

TOWNSHIP OF MAHWAH  
ORDINANCE NO. 1806

AN ORDINANCE AMENDING CHAPTER IX "RECREATIONAL FACILITIES" OF  
THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MAHWAH,  
SECTION 9-1.3 "USE OF FACILITIES"

WHEREAS, the Township of Mahwah desires to amend and supplement the provisions of Chapter IX "Recreational Facilities" of the Mahwah Revised General Ordinances, Section 9-1.3 "Use of Facilities";

NOW THEREFORE, BE IT ORDAINED by the Township Council of the Township of Mahwah as follows:

Section 1. Chapter IX "Recreational Facilities", §9-1.3 "Use of Facilities", is deleted in its entirety and replaced with the following:

§9-1.3 Use of Facilities.

- a. The use of the Township's tennis courts and pool, owing to their limited number and capacity, are hereby restricted to residents of the Township and their guests. Notwithstanding this restriction, nonresidents who are participating or attending an activity sponsored or approved by the Township or the Township's Recreation Committee may use the Township's tennis courts and pool. In scheduling use of the Township's athletic fields, owing to their limited number, the Township Recreation Committee shall give preference to Township residents.
- b. The use of the Township's parks and playgrounds are open to the public and may be used by New Jersey residents only.
- c. Notwithstanding subsection 9-1.3b, the use of Township's parks and/or playgrounds by any group authorized by, or scheduled by, the Township of Mahwah shall have priority over any other group seeking to use the Township's parks and/or playgrounds.
- d. Dogs or other domestic animals subject to the provisions of subsection 9-1.4 are permitted in any area, but must be leashed and not left unattended at all times. Dog waste must be picked up and disposed of in a sanitary manner.

Section 2. All other parts, portions and provisions of Chapter IX of the Township of Mahwah Code, be and the same, are hereby ratified and confirmed, except where inconsistent with the terms thereof. In the event of any such inconsistency, the terms of this Ordinance shall be deemed to govern.

Section 3. If any section, paragraph, sub-section, clause or provision of this ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any part thereof.

Section 4. All ordinances or parts of ordinances of the Township heretofore adopted that are inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 5. This Ordinance shall take effect twenty (20) days after final passage, adoption and publication according to law.

**TOWNSHIP OF MAHWAH  
ORDINANCE NO. 1808**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER II  
"ADMINISTRATION" OF THE REVISED GENERAL ORDINANCES OF THE  
TOWNSHIP OF MAHWAH, SUBCHAPTER 2-9 "DEPARTMENT OF POLICE"  
TO PROVIDE FOR THE FUNCTIONS AND DUTIES OF THE DEPARTMENT  
OF POLICE UNDER THE SUPERVISION OF THE CHIEF OF POLICE**

WHEREAS, the Township of Mahwah desires to amend and supplement the provisions of Chapter II "Administration" of the Mahwah Revised General Ordinances, Section 2-9 "Department of Police".

NOW THEREFORE, BE IT ORDAINED by the Township Council of the Township of Mahwah as follows:

Section 1. Chapter II "Administration", Subsection 2-9 "Department of Police", is hereby amended and supplemented in its entirety, as follows:

§2-9 Department of Police.

2-9.1 Police Chief; Director.

There shall be a Department of Police, the head of which shall be the Chief of Police.

2-9.2 Functions and Duties.

The department, under the direction and supervision of the chief, shall:

- (a) Preserve the public peace, protect life and property, prevent crime, detect and arrest offenders against the penal laws and ordinances effective within the Township, suppress riots, mobs and insurrections, disperse unlawful or dangerous assemblages, and preserve order at all elections and public meetings and assemblages.
- (b) Administer and enforce laws and ordinances to regulate, direct, control and restrict the movement of vehicular and pedestrian traffic and use of the street and vehicles and persons, to protect the safety and facilitate the convenience of motorists and pedestrians, and to make and enforce rules and regulations not inconsistent with the Charter and ordinances for such purposes.
- (c) Remove all nuisances in the public streets, parks and other public places, inspect and observe all places of public amusement, of assemblage, and all places of business requiring any State or township license or permit and report thereon to the appropriate department.

