



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  
NOVEMBER 1, 2006**

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

NOVEMBER 1, 2006

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A regular meeting of the Merit System Board was held on Wednesday November 1, 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 Timothy Bethea  
County of Mercer  
Department of Public Safety  
Suspension

In the Matter of Shannon D. Chriss  
County of Monmouth  
Department of Corrections and Youth Services  
Suspension

In the Matter of Anthony Cross  
A.C. Wagner Youth Corrections  
Suspensions

In the Matter of Gregory DePiano  
County of Atlantic  
Department of Public Safety  
Suspensions (2) and Demotion

In the Matter of Stanley J. Markoski, III  
County of Ocean  
Sheriff's Office  
Release at the end of the working test period

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

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

**A-2 GREGORY R. CHIERCHIA**

Gregory R. Chierchia, a former Lieutenant with the Division of State Police, Department of Law and Public Safety, appeals the determination of the Executive Assistant Attorney General, stating that there was probable cause to substantiate a finding that he violated the New Jersey State Policy Prohibiting Discrimination, Harassment or Hostile Environments in the Workplace (State Policy). It is noted that the appellant retired from State service effective August 31, 2002.

Recommendation of the Administrative Law Judge – Grant the appeal, reverse the finding of a violation of the State Policy Prohibiting Discrimination, Harassment and Hostile Environments in the Workplace, and remove that determination from his personnel file.

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

**A-3 JOE HARRIS, JR.**

Joe Harris, Jr., Lifeguard, Newark School District, resignation in good standing effective December 22, 2004, on the charge of resignation not in good standing effective December 22, 2004.

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

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

**A-4 WILLIAM PEARN**

William Pearn, Institutional Attendant, County of Sussex, Department of Health, resignation not in good standing effective January 18, 2005, on the charge of job abandonment.

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

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

**A-5 JONI PYSHER**

Joni Pysher, Practical Nurse, Hagedorn Psychiatric Hospital, Department of Human Services, 34-working day suspension on the charge of verbal abuse of a patient, client, resident or employee.

Recommendation of the Administrative Law Judge – Modify the 34-working day suspension to a 90-day suspension.

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

**A-6 KEVIN BAKER**

Kevin Baker, Laborer, City of Atlantic City, Department of Public Works, removal effective November 7, 2005, on the charge of chronic or excessive absenteeism.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

**A-7 RONALD BASILE**

Ronald Basile, Police Officer, City of Atlantic City, Department of Public Safety, removal effective January 14, 2005, on charges of violation of rules regarding alcoholic beverages and drugs, drug testing and conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Dismiss the appeal for failure to appear.

**ACTION:** The Merit System Board affirmed the recommendation of the Administrative Law Judge and dismissed the appeal without prejudice.

**A-8 TABIRAH BENTON**

Tabirah Benton, Juvenile Detention Officer, County of Bergen, Department of Human Services, removal effective April 5, 2004, on charges of conduct unbecoming a public employee and ineffective performance.

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

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

**A-9 DOUGLAS CAWLEY**

Douglas Cawley, Sheriff's Officer, County of Gloucester, Sheriff's Department, removal, on charges of conduct unbecoming a public employee, insubordination, neglect of duty and falsifying reports.

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 CARLISS BOWIE**

Carliss Bowie appeals the removal of her name from the (S9999F) eligible list for the title of County Correction Officer, County of Essex on the basis of psychological unfitness.

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

**B-2 JAY A. BENNETT**

Jay A. Bennett, a former Senior Correction Officer with South Woods State Prison, Department of Corrections, represented by Robert C. Wolf, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

**B-3 DONNA BERNARD**

Donna Bernard, a Senior Mail Clerk with the Department of the Treasury, petitions the Merit System Board to extend the time period for the receipt of sick leave injury benefits beyond the one year period.

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

**B-4 PEGGY CONOVER**

Peggy Conover, a Principal Clerk Typist with the Juvenile Justice Commission, appeals the denial of sick leave injury benefits.

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

**B-5 CODE ENFORCEMENT OFFICER TRAINEE (M6869G), BOROUGH OF RUTHERFORD**

The Borough of Rutherford requests permission not to make an appointment from the April 4, 2005 certification for Code Enforcement Officer Trainee (M6869G), Rutherford.

