

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

**June 17, 2024**

Chairperson Bender called the special meeting of the School Ethics Commission (Commission or SEC) to order at 9:45 a.m.

Notice of the special 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>Richard Tomko</b> | <b>Total</b> |
|------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|----------------------|--------------|
| <b>Present</b>   | X                    | X                      |                         | X <sup>1</sup>        | X                    | X                    | 5            |
| <b>Absent</b>    |                      |                        | X                       |                       |                      |                      | 1            |

Also, in attendance were Brigid C. Martens, Director, Office of School Ethics, Jeannine Pizzigoni, staff member, and Amna Toor and Sadia Ahsanuddin,<sup>2</sup> Deputy Attorneys General (DAG).

## **II. First Public Comment**

At the start of the meeting, Chairperson Bender explained to the public how the meeting would be conducted. More specifically, Chairperson Bender explained that the public would be afforded the opportunity to provide public comment; the Commission would then adjourn to executive session; 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; and then the Commission would vote on matters pertinent to its business.

Director Martens also advised the public as follows: individuals wishing to provide public comments/statements during Public Comment regarding a matter pending before the Commission are asked not to litigate 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.

**9:48 a.m.** William and Mary Ann Moretti, Complainants in the matter docketed as C87-23, were present at the meeting and jointly offered the following statement. Also present was Mr. and Mrs. Moretti's minor child.

Ms. Martens/Commission Members,

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<sup>1</sup> Commissioner Roberts participated via Teams.

<sup>2</sup> DAG Ahsanuddin participated via Teams.

Our entire family comes to make public comment on this matter including our teenage child whom this complaint among others referenced by the respondents in the complaint concerns and his educational and other welfare. Furthermore we would like for your to refer to him by the Moretti's minor child in the meeting minutes. He has some very brief statements he would like to make.

Minor Child's Statement:

My father and mother showed me the report written by the superintendent when I was bullied at school and showed me the papers written by the judges in the court appeals my parents have been doing for me because the teachers and other people at the school lied. The report by the school is false. Those papers or decisions from the judges are just not true either. I was bullied for a long time, I told the teachers, two of them, with my friend, no one helped. They did not do what they said they did in the reports. Then they kept lying. What they have done to me and my parents is wrong and they should have consequences. It was worse than the bullies.

Mr. Moretti began the statement and then became emotional, so Mrs. Moretti read the remainder of the statement.

I am one of the complainants along with my wife in a decision pending adoption allegedly at this meeting. I was told you do not record the public comments and since I do not want you to summarize it yourself or misquote me, I submitted this in writing at your suggestion and the electronic copy of what I am reading will be in the inbox of Ms. Martens and the School Ethics inbox. Please ensure the entirety of the comments are included in the minutes of this meeting. I understand its long, but after what the Department of Education has put my family through in over four years, I would like to be fully heard and all of it documented in the minutes.

This matter and another complaint against the same Board of Education for ethics involves obstructions and other actions harming our minor child. The Board has been blatantly permitted to obstruct and violate school laws and the Code of Ethics without consequence. They are unfit as Board members. Equally unfit are administrators and staff at the school that have acted outside the law, school law and criminal law. Their direct ties to law enforcement and the New Jersey State Police have helped them escape criminal action as well. Instead of investigating their crimes the NJSP wrote a complaint in my wife's name without her knowledge or consent, to refuse to fully investigate the evidence available in the matter to exonerate my wife and to avoid having to charge Joshua Aikens and Gerard Fazzio with the crimes they committed and deliberate false statements to police to cover their crimes. This Commission is obligated under statute to report crimes to the Attorney General, and has declined to do so.

I am not here to litigate the matters of this complaint because even if it was permitted the School Ethics Commission knows its fruitless as any decision in this matter will continue to conceal the violations of this Board of Education as they have been doing for over four years at permanent expense to my family. This Commission dismissed an ethic complaint previously despite direct evidence that the Lafayette Township

Board of Education Members willfully obstructed our child's HIB appeal, lying for over two years to the Commissioner and the Superior Appellate court about their violation of school laws NJAC 18A:37-15 to issue a written decision, part of the NJ Anti Bullying Bill of Rights, allegedly one the strongest in the country. It's been ignored in the case for our son because the staff was caught in lies about more violations of the Act and the video evidence they have been suppressing with their lawyers show that among other things.

