PIO PENNISI, THOMAS CASSIO, JIM GIANNAKIS, KEITH BOTH, DIVON PENDER, JOHN FARINELLA, and WILLIAM SEESSELBERG, BOARD MEMBERS, and NOREEN TANSEY LISHAK, SUPERINTENDENT **v.** **DEBORAH BOYLE, BOARD MEMBER**	**BEFORE THE NEW JERSEY SCHOOL ETHICS COMMISSION** **SCHOOL ETHICS ACT COMPLAINT**

The undersigned, Pio Pennisi, whose home address is 1401 Cherry Street, South Plainfield, New Jersey 07080, Thomas Cassio, whose home address is 144 Day Street, South Plainfield, New Jersey 07080, Jim Giannakis, whose home address is 2023 Perry Street, South Plainfield, New Jersey 07080, Keith Both, whose home address is 133 Oak Manor Parkway, South Plainfield, New Jersey 07080, Divon Pender, whose home address is 303 Edgar Avenue, South Plainfield, New Jersey 07080, John Farinella, whose home address is 174 West Elmwood Drive, South Plainfield, New Jersey, 07080, and William Seesselberg, whose home address is 210 Oakland Avenue, South Plainfield, New Jersey 07080, all of whom serve as Members of the South Plainfield Board of Education (hereinafter referred to as the "Board"), having principal offices located at 125 Jackson Avenue, South Plainfield, New Jersey 07080, and Dr. Noreen Tansey Lishak, whose home address is 37 East Hegal Avenue, Colonia, New Jersey 07067 and who serves as Superintendent of the South Plainfield School District (hereinafter referred to as the "District"), having principal offices located at 125 Jackson Avenue, South Plainfield, New Jersey 07080, hereby request the School Ethics Commission to consider a complaint against the above-named Respondent, Board Member Deborah Boyle (hereinafter "Ms. Boyle"), whose home address is 209 Van Fleet Avenue, South

Plainfield, New Jersey 07080, in accordance with the authority of the School Ethics Commission to entertain such complaints under N.J.S.A. 18A:12-21 *et seq.*

FACTS COMMON TO ALL COUNTS

1. The Board is comprised of nine (9) members.

2. Each member, as required by law, must swear an oath to, among other things, uphold the laws of the State of New Jersey and the Constitution of the State of New Jersey.

3. Deborah Boyle is a member of the South Plainfield Board of Education and has continuously served in that capacity since her initial election to the Board in 2007.

4. On August 10, 2021, Robert C. Diehl (hereinafter "Mr. Diehl"), a former administrator in the South Plainfield School District, filed suit in the New Jersey Superior Court alleging, amongst other things, that he was improperly denied a vacant high school principal position within the District on the basis of his age, in violation of the New Jersey Law Against Discrimination. See **Exhibit A** (August 10, 2021 Complaint filed by Robert C. Diehl).

5. The crux of Mr. Diehl's August 10, 2021 lawsuit focuses on alleged conduct taken against him by Dr. Noreen Tansey Lishak (hereinafter "Dr. Lishak"), Superintendent of the District, in an effort to interfere with Mr. Diehl's efforts in securing employment as the full-time principal in the District's high school based upon Mr. Diehl's age. Id.

6. Mr. Diehl's August 10, 2021 complaint also identifies the Board and the District as named defendants and seeks to hold the Board and the District vicariously liable for Dr. Lishak's alleged conduct. Id.

7. Accordingly, Mr. Diehl's August 10, 2021 lawsuit has the potential to result in legal and monetary liability for Dr. Lishak, the Board, and the District.

8. The Board is being represented by insurance counsel John Regina, Esq. (hereinafter "Mr. Regina"), of the law firm of Anderson & Shah, LLC, in connection with its defense against Mr. Diehl's August 10, 2021 lawsuit.

9. Mr. Diehl is being represented by his son, Robert A. Diehl, Esq. (hereinafter "Attorney Diehl"), of the law firm of Bittiger Elias & Triolo, P.C., in connection with his August 10, 2021 suit against Dr. Lishak, the Board, and the District.