- (d) Provide proper police attendance and protection at fires.
- (e) Provide for the attendance of its members in court as necessary for the prosecution and trial of persons charged with crimes and offenses, and cooperate fully with the law enforcement and prosecuting authorities of Federal, State and county governments.
- (f) Operate a training program to maintain and improve the police efficiency of the members of the department.
- (g) Enforce the rules and regulations for the disposition conduct and discipline of the department.

**2-9.3 Authorized Force: Police Department.**

The department shall consist of such officers and men as are authorized for the Police Department on the effective date of this Administrative Code until otherwise provided pursuant to the law. The department shall also include school traffic guards and the police reserve.

**Section 2.** All other parts, portions and provisions of Chapter II of the Township of Mahwah Code, be and the same, are hereby ratified and confirmed, except where inconsistent with the terms thereof. In the event of any such inconsistency, the terms of this Ordinance shall be deemed to govern.

**Section 3.** If any section, paragraph, sub-section, clause or provision of this ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any part thereof.

**Section 4.** All ordinances or parts of ordinances of the Township heretofore adopted that are inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistency.

**Section 5.** This Ordinance shall take effect twenty (20) days after final passage, adoption and publication according to law.



**TOWNSHIP OF MAHWAH  
ORDINANCE NO. 1811**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER II  
"ADMINISTRATION" OF THE REVISED GENERAL ORDINANCES OF THE  
TOWNSHIP OF MAHWAH, SUBCHAPTER 2-9 "DEPARTMENT OF POLICE"  
TO PROVIDE FOR THE FUNCTIONS AND DUTIES OF THE DEPARTMENT  
OF POLICE UNDER THE SUPERVISION OF THE DIRECTOR OF POLICE**

WHEREAS, the Township of Mahwah desires to amend and supplement the provisions of Chapter II "Administration" of the Mahwah Revised General Ordinances, Section 2-9 "Department of Police".

NOW THEREFORE, BE IT ORDAINED by the Township Council of the Township of Mahwah as follows:

Section 1. Chapter II "Administration", Subsection 2-9 "Department of Police", is hereby amended and supplemented in its entirety, as follows:

§2-9 Department of Police.

2-9.1 Police Director.

There shall be a Department of Police, the head of which shall be the Police Director. The Department shall also have a Chief of Police subordinate to the Police Director, who shall be responsible for the day-to-day operations of the Department

2-9.2 Functions and Duties.

The department, under the direction and supervision of the chief, shall:

- (a) Preserve the public peace, protect life and property, prevent crime, detect and arrest offenders against the penal laws and ordinances effective within the Township, suppress riots, mobs and insurrections, disperse unlawful or dangerous assemblages, and preserve order at all elections and public meetings and assemblages.
- (b) Administer and enforce laws and ordinances to regulate, direct, control and restrict the movement of vehicular and pedestrian traffic and use of the street and vehicles and persons, to protect the safety and facilitate the convenience of motorists and pedestrians, and to make and enforce rules and regulations not inconsistent with the Charter and ordinances for such

purposes.

- (c) Remove all nuisances in the public streets, parks and other public places, inspect and observe all places of public amusement, of assemblage, and all places of business requiring any State or township license or permit and report thereon to the appropriate department.
- (d) Provide proper police attendance and protection at fires.
- (e) Provide for the attendance of its members in court as necessary for the prosecution and trial of persons charged with crimes and offenses, and cooperate fully with the law enforcement and prosecuting authorities of Federal, State and county governments.
- (f) Operate a training program to maintain and improve the police efficiency of the members of the department.
- (g) Enforce the rules and regulations for the disposition conduct and discipline of the department.

#### 2-9.3 Authorized Force: Police Department.

The department shall consist of such officers and individuals as are authorized for the Police Department on the effective date of this Administrative Code until otherwise provided pursuant to the law. The department shall also include school traffic guards and the police reserve.

