



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 23, 2008**

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

April 23, 2008

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A regular meeting of the Merit System Board was held on Wednesday April 23, 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.

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:** March 31, 2008

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

**FROM:** Elizabeth Van Martor, Director  
Classification and Compensation

**SUBJECT:** Change in the State Classification Plan

**STATE COMMISSION OF INVESTIGATION**

The State Commission of Investigation requests the establishment of an Investigative Agent title series. These titles will classify staff conducting confidential and sensitive investigations and inquiries of a diverse and complex nature to expose government waste, fraud, abuse and mismanagement, as well as to identify the activities of conspiratorial groups and enterprises consistent with Commission resolutions. The title series is requested to identify the distinction and expectation of the Investigative Agent positions and appropriately classify them.

Titles assigned to the State Commission of Investigation are allocated to the unclassified service in accordance with N.J.S.A. 52:9M-9.

The title, Administrative Investigator, will be inactivated upon approval of this request.

**ESTABLISHMENT OF TITLES**

Effective: May 26, 2007

Investigative Agent 1  
X98 Unclassified A NL/12

Investigative Agent 2  
X98 Unclassified A NL/12

Investigative Agent 3  
X98 Unclassified A NL/12

**TITLE INACTIVATION**

Effective: First Pay Period Subsequent to Approval

Administrative Investigator  
X98-10093 Unclassified A NL/12

EVM/JJM/BP

**CONFIDENTIAL APPOINTMENTS**

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

**James Quackenbush**, appointed as a Confidential Assistant, Department of Labor, effective October 27, 2007, salary of \$83,429.66 per annum.

**Suzanne Winderman**, appointed as Confidential Assistant, Department of Community Affairs, effective October 13, 2007, salary of \$120,000.00 per annum.

**Diana Rogers**, appointed as Confidential Assistant, Department of the Treasury, effective March 3, 2008, salary of \$60,500.00 per annum.

**Dennis G. Shilling**, appointed as Confidential Secretary, Department of the Treasury, effective February 16, 2008, salary of \$110,705.00 per annum.

**Heidi M. Ellis**, appointed as Confidential Assistant, Department of Environmental Protection, effective November 24, 2007, salary of \$39,733.10 per annum.

**SECTION A – HEARING MATTERS**

**A-1 SETTLEMENTS**

In the Matter of Leonard Armour  
Newark Housing Authority  
Removal

In the Matter of John Belson  
Bergen County Board of Social Services  
Return to permanent title at the end of the working test period

In the Matter of Danielle Bonassisa  
County of Essex  
Sheriff's Office  
Removal

In the Matter of John F. Brennan  
City of Elizabeth  
Police Department  
Suspension and fine

In the Matter of Eric Burt  
Newark School District  
Suspension

In the Matter of Lourdes Cartas  
County of Hudson  
Department of Health and Human Services  
Suspension

In The Matter of Anthony Cicali  
Township of Riverside  
Department of Public Safety  
Removal

In the Matter of Deborah Elston  
Township of Teaneck  
Public Library  
Removal

In the Matter of James P. Freel  
City of Elizabeth  
Police Department  
Suspension

In the Matter of Annie Harris-Campbell  
City of Newark  
Fire Department  
Removal and Resignation not in good standing

In the Matter of John Hennessy  
Borough of Wanaque  
Police Department  
Suspension

In the Matter of Freddie Hernandez  
City of Newark  
Police Department  
Removal

In the Matter of Carolyn King  
Jersey City School District  
Removal

In the Matter of Minal Nanavati  
Judiciary - Middlesex Vicinage  
Release at the end of the working test period

In the Matter of Dana Plourde  
County of Camden  
Department of Public Safety  
Release at the end of the working test period

In the Matter of Calvin Plummer  
City of East Orange  
Police Department  
Suspension

In the Matter Eric Rhodes  
County of Hudson  
Department of Corrections  
Suspension

In the Matter of Ian Simmons  
Ancora Psychiatric Hospital  
Department of Human Services  
Resignation not in good standing

