



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
OCTOBER 4, 2006**

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

October 4, 2006

A regular meeting of the Merit System Board was held on Wednesday October 4, 2006, in Trenton, New Jersey.

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

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

Notice of this meeting was filed with the Secretary of State and sent to the Trentonian, Trenton Times, Courier-Post and Star Ledger on December 12, 2005, 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 Davone Abrams
County of Passaic
Preakness Hospital
Suspension

In the Matter of John Anstiss
City of Newark
Department of Engineering
Suspension

In the Matter of Joann Baker
Judiciary, Hudson Vicinage
Suspension

In the Matter of Leon Cooper
Garden State Youth Correctional Facility
Department of Corrections
Suspension

In the Matter of Wojciech Czajkowski
Department of Transportation
Removal

In the Matter of Anthony Giacomnia
City of Passaic
Police Department
Suspension

In the Matter of Harvey D. Haws
New Lisbon Developmental Center
Department of Human Services
Removal

In the Matter of Timothy Maynor
Department of Treasury
Removal

In the Matter of Timothy Moots
Township of Teaneck
Fire Department
Suspension

In the Matter of Shawn Toffoli
City of Wildwood
Department of Law and Public Safety
Suspension

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

ACTION: The Merit System Board acknowledged the settlements

A-2 KIMBERLY AUSBY

Kimberly Ausby, Police Officer, City of East Orange, Police Department, release at the end of the working test period effective May 28, 2003.

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-3 TRACY L. EDISON

Tracy L. Edison, Cottage Training Technician, New Lisbon Developmental Center, Department of Human Services, 10-day suspension on charges of leaving an assigned work area without permission, creating a danger to persons and insubordination.

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

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

A-4 BRIAN BETHEA

Brian Bethea, Senior Medical Security Officer, Ann Klein Forensic Center, Department of Human Services, removal effective February 16, 2005 on the charge of physical abuse of a patient.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-5 RAHMAN LOVE

Rahman Love, Police Officer, Township of Irvington, Police Department, three removals effective December 3, 2003, on charges of inability to perform duties and other sufficient cause.

Recommendation of the Administrative Law Judge – Grant motion for Summary Decision and uphold the removals.

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

A-6 ANA MARTINEZ

Ana Martinez, Clerk, Bilingual in Spanish and English, County of Camden, Department of the County Clerk, removal effective May 9, 2005, on charges of chronic or excessive absenteeism or lateness and insubordination.

Recommendation of the Administrative Law Judge – Modify the removal to a resignation in good standing.

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

A-7 CARL NATTER

Carl Natter, Employee Relations Coordinator, New Jersey Veterans' Memorial Home at Menlo Park, Department of Military and Veterans Affairs, removal on charges of insubordination, creating a disturbance on State property, threatening, intimidating a fellow employee on State property, violation of a policy and conduct unbecoming a public employee.

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

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

A-8 VIVIAN RAY

Vivian Ray, Practical Nurse, New Lisbon Developmental Center, Department of Human Services, removal effective August 11, 2004, on charges of mental abuse and verbal abuse of a patient, client, or resident.

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

ACTION: The Merit System Board modified the recommendation of the Administrative Law Judge to a four-month suspension.

A-9 RONALD ROMINE

Ronald Romine, Senior Correction Officer, Garden State Youth Correctional Facility, Department of Corrections, removal effective July 22, 2004, on charges of conduct unbecoming a public employee, and violation of a rule, regulation, policy procedure, order or administrative decision regarding use, possession, or sale of any controlled dangerous substance.

Recommendation of the Administrative Law Judge - Uphold the removal.

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

A-10 FRANCIS SALENSKY

Francis Salensky, Senior Parole Officer, New Jersey State Parole Board, removal effective April 14, 2005, on charges of conduct unbecoming a public employee, intentional abuse or misuse of authority or position and violation of a rule, regulation, policy, procedure, order or administrative decision.

Recommendation of the Administrative Law Judge – Modify the removal to a 20-day suspension.

ACTION: The Merit System Board modified the recommendation of the Administrative Law Judge to a 60-day suspension.

A-11 MORRIS SCHALL

Morris Schall, Assistant Social Case Worker Supervisor, City of Trenton, Department of Health and Human Services, removal effective October 15, 2004, on the charge of failure to comply with a residency ordinance.

