

# What Went Wrong in the 2021 School Referendum

There were serious and deep improprieties in how the South Hunterdon school referendum went down this year. We think the public deserves to know the truth.

First, a bit of background. In 2021, the South Hunterdon Regional School District decided to put a referendum question on the November 2021 ballot for the three towns in the district (West Amwell, Lambertville, and Stockton). That question asked if the district should pursue a \$33 million bond to gut-renovate the Lambertville Public School (LPS) and to build a new middle school on the South campus.

The referendum plan and the process were both very controversial. For a moment we will set aside objections to the plan and focus more on the process. Referendums are supposed to follow a very rigorous set of rules because free, proper election are extraordinarily important to us as Americans. Specifically, any Board of Education is prevented by law from advocating on either side of a referendum question it is originating. This is based on a NJ Supreme Court case from 1953 (Citizens vs. Troy Hills-Parsippany Board of Education) that found that a Board of Education must not advocate on either side of a referendum. The courts concluded:

**"The defendant board was not content simply to present the facts. The exhortation "Vote YES" is repeated on three pages, and the dire consequences of the failure so to do are over-dramatized on the page reproduced above. In that manner the board made use of public funds to advocate one side only of the controversial question without affording the dissenters the opportunity by means of that financed medium to present their side, and thus imperiled the propriety of the entire expenditure."**

Subsequent cases have refined this ruling and indicated that no school resources of any kind can be spent in advocating for a referendum question. In addition, specific activities have been banned, such as linking property values to referendum outcomes or advocating to students.

On top of all this, it is not just about literally banning "Vote Yes" messaging. Any significant attempt by the BOE to sway the electorate is improper and illegal, and no district resources can be expended to support private Board member action.

The problem is that our BOE did not follow these legal precedents. Starting in January they entered a conspiracy along with the district Superintendent to hide the imperfections of the referendum plan from the public, and to vigorously work to promote a "Yes" vote on the referendum. They expended tremendous district resources to both support the referendum as an elected body, but also in support of private Board of Ed member actions.

Now, we realize that using the word "conspiracy" is rather strong, and exceptional claims require exceptional proof. Bear with us and start reading. We believe you will see that a very high level proof will be shown to support this narrative.

You may be scratching your head at why this is illegal. Isn't it natural to advocate for your own ideas? Yes it is, but elections and referendums are special. You can't use tax payer money to influence tax payer decisions in elections and referendums. This would be like the West Amwell Township Committee spending tax dollars to fund a Republican candidate for election and denying equal funds to a Democrat. Or having the Township clerk work on campaign materials for a Republican using Township equipment. Spending tax dollars to fund only one side of a referendum works the same way. It's against the law.

## This Document

The remainder of this document is going to walk you through exactly what the Board of Ed and Superintendent did and why those actions are a problem. Whenever possible we will tell you in the Board of Education members own words. Much of this document is based on an email

and document dump acquired via an Open Public Records Act request to the school district. This request resulted in over 3,800 Board member and Superintendent emails and dozens of meeting minutes and documents being exposed where they discussed their PR blitz regarding the referendum.

NOTE: You can click on any quote to go to the source document (email or document). Also Board members are identified by their towns, with (L) being Lambertville, (W) indicating West Amwell, and (S) for Stockton e.g. *Board Member Warner (L)*.

Also, if you want to read the raw emails in chronological order for yourself, they are here:

<https://docs.google.com/spreadsheets/d/1oTwkam83hU-RLNGtmwzVoHEtOquy6bhbg1LjDRn7r8g/edit?usp=sharing>

# JANUARY

Let's get one thing straight. From the outset, the BOE members knew that advocating for a referendum question was illegal. In the minutes of the January 19th, 2021 *School and Community Committee*, the board Vice President Hengst (L) writes **"reiterated the role of the full Board as one that is neutral on the issue and presenting the full picture when it comes to referendum impacts to the public"**. Board Member Todd-Marino (L) supported this notion with her statement:

**"I propose changing the last sentence of the first paragraph to "The goal of the School Community \*committee\* this year will be supporting \*public outreach efforts regarding\* the bond referendum." rather than "supporting the bond referendum" which could be interpreted as support for a yes to the referendum"**.

The point is crystal clear. They had to stay neutral if they wanted to stay within the law and had to present **"the full picture when it comes to the referendum"**.

Sadly the BOE and Superintendent almost immediately ignored that advice. Board VP Hengst (L), who just warned they must stay neutral, wrote shortly later **"If we have research around how property values/real estate market is higher if there is a walkable school, that might be good for Lambertville City residents"**. As we have mentioned in the introduction, tying referendum outcomes to property values is illegal.

Also, while this discussion was happening, keep in mind that the BOE was fiercely debating whether Lambertville could realistically keep a school within the City limits or not. Going into 2021, the feeling of the Board and Superintendent was that LPS could not be renovated. To work around that and keep a school in the City, the Superintendent developed an alternative option that involved building a school on City property where the Ely football field is.

That was quickly shot down by numerous residents of all three towns. There were obvious and clear issues with that plan that the community would not tolerate.

So the Board looked back at LPS, but things looked bleak there. In private, board members were cautioning the Superintendent that there were two problems. First, architects had been telling the Board for years that LPS was a lost cause from a renovation standpoint. There were too many issues with the building (asbestos etc) and the site (tiny lot, security, etc).

Board Member Braun-Strumfels (L) wrote, **"I wanted to emphasize that the issue of renovation of LPS was in the past, and still seems to be a community concern. Members of the community need to know that renovation at LPS is not a viable solution to our facility problems. The information from the state on funding plus reports about the building's limitations helped me to see this. But, there are some members of our community who are still thinking that renovations can and should be done. We need to explain why; last time around, I don't [sic] think this issue was well explained enough"**.

The Superintendent agreed, and wrote to another Board member Pursell (W) **"I don't have exact figures for a renovation however I do have several slides about why renovation is not recommended including from the Director of Facilities from the DOE"**.

But in conflict with this, people within the SaveLPS movement were ignoring the building and site issues with LPS and agitating for a renovation option anyway.

As one example, Board member Warner (L) sent the following email to the Superintendent, the Board President and Vice President:

**"I think we understand realistically that a referendum plan that includes no school in Lambertville is a non-starter and has been in Lambertville from the very beginning of these conversations. I don't believe there is any real worth to investing in a plan that isn't even in consideration. We need to consider a way to diplomatically explain this to the West Amwell residents who raised concerns.**

**Historically the board members from Lambertville who were open to or supported moving the school out of this city were voted off. It shows that Lambertville is not going to budge on this particular detail, and the current make-up of the board representing Lambertville is unanimous in this."**

What a statement. SaveLPS got the old Board members voted off and replaced with their own members. And now they will use their majority to get their way.

## FEBRUARY

Despite the known issues with LPS, the Save LPS contingent within the Board kept pressuring the other Board members to go along with renovating the school anyway. And it was working. Over the next month the West Amwell and Stockton members would slowly cave to pressure from the Lambertville majority. Board member Pursell (W) says **"I am all about compromise here. I didn't think renovation was an option but I like that we are revisiting this for LPS"**.

The Superintendent was pulled along as well, and began strategizing on political spin, saying in an email to Board member Pursell (W) **"At this point we were hoping to build a new school for WAS unless the board feels differently"**. The idea here was simple - entice West Amwell residents with a shiny new middle school to allow Lambertville to go ahead in saving LPS, with all the warts and security concerns that site has.

Meanwhile the Lambertville BOE was under siege due to Meagan Warner's comments. Board VP Hengst (L) wrote to the Superintendent **"Although we heard critiques about the site, I felt the deeper issue was that the West Amwell residents felt unheard because of that perceived bias. Now they are attacking individual Lambertville BOE members and the other Board members seem to be silent"**.

She goes on to say, **"Unless the Board is united (and that takes compromise on both sides), we can't move forward to referendum"**. The message was clear: you must listen to SaveLPS or there will be no referendum.

Also despite this, the Board member Gallagher (S) was still clinging for hope for a better solution. He writes **"However, given the current opposition to the combined school at both the Ely site and the current high school campus, I believe we ought to conduct a full review of all available properties"**.

But Lambertville was having none of it. **"So, I am not sure if you are in agreement with claims made by West Amwell council that Lambertville bullies the Board or West Amwell residents who are filing ethics complaints on us, but I would like to know so we can address your concerns and try to move forward to referendum as a Board"**, says the Board VP Hengst to the Superintendent. The Lambertville BOE members went into spin control mode to regain the trust of the West Amwell and Stockton Board members so that the focus could be brought back to getting the referendum passed, including the LPS renovation.