**ACTION:** The Merit System Board denied the request for appointment waiver and ordered the certification be disposed of and compliance costs in the amount of \$500 be assessed.

**B-6 TANZANIA DAVIS**

Tanzania Davis appeals the decision of Human Resource Information Services which upheld the removal of her name from the eligible list for Correction Officer Recruit (S9999F), Department of Corrections, on the basis that she falsified her employment application.

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

**B-7 RONA HOLMES-MARTIN**

Rona Holmes-Martin requests that her name be placed on the special reemployment list for Customer Service Representative 2.

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

<b>VOTE:</b>	<b>Rolando Torres, Jr.</b>	<b>(Yes)</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-8 NICHOLAS J. PALMA, JR.**

Nicholas J. Palma, Jr., represented by Nicholas J. Palma, Sr., Esq., appeals the decision of the Division of Human Resource Information Services which found that the appointing authority had presented a sufficient basis to remove his name from the eligible list for Sheriff's Officer (S9999F), Essex County, on the basis of an unsatisfactory background report.

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

**B-9 POLICE PROMOTIONAL LISTS, UNION CITY**

The Union City Police Superior Officers Association, represented by Bruce D. Leder, Esq., appeals the decision of the Division of Selection Services, which denied its request to extend the eligible list for Police Sergeant (PM2542F), Police Lieutenant (PM2651G), Police Captain (PM3587E), and Deputy Police Chief (PM3516G).

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

**B-10 KRISTINE TABOR**

The County of Monmouth requests that Kristine Tabor's name be reinstated to the promotional list for Human Services Specialist 2 (PC0635F), Monmouth County.

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



**B-11 ROBERT KELLIHER**

Robert Kelliher, an Auditor 1, Taxation, with the Department of the Treasury, appeals the determinations of the Affirmative Action Officer, 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 but directed that the classification of the position of Debra Lewaine be referred to the Division of Human Resource Management for further review.

**B-12 PIERRE VALLES**

Pierre Valles, a former County Correction Officer with Essex County, represented by Anthony J. Fusco, Jr., Esq., petitions the Merit System Board for back pay for the period of his immediate suspension.

**ACTION:** The Merit System Board granted the request and directed that the immediate suspension and the charges on the July 11, 2005 Preliminary Notice of Disciplinary Action be excluded from the petitioner's employment history.

**B-13 LAUREN KIRKMAN**

The Division of Human Resource Information Services requests relief on behalf of Lauren Kirkman, an Assistant Municipal Clerk with Middletown Township.

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

**B-14 GEORGE INGRAM**

George Ingram, a Police Officer with the City of Camden, represented by Donald F. Manno, Esq., petitions the Merit System Board for interim relief of his indefinite suspension, commencing on January 27, 2006, pending the disposition of criminal charges.

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

**B-15 SARAH LEONARDIS AND LOUSE LUSQUINOS**

Sarah Leonardis and Louise Lusquinos, former Teacher Aides with the Newark School District, represented by Ricardo Caamano, III, Esq., request a stay of their removals pending the outcome of their appeals on the merits.

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

**B-16 CARMEN BELTRAN**

Carmen Beltran, a former Social Worker 2, Corrections, at South Woods State Prison, Department of Corrections, represented by Michele Long-Vickers, Staff Representative, CWA Local 1040, appeals her resignation in good standing.

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

**B-17 FRANKIE PAGE**

Frankie Page, a Direct Care AFSCME employee with Trenton Psychiatric Hospital, Department of Human Services, requests that his resignation not in good standing be recorded as a resignation in good standing, and that he be reinstated to his former position as a Senior Medical Security Officer.

**ACTION:** The Merit System Board directed that the appellant's request that his resignation not in good standing be recorded as a resignation in good standing be dismissed as moot. The Merit System Board also denied the request that the appellant be reinstated to his position as a Senior Medical Security Officer.

**B-18 MARY ELLEN PIEL**

Mary Ellen Piel, a former Assistant Library Director, Montville Township Public Library, represented by Stephen E. Klausner, Esq., appeals her resignation in good standing.

