



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
DECEMBER 5, 2007**

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

DECEMBER 5, 2007

A regular meeting of the Merit System Board was held on Wednesday December 5, 2007, in Trenton, New Jersey.

PRESENT: Chairman Rolando Torres, Jr., Merit System Board Members, John Currie, Flavella Branham, Margaret E. L. Howard and Robert J. 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.

**MEMORANDUM**

DATE: November 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

OFFICE OF ADMINISTRATIVE LAW (OAL)

The Department of Treasury, on behalf of the Office of Administrative Law, requests an upward salary re-evaluation for the title of Judicial Assistant 2, OAL (R19-24837).

The Department of Treasury recently petitioned this department to modify the Judicial Secretary series. The title specification was modified to reflect the greater accountability expected of positions assigned to the supervisory level.

Judicial Assistant 2, OAL differs from the pre-existing Supervisor of Legal Secretarial Services in that incumbents now act as working supervisors with broader responsibility.

The title specifications were compared to determine if the change in job content warranted an upward salary re-evaluation. The result of our research indicates the changes have increased the accountability factor. This change impacts the current Hay evaluation, as the supervisory functions increase the compensable Hay factor of accountability.

The appropriate negotiations representatives have been notified and support this request.

CHANGE IN SALARY RANGE

Effective: 09-01-07

FROM:	TO:
Judicial Assistant 2, OAL	Judicial Assistant 2, OAL
R19-24837 Competitive D NE/12	R20-24837 Competitive D NE/12

EVM/JMM/BP/GB



MEMORANDUM

DATE: November 09, 2007

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

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

SUBJECT: Change in the State Classification Plan

Motor Vehicle Commission

The Motor Vehicle Commission (MVC) has reduced the scope of the title Manager 1, Motor Vehicle Commission from agency wide responsibility to that of a major sub-element, region, or program of the MVC. The MVC has submitted a revised title specification to reflect this action, which we have reviewed and approved.

The MVC requested a salary range review in light of this change; our analysis of the Hay factors resulted in a one range reduction, from 35 to 34.

MVC is in agreement with this action and there are no incumbents in the title.

SALARY RANGE DECREASE
Effective: 07/07/07

<u>FROM</u>	<u>TO</u>
Manager 1, Motor Vehicle Commission	Manager 1, Motor Vehicle Commission
M35-56476 O Competitive NL/12	M34-56476 O Competitive NL/12

EVM/JMM/JAG

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

In the Matter of Christopher Aslin
City of Linden
List bypass

In the Matter of Vicente Aviles
City of Newark
Department of Water/Sewer Utilities
Removal

In the Matter of Linda Costa
New Lisbon Developmental Center
Department of Human Services
Removal

In the Matter of Raymond Jean
County of Hudson
Department of Health and Human Services
Removal

In the Matter of Gregory Katseyeanis
City of Union City
Department of Public Safety
Demotion

In the Matter of Hector Martinez
City of Trenton
Department of Public Works
Removal

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

ACTION: The Merit System Board acknowledged the settlements.

A-2 MICHELE COLEMAN

Michele Coleman, Secretarial Assistant 2, (Non-stenographic), Office of Smart Growth, Department of Community Affairs, return to formerly held permanent title at the end of the working test period effective July 17, 2006.

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 ANTHONY D'ALTRUI (CONSOLIDATION)

Anthony D'Altrui, Construction Official, Borough of Sayreville, Department of Inspection of Buildings, indefinite suspension effective April 16, 2002, pending disposition of criminal charges and removal effective September 9, 2003 on the charge of conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Uphold the removal. It is noted that the ALJ made no discrete findings or determination regarding the indefinite suspension.

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

A-4 EDWARD E. FREDERICK, JR.

Edward E. Frederick, Jr., Food Service Worker, City of Atlantic City, Department of Health and Human Services, 35-day suspension on charges of incompetency, inefficiency or failure to perform duties and conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Modify the 35-day suspension to a 90-day suspension.

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

**A-5 FRANCESCO A. GRUPICO AND ROY A. MCLEOD
(CONSOLIDATION)**

Francesco A. Grupico and Roy A. McLeod, Correction Sergeants, County of Burlington, County Jail, 10-day and seven-day suspensions respectively, on charges of incompetency, inefficiency or failure to perform duties, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the 10-day and seven-day suspensions.

