

In the Matter of Matthew Ruding,
Monmouth County, Department of
Parks

CSC Docket No. 2025-1492
OAL Docket No. CSV 03321-25

FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION

ISSUED: August 18, 2026

The appeal of Matthew Ruding, Assistant County Park Superintendent, Monmouth County, Department of Parks, removal, effective January 9, 2025, on charges, was heard by Administrative Law Judge Michael R. Stanzione (ALJ), who rendered his initial decision on July 17, 2026. Exceptions were filed on behalf of the appellant, and a reply was filed on behalf of the appointing authority.

Having considered the record and the ALJ's initial decision, and having made an independent evaluation of the record, including a thorough review of the exceptions and reply, the Civil Service Commission (Commission), at its meeting on August 12, 2026, adopted the ALJ's Findings of Facts and Conclusions of Law and his recommendation to uphold the removal.

In his exceptions, the appellant argues that the ALJ made several errors. Initially, he contends the ALJ incorrectly listed the appellant's name on the witness list, omitted witnesses that testified during the hearing from that list, and failed to summarize those witnesses' testimony. More substantively, the appellant argues that the appointing authority failed to establish the charges by a preponderance of the evidence. Specifically, as to the charge of conduct unbecoming a public employee, he contends that his actions did not have a tendency to "destroy public trust" in the appointing authority's operations since he was off-duty and not on the appointing authority's premises. Regarding the ethics violation charge, he maintains that there is no evidence that he was seeking to use his official position to secure "unwarranted privileges" as required in the policy. Finally, he argues that as a 16-year employee with an unblemished disciplinary record, removal is unwarranted.

In reply, the appointing authority indicates that the contemporaneous videos of the incident clearly refute the appellant's claims. It contends that the ALJ properly summarized and considered the credible testimony of the pertinent Harrah's Casino witnesses in upholding the charges. It also maintains that regardless of the

appellant's work status at the time of the incident, his misconduct clearly met the parameters of conduct unbecoming a public employee. It further states that the ALJ found that the appellant "attempted to use his official position to secure a privilege or advantage for himself . . .," refuting the appellant's argument in that regard. Finally, it maintains that, regardless of the appellant's years of service and lack of a disciplinary history, based on the severity and scope of the misconduct, removal from employment is warranted.

The Commission makes the following comments. The ALJ's decision is based significantly on his assessment of the witnesses' testimony. In this regard, he explicitly found the appellant's version of the incident not credible, stating:

As the factfinder, I had the ability to observe the demeanor, tone, and physical actions of respondent's witnesses during their testimony concerning their understanding of the incident and the procedures they employed. They testified clearly and convincingly about their observations of appellant and his behavior. They also testified professionally and without equivocation concerning the policies and procedures for assessing a situation and maintaining order throughout the casino. Their testimony also seemed to align with the video presented, although there was no audio. I find their testimony to be credible.

As the fact finder, I had the ability to observe the demeanor, tone, and physical actions of appellant during his testimony and throughout the proceeding. Appellant comported himself in a manner that suggested he was less credible. He did not offer documentary or other evidence to support an assertion that he was only looking out for his friend and was not being combative with Harrah's personnel. He also did not convincingly explain his actions, which were shown on video. Given the absence of evidence supporting appellant's assertions, I cannot afford his testimony equal weight to that of respondent's witnesses.

The Commission acknowledges that the ALJ, who has the benefit of hearing and seeing the witnesses, is generally in a better position to determine the credibility and veracity of the witnesses. *See Matter of J.W.D.*, 149 N.J. 108 (1997). "[T]rial courts' credibility findings . . . are often influenced by matters such as observations of the character and demeanor of the witnesses and common human experience that are not transmitted by the record." *See also, In re Taylor*, 158 N.J. 644 (1999) (quoting *State v. Locurto*, 157 N.J. 463, 474 (1999)). Additionally, such credibility findings need not be explicitly enunciated if the record as a whole makes the findings clear. *Id.* at 659 (citing *Locurto, supra*). The Commission appropriately gives due deference to such determinations. However, in its *de novo* review of the record, the 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 u. Public Employees Retirement System*, 368 N.J. Super. 527 (App. Div.

2004). In its *de novo* review, the Commission finds that the appellant has not presented one scintilla of evidence to demonstrate that the ALJ's findings and conclusions based on those determinations were arbitrary, capricious or unreasonable.

As to the appellant's other exceptions, the Commission rejects the argument regarding the witness list and summary of the testimony. While the ALJ did mislabel and omit individuals from the witness list and did not present a summary of all the witness testimony,¹ the appellant has not demonstrated in any way how those "errors" detrimentally effect the ALJ's credibility findings or analysis of the documentary evidence, or how the errors/omissions would otherwise support his non-credible testimony. It similarly rejects the contention regarding the conduct unbecoming a public employee charge. Clearly, as a high-level employee representing the appointing authority at an off-site conference, the appellant's actions, whether on- or off-duty, were highly inappropriate and certainly could tend to significantly negatively impact the operations and perception of the appointing authority. Moreover, such misconduct need not be "on-duty" to be sanctionable for a public employee. *See e.g. Karins v. City of Atlantic City*, 152 N.J. 532 (1998). Further, the Commission wholly dismisses the appellant's contention that he did not seek "unwarranted privileges" when he showed his badge.² In this regard, the ALJ explicitly found that the appellant "attempted to use his official position to secure a privilege or advantage for himself . . ." when he showed his badge. Most importantly, the ALJ did not find the appellant's explanation in that regard credible, and the Commission finds nothing in the record to question that finding. Moreover, while the ALJ did not indicate the privilege the appellant was attempting to elicit was "unwarranted," such a conclusion is implicit given that totality of the factual findings in this matter.