# MARCH

By early March, things were coming to a head. Board of Ed member Todd-Marino (L) suggested that they put out a survey that includes **“options vetted by the Board”**. The Board Vice President shot back immediately saying **“nothing has been “vetted” by the Board since we have not voted formally on anything”**. The unspoken reality here was that the Lambertville majority on the Board would control the vote and would never allow any “options” to be considered by voters.

By mid-March the Lambertville Board members and SaveLPS had won. Not due to logical analysis or professional opinions of experts, but via sheer force of will. They successfully convinced the rest of the board to join them and go ahead with the referendum plan of renovating LPS and building a new middle school. Says the Board VP Hengst, **“The majority of people in Lambertville aren't sending letters to you because they are happy with [this] proposal. I think it's important for us to keep feedback in perspective. When I heard negative feedback from the WA Board reps, WA residents and the Lambertville neighbors regarding the combined school on Ely, I knew we were off track. Right now, my read on things is have support from the full Board to my knowledge and the majority of both communities. So, it makes sense to proceed in my opinion”**.

Decision made, the Superintendent and Board solidified their “communications plan” to sell the referendum to the voting public. The Board worked on the “Community Presentation” that was showed to the public in March, and they agreed to have a “Key Communicators group”.

Another big focus of the BOE at this time was the Community Survey. There was great debate on how to make it as effective as possible. But as they inched closer to sending the survey out, the Board VP Hengst was worried about the propriety of the final form, saying:

**“Also, sounds like the survey fulfills a promise but when the community asked for it, I think they wanted the opportunity for genuine input. This is accidentally coming across as market research for a referendum campaign.”**

Unfortunately she was ignored. In his March 25, 2021 weekly update to the the entire BOE, the Superintendent clarified his intentions around the survey to calm the fears of the Lambertville Board members:

**“As I stated at the last board meeting (as well as at an open zoom meeting a few weeks ago), I would like to use a short survey with the community to get some feedback on our current plan. The School and Community Committee has been providing me feedback and suggestions for the survey. Please understand that the intention of the survey is not to change the plan based on community feedback. The goal of the survey would be to identify pockets of the community that would not support the referendum and develop a plan on how we might be able to better educate them to gain their support”**.

Note the Superintendent says that community feedback will not have effect on their proposal. He is quite candid that, instead, the survey will in fact be used as market research to inform their Public Relations program. No options would ever be shown to the public.

# APRIL

In April, the BOE voted unanimously to put the question of the referendum on the November ballot. Survey results started to come in as well. The Superintendent says in his April 29th update to the Board,

**“As of today we have 539 responses. Below is a graph to show you how it looks so far. The “unsure” folks are the ones I need to focus on in the coming months. I will be working with the School and Community Committee on developing a key communicators group and timeline for in-person meetings with all three communities.”**

Note that the Superintendent indicates they will deliberately target “unsure” voters in his PR campaign. To achieve this, he came up with something entitled **“2021 SHRSB Referendum PR Timeline”**. The document lists dozens of meetings and deliverables as part of their PR Timeline, including **“Assemble/invite Key Communicators to review projects - Get Out the Vote group”**.

Remember back in January when the Board Vice President Hengst (L) insisted that the Board must be “neutral” and must not advocate for the referendum? Remember all the court cases showing that it’s illegal to advocate for referendums? Well, by last month it was clear that that was becoming inconvenient to the Board. Now in April they threw out the notion altogether. The Board was going to sell this to the public and law be damned. It was time to rev the PR machine into life.

## MAY

By May the Superintendent and Board threw themselves into selling the referendum with abandon. A Board member nominated 23 Lambertville residents as potential members of the Key Communicators group.

Meanwhile the BOE had realized that getting the referendum materials *just right* from a marketing perspective would be critical. Board VP Hengst (L), talking about the community presentation, says “**perhaps even enticing pictures for the new HS programming [should be] added**” to it.

The same Board member is also worried about other aspects of messaging. At one place the presentation said:

***“... both LPS and WAS are getting to the point where they are beyond repair. We can’t wait any longer to address these issues”.***

She thinks this doesn’t sound so good as a marketing message to the public. She indicates ***“saying LPS is almost beyond repair seems contradictory to renovation. Perhaps reword to say something like ‘repairs at LPS have been delayed and are long overdue while WAS has serious structural issues and is getting to a point where it is beyond repair’”.***

That’s right, the whole “***LPS has good bones***” and “***WAS has serious structural issues and is getting to a point where it is beyond repair***” narrative was not based on engineering reports. It came up the BOE brain storming with the Superintendent.

She goes on: ***“Slide 31-33 is well explained but we are hearing criticism that the process was rushed. I think it would be helpful to include all of the community input sessions you conducted and contextualize the process by going back even further”.***

The phrase “contextualize the process” seems to really focus on improving the Board’s PR.

Other BOE members are worried about marketing and messaging, too. A Board member Paciulli (W) writes to the Superintendent, ***“Have there been any considerations to renaming the LPS elementary school (South Hunterdon Elementary, South Hunterdon Middle School, South Hunterdon High School) then we truly ARE ONE district”.***

The intent here is clearly to quiet down the “bullies” in West Amwell with cheap words.

She goes onto joke, ***“I am also partial to Anthony Suozzo Middle School”.*** At least we hope it was a joke.

Finally, SaveLPS Board member Young (L) resigns from the BOE. Her mission to vote “yes” on the referendum Board of Ed motion completed, she rode off into the sunset.

# JUNE

In June, the Board VP Hengst (L) suggests expanding the FAQ and discusses Board Talking Points: **“Do you think developing or discussing the FAQ/ main talking points of the referendum makes sense for the next SC meeting? I am getting a lot of positive feedback but one sticking point is fiscal so we might need some talking points around that.”**

We also start to see serious discussion of the referendum marketing campaign in the “Schools and Community” Committee referred to above as “SC”. The June 15 meeting minutes state:

**“Tony shared that he has been presenting to the local municipalities, most recently Stockton. Met with preschool parents at Lambertville Academy, Happy Time School, Half Pint Preschool, and St. Peter Nursery School. He is scheduled to present to the Lambertville and West Amwell Planning Boards in July. He shared his full meeting schedule with the committee which includes a variety of community groups. Diana and Roni recommended a few more organizations.”**

The Key Communicators had also been activated by this time, and regular meetings scheduled. The Superintendent tells the BOE on June 3rd in his regular update the following on the first Key Communicator meeting:

**“I had my first meeting with my key communicators group this evening. I had about 20 people join a zoom meeting... We also examined some of the survey data identifying areas of focus. Moving forward here are our next steps:**

- **Analyze the complete survey results with the group so we can really focus on the unsure and no votes.**
- **Develop a FAQ**
- **Develop a one page talking points document that can be used by the group, board members and our admin team**
- **Provide information on the consequences if the referendum doesn't pass**
- **Encourage each municipality to pass a resolution supporting the referendum**
- **Show West Amwell how much we are spending to maintain the buildings and how this could only get worse (constant breakdowns of HVAC, etc.)**
- **All of the bandaids we have been using to keep things working**
- **Dave Beaumont has offered to take the lead on this with me”**

So this body that is supposed to stay neutral will **“Analyze the complete survey results with the group so we can really focus on the unsure and no votes”**.

We are also told in the Superintendent's weekly update to the Board on June 17, 2021 that **“Dave Beaumont from West Amwell is on my key communicator committee. He took the data from the recent survey about the referendum and did a comparison to the regionalization vote back in 2013. I am sharing below in case you are interested”**.

Here is that analysis:

**<https://south-hunterdon-school-facilities.s3.amazonaws.com/opra-response-dump/June+3+1iksITLmYXixX-a+kDOu2Yo0P+cgwGzTcLczKjDx-B6o.docx>**

The full court press had begun in earnest.

# JULY

In July the BOE hit some stumbling blocks in their plan.

The Superintendent had decided on the rough format of what would be called "Video #1", and has asked the Board President to help him make it. Organization around the shoot begins early this month. On July 12th, the Superintendent receives an e-mail from the teachers' union:

**"I was made aware that requests have started going out to certain faculty members requesting that they participate in videos supporting the referendum vote in November. I would like to consult with our NJEA representative to see if there are any concerns or considerations I am not thinking of that could impact how the Association should (or should not) be involved as an official entity in this process, particularly given the potential for the appearance of "agendas" in the current divisive political climate we live in. (Sad but true).**

**With that in mind, I am advising our executive board members, whom I have copied on this email, to not be involved in these testimonials, at least until I hear otherwise from NJEA....I do not think it is possible for union officers to fully distance themselves from their positions in public interactions".**

This was the first real trouble for the Superintendent and Board in their plans. The union was pushing back that he was possibly crossing uncomfortable boundaries. A chastised Superintendent writes back, **"Understood. Just thought a teacher's perspective as to their experience in each building would be powerful"**.

