

School Ethics Commission Meeting Public Session Minutes

March 22, 2022

Chairperson Robert Bender called the regularly scheduled meeting of the School Ethics Commission (Commission or SEC) to order at 9:38 a.m.

Notice of the regularly scheduled meeting was provided to the State House Press Corps and the Secretary of State and filed as required by the Open Public Meetings Act.

I. Roll Call

Roll Call	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Jude A. Tanella	Richard Tomko	Total
Present	X	X	X	X	X		5
Absent						X	1

Also, in attendance were Kathryn Whalen, Esquire, Director, Office of Legal Affairs and School Ethics; Jeannine Pizzigoni, staff member; Jaclyn Frey, Deputy Attorney General (DAG). Everyone in attendance at the special meeting participated via telephone/video.

II. First Public Comment

At the start of the regularly scheduled meeting, Chairperson Bender explained to the public (who also accessed the regularly scheduled meeting by telephone/video) how the regularly scheduled meeting would be conducted. More specifically, Chairperson Bender explained that the public would be afforded the opportunity to provide public comment regarding his/her case; the Commission would then adjourn to executive session (on a different conference line); the Commission would return to public at approximately 12:00 p.m.; at that time, members of the public would be afforded another opportunity to provide public comment in connection with his/her case; and then the Commission would vote on matters pertinent to its business.

Director Whalen also advised the public as follows: individuals wishing to provide public comments/statements during First and Second Public Comment must be speaking about matters on the Commission's agenda; anyone wishing to provide public comments/statements about a matter not on the agenda should reserve their public comments/statements for New Business; anyone offering public comments/statements about a matter on the agenda is asked not to relitigate the merits of their case as the Commission's review of matters is limited to the written submissions; and everyone in attendance is asked to exercise an appropriate degree of decorum as this is a public forum.

9:40 a.m. Dr. Roderick Knox, Complainant in the matter docketed as C12-22, noted his attendance, and offered the following statement: "Hello Ethics Commission Board, good morning to everyone. I continue to speak concerning the issues and concerns in Pleasantville Public School District because sitting on the sidelines and watching things continue to happen is really not an option. Jerome Page has turned Pleasantville into a complete circus. He's allowing loose living in the schools. Kids are stabbed, maced, assaulted by adults in and out of the school.

Teachers are saying unethical things in front of students, they are recorded for all to hear. Tik Tok videos are going viral with all of the chaos that is going on in our learning environment or which is supposed to be our learning environment and at Board meetings. The kids are really not learning and getting an education because of these distractions. There are multiple agencies investigating the Board in Pleasantville and there are many unethical complaints that you are receiving, is why this school district is a complete circus. The Acting Superintendent, who is compromised and forced to do the bidding of these unethical Board members, because like staff members, she fears the repercussions, retaliation and attacks on her employment. She allows Board members to make decisions on hiring, firing and moving around, changing job descriptions, all which falls under the ... of day to day operations and is not the job of Board members. I am the Director of Operations and I have been suspended for over 40 days and I have not been given any reason to date as to why I am suspended. Jerome Page called for a vote to terminate me without notice to all Board members of this decision. The Acting Superintendent doesn't know why I'm suspended when asked, the Assistant Superintendent doesn't know when asked, the Business Administrator don't know why I'm suspended when asked, the Board attorney does not know why I'm suspended when asked, as well as half the Board members on the Board don't know why I'm suspended, and they were all asked. None have been able to give any answers. This is the unethical behavior that's happening in Pleasantville. There are Board members on the line (referring to the call-in for the meeting) that may be able to substantiate that. But the Acting Superintendent is in this position under fear, because if she does not do it the students suffer. So, I stood up against these bullies and I have been placed on suspension without cause or due process, because their behavior's unethical. I did what was right and filed ethics complaints with you, the Ethics Commission. The repercussion was to put me on suspension without cause. The Superintendent also stood up against these bullies and was placed on administrative leave since October of 2021, because she too filed ethics complaints against unethical Board members and stood up against illegal behavior and activity in the school district. This is why the Acting Superintendent and others will not stand up and allow unethical, illegal things to happen in the schools, because there's, and, and, to the staff and students, is because of these behaviors. Though, I understand the reason for fear, but it is not to give an excuse, to turn a blind eye. If you are in a position to stop these unethical Board members or prevent the Code of Ethics from being violated, or prevent the law from being broken, you can't sit on the sidelines and do nothing and claim you didn't know all hell was breaking loose before you. You cannot claim you don't know why you put someone on suspension and tell them that an investigation will reveal that I violated policy. You cannot claim this is not your field of expertise cause you are doing the bidding of these unethical Board members. If you are afraid to do what is right, don't take the job and the responsibility that goes with the job. Jerome Page has compromised everyone he touches, everything he touches. The staff, students, schools, were not in this kind of shape when the Superintendent or myself were not on administrative leave. He has sacrificed the kids, their safety and future for his own personal agenda and personal gain. I thank you for your time."

