

David Van Ginneken

132 Hillside Drive
Hamburg NJ 07419

Date: July 29th, 2025

Jeffrey M. Parrott
Sussex County Clerk
Sussex County Administration Building
One Spring Street
Newton, NJ 07860

RE: Objection to Nominating Petition of Dana Kalczuk for Hardyston Township Board of Education

Dear Mr. Parrott:

I hereby submit this formal objection to the nominating petition filed on behalf of Dana Kalczuk as a candidate for the Hardyston Township Board of Education in the November 4, 2025, election, pursuant to N.J.S.A. 19:23-15.

Grounds for Objection

This objection is based on Ms. Kalczuk's failure to meet the mandatory residency requirement for school board candidates under N.J.S.A. 18A:12-1, which provides:

"Each member of any board of education shall be a citizen and **resident of the district**, or of such constituent district of a consolidated or regional district as may be required by law, **and shall have been such for at least one year immediately preceding** his appointment or election, he shall be able to read and write, shall be registered to vote in the district, and, notwithstanding the provisions of N.J.S.2C:51-1 or any other law to the contrary, he is not disqualified as a voter pursuant to R.S.19:4-1 and has not been convicted of..."

Residency Disqualification Evidence – Dana Kalczuk

A. Property Transaction Records

1. **Sale of Hardyston Residence:** According to public records filed with the Sussex County Clerk (Document Instrument 2024017731, Book 10341, Page 792), Ms. Kalczuk sold her primary residence on Route 94 in Hardyston Township on September 10, 2024.

2. **Franklin Residence Acquisition:** The same county records show Ms. Kalczuk declaring residency at 33 Maple Road, Franklin, NJ 07416, with the rental property being removed from the market on September 8, 2024—two days prior to the closing of her Hardyston home sale.

B. Timeline of Residency

- **September 8, 2024:** 33 Maple Road, Franklin property removed from rental market
- **September 10, 2024:** Sale of Hardyston residence completed
- **November 5, 2025:** Election date (422 days later)
- **Required Residency Period:** 365 days minimum under N.J.S.A. 18A:12-1

C. Evidence of Franklin Residency

The following evidence demonstrates Ms. Kalczuk's continuous residence at 33 Maple Road, Franklin, from September 2024 through at least April 2025:

Documentary Evidence:

- County deed records showing the Franklin address
- Property rental records showing removal from the market on September 8, 2024

Photographic Evidence:

- November 21, 2024: Social media post showing vehicle sale at Franklin residence April 3, 2025:
- Rental and Real Estate listings showing a distinctive fireplace at the Franklin residence
- April 3, 2025: Public Facebook post from Franklin residence showing pets next to fireplace
- April 7, 2025: Public Facebook post from Franklin residence kitchen
- April 24, 2025: Public Facebook post showing pets at Franklin residence fireplace
- April 25, 2025: Public Facebook post showing same distinctive fireplace
- April 29, 2025: Public Facebook post showing pet on Franklin residence front porch with distinctive green pillars

D. School District Residency Questions

The Hardyston Township Board of Education conducted an internal review of Ms. Kalczuk's child's residency status, culminating in an executive session during the June 2025 public board meeting to discuss student residency matters. This official inquiry by the school district itself raises additional questions about Ms. Kalczuk's residential status within the district.

LEGAL ARGUMENT

A. Failure to Meet Statutory Requirements

N.J.S.A. 18A:12-1 establishes an absolute requirement that school board candidates maintain continuous residency within the school district for "at least one year immediately preceding" their election. The evidence clearly demonstrates that Ms. Kalczuk:

1. Sold her Hardyston residence on September 10, 2024
2. Established primary residence in Franklin, NJ on or about September 8, 2024
3. Maintained continuous residence in Franklin through at least April 2025
4. Cannot demonstrate the required 365-day continuous Hardyston residency prior to November 5, 2025

B. Legal Standard for Residency

Under New Jersey law, residency requires more than occasional presence—it demands the establishment of a primary dwelling place with the intent to remain. The substantial evidence of Ms. Kalczuk's active residence in Franklin, combined with the documented sale of her Hardyston property, demonstrates a clear change of primary residence that disqualifies her candidacy.

RELIEF REQUESTED

Based on the evidence presented, I respectfully request that your office:

1. **Invalidate** the nominating petition of Dana Kalczuk on grounds of failure to meet statutory residency requirements under N.J.S.A. 18A:12-1; or
2. **Remove** Ms. Kalczuk's name from the November 4, 2025 ballot for the Hardyston Township Board of Education election.

I have attached supporting documentation as exhibits and am prepared to appear at any hearing or proceeding necessary to resolve this matter.