Finally, regarding the penalty, similar to its assessment of the charges, the Commission's review of the penalty is *de novo*. In addition to its consideration of the seriousness of the underlying incident in determining the proper penalty, the Commission also utilizes, when appropriate, the concept of progressive discipline. *West New York v. Bock*, 38 N.J. 500 (1962). In determining the propriety of the penalty, several factors must be considered, including the nature of the appellant's offense, the concept of progressive discipline, and the employee's prior record. *George v. North Princeton Developmental Center*, 96 N.J.A.R. 2d (CSV) 463. However, it is well established that where the underlying conduct is of an egregious nature, the imposition of a penalty up to and including removal is appropriate, regardless of an individual's disciplinary history. *See Henry v. Rahway State Prison*, 81 N.J. 571 (1980). It is settled that the theory of progressive discipline is not a "fixed and immutable rule to be followed without question." Rather, it is recognized that some

¹ On the witness list, the ALJ listed the appellant as "Jean" Ruding and failed to list and summarize the testimony of two other appointing authority witnesses. As described herein, the typographical error and omissions do not present any basis to otherwise discredit the ALJ's findings and conclusions.

² It is noted that the badge was not pertinent to the appellant's current position, but rather, was issued when the appellant served as a County Park Ranger, which is considered a law enforcement position.

disciplinary infractions are so serious that removal is appropriate notwithstanding a largely unblemished prior record. *See Carter v. Bordentown*, 191 N.J. 474 (2007).

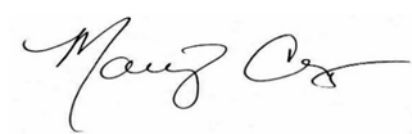
Here it is clear that the appellant's described and sustained misconduct was egregious and cannot be minimized. As credibly described by the witnesses and supported by the other evidence in the record, the appellant was involved in an aggressive and violent altercation with security personnel seeking to do their jobs and attempted to use his position to escape or minimize his culpability. Moreover, the appellant's attempts to minimize his misconduct via his non-credible testimony and in his exceptions fails to persuade the Commission that his otherwise clean record of service serves as a sufficient mitigating factor to allow for a modification of the penalty. Succinctly stated, while the appellant's long record of service without discipline is noted and commendable, the appellant's misconduct in this case is inimical to what the public expects from a public employee. As such, a penalty less than removal would serve to undermine the public trust. Accordingly, the Commission finds the penalty of removal neither disproportionate to the offense nor shocking to the conscious.

ORDER

The Civil Service Commission finds that the action of the appointing authority in removing the appellant was justified. The Commission therefore upholds that action and dismisses the appeal of Matthew Ruding.

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 12th DAY OF AUGUST, 2026



Mary Cruz
Acting Chairperson
Civil Service Commission

Inquiries
and
Correspondence

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Attachment



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

AMENDED INITIAL DECISION

OAL DKT. NO. CSV 03321-25

AGENCY DKT. NO. 2025-1492

**IN THE MATTER OF MATTHEW RUDING,
MONMOUTH COUNTY DEPARTMENT OF PARKS.**

Robert Chewning, Esq., for appellant Matthew Ruding (McLaughlin & Nardi,
L.L.C., attorneys)

Steven W. Kleinman, Esq., for respondent Monmouth County Department of
Parks

Record Closed: June 5, 2026

Decided: July 17, 2026

BEFORE **MICHAEL R. STANZIONE**, ALJ:

STATEMENT OF THE CASE

Appellant Matthew Ruding appeals the decision of respondent, the Monmouth County Department of Parks (Monmouth or Park System), to remove him from his position as an assistant county park superintendent for violations of N.J.A.C. 4A:2-2.3(a)(6), conduct unbecoming a public employee; and N.J.A.C. 4A:2-2.3(a)(12), other sufficient cause, specifically, violation of Monmouth County Policy Section 5, Employee Conduct and Workplace Rules regarding workplace rules and code of ethics and professional conduct policy. Ruding denies the charges and asserts that respondent failed to meet its

burden of proving them. R-2. Should Ruding be removed from his position as assistant county park superintendent with Monmouth? Yes. Respondent established by a preponderance of the competent, relevant, and credible evidence that Ruding committed the offenses by failing to exhibit good behavior, which discredits the employee, the Parks System or the County of Monmouth, and using his official position to secure unwarranted privileges or advantages for himself or others. R-2.

PROCEDURAL HISTORY

On December 11, 2024, Ruding was issued a Preliminary Notice of Disciplinary Action (PNDA). R-1. After a departmental hearing in which the charges were sustained, a Final Notice of Disciplinary Action (FNDA) encompassing all the disciplinary actions was issued. The FNDA imposed a penalty of removal effective January 9, 2025. R-2. Appellant filed a timely appeal, and the matter was transmitted to the Office of Administrative Law, where it was filed on February 19, 2025, for hearing as a contested case. N.J.S.A. 52:14B-1 to -15; N.J.S.A. 52:14F-1 to -13. Teleconferences were held on April 1, 2025, May 14, 2025, June 4, 2025, July 1, 2025, July 31, 2025, August 12, 2025, and September 17, 2025. The case was scheduled to be heard on January 8, 2026, and January 13, 2026. An adjournment of those dates was requested by the tribunal, as I was not available on January 8, 2025. The case was heard on January 13 and March 25, 2026. The record remained open for the receipt of written summations by the parties. Both summations were received by June 5, 2026, and the record closed that day.

FACTUAL DISCUSSION AND FINDINGS

The following is undisputed, and I, therefore, **FIND** the following as **FACT**:

1. Appellant was employed as an assistant county park superintendent for Monmouth until January 22, 2025. The Park System removed him from employment retroactive to January 9, 2025, via a Final Notice of Disciplinary Action (FNDA). R-2.

