

David Herron.
136 Lincoln Street
Montclair, New Jersey 07042
Tel. 973-619-3276
Email: glhrrn@aol.com
Plaintiff-Pro Se

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
ESSEX COUNTY**

DOCKET NO.:

CIVIL ACTION

VERIFIED COMPLAINT

DAVID HERRON

Plaintiff,

MONTCLAIR BOARD OF
EDUCATION and ESSEX COUNTY
BOARD OF ELECTIONS.

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - ESSEX VICINAGE

FEB 19 2026

**FINANCE DIVISION
RECEIVED/FILED**

Plaintiff David Herron, residing at 136 Lincoln Street, Montclair, New Jersey,
complains of Defendants, Montclair Board of Education and Essex County Board of
Elections, as follows.

JURISDICTION

1. This matter is commenced as an action in lieu of prerogative writs, of the challenged Action taken by the Montclair Board of Education on January 5, 2026.
2. This matter is commenced as a summary proceeding.

BATCH # 347 FILED 2-19-26
CHECK RECEIPT # 595 AMT 250-

3. This is an application for immediate and permanent injunctive relief.

PARTIES

4. Plaintiff David Herron is an individual who is a resident of the Township of Montclair, a taxpayer and registered voter in Montclair, New Jersey 07042. Herron is well-known and a widely respected voice in the community. He often speaks on local matters. Although not germane to this matter, Herron has resided in Montclair for over 50 years. During that time, he has been the President of the Montclair Chapter of the NAACP, as well as the Chairperson of the Montclair School District's Human Relations Affirmative Action Committee.

5. The Montclair Board of Education, ("Board") is a public body, located in Montclair, New Jersey in Essex County. It is duly organized under the laws of the State of New Jersey and is tasked with educating students in Grades Pre-K through Grade 12. The Board of Education has its principal offices located at 22 Valley Road, Montclair, New Jersey

6. The Essex County Board of Election is an Essex County government agency, charged with administering public elections within the County of Essex and certifying the results. The Essex County Board of Elections has its principal offices located at 495 Dr. Martin Luther King Jr. Blvd., Newark, New Jersey 07102.

Venue

7. Venue is properly laid in Essex County because, Defendants, Montclair Board of

Education and Essex County Board of Elections are in Essex County and because the cause of action arose in Essex County, R:4:3-2(a).

8. The Montclair School District is currently a Type II school district, where members to the Board are elected by the voters. In November 2021, Montclair switched to a Type II School District. Some of its members were elected by the voters of Montclair at a November 2025 election.

9. Prior to November 2021, Montclair operated as a Type I school district. Under a Type I school district members of the Board of Education are not elected, rather they are appointed by the mayor of the township. In addition, Type I school districts are comprised of a Board of School Estimate, consisting of 5 members, 2 from the school board and 3 members of the Montclair Town council. The Board of School Estimate, under the Type I school district have control and has line-item veto powers over the school district's budget.

10. The Essex County Board of Election is charged with administering public elections within the County of Essex and certify the results. The Board of Elections has its principal offices located at 495 Dr. Martin Luther King Jr. Blvd., Newark, New Jersey 07102.

FAILED DECEMBER 9, 2025, BOND REFERENDUM ELECTION

11. On December 9, The District has scheduled a special school board referendum to address \$ 19,000,000 budget deficit, which the "District" was facing.

12. On or about November 21, 2025, resident Carl Kraus filed a complaint in the Essex County Superior Court of New Jersey, seeking injunctive relief to prevent the December 9, 2025, from occurring.

13. On November 24, 2025, Plaintiff, would also file a second complaint also seeking injunctive relief from the scheduled bond referendum.

14. On December 2, 2025, one week before the scheduled special bond referendum, that sought to increase the tax levy, Essex County Superior Court Judge, Robert H. Gardner issued a ruling that stopped the election from going forward, thus awarding plaintiff Kraus, injunctive relief. In that ruling Justice Gardner, stated that, in referring to the ballot questions, “I don’t find them clear, this is a convoluted statement.”

15. On or around January 5, 2026, Montclair decides to hold a second bond referendum election.

COUNT ONE

SECOND TAX REFEREDUM PROHIBITED

16. Montclair’s decision to hold a second special school election to present to voters, and schedule a second special school election, violates New Jersey State Law, prohibits holding more than one (1) special election per school year.

On September 4, 2024, Governor Murphy signed bill S2837 into law at P.L. 2024, c.60, authorizing school districts without a board of school estimate to submit to the voters of the district at a special school election a separate proposal or proposals for permission to raise additional funds for the subsequent school budget year beyond the district’s authorized tax levy for that year. Pursuant to N.J.S.A. 18A:7F-39, a proposal or proposals for additional funds may only be submitted on a date of a special election once during a school year. Special school elections may occur in January, March, September, or December, pursuant to N.J.S.A. 19:60-2.

