P. Flahive, Esq., appeals his rejection as a Sheriff's Officer candidate by the County of Ocean and its request to remove his name from the eligible list for Sheriff's Officer (S9999D) on the basis of psychological unfitness to perform effectively the duties of the position.

**ACTION:** The Merit System Board referred the matter for independent psychological evaluation.

**B-8 ANTHONY VEALE**

Anthony Veale appeals the removal of his name from the (S9999B) eligible list for the title of Police Officer, City of Paterson, on the basis of psychological unfitness.

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

**B-9 WILLARD A. WILSON**

Willard A. Wilson appeals the removal of his name from the (C2014C) eligible list for the title of Juvenile Detention Officer, Essex County, on the basis of psychological unfitness.

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

**B-10 STEPHEN BERES**

Stephen Beres appeals the request by the Juvenile Justice Commission to remove his name from the Correction Officer Recruit, Juvenile Justice (S9999D) eligible list for medical unfitness to effectively perform the duties of the position.

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

**B-11 OLIVIA B. BRANDO**

Olivia B. Brando appeals the request by Middlesex County to remove her name from the Juvenile Detention Officer (C2099F) eligible list for medical unfitness to effectively perform the duties of the position.

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

**B-12 VIVIAN ALVAREZ**

Vivian Alvarez, a Principal Clerk Transcriber with the New Jersey State Parole Board, appeals the denial of sick leave injury (SLI) benefits.

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

**B-13 ROBERT ARMSTRONG**

Robert Armstrong, a Sub-Code Official with the Department of Community Affairs, appeals the denial of sick leave injury (SLI) benefits.

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

**B-14 GAYLE BURPEE**

Gayle Burpee, a Principal Clerk Transcriber 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 granted in part.

**B-15 LEWIS DUTTON**

Lewis Dutton, a former Correction Sergeant with South Woods State Prison, Department of Corrections, appeals the denial of sick leave injury (SLI) benefits.

**ACTION:** The Merit System Board referred the matter to the Medical Examiners Panel.

**B-16 JOYCE FERRARO**

Joyce Ferraro, a former Quality Assurance Specialist, Health Services with Greystone Park 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-17 WAGDI GOBRIAL**

Wagdi Gobrial, a Principal Engineer, Transportation, with the Department of Transportation, appeals the denial of sick leave injury (SLI) benefits.

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

**B-18 PATRICIA MITCHELL**

Patricia Mitchell, an Operating Engineer 1 with Woodbridge Developmental Center, Department of Human Services, represented by Alan L. Krumholz, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

**B-19 DONNA WHELAN**

Donna Whelan, a Speech/Hearing Specialist 1 at Green Brook Regional Center, Department of Human Services, represented by Leslie M. Bierman, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

**B-20 DHANVANT ANTALA**

Dhanvant Antala appeals the appointing authority's request to remove his name from the eligible list for Principal Social Service Aide (S0240E) based on an inability to communicate effectively in English in order to perform the duties of the position.

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

**B-21 DEMETRE BARKSDALE, ET AL.**

The appointing authority requests the removal of Demetre Barksdale, Anthony DeGenito, Carlito M. DeJoya, Jeffrey C. Foster, and Jyostsna S. Prajapati from the eligible list for Data Processing Input/Output Control Specialist 2 (S6645E), Higher Education Student Assistance Authority, for failure to satisfy the open-competitive requirements.

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

**B-22 JAMES V. BURKE**

James V. Burke appeals the bypass of his name for appointment on the Police Sergeant (PM2543A), Sea Isle City, eligible list.

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

**B-23 FRANK H. LANG AND PAUL R. WHITTAKER**

Frank H. Lang and Paul R. Whittaker appeal the determination of the Division of Human Resource Information Services which found that the appointing authority had presented a sufficient basis to remove their name from the eligible list for Construction Official (M9032D), City of Asbury Park.

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

**B-24 SEAN WARD**

Sean Ward appeals the decision of Lakewood Township removing his name from the Police Officer (S9999D), Lakewood Township, eligible list due to an unsatisfactory criminal record and falsification of his pre-employment application.

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

**B-25 SUDHA TIWARI KANTOR**

Sudha Tiwari Kantor, a former Division Director, Office of Legal Policy and Legislative Affairs with the Department of Human Services (DHS), appeals the determination of Dr. Alma M. Joseph, the Assistant Commissioner for Human Resources, DHS, stating that the appellant violated the New Jersey State Policy Prohibiting Discrimination, Harassment and Hostile Environments in the Workplace.

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

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

**B-26 LOUISE SCRUTCHINS**

Louise Scrutchins, a Family Service Specialist 2 with the Division of Youth and Family Services (DYFS), Department of Human Services (DHS), appeals the determination of the Assistant Commissioner for Human Resources, DHS, stating that the appellant failed to present sufficient evidence to support a finding that she had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination, Harassment or Hostile Environments in the Workplace.

