

Larkins, Jeannette

From: Chari Chanley <Chari.Chanley@Monroe.K12.NJ.US>
Sent: Tuesday, September 19, 2023 1:57 PM
To: Hall, Phylicia
Cc: Laura Allen; Anderson, Kyle; Yanogacio, Leodito; Gerald Tague; Chrissy Skurbe
Subject: [EXTERNAL] Re: [External Email]Middlesex - Monroe - Applegarth ES - Roof Replacement
Attachments: image001.png; (5)-23-3290-300-23-R502- Monroe - Applegarth ES.pdf; 23-3920-Initial Submission-Schematic Drawing.pdf

***** CAUTION *****

This message came from an EXTERNAL address (chari.chanley@monroe.k12.nj.us). **DO NOT** click on links or attachments unless you know the sender and the content is safe.
New Jersey State Government Employees Should Forward Messages That May Be Cyber Security Risks To PhishReport@cyber.nj.gov.

Good Afternoon,

On behalf of the Monroe Township School District we thank you and are beyond pleased. M

Stay well.

Kindly,

Chari R. Chanley, Ed.S.

Superintendent

Monroe Township Schools

chari.chanley@monroe.k12.nj.us

732-521-1500

SUCCESS IS ALWAYS A TEAM EFFORT!!



On Sep 19, 2023, at 1:54 PM, Hall, Phylicia <Phylicia.xxxx@xxx.xx.gov> wrote:

CAUTION: This email originated from outside of the school district. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Monroe Township IT Department

Good Afternoon,

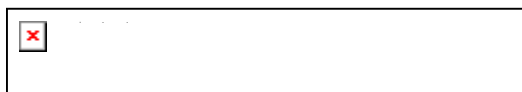
On behalf of Leo Yanogacio, Middlesex Executive County Business Official:

I hope all is well. Attached is your Preliminary Eligible Cost (PEC) determination letter for your school facility project as a regular operating district seeking a grant with the School Development Authority (SDA).

Please note, this PEC letter is the first step. Approximately, thirty (30) days from the date of this PEC letter, the Department will issue a Final Eligible Cost (FEC) letter.

As previously stated, the district CANNOT award any construction contracts **before you have executed your grant agreement with the NJSDA**. If you do award any construction contracts before executing the grant agreement with the NJSDA, **you forfeit receiving any funds for your project(s).**

Should you have any question, please contact the Middlesex County office. Thank you.



Phylicia Hall
Department of Certification

Administrative Assistant to Executive County School Business Official
New Jersey State Department of Education
Middlesex County Office Education
13-15 Kennedy Boulevard East Brunswick, NJ 08816
Work: 732-745-3551
Email: Phylcia.xxxx@xxx.xx.xxx

CONFIDENTIALITY NOTICE: The information contained in this communication from the New Jersey Department of Education is privileged and confidential and is intended for the sole use of the persons or entities who are the addressees. If you are not an intended recipient of this email, the dissemination, distribution, copying or use of the information it contains is strictly prohibited. If you have received this communication in error, please immediately contact the New Jersey Department of Education at (609) 376-3500 to arrange for the return of this information.



State of New Jersey

DEPARTMENT OF EDUCATION

PO BOX 500

TRENTON, NJ 08625-0500

PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

ANGELICA ALLEN-MCMILLAN, Ed.D.
Acting Commissioner

September 18, 2023

Dr. Chari Chanley, Superintendent
Middlesex County
Monroe Board of Education
423 Buckelew Avenue
Monroe, NJ 08831

RE: PRELIMINARY ELIGIBLE COST: (PEC) DETERMINATION OF A SCHOOL FACILITIES PROJECT FOR A REGULAR OPERATING DISTRICT SEEKING A GRANT PURSUANT TO THE EDUCATIONAL FACILITIES CONSTRUCTION AND FINANCING ACT (EFCFA), P.L. 2000, c.72, AS AMENDED.

THIS PROJECT DOES NOT IMPACT EDUCATIONAL ADEQUACY AND IS NOT SUBJECT TO DOE FINAL EDUCATIONAL ADEQUACY REVIEW.

Applegarth Elementary School State Project # 3290-300-23-R502

Description: Building Skin (Roof System Replacement)

Dear Dr. Chanley:

Your district has submitted an application for a school facilities project pursuant to Section 5 of the Educational Facilities Construction and Financing Act, P.L. 2000, c. 72 ("EFCFA" or "Act") and the New Jersey Department of Education implementing regulations at N.J.A.C. 6A:26-1 et seq. ("Regulations"). This project application has been deemed complete by the New Jersey Department of Education-Office of School Facility Projects ("Department"), has been reviewed under the Act and the Regulations, and, as a result, the Department now makes the following determinations regarding the above referenced project.

I. Department determinations:

1. This school facilities project qualifies as a school facilities project eligible for State support under the Act.
2. This school facilities project is consistent with the District's approved long-range facilities plan ("LRFP") as approved or as amended.
3. This school facilities project meets the schematic plans requirements.
4. This school facilities project or a portion of this project qualifies as rehabilitation as it is required to keep the school facilities functional for its original purposes or for new purposes but does not increase the gross square footage of the school facility and does not include any routine maintenance, required maintenance or excess costs as defined in N.J.A.C. 6A:26-18.2, but may include capital maintenance, if applicable.
5. The priority ranking of the school facilities project is: Level 1
6. This school facilities project may be subject to the environmental assessment or environmental impact statement requirements of Executive Order 215.

II. Description of the approved school facilities project:

The approved school facilities project consists of the following components:

EXISTING ROOF SYSTEMS (INCLUDES ASPHALT SHINGLE, MEMBRANE AND BUILT-UP ROOFING) SHALL BE REMOVED DOWN TO THE ROOF SUBSTRATE. REMOVALS SHALL INCLUDE SHINGLES, MEMBRANES, INSULATION, PROTECTION BOARD, FLASHINGS, VAPOR BARRIERS, COPINGS AND GRAVEL STOPS. SHINGLED AREA IS APPROXIMATELY 8,175 S.F AND THE MEMBRANE / BUILT-UP AREA IS APPROXIMATELY 50,850 S.F THE SHINGLED ROOF AREA INCLUDES A BUILT-IN, LEAD-COATED COPPER GUTTER SYSTEM WHICH HAS FAILING JOINTS / SEAMS. ALL SEAMS ARE TO BE CLEANED AND SOLDERED FOR WEATHER-TIGHT JOINTS. EXISTING ROOF LEADERS SHALL BE REMOVED AND REPLACED WITH NEW AND TIED INTO EXISTING BUILT-IN GUTTER SYSTEM.

III. Preliminary eligible costs (PEC) for the approved school facilities project:

The District's aid percentage as defined in section 3 of the Act, N.J.S.A. 18A:7G-3 is as noted in table below and State share will be equal to 100% of that percentage, except that it will not be less than 40% of final eligible costs.

Pursuant to N.J.S.A. 18A:7G-7 the following is the PEC for the approved school facilities project:

PEC Calculations :

Preliminary Eligible Cost Calculations for SP#:				(5)-23-3290-300-23-R502	Applegarth Elementary School	
	Functional Capacity (FC)	Projected Enrollment (PE)	Unhoused Students (UH)	Area Allowance / FTE Student (AA)	****Maximum or Actual Gross Square Footage (GSF)	Preliminary Eligible Cost (PEC)
*New Construction	0	0	0	0.00	Max: 0	\$ -
					Actual:	\$ -
Other Eligible Costs for Educational Adequacy (Based on \$143/SF)					0	\$ -
**Rehabilitation						\$ 3,511,500.00
TOTAL PEC						\$ 3,511,500.00
ROD Grant Only	40.0000%				State Share	\$ 1,404,600.00
	60.0000%				Local Share	\$ 2,106,900.00
Ineligible Excess Costs (Based on \$143/SF)					0	\$ -
Ineligible Excess Costs (Based on estimated actual cost for rehabilitation)						\$ -
TOTAL Ineligible Excess Costs						\$ -
Total Project Cost						\$ 3,511,500.00
*New construction costs are calculated using \$143.00 per square foot times the GSF.						
**The rehabilitation costs are compiled from the architect's line item cost estimate of the scope of work to be performed during the school facilities project.						
FY 23 DAP =		31.4917%			or 40% whichever is greater.	40.0000%
***State share for grant funding, assuming the district elects to receive a grant pursuant to N.J.S.A. 18A:7G-15 instead of state debt service aid pursuant to N.J.S.A. 18A:7G-9. State share is calculated based on the district aid percentage (DAP) at the time of approval as defined in N.J.S.A. 18A:7G-3.						
****The preliminary eligible costs for new construction will be calculated based on the maximum allowable additional gross square footage or the actual gross square footage, whichever is smaller. The final eligible costs may not equal preliminary eligible costs, pursuant to the district's right to appeal preliminary eligible costs under N.J.A.C. 6A:26-3.6. A change in final eligible costs will mean a change in State and local share of those costs.						

- a. Rehabilitation cost is based on architect's line item cost estimate of scope of work to be performed during school facilities project. Costs were reviewed and approved by the Department.

IV. Actions to be taken:

A. Thirty (30) days from the date of this PEC letter, the Department will issue a Final Eligible Cost letter. If the District does not agree with PEC determination, it must notify the Department within the allotted 30 days with an explanation and a revised signed cost estimate.

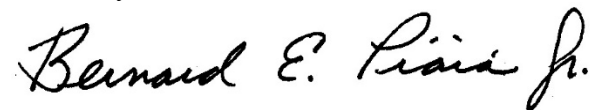
B. The district may advance the project, including review for Uniform Construction Code (“UCC”) compliance as required to the local municipal code enforcing agency once the FEC has been issued. If the local code enforcement agency declines to perform the plan review or is not classified at the appropriate level for the project in question, then the project may go to an appropriately classified local code enforcement agency or to the Department of Community Affairs.

C. Executive Order 215. School facilities projects meeting certain State assistance percentage (at least 20% of total project costs) and cost thresholds (total construction costs in excess of \$1 million) and not otherwise exempted (exemptions include rehabilitation and new construction not increasing the building’s capacity by more than 25 percent) are required to comply with E.O. 215, including the preparation and submission of an environmental assessment or an environmental impact statement as applicable, prior to site preparation and/or construction activity.

D. Final eligible costs and local support. A district may seek approval of the estimated local share in its annual budget, capital maintenance budget, board of school estimate, use of federal funds, or other non-state funding sources pursuant to N.J.A.C. 6A:26-3.6.

Please contact Leo Yanogacio with any questions regarding this matter by email Leodito.Yanogacio@doe.nj.gov or contact me directly at (609) 376-3701 or by email to bernie.piaia@doe.nj.gov.

Sincerely,



Bernard E. Piaia, Jr., Director
Office of School Facility Projects

BEP: typist

c: Amanda Schultz, Assistant Commissioner, Division of Finance and Business Services
Kyle M. Anderson, Middlesex Executive County Superintendent
Laura Allen, School Business Administrator
Richard D. Alderiso., DIGroup Architecture, Inc,
Greg Voronov, New Jersey Schools Development Authority
Leo Yanogacio, Project Reviewer, Executive County Business Official – Middlesex County

Larkins, Jeannette

From: Chari Chanley <Chari.Chanley@Monroe.K12.NJ.US>
Sent: Tuesday, September 19, 2023 2:01 PM
To: Hall, Phylicia
Cc: Laura Allen; Anderson, Kyle; Yanogacio, Leodito; Gerald Tague; Chrissy Skurbe
Subject: [EXTERNAL] [External Email]Middlesex - Monroe - Applegarth ES - Roof Replacement
Attachments: image001.png; (5)-23-3290-300-23-R502- Monroe - Applegarth ES.pdf; 23-3920-Initial Submission-Schematic Drawing.pdf

***** CAUTION *****

This message came from an EXTERNAL address (**Chari.Chanley@Monroe.K12.NJ.US**). **DO NOT** click on links or attachments unless you know the sender and the content is safe.

New Jersey State Government Employees Should Forward Messages That May Be Cyber Security Risks To
PhishReport@cyber.nj.gov.

Good Afternoon,

On behalf of the Monroe Township School District we thank you and are beyond pleased.

Stay well.

Kindly,

Chari R. Chanley, Ed.S.

Superintendent

Monroe Township Schools

chari.chanley@monroe.k12.nj.us

732-521-1500

SUCCESS IS ALWAYS A TEAM EFFORT!!



On Sep 19, 2023, at 1:54 PM, Hall, Phylicia <Phylicia.xxxx@xxx.xx.gov> wrote:

CAUTION: This email originated from outside of the school district. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Monroe Township IT Department

Good Afternoon,

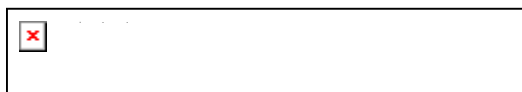
On behalf of Leo Yanogacio, Middlesex Executive County Business Official:

I hope all is well. Attached is your Preliminary Eligible Cost (PEC) determination letter for your school facility project as a regular operating district seeking a grant with the School Development Authority (SDA).

Please note, this PEC letter is the first step. Approximately, thirty (30) days from the date of this PEC letter, the Department will issue a Final Eligible Cost (FEC) letter.

As previously stated, the district CANNOT award any construction contracts **before you have executed your grant agreement with the NJSDA**. If you do award any construction contracts before executing the grant agreement with the NJSDA, **you forfeit receiving any funds for your project(s).**

Should you have any question, please contact the Middlesex County office. Thank you.



