

## School Ethics Commission Meeting Public Session Minutes

**December 22, 2020**

Chairperson Robert Bender called the meeting of the School Ethics Commission (Commission) to order at 9:34 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.

### ***I. Roll Call***

| <b>Roll Call</b> | <b>Robert Bender</b> | <b>Michael Carucci</b> | <b>Michael Collins</b> | <b>Mark Finkelstein</b> | <b>Dennis Roberts</b> | <b>Jude A. Tanella</b> | <b>Richard Tomko</b> | <b>Total</b> |
|------------------|----------------------|------------------------|------------------------|-------------------------|-----------------------|------------------------|----------------------|--------------|
| <b>Present</b>   | X                    |                        | X                      | X                       | X                     | X                      | X                    | 6            |
| <b>Absent</b>    |                      | X                      |                        |                         |                       |                        |                      | 1            |

Also in attendance were Kathryn Whalen, Director, Offices of School Ethics and Compliance, staff member Jeannine Pizzigoni, and Deputy Attorney General (DAsG) Jaclyn Frey. Everyone in attendance at the meeting participated via telephone/video due to the ongoing COVID-19 pandemic.

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

At the start of the meeting, Director Whalen explained to the public (who also accessed the meeting by telephone due to the ongoing COVID-19 pandemic) how the meeting would be conducted. More specifically, it was 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.

**9:36 a.m.** Madelaine Hicks, counsel for Respondent in the matter docketed as C62-20, noted her attendance, but did not offer any public statement/comment.

**9:37 a.m.** Daniel Ackman, the named Respondent in the matter docketed as C49-20, noted his attendance, but did not offer any public statement/comment.

**9:38 a.m.** Peter Went, a supporter of Complainant in the matter docketed as C49-20, noted his attendance, but did not offer any public statement/comment.

**9:39 a.m.** Sonya Still, the named Complainant in the matter docketed as C49-20, noted her attendance, indicated she was available to answer questions, but did not offer any public statement/comment.

**9:40 a.m.** Robin Grodner, a friend of Complainant in the matter docketed as C49-20 and a trustee for The Ethical Community Charter School, noted her attendance, but did not offer any public statement/comment.

**9:41 a.m.** Julio “Angel” Quiles, the named Complainant in the matter docketed as C26-20, noted his attendance, and thanked the Commission for listening and considering his Complaint. Mr. Quiles asked the Commission to “escalate” his Complaint, and noted that Respondents were acting in their official capacity on the video, and their comments were inappropriate. Mr. Quiles also indicated that he was available to answer questions from the Commission.

**9:42 a.m.** David Scott, a friend of the Complainant in the matter docketed as C26-20, noted his attendance, but did not offer any other public statement/comment.

**9:43 a.m.** Pradeep Melam noted his attendance, but did not offer any other public statement/comment.

### ***III. Executive Session***

At **9:44 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: C45-18; C45-19; C35-20; C49-20; C55-20; C56-20; C60-20; C62-20; C64-20; T01-20; T02-20; T03-20; T04-20; T05-20; T06-20; C26-20; C28-20; C34-20; C41-20; C44-20; C48-20; C53-20; A21-20; C50-20; C54-20; C57-20; C58-20; and C61-20; 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 Collins, 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>Michael Collins</b> | <b>Mark Finkelstein</b> | <b>Dennis Roberts</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> |                      |                        |                        |                         |                       |                        |                      | 0            |

**IV. Return to Public/Second Public Comment**

At **12:24 p.m.**, a motion was made by Dennis Roberts, and seconded by Jude A. Tanella, to return to public session for the purpose of receiving public comment/testimony.

**Vote**

| <b>Vote</b>       | <b>Robert Bender</b> | <b>Michael Carucci</b> | <b>Michael Collins</b> | <b>Mark Finkelstein</b> | <b>Dennis Roberts</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> |                      |                        |                        |                         |                       |                        |                      | 0            |

**12:25 p.m.** Peter Went, a supporter of Complainant in the matter docketed as C49-20, again noted his attendance, but did not offer any further public statement/comment.

**12:26 p.m.** Julio “Angel” Quiles, named Complainant in the matter docketed as C26-20, again noted his attendance, but did not offer any further public statement/comment.

**12:27 p.m.** Sonya Still, the named Complainant in the matter docketed as C49-20, again noted her attendance, but did not offer any further public statement/comment.

**12:28 p.m.** David Scott, a friend of Complainant in the matter docketed as C26-20, again noted his attendance, but did not offer any further public statement/comment.