Since the Commissioner has been protecting this Board and is the one to issue sanctions to them, there is no way the SEC will give them consequence either like their first blatant ethics violations, no matter the evidence. We predict the decision to be adopted today to be the same disputed statements and intentionally inserted in concert with the other appeal, so that the matter can be interfered with in local courts again. The Board's attorney has intentionally inserted irrelevant information in their answer in premeditation of this. The local courts are a "free for all" where ours and our child's rights have been decimated for this Board, as they protect their own. Even lawyers I have hired have acted in favor of our opponents to our harm for the Board and their attorneys fighting a little boy essentially. It's shameful. And their cowardly attacks and retaliations on a mother helping her child are disgraceful. If you are smart enough to know when parties act unethically or outside the rules and you stand up for your child and case like any lawyer would, you get retaliated against.

We have experienced it firsthand, our child has experienced it firsthand and has been taught there are no laws for his safety and his attempts to do what this "hoax" and Anti-Bullying law presented to him and other children in their red ribbons and weeks of respect will only result in harm to him and his family.

The threat to children when the agencies tasked to uphold laws and safety of children so they can learn acts in contradiction to that to help those that violate laws and protections for children to conceal them while the higher courts remove the ability to review the errors is dangerous, its lawlessness, leaving parents powerless and children in danger. The only time a parent can take any action and hold schools accountable is when it's too late, and their child has taken their life. The NJ Department of Education will put adults and colleagues over the welfare of our children. Ask Adrianna, Mallory, and Felicia's parents.

Why would a school board hide evidence even in defiance of an order by the Commissioner of Education? Why would a school board become hostile toward parents in a HIB investigation and even violate FERPA laws to prevent me or my wife from accessing the video to make sure my child was not hurt further. What would your thoughts be as a parent regarding the safety of your child and the school hiding video? Why would they discriminate and not fairly allow release of the video for the child's safety and well-being? Its to hide their staff's violation and the fabricated report and refusals to help our child like he complained of.

What kind of Board and school does this to a bullied child who asked for help? What kind of school board fights parents for four years instead of allowing the child to have a fair appeal? What has happened to my family because of their actions has

permanently scared us all. None of us will ever be the same. This is not only unethical but immoral. They have selfishly retaliated against parents trying to help their child to hide the fact they did not act to help him, did not follow the NJ-ABR rules and statutes to keep him from harm and my child got bullied again. The superintendent then falsified the HIB report along with staff that also gave false statements our son disputed. The social worker denied him counseling for no reason so he couldn't talk about the bullying and the lies the board attorney crafted with the superintendent to say my wife made it all up and my child was not a victim repeated in these decisions for him. The video evidence they have been suppressing even with an order from the Commissioner to supply it shows this along with the acts that constitute HIB and the bullies which is necessary for reporting under statute. They have been trying to literally set my wife up in multiple courts as a "liar" like the ALJs puts in his decisions for the board, the same ALJ who denied my child the evidence he needed to prove the merits of the case and that the staff lied.

The Lafayette Board has been permitted to be above the law which is terrifying for any parent that has to trust their children are safe from harm in public schools. More terrifying is if a parent attempts to have the laws applied, personal and severe retaliation will occur so their attorneys can prevent any liability.

The Board took deliberate action for over four years to obstruct the programs and policies for HIB that are designed to meet the individual needs of all children, regardless of their ability, race, color, creed, or social standing without discrimination. We have provided direct proof and evidence of these violations from the words of the Commissioner of Education in decisions, yet this Commission dismissed the complaint in favor of the Board causing us to have to appeal to the Superior Court.

We have submitted direct evidence in this complaint that the Board violated statute and policy to provide medically ordered and necessary home instruction and that they refused to follow ADA and disability laws to provide a 504 and this medically necessary home instruction and have prevented the child from safely accessing his education in violation of his disability rights. The Board's attorney has further nerve to file for sanctions for the complaint being frivolous. Her clients are not only unethical but immoral but so are her colleagues in the previous appeals we have been forced to file on behalf of our child.

The other comment I need to make is how the public record is specifically manipulated to make it appear the Board did no wrong, while we, the ones who suffered personal retaliations, look as if we are not honest. It disgustingly discredits our child as well while the evidence needed to vindicate is withheld. The public and parents need to know this is premeditated and intentional by the courts. The way the matters have been handled at the US Department of Education, NJ Department of Education, Superior Appellate Court and local courts have been disturbing to say the least and, in some cases, blatant. We have been powerless for our child against these abuses.