10. By letter dated June 23, 2022, Attorney Diehl notified Mr. Regina that Mr. Diehl had "received a package of documents from Board Member Debbie Boyle, which were hand delivered to [Mr. Diehl's] home" and that the package of documents received by Mr. Diehl appeared to contain confidential and privileged communications between Ms. Boyle and Marc Zitomer (hereinafter "Mr. Zitomer"), Board attorney, of the law firm of Schenck Price Smith & King, LLP. See **Exhibit B** (June 23, 2022 Letter from Robert A. Diehl, Esq., to John Regina, Esq., including twenty (20) pages of documents received by Robert C. Diehl and enclosed with June 23, 2022 Letter).

11. Attorney Diehl enclosed the twenty (20) pages of documents Mr. Diehl received at his home with his June 23, 2022 letter to Mr. Regina. Id.

12. In his June 23, 2022 letter, Attorney Diehl further requested that Mr. Regina prepare and provide a privilege log for any potentially privileged documents received by Mr. Diehl in the event that the District and the Board would be claiming any right of privilege concerning such documents in connection with the August 10, 2021 lawsuit and advised that, if such privilege were asserted, he reserved the right to challenge the assertion of privilege on the basis that such privilege was waived when the documents were voluntarily disclosed to Mr. Diehl. Id., at p. 1.

13. Upon review of the documents received by Mr. Diehl, it is clear that such documents contain confidential attorney-client communications between Mr. Zitomer, his partner, Joe Roselle, Esq. (hereinafter "Mr. Roselle"), former Board President Doug Chapman (hereinafter "Mr. Chapman"), and Ms. Boyle.

14. Attorney Diehl does not have any legal relationship with Ms. Boyle and is not representing Ms. Boyle in any pending legal proceedings.

15. The documents received by Mr. Diehl also included a June 7, 2021 letter from Beth Finkelstein, Esq. (hereinafter "Ms. Finkelstein"), of the New Jersey Association of School Administrators, to Mr. Zitomer, in which she advised him of allegations concerning Ms. Boyle's pattern of harassment and intimidation against Dr. Lishak and Dr. Lishak's request that the Board initiate a workplace investigation into Ms. Boyle for violation of the Board's Healthy Work Environment Policy. Id., at p. 15-16.

16. Based on Ms. Finkelstein's June 7, 2021 correspondence to Mr. Zitomer, the Board retained Peter Fallon, Esq. (hereinafter "Mr. Fallon"), to conduct an independent investigation into Dr. Lishak's complaints regarding Ms. Boyle's conduct towards her.

17. Also included in the documents received by Mr. Diehl was a September 23, 2021 letter authored by Mr. Fallon setting forth his findings regarding Dr. Lishak's workplace complaint against Ms. Boyle, which ultimately concluded that the information obtained through the investigation was sufficient to support a finding that Ms. Boyle violated the Board's Healthy Work Environment Policy. Id., at p. 8-10.

18. Importantly, Mr. Zitomer and Ms. Boyle were the only individuals that Mr. Fallon transmitted his September 23, 2021 correspondence to. Ibid.

19. Accordingly, on June 24, 2022, Mr. Roselle emailed Ms. Boyle the following:

> Debbie,
>
> Attached is a letter from Bob Diehl, Sr.'s attorney to the attorney representing the Board in the Diehl litigation. As you can see, Mr. Diehl's attorney says that you hand-delivered 20 pages of documents directly to Bob Diehl, Sr. I have not attached the documents, but I have reviewed them. They include, but are not limited to, attorney-client privileged emails between you, Doug Chapman, Marc and me, as well as other documents related to the Peter Fallon investigation. As you know, Mr. Diehl is currently suing the Board of Education so this disclosure is troubling on many levels. You do not have the authority to waive attorney client privilege and are expected to maintain confidentiality regarding legal and personnel matters involving the Board. As per Mr. Pennisi, please let us know by no later than Monday why these documents were provided and who authorized you to do so. Thank you.
>
> Joe

See **Exhibit C** (June 24, 2022 and June 27, 2022 Email Correspondence between Joe Roselle, Esq., and Deborah Boyle)

20. On June 27, 2022, Ms. Boyle responded to Mr. Roselle, stating "Please be advised that I have never hand-delivered any documents to Mr. Bob Diehl." Id.