2. Monmouth determined in the FNDA that appellant had engaged in conduct unbecoming a public employee and had violated Monmouth County policy for his actions on the early morning of February 27, 2024, at Harrah's Resort Atlantic City. R-2.
3. Monmouth has maintained a longstanding relationship with the New Jersey Recreation and Park Association (NJRPA), which serves as the statewide professional organization for parks and recreation staff, both in the public and private sectors. In recent years, Monmouth has sent between five and fifteen staff members to attend the NJRPA's annual convention in Atlantic City. Employees who want to attend the convention can make a written request to management, which is then reviewed and approved or denied in management's discretion. The NJRPA Conference agenda includes a series of workshops, classes, luncheons, a trade show, and late-night social events to cap off the first two days. R-4.
4. On December 15, 2023, appellant completed the "County of Monmouth Request to Attend Conferences, Seminars, Training Events" form, with approval granted by Superintendent Spears on February 2, 2024. R-3. Appellant wanted to attend the convention in order to obtain continuing education credits for his professional certification with the National Recreation and Park Association. Id. Appellant requested that the County cover his registration fee of \$425.00. Id. Of the various registration options available, appellant selected the option that included attendance at classroom sessions as well as various meals and social events. R-25.
5. Appellant and two others utilized a Monmouth pool vehicle, rather than their personal vehicles, to drive down to the conference. R-13. Monmouth employees approved to attend the NJRPA Convention continue to receive their regular daily salary as if they were performing their regular workplace duties. Appellant received training pay on Monday, February 26th, and Tuesday, February 27th, and following the incident and the injury to his shoulder, he utilized paid sick leave for the remainder of the week. R-24.

6. Appellant, though serving as an assistant county park superintendent in February 2024, maintained his credentials as a Monmouth County park ranger and was issued a gold badge reflective of that position. R-23. To be issued this badge, appellant had to attend law enforcement training at a police academy. Park rangers may exercise law enforcement authority pursuant to New Jersey law, which includes the ability to enforce Park System rules, write summons for violations of those rules, and even detain and arrest people in extreme circumstances. Unlike police officers, park rangers do not have the ability to exercise any law enforcement functions outside of Monmouth facilities.
7. Appellant's actions at the NJRPA Convention first came to Superintendent Spears's attention on the morning of February 27, 2024, when he received a call from another senior Park System official offering vague details of an incident that resulted in appellant's ejection from Harrah's and subsequent hospitalization.
8. Superintendent Spears then spoke with another conference attendee, County Park Superintendent Kevin Dunn, who described an incident where Mr. Dunn was falling asleep, and appellant tried to help him. This was mistaken or misunderstood by security, and the incident escalated from there.
9. A review of the matter was assigned to the Monmouth County Office of Professional Standards (OPS) Investigator Rocco Santorsola, who explained at the hearing that the OPS handles incidents where County employees may be subject to disciplinary action.
10. OPS investigates allegations of County employee misconduct each year; its job is only to conclude whether there has been a disciplinary violation, and it does not determine the ultimate disciplinary penalty to be imposed for any sustained disciplinary charges.

11. Santorsola obtained appellant's conference registration materials (R-3 and R-4) and spoke with a State Police detective who advised that appellant had been charged with disorderly conduct. Santorsola later obtained the charging documents from Atlantic City Central Municipal Court. R-5.
12. On Wednesday, February 28, 2024, Santorsola interviewed Mr. Dunn and another conference attendee, County Park Manager Frank Masini, who had returned from the NJRPA Conference. Mr. Dunn explained that he was with appellant, whom he described as a friend, and "he was getting assistance for me because I was falling asleep because I was dehydrated." R-12. Mr. Dunn claimed that because of his condition, he could only remember that appellant had some sort of interaction with security and that before the incident, both he and appellant had been drinking at the conference social event. Id. Mr. Dunn reiterated that "we had drinks at the social prior to being at the slot machines." Id. Mr. Dunn, when asked if there was anything else he wanted to add, accepted responsibility for his own actions and stated that "I do not want to bring harm to the County in any way, and we are at a conference, and this is not how I should conduct myself." Id.
13. Mr. Masini advised in his statement that he had received a call from Dawn Thompson, whom he knew from her position as the recreation director for Neptune Township, that appellant had been detained, and Mr. Masini needed to respond. R-13. When he got to the scene, he met William Byrtus, the recreation director for Franklin Township, who was about to start a new job at Monmouth, and together they spoke to Harrah's security personnel, who advised appellant was "resisting efforts to calm him down." Id. Mr. Masini spoke with appellant, who was complaining of shoulder pain and wanted to go to the hospital. Id. Mr. Masini also tried to reach Mr. Dunn, but he did not respond to phone calls and assisted appellant on a stretcher so he could go to the hospital. Id. While Mr. Masini was not sure what had happened to cause the situation, like Mr. Dunn, he confirmed that appellant had been drinking at the conference social. Id. According to Mr.

Masini, while at the hospital, appellant reported that “Kevin was passing out and that security came over, and he was worried about Kevin’s health. . . . the security dislocated his shoulder.” Id. Masini reported that he was not surprised at appellant’s actions, as he had previously seen appellant “get aggravated before and escalate it more than a normal person would escalate.” Id.

14. Appellant reported that while at the slot machines on the casino floor, Mr. Dunn “passed out several times” and was “unconscious.” R-15.
15. After Mr. Dunn came to, appellant began arguing with security personnel because he believed they were acting unprofessionally and were not providing the level of care required, “which led me to get assaulted by the security officers as they tackled me to the ground.” Id. Appellant believed that an ambulance should be called for Mr. Dunn, but he was not taken seriously because he was wearing a “Ninja Turtle onesie.” Id. Appellant admitted receiving the free drink tickets but denied being intoxicated and explained that his response was “mostly emotions turning into anger.” Id.