In the Matter of Brian Waters  
County of Mercer  
Department of Public Safety  
Suspension

**RECOMMENDATION OF THE ADMINISTRATIVE LAW JUDGE –  
ACKNOWLEDGE THE SETTLEMENTS**

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

**A-2 MARIA EHRENKRANZ**

Maria Ehrenkranz, Clerk Typist, County of Ocean, Finance Department,  
release at the end of the working test period effective February 23, 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-3 JEROME HOLLAND**

Jerome Holland, Computer Services Technician, Jersey City School District,  
release at the end of the working test period effective November 13, 2005.

**Recommendation of the Administrative Law Judge** – Dismiss the  
appeal.

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

**A-4 PATRICIA UHLAND**

Patricia Uhlund, Practical Nurse, Vineland Developmental Center, Department of Human Services, resignation not in good standing effective February 25, 2002, on the charge of unauthorized absences.

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

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

**A-5 PATRICIA CLARKE**

Patricia Clarke, Institutional Attendant, County of Atlantic, Department of Human Services, removal effective March 6, 2007, on the charge of inability to perform duties.

**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-6 JOSEPH W. DITCHKUS**

Joseph W. Ditchkus, Maintenance Repairer, County of Ocean, Department of Buildings and Grounds, removal effective September 14, 2007, on charges of 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 affirmed the recommendation of the Administrative Law Judge.

**A-7 VERNON L. DRUMMOND, JR. (REMAND)**

Vernon L. Drummond, Jr., Residential Services Worker, Vineland Developmental Center, Department of Human Services, removal effective February 17, 2007, on charges of conduct unbecoming a public employee and other sufficient cause.

**Recommendation of the Administrative Law Judge** – Reverse the removal.

**ACTION:** The Merit System Board affirmed the recommendation of the Administrative Law Judge but only awarded back pay for the period of December 13, 2007 until reinstatement.

**A-8 FERENC HELYES**

Ferenc Helyes, Senior Electrician, City of Perth Amboy, Department of Public Works, removal effective August 6, 2007 on charges of insubordination, conduct unbecoming a public employee 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-9 KEISHA HENDERSON**

Keisha Henderson, County Correction Officer, County of Essex, Department of Corrections, removal effective April 23, 2004, on charges of incompetency and failure to perform duties, insubordination, inability to perform duties, conduct unbecoming a public employee, neglect of duty and other sufficient cause.

**Recommendation of the Administrative Law Judge** – Reverse the removal.

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

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

**A-10 JOSEPH MANDI**

Joseph Mandi, Police Officer, Rowan University, removal, on charges of neglect of duty, misuse of public property, conduct unbecoming a public employee, other sufficient cause and violation of Department rules and regulations.

**Recommendation of the Administrative Law Judge** – Uphold the removal.

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

**A-11 CINDY MCQUAID**

Cindy McQuaid, Laundry Worker, County of Union, Runnells Hospital, removal effective October 31, 2007, on charges of chronic and excessive absenteeism, lateness, and other sufficient cause.

**Recommendation of the Administrative Law Judge** – Dismiss the appeal.

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

**A-12 CHRISTOPHER MURPHY**

Christopher Murphy, Human Services Assistant, North Jersey Developmental Center, Department of Human Services, removal effective January 25, 2007 on the charge of physical abuse of a client.

**Recommendation of the Administrative Law Judge** – Uphold the removal.

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

**A-13 MICHAEL OVERTON**

Michael Overton, Building Maintenance Worker, Township of Pennsauken, Department of Public Safety, removal effective November 9, 2006, on charges of inability to perform duties, conduct unbecoming a public employee and misuse of public property, including motor vehicles.

**Recommendation of the Administrative Law Judge** – Uphold the removal.

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

**A-14 CHRISTOPHER M. PORTALE**

Christopher M. Portale, Truck Driver Single Axle, Department of Transportation, removal effective August 17, 2007, on the charge of violation of Federal regulations concerning drug and alcohol use by and testing of employees who perform functions related to the operation of commercial motor vehicles, and state and local policies issued thereunder.

