

WALL TOWNSHIP PUBLIC SCHOOLS
OFFICE OF THE BUSINESS ADMINISTRATOR/BOARD SECRETARY
PO Box 1199
Wall, New Jersey 07719-1199

Brian J. Smyth
Business Administrator/Board Secretary

Phone: 732-556-2016
FAX: 732-556-2102

March 16, 2023

Anonymous
Re: OPRA 23-139

opra+request-40725-53498d4a@requests.opramachine.com

Dear Anonymous,

The district received your OPRA request dated, March 8, 2023, wherein you requested the following records:

“ Records requested: Copies of any cease & desist letters from the Wall Township School District and / or their attorney to resident Betsy Cross dated December 1, 2022.”

Attached, please find two records responsive to your request.

If your request for access to a government record has been denied or unfilled within the seven (7) business days required by law, you have a right to challenge the decision by the Wall Township Board of Education to deny access. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint with the Government Records Council (GRC) by completing the Denial of Access Complaint Form. You may contact the GRC by toll-free telephone at 866-850-0511, by mail at P.O. Box 819, Trenton, NJ 08625, be-mail at grc@dca.state.nj.us, or at their web site at www.state.nj.us/grc. The GRC can also answer other questions about the law. All questions regarding complaints filed in Superior Court should be directed to the Court Clerk in your County.

Sincerely,



Brian J. Smyth
Records Custodian

BJS/dc



**CORNELL, MERLINO
McKEEVER & OSBORNE, LLC**

ATTORNEYS AT LAW

Email: acornell@cmmolaw.com

December 1, 2022

Via Electronic Mail, Certified Mail, RRR and Regular Mail

Ms. Betsy Cross
[REDACTED]
[REDACTED]

RE: WALL TOWNSHIP BOARD OF EDUCATION (Board/District)

Dear Ms. Cross:

This office represents the Wall Township Board of Education (the "Board"). We have been made aware of a YouTube channel that you have created entitled "Wall Township BOE" @walltownshipboe160. We are also in receipt of your Facebook posts confirming your creation of this channel. This constitutes an unauthorized use of the Board's name.

On behalf of the Board, we demand that you immediately cease and desist this unauthorized use of the Board's name. You are not authorized to utilize the Board's name or likeness in any manner, let alone manipulate social media to make it appear that this YouTube channel has been created by the Board. YouTube has been alerted to the inappropriateness and illegality of this channel. We demand immediate removal.

The Board reserves its right to pursue all available legal remedies if you do not immediately comply.

Very truly yours,
CORNELL, MERLINO, McKEEVER & OSBORNE, LLC

Athina Lekas Cornell
ALC/amm

cc: Ralph Addonizio, Board President (via electronic mail)



**CORNELL, MERLINO
McKEEVER & OSBORNE, LLC**

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Email: acornell@cmmolaw.com

December 1, 2022

Via Electronic Mail, Certified Mail, RRR and Regular Mail

Ms. Betsy Cross
[REDACTED]
[REDACTED]

RE: WALL TOWNSHIP BOARD OF EDUCATION (Board/District)

Dear Ms. Cross:

This office represents the Wall Township Board of Education. We have become aware of your harassing and patently false conduct as well as Facebook posts, emails and YouTube channel regarding the Board. Your conduct is disturbing and must immediately cease.

Examples of your knowingly false statements and reckless disregard of same, include but are not limited to, the following:

1. Repeated and false allegations regarding Mr. Smyth. You have repeatedly published written allegations that Mr. Smyth's home was "raided" by law enforcement thereby suggesting criminal activity on his behalf. Again, these statements are patently false.
2. Allegations about Mr. Smyth's Employment Contract are similarly false. As you have been advised on numerous occasions, Mr. Smyth's Employment Contract for the 2021-2022 school year was approved by the Executive County Superintendent on June 10, 2021. The Board approved the contract at its regularly scheduled meeting on June 15, 2021, which you attended. The process has not changed and Mr. Smyth's contract for the subsequent school year is similarly appropriate.
3. Your behavior has become so outlandish and disruptive that it necessitated the intervention of law enforcement at the Board's public meeting on November 1, 2022. Due to your continued disruptive behavior, the Board was forced to take a recess and was unable to continue its business meeting without the assistance of law enforcement.
4. Repeatedly appearing at the Board and Superintendent of School's office unannounced in an effort to intimidate and question employees.
5. Appearing unannounced at District schools, as recently as today, attempting to make unreasonable demands of the staff.

Ms. Betsy Cross
December 1, 2022
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Please note that engaging in this disruptive conduct is detrimental to the Wall community, including the parents, taxpayers and students. The Board has heard from community members, during its public meetings as well as via other avenues, that your behavior is unwelcome, does not reflect the community at large and continues to negatively impact the school and its students.

In the event that you do not immediately cease and desist engaging in these inappropriate and harassing communications and actions, as well as specific attacks on Mr. Smyth, we will have no alternative but to pursue all legal remedies available to the District and its staff, including but not limited to, injunctive relief, damages, attorney's fees and costs of suit. Please be guided accordingly.

Very truly yours,
CORNELL, MERLINO, McKEEVER & OSBORNE, LLC

A handwritten signature in black ink, appearing to read 'Athina C', followed by a long horizontal flourish.

Athina Lekas Cornell
ALC/amm
cc: Ralph Addonizio, Board President (via electronic mail)