21. In further investigating the source of the documents received by Mr. Diehl, Mr. Zitomer contacted Mr. Chapman, former Board President, to inquire into whether Mr. Chapman had provided the documents to Mr. Diehl. Mr. Chapman advised that he had not provided Mr. Diehl with any documents or information and that he would sign an affidavit to that effect.

22. However, Ms. Boyle's personal email address—bdmmp209@aol.com--appears on several of the attorney-client privileged communications received by Mr. Diehl. See **Exhibit B**, at p. 12, 14, 17-18, 20-21.

23. As a result, on June 28, 2022, the Board convened a special meeting for purposes of inquiring into and addressing Ms. Boyle's apparent dissemination of confidential Board materials to Mr. Diehl.

24. During the closed session portion of the June 28, 2022 special meeting, the Board asked Ms. Boyle if she sent the documents received by Mr. Diehl to him either directly or indirectly. Ms. Boyle responded that she had not sent the documents to Mr. Diehl and that she had not given those documents to anyone else.

25. When asked to explain why her personal email address appeared on the documents received by Mr. Diehl, Ms. Boyle stated that she had printed those documents out on her personal printer at home and given them to her attorney in another ethics matter, but that she had not given them to Mr. Diehl and did not know how the documents got from her personal printer to Mr. Diehl's mailbox.

26. When asked about the handwriting on one of the documents included in the package received by Mr. Diehl, Ms. Boyle acknowledged that it was her handwriting on that document but could not provide an explanation as to how a document with her handwriting found its way into Mr. Diehl's mailbox. Id., at p. 14.

27. Significantly, the handwriting on one of the documents received by Mr. Diehl was Ms. Boyle's original handwriting; it was not a copy of a document with her handwriting on it. A true and accurate copy of that document is included as an exhibit to these Ethics Charges, but the original document containing Ms. Boyle's handwriting is available for inspection and/or production upon request. Ibid.

28. When asked whether she had printed multiple copies of the documents received by Mr. Diehl on her personal printer, Ms. Boyle stated that she had not and that she would need to check whether she was missing the printout from her home.

29. When asked whether anyone had broken into her house or accessed her computer to improperly obtain and transmit the documents to Mr. Diehl, Ms. Boyle denied that either situation occurred.

30. The documents Mr. Diehl received are: (1) directly related to Ms. Boyle's membership on the Board and matters she was made privy to or involved with in that capacity; (2) include documents and information that Ms. Boyle was the sole individual in possession of (outside of Mr. Zitomer); and, (3) contain Ms. Boyle's original handwriting, as she acknowledged during the June 28, 2022 special Board meeting, and her personal email address.

31. Further, there is documented and substantiated tension and animosity between Ms. Boyle and Dr. Lishak, the primary defendant in Mr. Diehl's August 10, 2021 lawsuit.

32. Given Ms. Boyle's unsatisfactory and incredible responses to the Board's inquiries during its June 28, 2022 special meeting, the only plausible explanation for Mr. Diehl's receipt of these confidential Board documents and information is that Ms. Boyle or an individual acting on her behalf prepared and disseminated such documents and information to Mr. Diehl in an effort to disadvantage Dr. Lishak, the Board, and the District in connection with Mr. Diehl's suit.

33. Through her conduct, Ms. Boyle has violated the Code of Ethics for School Board Members, as codified at N.J.S.A. 18A:12-24.1.