9:45 a.m. Regina Discenza, member of the public, noted her attendance, but did not offer any public comments/statements.

9:45 a.m. Caroline Chaudry, counsel on behalf of one of the Respondents in the matter docketed as C44-21, noted her attendance, but did not offer any public comments/statements.

9:45 a.m. Ardith Kardinas, member of the public, noted her attendance, but did not offer any public comments/statements.

9:45 a.m. Sharon DeVito, Complainant in the matters docketed as C62-21 and C64-21, noted her attendance, but did not offer any public comments/statements.

9:45 a.m. Sharon Schueler, one of the Complainants in the matter docketed as C44-21, noted her attendance, but did not offer any public comments/statements.

9:45 a.m. Alyssa Weinstein, counsel on behalf of Respondent in the matter docketed as C87-21, noted her attendance, but did not offer any public comments/statements.

9:45 a.m. Carrie Sirinides, member of the public, noted her attendance, but did not offer any public comments/statements.

9:45 a.m. Kim Anch, member of the public, noted her attendance, but did not offer any public comments/statements.

9:46 a.m. Dr. Natakie Chestnut-Lee, an interested party in the matter docketed as C12-22, noted her attendance, but did not offer any public comments/statements.

III. Executive Session

At **9:47 a.m.**, the following **Resolution** was read:

Whereas, the Open Public Meetings Act (*N.J.S.A. 10:4-6 et seq.*) authorizes the Commission, a public body, to meet in Executive Session under certain circumstances; and

Whereas, the Open Public Meetings Act requires that the Commission adopt a Resolution at a public meeting to go into Executive Session; and

Now therefore be it resolved that, consistent with the provisions of *N.J.A.C. 10:4-12(b)*, the Commission will adjourn to executive session to discuss matters which, by statute, are regarded as confidential and also to discuss matters possibly involving litigation, specifically: C39-15; C36-21; C55-21; C57-21; C59-21; C76-21; C85-21; C87-21; C90-21; C94-21; C07-22; C12-22; C35-20; C44-21; C46-21; C62-21; C64-21; C72-21; C75-21; C79-21; C83-21; C86-21; A04-22; C09-22; C11-22; C15-22; Doctrine of Necessity submitted on behalf of the Beach Haven Board of Education; update on the status of C92-21; updated on the status of C02-22; and update on the status of Chapter 28 regulations; and

Now therefore be it further resolved that the Commission will return to open session to conduct business at the conclusion of Executive Session.

Motion was made by Dennis Roberts, and seconded by Michael Carucci, to adjourn to Executive Session to discuss the matters set forth in the foregoing Resolution.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Jude A. Tanella	Richard Tomko	Total
Yes	X	X	X	X	X		5
No							0
Abstention							0

IV. Return to Public/Second Public Comment

At **12:05 p.m.**, a motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to return to public session for the purpose of receiving public comment/testimony, and to vote on matters discussed in Executive Session (as appropriate).

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Jude A. Tanella	Richard Tomko	Total
Yes	X	X	X	X	X		5
No							0
Abstention							0

12:05 p.m. Filomena Laforgia, Complainant in the matters docketed as C94-21 and C07-22, noted her attendance, but did not offer any public comments/statements.

12:06 p.m. Dr. Roderick Knox, Complainant in the matter docketed as C12-22, again noted his attendance, but did not offer any further comments/statements.

12:06 p.m. Regina Discenza, member of the public, again noted her attendance, but did not offer any public comments/statements.

12:06 p.m. Caroline Chaudry, counsel on behalf of one of the Respondents in the matter docketed as C44-21, again noted her attendance, but did not offer any public comments/statements.

