

thoroughly suspicious, voted against the motion, and Gebert abstained.

Lipkowitz's Plan to "Take the Whole Store"

On October 13, 1989, the night after the board meeting, Lipkowitz called Genn to discuss the board meeting, and to lay out his ground rules for their future relationship. He began with assurances that he and Stazzone would much rather keep Genn as superintendent, so long as he did their bidding, than allow the job to go to Sullivan's man:

Lipkowitz: In that balance and, uh, Baxter's waiting, there's a whole mix of things.

Genn: Mmm-hmm.

Lipkowitz: And where Sal [Stazzone] and I see things, we'd rather see you in the picture.

Genn: OK.

Lipkowitz: But, you're in a very, very difficult spot.

Genn: Right.

Lipkowitz: They want you on a short leash.

Genn: Mmm-hmm.

Lipkowitz: To some degree, we're gonna keep you on a short leash.

Genn: Mmm-hmm.

Lipkowitz: And that will be enough, the trust factor has (unintelligible) that could be a lot of things rehabilitated.

Genn: I can see that.

Lipkowitz: Basically, I like you a great deal.

Lipkowitz and Stazzone wanted to keep Genn on a "short leash" because they were unhappy with the way he had treated them in the past. That conduct had caused him to go from being a player "sitting at the side of the board with us

on the strategies," to being one of the "pieces on the board." Lipkowitz also made it clear that, from now on, Genn would have to let Lipkowitz know about every move he made, because if there were any mistakes made, Genn would suffer.

Lipkowitz: I will do this with you, I will be very candid with you and I'm gonna need the same from you.

Genn: Right.

Lipkowitz: Uh, because when I stumble you're gonna have the bruise.

Genn: Mmm-hmm.

Lipkowitz: I don't like making mistakes, but I have not been filled, I have to ruminate with people and go around other areas to get the information, so we're gonna have to do a lot of debriefing.

Lipkowitz also required full "debriefings" from Genn's assistant, Glenn Traiger, and even from Mrs. Schwindt, if it could be arranged. He also stressed again that the information he received had better be accurate.

Lipkowitz: Cause as I say, when I stumble ...

Genn: Yeah.

Lipkowitz: You'll have the bruise.

Genn: I hear, I hear you.

Lipkowitz: And, uh, I'm gonna need to debrief Mr. Traiger. I'm gonna need to go over lists of whose rabbi is whose. I'm gonna need to know everything, if I'm to operate well.

Genn: Yes, but, and that's, but, you see, you want to operate from a distance, and yet you want be on the spot. I, and I'm not, Richie ...

Lipkowitz: I don't want to know.

Genn: I'm not asking you for an answer at this moment, but, I'm saying, you

have to reconcile this kind of thing, in the sense of, you know.

Lipkowitz: I don't need your advice on that.

Lipkowitz made it clear that until he had this information, Genn should make no new personnel moves. The critical thing for now was to clarify the nature of their relationship -- "the big picture." The key to that relationship was the threat that although Baxter was their second choice, Stazzone and Lipkowitz might still give him superintendency, if they were not satisfied with Genn's conduct. Lipkowitz stressed he had been given "permission" by "everybody" to make to make this threat. And, Lipkowitz spelled out that threat in no uncertain terms:

Genn: Alright, in terms of what I can do for Sal, is there anything that ...

Lipkowitz: Well, let's not be too specific, I want to give you a bigger picture, and I also want you to be comfortable, I don't want you hanging out there about what I'm gonna do to you.

Genn: Right.

Lipkowitz: I mean if I wanted to be an SOB, Cole, I could set you up, I can do something, and blame it on you, leave you screwed because Sal could live with Baxter.

Genn: Mmm-hmm.

Lipkowitz: They're gonna have dinner.

Genn: OK.

Lipkowitz: Ah, I go for the gold, I'll settle for the silver and the bronze.

Lipkowitz, in fact, spelled out his methods in a more general way as well, admitting that he would "co-opt people," would "turn them," and would "almost blackmail them" to get what he wanted. And, while he did say that he would not "go to certain levels," he also carefully did not specify exactly where he would draw the line.

Lipkowitz was equally vivid about the status of the district as a whole: he and Stazzone viewed the district as a conquered country to be divided up by the victors.

Lipkowitz: OK, we have a window of opportunity here.

Genn: Mmm-hmm.

Lipkowitz: Sal describes it sort of like Berlin.

Genn: Alright.

Lipkowitz: You got the Americans Generals and the Russian Generals.