Later that month the Superintendent continues to work with his Key Communicators. West Amwell resident Dave Beaumont writes to him on how he can spin the numbers to look better on taxes, and he can also help talk up the consequences if the referendum fails.

In more bad news for the Board, Mr. Beaumont tells the Superintendent that the Superintendent's presentation to the West Amwell Planning Board had landed with a thud. Luckily for the Superintendent, Mr. Beaumont has kept his membership on the Key Communicators group secret, so he says **"I'm thinking of attending as many other board/committee meetings as I can between now and Nov to get the word out to community members"**. Mr. Beaumont would go on to try to convince members of the Finance and Environmental Committees to join him in supporting the referendum. Or, failing that, to try to get them to not resist too strongly (all without revealing that he was on the Key Communicators group).

Finally, in July the Board BP Hengst (L) announced she was resigning and would not seek another term at the BOE, saying to the Superintendent Suozzo and Board President Koveloski (W), **"Wanted to let you know I decided not to seek re-election"** Board member Braun-Strumfels (L) did the same verbally at some point. So once they got their vote in April and were satisfied that the Superintendent's media blitzkrieg would likely put them over the top, an additional two Lambertville BOE members declared likely victory.

# AUGUST

The PR Machine shifted into a higher gear in August.

## Community Group

The BOE member Gallagher (S) bounced an idea off of the Superintendent to supplement the Key Communicator group:

**"I had a thought that I was hoping to discuss with you with regard to setting up a community group that would promote a "yes" vote on the referendum. As a board, we're only allowed to tell people to vote, but we can't tell them to vote yes... I'd like to speak with some community members about forming such a group, if you think that's a good idea".**

Note that Gallagher is explicitly mentions discussing this at the in-person retreat the Board the Board and Superintendent will hold in August. We also have acknowledgement again that they can't ask people to vote "yes". But the Board may not have realized that law is more nuanced than that. The superintendent wrote back, **"I think this is a good idea"**.

## Key Communicators, Lawn Signs, Canvassing Voters

Back in Key Communicator land, the Superintendent wrote to them:

**"Here is a link that includes the minutes from our meeting tonight. It also includes a link for my schedule of information sessions in September and October. Please review as there is important information that was shared as well as many great ideas of how to promote the referendum"**.

Note the administrative head of the district is recognizing the *"many great ideas of how to promote the referendum"*.

In August it also came out that the Board of Ed were going to have the Key Communicators *canvas voters in Lambertville and Stockton to persuade them to vote yes*. When a BOE member says she can't canvas because she is busy and West Amwell is far too vast, the Superintendent replies, **"No need to canvas as we are actually going to have key communicator team members canvas"**.

The Key Communicators had other uses as well. We have emails from the Superintendent coming up with the idea to have the Key Facilitators design and distribute "Vote Yes" lawn signs. The sign was given to the Superintendent to approve of, and the Superintendent shared the first image of it in his **August 19 update** to the BOE (Figure 1).



**Figure 1 - Vote Yes sign.**

The one thing that the Board can never say, "Vote Yes", was *approved by the Board and Superintendent*. They approved it even though it used the new district crest and used Eagle colors and the district referendum QR code. That month's Key Communicator's meeting minutes confirmed this.

Putting this in official district reports and distributing it to all BOE members crossed the bright line of *Citizens vs. Parsippany-Troy Hills*.

## Suppression of Negative Information

Meanwhile the suppression of information continued. Key Communicator Dave Beaumont wanted to develop a “**counterpoint analysis**” that would show what the budget would look like if the referendum failed. A district employee counseled the Superintendent against this, saying “**I had previously discussed creating the "counterpart analysis" with Pete and he advised it's not a great idea for a multitude of reasons that you and I have discussed already. Let me know your thoughts on how to proceed with Dave**”.

Another Key Communicator wrote an email with a bunch of questions to the Superintendent, she opens with “**Thank you for sharing these materials with us. I have a few questions and comments in the interest of the goal: passing the referendum**”. Nowhere does the Superintendent correct her that these are informational sessions only or the like. And To the contrary he eagerly takes her suggestions to add to the marketing plan. She also mentions here “**I'll send you a proof of the lawn sign**”.

We're not done yet with August!

Finalizing Video #1 was an intense exercise for the Superintendent. As with elsewhere, negative information about the referendum was stripped out. The Superintendent says “**Take out the slide below as I have been getting questions about how we are not adding a lot of square footage to LPS so if space is an issue why are we going with this plan**”. See figure 2 for the slide in question.

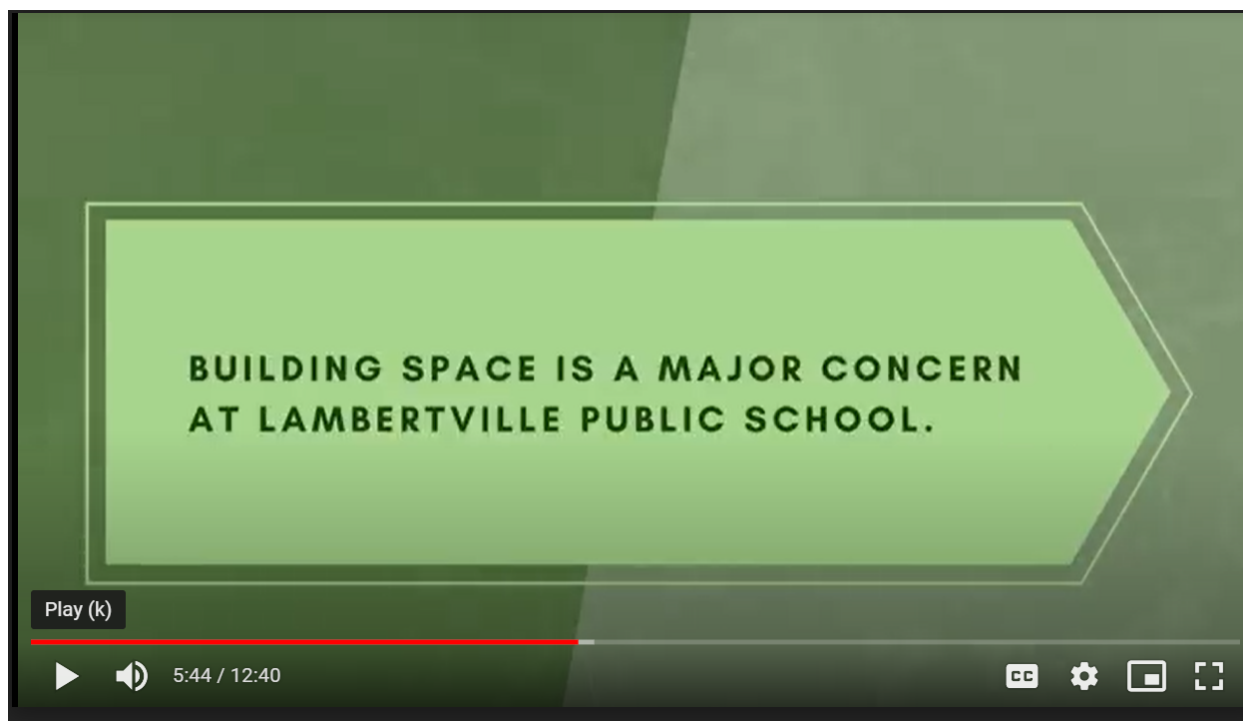


**Figure 2 - Deleted Slide from Video #1**

What the Board and Superintendent seem to fail to realize is that a lie of omission is still a lie. By systematically stripping all derogatory information about their plan out of their presentations and videos they went on a mission to deceive voters.

Board VP Hengst (L) weighs in to the Superintendent and Board President Koveloski:

**“The discussion of the parking lot makes it seem like the parking lot is ours, but it is truly an issue people care about. People in other towns might ask why they are paying for this**

*if it is the responsibility of the City. Maybe just suggest it will be fixed with a quick picture (possibly, a general statement about fixing many areas that need it), but less time/attention on the issue”.*

This information of course never made it into any of the referendum materials.