When asked if he had displayed his Monmouth County park ranger badge during the incident, he admitted doing so and “identified myself as a first responder and try to tell them to render aid.” Id. “I showed my badge to show them I was a first responder and wanted them to call an ambulance and they refused to do so.” Id. He believed by doing so, “they were going to take me serious and not a Ninja Turtle.” Id.

16. Santorsola issued a supplemental investigation report dated November 4, 2024, which was based upon his in-person and telephone interviews, his review of the Harrah’s investigatory file and video evidence, and various other records. R-16. This report concluded that “there is clear and convincing evidence that supports a conclusion of substantiated for Matthew C. Ruding. . . for Conduct Unbecoming a Public Employee.” Id.

As Santorsola explained, “Mr. Ruding utilized alcoholic beverages to a point where he was no longer in control of his actions and third parties needed to intervene and assist; this all the while at a work-related function in Atlantic City, New Jersey and representing the County of Monmouth. Furthermore, Ruding’s actions were so egregious that he was subdued by multiple security personnel and charged criminally.” Id. Eventually, in June 2025, appellant pled guilty to a violation of Atlantic City Municipal Code 204-27, “Boisterous activity which creates disturbances.”

17. Monmouth County filed formal disciplinary action against appellant by issuing him a Preliminary Notice of Disciplinary Action, dated December 11, 2024. R-1. The specific disciplinary charges appellant was alleged to have violated included N.J.A.C. 4A:2-2.3(a)(6), “Conduct unbecoming a public employee,” and 4A:2-2.3(a)(12), “Other sufficient cause,” more specifically, violations of Monmouth County Policy Section 5, “Workplace Rules” and “Code of Ethics and Professional Conduct Policy.” Id.; R-18; R-19. The PNDA proposed a penalty of removal on a date to be determined, and appellant was immediately suspended from his employment as of January 2, 2025. Id. Following a hearing on January 9, 2025, the charges were sustained by the County, and appellant was removed from employment on January 22, 2025, but retroactively to January 9th. R-2.

Testimony

For respondent:

Greg Traub is the Harrah’s security manager. As security manager, Traub explained that there is a standard protocol for responding to a patron who appears to be in medical distress, in which staff conducts an initial assessment, determines whether the patron can communicate, and then makes a judgment call as to the severity of the situation. Traub explained that his involvement in the matter began when he received a call for assistance, advising that there were two male patrons on the ground and “one of them seemed pretty out of it.” Upon responding, he found appellant and Mr. Dunn near

a bank of slot machines, with Mr. Dunn on the ground in an “incoherent” state. Appellant explained that Mr. Dunn was intoxicated, and in a “standoffish” manner, appellant suggested that he would handle the situation. Traub believed that appellant was also exhibiting signs of intoxication, though he could not be certain.

Harrah’s security personnel sought to separate appellant from Mr. Dunn so that they could confirm that Mr. Dunn “did know [Appellant], that he was okay, he was able to walk on his own, he was able to answer for himself and answer coherently.” In response, appellant immediately became aggressive and started taking off part of his clothing. Appellant then calmed down, but then “he came back at us and started yelling obscenities and all these other things.” Appellant pulled out a badge at some point during the incident.

Eventually, other Harrah’s security personnel were able to ascertain that Mr. Dunn was not in any danger and could go back up to his room, at which point Mr. Dunn started walking away from the scene. Appellant did not calm down, continuing to use profanity and being verbally combative. Because appellant appeared to be physically confrontational as well, the security personnel felt it necessary to place appellant in an “escort hold” in an attempt to gain control over his arms in order to physically walk him off the casino floor. Appellant continued to resist, becoming combative with the personnel escorting him, to the point that he was detained and handcuffed. Appellant was placed in a holding area, and pursuant to standard protocol, the State Police were called. Traub recalled that eventually, one of appellant’s co-workers came to meet appellant in the holding area but could not recall the exact circumstances as to how and when appellant left the casino. Traub later filed a report for the Harrah’s incident file. R-5.

Tracy Rozier reported to the scene after having been informed via a radio call that “a guy fell out of his chair and supposedly had been passed out.”

During the incident, appellant, dressed in a “ninja turtle suit,” became aggressive towards the responding personnel and repeatedly would not listen to instructions and instead engaged in an aggressive confrontation. This included appellant displaying a badge, which Rozier interpreted as a threat. Even after appellant was placed in an escort hold and was taken to the “back of the house,” appellant continued to make threats

towards Harrah's personnel. Mr. Rozier similarly prepared a contemporaneous report detailing the incident. R-7.

Carlos Correa is currently employed as a security specialist at Harrah's. He recalled receiving a radio call about a "male down," but at that initial moment, he had no idea as to the severity of the situation. When he got to the scene, he observed both appellant and Mr. Dunn on the floor. Appellant was advised to back off Mr. Dunn so that Harrah's personnel could assess the situation and determine what sort of medical assistance was needed. As Correa explained, "[W]e didn't know whether he was having a heart attack. . . he was intoxicated or he was suffering from a medical condition [we] did not know. But because appellant was right on top of [Mr. Dunn] it prevents us from assisting that person." Appellant's immediate response to the request to let Harrah's personnel evaluate Mr. Dunn was to tell them to "fuck off." As Correa explained, "[h]ow can you assess a situation when at the time you have a disorderly person?" The security personnel, after speaking with Mr. Dunn, assessed from his slurred speech that he was intoxicated. Correa also believed that appellant was intoxicated.

