

Larkins, Jeannette

From: xxxxxxxxxx@xxx.xxx
Sent: Tuesday, July 11, 2023 2:11 PM
To: xxxxxxxxxx@xxxxxxxxxxxxxxxxxxx.xxx; Christine Steitz
Cc: comptroller; xxxxx.xxxx@xxx.xx.xxx; MacDougall Sco tt [OSC]; Kathleen DiGiovanni; Kathleen Doran; Lester W. Richens; lisa rosamilia; Michael Scarano; Michelle Meissner; Dawn Choma; Madelyn Kolasis; Joyce McCabe; Elaine Harder; jmccann@wallpublicschools.org
Subject: [EXTERNAL] Fw: OPRA 23-180 - attendance records printed June 30th sent 12 days later from Brian Smyth and more
Attachments: OPRA 23-180 Response Cvr Ltr with attachments.pdf; May 2023 Attorney bills - Cornell Merlino etc - OPRA 24 001 returned 7-10-2023.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  gov.

Dr. Handerhan and Ms. Steitz:

Can you explain why attendance records printed on June 30, 2023 (**12 days ago**), by HR are held up to be returned only on the 7th business day and they are completely illegible? Is that by instruction of anyone in the district, the attorney or does Mr. Smyth just hold them up on his own because he can given little to no oversight of him as the custodian of records?

I would like these attendance records for Kristin Scott and Kevin Davis returned in color today via e:mail.

I see Kristen Scott the VP in the HS was out sick the last 2 months of the year, but I don't recall hearing that the district had anyone work in her place with a stipend is that correct? I do not recall seeing anything on an agenda other than we are still paying Rose Sirchio the High School Principal \$200,000 for not working.

I see multiple new attorney's listed on the attorney bills. I am hearing about more new lawsuits against the district so that is probably why.

I attach both OPRA replies so the Comptroller's office can see as well as the Wall Twp. School district is continuing to make ZERO effect in the area or transparency.

Personnel matters on the attorney bills just for the month of May were **\$11,121.25**. OPRA charges are only **\$162.76**. **I see a conversation with Adam Nasr on the bills.**

This isn't counting all of the attorney bills for attorneys being outsourced for all of the current lawsuits.

The latest is outsourcing my lawsuit for Mr. Smyth not turning over public documents you Ms. Handerhan received via e:mail on 12/1/2022 so you are now paying 2 attorneys to continue to

withhold public information while your new attorney METHFESSEL & WERBEL asked for a 20-day extension.

Mr. Smyth has advised under OPRA that you do not even have a contract with the outsourced attorney METHFESSEL & WERBEL on my case. Is this even legal with public funds? I think you should check with the Comptroller's Office in their procurement area.

I look forward to hearing from you and hope you have reached out to the Comptroller's Office for assistance.

Regards,

Betsy Cross

Subject: No contact with attorney handing my OPRA case - Wall vs. Wall BOE - Brian Smyth, Tracy Handerman and Adam Nasr.

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

Brian J. Smyth
Custodian of Records

Phone
FAX:

July 10, 2023

Betsy Cross
Re: OPRA 24-002

opra+request-47708-bd6e9695@requests.opramachine.com

Dear Ms. Cross,

The Wall Township Board of Education, (District) is in receipt of your emailed request dated July 7, 2023, wherein you requested record as follows:

“May I please see the contract the Wall BOE has with Law firm Methfessel & This is the firm you have outsourced my case to of Betsy Cross vs. Wall Township, Tracy Handerman and Adam Nasr. Docket Number - MON-L-151

In response to your request for the contract the Wall BOE has with Law firm Methfessel & This is the firm you have outsourced my case to of Betsy Cross vs. Wall Township, Tracy Handerman and Adam Nasr. Docket Number - MON-L-151 please be advised that a search of district records has determined no records exist responsive to your request.

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

Sincerely,



Brian J. Smyth
Custodian of Records



METHFESSEL & WERBEL

A Professional Corporation

JOEL N. WERBEL>	Counsel
JOHN METHFESSEL, JR.>	CHRISTINA M. AI
FREDRIC PAUL GALLIN*+^	ADAM M. CARM/
WILLIAM S. BLOOM*>	SARAH K. DELAI
ERIC L. HARRISON*+	SHAJI M. EAPEN
MATTHEW A. WERBEL>	JAMES FOXEN^
LORI BROWN STERNBACK*+	ANGELA M. GUR
I. BLAKELEY JOHNSTONE, III+^	GERALD KAPLA/
GINA M. STANZIALE>	JARED P. KINGS
PAUL J. ENDLER JR.>	JOHN R. KNODE
JAMES P. CULLEN, JR.=^	LESLIE A. KOCH
THOMAS O. MULVIHILL>	CHARLES T. MC/
	MARC G. MUCCI
	RICHARD A. NEL
	STEVEN K. PARI
Of Counsel	RAINA M. PITTS/
STEPHEN R. KATZMAN#	AMANDA J. SAW
ED THORNTON>	JARED S. SCHUI
Retired	
JOHN METHFESSEL, SR.>	
(1935-2017)	
DON CROWLEY*+	Associates
MARC DEMBLING*+	JILLIAN T. CLARI
(1944-2022)	EDWARD D. DEN
	MICHAEL R. EAT
	ANGEL M. HIERF
	ANDREW S. KAR
	FRANK J. KEEN/
	SCOTT KETTERI

July 3, 2023

VIA ECOURTS FILING and LREX
Honorable Henry P Butehorn, J.S.C.
Monmouth County Courthouse
71 Monument Park
Freehold, NJ 07728

RE: **CROSS, BETSY VS. WALL TOWNSHIP BOARD OF ED, E'**
Our File No. : 93782 LAK
Docket No. : MON-L-1512-23

Dear Judge Butehorn:

Our office represents the Defendants in the matter. Plaintiff filed Show Cause and Verified Complaint returnable on September 8. responsive paper due July 14, 2023.

With Ms. Cross's attorney's consent, we request a 20-day extension to answer. We request our responsive papers be due on August 3, 2023.

Respectfully submitted,

METHFESSEL & WERBEL,

Methfessel & Werbel, Esqs.
Our File No. 93782 LAK
Page 2

cc: **VIA EMAIL: dmd@donalddoherty.com**

Donald Doherty Jr., Esq.
Law Office of Donald M. Doherty, Jr.
125 North Route 73
West Berlin, NJ 08091
Plaintiff Betsy Cross

VIA EMAIL: acornell@sciarrillolaw.com

Athina Cornell Esq.
Cornell, Merlino, McKeever and Osborne, LLC
238 St. Paul Street
Westfield, NJ 07090

[Sent from AOL on Android](#)

Subject:

Cornell, Merlino, McKeever & Osborne, LLC

238 St. Paul Street
Westfield, NJ 07090
Phone: 908-481-5000
Fax: 908-264-2045
Email: edlawgroup@cmmolaw.com

BUSINESS OFFICE

Wall Township Board of Education
1620 18th Avenue
Wall, New Jersey 07719

JUN 28 2023

Statement of Account

RECEIVED

Outstanding Balance	New Charges	Payments Received	
(\$0.00	+ \$11,121.25	) - (\$0.00	) =

01005-Wall Township Board of Education

Personnel/Labor

Date	Description
05/01/2023	Research, preparation and drafting of correspondence to R. Friedman, Esq.; Receipt of correspondence from R. Friedman, Esq.; Receipt and review of correspondence from Superintendent's Office; Research, preparation and drafting of correspondence to Superintendent's Office; Telephone conference with M. Scarano In Re: Personnel
05/01/2023	Research, preparation and drafting of correspondence to M. Scarano; Receipt and review of correspondence from M. Scarano In Re: Part-Time Sick Leave
05/02/2023	Office research, preparation and review of file; Research sick leave issue; Research, preparation and drafting of correspondence to Business Office In Re: Part-time Sick Leave
05/02/2023	Receipt and review of correspondence from R. Friedman, Esq.; Research, preparation and drafting of correspondence to R. Friedman, Esq.; Receipt and review of correspondence from Maher In Re: Personnel

Judge Olgiati; Receipt and review of correspondence from R. Friedman, Esq.; Receipt of correspondence from Judge Olgiati
In Re: Personnel Matters

05/06/2023 Office research; preparation and review of file; Reviewed increment withholding
In Re: Personnel

05/08/2023 Research, preparation and attendance at Personnel Committee Meeting; Telephone conference with Dr. Handerhan and M. Scarano
In Re: Personnel

05/09/2023 Research, preparation and drafting of correspondence to R. Friedman, Esq.; Research preparation and drafting of correspondence to Dr. Handerhan
In Re: Personnel Matter

05/09/2023 Receipt and review of email from M. Scarano; Telephone conference with M. Scarano; research, preparation and review of file
In Re: Personnel Matter

05/10/2023 Research, preparation, and drafting of email to M. Barrett, Esq.; Receipt and review of email from M. Barrett, Esq.; Research, preparation, and drafting of email to M. Scarano; Receipt of email from M. Scarano; Telephone conference with M. Barrett, Esq.; Telephone conference with M. Scarano
In Re: Personnel Matter

05/10/2023 Office research, preparation and review of file; Telephone conference with D. Zanzucchi
In Re: Personnel Matters

05/11/2023 Research, preparation and drafting of correspondence to M. Scarano; Receipt and review of correspondence from M. Scarano
In Re: RIF Resolution

05/11/2023 Telephone conference with M. Scarano; Receipt and review of correspondence from Judge Olgiati's Chambers; Receipt and review of correspondence from R. Friedman, Esq.
In Re: Personnel Resolutions

05/12/2023 Office research, preparation and review of file; Research, preparation and drafting of Memorandum
In Re: Personnel

05/15/2023 Receipt and review of email from A. Schwartz; Telephone conference with E. Cridge; research, preparation and review of file; Telephone conference with M. Scarano
In Re: Personnel Matter

05/16/2023 Research, preparation and drafting of correspondence to M. Scarano
In Re: RIF Resolutions

document
In Re: Personnel

05/20/2023 Receipt and review of correspondence from R. Friedman, Esq.
In Re: Personnel

05/21/2023 Receipt and review of correspondences from R. Friedman, Esq.; Research, preparation and drafting of correspondence to R. Friedman, Esq.; Research, preparation and drafting of correspondence to Dr. Handerhan, M. Scarano and B. Smyth; Receipt and review of correspondence from M. Scarano; Receipt and review of correspondences from Dr. Handerhan; Research, preparation and drafting of correspondences to Dr. Handerhan
In Re: Personnel

05/22/2023 Review and revise correspondence to employee; Office research, preparation and review of file; Telephone conference with Dr. Handerhan; Telephone conference with M. Donovan
In Re: Personnel Matter

05/22/2023 Office research, preparation and review of file; Research, preparation and drafting of document; Research policy language
In Re: Personnel

05/23/2023 Research, preparation, and drafting of email to M. Scarano; Office research, preparation and review of file
In Re: Personnel Matter

05/23/2023 Research, preparation, and attendance at meeting with client, G. Maher, and R. Friedman
In Re: Personnel

05/23/2023 Office research, preparation and review of file; Research, preparation and drafting of document; Research policy language
In Re: Personnel

05/24/2023 Office research, preparation and review of file; Research, preparation and drafting of document
In Re: Personnel

05/25/2023 Receipt and review of email and attachment from Office of the Superintendent
In Re: Personnel Matter

05/25/2023 Office research, preparation and review of file; Research, preparation and drafting of document
In Re: Personnel

05/26/2023 Receipt and review of email and attachment from M. Scarano; Research, preparation and drafting of email to E. Cridge, Esq.
In Re: Personnel Matter

In Re: Personnel

05/31/2023 Receipt and review of correspondence from G. Maher
In Re: Personnel

Q

Detailed Statement of Account

Current Invoice

Invoice Number	Due On	Amount Due	Payments
19134	06/30/2023	\$11,121.25	

Outsi

Total Amo

Tax ID: 47-2275513

Cornell, Merlino, McKeever & Osborne, LLC

238 St. Paul Street
Westfield, NJ 07090
Phone: 908-481-5000
Fax: 908-264-2045
Email: edlawgroup@cmmolaw.com

BUSINESS OFFICE

JUN 28 2023

Wall Township Board of Education
1620 18th Avenue
Wall, New Jersey 07719

RECEIVED

Statement of Account

Outstanding Balance	New Charges	Payments Received	
(\$0.00	+ \$162.75	) - (\$0.00	) =

01004-Wall Township Board of Education

OPRA

Date	Description
05/01/2023	Receipt and review of revised OPRA Request and previous OPRA Request; Research preparation and drafting of email to B. Smyth In Re: OPRA
05/16/2023	Receipt and review of email and attachment from resident In Re: OPRA 23-158C
05/31/2023	Telephone conference with A. Nasr In Re: OPRA

----- Forwarded Message -----

From: OPRA Request <opra@wallpublicschools.org>
To: "bcross5xx@xxx.xxx" <bcross517@aol.com>
Sent: Tuesday, July 11, 2023 at 01:02:26 PM EDT
Subject: OPRA 23-180

Good afternoon,

Attached please find a response to your OPRA request.

Brian Smyth
Custodian of Records
Wall Township Public School District
email: opra@wall.k12.nj.us

Larkins, Jeannette

From: xxxxxxxx@xxx.xxx
Sent: Wednesday, July 12, 2023 11:32 AM
To: Christine Steitz
Cc: comptroller; xxxxx.xxxx@xxx.xx.xxx; MacDougall Scott [OSC]; Kathleen DiGiovanni; Kathleen Doran; Lester W. Richens; lisa.rosamilia; Michael Scarano; Michelle Meissner; Dawn Choma; Madelyn Kolasis; Joyce McCabe; Elaine Harder; jmccann@wallpublicschools.org; Office of Superintendent
Subject: [EXTERNAL] Re: OPRA 23-180 - attendance records printed June 30th sent 12 days later from Brian Smyth and more

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📧gov.

Ms. Steitz:

I did not receive a reply from Dr. Handerhan to my question below and I did not receive my simple request for a legible copy of the attendance records for Kristen Scott and Kevin Davis.

Can you kindly follow-up with Dr. Handerhan as Mr. Smyth reports into her. I would like a response and the documents by 1:00 PM returned via e:mail.

Regards, Betsy Cross

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Dr. Handerhan and Ms. Steitz:

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I look forward to hearing from you and hope you have reached out to the Comptroller's Office for assistance.

Regards,

Betsy Cross

Subject: No contact with attorney handing my OPRA case - Wall vs. Wall BOE - Brian Smyth, Tracy Handerhan and Adam Nasr.

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

Brian J. Smyth
Custodian of Records

Phone
FAX:

July 10, 2023

Betsy Cross
Re: OPRA 24-002

opra+request-47708-bd6e9695@requests.opramachine.com

Dear Ms. Cross,

The Wall Township Board of Education, (District) is in receipt of your emailed request dated July 7, 2023, wherein you requested record as follows:

“May I please see the contract the Wall BOE has with Law firm Methfessel & This is the firm you have outsourced my case to of Betsy Cross vs. Wall Township, Tracy Handerman and Adam Nasr. Docket Number - MON-L-151

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Sincerely,



Brian J. Smyth
Custodian of Records



METHFESSEL & WERBEL

A Professional Corporation

JOEL N. WERBEL>
JOHN METHFESSEL, JR.>
FREDRIC PAUL GALLIN*+^
WILLIAM S. BLOOM*>
ERIC L. HARRISON*+
MATTHEW A. WERBEL>
LORI BROWN STERNBACK*+
I. BLAKELEY JOHNSTONE, III*+
GINA M. STANZIALE>
PAUL J. ENDLER JR.>
JAMES P. CULLEN, JR.=^
THOMAS O. MULVIHILL>

Of Counsel
STEPHEN R. KATZMAN#
ED THORNTON>

Retired
JOHN METHFESSEL, SR.>
(1935-2017)
DON CROWLEY*+
MARC DEMBLING*+
(1944-2022)

Counsel
CHRISTINA M. AI
ADAM M. CARM/

SARAH K. DELAI

SHAJI M. EAPEN

JAMES FOXEN^

ANGELA M. GUR

GERALD KAPLA/

JARED P. KINGS

JOHN R. KNODE

LESLIE A. KOCH

CHARLES T. MC/

MARC G. MUCCI

RICHARD A. NEL

STEVEN K. PARI

RAINA M. PITTS/

AMANDA J. SAW

JARED S. SCHUI

Associates
JILLIAN T. CLARI

EDWARD D. DEN

MICHAEL R. EAT

ANGEL M. HIERF

ANDREW S. KAR

FRANK J. KEEN/

SCOTT KETTERI

July 3, 2023

VIA ECOURTS FILING and LREX
Honorable Henry P Butehorn, J.S.C.
Monmouth County Courthouse
71 Monument Park
Freehold, NJ 07728

RE: **CROSS, BETSY VS. WALL TOWNSHIP BOARD OF ED, E'**
Our File No. : 93782 LAK
Docket No. : MON-L-1512-23

Dear Judge Butehorn:

Our office represents the Defendants in the matter. Plaintiff filed Show Cause and Verified Complaint returnable on September 8. responsive paper due July 14, 2023.

