



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 18, 2006**

**Margaret E. L. Howard, Presiding  
Flavella Branham  
John Currie  
Robert Long**

OCTOBER 18, 2006

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A regular meeting of the Merit System Board was held on Wednesday October 18, 2006, in Trenton, New Jersey.

**PRESENT:** Margaret E. L. Howard, Presiding Board Member; Merit System Board Members, John Currie, Flavella Branham, 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, Presiding Board Member Margaret E. L. Howard., 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.

**CONFIDENTIAL APPOINTMENTS**

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

**Brendan Gill, appointed as a Confidential Assistant, Department of Transportation, effective June 19, 2006, salary of \$91,800.00 per annum.**

**SECTION A – HEARING MATTERS**

**A-1 SETTLEMENTS**

In the Matter of Christopher Bayard  
City of Camden  
Police Department  
Suspensions (3)

In the Matter of Beatrice Bliidi  
New Lisbon Developmental Center  
Department of Human Services  
Suspension

In the Matter of Yahaira Ramirez Crespo  
North Jersey Developmental Center  
Department of Human Services  
Removal

In the Matter of James Hudock  
County of Hunterdon  
Department of Public Safety  
Resignation not in good standing

In the Matter of Fedele (Frank) Nicolaro, Jr.  
City of East Orange  
List Bypass

In the Matter of Benedetto Valentino and Rudolph Tucker, Sr.  
County of Monmouth  
Department of Corrections and Youth Services  
Suspensions (2)

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

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

**A-2 STYNA BRIDGEFORTH**

Styna Bridgeforth, County Correction Officer, County of Hudson, Department of Corrections removal effective February 8, 2005, 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 removal.

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

**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. This matter was held over from the October 4, 2006 Merit System Board meeting for receipt of cross exceptions.

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-4 FREDDIE GREEN AND ELIJAH MUSE**

Freddie Green and Elijah Muse, Human Services Assistants, Trenton Psychiatric Hospital, Department of Human Services, removals effective April 14 and 15, 2004, respectively, on charges of physical or mental abuse of a patient, violation of administrative procedures and/or regulations involving safety and security and failure to report injury, abuse or accident involving a patient.

Recommendation of the Administrative Law Judge – Uphold the removals.

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

**SECTION B – MISCELLANEOUS MATTERS**

**B-1 JAMIE MCGORTY**

Jamie McGorty, represented by Bruce D. Leder, Esq., appeals the request by the Hudson County Sheriff's Office to remove her name from the Sheriff's Officer (S9999F) 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-2 ALBERT R. LEWIS**

Albert R. Lewis, 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-3 LISA TAYLOR-WEEMS**

Lisa Taylor-Weems, a Residential Services Worker with the Vineland Developmental Center, Department of Human Services, appeals the denial of sick leave injury (SLI) benefits.

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

**B-4 SARA SKED**

Sara Sked, a Supervising Health Care Evaluator with the Department of Health and Senior Services, represented by Samuel M. Gaylord, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

**B-5 DETRONE A. EDWARDS**

Detrone A. Edwards, represented by Shane C. DeLeon, Esq., appeals the decision of the Division of Human Resource Information Services which upheld the removal of his name from the eligible list for Police Officer (S9999F), Town of Morristown, on the basis of an unsatisfactory driving record.

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

**B-6 MILTON P. HILL, JR.**

Milton P. Hill, Jr., appeals the decision of Human Resource Information Services, which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the County Correction Officer (S9999F), Atlantic County, eligible list on the basis that he falsified his employment application.

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

**B-7 COORDINATOR FOR FEDERAL AND STATE AID (C6673G),  
COUNTY OF UNION**

The County of Union requests permission not to make an appointment from the February 21, 2006 certification for Coordinator for Federal and State Aide (C6673G).

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

**B-8 PRINCIPAL PROGRAM DEVELOPMENT SPECIALIST, CRIMINAL JUSTICE (M6577F) AND (M6924G), CITY OF JERSEY CITY**

The City of Jersey City requests permission not to make an appointment from the April 25, 2005 certification for Principal Program Development Specialist, Criminal Justice (M6577F) and (M6924G).