COUNT ONE

Violation of N.J.S.A. 18A:12-24.1(c)

34. The Complainant repeats and reasserts the allegations contained in paragraphs 1 through 33 and incorporates them herein by reference.

35. Without any Board or District authorization, Ms. Boyle improperly disclosed or caused to be disclosed confidential and privileged information containing and concerning attorney-client privileged communications between the Board and its attorney, as well as personnel information related to Dr. Lishak's workplace complaints against her and Mr. Fallon's findings following his investigation into those complaints.

36. Ms. Boyle disseminated this confidential and protected information of her own accord and for the apparently personal reason of negatively impacting Dr. Lishak's position in Mr. Diehl's pending lawsuit against Dr. Lishak, the Board, and the District.

37. Of course, Ms. Boyle's obligations as a Board member include the requirement that she protect confidential Board and District information and materials from inadvertent disclosure to parties without a right to such information and materials.

38. By willfully disseminating confidential and protected Board and District information and materials without the approval or authorization of the Board and District Administration, Ms. Boyle both exceeded the scope of her authority and acted in direct contravention of her explicit duties and responsibilities as an individual member of the Board.

39. Ms. Boyle's conduct, as alleged in Count One herein, was outside the scope of and unrelated to her duties as a Board member and constituted private action taken individually by Ms. Boyle without the knowledge, endorsement, or approval of the Board.

WHEREAS, school board members are required to abide by the Code of Ethics for School Board Members, codified at N.J.S.A. 18A:12-24.1; and

WHEREAS, Ms. Boyle's conduct establishes a violation of N.J.S.A. 18A:12-24.1(c), which provides that school board members shall abide by the following: "I will confine my board action to policy making, planning, and appraisal, and I will help to frame policies and plans only after the board has consulted those who will be affected by them"; and

WHEREAS, N.J.A.C. 6A:28-6.4(a)(3) provides that a violation of N.J.S.A. 18A:12-24.1(c) shall include evidence that respondent "took board action to effectuate policies and plans without consulting those affected by such policies and plans, or took action that was unrelated to the respondent's duty to: (i) develop the general rules and principles that guide the management of the school district or charter school; (ii) formulate programs and methods to effectuate the goal of the school district or charter school; or (iii) ascertain the value or liability of such a policy."

WHEREFORE, the Complainant requests that the School Ethics Commission:

1. Issue an Order finding Ms. Boyle's conduct to be in violation of N.J.S.A. 18A:12-24.1(c); and
2. Impose against Ms. Boyle such penalty as the School Ethics Commission deems appropriate for these violations, up to and including Ms. Boyle's removal from the South Plainfield Board of Education.

COUNT TWO

Violation of N.J.S.A. 18A:12-24.1(e)

40. The Complainant repeats and reasserts the allegations contained in paragraphs 1 through 39 and incorporates them herein by reference.

41. As an individual Board member, Ms. Boyle did not possess the authority to disclose and disseminate confidential and protected attorney-client and personnel information and materials of the Board and the District.

42. In unilaterally releasing confidential Board documents and information without requesting or obtaining authorization from her fellow Board members to do so, Ms. Boyle took action beyond the proper scope of her role as a Board member.

43. Further, Ms. Boyle's unauthorized disclosure of confidential Board materials to an individual currently suing the Board, the District, and Dr. Lishak has a significant potential to compromise the Board.

44. The documents Ms. Boyle transmitted or caused to be transmitted to Mr. Diehl could be used by Mr. Diehl in his lawsuit against the Board and the District to support his position in such lawsuit, to the detriment of the Board and the District's interests therein.

45. Ms. Boyle's improper disclosure of confidential personnel information related to Dr. Lishak's workplace complaints against her could give rise to an additional lawsuit against the Board based upon such improper disclosure by one of its members, resulting in additional costs to the District in defending against such a suit.

46. Ms. Boyle's improper disclosure of confidential and privileged Board materials and information could also operate to waive the privilege associated with such materials and information, thereby permitting their use against the District and the Board in Mr. Diehl's lawsuit.

