



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
MARCH 26, 2008**

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

MARCH 26, 2008

A regular meeting of the Merit System Board was held on Wednesday March 26, 2008, in Trenton, New Jersey.

PRESENT: Chairman Rolando Torres, Jr., Merit System Board Members Flavella Branham, John Currie, 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 November 21, 2007, 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 Russell Bouffard and Richard Lasco
City of Atlantic City
Police Department
Removal-Bouffard/Suspension-Lasco

In the Matter of Jacob E. Fransko and Stuart Bardoe
City of Vineland
Health Department
Suspension

In the Matter of Romanus Ihouma
Greystone Psychiatric Hospital
Department of Human Services
Suspension and Removal

In the Matter of Stephanie Jiorle
Hunterdon Developmental Center
Department of Human Services
Removals (2)

In the Matter of Mona Watts
Department of Children and Families
Removal

In the Matter of Julie Westerman
Greystone Psychiatric Hospital
Department of Human Services
Removal

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

ACTION: The Merit System Board acknowledged the settlements.

A-2 DANIELLE GAINES

Danielle Gaines, County Correction Officer, Burlington County Jail, six-day suspension on charges of incompetency, inefficiency or failure to perform duties, neglect of duty and violations of policy and procedures.

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

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

A-3 GEORGE KALINOWSKI

George Kalinowski, County Correction Sergeant, County of Mercer, Department of Public Safety, 10-day suspension on charges of violation of rule, regulations, procedures or administrative decision and conduct unbecoming a public employee.

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

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

A-4 BARRY HALPERN

Barry Halpern, Police Sergeant, Township of Irvington, Police Department, indefinite suspension effective May 9, 2007 pending criminal charges.

Recommendation of the Administrative Law Judge – Uphold the indefinite suspension.

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

A-5 FLORA BACCHUES

Flora Bacchues, Institutional Attendant, Camden County, Health Services Center, removal effective December 14, 2006 on charges of incompetency, inefficiency or failure to perform duties, conduct unbecoming a public employee, neglect of duty and violation of the resident abuse policy.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-6 JAMES FLAGLER

James Flagler, Police Aide, Township of Irvington, Police Department, removal effective July 13, 2005, on charges of incompetency, inefficiency or failure to perform duties, neglect of duty and violation of police department rules regarding general responsibilities, performance of duty and incompetence.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-7 SHIRLEY GRIFFIN

Shirley Griffin, Police Officer, City of Newark, Police Department, removal effective August 9, 2007 on charges of violation of Department rules and regulations regarding conduct in public and private, association with the criminal element, pre-employment statements and conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-8 ROBERT PETRY

Robert Petry, Senior Correction Officer, Juvenile Justice, Juvenile Justice Commission, Department of Law and Public Safety, removal effective October 22, 2005 on charges of conduct unbecoming a public employee and violation of the drug free work place, random drug testing policy.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-9 JOHN SIMPSON

John Simpson, provisional Truck Driver, permanent Laborer, Township of Monroe, Department of Public Works, removal effective January 5, 2007, on charges of conduct unbecoming a public employee and violation of regulations regarding drug and alcohol use.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION: The Merit System Board modified the recommendation of the Administrative Law Judge to a 4-month suspension.

A-10 ETHELBERT UFOMBA

Ethelbert Ufomba, Senior Building Maintenance Worker, Rowan University, three removals, effective April 11, 2005 on charges of: 1) conduct unbecoming a public employee, 2) neglect of duty, and 3) conduct unbecoming a public employee, discrimination that affects equal employment opportunity and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removals.

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

A-11 BRIAN COHAN

Brian Cohan, Human Service Assistant, Ancora Psychiatric Hospital, Department of Human Services, removal effective March 31, 2006 on charges of verbal abuse of a patient and inappropriate physical contact or mistreatment of a patient. This matter was held over from the January 30, 2008 Merit System Board meeting.

Recommendation of the Administrative Law Judge – Reverse the removal.

