

For Agency Use Only  
Docket Number: C35-10

LEANNE R. CHAMBERLIN,

Complainant

: BEFORE THE SCHOOL

v.

: ETHICS COMMISSION

OF NEW JERSEY

ANYHONT JAY NUTTER

: SCHOOL ETHICS ACT

Respondents

: COMPLAINT FORM

I, Leanne R. Chamberlin, residing at [REDACTED] Hamilton, NJ 08610, and phone number being [REDACTED], request the School Ethics Commission to consider a complaint against the above-named Respondent(s) whose home addresses are as follows: [REDACTED] [REDACTED] Roebling, New Jersey 08554 in accordance with the authority of the School Ethics Commission to entertain such complaints under N.J.S.A. 18A:12-21 et seq.

**The facts upon which this complaint is based are as follows: (print additional pages as needed)**

1. **Statement of facts:** School Board Member listed above tried to use his authority as an elected official to "gain a full-time contract for a family member who was at that time a long term substitute. (Text messages attached). There was a direct conflict of interest, which violated N.J.S.A. 18A:12-24 (b, c and e). Part B of the statute states "no school official shall use or attempt to use his official position to secure unwarranted privileges, advantages of employment for himself, members of his immediate family or others." Part C states that "No school official shall act in his official capacity in any matter where he or a member of his immediate family has a direct or indirect financial involvement that might reasonably be expected to impair his objectivity or independence of judgment. No school official shall act in his official capacity in any matter where he or a member of his immediate family has a personal involvement that is or create some benefit to the school official or member of his immediate family," and Part E states "No school official, or member of his immediate family, ... in which he has an interest, shall solicit or accept any gift, favor, loan, political contribution, service, promise of future employment, or other things of value based upon an understanding that the gift, favor, loan, contribution, service, promise o other thing of value was given or offered by the purpose of influencing him, directly or indirectly, in the discharge of his official duties.

Date of occurrence: Board meeting May 2010, Board meeting July 2010

I assert this to be a violation of: N.J.S.A. 18A:12-24 (b, c and e) and N.J.S.A. 18A:12-24.1 (e).



On several occasions, Mr. Nutter tried to use his position as a Board member to coerce a family member into giving personal items out of will, to which she was executor, in exchange for getting a permanent position in the school system.

Mr. Nutter went to his mother's home, who was recently deceased and to which the Plaintiff had recently acquired through the mother's will. Plaintiff is the Executor of said will. Plaintiff insinuated on several occasions that he would "go behind the scenes" and assist Plaintiff in obtaining a full time position in the school district if she could assist him in obtaining certain items of interest from the will.

2. **Statement of facts:** Mr. Anthony Nutter direction violated the Conflicts of Interest Law 18A:12-24 when he then tried to hold up the appointment of an estranged family member, because said family member told Board member "I don't need your help, I got my job on my own last year, and I'll get it on my own again this year." (Text messages attached).

Date of occurrence: text messages of July 13, 2010, Board Meetings of July 2010 and August Of 2010. (*closed session*)

I assert this to be a violation of: N.J.S.A. 18A:12-24 (b) (c) and N.J.S.A. 18A:12-24.1 (e)

Mr. Nutter on several occasions, tried to hold up the full time position of Plaintiff, but citing nepotism laws that didn't apply, since the Plaintiff was employed by the school district before Respondent became a member of the School Board. Due to legal issues, the School Board had to pull the name of Plaintiff off of the minutes and place the vote on hold, until the legalities could be checked out. Once plaintiff obtained her position, the Respondent then began to harass Plaintiff through her employer. He and his wife wrote letters to the Principal of Riverfront School, insinuating that Plaintiff was not the most qualified for the position.   


3. **Statement of facts:** During the May Board meeting for the Florence Township School District, Mr. Anthony Nutter was asked during open session if he had any conflicts of interest before voting on a personnel matter. He specifically said "No." When asked if he had a sister in the district, he said, "she is dead to me and there is no conflict."

Date of occurrence: May 2010 Board Meeting (*closed session*)

I assert this to be a violation of: N.J.S.A. 18A:12-24 (b) and (c)

In February, when Respondent was applying to be a Board Member, he was asked to fill out a form that specifically asked if he had any relatives working in the district. He wrote "No". In May of 2010, Respondent was again asked in a closed meeting if he had any conflicts of interest when voting on Personnel Matters, and he again said, "no." When Respondent was asked about a sister working in the district, he stated, "She is dead to me and there isn't any conflict." All the while, avoiding the fact that he had lied on his initial application and was now trying to vote on matters that would be a direct conflict.