Thank you for your prompt attention to this important issue concerning electoral integrity.

Respectfully submitted,

David Van Ginneken

Page 2 of public document Instrument: 2024017731 Book 10341, Page 792 showing Ms Kalczuk having an address of 33 Maple Road in Franklin. Retrieved from <https://cefile.sussex.nj.us/publicsearch/>

Prepared by:
Amy Buck, Esq.

Deed

This Deed is made on September 5, 2024 *delivered Sept. 10, 2024*

BETWEEN

**^{widowed}
Kathrine Ann Kollmann[^] and Dana Kalczuk and Ronald M. Kollmann as Joint Tenants
with Rights of Survivorship <sup>^ Married to
Each Other</sup>**

having an address at:
33 Maple Road
Franklin, NJ 07419

referred to as the Grantor,

AND

Jeremy Mora and Maria Elizabeth Santiago, husband and wife

whose address is about to be:
3358 Route 94
Hardyston, NJ 07419

GIT/REP-3
(11-23)
(Print or Type)

State of New Jersey
Seller's Residency Certification/Exemption

Seller's Information

Name(s)
Dana Kalczuk and Ronald M. Kollmann as Joint Tenants with Rights of Survivorship

Current Street Address
33 Maple Road

City, Town, Post Office State ZIP Code
Franklin NJ 07416

Property Information

Block(s) Lot(s) Qualifier
63 16

Street Address
3358 Route 94

City, Town, Post Office State ZIP Code
Hardyston NJ 07419

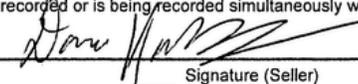
Seller's Percentage of Ownership	Total Consideration	Owner's Share of Consideration	Closing Date
100	\$366,000	\$366,000	9/10/24

Seller's Assurances (Check the Appropriate Box) (Boxes 2 through 16 apply to Residents and Nonresidents)

1. Seller is a resident taxpayer (individual, estate, or trust) of the State of New Jersey pursuant to the New Jersey Gross Income Tax Act, will file a resident Gross Income Tax return, and will pay any applicable taxes on any gain or income from the disposition of this property.
2. The real property sold or transferred is used exclusively as a principal residence as defined in 26 U.S. Code section 121.
3. Seller is a mortgagor conveying the mortgaged property to a mortgagee in foreclosure or in a transfer in lieu of foreclosure with no additional consideration.
4. Seller, transferor, or transferee is an agency or authority of the United States of America, an agency or authority of the State of New Jersey, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, or a private mortgage insurance company.
5. Seller is not an individual, estate, or trust and is not required to make an estimated Gross Income Tax payment.
6. The total consideration for the property is \$1,000 or less so the seller is not required to make an estimated Income Tax payment.
7. The gain from the sale is not recognized for federal income tax purposes under 26 U.S. Code section 721, 1031, or 1033 (CIRCLE THE APPLICABLE SECTION). If the indicated section does not ultimately apply to this transaction, the seller acknowledges the obligation to file a New Jersey Income Tax return for the year of the sale and report the recognized gain.
8. Seller did not receive non-like kind property.
9. The real property is being transferred by an executor or administrator of a decedent to a devisee or heir to effect distribution of the decedent's estate in accordance with the provisions of the decedent's will or the intestate laws of this State.
10. The real property being sold is subject to a short sale instituted by the mortgagee, whereby the seller agreed not to receive any proceeds from the sale and the mortgagee will receive all proceeds paying off an agreed amount of the mortgage.
11. The deed is dated prior to August 1, 2004, and was not previously recorded.
12. The real property is being transferred under a relocation company transaction where a trustee of the relocation company buys the property from the seller and then sells the house to a third party buyer for the same price.
13. The real property is being transferred between spouses or incident to a divorce decree or property settlement agreement under 26 U.S. Code section 1041.
14. The property transferred is a cemetery plot.
15. The seller is not receiving net proceeds from the sale. Net proceeds from the sale means the net amount due to the seller on the settlement sheet.
16. The seller is a retirement trust that received an acknowledgment letter from the Internal Revenue Service that the seller is a retirement trust, and is therefore not required to make the estimated Gross Income Tax payment.
17. The seller (and/or spouse/civil union partner) originally purchased the property while a resident of New Jersey as a member of the U.S. Armed Forces and is now selling the property as a result of being deployed on active duty outside of New Jersey. (Only check this box if applicable and neither boxes 1 nor 2 apply.)