This includes a recent published decision of the School Ethics Commission C58-22 ignoring direct evidence of violation which instead of addressing the legal errors surrounding application of Board of Education Code of Ethics, not NJ ABR and a child's HIB appeal, it repeats the same fabricated facts and wildly disputed statements we have been denied due process evidence for to dispute under Administrative procedure. It also misquotes the statute of "probable cause" and the actual statute.

When we filed an ethics complaint in 2022 for the boards refusal to comply with orders and decisions from the commission of education to obstruct programs and policies for our child and his safety, the appellate court tried to deny our appeal as a right for the Board. Staff member Kevin Collins first tried to tell us the appeal was filed late when it was early. Next, he tried to say that the appellate mailbox that everyone files to listed on the website was wrong. The appellate court did everything they could to try to block the appeal of the first complaint because it contained blatant evidence that the board obstructed and how remands were granted absent instruction to the lower court and special "finality processes" were held by the clerk to set up dismissals for the Commissioner.

After delays and obstructions from court staff, that appeal was just decided. It is no surprise that the decision was upheld but what is really disturbing is that the entire decision simply repeats all the disputed facts from the child's HIB matter not related to Board member code of ethics, and that we've never been able to dispute being denied the discovery evidence and a due process hearing. It barely addresses the matter of law and statutes on ethics but spends pages repeating the false narratives of the school's attorney.

More glaring is the judges misquoting the actual statute. To quote the decision by the appellate judges, "Pursuant to the Act, once a complaint is filed against a member of a local school board, the SEC "shall determine whether the conduct complained of constitutes a violation of . . . th[e A]ct or in the case of a board member, th[e A]ct or the [C]ode . . . , or whether the complaint should be dismissed." N.J.S.A. 18A:12-29(c) The judges in the decision fail to quote that this burden is only after an OAL hearing with due process.

These blatant acts are hurdles no "pro se" parent that can't get an attorney to help their child because of these abuses can possibly overcome to achieve justice for their child, instead you will be punished legally financially and reputationally for the school's attorneys.

Despite us filing to reconsider on the error, the motion will be denied like every other to conceal the four years of obstructions and violations by this Board, the NJ Department of Education, and the higher courts who denied my child his rights under NJ ABR.

What we and our child have learned about the "justice" and legal system including the police all over some video clips for a child's HIB appeal is disturbing to say the least. This is no less than terrifying and we continue to live in fear of the next

retaliation after threats from the school again to coerce us into what they needed in order to cover more of their violations.

The local courts have been used as weapons and used my child as a pawn to target his mother for the board's attorney and other parties in retaliation for her speaking out about the misconduct in our child's case. This is what has caused the most harm to my child beyond the cruelty of his teachers and school. There have been four years of targeted and premeditated actions to excuse the boards violations in school law and violations in the code of ethics and to target a mother To blame her.

The Commissioner issued a decision and order for the board to supply copies of the video evidence to us in 2021 so my child could have a fair appeal, but only issued it to allow the superior court appeal to be dismissed so the appellate court did not have to decide the matter of law she has no jurisdiction on so she could conceal her own errors to help the board suppress discovery evidence and escape violations.

After she was successful in getting my child's appeal dismissed for the second time in two years at our expense, the case sat for 18 months and two school years while the Board continued to defy the order and obstruct the HIB appeal. During these appeals and dismissals at the superior appellate court, my wife suffered great difficulty with interference by case managers and court staff and actions outside of appellate rules and her control to conceal the unjust dismissals at the agency and superior appellate court. During the 18 months at sat at the Commissioner, we suffered the worst retaliations and violations to our parental rights in local courts where texting and perjury are permitted and those subpoenaed to answer under oath don't appear without consequence at our harm. I still suffer from nightmares. And Board members Aikens and Carlson found my child's suffering amusing, mocking us and our child essentially, publicly and on social media on more than one occasion.

All of these actions are to protect the board and to discredit us personally. What is presented to the public is not what the cases were. The courts are very premeditated and judges skilled at crafting decisions that present the school as having done no wrong while personally discrediting us. They ignore the law and evidence for the Board's attorneys. They also have the power to manipulate the records and hide their own abuses and errors. It's happening now with the current dismissed appeals. One was dismissed "ex parte" as a withdrawal when we objected to a premeditated plan to use it to dismiss the child's HIB appeal again before a de novo review, saying it was dismissed because we did not pay a fee. That is just false. Then because the clerk couldn't use that appeal to dismiss the HIB appeal for the Commissioner and we motioned showing the Commissioner's errors and abuses he then fabricated we did not prosecute the appeal as excuse to dismiss it again to prevent us from obtaining discovery evidence. Then the clerk is removing "unspecified documents" we filed proving that we were prosecuting the appeal so his vague and false order appears legitimate. No parent can surmount these type of abuses in the court and your child is not safe.