Phylicia Hall
Department of Certification

Administrative Assistant to Executive County School Business Official
New Jersey State Department of Education
Middlesex County Office Education
13-15 Kennedy Boulevard East Brunswick, NJ 08816
Work: 732-745-3551
Email: Phylcia.xxxx@xxx.xx.xxx

CONFIDENTIALITY NOTICE: The information contained in this communication from the New Jersey Department of Education is privileged and confidential and is intended for the sole use of the persons or entities who are the addressees. If you are not an intended recipient of this email, the dissemination, distribution, copying or use of the information it contains is strictly prohibited. If you have received this communication in error, please immediately contact the New Jersey Department of Education at (609) 376-3500 to arrange for the return of this information.



State of New Jersey

DEPARTMENT OF EDUCATION

PO BOX 500

TRENTON, NJ 08625-0500

PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

ANGELICA ALLEN-MCMILLAN, Ed.D.
Acting Commissioner

September 18, 2023

Dr. Chari Chanley, Superintendent
Middlesex County
Monroe Board of Education
423 Buckelew Avenue
Monroe, NJ 08831

RE: PRELIMINARY ELIGIBLE COST: (PEC) DETERMINATION OF A SCHOOL FACILITIES PROJECT FOR A REGULAR OPERATING DISTRICT SEEKING A GRANT PURSUANT TO THE EDUCATIONAL FACILITIES CONSTRUCTION AND FINANCING ACT (EFCFA), P.L. 2000, c.72, AS AMENDED.

THIS PROJECT DOES NOT IMPACT EDUCATIONAL ADEQUACY AND IS NOT SUBJECT TO DOE FINAL EDUCATIONAL ADEQUACY REVIEW.

Applegarth Elementary School State Project # 3290-300-23-R502

Description: Building Skin (Roof System Replacement)

Dear Dr. Chanley:

Your district has submitted an application for a school facilities project pursuant to Section 5 of the Educational Facilities Construction and Financing Act, P.L. 2000, c. 72 ("EFCFA" or "Act") and the New Jersey Department of Education implementing regulations at N.J.A.C. 6A:26-1 et seq. ("Regulations"). This project application has been deemed complete by the New Jersey Department of Education-Office of School Facility Projects ("Department"), has been reviewed under the Act and the Regulations, and, as a result, the Department now makes the following determinations regarding the above referenced project.

I. Department determinations:

1. This school facilities project qualifies as a school facilities project eligible for State support under the Act.
2. This school facilities project is consistent with the District's approved long-range facilities plan ("LRFP") as approved or as amended.
3. This school facilities project meets the schematic plans requirements.
4. This school facilities project or a portion of this project qualifies as rehabilitation as it is required to keep the school facilities functional for its original purposes or for new purposes but does not increase the gross square footage of the school facility and does not include any routine maintenance, required maintenance or excess costs as defined in N.J.A.C. 6A:26-18.2, but may include capital maintenance, if applicable.
5. The priority ranking of the school facilities project is: Level 1
6. This school facilities project may be subject to the environmental assessment or environmental impact statement requirements of Executive Order 215.

II. Description of the approved school facilities project:

The approved school facilities project consists of the following components:

EXISTING ROOF SYSTEMS (INCLUDES ASPHALT SHINGLE, MEMBRANE AND BUILT-UP ROOFING) SHALL BE REMOVED DOWN TO THE ROOF SUBSTRATE. REMOVALS SHALL INCLUDE SHINGLES, MEMBRANES, INSULATION, PROTECTION BOARD, FLASHINGS, VAPOR BARRIERS, COPINGS AND GRAVEL STOPS. SHINGLED AREA IS APPROXIMATELY 8,175 S.F AND THE MEMBRANE / BUILT-UP AREA IS APPROXIMATELY 50,850 S.F THE SHINGLED ROOF AREA INCLUDES A BUILT-IN, LEAD-COATED COPPER GUTTER SYSTEM WHICH HAS FAILING JOINTS / SEAMS. ALL SEAMS ARE TO BE CLEANED AND SOLDERED FOR WEATHER-TIGHT JOINTS. EXISTING ROOF LEADERS SHALL BE REMOVED AND REPLACED WITH NEW AND TIED INTO EXISTING BUILT-IN GUTTER SYSTEM.

III. Preliminary eligible costs (PEC) for the approved school facilities project:

The District's aid percentage as defined in section 3 of the Act, N.J.S.A. 18A:7G-3 is as noted in table below and State share will be equal to 100% of that percentage, except that it will not be less than 40% of final eligible costs.

Pursuant to N.J.S.A. 18A:7G-7 the following is the PEC for the approved school facilities project:

PEC Calculations :

Preliminary Eligible Cost Calculations for SP#:				(5)-23-3290-300-23-R502	Applegarth Elementary School	
	Functional Capacity (FC)	Projected Enrollment (PE)	Unhoused Students (UH)	Area Allowance / FTE Student (AA)	****Maximum or Actual Gross Square Footage (GSF)	Preliminary Eligible Cost (PEC)
*New Construction	0	0	0	0.00	Max: 0	\$ -
					Actual:	\$ -
Other Eligible Costs for Educational Adequacy (Based on \$143/SF)					0	\$ -
**Rehabilitation						\$ 3,511,500.00
TOTAL PEC						\$ 3,511,500.00
ROD Grant Only	40.0000%				State Share	\$ 1,404,600.00
	60.0000%				Local Share	\$ 2,106,900.00
Ineligible Excess Costs (Based on \$143/SF)					0	\$ -
Ineligible Excess Costs (Based on estimated actual cost for rehabilitation)						\$ -
TOTAL Ineligible Excess Costs						\$ -
Total Project Cost						\$ 3,511,500.00
*New construction costs are calculated using \$143.00 per square foot times the GSF.						
**The rehabilitation costs are compiled from the architect's line item cost estimate of the scope of work to be performed during the school facilities project.						
FY 23 DAP =		31.4917%			or 40% whichever is greater.	40.0000%
***State share for grant funding, assuming the district elects to receive a grant pursuant to N.J.S.A. 18A:7G-15 instead of state debt service aid pursuant to N.J.S.A. 18A:7G-9. State share is calculated based on the district aid percentage (DAP) at the time of approval as defined in N.J.S.A. 18A:7G-3.						
****The preliminary eligible costs for new construction will be calculated based on the maximum allowable additional gross square footage or the actual gross square footage, whichever is smaller. The final eligible costs may not equal preliminary eligible costs, pursuant to the district's right to appeal preliminary eligible costs under N.J.A.C. 6A:26-3.6. A change in final eligible costs will mean a change in State and local share of those costs.						

- a. Rehabilitation cost is based on architect's line item cost estimate of scope of work to be performed during school facilities project. Costs were reviewed and approved by the Department.

IV. Actions to be taken:

A. Thirty (30) days from the date of this PEC letter, the Department will issue a Final Eligible Cost letter. If the District does not agree with PEC determination, it must notify the Department within the allotted 30 days with an explanation and a revised signed cost estimate.

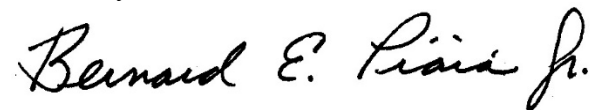
B. The district may advance the project, including review for Uniform Construction Code (“UCC”) compliance as required to the local municipal code enforcing agency once the FEC has been issued. If the local code enforcement agency declines to perform the plan review or is not classified at the appropriate level for the project in question, then the project may go to an appropriately classified local code enforcement agency or to the Department of Community Affairs.

C. Executive Order 215. School facilities projects meeting certain State assistance percentage (at least 20% of total project costs) and cost thresholds (total construction costs in excess of \$1 million) and not otherwise exempted (exemptions include rehabilitation and new construction not increasing the building’s capacity by more than 25 percent) are required to comply with E.O. 215, including the preparation and submission of an environmental assessment or an environmental impact statement as applicable, prior to site preparation and/or construction activity.

D. Final eligible costs and local support. A district may seek approval of the estimated local share in its annual budget, capital maintenance budget, board of school estimate, use of federal funds, or other non-state funding sources pursuant to N.J.A.C. 6A:26-3.6.

Please contact Leo Yanogacio with any questions regarding this matter by email Leodito.Yanogacio@doe.nj.gov or contact me directly at (609) 376-3701 or by email to bernie.piaia@doe.nj.gov.

Sincerely,



Bernard E. Piaia, Jr., Director
Office of School Facility Projects

BEP: typist

c: Amanda Schultz, Assistant Commissioner, Division of Finance and Business Services
Kyle M. Anderson, Middlesex Executive County Superintendent
Laura Allen, School Business Administrator
Richard D. Alderiso., DIGroup Architecture, Inc,
Greg Voronov, New Jersey Schools Development Authority
Leo Yanogacio, Project Reviewer, Executive County Business Official – Middlesex County

From: [Chrissy Skurbe](#)
To: [Anderson, Kyle](#)
Cc: [x@xx](#)
Subject: [EXTERNAL] Monroe BOE Vacancy
Date: Thursday, September 21, 2023 4:22:15 PM

***** CAUTION *****

This message came from an **EXTERNAL** address ([. @ ...](#)) **. DO**

NOT click on links or attachments unless you know the sender and the content is safe.

New Jersey State Government Employees Should Forward Messages That May Be Cyber Security Risks To [x@xx](#)

Good morning Mr. Anderson.

Last night the Monroe Board of Education was scheduled to conduct a meeting and have interviews for the applicants for the open board seat. Unfortunately, the meeting did not have a quorum. Sadly, we have board members that boycotted the meeting because of their own personal agendas in this process of filling the vacant seat. While our Board Attorney has guided the board and had conference calls with some of these board members who boycotted last night's meeting, it seems we are at an impasse with this process. I wanted to reach out to discuss the process forward. I know when we pass the 65th day of the vacancy it goes to the county superintendent to appoint someone to the seat. We had 9 applicants. 1 dropped out so we have 8 applicants currently. I can share all of the information with you. There was 1 candidate, who when board members were asked to give their preferences for who to interview, was supported for an interview by 8 of the 9 board members. As you know, we have a Jamesburg Representative on our board. Some of my board members were against her involvement in the process at all despite the legal advice from the Monroe Board Attorney and the Jamesburg Board Attorney. If you are not aware, back in 2019 when the Monroe Board of Education had a vacancy, the Jamesburg Representative at the time, Paul Rutsky - now the Jamesburg BOE President, not only voted to fill the Monroe Board Vacancy, but he nominated the candidate. The Jamesburg Board Attorney did issue an opinion, in writing, for why they feel the Jamesburg Representative should be allowed to vote based on the wording of the updated legislation for sending districts voting rights. As you can see there are many issues, including legal interpretation, that will not be resolved before the 65 day deadline to fill the vacancy.

I am available anytime after 3pm today to have a phone conversation or anytime tomorrow as well.

Thank you for your assistance with this matter.

Sincerely,

Chrissy Skurbe

President

Monroe Township Board of Education

Larkins, Jeannette

From: Chrissy Skurbe <Chrissy.Skurbe@monroe.k12.nj.us>
Sent: Friday, September 22, 2023 9:08 AM
To: Anderson, Kyle
Subject: [EXTERNAL] Re: [External Email]RE: Monroe BOE Vacancy

*** CAUTION ***

This message came from an EXTERNAL address (Chrissy.Skurbe@monroe.k12.nj.us). **DO NOT** click on links or attachments unless you know the sender and the content is safe.

New Jersey State Government Employees Should Forward Messages That May Be Cyber Security Risks To PhishReport@cyber.nj.gov.

Good morning Mr Anderson

My cell number is the best way to reach me. It is [REDACTED]

Thank you.

Chrissy Skurbe

On Sep 22, 2023, at 7:48 AM, Anderson, Kyle <Kyle.Anderson@doe.nj.gov> wrote:

CAUTION: This email originated from outside of the school district. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Monroe Township IT Department

Good morning Ms. Skurbe,

Thank you for informing me of this situation. I will be presenting my round table this morning and I am available after 12:00. Please feel free to contact me at my cell number listed below or provide a number that I may contact you.

Sincerely,

Kyle M. Anderson
Executive County Superintendent

Tel: (732) 745-3425

Cell: (732) 379-9510

Fax: (732) 296-6567

Kyle.anderson@doe.nj.gov

From: Chrissy Skurbe <Chrissy.Skurbe@monroe.k12.nj.us>
Sent: Thursday, September 21, 2023 11:23 AM
To: Anderson, Kyle <Kyle.Anderson@doe.nj.gov>
Subject: [EXTERNAL] Monroe BOE Vacancy

*** CAUTION ***

This message came from an EXTERNAL address (Chrissy.Skurbe@monroe.k12.nj.us). **DO NOT** click on links or attachments unless you know the sender and the content is safe.

New Jersey State Government Employees Should Forward Messages That May Be Cyber Security Risks To PhishReport@cyber.nj.gov.

Good morning Mr. Anderson.

Last night the Monroe Board of Education was scheduled to conduct a meeting and have interviews for the applicants for the open board seat. Unfortunately, the meeting did not have a quorum. Sadly, we have board members that boycotted the meeting because of their own personal agendas in this process of filling the vacant seat. While our Board Attorney has guided the board and had conference calls with some of these board members who boycotted last night's meeting, it seems we are at an impasse with this process. I wanted to reach out to discuss the process forward. I know when we pass the 65th day of the vacancy it goes to the county superintendent to appoint someone to the seat. We had 9 applicants. 1 dropped out so we have 8 applicants currently. I can share all of the information with you. There was 1 candidate, who when board members were asked to give their preferences for who to interview, was supported for an interview by 8 of the 9 board members. As you know, we have a Jamesburg Representative on our board. Some of my board members were against her involvement in the process at all despite the legal advice from the Monroe Board Attorney and the Jamesburg Board Attorney. If you are not aware, back in 2019 when the Monroe Board of Education had a vacancy, the Jamesburg Representative at the time, Paul Rutsky - now the Jamesburg BOE President, not only voted to fill the Monroe Board Vacancy, but he nominated the candidate. The Jamesburg Board Attorney did issue an opinion, in writing, for why they feel the Jamesburg Representative should be allowed to vote based on the wording of the updated legislation for sending districts voting rights. As you can see there are many issues, including legal interpretation, that will not be resolved before the 65 day deadline to fill the vacancy.