17. Montclair attempt to hold a second referendum election to raise additional funds to address the districts deficit, violates N.J.S.A. 18A:7F-39.

18. The New Jersey Attorney General's office in a letter dated November 28, 2025, on behalf of the Essex County Board of Election, seeking compensation for costs, charges and expenses it has incurred in preparation for the administration of the election. (see s A).

19. Montclair Board of Education has paid the associated cost of the "failed December 9, election. Establishing that the action was for legal purposes considered an election.

20. State of New Jersey has determined that the election counts toward having an election.

21. If considered an election, that would count toward the one special school board are allowed under N.J.S.A. 18A:7F-39.

WHEREFORE, Plaintiff demands judgement on Count One as follows:

1. Declaring that Defendant Board violated N.J.S.A. 18A:7f-39
2. Invalidating the challenged Referendum Questions and canceling the March 10, 2026, special election, and,
3. Directing the Essex County Board of Election, not to count any ballots already cast; and
4. Prohibiting and restraining the Essex County Board of Election from certifying the results of the Referendum, and instead, declaring the same null and void, and,
5. Awarding any other relief as the Court deems just, fair and proper.

COUNT TWO

ELECTIONEERING IN A SPECIAL SCHOOL BOARD REFERENDUM

ELECTION PROHIBITED

22. Plaintiff repeat the allegations stated above as if set forth at length herein.

23. School Districts and their employees are prohibited from electioneering. On or around October 12, 2025, Montclair's district school Principals were ordered to send out letters to parents of students enrolled in Montclair Public Schools. Those letters informed parents of the "Board's" decision to seek additional funding to offset the budget deficit, by holding a special referendum election.

Letters were distributed by Montclair school staff, during school hours, using school supplies, resources and facilities, in violation of N.J.S.A. 18 A; 42-4.

24. School personnel utilized school facilities and resources to notify parents of the December 9, 2025, election and advocated for parents to vote YES for the referendum. *(See Citizens to Protect Public Funds v. Board of Education of Parsippany-Troy Hills, 13, N.J. 172 (1953)).* In the Citizen decision, New Jersey Supreme ruled that school board, may spend funds to educate voters on a referendum but cannot use taxpayers' money to advocate for a specific outcome.

25. District personnel utilized student's records, including email lists and parents phone numbers to further inform parents to vote YES on the bond referendum.

26. On October 17, 2025, Plaintiff had emails sent by the district's principals indicating that such election interference and influence initiated by mailing out letters, sending emails or attempting to influence parents in the voting preferences was unlawful and prohibited. *(See Exhibit B)*.

27. Letters that were sent out were emailed to parents utilizing each public school's email system.

28. Such action is electioneering and is prohibited. The former *Court of Errors Appeals in City Affairs Committee of Jersey City v. Jersey City, 134 N.J.L. 180 (1945)*, that simple fairness and justice to the rights of dissenters require that the use by public schools be restrained.

29. The Montclair School District is in violation of N.J.S.A. 18A: 42-4, which says in part:

Distribution of literature as to candidacy, bond issues, or other public question to be submitted at election, prohibited. No literature when in any manner and in any part thereof promotes, favors or opposes the candidacy of any candidate for election at any annual school election, or the adoption of any bond issue, proposal, or any public question submitted at any general, municipal or school election shall be given to any public school pupil in any public school building or on the grounds thereof for the purpose of having such pupil take the same to his home or distribute it to any person outside of said building or grounds, nor shall any pupil be requested to directed by any official or employee of the public schools to engage in any activity which tends to promote, favor or oppose any such candidacy, bond issue, proposal, or public question. The Board of education of each school district shall prescribe necessary rules to carry out the purposes of this section.

30. School employees may not use their district's email accounts to advocate for, or against a school budget, or referendum question, and such activities are also prohibited.

31. School districts do not have the authority through collective bargaining or otherwise, to allow Union employees to use their school's district email accounts to advocate for or against a referendum question.

32. The district in utilizing and allowing the use of each school's email server, and accessing parent's email lists, and engaging in activities, constituted prohibited electioneering in an election, in violation of N.J.S.A.18A:42-4.

33. Parents of school age children are a **Captive Audience**, and the Montclair School District has failed to take affirmative steps to ensure that teachers and staff do not espouse statements that would influence students, or their parents, on school time, on matters pending before the voters.

34. Letters which, the district instructed Montclair's principals to send to parents, failed to give a balance viewpoint to the upcoming election, instead, they advocated "voting" YES in the special referendum election." (see Exhibit B)

35. School principals, use of fear stated in the letters of what might happen to Montclair students education, should the referendum fail was electioneering, and went so far as to instill fear in parents, stating that, "if these question do not pass, the district will be required to make significant reductions-including more that 100 staff positions, along with programs such as courtesy busing, sports, extracurricular activities and clubs. These reductions would have a direct impact on the student experience. They would affect class sizes, available programs, and the daily support that students rely on for both their enrollment and academic and personal growth.

