

School Ethics Commission Meeting Public Session Minutes

July 23, 2019

Chairperson Robert Bender called the meeting to order at 9:36 a.m.

Notice of the meeting was provided to the State House Press Corps and the Secretary of State. 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 Collins, Mark Finkelstein (via telephone), Dennis Roberts (via telephone), and Chairperson Bender. Commission members Michael Carucci, 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.

9:39 a.m. Motion was made by Michael Collins, and seconded by Dennis Roberts, to adjourn to Executive Session to discuss confidential matters and to obtain legal advice regarding the following Complaints and matters involving possible litigation: C21-16; C70-17; C10-19; C22-19; C28-19; C29-19; C31-19; C32-19; D01-19; D02-19; D03-19; D04-19; D05-19; D06-19; D07-19; D08-19; D09-19; C01-18; C75-18; C11-19; C12-19; C13-19; C14-19; C20-19; C21-19; A17-19; A18-19; A19-19; A20-19; A21-19; A11-19; A14-19; A15-19; A16-19; Doctrines of Necessity filed by the Wayne Township (x2), Saddle Brook, and Bayonne Boards of Education; continued discussion regarding proposed revisions to Chapter 28 regulations; and adoption of the minutes from the special meeting on June 19, 2019, and the regular meeting on June 25, 2019.

Vote: 4 – Yes 0 – No

Complaints to Review

C21-16 Motion was made by Dennis Roberts, and seconded by Michael Collins, to draft a decision as discussed.

Vote: 4 – Yes 0 – No

C70-17 Motion was made by Michael Collins, and seconded by Mark Finkelstein, to draft a decision as discussed.

Vote: 4 – Yes 0 – No

C10-19 Motion was made by Dennis Roberts, and seconded by Michael Collins, to draft a decision as discussed.

Vote: 4 – Yes 0 – No

C22-19 Motion was made by Mark Finkelstein, and seconded by Michael Collins, to draft a decision as discussed.

Vote: 4 – Yes 0 – No

C28-19 Motion was made by Mark Finkelstein, and seconded by Dennis Roberts, to draft a decision as discussed.

Vote: 4 – Yes 0 – No

C29-19 Motion was made by Michael Collins, and seconded by Dennis Roberts, to draft a decision as discussed.

Vote: 4 – Yes 0 – No

C31-19 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to draft a decision as discussed.

Vote: 4 – Yes 0 – No

C32-19 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to draft a decision as discussed.

Vote: 4 – Yes 0 – No

Orders to Show Cause

D01-19 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to adopt and mail the Order to Show Cause as written.

Vote: 4 – Yes 0 – No

D02-19 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to adopt and mail the Order to Show Cause as written.

Vote: 4 – Yes 0 – No

D03-19 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to adopt and mail the Order to Show Cause as written.

Vote: 4 – Yes 0 – No

D04-19 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to adopt and mail the Order to Show Cause as written.

Vote: 4 – Yes 0 – No

D05-19 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to adopt and mail the Order to Show Cause as written.

Vote: 4 – Yes 0 – No

D06-19 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to adopt and mail the Order to Show Cause as written.

Vote: 4 – Yes 0 – No

D07-19 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to adopt and mail the Order to Show Cause as written.

Vote: 4 – Yes 0 – No

D08-19 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to adopt and mail the Order to Show Cause as written.

Vote: 4 – Yes 0 – No

D09-19 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to adopt and mail the Order to Show Cause as written.

Vote: 4 – Yes 0 – No

Decisions to Adopt as Written

C01-18 Motion was made by Mark Finkelstein, and seconded by Michael Collins, to adopt the decision as written.

Vote: 3 – Yes 0 – No 1 – Abstention (Dennis Roberts)

C75-18 Motion was made by Dennis Roberts, and seconded by Michael Collins, to adopt the decision as written.

Vote: 4 – Yes 0 – No

C11-19 Motion was made by Dennis Roberts, and seconded by Michael Collins, to adopt the decision as written.

Vote: 4 – Yes 0 – No

C12-19 Motion was made by Dennis Roberts, and seconded by Michael Collins, to adopt the decision as written.

Vote: 4 – Yes 0 – No

C13-19 Motion was made by Dennis Roberts, and seconded by Michael Collins, to adopt the decision as written.

Vote: 4 – Yes 0 – No

C14-19 Motion was made by Dennis Roberts, and seconded by Michael Collins, to adopt the decision as written.

Vote: 4 – Yes 0 – No

C20-19 Motion was made by Dennis Roberts, and seconded by Michael Collins, to adopt the decision as written.

Vote: 4 – Yes 0 – No

C21-19 Motion was made by Dennis Roberts, and seconded by Michael Collins, to adopt the decision as written.

Vote: 4 – Yes 0 – No

Advisory Opinions

A17-19 Motion was made by Dennis Roberts, and seconded by Michael Collins, to advise as discussed.

Vote: 3 – Yes 0 – No 1 – Abstention (Mark Finkelstein)

A18-19 Motion was made by Dennis Roberts, and seconded by Michael Collins, to advise as discussed.

Vote: 4 – Yes 0 – No

A19-19 Motion was made by Dennis Roberts, and seconded by Michael Collins, to advise as discussed.

Vote: 4 – Yes 0 – No

A20-19 Motion was made by Dennis Roberts, and seconded by Michael Collins, to advise as discussed.

Vote: 4 – Yes 0 – No

A21-19 Motion was made by Dennis Roberts, and seconded by Michael Collins, to advise as discussed.

Vote: 4 – Yes 0 – No

A11-19 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to adopt the advisory opinion as written.

Vote: 4 – Yes 0 – No

A14-19 Motion was made by Mark Finkelstein, and seconded by Dennis Roberts, to adopt the advisory opinion as written.

Vote: 4 – Yes 0 – No

A15-19 Motion was made by Dennis Roberts, and seconded by Michael Collins, to adopt the advisory opinion as written.

Vote: 4 – Yes 0 – No

A16-19 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to adopt the advisory opinion as written.

Vote: 4 – Yes 0 – No

Other Business

Doctrines of Necessity Chairperson Bender acknowledged receipt of the Doctrines of Necessity submitted by the Wayne Township (x2), Saddle Brook, and Bayonne Boards of Education.

Discussion Regarding Proposed Revisions to Chapter 28 Regulations This matter was on the agenda for informational purposes only, and continued discussions will occur at future meetings.

Minutes

Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to adopt the minutes of the special meeting (public and executive session) conducted on June 19, 2019, as written.

Vote: 4 – Yes 0 – No

Motion was made by Mark Finkelstein, and seconded by Dennis Roberts, to adopt the minutes of the meeting (public and executive session) conducted on June 25, 2019, as revised.

Vote: 3 – Yes 0 – No 1 – Abstention (Michael Collins)

11:55 a.m. Motion was made by Dennis Roberts, and seconded by Michael Collins, to adjourn.

Vote: 4 – Yes 0 – No

Submitted by:

Jeannine Pizzigoni

Approved by:

Kathryn A. Whalen, Director