Recommendation of the Administrative Law Judge - Uphold the removal.

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

A-12 KEVIN BAYARD – SETTLEMENT

Kevin Bayard, Truck Driver, City of Camden, removal effective August 3, 2005, on charges of conduct unbecoming a public employee, neglect of duty, and misuse of City property. Settled to a resignation in good standing effective July 17, 2006 and a lump sum payment of \$4,800.

Recommendation of the Administrative Law Judge – Acknowledge the settlement.

ACTION: The Merit System Board acknowledged the settlement as clarified.

A-13 ELIZABETH CRESPO

Elizabeth Crespo, Police Officer, Passaic County, removal and resignation in good standing effective November 22, 2004, on the charge of other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the charges and the resignation in good standing.

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

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

SECTION B – MISCELLANEOUS MATTERS

B-1 TYNE Y. EDWARDS

Tyne E. Edwards appeals her rejection as a Police Officer by East Orange and its request to remove her 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-2 ROBERT A. LOPEZ

Robert A. Lopez appeals his rejection as a Police Officer 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 granted.

B-3 FRANK LORENZO

Frank Lorenzo, represented by Oswin E. Hadley, Esq., appeals his rejection as a Police Officer by the City of Jersey City and its request to remove his name from the eligible list for Police Officer (S9999B) 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 PAUL BRADLEY

Paul Bradley appeals the removal of his name from the (S9999F) eligible list for the title of County Correction Officer, County of Monmouth on the basis of psychological unfitness.

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

B-5 MICHAEL A. RICCI

Michael A. Ricci appeals the removal of his name from the (S9999F) eligible list for the title of County Correction Officer, County of Monmouth on the basis of psychological unfitness.

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

B-6 PHILIP TURZANI, JR.

Philip Turzani, Jr., appeals the removal of his name from the (S9999F) eligible list for the title of Police Officer, City of Newark on the basis of psychological unfitness.

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

B-7 JOHN J. CHIARI

John J. Chiari, a Senior Correction Officer with South Woods State Prison, Department of Corrections, represented by Justin M. Murphy, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-8 KENNETH DAVALL

Kenneth Davall, a Senior Correction Officer with Northern State Prison, Department of Corrections, appeals the denial of sick leave injury (SLI) benefits.

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

B-9 JANET MULLINS

Janet Mullins, an Administrative Specialist 3 with the Judiciary, Vicinage 2, Bergen County, represented by Craig C. Swenson, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-10 JUAN ALERS

Juan Alers appeals the removal of his name from the open competitive list for Parole Officer Recruit (Bilingual in Spanish and English) (S2036E), State Parole Board on the basis that he lacked sufficient skills in bilingual communications.

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

B-11 RALPH ASPLEN AND EDWARD REARDON

Ralph Asplen and Edward Reardon, represented by Scott I. Fegley, Esq., appeal the bypass of their names on the Hazardous Site Mitigation Specialist 1 (PS4887G) eligible list.

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

B-12 JAMES W. BEADLING, JR.

James W. Beadling, Jr., represented by Philip N. Muldoon, Jr., Esq., appeals the request of the City of Camden to remove his name from the eligible list for Police Officer (S9997W), City of Camden, on the basis of his failure to meet the residency requirement.

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

B-13 ARTHUR DANDO, III

Arthur Dando, III, represented by Jeffrey D. Catrambone, Esq., appeals the determination of the Division of Human Resource Information Services upholding the bypass of his name on the eligible list for Police Sergeant (PM2608E), Woodbridge Township.

ACTION: The Merit System Board granted a hearing.

B-14 JOHN SULLIVAN

John Sullivan appeals the removal of his name from the eligible list for Police Sergeant, Human Services (PS1778K), Department of Human Services, on the basis of an unsatisfactory background report.

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

B-15 CHARLES TERRY HOUSEL

Charles Terry Housel, a Teacher 1 (12 months) with the Juvenile Justice Commission, Department of Law and Public Safety, appeals the determination of the Director of the Office of Workplace Policy Administration and Enforcement (OWPAE) which indicated that appropriate action had been taken to address a complaint under the New Jersey State Policy Prohibiting Discrimination, Harassment or Hostile Environments in the Workplace after an incident involving the appellant. This matter was held over from the September 20, 2006 Merit System Board meeting.