Again what you read in the published decisions, including what will be adopted today, are simply the same fabrications repeated down the chain, one sided from the

school's attorneys and simply not true. The video evidence to dispute it is kept from us. Ask me for what the true documents and evidence are for these appeals not what the record might show, not what the courts and judges have manipulated for benefit of these protected Board members. The decisions are also written with other motivation to allow us to be setup and harmed again in local courts, where a false record will be developed there as well to interfere with any actions my child has a right to take when he is of age for the harm they caused him.

No child is safe in the school system when school boards are allowed to act however they want including criminally and those that are supposed to uphold laws or review errors instead protect those that violate and to help them hide their violations. This includes the New Jersey State police who has fabricated multiple false reports to harm my wife and protect Joshua Aikens and Gerard Fazzio from the criminal acts they committed. The board has benefit of a member who works for the New Jersey state police and Mr. Aikens wife works for the county prosecutor, this is in addition to the board members father who was the sheriff of the county for an extensive time. As stated in the initial complaints that board member's child is one of the accused in my child's HIB matter. It's not hard to follow the trail.

In fact, this commission purposely skipped over our complaint in April to delay it an extra month until the school year would be over again to benefit this board of education who refused to provide statutorily and ADA guaranteed medically ordered home instruction, after lying yet again in a previous proceeding stating with medical documentation they would comply with school law.

I feel compelled to warn other parents so that they do not go through the irreparable harm that my child and we have suffered because the New Jersey Department of education is not an impartial entity, and they will not hold school boards or school staff accountable to the laws. And when they don't uphold law and abuse their discretion to help a school hide violations, the higher courts where you are supposed to have review of those errors will just continue to hide them too by dismissing appeals and altering records making public school dangerous for any child. of 6 7 The NJ Department of Education and justice system has failed my child miserably, after being a victim of bullying, he was victimized by his own school and the so-called justice system. What child could ever comprehend and process such cruelty and actions by his own school who refused to allow the truth to be told. He's been taught he cannot trust the system or even police. The emotional harm of his school lying and fighting him will forever affect him. The harm from their malice forever affects me and my wife. Why are they above the law?

Bill Moretti (and Mary Ann Moretti)

### **III. Executive Session**

At 10:11 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: C96-21; C78-23; C91-23; T01-24 through T17-24; C03-21; C22-22; C45-23; C76-23; C80-23; C85-23; C87-23; C88-23; A10-24; A01-24; A02-24; A03-24; A04-24; A05-24; A06-24; A07-24; A09-24; C54-18; C42-24; DAG Sadia Ahsanuddin to present settlement offer in connection with C35-21; consider whether to grant withdrawal of C65-22; consider whether to grant withdrawal of C78-22; consider whether to place C33-24 in abeyance; discuss guidance from State Ethics Commission; discuss correspondence from a member of the public; vote to adopt Resolution Delegating Authority to Act pursuant to *N.J.A.C.* 6A:28-1.1 et seq.; 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 Richard Tomko, and seconded by Dennis Roberts, 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>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|----------------------|--------------|
| <b>Yes</b>        | X                    | X                      |                         | X                     | X                    | X                    | 5            |
| <b>No</b>         |                      |                        |                         |                       |                      |                      | 0            |
| <b>Abstention</b> |                      |                        |                         |                       |                      |                      | 0            |

**IV. Return to Public**

At **12:31 p.m.**, a motion was made by Michael Carucci, and seconded by Richard Tomko, 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>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|----------------------|--------------|
| <b>Yes</b>        | X                    | X                      |                         | X                     | X                    | X                    | 5            |
| <b>No</b>         |                      |                        |                         |                       |                      |                      | 0            |
| <b>Abstention</b> |                      |                        |                         |                       |                      |                      | 0            |



**V. Complaints to Review**

**C96-21** Motion was made by Michael Carucci, 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>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|----------------------|--------------|
| <b>Yes</b>        | X                    | X                      |                         | X                     | X                    | X                    | 5            |
| <b>No</b>         |                      |                        |                         |                       |                      |                      | 0            |
| <b>Abstention</b> |                      |                        |                         |                       |                      |                      | 0            |