Lipkowitz also saw himself as the person holding the victors' axis together:

Lipkowitz: And the window of opportunity is for whatever mix of reasons they trust me.

Genn: Mmm-hmm.

Lipkowitz: They have gained respect for me, I have come in as an honest broker.

Genn: Mmm-hmm.

Lipkowitz: And the bottom line is, uh, if you don't take my phone calls, Frank doesn't take my phone calls, or Jimmy doesn't take my phone calls, I'm nobody.

Lipkowitz was willing to do whatever was necessary to maintain his importance, even if it meant education would have to take second place. As far as he was concerned, "my heart is with the kids and the professionals, but my head will do what is necessary."

As a first step, he was already devoting "a lot more time on the phone doing" political deals, than he spent teaching his students in the gym. Moreover, Lipkowitz was carefully cementing his relationship with Granirer and Sullivan in order to firm up his position as "honest broker" and safeguard his own political future.

Lipkowitz: I've already told Sal that I'm speaking to Sam and Jimmy that, if Sal falls and they have longevity, I go to them as best as my backups to be, and Sal is

for Sal and Cole is for Cole, and Jimmy's for Jimmy.

Genn: Mmm.

Lipkowitz: And, you know, people understand this, but I think we can all work it out together.

Genn: Well, if we keep the lines clear and everybody knows that you're in the middle and fielding it, that's fine.

Lipkowitz: Yeah, as long as I honest broker it and as long as we all are on the same page as far as the future, if I know where you want to go and be.

Genn: Mmm-hmm.

Lipkowitz: And what Jimmy wants and we're going in the same direction ...

Lipkowitz recognized that to the parents in the district, Sullivan was "the great devil," but he was nonetheless willing to make a deal with Sullivan. In fact, Lipkowitz scorned the idea that Sullivan or Granirer might get caught by any of the investigations going on at the moment. As he put it, "You can never beat these guys," and it was useless to sit "waiting for the avenging angel to come down from some Inspector General's office to destroy these guys."

Asked about the Queens District Attorney's investigation, Lipkowitz was equally scornful:

Lipkowitz: I'll say this about Jimmy's Grand Jury, uh, investigation? What do I think about Jimmy there?

Genn: Yeah.

Lipkowitz: I think if Jimmy is that stupid, to have videotapes of him passing money to Manes in Manes' bathroom, I think he deserves to go to jail.

Genn: What do you mean?

Lipkowitz: I don't think it's likely.

Genn: I don't think it's likely he has that kind of ...

Lipkowitz: Jimmy's big concern is that both you and Schwindt run in to the DA and they have corroboration.

Genn: I ...

Lipkowitz: Which I don't see either one of you wanting to do that, and that's part of why he's being gentle at this time.

Genn: Mmm-hmm.

Lipkowitz: With you.

Genn: Corroboration on what, what's ...

Lipkowitz: Whatever bullshit might be there.

In Lipkowitz's view, the grand jury investigation's only result was that Granirer and Sullivan had been made nervous enough to form new alliances and to "deal" with Genn.

Lipkowitz had been able to impress Granirer and Sullivan and so became "the handler and the coordinator of the caucus," because of his attention to the details of all the deals being made:

Lipkowitz: Jimmy didn't take care of it with Gulluscio on a certain thing, where Gulluscio made himself look like an asshole, a month ago, 'cause Jimmy didn't tie up the loose ends. Jimmy and Sam let Rita crawl in to block the door at Mellilo's. I said, "How did you geniuses, how did you let this happen, I thought you guys were awesome."

Genn: Yeah.

Lipkowitz: These gentlemen don't have a lot of seeds to plant. I have three or four strategies going on one issue, Cole.

Genn: Yeah. Well, you're playing chess and they're playing, they're playing hardball.

Lipkowitz: Yeah. I, I, I ...

Genn: And they're throwing baseball ...

Lipkowitz: Have a lot of players and I have yet to meet one of them that's better than me at it. Excuse me for being obnoxious, but, uh ...

Genn: No, no.

Lipkowitz: Been playing in this group for ...

Genn: Yeah.

Lipkowitz: A number of years.

Genn: Alright.

Lipkowitz: With two's and three's and five's and six's.

Genn: Mmm-hmm.

Lipkowitz: And now I'm playing with some picture cards, and I want to play with some real power and I think I could be real good.

Having worked his way up to "coordinator" of deals and "handler" of the deal-makers, Lipkowitz could give a graphic view of how the group worked. For instance, "the people who count are basically" Sullivan and Stazzone. The group as a whole did not have meetings, since Sullivan was worried about the investigations going on. Instead, after Stazzone, Lipkowitz, and Sullivan met and made their plans, "the others are told gently."