ACTION: The Merit System Board remanded the matter to the OWPAE for an investigation.

B-16 ALAN BRUNDAGE, ET AL.

Bergen County petitions the Merit System Board for retroactive permanent appointment dates as County Police Sergeants for Alan Brundage, Richard Cleri, Michael Devine, Stephen Malone, James Mullin, and Richard Vander Clute.

ACTION: The Merit System Board granted the request.

B-17 KATHRYN MITCHELL

Kathryn Mitchell, an Investigator, Public Defender with the Office of the Public Defender, requests a retroactive date of appointment.

ACTION: The Merit System Board granted the request.

B-18 JAMES WATT

James Watt, an Environmental Engineer Trainee with the Department of Environmental Protection, petitions the Merit System Board for a title code and salary adjustment.

ACTION: The Merit System Board granted the request.

B-19 ENVIRONMENTAL HEALTH SPECIALIST, PASSAIC COUNTY (C6091E AND C6421G)

Passaic County requests reconsideration of the decision rendered on May 10, 2006 by the Merit System Board in *In the Matter of Environmental Health Specialist, (C6091E and C6421G), Passaic County*, which ordered it to immediately remove the provisional and to properly dispose of the certification.

ACTION: The Merit System Board denied the request.

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

B-20 LILLIAN FOSTER

Lillian Foster request reconsideration of the final decision of the Merit System Board rendered on April 26, 2006, which upheld the bypass of her name on the eligible list for Principal Clerk Typist (S7164F), Department of Human Services.

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

B-21 LILLIAN FOSTER

Lillian Foster requests reconsideration of the final decision of the Merit System Board rendered on April 5, 2006, which upheld the bypass of her name on the eligible list for Judiciary Clerk 3 (S7159F), Judiciary, Vicinage 13, Somerset, Hunterdon, and Warren Counties.

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

B-22 DANIEL LOBUE

Daniel LoBue, represented by Bruce D. Leder, Esq., requests reconsideration of the final administrative determination in *In the Matter of Daniel LoBue, Police Captain (PM3549F), City of Hoboken* (MSB, decided February 9, 2005). This matter was held over from the Board's meetings on March 8, 2006 and March 22, 2006.

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

B-23 REGAN LORE

South Woods State Prison, Department of Corrections, represented by Kathleen Asher, DAG, petitions the Merit System Board (Board) for reconsideration of the decision rendered on May 24, 2006, which reversed the removal of Regan Lore, a Senior Correction Officer. Regan Lore, represented by Robert C. Wolf, Esq., petitions the Board for enforcement of its May 24, 2006 decision.

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

B-24 BRIAN RAZZI

Brian Razzi requests reconsideration of the final administrative determination in *In the Matter of Walter Koegel, et al., Police Sergeant* (MSB, decided November 22, 2005).

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

B-25 SOCIAL WORKER JUVENILE REHABILITATION, PASSAIC COUNTY (C0768F)

Passaic County requests reconsideration of the decision rendered on May 10, 2006 by the Merit System Board in *In the Matter of Social Worker Juvenile Rehabilitation, (C0768F), Passaic County*, which ordered it to immediately remove the provisional and to properly dispose of the certification.

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

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

B-26 WILLIAM GREENE

The appeal of William Greene, a Human Services Assistant with the New Lisbon Developmental Center, Department of Human Services, of his removal effective November 8, 2004, on charges, was heard by Administrative Law Judge Israel D. Dubin (ALJ), who rendered his initial decision on April 24, 2006. At its meeting on September 20, 2006, the Merit System Board (Board) adopted the ALJ's recommendation to reverse the removal. The proposed decision is now submitted for the Board's review.

ACTION: The Merit System Board adopted the decision.

B-27 SANDRA WILLIAMS

The appeal of Sandra Williams, a Correction Officer Recruit with Northern State Prison, Department of Corrections, of her removal effective October 4, 2004, on charges, was heard by Administrative Law Judge Barry N. Frank (ALJ), who rendered his initial decision on July 20, 2006. At its meeting on September 20, 2006, the Merit System Board (Board) did not adopt the ALJ's recommendation to reverse the removal. Rather, the Board upheld the charges and the removal. The proposed final decision is now submitted for the Board's review.

ACTION: The Merit System Board adopted the final decision.