47. Likewise, Ms. Boyle's improper disclosure of confidential and privileged Board materials will certainly result in additional legal fees at the District's expense, as Attorney Diehl has already notified Mr. Regina that he will be contesting any assertion of privilege regarding the

documents Mr. Diehl received on the basis that Ms. Boyle waived any such privilege by voluntarily disclosing the privileged information to Mr. Diehl. This will require the District to incur additional legal fees in connection with any motion practice concerning the admissibility of the documents Mr. Diehl received from Ms. Boyle, which fees would have been avoided had Ms. Boyle not disseminated privileged Board information to Mr. Diehl.

48. Finally, Ms. Boyle has undermined the public perception of the Board and its constituent members as a body comprised of individuals all working and acting to secure and safeguard the best interests of the District and the community that it serves by engaging in conduct which has a substantial potential to negatively impact those interests.

49. Ms. Boyle's conduct, as alleged in Count Two herein, was outside the scope of and unrelated to her duties as a Board member and constituted private action taken individually by Ms. Boyle without the knowledge, endorsement, or approval of the Board.

WHEREAS, school board members are required to abide by the Code of Ethics for School Board Members, codified at N.J.S.A. 18A:12-24; and

WHEREAS, Ms. Boyle's conduct establishes a violation of N.J.S.A. 18A:12-24.1(e), which provides that school board members shall abide by the following: "I will recognize that authority rests with the board of education and will make no personal promises nor take any private action that may compromise the board"; and

WHEREAS, N.J.A.C. 6A:28-6.4(a)(5) provides that a violation of N.J.S.A. 18A:12-24.1(e) shall include evidence "that the respondent made personal promises or took action beyond the scope of his or her duties such that, by its nature, had the potential to compromise the board."

WHEREFORE, the Complainant requests that the School Ethics Commission:

1. Issue an Order finding Ms. Boyle's conduct to be in violation of N.J.S.A. 18A:12-24.1(e); and

2. Impose against Ms. Boyle such penalty as the School Ethics Commission deems appropriate for these violations, up to and including Ms. Boyle's removal from the South Plainfield Board of Education.

COUNT THREE

Violation of N.J.S.A. 18A:12-24.1(g)

50. The Complainant repeats and reasserts the allegations contained in paragraphs 1 through 49 and incorporates them herein by reference.

51. Included in the documents Ms. Boyle sent to Mr. Diehl were attorney-client privileged communications between the Board and its attorney, Mr. Zitomer, as well as confidential personnel information related to Dr. Lishak's complaint regarding Ms. Boyle's conduct towards her and the information obtained through Mr. Fallon's investigation into such complaint.

52. Pursuant to Board Policy 0146, Board members are required to utilize confidential information to which they become privy for purposes related to the Board members' discharge of their duties and must refrain from the disclosure or revelation of confidential information. See **Exhibit D** (Board Policy 0146).

53. Board Policy 8310 specifies that attorney-client privileged communications and District personnel records and information are not public records subject to public disclosure and, accordingly, Board members with access to such information and records must protect and maintain their confidentiality. See **Exhibit E** (Board Policy 8310).

54. Through her dissemination of attorney-client privileged communications and District personnel records and information, Ms. Boyle breached the confidentiality associated with those records.

55. Moreover, by voluntarily disseminating confidential materials to Mr. Diehl, Ms. Boyle potentially waived any privilege that could be asserted to protect against Mr. Diehl's use of those materials in his lawsuit against the District, the Board, and Dr. Lishak, thereby needlessly jeopardizing the Board, the District, and Dr. Lishak's legal position in connection with that litigation.

56. Ms. Boyle's conduct, as alleged in Count Three herein, was outside the scope of and unrelated to her duties as a Board member and constituted private action taken individually by Ms. Boyle without the knowledge, endorsement, or approval of the Board.