Seller's Declaration

The undersigned understands that this declaration and its contents may be disclosed or provided to the New Jersey Division of Taxation and that any false statement contained herein may be punished by fine, imprisonment, or both. I furthermore declare that I have examined this declaration and, to the best of my knowledge and belief, it is true, correct and complete. By checking this box I certify that a Power of Attorney to represent the seller(s) has been previously recorded or is being recorded simultaneously with the deed to which this form is attached.

		Dana Kalczuk
Date	Signature (Seller)	Indicate if Power of Attorney or Attorney in Fact
		Ronald M. Kollmann

Google Maps Photo of 33 Maple Road from 2021



Google Maps Photo from her Residence from 2021. Note the green painted pillars in the front.



Photos from November 21st, 2024, social media post showing her selling her son's car. The photos were taken in front of 33 Maple Road in Franklin. Less than a year for the election residency requirements.

https://www.facebook.com/groups/601531283238560/?multi_permalinks=9002792909778980

 **Sussex County Treasures (NJ/NY/PA)**
Dana Kalczuk · November 21, 2024 · 🌍

My son is selling his car. Great starter car for kids. He only had it about one year. Has two new tires, new wheel barring, new water pump, he put a new radio and speakers in it. Has a good inspection sticker. No Check engine light on. Good little car. He is asking 4000 or best offer. Please do not message me if this is available. If it's on here it is! Serious inquiries only please. Has about 124,000 miles



Photo shows Ms Kalczuk's car (The SUV on the left) in the driveway of her home on 33 Maple Road in Franklin. On November 21st 2024.



Fireplace from real estate listing, with brick surround:

[https://www.realtor.com/realestateandhomes-detail/33-Maple-Rd Franklin NJ 07416 M51086-74861](https://www.realtor.com/realestateandhomes-detail/33-Maple-Rd_Franklin_NJ_07416_M51086-74861)



Pictures of the updated/painted fireplace were posted when it was updated for rental at 33 Maple Road in Franklin.

<https://hotpads.com/33-maple-rd-franklin-nj-07416-1j8wd9v/pad> (Note the date it was taken off of the market)

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NJ / Franklin Apartments

33 Maple Rd
Franklin, NJ 07416
4 beds: \$3,200

Street view

This pad was taken off the market on 09/08/24.
[Explore listings in the same area.](#)

33 Maple Rd
Franklin, NJ 07416

\$3,200 Monthly Rent	4 Beds	1.5 Baths
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Ms Kalczuk's Facebook post from April 25th, 2025, showing the same fireplace less than a year from the election.

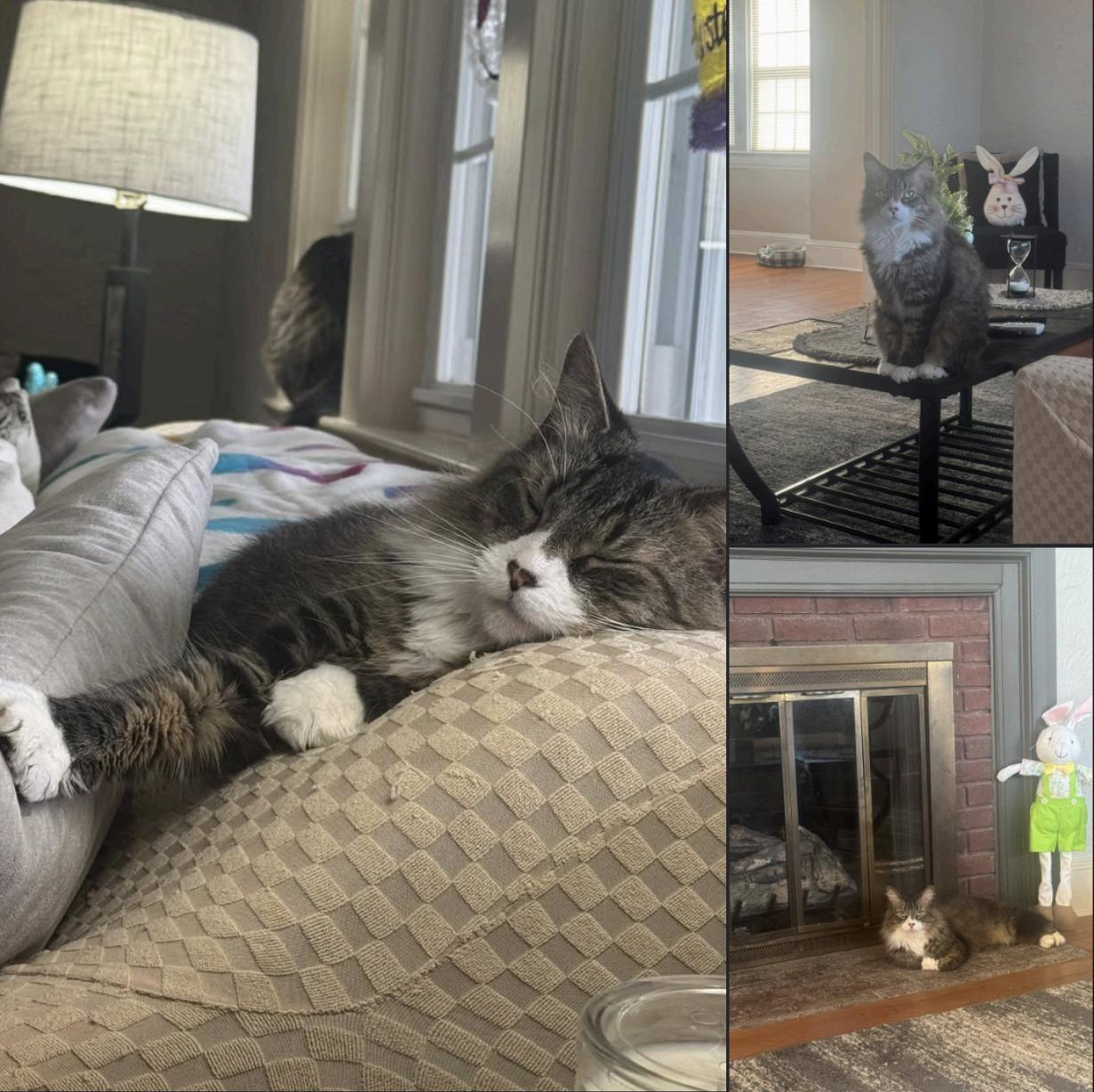
https://www.facebook.com/groups/1001650901340494/?multi_permaLinks=1233858044786444