36. The Montclair School district, by allowing these letters to be disbursed, failed to give any voters who opposed the referendum the opportunity to state their opinion to that captive audience of parents, by virtue of having those parent's children in the public school and access to them via their parents' emails.

37. The letters, failed to even state that a vote of YES on the referendum question would have any effect on the tax levy, the amount of tax residents would be required to pay, or that this referendum would be a permanent tax increase to all taxpayers.

38. Unless relief is granted, the Plaintiff and all taxpayers, will suffer irreparable harm for which there will be no adequate remedy at law.

39. Montclair Superintendent Turner, participated in private meetings with parents of school children, enrolled in the Montclair Public Schools.

40. Those meeting began in the fall of 2025 and continues presently.

And violates the , (OPEN PUBLIC MEETINGS ACT) *N.J.S.A. 10:4-6* .

41. Private meetings at the homes of parents, constituted voter, electioneering, and attempts by Turner and other school officials to influence the election and win favor with parents, in violation of *N.J.S.A. 10:4-6*.

42. On February 17, 2026, “Turner”, wrote and caused to be published a letter to the editor, that was published in the Montclair Local, a public news website.

43. “Turner” in her letter to the editor, espoused the dangers to Montclair schools, and writes in her letter, “*the future of our schools will be in your hands.*” (See Exhibit C)

44. Turner’s writings indicates an attempt to influence the upcoming election, and further writes, “ I need you to understand the stakes.” Turner’s use of fear, overdramatization and provocative language in her letter to the editor seeks to encourage a positive vote for the referendum question, such action by district employees is prohibited, in violation of *N.J.S.A. 18A: 42- 4*.

WHEREFORE, Plaintiff demands judgement on this COUNT TWO as follows:

Unless relief is granted, the Plaintiff and all taxpayers, will suffer irreparable harm for which there will be no adequate remedy at law.

1. Invalidating the challenged Referendum Questions and canceling the March 10, 2026, special election, and
2. Directing the Essex County Board of Education, not to count any ballots already cast; and
3. Prohibiting and restraining the Essex County Board of Election from certifying the results of the Referendum, and instead, declaring the same null and void; and
4. Prohibiting the Montclair Board of Education from participating in all electioneering activities, by the Board and or any of its employees.
5. Awarding any other relief as the Court deems just, fair and proper.

COUNT THREE

BALLOTS QUESTIONS ARE FLAWED

45 Plaintiff repeat the allegations stated above as if set forth at length herein.

46. On January 5, 2026, The Montclair Board of Education had a meeting. On the agenda was, among other items, a vote to approve the special bond referendum election questions. The election is schedule for March 10, 2026.

47. At that meeting the “Board” failed to have available for the public, copies of the ballot questions for review.

48. At that January 5, 2026, meeting a copy of the required resolution which the

board was to present and vote on during that meeting, was also not available in violation of N.J.S.A 10:4-6, 1973.

49. The “Board” failed to produce copies of the resolutions, ballot questions or interpretative statements, to the public for review.

50. Board attorney Lester Taylor, instead read the resolutions and ballot questions to the public.

51. The March 10, 2026, Special Election is to have Two ballot questions to address the district’s financial deficit, and Question number one reads as follows.

Budgetary Spending Proposal Question Number 1

The Board of Education of the Township of Montclair in the County of Essex shall raise an additional \$12,000,000 from taxes over the amount raised in the last Annual School Budget to cover a prior deficit from the 2024-2025 school year. Approval of these taxes will result in a one-time increase to the district’s tax levy. These expenditures are in addition to those required to achieve New Jersey Student Learning Standards.

Do you approve this Proposal?

Interpretive Statement

If approved by the voters, the funds will be used to pay outstanding debts and obligations and due and owing from the previous school year. The tax will be non-recurring and will not be built into the base tax levy on which future years’ tax increase limits are based.

52. The March 10, 2026, Special Election Question number two reads as follows:

Budgetary Spending Proposal Question Number 2

The Board of Education of the Township of Montclair in the County of Essex shall raise an additional \$5,000,000 from taxes over the amount raised for the current (2025-2026) Annual School Budget for general fund operating expenses

for the 2025-2026 school year. Approval of these taxes will result in a permanent increase to the district's tax levy. These expenditures are in addition to those required to achieve New Jersey Student Learning Standards.

Do you approve this Proposal?

Interpretive Statement

If approved by the voters, the funds will be used for general fund operating expenses, including, but not limited to: reducing the impact of reductions in force among teaching staff, security staff and support staff; addressing ongoing maintenance needs; and the mitigating the impact of cuts to athletics, co-curricular and extracurricular programs.

53. Ballot question number 1 fails to state clearly to voters what will be, if passed, the financial impact on voters. Ballot Question number 1 also fails to state any percentage of increase to the taxpayers.

54. Ballot Question Number 2 fails to clearly state to voters, what will be, if passed, the financial impact on voters. Ballot Question Number 2 fails also to state any percentage of a tax increase if Ballot Question number 2 were to pass.

