



STATE OF NEW JERSEY

In the Matter of J.P., Lacey Township
Police Department

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

CSC Docket No. 2026-49

Request for Reconsideration

ISSUED: December 17, 2025

J.P.,¹ represented by Frank C. Cioffi, Esq., requests reconsideration of *In the Matter of J.P., Lacey Township Police Department* (Chair/CEO, decided May 27, 2025).

As background, the petitioner, a former Police Officer, appealed his removal effective April 30, 2024, on charges. The petitioner was served with a Final Notice of Disciplinary Action, removing him on charges of neglect of duty; failure to perform duties; conduct unbecoming a public employee; and other sufficient cause. Specifically, the appointing authority asserted that the appellant had lied during the process of obtaining a temporary restraining order and his later Internal Affairs interview; lied about accessing a certain police report; and failed to report to the Lacey Township Police Department a number of domestic violence incidents with one M.B. The case was transmitted to the Office of Administrative Law (OAL) for a hearing. At the OAL, the appointing authority filed a motion for summary decision on the charges. The Administrative Law Judge (ALJ) denied the motion for summary decision, determining that the petitioner had challenged the material issue of his intent and that the matter should proceed to an evidentiary hearing.

The appointing authority then filed a request for interlocutory review with this agency. The Chairperson granted the request as the petitioner had not demonstrated

¹ As the charges relate to a domestic violence matter, records of which are subject to confidentiality, initials are used in this decision.

that there was a genuine issue as to any material fact. Specifically, the following, among other things, were undisputed in the record: the petitioner's working multiple shifts while his police identification and driver's license were misplaced; his not reporting his police identification or driver's license misplaced to the police department; his not reporting that M.B. was driving under the influence or had caused a motor vehicle accident; and his not reporting to the police department the multiple domestic violence incidents in which he was involved over a period of months. As such, given the petitioner's various misconduct, there was sufficient support in the record to establish the charges, for which the petitioner's intent was not a material consideration. It was further clear that the only appropriate penalty for the petitioner's egregious misconduct was removal. Therefore, it was appropriate to grant interlocutory review and reverse the ALJ's order denying the appointing authority's request for summary decision. In doing so, the Chairperson granted the appointing authority's request for summary decision and found that its action in removing the petitioner was justified. As such, the appeal regarding the removal was denied.

On reconsideration, the petitioner contends that a clear material error has occurred. He emphasizes that the ALJ, or the fact-finder, had denied the summary decision motion so that live witness testimony, which may offer clarity to the allegations, could be provided and then a determination as to the credibility of this testimony could be made. The petitioner submits that credibility determinations are best left for the fact-finder.

In reply, the appointing authority, represented by Armando V. Riccio, Esq., urges that the prior decision was based on the relevant facts in the record, and the reasoning was not plainly incorrect. The petitioner's request does little more than reiterate the same unsuccessful arguments originally advanced in opposition to the appointing authority's request for interlocutory review. The appointing authority insists that there are numerous undisputed facts that readily supported the prior decision in favor of summary dismissal that do not require establishing the petitioner's intent or a credibility assessment.

CONCLUSION

N.J.A.C. 4A:2-1.6(b) provides that a petition for reconsideration shall be in writing signed by the petitioner or the petitioner's representative and must show the following: (1) the new evidence or additional information not presented at the original proceeding, which would change the outcome and the reasons that such evidence was not presented at the original proceeding; or (2) that a clear material error has occurred. A review of the record reveals that reconsideration is not justified, and only the following brief comments are needed at this juncture. Based on the discussion provided in the prior decision, live witness testimony is not necessary in this matter. The prior decision rested on undisputed facts, not any credibility determinations.

Accordingly, the petitioner has not met the standard for reconsideration as he has not shown that a clear material error has occurred.

ORDER

Therefore, it is ordered that this request for reconsideration be denied.

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 17TH DAY OF DECEMBER, 2025



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