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

SECTION B – MISCELLANEOUS MATTERS

B-1 BRIAN ATTARDI

Brian Attardi, represented by Michael L. Prigoff, Esq., 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 (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-2 SABRINA BEARD

Sabrina Beard, represented by Benjamin Spivack, Esq., appeals her rejection as a Police Officer candidate by the City of Elizabeth 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 denied.

B-3 BRIAN COMAR

Brian Comar 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 psychological unfitness to perform effectively the duties of the position.

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

B-4 CHARLES EDGE, JR.

Charles Edge, Jr., represented by Michael L. Prigoff, Esq., appeals his rejection as a County Correction Officer candidate by the County of Hudson and its request to remove his name from the eligible list for County Correction 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 WALTER JOHNSON, JR.

Walter Johnson, Jr., appeals his rejection as a County Correction Officer candidate by the County of Monmouth and its request to remove his name from the eligible list for County Correction 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 CRAIG STEVEN JOHNSON

Craig Steven Johnson, represented by Kimberly D. Sutton, Esq., appeals his rejection as a Sheriff's Officer candidate by the County of Cumberland 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-7 ALICIA MCMURRAY

Alicia McMurray appeals her rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove her name from the eligible list for Correction Officer Recruit (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-8 KENNETH H. PARADA

Kenneth H. Parada appeals his rejection as a Police Officer candidate by the Borough of South Plainfield 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 referred the matter for an independent psychological evaluation.

B-9 NICHOLAS SCALIONE

Nicholas Scalione 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 psychological unfitness to perform effectively the duties of the position.

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

B-10 KHALILAH WALTON

Khalilah Walton appeals her rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove her name from the eligible list for Correction Officer Recruit (S9999H) 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-11 DANIEL W. WOLF

Daniel W. Wolf, represented by John D. Feeley, Esq., appeals his rejection as a Fire Fighter candidate by the City of Linden and its request to remove his name from the eligible list for Fire Fighter (M2287E) 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-12 MICHAEL NOWICKI

Michael Nowicki, a Senior Correction Officer at East Jersey State Prison, Department of Corrections represented by Henry J. Cistrelli, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-13 TRACY PECK

Tracy Peck, a Principal Clerk Typist at Edna Mahan Correctional Facility, Department of Corrections, represented by Robert O. Yaeger, Principal Staff Representative, CWA Local 1040, appeals the denial of sick leave injury (SLI) benefits.

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

B-14 GORDON VAN DOIMEN

Gordon Van Doimen, a former Head Cook 2 at Greystone Park 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 granted.

B-15 THOMAS WILSON

Thomas Wilson, a Senior Correction Officer with New Jersey State Prison, Department of Corrections, represented by Samuel M. Gaylor, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-16 ROBERT FARRELL

Robert Farrell appeals his non-selection to the non-competitive title of Family Service Specialist Trainee, Division of Youth and Family Services, Department of Children and Families.

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

B-17 GEORGE MARINO

George Marino appeals the decision of the Division 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 Correction Officer Recruit (S9999F), Department of Corrections eligible list, on the basis of an unsatisfactory criminal record.

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

B-18 LAURA VERDI

Laura Verdi appeals the decision of the Division of Local Human Resource Management (LHRM) which removed her name from the Social Worker, Aging (C1795J), Hunterdon County eligible list, based on an unsatisfactory employment record.

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

B-19 ADMINISTRATIVE CLERK (M1223H), CITY OF HOBOKEN

The appointing authority's failure to dispose of the certification for Administrative Clerk (M1223H), City of Hoboken, while a provisional is serving in the title, has been referred to the Merit System Board for enforcement.

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

B-20 CLERK (SPECIAL REEMPLOYMENT LIST), CITY OF HOBOKEN

The appointing authority's failure to dispose of the certification for Clerk (Special Reemployment List), City of Hoboken, has been referred to the Merit System Board for enforcement.

