



JON S. CORZINE
GOVERNOR

STATE OF NEW JERSEY
DEPARTMENT OF PERSONNEL

ROLANDO TORRES, JR.
COMMISSIONER

Merit System Board

**MINUTES OF REGULAR MEETING OF
THE MERIT SYSTEM BOARD
MARCH 22, 2006**

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

MARCH 22, 2006

A regular meeting of the Merit System Board was held on Wednesday March 22, 2006, 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 12, 2005, and posted at the Department of Personnel, 3 Station Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

In the Matter of Township of Belleville
Department of Public Works
Layoff

In the Matter of Jimmy Carter
The College of New Jersey
Resignation not in good standing

In the Matter of Henry Espejo
Northern State Prison
Department of Corrections
Removal

In the Matter of Susan Graf
County of Burlington
Medical Examiner
Suspension

In the Matter of William Och, Jr.
Middle Township School District
Removal

In the Matter of James O'Donnell
Division of Youth and Family Services
Department of Human Services
Suspension

In the Matter of Shaun M. Reilly
Department of Community Affairs
Removal

In the Matter of Susan Vanaman
Salem County
Department of Weights and Measures
Removal

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

ACTION: The Merit System Board acknowledged the settlements.

A-2 LINDA LOVE

Linda Love, Examination Technician, Motor Vehicle Commission, indefinite suspension pending disposition of criminal charges.

Recommendation of the Administrative Law Judge – Grant motion to dismiss the appeal.

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

A-3 THOMAS M. LYNCH

Thomas M. Lynch, Police Officer, Township of Voorhees, Department of Public Safety, 84-hour suspension on charges of incompetency, inefficiency, failure to perform duties, insubordination, conduct unbecoming a public employee, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the 84-hour suspension to a three-day suspension.

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

A-4 FRANCISCO ORTIZ

Francisco Ortiz, Police Officer, City of Newark, Police Department, 12-day suspension on charges of violation of Police Department rules and regulations regarding obedience to orders, care of property and neglect of duty.

Recommendation of the Administrative Law Judge - Modify the 12-day suspension to a 30-day suspension.

ACTION: The Merit System Board modified the recommendation of the Administrative Law Judge to a 45-day suspension.

A-5 THOMAS STEIMLE

Thomas Steimle, Senior Parole Officer, New Jersey State Parole Board, 13-day suspension on charges of conduct unbecoming a public employee and reporting to work unfit for duty.

Recommendation of the Administrative Law Judge – Modify the 13-day suspension to a five-day suspension.

ACTION: The Merit System Board modified the recommendation of the Administrative Law Judge to uphold the 13-day suspension.

A-6 LAVELLE DAVIS

Lavelle Davis, Building Maintenance Worker, Newark Housing Authority, removal effective December 22, 2003, on the charge of 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-7 COREY L. DICKSON

Corey L. Dickson, Equipment Operator, City of Paterson, Department of Public Works, removal on charges of conduct unbecoming a public employee, neglect of duty and other sufficient cause.

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

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

A-8 JEFFREY MARSHALL

Jeffrey Marshall, Police Sergeant, City of Newark, Police Department, ten removals effective May 10, 2002, on charges of incompetency, inefficiency, failure to perform duties, neglect of duty, conduct unbecoming a public employee, other sufficient cause and violation of Police Department rules and regulations.

Recommendation of the Administrative Law Judge - Dismiss the appeal.

ACTION: The Merit System Board modified the recommendation of the Administrative Law Judge to dismiss the appeal with prejudice.

A-9 JENNIFER MORTIMER

Jennifer Mortimer, County Correction Officer, Burlington County Jail, removal effective June 7, 2005, on charges of chronic or excessive absenteeism or lateness, time and attendance policy, and resignation not in good standing.

Recommendation of the Administrative Law Judge - Reverse the removal.

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

A-10 ALICE WOART

Alice Woart, Human Services Assistant, Woodbridge Developmental Center, Department of Human Services, removal effective March 8, 2005, on the charge of abuse of a client.

Recommendation of the Administrative Law Judge - Reverse the removal.