**Section 2.** All other parts, portions and provisions of Chapter II of the Township of Mahwah Code, be and the same, are hereby ratified and confirmed, except where inconsistent with the terms thereof. In the event of any such inconsistency, the terms of this Ordinance shall be deemed to govern.

**Section 3.** If any section, paragraph, sub-section, clause or provision of this ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any part thereof.

**Section 4.** All ordinances or parts of ordinances of the Township heretofore adopted that are inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistency.

**Section 5.** This Ordinance shall take effect twenty (20) days after final passage, adoption and publication according to law.

# MAHWAH POLICE DEPARTMENT

221 FRANKLIN TURNPIKE, MAHWAH, NEW JERSEY 07430  
JAMES N. BATELLI, CHIEF OF POLICE

OFFICE  
PH: 201-881-2000  
FX: 201-881-2009  
JBATELLI@MAHWAHPD.ORG

DISPATCH CENTER  
PH: 201-828-1000  
FX: 201-828-0240

July 20, 2017

Quentin Wiest  
Business Administrator  
Township of Mahwah  
475 Corporate Drive  
Mahwah, New Jersey 07430

*Sent via e-mail*

**Re: Ban on Use of Township Parks by Out of State Residents  
Ordinance 1806 revised**

Dear Mr. Wiest,

I am corresponding in regards to concerns with the introduction and passing of Ordinance # 1806 specifically 9-1.3 b which states *"The Township's parks and play grounds are open to the public and may be used by New Jersey residents only."*

It is my understanding that this applies only to Township owned parks and out of state residents can still visit and use some services at the Mahwah Public Library or visit the Mahwah Museum without any restrictions but are prohibited from using any Township parks and/or playgrounds.

I understand the legal right of Council to enact laws and it is our responsibility to enforce the law as written but this latest revision of 9-1.3 requires additional clarification.

The proposed signage contains verbiage which is different from the Ordinance. The Ordinance reads parks and playgrounds are open to New Jersey residents and does not list any



"A NATIONALLY ACCREDITED LAW ENFORCEMENT AGENCY"



exceptions. The signage includes exceptions that "guest of a resident are permitted" and "employees of local businesses are permitted". We have elements or exceptions to the Ordinance that are being included on the posted signs but not part of the written Ordinance

that is enacted by governing body. If these exceptions were discussed and authorized by Council I believe they should have been included in the actual Ordinance so there is no misunderstanding. One of the exceptions listed on the sign says guests are allowed. Is it only one guest per resident or more? For example, would a grandparent be allowed to bring several of their grandchildren who reside out of State to a Township park on just one. I have been advised that Officers must use discretion and certainly they would and can use discretion in determining whether to issue a warning or an actual Ordinance violation but they do not have discretion to let some out of state residents stay and tell others to leave. Clearly that would be applying the law in what could be perceived and argued as enforcement in an unequitable and discriminatory fashion.

Typically Officers make an observation of a law and/or Ordinance being violated and then take the appropriate action to enforce the law based upon that observation and probable cause. For example if an Officer observes an individual holding an alcoholic beverage that is clearly a violation and an Officer can advise them of the violation, ask the individual for identification and take the appropriate action. If we are called to a Township park and/or playground I don't know of any discernible observation that can be made which would have an Officer believe someone is not a State resident and that is problematic in an enforcement sense. In New Jersey bias based profiling is prohibited under New Jersey Attorney General Guidelines and Officers cannot take action, detain someone or otherwise single them out based on the race, religion or outward appearance. In addition individuals are not obligated to carry identification to use a public park nor do they have to display their identification in a park if they are not doing anything wrong. For out of state residents who work in local businesses and according to the sign are allowed to use our parks there is no statutory obligation for them to carry any sort of company ID.