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

B-21 DEPUTY MUNICIPAL COURT ADMINISTRATOR (M6446H), CITY OF HOBOKEN

The appointing authority's failure to dispose of the certification for Deputy Municipal Court Administrator (M6446H), City of Hoboken, while a provisional is serving in the title, has been referred to the Merit System Board for enforcement.

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

B-22 POLICE RECORDS CLERK, TYPING (PM0358H), CITY OF HOBOKEN

The appointing authority's failure to dispose of the certification for Police Records Clerk, Typing (PM0358H), City of Hoboken, while a provisional is serving in the title, has been referred to the Merit System Board for enforcement.

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

B-23 SUPERVISOR OF ACCOUNTS (PM0438H), CITY OF HOBOKEN

The appointing authority's failure to dispose of the certification for Supervisor of Accounts (PM0438H), City of Hoboken, while a provisional is serving in the title, has been referred to the Merit System Board for enforcement.

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

B-24 SUPERVISOR, SENIOR CITIZENS ACTIVITIES (PM0444H), CITY OF HOBOKEN

The appointing authority's failure to dispose of the certification for Supervisor, Senior Citizens Activities (PM0444H), City of Hoboken, while a provisional is serving in the title, has been referred to the Merit System Board for enforcement.

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

B-25 JONATHAN SESSION

Jonathan Session, a Correction Sergeant, Juvenile Justice, with the Juvenile Justice Commission, Department of Law and Public Safety, appeals the determination of the Director of the Office of Equal Employment Opportunity, 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 in the Workplace (State Policy).

ACTION: The Merit System Board directed that this appeal be granted in part and found two violations of the State Policy, but denied the remainder of the appeal.

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

B-26 AILEEN MATIAS

Aileen Matias, a former Police Officer with the Township of Irvington, represented by Benjamin A. Spivack, Esq., requests that the Merit System Board reinstate the appeal of her removal, effective June 30, 2003, which was dismissed based on her failure to appear at a scheduled hearing.

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

B-27 ROBERT MCCANN

Robert McCann, represented by Paul Kleinbaum, Esq., requests a retroactive appointment date for seniority purposes to November 14, 1994 in his position as a Fire Fighter with the City of Jersey City.

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

B-28 LEE PARK

The appointing authority for Cinnaminson Fire District #1 petitions the Merit System Board for a retroactive date of permanent appointment as a Fire Fighter for Lee Park.

ACTION: The Merit System Board granted the request.

B-29 MICHAEL SCARDINO

The appointing authority for Winslow Township Fire District #1 requests that the title of Michael Scardino, a Fire Official be changed to Fire Official, Uniformed Fire Department, effective November 12, 2002.

ACTION: The Merit System Board granted the request.

B-30 SEAN MCGOVERN

Hudson County (County), represented by Michael L. Dermody, First Assistant County Counsel, petitions the Merit System Board for revival of the Sheriff's Officer Sergeant (PC2635D), Hudson County, eligible list, in order to effectuate the terms of a settlement agreement between Sean McGovern and the County.

ACTION: The Merit System Board granted the request.

B-31 DAMIEN JOHNSON

The City of Linden, represented by Daniel J. McCarthy, Assistant City Attorney, petitions the Merit System Board for a stay of the decision rendered by the Board in *In the Matter of Damien Johnson* (MSB, decided August 15, 2007), pending the City's appeal to the Superior Court, Appellate Division. Damien Johnson, represented by Kevin P. McGovern, Esq., petitions the Board for enforcement of that decision, in which the Board modified Johnson's removal to a three-month suspension and ordered his immediate reinstatement with appropriate back pay, benefits and seniority.

ACTION: The Merit System Board denied the request for a stay but granted the request for enforcement.

B-32 MICHAEL CHASMAR

The Township of Weehawken, represented by David Corrigan, Esq., petitions the Merit System Board for reconsideration of the final decision rendered on October 10, 2007, which upheld the 10-day suspension on charges against Mitchell Chasmar, a Police Sergeant, and did not adopt the ALJ's recommendation to modify the 10-day suspension to a 30-day suspension.