**Recommendation of the Administrative Law Judge** – Reverse the removal.

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

**A-15 GARY PRESSLEY**

Gary Pressley, Laborer, City of Asbury Park, Public Maintenance Department, removal effective March 30, 2007, on charges of chronic or excessive absenteeism, neglect of duty and resignation not in good standing.

**Recommendation of the Administrative Law Judge** – Uphold the removal.

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

**A-16 BENJAMIN RICHARDSON**

Benjamin Richardson, Laborer, City of Newark, Department of Water and Sewer, removal effective January 26, 2007, on charges of inability to perform duties, conduct unbecoming a public employee and other sufficient cause.

**Recommendation of the Administrative Law Judge** – Uphold the removal.

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

**A-17 CARMEN SANDERS**

Carmen Sanders, Security Guard, Newark School District, removal effective June 19, 2007, on charges of chronic or excessive absenteeism 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-18 JAMES PORCH**

James Porch, County Correction Officer, County of Hudson, Department of Corrections, removal effective July 24, 2006, on charges of official misconduct, incompetency, inefficiency or failure to perform duties, insubordination, 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 affirmed the recommendation of the Administrative Law Judge.

**A-19 PATRICIA WAITERS**

Patricia Waiters, County Correction Officer, County of Hudson, Department of Corrections, 65-day suspension and removal effective July 14, 2005, on charges of insubordination, conduct unbecoming a public employee, neglect of duty and other sufficient cause.

**Recommendation of the Administrative Law Judge** – Modify the 65-day suspension to a 30-day suspension and uphold the removal.

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

**SECTION B – MISCELLANEOUS MATTERS**

**B-1 QUADIYYAH DOUGLAS**

Quadiyyah Douglas 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 granted.

**B-2 VINCENT FLORIO**

Vincent Florio, represented by Robert F. Dato, 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 (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-3 GERALD DANIEL**

Gerald Daniel appeals his rejection as a County Correction Officer candidate by Atlantic County and its request to remove his name from the eligible list for County Correction Officer (S9999F) on the basis of medical unfitness to perform effectively the duties of the position.

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

**B-4 BIRDIE CASON**

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

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

**B-5 FRANCIS PEZZANO**

Francis Pezzano, a Highway Construction and Bridge Repairer 1 with the Department of Transportation, appeals the denial of sick leave injury (SLI) benefits.

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

**B-6 THADDEUS SPADY**

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

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

**B-7 ROBERT J. THOMANN**

Robert J. Thomann, a Highway Construction and Bridge Repairer 1 with the Department of Transportation, appeals the denial of sick leave injury (SLI) benefits.

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

**B-8 EDISON WILLIAMS**

Edison Williams, a Supply Support Technician 2 with the Department of Transportation, appeals the denial of sick leave injury (SLI) benefits.

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

**B-9 AFOLABI BABALOLA**

Afolabi Babalola, represented by Eric M. Winston, Esq., appeals the request of the County of Passaic to remove his name from the list of eligibles for Juvenile Detention Officer (C2065D), County of Passaic, for failure to comply with the pre-appointment process.

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

**B-10 RONDA BARNES**

Ronda Barnes appeals the decision of Human Resources Information Services (HRIS), which found that the appointing authority had presented a sufficient basis to remove her name from the eligible list for Housing Assistance Technician (M0596F), City of Paterson, on the basis of an unsatisfactory employment record.

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

**B-11 RAMON ENG**

Ramon Eng appeals the decision of the Division of State Human Resource Management (SHRM), 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 granted and that the appellant's name be reflected as bypassed on the January 7, 2005 certification.

**B-12 SEAY FLETCHER**

The City of Newark, represented by Steven F. Olivo, Assistant Corporation Counsel, appeals the decision of Human Resource Information Services (HRIS) which found that the appointing authority had not presented a sufficient basis to remove Seay Fletcher's name from the Fire Fighter (M2289E), City of Newark eligible list and restored his name to the eligible list.