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Respectfully submitted,

METHFESSEL & WERBEL,

Methfessel & Werbel, Esqs.
Our File No. 93782 LAK
Page 2

cc: **VIA EMAIL: dmd@donalddoherty.com**

Donald Doherty Jr., Esq.
Law Office of Donald M. Doherty, Jr.
125 North Route 73
West Berlin, NJ 08091
Plaintiff Betsy Cross

VIA EMAIL: acornell@sciarrillolaw.com

Athina Cornell Esq.
Cornell, Merlino, McKeever and Osborne, LLC
238 St. Paul Street
Westfield, NJ 07090

[Sent from AOL on Android](#)

Subject:

Cornell, Merlino, McKeever & Osborne, LLC

238 St. Paul Street

Westfield, NJ 07090

Phone: 908-481-5000

Fax: 908-264-2045

Email: edlawgroup@cmmolaw.com

BUSINESS OFFICE

Wall Township Board of Education

1620 18th Avenue

Wall, New Jersey 07719

JUN 28 2023

Statement of Account

RECEIVED

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01005-Wall Township Board of Education

Personnel/Labor

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Judge Olgiati; Receipt and review of correspondence from R. Friedman, Esq.; Receipt of correspondence from Judge Olgiati
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document
In Re: Personnel

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In Re: Personnel

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In Re: Personnel

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In Re: Personnel Matter

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In Re: Personnel

05/23/2023 Research, preparation, and drafting of email to M. Scarano; Office research, preparation and review of file
In Re: Personnel Matter

05/23/2023 Research, preparation, and attendance at meeting with client, G. Maher, and R. Friedman
In Re: Personnel

05/23/2023 Office research, preparation and review of file; Research, preparation and drafting of document; Research policy language
In Re: Personnel

05/24/2023 Office research, preparation and review of file; Research, preparation and drafting of document
In Re: Personnel

05/25/2023 Receipt and review of email and attachment from Office of the Superintendent
In Re: Personnel Matter

05/25/2023 Office research, preparation and review of file; Research, preparation and drafting of document
In Re: Personnel

05/26/2023 Receipt and review of email and attachment from M. Scarano; Research, preparation and drafting of email to E. Cridge, Esq.
In Re: Personnel Matter

In Re: Personnel

05/31/2023 Receipt and review of correspondence from G. Maher
In Re: Personnel

Q

Detailed Statement of Account

Current Invoice

Invoice Number	Due On	Amount Due	Payments
19134	06/30/2023	\$11,121.25	

Outsi

Total Amo

Tax ID: 47-2275513

Cornell, Merlino, McKeever & Osborne, LLC

238 St. Paul Street
Westfield, NJ 07090
Phone: 908-481-5000
Fax: 908-264-2045
Email: edlawgroup@cmmolaw.com

BUSINESS OFFICE

JUN 28 2023

Wall Township Board of Education
1620 18th Avenue
Wall, New Jersey 07719

RECEIVED

Statement of Account

Outstanding Balance	New Charges	Payments Received	
(\$0.00	+ \$162.75	) - (\$0.00	) =

01004-Wall Township Board of Education

OPRA

Date	Description
05/01/2023	Receipt and review of revised OPRA Request and previous OPRA Request; Research preparation and drafting of email to B. Smyth In Re: OPRA
05/16/2023	Receipt and review of email and attachment from resident In Re: OPRA 23-158C
05/31/2023	Telephone conference with A. Nasr In Re: OPRA

----- Forwarded Message -----

From: OPRA Request <opra@wallpublicschools.org>
To: "bcross5xx@xxx.xxx" <bcross517@aol.com>
Sent: Tuesday, July 11, 2023 at 01:02:26 PM EDT
Subject: OPRA 23-180

Good afternoon,

Attached please find a response to your OPRA request.

Brian Smyth
Custodian of Records
Wall Township Public School District
email: opra@wall.k12.nj.us

Larkins, Jeannette

From: xxxxxxxxx@xxx.xxx
Sent: Friday, July 14, 2023 4:04 PM
To: Adam Nasr
Cc: comptroller; xxxxx.xxxxx@xxx.xx.xxx; MacDougall Scott [OSC]; Kathleen DiGiovanni; Kathleen Doran; Lester W. Richens; lisa.rosamilia; Michael Scarano; Michelle Meissner; Dawn Choma; Madelyn Kolasis; Joyce McCabe; Elaine Harder; jmccann@wallpublicschools.org; Office of Superintendent; Christine Steitz
Subject: [EXTERNAL] Re: OPRA 23-180 - attendance records printed June 30th sent 12 days later from Brian Smyth and more

*** CAUTION ***

This message came from an **EXTERNAL** address (**bcross517@aol.com**). **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.

Mr. Nasr:

I am reaching out to you as the Vice President of the Wall Board of Education. I still have not received the requested information can you kindly look into and ask that it be sent to me by day's end today.

Kindly confirm receipt.

Regards,

Betsy Cross

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Ms. Steitz:

I did not receive a reply from Dr. Handerhan to my question below and I did not receive my simple request for a legible copy of the attendance records for Kristen Scott and Kevin Davis.

Can you kindly follow-up with Dr. Handerhan as Mr. Smyth reports into her. I would like a response and the documents by 1:00 PM returned via e:mail.

Regards, Betsy Cross

%

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Dr. Handerhan and Ms. Steitz:

Can you explain why attendance records printed on June 30, 2023 (**12 days ago**), by HR are held up to be returned only on the 7th business day and they are completely illegible? Is that by instruction of anyone in the district, the attorney or does Mr. Smyth just hold them up on his own because he can given little to no oversight of him as the custodian of records?

I would like these attendance records for Kristin Scott and Kevin Davis returned in color today via e:mail.

I see Kristen Scott the VP in the HS was out sick the last 2 months of the year, but I don't recall hearing that the district had anyone work in her place with a stipend is that correct? I do not recall seeing anything on an agenda other than we are still paying Rose Sirchio the High School Principal \$200,000 for not working.

I see multiple new attorney's listed on the attorney bills. I am hearing about more new lawsuits against the district so that is probably why.

I attach both OPRA replies so the Comptroller's office can see as well as the Wall Twp. School district is continuing to make ZERO effect in the area or transparency.

Personnel matters on the attorney bills just for the month of May were **\$11,121.25**. OPRA charges are only **\$162.76**. **I see a conversation with Adam Nasr on the bills.**

This isn't counting all of the attorney bills for attorneys being outsourced for all of the current lawsuits.

The latest is outsourcing my lawsuit for Mr. Smyth not turning over public documents you Ms. Handerhan received via e:mail on 12/1/2022 so you are now paying 2 attorneys to continue to withhold public information while your new attorney METHFESSEL & WERBEL asked for a 20-day extension.

Mr. Smyth has advised under OPRA that you do not even have a contract with the outsourced attorney METHFESSEL & WERBEL on my case. Is this even legal with public funds? I think you should check with the Comptroller's Office in their procurement area.

I look forward to hearing from you and hope you have reached out to the Comptroller's Office for assistance.

Regards,

Betsy Cross

Subject: No contact with attorney handing my OPRA case - Wall vs. Wall BOE - Brian Smyth, Tracy Handerhan and Adam Nasr.

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

Brian J. Smyth
Custodian of Records

Phone
FAX:

July 10, 2023

Betsy Cross
Re: OPRA 24-002

opra+request-47708-bd6e9695@requests.opramachine.com

Dear Ms. Cross,

The Wall Township Board of Education, (District) is in receipt of your emailed request dated July 7, 2023, wherein you requested record as follows:

“May I please see the contract the Wall BOE has with Law firm Methfessel & This is the firm you have outsourced my case to of Betsy Cross vs. Wall Township, Tracy Handerman and Adam Nasr. Docket Number - MON-L-151

In response to your request for the contract the Wall BOE has with Law firm Methfessel & This is the firm you have outsourced my case to of Betsy Cross vs. Wall Township, Tracy Handerman and Adam Nasr. Docket Number - MON-L-151 please be advised that a search of district records has determined no records exist responsive to your request.

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

Sincerely,



Brian J. Smyth
Custodian of Records



METHFESSEL & WERBEL

A Professional Corporation

JOEL N. WERBEL>
JOHN METHFESSEL, JR.>
FREDRIC PAUL GALLIN*+^
WILLIAM S. BLOOM*>
ERIC L. HARRISON*+
MATTHEW A. WERBEL>
LORI BROWN STERNBACK*+
I. BLAKELEY JOHNSTONE, III+*
GINA M. STANZIALE>
PAUL J. ENDLER JR.>
JAMES P. CULLEN, JR.=^
THOMAS O. MULVIHILL>

Of Counsel
STEPHEN R. KATZMAN#
ED THORNTON>

Retired
JOHN METHFESSEL, SR.>
(1935-2017)
DON CROWLEY*+
MARC DEMBLING*+
(1944-2022)

Counsel
CHRISTINA M. AI
ADAM M. CARM/

SARAH K. DELAI

SHAJI M. EAPEN

JAMES FOXEN^

ANGELA M. GUR

GERALD KAPLA/

JARED P. KINGS

JOHN R. KNODE

LESLIE A. KOCH

CHARLES T. MC

MARC G. MUCCI

RICHARD A. NEL

STEVEN K. PARI

RAINA M. PITTS/

AMANDA J. SAW

JARED S. SCHUF

Associates
JILLIAN T. CLARI

EDWARD D. DEN

MICHAEL R. EAT

ANGEL M. HIERF

ANDREW S. KAR

FRANK J. KEEN/

SCOTT KETTERI

July 3, 2023

VIA ECOURTS FILING and LREX
Honorable Henry P Butehorn, J.S.C.
Monmouth County Courthouse
71 Monument Park
Freehold, NJ 07728

RE: **CROSS, BETSY VS. WALL TOWNSHIP BOARD OF ED, E**
Our File No. : 93782 LAK
Docket No. : MON-L-1512-23

Dear Judge Butehorn:

Our office represents the Defendants in the matter. Plaintiff filed Show Cause and Verified Complaint returnable on September 8. responsive paper due July 14, 2023.

With Ms. Cross's attorney's consent, we request a 20-day extension to answer. We request our responsive papers be due on August 3, 2023.

Respectfully submitted,

METHFESSEL & WERBEL,

Methfessel & Werbel, Esqs.
Our File No. 93782 LAK
Page 2

cc: **VIA EMAIL: dmd@donalddoherty.com**

Donald Doherty Jr., Esq.
Law Office of Donald M. Doherty, Jr.
125 North Route 73
West Berlin, NJ 08091
Plaintiff Betsy Cross

VIA EMAIL: acornell@sciarrillolaw.com

Athina Cornell Esq.
Cornell, Merlino, McKeever and Osborne, LLC
238 St. Paul Street
Westfield, NJ 07090

[Sent from AOL on Android](#)

Subject:

Cornell, Merlino, McKeever & Osborne, LLC

238 St. Paul Street

Westfield, NJ 07090

Phone: 908-481-5000

Fax: 908-264-2045

Email: edlawgroup@cmmolaw.com

BUSINESS OFFICE

Wall Township Board of Education

1620 18th Avenue

Wall, New Jersey 07719

JUN 28 2023

Statement of Account

RECEIVED

Outstanding Balance	New Charges	Payments Received	
(\$0.00	+ \$11,121.25	) - (\$0.00	) =

01005-Wall Township Board of Education

Personnel/Labor

Date	Description
05/01/2023	Research, preparation and drafting of correspondence to R. Friedman, Esq.; Receipt of correspondence from R. Friedman, Esq.; Receipt and review of correspondence from Superintendent's Office; Research, preparation and drafting of correspondence to Superintendent's Office; Telephone conference with M. Scarano In Re: Personnel
05/01/2023	Research, preparation and drafting of correspondence to M. Scarano; Receipt and review of correspondence from M. Scarano In Re: Part-Time Sick Leave
05/02/2023	Office research, preparation and review of file; Research sick leave issue; Research, preparation and drafting of correspondence to Business Office In Re: Part-time Sick Leave
05/02/2023	Receipt and review of correspondence from R. Friedman, Esq.; Research, preparation and drafting of correspondence to R. Friedman, Esq.; Receipt and review of correspondence from Maher In Re: Personnel

Judge Olgiati; Receipt and review of correspondence from R. Friedman, Esq.; Receipt of correspondence from Judge Olgiati
In Re: Personnel Matters

- 05/06/2023 Office research; preparation and review of file; Reviewed increment withholding
In Re: Personnel
- 05/08/2023 Research, preparation and attendance at Personnel Committee Meeting; Telephone conference with Dr. Handerhan and M. Scarano
In Re: Personnel
- 05/09/2023 Research, preparation and drafting of correspondence to R. Friedman, Esq.; Research preparation and drafting of correspondence to Dr. Handerhan
In Re: Personnel Matter
- 05/09/2023 Receipt and review of email from M. Scarano; Telephone conference with M. Scarano; research, preparation and review of file
In Re: Personnel Matter
- 05/10/2023 Research, preparation, and drafting of email to M. Barrett, Esq.; Receipt and review of email from M. Barrett, Esq.; Research, preparation, and drafting of email to M. Scarano; Receipt of email from M. Scarano; Telephone conference with M. Barrett, Esq.; Telephone conference with M. Scarano
In Re: Personnel Matter
- 05/10/2023 Office research, preparation and review of file; Telephone conference with D. Zanzucchi
In Re: Personnel Matters
- 05/11/2023 Research, preparation and drafting of correspondence to M. Scarano; Receipt and review of correspondence from M. Scarano
In Re: RIF Resolution
- 05/11/2023 Telephone conference with M. Scarano; Receipt and review of correspondence from Judge Olgiati's Chambers; Receipt and review of correspondence from R. Friedman, Esq.
In Re: Personnel Resolutions
- 05/12/2023 Office research, preparation and review of file; Research, preparation and drafting of Memorandum
In Re: Personnel
- 05/15/2023 Receipt and review of email from A. Schwartz; Telephone conference with E. Cridge; research, preparation and review of file; Telephone conference with M. Scarano
In Re: Personnel Matter
- 05/16/2023 Research, preparation and drafting of correspondence to M. Scarano
In Re: RIF Resolutions

document
In Re: Personnel

05/20/2023 Receipt and review of correspondence from R. Friedman, Esq.
In Re: Personnel

05/21/2023 Receipt and review of correspondences from R. Friedman, Esq.; Research, preparation and drafting of correspondence to R. Friedman, Esq.; Research, preparation and drafting of correspondence to Dr. Handerhan, M. Scarano and B. Smyth; Receipt and review of correspondence from M. Scarano; Receipt and review of correspondences from Dr. Handerhan; Research, preparation and drafting of correspondences to Dr. Handerhan
In Re: Personnel

05/22/2023 Review and revise correspondence to employee; Office research, preparation and review of file; Telephone conference with Dr. Handerhan; Telephone conference with M. Donovan
In Re: Personnel Matter

05/22/2023 Office research, preparation and review of file; Research, preparation and drafting of document; Research policy language
In Re: Personnel

05/23/2023 Research, preparation, and drafting of email to M. Scarano; Office research, preparation and review of file
In Re: Personnel Matter

05/23/2023 Research, preparation, and attendance at meeting with client, G. Maher, and R. Friedman
In Re: Personnel

05/23/2023 Office research, preparation and review of file; Research, preparation and drafting of document; Research policy language
In Re: Personnel

05/24/2023 Office research, preparation and review of file; Research, preparation and drafting of document
In Re: Personnel

05/25/2023 Receipt and review of email and attachment from Office of the Superintendent
In Re: Personnel Matter

05/25/2023 Office research, preparation and review of file; Research, preparation and drafting of document
In Re: Personnel

05/26/2023 Receipt and review of email and attachment from M. Scarano; Research, preparation and drafting of email to E. Cridge, Esq.
In Re: Personnel Matter

In Re: Personnel

05/31/2023 Receipt and review of correspondence from G. Maher
In Re: Personnel

Q

Detailed Statement of Account

Current Invoice

Invoice Number	Due On	Amount Due	Payments
19134	06/30/2023	\$11,121.25	

Outsi

Total Amo

Tax ID: 47-2275513

Cornell, Merlino, McKeever & Osborne, LLC

238 St. Paul Street
Westfield, NJ 07090
Phone: 908-481-5000
Fax: 908-264-2045
Email: edlawgroup@cmmolaw.com

BUSINESS OFFICE

JUN 28 2023

Wall Township Board of Education
1620 18th Avenue
Wall, New Jersey 07719

RECEIVED

Statement of Account

Outstanding Balance	New Charges	Payments Received	
(\$0.00	+ \$162.75	) - (\$0.00	) =

01004-Wall Township Board of Education

OPRA

Date	Description
05/01/2023	Receipt and review of revised OPRA Request and previous OPRA Request; Research preparation and drafting of email to B. Smyth In Re: OPRA
05/16/2023	Receipt and review of email and attachment from resident In Re: OPRA 23-158C
05/31/2023	Telephone conference with A. Nasr In Re: OPRA

----- Forwarded Message -----

From: OPRA Request <opra@wallpublicschools.org>
To: "bcross5xx@xxx.xxx" <bcross517@aol.com>
Sent: Tuesday, July 11, 2023 at 01:02:26 PM EDT
Subject: OPRA 23-180

Good afternoon,

Attached please find a response to your OPRA request.