12:06 p.m. Ardith Kardinas, member of the public, again noted her attendance, but did not offer any public comments/statements.

12:06 p.m. Sharon Schueler, one of the Complainants in the matter docketed as C44-21, again noted her attendance, but did not offer any public comments/statements.

12:07 p.m. Alyssa Weinstein, counsel on behalf of Respondent in the matter docketed as C87-21, again noted her attendance, but did not offer any public comments/statements.

12:07 p.m. Carrie Sirinides, member of the public, again noted her attendance, but did not offer any public comments/statements.

12:08 p.m. Julio Sanchez, an interested party in the matter docketed as C12-22, noted his attendance and stated: “I am gonna speak in general and just ask again. I’ve been on (referring to the public call-in) the last few months, and you guys are aware of all the things going on in the Pleasantville School District. I would just ask that you guys really, really intently look at the things that are happening within our school district and act as swiftly as you can because our District is, for lack of a better way to say it, currently on fire. We have irreparable harm being done to our district and our children’s learning process and we really, really need you guys to step in ASAP. I think a lot of you guys were probably around back in 2006. We had a corruption sting that originated in the Pleasantville School District and went up the entire State and what’s happening in our district looks eerily similar to when that was happening, as I was the Vice President of the Board when that happened and pretty much the same players are involved. So, I would hope the State is really, really taking a good long look at Pleasantville School District.”

12:09 p.m. Chairperson Bender notes “Just a follow up on that. I think people are listening that we certainly read all the documentation that is submitted. You understand too, that we have a process that we must follow, just like a lot of things that happen in government today and we see exactly what you’re writing, what you’re saying, and again it’s part of that process that we are moving on. So, it sometimes cannot happen as rapidly as we’d like it to, but I want you to know that we see, that we hear.”

V. Complaints to Review

C36-21 Motion was made by Jude A. Tanella, and seconded by Mark Finkelstein, to draft a decision as discussed.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Jude A. Tanella	Richard Tomko	Total
Yes	X	X	X	X	X		5
No							0
Abstention							0

C55-21 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to draft a decision as discussed.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Jude A. Tanella	Richard Tomko	Total
Yes	X	X	X	X	X		5
No							0
Abstention							0

C57-21 Motion was made by Dennis Roberts, and seconded by Michael Carucci, to draft a decision as discussed.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Jude A. Tanella	Richard Tomko	Total
Yes	X	X	X	X	X		5
No							0
Abstention							0

C59-21 Motion was made by Mark Finkelstein, and seconded by Jude A. Tanella, to draft a decision as discussed.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Jude A. Tanella	Richard Tomko	Total
Yes	X	X	X	X	X		5
No							0
Abstention							0

C76-21 Motion was made by Dennis Roberts, and seconded by Jude A. Tanella, to draft a decision as discussed.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Jude A. Tanella	Richard Tomko	Total
Yes	X	X	X	X	X		5
No							0
Abstention							0

C85-21 Motion was made by Mark Finkelstein, and seconded by Jude A. Tanella, to draft a decision as discussed.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Jude A. Tanella	Richard Tomko	Total
Yes	X	X	X	X	X		5
No							0
Abstention							0

C87-21 Motion was made by Dennis Roberts, and seconded by Michael Carucci, to draft a decision as discussed.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Jude A. Tanella	Richard Tomko	Total
Yes	X	X	X	X	X		5
No							0
Abstention							0

C90-21 Motion was made by Michael Carucci, and seconded by Mark Finkelstein, to draft a decision as discussed.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Jude A. Tanella	Richard Tomko	Total
Yes	X	X	X	X	X		5
No							0
Abstention							0

C94-21 Motion was made by Dennis Roberts, and seconded by Michael Carucci, to draft a decision as discussed.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Jude A. Tanella	Richard Tomko	Total
Yes	X	X	X	X	X		5
No							0
Abstention							0

C07-22 Motion was made by Dennis Roberts, and seconded by Jude A. Tanella, to draft a decision as discussed.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Jude A. Tanella	Richard Tomko	Total
Yes	X	X	X	X	X		5
No							0
Abstention							0

C12-22 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to draft a decision as discussed.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Jude A. Tanella	Richard Tomko	Total
Yes	X	X	X	X	X		5
No							0
Abstention							0