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

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

**B-27 PAUL ANYEJI**

The Department of Human Services, Division of Youth and Family Services, represented by Sonia Frontera, Deputy Attorney General, requests that Paul Anyeji be granted a hearing regarding his removal from employment, effective July 7, 2003.

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

**B-28 DENNIS CALLAN**

Berkeley Township petitions the Merit System Board for acknowledgement of the settlement reached between Berkeley Township and Dennis Callan which provides Callan with a retroactive date of appointment from the Police Lieutenant (PM2553C) Berkeley Township eligible list.

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

**B-29 DEBORAH FINE**

Debora Fine, a Human Services Specialist 2 with Morris County, represented by Benjamin Spivack, CWA Staff Attorney, petitions the Merit System Board (Board) for relief, pursuant to NJSA 11A:2-24 and N.J.A.C. 4A:2-5.1 from alleged reprisal by her employer.

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

**B-30 JOSE GONZALEZ**

Jose Gonzalez, a Supervising Program Development Specialist (Human Services) with the Department of Human Services, appeals the decision of the Division of Human Resource Information Services which determined that his salary was properly calculated under N.J.A.C. 4A:3-4.9.

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

**B-31 EDWIN G. LAWLER**

Edwin G. Lawler, a former member of the Senior Executive Service with the Motor Vehicle Commission, appeals the decision of the Division of Human Resource Information Services which determined that pursuant to *N.J.S.A. 11A:6-2(f)*, he was not entitled to compensation for 157.5 hours of unused vacation days at the time of his retirement on July 1, 2003.

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

**B-32 ROBERT MITTEN**

The Superior Court, Appellate Division, has remanded the appeal of Robert Mitten to the Merit System Board in order to permit further review of the Board's decision in *In the Matter of Robert Mitten, et al., Correction Lieutenant (PS7894P), Juvenile Justice Commission* (MSB decided May 19, 2004).

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

**B-33 SCOTT PALADINO**

The City of Jersey City, represented by Paul W. Mackey, First Assistant Corporation Counsel, appeals the decision of Human Resource Information Services which required the appointing authority to appoint Scott Paladino from the Police Officer (S9999D), Jersey City eligible list.

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

**B-34 ANTHONY PARGA**

Anthony Parga, a Senior Correction Officer at New Jersey State Prison, Department of Corrections, represented by Frank M. Crivelli, Esq., petitions the Merit System Board for back pay following the dismissal of criminal charges which led to his indefinite suspension.

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

**B-35 DIRK DORITY**

Dirk DORITY, represented by Daniel J. Zirrieth, Esq., petitions the Merit System Board for reconsideration of the final administrative determination in *In the Matter of Dirk DORITY, Assistant Supervisor, Parks (PM1045D), City of Clifton* (Merit System Board, decided September 22, 2004) which denied petitioner's request to have his name added to Certification #PL031704 and to have an appointment made from the certification rescinded.

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

**B-36 FIRE CAPTAIN AND FIRE LIEUTENANT, VARIOUS JURISDICTIONS**

The Division of Selection Services petitions the Merit System Board for reconsideration of the decision rendered on February 11, 2004 which omitted question 22, double-keyed questions 24 (options b and d) and 69 (options a and c) and denied the remaining appeals of the written portion of the examinations for Fire Captain and Fire Lieutenant, Various Jurisdictions. See *In the Matter of Octavio Angelozzi et al., Fire Captain and Fire Lieutenant, Various Jurisdictions* (Merit System Board, decided February 11, 2004). Concurrent with this request is a request for interim relief from Paul Kearns, represented by Benjamin Benson, Esq., to revive the prior list for this title pending the recalculation of his final score for the examination for Fire Lieutenant (PM2509E), Teaneck.

**ACTION:** The Merit System Board granted the request for reconsideration but dismissed the request for interim relief as moot.

**B-37 ROSETTA PARKER**

Rosetta Parker petitions the Merit System Board for reconsideration of the decision rendered on August 12, 2003 which found that she was not eligible for the promotional examination for Supervising Clerk (PC1995C), Essex County.

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



**B-38 MERCEDES GOODRIDGE**

The appeal of Mercedes Goodridge, Institutional Attendant, County of Morris Long Term Care Services Department, removal effective January 10, 2003 on charges was before Administrative Law Judge Leslie Z. Celentano, who rendered her initial decision on May 28, 2004 recommending acknowledgement of the settlement agreement of the parties.

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

**B-39 ROLANDA ALPHONZO, ET AL.**

Rolanda Alphonzo, Miguel Alvarado, Henry Caldaro, Sonia Celia, Jean Colella, Shena Cunningham, Dennis Vaspory, Jason Lester, Russell Lewis, Henry Maryanski, Monica Morales, Traci Rubino, William Sleek and Darrell Willis appeal the determinations of the Division of Selection Services which found that they were below the minimum requirements in experience for the open competitive examination for Examination Technician, Division of Motor Vehicles (S6778F).