While not under my purview I am equally concerned about some of the postings on Facebook that elected Township officials have made about this issue. In one post an elected Official talks about the parks and playgrounds being closed to out of State residents and then five sentences later in the same thread posts about taking measures to stop the ERUV's from being installed in the Township. The ERUV's are linked to one specific religion and posting about the ERUV's and the new Ordinance regarding parks in the same post would lead a reasonable person to conclude or argue that there is a relationship between actions being taken by our

governing body as it relates to ERUV's and the new restrictive Park Ordinance. That, I believe, has very serious implications. I have no control on elected officials social media postings but if those postings give the impression or appearance this Ordinance is designed to a specific group because of race or religion it becomes problematic in terms of enforcement and potential bias based profiling complaints.

There are also enforcement questions I have previously asked but have not been answered as well as some new ones:

1. Ramapo College students regularly use Continental Soldier's Field. Are these individuals allowed to use the park? Many of these students live outside the state of New Jersey. Typically residency is determined by the state of the issued driver's license or where income tax returns are filed. College students permanent residence is usually not Ramapo College.
2. Are individuals from out of state prohibited from visiting or buying merchandise at Field of Creams and then sitting in the park to consume the food?
3. Members of the Ramapough Lenape tribe also use facilities at Continental Soldier's Field. If their permanent residence is not 95 Halifax Road are they allowed to use Continental Soldier's Field?
4. Are exceptions going to be made for events such as Mahwah Day etc. and how is that going to be noticed to individuals?

While these details may seem to be questioning the minutia, this is obviously a sensitive topic in our community and in the last few days we have received citizen complaints that are clearly based on prejudice in terms of individuals or groups using our parks and playgrounds. I can only expect these calls to increase once the Ordinance goes into effect.

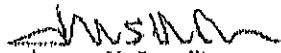
Officers receive training and are guided by a written policy on bias based profiling which is in accordance with New Jersey State Attorney General Guidelines. I expect and mandate that our Officers adhere to these guidelines.

Our agency stands ready to enforce any Ordinance in a fair and impartial manner consistent with accepted guidelines. Our parks and playgrounds are used by hundreds and hundreds of individuals each and every day and there is no discernable method that I am aware of to provide Officers with a factual basis to reasonably conclude that an individual is not a

resident of the State of New Jersey. Making any type of conclusion or detaining an individual based upon race, religion or any other protected class is strictly prohibited.

Since the Ordinance takes effect on July 27<sup>th</sup>, 2017 I would some appreciate legal guidance within the next week on enforcement related issues to prevent or minimize any litigation or complaints of bias based profiling.

I await your reply..

  
James N. Batelli  
Chief of Police

cc: William Laforet, Mayor

# MAHWAH POLICE DEPARTMENT

221 FRANKLIN TURNPIKE, MAHWAH, NEW JERSEY 07430  
JAMES N. BATELLI, CHIEF OF POLICE

OFFICE  
PH: 201-831-2000  
FX: 201-831-2069  
JBATELLI@MAHWAHPD.ORG

DISPATCH CENTER  
PH: 201-828-1000  
FX: 201-828-0240

July 24, 2017

Gurbir Grewal  
Bergen County Prosecutor  
100 Eisenhower Drive  
Paramus, New Jersey 07652

Dear Prosecutor Grewal,

I am writing in regards to a recently enacted Township Ordinance (#1806) which the governing body has tasked our agency to enforce. The introduction of the Ordinance was on June 8<sup>th</sup>, 2017, the Public Hearing was on June 29<sup>th</sup>, 2017 and it becomes effective on July 27<sup>th</sup>, 2017. The Ordinance restricts the use of the parks to residents of New Jersey and bars residents from out of state to use our parks. The section of the Ordinance that is applicable simply states:

The use of the Township's parks and playgrounds are open to the public and may be used by New Jersey residents only.

I have expressed my concerns to the Township governing body and the Township Attorney about the enforcement of this Ordinance and how the actions of Officers trying to enforce the Ordinance may violate bias based profiling guidelines (see attached correspondence). I have pointed out that there is no discernible observation that can be made which would lead an Officer to believe that a person using one of our parks is not a resident of the State of New Jersey. The Ordinance does not provide any neutral criteria for Officers to use as a basis for their actions to either ask an individual for their identification or where they live. The Ordinance essentially leaves our officers little other choice other than to ask for identification for no reason or for impermissible reasons and opens the door for civil based litigation and/or Internal Affairs complaints.