55. The "Board" had two separate questions to be presented to the public, Question 1 and Question 2.

56. Each Ballot Question had a separate resolution presented for approval .

57. The "Board" failed to properly present and vote on each ballot resolutions separately.

58. The "Board" voted only one time and combined Question 1 and Question 2, together as if they were on one resolution, although they were distinctly difference resolutions requiring a separate vote for each resolution for approval for each ballot question.

59. Ballot Question Number 1 and Question Number 2 both fail to explain any consequences if voters choose to vote NO on either of the ballot questions. (See Exhibit D)
60. A Consequence of NO vote and defeat of either Question Number 1 or Question Number 2 would require the district seek loans from the State of New Jersey.
61. A Consequence of rejection, by the voters of either Question Number 1 or Question Number 2 would also require the State of New Jersey, Department of Education assign a state monitor to the district. Knowledge of such consequences is vital to the voters and will affect their voting choices. The assigning of a monitor if the referendums are defeated is mandatory.
62. The ballot questions, as written fails to fully inform the voters, exactly what they are voting on.
63. The language used in both ballot questions; “The Board of Education of the township of Montclair in the County of Essex shall raise, etc. The use of ‘Shall’ on both questions is confusing to the average voter, due to its archaic and ambiguous nature. “Shall” can be interpreted in multiple ways, meaning “must,” “may,” or even “should.” Casting a shadow on the true intend and meaning of the ballot questions.
64. Ballot Question Number 1 and Ballot Question Number 2, Explicitly fails to state with clarity what a “YES” vote or a “NO” vote mean, so that the consequences are well known and understood.
65. The Board’s resolution vote was unlawful, as did not give board member the right to vote for one ballot question without voting for both.
66. Ballot questions 1 and Question 2 violated N.J.S.A. 18A:7fF-39.

WHEREFORE, Plaintiff demands judgement on COUNT THREE as follows:

1. Declaring that voting and use of Ballot Question Number 1 and Ballot Question Number 2 invalid.
2. Declaring voting for only resolution, when two ballot question was presented was invalid.
3. Forbid the “Board” from using the Ballot Questions, for failure to have a proper resolution for each Ballot Question, and
4. Forbid the use of the Ballot Questions 1 and 2 as is, due to its ambiguous nature, and wording and failure to state any consequences, should the voters decide to reject the referendums
5. Forbid the Essex County from certifying any election results or counting the ballots due to flawed ballot questions, and
6. Invalidating the challenged Referendum Questions and canceling the March 10, 2026, special election, and
7. Directing the Essex County Board of Education, not to count any ballots already cast; and
8. Prohibiting and restraining the Essex County Board of Election from certifying the results of the Referendum, declaring the same null and void, and
9. Awarding any other relief as the Court deems just, fair and proper.

Pursuant to R.4:5-1, I hereby certify that the matter in controversy herein not the subject to any other pending in any Court or any pending arbitration proceeding. No other action or arbitration proceeding is contemplated.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willingly false, I am subject to punishment.

DAVID HERRON

PLAINTIFF PRO-SE

Dated: 2/19/26

By; David Herron Pro Se

David Herron

CERTIFICATION PURSUANT TO RULE 1:38-7

Pursuant to R.1:38-7, I certify that confidential personal identifiers have been redacted from documents now submitted to the Court and will be redacted from all documents submitted in the future in accordance with R. 1:38-7(b).

DAVID HERRON

PLAINTIFF PRO-SE

Dated: 2/19/2024

By; David Herron Pro Se

David Herron

VERIFICATION

DAVID HERRON, of full age hereby certifies as follows

1. I am the Plaintiff in this matter.
2. I have read this Verified Complaint and am familiar with its contents. I have Personal knowledge that the allegations set forth in the Verified Complaint are true
3. I certify that the above statements made by me are true. I am aware if any of the forgoing statements are willfully false, I am subject to punishment.



David Herron-Pro Se

Dated: February 19, 2026

Exhibit A



State of New Jersey
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF LAW
25 MARKET STREET
PO BOX 112
TRENTON, NJ 08625-0112

PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

ANGELA CAI
Acting Attorney General

MICHAEL C. WALTERS
Director

November 28, 2025

VIA ECOURTS AND REGULAR MAIL

The Honorable Robert Gardner, J.S.C.
Essex County Historic Courthouse
470 Dr. Martin Luther King, Jr. Blvd
Newark, New Jersey 07102

Re: Carl J. Kraus v. Montclair Board of Education and Essex County Board of
Elections
Docket No. ESX-C-242-25

Dear Judge Gardner:

Please accept this letter on behalf of the Essex County Board of Elections (the "Board") in response to the Order to Show Cause and Verified Complaint filed in the above-referenced matter.¹