Sandee and 2 friends are members.

 **Cats, Coffee & Chaos** · [Join](#)

Dana Kalczuk · April 25 · 🌐

Can he get any more handsome?



14     1 comment

 Like  Comment  Send  Share

Ms. Kalczuk's Facebook post from April 3rd, 2025, showing the same fireplace. Less than a year from the election.

https://www.facebook.com/groups/1001650901340494/?multi_permaLinks=1215019120003670

 **Cats, Coffee & Chaos** · [Join](#)
Dana Kalczuk · April 3 · 

My two studs



   15 2 comments

 Like  Comment  Send  Share

Ms Kalczuk's Facebook post from April 24th, 2025, showing her cats in front of the same fireplace; Less than a year from the election.

https://www.facebook.com/groups/1001650901340494/?multi_permaLinks=1232414258264156

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Dana Kalczuk · April 24 · 

My two studs



  40 1 comment

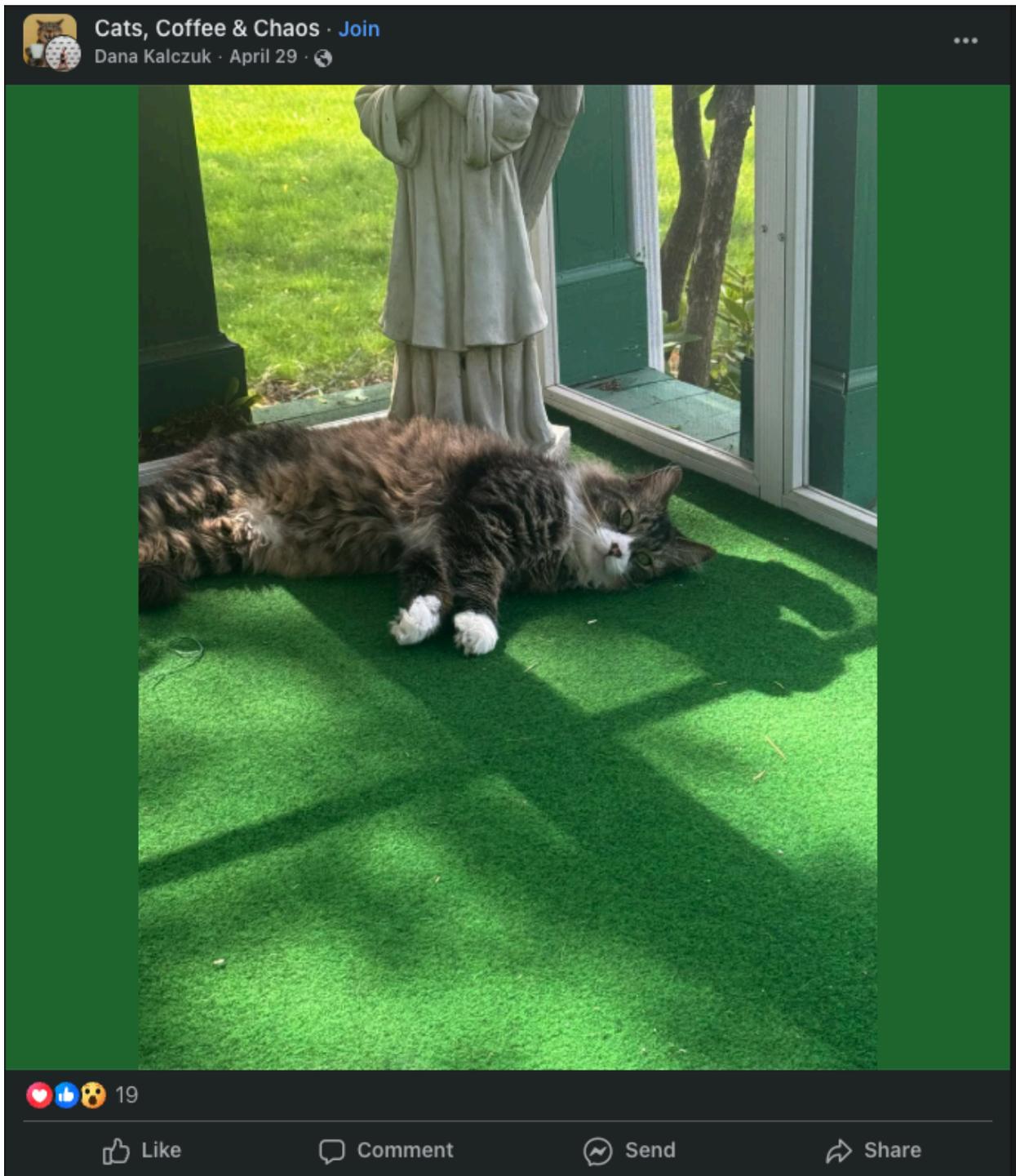
 Like  Comment  Send  Share

Front porch Image from real estate listing:

[https://www.realtor.com/realestateandhomes-detail/33-Maple-Rd Franklin NJ 07416 M51086-74861](https://www.realtor.com/realestateandhomes-detail/33-Maple-Rd_Franklin_NJ_07416_M51086-74861)