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

A-6 TYRONE JACKSON (CONSOLIDATION)

Tyrone Jackson, Communications Operator, Department of Transportation, 13-day suspension on the charge of neglect of duty and six-month suspension and demotion to the position of Senior Repairer effective April 28, 2005, on charges of unauthorized absence and neglect of duty and removal effective April 21, 2006, on charges of tardiness, falsification, and conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Uphold the 13-day suspension, six-month suspension, demotion and removal.

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

A-7 JAMES MATUS

James Matus, County Correction Officer, County of Hudson, Department of Corrections, release at the end of the working test period effective January 5, 2007.

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

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

A-8 PAULA PETTY

Paula Petty, Correction Officer Recruit, South Woods State Prison, Department of Corrections, release at the end of the working test period effective June 1, 2005.

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

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

A-9 DAVID WHITAKER AND JOHN BATIUK (CONSOLIDATION)

David Whitaker, 10-day suspension and John Batiuk eight-day suspension, Police Sergeants, Township of Woodbridge, Police Department, on charges of violation of rules, regulations and procedures.

Recommendation of the Administrative Law Judge – Uphold the eight-day suspension for Batiuk and uphold the 10-day suspension for Whitaker.

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

A-10 LUZETTA GOLDEN

Luzetta Golden, County Correction Officer, County of Burlington, County Jail, removal effective September 5, 2006, on charges of incompetency, inefficiency or failure to perform duties, conduct unbecoming a public employee, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-11 YVETTE GORE-BELL

Yvette Gore-Bell, County Correction Officer, County of Hudson, Department of Corrections, removal effective July 29, 2005, on charges of inability to perform duties and other sufficient cause.

Recommendation of the Administrative Law Judge - Uphold the removal.

ACTION: The Merit System Board modified the recommendation of the Administrative Law Judge to a resignation in good standing.

A-12 ALFRED HARRIS

Alfred Harris, Senior Correction Officer, Central Reception Assignment Facility, Department of Corrections, removal effective May 6, 2005, on charges of conduct unbecoming a public employee and use, possession or sale of any controlled dangerous substance.

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

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

A-13 WILLIAM MALAYTER

William Malayter, Plumbing Subcode Official, Township of Jackson, Inspections Department, 45-day suspension and removal effective December 7, 2004, on charges of conduct unbecoming a public employee, incompetency, inefficiency or failure to perform duties, insubordination and harassment.

Recommendation of the Administrative Law Judge - Uphold the 45-day suspension and modify the removal to a 90-day and a 180-day suspension.

ACTION: The Merit System Board affirmed the recommendation of the Administrative Law Judge with regard to the 45-day suspension, but the Merit System Board reversed the recommendation of the Administrative Law Judge to uphold the removal.

A-14 PAUL SCAIFE

Paul Scaife, Custodial Worker, City of Newark, Department of Neighborhood and Recreational Services, removal effective December 22, 2006, on charges of conduct unbecoming a public employee, misuse of public property and other sufficient cause.

Recommendation of the Administrative Law Judge - Uphold the removal.

ACTION: The Merit System Board modified the recommendation of the Administrative Law Judge to a 30-day suspension.

A-15 ROBERT VERONELLI

Robert Veronelli, Museum Assistant, City of Paterson, Public Library, removal effective February 14, 2007, on charges of unprofessional conduct, harassment and workplace violence.

Recommendation of the Administrative Law Judge - Uphold the 15-day suspension.

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

A-16 SCOTT CARTER - SETTLEMENT

Scott Carter, Building Maintenance Worker, City of Elizabeth, Department of Public Works, removal effective March 10, 2006, on charges of chronic and excessive absenteeism or lateness, and other sufficient cause. Settled to a resignation in good standing effective March 10, 2006 and a lump sum payment of \$10,000.

Recommendation of the Administrative Law Judge – Acknowledge the settlement.

ACTION: The Merit System Board acknowledged the settlement.

SECTION B – MISCELLANEOUS MATTERS

B-1 JILL M. ANTORINO

Jill M. Antorino appeals her rejection as a Police Officer candidate by the City of Margate and its request to remove her name from the eligible list for Police Officer (S99999F) 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-2 THADDEUS FONTANILLA

Thaddeus Fontanilla, represented by Thomas J. Cammarata, Esq., appeals his rejection as a Sheriff's Officer candidate by the County of Hudson and its request to remove his name from the eligible list for Sheriff's 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 KEVIN MCGOWAN

Kevin McGowan appeals his rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove his name from the eligible list for Correction Officer Recruit (S9999H) on the basis of medical unfitness to perform effectively the duties of the position.