**ACTION:** The Merit System Board directed that this appeal be granted and Seay Fletcher's name be removed from the Fire Fighter (M2289E), City of Newark eligible list.

**B-13 ALLEN N. WILLIAMS**

Allen N. Williams appeals the determination of the Division of Local Human Resource Management (LHRM) which found that the appointing authority had presented a sufficient basis to remove his name from the open competitive list for Police Aide (M6925G), Newark on the basis of falsification of his employment application.

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

**B-14 ADMINISTRATIVE CLERK (M1203H), CITY OF ORANGE TOWNSHIP**

The City of Orange Township requests permission not to make an appointment from the January 29, 2007 certification for Administrative Clerk (M1203H).

**ACTION:** The Merit System Board denied the request for appointment waiver and ordered the appointing authority to properly dispose of the certification and remit \$500 in compliance costs.

**B-15 FIRE OFFICIAL/HOUSING INSPECTOR (M9981J), NORTH BERGEN TOWNSHIP**

The appointing authority's failure to dispose of the certification for Fire Official/Housing Inspector (M9981J), North Bergen Township, while provisional appointees are 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 appointees, make an appointment from the certification, and pay compliance costs.

**B-16 LEGISLATIVE SPECIALIST (M6531H), CITY OF NEWARK**

The City of Newark represented by David Gambert, Assistant Corporation Counsel, requests permission not to make an appointment from the December 11, 2006 certification for Legislative Specialist (M6531H).

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

**B-17 MANAGER 2 INFORMATION PROCESSING (PS6006U), OFFICE OF INFORMATION TECHNOLOGY**

*In In the Matter of Manager 2, Information Processing (PS6006U), Office of Information Technology* (MSB, decided December 5, 2007), the Merit System Board granted the request of the Office of Information Technology (OIT) for an appointment waiver from the March 8, 2006 certification and ordered that no selection costs would be assessed at that time since there was a possibility that the list could be utilized prior to its expiration. However, the OIT 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 selection costs in the amount of \$1,602.

**B-18 POLICE RECORDS CLERK (M1080H) CITY OF JERSEY CITY**

The City of Jersey City requests permission not to make an appointment from the January 29, 2007 certification for Police Records Clerk (M1080H).

**ACTION:** The Merit System Board granted the request for appointment waiver but assessed selection costs in the amount of \$2,048.

**B-19 REGISTRAR OF VITAL STATISTICS (TYPING) (M1135H), SADDLE BROOK**

*In In the Matter of Registrar of Vital Statistics (Typing) (M1135H), Saddle Brook* (MSB, decided March 28, 2007), the Merit System Board held in abeyance Saddle Brook's request for a waiver of the appointment requirement pending the determination of the Division of Local Human Resource Management (LHRM) regarding Tracy Adams' position. LHRM determined based on a classification review of Adams' position, that she was to be considered serving provisionally, pending open competitive examination procedures, in the title of Senior Clerk Typist, effective May 26, 2007, and the matter is now being presented to the Board.

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

**B-20 SENIOR ACCOUNT CLERK (M1350H) TOWNSHIP OF VERONA**

The Township of Verona requests permission not to make an appointment from the May 31, 2007 certification for Senior Account Clerk (M1350H).

**ACTION:** The Merit System Board granted the request for appointment waiver but assessed selection costs in the amount of \$2,048.

**B-21 JOHN ALLEN**

John Allen, a Support Services Representative 3 with the Motor Vehicle Commission, appeals the determination of the Chief Administrator which found sufficient evidence to support a finding that he had violated the New Jersey State Policy Prohibiting Discrimination in the Workplace (State Policy).