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

**B-9 LOUIS COLTRI**

Louis Coltri, an Institutional Transportation Supervisor at Vineland Developmental Center, Department of Human Services, represented by Michele Long Vickers, CWA, Local 1040, appeals the determination of the Assistant Commissioner for Human Resources which found that the appellant had violated 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-10 JOANNE EL-AMIN**

Joanne El-Amin, a Program Development Specialist 1 with the Department of Health and Senior Services, appeals the determinations of the Commissioner of Health and Senior Services regarding three separate incidents, stating 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, Harassment, or Hostile Environments in the Workplace.

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

**B-11 ENOCH UTUK**

Enoch Utuk, a Social Worker 1 with the Juvenile Justice Commission, appeals the determination of the Executive Assistant Attorney General, stating that the appellant failed to present sufficient evidence to support a finding that he 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-12 WATER TREATMENT PLANT REPAIRER (M0810G), PASSAIC VALLEY WATER COMMISSION**

The appointing authority's failure to dispose of the certification for Water Treatment Plant Repairer (M0810G), Passaic Valley Water Commission, while a provisional is serving in the title, has been referred to the Merit System Board for enforcement.

**ACTION:** The Merit System Board ordered the appointing authority to remove the provisional appointee, make an appointment from the certification and pay compliance costs.

**B-13 BUILDING MAINTENANCE WORKER/SECURITY GUARD (M6244E), CITY OF EAST ORANGE BOARD OF WATER COMMISSIONERS**

The City of East Orange Board of Water Commissioners requests reconsideration of the decision rendered on March 9, 2005 by the Merit System Board in *In the Matter of Building Maintenance Worker/Security Guard (M6244E)*, which ordered it to immediately remove the provisional incumbent, Joseph T. Stecher, and to properly dispose of the October 14, 2003 certification within 30 days.

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

**B-14 SHREVE MARSHALL**

Shreve Marshall petitions the Merit System Board for reconsideration of the decision rendered on September 20, 2006 which found that he did not meet the experience requirements for the promotional examination for Supervisor of Operations (PS8990P), Election Law Enforcement Commission.

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

<b>VOTE:</b>	<b>Flavella Branham</b>	<b>(Yes)</b>
	<b>John Currie</b>	<b>(Yes)</b>
	<b>Margaret E. L. Howard</b>	<b>(Yes)</b>
	<b>Robert J. Long</b>	<b>(Abstained)</b>



**B-15 ARTHUR SCHAUFLE**

The Department of Human Services petitions the Merit System Board (Board) for reconsideration of the final administrative decision, rendered on October 5, 2005, in which the Board granted Arthur Schaufler's request for sick leave injury (SLI) benefits.

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

**B-16 LILY BRITTON AND GERALYN MOLINARI**

Lily Britton and GERALYN Molinari appeal the determinations of the Division of Selection Services which found that they did not meet the minimum experience requirements for the promotional examination for Program Manager, Addictions (PS6661K), Department of Human Services, Division of Addiction Services.

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

**B-17 KWELI CAMPBELL**

Kweli Campbell 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 Administrative Analyst (M6143G), City of Newark.

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

**B-18 PEGGY CARIA**

Peggy Caria 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 Executive Assistant (PM0717G), Union Township.

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

**B-19 CARLA CARTER AND TROY HOOD**

Carla Carter and Troy Hood appeal the determination of the Division of Selection Services which found that they were below the minimum requirements in experience for the promotional examination for Program Support Specialist 2 (Assistance Programs) (PS7965K), Division of Addiction Services, Department of Human Services.

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

**B-20 JACQUELINE CRUZ, ET AL.**

Jacqueline Cruz, Rhonda Curry and Miranda DeVincenz appeal the determinations of the Division of Selection Services which found that they did not meet the minimum experience requirements for the promotional examination for Principal Data Control Clerk (PM0222H), Jersey City School District.

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

**B-21 LOIS DIMATTIA, ET AL.**

Lois DiMattia, Leslie Rubin, and Maria Saboski appeal the determinations of the Division of Selection Services which found that they did not meet the minimum experience requirements for the promotional examination for Inventory Control Specialist (PS9433T), Motor Vehicle Commission.