The Verified Complaint pertains to a special school election currently scheduled on December 9, 2025, which was called by the Montclair Board of Education to put two referendum questions before Montclair voters. See Verified Complaint ¶¶ 11-28. The Verified Complaint alleges that the referendum questions are phrased in such a way that voters are likely to be confused, *id.* at ¶¶ 12, 18-19, and failed to include interpretive statements as required by N.J.S.A. 18A:7F-39(c)(2), *id.* at ¶¶ 21-27. The Verified Complaint asks that the referendum questions be invalidated and the December 9, 2025 special election be canceled. *id.* at p. 6. The Verified Complaint is also seeking to enjoin the Board from counting any ballots already cast and from certifying the results of the election. *Ibid.*

The Board takes no position on the referendum questions or on Plaintiff's requested relief. But, regardless of the court's decision, under Title 19, the Board is entitled to reimbursement of the costs, charges, and expenses it has incurred in preparing for and administering the election. Title 19 provides that "[a]ll general elections, special elections,

¹ To date, Plaintiff has not personally served the Order to Show Cause, Verified Complaint, and Brief on the Board as required by the Order to Show Cause. However, the Board received these documents via email from Plaintiff's counsel on November 24, 2025 and submits this response despite lack of personal service.



Hon. Robert Gardner, J.S.C.

Page 2

municipal elections, primary elections for general elections and primary elections for delegates and alternates to national conventions held in the state or in any of its political subdivisions shall be conducted at the expense of the state or its political subdivisions.” N.J.S.A. 19:45-1. More specifically, “[a]ll costs, charges and expenses, including . . . compensation and expenses of the county board of elections, . . . for any school election held at any time other than the time of the general election shall be paid by the board of education of the school district.” N.J.S.A. 19:60-12. And, as of November 27, 2025, more than 1,350 completed mail-in ballots have been returned to the Board by voters in the Montclair special school election.

If the court granted the requested relief, the Board therefore requests that it be reimbursed by the Montclair Board of Education for the costs the Board has already incurred in preparation for this special school election.

Respectfully submitted,

ANGELA CAI
ACTING ATTORNEY GENERAL OF NEW JERSEY

By: /s/ Adam W. Marshall
Adam W. Marshall (Atty ID: 019231995)
Deputy Attorney General
Adam.Marshall@law.njoag.gov

c: All counsel via eCourts

Exhibit B

1 of 1

MONTCLAIR PUBLIC SCHOOLS

EDGEMONT MONTESSORI SCHOOL

20 EDGEMONT ROAD - MONTCLAIR, NEW JERSEY 07042

WWW.MONTCLAIRNJ.US

BRIONY CARR-CLEMENTE

Principal

October 12, 2025

Edgemont community,

Montclair Public Schools is facing a serious budget shortfall. On **December 9, 2025**, there will be a **special election** where voters will decide on two questions related to school funding:

1. Whether to approve an additional **\$12.6 million** for the 2024-2025 school year to cover the deficit from that year.
2. Whether to approve an additional **\$7.6 million** for the 2025-2026 school year to stabilize next year's budget.

If these questions do not pass, the district will be required to make significant reductions — including more than 100 staff positions, along with programs such as courtesy busing, sports, extracurricular activities, and clubs.

At Edgemont, this could mean the loss of approximately 9 staff members, **as well as** our counselor nurse, technology teacher, world language teacher, kindergarten paraprofessionals, operational aide (security officer), Restorative Justice teacher, and secretary. Each of these positions plays an important role in maintaining a safe, supportive, and well-rounded learning environment for our students.

These reductions would have a direct impact on the student experience. They would affect class sizes, available programs, and the daily support that students rely on for both their academic and personal growth.

We encourage all families to:

- Attend upcoming community conversations hosted by Superintendent Turner to learn more.
- Ask questions about what these cuts will mean for Edgemont.
- Most importantly, make your plan to vote YES in the special election.

No matter the outcome, our commitment remains the same: to provide every student with a safe, nurturing, and high-quality education. We appreciate your continued partnership during this critical time.

Sincerely,



Briony Carr-Clemente
Principal



MONTCLAIR PUBLIC SCHOOLS

BUZZ ALDRIN MIDDLE SCHOOL

The STEM Magnet

173 BELLEVUE AVE ~ MONTCLAIR, NEW JERSEY 07043
WWW.MONTCLAIR.K12.NJ.US

Major B. Jennings
Principal

October 12, 2025

Dear Buzz Aldrin Families and Caregivers:

Thank you to the families who attended Wednesday evening's PTA meeting. At that meeting, we had an opportunity to share the staffing cuts that Buzz Aldrin is facing and how that will significantly impact our school. As many of you know, Montclair Public Schools is facing a serious budget shortfall. On December 9, 2025, there will be a special election where voters will decide on two questions related to school funding:

1. Whether to approve an additional \$12.6 million for the 2024–2025 school year to cover the deficit from that year.
2. Whether to approve an additional \$7.6 million for the 2025–2026 school year to stabilize next year's budget.