Brian Smyth
Custodian of Records
Wall Township Public School District
email: opra@wall.k12.nj.us

Larkins, Jeannette

From: xxxxxxxxx@xxx.xxx
Sent: Wednesday, September 20, 2023 9:59 AM
To: OPRA Request
Cc: comptroller; xxxxx.xxxx@xxx.xx.xxx; MacDougall Scott [OSC]; Dawn Choma; Madelyn Kolasis; Joyce McCabe; Elaine Harder; Jake Algor; Phil Kurtz; James Slattery; Jason Berhalter; kerrin mcgowan@wallpublicschools.org; Bryan Clayton; John Higham; Lester W. Richens; Sean O'Halloran; Michael Hurden; Ty Hughes; Statebd; Jennifer Mccann; Kathleen Doran
Subject: [EXTERNAL] Separation Agreement - Rose Sirchio and more - kindly respond by noon today
Attachments: 22-23 Attendance records - sirchio, handerhan and smyth OPRA 23 182B.pdf; Rose Sirchio, Tracy Handerhan and Brian Smyth Attendance records - OPRA 24-014.pdf; May 2023 Attorney bills - Cornell Merlino etc - OPRA 24 001 returned 7-10-2023.pdf; June and July 2023 Attorney bills - OPRA 24-013 - MCPO pages 17 and 19.pdf

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Immediate Access under OPRA - Kindly return all via e:mail

Hello Mr. Smyth:

May I please have a copy of the **Separation Agreement** for Rose Sirchio ID #7343 that was a hand carry on last night's agenda read by Brian Smyth.

There was nothing attached or provided to the public. It certainly should have been given her previous job was posted on September 7, 2023, it seemed planned that it was not on the agenda so no one would ever see it looking back to agenda's and not watching the meeting on the live stream.

The complete lack of Transparency at every turn in the Wall BOE is disturbing.

I would like this document by noon today.

It seems we have paid Ms. Sirchio for 354 days in "paid" administrative leave since April 12, 2021 and Ms. Sirchio still has banked 327 days (see attached attendance records for July 1, 2022, through last week).

What exactly did the BOE members approve last night that the residents of Wall will be paying that you do not want us to see?.

I don't think anyone in Wall Twp. is shocked that not one person is running for the 3 open BOE seats this November. NO ONE wants to be a part of this Wall BOE given the complete lack of transparency.

Your attorney bills for just "Personnel matters" for May 2023, June 2023 and July 2023 were \$32,669.50. It is certainly time a state agency comes in and audit this Separation agreement and much more! The children of Wall deserve so much better!

Wall BOE President - Christine Steitz, I asked you again last night and was rudely cut off by the Wall BOE attorney Athina Cornell. So again, who gave my minor son's picture to the law firm of Sciarrillo, Cornell, McKeever Osborne LLC to be used in their reply brief **without** Dr. Handershan's knowledge per Lester Richens. Who is making decisions like this if not the Superintendent of the district? I did see Mr. Smyth was copied as well when his picture was unlawfully used in a reply brief. I would like this answer also by noon today.

The below OPRA is also overdue **regarding the Central School Trailers.**

Ms. Steitz has Mr. Smyth been deposed yet on the Central School Trailer lawsuit. This questioned has been asked during BOE meetings and in writing to no response. I recall watching Mr. Smyth just laugh to the reporter when he was asked this question from the Coast Star after the July BOE public meeting.

Regards,

Betsy Cross

----- Forwarded Message -----

From: xxxxxxxxxx@xxx.xxx <b xxxxxxxxxx@xxx.xxx>

To: OPRA Request <xxxx@xxxxxxxxxxxxxxxxxxx.xxx>

Cc: Boardmembers <boardmembers@wallpublicschools.org>; thanderxxx@xxxxxxxxxxxxxxxxxxx.xxx <thanderhan@wallpublicschools.org>; Craig Klein <cklein@rlmnc.org>; Barbara Murphy <xxxxxxx@xxxxxx.xxx>; comptroller <comptrollertips@osc.state.nj.us>; kevin.walsh@osc.nj.gov <xxxxxx.xxxxxx@xxx.xx.xxx>; MacDougall Scott[OSC] <scott.macdougall@osc.nj.gov>; Sean O'Halloran <xxxxxxxxxxx@xxxxxxxxxxx.xxx>; Michael Hurden <mhurden@wallpolice.org>; Ty Hughes <thughes@wallpolice.org>; Kathleen Doran <woods223@gmail.com>

Sent: Tuesday, August 22, 2023 at 03:59:57 PM EDT

Subject: OPRA request for public information

OPRA REQUEST FOR PUBLIC INFORMATION

Brian Smyth:

May I please have a copy of any claim submitted with all responsive documents including the claims transmittal form and tort claim notice form sent to Qual-Lynx from Brian Smyth, Dawn Choma or anyone in charge of sending in claims notices from the Wall Twp. School District. Be sure to include any claims submitted related to Luke Grasso. It should have been August 2019 from reviewing Dawn Choma's e:mail to Michael Gross.

The time frame is August 27, 2019 to June 30, 2020.

The fax number they are sent to at Qual-Lynx is (609) 365 - 4000.

Loss and Liability Claims

As soon as you are aware of the incident, report claim to Qual-Lynx.

Tel: (609) 653-8400

Fax: (609) 365-4000

Claims must be submitted via fax using the [Claim Transmittal Form](#).

[Tort Claims Notice](#)

Regards,

Betsy Cross

Larkins, Jeannette

From: xxxxxxxxxx@xxx.xxx
Sent: Wednesday, September 20, 2023 12:33 PM
To: OPRA Request
Cc: comptroller; xxxxx.xxxxx@xxx.xx.xxx; MacDougall Sc ott [OSC]; Dawn Choma; Madelyn Kolasis; Joyce McCabe; Elaine Harder; Jake Algor; Phil Kurtz; James Slattery; Jason Berhalter; kerrin mcgowan@wallpublicschools.org; Bryan Clayton; John Higham; Lester W. Richens; Sean O'Halloran; Michael Hurden; Ty Hughes; Statebd; Jennifer Mccann; Kathleen Doran
Subject: [EXTERNAL] I still await the Separation Agreement - Rose Sirchio

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New Jersey State Government Employees Should Forward Messages That May Be Cyber Security Risks To
📧gov.

Immediate Access under OPRA - Kindly return all via e:mail%

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Regards,

Betsy Cross

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To: OPRA Request <xxxx@xxxxxxxxxxxxxxxxxxxxxxx.xxx>

Cc: Boardmembers <boardmembers@wallpublicschools.org>; thanderxxx@xxxxxxxxxxxxxxxxxxxxxxx.xxx <thanderhan@wallpublicschools.org>; Craig Klein <cklein@rlmnc.org>; Barbara Murphy <xxxxxxx@xxxxxxx.xxx>; comptroller <comptrollertips@osc.state.nj.us>; kevin.walsh@osc.nj.gov <xxxxxx.xxxxxx@xxx.xx.xxx>; MacDougall Scott[OSC] <scott.macdxxxxxxx@xxx.xx.xxx>; Sean O'Halloran <xxxxxxxxxxx@xxxxxxxxxxxxxxx.xxx>; Michael Hurden <mhurden@wallpolice.org>; Ty Hughes <thughes@wallpolice.org>; Kathleen Doran <woods223@gmail.com>

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Subject: OPRA request for public information

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Larkins, Jeannette

From: xxxxxxxxxx@xxx.xxx
Sent: Wednesday, September 20, 2023 2:57 PM
To: Office of Superintendent; Lester W. Richens
Cc: comptroller; xxxxx.xxxxx@xxx.xx.xxx; MacDougall Sc ott [OSC]; Dawn Choma; Madelyn Kolasis; Joyce McCabe; Elaine Harder; Jake Algor; Phil Kurtz; James Slattery; Jason Berhalter; kerrin mcgowan@wallpublicschools.org; Bryan Clayton; John Higham; Sean O'Halloran; Michael Hurden; Ty Hughes; Statebd; Jennifer Mccann; Kathleen Doran
Subject: [EXTERNAL] Re: I still await the Separation Agreement - Employee ID 7343

***** 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
📧.gov.

Dr. Handerhan and Dr. Richens:

I submitted and OPRA for the **Settlement Agreement for employee number #7343** this am and requested it be returned by noon. Mr. Smyth is not returning it. Given he reports into you Dr. Handerhan can you ask that he promptly returns it.

It was voted on and approved last night at the public meeting via a hand carry so certainly this should have been sent to me immediately. If it had been attached, I would not have had to OPRA it.

What is the district hiding by not having it placed on the agenda last night?

Regards,

Betsy Cross

On Wednesday, September 20, 2023 at 12:33:04 PM EDT, bcross51x@xxx.xxm <bcross517@aol.com> wrote:

Immediate Access under OPRA - Kindly return all via e:mail%

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From: xxxxxxxxxx@xxx.xxx <b xxxxxxxxxx@xxx.xxx>

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Cc: Boardmembers <boardmembers@wallpublicschools.org>; thanderxxx@xxxxxxxxxxxxxxxxxxx.xxx <thanderhan@wallpublicschools.org>; Craig Klein <cklein@rlminc.org>; Barbara Murphy <xxxxxxx@xxxxxxx.xxx>; comptroller <comptrollertips@osc.state.nj.us>; kevin.walsh@osc.nj.gov <xxxxxx.xxxxx@xxx.xx.xxx>; MacDougall Scott[OSC] <scott.macdxxxxxx@xxx.xx.xxx>; Sean O'Halloran <xxxxxxxxxx@xxxxxxxxxxx.xxx>; Michael Hurden <mhurden@wallpolice.org>; Ty Hughes <thughes@wallpolice.org>; Kathleen Doran <woods223@gmail.com>

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Cc: comptroller <comptrollxxxxxx@xxx.xxate.nj.us>; Kevin Walsh <kevin.walsh@osc.nj.gov>; MacDougall Scott [OSC] <scott.macdougall@osc.nj.gov>; Dawn Choma <dchoma@wallpublicschools.org>; Madelyn Kolasis <mkolasis@wallpublicschools.org>; Joyce McCabe <jmccabe@wallpublicschools.org>; Elaine Harder <eharder@wallpublicschools.org>; Jake Algor <jalgor@wallpublicschools.org>; Phil Kurtz <pkurtz@wallpublicschools.org>; James Slattery <jslattery@wallpublicschools.org>; Jason Berhalter <jberhalter@wallpublicschools.org>; Kerrin McGowan <kmcgowan@wallpublicschools.org>; Bryan Clayton <bclayton@wallpublicschools.org>; John Higham <jhigham@wallpublicschools.org>; Lester W. Richens <lester.richenx@xxx.xx.gov>; Sean O'Halloran <sohalloran@wallpolice.org>; Michael Hurden <mhurden@wallpolice.org>; Ty Hughes <thughes@wallpolice.org>; Statebd <statebd@doe.nj.gov>; Jennifer McCann <jmccann@wallpublicschools.org>; Kathleen Doran <woods223@gmail.com>

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Larkins, Jeannette

From: xxxxxxxx@xxx.xxx
Sent: Thursday, September 21, 2023 3:48 PM
To: Lester W. Richens
Cc: comptroller; xxxxx.xxxx@xxx.xx.xxx; MacDougall Sc ott [OSC]; Dawn Choma; Madelyn Kolasis; Joyce McCabe; Elaine Harder; Jake Algor; Phil Kurtz; James Slattery; Jason Berhalter; kerrin mcgowan@wallpublicschools.org; Bryan Clayton; John Higham; Sean O'Halloran; Michael Hurden; Ty Hughes; Statebd; Jennifer Mccann; Kathleen Doran; Office of Superintendent
Subject: [EXTERNAL] Re: I still await the Separation Agreement - Employee ID 7343

*** 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
📧gov.

Dr. Richens:

Can you kindly reach out to Dr. Handerhan. I still do not have the Separation Agreement for Rose Sirchio.

Regards,

Betsy Cross

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Dr. Handerhan and Dr. Richens:

I submitted and OPRA for the **Settlement Agreement for employee number #7343** this am and requested it be returned by noon. Mr. Smyth is not returning it. Given he reports into you Dr. Handerhan can you ask that he promptly returns it.

It was voted on and approved last night at the public meeting via a hand carry so certainly this should have been sent to me immediately. If it had been attached, I would not have had to OPRA it.

What is the district hiding by not having it placed on the agenda last night?

Regards,

Betsy Cross

On Wednesday, September 20, 2023 at 12:33:04 PM EDT, bcross51x@xxx.xxm <bcross517@aol.com> wrote:

Immediate Access under OPRA - Kindly return all via e:mail%

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Immediate Access under OPRA - Kindly return all via e:mail

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Your attorney bills for just "Personnel matters" for May 2023, June 2023 and July 2023 were \$32,669.50. It is certainly time a state agency comes in and audit this Separation agreement and much more! The children of Wall deserve so much better!

Wall BOE President - Christine Steitz, I asked you again last night and was rudely cut off by the Wall BOE attorney Athina Cornell. So again, who gave my minor son's picture to the law firm of Sciarrillo, Cornell, McKeever Osborne LLC to be used in their reply brief **without** Dr. Handerman's knowledge per Lester Richens. Who is making decisions like this if not the Superintendent of the district? I did see Mr. Smyth was copied as well when his picture was unlawfully used in a reply brief. I would like this answer also by noon today.

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laugh to the reporter when he was asked this question from the Coast Star after the July BOE public meeting.

Regards,

Betsy Cross

----- Forwarded Message -----

From: xxxxxxxxxx@xxx.xxx <b xxxxxxxxxx@xxx.xxx>

To: OPRA Request <xxxx@xxxxxxxxxxxxxxxxxxxxxxx.xxx>

Cc: Boardmembers <boardmembers@wallpublicschools.org>; thanderxxx@xxxxxxxxxxxxxxxxxxxxxxx.xxx <thanderhan@wallpublicschools.org>; Craig Klein <cklein@rlminc.org>; Barbara Murphy <xxxxxxx@xxxxxxx.xxx>; comptroller <comptrollertips@osc.state.nj.us>; kevin.walsh@osc.nj.gov <xxxxxx.xxxxxx@xxx.xx.xxx>; MacDougall Scott[OSC] <scott.macdougall@osc.nj.gov>; Sean O'Halloran <xxxxxxxxxxx@xxxxxxxxxxxxxxx.xxx>; Michael Hurden <mhurden@wallpolice.org>; Ty Hughes <thughes@wallpolice.org>; Kathleen Doran <woods223@gmail.com>

Sent: Tuesday, August 22, 2023 at 03:59:57 PM EDT

Subject: OPRA request for public information

OPRA REQUEST FOR PUBLIC INFORMATION

Brian Smyth:

May I please have a copy of any claim submitted with all responsive documents including the claims transmittal form and tort claim notice form sent to Qual-Lynx from Brian Smyth, Dawn Choma or anyone in charge of sending in claims notices from the Wall Twp. School District. Be sure to include any claims submitted related to Luke Grasso. It should have been August 2019 from reviewing Dawn Choma's e:mail to Michael Gross.

The time frame is August 27, 2019 to June 30, 2020.

The fax number they are sent to at Qual-Lynx is (609) 365 - 4000.

Loss and Liability Claims

As soon as you are aware of the incident, report claim to Qual-Lynx.

Tel: (609) 653-8400

Fax: (609) 365-4000

Claims must be submitted via fax using the [Claim Transmittal Form](#).