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

**B-22 MINDY DOYLE**

Mindy Doyle appeals the determination of the Division of Selection Services that she did not meet the experience requirements for the promotional examination for Customer Service Representative 3 (PS7312H), Department of Health and Senior Services.

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

**B-23 MARIA FESTA**

Maria Festa appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Technical Assistant 2, Labor (PS8324N), Department of Labor and Workforce Development.

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

**B-24 MARIA FESTA AND ANDREA ROPER-JACKSON**

Maria Festa and Andrea Roper-Jackson appeal the determinations of the Division of Selection Services which found that Ms. Festa did not meet the experience requirements and Ms. Roper-Jackson did not meet the experience requirements, per the substitution clause for education, for the promotional examination for Technical Assistant 1, Labor (PS9798N), Department of Labor and Workforce Development.

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

**B-25 EILEEN FRALINGER, ET AL.**

Eileen R. Fralinger appeals the determination of the Division of Selection Services that she did not meet the education and experience requirements for the promotional examination for Supervising Vocational Rehabilitation Counselor (PS5823K), Division of Developmental Disabilities, Department of Human Services. Additionally, Danielle Licari, Ireneo R. Martinez, and Cecilia B. Ojoawo appeal the determinations of Selection Services that they did not meet the education requirements for the open competitive examination for Vocational Rehabilitation Counselor 2 (S0520H), Commission for the Blind and Visually Impaired, Department of Human Services.

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

**B-26 RYAN GRANATO**

Ryan Granato 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 Network Administrator 1 (C6696G), Cumberland County.

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

**B-27 SCOTT S. JACOBS**

Scott S. Jacobs appeals the determination of the Division of Selection Services that he did not meet the education and experience requirements for the promotional examination for Administrative Analyst 3 (PS6393K), Department of Children and Families.

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

**B-28 LESTER KING**

Lester King appeals the determination of the Division of Selection Services that found that, per the substitution clause for education, he did not meet the experience requirements for the open competitive examination for Administrative Analyst (M6143G), City of Newark.

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

**B-29 PETER LAIB AND STANLEY POULSEN**

Peter Laib and Stanley Poulsen appeal the determinations of the Division of Selection Services which found that, per the substitution clause for education, they did not meet the experience requirements for the promotional examination for Senior Systems Analyst (PC1663G), Ocean County.

**ACTION:** The Merit System Board directed that these appeals be denied but the matter of the proper classification of the appellants' positions be referred to the Division of Human Resource Management.

**B-30 DANELLE PARKER-MASN AND BONNIE RITZLER**

Danelle Parker-Mason and Bonnie Ritzler appeal the determinations of the Division of Selection Services which found that Ms. Parker-Mason did not meet the experience requirements and Ms. Ritzler did not meet the experience requirements, per the substitution clause for education, for the open competitive examination for Social Worker 2, Corrections (S0521H), Department of Corrections.

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

**B-31 LARRY ROBERSON**

Larry Roberson appeals the determination 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 Senior Technician, Management Information Systems (PS6808H), Division of Family Health Services, Department of Health and Senior Services.

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

**B-32 ROSE ROWELL**

Rose Rowell appeals the determination of the Division of Selection Services which found her to be below the experience requirements for the open-competitive examination for Institutional Trade Instructor 2, Cooking (S6889H0, Department of Corrections.

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

**B-33 MARIUSZ TRZUSKOT**

Mariusz Trzuskot appeals the determination of the Division of Selection Services that he did not meet the experience requirement for the promotional examination for Network Administrator 2 (PS7024P), Office of the Attorney General.

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

**B-34 LARRY WILCOX**

Larry Wilcox appeals the determination of the Division of Selection Services that he did not meet the requirements for the open-competitive examination for Recreation Supervisor, Cultural Services (M6131G), Irvington Township.

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

**B-35 FRANCES WOLVERTON**

Frances Wolverton appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she did not meet the experience requirements for the promotional examination for Management Assistant (PS6116H), Department of Health and Senior Services.