## **Communications Plan at Board Retreat**

Finally, we have the Board Retreat that took place on 8/18/2021. What was discussed there by a quorum of the Board? The “**Communications Plan**”. Here’s what it looked like:

“

- **Information Sessions**
- **Lawn sign campaign**
- **Door to door canvassing**
- **Facebook page (no comments)**
- **Referendum videos 1, 2, and 3**
- **Board member talking points**
- **Citizen Senior Luncheon**
- **Building tours with personal invitations**
- **Senior students eligible to vote**
- **Graduating seniors - absentee ballots**
- **Project Democracy**
- **Shad fast October 9, 10**
- **Flyers for local businesses**
- **Voter registration lists**
- **Neighborhood coffee parties - key communicator group**
- **Recreation programs - Ramblers**
- **Actual Ballot Question/Resolution”**

Among other things, a quorum of the board discussed illegal coordination of the canvassing effort, the illegal “Vote Yes” lawn sign campaign, and then a new bombshell: “***Senior students eligible to vote***”. At this point we don’t know what they mean by that last bullet. We’ll have to wait until September to find out about that.

# SEPTEMBER

If you thought August had a lot of PR activity, wait until you see what happened in September.

## West Amwell Township Government

First, the West Amwell Township Committee started making noises in public that they didn't like the referendum plan and were going to come out against it. This understandably alarmed the Board of Ed and the Superintendent and he wrote to the Board:

**"I wanted to let you know that Kevin, Andrew and I met with Steve Bergenfeld (Mayor of West Amwell) this morning to discuss the referendum. Steve informed us that the West Amwell Township Committee will be making a public statement against the referendum as early as their meeting this evening with the main reason being safety and the possible concern about not having a Class III Officer at the new PreK-4 school. Beyond a public statement this evening, they will more than likely also put something out in writing to the West Amwell residents (mailer, website). I expressed my disappointment, sharing my concern that the township committee will only hurt our kids by taking this approach and that their argument is hypothetical since at this point there is a Class III Officer position at LPS."**

**I am asking that you keep this information confidential until it becomes public after the meeting tonight. I have a meeting with my key communicators tomorrow night and I know some of the folks on the committee from West Amwell will not be happy with this decision."**

This response from West Amwell was unexpected by the Superintendent, most likely because he doesn't live in the district. His reaction was to the news was double down on the PR communications plan and vastly expand its scope and reach. This also backfired on him. His visit galvanized the West Amwell Township committee and they ultimately came out against.

## Letter to Current Students

Other parts of the plan were also coming together. In the School and Community Committee Minutes for August, they say.

**"Outreach continues at an upcoming Senior Citizen Luncheon on October 14, a letter to graduates and high school seniors of voting age, Ramblers Day and other events"**.

So they actually went ahead and sent **"a letter to graduates and high school seniors"**. Referendum letters to students! That letter is shown in figure 3.

The letter has no mention of the referendum costs, negative impacts to students or the community, or really anything other than how awesome this will be for the students. This is a tremendous ethics violation, using students in a tool to win their referendum bid.

## Vote Yes Lawn Signs

Moving onto the September Key Communicator minutes. There was more evidence of the extensive PR program were revealed there. Superintendent Suozzo wrote:

**"Ideas moving forward. 1-2 people for each municipality designated to lead the local effort to get out the vote. Responsible for disseminating information/messaging, attending local events to continually educate the public on what is happening with the referendum"**.

The key phrases here are “Get out the vote”. “Messaging”. “Continually educate the public”.

Dear South Hunterdon High School Senior,

Congratulations on starting your senior year! It is my sincere hope that you have enjoyed your time in the South Hunterdon Regional School District and that you have a great senior year. I also hope that you are aware that on November 2, 2021, the South Hunterdon community will be asked to vote on a referendum to renovate the Lambertville School into a district PreK-4 school and the building of a new 5-8 school on the high school campus. Here are some of the educational benefits of our referendum plan.

- Educational equity for all students.
- 21st century learning spaces for all students that provide the opportunity for collaboration, creativity, critical thinking and communication.
- Mental health age appropriate supports for our students (multi-sensory room)
- New art and music rooms in each school.
- Provides our 5-8 students with a full middle school experience.
  - Extracurricular activities (sports)
  - Science Labs
  - Elective Choices
  - Co-curricular activities
- Will make the high school more competitive and appealing compared to other high schools in the area.

If the referendum passes, the 7th and 8th graders will move into the new school, creating a lot of new opportunities at the high school. The plan is to increase the amount of AP (advanced placement) course offerings, computer science, pre-engineering, tv/film/media production, expansion of FFA (Future Farmers of America) program, life skills program for special education students and podcasting.



Details are available here: [www.shrsd.org/referendum](http://www.shrsd.org/referendum) or by using this QR code

For those of you who are already 18 years old or will turn 18 before October 12, and would like to vote on the referendum, please pay attention to the important dates below. Feel free to share this information with any recent graduates that you feel would be interested.

**October 12:** Voter Registration Deadline (for individuals who are 18, but not registered to vote)  
[Click Here For A Voter Registration Application](#)

**Mail in ballots available as of September 20:** (can be mailed from anywhere in the US) [Click Here For A Vote By Mail Ballot](#) (All ballots *MUST* be Postmarked no later than Election Day and received by the Board of Elections by the close of business on the Thursday following the Election. You may appear in person through 3pm on the Monday before an Election.

I hope that you will consider supporting these important projects in order to improve our facilities which will provide South Hunterdon students with a better and more conducive learning environment.

Sincerely,

A handwritten signature in black ink, appearing to read 'Anthony Suozzo', located below the word 'Sincerely,'.

Anthony Suozzo  
Superintendent of Schools

### Figure 3 - Letter to existing SHRS D Students

If the Key Communicators were doing this independently on their own, it would be fine. The problem is they were doing it in direct coordination with the Board of Ed and the Superintendent. The BOE spent district resources closely instructing the Key Communicators how to get people to vote “yes”.

The BOE also continued discussion of Vote Yes lawn signs. Board member Dennis (L) asked, **“If we have a fairly efficient pipeline to order signs, can we ask members of the Key Communicator group to post on Facebook a request to order signs”**.

Another on chimed in, **“Can the lawn signs say things like ‘I vote YES for excellent schools in South Hunterdon’ or something memorable, brief, and positive?”**.

But as it turned out, the lawn signs really were problematic. Becoming nervous after hearing of looming possibilities of ethics complaints being filed against the Board for its behavior, the Superintendent had the signs reviewed by the Board attorney. She indicated that they were

problematic due to having the school crest on them. We'll have to wait for October before we get to the reaction to that news.

That wasn't the only setback with the signs. The Superintendent tries to get LAEF, PTO or PTA to pay for signs but is rebuffed by each. Those organizations are not allowed to cheerlead for a referendum (just like the BOE is not supposed to, either). The Superintendent sent these emails on September 21st:

**"Would the LAEF be willing to put forth some money for the purchase of signs for the upcoming referendum? The hope would be that they could be given to parents or community members who are willing to put them in front of their home...The signs cost \$16 each and they are from River Signs. Figuring we might be able to get more folks to put them in front of their house if they were free rather than having to pay for them... This referendum has huge ramifications on the future educational experiences for our students."**

and this to WAS PTO:

**"Would the WAS PTO be willing to put forth some money for the purchase of signs for the upcoming referendum? The hope would be that they could be given to parents or community members who are willing to put them in front of their home. Kate Lyons is one of my key communicators and is organizing this effort. The signs cost \$16 each and they are from River Signs. Figuring we might be able to get more folks to put them in front of their house if they were free rather than having to pay for them"**.

A West Amwell PTO representative wrote back **"I hate to be the wet blanket but the PTO can't give funds toward this. Unfortunately, the PTO's bylaws do not allow us to take an official stance"**.

The Superintendent and BOE acting as individuals to buy lawn signs is not in itself problematic, so long as no district resources were used in connection with them. But these schemes to discuss the funding strategy and a BOE member saying she will just buy and distribute them herself is being discussed using district emails and is also memorialized in multiple School and Community Meeting minutes where there was agreement that this was the S&C Committee's policy.

## **Inundate the Public**

Back to those Key Communicator minutes. The Superintendent really wanted to hammer home what the plan was all about:

**"Goal to create a groundswell of support and inundate the public as much as we can. Focus on Yes and maybe/undecided votes"**.

Phrases like **"Create a groundswell of support"** and **"Inundate the public as much as we can"** are nothing less than a declaration that you are committed to a saturation market campaign.

He goes on with more details on precisely what the canvassing plan will look like:

"

- **Divide West Amwell into zones - more than 1-2 people**
- **Door to door polling - Lambertville - script (3 key things) - talking points**
- **Dates on the calendar when we make decisions on canvassing**
- **Acknowledge where people are right now**

- **Board members need to take a more active role in educating folks on the referendum. Get out into the community with talking points or attend some of the informational sessions”.**

As the penultimate bullet shows the Superintendent wants the BOE members to take a **“more active role”** in this process.

