

SCHOOL ETHICS COMMISSION MEETING PUBLIC SESSION MINUTES

DECEMBER 16, 2014

Robert Bender called the meeting to order at 9:37 a.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 Commission members Frank Digesere, Dan Kaplan, Louis Modugno, Ellen Polaner, Dennis Roberts and Chairperson Robert Bender. Commission member Mark Finkelstein participated via telephone.

Acting Executive Director Joanne Restivo, Legal Assistant Jill Kail, Legal Specialist Jesse Landon, Administrative Assistant Karin Molnar, Department of Education Ethics Liaison Kathleen Whalen, State Ethics Commission Ethics Trainer Margaret Cotoia and Deputy Attorney General Chris Huber were also in attendance.

Margaret Cotoia and Kathleen Whalen were introduced. Ms. Cotoia recited her credentials and provided training on State ethics rules for those Commissioners in attendance. Upon completion of her training module, Robert Bender and the Commission thanked her and both she and Ms. Whalen departed.

10:57 a.m. Motion was made by Dennis Roberts and seconded by Ellen Polaner to adjourn to Executive Session to discuss confidential matters and to obtain legal advice regarding the following complaints, advisory requests, and matters involving possible litigation: C08-14, C37-14, C38-14, C39-14, C40-14, C41-14, C42-14, C43-14, C45-14, C49-14, C35-13, A45-14, A46-14, A47-14, A48-14, A49-14, the 2015 SEC Meeting Calendar, the selection of advisory opinions for publication, C35-13, the review of suggested rule revisions for N.J.A.C. 6A:28-1 et seq. and pending legislation. Vote: 7 – Yes 0 - No

11:12 a.m. Mark Finkelstein departed.

12:03 p.m. Return to Public Session.

Minutes Motion was made by Louis Modugno and seconded by Frank Digesere to approve the Minutes of the November 25, 2014 Commission meeting. Vote: 6 – Yes 0 – No

Complaints

C08-14 This matter was on the agenda for informational purposes only.

C37-14 Motion was made by Dennis Roberts and seconded by Ellen Polaner to adopt the decision as written. Vote: 6 – Yes 0 - No

C38-14 Motion was made by Dennis Roberts and seconded by Ellen Polaner to adopt the decision as written. Vote: 6 – Yes 0 - No

C39-14 Motion was made by Dennis Roberts and seconded by Ellen Polaner to adopt the decision as written. Vote: 6 – Yes 0 - No

C40-14 Motion was made by Dennis Roberts and seconded by Ellen Polaner to adopt the decision as written. Vote: 6 – Yes 0 - No

C41-14 Motion was made by Dan Kaplan and seconded by Louis Modugno to adopt the decision as written. Vote: 6 – Yes 0 - No

C42-14 Motion was made by Dan Kaplan and seconded by Louis Modugno to adopt the decision as written. Vote: 6 – Yes 0 - No

C43-14 Motion was made by Dan Kaplan and seconded by Louis Modugno to adopt the decision as written. Vote: 6 – Yes 0 - No

C45-14 Motion was made by Dan Kaplan and seconded by Louis Modugno to adopt the decision as written. Vote: 6 – Yes 0 - No

C49-14 Motion was made by Frank Digesere and seconded by Ellen Polaner to adopt the decision as written. Vote: 6 – Yes 0 - No

C35-13 Motion was made by Dan Kaplan and seconded by Ellen Polaner to adopt the decision as written. Vote: 6 – Yes 0 - No

Advisory Opinions

A45-14 Motion was made by Dennis Roberts and seconded by Ellen Polaner to adopt the opinion as written. Vote: 6 – Yes 0 – No

A45-14 A second motion was made by Dennis Roberts and seconded by Ellen Polaner to make this opinion public. Vote: 6 – Yes 0 – No

A46-14 Motion was made by Dennis Roberts and seconded by Dan Kaplan to adopt the opinion as written. Vote: 6 – Yes 0 – No

A47-14 Motion was made by Dennis Roberts and seconded by Dan Kaplan to adopt the opinion as written. Vote: 6 – Yes 0 – No

A48-14 Motion was made by Frank Digesere and seconded by Louis Modugno to adopt the opinion as written. Vote: 6 – Yes 0 – No

A49-14 Motion was made by Frank Digesere and seconded by Louis Modugno to adopt the opinion as written. Vote: 6 – Yes 0 – No

Other Business

SEC Meeting Dates Calendar Motion was made by Dennis Roberts and seconded by Ellen Polaner to approve the revised calendar. Vote: 6 – Yes 0 - No

Prior Advisories Motion was made by Ellen Polaner and seconded by Dennis Roberts to make public the following advisory opinions with redactions and edits: A29-12, A02-13, A03-13, A04-13, A06-13, A07-13, A08-13, A10-13, A11-13, A13-13, A15-13, A19-13, A22-13, A29-13, A06-14, A07-14, A08-14, A09-14, A10-14, A11-14, A12-13, A13-14, A16-14, A20-14, A23-14, A25-14, A27-14, A29-14, A30-14, A31-14, A32-14, A33-14, A34-14, A35-14, A36-14, A38-14. Vote: 6 – Yes 0 - No

12:55 p.m. Motion was made by Dan Kaplan and seconded by Louis Modugno to go into Executive Session. Vote: 6 – Yes 0 – No

2:57 p.m. Return to Public Session

2:58 p.m. Motion was made by Dennis Roberts and seconded by Mark Finkelstein to adjourn. Vote: 6 – Yes 0 - No

Submitted by:

Karin L. Molnar

Approved by:

Joanne M. Restivo, Acting Executive Director