



**STATE OF NEW JERSEY**

In the Matter of Rudolph Beu,  
Vineland Police Department

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

CSC Docket Nos. 2025-1591 and  
2025-961

Requests for Enforcement and Stay

**ISSUED: February 25, 2026 (KMG)**

Rudolph Beu, a Deputy Police Chief with the Vineland Police Department, represented by Colin G. Bell, Esq., requests enforcement of the Civil Service Commission’s (Commission) decision in *In the Matter of Rudolph Beu, Vineland Police Department* (CSC, decided September 25, 2024). The appointing authority, represented by William F. Cook Esq., requests a stay of that same decision, pending its appeal to the Superior Court of New Jersey, Appellate Division. These matters have been consolidated herein as they concern the same matter.

By way of background, the appointing authority issued a Final Notice of Disciplinary Action (FNDA) removing the appellant effective October 21, 2022. Upon the appellant’s appeal to the Commission, the matter was transmitted to the Office of Administrative Law (OAL) for a hearing. Following a hearing and the Commission’s *de novo* review, in *In the Matter of Rudolph Beu, Vineland Police Department* (CSC, decided January 17, 2024), the Commission found that the appellant’s removal was not justified, dismissed the charges, and ordered his immediate reinstatement. The Commission also ordered mitigated back pay, benefits and seniority from the first date of the appellant’s separation for any period he was not in pay status, as well as counsel fees.

Subsequently, the appellant requested that the Commission determine back pay, benefits and counsel fees in accordance with the January 17, 2024 decision, as the parties could not come to an agreement. The appointing authority, in part, argued that the appellant was not entitled to counsel fees since the appellant’s counsel fees

had been covered pursuant to the Fraternal Order of Police Legal Defense Plan. In *In the Matter of Rudolph Beu, Vineland Police Department* (CSC, decided September 25, 2024), the Commission determined that the appellant was entitled to gross back pay in the amount of \$64,230.45,<sup>1</sup> and reimbursement for \$44,712.50 in counsel fees and \$5,435.79 in costs. The Commission ordered that the appointing authority was to remit these amounts within 30 days of the issuance of the Commission's September 25, 2024 decision. Subsequently, on October 8, 2024, the appointing authority filed a Notice of Appeal in the Appellate Division.<sup>2</sup>

Thereafter, the appellant filed the instant request for enforcement as the appointing authority had failed to remit the required back pay, counsel fees and costs within 30 days of the Commission's September 25, 2024 decision.

In response, the appointing authority filed a request for a stay of the Commission's September 25, 2024 decision pending the outcome of its appeal to the Appellate Division. The appointing authority argues that pursuant to *N.J.A.C. 4A:2-1.2(c)*, there is a clear likelihood of its success on the merits of the appeal. The appointing authority maintains that the Commission's January 17, 2024 decision was arbitrary and capricious, as the Commission ordered the appellant's reinstatement, despite him being an "employment liability." It contends that, throughout the OAL hearing, the appellant engaged in acts of retaliation, and that the Commission "operated on the fundamentally incorrect legal premise that the City cannot take aggressive action to prevent workplace retaliation." The appointing authority argues that since the underlying ruling that dismissed the charges and reinstated the appellant was incorrect, then the Commission's subsequent ruling regarding back pay, counsel fees and costs was also incorrect. The appointing authority also asserts that regardless, the Commission's decision to award counsel fees was incorrect. In that regard, it maintains that counsel fees should not have been awarded, as the appellant did not incur any legal fees, since his legal fees were paid through the Fraternal Order of Police Legal Defense Plan.

Next, the appointing authority contends that the Commission's September 25, 2024 decision should be stayed as the appellant's reinstatement has already caused irreparable harm. The appointing authority reiterates that the appellant is a major employment liability to it and that using taxpayer funds to further pay the appellant is "intolerable" and also presents immediate harm to it. In this regard, the appointing authority maintains that the appellant and his executive personnel committed

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<sup>1</sup> Pursuant to *N.J.S.A. 40A:14-201*, the appellant was reinstated to pay status, effective April 30, 2023, as the 180-calendar day limit ran from his removal on October 31, 2022 to April 29, 2023.

<sup>2</sup> The appointing authority's appeal challenges the dismissal of charges, as well as the Commission's award of back pay, counsel fees and costs. No decision has yet been issued.

multiple New Jersey Attorney General's Internal Affairs Policies and Procedures (IAPP) violations which were grounds for separate termination charges.<sup>3</sup>

Further, the appointing authority argues that, if its request for a stay is granted, there would be no substantial harm to any other party. In this regard, it notes that the appellant had been in paid status from April 30, 2023, pursuant to *N.J.S.A. 40A:14-201*, and therefore, he cannot claim injury as he had been receiving his "full pay." Furthermore, it notes that if it is unsuccessful in its appeal to the Appellate Division, then any underlying monetary awards would be affirmed, and the appellant could be compensated at that time.

In response, the appellant asserts that the appointing authority incorrectly states that it is not required to comply with the Commission's September 25, 2024 decision during the pendency of its appeal to the Appellate Division. *See N.J.A.C. 4A:10-1.1(b)*. The appellant maintains that the appointing authority has openly defied the Commission's order to remit the monies owed to him and is therefore seeking an order of compliance for the immediate payment of back pay, including healthcare costs, and counsel fees and costs, as well as appropriate sanctions. The appellant contends that the appointing authority is not entitled to a stay, as it has failed to meet any of the requirements set forth in *N.J.A.C. 4A:2-1.2(c)*. Specifically, the appellant argues that the appointing authority cannot show a clear likelihood of success on the merits as the Administrative Law Judge's (ALJ) initial decision evidenced well supported factual findings and credibility determinations, which were adopted by the Commission in its January 17, 2024, decision. Additionally, the appellant argues that there is no basis for a claim of irreparable harm to the appointing authority. In this regard, he notes that if the appointing authority is successful on appeal, any monies already remitted would be repaid to it. Therefore, the appellant requests that the appointing authority's request for a stay be denied and his request for enforcement be granted.