When the BOE members heard these updates, they were enthused. Board Member Paciulli (W) says **“Key Communicator Minutes: I think the ideas are all amazing”**.

## **Using Hurricane Ida to Advantage**

At the beginning of September, Lambertville also was dealing with the aftermath of the horrible flooding caused by the remnants of Hurricane Ida. A big concern of the Board was what the public would think of LPS being in a flood zone and the fact that water breached the building. Board member Braun-Strumfels (L) warns the Superintendent:

**“I think we should address the flooding concerns head-on with a video or photo montage showing the LPS pantry operation (so - no damage, easily accessible, valuable site for our community) and students streaming through the halls and into school or something. Maybe you could include a voiceover or short interview segment on how the school fared in the storm and why investments in our school will benefit the community in the long run. Or something that positively counters the fears“.**

This suggested ultimately resulted in Video #3. They took a natural disaster that caused millions of dollars in damage and displaced countless residents and turned it into a referendum PR opportunity.

Also related to the flood, the City of Lambertville’s main polling place was damaged in the flood and was unusable for voting by November 2nd. The City reached out to the Superintendent to see if LPS could be used as a polling place. The Superintendent wrote to the Board, **“I am inclined to say yes since the public will also be voting on the referendum”**. The Board agreed. It wasn’t about helping out the City. It was about it being favorable to the referendum.

At this time the Superintendent continued to brainstorm with his Key Communicator group. They indicated that **“[t]hey feel strongly that I need to educate the communities”** on the topic of **“what happens if the referendum fails”**. The superintendent decided the best way to ram home the importance of the referendum was to respond to that with **“Option 2\*: We reduce programming to start paying for some of the facility challenges we are experiencing which are only going to get worse”**. He notes that this is **“an entirely theoretical option”**. Eventually the Superintendent included this in his “Video #2” as a naked threat to the community - give us our referendum or we will start cutting educational programs.

Board Member Todd-Marino (L) liked it, but cautioned the Superintendent to be careful with language so that people **“don’t see it as a scare tactic”**. However, her objection wasn’t an absolute. She followed up saying **“if we don't see a mobilization of "yes" voters, add it to the presentations?”**. So they should adjust their messaging until they get the effect they want on voters. A classic PR campaign. Experiment, measure, adjust, repeat.

Board member Paciulli (W) offered her professional power of persuasion to the marketing effort. She wrote to the Superintendent:

**“As my "day" job, I am Six Sigma Certified and a professional change management lead. In short it's my job to help others buy into a new idea, technology or process. I have lots of experience with this. Recently a few members of the Key Communicator group have seemed like they need some help. I want to share 2 images related to adopting**

change..this may help us a little in the framework of where and how we will focus our efforts”.

The first graphic she mentioned is shown in figure 4.

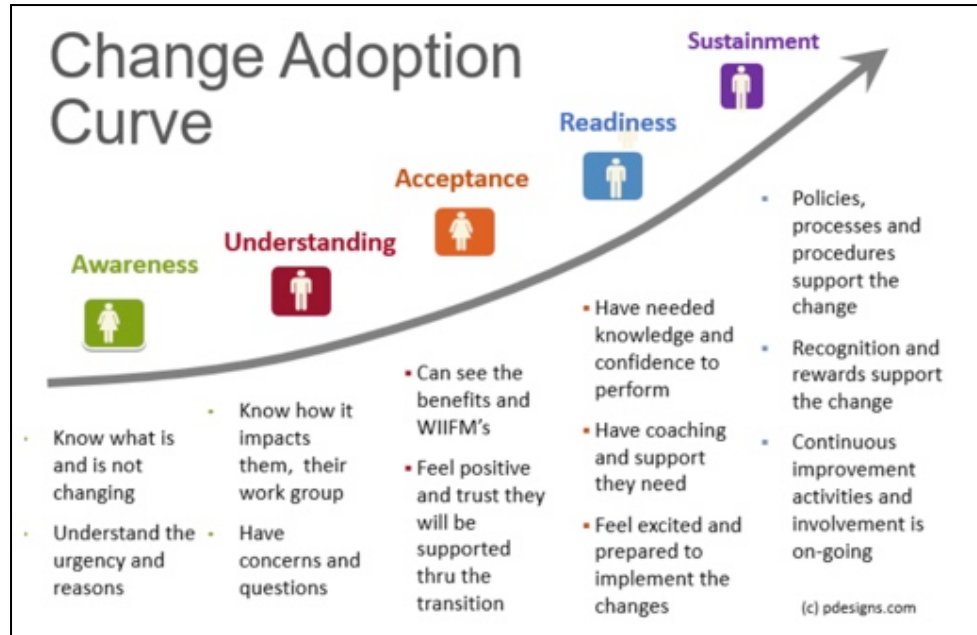


**Figure 4 - Change Adoption Curve for New Innovations**

This is fundamentally a marketing tactic and shows the journey of a person working through a new idea, with the marketer targeting the person to land in a place of happiness and active support for the idea.

The second graphic is in figure 5 and reinforces this concept.

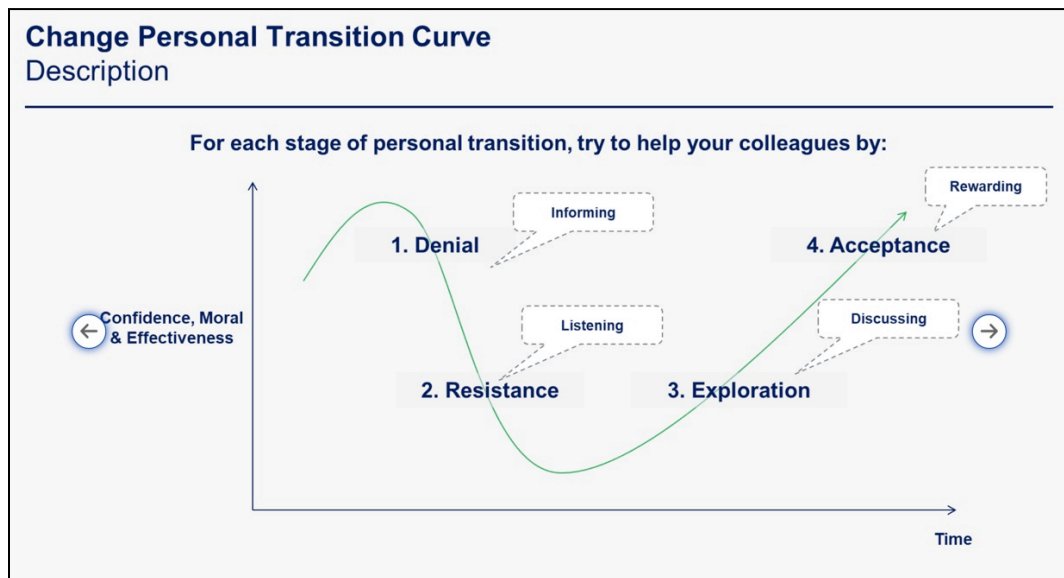


**Figure 5 - Breaking through Target Resistance**

What this implies is they knew they needed a sustained marketing effort that adapts over time to take a person from the stages of Denial, Resistance, Exploration, and finally Acceptance if they were going to win. It is a time tested marketing approach that is highly effective.

The only problem with this plan is that it is illegal for a Board of Ed to use its resources to undertake such an approach. Because it unfairly favors only the “Yes” vote, and leaves “No” voters without a voice in the process.

## **More Videos! More Letters!**

Meanwhile, as part of the Superintendent’s reaction to West Amwell’s opposition, it was decided that 3 videos was not going to cut it. They needed more. A lot more. And Letters to the Editor. Many many letters! The Superintendent asks, “**[a]s we approach the month of October, wondering if any board members are interested in perhaps writing a letter of support for the referendum**”. There are many enthusiastic replies from members of the Board.

The Superintendent turned up the pressure on the Key Communicators as well during this time. In their September 28th minutes he gives a laundry list of items to be undertaken:

**“Lambertville - feeling that there is support. Porch Fest this coming weekend would be a good time to canvass and get the word out....**

**West Amwell - social media encouraging folks to vote no for the referendum. Main area of concern is the possibility of a lack of security at the new PreK-4 school in Lambertville that West Amwell children would be attending...**

**Key communicators should set up social gatherings with friends and neighbors to give the key components of the referendum. Small groups to accomplish are better**

**West Amwell - target Music Mountain and Hills at Hunterdon to make sure we are getting yes votes.....**

**Referendum Video #3- to be released the week of October 18....Include at least 2 board members....Include a key communicator from Lambertville, West Amwell and Stockton**

### **Lawn sign campaign**

- **Effort to get out as many signs as we can**
- **Ramblers games on October 17**
- **Tours of LPS from 10 am - 2 pm**
- **Tours of WAS from 10 am - 2 pm**
- **Possibly have a small bus to take folks back and forth**
- **Ice cream possible at both locations**

**Jim Gallagher and Dave Beaumont will be reaching out to former board members to help get the word out about supporting the referendum.”**

The document closes with the Six Sigma BOE member’s graphic showing the Change Personal Transition Curve (Figure 5).