WHEREAS, school board members are required to abide by the Code of Ethics for School Board Members, codified at N.J.S.A. 18A:12-24.1; and

WHEREAS, Ms. Boyle's conduct establishes a violation of N.J.S.A. 18A:12-24.1(g), which requires Board members to comply with the following command: "I will hold confidential all matters pertaining to the schools which, if disclosed, would needlessly injure individuals or the schools. In all other matters, I will provide accurate information and, in concert with my fellow board members, interpret to the staff the aspirations of the community for its school"; and

WHEREAS, N.J.A.C. 6A:28-6.4(a)(7) provides that factual evidence of a violation of the confidentiality provision of N.J.S.A. 18A:12-24.1(g) shall include evidence "that the respondent(s) took action to make public, reveal or disclose information that was not public under any laws,

regulations or court orders of this State, or information that was otherwise confidential in accordance with board policies, procedures or practice."

WHEREFORE, the Complainant requests that the School Ethics Commission:

1. Issue an Order finding Ms. Boyle's conduct to be in violation of N.J.S.A. 18A:12-24.1(g); and
2. Impose against Ms. Boyle such penalty as the School Ethics Commission deems appropriate for these violations, up to and including Ms. Boyle's removal from the South Plainfield Board of Education.

COUNT FOUR

Violation of N.J.S.A. 18A:12-24.1(i)

57. The Complainant repeats and reasserts the allegations contained in paragraphs 1 through 56 and incorporates them herein by reference.

58. As a Board member, Ms. Boyle was at all relevant times required to support District personnel in the proper discharge of their duties.

59. Rather than uphold her responsibility to protect and support District personnel, Ms. Boyle disclosed confidential Board and District information and materials to Mr. Diehl, an individual currently suing Dr. Lishak for alleged conduct taken in her capacity as a District administrator, for the apparent purpose of providing Mr. Diehl with information that might benefit him in connection with his claims against Dr. Lishak.

60. In doing so, Ms. Boyle failed to protect Dr. Lishak and, instead, took affirmative steps to negatively impact Dr. Lishak's position in defending against Mr. Diehl's pending lawsuit.

61. Ms. Boyle's conduct, as alleged in Count Four herein, was outside the scope of and unrelated to her duties as a Board member and constituted private action taken individually by Ms. Boyle without the knowledge, endorsement, or approval of the Board.

WHEREAS, school board members are required to abide by the Code of Ethics for School Board Members, codified at N.J.S.A. 18A:12-24.1; and

WHEREAS, Ms. Boyle's conduct establishes a violation of N.J.S.A. 18A:12-24.1(i), which requires Board members to comply with the following command: "I will support and protect school personnel in proper performance of their duties"; and

WHEREAS, N.J.A.C. 6A:28-6.4(a)(9) provides that a violation of N.J.S.A. 18A:12-24.1(i) shall include evidence "that the respondent(s) took deliberate action which resulted in undermining, opposing, compromising or harming school personnel in the proper performance of their duties."

WHEREFORE, the Complainant requests that the School Ethics Commission:

1. Issue an Order finding Ms. Boyle's conduct to be in violation of N.J.S.A. 18A:12-24.1(i); and
2. Impose against Ms. Boyle such penalty as the School Ethics Commission deems appropriate for these violations, up to and including Ms. Boyle's removal from the South Plainfield Board of Education.

8/9/22
Date

Pio Pennisi, President
South Plainfield Board of Education

8/9/22
Date

Thomas Cassio, Vice President
South Plainfield Board of Education

8/11/22
Date

Jim Giannakis, Member
South Plainfield Board of Education

8/17/2022
Date

Keith Both, Member
South Plainfield Board of Education

8/12/22
Date

Divon Pender, Member
South Plainfield Board of Education

8/12/2022
Date

John Farinella, Member
South Plainfield Board of Education

8/9/2022
Date

William Seesselberg, Member
South Plainfield Board of Education

8/17/2022
Date

Dr. Noreen Tansey Lishak, Superintendent
South Plainfield School District

CERTIFICATION UNDER OATH

I, Pio Pennisi, of full age, being duly sworn upon my oath according to law depose and say:

1. I am a Complainant in this matter.

2. I have read the complaint and aver the facts and exhibits contained therein are true to the best of my knowledge and belief and I am aware that the statute that created the School Ethics Commission authorizes the School Ethics Commission to impose penalties for filing a frivolous complaint in accordance with N.J.S.A. 18A:12-29(e). I am aware that if the respondent alleges that the complaint is frivolous, I shall have twenty (20) days from receive of the answer to respond to the allegation.

