

# **School Ethics Commission Meeting Public Session Minutes**

**May 24, 2022**

Chairperson Robert Bender called the regularly scheduled meeting of the School Ethics Commission (Commission or SEC) to order at 9:43 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***

<b>Roll Call</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Present</b>	X	X	X	X	X	X	X	7
<b>Absent</b>								0

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

## ***II. First Public Comment***

At the start of the meeting, Chairperson Bender explained to the public (who also accessed the meeting by telephone/video) how the 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.

**9:50 a.m.** Dr. Roderick Knox, Complainant in the matters docketed as C05-22, C21-22, and C16-22, noted his attendance, and stated he did not have any comments and would like to stand on the record of all the ethics complaints that have been filed.

**9:50 a.m.** Dr. Natakia Chestnut-Lee, Complainant in the matters docketed as C06-22 and C58-21, noted her attendance, but did not offer any public comments/statements.

**9:50 a.m.** Alyssa Weinstein, counsel on behalf of Respondents in the matter docketed as C87-21, noted her attendance, but did not offer any public comments/statements.

**9:50 a.m.** Julio Sanchez, member of the Pleasantville Board of Education, and interested party in the matters docketed as C58-21, C05-22, C06-22 , C16-22 and C21-22, noted his attendance, and offered a statement summarized as follows:

“I don't wanna belabor the point I've said over the last several months, I just, just one new development I'd like you guys to know about Pleasantville, still in the very urgent, please and the board, some of the board members have gotten smarter. Instead of violating the ethics complaints that they have against them already, by continuing to act on the people who follow them against them. Now they're just not taking votes on anything. There's just a solicitor taking direction from the Board president and none of the steps even make it to the full board at this point.”

**9:52 a.m.** Laura Davey, one of the Complainants in the matter docketed as C89-21, noted her attendance, and offered a statement summarized as follows:

“OK. Yes. So yeah, this is Laura Davey and I would like to make a statement on behalf of both myself and the other complainant in regards to complaint number C89-21. We realize that we cannot make any statements in regards to the merit of our claim. We would, however, like to stress that we did not pursue this matter lightly and believe it would have been wrong on our part to disregard or dismiss the behavior. In my 15 years serving on the Board of Education, I have never once felt the need to pursue this type of action. We do not take this lightly, uh, and we appreciate your time and attention to the supporting documentation provided. Thank you.”

**9:54 a.m.** Tanisha Williams, parent from the Pleasantville Public School District, an interested party in the Pleasantville matters, noted her attendance, and stated that she was just listening and “hoping for change.”

**9:54 a.m.** Rick Norris, an interested member of the public, noted his attendance, but did not offer any public comment/statement.

**9:55 a.m.** Michelle Taylor, an interested member of the public, noted her attendance, but did not offer any public comment/statement.

**9:55 a.m.** Tracy Williams, an interested member of the public, noted her attendance, but did not offer any public comment/statement.

**9:55 a.m.** Kajal Patel, an interested member of the public, noted her attendance, but did not offer any public comment/statement.

**9:56 a.m.** Lynn Belletier, one of the Complainants in the matter docketed as C89-21, noted her attendance, but did not offer any public comment/statement.

**9:56 a.m.** Katherine Dunlap, an interested member of the public, noted her attendance, but did not offer any public comment/statement.

**9:56 a.m.** Tasha Hill, an interested member of the public, noted her attendance, but did not offer any public comment/statement.

**9:56 a.m.** Anthony Russo, counsel on behalf of Respondent in the matter docketed as C89-21, noted his attendance, but did not offer any public comment/statement.

**9:57 a.m.** Matt Turner, an interested party in the matter docketed as C95-21, noted his attendance and offered a statement summarized as follows:

“OK. Good morning everyone and the School Ethics Commission. I do have a few words to say real quick this morning at this present moment, I'm calling concerning C95-21, at this time. The kids really needed this. The kids are running amok. Students running amok, vice principals, principals. The Board President ... is involved in day-to-day operations as well as the Vice President of the Board. These things need to stop. So, I implore you today make a decision about what we're going to do so we can move on. It really needs to happen, and happen quick. The Superintendent needs to come back because at this stage in the game, I'm not sure whether or not we're going to be able to get her back. But with all that being said, I just, you know, begging you to make a decision today to get things moved on. Thank you for your time.”