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

**B-22 BILAL A. MUSLIM**

Bilal A. Muslim an Assistant Superintendent, Residential Group Center, with the Juvenile Justice Commission, Department of Law and Public Safety, appeals the determination of the Director of Office of the Equal Employment Opportunity, which did not find a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

**B-23 ELIZABETH BRYANT-KEENE**

Elizabeth Byrant-Keene, an employee with the Department of Children and Families appeals the determination to place her on step five of salary range P24, rather than step six, upon her return to her permanent title of Family Service Specialist 1.

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

**B-24 ALEXANDER MCDONALD, ET AL.**

The Township of Millburn, represented by Littie E. Rau, Esq., petitions the Merit System Board for a determination regarding the entitlement of Alexander McDonald, Rosemarie Montuore, Elizabeth Perez, Israel Sierra, Jr., Zoe Williams, and Roseanne Zamara to permanent status.

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

**B-25 DARYL BOWEN**

The appointing authority petitions the Merit System Board for reconsideration of the final decision rendered on May 9, 2007, which granted sick leave injury (SLI) benefits to Daryl Bowen, a Senior Correction Officer at Northern State Prison, Department of Corrections.

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

**B-26 ALFRED HARRIS**

Alfred Harris, a Senior Correction Officer at Central Reception and Assignment Facility, Department of Corrections, petitions the Merit System Board for reconsideration of the final decision, rendered on December 5, 2007, which upheld his removal.

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

**B-27 KATHLEEN HUFFARD**

The City of Ocean City, represented by Gerald J. Corcoran, Esq., on behalf of Kathleen Huffard, requests reconsideration of the final administrative determination in *In the Matter of Kathleen Horn* (MSB, decided October 18, 2006).

**ACTION:** The Merit System Board denied the request but directed that the eligible list be rescinded and an assembled examination be administered.

**B-28 CHRISTOPHER MEDLIN**

The appointing authority petitions the Merit System Board for reconsideration of the final decision rendered on May 9, 2007, which granted sick leave injury (SLI) benefits to Christopher Medlin a Senior Correction Officer at Northern State Prison, Department of Corrections.

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

**B-29 ZSOLT TOLNAI**

Zsolt Tolnai, an Attorney Assistant with the Department of Law and Public Safety, petitions the Merit System Board for reconsideration of the final decision rendered on November 21, 2007, which upheld the denial of sick leave injury (SLI) benefits.

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

**B-30 LUCY ALONSO**

The appeal of Lucy Alonso, a Personnel Assistant 2 with Northern State Prison, Department of Corrections, of her 60 working day suspension, on charges, was heard by Administrative Law Judge Jesse H. Strauss (ALJ), who rendered his initial decision on February 1, 2008. At its meeting on April 9, 2008, the Merit System Board did not adopt the ALJ's recommendation to uphold the appellant's 60 working day suspension. Rather, the Board increased the penalty to a 90 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-31 KEITH CURRY**

The appeal of Keith Curry, a Police Officer with Vernon Township, of his 30-day suspension, on charges, was heard by Administrative Law Judge Jesse H. Strauss (ALJ), who rendered his initial decision on January 24, 2008. At its meeting on April 9, 2008, the Merit System Board did not adopt the ALJ's recommendation to modify the 30-day suspension to a 15-day suspension. Rather, the Board upheld the 30-day suspension. The proposed final decision is now submitted for the Board's review.

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

**B-32 JAMES FLAGLER**

The appeal of James Flagler, a Police Aide with the Township of Irvington, of his removal effective July 13, 2005, on charges, was heard by Administrative Law Judge (ALJ) Caridad F. Rigo, who rendered her initial decision on February 20, 2008. At its meeting of April 9, 2008, the Board adopted the ALJ's recommendation to uphold the removal. However, the Board found it necessary to address the exceptions and cross exceptions filed by the parties. The proposed final decision is now submitted for the Board's review.