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

**B-36 HARRIET CLINEY**

Harriet Cliney appeals her disqualification from the promotional examination for Assistant Supervisor of Residential Living (Developmental Disabilities) (PS6635K), Woodbridge Developmental Center.

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

**B-37 DEDREA KELLY**

Dedrea Kelly appeals her disqualification from the promotional examination for Research Technician 2 (PS7987N), Department of Labor and Workforce Development.

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

**B-38 LORRAINE S. BAGBY, ET AL.**

Lorraine S. Bagby, Natasha M. Cranmer, Magdalena Myles, and Rose Scott appeal their ranks and scores on the promotional examination for Family Service Specialist 1 (PS5462K), Southern Region, Department of Children and Families.

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

**B-39 KEVIN FITZHENRY**

Kevin Fitzhenry appeals his score for the oral portion of the examination for the first level Fire Captain (PM3582F), Bayonne.

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

**B-40 ERIC LEBRIGHT**

Eric LeBright appeals his score for the oral portion of the examination for the first level Fire Captain (PM3582F), Bayonne.

**ACTION:** The Merit System Board directed that this appeal be granted and the technical component of the Evolving scenario be changed from 3 to 5, the oral communication component of the Evolving scenario be changed from 4 to 5, and the oral communication component of the Arrival scenario be changed from 4 to 5.

**B-41 KEVIN MCMONAGLE**

Kevin McMonagle appeals his score for the oral portion of the examination for the first level Fire Captain (PM3582F), Bayonne.

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

**B-42 SCOTT DUPONT**

Scott DuPont appeals his score for the oral portion of the examination for the first level Fire Lieutenant (PM2625F), Belleville.

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

**B-43 ERICH HOCHSTUHL**

Erich Hochstuhl appeals his score for the oral portion of the examination for the first level Fire Captain (PM2625F), Belleville.

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

**B-44 JOHN OLIVIERI**

John Olivieri, represented by Brendan Egan, Esq., appeals his score for the oral portion of the examination for the first level Fire Lieutenant (PM2625F), Belleville.

**ACTION:** The Merit System Board directed that this appeal be granted and the score for the technical component of the Evolving scenario be changed from 3 to 5.

**B-45 ANTHONY NAPLES**

Anthony Naples appeals his score for the oral portion of the examination for first level Fire Captain (PM3592F), Hillside.

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

**B-46 KATHLEEN HORN**

Kathleen Horn appeals her rank and score for the promotional examination for Supervising Public Safety Telecommunicator (PM1166G), Ocean City.

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

**B-47 CARLA LEWIS**

Carla Lewis appeals her score on the promotional examination for Secretarial Assistant 1 (Non-Stenographic) (PS6772F), Department of Education.

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

**B-48 JANET DEVEREAUX**

Janet Devereaux appeals the denial of her request for a make-up for the open competitive examination for Probation Officer (S0508H) due to her late arrival at the examination center.

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

**B-49 JOHN HANRAHAN**

John Hanrahan appeals the denial of his request for a make-up examination for Battalion Fire Chief (PM3596G), Newark.

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

**B-50 MARY HEATH**

Monmouth County requests that Mary Heath's out-of-title work be accepted to qualify her for a lateral title change to Program Specialist, Alcohol Abuse Activities.

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



**B-51 MERIT SYSTEM BOARD MINUTES**

The minutes of the Merit System Board meeting of October 4, 2006 are submitted for adoption.

**ACTION:** The Merit System Board adopted the minutes of its meeting of October 4, 2006.

**B-52 ELLEN KOHLER**

Ellen Kohler, a Supervising Family Service Specialist 2, appeals the bypass of her name for appointment on the Supervising Family Service Specialist 1 (PS5464K), Department of Children and Families eligible list.

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

**B-53 ANGELA GARNER**

Angela Garner, a former County Correction Officer with the County of Hudson, appeals her resignation not in good standing effective September 16, 2005. Additionally, the appellant requests Merit System Board review regarding her termination from employment as a Juvenile Detention Officer with the County of Hudson effective February 17, 2006.

**ACTION:** The Merit System Board directed that the resignation not in good standing be modified to a resignation in good standing and that the request for review regarding the appellant's termination as a Juvenile Detention Officer be dismissed for the Board's lack of jurisdiction.