3. The subject matter of this complaint is not pending in any court of law or administrative agency of this State. I will advise the School Ethics Commission if I subsequently become aware that it is pending elsewhere.

8/9/22
Date

Pio Pennisi, President
South Plainfield Board of Education

Sworn and subscribed to before me this 9th day of August, 2022.

Theresa Tempe
Notary Public of NJ
My commission expires March 23, 2026
Theresa Tempe

CERTIFICATION UNDER OATH

I, Thomas Cassio, of full age, being duly sworn upon my oath according to law depose and say:

1. I am a Complainant in this matter.

2. I have read the complaint and aver the facts and exhibits contained therein are true to the best of my knowledge and belief and I am aware that the statute that created the School Ethics Commission authorizes the School Ethics Commission to impose penalties for filing a frivolous complaint in accordance with N.J.S.A. 18A:12-29(e). I am aware that if the respondent alleges that the complaint is frivolous, I shall have twenty (20) days from receive of the answer to respond to the allegation.

3. The subject matter of this complaint is not pending in any court of law or administrative agency of this State. I will advise the School Ethics Commission if I subsequently become aware that it is pending elsewhere.

8/9/22
Date

Thomas Cassio, Vice President
South Plainfield Board of Education

Sworn and subscribed to before me this 9th day of August, 2022.

Theresa Tempe
Notary Public of NJ
My commission expires March 23, 2026
Theresa Tempe

CERTIFICATION UNDER OATH

I, Jim Giannakis, of full age, being duly sworn upon my oath according to law depose and say:

1. I am a Complainant in this matter.

2. I have read the complaint and aver the facts and exhibits contained therein are true to the best of my knowledge and belief and I am aware that the statute that created the School Ethics Commission authorizes the School Ethics Commission to impose penalties for filing a frivolous complaint in accordance with N.J.S.A. 18A:12-29(e). I am aware that if the respondent alleges that the complaint is frivolous, I shall have twenty (20) days from receive of the answer to respond to the allegation.

3. The subject matter of this complaint is not pending in any court of law or administrative agency of this State. I will advise the School Ethics Commission if I subsequently become aware that it is pending elsewhere.

8/11/2022
Date

Jim Giannakis, Member
South Plainfield Board of Education

Sworn and subscribed to before me this 11th day of August, 2022.

Theresa Tempe
Notary Public of NJ
My commission expires March 23, 2026

Theresa Tempe

CERTIFICATION UNDER OATH

I, Keith Both, of full age, being duly sworn upon my oath according to law depose and say:

1. I am a Complainant in this matter.

2. I have read the complaint and aver the facts and exhibits contained therein are true to the best of my knowledge and belief and I am aware that the statute that created the School Ethics Commission authorizes the School Ethics Commission to impose penalties for filing a frivolous complaint in accordance with N.J.S.A. 18A:12-29(e). I am aware that if the respondent alleges that the complaint is frivolous, I shall have twenty (20) days from receive of the answer to respond to the allegation.

3. The subject matter of this complaint is not pending in any court of law or administrative agency of this State. I will advise the School Ethics Commission if I subsequently become aware that it is pending elsewhere.

8/17/2022
Date

Keith Both, Member
South Plainfield Board of Education

Sworn and subscribed to before me this 17th day of August, 2022.

