



STATE OF NEW JERSEY
DEPARTMENT OF PERSONNEL

JON S. CORZINE
GOVERNOR

ROLANDO TORRES, JR.
COMMISSIONER

Merit System Board

**MINUTES OF REGULAR MEETING OF
THE MERIT SYSTEM BOARD
APRIL 25, 2007**

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

APRIL 11, 2007

A regular meeting of the Merit System Board was held on Wednesday April 11, 2007, 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 8, 2006, and posted at the Department of Personnel, 3 Station Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

STATE

The Merit System Board recorded the recommended changes in the State Classification Plan, copies of which are attached hereto and made a part hereof.

DATE: April 9, 2007

TO: Rolando Torres Jr., Commissioner
Department of Personnel

FROM: Elizabeth Van Marter, Managing Director
State and Local Government Operations

SUBJECT: Change in Classification Plan

NEW TITLE- DEPARTMENT OF THE TREASURY

The Department of the Treasury seeks to create a new unclassified title, Director, Division of Revenue.

Reorganization Plan 001-1997 establishes the Division of Revenue in the Department of the Treasury. The plan provides that the Division be headed by a director who is appointed by, and serves at the pleasure of, the Treasurer. The Department of the Treasury currently uses the title of Executive Director for this function.

Approval of this request will permit the Department of Treasury to comply with the terms of the Reorganization Plan.

ESTABLISHMENT OF NEW TITLE

Effective: 03/31/07

Director, Division of Revenue
M98____ U Treasury NL/12

EVM/JJM/BP/GB



MEMORANDUM

NEW JERSEY DEPARTMENT OF PERSONNEL

DATE: April 19, 2007

TO: Rolando Torres, Jr., Commissioner *RT*
Department of Personnel

FROM: Elizabeth Van Marter, Managing Director *EVM (JJC)*
State and Local Government Operations

SUBJECT: Change in the Classification Plan

JUVENILE JUSTICE COMMISSION

The Juvenile Justice Commission (JJC) requests the creation of the title District Parole Supervisor, JJC to provide quality assurance of all regional activities. The JJC intends to use this title to provide a needed management level between the titles Assistant District Parole Supervisor and Regional Program Supervisor. A similar title currently exists in the Parole Officer series at the State Parole Board for adult parolees.

The Office of Employee Relations (OER) has assigned this title to the J bargaining unit. Negotiations representatives have been notified and support the establishment of this title.

TITLE CREATION

Effective: 03/31/07

District Parole Supervisor, Juvenile Justice Commission
J27 - _____ Competitive C N412

EVM/JMM/RMD

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

In the Matter of Joseph Dimemmo
County of Mercer
Department of Public Safety
Suspension

In the Matter of Todd Nalepa
City of Perth Amboy
Department of Public Works
Suspension

In the Matter of Candace Reynolds
Judiciary – Somerset Vicinage
Release at the end of the working test period

In the Matter of Ellen Simpson
Atlantic City Housing Authority
Suspension and Removal

In the Matter of Darren Vuzzo
Township of Marlboro
Department of Public Safety
Suspension

In the Matter of Tajji Williams
City of Newark
Department of Neighborhood and Recreational Services
Suspension

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

ACTION: The Merit System Board acknowledged the settlements.

A-2 BERNACINE BARNES

Bernacine Barnes, Principal Clerk, County of Monmouth, Department of Human Services, return to formerly held permanent title at the end of the working test period effective June 1, 2004.

Recommendation of the Administrative Law Judge – Uphold the return to formerly held permanent title at the end of the working test period.

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

A-3 RAYMOND LAPOINT

Raymond LaPoint, Correction Sergeant, East Jersey State Prison, Department of Corrections, 10-working day suspension on charges of conduct unbecoming a public employee and violation of the Department policy prohibiting racial and/or sexual harassment, discrimination and/or retaliation.

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

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

A-4 RICARDO LEATY

Ricardo Leaty, Safety Specialist 2, Motor Vehicle Commission, seven-day suspension on the charge of falsification.

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

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

A-5 MARJORIE LYONS

Marjorie Lyons, Administrative Secretary, City of Paterson Housing Authority, good faith layoff effective July 24, 2006, for reasons of economy and efficiency.

Recommendation of the Administrative Law Judge – Dismiss the appeal without prejudice.

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

A-6 VIRGINIA MILLER

Virginia Miller, Senior Counselor, Penal Institution, County of Hudson, Department of Corrections, 60-day suspension on charges of insubordination, conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Modify the 60-day suspension to a 15-day suspension.