VI. Decisions to Adopt as Written

C39-15 Motion was made by Jude A. Tanella, and seconded by Mark Finkelstein, to adopt the decision as written.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Jude A. Tanella	Richard Tomko	Total
Yes	X	X	X	X	X		5
No							0
Abstention							0

C35-20 Motion was made by Jude A. Tanella, and seconded by Mark Finkelstein, to adopt the decision as written.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Jude A. Tanella	Richard Tomko	Total
Yes	X	X	X	X	X		5
No							0
Abstention							0

C44-21 Motion was made by Jude A. Tanella, and seconded by Mark Finkelstein, to adopt the decision as written.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Jude A. Tanella	Richard Tomko	Total
Yes	X	X	X	X	X		5
No							0
Abstention							0

C46-21 Motion was made by Jude A. Tanella, and seconded by Mark Finkelstein, to adopt the decision as written.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Jude A. Tanella	Richard Tomko	Total
Yes	X	X	X	X	X		5
No							0
Abstention							0

C62-21 Motion was made by Jude A. Tanella, and seconded by Mark Finkelstein, to adopt the decision as written.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Jude A. Tanella	Richard Tomko	Total
Yes	X	X	X	X	X		5
No							0
Abstention							0

C64-21 Motion was made by Jude A. Tanella, and seconded by Mark Finkelstein, to adopt the decision as written.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Jude A. Tanella	Richard Tomko	Total
Yes	X	X	X	X	X		5
No							0
Abstention							0

C72-21 Motion was made by Jude A. Tanella, and seconded by Mark Finkelstein, to adopt the decision as amended.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Jude A. Tanella	Richard Tomko	Total
Yes	X	X	X	X	X		5
No							0
Abstention							0

C75-21 Motion was made by Jude A. Tanella, and seconded by Mark Finkelstein, to adopt the decision as written.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Jude A. Tanella	Richard Tomko	Total
Yes	X	X	X	X	X		5
No							0
Abstention							0

C79-21 Motion was made by Jude A. Tanella, and seconded by Mark Finkelstein, to adopt the decision as written.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Jude A. Tanella	Richard Tomko	Total
Yes	X	X	X	X	X		5
No							0
Abstention							0

C83-21 Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to adopt the decision as amended.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Jude A. Tanella	Richard Tomko	Total
Yes	X	X	X	X			4
No							0
Abstention					X ¹		1

C86-21 Motion was made by Jude A. Tanella, and seconded by Mark Finkelstein, to adopt the decision as written.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Jude A. Tanella	Richard Tomko	Total
Yes	X	X	X	X	X		5
No							0
Abstention							0

¹ Commissioner Tanella did not participate in the executive session discussion and/or the vote of this matter due to a conflict of interest.

VII. Advisory Opinions

A04-22 Motion was made by Jude A. Tanella, and seconded by Dennis Roberts, to adopt the advisory opinion as written.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Jude A. Tanella	Richard Tomko	Total
Yes	X	X	X	X	X		5
No							0
Abstention							0

VIII. Administrative Dismissals

C09-22 This matter was on the agenda for informational purposes only.

C11-22 This matter was on the agenda for informational purposes only.

C15-22 This matter was on the agenda for informational purposes only.

IX. Other Business

Doctrine of Necessity (1) Beach Haven Board of Education This matter was on the agenda for informational purposes only.

Update on the status of C92-21 This matter was on the agenda for informational purposes only.

Update on the status of C02-22 This matter was on the agenda for informational purposes only.

Update on the status of Chapter 28 Regulations This matter was on the agenda for informational purposes only.

X. Minutes

Motion was made by Jude A. Tanella, and seconded by Dennis Roberts, to adopt the minutes of the special meeting (public and executive) conducted on February 25, 2022.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Jude A. Tanella	Richard Tomko	Total
Yes	X	X		X	X		4
No							0
Abstention			X ²				1

XI. Adjournment

At 12:18 p.m., a motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to adjourn.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Jude A. Tanella	Richard Tomko	Total
Yes	X	X	X	X	X		5
No							0
Abstention							0

Submitted by:

Jeannine Pizzigoni

Approved by:

Kathryn A. Whalen, Esq.
Director, School Ethics Commission

² Commissioner Finkelstein left the February 25, 2022, special meeting at 11:15 a.m. and, therefore, abstained from adopting the meeting minutes.