

School Ethics Commission Meeting Public Session Minutes

April 22, 2025

Chairperson Bender called the regularly scheduled meeting of the School Ethics Commission (Commission or SEC) to order at 9:32 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

Roll Call	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Present	X	X ¹	X ²		X		4
Absent				X		X	2

Also, in attendance were Dana Jones and Jeannine Pizzigoni, staff members for the Office of School Ethics, and Amna Toor and David Kalisky, Deputy Attorneys General (DAsG).

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.

Dana Jones 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.

9:35 a.m. Thomas Baldosaro, interested party in the docketed Doctrine of Necessity submitted by the Washington Township Board of Education, was present at the meeting and offered the following statement:

My name is Tom Baldosaro and I live in the Washington Township, Gloucester County school district. I am here to talk about the Doctrine of Necessity that is on your agenda

¹ Commissioner Carucci attended the meeting virtually.

² Commissioner Finkelstein attended the meeting virtually.

today. I need to start with a little history. The solicitor prior to our current solicitor is currently barred from doing work in our district for what I will just call inappropriate lawyering related to the then board president. That board president is also the board president today. The doctrine of necessity that is on your agenda has a material misstatement that you can easily confirm. This doctrine was invoked on 3/18/25 and, for the fifth conflict, it says that Ms. Carol Chila is conflicted because of an ethics violation filed against her in relation to the superintendent. This was learned in an e-mail from a union leader who has often spoken out against the superintendent. You have the ability to know that this is completely false, that it wasn't until April 4th that the ethics case was filed. At the time the conflict was made, it would be no different than if I stated today that you are guilty of murder and asking for you to be put in prison. The very next week, on 3/25/25, they inappropriately invoked the doctrine again. They still had the questionable conflict from before, but prior to this meeting, your governing body issued an advisory opinion that cleared Julie Kozempel, and, since they were conflicted for the same reason, Elayne Clancy. Ms. Kozempel was still conflicted for another reason (ethics filed against her by the Superintendent), but Ms. Clancy was no longer conflicted giving them five voting members and making the invocation of the doctrine illegal. I believe our attorney is compromised. For further information, we have a policy that states one attorney can't be both the negotiator and the solicitor. When this was brought to their attention, they went into executive session and came back and waived the policy. When asked if the attorney was part of the discussion, they would not answer. Our board is corrupt, actually, five members that act in concert are the issue. The last meeting they approved to increase our taxes over 7% while failing to do the best for the district. From state data, it was shown to them that Washington Township supports food service \$112 per pupil when the state average is \$6.80 per pupil. In the tax increase, the board asked for funds for a long term, high cost union contract that will eliminate the ability to fix this issue. This will cost the taxpayers \$5 million over that span, dollars that could have either reduced taxes or enhanced education. There is no accountability for this spending, I know this is not your jurisdiction, I will be going to the Department of Education meeting to discuss this. My main point for being here today is to say that there is very little accountability around the invocation of the doctrine of necessity. It appears you just take a district's word for the need and they move forward. Our board has weaponized the ethics system in order to create a conflict where one did not exist. There is no proof, no probable cause was determined at that point, just accusations from the union. I hope there is something you can do to help the Washington Township school district as we are in distress. Thank you for your time and attention, I really appreciate this opportunity to address this board.

III. Executive Session

At 9:41 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: C55-24; C58-24; C59-24; C60-24; C76-24; C42-23; C48-24; C51-24; C54-24; C63-24; A01-25; A02-25; A04-25; A05-25; A06-25; A07-25; A08-25; A09-25; C37-25; Doctrine of Necessity submitted by the Washington Township (Gloucester County) Board of Education; Chairperson to select nominating committee (3 persons) to select a nominee for the position of SEC Chairperson for the term of July 1, 2025, through June 30, 2026; Provide an update on the Appellate Division decision in connection with C20-20; Discuss action required related to the Appellate Division decisions in connection with C19-22 and C20-22; DAG Kalisky to provide an update on the status of C47-21 and Discuss potential 2026 SEC meeting dates/times; 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 Carol E. Sabo, and seconded by Michael Carucci, to adjourn to Executive Session to discuss the matters set forth in the foregoing Resolution.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X		4
No							0
Abstention							0

IV. Return to Public

At **12:31 p.m.**, a motion was made by Carol E. Sabo and seconded by Mark Finkelstein, to return to public session for the purpose of receiving public comment/testimony, and to vote on matters discussed in Executive Session (as appropriate).