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

**B-33 JEROME HOLLAND**

Jerome Holland, a Computer Service Technician with the Newark School District, of his removal and resignation not in good standing effective December 20, 2005, on charges, was heard by Administrative Law Judge Irene Jones (ALJ), who rendered her initial decision on March 4, 2008. At its meeting on April 9, 2008, the Merit System Board adopted the ALJ's recommendation to uphold the removal, but it did not adopt her recommendation to modify the resignation not in good standing to a resignation in good standing. The proposed final decision is now submitted for the Board's review.

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

**B-34 TIMOTHY BAIAMONTE**

Timothy Baiamonte 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 Assistant Administrative Analyst (PC0170J), Ocean County.

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

**B-35 HOWARD E. CONK**

The Township of Jackson on behalf of Howard E. Conk, 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 Assistant Supervisor of Motor Pool, Jackson Township.

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

**B-36 JAMES R. DEMICCO**

The Township of Jackson, on behalf of James R. DeMicco, 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 Assistant Supervisor of Motor Pool, Jackson Township.

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

**B-37 TAMEKA FOREMAN**

Tameka Foreman appeals the determination of the Division of Selection Services which found that she did not meet the minimum requirements in experience for the open competitive examination for Purchasing Assistant Typing (C1927J), Essex County.

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

**B-38 DONNA GRONDSKI AND EVONNE HARRISON**

Donna Grondski and Evonne Harrison appeal the determinations of the Division of Selection Services which found that they were below the minimum requirements in experience for the promotional examination for Assistant Supervisor, Identification Records Unit (PS4536P), Division of State Police.

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

**B-39 LASHUNDA HARDEN**

Lashunda Harden appeals the determination of the Division of Selection Services which found that she did not meet the minimum requirements in experience for the open competitive examination for Public Health Practice Standards Partnership Coordinator (C6171J), Mercer County.

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

**B-40 ALBERTO HERNANDEZ**

Alberto Hernandez petitions the Merit System Board for reconsideration of the decision rendered on January 17, 2007 which found that, per the substitution clause for education, he was below the minimum requirements in experience for the promotional examination for Senior Training Technician (PC0578H), Middlesex County.

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

**B-41 SUZANNE HETMAN**

Suzanne Hetman, represented by Jordan Kaplan, Esq., appeals the determination of the Division of Selection Services which found that she did not meet the minimum requirements in experience for the open competitive examination for Rent Regulation Officer (M1821J), Hoboken.

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

**B-42 DENISE LONG, ET AL.**

Denise Long, Linda Rusin and Roseanne Skalkowski appeal the determinations of the Division of Selection Services which found that, per the substitution clause for education, they were below the minimum requirements in experience for the promotional examination for Paralegal Specialist (PC1775H), Camden County.

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

**B-43 MARLIENA MANOCCHIO**

Marliena Manocchio appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for a prospective provisional appointment to the title of Auditor 2, Department of Labor and Workforce Development.

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

**B-44 NIKOLAJ PROBOLA**

Nikolaj Probola appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for a prospective provisional appointment to the title of Engineering Technician 5, Department of Transportation.

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

**B-45 MARCELINA ROSARIO**

Marcelina Rosario 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 Research Technician 3 (PS5001H), Department of Health and Senior Services.

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

**B-46 SARAH SEIGEL**

Sarah Seigel 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 Program Development Specialist 2 (PS2323D), Department of Community Affairs.

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

**B-47 DIANE STEVENS**

Diane Stevens 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 Analyst 3 (Procurement) (PS2346H), Department of Health and Senior Services.

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

**B-48 TIA KING**

Tia King appeals the administration of the physical performance portion of the examination for Fire Fighter (M9999H).

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

**B-49 RICHARD J. DELANEY**

Richard J. Delaney appeals the validity of the promotional examinations for Supervising Engineer 2, Surface Design (PS0882T), and Supervising Engineer, Field Survey (PS0887T), Department of Transportation.

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

**B-50 MICHAEL MCLAUGHLIN**

Michael McLaughlin appeals the decision of the Division of Selection Services denying his request for a make-up examination for County Correction Sergeant (PC2646H), Gloucester County.