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

**B-19 KERRY MARTIN**

Kerry Martin, a Mechanic with the County of Union, represented by Michael Bukosky, Esq., seeks enforcement of the Merit System Board decision rendered on January 12, 2005, granting him mitigated back pay, benefits and seniority, and awarding him counsel fees.

**ACTION:** The Merit System Board granted the request in part and directed that the appellant be paid \$17,492.86 for back pay and \$9,850 for counsel fees.

**B-20 DARLENE COLQUITT**

Darlene Colquitt, a Senior Correction Officer at the Central Reception and Assignment Facility, Department of Corrections (DOC), represented by Henry Cistrelli, Esq., seeks reconsideration of the Merit System Board decision rendered on April 26, 2006 in which the Board denied appellant's request for sick leave injury (SLI) benefits.

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

**B-21 SUZANNE M. LONIA-ROMEO**

Suzanne M. Lonia-Romeo petitions the Merit System Board for reconsideration of the decision rendered on November 3, 2005 which found that she was below the minimum requirements in supervisory experience for the promotional examination for Social Work Supervisor 1, Secured Facilities (PS5787I), Southern State Correctional Facility, Department of Corrections.

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

**B-22 RICHARD NOBLE**

Richard Noble, a former Contract Administrator 1 with the Division of Youth and Family Services, Department of Children and Families, petitions the Merit System Board for reconsideration of the final administrative decision, decided June 22, 2005, in which the Board denied his request for sick leave injury (SLI) benefits.

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

**B-23 SANDRA POWELL**

Sandra Powell, a Senior Medical Security Officer with the Ann Klein Forensic Psychiatric Hospital, Department of Human Services, petitions the Merit System Board for reconsideration of the final administrative decision, decided December 7, 2005, in which the Board denied her request for sick leave injury (SLI) benefits.

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

**B-24 PROGRAM DEVELOPMENT SPECIALIST 2 (M6031B), NEWARK SCHOOL DISTRICT**

The Newark School District requests reconsideration of the decision rendered on May 15, 2002 by the Merit System Board in *In the Matter of Program Development Specialist 2 (M6031B), Newark School District*, which ordered it to immediately remove the provisional incumbent Esther Azure-Watley and to properly dispose of the November 12, 2000 certification within 30 days.

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

**B-25 STYNA BRIDGEFORTH**

The appeal of Styna Bridgeforth, a County Correction Officer with Hudson County, of her removal effective February 8, 2005 on charges, was before Administrative Law Judge Mumtaz Bari-Brown (ALJ), who rendered her initial decision on September 7, 2006, upholding the removal. At its meeting on October 18, 2006, the Merit System Board (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>Rolando Torres, Jr.</b>	<b>(Abstained)</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>(Yes)</b>

**B-26 GLORIA ANDRADE AND DONNA SHAHPAZIAN**

Gloria Andrade and Donna Shahpazian appeal the determination of the Division of Selection Services which found that they did not meet the experience requirements for the open competitive examination for Coordinator of Social Services (M1113H), Teaneck.

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

**B-27 LAKHRAM BASANTA, ET AL.**

Lakhram Basanta, John Coyne, and Wendy Razzoli appeal the determinations of the Division of Selection Services which found that Mr. Basanta and Ms. Razzoli did not meet the experience requirements, and Mr. Coyne did not meet the experience requirements, per the substitution clause for education, for the open competitive examination for Administrative Analyst (M6330H), Jersey City.

**ACTION:** The Merit System Board directed that these appeals be denied and directed the Division of Human Resource Management perform a classification review of appellant Coyne's position and his appointment type be changed.

**B-28 JOHN BRILLA**

John Brilla appeals the decision of the Division of Selection Services, which found that he was below the minimum requirements in experience for the promotional examination for Computer Operator 3 (PS6510K), Department of Human Services.

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

**B-29 BARBARA BRYAN, ET AL.**

Barbara Bryan, Marjorie Landrum, and Anthony Shorter appeal the determinations of the Division of Selection Services which found that they did not meet the minimum requirements for the promotional examination for Quality Assurance Technician (PS9255K), Trenton Psychiatric Hospital.