I am available anytime after 3pm today to have a phone conversation or anytime tomorrow as well.

Thank you for your assistance with this matter.

Sincerely,

Chrissy Skurbe
President

Monroe Township Board of Education

CONFIDENTIALITY NOTICE: The information contained in this communication from the New Jersey Department of Education is privileged and confidential and is intended for the sole use of the persons or entities who are the addressees. If you are not an intended recipient of this email, the dissemination, distribution, copying or use of the information it contains is strictly prohibited. If you have received this

communication in error, please immediately contact the New Jersey Department of Education at (609) 376-3500 to arrange for the return of this information.

Larkins, Jeannette

From: Anderson, Kyle <Kyle.Anderson@doe.nj.gov>
Sent: Tuesday, September 26, 2023 12:48 PM
To: Chrissy Skurbe
Cc: Hudson, Debbie
Subject: RE: Monroe BOE Vacancy

Hello Ms. Skurbe,

My apologies. My Friday afternoon did not work out as planned. I have a call in a few minutes that usually lasts an hour. I will call you later. The first step in this is usually for me to make a plea to the board members to hold a vote amongst themselves on these candidates. Is there anything to prevent this from occurring? The ECS selecting the candidate should be considered a last resort.

Kyle M. Anderson
Executive County Superintendent
Tel: (732) 745-3425
Cell: (732) 379-9510
Fax: (732) 296-6567
Kyle.anderson@doe.nj.gov

From: Chrissy Skurbe <Chrissy.Skurbe@monroe.k12.nj.us>
Sent: Tuesday, September 26, 2023 11:16 AM
To: Anderson, Kyle <Kyle.Anderson@doe.nj.gov>
Cc: Hudson, Debbie <Debbie.Hudson@doe.nj.gov>
Subject: [EXTERNAL] Re: Monroe BOE Vacancy

*** CAUTION ***

This message came from an EXTERNAL address (Chrissy.Skurbe@monroe.k12.nj.us). **DO NOT** click on links or attachments unless you know the sender and the content is safe.

New Jersey State Government Employees Should Forward Messages That May Be Cyber Security Risks To PhishReport@cyber.nj.gov.

Good morning Mr Anderson-

I tried to reach out to you a few times on Friday. I'm sure you are very busy. I'm available all day today if you have time to talk.

Thank you.

Chrissy Skurbe

On Sep 21, 2023, at 4:22 PM, Chrissy Skurbe <Chrissy.Skurbe@monroe.k12.nj.us> wrote:

Good morning Mr. Anderson.

Last night the Monroe Board of Education was scheduled to conduct a meeting and have interviews for the applicants for the open board seat. Unfortunately, the meeting did not have a quorum. Sadly, we have board members that boycotted the meeting because of their own personal agendas in this process of filling the vacant seat. While our Board Attorney has guided the board and had conference calls with some of these board members who boycotted last night's meeting, it seems we are at an impasse with this process. I wanted to reach out to discuss the process forward. I know when we pass the 65th day of the vacancy it goes to the county superintendent to appoint someone to the seat. We had 9 applicants. 1 dropped out so we have 8 applicants currently. I can share all of the information with you. There was 1 candidate, who when board members were asked to give their preferences for who to interview, was supported for an interview by 8 of the 9 board members. As you know, we have a Jamesburg Representative on our board. Some of my board members were against her involvement in the process at all despite the legal advice from the Monroe Board Attorney and the Jamesburg Board Attorney. If you are not aware, back in 2019 when the Monroe Board of Education had a vacancy, the Jamesburg Representative at the time, Paul Rutsky - now the Jamesburg BOE President, not only voted to fill the Monroe Board Vacancy, but he nominated the candidate. The Jamesburg Board Attorney did issue an opinion, in writing, for why they feel the Jamesburg Representative should be allowed to vote based on the wording of the updated legislation for sending districts voting rights. As you can see there are many issues, including legal interpretation, that will not be resolved before the 65 day deadline to fill the vacancy.

I am available anytime after 3pm today to have a phone conversation or anytime tomorrow as well.

Thank you for your assistance with this matter.

Sincerely,

Chrissy Skurbe
President
Monroe Township Board of Education

From: [Chrissy Skurbe](#)
To: [Anderson, Kyle](#)
Cc: [Hudson, Debbie](#)
Subject: [EXTERNAL] Re: [External Email]RE: Monroe BOE Vacancy
Date: Tuesday, September 26, 2023 5:04:31 PM
Attachments: [Monroe Opinion Letter re Jamesburg Representative.pdf](#)

***** CAUTION *****

This message came from an **EXTERNAL** address (**.@...**) **. DO**
NOT click on links or attachments unless you know the sender and the content is safe.
New Jersey State Government Employees Should Forward Messages That May Be Cyber
Security Risks To xxxxxxxxxxxx@xxxxx.xx.xxx.

Hello Mr. Anderson -

Thank you for taking the time to speak to me today. Attached, please find the board policies as discussed. I have also included the legal opinions from the Board Attorney for Monroe and Jamesburg.

I look forward to hearing from you.

All the best

Chrissy Skurbe

----- Forwarded message -----

From: **Patrick Carrigg** <[xxxxxxxx@xxxxxxxx.xxx](#)>
Date: Fri, Sep 15, 2023 at 12:08 PM
Subject: Re: Monroe Board Vacancy Vote
To: Michelle Scott <[xxxxxx@xxxxxxxxxxx.xxx](#)>
Cc: Paul Rutsky <[xxxxxxxx@xxxxxxxxxxx.xxx](#)>

Hi Michelle,

N.J.S.A. 18A:38-8.1 enumerates those matters on which a sending-district representative is eligible to vote on a receiving district's board. Historically, the statute has been interpreted as narrowly conveying specific rights to vote on limited matters authorized by statute. "We must enforce this statute literally because its unambiguous language, as illuminated by its legislative history, reveals an intent to permit voting only on enumerated matters. We thus affirm the agency decision, which held sending-district representatives ineligible to vote on the appointment of the receiving district's solicitor, because it is not expressly

authorized by the statute.” Evans v. Atlantic City Bd. of Educ., 404 N.J. Super. 87, 89 (App.Div.2008). At the time Evans was decided, the statute did not expressly authorize the sending district’s representative to vote on the board attorney so the Appellate Division said that it was correct to prevent such a vote. However, after this decision, the statute was amended in 2017, and the voting rights were significantly expanded. In pertinent part, the statute now provides:

“In addition to the members of the board of education of a Type I and Type II school district provided by law, in a school district which is receiving pupils from another district or districts pursuant to N.J.S.18A:38-8, there shall be an additional member as provided pursuant to section 2 [C.18A:38-8.2] of this act to represent the board of education of each sending district. Any additional member shall be a member of the board of education of a sending district designated annually by the board of that district and shall be eligible to vote on the following matters before the receiving district board of education:

N.J. Stat. § 18A:38-8.1i. ***Any matter concerning governance of the receiving district board of education*** including, but not limited to, the selection of the board president or vice-president, approval of board bylaws, and the employment of professionals or consultants such as attorneys, architects, engineers, or others who provide services to the receiving district board of education.”

(Emphasis supplied).

In my view, this statutory language is written in a broad manner (the word “any” is as broad as it gets) that empowers the sending district representative to vote on a vacancy appointment, or nominate for a vacancy appointment, as such acts “concern governance of the receiving district board of education”. “Concerning governance” is not defined in the statute, but reading it consistent with the enumerated items – voting on the bylaws and executive appointments – it would be rationally interpreted to include the Board composition and a vacancy appointment. The alternative interpretation that Monroe’s counsel advances is wholly inconsistent with the statutory language’s authorization to vote on “Any matter concerning governance”.

Please contact me with any questions.

Patrick

Board Policy

Monroe Township Board of Education

[Home](#)

District Policy

0141.2 - Board Member and Term - Receiving District

Section: Bylaws

Date Created: April 2011

Date Edited: February 2022

BYLAWS

0141.2/page 1 of 4

Board Member and Term – Receiving District

Jan 19

[See POLICY ALERT No. 134, 140, 156, 192 and 217]

0141.2 BOARD MEMBER AND TERM - RECEIVING DISTRICT

The Board of Education shall consist of 9 or 10 members subject to the following:

The term of a Board member shall be 3 years, except that:

1.
The term of a member appointed to fill a vacancy shall be from the member's appointment to the organizational meeting following the next annual election, except that;
2.
The term of a member appointed to fill a vacancy within sixty days immediately preceding an annual election shall be from the member's appointment to the organizational meeting following the second annual election after his/her appointment, except for Board members of a sending district;
3.
Representation on the receiving district Board shall be in accordance with N.J.S.A. 18A:38-8.2. In accordance with N.J.S.A. 18A:38-8.2.a. (1) the sending district shall have no representation on the receiving district Board of Education if the students of a sending district comprise less than ten percent of the total enrollment of the students in the grades of the receiving district in which the students of the sending district will be enrolled. If the students of a sending district comprise at least ten percent of the total enrollment of the students in the grades of the receiving district in which the students of the sending district will be enrolled, the sending district shall have one representative on the receiving Board of Education in accordance with N.J.S.A. 18A:38-8.2.a.(2).

If the total number of students of two or more sending districts, which do not qualify for representation in accordance with N.J.S.A. 18A:38-8.2.a.(2), comprise at least fifteen percent of the total enrollment of the students in the grades of the receiving district in which the students of sending districts will be enrolled, shall have collectively two representatives on the receiving district Board of Education in accordance with N.J.S.A. 18A:38-8.2.b. The annual designation of the representatives, in the event more than two districts collectively qualify, shall be rotated among the Boards of Education of the sending districts according to a schedule determined by the joint agreement of the Boards in accordance with N.J.S.A. 18A:38-8.2.b. The number of representatives designated by the sending districts to be additional members on the receiving district Board of Education shall be limited in accordance with the provisions of N.J.S.A. 18A:38-8.2.c.

A school district which is located in a county of the sixth class according to the latest Federal decennial census, which has an October 1998 resident enrollment greater than 2,400 students, but less than 2,600 students, and which sends its students in grades nine through twelve to a school district in the same county shall have representation on the Board of Education of a receiving school district in accordance with the provisions of N.J.S.A. 18A:38-8.4.

The sending district Board of Education shall designate their representative(s) to serve on the receiving district Board of Education on an annual basis upon notification from the County Superintendent of the appropriate representation on the receiving Board of Education. This designation shall be made by the sending Board of Education at its meeting closest in time to the annual organizational meeting of the receiving district Board of Education and shall serve a one year term beginning with the organizational meeting of the receiving district Board of Education in accordance with N.J.S.A. 18A:38-8.2.d. The sending district representative(s) shall be subject to the rules and procedures of the receiving district Board of Education.

The calculation of percentages required shall be based on the number of students reported as of the last school day prior to October 16 of each prebudget year pursuant to N.J.S.A. 18A:38-8.2.e. and N.J.S.A. 18A:38-8.4.b.

4.

A sending district representative(s) shall be eligible to vote on the following matters before the receiving district Board of Education:

a.

Tuition to be charged the sending district by the receiving district and the bill lists or contracts for the purchase, operation or maintenance of facilities, equipment and instructional materials to be used in the education of the students of the sending district;

b.

New capital construction to be utilized by sending district students;

c.

Appointment, transfer or removal of teaching staff members providing services to the students of the sending district, including any teaching staff member who is a member of the receiving district's central administrative staff;

d.

Addition or deletion of curricular and extracurricular programs involving students of the sending district;

e.

Any matter directly involving the sending district students or programs and services utilized by those students;

f.

Approval of the annual receiving district budget;

g.

Any collectively negotiated agreement involving employees who provide services utilized by sending district students;

h.
Any individual employee contracts not covered by a collectively negotiated agreement, if those employees provide or oversee programs or services utilized by sending district students; and

i.
Any matter concerning governance of the receiving district Board of Education including, but not limited to, the selection of the Board President or Vice President, approval of Board Bylaws, and the employment of professionals or consultants such as attorneys, architects, engineers, or others who provide services to the receiving district Board of Education.

5.
While the sending district representative shall have limited voting rights in accordance with N.J.S.A. 18A:38-8.1, in all other respects the representative shall function as a full member of the Board of Education, including participation in the closed session discussions.

N.J.S.A. 18A:12-6; 18A:12-9; 18A:12-11; 18A:12-15; 18A:38-8

N.J.S.A. 18A:13-8 et seq. [regional districts]

N.J.S.A. 18A:54-16 et seq. [vocational districts]

N.J.A.C. 6A:23A-2.1 et seq.

Adopted: April 13, 2011

Revised: March 18, 2019

Revised: February 16, 2022

From: Anderson, Kyle <xxxx.xxxxxxxx@xxx.xx.xxx>

Sent: Tuesday, September 26, 2023 12:48 PM

To: Chrissy Skurbe <xxxxxxx.xxxxxx@xxxxxx.xxx.xx.xx>
Cc: Hudson, Debbie <xxxxxx.xxxxxx@xxx.xx.xxx>
Subject: [External Email]RE: Monroe BOE Vacancy

CAUTION: This email originated from outside of the school district. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Monroe Township IT Department

Hello Ms. Skurbe,

My apologies. My Friday afternoon did not work out as planned. I have a call in a few minutes that usually lasts an hour. I will call you later. The first step in this is usually for me to make a plea to the board members to hold a vote amongst themselves on these candidates. Is there anything to prevent this from occurring? The ECS selecting the candidate should be considered a last resort.