**C78-23** Motion was made by Richard Tomko, and seconded by Michael Carucci, 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>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|----------------------|--------------|
| <b>Yes</b>        | X                    | X                      |                         | X                     | X                    | X                    | 5            |
| <b>No</b>         |                      |                        |                         |                       |                      |                      | 0            |
| <b>Abstention</b> |                      |                        |                         |                       |                      |                      | 0            |

**C91-23** Motion was made by Dennis Roberts, and seconded by Carol E. Sabo, 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>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|----------------------|--------------|
| <b>Yes</b>        | X                    | X                      |                         | X                     | X                    | X                    | 5            |
| <b>No</b>         |                      |                        |                         |                       |                      |                      | 0            |
| <b>Abstention</b> |                      |                        |                         |                       |                      |                      | 0            |

## **VI. Orders to Show Cause**

**T01-24** Motion was made by Richard Tomko, and seconded by Michael Carucci, to adopt the Order to Show Cause and to mail electronically.

### **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>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|----------------------|--------------|
| <b>Yes</b>        | X                    | X                      |                         | X                     | X                    | X                    | 5            |
| <b>No</b>         |                      |                        |                         |                       |                      |                      | 0            |
| <b>Abstention</b> |                      |                        |                         |                       |                      |                      | 0            |

**T02-24** Motion was made by Richard Tomko, and seconded by Michael Carucci, to adopt the Order to Show Cause and to mail electronically.

### **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>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|----------------------|--------------|
| <b>Yes</b>        | X                    | X                      |                         | X                     | X                    | X                    | 5            |
| <b>No</b>         |                      |                        |                         |                       |                      |                      | 0            |
| <b>Abstention</b> |                      |                        |                         |                       |                      |                      | 0            |

**T03-24** Motion was made by Richard Tomko, and seconded by Michael Carucci, to adopt the Order to Show Cause and to mail electronically.

### **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>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|----------------------|--------------|
| <b>Yes</b>        | X                    | X                      |                         | X                     | X                    | X                    | 5            |
| <b>No</b>         |                      |                        |                         |                       |                      |                      | 0            |
| <b>Abstention</b> |                      |                        |                         |                       |                      |                      | 0            |

**T04-24** Motion was made by Richard Tomko, and seconded by Michael Carucci, to adopt the Order to Show Cause and to mail electronically.

**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>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|----------------------|--------------|
| <b>Yes</b>        | X                    | X                      |                         | X                     | X                    | X                    | 5            |
| <b>No</b>         |                      |                        |                         |                       |                      |                      | 0            |
| <b>Abstention</b> |                      |                        |                         |                       |                      |                      | 0            |

**T05-24** Motion was made by Richard Tomko, and seconded by Michael Carucci, to adopt the Order to Show Cause and to mail electronically.

**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>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|----------------------|--------------|
| <b>Yes</b>        | X                    | X                      |                         | X                     | X                    | X                    | 5            |
| <b>No</b>         |                      |                        |                         |                       |                      |                      | 0            |
| <b>Abstention</b> |                      |                        |                         |                       |                      |                      | 0            |

**T06-24** Motion was made by Richard Tomko, and seconded by Michael Carucci, to adopt the Order to Show Cause and to mail electronically.

**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>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|----------------------|--------------|
| <b>Yes</b>        | X                    | X                      |                         | X                     | X                    | X                    | 5            |
| <b>No</b>         |                      |                        |                         |                       |                      |                      | 0            |
| <b>Abstention</b> |                      |                        |                         |                       |                      |                      | 0            |

**T07-24** Motion was made by Richard Tomko, and seconded by Michael Carucci, to adopt the Order to Show Cause and to mail electronically.

**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>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|----------------------|--------------|
| <b>Yes</b>        | X                    | X                      |                         | X                     | X                    | X                    | 5            |
| <b>No</b>         |                      |                        |                         |                       |                      |                      | 0            |
| <b>Abstention</b> |                      |                        |                         |                       |                      |                      | 0            |

**T08-24** Motion was made by Richard Tomko, and seconded by Michael Carucci, to adopt the Order to Show Cause and to mail electronically.