While Mr. Correa and other Harrah's personnel were assisting Mr. Dunn, appellant continued to act aggressively, "being irate, cursing, saying that he was going to have our jobs," adding, "[w]atch what I'm capable of. . . ." Correa witnessed appellant, still irate, removing the top of his onesie and then displaying his Monmouth County park ranger credentials, though Harrah's personnel were not clear at the time what message appellant was trying to communicate by doing so. Correa recalled that later during the incident, after appellant was placed in physical restraints, he identified himself as a law enforcement officer.

Even while appellant was in the escort hold, he remained aggressive and continued to resist; security supervisors instructed that appellant should be placed in mechanical restraints. Correa reported that "[w]e ended up on the ground with him, actually was on top of him at the end of the incident." After reaching the holding area, appellant continued yelling while claiming he had suffered a shoulder injury, and EMS was called to respond. In the holding area, Correa also spoke with Frank Masini, who identified himself as appellant's supervisor, and Mr. Correa explained what happened,

after which Mr. Masini attempted to speak with Ruding but was met with negative results. Correa, like the other responding personnel, drafted a contemporaneous written report generally consistent with his testimony. R-5.

For appellant:

Matthew Ruding has been employed with Monmouth from 2008 to 2025. His last position was as assistant county park superintendent. During his employment, he received three promotions. He never received an “unsatisfactory” progress report or evaluation. During his employment, other than the discipline at issue in this appeal, appellant never received any discipline.

During his employment, appellant was required to attend training and continuing education courses. P-36. As part of his employment, appellant was trained as a first responder and certified for CPR, Heimlich, AEDs, and bloodborne pathogens. Appellant was required to be recertified every two years. Id.

Appellant booked and paid for his own hotel room at the Harrah’s Casino to attend the NJRPA Conference. To receive the full continuing education credits, appellant was required to attend the “sessions” listed in the agenda as well as the keynote luncheon scheduled for Monday, February 26, 2024. P-3.

The All-Delegate Social was a pajama-themed social networking event. Appellant wore a Raphael Teenage Mutant Ninja Turtle pajama onesie to the All-Delegate Social. Appellant arrived at the All-Delegate Social at approximately 9:30 p.m. with Mr. Dunn. They did not stay together the entire time, with each of them networking with other Park System employees. Attendees, including appellant, were provided with two free drink tickets. Appellant used his tickets to get two beers.

The All-Delegate Social ended around 11:30 p.m. Afterwards, appellant and Mr. Dunn went back to appellant’s hotel room to get another beer and then went back down to the casino floor to gamble on slot machines. No one who attended the NJRPA conference and/or the All-Delegate Social went to the slot machines with appellant and

Mr. Dunn. On the night of February 26, 2024, into the early morning of February 27, 2024, appellant did not consider himself to be intoxicated.

After sitting at the slot machine game, appellant thought Mr. Dunn seemed “off.” Appellant thought Mr. Dunn may have been “sleepy.” Appellant did not know how much Mr. Dunn had to drink that day, or if he was dehydrated or experiencing issues with medication.

Mr. Dunn collapsed to the ground. Mr. Dunn then collapsed to the ground a second time. Appellant described the second time as a more significant event because appellant observed Mr. Dunn blacking out to a degree and hitting the floor harder.

When Mr. Dunn collapsed for the third time, appellant observed Mr. Dunn go completely unconscious. Mr. Dunn collapsed over his legs and fell back. Appellant believed that Mr. Dunn had hit his head and observed his eyes rolling into the back of his head. Appellant believed that Mr. Dunn was experiencing a medical emergency.

When security arrived, appellant observed security attempting to lift Mr. Dunn onto a chair, sign a waiver, and get him back to his room because they thought he was just intoxicated. Appellant opined that he felt that security’s “priority was having [Mr. Dunn] sign that [waiver] and getting him back to the room off of the casino floor.” Appellant repeatedly requested security to call for a paramedic and/or ambulance.

Security did not listen to appellant’s requests, and/or appellant believed that security was not taking his requests seriously due to appellant still wearing his Teenage Mutant Ninja Turtle pajama onesie from the All-Delegate Social. Appellant was concerned with security’s disregard for the medical emergency that Mr. Dunn had experienced, as security did not witness Mr. Dunn collapse three times and fall unconscious.

The incident escalated. One of the pit bosses, later identified as Harrah’s Head of Security Michael Mangum, got into appellant’s face, resulting in a verbal disagreement

regarding security's response. Appellant tried to de-escalate the situation by stepping away from the area where Mr. Dunn was located.

Appellant proceeded to show security his Monmouth County-issued badge to identify himself as a trained first aid responder and to justify his pleas for a paramedic or ambulance to be called for Mr. Dunn. R-23.

Appellant did not threaten security, never put his hands on security, and did not display his badge with any ill intent. He denied ever telling security to "fuck off."

Mr. Mangum continually got in appellant's face and refused to call for a paramedic or ambulance; appellant did yell at him to get his name and badge number so that appellant could file a complaint.

It turned physical when security slammed appellant to the ground and handcuffed him. Appellant's shoulder was dislocated. He immediately informed security that his shoulder had dislocated. Despite this, security continued to pull his shoulder and arms back, which resulted in the need for surgery. Prior to bringing appellant to the ground and handcuffing him, security did not inform appellant that he was being detained or give him any direction. Once handcuffed, security brought him to the backroom and then ultimately to the hospital by ambulance to treat his shoulder injury.