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

**B-40 DYLAN ARCHILLA**

Dylan Archilla appeals the determination of the Division of Selection Services which found that he did not meet the education and experience requirements for the open competitive examination for Public Information Officer (M0665F), Union City.

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

**B-41 EDWARD CAHILL AND ROXANNE HAYNES**

Edward Cahill and Roxanne Haynes appeal the determinations of the Division of Selection Services that they did not meet the requirements for the promotional examination for Assistant Assessor (PM0263F), Jersey City.

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

**B-42 KENNETH CALLAHAN**

Kenneth Callahan appeals the determination of the Division of Selection Services that he did not meet the requirements for the open competitive examination for Graphic Artist (S6770F), Statewide.

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

**B-43 LISA CARBEN**

Lisa Carben appeals the determination of the Division of Selection Services that found that, per the substitution clause for education, she did not meet the experience requirements for the Administrative Assistant 3 (PS9033G), Department of environmental Protection promotional examination.

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

**B-44 GERTRUDE CASSELLE**

Gertrude Casselle 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 Program Development Specialist (PS1899K), Division of Family Development.

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

**B-45 JERRY COHEN AND VINCENT LOMBARDI**

Jerry Cohen and Vincent Lombardi appeal the determinations of the Division of Selection Services which found them to lack the experience requirements for the open competitive examination for Inspector, Fire Safety (S9265F), Statewide.

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

**B-46 MICHAEL DILLON, ET AL.**

Michael Dillon, Mark Scott, and Scott Tillett appeal the determinations of the Division of Selection Services, which found that they did not meet the experience requirements for the promotional examination for Operations Shift Superintendent, Office of Information Technology (OIT) (PS1449U).

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

**B-47 DIANE DIMICK**

Diane Dimick appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the Technical Assistant 3, Community Affairs (PS1785D), Department of Community Affairs promotional examination.

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

**B-48 ALAN DERISI, ET AL.**

Alan DeRisi, Alan Margerum, Michael McHenry, Debra Pinto, Scott Seabridge, William Shipp, Danny Sisco, Michael Slusarski, Richard Snyder, Gary Taylor, Anthony Testa, and William Young appeal the determinations of the Division of Selection Services which found that they did not meet the experience requirements for the promotional examination for Construction and Maintenance Technician 1 (PS1984T), Department of Transportation.

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

**B-49 LILLIE EVANS, ET AL.**

Lillie Evans appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in education and experience for the promotional examination for Supervising Program Development Specialist (Medical Assistance and Health Services) (PS1634K), Division of Medical Assistance and Health Services. Diane Haberstick and Patric Mac appeal the determination of the Division of Selection Services which found that, per the substitution clause for education, they were below the minimum requirements in education and experience for the promotional examination for Supervising Program Development Specialist (Medical Assistance and Health Services) (PS1634K), Division of Medical Assistance and Health Services. Maribeth Robenolt appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for the promotion examination for Supervising Program Development Specialist (Medical Assistance and Health Services) (PS1634K), Division of Medical Assistance and Health Services.

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

**B-50 CHARLES FIZER**

Charles Fizer 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 Probate Clerk (C0753F), Mercer County.

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

**B-51 ALBERT GIORDANO**

Albert Giordano appeals the determination of the Division of Selection Services that he was ineligible for the promotional examination for Sheriff's Officer Lieutenant (PS2502F), Middlesex County.

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

**B-52 MAUREEN GONZALEZ**

Maureen Gonzalez appeals the decision of the Division of Selection Services that found that she did not meet the experience requirement for the promotional examination for Contract Administrator 1 (PS1345K), Department of Human Services.

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

**B-53 BRAD J. HAFNER, JR.**

Brad J. Hafner, Jr., 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 (M6449E), City of Trenton.

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

**B-54 KAREN HAGEN-BODA AND KIM LACHENMAYER**

Karen Hagen-Boda and Kim Lachenmayer appeal the determination of the Division of Selection Services which found that they did not meet the requirements for the open competitive examination for Legal Secretary 2 (S0332F), Department of Law and Public Safety.

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

**B-55 WANDA JACKSON**

Wanda Jackson 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 the “dual” title Analyst Grant Applications/Program Monitor (PM0001F), City of Newark.

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

**B-56 ELLEN LUCAS**

Ellen Lucas 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 the “dual” title Management Specialist/Supervising Library Assistant (PM0645F), Town of Harrison.

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

**B-57 WILLIAM MCNALLY AND PETER MCCLOSKEY**

William McNally and Peter McCloskey appeal the determination of the Division of Selection Services which found that, per the substitution clause for education, they did not meet the experience requirements for the promotional examination for Engineering Technician 4 (PS1980T), Department of Transportation.