ACTION: The Merit System Board granted the request for reconsideration but affirmed the appellant's 10-day suspension.

B-33 CHARLENE HANDY-JOHNSON

Charlene Handy-Johnson, a former Senior Youth Worker with the Juvenile Justice Commission, represented by Anthony P. Marcozzi, Jr., Esq., petitions the Merit System Board for reconsideration of its decision, *In the Matter of Charlene Handy-Johnson*(MSB, decided May 23, 2007), which denied her request for sick leave injury benefits.

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

B-34 JON LANGEVIN

Jon Langevin, an Automotive Mechanic with the Department of Transportation requests reconsideration of the final administrative decision, rendered on March 28, 2007, which denied his request for sick leave injury (SLI) benefits.

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

B-35 ANTON PESKENS

Anton Peskens petitions the Merit System Board for reconsideration of the decision rendered on October 24, 2007 which denied his appeal regarding his essay and oral examination scores, as well as his seniority score, on the promotional examination for Battalion Fire Chief (PM3594G), Hoboken.

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

B-36 CAROLYN COYLE, ET AL.

Carolyn Coyle, Denise Green and Cindy Norman appeal the determinations of the Division of Selection Services, which found that they did not meet the education and experience requirements for the promotional examination for Technical Assistant 2, Higher Education (PS3577J), The Richard Stockton College of New Jersey.

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

B-37 CYNTHIA FENTRESS

Cynthia Fentress 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 Contract Administrator 2, (PS2510S), Department of State.

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

B-38 KATHLEEN S. SANTUCCI

Kathleen S. Santucci appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she did not meet the experience requirements for the open competitive examination for Business Representative 3 (S6942J), Department of Labor and Workforce Development.

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

B-39 LINDA LEE STUBBS

Linda Lee Stubbs appeals the determination of the Division of Selection Services that found that she did not meet the experience requirements for the open competitive examination for Purchasing Agent (M1710J), Lakewood Township.

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

B-40 LENA TAYLOR

Lena Taylor appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the open competitive examination or Training Coordinator (M1666J), Newark.

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

B-41 EMILIO GONZALEZ

Emilio Gonzalez appeals his score for the oral portion of the examination for Police Captain (PM3570H), Union City.

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

B-42 DENNIS SPADONE

Dennis Spadone appeals the administration of the promotional examination for Deputy Fire Chief (M3601H), East Orange.

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

B-43 JOSEPH ADAIR

Joseph Adair appeals the validity of the promotional examination for Relocation Officer (PM1392H), Elizabeth.

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

B-44 MERIT SYSTEM BOARD MINUTES

The Merit System Board minutes of its meeting of March 12, 2008 are submitted for adoption.

ACTION: The Merit System Board adopted the minutes of its meeting of March 12, 2008.

B-45 TROY O'BRIEN

Troy O'Brien, represented by Benjamin Benson, Esq., petitions the Merit System Board for reconsideration of the decision rendered on December 5, 2007 which found that his application for the examination for Fire Captain (PM3565J), Elizabeth was late.

ACTION: The Merit System Board granted the request and directed that Mr. O'Brien's application be accepted and that he be provided with a make up examination.

B-46 WILLIAM HEATER

The Borough of Stanhope requests relaxation of *N.J.A.C. 4A:4-7.1A(c)* so as to permit the intergovernmental transfer of William Heater from the title of Sheriff's Officer, Sussex County Sheriff's Office, to the title of Police Officer, Borough of Stanhope.

ACTION: The Merit System Board granted the request.

B-47 JOSEPH JOHNSON

The Borough of Stanhope requests relaxation of *N.J.A.C. 4A:4-7.1A(c)* so as to permit the intergovernmental transfer of Joseph Johnson from the title of Sheriff's Officer, Warren County Sheriff's Office, to the title of Police Officer, Borough of Stanhope.

ACTION: The Merit System Board granted the request.