WHEREFORE, I, as Complainant, request that the School Ethics Commission find and determine that the above-named Respondent(s) has violated the School Ethics Act and that he or she be subject to such penalty as provided by the Act.

WHEREFORE, I, as Complainant, request that the School Ethics commission find and determine that the above-named Respondent(s) has violated the School Ethics Act and that he or she be made to withdraw from the Board immediately on the grounds that he has violated the School Ethics Act with his abuse of position on several occasions.



Signature of Complainant

Date OCTOBER 14, 2010

or his or her Attorney



THOMAS G. GREGOROVIC  
NOTARY PUBLIC OF NEW JERSEY  
Commission Expires 7/1/2014

**CERTIFICATION UNDER OATH**

I, Leanne R. Chamberlin, of full age, being duly sworn upon his or her oath according to law deposes and says:

- 1. I am the complainant in this matter.
  
- 2. I have read the complaint and aver that the facts 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. N.J.S.A. 18A:12-29(e). I am aware that if the respondent alleges that the complaint is frivolous, I shall have 20 days from receipt 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.

*L.R. Chamberlin*  
Signature of Complainant

Date: OCTOBER 14, 2010

Sworn and subscribed to before me this 14 day of OCT, 2010.

*Thomas G. Gregorovic*

**THOMAS G. GREGOROVIC**  
**NOTARY PUBLIC OF NEW JERSEY**  
Commission Expires 7/1/2014

# SCHOOL ETHICS COMMISSION EXECUTIVE SESSION MINUTES

OCTOBER 25, 2011

Robert Bender called the meeting to order at 9:32 a.m.

Notice of the meeting was provided to the State House Press Corps and the Secretary of State and filed as required by the Open Public Meetings Act. In attendance were Commission members Jerome Amedeo, Randy Beverly, Mary Cooper, Ellen Polaner and Chairperson Robert Bender. Dennis Roberts arrived at 9:52. Commission members Robert Copeland, Mark Finkelstein and Jane Hutchison were not in attendance.

Executive Director Joanne Boyle, Administrative Assistant Karin Molnar, Deputy Attorney General Susan Huntley and Deputy Attorney General Diana Sierotowicz were also in attendance.

**9:34 a.m.** Executive Session

## Complaints

**C35-10** The Commission was briefed on the matter by Joanne Boyle and Diana Sierotowicz, DAG, who gave a summary of the proposed settlement offer pending at the Office of Administrative Law (OAL). After discussion, a recommendation was made to reject the proposed settlement which recommended a penalty of reprimand and instead propose a penalty of censure.

**C03-10** The Commission was briefed on the matter by Joanne Boyle and Susan Huntley, DAG, who gave a summary of the proposed settlement offer pending at the OAL. After discussion, a recommendation was made to accept the proposed settlement with a recommended penalty of censure.

**C35-11** The Commission was briefed on the matter by Ellen Polaner and Mary Cooper. After discussion, a recommendation was made to find not frivolous, to find probable cause as to N.J.S.A. 18A:12-24(b), (c) and (f), and to transmit the matter to the Office of Administrative Law (OAL) for a hearing.

**C36-11** The Commission was briefed on the matter by Joanne Boyle. After discussion, a recommendation was made to find probable cause as to N.J.S.A. 18A:12-24(c).

**C33-11** The Commission was briefed on the matter by Joanne Boyle. After discussion, a recommendation was made to grant the motion to dismiss.

**C04-11** The Commission was briefed on the matter by Joanne Boyle. After discussion, a recommendation was made to adopt the decision as written.

**C29-11** The Commission was briefed on the matter by Joanne Boyle. After discussion, a recommendation was made to adopt the decision as written.

**C28-10/C34-10** The Commission was briefed on the matter by Joanne Boyle. After discussion, a recommendation was made to adopt the decision as written.

### **Advisory Opinions**

**A15-11** The Commission was briefed on the matter by Joanne Boyle. A recommendation was made to adopt the advisory opinion, as written.

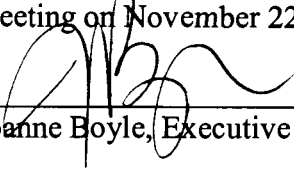
**A17-11** The Commission was briefed on the matter by Joanne Boyle. After discussion, a recommendation was made to advise as discussed.