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

A-11 DEBORAH WREDE (REMAND)

Deborah Wrede, Practical Nurse, Greystone Psychiatric Hospital, Department of Human Services, removal effective September 4, 2003, on the charge of serious mistake due to carelessness which could result in danger to persons/property.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-12 MARY BETH MAHLMANN

Mary Beth Mahlmann, an Acting Sergeant First Class with the State Police, appealed the determination of the Attorney General, stating that she failed to present sufficient evidence to support a finding that she had been subjected to violations of the New Jersey State Policy Prohibiting Discrimination, Harassment, or Hostile Environments in the Workplace. This matter was held over from the November 3, 2005 Merit System Board meeting.

Recommendation of the Administrative Law Judge – Award back pay with interest from May 1998 for the ranks of Lieutenant and Captain and promote the appellant to the rank of Captain.

Subsequent to the issuance of the ALJ's decision, the parties entered into a Settlement Agreement.

ACTION: The Merit System Board acknowledged the settlement.

SECTION B – MISCELLANEOUS MATTERS

B-1 CHERYL L. HAMLETT-FISHER

Cheryl L. Hamlett-Fisher appeals her rejection as a Police Officer by the City of East Orange and its request to remove her name from the eligible list for Police Officer (S9999F) on the basis of medical unfitness to perform effectively the duties of the position.

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

B-2 VINCENT A. HEALEY

Vincent A. Healey appeals his rejection as a Juvenile Detention Officer by Monmouth County and its request to remove his name from the eligible list for Juvenile Detention Officer (C0297F) on the basis of medical unfitness to perform effectively the duties of the position.

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

B-3 BENNY RAMOS

Benny Ramos appeals his rejection as a Police Officer by the City of Paterson and its request to remove his name from the eligible list for Police Officer (S9999F) on the basis of medical unfitness to perform effectively the duties of the position.

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

B-4 ASIA ATKINS

Asia Atkins, a Senior Correction Officer with New 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 granted.

B-5 LORENZO BOOTH

Lorenzo Booth, a Correction Sergeant with Mid-State Correctional Facility, Department of Corrections, appeals the denial of sick leave injury (SLI) benefits.

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

B-6 LINDA CASALE

Linda Casale, an Administrative Specialist 3 with the Judiciary, Vicinage 2, Bergen County, represented by Matthew D. Del Vento, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-7 KATHLEEN CIOFFI

Kathleen Cioffi, a Supervising Family Services Specialist 1 with the Division of Youth and Family Services, 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-8 ALANA D'ANDREA

Alana D'Andrea, a Senior Correction Officer with the Central Reception and Assignment Facility, Department of Corrections, appeals the denial of sick leave injury (SLI) benefits.

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

B-9 ROBERT DAVIS

Robert Davis, a Senior Correction Officer with Albert C. Wagner Youth Correctional Facility, Department of Corrections, appeals the denial of sick leave injury (SLI) benefits.

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

B-10 WALETTE HOLMES

Walette Holmes, a Residential Living Specialist, Mental Health, with the Trenton 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-11 WILLIAM LEE

William Lee, a Correction Officer Recruit with the Garden State Reception and Youth Correctional Facility, Department of Corrections, appeals the denial of sick leave injury (SLI) benefits.

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

B-12 ROBERT LOPER

Robert Loper, a Senior Correction Officer with Bayside State Prison, Department of Corrections, represented by Robert C. Wolf, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-13 KENNETH MCKEEL

Kenneth McKeel, a Senior Correction Officer with Northern 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 granted in part.

B-14 MIRTA MORALES

Mirta Morales, a Principal Clerk Typist, Bilingual in Spanish and English with the Department of Health and Senior Services, appeals the denial of sick leave injury (SLI) benefits.

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

B-15 DAVID WOODS

David Woods, a Crew Supervisor, Electrical Operations, 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-16 KEITH ZWICKER

Keith Zwicker, a Teacher 1, 12 months, with the Juvenile Justice Commission, Department of Law and Public Safety, appeals the denial of sick leave injury (SLI) benefits.

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

B-17 PAUL BURGER

Paul Burger appeals the decision of the Division of Human Resource Information Services which found that the appointing authority had presented a sufficient basis to remove his name from the eligible list for Human Services Specialist 1 (C0701F), Burlington County Board of Social Services on the basis that he failed to respond to the certification notice.

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

B-18 THOMAS PERNO

Thomas Perno, represented by Maurice W. McLaughlin, Esq., appeals the removal of his name from the Police Officer (S9999D), Borough of Elmwood Park, eligible list, on the basis of his falsification of his employment application.

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

B-19 DENISE ANGEL, EL AL.