Lipkowitz: ... Yeah. We give them as much respect and you make them feel that no moves will be made without them, unless the core group is happy.

Genn: Yeah.

Lipkowitz: If Gulluscio is going to fuck up on your contract, we're gonna tell him "Well, Frank, we gave you the courtesy, you had an extra day, we're voting anyhow, good-bye, Frank." You know?

Genn: Mmm-hmm.

Lipkowitz: "We haven't forgotten you, we'll still consult with you, you're still in the core group, but we're voting anyhow."

Genn: OK.

Lipkowitz: We'll give him an extra day, I mean, if Jimmy has a concern I care about it.

Genn: Mmm-hmm.

Lipkowitz: If Sal has a concern, I care about it.

Genn: But what, what ...

Lipkowitz: Sam, to a degree, a little bit more than Gulluscio, who's a jerk. I think that Sam has a little bit more clout from the time he's been here.

Genn: Right.

Lipkowitz: Gene [Pasternak] hasn't asked and I will give him that extra concern, because I wanna cultivate my relationship with him.

Genn: OK, but you're talking.

Lipkowitz: But, Patsy's been a player, so when she's ultimately in the core group, or we do need her vote to kick Gulluscio in the ass, she'll get more consultative type of power.

Genn: OK, but ...

Lipkowitz: But it's Jimmy and Sal.

The others in the "core group" also had their roles to play.

Lipkowitz: Ask me whatever you want to ask me.

Genn: Is Pat [Tubridy] satisfied?

Lipkowitz: Pat, let's see, has asked for entree, she doesn't get entree to the core group, because she wasn't there for the original vote. The core group is, Jimmy and Sal in the middle. Sal makes no moves without me. Sal comes up with 10% of the strategies. I have 90% of them. He loves it, and he's enjoyed the ride tremendously.

Genn: Mmm-hmm.

Lipkowitz: He's a good fellow. Sometimes he balances me, you know, also. Jimmy also goes along generally with my strategies and he's got his own agenda, and I make a point of coming up with the compromises, whether it's creativity in videos is the same, similar creativity. These compromises are good for everybody. Sam is still Sam and it's convenient to some degree, if he's there. He needs a little extra stroking.

Genn: Mmm-hmm.

Lipkowitz: Gulluscio couldn't care less and I think Gulluscio is starting to learn now that he better trust me a little. He better not feel embarrassed to call for information that he doesn't know about, because I think he's starting to feel that he's looking like a schmuck.

Genn: Mmm-hmm.

Lipkowitz: He is looking like a schmuck.

Genn: Yeah.

Lipkowitz: That's the core group. I told him quite candidly, Frank.

Genn: That's four. You left Gene out.

Lipkowitz: Alright. Gene is in there. I'm starting to get to know him better. He is doing what Tommy Gebert should have done. You don't know the territory, you shut your mouth, you open your eyes, you learn the game.

Genn: OK, but, but is he reliable?

Lipkowitz: Yeah, he's with the group.

Genn: In other words, he's doesn't, he doesn't, does he ask questions?

Lipkowitz: A little, only because he doesn't have the background. But he's a gentlemen. He asks the right questions, very few

of them. And you see his behavior?
That's exactly who you want there.

Lipkowitz also had a lot to say about Gulluscio's position in the "brotherhood." Gulluscio had joined the group over the summer and, as part of their initial deal-making, had won the board presidency for himself and a principalship for his campaign manager, George Eaton.

Genn: Alright, but, Richie, he got what he wanted, he got [PS] 146, he got the presidency.

Lipkowitz: Yeah, he got a raisin, the jerk gave up the goose for a raisin.

Genn: OK, but he got [PS] 146, right? Was that his ...

Lipkowitz: (Laughing) he got his presidency.

Genn: And he got his what? And his presidency.

Lipkowitz: He's got his presidency.

Genn: I'm saying, does, is Eaton enough for him?

Lipkowitz: Yeah, I think he sold everything over a raisin.

Genn: For George [Eaton]?

Lipkowitz: (laughing) Yes ...

Gulluscio had won his presidency and Eaton's principalship by trading his vote to place Pasternak on the board and his vote to give Baxter the deputy superintendency.

Genn: Mmm-hmm. And, and for that he, he gave what? What did he give them for Eaton?

Lipkowitz: He's given them Pasternak and he gave them Baxter.

