

School Ethics Commission Meeting Public Session Minutes

June 19, 2019

Chairperson Robert Bender called the meeting to order at 1:01 p.m.

Notice of the meeting was provided to the State House Press Corps and the Secretary of State and filed as required by the Open Public Meetings Act. In attendance were School Ethics Commission (Commission) members Michael Carucci (participated via telephone), Michael Collins (participated via telephone), Mark Finkelstein (participated via telephone), Dennis Roberts (participated via telephone), and Chairperson Bender. Commission members Dan Kaplan, Jude Tanella, and Richard Tomko were absent.

Also in attendance were Kathryn Whalen, Director, Offices of School Ethics and Compliance, staff member Jeannine Pizzigoni, and Deputy Attorney General (DAG) Joan Scatton.

1:07 p.m. Motion was made by Dennis Roberts, and seconded by Michael Collins, to adjourn to Executive Session to discuss confidential matters and to obtain legal advice regarding the following Complaints and matters involving possible litigation: C01-18; C75-18; C11-19; C12-19; C13-19; C14-19; C20-19; C21-19; C70-18; C71-18; C03-19; C06-19; C07-19; C08-19; C09-19; C16-19; T16-18; A11019; A14-19; A15-19; A16-19; A10-19; A12-19; A13-19; T15-18; T17-18; C04-19; C15-19; C17-19; C23-19; C26-19; adoption of Resolution Delegating Authority to Act; possible rescheduling of the October 22, 2019, meeting; C10-19; correspondence to/from the Jersey City School District.

Vote: 5 – Yes 0 – No

2:43 p.m. Open Session

Complaints to Review

C01-18 Motion was made by Mark Finkelstein, and seconded by Michael Carucci, to draft a decision as discussed.

Vote: 4 – Yes 0 – No 1 – Abstention (Dennis Roberts recused)

C75-18 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to draft a decision as discussed.

Vote: 5 – Yes 0 – No

C11-19 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to draft a decision as discussed.

Vote: 4 – Yes 1 – No

C12-19 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to draft a decision as discussed.

Vote: 4 – Yes 1 – No

C13-19 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to draft a decision as discussed.

Vote: 5 – Yes 0 – No

C14-19 Motion was made by Michael Carucci, and seconded by Mark Finkelstein, to draft a decision as discussed.

Vote: 5 – Yes 0 – No

C20-19 Motion was made by Michael Carucci, and seconded by Mark Finkelstein, to draft a decision as discussed.

Vote: 5 – Yes 0 – No

C21-19 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to draft a decision as discussed.

Vote: 5 – Yes 0 – No

Decisions to Adopt as Written

C70-18 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to adopt the decision as written.

Vote: 3 – Yes 0 – No 2 – Abstention (Michael Carucci and Michael Collins)

C71-18 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to adopt the decision as written.

Vote: 3 – Yes 0 – No 2 – Abstention (Michael Carucci and Michael Collins)

C03-19 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to adopt the decision as written.

Vote: 3 – Yes 0 – No 2 – Abstention (Michael Carucci and Michael Collins)

C06-19 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to adopt the decision as written.

Vote: 3 – Yes 0 – No 2 – Abstention (Michael Carucci and Michael Collins)

C07-19 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to adopt the decision as written.

Vote: 3 – Yes 0 – No 2 – Abstention (Michael Carucci and Michael Collins)

C08-19 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to adopt the decision as written.

Vote: 3 – Yes 0 – No 2 – Abstention (Michael Carucci and Michael Collins)

C09-19 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to adopt the decision as written.

Vote: 3 – Yes 0 – No 2 – Abstention (Michael Carucci and Michael Collins)

C16-19 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to adopt the decision as written.

Vote: 3 – Yes 0 – No 2 – Abstention (Michael Carucci and Michael Collins)

Orders to Show Cause

T16-19 Motion was made by Michael Carucci, and seconded by Michael Collins to adopt the decision as written.

Vote: 5 – Yes 0 – No

Advisory Opinions

A11-19 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to advise as discussed.

Vote: 3 – Yes 0 – No 2 – Abstention (Michael Carucci and Michael Collins)

A14-19 Motion was made by Michael Carucci, and seconded by Mark Finkelstein, to advise as discussed.

Vote: 5 – Yes 0 – No

A15-19 Motion was made by Michael Collins, and seconded by Michael Carucci, to advise as discussed.

Vote: 5 – Yes 0 – No

A16-19 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to advise as discussed.

Vote: 5 – Yes 0 – No

A10-19 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to adopt the advisory opinion as written.

Vote: 3 – Yes 0 – No 2 – Abstention (Michael Carucci and Michael Collins)

A12-19 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to adopt the advisory opinion as written.

Vote: 3 – Yes 0 – No 2 – Abstention (Michael Carucci and Michael Collins)

A13-19 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to adopt the advisory opinion as written.

Vote: 3 – Yes 0 – No 2 – Abstention (Michael Carucci and Michael Collins)

Administrative Dismissals

T15-18 This matter was on the agenda for informational purposes only.

T17-18 This matter was on the agenda for informational purposes only.

C04-19 This matter was on the agenda for informational purposes only.

C15-19 This matter was on the agenda for informational purposes only.

C17-19 This matter was on the agenda for informational purposes only.

C23-19 This matter was on the agenda for informational purposes only.

C26-19 This matter was on the agenda for informational purposes only.

Other Business

Adoption of Resolution Delegating Authority to Act Pursuant to N.J.A.C. 6A:28 Motion was made by Dennis Roberts, and seconded by Michael Collins, to adopt the Resolution Delegating Authority to Act.

Vote: 5 – Yes 0 – No

Discussion Regarding the October 22, 2019. Meeting This discussion was tabled to a future meeting.

C10-19 This matter was on the agenda for informational purposes only.

Discussion Regarding Correspondence to/from Jersey City School District This matter was on the agenda for informational purposes only.

Minutes

Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to adopt the minutes of the May 21, 2019, meeting, as written.

Vote: 3 – Yes 0 – No 2 – Abstention (Michael Carucci and Michael Collins)

2:52 p.m. Motion was made by Michael Collins, and seconded by Michael Carucci, to adjourn.

Vote: 5 – Yes 0 – No

Submitted by:

Jeannine Pizzigoni

Approved by:

Kathryn A. Whalen, Director