[Tort Claims Notice](#)

Regards,

Betsy Cross

----- Forwarded Message -----

From: bcross517@aol.com <bcross517@aol.com>

To: OPRA Request <opra@wallpublicschools.org>

Cc: comptroller <comptrollxxxxxx@xxx.xxate.nj.us>; Kevin Walsh <kevin.walsh@osc.nj.gov>; MacDougall Scott [OSC] <scott.macdougall@osc.nj.gov>; Dawn Choma <dchoma@wallpublicschools.org>; Madelyn Kolasis <mkolasis@wallpublicschools.org>; Joyce McCabe <jmccabe@wallpublicschools.org>; Elaine Harder <eharder@wallpublicschools.org>; Jake Algor <jalgor@wallpublicschools.org>; Phil Kurtz <pkurtz@wallpublicschools.org>; James Slattery <jslattery@wallpublicschools.org>; Jason Berhalter <jberhalter@wallpublicschools.org>; kerrin mcgowan@wallpublicschools.org <kmcgowan@wallpublicschools.org>; Bryan Clayton <bclayton@wallpublicschools.org>; John Higham <jhigham@wallpublicschools.org>; Lester W. Richens <lester.richenx@xxx.xx.gov>; Sean O'Halloran <sohalloran@wallpolice.org>; Michael Hurden <mhurden@wallpolice.org>; Ty Hughes <thughes@wallpolice.org>; Statebd <statebd@doe.nj.gov>; Jennifer Mccann <jmccann@wallpublicschools.org>; Kathleen Doran <woods223@gmail.com>

Sent: Wednesday, September 20, 2023 at 12:33:04 PM EDT

Subject: I still await the Separation Agreement - Rose Sirchio

Immediate Access under OPRA - Kindly return all via e:mail %

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Immediate Access under OPRA - Kindly return all via e:mail

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Regards,

Betsy Cross

----- Forwarded Message -----

From: xxxxxxxxxx@xxx.xxx <b xxxxxxxxxx@xxx.xxx>

To: OPRA Request <xxxx@xxxxxxxxxxxxxxxxxxxxxxx.xxx>

Cc: Boardmembers <boardmembers@wallpublicschools.org>; thanderxxx@xxxxxxxxxxxxxxxxxxxxxxx.xxx <thanderhan@wallpublicschools.org>; Craig Klein <cklein@rlminc.org>; Barbara Murphy <xxxxxxx@xxxxxxx.xxx>; comptroller <comptrollertips@osc.state.nj.us>; kevin.walsh@osc.nj.gov <xxxxxx.xxxxx@xxx.xx.xxx>; MacDougall Scott[OSC] <scott.macdxxxxxx@xxx.xx.xxx>; Sean O'Halloran <xxxxxxxxxxx@xxxxxxxxxxxxxxx.xxx>; Michael Hurden <mhurden@wallpolice.org>; Ty Hughes <thughes@wallpolice.org>; Kathleen Doran <woods223@gmail.com>

Sent: Tuesday, August 22, 2023 at 03:59:57 PM EDT

Subject: OPRA request for public information

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Fax: (609) 365-4000

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[Tort Claims Notice](#)

Regards,

Betsy Cross

Larkins, Jeannette

From: xxxxxxxxx@xxx.xxx
Sent: Friday, September 22, 2023 2:38 PM
To: Lester W. Richens
Cc: kevin.walsh@osc.nj.gov; MacDougall Scott [OSC]; comptroller; Statebd; Sean O'Halloran; Michael Hurden; Ty Hughes; Roberta Lang; Sean Kean; Timothy Farrell; Kevin Orender; Tim Clayton; Erin Mangan; xxxxxxxxx@xxxxx.xxx
Subject: [EXTERNAL] Fw: I still await the Separation Agreement - Employee ID 7343 - Can Brian Smyth redact items and is it not considered Immediate Access?

***** 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
📧 gov.

Dr. Richens:

Can you kindly advise if the Wall BOE is allowed to redact anything in the Wall BOE Separation Agreement with Rose Sirchio signed by Wall BOE President Christine Steitz and advise if it is NOT considered immediate access?

Dr. Richens as you are aware, Mr. Sirchio has been on paid Administrative Leave since April 12, 2021. Without any mention of the separation agreement, it was a hand carry read by Mr. Smyth at the request of BOE President Christine Steitz on Tuesday night after 9:00 PM right before the vote of the consent agenda.

Why was it not on the agenda given the HS Principal job was posted on September 7, 2023?

Why was it not read into the record at **7:30 PM right after role call?**

Please see Mr. Smyth's reply below i received today.

"The Wall Township Board of Education, (District) is in receipt of your emailed request received at 9:58 AM on September 20, 2023, wherein you requested records to be returned to you by noon that day same day.

We are responding to the following request. "Immediate Access under OPRA - Kindly return all via e:mail May I please have a copy of the Separation Agreement for Rose Sirchio ID #7343.."

Please also know that the government record you have requested is not a record that is deemed to be an "immediate access" government record. The requested record is categorized as a Personnel Record that is subject to disclosure under OPRA subject to redactions as appropriate. With that considered, please know that a timely response will be provided in accordance with the requirements of OPRA".

KINDLY CONFIRM RECEIPT. Can you kindly remind me again who your supervisor is as I will reach out to them if I do not hear back from you. I know you sent me the person's name years ago, but I have no idea if it is the same person now.

I have copied the Comptroller's Office, my local assemblyman and Wall Municipal as well.

I look forward to your written response.

Regards,

Betsy Cross

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

Brian J. Smyth
Custodian of Records

Phone
FAX:

September 22, 2023

Betsy Cross
Re: OPRA 24-018

bcross517@aol.com

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“Immediate Access under OPRA - Kindly return all via e:mail

May I please have a copy of the Separation Agreement for Rose Sirchio ID

Please know that this response is only to the above quoted request within the first email and does not serve as a response to paragraphs 2 through 11 as those paragraphs are opinion and commentary on your part and not a request for government records. If you have requested, please simply state the government record you are requesting. A copy of the request is attached for reference.

Please also know that the government record you have requested is not a record that is subject to an “immediate access” government record. The requested record is categorized as a Record that is subject to disclosure under OPRA subject to redactions as appropriate. If considered, please know that a timely response will be provided in accordance with the provisions of OPRA.

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

----- Forwarded Message -----

From: bcross517@aol.com <bcross517@aol.com>

To: Lester W. Richens <lester.richenx@xxx.xx.xxv>

Cc: comptroller <comptrollxxxxxx@xxx.xxate.nj.us>; Kevin Walsh <kevin.walsh@osc.nj.gov>; MacDougall Scott [OSC] <scott.macdougall@osc.nj.gov>; Dawn Choma <dchoma@wallpublicschools.org>; Madelyn Kolasis <mkolasis@wallpublicschools.org>; Joyce McCabe <jmccabe@wallpublicschools.org>; Elaine Harder <eharder@wallpublicschools.org>; Jake Algor <jalgor@wallpublicschools.org>; Phil Kurtz <pkurtz@wallpublicschools.org>; James Slattery <jslattery@wallpublicschools.org>; Jason Berhalter <jberhalter@wallpublicschools.org>; Kerrin McGowan <kmcgowan@wallpublicschools.org>; Bryan Clayton <bclayton@wallpublicschools.org>; John Higham <jhigham@wallpublicschools.org>; Sean O'Halloran <sohalloran@wallpolice.org>; Michael Hurden <mhurden@wallpolice.org>; Ty Hughes <thughes@wallpolice.org>; Statebd <statebd@doe.nj.gov>; Jennifer McCann <jmccann@wallpublicschools.org>; Kathleen Doran <woods223@gmail.com>; Office of Superintendent <officeofsuperintendent@wallpublicschools.org>

Sent: Thursday, September 21, 2023 at 03:48:18 PM EDT

Subject: Re: I still await the Separation Agreement - Employee ID 7343

Dr. Richens:

Can you kindly reach out to Dr. Handerhan. I still do not have the Separation Agreement for Rose Sirchio.

Regards,

Betsy Cross

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Dr. Handerhan and Dr. Richens:

I submitted and OPRA for the **Settlement Agreement for employee number #7343** this am and requested it be returned by noon. Mr. Smyth is not returning it. Given he reports into you Dr. Handerhan can you ask that he promptly returns it.

It was voted on and approved last night at the public meeting via a hand carry so certainly this should have been sent to me immediately. If it had been attached, I would not have had to OPRA it.

What is the district hiding by not having it placed on the agenda last night?

Regards,

Betsy Cross

On Wednesday, September 20, 2023 at 12:33:04 PM EDT, bcross51x@xxx.xxm <bcross517@aol.com> wrote:

Immediate Access under OPRA - Kindly return all via e:mail%

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Immediate Access under OPRA - Kindly return all via e:mail

Hello Mr. Smyth:

May I please have a copy of the **Separation Agreement** for Rose Sirchio ID #7343 that was a hand carry on last night's agenda read by Brian Smyth.

There was nothing attached or provided to the public. It certainly should have been given her previous job was posted on September 7, 2023, it seemed planned that it was not on the agenda so no one would ever see it looking back to agenda's and not watching the meeting on the live stream.

The complete lack of Transparency at every turn in the Wall BOE is disturbing.

I would like this document by noon today.

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Your attorney bills for just "Personnel matters" for May 2023, June 2023 and July 2023 were \$32,669.50. It is certainly time a state agency comes in and audit this Separation agreement and much more! The children of Wall deserve so much better!

Wall BOE President - Christine Steitz, I asked you again last night and was rudely cut off by the Wall BOE attorney Athina Cornell. So again, who gave my minor son's picture to the law firm of Sciarrillo, Cornell, McKeever Osborne LLC to be used in their reply brief **without** Dr. Handerman's knowledge per Lester Richens. Who is making decisions like this if not the Superintendent of the district? I did see Mr. Smyth was copied as well when his picture was unlawfully used in a reply brief. I would like this answer also by noon today.

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Regards,

Betsy Cross

----- Forwarded Message -----

From: xxxxxxxxxx@xxx.xxx <b xxxxxxxxxx@xxx.xxx>

To: OPRA Request <xxxx@xxxxxxxxxxxxxxxxxxxxxxx.xxx>

Cc: Boardmembers <boardmembers@wallpublicschools.org>; thanderxxx@xxxxxxxxxxxxxxxxxxxxxxx.xxx <thanderhan@wallpublicschools.org>; Craig Klein <cklein@rlminc.org>; Barbara Murphy <xxxxxxx@xxxxxxx.xxx>; comptroller <comptrollertips@osc.state.nj.us>; kevin.walsh@osc.nj.gov <xxxxxx.xxxxxx@xxx.xx.xxx>; MacDougall Scott[OSC] <scott.macdougall@osc.nj.gov>; Sean O'Halloran <xxxxxxxxxxx@xxxxxxxxxxxxxxx.xxx>; Michael Hurden <mhurden@wallpolice.org>; Ty Hughes <thughes@wallpolice.org>; Kathleen Doran <woods223@gmail.com>

Sent: Tuesday, August 22, 2023 at 03:59:57 PM EDT

Subject: OPRA request for public information

OPRA REQUEST FOR PUBLIC INFORMATION

Brian Smyth:

May I please have a copy of any claim submitted with all responsive documents including the claims transmittal form and tort claim notice form sent to Qual-Lynx from Brian Smyth, Dawn Choma or anyone in charge of sending in claims notices from the Wall Twp. School District. Be sure to include any claims submitted related to Luke Grasso. It should have been August 2019 from reviewing Dawn Choma's e:mail to Michael Gross.

The time frame is August 27, 2019 to June 30, 2020.

The fax number they are sent to at Qual-Lynx is (609) 365 - 4000.

Loss and Liability Claims

As soon as you are aware of the incident, report claim to Qual-Lynx.

Tel: (609) 653-8400

Fax: (609) 365-4000

Claims must be submitted via fax using the [Claim Transmittal Form](#).

[Tort Claims Notice](#)

Regards,

Betsy Cross

Sent: Wednesday, September 20, 2023 at 12:33:04 PM EDT
Subject: I still await the Separation Agreement - Rose Sirchia

Immediate Access under OPRA - Kindly return all via e:mail %

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Immediate Access under OPRA - Kindly return all via e:mail

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Regards,

Betsy Cross

----- Forwarded Message -----

From: xxxxxxxxxx@xxx.xxx <b xxxxxxxxxx@xxx.xxx>

To: OPRA Request <xxxx@xxxxxxxxxxxxxxxxxxx.xxx>

Cc: Boardmembers <boardmembers@wallpublicschools.org>; thanderxxx@xxxxxxxxxxxxxxxxxxxxxxx.xxx <thanderhan@wallpublicschools.org>; Craig Klein <cklein@rlminc.org>; Barbara Murphy <xxxxxxx@xxxxxxx.xxx>; comptroller <comptrollertips@osc.state.nj.us>; kevin.walsh@osc.nj.gov <xxxxxx.xxxxxx@xxx.xx.xxx>; MacDougall Scott[OSC] <scott.macdougall@osc.nj.gov>; Sean O'Halloran <xxxxxxxxxxx@xxxxxxxxxxxxx.xxx>; Michael Hurden <mhurden@wallpolice.org>; Ty Hughes <thughes@wallpolice.org>; Kathleen Doran <woods223@gmail.com>

Sent: Tuesday, August 22, 2023 at 03:59:57 PM EDT

Subject: OPRA request for public information

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Fax: (609) 365-4000

Claims must be submitted via fax using the [Claim Transmittal Form](#).

[Tort Claims Notice](#)

Regards,

Betsy Cross

Larkins, Jeannette

From: xxxxxxxxx@xxx.xxx
Sent: Thursday, September 28, 2023 12:41 PM
To: Lester W. Richens
Cc: kevin.walsh@osc.nj.gov; MacDougall Scott [OSC]; comptroller; Statebd; Sean O'Halloran; Michael Hurden; Ty Hughes; Roberta Lang; Sean Kean; Timothy Farrell; Kevin Orender; Tim Clayton; Erin Mangan; xxxxxxxxx@xxxxx.xxx; Boardmembers; Office of Superintendent; OPRA Request; Jacqueline Roman; Wall Township News; Statebd; Statebd
Subject: [EXTERNAL] Re: I still await the Separation Agreement - Employee ID 7343 - Can Brian Smyth redact items and is it not considered Immediate Access?

*** CAUTION ***

This message came from an **EXTERNAL** address (**bcross517@aol.com**). **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.

2nd request

Dr. Richens:

I still have not received the settlement agreement for Rose Sirchio and responses to the below.

Can you advise when you approved the separation agreement for Rose Sirchio or was it the Commissioner of Education?

What is the hold up?

Regards,

Betsy Cross

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Dr. Richens:

Can you kindly advise if the Wall BOE is allowed to redact anything in the Wall BOE Separation Agreement with Rose Sirchio signed by Wall BOE President Christine Steitz and advise if it is NOT considered immediate access?

Dr. Richens as you are aware, Mr. Sirchio has been on paid Administrative Leave since April 12, 2021. Without any mention of the separation agreement, it was a hand carry read by Mr. Smyth at the request of BOE President Christine Steitz on Tuesday night after 9:00 PM right before the vote of the consent agenda.

Why was it not on the agenda given the HS Principal job was posted on September 7, 2023?

Why was it not read into the record at **7:30 PM right after role call?**

Please see Mr. Smyth's reply below i received today.

"The Wall Township Board of Education, (District) is in receipt of your emailed request received at 9:58 AM on September 20, 2023, wherein you requested records to be returned to you by noon that day same day.

We are responding to the following request. "Immediate Access under OPRA - Kindly return all via e:mail May I please have a copy of the Separation Agreement for Rose Sirchio ID #7343.."

Please also know that the government record you have requested is not a record that is deemed to be an "immediate access" government record. The requested record is categorized as a Personnel Record that is subject to disclosure under OPRA subject to redactions as appropriate. With that considered, please know that a timely response will be provided in accordance with the requirements of OPRA".

KINDLY CONFIRM RECEIPT. Can you kindly remind me again who your supervisor is as I will reach out to them if I do not hear back from you. I know you sent me the person's name years ago, but I have no idea if it is the same person now.

I have copied the Comptroller's Office, my local assemblyman and Wall Municipal as well.

I look forward to your written response.

Regards,

Betsy Cross

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

Brian J. Smyth
Custodian of Records

Phone
FAX:

September 22, 2023

Betsy Cross
Re: OPRA 24-018

bcross517@aol.com

Dear Ms. Cross,

The Wall Township Board of Education, (District) is in receipt of your emailed request at 9:58 AM on September 20, 2023, wherein you requested records to be returned to you the same day. We are responding to the following request.

“Immediate Access under OPRA - Kindly return all via e:mail

May I please have a copy of the Separation Agreement for Rose Sirchio ID

Please know that this response is only to the above quoted request within the first email and does not serve as a response to paragraphs 2 through 11 as those paragraphs are opinion and commentary on your part and not a request for government records. If you have a request, please simply state the government record you are requesting. A copy of the request is attached for reference.

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

----- Forwarded Message -----

From: bcross517@aol.com <bcross517@aol.com>

To: Lester W. Richens <lester.richenx@xxx.xx.xxv>

Cc: comptroller <comptrollxxxxxx@xxx.xxate.nj.us>; Kevin Walsh <kevin.walsh@osc.nj.gov>; MacDougall Scott [OSC] <scott.macdougall@osc.nj.gov>; Dawn Choma <dchoma@wallpublicschools.org>; Madelyn Kolasis <mkolasis@wallpublicschools.org>; Joyce McCabe <jmccabe@wallpublicschools.org>; Elaine Harder <eharder@wallpublicschools.org>; Jake Algor <jalgor@wallpublicschools.org>; Phil Kurtz <pkurtz@wallpublicschools.org>; James Slattery <jslattery@wallpublicschools.org>; Jason Berhalter <jberhalter@wallpublicschools.org>; kerrin mcgowan@wallpublicschools.org <kmcgowan@wallpublicschools.org>; Bryan Clayton <bclayton@wallpublicschools.org>; John Higham <jhigham@wallpublicschools.org>; Sean O'Halloran <sohalloran@wallpolice.org>; Michael Hurden <mhurden@wallpolice.org>; Ty Hughes <thughes@wallpolice.org>; Statebd <statebd@doe.nj.gov>; Jennifer Mccann <jmccann@wallpublicschools.org>; Kathleen Doran <woods223@gmail.com>; Office of Superintendent <officeofsuperintendent@wallpublicschools.org>

Sent: Thursday, September 21, 2023 at 03:48:18 PM EDT

Subject: Re: I still await the Separation Agreement - Employee ID 7343

Dr. Richens:

Can you kindly reach out to Dr. Handerhan. I still do not have the Separation Agreement for Rose Sirchio.