Kyle M. Anderson
Executive County Superintendent

Tel: (732) 745-3425

Cell: (732) 379-9510

Fax: (732) 296-6567

xxxx.xxxxxxxx@xxx.xx.xxx

From: Chrissy Skurbe <xxxxxxx.xxxxxx@xxxxxx.xxx.xx.xx>
Sent: Tuesday, September 26, 2023 11:16 AM
To: Anderson, Kyle <xxxx.xxxxxxxx@xxx.xx.xxx>
Cc: Hudson, Debbie <xxxxxx.xxxxxx@xxx.xx.xxx>
Subject: [EXTERNAL] Re: Monroe BOE Vacancy

***** CAUTION *****

This message came from an **EXTERNAL** address (xxxxxx.xxxxxx@xxxxxx.xxx.xx.xx). **DO NOT** click on links or attachments unless you know the sender and the content is safe.
New Jersey State Government Employees Should Forward Messages That May Be Cyber Security Risks To xxxxxxxxxxxx@xxxxxx.xx.xxx

Good morning Mr Anderson-

I tried to reach out to you a few times on Friday. I'm sure you are very busy. I'm available all day today if you have time to talk.

Thank you.

Chrissy Skurbe

On Sep 21, 2023, at 4:22 PM, Chrissy Skurbe <xxxxxxx.xxxxxx@xxxxxx.xxx.xx.xx> wrote:

Good morning Mr. Anderson.

Last night the Monroe Board of Education was scheduled to conduct a meeting and have interviews for the applicants for the open board seat. Unfortunately, the meeting did not have a quorum. Sadly, we have board members that boycotted the meeting because of their own personal agendas in this process of filling the vacant seat. While our Board Attorney has guided the board and had conference calls with some of these board members who boycotted last night's meeting, it seems we are at an impasse with this process. I wanted to reach out to discuss the process forward. I know when we pass the 65th day of the vacancy it goes to the county superintendent to appoint someone to the seat. We had 9 applicants. 1 dropped out so we have 8 applicants currently. I can share all of the information with you. There was 1 candidate, who when board members were asked to give their preferences for who to interview, was supported for an interview by 8 of the 9 board members. As you know, we have a Jamesburg Representative on our board. Some of my board members were against her involvement in the process at all despite the legal advice from the Monroe Board Attorney and the Jamesburg Board Attorney. If you are not aware, back in 2019 when the Monroe Board of Education had a vacancy, the Jamesburg Representative at the time, Paul Rutsky - now the Jamesburg BOE President, not only voted to fill the Monroe Board Vacancy, but he nominated the candidate. The Jamesburg Board Attorney did issue an opinion, in writing, for why they feel the Jamesburg Representative should be allowed to vote based on the wording of the updated legislation for sending districts voting rights. As you can see there are many issues, including legal interpretation, that will not be resolved before the 65 day deadline to fill the vacancy.

I am available anytime after 3pm today to have a phone conversation or anytime tomorrow as well.

Thank you for your assistance with this matter.

Sincerely,

Chrissy Skurbe

President

Monroe Township Board of Education

CONFIDENTIALITY NOTICE: The information contained in this communication from the New Jersey Department of Education is privileged and confidential and is intended for the sole use of the persons or entities who are the addressees. If you are not an intended recipient of this email, the dissemination, distribution, copying or use of the information it contains is strictly prohibited. If you have received this communication in error, please immediately contact the New Jersey Department of Education at (609) 376-3500 to arrange for the return of this information.

VITO A. GAGLIARDI, JR.
MEMBER, NJ BAR
CERTIFIED BY THE SUPREME COURT OF
NEW JERSEY AS A CIVIL TRIAL ATTORNEY
DIRECT DIAL No.: 973-889-4151
E-MAIL ADDRESS: VAGAGLIARDI@PBNLAW.COM

September 19, 2023

VIA ELECTRONIC MAIL

Chrissy Skurbe
Board President
Monroe Township Board of Education
423 Buckelew Avenue
Monroe Township, NJ 08831
Chrissy.Skurbe@monroe.k12.nj.us

Re: Jamesburg Representative / Voting Rights
Our Matter # 022960.016304

Dear Ms. Skurbe:

You have asked us to provide an opinion regarding whether Michelle Scott, who sits on the Board as the sending district representative from Jamesburg, is authorized to vote on filling a vacancy on the Monroe Township Board of Education. As you know, based upon our interpretation of N.J.S.A. 18A:38-8.1, the relevant statute, as well as your Board Policy No. 0143, which expressly prohibits such a vote, we previously advised that Ms. Scott was not authorized to vote on filling a board vacancy.

We note that, since that time, Ms. Scott obtained a contrary opinion from Patrick Carrigg, the Board Attorney for Jamesburg, which you have shared with us. We understand that, in light of this conflicting opinion, you wish us to reconsider our previous advice on this subject.

N.J.S.A. 18A:38-8.1 specifies the matters upon which a sending district representative is eligible to vote. As cited in Mr. Carrigg's opinion, when the Appellate Division analyzed this statute in 2008, it held that "the wording and structure of N.J.S.A. 18A:38-8.1, as well as its legislative history, reveal the Legislature's intent to limit the voting eligibility of sending-district representatives to those matters expressly stated in the statute." *Evans v. Atlantic City BOE*, 404 N.J. Super. 87 (App. Div. 2008) Although the enumerated matters upon which a sending representative is eligible to vote were expanded in 2017 to include matters involving governance, this finding has continued relevance when attempting to interpret the legislature's intent.

The addition to the statute at issue here reads as follows:

ATTORNEYS AT LAW

Any matter concerning governance of the receiving district board of education including, but not limited to, the selection of the board president or vice-president, approval of board bylaws, and the employment of professionals or consultants such as attorneys, architects, engineers, or others who provide services to the receiving district board of education.

In our experience, board governance involves the action or manner of governing, which entails *how* the board operates and from whom it receives advice on its operations. In the examples listed in the provision, the interest of the sending district is clear. On the other hand, governance does not appear to involve *who* sits on the receiving district board. A sending district's interest in filling a vacancy from the receiving town is not at all clear. That being said, this is our opinion, not a ruling, as no court has addressed this specific issue. Therefore, if the Board disagrees with our opinion and wishes to move forward, it can do so, with the caveat that such an action could be challenged.

Moreover, as mentioned above, your Board Policy 0143 specifically precludes the sending district representative from voting to fill a vacancy on the board. We note that this policy was reviewed and edited in February 2019, after the statute was amended to expand the voting rights of sending district representatives. In any event, if the Board wishes to allow Ms. Scott to vote on filling the current vacancy, it will need to vote to suspend the policy prior to that taking place.

We trust the foregoing is a full and complete response to your inquiry. As always, should you have any additional questions or comments, please do not hesitate to contact us.

Sincerely,



Vito A. Gagliardi, Jr.

VAG:acr

From: [Chrissy Skurbe](#)
To: [Anderson, Kyle](#)
Cc: [Hudson, Debbie](#)
Subject: [EXTERNAL] Re: [External Email]RE: Monroe BOE Vacancy
Date: Wednesday, October 4, 2023 8:50:46 AM

***** CAUTION *****

This message came from an **EXTERNAL** address (**.@...**) **. DO**
NOT click on links or attachments unless you know the sender and the content is safe.
New Jersey State Government Employees Should Forward Messages That May Be Cyber
Security Risks To xxxxxxxxxxxx@xxxxx.xx.xxx.

Good morning Mr Anderson -

Can you please confirm the conversation we had regarding our sending district. My board is getting tired of me saying I'm waiting to hear back from your office regarding this issue.

On Oct 2, 2023, at 12:43 PM, Chrissy Skurbe
<xxxxxxxxxxxxx@xxxxxx.xxx.xx.xx> wrote:

Thank you.

Can you also please confirm our discussion about the Jamesburg Representative.

From: Anderson, Kyle <xxxx.xxxxxxxx@xxx.xx.xxx>
Sent: Monday, October 2, 2023 12:41 PM
To: Chrissy Skurbe <xxxxxxxxxxxxx@xxxxxx.xxx.xx.xx>
Cc: Hudson, Debbie <xxxxxx.xxxxxx@xxx.xx.xxx>
Subject: [External Email]RE: Monroe BOE Vacancy

CAUTION: This email originated from outside of the school district. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Monroe Township IT Department

Dear Ms. Skurbe,

Thank you for contacting me. NJ Statute and Code observes a 9-member board as a quorum. The Monroe School District has a 9-member board at this time. N.J.S.A. 18A:12-15b observes the county superintendent's role in selecting a board member in

the event the board has no quorum only after 65 days have passed and the board has not replaced the vacant seat. That will not be observed in this case because the Monroe School District has a quorum.

Sincerely,

Kyle M. Anderson
Executive County Superintendent

Tel: (732) 745-3425

Cell: (732) 379-9510

Fax: (732) 296-6567

xxxx.xxxxxxxx@xxx.xx.xxx

From: Chrissy Skurbe <xxxxxxx.xxxxxx@xxxxxx.xxx.xx.xx>

Sent: Monday, October 2, 2023 10:52 AM

To: Anderson, Kyle <xxxx.xxxxxxxx@xxx.xx.xxx>

Cc: Hudson, Debbie <xxxxxx.xxxxxx@xxx.xx.xxx>

Subject: [EXTERNAL] Re: Monroe BOE Vacancy

***** CAUTION *****

This message came from an **EXTERNAL** address

(xxxxxxx.xxxxxx@xxxxxx.xxx.xx.xx). **DO NOT** click on links or attachments unless you know the sender and the content is safe.

New Jersey State Government Employees Should Forward Messages That May Be Cyber Security Risks To xxxxxxxxxxxxx@xxxxxx.xx.xxx

Good morning -

I just want to follow up with my email from Friday. I have to give a detailed update to our board.

Thank you!

Chrissy Skurbe

From: Chrissy Skurbe <xxxxxxx.xxxxxx@xxxxxx.xxx.xx.xx>

Sent: Friday, September 29, 2023 6:30 PM

To: Anderson, Kyle <xxxx.xxxxxxxx@xxx.xx.xxx>

Cc: Hudson, Debbie <xxxxxx.xxxxxx@xxx.xx.xxx>

Subject: RE: Monroe BOE Vacancy

Thank you, Mr. Anderson.

I just want to make sure that I understand what you have written and our discussion after you sent this email to me. Before I convey our conversations to the board, I want to make sure I understand it all.

In regard to the Jamesburg representative voting on the vacant seat on our board, I want to make sure I understood you correctly. It is my understanding from our conversation that after you consulted with legal counsel, it is the DOE's opinion that the sending district can vote on this item per the statute about sending districts voting rights. I understand our board policy and the options the board has to either change or suspend the policy but the real issue is whether or not the sending district has the right to vote per the statute. It was my understanding that you said she did. I just want to confirm that.

I also understood that you made it clear that since the statute and code say that a board needs to have at least 9 members, that our board could operate until the April election as a board of 9. Although you encourage our board to appoint someone to the vacant seat, you will not get involved even passed the 65 day of the resignation of Ms. Bierman because we still have 9 members on the board.

I hope you understand why I am asking for clarification. I do not want to misrepresent anything that you have said to me so I want to be as clear as possible when I convey our conversation.

Thank you again for all of your assistance.

Chrissy Skurbe

From: Anderson, Kyle <xxxx.xxxxxxxx@xxx.xx.xxx>

Sent: Friday, September 29, 2023 10:41 AM

To: Chrissy Skurbe <xxxxxxx.xxxxxx@xxxxxx.xxx.xx.xx>

Cc: Hudson, Debbie <xxxxxxx.xxxxxx@xxx.xx.xxx>

Subject: [External Email]RE: [External Email]RE: Monroe BOE Vacancy

CAUTION: This email originated from outside of the school district. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Monroe Township IT Department

Good morning Ms. Skurbe,

After reviewing the board situation in Monroe regarding the resignation of a board member resulting in the size of the board changing from 10 to 9 board members I am

informing you that no action is required at this time. I don't believe there is a sufficient argument or evidence that my authority to appoint per N.J.S.A. 18A:12-15b is triggered as the Board has 9 out of 10 of its seats filled. A 9-member board is recognized by NJ statute and code as a quorum.

I have also reviewed the opinion of your attorney and while I understand that the Monroe board has adopted a policy imposing limitations on the Jamesburg board member this policy does not supersede the code or statute unless there is an affirmative statement in the code or statute, which there is not.

For your information, as to the appointment, in the event that the number of board members drops and there is no longer a quorum, it is my position that my appointment authority is not triggered until 65 days pass with the Board itself not filling the vacancy per N.J.S.A. 18A:12-15a. Please feel free to contact me should you have any questions.

Sincerely,

Kyle M. Anderson
Executive County Superintendent

Tel: (732) 745-3425

Cell: (732) 379-9510

Fax: (732) 296-6567

xxxx.xxxxxxxx@xxx.xx.xxx

From: Chrissy Skurbe <xxxxxxx.xxxxxx@xxxxxx.xxx.xx.xx>
Sent: Friday, September 29, 2023 9:02 AM
To: Anderson, Kyle <xxxx.xxxxxxxx@xxx.xx.xxx>
Cc: Hudson, Debbie <xxxxxx.xxxxxx@xxx.xx.xxx>
Subject: [EXTERNAL] Re: [External Email]RE: Monroe BOE Vacancy

***** CAUTION *****

This message came from an **EXTERNAL** address
(xxxxxxx.xxxxxx@xxxxxx.xxx.xx.xx). **DO NOT** click on links or attachments
unless you know the sender and the content is safe.
**New Jersey State Government Employees Should Forward Messages That
May Be Cyber Security Risks To xxxxxxxxxxxxx@xxxxxx.xx.xxx**

Good morning -

I am just following up. I give a weekly report to the board and I wanted to include any recommendations from you about how to move forward.