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

B-4 TIMOTHY O'GRADY

Timothy O'Grady, represented by Carmine J. Liotta, Esq., appeals his rejection as a Sheriff's Officer candidate by the County of Union and its request to remove his name from the eligible list for Sheriff's 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 granted.

B-5 DAVID ORTIZ

David Ortiz, represented by Stephen B. Hunter, 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-6 ALISON JILL WRAY

Alison Jill Wray, represented by Benjamin Benson, Esq., appeals her rejection as a Police Officer candidate by the Berkeley Township Police Department and its request to remove her 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 granted.

B-7 SAMUEL FENTON

Samuel Fenton, represented by Frank M. Crivelli, Esq., a Senior Correction Officer with the Department of Corrections, appeals the denial of sick leave injury (SLI) benefits.

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

B-8 JUAN GARCIA, JR.

Juan Garcia, Jr., represented by Anthony J. Fusco, Jr., 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 the appellant's name from the Police Officer (S9999F), City of Newark, eligible list on the basis that he falsified his employment application. Additionally, the appellant appeals the removal of his name from the Correction Officer Recruit (S9999F), Department of Corrections, eligible list due to an unsatisfactory employment record.

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

B-9 JAMES JENKINS

James Jenkins 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), Hudson County, due to an unsatisfactory criminal record and for falsifying his employment application.

ACTION: The Merit System Board directed that this appeal be granted, but reflect the appellant's name as bypassed.

B-10 LESTER JOHNSON

Lester Johnson appeals the decision of the Department of Corrections (DOC) to remove his name from the Correction Officer Recruit (S9999F), Department of Corrections, eligible list due to an unsatisfactory employment record.

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

B-11 ALAN THATCHER

Alan Thatcher appeals the decision of the Division of Local Human Resource Management which found that he was properly bypassed on the County Correction Officer (S9999F), Atlantic County eligible list.

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

B-12 SARAH ABRAHAM-MILDNER, RALPH SIRVENT, AND BEVERLY WILSON

Atlantic County requests that the eligible list for Human Services Specialist 3 (PC0661D) be revived in order to effectuate the permanent appointments of Sarah Abraham-Mildner, Ralph Sirvent, and Beverly Wilson.

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

B-13 LISA JACOBELLI

The City of Hoboken requests that the eligible list for Assistant Violations Clerk (PM920E) be revived in order to effect the appointment of Lisa Jacobelli.

ACTION: The Merit System Board denied the request.

B-14 MANAGER 2 INFORMATION PROCESSING (PS6006U), OFFICE OF INFORMATION TECHNOLOGY

The Office of Information Technology requests permission not to make an appointment from the March 8, 2006 certification for Manager 2 Information Processing (PS6006U).

ACTION: The Merit System Board granted the request for an appointment waiver and directed that no selection costs be assessed at this time.

B-15 SECURITY GUARD (M1553J), CITY OF ORANGE

The City of Orange Housing Authority requests that the eligible list for Security Guard (M1553J), City of Orange be cancelled and that a new examination for Security Guard be announced.

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

B-16 TRAINING ASSISTANT, HUMAN SERVICES (S0118D), DEPARTMENT OF HUMAN SERVICES

In *In the Matter of Training Assistant, Human Services (S0118D), Department of Human Services* (MSB, decided June 9, 2004), the Merit System Board granted the request of the Department of Human Services for an appointment waiver from the June 13, 2003 certification and ordered that no selection costs be assessed at that time since there was a possibility that the list could be utilized prior to its expiration. However, the DHS did not utilize the subject eligible list and the matter of the assessment of costs is now before the Board.

ACTION: The Merit System Board assessed costs in the amount of \$8,285.

B-17 PAUL J. KRUGER

Paul J. Kruger, a former Trooper 1 with the Division of State Police, Department of Law and Public Safety (DLPS), represented by Mark J. Molz, Esq., appeals the determination of the former First Assistant Attorney General, DLPS, stating that the appellant did not present sufficient evidence to support a finding that he had been subjected to additional violations of the New Jersey State Policy Prohibiting Discrimination in the Workplace (State Policy).