If these questions do not pass, the district will be required to make significant reductions — including more than 100 staff positions, along with programs such as courtesy busing, sports, extracurricular activities, and clubs.

At Buzz Aldrin, we stand to lose at least eight staff members, including counselors, the school nurse, a technology teacher, our curriculum support teachers, a security guard, a secretary, and our RJ Teacher. Each of these positions plays an important role in maintaining a safe, supportive, and well-rounded learning environment for our students. These reductions would have a direct impact on the student experience. They would affect class sizes, available programs, and the daily support that students rely on for both their academic and personal growth. As we stated at our PTA meeting, Buzz has continuously lost staffing while enrollment has increased. We are calling on our parent community to advocate for Buzz Aldrin students and all Montclair Public School students.

We encourage all Buzz families to:

- Attend upcoming community conversations and BOE meetings hosted by Superintendent Turner to learn more.
- Ask questions about what these cuts will mean for Buzz Aldrin.
- Most importantly, please consider voting YES in the special election.

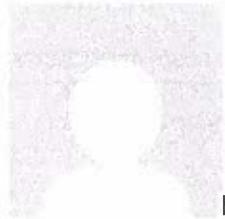
No matter the outcome, our commitment remains the same: to provide every student with a safe, nurturing, and high-quality education. We will continue to greet your children with a smile and provide them with the best possible education, as we've always done. We appreciate your continued partnership during this critical time.

With urgency and commitment,

Major B. Jennings
Principal

Exhibit C

Superintendent: Vote Will Decide Montclair Schools' Future (Letter to the Editor)



by **Montclair Local Letters and Opinion** February 17, 2026

You saw it on social. Now get the full story.

Join 15,000+ locals who rely on our fact-checked reporting — free in your inbox.

Sign up!

I arrived in Montclair last July, carrying the belief I've held my entire career: every student deserves a world-class education. That belief remains. What I discovered after starting as Superintendent, however, changed the trajectory of everything else.

My interim Business Administrator and I found 70 pages of outstanding invoices: bills unpaid and unrecorded for years. The problem grew to \$19.6 million by September: \$12.6 million in accumulated debt from the prior year, and \$7 million in projected shortfalls for the current one. This money isn't missing: it was spent on transportation, health benefits for staff, salaries and other legitimate expenses. But poor accounting and the prior administration's failure to say no allowed spending to exceed what the budget allowed.

These deficits arose before I started, but they are now my responsibility. I take that seriously.

This crisis has already cost our community. In late 2025, we laid off 103 staff members who gave their time and hearts to Montclair's children and cut 28 student clubs. We eliminated programs families counted on. Every decision weighed on me. Every decision was guided by a single question: is this in the best interest of our students?

That question brings me to March 10. Voters will decide two ballot questions. The first authorizes a one-time tax levy of \$12.6 million to pay accumulated debt from 2024-2025. The second authorizes a permanent \$5 million annual increase to address the current-year deficit, reduced from \$7.6 million after \$2.8 million in cuts. I know the weight of this. I understand that many residents are already stretching to stay in the town they love.

But I need you to understand the stakes. If both questions fail, the district will take advances on future state aid, triggering a state-appointed fiscal monitor for a decade with authority over all financial decisions, including personnel and programs. State aid would be reduced, and the district would face projected cuts of \$10.6 million. Programs, positions and opportunities our community's children depend on would be severely diminished.

Action rebuilds trust. Since July, we've engaged a new independent audit firm, restructured the business office, developed a corrective action plan with the New Jersey Department of Education, filed a bond claim against the former Business Administrator, and committed to a forensic audit in 2026-2027.

But accountability alone doesn't solve a structural problem. Like all districts, Montclair faces costs rising faster than revenues. Work to make sustainable changes is underway and will continue regardless of March 10's outcome. What the vote determines is who leads that work, Montclair or Trenton, and how deep the district must cut.

I believe in Montclair: a community that holds its schools to high standards and believes in equity, inclusion and innovation. I am proud to be your Superintendent, and I believe this painful moment is a turning point.

On March 10, the future of our schools will be in your hands. I ask that you inform yourselves, consider what is best for our children, and vote.

Superintendent Ruth B. Turner

Montclair Public Schools

Exhibit D

RESOLUTION OF THE BOARD OF EDUCATION OF THE TOWNSHIP OF MONTCLAIR IN THE COUNTY OF ESSEX, NEW JERSEY AUTHORIZING THE SUBMISSION OF BUDGETARY SPENDING PROPOSAL, TOGETHER WITH AN INTERPRETATIVE STATEMENT, TO THE VOTERS OF THE SCHOOL DISTRICT AT THE MARCH 10, 2026 SPECIAL ELECTION

BE IT RESOLVED by The Board of Education of the Township of Montclair in the County of Essex, New Jersey (the "Board") as follows:

1. The following Budgetary Spending Proposal Question ("Proposal 1"), together with its Interpretative Statement, shall be submitted to the legal voters of the School District at a Special School District Election to be held on Tuesday, March 10, 2026 commencing at 3:00 p.m. for the purposes hereinafter provided. The polls shall remain open until 8:00 p.m. and as much longer as may be necessary to permit all the legal voters then present to vote and cast their ballot. The form of Proposal Question Number 1, together with the Interpretive Statement, will read as follows:

Budgetary Spending Proposal Question Number 1:

The Board of Education of the Township of Montclair in the County of Essex shall raise an additional \$12,600,000 from taxes over the amount raised in the last Annual School Budget to cover a prior deficit from the 2024-2025 school year. Approval of these taxes will result in a one-time increase to the district's tax levy. These expenditures are in addition to those required to achieve New Jersey Student Learning Standards.

