

Letter to the Editor: Will I Uphold All Laws or Only Those I Choose To?

As each one of the nine members of the Clifton Board of Education was sworn into the office as a BOE Commissioner, each one swore to “uphold the Constitution of the United States and to uphold the Laws of the State of New Jersey and abide by the Code of Ethics for School Board Members”. This oath of office did not and does not allow Board of Education Members to selectively pick and chose which laws of the State of New Jersey and which one of ten school board code of ethics they will uphold.

Number f of the Code of Ethics for School Board Members is “I will refuse to surrender my independent judgment to special interest or partisan political groups or to use the schools for personal gain or for the gain of friends”. New Jersey State law “authorizes a duly commissioned and qualified (sworn) Notary to execute jurats for affidavits and other verifications...that the signer of a document appeared before the Notary; that the Notary positively identified the signer. The jurat is completed during the execution of an affidavit is generally written at the foot of an affidavit stating when, where, and before whom such affidavit was sworn”. N.J.S.A. 19:44A -9h (a law enacted in 1993) states “no candidate or elected official shall establish, authorize the establishment of, maintain, or participate directly or indirectly in the management of any political committee or any continuing political committee”.

Recently, as both reported in local newspapers, documents filed with Passaic County Superior Court, and papers from the NJ Election Law Enforcement Commission some members of the Clifton Board of Education have decided that they are above the law and “in the best interests of the public and children” of Clifton it is ok for them to break these codes and laws.

The State of New Jersey Election Law Enforcement Commission recently found “Commissioner Kim Renta violated 11 statues: N.J.S.A. 19:44A-9h, N.J.S.A. 19:44A-16, N.J.A.C. 19:25-12.2, N.J.A.C. 19:25-8.2, N.J.A.C. 19:25-10.3, N.J.A.C. 19:25-10.2, N.J.A.C. 19:25-10.2A, N.J.S.A. 19:44A-16 and N.J.A.C. 19:25-8.10.” At the August 26, 2009 Clifton Board of Education Meeting, fellow commissioners John Traier and Norman Tahan defended Renta’s violations of New Jersey State Law (and the school board code of ethics) because she did this “for the kids”. In fact, Mr. Traier publicly stated that Ms. Renta only “broke the law for a few days since the referendum was pushed back”. Ms. Renta chose not to apologize to the public for breaking these laws.

This is not exactly correct. Since the NJ law was enacted in 1993 (and effective in 1993), Ms. Renta clearly did not break the law for only a few days. Furthermore, the NJ Election Law Enforcement Commission stated that Ms. Renta did not remove her name as treasurer until December 13, 2007 when an amended Form PC was filed and listed William Sichel as treasurer. Furthermore, on several occasions when asked publicly if she was treasurer of this same political action committee (Kids First Clifton NJ) she publicly denied her involvement.

I guess the 40 or so politicians who were recently arrested in the recent corruption scandal could claim that “they only broke the law for a short time and they only did so for the betterment of some group or individuals”. Where do we draw the line?

On top of this, we have the fact that the affidavits of Renta, St. Clair and Fraulo were not notarized in front of them as required by law and the fact that they were notarized by

Sheila Porter (an employee of the D'Elia law firm) through their own admission and which I affirmed to the Court in my affidavit. According to the New Jersey Notary Public Manual (revised March 21, 2003), the office of Notary Public is a vital public function and "effective notary services help ensure that documents are properly executed, that facts are duly certified, and above all, that the general public is protected from fraud". Each and every affidavit is prepared beforehand and is clearly identified on the signature page (where the affiant signs) that this is "Sworn and subscribed before me this ___ day of month, year" and there is a space for the underlined marked "Notary Public". The person signing the document is clearly aware that this must be signed before a notary public. Therefore, it is inconceivable that Renta, St. Clair and Fraulo did not know this document had to be notarized in front of them.

Renta, St. Clair, Fraulo and Tahan (his affidavit was also notarized by Sheila Porter who is an employee of the D'Elia firm) owe the residents and taxpayers of Clifton the truth about the involvement of both ex- BOE attorneys in the Traier lawsuit which they enjoined by their affidavits. To date, Renta, St. Clair, Fraulo or Tahan have not explained how and why an employee of the D'Elia firm notarized their affidavits. Where do we draw the line?

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