

Revision of Complaint filed 7-9-12

NAME OF

COMPLAINANT(S), Alvaro J. Cores, BEFORE THE SCHOOL
Principal of Dr. Herbert N. Richardson School

v. : ETHICS COMMISSION
OF NEW JERSEY

NAME OF RESPONDENT(S) : SCHOOL ETHICS ACT

Kenneth Puccio, Milady Tejada, Israel Varela, : COMPLAINT FORM

and Samuel Lebreault, Board members.

I, Alvaro Cores, residing at [REDACTED] request the School Ethics Commission to consider a complaint against the above-named Respondent(s) whose home address is [REDACTED] 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: (Please print additional pages as needed. Students should be identified by initials only.)

1. Statement of facts regarding Samuel Lebreault:

Date of occurrence: 7-2-12, 7-3-12, 7-4-12

I assert this to be a violation of: NJSA 18A:12-24.1 b, c, d, f, h, & i. This also violates the Open Public Meetings Act, N.J.S.A 10:4-6.

Board President Samuel Lebreault, sent an email to other Board members explaining to them that I was not receiving a Rice notice for the July 5th Board meeting because I was no longer an employee of the district. However, the previous adverse vote against my employment on 6-28-12 did not carry because there were insufficient votes. Therefore, I still was an employee of the Board as of 7-5-12. I have reason to believe this occurred based upon rumor from credible individuals employed by the Board.

2. Statement of facts regarding Kenneth Puccio, Israel Varela, Samuel Lebreault, and Milady Tejada: Date of occurrence: 7-5-12

I assert this to be a violation of: NJSA 18A:12-24.1 b, c, d, f, h, & i. This also violates the Open Public Meetings Act, N.J.S.A 10:4-6.

I have reason to believe that the hostile faction discussed my employment in executive session without providing me with the required Rice notification. I also have reason to believe this

occurred based upon rumor from credible individuals employed by the Board. In addition, Dr. Caffrey was observed by witnesses as she stormed out of executive session, seemingly infuriated by the faction's outrageous behavior and made her anger known to others. By denying me a Rice notice, the Board faction has shown blatant disregard for the law and has, once again, violated my rights as an employee with impunity.

3. Statement of facts regarding Kenneth Puccio:

Date of occurrence: 7-5-12

I assert this to be a violation of: NJSA 18A:12-24.1 g, i, & j.

After returning to public session, Mr. Puccio made reference to the coquito incident as proof of Dr. Caffrey's and (presumably) my incompetence. This incident was mentioned even though there has not been a verified complaint, police report, or court ruling on the matter.

4. Statement of facts regarding Kenneth Puccio, Israel Varela, Samuel Lebreault, and Milady Tejada: Date of occurrence: 7-5-12

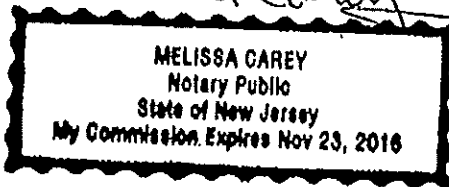
I assert this to be a violation of: NJSA 18A:12-24.1 b, c, d, f, h, & i. This also violates the Open Public Meetings Act, N.J.S.A 10:4-6.

All the administrators recommended by Superintendent Caffrey for renewal were approved except for me. This is proof that I am a target of the hostile faction. The Board further determined the non-renewal to take affect 7-1-12, thus violating the 60 day termination clause in my contract. The Board faction has shown blatant disregard for the law and has, once again, violated my rights as an employee with impunity. The fact that a vote was taken, demonstrates that I was, in fact, an employee at the time and contradicted President Lebreault's previous emails. I was terminated without a Rice notice and my letter reaccepting employment dated 5-18-12 was ignored.

As of 7-11-12, I have still not received written notice from the Board of Education stating that I have been non-renewed. I found out from the press and from co-workers. This is a disrespectful slap in the face. There is no written documentation showing that I have been terminated.

Revision: I previously sent you a copy of a letter accepting re-employment from Dr. Caffrey. It was an unsigned draft. I am attaching a copy of the actual signed letter submitted. Please replace.

Melissa Carey



Date 7/11/12

[Signature]
Signature of Complainant
or his or her Attorney

ADDENDUM C31-12

At its meeting on August 28, 2012, the Commission voted to dismiss Counts 1, 2 and Count 4 in their entirety for lack of jurisdiction, pursuant to N.J.S.A. 18A:12-22 et seq. and N.J.A.C. 6A:28-1.4(a) as the Commission lacks jurisdiction to determine whether complainant was properly served with a Rice notice before the meetings at issue or to review OPMA violations. The Commission further found that the complaint is not frivolous in accordance with the standard set forth at N.J.A.C. 6A:28-1.2, and also voted to transmit this matter to the Office of Administrative Law (OAL) for **plenary hearing on Count 3** of the complaint now captioned Alvaro J. Cores v. Kenneth Puccio, pursuant to N.J.A.C. 6A:28-10.8(a). The complainant carries the burden to prove factually any violations of N.J.S.A. 18A:12-24.1 (g), (i), and (j) under the Code of Ethics for School Board Members within the standards set forth at N.J.A.C. 6A:28-6.4.