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

B-18 CHUCK MCBREEN

Chuck McBreen, a Head Men's Basketball Coach with Ramapo College of New Jersey, represented by Richard S. Mazawey, Esq., appeals the determination of the President of Ramapo College of New Jersey, stating that there was probable cause to substantiate a finding that he violated the New Jersey State Policy Prohibiting Discrimination in the Workplace.

ACTION: The Merit System Board directed that this appeal be denied but remanded to the appointing authority for reconsideration of the appropriate penalty.

B-19 MICHAEL CURTIN AND MICHAEL GIACUMBO

Michael Curtin and Michael Giacumbo petition the Merit System Board for reconsideration of the decision rendered on August 15, 2007 which rekeyed question 40 (from option c to option a), and double-keyed question 54 (options c and d) and denied the remaining appeals of the written portion of the examinations for Battalion Fire Chief and Fire Officer 2, various jurisdictions.

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

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

B-20 THOMAS F. FRICANO

Thomas F. Fricano, a former Police Officer with the Borough of Freehold, represented by Eric M. Winston, Esq., petitions the Merit System Board for reconsideration of its decision, *In the Matter of Thomas F. Fricano* (MSB, decided September 26, 2007), which denied his appeal of his resignation in good standing.

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

B-21 EUGENE GREINER

The Motor Vehicle Commission petitions the Merit System Board for reconsideration of its final decision, rendered on June 20, 2007, which reversed the seven-day suspension of Eugene Greiner.

ACTION: The Merit System Board granted the request for reconsideration but affirmed its prior decision.

B-22 WILLIE ROWE

Willie Rowe, represented by Benjamin Benson, Esq., requests reconsideration of the Merit System Board's February 23, 2005 decision denying his appeal of the test administration of the promotional examination for Police Sergeant (PM2520A), East Orange.

ACTION: The Merit System Board denied the request.

B-23 SHEILA WALKER

Sheila Walker, a Data Processing Scheduler 1 with the Office of Information Technology, represented by Dudley Burdge, Senior Staff Representative, Communications Workers of America (CWA) Local 1032, petitions the Merit System Board for reconsideration of its decision. *In the Matter of Sheila Walker* (MSB, decided March 28, 2007), which denied her request for sick leave injury (SLI) benefits.

ACTION: The Merit System Board granted the request for reconsideration but affirmed its prior decision.

B-24 EKERETE E. AKPAN

Ekerete E. Akpan appeals the determination of the Division of Selection Services which found that he did not meet the experience requirement for the open competitive examination for Supervising Program Development Specialist, Management and Finance (S3045G).

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

B-25 CHARLES W. BLAKEY

Charles W. Blakey appeals the determination of the Division of Selection Services which found that he was ineligible for the promotional examination for Road Inspector (PC0702J), County of Mercer, because the announced title did not represent a promotion.

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

B-26 ANTHONY D. COPLAN

Anthony D. Coplan appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, he was below the minimum requirements in experience for the promotional examination for Manager, Public Property (PM0378J), City of Linden.

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

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

B-27 BHULESHWAR S. DARJI, ET AL.

Bhuleshwar S. Darji, Dennis J. DeGregory, Eric S. Johnson, and Stanley J. Pierzzhanowski, Jr. appeal the determinations of the Division of Selection Services which found that they did not meet the open competitive requirements for the promotional examination for Supervising Environmental Engineer (PS0889T), Department of Transportation.

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

B-28 HOPE HEZEL

Hope Hezel 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 Director of Special Transportation Service (PC0525J), Morris County.

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

B-29 LISA KLINE

Lisa Kline 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 Medical Services Assistant (PS0149K), Senator Hagedorn Center for Geriatrics, Department of Human Services.

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

B-30 CHARLES NIERSTEDT

Charles Nierstedt appeals the determination of the Division of Selection Services which found him ineligible for the promotional examination for Police Inspector (PM3518J), Jersey City, due to an untimely application.

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

B-31 TROY O'BRIEN, ET AL.

Troy O'Brien, represented by Benjamin Benson, Esq., James DeLuca, and John Walsh appeal the determinations of the Division of Selection Services which found that their applications for the promotional examination for Fire Captain (PM3565J), Elizabeth were late.

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

B-32 RAYMOND ORTIZPAGAN

Raymond OrtizPagan 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 Carpenter (M6054J), Paterson.