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

A-7 TRAVIS JAMES PARKER

Travis James Parker, Human Services Assistant, Woodbine Developmental Center, Department of Human Services, resignation not in good standing effective October 16, 2005, on the charge of resignation not in good standing.

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

ACTION: The Merit System Board did not adopt the ALJ's recommendation to uphold the resignation not in good standing. Rather, the Board dismissed the appellant's appeal of his RNGS without prejudice based on his failure to appear at his scheduled hearing.

A-8 KEITH RICCIARDI

Keith Ricciardi, Police Sergeant, Township of West Milford, Police Department, 20-day suspension on charges of conduct unbecoming a public employee, neglect of duty, use of excessive force, and violations of Department rules and regulations.

Recommendation of the Administrative Law Judge – Uphold the 20-day suspension.

ACTION: The Merit System Board modified the recommendation of the Administrative Law Judge and increased the penalty to a six-month suspension.

A-9 JOHN J. SIMURDA

John J. Simurda, Safety Specialist 1, Motor Vehicle Commission, seven-day suspension on charges of other sufficient cause, falsification and neglect of duty.

Recommendation of the Administrative Law Judge – Modify the seven-day suspension to a three-day suspension.

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

A-10 SHAKIR SPRINGS

Shakir Springs, Clerk, Newark School District, resignation not in good standing effective May 3, 2006, on charges of chronic or excessive absenteeism or lateness, resignation not in good standing and other sufficient cause.

Recommendation of the Administrative Law Judge – Dismiss the appeal without prejudice.

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

A-11 WILLIAM WHALEN

William Whalen, County Correction Officer, County of Mercer, Department of Public Safety, 10-day suspension on charges of chronic and excessive absenteeism and conduct unbecoming a public employee.

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

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

A-12 SARAH M. LEONARDIS

Sarah M. Leonardis, Teacher's Aide, Newark School District, removal effective June 30, 2006, on the charge of other sufficient cause.

Recommendation of the Administrative Law Judge – Dismiss the appeal without prejudice.

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

A-13 KEVIN MEYERS

Kevin Meyers, Park Attendant, County of Hudson, Department of Public Resources, removal effective December 27, 2004, on charges of violation of the County workplace safety policy, neglect of duty, insubordination, conduct unbecoming a public employee and violation of County drug free workplace policy.

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.

A-14 DARLENE GEORGE

Darlene George, County Correction Officer, County of Middlesex, Department of Corrections, 35-day suspension on charges of incompetency, inefficiency, or failure to perform duties and neglect of duty. This matter was held over from the February 28, 2007 Merit System Board meeting for testimony summary.

Recommendation of the Administrative Law Judge – Modify the 35-day suspension to a three-day suspension.

ACTION: The Merit System Board modified the recommendation of the Administrative Law Judge to uphold the 35-day suspension.

VOTE:

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

SECTION B – MISCELLANEOUS MATTERS**B-1 LISA MARIE ENGLESE**

Lisa Marie Englese, represented by Sidney Lehmann, Esq., appeals her rejection as a Police Officer candidate by the City of Jersey City and its request to remove her name from the eligible list for Police Officer (S9999D) on the basis of psychological unfitness to perform effectively the duties of the position.

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

B-2 JAMES FORRESTER

James Forrester, represented by Oswin E. Hadley, Esq. appeals his rejection as a Police Officer candidate by the City of Jersey City and its request to remove his name from the eligible list for Police Officer (S9999F) on the basis of psychological unfitness to perform effectively the duties of the position.

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

B-3 BERNADETTE GALATI

Bernadette Galati, a Charge Nurse with the Senator Garrett W. Hagedorn Psychiatric Hospital, Department of Human Services, appeals the denial of sick leave injury (SLI) benefits.

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

B-4 MICHAEL SCATES

Michael Scates, a Senior Correction Officer with South Woods 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-5 JOAN BENEVENTO

Joan Benevento appeals the decision of the Division of Human Resource Information Services which upheld the removal of her name from the Sheriff's Officer (S9999D), Morris County eligible list based on her falsification of her employment application.

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

B-6 KAAHEEN CLEAVES

Kaaheen Cleaves 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), City of Paterson, on the basis of an unsatisfactory criminal record.

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

B-7 LYNN GARLING

Lynn Garling, represented by Joseph J. Bell, Esq., appeals the determination of the Division of Human Resource Information Services, upholding the bypass of her name on the eligible list for Municipal Court Administrator (M6941G), Township of West Milford.

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

B-8 ORLANDO GREEN

Orlando Green appeals the decision of Human Resource Information Services (HRIS), which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the Police Officer (S9999F), Woodbridge Township, eligible list on the ground that his criminal history related adversely to the employment sought.

