

In the Matter of Brian Wunk, Ringwood, Police Department

CSC DKT. NO. 2023-632 OAL DKT. NO. CSR 08506-22 FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

ISSUED: AUGUST 2, 2023

The appeal of Brian Wunk, Police Officer, Ringwood, Police Department, removal, effective August 22, 2022, on charges, was before Administrative Law Judge William Courtney (ALJ), who rendered his initial decision on June 26, 2023. No exceptions were filed.

Having considered the record and the ALJ's initial decision, and having made an independent evaluation of the record, the Civil Service Commission, at its meeting of August 2, 2023, accepted the recommendation as contained in the attached ALJ's initial decision.

<u>ORDER</u>

The Civil Service Commission dismisses the appeal of Brian Wunk as moot.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE CIVIL SERVICE COMMISSION ON THE 2ND DAY OF AUGUST, 2023

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Chairperson

Civil Service Commission

Inquiries and Correspondence Nicholas F. Angiulo Director Division of Appeals and Regulatory Affairs Civil Service Commission P. O. Box 312 Trenton, New Jersey 08625-0312

Attachment



State of New Jersey OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

DISMISSAL

OAL DKT. NO. CSR 08506-22 AGENCY DKT. NO. N/A 2023-632

IN THE MATTER OF BRIAN WUNK, BOROUGH OF RINGWOOD,

Arthur J. Murray, Esq., for petitioner, Brian Wunk (Alterman & Associates, LLC, attorneys)

Justin D. Santagata, Esq, for respondent, Borough of Ringwood (Cooper Levenson, attorneys)

Record Closed: April 26, 2023

Decided: June 26, 2023

BEFORE WILLIAM COURTNEY, ALAJ:

Petitioner appeals from the determination of removal by respondent, Borough of Ringwood effective August 22, 2022 for inability to perform duties of employment due to a disability application.

The matter was filed in the Office of Administrative Law ("OAL") on September 21, 2022, for determination as a contested case. A telephone status conference was held on April 19, 2023, and thereafter petitioner was granted Accidental Disability Retirement. A

Motion to Dismiss the Final Notice of Disciplinary Action ("FNDA") was filed by petitioner and there was no opposition to the Motion.

<u>ORDER</u>

Based upon the forgoing, I **ORDER** that the appeal filed by petitioner in this matter along with the FNDA be and are hereby **DISMISSED**.

I hereby **FILE** my initial decision with the **CIVIL SERVICE COMMISSION** for consideration.

This recommended decision may be adopted, modified or rejected by the CIVIL SERVICE COMMISSION, which by law is authorized to make a final decision in this matter. If the Civil Service Commission does not adopt, modify or reject this decision within forty-five days and unless such time limit is otherwise extended, this recommended decision shall become a final decision in accordance with N.J.S.A. 52:14B-10.

Within thirteen days from the date on which this recommended decision was mailed to the parties, any party may file written exceptions with the DIRECTOR, DIVISION OF APPEALS AND REGULATORY AFFAIRS, UNIT H, CIVIL SERVICE COMMISSION, 44 South Clinton Avenue, PO Box 312, Trenton, New Jersey 08625-0312, marked "Attention: Exceptions." A copy of any exceptions must be sent to the judge and to the other parties.

June 26, 2023	William (Jourtney)	
DATE	WILLIAM COURTNEY, ALJ	
Date Received at Agency:	June 26, 2023	
Date Mailed to Parties:	June 26, 2023	