

ORDER ON MOTION

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SUPERIOR COURT OF NEW JERSEY  
APPELLATE DIVISION  
DOCKET NO. A-000873-17  
MOTION NO. M-001434-17  
BEFORE PART A  
JUDGE(S): JACK M. SABATINO  
MARY WHIPPLE

CITY OF ORANGE TOWNSHIP BOARD OF  
EDUCATION  
VS.  
CITY OF ORANGE TOWNSHIP; JOYCE  
L. LANIER, CITY CLERK FOR THE  
CITY OF ORANGE TOWNSHIP; ESSEX  
COUNTY CLERK; COMMITTEE FOR AN  
ELECTED SCHOOL BOARD, C/O  
ANTHONY P. JOHNSON

MOTION FILED:	10/25/2017	BY:	CITY OF ORANGE TOWNSHIP BOARD OF EDUCATION
ANSWER(S) FILED:	10/26/2017 10/26/2017 10/27/2017	BY:	ESSEX COUNTY BOARD OF ELECTION ESSEX COUNTY CLERK JOYCE L. LANIER
	10/27/2017		CITY OF ORANGE TOWNSHIP
	10/27/2017		COMMITTEE FOR AN ELECTED SCHOOL BOARD
REPLY:	10/30/2017	BY:	CITY OF ORANGE TOWNSHIP BOARD OF EDUCATION

SUBMITTED TO COURT: October 30, 2017

ORDER

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THIS MATTER HAVING BEEN DULY PRESENTED TO THE COURT, IT IS, ON THIS  
31st day of October, 2017, HEREBY ORDERED AS FOLLOWS:

MOTION BY APPELLANT

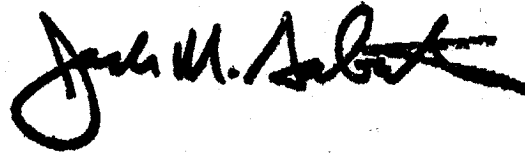
EMERGENT APPLICATION TO REVERSE  
TRIAL COURT'S 10/20/17 ORDER AND TO  
ENJOIN REFERENDUM ON SCHOOL  
DISTRICT : DENIED AND OTHER

SUPPLEMENTAL:

Emergent relief is denied. The trial court's order denying injunctive  
relief to the School Board is summarily affirmed, substantially for the  
sound reasons set forth by Judge Thomas R. Vena in his written decision

dated October 20, 2017. The 2016 referendum on the same issue, although it was approved by a majority of the voters, was thereafter judicially declared a nullity for legal reasons. See City of Orange Twp. Bd. of Educ. v. City of Orange Twp., 451 N.J. Super. 310 (N.J. Super. Ct. Ch. Div. 2017). We agree with the trial court that the public policies of N.J.S.A. 18A:9-4 and 9-5 against repetitive unsuccessful referenda do not pertain to this distinctive situation. The election shall continue to go forward, and there is no demonstrated basis for a stay or other relief.

FOR THE COURT:

A handwritten signature in black ink, appearing to read "Jack M. Sabatino". The signature is written in a cursive, somewhat stylized font. It is positioned above a horizontal line that serves as a separator between the signature and the printed name below.

JACK M. SABATINO, P.J.A.D.

L-6652-17 ESSEX  
ORDER - REGULAR MOTION  
DLK