But this wasn’t all that was going on. A Board VP Hengst suggested they talk to the teacher’s union for an endorsement:

**“Have you asked the teachers' association? The Flemington-Raritan association was helpful in getting their referendum passed in recent years”.**

Finally, BOE members started hearing from a West Amwell resident that they were risking ethics violations with their cations. Board Member Gallagher (S) writes:

**"I think this has been shared before, but here is a useful summary of how Board members can publicly support the referendum, provided by NSJBA.**

**<https://www.njsba.org/news-publications/school-leader/january-february-2017-vol-47-no-4/legally-speaking-successfully-navigate-board-referendum-process/>**"

The above link says, in part, the following:

**"However, board members may not:**

- **Claim to speak on the board's behalf without authorization to do so;**
- **Use board property or resources (including the website) to engage in private actions or speech;**
- **Share any information that is not public knowledge; and/or**
- **Write an opinion about a school issue without the necessary disclaimer."**

That is pretty explicit: board members may not use board property or resources to engage in private actions or speech. But wait, there is more!

**"Although school board members are permitted to participate in the activity of political committees in the same manner as any other individuals, they must be careful to do so in their official capacities. In doing so, school boards must take particular care to ensure that political committees do not expend any district resources, including but not limited to the use of school board telephones, e-mails, or facilities. Use of school board resources for promotion of a public question in an election, under some circumstances, might even violate a series of criminal statutes".**

So all this plotting using school phones, e-mail addresses, and other equipment is not only unethical, it **"might even violate a series of criminal statutes"**.

But this isn't all of it. This isn't all of the NJSBA's material on Board behavior during a referendum. Consider this link, **"COMMUNITY ENGAGEMENT 2.0 ....LEGAL DO'S AND DON'TS OF SCHOOL BUDGET CAMPAIGNS"**. The following uses are banned: School Equipment, School Facilities, School supplies, and Staff time". The BOE and Superintendent used all four. It goes on to say, **"If no public monies are involved, a board member may speak in favor of, or against, the budget"**. But public monies were involved.

Take a look at the caselaw cited:

- **Fenton v. Sullivan:** *"board cannot publish...a newsletter which advocates passage of a budget question"*
- **Burghard v. Mahwah Bd. of Ed:** *"Referenda Advisories, while mostly factual, taken in totality created the impression that voters should vote for budget (mentioned link between real estate values and schools"*
- **Oldbridge:** *"Board's production and distribution of video via cable television advocating passage of budget was an improper expenditure of public funds"*
- **Enterline v. Hillsborough:** *"School board's 8-page newsletter was an advocacy piece touching on hot- button local concerns about property values and community image -- discussed emotional ramifications of defeat rather than recitation of facts, and was improper"*
- **N.J.S.A. 18A:42-:** *"Literature given to students for them to take home cannot promote, favor or oppose candidate, bond issue, proposal, public questions—nor may students be asked by school officials/employees to take engage in activities that promote, favor....etc"*

On the last, while the statute literally says "given to take home" on school grounds, the law probably did not contemplate a district sending students letters via postal mail.

## OCTOBER

October arrives. It's crunch time with a month to go before the election. The Superintendent, Board of Ed members, and Key Communicators go into action for the final push to "Yes".

The Vote Yes lawn signs program reaches a fever pitch. The Superintendent is personally calling *River Signs*, the firm that is printing the lawn sign, in an email chain involving a resident and Board of Ed member Dennis (L):

**"I'm checking in with River Signs today. I will circle back to you soon."**

A Board member Dennis (L) writes to the Superintendent:

**"I have 10 signs purchased by my husband and me as individuals and taxpayers that I would like to make available to you for distribution at your next events. Two signs have already been provided to Kate. I can drop them off wherever is convenient for you"**

Part of the Superintendent's very health six figure salary is being dedicated to hand out "Vote Yes" lawn signs for free at district events advertised on the district website as official district functions.

In another thread we see the BOE become concerned because West Amwell residents have been complaining about the "Vote Yes" signs and the board attorney reviewed them and found them problematic. Board member Dennis (L) writes to Superintendent Suozzo and Board President Gallagher (S):

**"Going old school. Printed language and taped onto the bottom of the signs I picked up yesterday. If we order more from RiverSigns, I'm sure they will accommodate the additional text. They seem quite flexible."**



Figure 6 - BOE created lawn sign

As it turns out, the sticker campaign failed. So they went with the "new sign" approach. In a last ditch effort Board member Gallagher designs a new sign himself stripped of the SHRSd crest and in a different color. He also is misinformed that it can just say ***"Paid for by a private citizen"***. The law says that if a Board member creates a sign he must identify himself as a Board member and say that the sign is not an action of the board. Figure 6 shows this new lawn sign created by Gallagher. Specifically, NJ School Ethics Commission ***Advisory Opinion – A36-14*** published in 2014, in regards to Board of Education members, states, ***"However, if you were to create a lawn sign yourself, the disclaimer must be included as with publications"***. Since a Board member created this sign and did not add in the required disclaimer, he broke ethics laws.

Next, we learn that a BOE Member Todd-Marino (L) has taken charge of the canvassing effort and personally leads it. Here is the incredible email she sends using her district email address:

**"To follow up on the discussion about referendum campaigning, I promised to pass on the sign up genius link for anyone interested in either canvassing or making phone calls."**

**The people leading the effort are currently recruiting and training volunteers, and the sign up genius is the first step. Feel free to share with anyone you think would be interested."**

A BOE member using her district email to talk about mechanics of "referendum campaigning"?

## **Video Blitz**

The video blitz planned for in September became a reality in October. The Superintendent shot a video of a woman from California who was handicapped while attending LPS over 15 years ago. Superintendent Suozzo let's his key communicators know they can start "to share through your social media outlets":

**"Referendum video #3 will be going out later this afternoon. Below is the link. After 3 pm feel free to share through your social media outlets. It includes a graduate of the district and the challenges she faced attending a school without ADA accessibility."**

Superintendent Suozzo also shared the video with the whole BOE:

**"Hello everyone,**

**First, I am sharing with you referendum video #3. You may remember that I had a conversation with a former student back in February who attended our schools in a wheelchair. She now resides in California although I believe her parents are still local. She shared her story with me via zoom and the challenges she experienced as a young child. She stated that if there was anything she could do to help solve the ADA accessibility issues to let her know as it was important that no other child has a similar experience. Below is an interview we did with her about her experience at LPS. Feel free to share your thoughts after you watch the video."**

The Superintendent gets mixed reviews for his effort. While Board member Gallagher (S) thinks it is "very powerful", he warns:

**"However, when I click the link the opening title card says "Please vote for ADA accessibility." That is going to get called out by opponents of the referendum, who are already trying to manufacture outrage over what they consider improper attempts to influence the election. If that language is removed, the video will be seen as the school district's appropriate effort to educate people about an important aspect of the referendum the necessity of ADA compliance rather than an attempt to influence the vote"**.

At this point Board member Gallagher had begun to realize the level of ethics violations the entire board had committed, and is attempting damage control. But Gallagher misses the wider point: even a child could see this was an attempt to use this woman's disability to further promote the referendum. It is a naked appeal to emotion. It is also on district email and district Superintendent's paid Zoom account.

We also have the newer videos being produced. The Superintendent tells Board member Gallagher (S):

**"Yes, I would still like you to do the video. I think you should focus on the key points of your letter. Acknowledge you are on the board but are doing this as a taxpayer and community member. You have a lot of history on this!"**

What both the Superintendent and Gallagher fail to realize is they are planning this using district emails, and the video is being scripted and shot by the High School video and media

teacher e.g. her salary is going into this video. It is also shot using tax payer funded video equipment. In the end that teacher spent dozens of hours on these videos.

Board of Ed member Dennis (L) also was scheduled to do a video, but it seems they were delayed. The video teacher emails Superintendent Suozzo:

**"I just thought I would check back in with you about the recordings with Martha and Jim....I know some of the other board members expressed concern about appearing on-camera. I didn't hear back about Martha's completed video (I know you are BUSY) so I was wondering if there is hesitation with Martha and Jim, as well? I am just wondering because I was going to try to finish Jim's video today. Melanie J. LaPlaca, TV/Media Production Teacher"**.