**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>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|----------------------|--------------|
| <b>Yes</b>        | X                    | X                      |                         | X                     | X                    | X                    | 5            |
| <b>No</b>         |                      |                        |                         |                       |                      |                      | 0            |
| <b>Abstention</b> |                      |                        |                         |                       |                      |                      | 0            |

**T09-24** Motion was made by Richard Tomko, and seconded by Michael Carucci, to adopt the Order to Show Cause and to mail electronically.

**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>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|----------------------|--------------|
| <b>Yes</b>        | X                    | X                      |                         | X                     | X                    | X                    | 5            |
| <b>No</b>         |                      |                        |                         |                       |                      |                      | 0            |
| <b>Abstention</b> |                      |                        |                         |                       |                      |                      | 0            |

**T10-24** Motion was made by Richard Tomko, and seconded by Michael Carucci, to adopt the Order to Show Cause and to mail electronically.

**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>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|----------------------|--------------|
| <b>Yes</b>        | X                    | X                      |                         | X                     | X                    | X                    | 5            |
| <b>No</b>         |                      |                        |                         |                       |                      |                      | 0            |
| <b>Abstention</b> |                      |                        |                         |                       |                      |                      | 0            |

**T11-24** Motion was made by Richard Tomko, and seconded by Michael Carucci, to adopt the Order to Show Cause and to mail electronically.

**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>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|----------------------|--------------|
| <b>Yes</b>        | X                    | X                      |                         | X                     | X                    | X                    | 5            |
| <b>No</b>         |                      |                        |                         |                       |                      |                      | 0            |
| <b>Abstention</b> |                      |                        |                         |                       |                      |                      | 0            |

**T12-24** Motion was made by Richard Tomko, and seconded by Michael Carucci, to adopt the Order to Show Cause and to mail electronically..

**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>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|----------------------|--------------|
| <b>Yes</b>        | X                    | X                      |                         | X                     | X                    | X                    | 5            |
| <b>No</b>         |                      |                        |                         |                       |                      |                      | 0            |
| <b>Abstention</b> |                      |                        |                         |                       |                      |                      | 0            |

**T13-24** Motion was made by Richard Tomko, and seconded by Michael Carucci, to adopt the Order to Show Cause and to mail electronically.

**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>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|----------------------|--------------|
| <b>Yes</b>        | X                    | X                      |                         | X                     | X                    | X                    | 5            |
| <b>No</b>         |                      |                        |                         |                       |                      |                      | 0            |
| <b>Abstention</b> |                      |                        |                         |                       |                      |                      | 0            |

**T14-24** Motion was made by Richard Tomko, and seconded by Michael Carucci, to adopt the Order to Show Cause and to mail electronically.

**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>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|----------------------|--------------|
| <b>Yes</b>        | X                    | X                      |                         | X                     | X                    | X                    | 5            |
| <b>No</b>         |                      |                        |                         |                       |                      |                      | 0            |
| <b>Abstention</b> |                      |                        |                         |                       |                      |                      | 0            |

**T15-24** Motion was made by Richard Tomko, and seconded by Michael Carucci, to adopt the Order to Show Cause and to mail electronically.

**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>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|----------------------|--------------|
| <b>Yes</b>        | X                    | X                      |                         | X                     | X                    | X                    | 5            |
| <b>No</b>         |                      |                        |                         |                       |                      |                      | 0            |
| <b>Abstention</b> |                      |                        |                         |                       |                      |                      | 0            |

**T16-24** Motion was made by Richard Tomko, and seconded by Michael Carucci, to adopt the Order to Show Cause and to mail electronically.

**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>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|----------------------|--------------|
| <b>Yes</b>        | X                    | X                      |                         | X                     | X                    | X                    | 5            |
| <b>No</b>         |                      |                        |                         |                       |                      |                      | 0            |
| <b>Abstention</b> |                      |                        |                         |                       |                      |                      | 0            |

**T17-24** Motion was made by Richard Tomko, and seconded by Michael Carucci, to adopt the Order to Show Cause and to mail electronically.