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X		4
No							0
Abstention							0

V. Complaints to Review

C55-24 Motion was made by Michael Carucci, and seconded by Mark Finkelstein, to draft a decision as discussed.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X		4
No							0
Abstention							0

C58-24 Motion was made by Michael Carucci, and seconded by Carol E. Sabo, to draft a decision as discussed.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X		4
No							0
Abstention							0

C59-24 Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to draft a decision as discussed.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X		4
No							0
Abstention							0

C60-24 Motion was made by Mark Finkelstein, and seconded by Michael Carucci, to draft a decision as discussed.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X		4
No							0
Abstention							0

C76-24 Motion was made by Mark Finkelstein, and seconded by Michael Carucci, to draft a decision as discussed.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X		4
No							0
Abstention							0

VI. Decisions to Adopt as Written³

C42-23 Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to adopt the decision as written.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X		X		X		3
No							0
Abstention		X					1

³ Commissioner Carucci was not present at the meeting on March 25, 2025, and therefore, could not participate in the votes related to these matters.

C48-24 Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to adopt the decision as written.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X		X		X		3
No							0
Abstention		X					1

C51-24 Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to adopt the decision as amended.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X		X		X		3
No							0
Abstention		X					1

C54-24 Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to adopt the decision as written.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X		X		X		3
No							0
Abstention		X					1

C63-24 Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to adopt the decision as written.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X		X		X		3
No							0
Abstention		X					1

VII. Advisory Opinions

A01-25 This matter was on the agenda to make public only. The Commission did not have the statutorily required number of Commissioners present to make the advisory opinion public.

A02-25 This matter was on the agenda to make public only. The Commission did not have the statutorily required number of Commissioners present to make the advisory opinion public.

A04-25 This matter was on the agenda to make public only. The Commission did not have the statutorily required number of Commissioners present to make the advisory opinion public.

A05-25 Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to adopt the advisory opinion as written. The Commission did not have the statutorily required number of Commissioners present to make the advisory opinion public.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X		4
No							0
Abstention							0

A06-25 Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to adopt the advisory opinion as written. The Commission did not have the statutorily required number of Commissioners present to make the advisory opinion public.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X		4
No							0
Abstention							0

A07-25 Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to adopt the advisory opinion as written. The Commission did not have the statutorily required number of Commissioners present to make the advisory opinion public.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X		4
No							0
Abstention							0

A08-25 Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to adopt the advisory opinion as written. The Commission did not have the statutorily required number of Commissioners present to make the advisory opinion public.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X		4
No							0
Abstention							0

A09-25 Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to adopt the advisory opinion as written. The Commission did not have the statutorily required number of Commissioners present to make the advisory opinion public.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X		4
No							0
Abstention							0

VIII. Administrative Dismissals

C37-25 This matter was on the agenda for informational purposes only.

IX. Other Business

Doctrine of Necessity: submitted by the Washington Township (Gloucester County) Board of Education. This matter was on the agenda for informational purposes only.

Chairperson to select nominating committee (3 persons) to select a nominee for the position of SEC Chairperson for the term of July 1, 2025, through June 30, 2026. Chairperson Bender selected Commissioners Carucci, Finkelstein and Roberts as the members of the nominating committee.

Provide an update on the Appellate Division decision in connection with C20-20. This matter was on the agenda for informational purposes only.

Provide an update on the status of the Appellate Division decisions in connection with C19-22 and C20-22. Motion was made by Mark Finkelstein, and seconded by Carol E. Sabo, to transmit both matters to the OAL.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X		4
No							0
Abstention							0

12:19 p.m. DAG Kalisky joins the meeting virtually.

DAG Kalisky to provide an update on the status of C47-21. Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to decline the settlement offer.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X		4
No							0
Abstention							0

Discuss potential 2026 SEC meeting dates/times. This matter was on the agenda for informational purposes only.

X. Minutes

Motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to adopt the minutes of the regularly scheduled meeting (public and executive) conducted on March 25, 2025.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X		X		X		3
No							0
Abstention		X ⁴					1

XI. Second Public Comment

There were not any members of the public present.

⁴ Commissioner Carucci was not present at the meeting on March 25, 2025, and therefore, could not participate in the vote related to this matter.

XII. Adjournment

At 12:39 p.m., a motion was made by Carol E. Sabo, and seconded by Mark Finkelstein, to adjourn.

Vote

Vote	Robert Bender	Michael Carucci	Mark Finkelstein	Dennis Roberts	Carol E. Sabo	Richard Tomko	Total
Yes	X	X	X		X		4
No							0
Abstention							0

Submitted by:

Jeannine Pizzigoni

Approved by:

Dana Jones
School Ethics Commission