### **Other Business**

**Statutory Review** Joanne Boyle reported that the NJ Department of Education (DOE) is working with the Governor's Education Transformation Task Force to review overly burdensome regulations and statutes. The DOE has invited its directors to identify statutes that are burdensome to districts. The Commission agreed that Ms. Boyle should attend an upcoming meeting at the DOE to discuss the amendments to N.J.S.A. 18A:12-33, the training statute, as burdensome to districts and not substantially helpful to students.

**11:18 a.m.** Return to public session

I hereby certify that the minutes were duly adopted by the School Ethics Commission at its public meeting on November 22, 2011.

  
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Joanne Boyle, Executive Director

# SCHOOL ETHICS COMMISSION EXECUTIVE SESSION MINUTES

NOVEMBER 22, 2011

Robert Bender called the meeting to order at 9:33 a.m.

Notice of the meeting was provided to the State House Press Corps and the Secretary of State and filed as required by the Open Public Meetings Act. In attendance were Commission members Jerome Amedeo, Randy Beverly, Robert Copeland, Mark Finkelstein, Ellen Polaner and Chairperson Robert Bender. Mary Cooper arrived at 9:35. Commission members Jane Hutchison and Dennis Roberts were not in attendance.

Executive Director Joanne Boyle, Administrative Assistant Karin Molnar and Deputy Attorney General Susan Huntley were also in attendance.

9:36 a.m. Executive Session

## Complaints

**C25-11** The Commission was briefed on the matter by Joanne Boyle. In attendance were the complainant Susan Dunbar Bey and the respondent Sean Brown. Ms. Boyle gave a brief explanation of the hearing procedures to be followed. Ms. Dunbar Bey was sworn in by Joanne Boyle and gave testimony. Three items were introduced into evidence with no objection and marked as C-1 through C-3.

Sean Brown was sworn in by Joanne Boyle and gave testimony. Upon completion of that testimony, both parties were questioned by members of the Commission. Both the complainant and the respondent gave brief closing statements after which the parties were dismissed. The Commission then deliberated and a recommendation was made to find no violation as to the allegations in counts one and three and to dismiss these counts, but to find a violation of N.J.S.A. 18A:12-24.1(i) as to count two with a recommended penalty of censure.

**C37-11** The Commission was briefed on the matter by Mark Finkelstein and Randy Beverly. After discussion, a recommendation was made to find no probable cause as to N.J.S.A. 18A:12-24(b), to find not frivolous and to retain the matter for a hearing on the Code of Ethics claims.

**C28-11** The Commission was briefed on the matter by Jerome Amedeo and Robert Copeland. After discussion, a recommendation was made to find no probable cause as to N.J.S.A. 18A:12-24(c) and to retain the matter for a hearing on the Code of Ethics claims.

**C38-11** The Commission was briefed on the matter by Jerome Amedeo and Robert Copeland. After discussion, a recommendation was made to find not frivolous and retain for a hearing.

**C40-11** The Commission was briefed on the matter by Jerome Amedeo and Robert Copeland. After discussion, a recommendation was made to find not frivolous and retain for a hearing.

**C10-11** The Commission was briefed on the matter by Joanne Boyle. After discussion, a recommendation was made to dismiss the matter for failure to appear.

**C35-10** The Commission was briefed on the matter by Joanne Boyle. After discussion, a recommendation was made to accept the settlement with a recommended penalty of censure.

**C35-11** The Commission was briefed on the matter by Joanne Boyle. After discussion, a recommendation was made to adopt the decision with edits.

**C33-11** The Commission was briefed on the matter by Joanne Boyle. After discussion, a recommendation was made to adopt the decision with edits.

**C36-11** The Commission was briefed on the matter by Joanne Boyle. After discussion, a recommendation was made to adopt the decision as written.

**10:41** Ellen Polaner departed

**C39-10** The Commission was briefed on the matter by Joanne Boyle. After discussion, a recommendation was made to adopt the decision on motion to settle the record.

**Other Business**

**C03-10** The Commission was briefed on the matter by Joanne Boyle. After discussion, a recommendation was made to adopt the Resolution of Censure.

**11:14** Return to public session

I hereby certify that the minutes were duly adopted by the School Ethics Commission at its public meeting on December 20, 2011.

  
Joanne Boyle, Executive Director

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