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

**B-30 DANIEL CHRISTEN AND JOHN HUBER**

Daniel Christen and John Huber 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 Truck Driver Single Axle (PS9876T), Department of Transportation.

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

**B-31 IVELLISE COLLAZO**

Ivellise Collazo appeals the determination of the Division of Selection Services, which found that she did not meet the experience requirements for the promotional examination for Field Monitor 3, Division of Motor Vehicles (PS8998T), Motor Vehicle Commission.

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

**B-32 LENNOX DEVLUGT**

Lennox Devlugt appeals the determination of the Division of Selection Services which found that he was not eligible for the promotional examination for Principal Clerk Typist (PS9135H), Department of Health and Senior Services.

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

**B-33 THERESA ELBERSON**

Theresa Elberson 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 Principal Data Entry Machine Operator (PM0223H), Atlantic City.

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

**B-34 MICHAEL GERMAN**

Michael German appeals the decision of the Division of Selection Services, which found that he was below the minimum requirements in experience for the promotional examination for Computer Operator 3 (PS6510K), Department of Human Services.

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

**B-35 CHRISTINE HAIRSTON**

Christine Hairston 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 Administrative Assistant 2 (PS7306U), Division of State Lottery, Department of the Treasury.

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

**B-36 PURA JACKSON**

Pura Jackson appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Management Assistant (PS6519K), Ancora Psychiatric Hospital, Department of Human Services.

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

**B-37 JESSICA KUBIDA**

Linda J. Brennen, a Supervising Planner with Monmouth County, on behalf of Jessica Kubida, appeals the determination of the Division of Selection Services that Ms. Kubida did not meet the educational requirements for the open competitive examination for Principal Planner, Environmental (C6706G), Monmouth County.

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

**B-38 JOSEPH NASATKA**

Joseph Nasatka appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Welder (PS9877T), Department of Transportation.

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

**B-39 PHYLLIS NELSON**

Phyllis Nelson 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 (PS6087G), Department of Environmental Protection.

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

**B-40 MICHELE NIPPINS**

Michele Nippins appeals the determination of the Division of Selection Services, which found that she did not meet the experience requirements for the promotional examination for Data Processing Programmer 2 (PS7159I), Department of Corrections.

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

**B-41 ALICIA PALUMBO**

Alicia Palumbo 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 Classification (PS0009I), Garden State Youth Reception and Correctional Facility.

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

**B-42 DANELLE PARKER-MASON**

Danelle Parker-Mason appeals the determination of the Division of Selection Services which found her to be below the experience requirements for the open competitive examination for Social Worker 2, Corrections (S0521H), Department of Corrections. This matter was held over from the October 18, 2006 Merit System Board meeting for further review.

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



**B-43 DIVYESH SHROFF**

Divyesh Shroff 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 Management Assistant (PS6162K), Ann Klein Forensic Center, New Jersey Department of Human Services.

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

**B-44 LOUIS SICILIANO**

Louis Siciliano appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Yard Supervisor (PM0787H), Bloomfield.

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

**B-45 CHERYL SMITH**

Cheryl Smith appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for a prospective appointment to the non-competitive title of Education Program Development Specialist 2, Department of Health and Senior Services.

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

**B-46 SHELBY STILLWELL**

Shelby Stillwell 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 Technical Assistant Classification (PS0009I), Garden State Youth Reception & Correctional Facility.

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

**B-47 LINDA SULLIVAN**

Linda Sullivan appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Supervising Classification Officer (PS0005I), Southern State Correctional Facility.

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

**B-48 DELORES SWAIN**

Delores Swain appeals the determination of the Division of Selection Services which found that she did not meet the minimum requirements for the promotional examination for Quality Assurance Technician (PS9255K), Trenton Psychiatric Hospital.

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

**B-49 DONNA WAGNER**

Donna Wagner 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 Management Assistant (PS6101H), Department of Health and Senior Services.

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

**B-50 OSCAR AVILES**

Oscar Aviles appeals his score on the promotional examination for Deputy Warden (PC0621F), Hudson County.