**B-48 SHERIFF'S OFFICERS AND COUNTY CORRECTION OFFICERS
LAYOFF, PASSAIC COUNTY**

Various parties impacted by the layoffs in the Passaic County Sheriff's Office petition the Merit System Board for review and relief: 1) The New Jersey Policemen's Benevolent Association, Local 197, on behalf of 16 County Correction Officers, represented by Anthony J. Pope, Esq., petition the Board for a stay of the layoff of County Correction Officers; 2) Twelve individuals, represented by Allan C. Roth, Esq., appeal their layoffs as County Correction Officers; 3) James Racanelli appeals his layoff as a County Correction Officer; 4) Eleven Sheriff's Officers, represented by John Segreto, Esq., and Osvaldo Vergel, represented by Daniel J. Zirrieth, Esq., appeal the determination that they had not completed their working test period in the title of Sheriff's Officer; 5) Zivojin Savkov, and Robert Torres appeal the date of their lateral title change from County Correction Officer to Sheriff's Officer; 6) Christopher Patacco petitions the Board for reconsideration of *In the Matter of Sheriff's Officers and County Correction Officers* (MSB, decided February 27, 2008), which denied his request to change the date of his lateral title change from County Correction Officer to Sheriff's Officer; 7) Gabriel Galeano, represented by Craig S. Gumpel, Esq., requests that his title be laterally changed from County Correction Officer to Sheriff's Officer with a retroactive appointment date of February 27, 2003; 8) James Acito, Joseph Barrise, and Nicholas Klein, represented by John Segreto, Esq., and Jason Ekkers, *pro se*, appeal the determination that they are not eligible to be placed on the Statewide Eligible List for Law Enforcement Officers (Rice Bill List) as Sheriff's Officers if they choose not to return to their former County Correction Officer title and be laid off.

ACTION: The Merit System Board ordered the Passaic County Sheriff's Office to make payments as specified to the displaced County Correction Officers who were not provided the required 45-day notice. The Merit System Board denied the remainder of the appeals and denied the request for reconsideration.

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

B-49 GEORGE DAVIS, JR.

The appeal of George Davis, Jr., a Police Officer with the City of Newark, of his seven-day suspension, beginning January 3, 2005, on charges, was heard by Administrative Law Judge Diana C. Sukovich (ALJ), who rendered her initial decision on January 28, 2008. At its meeting on March 12, 2008, the Merit System Board did not adopt the ALJ's recommendation to uphold the appellant's seven-day suspension. Rather, the Board increased the appellant's penalty to a 20-working day suspension. The proposed final decision is now submitted for the Board's review.

ACTION: The Merit System Board adopted the final decision.

B-50 ADEBOLA DEMPSTER

The appeal of Adebola Dempster, a Human Services Assistant with the Hunterdon Developmental Center, Department of Human Services, of her removal, effective September 1, 2006, on charges, was heard by Administrative Law Judge Joseph F. Martone (ALJ), who rendered his initial decision on October 29, 2007. At its meeting on March 12, 2008, 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 final decision is now submitted for the Board's review.

ACTION: The Merit System Board adopted the decision.

B-51 MARIO HIDALGO

The appeal of Mario Hidalgo, a Safety Specialist 1 with the Motor Vehicle Commission, of his resignation not in good standing, effective April 13, 2006, on charges, was heard by Administrative Law Judge Solomon A. Metzger (ALJ), who rendered his initial decision on February 4, 2008. At its meeting on March 12, 2008, the Merit System Board did not adopt the ALJ's recommendation to reverse the resignation not in good standing. Rather, the Board upheld the resignation not in good standing. The proposed final decision is now submitted for the Board's review.

ACTION: The Merit System Board adopted the final decision.

B-52 EARLY SETTLEMENTS

In the Matter of Alonzo Ashe
New Lisbon Developmental Center
Department of Human Services
Removal

In the Matter of Maurice Paris
Montclair State College
Suspension

In the Matter of William Schwenk
Northern State Prison
Department of Corrections
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, April 9, 2008 at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

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