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

B-9 BRIAN J. MCGRANE

Brian J. McGrane appeals the decision of Human Resource Information Services (HRIS), which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the Police Officer (S9999F), Lawrence Township, eligible list on the ground that he falsified his employment application.

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

B-10 FELIX ROGERS

Felix Rogers appeals the decision of the Division of Human Resource Information Services which upheld the removal of his name from the eligible list for County Correction Officer (S9999F), Camden County on the basis of an unsatisfactory criminal record.

ACTION: The Merit System Board directed that this appeal be granted but the appellant's name be reflected on the certification as being bypassed.

B-11 FIELD INVESTIGATOR, INSTITUTIONAL ELDERLY (S6824G), DEPARTMENT OF HEALTH AND SENIOR SERVICES.

The Department of Health and Senior Services requests permission not to make an appointment from the May 24, 2006 certification for Field Investigator, Institutionalized Elderly (S6824G), Department of Health and Senior Services.

ACTION: The Merit System Board granted the request for an appointment waiver and waived selection costs.

B-12 PURCHASING ASSISTANT (M1058H), CITY OF NEWARK

The City of Newark requests permission not to make an appointment from the May 1, 2006 certification for Purchasing Agent (M1058H).

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

B-13 FIRE FIGHTERS, CITY OF PLEASANTVILLE

The City of Pleasantville, represented by Louis P. McFadden, Jr., Esq., petitions the Merit System Board for a stay of the decision, rendered on March 14, 2007, which denied Pleasantville's request to remove the names of eligibles from the Fire Fighter (M2265E), City of Atlantic City eligible list, pending the outcome of its appeal to the Superior Court, Appellate Division.

ACTION: The Merit System Board denied the request.

B-14 MARC JENKINS

Marc Jenkins, represented by Eric M. Winston, Esq., requests a regular appointment as a County Correction Officer and appeals his termination from employment with the County of Hunterdon.

ACTION: The Merit System Board denied the request and dismissed the appeal for the Merit System Board's lack of jurisdiction.

B-15 CHRISTINE LOCKE

Christine Locke, a Police Officer with the City of Newark, represented by Anthony J. Fusco, Esq., requests back pay for the period of November 1, 2005 to September 17, 2006.

ACTION: The Merit System Board dismissed the request for lack of jurisdiction.

B-16 MICHAEL BROWN

Michael Brown, a County Correction Officer with Monmouth County, represented by Charles J. Sciarra, Esq., petitions the Merit System Board for reconsideration of the final decision, rendered on December 6, 2006, which remanded the matter of his removal, effective July 22, 2004, to the Office of Administrative Law for further proceedings.

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

B-17 GEORGIA DANIEL

Georgia Daniel, a Director 2, State Colleges at William Paterson University, petitions the Merit System Board for reconsideration of the final decision rendered on December 6, 2006, which upheld the denial of sick leave injury (SLI) benefits.

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

B-18 NICOLAS LAMBOY

The Equal Employment Division of the Department of Corrections petitions the Merit System Board for reconsideration of the final decision, rendered on September 7, 2005, which found that Patrick Pinder had subjected Nicholas Lamboy to a violation of the New Jersey State Policy Prohibiting Discrimination, Harassment or Hostile Environments in the Workplace.

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

B-19 TIMOTHY LAPINSKY

Timothy M. Lapinsky, a County Correction Officer with Monmouth County, represented by Charles J. Sciarra, Esq., requests reconsideration of the final decision of the Merit System Board, rendered on December 6, 2006, which upheld his 10-day suspension.

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

B-20 ROBERT MCQUADE, JR.

Robert McQuade, Jr., represented by Michael L. Testa, Esq., requests reconsideration of the Merit System Board decision rendered on December 20, 2006, denying him an accommodation in the form of removal of test items on the Entry Level Law Enforcement Examination (LEE) (S9999H).

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

B-21 ALEXIS ORTIZ

The appeal of Alexis Ortiz, a Police Officer with the City of Passaic, of his six-day suspension, beginning on September 10, 2005, on charges, was heard by Administrative Law Judge (ALJ) Sandra Ann Robinson, who rendered her initial decision on February 20, 2007. At its meeting on March 28, 2007, the Merit System Board did not adopt the ALJ's recommendation to modify the six-day suspension to a three-day suspension. Rather, the Board imposed a one-day suspension.

ACTION: The Merit System Board adopted the decision.

