



**STATE OF NEW JERSEY**

In the Matter of Christopher Weston  
and John Tolerico, Sheriff's Officer  
Lieutenant, various jurisdictions

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

CSC Docket Nos. 2025-2757 and  
2025-2699

Examination Appeal

**ISSUED:** November 5, 2025

Christopher Weston (PC5114F), Bergen County; and John Tolerico (PC5121F), Passaic County; appeal the examination for Sheriff's Officer Lieutenant (various jurisdictions). These appeals have been consolidated due to common issues presented by the appellants.

The subject examination was administered on May 20, 2025 and consisted of 45 multiple-choice items and an essay portion.

An independent review of the issues presented under appeal has resulted in the following findings:

Question 11 refers to the Oliver County Sheriff's Department Personnel Practices provided to candidates in their test booklets. The question indicates that Officer Renata wants to take a vacation day on May 2nd and he submitted his request on May 1st. However, his supervisor, Sergeant Miller, denied the request. The question asks, based on the Oliver County Sheriff's Department Personnel Practices, for the true statement. The keyed response is option d, "More information is needed to determine whether or not there was a violation of the Oliver County Sheriff's Department Personnel Practices." Tolerico, who misidentified this item as question 17, maintains that option a, "The Oliver County Sheriff's Department Personnel Practices was adhered to," is equally correct. Tolerico contends that "the question at its core root simply asked can the supervisor deny the vacation day, which ultimately

the supervisor can, (if it incurs staffing issues). The question never stemmed into the reasoning why the officer[']s vacation day was denied. Therefore, you could have needed for [sic] information as to why the vacation day was denied. However, the supervisor has the authority to deny a vacation request. So both answers are correct.” It is noted that the Oliver County Sheriff’s Department Personnel Practices provides, in pertinent part:

### **B. Vacation Leave**

...

3. Employees must request vacation leave at least one day in advance for the request to be approved.
4. All vacation leave shall be taken at a time that is mutually agreeable to the employee and his or her supervisor. The employee’s supervisor reserves the right to deny requested vacation leave when such leave would interfere with normal business operations.

The underlying issue presented by the question is whether the request was appropriately denied. While a supervisor has the authority to deny a vacation request, the policy specifies the circumstances under which the denial can be made. In this regard, it is unclear from the question stem why Sergeant Miller denied the request, e.g., a misreading of the “one day in advance” requirement, the day was not “mutually agreeable” or it “would interfere with normal business operations” or for a reason that does not adhere to the policy. As such, additional information is needed to determine whether the denial was appropriately made. Accordingly, the question is correct as keyed.

Question 37 presents candidates with five statements and asks, according to *N.J.S.A. 2C:58-3c* (Purchase of firearms) for the correct statement(s). The keyed response, option c, does not include statement IV, A handgun purchase permit or firearms purchaser identification card shall NOT be issued to “any person under the age of 21 years for a firearms purchaser identification card and for a permit to purchase the handgun.”<sup>1</sup> Weston, who misremembered the question as asking, “who should **NOT** be issued a firearms purchaser identification card **AND** a handgun purchase permit,” argues that since statement IV does not distinguish between the ages of 18 and 21 and “the statute clearly indicates that a person under the age of 21 could not be issued a handgun purchase permit, the correct answer should include [statement IV].” As noted above, the question asks for the *correct* statement(s)

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<sup>1</sup> *N.J.S.A. 2C:58-3c* provides, in pertinent part, that “a handgun purchase permit or firearms purchaser identification card shall not be issued . . . to any person under the age of 18 years for a firearms purchaser identification card and to any person under the age of 21 years for a permit to purchase a handgun.”

pursuant to *N.J.S.A. 2C:58-3c*. Since statement IV is clearly incorrect pursuant to *N.J.S.A. 2C:58-3c*, the question is correct as keyed.

### CONCLUSION

A thorough review of appellants' submissions and the test materials reveals that the appellants' examination scores are amply supported by the record, and the appellants have failed to meet their burden of proof in this matter.

### ORDER

Therefore, it is ordered that these appeals 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 5<sup>TH</sup> DAY OF NOVEMBER, 2025



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