Genn: Mmm-hmm.

Lipkowitz: Is this amazing?

Genn: Yeah.

Lipkowitz: Either of which alone was worth Eaton.

Lipkowitz explained that Gulluscio was alienating his allies because of Edmondson. Instead of going along smoothly with the agreement to make Goldie Maple the last board officer, Gulluscio had seconded Edmondson's nomination for the post, and then voted for Maple, a turn-around that left everyone unhappy.

Lipkowitz: But, uh, if you watch his behavior since, from the original deal, you make an original deal with people so what do you do you jerk Sam off for round one, you screw Goldie.

Genn: Right.

Lipkowitz: And you have people going, what have we got here? Deal number one, this is a signal. Then a couple more glitches over fear for Colleen. Well, I felt badly for Colleen, but, Frank, don't you know how the votes go, don't you realize, Frank, count the numbers, that if you go the other way all you got is a four against four, Frank. What are you proving except telling your partners what is the matter with you? Then when you second Colleen and vote for Goldie and Carolyn Taylor jumps up and says what the hell are you doing? Frank, what signal are you sending to people? I said ...

Genn: Yeah.

Lipkowitz: Do you want to be the laughing stock of Howard Beach?

Genn: Yeah, well.

Lipkowitz: Ah, soon I won't able to help him.

In addition, since that "original deal" had been struck, some of the group had become disenchanted with Gulluscio's behavior, and Lipkowitz had become angry enough to point out that Tubridy's cooperation with the "brotherhood" made Gulluscio's position very precarious.

Lipkowitz: Frank called me tonight to apologize about glitch number 7, about his cocking around and posturing and ...

Genn: Mmm-hmm.

Lipkowitz: I said Frank, you fucking asshole, you do a couple more of these things without apprising the brotherhood, and you need to posture, and you don't tell us ahead of time, and you keep them nervous, and that your cocking around with 56 and voting in the wrong direction, they're gonna kick your ass down the stairs. Frank, I ain't gonna be down there, cause Patsy is waiting on the side to join the core group, she's begging.

Genn: (laughs)

Lipkowitz: And so, Frank really doesn't count a great deal, he has the vote but, uh, he apologized and I called Jimmy and Sam to let them know that he's sorry about.

Genn: Yeah, I didn't understand him.

Lipkowitz: Frank uh, ...

Genn: Last night.

Lipkowitz: Frank has got major problems I mean, Frank likes to raise both hands, if he can get away with it.

Genn: Mmm-hmm. Forked tongue.

Lipkowitz: He's sending very poor signals and, uh, I don't walk into any Democratic Leader's house with him, with a guy who doesn't know which hand he's ... he's reaching the point soon where he's gonna wait for an eyebrow to move, move his hand, because I'm running out of patience, we've been stroking him.

Genn: Yeah.

Lipkowitz: Calming him down.

Lipkowitz warned that Gulluscio might lose his role in the "organization" altogether if he did not change his ways, because the rest of the "organization" was "running out of patience" with "this jerk." Gulluscio, however, had at least apologized for the times when his "posturing" had messed

up a deal, and pointed out that he had played his role perfectly on the matter of Genn's contract. For now, therefore, Lipkowitz let Gulluscio off with a word of warning.

Patsy's waiting and you can't keep your buddies nervous about when you're pulling stuff with the small stuff, you can't keep us nervous about (unintelligible) He said, "But, Richie, I came through on the Cole thing." I said, "Frank, let us know, we have 6 or 7 votes, we will let you posture, you can even vote against it, you can spit in our face in a charade if you have to, but let us know ahead of time, Frank, because you're running out of glitches."

Lipkowitz also explained to Genn that it would be easy enough to substitute Tubridy for Gulluscio in the "core group" because Tubridy had proved her "reliability" by breaking her ties to Edmondson completely.

Lipkowitz: Now, Patsy, I told Gulluscio, Patsy's waiting. If you keep on fucking around a few more times on little shitty items, Frank, you're gonna get your ass kicked down the stairs and Patsy's gonna replace you.

Genn: Mmm-hmm.

Lipkowitz: I told him quite honestly, and so Patsy's waiting. According to Jimmy, she has moved totally away from Colleen. In fact, she had a nice long hour talk with Sal after the gifted meeting the other day, and she loves the strategy. She doesn't want Colleen, blah, blah, blah, and she really seems to be moving into my camp.

Genn asked what Tubridy's current role in the "organization" was:

Genn: I'm just wondering, where her head is at.