**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>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|----------------------|--------------|
| <b>Yes</b>        | X                    | X                      |                         | X                     | X                    | X                    | 5            |
| <b>No</b>         |                      |                        |                         |                       |                      |                      | 0            |
| <b>Abstention</b> |                      |                        |                         |                       |                      |                      | 0            |

**VII. Decisions to Adopt as Written**

**C03-21** Motion was made by Richard Tomko, and seconded by Carol E. Sabo, 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>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|----------------------|--------------|
| <b>Yes</b>        | X                    | X                      |                         | X                     | X                    | X                    | 5            |
| <b>No</b>         |                      |                        |                         |                       |                      |                      | 0            |
| <b>Abstention</b> |                      |                        |                         |                       |                      |                      | 0            |

**C22-22** Motion was made by Richard Tomko, and seconded by Carol E. Sabo, 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>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|----------------------|--------------|
| <b>Yes</b>        | X                    | X                      |                         | X                     | X                    | X                    | 5            |
| <b>No</b>         |                      |                        |                         |                       |                      |                      | 0            |
| <b>Abstention</b> |                      |                        |                         |                       |                      |                      | 0            |

**C45-23** Motion was made by Richard Tomko, and seconded by Carol E. Sabo, 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>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|----------------------|--------------|
| <b>Yes</b>        | X                    | X                      |                         | X                     | X                    | X                    | 5            |
| <b>No</b>         |                      |                        |                         |                       |                      |                      | 0            |
| <b>Abstention</b> |                      |                        |                         |                       |                      |                      | 0            |

**C76-23** Motion was made by Richard Tomko, and seconded by Carol E. Sabo, 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>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|----------------------|--------------|
| <b>Yes</b>        | X                    | X                      |                         | X                     | X                    | X                    | 5            |
| <b>No</b>         |                      |                        |                         |                       |                      |                      | 0            |
| <b>Abstention</b> |                      |                        |                         |                       |                      |                      | 0            |



**C80-23** Motion was made by Richard Tomko, and seconded by Carol E. Sabo, 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>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|----------------------|--------------|
| <b>Yes</b>        | X                    | X                      |                         | X                     | X                    | X                    | 5            |
| <b>No</b>         |                      |                        |                         |                       |                      |                      | 0            |
| <b>Abstention</b> |                      |                        |                         |                       |                      |                      | 0            |

**C85-23** Motion was made by Richard Tomko, and seconded by Carol E. Sabo, 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>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|----------------------|--------------|
| <b>Yes</b>        | X                    | X                      |                         | X                     | X                    | X                    | 5            |
| <b>No</b>         |                      |                        |                         |                       |                      |                      | 0            |
| <b>Abstention</b> |                      |                        |                         |                       |                      |                      | 0            |

**C87-23** Motion was made by Richard Tomko, and seconded by Carol E. Sabo, 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>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|----------------------|--------------|
| <b>Yes</b>        | X                    | X                      |                         | X                     | X                    | X                    | 5            |
| <b>No</b>         |                      |                        |                         |                       |                      |                      | 0            |
| <b>Abstention</b> |                      |                        |                         |                       |                      |                      | 0            |

**C88-23** Motion was made by Richard Tomko, and seconded by Carol E. Sabo, to adopt the decision as amended.

**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>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|----------------------|--------------|
| <b>Yes</b>        | X                    | X                      |                         | X                     | X                    | X                    | 5            |
| <b>No</b>         |                      |                        |                         |                       |                      |                      | 0            |
| <b>Abstention</b> |                      |                        |                         |                       |                      |                      | 0            |

**VIII. Advisory Opinions<sup>3</sup>**

**A10-24** 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>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|----------------------|--------------|
| <b>Yes</b>        | X                    | X                      |                         | X                     | X                    | X                    | 5            |
| <b>No</b>         |                      |                        |                         |                       |                      |                      | 0            |
| <b>Abstention</b> |                      |                        |                         |                       |                      |                      | 0            |

**A01-24** This advisory opinion was on the agenda to make public only. The Commission could not take any action because it did not have the statutorily required number of Commissioners present to make the advisory opinion public.

**A02-24** This advisory opinion was on the agenda to make public only. The Commission could not take any action because it did not have the statutorily required number of Commissioners present to make the advisory opinion public.

**A03-24** This advisory opinion was on the agenda to make public only. The Commission could not take any action because it did not have the statutorily required number of Commissioners present to make the advisory opinion public.

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<sup>3</sup> The Commission did not have the statutorily required number of Commissioners present to make the advisory opinions public.

**A04-24** This advisory opinion was on the agenda to make public only. The Commission could not take any action because it did not have the statutorily required number of Commissioners present to make the advisory opinion public.

**A05-24** This advisory opinion was on the agenda to make public only. The Commission could not take any action because it did not have the statutorily required number of Commissioners present to make the advisory opinion public.