**12:29 p.m.** Madelaine Hicks, counsel for Respondent in the matter docketed as C62-20, again noted her attendance, but did not offer any further public statement/comment.

**12:30 p.m.** Commissioner Michael Collins, announced his resignation from the Commission. Commissioner Collins stated it was a pleasure to serve the Commission for the past three years and since he is a “hold over,” he feels that this is the best time to leave the Commission. He noted that he “hope[s] a new person is approved.” Thereafter, the remaining Commissioners, Director Whalen, DAG Frey and staff member Jeannine Pizzigoni all offered

their gratitude to Commissioner Collins for his service on the Commission, noted it was a pleasure to work with him, and wished him well.

Motion was made by Dennis Roberts, and seconded by Jude A. Tanella, to accept Commissioner Collins' resignation with regret.

**Vote**

| <b>Vote</b>       | <b>Robert Bender</b> | <b>Michael Carucci</b> | <b>Michael Collins</b> | <b>Mark Finkelstein</b> | <b>Dennis Roberts</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                      |                         |                       |                        |                      | 1            |

***V. Complaints to Review***

**C45-18** Motion was made by Jude A. Tanella, and seconded by Mark Finkelstein, to draft a decision as discussed.

**Vote**

| <b>Vote</b>       | <b>Robert Bender</b> | <b>Michael Carucci</b> | <b>Michael Collins</b> | <b>Mark Finkelstein</b> | <b>Dennis Roberts</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> |                      |                        |                        |                         |                       |                        |                      | 0            |

**C45-19** Motion was made by Jude A. Tanella, and seconded by Mark Finkelstein, to draft a decision as discussed.

**Vote**

| <b>Vote</b>       | <b>Robert Bender</b> | <b>Michael Carucci</b> | <b>Michael Collins</b> | <b>Mark Finkelstein</b> | <b>Dennis Roberts</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>1</sup>        |                        |                      | 1            |

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<sup>1</sup> Commissioner Roberts did not participate in executive session discussion of this matter due to a legal conflict of interest.

**C35-20** 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>Michael Collins</b> | <b>Mark Finkelstein</b> | <b>Dennis Roberts</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>         |                      |                        | X                      |                         |                       |                        |                      | 1            |
| <b>Abstention</b> |                      |                        |                        |                         |                       |                        |                      | 0            |

**C49-20** Motion was made by Richard Tomko, 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>Michael Collins</b> | <b>Mark Finkelstein</b> | <b>Dennis Roberts</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>         |                      |                        | X                      |                         |                       |                        |                      | 1            |
| <b>Abstention</b> |                      |                        |                        |                         |                       |                        |                      | 0            |

**C55-20** Motion was made by Jude A. Tanella, and seconded by Dennis Roberts, to draft a decision as discussed.

**Vote**

| <b>Vote</b>       | <b>Robert Bender</b> | <b>Michael Carucci</b> | <b>Michael Collins</b> | <b>Mark Finkelstein</b> | <b>Dennis Roberts</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> |                      |                        |                        |                         |                       |                        |                      | 0            |

**C56-20** 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>Michael Collins</b> | <b>Mark Finkelstein</b> | <b>Dennis Roberts</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> |                      |                        |                        |                         |                       |                        |                      | 0            |

**C60-20** 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>Michael Collins</b> | <b>Mark Finkelstein</b> | <b>Dennis Roberts</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> |                      |                        |                        |                         |                       |                        |                      | 0            |

**C62-20** 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>Michael Collins</b> | <b>Mark Finkelstein</b> | <b>Dennis Roberts</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> |                      |                        |                        |                         |                       |                        |                      | 0            |

**C64-20** 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>Michael Collins</b> | <b>Mark Finkelstein</b> | <b>Dennis Roberts</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> |                      |                        |                        |                         |                       |                        |                      | 0            |

**VI. Orders to Show Cause**

**T01-20** Motion was made by Mark Finkelstein, and seconded by Jude A. Tanella, to adopt the Order to Show Cause as written, and to mail it.

**Vote**

| <b>Vote</b>       | <b>Robert Bender</b> | <b>Michael Carucci</b> | <b>Michael Collins</b> | <b>Mark Finkelstein</b> | <b>Dennis Roberts</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> |                      |                        |                        |                         |                       |                        |                      | 0            |

**T02-20** Motion was made by Mark Finkelstein, and seconded by Jude A. Tanella, to adopt the Order to Show Cause as written, and to mail it.