B-28 HOLLY S. ALAI

Holly S. Alai appeals the determination of the Division of Selection Services that she did not meet the experience requirement for the promotional examination for Affirmative Action Specialist (PC0317H), Middlesex County.

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

B-29 LUHATTANY CABA, ET AL.

Luhattany Caba, Kieana Childs-Alexander, Suzanne Maffei, Avani Mehta and Antonio Santos appeal the determinations of the Division of Selection Services which found that they did not meet the education and experience requirements for the Technical Assistant, Personnel (S0441G), Statewide open competitive examination.

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

B-30 DAVID COLES

David Coles 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 Sign Maker 2 (PS7604J) Rowan University.

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

B-31 WILLIAM CONNOLLY

William Connolly appeals the determination of the Division of Selection Services that he did not meet the experience requirements for the promotional examination for Assistant Municipal Tax Collector (PM0700G), Town of Kearny.

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

B-32 JEFFREY A. COURTNEY AND BRODERICK FLEMING

Jeffrey A. Courtney and Broderick Fleming, represented by Charles E. Schlager, Jr., Esq., appeal the determinations of the Division of Selection Services that they did not meet the eligibility requirement for the promotional examination for Battalion Fire Chief (PM3598G), City of Plainfield.

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

B-33 BRENDA L. GARCIA

Brenda L. Garcia appeals the determination of the Division of Selection Services that she did not meet the experience requirements for the promotional examination for Senior Clerk Typist (PS9818P), Juvenile Justice Commission, Department of Law and Public Safety.

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

B-34 MARYANN GIFFORD

Maryann Gifford appeals the determination of the Division of Selection Services that she did not meet the experience requirement for the promotional examination for Secretarial Assistant 3 (Non-Stenographic) (PS7603J), Rowan University.

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

B-35 PATRICIA HUGHES

Patricia Hughes appeals the determination of the Division of Selection Services that, per the substitution clause for education, she did not meet the experience requirements for the promotional examination for Records Analyst 3 (PC0074H), Cumberland County.

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

B-36 BENJAMIN SAMSELSKI

Benjamin Samselski 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 Human Services Specialist 1 (C1108G), Cape May County.

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

B-37 FRANCES SARDONI

Frances Sardoni 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 open competitive examination for Supervisor of Volunteers (S6843G).

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

B-38 FREDERICK SOUTHERLAND AND CARLTON FOWLER

Frederick Southerland (PM2585H), Irvington, represented by Timothy R. Smith, Esq.; and Carlton Fowler (PM2605H), Pennsauken; appeal the determination of the Division of Selection Services which found them ineligible for the promotional examination for Police Sergeant (various jurisdictions) due to untimely applications.

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

B-39 NICOLE ZIMMERMAN

Nicole Zimmerman appeals the decision of the Division of Selection Services that found that she was below the minimum requirements in experience for the promotional examination for Administrative Analyst 4 (PS7782D), Department of Community Affairs.

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

B-40 DONALD COUGHLAN

Donald Coughlan appeals his score on the oral portion of the examination for Director of Custody Operations 1 (PS3874I), Department of Corrections.

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

B-41 JOHN DE GIOVANNI

John De Giovanni appeals his score for the oral portion of the examination for the first level Fire Captain (PM3595F), Kearny.

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

B-42 HARRY FEARON

Harry Fearon appeals his score for the oral portion of the examination for the first level Fire Captain (PM3595F), Kearny.

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

B-43 BRUCE KAUFFMANN

Bruce Kauffmann appeals his score for the oral portion of the examination for the first level Fire Captain (PM3595F), Kearny.

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

B-44 JOSEPH MASTANDREA

Joseph Mastandrea appeals his score for the oral portion of the examination for the first level Fire Captain (PM3595F), Kearny.

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

B-45 GERARD NARDONE

Gerard Nardone appeals his score for the oral portion of the examination for the first level Fire Captain (PM3595F), Kearny.

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

B-46 MICHAEL RICHARDSON

Michael Richardson appeals his score for the oral portion of the examination for the first level Fire Captain (PM3595F), Kearny.

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

B-47 THOMAS FLYNN, JR.

Thomas Flynn, Jr. appeals his score for the oral portion of the examination for the first level Fire Lieutenant (PM2640F), Ventnor City.

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

B-48 BRADY MIDDLESWORTH

Brady Middlesworth appeals his score for the oral portion of the examination for the first level Fire Lieutenant (PM2640F), Ventnor City.

