



Philip D. Murphy
Governor

Tahesha L. Way
Lt. Governor

STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION
OFFICE OF THE CHAIR/CHIEF EXECUTIVE OFFICER
P.O. Box 317
Trenton, New Jersey 08625-0317

Allison Chris Myers
Chair/Chief Executive Officer

November 10, 2025

Via Email Only

Caleb Stratton
City of Hoboken
94 Washington Street
Hoboken, New Jersey 07030

Dear Mr. Stratton:

This is in reference to the provisional appointment, pending promotional examination procedures, of Anton Peskens as Fire Chief, effective February 1, 2023, and the Fire Chief (PM3220G), Hoboken, examination.

As background, as set forth in *In the Matter of Brian Crimmins* (CSC, decided November 6, 2024), Brian Crimmins, the Fire Chief of Hoboken's Department of Public Safety, was demoted to Fire Fighter, effective January 31, 2023, on charges. Upon his appeal, the matter was transmitted to the Office of Administrative Law and heard by an Administrative Law Judge (ALJ). The ALJ recommended reversing the demotion of Mr. Crimmins to Fire Fighter. Upon its *de novo* review, the Civil Service Commission (Commission) found that the appointing authority did not meet its burden of proof by a preponderance of credible evidence to sustain all the charges against Mr. Crimmins. Consequently, the Commission modified the penalty to a written reprimand and ordered Mr. Crimmins' reinstatement to Fire Chief, with differential back pay, benefits, and seniority. In *In the Matter of Brian Crimmins* (CSC, decided February 26, 2025), and in relevant part to the subject examination and provisional appointment indicated above, the Commission denied Hoboken's request for reconsideration and granted Mr. Crimmins' request for enforcement ordering Hoboken to comply with its order to immediately reinstate him to Fire Chief. Thereafter, both parties pursued an appeal before the Superior Court of New Jersey, Appellate Division, and germane to this matter, Hoboken filed its Notice of Appeal along with a Motion to Stay the Commission's February 26, 2025 order. However, the motion was denied on April 28, 2025.

N.J.A.C. 4A:4-1.6(b)3 provides that when an appointing authority makes an appointment to a specific position in State service or a specific title in local service, an interim appointment shall be made where the position/title is held by a permanent employee who has been removed or demoted for disciplinary reasons and is awaiting final administrative action by the Commission on appeal.

N.J.A.C. 4A:10-2.1(a) provides in relevant part that if a violation or noncompliance with Title 11A, New Jersey Statutes, or Title 4A, *N.J.A.C.*, is found, the Commission may take the listed enumerated measures or other appropriate action pursuant to law or rule.

N.J.A.C. 4A:10-3.1(a) provides that the Chairperson of the Commission or designee, or the Commission, may disapprove and order the payment stopped of the salaries of any person employed in violation of Title 11A, New Jersey Statutes, Title 4A, *N.J.A.C.*, or an order of the Chairperson or Commission, the individual with employment authority over such person, and the person who authorizes payment of a disapproved salary.

Therefore, based on the foregoing regulatory authority, as Chairperson of the Commission, I am directing that Mr. Peskens' personnel records in Hoboken and with the Commission be updated to reflect an interim appointment as Fire Chief, effective February 1, 2023 to February 26, 2025, the date the Commission denied the appointing authority's request for reconsideration of Mr. Crimmins' reinstatement to Fire Chief. Please note that, since the Commission reversed Mr. Crimmins' demotion, his record with the Commission already reflects his reinstatement as Fire Chief. The appointing authority should have reinstated Mr. Crimmins as Fire Chief within 30 days of the Commission's February 26, 2025 decision and was required to make a good faith effort to ensure his receipt of differential back pay, benefits, and seniority. Moreover, it is emphasized that the Appellate Division denied the appointing authority's Motion for Stay on April 28, 2025.

Accordingly, if the Commission is advised that Mr. Crimmins is not reinstated to his position as Fire Chief, I am left with no alternative but to initiate an order to stop payment of the salary of Mr. Peskens, as well as the individual with employment authority over Mr. Peskens, and the person who authorizes payment of the disapproved salary.

Furthermore, since Mr. Crimmins is lawfully entitled to his position as Fire Chief, there is no vacancy in that position or a need to make permanent Mr. Peskens as his provisional appointment was recorded in error and should have reflected an interim appointment to Fire Chief. Consequently, the oral assessment exercises for the Fire Chief (PM3220G), Hoboken, examination, that is tentatively scheduled for November 24, 2025, have been stayed pending Hoboken's appeal to the Appellate Division. The Division of Test Development, Analytics, and Administration shall advise the

candidates for the Fire Chief (PM3220G), Hoboken, examination that they should not appear at the testing center for the oral assessment exercises tentatively scheduled for November 24, 2025. By copy of this letter, the candidates are also so advised. Should the Appellate Division reverse the Commission's decision, Mr. Crimmins will be returned to Fire Fighter and the stay of the Fire Chief (PM3220G), Hoboken, examination shall be lifted, and the oral assessment exercises shall be conducted. However, under no circumstances shall Mr. Crimmins' reinstatement be delayed. The parties are reminded that *N.J.A.C. 4A:10-2.4* states that it is a crime of the fourth degree for any person to purposefully or knowingly violate or conspire to violate any provision of Title 11A, New Jersey Statutes, Title 4A, *N.J.A.C.*, or an order of the Chairperson or Commission.

In summary, by copy of this letter, the Commission's operating divisions shall update the County and Municipal Personnel System to reflect an interim appointment of Mr. Peskens as Fire Chief from February 1, 2023 to February 26, 2025; stay the Fire Chief (PM3220G), Hoboken, examination; and if necessary, initiate the salary disapproval of Mr. Peskens, the individual with employment authority over Mr. Peskens, and the person who authorizes payment of a disapproved salary. Please be guided accordingly.

Sincerely,



Allison Chris Myers
Chairperson
Civil Service Commission

c: The Honorable Joseph Danielsen
Fire Chief Brian Crimmins
Battalion Fire Chief Anton Peskens
Battalion Fire Chief Joseph Grossi, Jr.
Battalion Fire Chief Matthew Markey
Joseph Greer, Chief of Staff
Erin Gilgen, Deputy Attorney General
Vincent Funelas, Director, Governor's Office of Constituent Relations
William Eaton, President, New Jersey Career Fire Chiefs Association
Division of Agency Services
Division of Appeals and Regulatory Affairs
Division of Administrative and Employee Services
Division of Human Resource Information Services
Division of Test Development, Analytics, and Administration