Appellant was issued a summons for the incident. P-6. He was never found guilty of a violation of N.J.S.A. 2C:33-2. Upon advice of counsel, in exchange for a dismissal of a violation for N.J.S.A. 2C:33-2, appellant pled guilty to a violation of Atlantic City local ordinance 204-27, boisterous activity creating disturbance. P-18

Additional Findings

As the factfinder, I had the ability to observe the demeanor, tone, and physical actions of respondent's witnesses during their testimony concerning their understanding of the incident and the procedures they employed. They testified clearly and convincingly about their observations of appellant and his behavior. They also testified professionally

and without equivocation concerning the policies and procedures for assessing a situation and maintaining order throughout the casino. Their testimony also seemed to align with the video presented, although there was no audio. I find their testimony to be credible.

As the fact finder, I had the ability to observe the demeanor, tone, and physical actions of appellant during his testimony and throughout the proceeding. Appellant comported himself in a manner that suggested he was less credible. He did not offer documentary or other evidence to support an assertion that he was only looking out for his friend and was not being combative with Harrah's personnel. He also did not convincingly explain his actions, which were shown on video. Given the absence of evidence supporting appellant's assertions, I cannot afford his testimony equal weight to that of respondent's witnesses.

Having considered the testimony and documentary evidence and the credibility of the witnesses, I **FIND** the following as **FACT**:

1. Appellant, in his altercation with Harrah's Security, committed an act that failed to show good behavior, which reflected discredit upon the County of Monmouth in his role as an assistant county parks superintendent.
2. Appellant, when pulling out his badge, attempted to use his official position to secure a privilege or advantage for himself or even Mr. Dunn.

LEGAL ANALYSIS AND CONCLUSIONS

The Civil Service Act, N.J.S.A. 11A:1-1 to -12-6 (Act), and its implementing regulations, N.J.A.C. 4A:1-1.1 to -10-3.2, are designed in part "to encourage and reward meritorious performance by employees in the public service and to retain and separate employees on the basis of the adequacy of their performance." N.J.S.A. 11A:1-2(c). An employee may be subject to discipline for several reasons, including conduct unbecoming a public employee, N.J.A.C. 4A:2-2.3(a)(6), and other sufficient cause, N.J.A.C. 4A:2-2.3(a)(12). Major discipline for such infractions may include removal, disciplinary

demotion, or suspension for more than five working days at any time. N.J.A.C. 4A:2-2.2(a).

The Act protects classified employees from arbitrary dismissal and other onerous sanctions. See, In re Shavers-Johnson, 2014 N.J. AGEN LEXIS 439, Initial Decision (July 30, 2014), adopted, Comm'n., 2014 N.J. AGEN LEXIS 1049 (Sept. 3, 2014); Investigators Ass'n v. Hudson Cnty. Bd. of Freeholders, 130 N.J. Super. 30, 41 (App. Div. 1974); Scancarella v. Dep't of Civil Serv., 24 N.J. Super. 65, 70 (App. Div. 1952). To determine if a penalty is reasonable, the employee's record may be reviewed to determine the appropriate penalty for the current specific offense. "The evidence presented and the credibility of the witnesses will assist in resolving whether the charges and discipline imposed should be sustained; or whether there are mitigating circumstances, which . . . must be taken into consideration when determining whether there is just cause for the penalty imposed." Shavers-Johnson, 2014 N.J. AGEN LEXIS 439 at *44. Major discipline may include suspension or removal, depending upon the incident complained of and the employee's record. See, West New York v. Bock, 38 N.J. 500, 519 (1962) (describing progressive discipline).

The issue to be addressed here is whether a preponderance of the credible evidence establishes that appellant has committed the violations enumerated in the FNDA, and, if so, whether these violations warrant a removal or another penalty, if any.

Appellant is charged with violating N.J.A.C. 4A:2-2.3(a)(6): conduct unbecoming a public employee; and N.J.A.C. 4A:2-2.3(a)(12): Other sufficient cause, specifically, violation of Monmouth County Policy Section 5, Employee Conduct and Workplace Rules regarding the code of ethics and professional conduct policy.

Conduct Unbecoming a Public Employee

There is no precise definition for "conduct unbecoming a public employee," and the question of whether conduct is unbecoming is made on a case-by-case basis. In re King, CSV 02768-02, Initial Decision (Feb. 24, 2003), adopted, Merit Sys. Bd. (April 9, 2003), <https://njlaw.rutgers.edu/OAL/index.php>. "Conduct unbecoming a public

employee” is an elastic phrase that encompasses conduct that adversely affects the morale or efficiency of a governmental unit or tends to destroy public respect in the delivery of governmental services. Karins v. Atl. City, 152 N.J. 532, 554 (1998); see also, In re Emmons, 63 N.J. Super. 136, 140 (App. Div. 1960). It is sufficient that the complained-of conduct and its attending circumstances “be such as to offend publicly accepted standards of decency.” Karins, 152 N.J. at 555 (quoting In re Zeber, 156 A.2d 821, 825 (1959)). Such misconduct need not necessarily “be predicated upon the violation of any particular rule or regulation but may be based merely upon the violation of the implicit standard of good behavior which devolves upon one who stands in the public eye as an upholder of that which is morally and legally correct.” Hartmann v. Police Dep’t of Ridgewood, 258 N.J. Super. 32, 40 (App. Div. 1992) (quoting Asbury Park v. Dep’t of Civil Serv., 17 N.J. 419, 429 (1955)). Unbecoming conduct may include improper behavior under the circumstances; it may be less serious than a violation of the law, but it is inappropriate on the part of a public employee because it disrupts governmental operations.

Appellant attended the conference in Atlantic City as a representative of Monmouth. Ruding was paid his normal salary while attending, and although he bore the cost of his hotel room, his attendance at the conference was covered by the county. After attending a conference function, Mr. Ruding left with his superior and continued his night in the casino that was hosting the events of the week. Ruding, when confronted by Harrah’s security personnel, acted combatively and overserved. He pulled his badge out in order to be taken seriously, believing it would make Harrah’s personnel respect him and his requests. His demeanor and attitude toward security in public throughout the events that gave rise to his removal while representing Monmouth County as the assistant county parks superintendent constitute conduct unbecoming a public employee.