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

B-22 JASMIAH PARKS

The appeal of Jasmiah Parks, a Human Services Assistant with North Jersey Developmental Center, Department of Human Services, of her removal, effective October 14, 2004, on charges, was heard by Administrative Law Judge Barry N. Frank, who rendered his initial decision on January 9, 2007. At its meeting on March 28, 2007, the Merit System Board did not adopt the ALJ's recommendation to reverse the removal. Rather, the Board ordered that the 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-23 JOSEPH RISCINTI

The appeal of Joseph Riscinti, a Safety Specialist 1 with the Motor Vehicle Commission, of his seven-day suspension, on charges, was heard by Administrative Law Judge Leslie Z. Celentano (ALJ), who rendered her initial decision on February 13, 2007. At its meeting on March 28, 2007, the Merit System Board did not adopt the ALJ's recommendation to modify the seven-day suspension to a five-day suspension. Rather, the Board upheld the seven-day suspension. The proposed final decision is now submitted for the Board's review.

ACTION: The Merit System Board adopted the final decision.

B-24 VINCENT A. STEFANI

The appeal of Vincent A. Stefani, a Public Works Repairer with the Township of Parsippany-Troy Hills, of his 15-day suspension, on charges, was heard by Administrative Law Judge (ALJ) Barry N. Frank, who rendered his initial decision on January 23, 2007. At its meeting on March 28, 2007, the Merit System Board did not adopt the ALJ's recommendation to modify the 15-day suspension to a seven-day suspension. Rather, the Board upheld the 15-day suspension. The proposed final decision is now submitted to for the Board's review.

ACTION: The Merit System Board adopted the final decision.

B-25 THOMAS O'DONNELL

The appeal of Thomas O'Donnell, a County Correction Lieutenant with Mercer County, of his 30-working day suspension, on charges, was heard by Administrative Law Judge Douglas H. Hurd (ALJ), who rendered his initial decision on March 1, 2007. At its meeting on April 11, 2007, the Merit System Board adopted the ALJ's recommendation to dismiss the charges and reverse the 30-working day suspension. The proposed decision is now submitted for the Board's review.

ACTION: The Merit System Board adopted the decision.

B-26 ILLYA RAHMING

The appeal of Illya Rahming, a Senior Building Maintenance Worker with William Paterson University of New Jersey, of his removal effective October 17, 2005, on charges, was heard by Administrative Law Judge Joseph Paone (ALJ), who rendered his initial decision on March 7, 2007. At its meeting on April 11, 2007, 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-27 MICHAEL ALVEREZ

Michael Alvarez appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the open competitive examination for Fire Official (M9993H) Hackettstown.

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

B-28 MARIE BARNES, ET AL.

Marie Barnes, Mary Ann Early, and Donna Perrapato 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 Administrative Secretary (PM0636H), Brick Township School District.

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

B-29 LAKHRAM BASANTA

Lakhram Basanta 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 Senior Administrative Analyst (M6415H), Jersey City.

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

B-30 PATRICA BUSH, ET AL.

Patricia Bush and Monica Francesconi 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 Administrative Analyst 2 (PS0152K), Division of Developmental Disabilities, Department of Human Services. Sara Mace 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 Administrative Analyst 2 (PS0152K), Division of Developmental Disabilities Department of Human Services.

ACTION: The Merit System Board directed that these appeals be denied and the matter of Patricia Bush's classification be referred to the Division of State Human Resource Management.

B-31 DAVID CAROTHERS

David Carothers appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the qualifying examination for Coordinator of Safety Programs, Hamilton Township.

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

B-32 MELINDA FLEMING AND WILLIAM POLLAK

Melinda Fleming and William Pollak appeal the determinations of the Division of Selection Services which found that they did not meet the experience requirements, for the promotional examination for Manager 1 Information Processing (PS0125K), Department of Human Services, Division of Medical Assistance and Health Services.

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

B-33 JULIA GAMBERT

Julia Gambert 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 Assistant Comptroller (PM0172H), Irvington.

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

B-34 RITA GUDEBSKI

Rita Gudebski appeals the determination of the Division of Selection Services that she did not meet the experience requirements for the open competitive examination for Supervising Contract Administrator (S3040G), Statewide.

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

B-35 HEATHER JENKINS

Heather Jenkins appeals the determination of the Division of Selection Services that she was below the minimum requirements in experience for the promotional examination for Supervisor of Accounts (PC1712G), Hudson County.

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

B-36 GREGORY MOODY

Gregory Moody appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Quality Assurance Specialist, Health Services (PS0260K), Office of Integrity and Accountability, Department of Human Services.

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

B-37 PATRICIA MURRAY

Patricia Murray 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 Senior Clerk Typist (PM2647H0, Fair Lawn.

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

B-38 DIANE S. NAAR

Diane S. Naar appeals the determination of the Division of Selection Services that she did not meet the experience requirements for the open competitive examination for Social Worker 1, Psychiatric (S0536H), Statewide.