**Vote**

| <b>Vote</b>       | <b>Robert Bender</b> | <b>Michael Carucci</b> | <b>Michael Collins</b> | <b>Mark Finkelstein</b> | <b>Dennis Roberts</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> |                      |                        |                        |                         |                       |                        |                      | 0            |

**T03-20** Motion was made by Mark Finkelstein, and seconded by Jude A. Tanella, to adopt the Order to Show Cause as written, and to mail it.

**Vote**

| <b>Vote</b>       | <b>Robert Bender</b> | <b>Michael Carucci</b> | <b>Michael Collins</b> | <b>Mark Finkelstein</b> | <b>Dennis Roberts</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> |                      |                        |                        |                         |                       |                        |                      | 0            |

**T04-20** Motion was made by Mark Finkelstein, and seconded by Jude A. Tanella, to adopt the Order to Show Cause as written, and to mail it.

**Vote**

| <b>Vote</b>       | <b>Robert Bender</b> | <b>Michael Carucci</b> | <b>Michael Collins</b> | <b>Mark Finkelstein</b> | <b>Dennis Roberts</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> |                      |                        |                        |                         |                       |                        |                      | 0            |

**T05-20** Motion was made by Mark Finkelstein, and seconded by Jude A. Tanella, to adopt the Order to Show Cause as written, and to mail it.

**Vote**

| <b>Vote</b>       | <b>Robert Bender</b> | <b>Michael Carucci</b> | <b>Michael Collins</b> | <b>Mark Finkelstein</b> | <b>Dennis Roberts</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> |                      |                        |                        |                         |                       |                        |                      | 0            |



**T06-20** Motion was made by Mark Finkelstein, and seconded by Jude A. Tanella, to adopt the Order to Show Cause as written, and to mail it.

**Vote**

| <b>Vote</b>       | <b>Robert Bender</b> | <b>Michael Carucci</b> | <b>Michael Collins</b> | <b>Mark Finkelstein</b> | <b>Dennis Roberts</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> |                      |                        |                        |                         |                       |                        |                      | 0            |

***VII. Decisions to Adopt as Written***

**C26-20** Motion was made by Dennis Roberts, and seconded by Jude A. Tanella, to adopt the decision as written.

**Vote**

| <b>Vote</b>       | <b>Robert Bender</b> | <b>Michael Carucci</b> | <b>Michael Collins</b> | <b>Mark Finkelstein</b> | <b>Dennis Roberts</b> | <b>Jude A. Tanella</b> | <b>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|------------------------|-------------------------|-----------------------|------------------------|----------------------|--------------|
| <b>Yes</b>        | X                    |                        |                        | X                       | X                     | X                      |                      | 4            |
| <b>No</b>         |                      |                        |                        |                         |                       |                        |                      | 0            |
| <b>Abstention</b> |                      |                        | X                      |                         |                       |                        | X                    | 2            |

**C28-20** Motion was made by Dennis Roberts, and seconded by Jude A. Tanella, to adopt the decision as written.

**Vote**

| <b>Vote</b>       | <b>Robert Bender</b> | <b>Michael Carucci</b> | <b>Michael Collins</b> | <b>Mark Finkelstein</b> | <b>Dennis Roberts</b> | <b>Jude A. Tanella</b> | <b>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|------------------------|-------------------------|-----------------------|------------------------|----------------------|--------------|
| <b>Yes</b>        | X                    |                        |                        | X                       | X                     | X                      |                      | 4            |
| <b>No</b>         |                      |                        |                        |                         |                       |                        |                      | 0            |
| <b>Abstention</b> |                      |                        | X                      |                         |                       |                        | X                    | 2            |

**C34-20** Motion was made by Dennis Roberts, and seconded by Jude A. Tanella, to adopt the decision as written.

**Vote**

| <b>Vote</b>       | <b>Robert Bender</b> | <b>Michael Carucci</b> | <b>Michael Collins</b> | <b>Mark Finkelstein</b> | <b>Dennis Roberts</b> | <b>Jude A. Tanella</b> | <b>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|------------------------|-------------------------|-----------------------|------------------------|----------------------|--------------|
| <b>Yes</b>        | X                    |                        |                        | X                       | X                     | X                      |                      | 4            |
| <b>No</b>         |                      |                        |                        |                         |                       |                        |                      | 0            |
| <b>Abstention</b> |                      |                        | X                      |                         |                       |                        | X                    | 2            |