Thanks,
Chrissy Skurbe

From: Chrissy Skurbe <xxxxxxx.xxxxxx@xxxxxx.xxx.xx.xx>
Sent: Tuesday, September 26, 2023 5:04 PM
To: Anderson, Kyle <xxxx.xxxxxxxx@xxx.xx.xxx>
Cc: Hudson, Debbie <xxxxxx.xxxxxx@xxx.xx.xxx>
Subject: Re: [External Email]RE: Monroe BOE Vacancy

Hello Mr. Anderson -

Thank you for taking the time to speak to me today. Attached, please find the board policies as discussed. I have also included the legal opinions from the Board Attorney for Monroe and Jamesburg.

I look forward to hearing from you.

All the best

Chrissy Skurbe

----- Forwarded message -----

From: **Patrick Carrigg** <xxxxxxx@xxxxxxxxxxx.xxx>
Date: Fri, Sep 15, 2023 at 12:08 PM
Subject: Re: Monroe Board Vacancy Vote
To: Michelle Scott <xxxxxx@xxxxxxxxxxx.xxx>
Cc: Paul Rutsky <xxxxxxx@xxxxxxxxxxx.xxx>

Hi Michelle,

N.J.S.A. 18A:38-8.1 enumerates those matters on which a sending-district representative is eligible to vote on a receiving district's board. Historically, the statute has been interpreted as narrowly conveying specific rights to vote on limited matters authorized by statute. "We must enforce this statute literally because its unambiguous language, as illuminated by its legislative history, reveals an intent to permit voting only on enumerated matters. We thus affirm the agency decision, which held sending-district representatives ineligible to vote on the appointment of the

receiving district's solicitor, because it is not expressly authorized by the statute.” Evans v. Atlantic City Bd. of Educ., 404 N.J. Super. 87, 89 (App.Div.2008). At the time Evans was decided, the statute did not expressly authorize the sending district’s representative to vote on the board attorney so the Appellate Division said that it was correct to prevent such a vote. However, after this decision, the statute was amended in 2017, and the voting rights were significantly expanded. In pertinent part, the statute now provides:

“In addition to the members of the board of education of a Type I and Type II school district provided by law, in a school district which is receiving pupils from another district or districts pursuant to N.J.S.18A:38-8, there shall be an additional member as provided pursuant to section 2 [C.18A:38-8.2] of this act to represent the board of education of each sending district. Any additional member shall be a member of the board of education of a sending district designated annually by the board of that district and shall be eligible to vote on the following matters before the receiving district board of education:

N.J. Stat. § 18A:38-8.1i. ***Any matter concerning governance of the receiving district board of education*** including, but not limited to, the selection of the board president or vice-president, approval of board bylaws, and the employment of professionals or consultants such as attorneys, architects, engineers, or others who provide services to the receiving district board of education.”

(Emphasis supplied).

In my view, this statutory language is written in a broad manner (the word “any” is as broad as it gets) that empowers the sending district representative to vote on a vacancy appointment, or nominate for a vacancy appointment, as such acts “concern governance of the receiving district board of education”. “Concerning governance” is not defined in the statute, but reading it consistent with the enumerated items – voting on the bylaws and executive appointments – it would be rationally interpreted to include the Board composition and a vacancy appointment. The alternative interpretation that Monroe’s counsel advances is wholly inconsistent with the statutory language’s authorization to vote on “Any matter concerning governance”.

Please contact me with any questions.

Patrick

Board Policy

Monroe Township Board of Education

[Home](#)

District Policy

0141.2 - Board Member and Term - Receiving District

Section: Bylaws

Date Created: April 2011

Date Edited: February 2022

BYLAWS

0141.2/page 1 of 4

Board Member and Term – Receiving District

Jan 19

[See POLICY ALERT No. 134, 140, 156, 192 and 217]

0141.2 BOARD MEMBER AND TERM - RECEIVING DISTRICT

The Board of Education shall consist of 9 or 10 members subject to the following:

The term of a Board member shall be 3 years, except that:

1.

The term of a member appointed to fill a vacancy shall be from the member's appointment to the organizational meeting following the next annual election, except that;

2.

The term of a member appointed to fill a vacancy within sixty days immediately preceding an annual election shall be from the member's appointment to the organizational meeting following the second annual election after his/her appointment, except for Board members of a sending district;

3.

Representation on the receiving district Board shall be in accordance with N.J.S.A. 18A:38-8.2. In accordance with N.J.S.A. 18A:38-8.2.a.(1) the sending district shall have no representation on the receiving district Board of Education if the students of a sending district comprise less than ten percent of the total enrollment of the students in the grades of the receiving district in which the students of the sending district will be enrolled. If the students of a sending district comprise at least ten percent of the total enrollment of the students in the grades of the receiving district in which the students of the sending district will be enrolled, the sending district shall have one representative on the receiving Board of Education in accordance with N.J.S.A. 18A:38-8.2.a.(2).

If the total number of students of two or more sending districts, which do not qualify for representation in accordance with N.J.S.A. 18A:38-8.2.a.(2), comprise at least fifteen percent of the total enrollment of the students in the grades of the receiving district in which the students of sending districts will be enrolled, shall have collectively two representatives

on the receiving district Board of Education in accordance with N.J.S.A. 18A:38-8.2.b. The annual designation of the representatives, in the event more than two districts collectively qualify, shall be rotated among the Boards of Education of the sending districts according to a schedule

determined by the joint agreement of the Boards in accordance with N.J.S.A. 18A:38-8.2.b. The number of representatives designated by the sending districts to be additional members on the receiving district Board of Education shall be limited in accordance with the provisions of N.J.S.A. 18A:38-8.2.c.

A school district which is located in a county of the sixth class according to the latest Federal decennial census, which has an October 1998 resident enrollment greater than 2,400 students, but less than 2,600 students, and which sends its students in grades nine through twelve to a school district in the same county shall have representation on the Board of Education of a receiving school district in accordance with the provisions of N.J.S.A. 18A:38-8.4.

The sending district Board of Education shall designate their representative(s) to serve on the receiving district Board of Education on an annual basis upon notification from the County Superintendent of the appropriate representation on the receiving Board of Education. This designation shall be made by the sending Board of Education at its meeting closest in time to the annual organizational meeting of the receiving district Board of Education and shall serve a one year term beginning with the organizational meeting of the receiving district Board of Education in accordance with N.J.S.A. 18A:38-8.2.d. The sending district representative(s) shall be subject to the rules and procedures of the receiving district Board of Education.

The calculation of percentages required shall be based on the number of students reported as of the last school day prior to October 16 of each prebudget year pursuant to N.J.S.A. 18A:38-8.2.e. and N.J.S.A. 18A:38-8.4.b.

4.

A sending district representative(s) shall be eligible to vote on the following matters before the receiving district Board of Education:

a.

Tuition to be charged the sending district by the receiving district and the bill lists or contracts for the purchase, operation or maintenance of facilities, equipment and instructional materials to be used in the education of the students of the sending district;

b.

New capital construction to be utilized by sending district students;

c.

Appointment, transfer or removal of teaching staff members providing services to the students of the sending district, including any teaching staff member who is a member of the receiving district's central administrative staff;

d.

Addition or deletion of curricular and extracurricular programs involving students of the sending district;

e.

Any matter directly involving the sending district students or programs and services utilized by those students;

f.

Approval of the annual receiving district budget;

g.

Any collectively negotiated agreement involving employees who provide services utilized by sending district students;

h.

Any individual employee contracts not covered by a collectively negotiated agreement, if those employees provide or oversee programs or services utilized by sending district students; and

i.

Any matter concerning governance of the receiving district Board of Education including, but not limited to, the selection of the Board President or Vice President, approval of Board Bylaws, and the employment of professionals or consultants such as attorneys, architects, engineers, or others who provide services to the receiving district Board of Education.

5.

While the sending district representative shall have limited voting rights in accordance with N.J.S.A. 18A:38-8.1, in all other respects the representative shall function as a full member of the Board of Education, including participation in the closed session discussions.

N.J.S.A. 18A:12-6; 18A:12-9; 18A:12-11; 18A:12-15; 18A:38-8

N.J.S.A. 18A:13-8 et seq. [regional districts]

N.J.S.A. 18A:54-16 et seq. [vocational districts]

N.J.A.C. 6A:23A-2.1 et seq.

Adopted: April 13, 2011

Revised: March 18, 2019

Revised: February 16, 2022

From: Anderson, Kyle <xxxx.xxxxxxxx@xxx.xx.xxx>
Sent: Tuesday, September 26, 2023 12:48 PM
To: Chrissy Skurbe <xxxxxxx.xxxxxx@xxxxxx.xxx.xx.xx>
Cc: Hudson, Debbie <xxxxxx.xxxxxx@xxx.xx.xxx>
Subject: [External Email]RE: Monroe BOE Vacancy

CAUTION: This email originated from outside of the school district. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Monroe Township IT Department

Hello Ms. Skurbe,

My apologies. My Friday afternoon did not work out as planned. I have a call in a few minutes that usually lasts an hour. I will call you later. The first step in this is usually for me to make a plea to the board members to hold a vote amongst themselves on these candidates. Is there anything to prevent this from occurring? The ECS selecting the candidate should be considered a last resort.

Kyle M. Anderson

Executive County Superintendent

Tel: (732) 745-3425

Cell: (732) 379-9510

Fax: (732) 296-6567

xxxx.xxxxxxxx@xxx.xx.xxx

From: Chrissy Skurbe <xxxxxxx.xxxxxx@xxxxxx.xxx.xx>
Sent: Tuesday, September 26, 2023 11:16 AM
To: Anderson, Kyle <xxxx.xxxxxxxx@xxx.xx.xx>
Cc: Hudson, Debbie <xxxxxx.xxxxxx@xxx.xx.xxx>
Subject: [EXTERNAL] Re: Monroe BOE Vacancy

***** CAUTION *****

This message came from an **EXTERNAL** address
(xxxxxxx.xxxxxx@xxxxxx.xxx.xx). **DO NOT** click on links or attachments
unless you know the sender and the content is safe.
**New Jersey State Government Employees Should Forward Messages That
May Be Cyber Security Risks To xxxxxxxxxxxx@xxxxxx.xx.xxx**

Good morning Mr Anderson-

I tried to reach out to you a few times on Friday. I'm sure you are very busy. I'm available all day today if you have time to talk.

Thank you.

Chrissy Skurbe

On Sep 21, 2023, at 4:22 PM, Chrissy Skurbe
<xxxxxxx.xxxxxx@xxxxxx.xxx.xx> wrote:

Good morning Mr. Anderson.

Last night the Monroe Board of Education was scheduled to conduct a meeting and have interviews for the applicants for the open board seat. Unfortunately, the meeting did not have a quorum. Sadly, we have board members that boycotted the meeting because of their own personal agendas in this process of filling the vacant seat. While our Board Attorney has guided the board and had conference calls with some of these board members who boycotted last night's meeting, it seems we are at an impasse with this process. I wanted to reach out to discuss the process forward. I know when we pass the 65th day of the vacancy it goes to the county superintendent to appoint someone to the seat. We had 9 applicants. 1 dropped out so we have 8 applicants currently. I can share all of the information with you. There was 1 candidate, who when board members were asked to give their preferences for who to interview, was supported for an interview by 8 of the 9 board members. As you know, we have a Jamesburg Representative on our board. Some of my board members were against her involvement in the process at all despite the legal advice from the Monroe Board Attorney and the Jamesburg Board Attorney. If you are not aware, back in 2019 when the Monroe Board of Education had a vacancy, the Jamesburg Representative at the time, Paul Rutsky - now the Jamesburg BOE President, not only voted to fill the Monroe Board Vacancy, but he nominated the candidate. The Jamesburg Board Attorney did issue an opinion, in writing, for why they feel the Jamesburg Representative should be allowed to vote based on the wording of the updated legislation for sending districts voting rights. As you can see there are many issues, including legal interpretation, that will not be resolved before the 65 day deadline to fill the vacancy.

I am available anytime after 3pm today to have a phone conversation or anytime tomorrow as well.

Thank you for your assistance with this matter.

Sincerely,

Chrissy Skurbe

President

Monroe Township Board of Education

CONFIDENTIALITY NOTICE: The information contained in this communication from the New Jersey Department of Education is privileged and confidential and is intended for the sole use of the persons or entities who are the addressees. If you are not an intended recipient of this email, the dissemination, distribution, copying or use of the information it contains is strictly prohibited. If you have received this communication in error, please immediately contact the New Jersey Department of Education at (609) 376-3500 to arrange for the return of this information.

From: [Chrissy Skurbe](#)
To: [Katie Fabiano](#)
Cc: [Gazala Bohra](#); [xxxx](#); [xx](#)
Subject: [EXTERNAL] Re: Board vacancy
Date: Thursday, October 5, 2023 1:44:23 PM

***** CAUTION *****

This message came from an **EXTERNAL** address ([. @ ...](#)) **. DO**
NOT click on links or attachments unless you know the sender and the content is safe.
New Jersey State Government Employees Should Forward Messages That May Be Cyber
Security Risks To [xxxxxxxxxx@xxxxx.xx.xxx.](#)

Ms. Fabiano -

As of today, I have nothing to report to the board as I am still awaiting final clarification and legal advice to share with the board. There have been emails and several phone conversations. All of which will be shared with the board once I have sound legal advice from our board attorney for how this board should proceed. At this time, I am confident by the end of the week I will have a full report to the board.