I **CONCLUDE** that respondent has met its burden of proving that appellant’s actions with Harrah’s security personnel on February 27, 2024, constitute conduct unbecoming a public employee, violating N.J.A.C. 4A:2-2.3(a)(6).

Other Sufficient Cause

There is no definition in the New Jersey Administrative Code for other sufficient cause; it is generally defined as all other offenses caused and derived from all other charges against the appellant. There have been cases when the charge of other sufficient cause has been dismissed when “[r]espondent has not given any substance to the allegation.” Simmons v. City of Newark, 2006 N.J. AGEN LEXIS 68, *113, Initial Decision (Feb. 22, 2006), adopted, Merit Sys. Bd. 2006 N.J. AGEN LEXIS 565 (April 5, 2006).

The County and Park System have established clear workplace rules “to maintain a professional work setting that defines the appropriate conduct and best practices necessary to conduct business and provide effective and efficient public services.” R-17. County policy requires employees to conduct themselves in a manner befitting their positions. Appellant’s actions in this matter go far beyond mere disruptive and unprofessional behavior, reflect discredit on himself and Monmouth County, and are appropriately within the scope of misconduct that County policy has established will result in disciplinary action, up to and including removal from employment.

I thus **CONCLUDE** that appellant violated county policy, specifically failure of good behavior, which reflects discredit upon the employee, the department or the County of Monmouth, and attempting to use his official position to secure unwarranted privileges and therefore violated N.J.A.C. 4A:2-2.3(a)(12), other sufficient cause.

PENALTY

When addressing the question of penalty in a de novo review of a disciplinary action against an employee, it is necessary to reevaluate the proofs and “penalty” on appeal based on the charges. N.J.S.A. 11A:2-19; Henry v. Rahway State Prison, 81 N.J. 571 (1980); Bock, 38 N.J. 500. Several factors must be considered in determining the appropriateness of a penalty, including the nature of the employee’s offense, the concept of progressive discipline, and the employee’s prior record. George v. N. Princeton Dev. Ctr., 96 N.J.A.R.2d (CSV) 463. According to Bock, progressive discipline concepts involving increasingly severe penalties are used where appropriate. See In re Parlow,

192 N.J. Super. 247 (App. Div. 1983). Major discipline may include suspension, removal, or demotion depending upon the incident complained of and the employee's record. Bock, 38 N.J. at 522–24.

Appellant has no disciplinary history.

Here, appellant is subject to major discipline for the violations of N.J.A.C. 4A:2-2.3(a)(6): Conduct unbecoming a public employee; and N.J.A.C. 4A:2-2.3(a)(12): Other sufficient cause. Major discipline for such infractions may include removal, disciplinary demotion, suspension, or fine for more than five working days at any time. N.J.A.C. 4A:2-2.2(a). Respondent removed the appellant due to these charges.

Based upon the totality of the evidence and with due consideration of the severity of the actions by the appellant as a representative of the Monmouth County Parks Department at a public industry work event, I **CONCLUDE** that the penalty of removal is reasonable and appropriate.

ORDER

I hereby **ORDER** that the appeal of appellant Matthew Ruding of charges of conduct unbecoming a public employee in violation of N.J.A.C. 4A:2-2.3(a)(6); and N.J.A.C. 4A:2-2.3(a)(12) other sufficient cause is **DENIED**, and the decision of respondent, the Monmouth County Department of Parks, to remove appellant from his employment for violating those charges is **AFFIRMED**.

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 the other parties.

July 17, 2026

DATE


MICHAEL R. STANZIONE, ALJ

Date Received at Agency:

July 17, 2026

Date Mailed to Parties:

July 17, 2026

APPENDIX

Witnesses

For appellant:

Jean Ruding

For respondent:

Lisa Traub

Scott Mueller

Beonica McClanahan

Exhibits

For appellant:

- P-1 Email: Andrew Spears → Michael Pattman & Rocco Santorsola, re: NJRPA Conference Info 2/27/2024
- P-2 Request to Attend Conference 12/15/2023
- P-3 Conference Schedule
- P-4 Statement of Francisco Masini 2/28/2024
- P-5 Statement of Kevin Dunn 2/28/2024
- P-6 Complaint Summons 3/6/2024
- P-7 Incident File Full Report, re: Criminal Activity
- P-8 Incident File Full Report, re: Trespass
- P-9 Monmouth County Investigation Report 3/13/2024
- P-10 OAL Notice of Filing Dunn v. Monmouth 8/2/2024
- P-11 Statement of Matthew Ruding 10/30/2024
- P-12 Sean O'Herro Witness Acknowledgement 10/30/24
- P-13 Supplemental Investigation Report 11/4/2024
- P-14 Thomas Fobes Discussion Summary
- P-15 PNDA 12/11/2024
- P-16 FNDA 1/22/2025