The Department of the Treasury petitions the Merit System Board for reconsideration of the final decision, rendered on October 19, 2005, which upheld the determination that per the substitution clause for education, Denise Angel, Donna Keating, Kevin King, Nanci Patrizio, Jodi Punzi, Steven Williams and Leonard Willis did not meet the experience requirements for the promotional examination for Taxpayer Service Representative 2 (PS6001U), Department of the Treasury. Lori Sogness also 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 subject promotional examination.

ACTION: The Merit System Board denied the request for reconsideration and directed that the appeal of Lori Sogness be denied.

B-20 JAMES CASSIDY

James Cassidy, a Police Sergeant with the Township of Scotch Plains, represented by Timothy R. Smith, Esq., petitions the Merit System Board for reconsideration of the final decision, rendered on December 15, 2004, which upheld his removal.

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

B-21 MARK COMPETELLO

The City of Hoboken, represented by Sean D. Dias, Esq., petitions the Merit System Board for reconsideration of its final decision, rendered on January 25, 2006, which ordered that the conditional appointments of Dennis Edgar, Edward Mecka, and Fred Ferrante be rescinded. The City also requests a stay of the Board's January 25, 2006 decision, pending a final determination regarding its request for reconsideration. In addition, Mark Competello requests enforcement of the Board's January 25, 2006 decision.

ACTION: The Merit System Board denied the City's requests for reconsideration and a stay and granted Competello's request for enforcement.

B-22 NICOLAS LAMBOY

The Equal Employment Division of the Department of Corrections, represented by Saju Mathews, Deputy Attorney General, petitions the Merit System Board for reconsideration of the final decision, rendered on September 7, 2005, which found that Patrick Pinder had subjected Nicolas Lamboy to a violation of the New Jersey State Policy Prohibiting Discrimination, Harassment or Hostile Environments in the Workplace. This matter was held over from the February 8, 2006 Merit System Board meeting.

ACTION: The Merit System Board granted the request for reconsideration and directed that the matter be remanded to the Equal Employment Division of the Department of Corrections.

B-23 DANIEL LOBUE

Daniel LoBue, represented by Bruce D. Leder, Esq., requests reconsideration of the final administrative determination in *In the Matter of Daniel LoBue, Police Captain (PM3549F), City of Hoboken* (MSB, decided February 9, 2005). This matter was held over from the March 8, 2006 Merit System Board meeting.

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

B-24 ANITA GREEN, ET AL.

Anita Green, Mary Jean Guillote, John Nelly, John McCormack and Warren Smith appeal the expiration date of the promotional list for Supervisor, Technical Services, Taxation (PS6000U), Department of the Treasury.

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

B-25 SENIOR ADMINISTRATIVE ANALYST (M6758D), CITY OF TRENTON

The appointing authority's failure to dispose of the certification for Senior Administrative Analyst (M6758D), City of Trenton, 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-26 SUPERVISING ADMINISTRATIVE ANALYST (PS1837I), DEPARTMENT OF CORRECTIONS

The Department of Corrections requests permission not to make an appointment from the certification for Supervising Administrative Analyst (PS1837I).

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

B-27 TECHNICIAN 2, FISH, GAME AND WILDLIFE, DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Director, Division of Human Resource Management, requests the reallocation of the Technician 2, Fish, Game and Wildlife, Department of Environmental Protection title to the noncompetitive division of the career service on an interim basis.

ACTION: The Merit System Board granted the request.

B-28 DORIAN COOPER

The appeals of Dorian Cooper, a Security Officer with the Newark Housing Authority, of his 30-day suspension, commencing on February 19, 2003, and removal effective January 12, 2004, on charges, were heard by Administrative Law Judge Barry N. Frank, who rendered his initial decision on December 5, 2005. At its meeting on March 8, 2006, the Merit System Board did not adopt the ALJ's recommendation to dismiss the appellant's appeal of his 30-day suspension. Rather, the Board dismissed the charges and reversed the 30-day suspension. Further, the Board adopted the ALJ's recommendation to uphold the appellant's removal. The proposed decision is now submitted for the Board's review.

ACTION: The Merit System Board adopted the decision.