Chrissy Skurbe
President
Monroe Township Board of Education

From: Katie Fabiano <[xxxxx.xxxxxxx@xxxxx.xxx.xx.xx](#)>
Sent: Thursday, October 5, 2023 1:08 PM
To: Chrissy Skurbe <[xxxxxxx.xxxxx@xxxxx.xxx.xx.xx](#)>
Cc: [Gazala Bohra](#) <[xxxxxx.xxxxx@xxxxx.xxx.xx.xx](#)>; [xxxx.xxxxxxx@xxx.xx.xxx](#)
<[xxxx.xxxxxxx@xxx.xx.xxx](#)>
Subject: RE: Board vacancy

You do have information to share though. You said two weeks ago in the confidential that you reached out to the county superintendent. What did you say? What was his response? You said in last weeks confidential that you were in contact with the county super again and that was leading you to have a conversation with the **board** attorney. What did he say that prompted the necessity for you to speak to Vito. As board members we are all entitled to know what is going, what communication is being sent, and what decisions are being discussed/made on behalf of the board.

You are withholding information.

I am not looking for you to share insight, I am asking you to forward/share any communications that you have had with Kyle Anderson and Vito regarding the vacant seat. It can all be explained eventually, but we have a right to know where things stand with barely a week left to fill this spot.

As board members we should not have to go through the OPRA process, or continually have to ask over and over again, for information to be shared. It is your responsibility to keep the entire board informed and you have told us absolutely nothing about this.

*All good things,
Katie Fabiano
Board Member
Monroe Township School District
Chair of Community Engagement and Communication*

From: Chrissy Skurbe <xxxxxxx.xxxxxx@xxxxxx.xxx.xx.xx>

Sent: Thursday, October 5, 2023 9:21 AM

To: Katie Fabiano <xxxxxx.xxxxxxx@xxxxxx.xxx.xx.xx>

Cc: Gazala Bohra <xxxxxx.xxxxx@xxxxxx.xxx.xx.xx>

Subject: Re: Board vacancy

As soon as I have information to share, I will inform the entire board. As I said, I am working with the board attorney and the county superintendent to get clarification on several items. I asked both the county superintendent and the board attorney if it is reasonable that I wait until I have all clarification before informing the whole board and they both said it was.

On Oct 5, 2023, at 9:04 AM, Katie Fabiano <xxxxxx.xxxxxxx@xxxxxx.xxx.xx.xx> wrote:

Good morning,

I am following up on my request for information regarding the vacant board seat. Considering there is only a little over a week to fill the vacancy, and NOTHING has been shared, I am kindly asking that you share the communications that you have had with the county superintendent and our board attorney.

I understand that you stated the Vito said that you can wait until you have all of the information and clarification but I have heard absolutely nothing about where we stand in this process.

*All good things,
Katie Fabiano
Board Member
Monroe Township School District
Chair of Community Engagement and Communication*

From: Chrissy Skurbe <xxxxxxx.xxxxxx@xxxxxx.xxx.xx.xx>

Sent: Monday, October 2, 2023 1:43 PM

To: Katie Fabiano <xxxxx.xxxxxxx@xxxxxx.xxx.xx.xx>

Cc: Gazala Bohra <xxxxxx.xxxxx@xxxxxx.xxx.xx.xx>

Subject: Re: Board vacancy

Katie -

I am waiting for the county superintendent to clarify some items regarding the Board vacancy.

As soon as I have this, I will share with the Board.

I asked Vito today if it was appropriate for me to have all the information and clarification from the county before sharing with the Board and he advised it was.

Thank you

Chrissy

On Oct 2, 2023, at 1:26 PM, Katie Fabiano
<xxxxx.xxxxxxx@xxxxxx.xxx.xx.xx> wrote:

Good afternoon,

This is my second request for this information. Please share either the documentation/emails, if you have received any, and/or the conversations that you have had pertaining to the board vacancy.

Thank you.

*All good things,
Katie Fabiano
Board Member
Monroe Township School District
Chair of Community Engagement and Communication*

From: Katie Fabiano

Sent: Friday, September 29, 2023 4:31 PM

To: Chrissy Skurbe <xxxxxx.xxxxx@xxxxxx.xxx.xx.xx>

Cc: Gazala Bohra <xxxxxx.xxxxx@xxxxxx.xxx.xx.xx>

Subject: Board vacancy

Good afternoon,

I read in the confidentials that you had a few conversations with Kyle Anderson regarding the board vacancy. Were these conversations over the phone or via email? I am asking that you please share the context of those conversations and/or emails so that we can be kept abreast of what this process is looking like. Merely telling us you've had conversations does not give us any information as to what is going on. The entire board should be made aware of where things stand at this point based on the conversations you have had.

All good things,
Katie Fabiano
Board Member
Chair of Legislative Action and Community Engagement

From: [Chrissy Skurbe](#)
To: [Katie Fabiano](#)
Cc: [Gazala Bohra](#); [x@xx](#); [x@xx](#)
Subject: [EXTERNAL] Re: Board vacancy
Date: Thursday, October 5, 2023 2:29:33 PM

***** CAUTION *****

This message came from an **EXTERNAL** address ([. @ ...](#)) **. DO**
NOT click on links or attachments unless you know the sender and the content is safe.
New Jersey State Government Employees Should Forward Messages That May Be Cyber
Security Risks To xxxxxxxxxxxx@xxxxx.xx.xxx.

Ms Fabiano

Per OPM laws the Board can't deliberate or make decisions outside of a board meeting. I share all information in my weekly confidential report to the board. You ask what we are doing to appoint someone to the vacant seat and my answer today is I don't know. I'm awaiting legal opinion for how to proceed.

Chrissy

On Oct 5, 2023, at 2:05 PM, Katie Fabiano <[x@xxus](#)>
wrote:

Ms. Skurbe,

As I have already stated, it is your job, as the board president, to keep the board informed of what is happening. You have not done that. I am not asking for your report. As a board member I am entitled to see all of the correspondence between you, Mr. Anderson and Mr. Gagliardi.

I am asking one final time. Please share all of the emails sent to and from the county, state, and Mr. Gagliardi pertaining to the matter of the board vacancy to myself and the rest of the board. To keep this information from other elected officials is unethical. There have been multiple times since you became president where communication has not been shared appropriately either with the board or with the public. So much for transparency.

*All good things,
Katie Fabiano
Board Member
Monroe Township School District
Chair of Community Engagement and Communication*

From: Chrissy Skurbe <xxxxxxx.xxxxxx@xxxxxx.xxx.xx.xx>
Sent: Thursday, October 5, 2023 1:44 PM
To: Katie Fabiano <xxxxxx.xxxxxxx@xxxxxx.xxx.xx.xx>
Cc: Gazala Bohra <xxxxxx.xxxxx@xxxxxx.xxx.xx.xx>; xxxxx.xxxxxxxx@xxx.xx.xxx;
xxxxxxxxxxxx@xxxxxx.xxx
Subject: Re: Board vacancy

Ms. Fabiano -

As of today, I have nothing to report to the board as I am still awaiting final clarification and legal advice to share with the board. There have been emails and several phone conversations. All of which will be shared with the board once I have sound legal advice from our board attorney for how this board should proceed. At this time, I am confident by the end of the week I will have a full report to the board.

Chrissy Skurbe
President
Monroe Township Board of Education

From: Katie Fabiano <xxxxx.xxxxxxx@xxxxxx.xxx.xx.xx>
Sent: Thursday, October 5, 2023 1:08 PM
To: Chrissy Skurbe <xxxxxxx.xxxxxx@xxxxxx.xxx.xx.xx>
Cc: Gazala Bohra <xxxxxx.xxxxx@xxxxxx.xxx.xx.xx>; xxxx.xxxxxxxx@xxx.xx.xxx
<xxxx.xxxxxxxx@xxx.xx.xxx>
Subject: RE: Board vacancy

You do have information to share though. You said two weeks ago in the confidential that you reached out to the county superintendent. What did you say? What was his response? You said in last weeks confidential that you were in contact with the county super again and that was leading you to have a conversation with the **board** attorney. What did he say that prompted the necessity for you to speak to Vito. As board members we are all entitled to know what is going, what communication is being sent, and what decisions are being discussed/made on behalf of the board.

You are withholding information.

I am not looking for you to share insight, I am asking you to forward/share any communications that you have had with Kyle Anderson and Vito regarding the vacant

seat. It can all be explained eventually, but we have a right to know where things stand with barely a week left to fill this spot.

As board members we should not have to go through the OPRA process, or continually have to ask over and over again, for information to be shared. It is your responsibility to keep the entire board informed and you have told us absolutely nothing about this.

All good things,

Katie Fabiano

Board Member

Monroe Township School District

Chair of Community Engagement and Communication

From: Chrissy Skurbe <xxxxxx.xxxxxx@xxxxxx.xxx.xx.xx>

Sent: Thursday, October 5, 2023 9:21 AM

To: Katie Fabiano <xxxxx.xxxxxxx@xxxxxx.xxx.xx.xx>

Cc: Gazala Bohra <xxxxxx.xxxxx@xxxxxx.xxx.xx.xx>

Subject: Re: Board vacancy

As soon as I have information to share, I will inform the entire board. As I said, I am working with the board attorney and the county superintendent to get clarification on several items. I asked both the county superintendent and the board attorney if it is reasonable that I wait until I have all clarification before informing the whole board and they both said it was.

On Oct 5, 2023, at 9:04 AM, Katie Fabiano
<xxxxx.xxxxxxx@xxxxxx.xxx.xx.xx> wrote:

Good morning,

I am following up on my request for information regarding the vacant board seat. Considering there is only a little over a week to fill the

vacancy, and NOTHING has been shared, I am kindly asking that you share the communications that you have had with the county superintendent and our board attorney.

I understand that you stated the Vito said that you can wait until you have all of the information and clarification but I have heard absolutely nothing about where we stand in this process.

All good things,

Katie Fabiano

Board Member

Monroe Township School District

Chair of Community Engagement and Communication

From: Chrissy Skurbe <xxxxxxx.xxxxxx@xxxxxx.xxx.xx.xx >

Sent: Monday, October 2, 2023 1:43 PM

To: Katie Fabiano <xxxxxx.xxxxxxxx@xxxxxx.xxx.xx.xx >

Cc: Gazala Bohra <xxxxxxx.xxxxxx@xxxxxx.xxx.xx.xx >

Subject: Re: Board vacancy

Katie -

I am waiting for the county superintendent to clarify some items regarding the Board vacancy.

As soon as I have this, I will share with the Board.

I asked Vito today if it was appropriate for me to have all the information and clarification from the county before sharing with the Board and he advised it was.

Thank you

Chrissy

On Oct 2, 2023, at 1:26 PM, Katie Fabiano
<xxxxxx.xxxxxx@xxxxxx.xxx.xx.xx> wrote:

Good afternoon,

This is my second request for this information. Please share either the documentation/emails, if you have received any, and/or the conversations that you have had pertaining to the board vacancy.

Thank you.

All good things,

Katie Fabiano

Board Member

Monroe Township School District

*Chair of Community Engagement and
Communication*

From: Katie Fabiano

Sent: Friday, September 29, 2023 4:31 PM

To: Chrissy Skurbe <xxxxxx.xxxxxx@xxxxxx.xxx.xx.xx>

Cc: Gazala Bohra <xxxxxx.xxxxxx@xxxxxx.xxx.xx.xx>

Subject: Board vacancy

Good afternoon,

I read in the confidentials that you had a few conversations with Kyle Anderson regarding the board vacancy. Were these conversations over the phone or via email? I am asking that you please share the context of those conversations and/or emails so that we can be kept abreast of what this process is looking like. Merely telling us you've had conversations does not give us any information as to what is going on. The entire board should be made aware of where things stand at this point based on the conversations you have had.

All good things,

Katie Fabiano

Board Member

Chair of Legislative Action and Community Engagement

From: [Anderson, Kyle](#)
To: [Chrissy Skurbe](#)
Cc: [Hudson, Debbie](#); [xxxxxxxxxx@xxxxxx.xxx](#)
Subject: RE: [External Email]RE: [External Email]RE: Monroe BOE Vacancy
Date: Friday, October 6, 2023 3:24:45 PM

Hello Ms. Skurbe,

I was in the field much of the day yesterday and missed your email but Mr. Gagliardi and I spoke about an hour ago. Have a great weekend!

Kyle M. Anderson
Executive County Superintendent

Tel: (732) 745-3425

Cell: (732) 379-9510

Fax: (732) 296-6567

[xxxx.xxxxxxx@xxx.xx.xxx](#)

From: Chrissy Skurbe <[xxxxxxxx.xxxxxx@xxxxxx.xxx.xx.xx](#)>
Sent: Wednesday, October 4, 2023 6:31 PM
To: Anderson, Kyle <[xxxx.xxxxxxx@xxx.xx.xxx](#)>
Cc: Hudson, Debbie <[xxxxxx.xxxxxx@xxx.xx.xxx](#)>; [xxxxxxxxxx@xxxxxx.xxx](#)
Subject: [EXTERNAL] Re: [External Email]RE: [External Email]RE: Monroe BOE Vacancy

***** CAUTION *****

This message came from an **EXTERNAL** address ([xxxxxxxx.xxxxxx@xxxxxx.xxx.xx.xx](#)). **DO NOT** click on links or attachments unless you know the sender and the content is safe.
New Jersey State Government Employees Should Forward Messages That May Be Cyber Security Risks To [xxxxxxxxxx@xxxxxx.xx.xxx](#)

Thank you Mr. Anderson.

In an effort to bring a resolution to this vacant seat on our board of education, I am respectfully asking if you would you be available to have a brief conversation with our board attorney, Mr. Gagliardi. After speaking to him, we are hopeful that we can bring a resolution to this and move forward with our board to fill the vacancy. I think a brief conversation to ensure we are all have the same understanding would be most beneficial to us.