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

B-39 DIANE S. NAAR

Diane S. Naar appeals the determination of the Division of Selection Services that she did not meet the experience requirements for the open competitive examination for Community Service Officer 2 (S0537H), Department of Community Affairs.

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

B-40 NICHOLAS PALUMBO AND WALTER SCHAUB

Nicholas Palumbo and Walter Schaub appeal the determination of the Division of Selection Services, which found that they failed to indicate the required licensure or registration for the open competitive examination for Hazardous Materials Responder, Operations, (C9921H), Monmouth County.

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

B-41 MARY RADOIAN-LAZZARO

Mary Radoian-Lazzaro appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for the promotional examination for the "dual" title Registrar of Vital Statistics/Secretary Board/Commission (PM1271G), Fort Lee.

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

B-42 MICHAEL STAPLES

Michael Staples appeals the determination of the Division of Selection Services that he did not meet the experience requirement for the promotional examination for Behavior Modification Program Technician (PS262K), New Lisbon Developmental Center.

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

B-43 ROBIN TOMKO

Robin Tomko appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for the qualifying examination for Principal Account Clerk, City of Linden.

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

B-44 JEANETTE VACANTE

Jeanette Vacante 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 Administrative Secretary (PM0636H), Brick Township School District.

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

B-45 CORA CURRIE

Cora Currie appeals the denial of her being allowed to take the open competitive examination for Administrative Clerk, Typing (M1233H), East Orange due to her late arrival at the examination center.

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

B-46 ANTHONY DACUNZA

The Borough of Hopatcong requests that the provisions of N.J.A.C. 4A:4-7.1A(a) be relaxed in order to process the Intergovernmental Transfer of Anthony DaCunza from the title of Campus Police Officer, Kean University, to the title of Police Officer, Borough of Hopatcong.

ACTION: The Merit System Board granted the request.

B-47 GILBERT TAVARES

The Managing Director, State and Local Government Operations, on behalf of the Township of Millburn, requests relaxation of N.J.A.C. 4A:4-71.A(c) so as to permit the intergovernmental transfer of Gilbert Tavares from the title of Sheriff's Officer, Essex County Sheriff's Office, to the title of Police Officer, Township of Millburn.

ACTION: The Merit System Board granted the request.

B-48 LINDA DAVIDSON, ET AL.

The Managing Director of State and Local Government Operations requests the revival and extension of several regular reemployment lists, in order to accommodate seven unclassified employees of the Division of Criminal Justice, Department of Law and Public Safety, whose appointments were discontinued for reasons of economy or efficiency.

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

B-49 RECENT COURT DECISIONS

Submitted for the Board's review are summaries of recent court decisions involving Merit System Board and Department of Personnel determinations *In the Matter of Daniel Pagnotta, Police Captain (PM3557G), Trenton* (Appellate Division, decided 2/6/07); *In the Matter of Charles Newsome, Northern State Prison* (Appellate Division, decided 2/7/07); *In the Matter of Mariano Del Valle, Township of Lakewood* (Appellate Division, decided 2/8/07); *In the Matter of Michael Kanc, Manager 2, Information Processing (PS7874U), Office of Information Technology* (Appellate Division, decided 2/9/07); *In the Matter of Aleisha Cruz, Police Officer (S9999D), City of Jersey City* (Appellate Division, decided 2/14/07); *In the Matter of Maleather Skipper, County of Essex* (Appellate Division, decided 2/14/07); *In the Matter of Lillian Foster, Highway Safety Specialist (S0201E), Department of Law and Public Safety* (Appellate Division, decided 2/15/07); *In the Matter of Pedro Gonzalez, Mountainview Youth Correctional Facility, Department of Corrections* (Appellate Division, decided 2/16/07); *In the Matter of Michael Driber and William LaGraff* (Appellate Division decided 2/26/07).

ACTION: The Merit System Board noted the decisions.

B-50 MERIT SYSTEM BOARD MINUTES

The Merit System Board minutes of its meeting of April 11, 2007 are submitted for adoption.

ACTION: The Merit System Board adopted the minutes of its meeting of April 11, 2007.

B-51 MARIO HIDALGO

The appeal of Mario Hidalgo, a Safety Specialist 1, DMV, with the Motor Vehicle Commission, of his resignation not in good standing, effective April 13, 2006, was considered by Administrative Law Judge Joseph Lavery (ALJ), who rendered his initial decision on January 25, 2007, recommending acknowledgement of the settlement of the parties.

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

There being no further business before the Merit System Board, the meeting was adjourned to convene on Wednesday, May 9, 2007 at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

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