Lipkowitz: It's nothing that I would read into with regard to you. She was gung ho with you (unintelligible)

Genn: Yeah, no, I'm not concerned with that. I'm just concerned about her maintaining her place, that's all.

Lipkowitz: No, nothing that I knew of. Jimmy would have said something, we were all solid on it.

Genn: OK.

Lipkowitz: And, uh, let's see, where was I? You asked me about the board members (unintelligible)

Genn: Right, well, uh, no, you see, I'm interested, because Pat, you know, what do I have to give Pat?

Lipkowitz: You don't even have to worry at this point, you and I will work that out.

Genn: OK.

Lipkowitz: I mean she'll either come to you direct or do it through me ...

Lipkowitz also took credit for the "magnificent" move of "splitting" Tubridy off from Edmondson.

Lipkowitz: Well, part of the ploy was over the Pasternak seat. See, when Gulluscio did that strange thing.

Genn: Mmm-hmm.

Lipkowitz: And not a lot of people know this, and you're really going to have to play this close to your vest and you're going to have to trust that I do care about you greatly, more so than the Jimmys and Sams of this world. Alright? You accept that?

Genn: Sure.

Lipkowitz: When Gulluscio did his bizarre thing on deal number one and left the Goldie thing hanging and jerked Sam around. They came downstairs and said, "What the hell is this and what the hell is he doing?" And he went off to Florida. I took advantage of it. I said Sal, whatever we do manipulate now, Gulluscio is going to be the fall guy, whether he did it or not. We went to Chris and Janet [members of the

Southwest Queens Educational Alliance], 'cause Janet had went crying to Sal, some weeks prior, oh, this Alliance, they're anti-Semites. They're not what they want to be. So I figured, maybe we had a window of opportunity here. Some new rebels and maybe we could throw the Pasternak spot to Chris.

Genn: Mmm-hmm.

Lipkowitz: And we started negotiations with them, and I told 'em, oh, you're gonna have to tell Pat [Tubridy] you're either with us or you're shunned and don't even come near us, or you and yours will be treated like garbage. And you'll have to go to the politicians and put on pressure well ... It caused a tremendous split between Tubridy, which we were hoping for, and Colleen. In fact, Jimmy spoke to me one night and said, "You know, Patsy's gonna get you for this, Richie, and Colleen wants your head, etc." But it drove the wedge, and that was the major move that cut up that alliance. Because the majority, as it was explained to me by Jimmy, was a very tenuous one with George [Russo] and Tubridy and Colleen and Jimmy and Sam, it was no an alliance of substance, it was only certain matters.

Genn: Right.

Lipkowitz: Driving the wedge between Colleen and Pat was a big coup.

Genn: Yeah.

Lipkowitz: And Pat has now driven over to the other side. But I'm always a little leery. I want to boogie Pat into a corner where she has no other place to go.

To make sure his "majority" was less "tenuous" than the old board's, Lipkowitz would rather keep Gulluscio on the inside, because "A vote is a vote is a vote." On the other hand, he was hedging his bets by reaching out to Maple, whom he hoped to "keep" as a "player." He had already "convinced

her that [she] can be a very interesting number five," and she certainly realized that "it's better to be a player."

Lipkowitz also laid out his plans for a little personal patronage. He was undaunted, for example, by the public furor that had erupted at the board meeting when it was revealed that he was slated for a special job in the district's "studio." As far as he was concerned, if they could not arrange for funding through the regular district budget, Genn could just smuggle him on to the Reimbursable Programs budget somehow.

Lipkowitz: We will use their carrying on and nonsense as an excuse to Reimbursable me, wherever we're gonna go.

Genn: Mmm-hmm.

Lipkowitz: On the next step, therefore making them use their picking at a scab.

Genn: Mmm-hmm.

Lipkowitz: Turn into another long knife for their life and making it more convenient to go with what our original plans was.

Genn: OK.

Lipkowitz: Anyhow.

And, in the long-run, he, too, would join the district office, so he could be "a bit more on the scene" to supervise personnel matters. He understood, for example, exactly why Granirer wanted his own second deputy inside the district office to "watch Jimmy's deputy."

On the other hand, unlike Baxter and Wittenstein, he did not want to be made a deputy superintendent. Instead, he wanted to be "down in the basement like DeVincenzo,"* a plan Stazzone, Granirer, and Sullivan had heartily endorsed.