**A06-24** This advisory opinion was on the agenda to make public only. The Commission could not take any action because it did not have the statutorily required number of Commissioners present to make the advisory opinion public.

**A07-24** This advisory opinion was on the agenda to make public only. The Commission could not take any action because it did not have the statutorily required number of Commissioners present to make the advisory opinion public.

**A09-24** This advisory opinion was on the agenda to make public only. The Commission could not take any action because it did not have the statutorily required number of Commissioners present to make the advisory opinion public.

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

**C54-18** This matter was on the agenda for informational purposes only.

**C42-24** This matter was on the agenda for informational purposes only.

#### **X. Other Business**

**DAG Sadia Ahsanuddin to present settlement offer in connection with C35-21.** Motion was made by Carol E. Sabo, and seconded by Richard Tomko, to reject the settlement offer.

#### **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>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|----------------------|--------------|
| <b>Yes</b>        | X                    | X                      |                         | X                     | X                    | X                    | 5            |
| <b>No</b>         |                      |                        |                         |                       |                      |                      | 0            |
| <b>Abstention</b> |                      |                        |                         |                       |                      |                      | 0            |

**Consider whether to grant withdrawal of C65-22.** Motion was made by Richard Tomko, and seconded by Carol E. Sabo, to grant the withdrawal.

**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>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|----------------------|--------------|
| <b>Yes</b>        | X                    | X                      |                         | X                     | X                    | X                    | 5            |
| <b>No</b>         |                      |                        |                         |                       |                      |                      | 0            |
| <b>Abstention</b> |                      |                        |                         |                       |                      |                      | 0            |

**Consider whether to grant withdrawal of C78-22.** Motion was made by Richard Tomko, and seconded by Carol E. Sabo, to grant the withdrawal.

**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>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|----------------------|--------------|
| <b>Yes</b>        | X                    | X                      |                         | X                     | X                    | X                    | 5            |
| <b>No</b>         |                      |                        |                         |                       |                      |                      | 0            |
| <b>Abstention</b> |                      |                        |                         |                       |                      |                      | 0            |

**Consider whether to place C33-24 in abeyance.** Motion was made by Dennis Roberts, and seconded by Richard Tomko, to place the matter in abeyance.

**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>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|----------------------|--------------|
| <b>Yes</b>        | X                    | X                      |                         | X                     | X                    | X                    | 5            |
| <b>No</b>         |                      |                        |                         |                       |                      |                      | 0            |
| <b>Abstention</b> |                      |                        |                         |                       |                      |                      | 0            |

**Discuss guidance from the State Ethics Commission.** This matter was on the agenda for informational purposes only.

**Discuss correspondence received from a member of the public.** This matter was on the agenda for informational purposes only.

**Vote to adopt the Resolution Delegating Authority to Act pursuant to N.J.A.C. 6A:28-1.1 et seq.** Motion was made by Michael Carucci, and seconded by Carol E. Sabo, to adopt the 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>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|----------------------|--------------|
| <b>Yes</b>        | X                    | X                      |                         | X                     | X                    | X                    | 5            |
| <b>No</b>         |                      |                        |                         |                       |                      |                      | 0            |
| <b>Abstention</b> |                      |                        |                         |                       |                      |                      | 0            |

**XI. Minutes**

Motion was made by Dennis Roberts, and seconded by Carol E. Sabo, to adopt the minutes of the regularly scheduled meeting (public and executive) conducted on May 21, 2024.

**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>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|----------------------|--------------|
| <b>Yes</b>        | X                    | X                      |                         | X                     | X                    | X                    | 5            |
| <b>No</b>         |                      |                        |                         |                       |                      |                      | 0            |
| <b>Abstention</b> |                      |                        |                         |                       |                      |                      | 0            |

**XII. Second Public Comment**

There were not any members of the public present.

### **XIII. Adjournment**

At 12:39 p.m., a motion was made by Dennis Roberts, and seconded by Richard Tomko, 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>Richard Tomko</b> | <b>Total</b> |
|-------------------|----------------------|------------------------|-------------------------|-----------------------|----------------------|----------------------|--------------|
| <b>Yes</b>        | X                    | X                      |                         | X                     | X                    | X                    | 5            |
| <b>No</b>         |                      |                        |                         |                       |                      |                      | 0            |
| <b>Abstention</b> |                      |                        |                         |                       |                      |                      | 0            |

Submitted by:

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Jeannine Pizzigoni

Approved by:

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Brigid C. Martens, Director  
School Ethics Commission