**B-54 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). This matter was held over from the October 4, 2006 Merit System Board meeting for further review.

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

**B-55 ANA MARTINEZ**

The appeal of Ana Martinez, a Clerk, Bilingual in Spanish and English with Camden County, of her removal effective May 9, 2005, on charges, was heard by Administrative Law Judge (ALJ) John R. Tassini, who rendered his initial decision on June 29, 2006. At its meeting on October 4, 2006, the Merit System Board adopted the ALJ's recommendation to modify the removal to a resignation in good standing. The proposed final decision is now submitted for the Board's review.

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

**B-56 VIVIAN RAY**

The appeal of Vivian Ray, a Practical Nurse at New Lisbon Developmental Center, Department of Human Services, of her removal, effective August 11, 2004, on charges, was heard by Administrative Law Judge Dennis P. Blake (ALJ), who rendered his initial decision on September 1, 2006. At its meeting on October 4, 2006, the Merit System Board did not adopt the ALJ's recommendation to modify the removal to a six-month suspension. Rather, the Board modified the penalty to a four-month suspension. The proposed decision is now submitted for the Board's review.

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

**B-57 CARL NATTER**

The appeal of Carl Natter, an Employee Relations Coordinator with the New Jersey Veterans' Memorial Home at Menlo Park, Department of Military and Veterans Affairs, of his removal effective July 27, 2005, on charges, was heard by Administrative Law Judge (ALJ) Ronald W. Reba, who rendered his initial decision on August 29, 2006. At its meeting on October 4, 2006, the Merit System Board did not adopt the ALJ's recommendation to modify the removal to a six-month suspension. Rather, the Board upheld the removal. The proposed final decision is now submitted for the Board's review.

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

**B-58 TORY KING AND ANNA SHIFTON**

Tory King and Anna Shifton appeal the determination of the Division of Selection Services which found that they did not meet the minimum requirements in experience for the open competitive examination for Records Analyst 3 (C6840H), Mercer County.

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

**B-59 ELIZABETH CRESPO**

The appeal of Elizabeth Crespo, a Police Officer with Passaic County, of her removal effective November 22, 2004 on charges was heard by Administrative Law Judge Carol I. Cohen (ALJ), who rendered her initial decision on July 14, 2006, upholding the removal. At its meeting on October 4, 2006, the Merit System Board ordered that this matter be remanded to the Office of Administrative Law. The proposed decision is now submitted for the Board's review.

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

<b>VOTE:</b>	<b>Flavella Branham</b>	<b>(Yes)</b>
	<b>John Currie</b>	<b>(Abstained)</b>
	<b>Margaret E. L. Howard</b>	<b>(Yes)</b>
	<b>Robert J. Long</b>	<b>(Yes)</b>

**B-60 FRANCIS SALENSKY**

The appeal of Francis Salensky, a Senior Parole Officer with the State Parole Board, of his removal, effective April 14, 2005, on charges, was heard by Administrative Law Judge Barry N. Frank (ALJ), who rendered his initial decision on June 8, 2006. At its meeting on October 4, 2006, the Merit System Board did not adopt the ALJ's recommendation to modify the appellant's removal to a 20-day suspension. Rather, the Board modified the penalty to a 60-day suspension. The proposed decision is now submitted for the Board's review.

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

**B-61 MICHAEL FRANCESCO AND EDMUND MAWHINNEY**

Michael Francesco, a Fire Fighter with the City of Atlantic City (City) and Edmund Mawhinney, a Fire Captain with the City, petition the Merit System Board for enforcement of the decision of the Merit System Board, rendered on September 6, 2006, which ordered the City to serve Final Notices of Disciplinary Action (FNDAs) within 10 days of receipt of the decision. Alternatively, Mawhinney requests a stay of his removal, respectively, pending the outcome of his appeal on the merits.

**ACTION:** The Merit System Board denied the requests for enforcement and a stay.

**There being no further business before the Merit System Board, the meeting was adjourned to convene on Wednesday, November 1, 2006 at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.**

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**MARGARET E. L. HOWARD  
PRESIDING  
MERIT SYSTEM BOARD**