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

**B-58 SAYEEDA MOORE**

Sayeeda Moore 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 Officer Services Manager (M0616F), Irvington.

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

**B-59 KARL SINGER**

Karl Singer 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 Coordinator of Maintenance Services (PM0414F), City of Bayonne.

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

**B-60 LORRAINE TOWNSEND**

Lorraine Townsend appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Program Development Specialist 1 (Corrections) (PS4438I), South Woods State Prison.

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

**B-61 STEVE VIZZI**

Steve Vizzi 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 Supervisor Roads (PM0575F), West Milford.

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

**B-62 MICHAEL YUSKA**

Michale Yuska appeals the decision of the Division of Selection Services which found that per the substitution clause for education, he did not meet the experience requirements for the promotional examination for Assistant Purchasing Agent (PC0609F), Union County.

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

**B-63 SUSAN GROSSMAN**

Susan Grossman appeals her score on the promotional examination for County Service Specialist (PS7867K), Division of Youth and Family Services.

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

**B-64 CARL WEINGROFF**

Carl Weingroff appeals his score on the promotional examination for Senior Public Safety Telecommunicator, State Police (PS1696P), Division of State Police.

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

**B-65 JOHN CONNORS**

John Connors appeals the determination of the Division of Selection Services which found him ineligible for the promotional examination for Deputy Police Chief (PM3626F), Kearny, due to an untimely application.

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

**B-66 JACQUELINE LAYDEN**

Jacqueline Layden appeals the administration of the promotional examination for Human Services Specialist 4 (PC1479E), Union County.

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

**B-67 NEIL NELSON**

Neil Nelson appeals the determination of the Division of Selection Services which found him ineligible for the promotional examination for Police Sergeant (PM2508F), Bayonne, due to an untimely application.

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

**B-68 JAMES NOVAK**

James Novak appeals the determination of the Division of Selection Services which found him ineligible for the promotional examination for Police Sergeant (PM2538F), Sayreville, due to an untimely application.

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

**B-69 MARION I. WATKINS AND SHELA MEIERDIERCKS**

Marion I. Watkins and Shela Meierdiercks, represented by Jenna Geisenheimer, Staff Representative for the Communications Workers of America, Local 1040, appeal the alleged failure to post the announcement for the promotional examination for Secretarial Assistant 1 (Non-Stenographic), (PS7760I), Mid-State Correctional Facility.

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

**B-70 MERIT SYSTEM BOARD MINUTES**

The Merit System Board minutes of its meeting of January 12, 2005 are submitted for adoption.

**ACTION:** The Merit System Board adopted the minutes of its meeting of January 12, 2005.

**B-71 FRANK DUGAN AND CHARLES WEST**

Frank Dugan and Charles West, Fire Fighters with the City of Newark, represented by Craig S. Grumpel, Esq., appeal their reassignments, effective July 20, 2004.

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

**B-72 JOSEPH GONNION**

The Township of Voorhees requests relaxation of *N.J.A.C. 4A:4-7.1A(c)* so as to permit the intergovernmental transfer of Joseph Gonnion from the title of Sheriff's Officer, Gloucester County Sheriff's Office, to the title of Police Officer, Township of Voorhees.

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



**B-73 YVONNE LINDSEY**

The appeal of Yvonne Lindsey, a Human Services Assistant with Vineland Developmental Center, Department of Human Services, of her removal, effective October 3, 2003 on charges, was heard by Administrative Law Judge W. Todd Miller (ALJ), who rendered his initial decision on November 12, 2004. At its meeting on January 12, 2005, the Merit System Board (Board) did not adopt the ALJ's recommendation to modify the removal to a six-month suspension. Rather, the Board reversed the removal. The proposed decision is now submitted for the Board's review.

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

**B-74 CHINWE ONYIANTA**

The appeal of Chinwe Onyianta, a Head Nurse with the County of Essex, Department of Health and Rehabilitation, of her removal, effective August 1, 1996, on charges was heard by Administrative Law Judge Richard McGill (ALJ), who rendered his initial decision on November 29, 2004. At its meeting on January 12, 2005, the Merit System Board did not adopt the recommendation of the ALJ to reverse the removal. Rather, the Board modified the penalty to a six-month suspension and demotion to the title of Graduate Nurse. The proposed decision is now submitted for the Board's review.

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

**B-75 EARLY SETTLEMENTS**

In the matter of Darren J. Bolden  
Department of Human Services  
Released at the end of working test period

In the matter of Marie Ferrus  
Trenton Psychiatric Hospital  
Department of Human Services  
Released at the end of working test period

In the matter of Patrick Gilmartin  
Greenbrook Regional Center  
Department of Human Services  
Ten-day suspension

**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, February 9, 2005 at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.**

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