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

B-29 MICHAEL GONSALVES

The appeal of Michael Gonsalves, a Senior Correction Officer with the Juvenile Justice Commission, Department of Law and Public Safety, of his removal, effective October 1, 2002, on charges, was heard by Administrative Law Judge Caridad F. Rigo, who rendered her initial decision on August 15, 2005. At its meeting on February 22, 2006, the Merit System Board did not adopt the ALJ's recommendation to reverse the removal. Rather, the Board upheld the removal. The proposed final decision is now submitted for the Board's review.

ACTION: The Merit System Board adopted the final decision.

B-30 KAMBUI HANNIBAL

The appeal of Kambui Hannibal, a Maintenance Repairer with the Atlantic City Housing Authority, of his removal, effective December 19, 2003, on charges, was heard by Administrative Law Judge Joseph F. Martone, who rendered his initial decision on February 2, 2006. At its meeting on March 8, 2006, the Merit System Board did not adopt the ALJ's recommendation to modify the appellant's removal to a six-month suspension. Rather, the Board upheld the removal. The proposed final decision is now submitted for the Board's review.

ACTION: The Merit System Board adopted the final decision.

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

B-31 DARNELL STITH

The appeal of Darnell Stith, a Senior Correction Officer with the Department of Corrections, of his removal, effective June 10, 2003, on charges, was heard by Administrative Law Judge Leslie Z. Celentano, who rendered her initial decision on January 19, 2006. At its meeting on March 8, 2006, 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.

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

B-32 DAWN TERRY

The appeal of Dawn Terry, A Police Officer with the City of Newark, of her removal, effective April 30, 2002, on charges, was heard by Administrative Law Judge Stephen G. Weiss (ALJ), who rendered his initial decision on January 27, 2006. At its meeting on March 8, 2005, 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.

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

B-33 NANCY GUILAMO-GARCIA

Nancy Guilamo-Garcia appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she did not meet the experience requirements for the promotional examination for Purchasing Assistant (PS6317P), Department of Law and Public Safety.

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

B-34 SUSAN MATISA

Susan Matisa appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she was below the minimum requirements in experience for the promotional examination for Technical Assistant 2 (Treasury) (PS6377U), Division of State Lottery, Department of the Treasury.

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

B-35 THOMAS MYSLINSKI

The Director of Human Resources, Department of Transportation, on behalf of Thomas Myslinski, 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 Senior Transportation Analyst, Emergency Management Coordination (PS5967T), Department of Transportation.

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

B-36 GLORIA E. OLEXA

Gloria E. Olexa 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 Social Worker (C1097G), Cape May County.

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

B-37 GLORIA F. TOBIN

Gloria F. Tobin, appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she did not meet the experience requirements for the promotional examination for Coordinator, Division of Motor Vehicles (PS5631T), Motor Vehicle Commission.

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

B-38 OGOCHUKWU AKPAN, ET AL.

Ogochukwu Akpan, Albert Green, Daniel Shipp Jr. and Thomas Wojtowicz appeal the determinations of the Division of Selection Services that found that they did not meet the experience requirements for the open-competitive examination for Administrative Analyst 3, Fiscal Management (S6858G), Statewide.

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

B-39 STEVEN ALLEN, ET AL.

Steven Allen, Calvin Gray, Sonya Jackson, Kathy McOwan, Kenneth Powers and Randolph Singer appeal the determinations of the Division of Selection Services that found that they did not meet the experience requirements for the promotional examination for Supervising Program Support Specialist (Assistance Programs) (PS6211K), Division of Family Development, Department of Human Services.

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

B-40 NABIL AYOUB, ET AL.

Nabil Ayoub, Nenebert Gonzales, John Kosciuch, Alkabab Shah, and George Williams appeal the determinations of the Division of Selection Services that found that they did not meet the experience requirements, or did not meet the experience requirements per the substitution clause for education, for the promotional examination for Project Engineer Local Aid (PS7742T), Department of Transportation.

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

B-41 ELISA A. BILLUPS, ET AL.

Elisa A. Billups, Lisa M. Calabrese, Kim A. Canulli, James J. Corbett, April G. Ford-Scott, Linda Holland, Shannon Lain, Karen T. Lovett, Delphinia McKinnis, Robert G. Moore, LaJuanna Morton, Danita Pierce, Cynthia Redus-Tarchis, Marlene Soliman, Brian P. Thatcher, Aileen E. Williams, and Tyrone Williams 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 Administrative Analyst 1 (PS6212K), Department of Human Services.