I appreciate all of your assistance with this.

Sincerely,
Chrissy Skurbe

From: Anderson, Kyle <xxxx.xxxxxxxx@xxx.xx.xxx>
Sent: Wednesday, October 4, 2023 12:26 PM
To: Chrissy Skurbe <xxxxxxx.xxxxxx@xxxxxx.xxx.xx.xx>
Cc: Hudson, Debbie <xxxxxxx.xxxxxx@xxx.xx.xxx>
Subject: [External Email]RE: [External Email]RE: Monroe BOE Vacancy

CAUTION: This email originated from outside of the school district. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Monroe Township IT Department

Hello Ms. Skurbe,

Thank you for sharing this with me. I have highlighted a few lines in the first paragraph from what you have sent me:

The line that you have shared with me that I have highlighted specifically indicates that “ANY additional member SHALL BE eligible to vote on the following matters... and goes on to say...any matter concerning governance of the receiving district board of education BUT NOT LIMITED TO...” I do not see anything that states the restriction of a sending district board member voting on a vacant seat.

The Jamesburg attorney as you indicated does not see any language restricting the members voting rights either, but the Monroe attorney does. My only recommendation at this point is to contact NJSBA for guidance. I believe my initial email stated that the code (18A) and statute (6A) supersede district policy.

Sincerely,

Kyle M. Anderson

Executive County Superintendent

Tel: (732) 745-3425

Cell: (732) 379-9510

Fax: (732) 296-6567

xxxx.xxxxxxxx@xxx.xx.xxx

From: Chrissy Skurbe <xxxxxxx.xxxxxx@xxxxxx.xxx.xx>
Sent: Wednesday, October 4, 2023 11:37 AM
To: Anderson, Kyle <xxxx.xxxxxxxx@xxx.xx.xx>
Cc: Hudson, Debbie <xxxxxxx.xxxxxx@xxx.xx.xxx>
Subject: [EXTERNAL] Re: [External Email]RE: Monroe BOE Vacancy

***** CAUTION *****

This message came from an **EXTERNAL** address (xxxxxxx.xxxxxx@xxxxxx.xxx.xx). **DO NOT** click on links or attachments unless you know the sender and the content is safe.
New Jersey State Government Employees Should Forward Messages That May Be Cyber Security Risks To xxxxxxxxxxxx@xxxxx.xx.xxx

Good morning again.....

I want to thank you again for taking the time to talk with me today. Here is the part of the code that I was asking about. Specifically, the highlighted section. That part that relates to allowing the sending district to vote on any matter concerning the governance of the receiving district including but not limited to selection of board president and vice president. It was the opinion of the Jamesburg board attorney that the statute allows their representative to vote on filing a vacant seat because it is part of the "governance of the board". If you can ask the county attorney if they do agree with that interpretation, that would be greatly appreciated.

Sincerely,

Chrissy Skurbe

In addition to the members of the board of education of a Type I and Type II school district provided by law, in a school district which is receiving pupils from another district or districts pursuant to [N.J.S. 18A:38-8](#), there shall be an additional member as provided pursuant to section 2 of this act 1 to represent the board of education of each sending district. Any additional member shall be a member of the board of education of a sending district designated annually by the board of that district and shall be eligible to vote on the following matters before the receiving district board of education:

- a. Tuition to be charged the sending district by the receiving district and the bill lists or contracts for the purchase, operation or maintenance of facilities, equipment and instructional materials to be used in the education of the pupils of the sending district;
- b. New capital construction to be utilized by sending district pupils;
- c. Appointment, transfer or removal of teaching staff members providing services to pupils of the sending district, including any teaching staff member who is a member of the receiving district's central administrative staff;
- d. Addition or deletion of curricular and extracurricular programs involving pupils of the sending district;
- e. Any matter directly involving the sending district pupils or programs and services utilized by those pupils;
- f. Approval of the annual receiving district budget;
- g. Any collectively negotiated agreement involving employees who provide services utilized by sending district pupils;
- h. Any individual employee contracts not covered by a collectively negotiated agreement, if those employees provide or oversee programs or services utilized by sending district pupils; and
- i. Any matter concerning governance of the receiving district board of education including, but not limited to, the selection of the board president or vice-president, approval of board bylaws, and the employment of professionals or consultants such as attorneys, architects, engineers, or others who provide services to the receiving district board of education.

From: Chrissy Skurbe
Sent: Wednesday, October 4, 2023 8:50 AM
To: Anderson, Kyle <[xxxx.xxxxxxxx@xxx.xx.xx](#)>
Cc: Hudson, Debbie <[xxxxxx.xxxxxxx@xxx.xx.xx](#)>
Subject: Re: [External Email]RE: Monroe BOE Vacancy

Good morning Mr Anderson -

Can you please confirm the conversation we had regarding our sending district. My board is getting tired of me saying I'm waiting to hear back from your office regarding this issue.

On Oct 2, 2023, at 12:43 PM, Chrissy Skurbe
<xxxxxxxxxxxx@xxxxxxxx.xxx.xx> wrote:

Thank you.

Can you also please confirm our discussion about the Jamesburg Representative.

From: Anderson, Kyle <xxxx.xxxxxxxxxx@xxx.xx.xx>
Sent: Monday, October 2, 2023 12:41 PM
To: Chrissy Skurbe <xxxxxxxxxxxx@xxxxxxxx.xxx.xx>
Cc: Hudson, Debbie <xxxxxxxxxxxx@xxx.xx.xx>
Subject: [External Email]RE: Monroe BOE Vacancy

CAUTION: This email originated from outside of the school district. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Monroe Township IT Department

Dear Ms. Skurbe,

Thank you for contacting me. NJ Statute and Code observes a 9-member board as a quorum. The Monroe School District has a 9-member board at this time.

N.J.S.A. 18A:12-15b observes the county superintendent's role in selecting a board member in the event the board has no quorum only after 65 days have passed and the board has not replaced the vacant seat. That will not be observed in this case because the Monroe School District has a quorum.

Sincerely,

Kyle M. Anderson

Executive County Superintendent

Tel: (732) 745-3425

Cell: (732) 379-9510

Fax: (732) 296-6567

XXXX.XXXXXXXXXX@XXX.XX.XXX

From: Chrissy Skurbe <XXXXXXXX.XXXXXX@XXXXXXXX.XXX.XX>
Sent: Monday, October 2, 2023 10:52 AM
To: Anderson, Kyle <XXXX.XXXXXXXXXX@XXX.XX.XX>
Cc: Hudson, Debbie <XXXXXXXX.XXXXXX@XXX.XX.XX>
Subject: [EXTERNAL] Re: Monroe BOE Vacancy

***** CAUTION *****

This message came from an **EXTERNAL** address
(XXXXXXXX.XXXXXX@XXXXXXXX.XXX.XX). **DO NOT** click on links or attachments
unless you know the sender and the content is safe.
**New Jersey State Government Employees Should Forward Messages That
May Be Cyber Security Risks To XXXXXXXXXXXXX@XXXXX.XX.XXX**

Good morning -

I just want to follow up with my email from Friday. I have to give a detailed update to our board.

Thank you!

Chrissy Skurbe

From: Chrissy Skurbe <XXXXXXXX.XXXXXX@XXXXXXXX.XXX.XX>
Sent: Friday, September 29, 2023 6:30 PM
To: Anderson, Kyle <XXXX.XXXXXXXXXX@XXX.XX.XX>

Cc: Hudson, Debbie <xxxxxx.xxxxxx@xxx.xx.xx>
Subject: RE: Monroe BOE Vacancy

Thank you, Mr. Anderson.

I just want to make sure that I understand what you have written and our discussion after you sent this email to me. Before I convey our conversations to the board, I want to make sure I understand it all.

In regard to the Jamesburg representative voting on the vacant seat on our board, I want to make sure I understood you correctly. It is my understanding from our conversation that after you consulted with legal counsel, it is the DOE's opinion that the sending district can vote on this item per the statute about sending districts voting rights. I understand our board policy and the options the board has to either change or suspend the policy but the real issue is whether or not the sending district has the right to vote per the statute. It was my understanding that you said she did. I just want to confirm that.

I also understood that you made it clear that since the statute and code say that a board needs to have at least 9 members, that our board could operate until the April election as a board of 9. Although you encourage our board to appoint someone to the vacant seat, you will not get involved even passed the 65 day of the resignation of Ms. Bierman because we still have 9 members on the board.

I hope you understand why I am asking for clarification. I do not want to misrepresent anything that you have said to me so I want to be as clear as possible when I convey our conversation.

Thank you again for all of your assistance.

Chrissy Skurbe

From: Anderson, Kyle <xxxx.xxxxxxxx@xxx.xx.xx>
Sent: Friday, September 29, 2023 10:41 AM
To: Chrissy Skurbe <xxxxxx.xxxxxx@xxxxxx.xxx.xx>
Cc: Hudson, Debbie <xxxxxx.xxxxxx@xxx.xx.xx>
Subject: [External Email]RE: [External Email]RE: Monroe BOE Vacancy

CAUTION: This email originated from outside of the school district. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Monroe Township IT Department

Good morning Ms. Skurbe,

After reviewing the board situation in Monroe regarding the resignation of a board member resulting in the size of the board changing from 10 to 9 board members I am informing you that no action is required at this time. I don't believe there is a sufficient argument or evidence that my authority to appoint per N.J.S.A. 18A:12-15b is triggered as the Board has 9 out of 10 of its seats filled. A 9-member board is recognized by NJ statute and code as a quorum.

I have also reviewed the opinion of your attorney and while I understand that the Monroe board has adopted a policy imposing limitations on the Jamesburg board member this policy does not supersede the code or statute unless there is an affirmative statement in the code or statute, which there is not.

For your information, as to the appointment, in the event that the number of board members drops and there is no longer a quorum, it is my position that my appointment authority is not triggered until 65 days pass with the Board itself not filling the vacancy per N.J.S.A. 18A:12-15a. Please feel free to contact me should you have any questions.

Sincerely,

Kyle M. Anderson

Executive County Superintendent

Tel: (732) 745-3425

Cell: (732) 379-9510

Fax: (732) 296-6567

XXXX.XXXXXXXXXX@XXX.XX.XXX

From: Chrissy Skurbe <XXXXXXXX.XXXXXX@XXXXXXXX.XXX.XX>
Sent: Friday, September 29, 2023 9:02 AM
To: Anderson, Kyle <XXXX.XXXXXXXXXX@XXX.XX.XX>
Cc: Hudson, Debbie <XXXXXXXX.XXXXXX@XXX.XX.XX>
Subject: [EXTERNAL] Re: [External Email]RE: Monroe BOE Vacancy

***** CAUTION *****

This message came from an **EXTERNAL** address
(XXXXXXXX.XXXXXX@XXXXXXXX.XXX.XX). **DO NOT** click on links or attachments
unless you know the sender and the content is safe.
**New Jersey State Government Employees Should Forward Messages That
May Be Cyber Security Risks To XXXXXXXXXXXX@XXXXX.XX.XXX**

Good morning -

I am just following up. I give a weekly report to the board and I wanted to include any recommendations from you about how to move forward.

Thanks,

Chrissy Skurbe

From: Chrissy Skurbe <XXXXXXXX.XXXXXX@XXXXXXXX.XXX.XX>
Sent: Tuesday, September 26, 2023 5:04 PM
To: Anderson, Kyle <XXXX.XXXXXXXXXX@XXX.XX.XX>
Cc: Hudson, Debbie <XXXXXXXX.XXXXXX@XXX.XX.XX>
Subject: Re: [External Email]RE: Monroe BOE Vacancy

Hello Mr. Anderson -

Thank you for taking the time to speak to me today. Attached, please find the board policies as discussed. I have also included the legal opinions from the Board Attorney for Monroe and Jamesburg.

I look forward to hearing from you.

All the best

Chrissy Skurbe

----- Forwarded message -----
From: **Patrick Carrigg** <xxxxxxxx@xxxxxxxx.xx>
Date: Fri, Sep 15, 2023 at 12:08 PM
Subject: Re: Monroe Board Vacancy Vote
To: Michelle Scott <xxxxxxx@xxxxxxxxxx.x>
Cc: Paul Rutsky <xxxxxxxx@xxxxxxxxxx.x>

Hi Michelle,

N.J.S.A. 18A:38-8.1 enumerates those matters on which a sending-district representative is eligible to vote on a receiving district's board. Historically, the statute has been interpreted as narrowly conveying specific rights to vote on limited matters authorized by statute. "We must enforce this statute literally because its unambiguous language, as illuminated by its legislative history, reveals an intent to permit voting only on enumerated matters. We thus affirm the agency decision, which held sending-district representatives ineligible to vote on the appointment of the receiving district's solicitor, because it is not expressly authorized by the statute." Evans v. Atlantic City Bd. of Educ., 404 N.J. Super. 87, 89 (App.Div.2008). At the time Evans was decided, the statute did not expressly authorize the sending district's representative to vote on

the board attorney so the Appellate Division said that it was correct to prevent such a vote. However, after this decision, the statute was amended in 2017, and the voting rights were significantly expanded. In pertinent part, the statute now provides:

“In addition to the members of the board of education of a Type I and Type II school district provided by law, in a school district which is receiving pupils from another district or districts pursuant to N.J.S.18A:38-8, there shall be an additional member as provided pursuant to section 2 [C.18A:38-8.2] of this act to represent the board of education of each sending district. Any additional member shall be a member of the board of education of a sending district designated annually by the board of that district and shall be eligible to vote on the following matters before the receiving district board of education:

N.J. Stat. § 18A:38-8.1i. ***Any matter concerning governance of the receiving district board of education*** including, but not limited to, the selection of the board president or vice-president, approval of board bylaws, and the employment of professionals or consultants such as attorneys, architects, engineers, or others who provide services to the receiving district board of education.”