Regards,

Betsy Cross

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Dr. Handerhan and Dr. Richens:

I submitted and OPRA for the **Settlement Agreement for employee number #7343** this am and requested it be returned by noon. Mr. Smyth is not returning it. Given he reports into you Dr. Handerhan can you ask that he promptly returns it.

It was voted on and approved last night at the public meeting via a hand carry so certainly this should have been sent to me immediately. If it had been attached, I would not have had to OPRA it.

What is the district hiding by not having it placed on the agenda last night?

Regards,

Betsy Cross

On Wednesday, September 20, 2023 at 12:33:04 PM EDT, bcross51x@xxx.xxm <bcross517@aol.com> wrote:

Immediate Access under OPRA - Kindly return all via e:mail%

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Immediate Access under OPRA - Kindly return all via e:mail

Hello Mr. Smyth:

May I please have a copy of the **Separation Agreement** for Rose Sirchio ID #7343 that was a hand carry on last night's agenda read by Brian Smyth.

There was nothing attached or provided to the public. It certainly should have been given her previous job was posted on September 7, 2023, it seemed planned that it was not on the agenda so no one would ever see it looking back to agenda's and not watching the meeting on the live stream.

The complete lack of Transparency at every turn in the Wall BOE is disturbing.

I would like this document by noon today.

It seems we have paid Ms. Sirchio for 354 days in "paid" administrative leave since April 12, 2021 and Ms. Sirchio still has banked 327 days (see attached attendance records for July 1, 2022, through last week).

What exactly did the BOE members approve last night that the residents of Wall will be paying that you do not want us to see?.

I don't think anyone in Wall Twp. is shocked that not one person is running for the 3 open BOE seats this November. NO ONE wants to be a part of this Wall BOE given the complete lack of transparency.

Your attorney bills for just "Personnel matters" for May 2023, June 2023 and July 2023 were \$32,669.50. It is certainly time a state agency comes in and audit this Separation agreement and much more! The children of Wall deserve so much better!

Wall BOE President - Christine Steitz, I asked you again last night and was rudely cut off by the Wall BOE attorney Athina Cornell. So again, who gave my minor son's picture to the law firm of Sciarrillo, Cornell, McKeever Osborne LLC to be used in their reply brief **without** Dr. Handerman's knowledge per Lester Richens. Who is making decisions like this if not the Superintendent of the district? I did see Mr. Smyth was copied as well when his picture was unlawfully used in a reply brief. I would like this answer also by noon today.

The below OPRA is also overdue **regarding the Central School Trailers.**

Ms. Steitz has Mr. Smyth been deposed yet on the Central School Trailer lawsuit. This questioned has been asked during BOE meetings and in writing to no response. I recall watching Mr. Smyth just laugh to the reporter when he was asked this question from the Coast Star after the July BOE public meeting.

Regards,

Betsy Cross

----- Forwarded Message -----

From: xxxxxxxxxx@xxx.xxx <b xxxxxxxxxx@xxx.xxx>

To: OPRA Request <xxxx@xxxxxxxxxxxxxxxxxxxxxxx.xxx>

Cc: Boardmembers <boardmembers@wallpublicschools.org>; thanderxxx@xxxxxxxxxxxxxxxxxxxxxxx.xxx <thanderhan@wallpublicschools.org>; Craig Klein <cklein@rlminc.org>; Barbara Murphy <xxxxxxx@xxxxxxx.xxx>; comptroller <comptrollertips@osc.state.nj.us>; kevin.walsh@osc.nj.gov <xxxxxx.xxxxxx@xxx.xx.xxx>; MacDougall Scott[OSC] <scott.macdougall@osc.nj.gov>; Sean O'Halloran <xxxxxxxxxxx@xxxxxxxxxxxxxxx.xxx>; Michael Hurden <mhurden@wallpolice.org>; Ty Hughes <thughes@wallpolice.org>; Kathleen Doran <woods223@gmail.com>

Sent: Tuesday, August 22, 2023 at 03:59:57 PM EDT

Subject: OPRA request for public information

OPRA REQUEST FOR PUBLIC INFORMATION

Brian Smyth:

May I please have a copy of any claim submitted with all responsive documents including the claims transmittal form and tort claim notice form sent to Qual-Lynx from Brian Smyth, Dawn Choma or anyone in charge of sending in claims notices from the Wall Twp. School District. Be sure to include any claims submitted related to Luke Grasso. It should have been August 2019 from reviewing Dawn Choma's e:mail to Michael Gross.

The time frame is August 27, 2019 to June 30, 2020.

The fax number they are sent to at Qual-Lynx is (609) 365 - 4000.

Loss and Liability Claims

As soon as you are aware of the incident, report claim to Qual-Lynx.

Tel: (609) 653-8400

Fax: (609) 365-4000

Claims must be submitted via fax using the [Claim Transmittal Form](#).

[Tort Claims Notice](#)

Regards,

Betsy Cross

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Immediate Access under OPRA - Kindly return all via e:mail

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Regards,

Betsy Cross

----- Forwarded Message -----

From: xxxxxxxxxx@xxx.xxx <b xxxxxxxxxx@xxx.xxx>

To: OPRA Request <xxxx@xxxxxxxxxxxxxxxxxxxxxxx.xxx>

Cc: Boardmembers <boardmembers@wallpublicschools.org>; thanderxxx@xxxxxxxxxxxxxxxxxxxxxxxxxxx.xxx <thanderhan@wallpublicschools.org>; Craig Klein <cklein@rlminc.org>; Barbara Murphy <xxxxxxx@xxxxxxx.xxx>; comptroller <comptrollertips@osc.state.nj.us>; kevin.walsh@osc.nj.gov <xxxxxx.xxxxxx@xxx.xx.xxx>; MacDougall Scott[OSC] <scott.macdxxxxxx@xxx.xx.xxx>; Sean O'Halloran <xxxxxxxxxxx@xxxxxxxxxxxxxxx.xxx>; Michael Hurden <mhurden@wallpolice.org>; Ty Hughes <thughes@wallpolice.org>; Kathleen Doran <woods223@gmail.com>

Sent: Tuesday, August 22, 2023 at 03:59:57 PM EDT

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Tel: (609) 653-8400

Fax: (609) 365-4000

Claims must be submitted via fax using the [Claim Transmittal Form](#).

[Tort Claims Notice](#)

Regards,

Betsy Cross

Larkins, Jeannette

From: xxxxxxxxxx@xxx.xxx
Sent: Friday, September 29, 2023 8:24 AM
To: Lester W. Richens
Cc: kevin.walsh@osc.nj.gov; MacDougall Scott [OSC]; comptroller; Statebd; Sean O'Halloran; Michael Hurden; Ty Hughes; Roberta Lang; Sean Kean; Timothy Farrell; Kevin Orender; Tim Clayton; Erin Mangan; xxxxxxxxxx@xxxxx.xxx; Boardmembers; Office of Superintendent; OPRA Request; Jacqueline Roman; Wall Township News; Joe Strupp; Christine Steitz; Adam Nasr; Kathleen DiGiovanni; Dawn Choma; Madelyn Kolasis; Joyce McCabe; Elaine Harder; Jake Algor; Phil Kurtz; James Slattery; Jason Berhalter; Heather Daniel; kerrin mcgowan@wallpublicschools.org; Bryan Clayton; John Higham
Subject: [EXTERNAL] Re: I still await the Separation Agreement - Employee ID 7343 -

***** 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
🔒@gov.

3rd Request

Dr. Richens:

I still have not received the "separation agreement" for Rose Sirchio and responses to the below. Parents and Staff just received the below letter from Tracy Handerhan yesterday afternoon.

Can you advise when you approved the separation agreement for Rose Sirchio that seems to be effective 9 months from now on June 30, 2024, or was it the Commissioner of Education?

Today is the 7th business day for it to be returned from Mr. Smyth.

Regards,

Betsy Cross



WALL TOWNSHIP PUBLIC SCHOOLS

Office of the Superintendent

P.O. Box 1199 • 18th Avenue

Wall, NJ 07719

Dr. Tracy Handerhan
Superintendent of Schools

September 28, 2023

Dear WTPS Community:

As you may be aware, the District advertised for a permanent principal search on September 7. Applications were received through September 21. The search will continue into next week. The goal is to identify a candidate to lead Wall High School. At last week's Board of Education meeting, the Board approved for the purpose of retirement from Principal Sirchio, effective June 30, 2024.

I look forward to updating you on the principal search at the next Board of Education meeting. Please know that finding an outstanding candidate to lead Wall High School is a top priority for the Board of Education.

Sincerely,

Tracy R. Handerhan, D.Litt.
Superintendent of Schools

On Thursday, September 28, 2023 at 12:40:59 PM EDT, bcross517@aol.com <bcross517@aol.com> wrote:

2nd request

Dr. Richens:

I still have not received the settlement agreement for Rose Sirchio and responses to the below.

Can you advise when you approved the separation agreement for Rose Sirchio or was it the Commissioner of Education?

What is the hold up?

Regards,

Betsy Cross

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Dr. Richens:

Can you kindly advise if the Wall BOE is allowed to redact anything in the Wall BOE Separation Agreement with Rose Sirchio signed by Wall BOE President Christine Steitz and advise if it is NOT considered immediate access?

Dr. Richens as you are aware, Mr. Sirchio has been on paid Administrative Leave since April 12, 2021. Without any mention of the separation agreement, it was a hand carry read by Mr. Smyth at the request of BOE President Christine Steitz on Tuesday night after 9:00 PM right before the vote of the consent agenda.

Why was it not on the agenda given the HS Principal job was posted on September 7, 2023?

Why was it not read into the record at **7:30 PM right after role call?**

Please see Mr. Smyth's reply below i received today.

"The Wall Township Board of Education, (District) is in receipt of your emailed request received at 9:58 AM on September 20, 2023, wherein you requested records to be returned to you by noon that day same day.

We are responding to the following request. "Immediate Access under OPRA - Kindly return all via e:mail May I please have a copy of the Separation Agreement for Rose Sirchio ID #7343.."

Please also know that the government record you have requested is not a record that is deemed to be an "immediate access" government record. The requested record is categorized as a Personnel Record that is subject to disclosure under OPRA subject to redactions as appropriate. With that considered, please know that a timely response will be provided in accordance with the requirements of OPRA".

KINDLY CONFIRM RECEIPT. Can you kindly remind me again who your supervisor is as I will reach out to them if I do not hear back from you. I know you sent me the person's name years ago, but I have no idea if it is the same person now.

I have copied the Comptroller's Office, my local assemblyman and Wall Municipal as well.

I look forward to your written response.

Regards,

Betsy Cross

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

Brian J. Smyth
Custodian of Records

Phone
FAX:

September 22, 2023

Betsy Cross
Re: OPRA 24-018

bcross517@aol.com

Dear Ms. Cross,

The Wall Township Board of Education, (District) is in receipt of your emailed request at 9:58 AM on September 20, 2023, wherein you requested records to be returned to you the same day. We are responding to the following request.

“Immediate Access under OPRA - Kindly return all via e:mail

May I please have a copy of the Separation Agreement for Rose Sirchio ID

Please know that this response is only to the above quoted request within the first email and does not serve as a response to paragraphs 2 through 11 as those paragraphs are opinion and commentary on your part and not a request for government records. If you have requested, please simply state the government record you are requesting. A copy is attached for reference.

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----- Forwarded Message -----

From: bcross517@aol.com <bcross517@aol.com>

To: Lester W. Richens <lester.richenx@xxx.xx.xxv>

Cc: comptroller <comptrollxxxxxx@xxx.xxate.nj.us>; Kevin Walsh <kevin.walsh@osc.nj.gov>; MacDougall Scott [OSC] <scott.macdougall@osc.nj.gov>; Dawn Choma <dchoma@wallpublicschools.org>; Madelyn Kolasis <mkolasis@wallpublicschools.org>; Joyce McCabe <jmccabe@wallpublicschools.org>; Elaine Harder <eharder@wallpublicschools.org>; Jake Algor <jalgor@wallpublicschools.org>; Phil Kurtz <pkurtz@wallpublicschools.org>; James Slattery <jslattery@wallpublicschools.org>; Jason Berhalter <jberhalter@wallpublicschools.org>; kerrin mcgowan@wallpublicschools.org <kmcgowan@wallpublicschools.org>; Bryan Clayton <bclayton@wallpublicschools.org>; John Higham <jhigham@wallpublicschools.org>; Sean O'Halloran <sohalloran@wallpolice.org>; Michael Hurden <mhurden@wallpolice.org>; Ty Hughes <thughes@wallpolice.org>; Statebd <statebd@doe.nj.gov>; Jennifer Mccann <jmccann@wallpublicschools.org>; Kathleen Doran <woods223@gmail.com>; Office of Superintendent <officeofsuperintendent@wallpublicschools.org>

Sent: Thursday, September 21, 2023 at 03:48:18 PM EDT

Subject: Re: I still await the Separation Agreement - Employee ID 7343

Dr. Richens:

Can you kindly reach out to Dr. Handerhan. I still do not have the Separation Agreement for Rose Sirchio.

Regards,

Betsy Cross

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Immediate Access under OPRA - Kindly return all via e:mail%

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Immediate Access under OPRA - Kindly return all via e:mail

Hello Mr. Smyth:

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The complete lack of Transparency at every turn in the Wall BOE is disturbing.

I would like this document by noon today.

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What exactly did the BOE members approve last night that the residents of Wall will be paying that you do not want us to see?.

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Wall BOE President - Christine Steitz, I asked you again last night and was rudely cut off by the Wall BOE attorney Athina Cornell. So again, who gave my minor son's picture to the law firm of Sciarrillo, Cornell, McKeever Osborne LLC to be used in their reply brief **without** Dr. Handerman's knowledge per Lester Richens. Who is making decisions like this if not the Superintendent of the district? I did see Mr. Smyth was copied as well when his picture was unlawfully used in a reply brief. I would like this answer also by noon today.

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Regards,

Betsy Cross

----- Forwarded Message -----

From: xxxxxxxxxx@xxx.xxx <b xxxxxxxxxx@xxx.xxx>

To: OPRA Request <xxxx@xxxxxxxxxxxxxxxxxxxxxxx.xxx>

Cc: Boardmembers <boardmembers@wallpublicschools.org>; thanderxxx@xxxxxxxxxxxxxxxxxxxxxxx.xxx <thanderhan@wallpublicschools.org>; Craig Klein <cklein@rlminc.org>; Barbara Murphy <xxxxxxx@xxxxxxx.xxx>; comptroller <comptrollertips@osc.state.nj.us>; kevin.walsh@osc.nj.gov <xxxxxx.xxxxxx@xxx.xx.xxx>; MacDougall Scott[OSC] <scott.macdxxxxxx@xxx.xx.xxx>; Sean O'Halloran <xxxxxxxxxxx@xxxxxxxxxxxxxxx.xxx>; Michael Hurden <mhurden@wallpolice.org>; Ty Hughes <thughes@wallpolice.org>; Kathleen Doran <woods223@gmail.com>

Sent: Tuesday, August 22, 2023 at 03:59:57 PM EDT

Subject: OPRA request for public information

OPRA REQUEST FOR PUBLIC INFORMATION

Brian Smyth:

May I please have a copy of any claim submitted with all responsive documents including the claims transmittal form and tort claim notice form sent to Qual-Lynx from Brian Smyth, Dawn Choma or anyone in charge of sending in claims notices from the Wall Twp. School District. Be sure to include any claims submitted related to Luke Grasso. It should have been August 2019 from reviewing Dawn Choma's e:mail to Michael Gross.

The time frame is August 27, 2019 to June 30, 2020.

The fax number they are sent to at Qual-Lynx is (609) 365 - 4000.

Loss and Liability Claims

As soon as you are aware of the incident, report claim to Qual-Lynx.

Tel: (609) 653-8400

Fax: (609) 365-4000

Claims must be submitted via fax using the [Claim Transmittal Form](#).