Lipkowitz wanted to set up the job so that he would be kept out of the limelight. He would stand in the back at meetings, but "business" would be done "at Richie's." He explained that his "concern" was "being effective, getting the job done, not waving my tuchus, showing people who I am." On

*Joseph DeVincenzo had been Mayor Koch's Director of Personnel, whose office was in the basement of City Hall.

the other hand, Genn could always "walk down the basement, so to speak, you can go down two floors to find him."

When Genn mentioned Granirer's plans to install his wife in the Rockaway "satellite" office, to keep an eye on Sampol, Lipkowitz realized that Granirer was reacting to Sullivan's tendency to hoard information and tell Granirer only "on a need-to-know basis, like we tell Gulluscio." Although the relationship might be "a little better," Sullivan often "left Sam hanging." On the other hand, Lipkowitz thought there must be a better way to solve that problem than by handing out this job to Granirer's wife.

Lipkowitz: And, what I will do with Sam is, say, "Listen things have, there's a lot of turmoil, we don't wanna be waving flags, we can put off a lot of that stuff." You know?

Genn: Mmm-hmm.

Lipkowitz: You know, you don't pull Adrienne [Granirer] our in the middle here.

Genn: Mmm-hmm.

Lipkowitz: I mean, I will convince him he's enjoying it. But, let's, let's take the whole store for years, but let's do it slowly like gentlemen and quietly, so we can put that off. A lot of these things we can put off.

Lipkowitz's biggest concern was not how to "take the store," but that Sullivan's expertise in corruption would allow him to walk away with the spoils before Lipkowitz had a chance to get his "troops" into position.

Genn: ... you say, you know, you wanna take the operation, you're talking about a 100 million dollar budget operation that we're talking about here.

Lipkowitz: And my biggest concern, Cole, is that since I don't have the troops waiting there, that I'm gonna do all the work and get out-maneuvered and have the store taken away by Jimmy anyhow.

Genn: Mmm-hmm. What do you, what is Jimmy getting out of this?

Lipkowitz: What is Jimmy, I figure, Jimmy's gonna buy some time out of nervousness here and ultimately figure that he's gonna run away with the store.

Genn: Mmm-hmm.

Lipkowitz: Also that he's gonna have a nice peaceful time with Sal, because Sal's constituency could give a shit less about the school district.

Genn: Richie, OK, look, let's forget I'm taking about basic motivations. You, I, I would agree ...

Lipkowitz: (unintelligible) Jimmy will say it's politics, it's about jobs.

However, Lipkowitz felt that Sullivan was finally coming to trust Lipkowitz, and he was candid about his own admiration for Sullivan's wiliness.

Genn: OK, now, for Jimmy, I understand about getting people jobs, but what keeps Jimmy afloat? How does he stay afloat? I mean, is he uh, you know, I worry about it, because he's ...

Lipkowitz: This is what he told me.

Genn: He doesn't seem to have a job.

Lipkowitz: January, he's supposed to hear from working for D'Amato.

Genn: OK.

Lipkowitz: He's been, in fact, the last couple of dinners we had with him, he's been more forthcoming and more comfortable with me than even before ... And Jimmy has gotten more forthcoming, I liked his attitude when he told me during the summer with the Lauder thing, he's winning points with D'Amato, he's raping Lauder for a thousand dollars a week. I mean, he was playing it 3 or 4 different ways that he couldn't lose. That's the way I like to play it.

At the end of the conversation, Lipkowitz promised to remain in constant touch so that he could "continue to define the parameters." He also assured Genn that there was no reason for Genn to be "nervous," since "I'm basically on your side and so is Sal. We will rehabilitate things," as long as he was not "put in the spot that I gotta fuck them." Genn answered Lipkowitz's demands for full debriefing about the patronage in the district with a promise of his own:

... look, next week, it's going to be very busy, but the following week you are going to get the education ... I will make the time and make sure you get the education.

The Commission's Public Hearings

Two weeks later, on October 23, 1989, Colman Genn took the stand at the Commission's public hearings and began to give Lipkowitz the "education" he had promised. For two days, through the tape-recordings and his testimony, Genn laid bare an unparalleled "insider's" view of the rampant corruption in his district.

In response to the evidence of misconduct disclosed at the Commission's public hearings, Chancellor Bernard Mecklowitz suspended Community School Board 27. In addition, disciplinary charges were filed against Richard Lipkowitz. Those charges are pending.

Criminal Charges

As the hearings began, the Commission delivered its evidence to the Queens District Attorney and to the United States Attorney for the Eastern District of New York.