This email and others proves beyond a doubt that a district teacher was involved in planning and shooting the videos.

As it turns out, two days before this Board member Dennis (L) had decided to bow out. She wrote to Superintendent Suozzo, **"In an abundance of caution and taking into consideration the tone of the West Amwell Town Council letter and commentary of some of its residents, it may be best not to post a video from a school board member (i.e., me) on the SHRSR referendum site"**. This is evidence of guilty behavior by the Board.

A week later this is confirmed by the Superintendent writing to the video production teacher, **"Sorry I didn't get back to you sooner. There has been concern from the board members due to some of the feedback from West Amwell residents. To play it safe we have decided not to release the videos"**.

This is more guilty behavior, and an increasing realization by both the board and Superintendent that they were crossing the line and the BOE members were personally at risk from their actions.

## **Letters to the Editor**

It is perfectly legal for BOE members to write Letters to the Editor as tax payers, so long as they use the right disclaimers and do not use any district resources to do it. However, what is not legal is BOE members coordinating with each other in Committee meetings and over district emails, with the Superintendent coordinating their overall actions. That is not individual action, that is illegal board action.

In all there were 17 emails flying between the Board members and the Superintendent, sharing each others' draft letters and receiving editing suggestions back. We'll show just a few to get the flavor.

The Superintendent gets the ball rolling in late September, **"As we approach the month of October, wondering if any board members are interested in perhaps writing a letter of support for the referendum not as a board member but as an individual"**.

Board VP Hengst (L) writes to the Superintendent, **"I would be happy to write a letter. I'd like to include the costs of the project among other things."**

The schedule towards the end of September according to the Superintendent was:

**"Week of September 27: Martha, Week of October 4: Jim, Week of October 11: Filomena, Week of October 18: , Week of October 25: Kevin"**.

We get a schedule back with Board member Paciulli (W) filling in the last slot, **"I will do the week of Oct 18 or I will just send mine whenever. I will share with you before"**.

Deep into letter writing season, Board member Gallagher (S) writes to the Superintendent, Board President Koveloski (W), Board member Pursell (W), and Board member Paciulli (W), **“Hi everyone, would you please take a look at my referendum letter draft and let me know what you think? I would like to post this tomorrow, and would rather you guys poke the holes in my arguments than the public. Diana, I received your letter but didn't want to look at it before I finished mine. I will take a look now and get back to you”**.

The Superintendent to Board member Pursell (W), **“I made a few tweaks throughout. Looks great!” - about Diana’s letter to the editor”**.

This goes on for a couple of weeks. The last one we have is Board President Koveloski’s (W) letter. The Superintendent writes back to him, **“I tweaked it a bit and Kerri Wright reviewed it. You can email it to Steve Chernosky”**. For reference, Kerri Wright is the Board attorney, and Steve is a local reporter for TapInto.

What we have here is five Board members spending significant time and effort using district resources to write and coordinate on these letters, and then we have an expensive Board lawyer reviewing these supposedly “as a taxpayer” letters.

## Facebook Posts

From late September to early October, Board member Gallagher (S) begin aggressively posting to Facebook pages dedicated to Lambertville and West Amwell residents about the referendum. His goal was to clearly sell the referendum, while simultaneously taking on any critical information and trying to spin it away. He encountered tremendous resistance from a number of West Amwell residents, some of whom began to warn him that his own behavior and that of the Board as a whole seemed to be a clear violation of School Ethics laws.

This was discussed among a subset of the board. Board member Paciulli emailed the Superintendent, and Board members Pursell (W), Gallagher (S), and Koveloski (W), saying:

**“This guy is a total bully. I feel we are doing everything according to the policy. When is the next key communicator group meeting? I think we should meet weekly with them to address these things. Based on the article, I don’t think we can print and distribute our statements as we were discussing. I think we should have the Key Communicator group do a flyer which has the QR code and FAQ (especially about the fact that taxes still go up if we do nothing it just happens all at once instead of over time). We can help them craft it. I would be happy to help distribute the flyer.”**

This statement is curious in a numbers of ways. Board member Paciulli claims “we are doing everything according to policy”. But then in almost the next breath she says, “Based on the article, I don’t think we can print and distribute our statements as we were discussing”. On the one hand she says they are good, then she admits that some things they were about to release were likely bad. She also mentions hiding behind the key communicators group, and using them as a weapon to attack nay sayers in West Amwell. Finally, she wants to exaggerate what will happen if the referendum fails.

Board member Pursell (W) seems to feel the same way, saying **“I agree with Traci and especially about talking to the key communicators. I’ve been speaking to one on the group who is now reconsidering releasing a statement because of the bullying from this particular community member.”**

It is also telling that two West Amwell board members feel comfortable calling one of their voters a “bully” for the mortal sin of disagreeing with them.

Board President Koveloski ultimately would get upset enough by this resistance from West Amwell residents that he went onto Facebook and posted what you see in Figure 7 onto the West Amwell Facebook Community page.

There were two problems with this post. First, it did not have the proper legal disclaimer required by the school ethics commission. Second, he says “*Please do not let the so-called social media experts persuade you in any way with their negativity, false statements, and bad information*”. What Board President is doing here is trying to suppress anyone who happens to be against the referendum or has serious reservations about it. He brands all “negativity” as being cooked up from “bad information”.

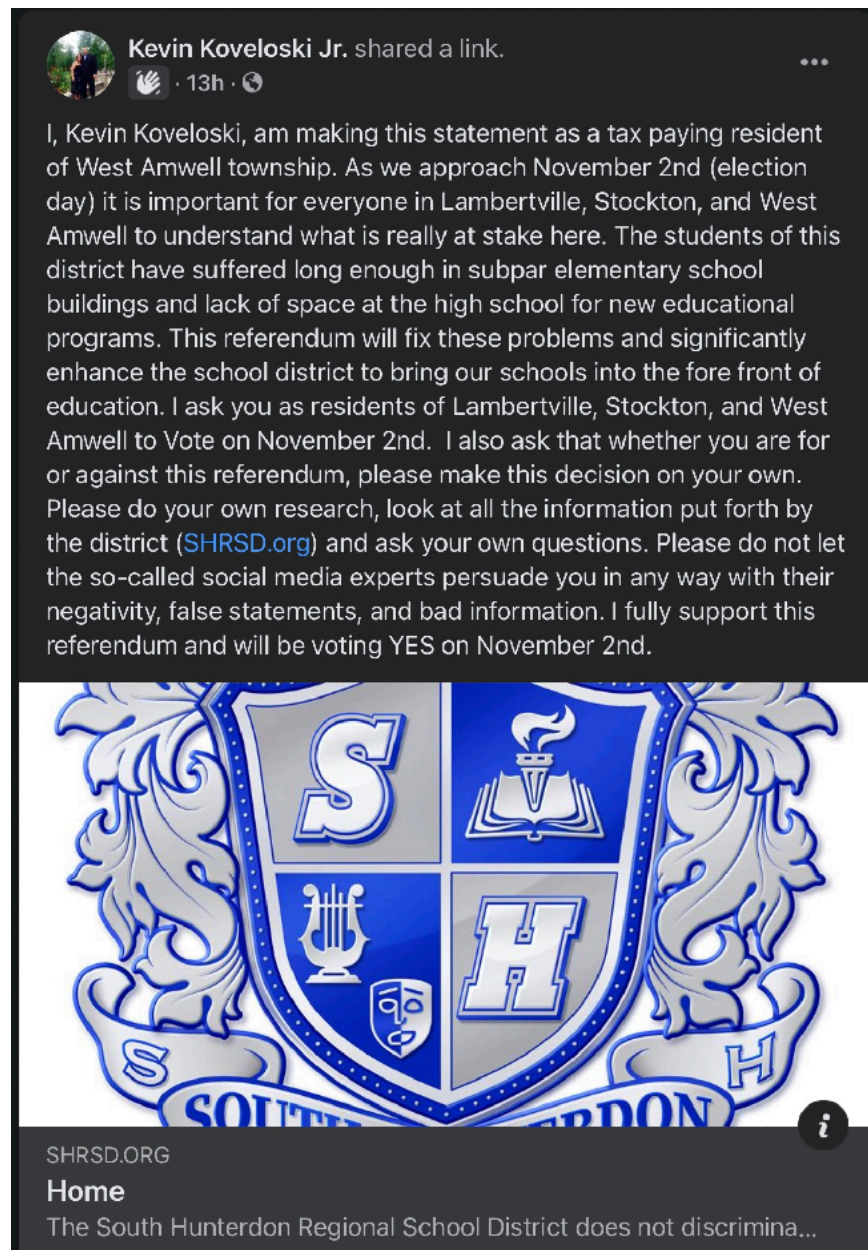


**Figure 7 - Kevin Koveloski Statement**

This is an appalling breach of the public’s trust.