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

**B-51 SANTO BARRACO**

Santo Barraco appeals his score for the oral portion of the examination for the first level Fire Captain (PM3511F), Elizabeth.

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

**B-52 AUSTIN BAUER**

Austin Bauer appeals his score for the oral portion of the examination for the first level Fire Captain (PM3511F), Elizabeth.

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

**B-53 MICHAEL FRANCAVILLA**

Michael Francavilla appeals his score for the oral portion of the examination for the first level Fire Captain (PM3511F), Elizabeth.

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

**B-54 MICHAEL GUARINO**

Michael Guarino appeals his score for the oral portion of the examination for the first level Fire Captain (PM3511F), Elizabeth.

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

**B-55 ALFREDO IRIZARRY**

Alfredo Irizarry appeals his score for the oral portion of the examination for the first level Fire Captain (PM3511F), Elizabeth.

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

**B-56 JOHN KUHN**

John Kuhn appeals his score for the oral portion of the examination for the first level Fire Captain (PM3511F), Elizabeth.

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

**B-57 JOSEPH LA MORTE**

Joseph La Morte appeals his score for the oral portion of the examination for the first level Fire Captain (PM3511F), Elizabeth.

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

**B-58 CHRISTIAN LYSY**

Christian Lysy appeals his score for the oral portion of the examination for the first level Fire Captain (PM3511F), Elizabeth.

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

**B-59 FRANK NOCERA**

Frank Nocera appeals his score for the oral portion of the examination for the first level Fire Captain (PM3511F), Elizabeth.

**ACTION:** The Merit System Board directed that this appeal be granted in part and that the score for the oral communication component of the Evolving scenario be changed from 1 to 3, and the score for the oral communication component of the Arrival scenario be changed from 5 to 4.

**B-60 TROY O'BRIEN**

Troy O'Brien appeals his score for the oral portion of the examination for the first level Fire Captain (PM3511F), Elizabeth.

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

**B-61 STEVE O'GORMAN**

Steve O'Gorman appeals his score for the oral portion of the examination for the first level Fire Captain (PM3511F), Elizabeth.

**ACTION:** The Merit System Board directed that this appeal be granted in part and that the score for the oral communication component of the Evolving scenario be changed from 4.5 to 5.

**B-62 MICHAEL RAPP**

Michael Rapp appeals his score for the oral portion of the examination for the first level Fire Captain (PM3511F), Elizabeth.

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

**B-63 SEAN SULLIVAN**

Sean Sullivan appeals his score for the oral portion of the examination for the first level Fire Captain (PM3511F), Elizabeth.

**ACTION:** The Merit System Board directed that this appeal be denied but that the score and that the score for the technical component of the Evolving scenario be changed from 3 to 2.

**B-64 JOSE TORRES**

Jose Torres appeals his score for the oral portion of the examination for the first level Fire Captain (PM3511F), Elizabeth.

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

**B-65 SEAN WASACZ**

Sean Wasacz appeals his score for the oral portion of the examination for the first level Fire Captain (PM3511F), Elizabeth.

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

**B-66 JOHN WRIGHT**

John Wright appeals his score for the oral portion of the examination for the first level Fire Captain (PM3511F), Elizabeth.

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

**B-67 STEVE ZATKO, JR.**

Steve Zatkan, Jr., appeals his score for the oral portion of the examination for the first level Fire Captain (PM3511F), Elizabeth.

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

**B-68 MICHELE JACKSON**

Michele Jackson appeals the decision of the Division of Selection Services which found that the appellant lacked the required amount of permanent status in a title to which the examination was open for Police Sergeant (PM2550G), Orange Township.

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

**B-69 TONY E. OUTERBRIDGE AND GEORGE ST. FURCY**

Toney E. Outerbridge and George St. Furcy appeal their ineligibility for the examination for Fire Lieutenant (PM2505H), Township of Irvington, due to untimely applications.

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

**B-70 DALTON PRICE**

Dalton Price 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 matter be held over.

**B-71 JENEAN BOLDEN**

Jenean Bolden appeals her disqualification from the open competitive examination for Senior Account Clerk (M1083H), Jersey City School District.