On December 1, 1989, United States Attorney Andrew J. Maloney, announced that, based on the Commission's evidence, a federal grand jury had indicted Sullivan and Granirer on charges of extortion and mail fraud, based on their conduct in ordering Genn to hire relatives, friends, and political cronies in order to keep his position.

The same day, a Queens grand jury returned a five-count indictment charging Sullivan and Granirer with bribery, coercion, and conspiracy. Part of those charges involved their conspiracy to coerce Genn into making personnel decisions according to their wishes. In addition, once Genn's cooperation had become known, the District Attorney's investigation, which had been stalled, had been able to develop evidence to support charges that Sullivan and Granirer

had also tried to influence employment decisions made by the head of District 27's special education program, in the same unlawful way.

Sullivan pleaded guilty that very day in state Supreme Court to a felony count of coercion in the first degree, and in federal District Court to mail fraud, also a felony. He faces a maximum sentence of four years in state prison on the coercion charge and five years in a federal correctional facility on the mail fraud conviction, plus fines. His sentence is pending.

On April 26, 1990, Granirer pleaded guilty, in federal and state court, to the same charges as his co-defendant. He, too, faces up to five years in prison, and his sentence is pending.

A City-Wide Problem

After Colman Genn's experiences in District 27 had been revealed in public hearings, Levander Lilly, the superintendent of Community School District 19 in Brooklyn, contacted the Commission. He recounted a tale sadly reminiscent of Genn's.

District 19 is in the East New York section of Brooklyn. The district is responsible for educating more than 23,000 students. Only 40.1 percent of the students in the district read at or above grade level, which ranks the district twenty-first in the city system. In math scores, 48 percent of the students are at or above grade level, a ranking of nineteenth in the City.

Lilly testified under oath in a private hearing that his board had allocated money for 189 teacher aide positions, despite the fact that, in his opinion as an educator, the district needed only 90 to 100 to meet the children's needs. All of the rest of these jobs were unnecessary.

These jobs have an average yearly salary of about \$12,000, plus benefits. Consequently, according to Lilly's testimony, these unneeded jobs cost the taxpayers -- and the children -- \$1,080,000 a year.

In hour after hour of conversation between Genn and his board, there was no talk of education or of children; instead, the board members spoke exclusively about money, patronage, and hiring schemes. In fact, Stazzone and his "manager" Lipkowitz had even joked about the fact that no one on the board in District 27 ever mentioned education or children.

Lilly testified that the same was true of the board members in his district. As Lilly put it:

... as far as the philosophy of the board, they have no philosophy ... The board has not mentioned children and education and what's good for children five times since I've been there ... they don't talk about an educational agenda, a goal for the schools, what is in the best interests of the overall district vis-a-vis children.

Instead, board members "talk about jobs, they talk about the budget, they talk about conferences they want to go on, for example, New Orleans."*

Marco Hernandez, the superintendent of Community School District 32 in Brooklyn, also contacted the Commission after learning about the Genn investigation. He too told a story of patronage and padded payrolls.

District 32 is the Bushwick section of Brooklyn. The district has 17,000 students. Only 36.6 percent of these students read at or above grade level, making the district twenty-fifth in the City. In math scores, 47.8 percent scored at or above grade level, ranking the district twentieth out of the City's 32 districts.

Hernandez testified that half of the 120 teacher aides in his district could be fired without affecting the quality of service to children. The cost to the taxpayers and children for these excess aides is \$720,000 a year, even excluding the cost of the benefits they receive.

Hernandez testified that he could have laid off all these extra workers, but, if he did, "everything that I need to be approved by the School Board will be stopped."**

On March 13, 1990, the Commission held a formal press conference to reveal the testimony of these two

* Lilly agreed to wear a concealed recording device and did tape his some of his conversations. All of these attempts, however, came shortly after the disclosures about the Genn investigation and failed to produce any solid corroboration of Lilly's assertions.

** In the Commission's waning days, a high ranking official in yet another district came forward with evidence that this district was the same kind of patronage trough as Districts 19, 27, and 32. The Commission turned this information over to an appropriate prosecutor.

superintendents about the situations in District 19 and District 32. That press conference had an unexpected guest. Clyde Bute, one of the board members in Hernandez's district, appeared and began screaming at Mr. Hernandez, accusing him of running a "dirty" district in which patronage and corruption on behalf of some board members dictated hiring and personnel decisions of all kinds. Thus, Mr. Bute confirmed exactly what Mr. Hernandez had said: that he had been forced to go along with corrupt demands by members of his board.