**C41-20** Motion was made by Dennis Roberts, and seconded by Jude A. Tanella, to adopt the decision as written.

**Vote**

| <b>Vote</b>       | <b>Robert Bender</b> | <b>Michael Carucci</b> | <b>Michael Collins</b> | <b>Mark Finkelstein</b> | <b>Dennis Roberts</b> | <b>Jude A. Tanella</b> | <b>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|------------------------|-------------------------|-----------------------|------------------------|----------------------|--------------|
| <b>Yes</b>        | X                    |                        |                        | X                       | X                     | X                      |                      | 4            |
| <b>No</b>         |                      |                        |                        |                         |                       |                        |                      | 0            |
| <b>Abstention</b> |                      |                        | X                      |                         |                       |                        | X                    | 2            |

**C44-20** Motion was made by Dennis Roberts, and seconded by Jude A. Tanella, to adopt the decision as written.

**Vote**

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

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<sup>2</sup> In light of Commissioner Finkelstein's abstention from the matter because of a legal conflict of interest, his abstention reduces the number of Commissioners eligible to vote from 6 to 5. Therefore, the motion carried with a vote of 3 to 2.

**C48-20** Motion was made by Dennis Roberts, and seconded by Jude A. Tanella, to adopt the decision as written.

**Vote**

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

**C53-20** Motion was made by Dennis Roberts, and seconded by Jude A. Tanella, to adopt the decision as amended.

**Vote**

| <b>Vote</b>       | <b>Robert Bender</b> | <b>Michael Carucci</b> | <b>Michael Collins</b> | <b>Mark Finkelstein</b> | <b>Dennis Roberts</b> | <b>Jude A. Tanella</b> | <b>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|------------------------|-------------------------|-----------------------|------------------------|----------------------|--------------|
| <b>Yes</b>        | X                    |                        |                        | X                       | X                     | X                      |                      | 4            |
| <b>No</b>         |                      |                        |                        |                         |                       |                        |                      | 0            |
| <b>Abstention</b> |                      |                        | X                      |                         |                       |                        | X                    | 2            |

***VIII. Requests for Advisory Opinions***

**A21-20** Motion was made by Dennis Roberts, and seconded by Jude A. Tanella, to draft the advisory opinion as discussed.

**Vote**

| <b>Vote</b>       | <b>Robert Bender</b> | <b>Michael Carucci</b> | <b>Michael Collins</b> | <b>Mark Finkelstein</b> | <b>Dennis Roberts</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> |                      |                        |                        |                         |                       |                        |                      | 0            |

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<sup>3</sup> In light of Commissioner Finkelstein's abstention from the matter because of a legal conflict of interest, his abstention reduces the number of Commissioners eligible to vote from 6 to 5. Therefore, the motion carried with a vote of 3 to 2.

## ***IX. Administrative Dismissals***

**C50-20** This matter was on the agenda for informational purposes only.

**C54-20** This matter was on the agenda for informational purposes only.

**C57-20** This matter was on the agenda for informational purposes only.

**C58-20** This matter was on the agenda for informational purposes only.

**C61-20** This matter was on the agenda for informational purposes only.

## ***X. Minutes***

Motion was made by Dennis Roberts, and seconded by Jude A. Tanella, to adopt the minutes of the regularly scheduled meeting (public and executive) conducted on November 24, 2020.

### **Vote**

| <b>Vote</b>       | <b>Robert Bender</b> | <b>Michael Carucci</b> | <b>Michael Collins</b> | <b>Mark Finkelstein</b> | <b>Dennis Roberts</b> | <b>Jude A. Tanella</b> | <b>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|------------------------|-------------------------|-----------------------|------------------------|----------------------|--------------|
| <b>Yes</b>        | X                    |                        |                        | X                       | X                     | X                      |                      | 4            |
| <b>No</b>         |                      |                        |                        |                         |                       |                        |                      | 0            |
| <b>Abstention</b> |                      |                        | X                      |                         |                       |                        | X                    | 2            |

## ***XI. Adjournment***

At 12:41 p.m., a motion was made by Dennis Roberts, and seconded by Michael Collins, to adjourn.

### **Vote**

| <b>Vote</b>       | <b>Robert Bender</b> | <b>Michael Carucci</b> | <b>Michael Collins</b> | <b>Mark Finkelstein</b> | <b>Dennis Roberts</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> |                      |                        |                        |                         |                       |                        |                      | 0            |

Submitted by:

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Jeannine Pizzigoni

Approved by:

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Kathryn A. Whalen, Director