### **West Amwell Opposition Letter**

In early October, the West Amwell Township Committee followed up on its promise to formally oppose the referendum and send a letter to residents about it. The following letter was also mailed using the postal service to every household in the Township.

## **West Amwell Township Letter Opposing Referendum**

The letter is two pages long and does an in-depth analysis of all of the problems with the district's referendum plan, especially around security and cost.

The Superintendent discusses how to respond to West Amwell, but clearly by this time it was late October and the Board and Superintendent were hyper aware that they were in legal jeopardy. Ultimately they created the "Infographic" and sent out this tepid statement along with it as their token resistance to West Amwell's comprehensive analysis:

***"Throughout the referendum process there has been a lot of information shared. The volume of information, and conflicting statements from concerned residents can be overwhelming and confusing. The below Quick Guide highlights important information provided by the district regarding the referendum. I am hopeful that this provides community members with factual information to make an informed decision on November 2nd".***

What Superintendent Suozzo and the Board members were learning was that it was easy to sway voters when you can cheat and run with an illegal PR campaign. When they had to play by the rules, it was a lot more difficult. But they still had ways to manipulate the public. To the Key Communicators!

Board of Ed Members Todd-Marino (L), Gallagher (S), and Dennis (L) worked with Beaumont and another Key Communicator strategizing about how the Key Collaborators could punch back against West Amwell. In the end, Beaumont told the Board members and the rest of the Key Communicators group ***"I've also attached a response that Jim [Gallagher] and I collaborated on, which we are proposing be posted on the WAT Facebook page, on behalf of interested Key Community members".***

The long, rambling letter, with many factual errors, was posted to the West Amwell Facebook shortly after. The letter was 6 pages of confusing innuendo and smoke screens. Most troubling, there was no attribution as to who the author was. This breaks ethics rules as Board member Gallagher was a secret author without attaching the usual ethics disclaimer. Rather than diffuse the West Amwell Township letter, it served to only strengthen the impression that the referendum plan was as shoddy as the letter.

## **Ethics Complaint**

As we have mentioned on several occasions, a West Amwell resident started warning Board members in late September that he was researching ethics law, and it appeared that the Board of Ed was in violation of many of them. At the time, he simply asked them to stop. In fact, when Board member Gallagher (S) published a Letter to the Editor without the proper disclaimer, the only action he took was to point out the error privately to Gallagher help him fix the error.

But the Board of Ed members and Superintendent Suozzo chose to largely ignore him and continued on with the media blitz. At the same time, Dave Beaumont had been working on the individual along with other people in official West Amwell Township Committees. Beaumont realized that the ethics complaints were serious, and tipped off the Superintendent it on June 10th. He also cancelled his own video that was scheduled to be shot.

***"Tony,  
Wanted you to be aware that I have been having a lengthy dialog with a resident in WAT who is accusing the Bd and yourself of ethical violations. He believes the presentations, documentation, videos and public gatherings have not been conducted in keeping with legal requirements. Central to his position are:***

**BoE and SI cannot try to sell a referendum (or try to press for no either). A board is supposed to be neutral. It can mildly advocate for it to pass, but they must give all the negative information about a referendum too.**

**BoE members can air their private opinions, but are required to indicate they are BoE members, and must indicate that their words are their own and they are not speaking for the board.**

**On the first point, this resident has interpreted the law to mean that even subtle hints of support by the district are a no no. There's a lot more to his position, which I can share if you want. However, I've spent considerable amount of time attempting to change his thinking without success. He is opposed to the referendum and it seems he will pursue whatever it takes to stop it. In the end, he is seriously contemplating filing an ethics complaint with the SEC. However, he realizes the amount of work and effort it will take to do that and is evaluating his options.**

**Whether he pursues a formal complaint or not, I have no doubt he will make this a public issue, if he hasn't already on Facebook. Sigh!**

**A particular issue for him is that he believes the district is required to afford equal opportunity for opponents to share their position on the same public funded platforms as supporters. That being said and not wanting to add any fuel to the potential fire, I think at this time it would be prudent for me to not do a referendum video segment. I may consider doing one independently, but not on a publicly funded platform.**

**My apologies but hope you'll understand my dilemma.**

**Thanks,**

**Dave"**

Beaumont's dropping out of his own video shows he thought the arguments about ethics violations might have some merit. Apparently the Superintendent did, too, when he wrote to the entire Board:

**"Just a reminder that if you have not read the link below that Jim Gallagher shared a few weeks ago, please do so. We have one community member in West Amwell that is watching very closely what I say as well as the board in reference to the referendum. He has already advertised that he more than likely plans to file an ethics violation against myself and a few board members. Keep in mind everything that I have sent out (postcard going out this week, videos) have been shared with Kerri Wright first for approval).**

**<https://www.njsba.org/news-publications/school-leader/january-february-2017-vol-47-no-4/legally-speaking-successfully-navigate-board-referendum-process/>**

Things changed radically for the Board when their own reputations were on the line. But their stubborn insistence to continue drove the West Amwell resident to go ahead with his complaint.

By late October, the complaint had been filed with the NJ School Ethics Commission, and the Commission accepted an amended version of the complaint with a full 18 counts against the Board of Education members.

# NOVEMBER

## Election Day

November rolls around and election day is here.

Elizabethtown gas inexplicably has put road closures up all around LPS, which is now the only polling location in Lambertville. The police director goes door to door telling everybody to move their cars and park at the school. He then fulfills his part of the Superintendent's request for more security at the school on election day. But parks his cruiser sideways taking up 3 of 6 remaining open spots. He explains to Superintendent Suozzo that he can't be inside the school:

**"Received. To avoid any conflicts with voter intimidation, an officer will be stationed outside the building in a patrol car. If you have any questions, please let me know".**

Problems ensue. Only the "walkable" people to LPS can easily vote. People from further away report they couldn't find parking and couldn't vote. Minorities had to walk past an occupied patrol car to get into the polling place. Voters were disenfranchised by possible deliberate action by the Mayor of Lambertville, Fahl.

By the next day that the referendum question was close. Really close. It would take over a week to get the final result.

In the end, the referendum won. By 2 votes. Just two.

## Alternatives

While the outcome was still in doubt, Superintendent Suozzo was already contemplating alternatives. No, not the big threat he gave earlier about cutting programs. That was always just a scare tactic. Instead he writes the following to the school's architecture firm:

**"As we dig into the results in the coming days I think the one thing that jumps off the page is the following:**

- 1. West Amwell doesn't want to go to school in Lambertville**
- 2. Lambertville wants to keep their community school**

**So we are going to need to come up with options that will accomplish both. Not the best educational plan but what the community wants.**

### **Option 1: Renovate both LPS and WAS.**

**- Same renovation plan for LPS as we have now. I think we still need to do the library and addition if we plan on keeping it a PreK-6 school.**

**- WAS - full renovation with ADA, HVAC, secured vestibule, etc. Take down the white house and replace it with parking. Addition for a gym/cafeteria/ additional classroom space? What can we do with the multipurpose room? Half new library and make space? Maybe part of it becomes the new main office and the existing used for additional special education space?**

**- Addition on high school to expand the cafeteria into the courtyard**

**Option 2: Renovated LPS into a PreK-4 for LPS students only and then build a PreK-8 on high school site where the PreK-4 would be used for West Amwell students only and the 5-8 would be used for all district students.**

- No additions for the high school.
- Not sure if we would need the addition for LPS being it will only be for PreK-4 Lambertville students.
- This plan allows us to still impact the high school with the referendum.

**We have time. My thought would be to go out again in November 2022. I think we may need to show the community both of these options and the costs associated with each. I don't know where the board is at the moment with all of this.**

What the above email shows is that the whole thing - the whole 11 month manic blitzkrieg media campaign - was a big lie. These options were never once voiced by the Superintendent or BOE members during the time. Quite the opposite - we were told **"we have to act now"** and **"there is no more time"** and **"WAS cannot be renovated"**.

## **December and Beyond**

In mid December, the district OPRA response emails and documents were published, along with this missive.

The West Amwell Township Committee called for a recount, which did not change the outcome. Next the referendum will be contested.

Citizens are rising up in outrage at what the Board of Ed tried to do to us.

If you want to join the Grassroots effort to fight the referendum, please join us on Facebook:

<https://www.facebook.com/groups/shrsdresidentsforanewplan>

Please note that will have to answer two simple questions to join the group ("Are you against the referendum?" and "Will you pledge to behavior in a civil manner within this group?").