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LARRY WAINSTEIN

Plaintiff

vs.

GEORGE J. SOLTER

Defendants.

BEFORE THE SCHOOL ETHICS
COMMISSION OF NEW JERSEY
SCHOOL ETHICS ACT COMPLAINT

I, Larry Wainstein, residing 7414 4th Avenue, North Bergen, New Jersey 07047 request the School Ethics Commission to consider a complaint against the above named Respondent whose address North Bergen Board of Education located at 7317 John F. Kennedy Blvd. North Bergen, New Jersey 07047 in accordance with the authority of the School Ethics Commission to entertain such complaints under N.J.S.A. 18A:12-21 et. seq.

1. **Statement of Facts:**

- a. George J. Solter is the superintendent of the North Bergen School District.
- b. On or about February 14, 2019, George J. Solter used school district money to send out a political letter (the "Letter") to individuals throughout the Township of North Bergen. Attached hereto as Exhibit A is a true and accurate copy of the letter.
- c. On May 14, 2019, the Township of North Bergen will hold its Mayoral Election. Larry Wainstein is a candidate for Mayor and is challenging the current Mayor, Nicholas Sacco for the position.

- d. The Letter specifically provides the following language, which is not informative and is “political”:

While we continue to work toward implementation of the project, the project has been delayed by two lawsuits filed by two individuals, Larry Wainstein and Diana Ortiz. Mr. Wainstein and Ms. Ortiz seek to block the project from moving forward. While their lawsuits were rejected by the trial court within days of being filed, Mr. Wainstein and Ms. Ortiz continue to press their arguments in the appellate court. They argue that the voters should have been prevented from voting on this project in December.

We are confident the appellate court will reject the arguments from these two individuals and uphold the will of North Bergen voters so this project can proceed in a timely manner for the benefit of the Township’s children.

- e. At the outset, Mr. Wainstein has not filed an appeal, and the only appeal pending is that of Ms. Ortiz. The statement that Mr. Wainstein is pressing his argument in the appellate court is false. Accordingly, the only reason to include Mr. Wainstein’s name in the appeal is for political purposes.
- f. The Letter also does not address the merits of the suit and therefore is only done for political purposes.
- g. Solter is a school administrator subject to N.J.S.A. 18A:12-23.
- h. Solter used his position as a school administrator to send politically based literature to the residents of North Bergen, New Jersey.
- i. The actions of Solter violated the following provisions of the School Ethics Act:

-N.J.S.A. 18A:12-24(d) as Solter’s judgment was prejudiced in the exercise of his public duties because he was using his position to send out political literature at the expense of the school board and the children of the Town of North Bergen.

-N.J.S.A. 18A:12-24(f) as Solter used information not readily available to the public to secure gain for a business organization, mainly Nicholas Sacco. Specifically,

Solter used the names and addresses of children not readily available to send out political literature directed at defaming Larry Wainstein.

WHEREFORE, Larry Wainstein requests that the School Ethics Commission find and determine that the above named Respondent has violated the School Ethics Act and that he or she be subject to such penalty as provided by the Act.

Dated: March 6, 2019



Mario M. Blanch, Esq.

CERTIFICATION UNDER OATH

Larry Wainstein 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 omission 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.

Dated: March 6, 2019



Larry Wainstein

Sworn and subscribed to me this 6th Day of March 2019.



Mario M. Blanch, Esq.



NORTH BERGEN BOARD OF EDUCATION

7317 Kennedy Boulevard, North Bergen, New Jersey 07047 • (201) 868-1000

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CLAUDIA BASELICE
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BOARD SECRETARY

GEORGE J. SOLTER JR., Ed.D
SUPERINTENDENT

STEVEN P. SOMICK
BUSINESS ADMINISTRATOR

Dear North Bergen Parents:

As you know, on December 11, 2018, North Bergen voters overwhelmingly approved a plan to acquire the former Hudson County Schools of Technology building, renovate and expand it, and upgrade and modernize a number of other school buildings in the District. This plan to expand and realign the North Bergen School District will enable smaller class sizes, add air conditioning to the existing high school, provide better accessibility, and provide new STEM and career technology education programs.

We have had a number of inquiries as to the status of this project, and we wanted to provide you with an update. While we continue to work toward implementation of the project, the project has been delayed by two lawsuits filed by two individuals, Larry Wainstein and Diana Ortiz. Mr. Wainstein and Ms. Ortiz seek to block the project from moving forward. While their lawsuits were rejected by the trial court within days of being filed, Mr. Wainstein and Ms. Ortiz continue to press their arguments in the appellate court. They argue that the voters should have been prevented from voting on this project in December.

We are confident the appellate court will reject the arguments from these two individuals and uphold the will of North Bergen voters so this project can proceed in a timely manner for the benefit of the Township's children.

Thank you for your interest in this project, and please do not hesitate to contact my office if you have any questions.

Very truly yours,

GEORGE J. SOLTER, Jr., Ed.D,
Superintendent of Schools



NORTH BERGEN BOARD OF EDUCATION

7317 Kennedy Boulevard, North Bergen, New Jersey 07047 • (201) 868-1000

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VICE PRESIDENT

STEVEN P. SOMICK
BUSINESS ADMINISTRATOR

HUGO D. CABRERA
BOARD SECRETARY

Estimados Padres/Guardianes de North Bergen:

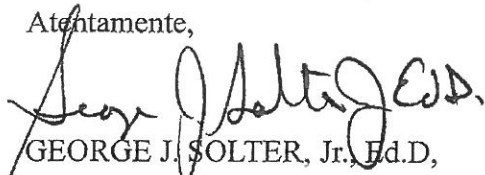
Como saben, Diciembre 11, 2018 los votantes de North Bergen aprobaron de manera abrumadora un plan para adquirir el antiguo edificio de las Escuelas de Tecnología del Condado de Hudson, renovarlo y ampliarlo, y actualizar y modernizar otros edificios escolares en el Distrito. Este plan de expandir y realinear el Distrito Escolar de North Bergen permitirá clases con menos estudiantes, agregar aire acondicionado a la Escuela Secundaria existente, brindará un mejor acceso y proveerá nuevos programas de carreras de tecnología profesional y STEM.

Hemos tenido una serie de preguntas sobre el estado de este proyecto, y queríamos proporcionarles una actualización. Mientras continuamos trabajando para la implementación del proyecto, el proyecto se ha retrasado por dos demandas presentadas por dos personas, Larry Wainstein y Diana Ortiz. El Sr. Wainstein y la Sra. Ortiz buscan bloquear el avance del proyecto. Aunque sus juicios fueron rechazados por la corte tribunal a los pocos días de haberse presentado, el Sr. Wainstein y la Sra. Ortiz continúan presionando sus argumentos en la corte tribunal de apelación. Su argumento es que a los votantes se les debería haber prevenido de votar sobre este proyecto en Diciembre.

Estamos confiados en que la corte de apelaciones rechazará los argumentos de estos dos individuos y defenderá la voluntad de los votantes de North Bergen para que este proyecto pueda proceder de manera oportuna para el beneficio de los estudiantes del Municipio.

Gracias por su interés en este proyecto, y por favor de comunicarse con mi oficina si tiene alguna pregunta.

Atentamente,


GEORGE J. SOLTER, Jr., Ed.D,
Superintendente de Escuelas



**NORTH BERGEN
BOARD OF EDUCATION**
7317 Kennedy Boulevard
North Bergen, New Jersey 07047

DO NOT FORWARD

Lawrence Wainstein
for Current Resident
7414-4th Avenue
North Bergen, NJ 07047

0704784818 C034



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02/14/2019
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