AMY E. CICENIA
NOTARY PUBLIC OF NEW JERSEY
Comm. # 50080403
My Commission Expires 4/10/2023

CERTIFICATION UNDER OATH

I, Divon Pender, of full age, being duly sworn upon my oath according to law depose and say:

1. I am a Complainant in this matter.

2. I have read the complaint and aver the facts and exhibits contained therein are true to the best of my knowledge and belief and I am aware that the statute that created the School Ethics Commission authorizes the School Ethics Commission to impose penalties for filing a frivolous complaint in accordance with N.J.S.A. 18A:12-29(e). I am aware that if the respondent alleges that the complaint is frivolous, I shall have twenty (20) days from receive of the answer to respond to the allegation.

3. The subject matter of this complaint is not pending in any court of law or administrative agency of this State. I will advise the School Ethics Commission if I subsequently become aware that it is pending elsewhere.

8/12/2022
Date

Divon Pender, Member
South Plainfield Board of Education

Sworn and subscribed to before me this 12th day of August, 2022.

Theresa Tempe
Notary Public of NJ
My commission expires March 23, 2026
Theresa Tempe

CERTIFICATION UNDER OATH

I, John Farinella, of full age, being duly sworn upon my oath according to law depose and say:

1. I am a Complainant in this matter.

2. I have read the complaint and aver the facts and exhibits contained therein are true to the best of my knowledge and belief and I am aware that the statute that created the School Ethics Commission authorizes the School Ethics Commission to impose penalties for filing a frivolous complaint in accordance with N.J.S.A. 18A:12-29(e). I am aware that if the respondent alleges that the complaint is frivolous, I shall have twenty (20) days from receive of the answer to respond to the allegation.

3. The subject matter of this complaint is not pending in any court of law or administrative agency of this State. I will advise the School Ethics Commission if I subsequently become aware that it is pending elsewhere.

8/12/2022
Date

John Farinella, Member
South Plainfield Board of Education

Sworn and subscribed to before me this 12th day of August, 2022.

Theresa Tempe
Notary Public of NJ
My commission expires March 23, 2026

CERTIFICATION UNDER OATH

I, William Seesselberg, of full age, being duly sworn upon my oath according to law depose and say:

1. I am a Complainant in this matter.

2. I have read the complaint and aver the facts and exhibits contained therein are true to the best of my knowledge and belief and I am aware that the statute that created the School Ethics Commission authorizes the School Ethics Commission to impose penalties for filing a frivolous complaint in accordance with N.J.S.A. 18A:12-29(e). I am aware that if the respondent alleges that the complaint is frivolous, I shall have twenty (20) days from receive of the answer to respond to the allegation.

3. The subject matter of this complaint is not pending in any court of law or administrative agency of this State. I will advise the School Ethics Commission if I subsequently become aware that it is pending elsewhere.

8/9/22
Date

William Seesselberg
South Plainfield Board of Education

Sworn and subscribed to before me this 9th day of August, 2022.

Theresa Tempe
Notary Public of NJ
My commission expires March 23, 2026
Theresa Tempe

CERTIFICATION UNDER OATH

I, Noreen Tansey Lishak, of full age, being duly sworn upon my oath according to law depose and say:

1. I am a Complainant in this matter.

2. I have read the complaint and aver the facts and exhibits contained therein are true to the best of my knowledge and belief and I am aware that the statute that created the School Ethics Commission authorizes the School Ethics Commission to impose penalties for filing a frivolous complaint in accordance with N.J.S.A. 18A:12-29(e). I am aware that if the respondent alleges that the complaint is frivolous, I shall have twenty (20) days from receive of the answer to respond to the allegation.

3. The subject matter of this complaint is not pending in any court of law or administrative agency of this State. I will advise the School Ethics Commission if I subsequently become aware that it is pending elsewhere.

8/11/22
Date

Noreen Tansey Lishak, Ed.D.
Dr. Noreen Tansey Lishak, Superintendent
South Plainfield School District

Sworn and subscribed to before me this 11th day of August, 2022.

Theresa Tempe
Notary Public of NJ
My commission expires March 23, 2026
Theresa Tempe