Do you approve this Proposal?

Interpretive Statement

If approved by the voters, the funds will be used to pay outstanding debts and obligations due and owing from the previous school year. The tax will be non-recurring and will not be built into the base tax levy on which future years' tax increase limits are based.

2. The Board hereby approves and adopts the foregoing Proposal 1, together with the Interpretative Statement, set forth above and, subject to the approval of the legal voters of the School District, hereby determines to carry out the same as described therein. The Board authorizes the Board President, the Superintendent, and the Business Administrator/Board Secretary, consistent with any advice from Bond Counsel or the firm of Schenck, Price, Smith & King, LLP,

to revise the Proposal and/or the Interpretative Statement, if necessary, prior to the Election to conform to any applicable legal requirements.

3. The Business Administrator/Board Secretary is hereby authorized and directed to send a certified copy of the questions to the County Clerk as required by N.J.S.A. 19:60-2, to request the County Clerk to submit the questions to the voters at the special school district election and to seek the assistance of the county officials and the municipal clerk in conducting the Special School District election.

4. The Board President, the Superintendent and/or the Business Administrator/Board Secretary are hereby authorized to take all steps necessary to implement this resolution. Any actions authorized herein and taken prior hereto are hereby ratified. The Business Administrator/Board Secretary is further authorized to act on behalf of the Board of Education to make such determinations required of the Board of Education for the conduct of the election as may become necessary.

5. The reference to officers of this school district herein includes the Vice-President in the absence or unavailability of the President and any deputy, interim, acting or successor officer holding each position.

6. In the event that it is necessary to borrow in anticipation of the receipt of taxes in an amount not in excess of the amount approved at this special election, promissory notes are hereby authorized to be issued in such amount pursuant to N.J.S.A.18A:22-42, and an amount thereof not exceeding 6% per annum of such amount for the period such notes may be outstanding is estimated for interest on such notes. The School Business Administrator is authorized to make the decision whether to issue the notes and to sell them at public or private sale and to report back the results of any such sale to this Board of Education. The Board of Education hereby covenants to comply with any regulations necessary to maintain tax exemption if such obligations are issued as tax exempt, including any obligation to rebate interest income to the federal government if required. The Board President and Business Administrator/Board Secretary are authorized to execute such notes under the seal of the Board of Education.

7. This resolution with respect to the Special Election shall take effect immediately.

ADOPTED: January 5, 2026

I hereby certify that the
Montclair Board of Education duly
adopted the foregoing on
January 5, 2026.

Dana Sullivan, Interim Board Secretary

RESOLUTION OF THE BOARD OF EDUCATION OF THE TOWNSHIP OF MONTCLAIR IN THE COUNTY OF ESSEX, NEW JERSEY AUTHORIZING THE SUBMISSION OF A SECOND BUDGETARY SPENDING PROPOSAL, TOGETHER WITH AN INTERPRETATIVE STATEMENT, TO THE VOTERS OF THE SCHOOL DISTRICT AT THE MARCH 10, 2026 SPECIAL ELECTION

BE IT RESOLVED by The Board of Education of the Township of Montclair in the County of Essex, New Jersey (the "Board") as follows:

1. The following Budgetary Spending Proposal Question ("Proposal 2"), together with its Interpretative Statement, shall be submitted to the legal voters of the School District at a Special School District Election to be held on Tuesday, March 10, 2026 commencing at 3:00 p.m. for the purposes hereinafter provided. The polls shall remain open until 8:00 p.m. and as much longer as may be necessary to permit all the legal voters then present to vote and cast their ballot. The form of Proposal Question Number 2, together with the Interpretive Statement, will read as follows:

Budgetary Spending Proposal Question Number 2:

The Board of Education of the Township of Montclair in the County of Essex shall raise an additional \$5,000,000 from taxes over the amount raised for the current (2025-2026) Annual School Budget for general fund operating expenses for the 2025-2026 school year. Approval of these taxes will result in a permanent increase to the district's tax levy. These expenditures are in addition to those required to achieve New Jersey Student Learning Standards.

Do you approve this Proposal?

Interpretive Statement

If approved by the voters, the funds will be used for general fund operating expenses, including, but not limited to: reducing the impact of reductions in force among teaching staff, security staff and support staff; addressing ongoing maintenance needs; and mitigating the impact of cuts to athletics, co-curricular and extracurricular programs.