## CONCLUSION

Pursuant to *N.J.A.C. 4A:2-1.2(c)*, the standards to be considered regarding a petition for interim relief are:

1. Clear likelihood of success on the merits by the petitioner;
  2. Danger of immediate or irreparable harm if the request is not granted;
  3. Absence of substantial injury to other parties if the request is granted;
- and
4. The public interest.

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<sup>3</sup> The appointing authority issued three FNDAs removing the appellant, effective April 16, 2025. These FNDAs were timely appealed, consolidated, and are currently pending at the OAL. As such, the specifics of those charges will not be discussed in this matter.

*N.J.A.C.* 4A:2-1.2(f) provides, in pertinent part, that following a final administrative decision by the Commission, and upon the filing of an appeal from that decision to the Appellate Division, a party to the appeal may petition the Commission for a stay or other relief pending a decision by the court.

Pursuant to *N.J.A.C.* 4A:10-1.1(b), no person or appointing authority shall fail to comply with an order of the Commission. Further, *N.J.A.C.* 4A:10-2.1(a)1 indicates that where there is evidence of a violation of or noncompliance the Commission may issue an order of compliance.

In the instant matter, it must first be addressed that the appointing authority raises objections regarding the underlying determinations and findings that were previously reviewed and subsequently adopted in the Commission's January 17, 2024 decision and were foundational to the Commission's September 25, 2024 decision. Despite its assertion that the January 17, 2024 decision was arbitrary and capricious, the Commission disagrees. As noted in its January 17, 2024 decision:

[T]he Commission has the authority to reverse or modify an ALJ's decision if it is not supported by sufficient credible evidence or was otherwise arbitrary. *See N.J.S.A. 52:14B-10(c); Cavalieri v. Public Employees Retirement System*, 368 *N.J. Super.* 527 (App. Div. 2004). In this matter, the exceptions filed are not persuasive in demonstrating that the ALJ's credibility determinations, or her findings and conclusions based on those determinations, were arbitrary, capricious or unreasonable. As such, the Commission has no reason to question those determinations, or the findings and conclusions made therefrom.

Furthermore, if the appointing authority believed that these assertions were incorrect, it could have chosen to request reconsideration of the Commission's decision, which it did not do. Moreover, the appointing authority has failed to provide a scintilla of evidence that would persuade the Commission that it will be successful on appeal to the Appellate Division. In the same sentiment of retreading old ground, the appointing authority has failed to provide any new or compelling evidence to sway the Commission from its determination that counsel fees were warranted. Therefore, based on the foregoing, the Commission concurs with the appellant that the appointing authority has failed to establish a clear likelihood of success on the merits.

The appointing authority has similarly failed to cite any authority to show any immediate or irreparable harm to it by granting the request for enforcement. Rather, it simply argues that by remitting payment to the appellant will irreparably harm it and the taxpayers. However, the courts have found that monetary harm is remedial in nature and thus not irreparable. Moreover, the Commission finds that it is in the public's best interest that its decisions are followed.

While the Commission understands that an appointing authority is strongly encouraged to enforce anti-retaliatory policies, here it must be noted that the appointing authority has already brought additional charges against the appellant. However, those new charges do not establish that the Commission's prior decision dismissing charges and reinstating the appellant was in error. To find otherwise would allow an appointing authority to bring additional charges against an employee to delay or stop the proper remittance of the monies previously awarded.

Finally, as the appointing authority's request for a stay is denied, the Commission advises that any further delay in the remittance of the already awarded back pay, benefits, seniority, counsel fees, and costs could result in the imposition of fines, up to \$10,000 pursuant to *N.J.A.C. 4A:10-1.1(b)* and *N.J.A.C. 4A:10-2.1 (a)*.<sup>4</sup> The appointing authority is also advised that *N.J.A.C. 4A:2-2.11* provides for an award of interest on back pay when an appointing authority has unreasonably delayed compliance with an order or where the Commission finds sufficient cause based on the particular case. See *In the Matter of Rene Selph* (MSB, decided November 15, 1994); *In the Matter of Samuel Naro* (MSB, decided May 19, 1998). Therefore, if the appointing authority fails to make a good faith effort to comply with the back pay award within 20 days of issuance of this decision, interest on the back pay is ordered.

### ORDER

Therefore, it is ordered that the appellant's request for enforcement be granted, and the appointing authority's request for a stay be denied.

In the event that the appointing authority fails to make a good faith effort to comply with the Commission's previous order of back pay, counsel fees, and costs within 20 days of the issuance of this decision, the Commission orders a fine be assessed against the appointing authority in the amount of \$100 per day, beginning on the 21<sup>st</sup> day, and continuing for each day of continued violation, up to a maximum of \$10,000. Additionally, if the already ordered back pay is not paid to the appellant within 20 days of the issuance of this decision, it is ordered that interest be assessed on the back pay award at an annual rate set forth in the New Jersey Court Rules, *R. 4:42-11*.

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<sup>4</sup> *N.J.A.C. 4A:2-2.10(d)* provides that back pay shall include unpaid salary, including regular wages, overlap shift time, increments and across-the-board adjustments. Benefits shall include vacation and sick leave credits and additional amounts expended by the employee to maintain his or her health insurance coverage during the period of improper suspension or removal.

DECISION RENDERED BY THE  
CIVIL SERVICE COMMISSION ON  
THE 25<sup>TH</sup> DAY OF FEBRUARY, 2026

*Allison Chris Myers*

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Chairperson  
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