[Tort Claims Notice](#)

Regards,

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[Tort Claims Notice](#)

Regards,

Betsy Cross

Larkins, Jeannette

From: OPRA Request <xxxx@xxxxxxxxxxxxxxxxxxx.xxx>
Sent: Friday, September 29, 2023 9:00 AM
To: xxxxxxxxx@xxx.xxx
Cc: Lester W. Richens; kevin.walsh@osc.nj.gov; MacDougall Scott [OSC]; comptroller; Statebd; Sean O'Halloran; Michael Hurden; Ty Hughes; Roberta Lang; Sean Kean; Timothy Farrell; Kevin Orender; Tim Clayton; Erin Mangan; xxxxxxxxx@xxxxx.xx g; Boardmembers; Office of Superintendent; Jacqueline Roman; Wall Township News
Subject: [EXTERNAL] Re: I still await the Separation Agreement - Employee ID 7343 - Can Brian Smyth redact items and is it not considered Immediate Access?
Attachments: Screenshot_20230922_133727_Drive.jpg

*** CAUTION ***

This message came from an **EXTERNAL** address (opra@wallpublicschools.org). **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,

Please do not copy this email address when communicating with others. This email address is for the purpose of submitting requests for records pursuant to the Open Public Records Act.

Brian Smyth
Custodian of Records
Wall Township Public School District
email: opra@wall.k12.nj.us

On Thu, Sep 28, 2023 at 12:41 PM bcross517@aol.com <bcross517@aol.com> wrote:
2nd request

Dr. Richens:

I still have not received the settlement agreement for Rose Sirchio and responses to the below.

Can you advise when you approved the separation agreement for Rose Sirchio or was it the Commissioner of Education?

What is the hold up?

Regards,

Betsy Cross

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Dr. Richens:

Can you kindly advise if the Wall BOE is allowed to redact anything in the Wall BOE Separation Agreement with Rose Sirchio signed by Wall BOE President Christine Steitz and advise if it is NOT considered immediate access?

Dr. Richens as you are aware, Mr. Sirchio has been on paid Administrative Leave since April 12, 2021. Without any mention of the separation agreement, it was a hand carry read by Mr. Smyth at the request of BOE President Christine Steitz on Tuesday night after 9:00 PM right before the vote of the consent agenda.

Why was it not on the agenda given the HS Principal job was posted on September 7, 2023?

Why was it not read into the record at **7:30 PM right after role call?**

Please see Mr. Smyth's reply below i received today.

"The Wall Township Board of Education, (District) is in receipt of your emailed request received at 9:58 AM on September 20, 2023, wherein you requested records to be returned to you by noon that day same day.

We are responding to the following request. "Immediate Access under OPRA - Kindly return all via e:mail May I please have a copy of the Separation Agreement for Rose Sirchio ID #7343.."

Please also know that the government record you have requested is not a record that is deemed to be an "immediate access" government record. The requested record is categorized as a Personnel Record that is subject to disclosure under OPRA subject to redactions as appropriate. With that considered, please know that a timely response will be provided in accordance with the requirements of OPRA".

KINDLY CONFIRM RECEIPT. Can you kindly remind me again who your supervisor is as I will reach out to them if I do not hear back from you. I know you sent me the person's name years ago, but I have no idea if it is the same person now.

I have copied the Comptroller's Office, my local assemblyman and Wall Municipal as well.

I look forward to your written response.

Regards,

Betsy Cross



----- Forwarded Message -----

From: bcross517@aol.com <bcross517@aol.com>

To: Lester W. Richens <lester.richenx@xxx.xx.xv>

Cc: comptroller <comptrollexxxx@xxx.xxate.nj.us> kevin.walsh@osc.nj.gov <kevin.walsh@osc.nj.gov>; MacDougall Scott [OSC] <scott.macdougall@osc.nj.gov>; Dawn Choma <dchoma@wallpublicschools.org>; Madelyn Kolasis <mkolasis@wallpublicschools.org>; Joyce McCabe <jmccabe@wallpublicschools.org>; Elaine Harder <eharder@wallpublicschools.org>; Jake Algor <jalgor@wallpublicschools.org>; Phil Kurtz <pkurtz@wallpublicschools.org>; James Slattery <jslattery@wallpublicschools.org>; Jason Berhalter <jberhalter@wallpublicschools.org>; kerrin mcgowan@wallpublicschools.org <kmcgowan@wallpublicschools.org>; Bryan Clayton <xxxxxxx@xxxxxxxxxxxxxxxxxxx> John Higham <jhigham@wallpublicschools.org>; Sean O'Halloran <sohalloran@wallpolice.org>; Michael Hurden <xxxxxxx@xxxxxxxxxxx>; Ty Hughes <thughes@wallpolice.org>; Statebd <statebd@doe.nj.gov>; Jennifer Mccann <jmccann@wallpublicschools.org>; Kathleen Doran <woods223@gmail.com>; Office of Superintendent <officeofsuperintendent@wallpublicschools.org>

Sent: Thursday, September 21, 2023 at 03:48:18 PM EDT

Subject: Re: I still await the Separation Agreement - Employee ID 7343

Dr. Richens:

Can you kindly reach out to Dr. Handerhan. I still do not have the Separation Agreement for Rose Sirchio.

Regards,

Betsy Cross

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Immediate Access under OPRA - Kindly return all via e:mail

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Regards,

Betsy Cross

----- Forwarded Message -----

From: xxxxxxxx@xxx.xxx <xxxxxxxx@xxx.xxx>

To: OPRA Request <xxxx@xxxxxxxxxxxxxxxxxxx.xx>

Cc: Boardmembers <xxxxxxxx@xxxxxxxxxxxxxxxxxxx.xx>; thxxxxxxxx@xxxxxxxxxxxxxxxxxxx.xx <thanderhan@wallpublicschools.org>; Craig Klein <cklein@rlminc.org>; Barbara Murphy <xxxxxxx@xxxxxx.xxx>; comptroller <comptrollertips@osc.state.nj.us>; kevin.walsh@osc.nj.gov <xxxxxx.xxxxx@xxx.xx.xxx>; MacDougall Scott [OSC] <scott.macdoxxxxx@xxx.xx.xx>; Sean O'Halloran <xxxxxxxx@xxxxxxxxxxx.xx>; Michael Hurden <xxxxxxx@xxxxxxxxxxx.xx>; Ty Hughes <thughes@wallpolice.org>; Kathleen Doran <woods223@gmail.com>

Sent: Tuesday, August 22, 2023 at 03:59:57 PM EDT

Subject: OPRA request for public information

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[Tort Claims Notice](#)

Regards,

Betsy Cross

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From: bcross517@aol.com <bcross517@aol.com>

To: OPRA Request <opra@wallpublicschools.org>

Cc: comptroller <comptrollexxxx@xxx.xxate.nj.us> kevin.walsh@osc.nj.gov <kevin.walsh@osc.nj.gov>; MacDougall Scott [OSC] <scott.macdougall@osc.nj.gov>; Dawn Choma <dchoma@wallpublicschools.org>; Madelyn Kolasis <mkolasis@wallpublicschools.org>; Joyce McCabe <jmccabe@wallpublicschools.org>; Elaine Harder <eharder@wallpublicschools.org>; Jake Algor <jalgor@wallpublicschools.org>; Phil Kurtz <pkurtz@wallpublicschools.org>; James Slattery <jslattery@wallpublicschools.org>; Jason Berhalter <jberhalter@wallpublicschools.org>; kerrin mcgowan@wallpublicschools.org <kmcgowan@wallpublicschools.org>; Bryan Clayton <xxxxxxxx@xxxxxxxxxxxxxxxxxx> John Higham <jhigham@wallpublicschools.org>; Lester W. Richens <lester.richens@doe.nj.gov>; Sean O'Halloran <sohalloran@wallpolice.org>; Michael Hurden <mhurden@wallpolice.org>; Ty Hughes <thughes@wallpolice.org>; Statebd <statebd@doe.nj.gov>; Jennifer Mccann <jmccann@wallpublicschools.org>; Kathleen Doran <woods223@gmail.com>

Sent: Wednesday, September 20, 2023 at 12:33:04 PM EDT

Subject: I still await the Separation Agreement - Rose Sirchio

Immediate Access under OPRA - Kindly return all via e:mail %

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Regards,

Betsy Cross

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From: xxxxxxxx@xxx.xxx <xxxxxxxx@xxx.xxx>

To: OPRA Request <xxxx@xxxxxxxxxxxxxxxxxxx.xx>

Cc: Boardmembers <xxxxxxxx@xxxxxxxxxxxxxxxxxxx.xxx>; thxxxxxxxx@xxxxxxxxxxxxxxxxxxx.xxx <thanderhan@wallpublicschools.org>; Craig Klein <cklein@rlminc.org>; Barbara Murphy <xxxxxxx@xxxxxx.xxx>; comptroller <comptrollertips@osc.state.nj.us>; kevin.walsh@osc.nj.gov <xxxxxx.xxxxx@xxx.xx.xxx>; MacDougall Scott [OSC] <scott.macdoxxxxx@xxx.xx.xxx>; Sean O'Halloran <xxxxxxxx@xxxxxxxxxxx.xx>; Michael Hurden <xxxxxxx@xxxxxxxxxxx.xx>; Ty Hughes <thughes@wallpolice.org>; Kathleen Doran <woods223@gmail.com>

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Subject: OPRA request for public information

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[Tort Claims Notice](#)

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Betsy Cross

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

Brian J. Smyth
Custodian of Records

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

September 22, 2023

Betsy Cross
Re: OPRA 24-018

bcross517@aol.com

Dear Ms. Cross,

The Wall Township Board of Education, (District) is in receipt of your emailed request received at 9:58 AM on September 20, 2023, wherein you requested records to be returned to you by noon that day same day. We are responding to the following request.

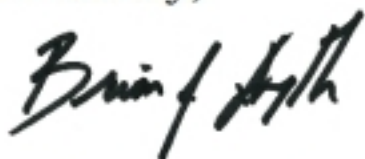
"Immediate Access under OPRA - Kindly return all via e:mail
May I please have a copy of the Separation Agreement for Rose Sirchio ID #7343.."

Please know that this response is only to the above quoted request within the first paragraph of your email and does not serve as a response to paragraphs 2 through 11 as those paragraphs appear to be opinion and commentary on your part and not a request for government records. As previously requested, please simply state the government record you are requesting. A copy of your email is attached for reference.

Please also know that the government record you have requested is not a record that is deemed to be an "immediate access" government record. The requested record is categorized as a Personnel Record that is subject to disclosure under OPRA subject to redactions as appropriate. With that considered, please know that a timely response will be provided in accordance with the requirements of OPRA.

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

Sincerely,



Brian J. Smyth
Custodian of Records

BJS/dc

Larkins, Jeannette

From: xxxxxxxxx@xxx.xxx
Sent: Friday, September 29, 2023 10:20 AM
To: OPRA Request
Cc: comptroller; xxxxx.xxxxx@xxx.xx.xxx; MacDougall Scott [OSC]; Dawn Choma; Madelyn Kolasis; Joyce McCabe; Elaine Harder; Jake Algor; Phil Kurtz; James Slattery; Jason Berhalter; kerrin mcgowan@wallpublicschools.org; Bryan Clayton; John Higham; Lester W. Richens; Sean O'Halloran; Michael Hurden; Ty Hughes; Statebd; Jennifer Mccann; Kathleen Doran; Wall Township News; Jacqueline Roman; Joe Strupp; Boardmembers; Christine Steitz; DCA Feedback; Jorden Schiff
Subject: [EXTERNAL] Re: Separation Agreement - Rose Sirchio and more
Attachments: 22-23 Attendance records - sirchio, handerhan and smyth OPRA 23 182B.pdf; Rose Sirchio, Tracy Handerhan and Brian Smyth Attendance records - OPRA 24-014.pdf; May 2023 Attorney bills - Cornell Merlino etc - OPRA 24 001 returned 7-10-2023.pdf; June and July 2023 Attorney bills - OPRA 24-013 - MCPO pages 17 and 19.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

📧@nj.gov.

Mr. Smyth:

Just a friendly reminder that today is the 10th day since sending this OPRA to you and the 7th business day. I sent this Wednesday, September 20, 2023, at 9:58 AM given the hand carry almost 2 weeks ago and it still has not been returned. I will not be granting an extension. I hope you can send it before court today in Freehold at 2:30 PM for Cross v. Wall BOE - Smyth, Nasr and Handerhan.

I look forward to receiving the Separation Agreement for Ms. Sirchio signed by Wall BOE President Christine Steitz at your earliest opportunity via e:mail.

Regards,

Betsy Cross

Betsy Cross



WALL TOWNSHIP PUBLIC SCHOOLS

Office of the Superintendent

P.O. Box 1199 • 18th Avenue

Wall, NJ 07719

Dr. Tracy Handerhan
Superintendent of Schools

September 28, 2023

Dear WTPS Community:

As you may be aware, the District advertised for a permanent principal search on September 7. Applications were received through September 21. The search will continue into next week. The goal is to identify a candidate to lead the District. At last week's Board of Education meeting, the Board approved for the purpose of retirement from Principal Sirchio, effective June 30, 2024.

I look forward to updating you on the principal search at the next Board of Education meeting. Please know that finding an outstanding candidate to lead Wall High School is a top priority for the Board of Education.

Sincerely,

Tracy R. Handerhan, D.Litt.
Superintendent of Schools

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From: xxxxxxxxx@xxx.xxx <b xxxxxxxxx@xxx.xxx>

To: OPRA Request <xxxx@xxxxxxxxxxxxxxxxxxx.xxx>

Cc: Boardmembers <boardmembers@wallpublicschools.org>; thanderxxx@xxxxxxxxxxxxxxxxxxx.xxx <thanderhan@wallpublicschools.org>; Craig Klein <cklein@rlmnc.org>; Barbara Murphy <xxxxxxx@xxxxxx.xxx>; comptroller <comptrollertips@osc.state.nj.us>; kevin.walsh@osc.nj.gov <xxxxxx.xxxxx@xxx.xx.xxx>; MacDougall Scott[OSC] <scott.macdxxxxxx@xxx.xx.xxx>; Sean O'Halloran <xxxxxxxxxx@xxxxxxxxxxx.xxx>; Michael Hurden <mhurden@wallpolice.org>; Ty Hughes <thughes@wallpolice.org>; Kathleen Doran <woods223@gmail.com>

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Regards,

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Larkins, Jeannette

From: xxxxxxxxx@xxx.xxx
Sent: Friday, September 29, 2023 11:03 AM
To: Lester W. Richens
Cc: Jorden Schiff; DCA Feedback; comptroller
Subject: [EXTERNAL] Fw: Separation Agreement - Rose Sirchio and more
Attachments: 22-23 Attendance records - sirchio, handerhan and smyth OPRA 23 182B.pdf; Rose Sirchio, Tracy Handerhan and Brian Smyth Attendance records - OPRA 24-014.pdf; May 2023 Attorney bills - Cornell Merlino etc - OPRA 24 001 returned 7-10-2023.pdf; June and July 2023 Attorney bills - OPRA 24-013 - MCPO pages 17 and 19.pdf

***** CAUTION *****

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NJ.gov.

Dr. Richens:

I just left you a detailed Voicemail regarding the Wall BOE as no one is answering the phones in your office. I left the message on Hatice's line.

I look forward to hearing from you today. Your e:mail message reply kicked back mentions you are only in the office until 3:30 today and then out until Tuesday.

So kindly reply before then as I have been reaching out to you for months without a simple reply.

Regards,

Betsy Cross

I will be out of the office today starting at 3:30 p.m. and not returning until 11:30 a.m. on Tuesday, October 3rd.

Lester W. Richens, Ed.D., Interim Exec. Cty. Supt.

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.

----- Forwarded Message -----

From: bcross517@aol.com <bcross517@aol.com>
To: OPRA Request <opra@wallpublicschools.org>

Cc: comptroller <comptrollxxxxxx@xxx.xxate.nj.us>; Kevin.Wah@osc.nj.gov <kevin.walsh@osc.nj.gov>; MacDougall Scott [OSC] <scott.macdougall@osc.nj.gov>; Dawn Choma <dchoma@wallpublicschools.org>; Madelyn Kolasis <mkolasis@wallpublicschools.org>; Joyce McCabe <jmccabe@wallpublicschools.org>; Elaine Harder <eharder@wallpublicschools.org>; Jake Algor <jalgor@wallpublicschools.org>; Phil Kurtz <pkurtz@wallpublicschools.org>; James Slattery <jslattery@wallpublicschools.org>; Jason Berhalter <jberhalter@wallpublicschools.org>; kerrin mcgowan@wallpublicschools.org <kmcgowan@wallpublicschools.org>; Bryan Clayton <bclayton@wallpublicschools.org>; John Higham <jhigham@wallpublicschools.org>; Lester W. Richens <lester.richenx@xxx.xx.gov>; Sean O'Halloran <sohalloran@wallpolice.org>; Michael Hurden <mhurden@wallpolice.org>; Ty Hughes <thughes@wallpolice.org>; Statebd <statebd@doe.nj.gov>; Jennifer Mccann <jmccann@wallpublicschools.org>; Kathleen Doran <woods223@gmail.com>; Wall Township News <wall@thecoaststar.com>; Jacqueline Roman <jroman@njadvancemedia.com>; Joe Strupp <jstrupp@gannettmj.com>; Boardmembers <boardmembers@wallpublicschools.org>; Christine Steitz <csteitz@wallpublicschools.org>; DCA Feedback <dfeedback@dca.nj.gov>; Jorden Schiff <jorden.xxxxxx@xxx.xx.xxv>

Sent: Friday, September 29, 2023 at 10:19:49 AM EDT

Subject: Re: Separation Agreement - Rose Sirchio and more

Mr. Smyth:

Just a friendly reminder that today is the 10th day since sending this OPRA to you and the 7th business day. I sent this Wednesday, September 20, 2023, at 9:58 AM given the hand carry almost 2 weeks ago and it still has not been returned. I will not be granting an extension. I hope you can send it before court today in Freehold at 2:30 PM for Cross v. Wall BOE - Smyth, Nasr and Handerhan.