Approval of this tax levy increase will be built into the base tax levy on which future years' tax increase limits are based.

2. The Board hereby approves and adopts the foregoing Proposal 2, together with the Interpretative Statement, set forth above and, subject to the approval of the legal voters of the School District, hereby determines to carry out the same as described therein. The Board authorizes the Board President, the Superintendent, and the Business Administrator/Board Secretary, consistent with any advice from Bond Counsel or the firm of Schenck, Price, Smith & King, LLP, to revise the Proposal and/or the Interpretative Statement, if necessary, prior to the Election to conform to any applicable legal requirements.

3. The Business Administrator/Board Secretary is hereby authorized and directed to send a certified copy of the questions to the County Clerk as required by N.J.S.A. 19:60-2, to request the County Clerk to submit the questions to the voters at the special school district election and to seek the assistance of the county officials and the municipal clerk in conducting the Special School District election.

4. The Board President, the Superintendent and/or the Business Administrator/Board Secretary are hereby authorized to take all steps necessary to implement this resolution. Any actions authorized herein and taken prior hereto are hereby ratified. The Business Administrator/Board Secretary is further authorized to act on behalf of the Board of Education to make such determinations required of the Board of Education for the conduct of the election as may become necessary.

5. The reference to officers of this school district herein includes the Vice-President in the absence or unavailability of the President and any deputy, interim, acting or successor officer holding each position.

6. In the event that it is necessary to borrow in anticipation of the receipt of taxes in an amount not in excess of the amount approved at this special election, promissory notes are hereby authorized to be issued in such amount pursuant to N.J.S.A.18A:22-42, and an amount thereof not exceeding 6% per annum of such amount for the period such notes may be outstanding is estimated for interest on such notes. The School Business Administrator is authorized to make the decision whether to issue the notes and to sell them at public or private sale and to report back the results of any such sale to this Board of Education. The Board of Education hereby covenants to comply with any regulations necessary to maintain tax exemption if such obligations are issued as tax exempt, including any obligation to rebate interest income to the federal government if required. The Board President and Business Administrator/Board Secretary are authorized to execute such notes under the seal of the Board of Education.

7. This resolution with respect to the Special Election shall take effect immediately.

ADOPTED: January 5, 2026
I hereby certify that the
Montclair Board of Education duly
adopted the foregoing on
January 5, 2026.

Dana Sullivan, Interim Board Secretary

Form A



New Jersey Judiciary - Civil Practice Division
Civil Case Information Statement (Civil CIS)

Use for initial Law Division Civil Part pleadings (not motions) under Rule 4:5-1. Pleading will be rejected for filing, under Rule 1:5-6(c), if information above the black bar is not completed, or attorney's signature is not affixed.

For Use by Clerk's Office Only

Payment type <input type="checkbox"/> check <input type="checkbox"/> charge <input type="checkbox"/> cash	Charge/Check Number	Amount \$	Overpayment \$	Batch Number
Attorney/Pro Se Name DAVID HERRON -PRO SE	Telephone Number ext.	County of Venue Essex		
Firm Name (if applicable)		Docket Number (when available)		
Office Address - Street 136 LINCOLN STREET	City MONTCLAIR	State NJ	Zip 07042	
Document Type VERIFIED COMPLAINT	Jury Demand <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Name of Party (e.g., John Doe, Plaintiff) DAVID HERRON PRO SE PLAINTIFF	Caption DAVID HERRON V. MONTCLAIR BOARD OF ED			
Case Type Number (See page 3 for listing)	801			
Are sexual abuse claims alleged?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No		
Does this case involve claims related to COVID-19?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No		
Is this a professional malpractice case?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No		
If "Yes," see N.J.S.A. 2A:53A-27 and applicable case law regarding your obligation to file an affidavit of merit.				
Related Cases Pending?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No		
If "Yes," list docket numbers				
Do you anticipate adding any parties (arising out of same transaction or occurrence)?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No		
Name of defendant's primary insurance company (if known)	<input type="checkbox"/> None	<input checked="" type="checkbox"/> Unknown		

The Information Provided on This Form Cannot be Introduced into Evidence.

Case Characteristics for Purposes of Determining if Case is Appropriate for Mediation

Do parties have a current, past or recurrent relationship? Yes No

If "Yes," is that relationship:

Employer/Employee Friend/Neighbor Familial Business

Other (explain) _____

Does the statute governing this case provide for payment of fees by the losing party? Yes No

Use this space to alert the court to any special case characteristics that may warrant individual management or accelerated disposition.

 Do you or your client need any disability accommodations? Yes No
If yes, please identify the requested accommodation:

Will an interpreter be needed? Yes No
If yes, for what language?

I certify that confidential personal identifiers have been redacted from documents now submitted to the court and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b).

Attorney/Self-Represented Litigant Signature:

David Herron