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

B-49 GREGORY REED AND SCOTT MACFIE

Gregory Reed, represented by James P. Madden, Esq., and Scott MacFie appeal their scores for the written portion of the promotional examination for Police Captain (PM3552F), Kearny.

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

B-50 THOMAS WALSH

Thomas Walsh (PM3539F), Bloomfield appeals his score for the written portion of the promotional examination for Police Captain (PM3539F), Bloomfield.

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

B-51 JOSE GALVAN

Jose Galvan, represented by Joseph Murphy, Esq., appeals the determination of the Division of Selection Services which found him ineligible for the promotional examination for Police Sergeant (PM2604H), Paterson due to an untimely application.

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

B-52 JOSEPH SHARGO

Trenton Psychiatric Hospital, Department of Human Services, appeals the decision of the Division of Selection Services which denied its request to permit Joseph Shargo to file a late application for the Statewide open competitive examination for the title of Electrician (S0413G).

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

B-53 JUJUAN JONES

Jujuan Jones appeals the test administration of the oral portion of the examination for the first level Fire Lieutenant (PM2506F), Plainfield.

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

B-54 HUMAN SERVICES SPECIALIST 1 (C0888F), COUNTY OF UNION

The County of Union requests that the non-resident portion of the eligible list for Human Services Specialist 1 (C0888F), County of Union, be cancelled due to an incorrect residency announcement.

ACTION: The Merit System Board granted the request.

B-55 ALFRED HIGGINBOTHAM

The Borough of Clementon (Clementon) requests relaxation of N.J.A.C. 4A:4-7.1A(a) so as to permit the intergovernmental transfer of Alfred Higginbotham from the title of Police Officer, Borough of Stratford, to the title of Police Officer, Clementon.

ACTION: The Merit System Board granted the request.

B-56 PROPOSED AMENDMENTS: N.J.A.C. 4A:1-1.3 AND 4A:2-2.4 (SUSPENSIONS ON THE RECORD)

Submitted for the Board's adoption are proposed amendments to N.J.A.C. 4A:1-1.3 and 4A:2-2.4 (suspensions on the record). The Board proposed the amendments at its meeting on May 24, 2006. The proposal was published in the July 3, 2006 issue of the New Jersey Register. A public hearing was held on July 20, 2006. No comments were received at that time. Two written comments were received but do not necessitate any changes to the proposal.

ACTION: The Merit System Board adopted the amendments.

B-57 MERIT SYSTEM BOARD MINUTES

The Merit System Board minutes of its meeting of September 20, 2006 are submitted for adoption.

ACTION: The Merit System Board adopted the minutes of its meeting of September 20, 2006.

B-58 JANET ARMAND

Janet Armand, a Systems Analyst with the City of Newark, represented by Benjamin Benson, Esq., appeals her termination, effective July 13, 1006, without notice and an opportunity for a hearing.

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

B-59 WANDA SCHEUMEISTER

Wanda Scheumeister, a Police Officer with the Township of Belleville, represented by Annette Verdesco, Esq., petitions the Merit System Board for reconsideration of the decision, rendered on August 23, 2006, which upheld her immediate suspension, commencing on June 7, 2006, pending a departmental hearing.

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

B-60 ELIZABETH SEMPLE

The appointing authority requests that the Merit System Board permit Elizabeth Semple, a Research Scientist 1, Chemistry, to be eligible for the title of Executive Assistant 1.

ACTION: The Merit System Board granted the request, but referred the matter to the Division of Human Resource Management for a review of the proper classification of the position.

B-61 JOHN VACCARO

John Vaccaro appeals the determination of the Division of Selection Services which found him ineligible for the promotional examination for Police Sergeant (PM2603H), Passaic due to an untimely application.

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

B-62 EARLY SETTLEMENTS

Leticia Burgos Diaz
Woodbine Developmental Center
Department of Human Services
Suspension

Matthew Gazzara
Vineland Developmental Center
Department of Human Services
Suspension

Fernando Martinez-Olmedo
New Lisbon Developmental Center
Department of Human Services
Suspension

Wilfred Rennie
Hunterdon Developmental Center
Department of Human Services
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, October 18, 2006 at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

ROLANDO TORRES, JR.
COMMISSIONER
MERIT SYSTEM BOARD