I look forward to receiving the Separation Agreement for Ms. Sirchio signed by Wall BOE President Christine Steitz at your earliest opportunity via e:mail.

Regards,

Betsy Cross

Betsy Cross



WALL TOWNSHIP PUBLIC SCHOOLS

Office of the Superintendent

P.O. Box 1199 • 18th Avenue

Wall, NJ 07719

Dr. Tracy Handerhan
Superintendent of Schools

September 28, 2023

Dear WTPS Community:

As you may be aware, the District advertised for a permanent principal search on September 7. Applications were received through September 21. The search will continue into next week. The goal is to identify a candidate to lead the District. At last week's Board of Education meeting, the Board approved for the purpose of retirement from Principal Sirchio, effective June 30, 2024.

I look forward to updating you on the principal search at the next Board of Education meeting. Please know that finding an outstanding candidate to lead Wall High School is a top priority for the Board of Education.

Sincerely,

Tracy R. Handerhan, D.Litt.
Superintendent of Schools

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Immediate Access under OPRA - Kindly return all via e:mail

Hello Mr. Smyth:

May I please have a copy of the **Separation Agreement** for Rose Sirchio ID #7343 that was a hand carry on last night's agenda read by Brian Smyth.

There was nothing attached or provided to the public. It certainly should have been given her previous job was posted on September 7, 2023, it seemed planned that it was not on the agenda so no one would ever see it looking back to agenda's and not watching the meeting on the live stream.

The complete lack of Transparency at every turn in the Wall BOE is disturbing.

I would like this document by noon today.

It seems we have paid Ms. Sirchio for 354 days in "paid" administrative leave since April 12, 2021 and Ms. Sirchio still has banked 327 days (see attached attendance records for July 1, 2022, through last week).

What exactly did the BOE members approve last night that the residents of Wall will be paying that you do not want us to see?.

I don't think anyone in Wall Twp. is shocked that not one person is running for the 3 open BOE seats this November. NO ONE wants to be a part of this Wall BOE given the complete lack of transparency.

Your attorney bills for just "Personnel matters" for May 2023, June 2023 and July 2023 were \$32,669.50. It is certainly time a state agency comes in and audit this Separation agreement and much more! The children of Wall deserve so much better!

Wall BOE President - Christine Steitz, I asked you again last night and was rudely cut off by the Wall BOE attorney Athina Cornell. So again, who gave my minor son's picture to the law firm of Sciarrillo, Cornell, McKeever Osborne LLC to be used in their reply brief **without** Dr. Handershan's knowledge per Lester Richens. Who is making decisions like this if not the Superintendent of the district? I did see Mr. Smyth was copied as well when his picture was unlawfully used in a reply brief. I would like this answer also by noon today.

The below OPRA is also overdue **regarding the Central School Trailers.**

Ms. Steitz has Mr. Smyth been deposed yet on the Central School Trailer lawsuit. This questioned has been asked during BOE meetings and in writing to no response. I recall watching Mr. Smyth just laugh to the reporter when he was asked this question from the Coast Star after the July BOE public meeting.

Regards,

Betsy Cross

----- Forwarded Message -----

From: xxxxxxxxx@xxx.xxx <b xxxxxxxxx@xxx.xxx>

To: OPRA Request <xxxx@xxxxxxxxxxxxxxxxxxx.xxx>

Cc: Boardmembers <boardmembers@wallpublicschools.org>; thanderxxx@xxxxxxxxxxxxxxxxxxx.xxx <thanderhan@wallpublicschools.org>; Craig Klein <cklein@rlmnc.org>; Barbara Murphy <xxxxxxx@xxxxxx.xxx>; comptroller <comptrollertips@osc.state.nj.us>; kevin.walsh@osc.nj.gov <xxxxxx.xxxxx@xxx.xx.xxx>; MacDougall Scott[OSC] <scott.macdxxxxxx@xxx.xx.xxx>; Sean O'Halloran <xxxxxxxxxx@xxxxxxxxxxx.xxx>; M~~ia~~el Hurden <mhurden@wallpolice.org>; Ty Hughes <thughes@wallpolice.org>; Kathleen Doran <woods223@gmail.com>

Sent: Tuesday, August 22, 2023 at 03:59:57 PM EDT

Subject: OPRA request for public information

OPRA REQUEST FOR PUBLIC INFORMATION

Brian Smyth:

May I please have a copy of any claim submitted with all responsive documents including the claims transmittal form and tort claim notice form sent to Qual-Lynx from Brian Smyth, Dawn Choma or anyone in charge of sending in claims notices from the Wall Twp. School District. Be sure to include any claims submitted related to Luke Grasso. It should have been August 2019 from reviewing Dawn Choma's e:mail to Michael Gross.

The time frame is August 27, 2019 to June 30, 2020.

The fax number they are sent to at Qual-Lynx is (609) 365 - 4000.

Loss and Liability Claims

As soon as you are aware of the incident, report claim to Qual-Lynx.

Tel: (609) 653-8400

Fax: (609) 365-4000

Claims must be submitted via fax using the [Claim Transmittal Form](#).

[Tort Claims Notice](#)

Regards,

Betsy Cross

Larkins, Jeannette

From: xxxxxxxxx@xxx.xxx
Sent: Wednesday, October 4, 2023 1:24 PM
To: OPRA Request; Brian Smyth
Cc: comptroller; xxxxx.xxxxx@xxx.xx.xxx; MacDougall Sc ott [OSC]; Boardmembers; Christine Steitz; Adam Nasr; Kathleen DiGiovanni; thanderhan@wallpublicschools.org; Office of Superintendent; Sean O'Halloran; Michael Hurden; Ty Hughes; Lester W. Richens; Jennifer Mccann; Dawn Choma; Madelyn Kolasis; Joyce McCabe; Elaine Harder; John Higham; Jake Algor; Phil Kurtz; James Slattery; Jason Berhalter; kerrin mcgowan@wallpublicschools.org; Bryan Clayton; JAMAR PURNSLEY; Statebd; Kathleen Doran; DCA Feedback; xxxxxx.xxxxx@xxx.xx.xxx
Subject: [EXTERNAL] OPRA 24-018 - Redacted Separation Agreement for Rosaleen Sirchio - I consider this request still OPEN and offer you an extension until Tuesday, 10/10/2023
Attachments: OPRA 24-018B Response Cvr Ltr with attachment.pdf; August 2023 - attorney bills - OPRA 24 - 023.pdf; June 2023 and July 2023 - OPRA 24-013.pdf; OPRA 23 164 Rose Sirchio 20-21, 21-22, 22-23 as of 4-27-23 returned 5-8-2023.pdf; OPRA 24-014 - 23-24 sirchio attendance records returned 9-15-2023.pdf

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Dear Brian Smyth:

I am receipt of your correspondence of September 29, 2023 (see attached and below), which accompanied the heavily redacted Separation Agreement for Rosaleen Sirchio under OPRA. The documents are signed by Rosaleen Sirchio, Brian Smyth (BA), Christine Steitz (BOE President) and Dawn Choma (Mr. Smyth's Secretary).

In your correspondence, you stated that the reason for the redaction was that the redacted text was **"a personnel matter pursuant to N.J.S.A 47:1A-10"**. For the reasons stated below, I believe that simply stating **"a personnel matter pursuant to N.J.S.A 47:1A-10"** does not comply with the Open Public Records Act (OPRA). Accordingly, I consider this request still **open** and offer you an extension until Tuesday, October 10, 2023, to provide me with either unredacted (or more narrowly redacted) responsive records and/or an explanation that properly justifies any redactions that you feel are legitimate.

OPRA, specifically N.J.S.A. 47:1A-5(g), requires records custodians, when denying access to a record in whole or part, to inform the requestor of "the specific basis" for the denial. Beyond stating the "specific basis" for each suppression, the custodian is required to "produce specific reliable evidence sufficient to meet a statutorily recognized basis for confidentiality." *Courier News v. Hunterdon County Prosecutor's Office*, 358 N.J. Super. 373, 382-83 (App. Div. 2003). Further, he or she must explain each suppression in a manner that "without revealing information itself privileged or protected, will enable other parties to assess the applicability of the privilege or protection." *Paff v. New Jersey Department of Labor, Board of Review*, 379 N.J. Super. 346, 354-55 (2005) (quoting R.

4:10-2(e)) (emphasis in original). More recently, the Appellate Division reaffirmed its commitment to this principle in *Burke v. Brandes*, 429 N.J. Super. 169, 178 (App. Div. 2012).

These cases prescribe how custodians are to explain and justify the redactions they make to records and are legally binding. I have no desire for you to burden the Wall taxpayers with the costs of another lawsuit. Rather, I write to encourage you (with the help of the **Wall BOE attorney - Athena Cornell of Cornell, Merlino, McKeever & Osborne, LLC**) to reconsider the way you've explained the redactions you made to the records I requested. Please let me know the results of your review by the extension date set forth above.

Regards,

Betsy

Cross

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

Brian J. Smyth
Custodian of Records

Phone:
FAX:

September 29, 2023

Betsy Cross
Re: OPRA 24-018

bcross517@aol.com

Dear Ms. Cross,

The Wall Township Board of Education, (District) is in receipt of your emailed request at 9:58 AM on September 20, 2023, wherein you requested records to be returned to you the same day. We are responding to the following request.

"Immediate Access under OPRA - Kindly return all via e:mail
May I please have a copy of the Separation Agreement for Rose Sirchio ID

Please know that this response is only to the above quoted request within the first email and does not serve as a response to paragraphs 2 through 11 as those paragraphs are opinion and commentary on your part and not a request for government records. If you request records, please simply state the government record you are requesting.

In response, please find the Separation of Service Agreement between employee Rose Sirchio and the Wall Township Board of Education. Please be advised that redactions have been made in paragraphs 2.b, 4, 5, 6, 11 of the Agreement and the third paragraph of the General Waiver on page 8 as that portion of the record is exempt as a personnel matter pursuant to N.J.A.C. 17:27-1A-10.

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

Sincerely,

SEPARATION FROM SERVICE AGREEMENT

This SEPARATION FROM SERVICE AGREEMENT ("Agreement") shall be between ROSALEEN SIRCHIO (hereinafter referred to as "Ms. Sirchio") and the WALL TOWNSHIP BOARD OF EDUCATION (hereinafter referred to as the "Board" or "District") ("Parties") according to the following:

WHEREAS, the Board is a body politic and corporate, organized and existing under the laws of the State of New Jersey, N.J.S.A. 18A:11-1, and is entrusted with conducting the public schools of the Wall Township Public School District; and

WHEREAS, Ms. Sirchio is currently employed by the Board as a Principal;

WHEREAS, the Board and Ms. Sirchio have engaged in good faith negotiations concerning Ms. Sirchio's current employment and her future separation from employment with the Board and have reached an agreement, which they wish to memorialize herein;

WHEREAS, Ms. Sirchio shall irrevocably resign from employment with the Board and retirement with the District effective at the close of business on June 30, 2024; and

WHEREAS, the Board and Ms. Sirchio wish to fully and finally resolve any and all complaints, charges and actions of any kind whatsoever, whether known or unknown to either party may have against them as provided herein.

NOW THEREFORE, the Board and Ms. Sirchio, in consideration of the mutual covenants and promises contained herein, the legal sufficiency of which is hereby acknowledged by the Parties, agree as follows:

1. **RESIGNATION:** Ms. Sirchio has decided to retire from her employment with the Board. As a result, she agrees to sign and submit to the Board, simultaneously with the acceptance of this Agreement, an irrevocable letter of retirement from her employment with the Board effective June 30, 2024. The irrevocable letter of retirement shall be in the form attached hereto as "Exhibit A." The Board shall accept Ms. Sirchio's letter of retirement simultaneously with the acceptance of this Agreement via resolution at the June 2023 meeting of the Board. The day following the Board's acceptance of the letter of retirement, Ms. Sirchio shall immediately return any and all real and personal property that she may have in her possession to the Wall Township Board Office. The Board agrees to simultaneously return to Ms. Sirchio any and all

receive her 2023-2024 annual salary by utilizing the following days earned during her employment with the Board: One Hundred accumulated unused sick days; Five (5) personal days; and Six (6) flo The Board's approval of Ms. Sirchio's leave of absence is contin

- c. At the close of business on June 30, 2024, Ms. Sirchio shall c employee of the Board.
- d. Ms. Sirchio will continue to receive and pay the employee contrib towards her health benefit insurance coverage through June 30, 2 health benefit insurance coverage will be offered to Ms. Sirchio after
- e. Ms. Sirchio shall receive the sum of Ninety-Nine Thousand One H Dollars and Six Cents (\$99,116.06) at the time of her separation retirement from the Board. This sum shall be paid in accorc requirements of the Collective Bargaining Agreement between the Wall Township Administrative and Supervisory Council (hereinaft "the CBA") for the period of July 1, 2023, through June 30, 2028, a
 - i. Pursuant to Article VI(A)(2) of the CBA, Ms. Sirchio shall r of Eight Thousand Dollars (\$8,000.00) for accumulated ur acquired as of June 30, 2011, and payable upon retirement with New Jersey State law. This payment amount is calcula the following formula as set forth in the CBA: 64 accumula days payable at the rate of \$125.00/day.
 - ii. Pursuant to Article X(A) and (B) of the CBA, Ms. Sirchio s sum of Fifty-Four Thousand Fifty-One Dollars and (\$54,051.90) for accrued banked vacation days acquired 2011, and payable in accordance with New Jersey State law amount is calculated based upon the following formula as CBA: 70 banked vacation days payable at the per diem rate
 - iii. As required by the District's established practice, Ms. Sirch the sum of Thirty-Seven Thousand Sixty-Four Dollars and (\$37,064.16) for accumulated unused vacation days acquire with Article X(A) of the CBA, and payable in accordance w

compensation or benefits or reimbursement of any kind not otherwise provided for in this Agreement. Ms. Sirchio expressly agrees that she shall not be employed in the State of New Jersey during the period of September 1, 2023, through June 30, 2024.

3. **EMPLOYMENT VERIFICATION:** The Board agrees to provide a signed District letterhead verifying Ms. Sirchio's employment, stating her position, dates of employment, and last annual pensionable salary for the 2023-2024 school year upon request.

4.

5.

6.

7. **RELEASES:** Ms. Sirchio hereby releases, waives, and forever discharges the Board from all present or future claims that relate to any action that predates this Agreement, including but not limited to, any and all claims for damages, compensation, benefits, or reimbursement of any kind not otherwise provided for in this Agreement, or any claim related to her employment. Ms. Sirchio specifically waives and releases the Board from any and all claims that she may have as a tenured employee of the Wall Township Board of Education. Ms. Sirchio acknowledges that she had the opportunity to consult with legal representatives of her choice regarding this Agreement and the General Release Waiver and fully understands them and agrees to be bound by them. Ms. Sirchio acknowledges that she has been given a reasonable period of time within which to review this Agreement and the General Release Waiver.

Waiver and fully understands them and agrees to be bound by acknowledges that she has been given a reasonable period of time this settlement and the terms of this Agreement and General Rel executing them. Ms. Sirchio does not waive any vested pension c any worker's compensation claims or the right to enforce this Agi

Except for the obligations contained herein, the Board agree unconditionally and forever discharge Ms. Sirchio (including h representatives) from and on account of any and all claims, der action, obligations, damages, losses, costs, liabilities, or charge whatsoever which the Board has asserted or could have asserted

Sirchio's employment and services rendered to the Board, up to ar date of this Agreement and Release.

8. WAIVER: Ms. Sirchio agrees to accept the compensation referre and final settlement and waiver of any and all claims against the Bc shall be in full satisfaction and settlement and waiver of any an which Ms. Sirchio now has or may have had against the Board, a consideration for Ms. Sirchio's promise to provide the Board and i representatives with a Release of all claims against them.
9. OLDER WORKERS BENEFIT PROTECTION ACT OF 1990: T Workers Benefit Protection Act of 1990, this Agreement advises requirements of the Act, and fully incorporates the legal require this Agreement as follows:
 - a. Ms. Sirchio fully understands the terms and conditions of
 - b. Ms. Sirchio has been advised to consult with an attorney t
 - c. Ms. Sirchio specifically waives her right to pursue any Discrimination in Employment Act

Sirchio's employment and services rendered to the Board, up to and including the date of this Agreement and Release.