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

B-33 JAMES PICKETT

James Pickett appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Institutional Trade Instructor 1, Warehousing (PS3553I), Department of Corrections.

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

B-34 PATRICIA SIMPSON

Patricia Simpson appeals the determination of the Division of Selection Services which found that, per the substitution clause, she was below the minimum requirements for the promotional examination for Senior Personnel Technician (PC1148G), Essex County.

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

B-35 DEBORAH WELLS

Deborah Wells appeals the decision of the Division of Selection Services which found that she was below the minimum requirements in experience for the promotional examination for Secretary Board/Commission (PM0878H), Winslow Township.

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

B-36 BRIAN MOLNAR

Brian Molnar appeals the decision of the Director, Division of Selection Services, which upheld the decision to accept the late applications of Michael Handerhan and David Skuse for the promotional examination for Supervisor, Parks (PM1553H), Township of Woodbridge.

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

B-37 CONTRACT ADMINISTRATOR 1 (PS4176H)

Harmon Jeff Garvin appeals the announcement for the promotional examination for Contract Administrator 1 (PS44176H), Department of Health and Senior Services.

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

B-38 CHARLOTTE PICCINETTI

Charlotte Piccinetti appeals the validity, accommodations, and her score of the promotional examination for Senior Management Assistant (PS2473T) Motor Vehicle Commission.

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

B-39 DENISE SHEPHERD

Denise Shepherd appeals her score on the examination for Social Worker (PC1367H), Union County.

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

B-40 MERIT SYSTEM BOARD MINUTES

The Merit System Board minutes of its meeting of November 21, 2007 are submitted for adoption.

ACTION: The Merit System Board adopted the minutes of its meeting of November 21, 2007.

B-41 ROSE BURRELL

Rose Burrell, a Cottage Training Technician with the New Lisbon Developmental Center, Department of Human Services, represented by Sherryl Gordon, International Vice President and Executive Director, AFSCME Council 1, requests that the Merit System Board reinstate the appeal of her resignation not in good standing effective July 21, 2006, on charges, which was dismissed based on her failure to appear at a scheduled settlement conference.

ACTION: The Merit System Board granted the request.

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

B-42 NATASHA BOONE V. CITY OF NEWARK AND NATASHA BOONE V. NEWARK POLICE ACADEMY

Natasha Boone, a Police Officer with the City of Newark, was indefinitely suspended and subsequently removed from her position, effective September 7, 2006, on charges of conduct unbecoming a public employee, neglect of duty, inability to perform duties, and violation of various departmental procedures. The appellant appealed her suspension and subsequent removal to the Merit System Board which transmitted the matters to the Office of Administration Law (OAL) for determinations as contested cases. Additionally, the appellant appealed her dismissal from the Newark Police Academy to the Police Training Commission. (PTC) which also transmitted the matter to the OAL for a hearing. On September 12, 2007, the Administrative Law Judge issued an order to consolidate and placed predominate interest over certain issues with the Merit System Board, and predominate interest regarding her dismissal with the PTC. Submitted for the Board's review is a proposed joint order of the Merit System Board and Police Training Commission which is intended to effectuate administrative efficiencies and helps consolidate and simplify the process.

ACTION: The Merit System Board adopted the joint order.

B-43 CHARLES BICE-BEY

The appeal of Charles Bice-Bey, a Cottage Training Technician with Woodbine Developmental Center, Department of Human Services, of his removal effective August 7, 2005, on charges, was heard by Administrative Law Judge W. Todd Miller (ALJ), who rendered his initial decision on July 11, 2007. At its meeting on November 21, 2007, the Merit System Board adopted the ALJ's recommendation to reverse the removal. The proposed decision is now submitted for the Board's review.

ACTION: The Merit System Board adopted the decision.

B-44 WILLIAM SALHANICK

The City of Trenton requests relaxation of N.J.A.C. 4A:4-7.1A(c) so as to permit the Intergovernmental transfer of William Salhanick from the title of Sheriff's Officer, Hunterdon County Sheriff's Office to the title of Police Officer, City of Trenton.

ACTION: The Merit System Board granted the request.

B-45 EARLY SETTLEMENT

Latasha Walker
Adult Diagnostic and Treatment Center
Department Human Services

ACTION: The Merit System Board acknowledged the settlement.

There being no further business before the Merit System Board, the meeting was adjourned to convene on Wednesday, December 19, 2007 at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

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