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

**B-51 THOMAS WIECZOREK**

Thomas Wieczorek appeals the decision of the Division of Selection Services denying his request for a make-up examination for County Correction Lieutenant (PC2633H), Bergen County.

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

**B-52 READOPTION WITH AMENDMENTS: N.J.A.C. 4:A6-1 THROUGH 5, LEAVES, HOURS OF WORK AND EMPLOYEE DEVELOPMENT**

Submitted for the Board's review is a Notice of Proposal regarding the proposed readoption with amendments of N.J.A.C. 4A:6-1 through 5, Leaves, Hours of Work, and Employee Development. This rule chapter is scheduled to expire on June 9, 2008 but will be automatically extended for six months upon the filing of a proposed readoption with the Office of Administrative Law. Please note that the proposed readoption includes amendments to the sick leave injury rules at N.J.A.C. 4A:6-1.6 and 1.7 which would standardize the reporting and the monitoring of SLI claims. It is recommended that this proposal be approved for publication in the New Jersey Register.

**ACTION:** The Merit System Board approved the proposal for publication.

**B-53 RECENT COURT DECISIONS**

Submitted for the Board's review are summaries of recent court decisions involving Merit System Board and Department of Personnel determinations for *In the Matter of John Lance* (Appellate Division, decided 3/20/08); *In the Matter of Tony Mack* (Appellate Division, decided 3/20/08); *In the Matter of Alvin Sumter, City of Jersey City* (Appellate Division, decided 3/31/08).

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

**B-54 MERIT SYSTEM BOARD MINUTES**

Submitted for adoption are the Merit System Board Minutes of its meeting of April 9, 2008.

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

**B-55 CLAUDY AUGUSTIN**

Claudy Augustin, a Correction Lieutenant at Albert C. Wagner Youth Correctional Facility, represented by Jeffrey Smith, President, New Jersey Superior Officers Association, appeals his immediate suspension, commencing on February 1, 2008.

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

**B-56 JAMES JONES**

The appeal of James Jones, a Laborer with the City of Newark, of his removal effective November 28, 2006, on charges, was heard by Administrative Law Judge Edith Klinger (ALJ), who rendered her initial decision on February 29, 2008. At its meeting on April 9, 2008, the Merit System Board adopted the ALJ's recommendation to uphold the removal. The proposed final decision is now submitted for the Board's review.

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

**B-57 W.L. WILSON**

The appeal of W.L. Wilson, a County Correction Officer with the County of Hudson, Department of Corrections, of his 6-day, 10-day, 30-day, 45-day and 90-day suspensions, on charges, was heard by Administrative Law Judge (ALJ) Richard McGill, who rendered his initial decision on March 3, 2008. At its meeting on April 9, 2008, the Merit System Board adopted the ALJ's recommendation to reverse the suspensions. The proposed decision is now submitted for the Board's review.

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

**B-58 JIMMIE DONALDSON**

Jimmie Donaldson appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Printing Machine Operator 3 (PS1138K), Ancora Psychiatric Hospital.

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

**B-59 CHARLES NEMETH**

Charles Nemeth appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Equipment Operator (PC0365J), Morris County Utilities Authority.

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

**B-60 JOSHUA L. OSOWSKI**

Joshua L. Osowski appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in education for the promotional examination for Superintendent, Parks and Forestry 1 (PS6406G), Department of Environmental Protection.

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

**B-61 EARLY SETTLEMENTS**

Angela Carter  
Woodbine Developmental Center  
Department of Human Services  
Removal

Ginger Ferrell  
New Lisbon Developmental Center  
Department of Human Services  
Resignation not in good standing

Michael Holmes  
New Lisbon Developmental Center  
Department of Human Services  
Suspension

Sandra A. Searles  
Camden County  
Department of Communication  
Release at the end of the working test period

Jason Ulrich  
Garden State Youth Correctional Facility  
Department Corrections  
Suspension

Glenn Wright  
Department of Labor  
Release at the end of the working test period

**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, May 7, 2008 at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.**

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