Photo posted by Ms Kalczuk of one of her pet cats, lying on the front porch on April 29th, 2025. (Note the green pillars) Less than a year prior to the November 2025 election, for residency requirements. <https://www.facebook.com/groups/1001650901340494/posts/1236914667814115/>



Kitchen from real estate listing, note the cabinet on the bottom left and the awning seen through the window:

https://www.realtor.com/realestateandhomes-detail/33-Maple-Rd_Franklin_NJ_07416_M51086-74861



Photo Ms Kalczuk posted from April 7th 2025, from her 33 Maple Road, Franklin residence
https://www.facebook.com/groups/1001650901340494/?multi_permalinks=1218312326341016



Cats, Coffee & Chaos · Join

Dana Kalczuk · April 7 · 🌐



Breakfast time 🐱



  4

 Like

 Comment

 Send

 Share

Image showing the house being taken off of the rental market as of September 8th 2024, 2 days prior to the closing of her former Hardyston home in the deed transfer above.

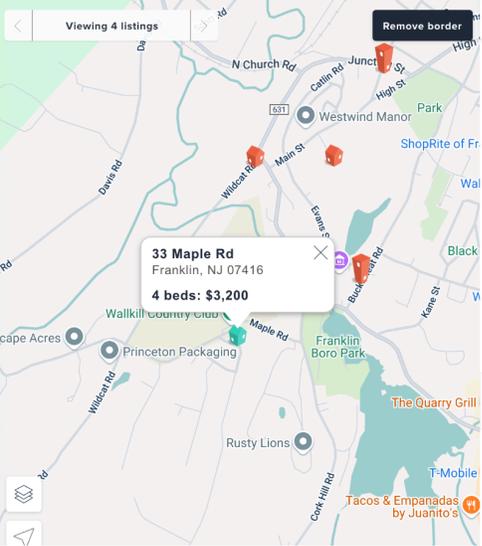
<https://hotpads.com/33-maple-rd-franklin-nj-07416-1j8wd9v/pad>

The house has not returned to the rental market and remains rented.

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NJ / Franklin Apartments



Street view 2/17

This pad was taken off the market on 09/08/24.
[Explore listings in the same area.](#)

33 Maple Rd

Franklin, NJ 07416

\$3,200	4	1.5
Monthly Rent	Beds	Baths