**9:59 a.m.** Tyrone Tarver, Complainant in the matter docketed as C98-21, noted his attendance and offered a statement summarized as follows:

“OK. Hi. Yeah, I just, I, I, I won't argue the merits of, of the current complaint, but I did just maybe wanna make a couple of statements about the previous complaint that that was decided last year which was C08-21. Umm in that decision. Excuse me. What led me to file that complaint was strictly out of concern for the district and concern for the well-being and education of the children. Umm, when the decision for that complaint was, was, was transmitted or emailed to me, I, some of the wording in, in the Commission's writing said that the timing of, the following of, my complaint might have been somewhat strategic. And I just wanted the Commission to know that, you know, there, there was nothing strategic or anything. Uh. Still, there was nothing strategic or, or anything outside of concern for the district that led to my first filing. And, and, also this filing. Umm. That that's really it. I, I, I think, I, I'm sure I, I'm sure I made reference to a lot of what contributed to the to the filing of the first complaint. The, the, the, the, responsive records not being given to me by the Superintendent and the Business Administrator, and the only reason that the, the only reason that I received the, the previous responsive records was because the Business Administrator passed away, and once the District Attorney took over those duties for maybe, three or four weeks, she's the one that forwarded me those responsive records and that contributed to my filing of the previous complaint at that late date. I wasn't given the emails or any responsive records as Board President or even as a citizen. It didn't happen until the, the business administrator passed away and when I asked for it newer responsive records, the district hired an Interim Business Administrator in fall of 2021, after I received the first responsive records from the attorney. I haven't received anything from then until now, even when I filed for sub, subsequent OPRA requests, that's still ongoing denial of records. It's something I that I will address with the State. Umm, um, among other things. But, again, like I said, this is strictly out of concern for the district and the children and even the a, the well-being of the teachers. My children have been in the district for 13 years, from preschool all the way through 12th grade. My wife was a long time educator in the district. I have great relationships with, through, my wife through many of the personnel at all of the schools. A lot of the things that are happening, I'm extremely

unhappy with very, very unhappy with and like I said this this was filed strictly out of concern and, and you know no ulterior motives or, or anything.”

Oh I, I don't wanna get into what the, the Respondent ... I know you said that would be improper, but again they did these two complaints of files strictly out of concern and, and nothing else. So, I, I just wanted to mention of that now. Thank you. Thank you all for listening.

### **III. Executive Session**

At **10:03 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: C19-20; C72-21; C89-21; C95-21; C98-21; C03-22; C05-22; C06-22; C10-22; C14-22; C17-22; C18-22; C21-22; C24-22; C33-22; C66-18; C29-21; C47-21; C58-21; C66-21; C70-21; C75-21; C82-21; C91-21; C96-21; C16-22; T06-21 through T33-21; A09-22; A10-22; Doctrines of Necessity submitted by the Middlesex (x2), Beach Haven, and Norwood (x2) Boards of Education; adoption of Resolution of Censure in connection with C67-20; Commission to consider whether to permit Complainants to amend their Complaint in connection with C20-22; nominating committee to present name of nominee for Chairperson for the term of July 1, 2022, through June 30, 2023, and vote on nominee; vote to adopt Resolution setting forth 2023 Commission meeting dates/times; follow-up on the status of C13-22; 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 Richard Tomko, to adjourn to Executive Session to discuss the matters set forth in the foregoing Resolution.

#### **Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

#### ***IV. Return to Public***

At **12:33 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**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

#### ***V. Complaints to Review***

**C19-20** Motion was made by Mark Finkelstein, and seconded by Dennis Roberts, to draft a decision as discussed.

##### **Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X		6
<b>No</b>								0
<b>Abstention</b>							X <sup>1</sup>	1

**C72-21** Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to draft a decision as discussed.

##### **Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

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<sup>1</sup> Commissioner Tomko did not participate in the executive session discussion and/or the vote related to this matter due to a conflict of interest.

**C89-21** Motion was made by Carol E. Sabo, and seconded by Dennis Roberts, to draft a decision as discussed.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

**C95-21** Motion was made by Dennis Roberts, and seconded by Jude A. Tanella, to draft a decision as discussed.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

**C98-21** Motion was made by Richard Tomko, and seconded by Mark Finkelstein, to draft a decision as discussed.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

**C03-22** Motion was made by Dennis Roberts, and seconded by Jude A. Tanella, to draft a decision as discussed.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

**C05-22** Motion was made by Mark Finkelstein, and seconded by Richard Tomko, to draft a decision as discussed.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

**C06-22** Motion was made by Jude A. Tanella, and seconded by Dennis Roberts, to draft a letter decision as discussed.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

**C10-22** Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to draft a decision as discussed.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

**C14-22** Motion was made by Dennis Roberts, and seconded by Jude A. Tanella, to draft a letter decision as discussed.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

**C17-22** Motion was made by Dennis Roberts, and seconded by Mark Finkelstein, to draft a decision as discussed.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X		X	X	X	X		5
<b>No</b>								0
<b>Abstention</b>		X <sup>2</sup>					X <sup>3</sup>	2

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<sup>2</sup> Commissioner Carucci did not participate in the executive session discussion and/or the vote related to this matter due to a conflict of interest.