(Emphasis supplied).

In my view, this statutory language is written in a broad manner (the word “any” is as broad as it gets) that empowers the sending district representative to vote on a vacancy appointment, or nominate for a vacancy appointment, as such acts “concern governance of the receiving district board of education”. “Concerning governance” is not defined in the statute, but reading it consistent with the enumerated items – voting on the bylaws and executive appointments – it would be rationally interpreted to include the Board composition and a vacancy appointment. The alternative interpretation that Monroe’s counsel advances is wholly inconsistent with the statutory language’s authorization to vote on “Any matter concerning governance”.

Please contact me with any questions.

Patrick

Board Policy

Monroe Township Board of Education

[Home](#)

District Policy

0141.2 - Board Member and Term - Receiving District

Section: Bylaws

Date Created: April 2011

Date Edited: February 2022

BYLAWS

0141.2/page 1 of 4

Board Member and Term – Receiving District

Jan 19

[See POLICY ALERT No. 134, 140, 156, 192 and 217]

0141.2 BOARD MEMBER AND TERM - RECEIVING DISTRICT

The Board of Education shall consist of 9 or 10 members subject to the following:

The term of a Board member shall be 3 years, except that:

- 1.

The term of a member appointed to fill a vacancy shall be from the member's appointment to the organizational meeting following the next annual election, except that;

2.

The term of a member appointed to fill a vacancy within sixty days immediately preceding an annual election shall be from the member's appointment to the organizational meeting following the second annual election after his/her appointment, except for Board members of a sending district;

3.

Representation on the receiving district Board shall be in accordance with N.J.S.A. 18A:38-8.2. In accordance with N.J.S.A. 18A:38-8.2.a.(1) the sending district shall have no representation on the receiving district Board of Education if the students of a sending district comprise less than ten percent of the total enrollment of the students in the grades of the receiving district in which the students of the sending district will be enrolled. If the students of a sending district comprise at least ten percent of the total enrollment of the students in the grades of the receiving district in which the students of the sending district will be enrolled, the sending district shall have one representative on the receiving Board of Education in accordance with N.J.S.A. 18A:38-8.2.a.(2).

If the total number of students of two or more sending districts, which do not qualify for representation in accordance with N.J.S.A. 18A:38-8.2.a.(2), comprise at least fifteen percent of the total enrollment of the students in the grades of the receiving district in which the students of sending districts will be enrolled, shall have collectively two representatives

on the receiving district Board of Education in accordance with N.J.S.A. 18A:38-8.2.b. The annual designation of the representatives, in the event more than two districts collectively qualify, shall be rotated among the Boards of Education of the sending districts according to a schedule determined by the joint agreement of the Boards in accordance with N.J.S.A. 18A:38-8.2.b. The number of representatives designated by the sending districts to be additional members on the receiving district Board of

Education shall be limited in accordance with the provisions of N.J.S.A. 18A:38-8.2.c.

A school district which is located in a county of the sixth class according to the latest Federal decennial census, which has an October 1998 resident enrollment greater than 2,400 students, but less than 2,600 students, and which sends its students in grades nine through twelve to a school district in the same county shall have representation on the Board of Education of a receiving school district in accordance with the provisions of N.J.S.A. 18A:38-8.4.

The sending district Board of Education shall designate their representative(s) to serve on the receiving district Board of Education on an annual basis upon notification from the County Superintendent of the appropriate representation on the receiving Board of Education. This designation shall be made by the sending Board of Education at its meeting closest in time to the annual organizational meeting of the receiving district Board of Education and shall serve a one year term beginning with the organizational meeting of the receiving district Board of Education in accordance with N.J.S.A. 18A:38-8.2.d. The sending district representative(s) shall be subject to the rules and procedures of the receiving district Board of Education.

The calculation of percentages required shall be based on the number of students reported as of the last school day prior to October 16 of each prebudget year pursuant to N.J.S.A. 18A:38-8.2.e. and N.J.S.A. 18A:38-8.4.b.

4.

A sending district representative(s) shall be eligible to vote on the following matters before the receiving district Board of Education:

a.

Tuition to be charged the sending district by the receiving district and the bill lists or contracts for the purchase, operation or maintenance of facilities, equipment and instructional materials to be used in the education of the students of the sending district;

b.

New capital construction to be utilized by sending district students;

c.

Appointment, transfer or removal of teaching staff members providing services to the students of the sending district, including any teaching staff member who is a member of the receiving district's central administrative staff;

d.

Addition or deletion of curricular and extracurricular programs involving students of the sending district;

e.

Any matter directly involving the sending district students or programs and services utilized by those students;

f.

Approval of the annual receiving district budget;

g.

Any collectively negotiated agreement involving employees who provide services utilized by sending district students;

h.

Any individual employee contracts not covered by a collectively negotiated agreement, if those employees provide or oversee programs or services utilized by sending district students; and

i.

Any matter concerning governance of the receiving district Board of Education including, but not limited to, the selection of the Board President or Vice President, approval of Board Bylaws, and the employment of professionals or consultants such as attorneys, architects, engineers, or others who provide services to the receiving district Board of Education.

5.

While the sending district representative shall have limited voting rights in accordance with N.J.S.A. 18A:38-8.1, in all other respects the representative shall function as a full member of the Board of Education, including participation in the closed session discussions.

N.J.S.A. 18A:12-6; 18A:12-9; 18A:12-11; 18A:12-15; 18A:38-8

N.J.S.A. 18A:13-8 et seq. [regional districts]

N.J.S.A. 18A:54-16 et seq. [vocational districts]

N.J.A.C. 6A:23A-2.1 et seq.

Adopted: April 13, 2011

Revised: March 18, 2019

Revised: February 16, 2022

From: Anderson, Kyle <xxxx.xxxxxxxx@xxx.xx.xx>
Sent: Tuesday, September 26, 2023 12:48 PM
To: Chrissy Skurbe <xxxxxxx.xxxxxx@xxxxxx.xxx.xx>
Cc: Hudson, Debbie <xxxxxxx.xxxxxx@xxx.xx.xx>
Subject: [External Email]RE: Monroe BOE Vacancy

CAUTION: This email originated from outside of the school district. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Monroe Township IT Department

Hello Ms. Skurbe,

My apologies. My Friday afternoon did not work out as planned. I have a call in a few minutes that usually lasts an hour. I will call you later. The first step in this is usually for me to make a plea to the board members to hold a vote amongst themselves on these candidates. Is there anything to prevent this from occurring? The ECS selecting the candidate should be considered a last resort.

Kyle M. Anderson

Executive County Superintendent

Tel: (732) 745-3425

Cell: (732) 379-9510

Fax: (732) 296-6567

xxxx.xxxxxxxx@xxx.xx.xxx

From: Chrissy Skurbe <xxxxxxx.xxxxxx@xxxxxxx.xxx.xx>
Sent: Tuesday, September 26, 2023 11:16 AM
To: Anderson, Kyle <xxxx.xxxxxxxx@xxx.xx.xx>
Cc: Hudson, Debbie <xxxxxxx.xxxxxx@xxx.xx.xxx>
Subject: [EXTERNAL] Re: Monroe BOE Vacancy

***** CAUTION *****

This message came from an **EXTERNAL** address
(xxxxxxx.xxxxxx@xxxxxxx.xxx.xx). **DO NOT** click on links or attachments
unless you know the sender and the content is safe.
**New Jersey State Government Employees Should Forward Messages That
May Be Cyber Security Risks To xxxxxxxxxxxx@xxxxx.xx.xxx**

Good morning Mr Anderson-

I tried to reach out to you a few times on Friday. I'm sure you are very busy. I'm available all day today if you have time to talk.

Thank you.

Chrissy Skurbe

On Sep 21, 2023, at 4:22 PM, Chrissy Skurbe
<xxxxxxx.xxxxxx@xxxxxxx.xxx.xx> wrote:

Good morning Mr. Anderson.

Last night the Monroe Board of Education was scheduled to conduct a meeting and have interviews for the applicants for the open board seat. Unfortunately, the meeting did not have a quorum. Sadly, we have board members that boycotted the meeting because of their own personal agendas in this process of filling the vacant seat. While our Board Attorney has guided the board and had conference calls with some of these board members who boycotted last night's meeting, it seems we are at an impasse with this process. I wanted to reach out to discuss the process forward. I know when we pass the 65th day of the vacancy it goes to the county superintendent to appoint someone to the seat. We had 9 applicants. 1 dropped out so we have 8 applicants currently. I can share all of the information with you. There was 1 candidate, who when board members were asked to give their preferences for who to interview, was supported for an interview by 8 of the 9 board members. As you know, we have a Jamesburg Representative on our board. Some of my board members were against her involvement in the process at all despite the legal advice from the Monroe Board Attorney and the Jamesburg Board Attorney. If you are not aware, back in 2019 when the Monroe Board of Education had a vacancy, the Jamesburg Representative at the time, Paul Rutsky - now the Jamesburg BOE President, not only voted to fill the Monroe Board Vacancy, but he nominated the candidate. The Jamesburg Board Attorney did issue an opinion, in writing, for why they feel the Jamesburg Representative should be allowed to vote based on the wording of the updated legislation for sending districts voting rights. As you can see there are many issues, including legal interpretation, that will not be resolved before the 65 day deadline to fill the vacancy.

I am available anytime after 3pm today to have a phone conversation or anytime tomorrow as well.

Thank you for your assistance with this matter.

Sincerely,

Chrissy Skurbe

President

Monroe Township Board of Education

CONFIDENTIALITY NOTICE: The information contained in this communication from the New Jersey Department of Education is privileged and confidential and is intended for the sole use of the persons or entities who are the addressees. If you are not an intended recipient of this email, the dissemination, distribution, copying or use of the information it contains is strictly prohibited. If you have received this communication in error, please immediately contact the New Jersey Department of Education at (609) 376-3500 to arrange for the return of this information.

From: [Anderson, Kyle](#)
To: [AULCS - Natasha Howard](#); [Carteret - Rosa Diaz](#); [Cranbury - Jennifer Diszler](#); [Daniel Ross](#); [EAST BRUNSWICK- VICTOR VALESKI](#); [Edison - Edward Alderelli](#); [ESCNJ - Nadia Romano](#); [Greater Brunswick Charter- xxxxxxxx.xxxxx@xxxxxxxxxxxxxxxxxx](#); [Marcia Grayson](#); [Highland Park - Kristina Nicosia](#); [Jamesburg - Gina Villani](#); [MCMSNJ - Jorge E. Diaz](#); [Metuchen - Vincent Caputo](#); [Middlesex Borough - Roberta Freeman](#); [xxxxxx@xxxxxxxxxxxxxx](#); [Milltown-BROWN, STEPHANIE](#); [Monroe - Chari Chanley](#); [New Brunswick - aubrey xxxxxxx@xxxxxx.xxx](#); [North Brunswick - Janet Ciarrocca](#); [Old Bridge - David Cittadino](#); [Perth Amboy - David Roman \(xxxxxx@xxxx.xxx\)](#); [Piscataway - Dr. Frank Ranelli](#); [Sayreville - Richard Labbe \(xxxxxx.xxxxx@xxxxxxxxxxxxxx\)](#); [South Amboy - Dr. Frederick Williams](#); [South Brunswick - Scott Feder \(xxxxx.xxxxx@xxxxxxxxxx\)](#); [South xxxxxxxxxxxxxxxxx@xxxxx](#); [South River - Silvana Zircher \(xxxxxx@xxxxxxxxxx\)](#); [Spotswood - Graham Peabody \(xxxxxx@xxxx.xx\)](#); [Woodbridge - Joseph Massimino](#)
Cc: [Debbie Hudson](#); [Wanda Dillon](#)
Subject: Traumatic Loss Assistance
Date: Tuesday, October 17, 2023 12:58:14 PM

Hello All,

Please review the resources being offered below from our Middlesex County team.

Hello Coalition Members,

Please see attached padlet with resources:

[israel-hamas-war-resources-for-educators-parents-and-caregiv](#)

Please take care as you continue to care for others.

Sue

Susan Coyle, MA, DRCC
Pronouns: she, her, hers
Middlesex County Coordinator
Traumatic Loss Coalitions for Youth
Rutgers University Behavioral Health Care
908-392-8664

Kyle M. Anderson
Executive County Superintendent

Tel: (732) 745-3425

Cell: (732) 379-9510

Fax: (732) 296-6567

[xxxx.xxxxxxx@xxx.xx.xxx](#)

CONFIDENTIALITY NOTICE: The information contained in this communication from the New Jersey Department of Education is privileged and confidential and is intended for the sole use of the persons or entities who are the addressees. If you are not an intended recipient of this email, the dissemination, distribution, copying or use of the information it contains is strictly prohibited. If you have received this communication in error, please immediately contact the New Jersey Department of Education at (609) 376-3500 to arrange for the return of this information.

From: [Chrissy Skurbe](#)
To: [Kyle Anderson](#)
Cc: [Debbie Hudson](#)
Subject: [EXTERNAL] Monroe Board Vacancy Filled
Date: Thursday, October 19, 2023 8:02:44 PM

*** CAUTION *** This message came from an EXTERNAL address (Chrissy.Skurbe@monroe.k12.nj.us). DO NOT click on links or attachments unless you know the sender and the content is safe. New Jersey State Government Employees Should Forward Messages That May Be Cyber Security Risks To PhishReport@cyber.nj.gov.

Dear Mr Anderson -

I'm writing to let you know that the Monroe Board of Education voted to appoint Mr Matthew Gorham to the vacant seat last night at its meeting. The vote was 6-2-1.

I want to thank you for all of your assistance.

Sincerely,

Chrissy Skurbe
President
Monroe Twp Board of Education