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

**B-72 JENNIFER HUNTER**

Monmouth County requests that Jennifer Hunter's out-of-title work experience be accepted to qualify her for a demotional title change to Claims Examiner, Workers' Compensation, Typing.

**ACTION:** The Merit System Board granted the request for a lateral title change.

**B-73 KIRK EADY**

Kirk Eady appeals the validity of the promotional examination for Deputy Warden (PC0621F), Hudson County.

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

**B-74 MICHAEL ANGELO, ET AL.**

Michael Angelo, Charles Beideman, Michelle Brenner, Daniel Clement, Donald Dula, Mark Ewing, Demetre Faryna, John Gagliardi, Jonathan Henson, Willie Hood, Thomas Huber, Christopher Hubert, Brenda Hunt, Everton Hunter, Tara Janda, Raymond Jones, Tito Lebron, Michael Linhares, Christopher Longo, Vincent Mackins, Brian McGowan, Brian Mikus, Diane Register, Maria Rivera, Thomas Schreffler, Benjamin Szuba, Jose Valentin, Stephanie Vautier, Letitia Whitley, Marvin Young and Thomas Zwonlinski appeal the promotional examination for Correction Sergeant (PS5613I), Department of Corrections.

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

**B-75 RECENT COURT DECISIONS**

Submitted for the Board's review are copies of recent court decisions involving Merit System Board and Department of Personnel determinations, *In the Matter of Michelle Thurber v. City of Burlington* (287 N.J. Super. 279 [App. Div. 2006]); *In the Matter of William C. Klusartiz, Jr. v. Cape May County* (287 N.J. Super. 305 [App. Div. 2006]); *In the Matter of Tammy Herrmann* (387 N.J. Super. 450 [App. Div. 2006]); *In the Matter of Wayne Roesch* (Appellate Division, decided 8/14/06); *In the Matter of Calvin Parkman, Police Department, City of Newark* (Appellate Division, decided 8/18/06); *In the Matter of Theodore Warfield* (Appellate Division, decided 8/21/06); *In the Matter of Sean P. McGovern, Firefighter (M2054A), Jersey City* (Appellate Division, decided 9/7/06); *In the Matter of Keith A. Penn, County of Burlington* (Appellate Division, decided 9/28/06); and *In the Matter of Mitchell Dinnerstein, Supervising Maintenance Repairer (PC1663F), Ocean County Board of Social Services* (Appellate Division, decided 9/29/06).

**ACTION:** The Merit System Board noted the recent court decisions.

**B-76 MERIT SYSTEM BOARD MINUTES**

The Merit System Board minutes of its meeting of October 18, 2006 are submitted for adoption.

**ACTION:** The Merit System Board adopted the minutes of its meeting of October 18, 2006.

<b>VOTE:</b>	<b>Rolando Torres, Jr.</b>	<b>(Abstained)</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>(Yes)</b>

**B-77 DAWN BOLLING-HORTA**

The appointing authority for the Camden County Board of Social Services requests that Dawn Bolling-Horta's name be removed from the eligible list for Human Services Specialist 1 (PC0722G).

**ACTION:** The Merit System Board denied the request and directed that Ms. Bolling-Horta's name remain on the eligible list.

**B-78 ANGELA EDWARDS**

Angela Edwards, a Juvenile Detention Officer with Essex County, petitions the Merit System Board for interim relief of her immediate suspension, commencing on February 2, 2006.

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

**B-79 TINA BABLE AND BARBARA LENNOX**

Tina Bable and Barbara Lennox appeal the determinations of the Division of Selection Services that they did not meet the experience requirements for the promotional examination for Quality Assurance Specialist, Health Services (PS8534K), New Lisbon Developmental Center, Department of Human Services.

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



**B-80 EARLY SETTLEMENTS**

James Chism  
Ancora Psychiatric Hospital  
Department of Human Services  
Suspension

Darlene Rutherford  
College of New Jersey  
Release at the end of the working test period

Equiller Sallie  
Trenton Psychiatric Hospital  
Department of Human Services  
Resignation not in good standing

**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, November 15, 2006 at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.**

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