<sup>3</sup> Commissioner Tomko did not participate in the executive session discussion and/or the vote related to this matter due to a conflict of interest.



**C18-22** Motion was made by Jude A. Tanella, and seconded by Richard Tomko, to draft a decision as discussed.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

**C21-22** Motion was made by Dennis Roberts, and seconded by Jude A. Tanella, to draft a decision as discussed.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

**C24-22** Motion was made by Jude A. Tanella, and seconded by Mark Finkelstein, to place this matter in abeyance until a related matter pending at the OAL is fully and finally resolved.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

**C33-22** Motion was made by Dennis Roberts, and seconded by Richard Tomko, to draft a decision as discussed.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X		X	6
<b>No</b>								0
<b>Abstention</b>						X <sup>4</sup>		1

**VI. Decisions to Adopt as Written<sup>56</sup>**

**C66-18** Motion was made by Dennis Roberts, and seconded by Richard Tomko, to adopt the decision as written.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X			X	5
<b>No</b>								0
<b>Abstention</b>					X	X		2

**C29-21** Motion was made by Dennis Roberts, and seconded by Richard Tomko, to adopt the decision as written.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X			X	5
<b>No</b>								0
<b>Abstention</b>					X	X		2

<sup>4</sup> Commissioner Tanella did not participate in the executive session discussion and/or the vote related to this matter due to a conflict of interest.

<sup>5</sup> Commissioner Tanella did not vote to adopt any of the decisions on the Commission's agenda because he was not present at the meeting on April 26, 2022.

<sup>6</sup> Commissioner Sabo did not vote to adopt any of the decisions on the Commission's agenda because she was not present at the meeting on April 26, 2022.

**C47-21** Motion was made by Dennis Roberts, and seconded by Richard Tomko, to adopt the decision as written.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X			X	5
<b>No</b>								0
<b>Abstention</b>					X	X		2

**C58-21** Motion was made by Dennis Roberts, and seconded by Richard Tomko, to adopt the decision as written.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X			X	5
<b>No</b>								0
<b>Abstention</b>					X	X		2

**C66-21** Motion was made by Dennis Roberts, and seconded by Richard Tomko, to adopt the decision as written.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X			X	5
<b>No</b>								0
<b>Abstention</b>					X	X		2

**C70-21** Motion was made by Dennis Roberts, and seconded by Richard Tomko, to adopt the decision as written.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X			X	5
<b>No</b>								0
<b>Abstention</b>					X	X		2

**C75-21** Motion was made by Dennis Roberts, and seconded by Richard Tomko, to adopt the decision as written.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X			X	5
<b>No</b>								0
<b>Abstention</b>					X	X		2

**C82-21** Motion was made by Dennis Roberts, and seconded by Richard Tomko, to adopt the decision as written.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X			X	5
<b>No</b>								0
<b>Abstention</b>					X	X		2

**C91-21** Motion was made by Dennis Roberts, and seconded by Richard Tomko, to adopt the decision as written.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X			X	5
<b>No</b>								0
<b>Abstention</b>					X	X		2

**C96-21** Motion was made by Dennis Roberts, and seconded by Richard Tomko, to adopt the decision as written.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X			X	5
<b>No</b>								0
<b>Abstention</b>					X	X		2

**C16-22** Motion was made by Dennis Roberts, and seconded by Richard Tomko, to adopt the decision as written.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X			X	5
<b>No</b>								0
<b>Abstention</b>					X	X		2

***Orders to Show Cause***

***Training – Board of Education Members***

**T06-21** Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to adopt the decision as discussed.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

**T07-21** Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to adopt the decision as discussed.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

**T08-21** Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to administratively dismiss the matter.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

**T09-21** Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to administratively dismiss that matter.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

**T10-21** Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to administratively dismiss the matter.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

**T11-21** Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to adopt the decision as discussed.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

**T12-21** Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to adopt the decision as discussed.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

**T13-21** Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to adopt the decision as discussed.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

**T14-21** Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to adopt the decision as discussed.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0



**T15-21** Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to administratively dismiss the matter.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

**T16-21** Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to adopt the decision as discussed.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

**T17-21** Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to administratively dismiss the matter.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

**T20-21** Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to adopt the decision as discussed.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

**T21-21** Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to adopt the decision as discussed.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

**T22-21** Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to adopt the decision as discussed.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

**T23-21** Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to adopt the decision as discussed.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