8. **WAIVER:** Ms. Sirchio agrees to accept the compensation referred to in this Agreement and final settlement and waiver of any and all claims against the Board. She shall be in full satisfaction and settlement and waiver of any and all claims which Ms. Sirchio now has or may have had against the Board, and in full consideration for Ms. Sirchio's promise to provide the Board and its age and gender representatives with a Release of all claims against them.
9. **OLDER WORKERS BENEFIT PROTECTION ACT OF 1990:** To comply with the Older Workers Benefit Protection Act of 1990, this Agreement advises Ms. Sirchio of the requirements of the Act, and fully incorporates the legal requirements of this Agreement as follows:
 - a. Ms. Sirchio fully understands the terms and conditions of this Agreement;
 - b. Ms. Sirchio has been advised to consult with an attorney to review this Agreement;
 - c. Ms. Sirchio specifically waives her right to pursue any claim under the Age Discrimination in Employment Act;
 - d. Ms. Sirchio does not waive any rights or claims under the Age Discrimination in Employment Act that may arise after the date the waiver is executed;
 - e. Ms. Sirchio is receiving consideration in exchange for her resignation from her position with the District;
 - f. Ms. Sirchio has been given at least twenty-one (21) days within which to review this Agreement; and
 - g. Ms. Sirchio has seven (7) days from the date of the execution of this Agreement to revoke it.
10. **CONFIDENTIALITY:** This Agreement and its terms shall remain confidential to the maximum extent permitted by law. However, nothing contained in this Agreement shall prevent Ms. Sirchio from providing any information about this matter to her immediate family, attorneys, accountants, financial advisors or a court of law or of her by law or legal process. Other than as set forth above in this Agreement, this Agreement shall not be disclosed to any other person.

employees violate this provision as determined by a court of competent jurisdiction, this Agreement shall become void.

11.

12. ENTIRE AGREEMENT: This Agreement and General Release and Waiver constitute the entire Agreement and understanding between the parties and constitute the entire agreement in any and all issues relating to this matter, except that the Parties reserve the right to enforce this Agreement, if necessary.

13. CHOICE OF LAW: This Agreement shall be governed by the laws of the State of New Jersey.

14. SEVERABILITY: If, during the term of this Agreement, a specific provision of the Agreement is determined to be illegal or in violation of any Federal or State law, the remainder of the Agreement shall not be affected by such a ruling and shall remain in full force and effect.

15. BINDING EFFECT: The Parties shall be bound by the terms and conditions of this Agreement, finding it to be in the best interests of the public, consistent with public policy, and fair and equitable under all circumstances surrounding this matter.

16. APPROVAL: The terms and conditions of this Agreement and Ms. Sirchio's letter of resignation are subject to ratification and approval by the Board. If the Board does not approve the Agreement, any copies of the Agreement and Ms. Sirchio's resignation will be held by the attorney for the Board and will have no effect and shall not be binding to either party.

17. VOLUNTARY AGREEMENT: The Parties have entered into this Agreement voluntarily with a full understanding of their rights and contents of this Agreement.

18. ADMISSION OF LIABILITY: The Parties' entry into this Agreement shall not constitute an admission or nor shall it be interpreted as an admission of wrongdoing or guilt, on either side of the matter on either of the Parties' part. Any such obligation or liability on either side is expressly denied. The Parties have entered into this Agreement solely to resolve the disputed claims.

19. OPPORTUNITY TO CONSULT WITH COUNSEL: The Parties acknowledge that they have had the opportunity to consult with legal counsel and have chosen to enter into this Agreement without the aid of legal counsel.

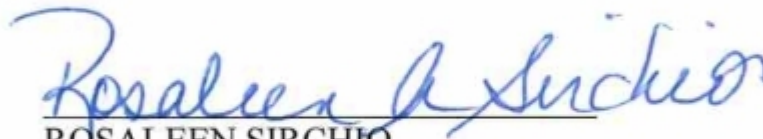
any incident which is alleged to happen during the term of Ms. Sirchio the Board, become the subject matter of a litigation wherein the Board is a party. Failure to cooperate will be defined to be a breach of this Agreement.

If in the future, a third party should assert a claim against Ms. Sirchio as an employee of the Board, the Board shall indemnify her to the extent of the law.

21. BREACH: If a court determines that either party breached this Agreement, the party shall bear the costs of the non-breaching party of any litigation or breach corrected or compensated for, including but not limited to, reasonable attorney's fees.
22. RATIFICATION: The undersigned representatives of the Board hereby certify that they have been duly authorized by the Board to sign this Agreement and its terms.
23. GOOD FAITH AND NON-DISPARAGEMENT: The Parties expressly agree that they shall act in good faith and ensure implementation of this Separation Agreement and General Release and Waiver. The Parties mutually agree not to engage in retaliation, in any manner, against the other party (or, their families, non-employees). The Parties further mutually agree not to make any defamatory statements, or misrepresentations, written or oral, about the other party (or, their families, non-employees) and to refrain from disparagement, in any manner, against the other party or their families, family members, agents, officers, representatives and employees. It shall not be a violation of this section if a party makes any truthful statements which they are legally required to make in response to a subpoena, court order, as a requirement of a government agency.
24. MODIFICATIONS: This Agreement may not be altered, amended or modified in any way, in writing, signed and duly authorized by all parties.
25. COUNTERPARTS: The Parties may execute this Agreement in multiple counterparts, each of which is deemed an original and all of which only constitute one original when taken together. The signature of each party shall constitute the signature of the party. The original or facsimile signature of this Settlement Agreement by one or all parties shall be valid in any acceptable form and manner of execution upon delivery to the other party.

IN WITNESS WHEREOF, the Parties hereunder set their hands and :
effective on this Nineteenth (19th) day of September 2023.

On Behalf of the Boc

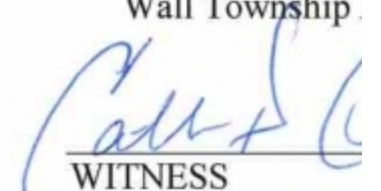

ROSALEEN SIRCHIO

By: 
Christine Steitz
Wall Township

By: 
Brian Smyth,
Business Admin
Wall Township

WITNESS

Dated: _____, 2023


WITNESS

Dated: 9/22

GENERAL RELEASE AND WAIVER

In consideration for the promises and undertakings described in the Separation Service Agreement dated September 19, 2023, I hereby release, waive and discharge the Wall Township Board of Education, and its present and former board members, officers, employees, and their estates and/or heirs thereof from any and all claims which I have or may have against any of them. This Waiver releases and waives all claims, known and unknown, resulting from anything that has happened up to now, including claims for attorneys' fees.

Without limiting the scope of the foregoing provision in any way, I specifically release and waive all claims which were or could have been asserted by me. I also release and waive all claims to or arising out of any aspect of my employment to date with the Wall Township Board of Education, including, but not limited to, all claims under Title VII of the Civil Rights Act of 1964 and the laws amended thereby; Section 1981 through 1988 of the United States Code; the Employee Retirement Income Security Act of 1974; the Age Discrimination in Employment Act of 1967, the Older Workers Benefit Protection Act of 1990, the Americans with Disabilities Act; the Family and Medical Leave Act of 1993; the New Jersey Family Leave Act; the New Jersey Wage and Hour Act, and any related federal or local law claims, and any claims of discrimination based on race, age, sex, religion, handicap or disability, citizenship, national origin and any other factor prohibited by state or local law, rule regulation or guidelines; any claim from wrongful discharge; any claim of employment, express or implied; any provision of the Constitution of the United States or the State of New Jersey; and any other law, common or statutory, of the United States or New Jersey, or any other state; any claims for the negligent and/or intentional infliction of emotional distress or specific intent to harm; any claims for attorneys' fees, costs and any claims for unpaid or withheld wages, severance pay, benefits, bonuses, deferred compensation and/or other compensation of any kind; and/or any other federal, state or local human rights, wage and hour, wage payment, pension or labor laws, rules and/or regulations; any claims growing out of any legal restrictions on the Wall Township Board of Education's hire and/or terminate its employees. I do not waive any vested 403(b) or pension rights I may have, any worker's compensation claims or the right to enforce the Separation Agreement.

[REDACTED]

I promise not to sue and waive all claims against the Wall Township Board

I acknowledge that I was advised to consult with attorneys regarding this and Waiver; and that I have read this General Release and Waiver and fully understand to be bound by it. I also acknowledge that I have been given a reasonable period of time in which to consider this settlement and the terms of this General Release and executing it.

ACKNOWLEDGMENT

I HAVE CAREFULLY READ AND FULLY UNDERSTAND THE TERMS AND CONDITIONS OF THIS RELEASE AND WAIVER. I ACKNOWLEDGE THAT I HAVE BEEN GIVEN THE OPPORTUNITY TO REVIEW THIS RELEASE AND WAIVER WITH ANY PERSON OF MY CHOOSING, AND TO DISCUSS WITH SUCH PERSONS THE TERMS AND CONDITIONS OF THIS RELEASE AND WAIVER AND MY RIGHTS UPON EXECUTION. I ACKNOWLEDGE THAT NO REPRESENTATIONS CONCERNING THE EFFECT OF THIS RELEASE WERE MADE BY THE WALL TOWNSHIP BOARD OF EDUCATION OR ITS ATTORNEYS OTHER THAN AS SET FORTH IN THE RELEASE AND THAT I HAVE VOLUNTARILY SIGNED THIS RELEASE AND WAIVER OF MY OWN FREE ACT WITH FULL KNOWLEDGE OF ITS TERMS AND CONDITIONS. THESE TERMS ARE FINAL AND BINDING UPON ME.

I FURTHER UNDERSTAND THAT THIS AGREEMENT SHALL BE VOID IF NOT EFFECTIVE OR ENFORCEABLE FOR A PERIOD OF SEVEN (7) DAYS FOLLOWING THE EXECUTION OF THIS AGREEMENT AND THAT I MAY REVOKE THIS AGREEMENT BY DELIVERING A WRITTEN NOTICE OR ANY SUCH DECISION TO THE WALL TOWNSHIP BOARD OF EDUCATION WITHIN THE SEVEN-DAY PERIOD.

THE PARTIES MAY EXECUTE THIS AGREEMENT IN COUNTERPARTS, EACH OF WHICH IS DEEMED AN ORIGINAL AND ALL OF WHICH ONLY CONSTITUTE ONE ORIGINAL. AN ELECTRONIC OR FACSIMILE SIGNATURE OF THIS AGREEMENT BY ONE OR ALL PARTIES SHALL BE CONSIDERED AS VALID IN ANY FORM AND MANNER OF EXECUTION UPON DELIVERY TO THE OTHER.

DATED: 9/19/, 2023


ROSALEEN SIRCHIO

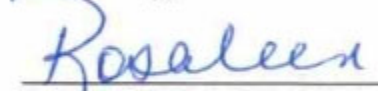
DATED: _____, 2023

WITNESS

EXHIBIT A

I hereby irrevocably retire from my employment with the Wall To Education effective June 30, 2024, for reasons of retirement.

Sincerely,


ROSALEEN SIRCHIO

----- Forwarded Message -----

From: OPRA Request <opra@wallpublicschools.org>
To: "bcross5xx@xxx.xxx" <bcross517@aol.com>
Sent: Friday, September 29, 2023 at 03:43:37 PM EDT
Subject: OPRA 24-018

Good afternoon,

Attached is a response to your OPRA request.

Brian Smyth
Custodian of Records
Wall Township Public School District
email: opra@wall.k12.nj.us

----- Forwarded Message -----

From: bcross517@aol.com <bcross517@aol.com>
To: OPRA Request <opra@wallpublicschools.org>
Cc: comptroller <comptrollxxxxxx@xxx.xxate.nj.us>; Kevin Walsh <kevin.walsh@osc.nj.gov>; MacDougall Scott [OSC] <scott.macdougall@osc.nj.gov>; Dawn Choma <dchoma@wallpublicschools.org>; Madelyn Kolasis <mkolasis@wallpublicschools.org>; Joyce McCabe <jmccabe@wallpublicschools.org>; Elaine Harder <eharder@wallpublicschools.org>; Jake Algor <jalgor@wallpublicschools.org>; Phil Kurtz <pkurtz@wallpublicschools.org>; James Slattery <jslattery@wallpublicschools.org>; Jason Berhalter <jberhalter@wallpublicschools.org>; Kerrin McGowan <kmcgowan@wallpublicschools.org>; Bryan Clayton <bclayton@wallpublicschools.org>; John Higham <jhigham@wallpublicschools.org>; Lester W. Richens <lester.richenx@xxx.xx.gov>; Sean O'Halloran <sohalloran@wallpolice.org>; Michael Hurden <mhurden@wallpolice.org>; Ty Hughes <thughes@wallpolice.org>; Statebd <statebd@doe.nj.gov>; Jennifer McCann <jmccann@wallpublicschools.org>; Kathleen Doran <woods223@gmail.com>
Sent: Wednesday, September 20, 2023 at 09:58:41 AM EDT
Subject: Separation Agreement - Rose Sirchio and more - kindly respond by noon today

Immediate Access under OPRA - Kindly return all via e:mail

Hello Mr. Smyth:

May I please have a copy of the **Separation Agreement** for Rose Sirchio ID #7343 that was a hand carry on last night's agenda read by Brian Smyth.

There was nothing attached or provided to the public. It certainly should have been given her previous job was posted on September 7, 2023, it seemed planned that it was not on the agenda so no one would ever see it looking back to agenda's and not watching the meeting on the live stream.

The complete lack of Transparency at every turn in the Wall BOE is disturbing.

I would like this document by noon today.

It seems we have paid Ms. Sirchio for 354 days in "paid" administrative leave since April 12, 2021 and Ms. Sirchio still has banked 327 days (see attached attendance records for July 1, 2022, through last week).

What exactly did the BOE members approve last night that the residents of Wall will be paying that you do not want us to see?.

I don't think anyone in Wall Twp. is shocked that not one person is running for the 3 open BOE seats this November. NO ONE wants to be a part of this Wall BOE given the complete lack of transparency.

Your attorney bills for just "Personnel matters" for May 2023, June 2023 and July 2023 were \$32,669.50. It is certainly time a state agency comes in and audit this Separation agreement and much more! The children of Wall deserve so much better!

Wall BOE President - Christine Steitz, I asked you again last night and was rudely cut off by the Wall BOE attorney Athina Cornell. So again, who gave my minor son's picture to the law firm of Sciarrillo, Cornell, McKeever Osborne LLC to be used in their reply brief **without** Dr. Handershan's knowledge per Lester Richens. Who is making decisions like this if not the Superintendent of the district? I did see Mr. Smyth was copied as well when his picture was unlawfully used in a reply brief. I would like this answer also by noon today.

The below OPRA is also overdue **regarding the Central School Trailers.**

Ms. Steitz has Mr. Smyth been deposed yet on the Central School Trailer lawsuit. This questioned has been asked during BOE meetings and in writing to no response. I recall watching Mr. Smyth just laugh to the reporter when he was asked this question from the Coast Star after the July BOE public meeting.

Regards,

Betsy Cross

----- Forwarded Message -----

From: xxxxxxxxxx@xxx.xxx <b xxxxxxxxxx@xxx.xxx>

To: OPRA Request <xxxx@xxxxxxxxxxxxxxxxxxxxxxx.xxx>

Cc: Boardmembers <boardmembers@wallpublicschools.org>; thanderxxx@xxxxxxxxxxxxxxxxxxxxxxx.xxx <thanderhan@wallpublicschools.org>; Craig Klein <cklein@rlmnc.org>; Barbara Murphy <xxxxxxx@xxxxxxx.xxx>; comptroller <comptrollertips@osc.state.nj.us>; kevin.walsh@osc.nj.gov <xxxxxx.xxxxx@xxx.xx.xxx>; MacDougall Scott[OSC] <scott.macdougall@osc.nj.gov>; Sean O'Halloran <xxxxxxxxxxx@xxxxxxxxxxxxxxx.xxx>; Michael Hurden <mhurden@wallpolice.org>; Ty Hughes <thughes@wallpolice.org>; Kathleen Doran <woods223@gmail.com>

Sent: Tuesday, August 22, 2023 at 03:59:57 PM EDT

Subject: OPRA request for public information

OPRA REQUEST FOR PUBLIC INFORMATION

Brian Smyth:

May I please have a copy of any claim submitted with all responsive documents including the claims transmittal form and tort claim notice form sent to Qual-Lynx from Brian Smyth, Dawn Choma or anyone in charge of sending in claims notices from the Wall Twp. School District. Be sure to include any claims submitted related to Luke Grasso. It should have been August 2019 from reviewing Dawn Choma's e:mail to Michael Gross.

The time frame is August 27, 2019 to June 30, 2020.

The fax number they are sent to at Qual-Lynx is (609) 365 - 4000.

Loss and Liability Claims

As soon as you are aware of the incident, report claim to Qual-Lynx.

Tel: (609) 653-8400

Fax: (609) 365-4000

Claims must be submitted via fax using the [Claim Transmittal Form](#).

[Tort Claims Notice](#)

Regards,

Betsy Cross