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

B-42 LISA BIRGE-PRICE

Lisa Birge-Price appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for the promotional examination for Assistant Supervisor of Professional Residential Services (PS4753K), Department of Human Services.

ACTION: The Merit System Board directed that this appeal be denied and the appellant's name also be removed from the (PS8241K) list.

B-43 CHRIS BOLGER

Chris Bolger appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the open-competitive examination for Electrician (S0413G), State of New Jersey.

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

B-44 GERALD DELORENZO

Gerald DeLorenzo appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the promotional examination for Administrative Supervisor of Income Maintenance (PC1072G), Mercer County Board of Social Services.

ACTION: The Merit System Board directed that this appeal be denied but directed that the matter of Mr. DeLorenzo's employment record be referred to the Division of Human Resource Management.

B-45 NICHOLAS A. DESANTIS

Nicholas A. DeSantis appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the promotional examination for Senior Fiscal Analyst (PC0551G), Essex County.

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

B-46 RODNEY F. DONNELLY

Rodney F. Donnelly 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 Program Development Specialist, Youth Services (M0870G), City of East Orange.

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

B-47 STEPHANIE M. HILL

Stephanie M. Hill 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 Public Health Representative 1 (PS6102H), Department of Health and Senior Services.

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

B-48 JACQUELINE HOWES

Jacqueline Howes appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Principal Clerk Transcriber (PC1114G), Monmouth County.

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

B-49 JOSEPH NARDONE

Joseph Nardone appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the promotional examination for Management Assistant (PS7184K), Commission for the Blind and Visually Impaired, Department of Human Services.

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

B-50 KEVIN D. PRATT

Kevin D. Pratt appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the promotional examination for Truck Driver (PC0603G), Camden County.

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

B-51 SUSAN RUCKMAN

Susan Ruckman appeals the determinations of the Division of Selection Services which found that she was below the minimum requirements in experience for the promotional examinations for Deputy Director of Welfare (PC0291G), Mercer County Board of Social Services and for Director of Welfare (PC0293G), Mercer County Board of Social Services.

ACTION: The Merit System Board directed that the appeal for Deputy Director of Welfare (PC0291G) be granted and directed that the appeal for Director of Welfare (PC0293G) be denied.

B-52 EUGENIA SONSTEIN AND KATHLEEN WEISEL

Eugenia Sonstein and Kathleen Weisel appeal the determinations of the Division of Selection Services which found that they did not meet the experience requirements for the promotional examination for Deputy Director of Welfare (PC0013G), Burlington County Board of Social Services.

ACTION: The Merit System Board directed that the appeal of Eugenia Sonstein be granted and directed that the appeal of Kathleen Weisel be denied.

B-53 ANTONIO ALTILIO

Antonio Altilio appeals his score and rank on the open-competitive examination for School Bus Driver (M9633G), Brick Township School District.

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

B-54 EDITH BAIR AND NANCY SCHMIDT

Edith Bair and Nancy Schmidt appeal their scores on the promotional examination for Secretarial Assistant 1 (Non-Stenographic) (PS5322J), Rowan University.

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

B-55 JOSEPH BUKOFSKY, ET AL.

Joseph Bukofsky, Joseph Buonavolonta, Robert Hodes, Elisha Ingram Jr., Thomas Kauffman, Michael Mondano, Michael Rizzo, Thomas Stuppiello and Alfred Thomas appeal their scores on the Sanitation Driver (PM0651G), Woodbridge Township promotional examination.

ACTION: The Merit System Board directed that the eligible list and outstanding certification (PM0651G) be cancelled and that the promotional examination be re-administered to all eligibles utilizing a multiple choice format.

B-56 LIDIA CLAYTON

Lidia Clayton appeals her score on the promotional examination for Customer Service Representative 3 (PS5954T) and Customer Service Representative 2 (PS5952T), Motor Vehicle Commission.

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

B-57 LAKEERA DURDEN

Lakeera Durden appeals her score on the open-competitive examination for Security Guard (M0884G), Jersey City.

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

B-58 FRANK MEAD

Frank Mead appeals his score on the open-competitive examination for Carpenter (C6636G), Monmouth County.

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

B-59 ALBERTO OCASIO AND PAUL LEIDENFROST

Albert Ocasio and Paul Leidenfrost appeal their scores for the open-competitive examination for Public Safety Telecommunicator, State Police (S0206E), Department of Law and Public Safety.