**T24-21** Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to adopt the decision as discussed.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

**T25-21** Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to adopt the decision as discussed.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

**T26-21** Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to adopt the decision as discussed.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

**T27-21** Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to adopt the decision as discussed.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

**T28-21** Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to adopt the decision as discussed.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

**T29-21** Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to adopt the decision as discussed.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

**T30-21** Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to administratively dismiss the matter.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

**T31-21** Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to administratively dismiss the matter.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

**T32-21** Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to adopt the decision as discussed.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

**T33-21** Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to adopt the decision as discussed.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

***VII. Advisory Opinions***

**A09-22** Motion was made by Dennis Roberts, and seconded by Richard Tomko, to adopt the advisory opinion as written.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

**A10-22** Motion was made by Dennis Roberts, and seconded by Richard Tomko, to table the adoption of the advisory opinion so the Commission could further review and analyze the request.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

***VIII. Administrative Dismissals***

**T18-21** This matter was on the agenda for informational purposes only.

**T19-21** This matter was on the agenda for informational purposes only.

***IX. Other Business***

**Doctrines of Necessity submitted by the Middlesex (x2), Beach Haven, and Norwood (x2) Boards of Education.** This matter was on the agenda for informational purposes only.

**Adoption of Resolution of Censure in connection with C67-20** Motion was made by Richard Tomko, and seconded by Jude A. Tanella, to adopt the Resolution as written.

**Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X		X	X	6
<b>No</b>								0
<b>Abstention</b>					X			1

**Commission to consider whether to permit Complainants to amend their Complaint in connection with C20-22.** Motion was made by Mark Finkelstein, and seconded by Dennis Roberts, to grant Complainants' request and to draft correspondence to the parties advising of the Commission's determination.

**Vote**

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Jude A. Tanella	Richard Tomko	Total
Yes	X	X	X	X		X	X	6
No								0
Abstention					X			1

**Nominating committee to present name of nominee for Chairperson for the term of July 1, 2022 through June 30, 2023.** Motion was made by Dennis Roberts, and seconded by Jude A. Tanella, to nominate Robert Bender to serve as Chairperson for another term.

**Vote**

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Jude A. Tanella	Richard Tomko	Total
Yes	X	X	X	X	X	X	X	7
No								0
Abstention								0

**Vote to adopt Resolution setting forth 2023 SEC meeting dates/times.** Motion was made by Mark Finkelstein, and seconded by Dennis Roberts, to adopt the 2023 meeting dates/times.

**Vote**

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Jude A. Tanella	Richard Tomko	Total
Yes	X	X	X	X	X	X	X	7
No								0
Abstention								0

**Follow-up on the status of C13-22.**

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 Richard Tomko, and seconded by Mark Finkelstein, to adopt the minutes of the regularly scheduled meeting (public and executive) conducted on April 26, 2022.

#### **Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X			X	5
<b>No</b>								0
<b>Abstention</b>					X <sup>7</sup>	X <sup>8</sup>		2

### ***XI. Second Public Comment***

**12:49 p.m.** Mary Renaud, one of the Complainants in the matters docketed as C24-22 and C16-22, noted her attendance, and stated that the audio “cut out” and she was unable to hear the Commission’s decision related to her Complaint. Director Whalen informed Ms. Renaud that at the conclusion of the meeting, she would “be happy to stay on the line with parties” to explain the “next steps in the process.”

**12:50 p.m.** Commissioner Roberts congratulates Chairperson Bender and welcomes the new Commission member, Carol E. Sabo.

**12:51 p.m.** Director Whalen reiterates Commissioner Roberts’ sentiments and notes that the Commission is a group of “very hard-working individuals who devote a lot of time to the matters before us. So, we thank all of you and welcome Ms. Sabo.”

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<sup>7</sup> Commissioner Tanella did not vote to adopt the minutes because he was not present at the meeting on April 26, 2022.

<sup>8</sup> Commissioner Sabo did not vote to adopt the minutes because she was not present at the meeting on April 26, 2022.

## ***XII. Adjournment***

At 12:51 p.m., a motion was made by Dennis Roberts, and seconded by Carol E. Sabo, to adjourn.

### **Vote**

<b>Vote</b>	<b>Robert Bender</b>	<b>Michael Carucci</b>	<b>Mark Finkelstein</b>	<b>Dennis Roberts</b>	<b>Carol E. Sabo</b>	<b>Jude A. Tanella</b>	<b>Richard Tomko</b>	<b>Total</b>
<b>Yes</b>	X	X	X	X	X	X	X	7
<b>No</b>								0
<b>Abstention</b>								0

Submitted by:

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Jeannine Pizzigoni

Approved by:

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