The other members of Bute's board, and all the members of the board of District 19, were less forthcoming. On March 15, 1990, Corinna Grant, the president of Community School Board 19, sent the Commission a mailgram that seemed to suggest that she and her board were willing to testify about the situation in their district:

BASED ON NEWS MEDIA REPORTS, WE ARE AWARE THAT OUR COMMUNITY SUPERINTENDENT LEVANDER LILLY HAS TESTIFIED BEFORE THE GILL COMMISSION. COMMUNITY SCHOOL BOARD 19 IS HEREBY REQUESTING TO BE HEARD BEFORE THE GILL COMMISSION TO RESPOND TO MR. LILLY'S CHARGES.

The Commission immediately contacted Ms. Grant and invited her and all the rest of the board members to come and testify. Ms. Grant said that the first time she could appear would be the following week, and tentatively agreed to appear on March 21, 1990.

Neither Ms. Grant or any of the other board members ever appeared, however. Instead, by a letter dated March 20, 1990, Ms. Grant reported:

This is to advise that Community School Board 19, wishes to cancel its appointment with you on Wednesday, March 21st, 1990.

That is the last the Commission heard from Ms. Grant or Community School Board 19.

Conclusion

There is nothing wrong with the concept of decentralization that led to the creation of New York City's 32 community school districts. But there is something terribly wrong with many of the people who are attracted to serve on many of these local boards.

Many school board members are there to further their political interests, not the interests of children. Many of

these boards view the schools as sources of patronage, not citadels of learning.

In this sense, the situation is strikingly similar to the scandal uncovered fifty years ago by Judge Samuel Seabury's investigation of the selection of city magistrates. As Seabury concluded:

The demoralization of the magistrates' courts resulting from the political considerations finds expression not only in the subserviency of the magistrates but also in the very type and quality of the men appointed. Ability and fitness for office, where they exist, are as a rule, purely accidental. The selection is made primarily to strengthen the party.

Fifty years ago, magistrates were being chosen by the likes of George Washington Plunkett, whose "plain talks" on politics laid bare the workings of municipal corruption. Plunkett's heirs are now running our schools.

Political considerations form the basis for hiring and promotion; educational excellence is ignored entirely, or, at best, an accidental windfall. A politically "correct" candidate with the most minimal qualifications gets the job -- whether as aide, paraprofessional, or even principal -- instead of those with superior qualifications who might make a real difference to the children.

And, what are the real "qualifications" for office as far as these board members are concerned? In one case, the evidence proves the worst fears of the education community -- improper racial, ethnic, religious and political considerations infect personnel decisions.

As Seabury said, "As long as candidates are selected upon such considerations, we cannot hope to have the best." We owe our children the best.

Findings and Recommendations

Findings: Community schools districts are used as patronage troughs by school board members.

Politics outweighs merit in school board personnel decisions.

Racial, ethnic, and religious bias taint school board hiring and personnel decisions.

People with no interest in education are attracted to run for the community school board seats by the lure of improper patronage.

Millions of dollars are squandered on unnecessary patronage jobs.

Recommendations:

♦ The Legislature should transfer hiring authority for teacher aides, paraprofessionals, and other district support personnel from the community school boards to the community district superintendents.

♦ The Chancellor should establish staffing models for teacher aides, paraprofessionals, and other support personnel, and require districts to justify any departure from those models.

♦ The Chancellor should create rules governing hiring of teacher aides, paraprofessionals, and other support personnel, and require districts to justify any departure from those rules.

Finding: The qualifications for assistant principal and principal have been set so low that ill-motivated board members have been free to select mediocre candidates for improper reasons.

Recommendations:

♦ The Legislature should continue the community school board's authority to appoint principals and assistant principals.

♦ The Chancellor should set detailed standards governing qualifications for principalships and assistant principalships that will guarantee the selection of highly-qualified people for these critical positions.

Findings: Community school board members have subjected district superintendents and district personnel to extortionate pressures to force them to acquiesce to their patronage demands.

Vulnerable superintendents and district personnel need protection from this kind of pressure.

The lack of standards for evaluating superintendents has contributed to their vulnerability in the face of improper pressures.

The failure to scrutinize the hiring and renewal of superintendents has contributed to their vulnerability in the face of improper pressures.

Recommendations:

♦ The Chancellor should set detailed standards governing qualifications for district superintendent, and evaluations of district superintendent that will guarantee the selection of highly-qualified people for these critical positions.

♦ The Chancellor should exercise his power to veto the selection of a superintendent or the renewal of a superintendent's contract whenever a community school board votes to hire or reappoint an unqualified candidate.