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

B-60 ROBERT REALI

Robert Reali appeals his rank and score on the open-competitive examination for Maintenance Repairer (C6662G), Mercer County.

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

B-61 RICHARD RODRIGUEZ AND KATHY WIGGINS

Richard Rodriguez and Kathy Wiggins appeal their scores on the open-competitive examination for Security Guard (M0884G), Jersey City.

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

B-62 MAYRA SOTO

Mayra Soto appeals her score on the promotional examination for Secretarial Assistant 3 (Non-Stenographic) (PS4359J), William Paterson University.

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

B-63 JILL POPPE

Jill Poppe appeals her failure of the promotional examination for Principal Clerk Typist (PS5604T), Motor Vehicle Commission, on the basis that she was not provided with a reasonable accommodation for her disability.

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

B-64 MARIA SERENI

Maria Sereni appeals the determinations of the Division of Selection Services which found that she was not eligible for the promotional examination for County Correction Lieutenant (PC2661G), County of Mercer, because her application was received after the closing date of the examination announcement.

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

B-65 SUSAN TOMASO

Susan Tomaso appeals the validity of the promotional examination for Principal Clerk Typist (PS5542N), Department of Labor and Workforce Development.

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

B-66 LEONARD YEARTY

Leonard Yearty appeals his disqualification from the promotional examination for Supervising Family Service Specialist 2 (PS5474K), Division of Youth and Family Services, Department of Human Services.

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

B-67 OLAKOREDE ELEGBEDE

Olakorede Elegbede, a former Cottage Training Supervisor at Green Brook Regional Center, Department of Human Services, represented by Sarah Evans, Staff Representative, CWA Local 1040, appeals her resignation in good standing.

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

B-68 CARL FLANDERS

Carl Flanders, represented by Donald L. Klein, Executive Vice President, CWA Local 1040, petitions the Merit System Board to adjust his salary step and anniversary date.

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

B-69 MARITZA CURBELO

Maritza Curbelo, a former Human Services Specialist 1, Bilingual in Spanish and English with the Cumberland County Board of Social Services, represented by Tom Austin, Business Agent, UAW Local 2327, requests that the Merit System Board reinstate the appeal of her release at the end of the working test period, which was dismissed based on her failure to appear at a scheduled settlement conference.

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

B-70 ROBERT PATON

Robert Paton, a former Road Repairer with Union County, requests that the Merit System Board reinstate the appeal of his resignation not in good standing, effective January 14, 2003, which was dismissed on the basis of the appellant's failure to appear at his August 6, 2003 Settlement Conference hearing.

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

B-71 JUAN SANTIAGO

Juan Santiago, a former Police Officer with the City of Newark, represented by Anthony H. Guerino, Esq., requests that the Merit System Board reinstate the appeals of his two removals, effective April 17, 2001 and May 25, 2001, which were dismissed on the basis of the appellant's failure to appear at his July 2, 2003 Settlement Conference hearing. The matter was held over from the February 8, 2006 Merit System Board meeting.

ACTION: The Merit System Board granted the request.

B-72 WILLIAM MALAYTER

The Superior Court, Law Division, has transmitted the case of *Malayter v. Township of Jackson* to the Merit System Board pursuant to *Melani v. County of Passaic*, 345 N.J. Super. 579 (App. Div. 2001), for a determination regarding William Malayter's entitlement to permanent status in the title of Plumbing Subcode Official and, in turn, his entitlement to a hearing regarding a 45-day suspension and his removal, effective December 7, 2004.

ACTION: The Merit System Board granted permanent status as a Plumbing Subcode Official, effective May 10, 1993, and granted hearings at the Office of Administrative Law regarding the appellant's 45-day suspension and removal.

B-73 MERIT SYSTEM BOARD MINUTES

The Merit System Board minutes of its meeting of March 8, 2006 are submitted for adoption.

ACTION: The Merit System Board adopted the minutes of its meeting of March 8, 2006.

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

B-74 CARMEN DAVILA

Carmen Davila petitions the Merit System Board for reconsideration of the decision rendered on December 21, 2005 in which her request for admittance to the examination for Administrative Assistant 3 (PS9939G), Department of Environmental Protection, was denied.

ACTION: The Merit System Board granted the request.

B-75 EARLY SETTLEMENTS

Christine Gomola
New Lisbon Developmental Center
Department of Human Services
Suspension

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, April 5, 2006 at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

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