- P-18 Certification of Disposition 7/21/2025
- P-19 Ltr., re: Payment of Fine 6/24/2025
- P-20 Photos
- P-21 Video–IR-446-24 (Prior)
- P-22 Video–IR-446-24 Cell
- P-23 Video–IR-446-24 Departure
- P-24 Video–IR-446-24 Escort Two BOH
- P-26 Section 5: Employee Conduct & Workplace Rules – Progressive Discipline
- P-27 Section 5: Employee Conduct & Workplace Rules – Workplace Rules
- P-28 Section 5: Employee Conduct & Workplace Rules – Code of Ethics and Professional Conduct Policy
- P-29 Application for Park Ranger Employment 4/12/2008
- P-30 Resume
- P-31 Ltr. to Ruding, re: Employment Offer to Park Ranger 6/23/2008
- P-32 Employee Acknowledgement Form 7/21/2008
- P-33 New Employee Orientation Checklist 8/1/2008
- P-34 Oath of Office 12/16/2008
- P-35 New Hire Information Sheet
- P-36 Completed Courses/Trainings
- P-37 Trainings
- P-38 Substance Abuse Policy 7/21/2008
- P-39 Equipment Policy Acknowledgement Form 7/21/2008
- P-40 Park Ranger Progress Reports
- P-41 Park Manager Performance Reviews
- P-42 Park Manager Progress Reports
- P-43 Senior Park Manager Progress Reports
- P-44 Assistant Park Superintendent Progress Reports
- P-45 Employment Title History
- P-46 Full Time Action Request Form 5/28/2008
- P-47 Ltr. to Ruding, re: Permanent Position Park Ranger 7/25/2008
- P-48 Ltr., re: Permanent Status of Park Ranger 10/23/2008
- P-49 Ltr. to Ruding, re: Notification of Permanent Reassignment 9/17/2009

- P-50 Ltr. to Dave Compton, re: Approval for Ruding's Promotion 10/13/2010
- P-51 Employee Change of Status Form 11/10/2010
- P-52 CAMPS Promotion 11/23/2010
- P-53 Ltr., re: Staff and Organization Changes 12/6/2010
- P-54 Ltr. to Ruding, re: Assignment to Crosswicks Park Manager 12/10/2010
- P-55 Notice of Promotional Examination 10/3/2011
- P-56 Ltr. to Ruding, re: Permanent Position of Park Manager 6/21/2012
- P-57 Ltr., re: Permanent Status of Park Manager 9/25/2012
- P-58 Ltr. to James Truncer, re: Recommendation of Ruding Promotion to
Senior Park Manager 9/15/2014
- P-59 Employee Change of Status 9/29/2014
- P-60 Ltr. to Ruding, re: Appointment Subject to Testing Period 10/13/2014
- P-61 Ltr. to Ruding, re: Appointment to Senior Park Manager 10/22/2014
- P-62 Ltr., re: Permanent Status of Senior Park Manager 1/22/2015
- P-63 Employee Change of Status Form 7/20/2016
- P-64 Ltr., re: Appointment to Assistant Park Superintendent 8/16/2016
- P-65 Ltr., re: Permanent Status of Assistant Park Superintendent 11/9/2016
- P-66 Employee Change of Status Form 8/21/2019
- P-67 Passing Civil Service Commission Exam 9/11/2024
- P-68 Assistant Park Superintendent Job Description
- P-69 Employee Pay History 1/4/2013–5/1/2025
- P-70 Employee Benefit Deductions
- P-71 Employee Pension Deductions
- P-72 Leave Notification–Continuous 3/8/2024
- P-73 Request for Leave Extension 3/13/2024
- P-74 Approved Leave of Absence Notification 7/26/2024
- P-75 Approved Leave of Absence Extension Notification 8/7/2024
- P-76 Request for Leave 8/20/2024
- P-77 Email: Matthew Ruding → Jeanne Bezio, re: Extension Fax 8/20/2024
- P-78 Extension Notification 10/7/2024
- P-79 Email: Jeanne Bezio → Matthew Coleman, Anna Chamberlain, re:
Ruding Leave Extension 10/7/2024

- P-80 Request for Leave 10/15/2024
- P-81 Personal Leave Notification 10/28/2024
- P-82 Email: Jeanne Bezio → Denise Muse, Francisco Masini, Jean Mount, Anna Chamberlain, re: Ruding Attendance 10/29/2024
- P-83 Personal Leave of Absence Case Information 10/29/2024

For respondent:

- R-1 Preliminary Notice of Disciplinary Action—Proposed Removal—December 11, 2024
- R-2 Final Notice of Disciplinary Action—Removal—January 22, 2025
- R-3 Monmouth County Request to Attend Conferences, Seminars, Training Events—December 15, 2025
- R-4 NJRPA 49th Conference and Exhibition Schedule—February 25, 2024
- R-5 Harrah's Incident File #IN20240002458—February 27, 2024
- R-6 Statement of Harrah's employee Daniel Hutchinson – Harrah's File—February 27, 2024
- R-7 Statement of Harrah's employee Tracy Rozier – Harrah's File—February 27, 2024
- R-8 Statement of Harrah's employee Jason James – Harrah's File—February 27, 2024
- R-9 Statement of Frank Masini – Harrah's File—February 27, 2024
- R-10 Notice of Withdrawal of Permission to Enter/Remain on Premises, M. Ruding—February 27, 2024
- R-11 Memo from MCPS Superintendent Thomas Fobes—February 27, 2024
- R-12 OPS Interview Statement of Kevin P. Dunn—February 28, 2024
- R-13 OPS Interview Statement of Francisco T. Masini—February 28, 2024
- R-14 OPS Investigation Report #2024-21—March 13, 2024
- R-15 OPS Interview Statement of Matthew Ruding—October 30, 2024
- R-16 OPS Supplemental Investigation Report #2024-21—November 4, 2024
- R-17 Certification of Disposition, Complaint No. 0180 SPB 2024 014306—June 24, 2025
- R-18 Monmouth County Employee Guide Section 5—December 19, 2022

- R-19 Employee Acknowledgement Form—July 21, 2008
- R-20 Civil Service Job Description—Assistant County Park Superintendent
(00444)—N/A
- R-21 Matthew Ruding’s Response to County’s Request for Admissions—August
25, 2025
- R-22 Video Records from Harrah’s Casino—February 27, 2024
- R-23 Video
- R-24 Pay Records