"A NATIONALLY ACCREDITED LAW ENFORCEMENT AGENCY"





This comes during a particularly sensitive time for our community as the Township has also decided to prohibit the installation of ERUV's in our community. ERUV's are an urban area enclosed by a wire boundary that symbolically extends the private domain of Jewish households into public areas, permitting activities within it that are normally forbidden in public on the Sabbath. In recent months there has been a noticeable increase in members of the Hasidic faith using our Township parks and playgrounds and once government officials made the community aware of the pending Ordinance we started receiving calls from residents complaining that individuals of the Hasidic faith were in our parks who were not residents of the State of New Jersey. I do not know how they determined these individuals were not residents of the State. Fortunately since the Ordinance was not yet enforceable we did not dispatch patrol officers to address these complaints. My main concern is that once the Ordinance becomes law and we receive complaints there is no observation our Officers can make that would allow us to fairly and impartially enforce the Ordinance. Clearly approaching an individual based upon their appearance and/or clothing would violate guideline for bias based profiling.

It has also been observed the elected officials have been commenting on social media about both the ERUV installation and the park and playground restrictive Ordinance in the same post which could bring into question the motivation and agenda behind the Ordinance which our Officers are expected and tasked to enforce. I have no control on what is being said on social media, but what I am concerned about is that based upon social media postings an argument or foundation could be made that any attempt to enforce this Ordinance is discriminatory and based to target a protected class.

On Friday July 21<sup>st</sup>, I received an inquiry that was from our Council President asking whether or not I had ever given a tour to a Hasidic group. Our agency gives countless tours to any individual or group who makes a request and until Friday, never have I ever been asked what the race or religion was of a tour group. When I asked what the reasoning was for the question or what impact my answer had I never received a reply. I did respond to the inquiry as I am required to do, and advised that we had in fact given a tour to both a Hasidic family and a group of Hasidic children. I cannot make any conclusions on what was the basis for the inquiry, but I find it somewhat concerning as I have never been asked the religious foundation of a tour group before.

The Ordinance restricting the use of our parks and playgrounds to New Jersey residents only will become law on July 27<sup>th</sup>, 2017 and our governing body will expect our Officers to enforce the law. I understand and respect my legal obligation to enforce laws that are passed by the legislative branches of our government. The motives behind this Ordinance are for

others to determine, but as the Chief Executive of our agency I have concerns on the wording and how it can be enforced by our Officer without clearly violating non-residents equal protection and free speech rights.

Our agency trains and instructs our Officers on a routine and regular basis on what constitutes bias based profiling and that we explicitly prohibit and will not condone or tolerate illegal profiling by any of our members. This Ordinance that we will be asked to enforce in four days seems to fly in the face of what we instruct our Officers as there is no discernible means of ascertaining the residency of a park user.

I appreciate any comments you may have on this matter.

Sincerely,

James N. Batelli  
Chief of Police

Enc.: Copy of Ordinance # 1806  
Correspondence sent to Township Administrator dated July 20, 2017  
Email sent to Mayor and Business Administrator dated July 19<sup>th</sup>, 2017



GURBIR S. GREWAL  
Bergen County Prosecutor

## Office of the County Prosecutor

### County of Bergen

Two Bergen County Plaza  
Hackensack, New Jersey 07601  
(201) 646-2300

DENNIS CALO  
First Assistant Prosecutor

CAROL NOVBY CATUOGNO  
Executive Assistant Prosecutor

ROBERT ANZILOTTI  
Chief of Detectives

July 27, 2017

**By Hand Delivery**

Chief James N. Batelli  
Mahwah Police Department  
221 Franklin Turnpike  
Mahwah, New Jersey 07430

Re: Enforceability of Mahwah Township Ordinance No. 1806

Dear Chief Batelli:

I write in response to your July 24, 2017 letter, seeking guidance concerning the enforceability of Mahwah Township Ordinance No. 1806 (the "Ordinance"), which becomes effective on July 27, 2017, and limits the use of Mahwah recreational facilities to New Jersey residents. In your letter, you raise a number of concerns regarding the Mahwah Police Department's ("MPD") ability to enforce the Ordinance without, among other things, violating the constitutional rights of individuals using Mahwah recreational facilities as well as Attorney General Directive 2005-1 (the "Directive"), which expressly prohibits racially-influenced policing. You have also expressed concern that enforcement of the Ordinance may expose you and the MPD to increased civil liability and to internal affairs complaints. I concur with your observations concerning the Ordinance and agree that its enforcement raises serious legal issues. For the reasons set forth below, pursuant to my authority as the Chief Law Enforcement Officer of Bergen County, I direct you not to enforce the Ordinance.

First, enforcement of the Ordinance raises numerous constitutional concerns as it provides you no neutral criteria for MPD officers to utilize when deciding to detain an individual to ascertain his/her residency status. At best, the Ordinance invites MPD officers to stop individuals for no reason at all, and, at worst, MPD officers may be called on (as discussed below) to stop individuals for impermissible reasons. As a result, its enforcement would violate the Fourth Amendment's proscription against unlawful searches and seizures. Indeed, in Barkawi v. Borough of Haledon, the Appellate Division affirmed the trial court's invalidation of a similar ordinance excluding non-residents (of the borough in that case) from borough parks on Fourth Amendment grounds. No. A-7455-9725, 1999 WL 33601519 at \*5 (App. Div. Jun. 21, 1999), cert. denied, 162 N.J. 487 (Nov. 18, 1999).



*A State Accredited and Nationally Recognized Law Enforcement Agency*



Second, enforcement of the Ordinance may violate the Directive prohibiting racially-influenced policing, which provides in relevant part:

A sworn officer or civilian employee of a police agency acting under the authority of the laws of the State of New Jersey shall not consider a person's race or ethnicity as a factor in drawing an inference or conclusion that the person may be involved in criminal activity, or as a factor in exercising police discretion as to how to stop or otherwise treat the person....

Directive at ¶ 2(a). In this regard, you have informed me that since enactment of the Ordinance (but prior to its effective date), the MPD has received numerous calls asking for it to be enforced against individuals perceived by the callers to be out-of-state members of the Hasidic Jewish community using Mahwah parks. Any response by MPD officers to verify such calls would necessarily run afoul of the Directive as the responses would be based on impermissible grounds.

Third, responding to any such calls for service could also give rise to violations of criminal statutes enacted to prohibit such conduct by law enforcement officers. See N.J.S.A. 3C:30-5 (setting forth the New Jersey State Legislature's declaration relative to deprivation of civil rights by public officials) and 2C:30-6 (crime of official deprivation of civil rights if a public servant knowing that his conduct is unlawful and acting with the purpose to intimidate or discriminate against an individual or group of individuals because of race, color, religion, etc., subjects another to unlawful detention or impedes another in the lawful exercise of any right or privilege).

Fourth, while the reasons outlined above alone counsel against enforcement of the Ordinance, it also bears noting that its enforcement may give rise to claims that the Ordinance interferes with First Amendment guarantees and an individual's federal constitutional right to due process and equal protection under the law.

Finally, I want to thank you for bringing this matter to my attention and if you have any additional questions concerning the above please do not hesitate to contact me. I am also copying Mahwah Mayor William Laforet, members of the Mahwah Township Council, and the Township Attorney on this letter, so that they may consider my observations with respect to the Ordinance and the problems with its enforcement.

Very truly yours,



GOURBIR S. GREWAL  
Bergen County Prosecutor

cc: Mayor William Laforet  
Council President Robert Hermansen  
Council Vice President Jonathan Wong  
Council Member Janet Arlenma  
Council Member George Ervin  
Council Member David May  
Council Member Steven Sbarra  
Council Member James Wysocki  
Township Attorney Brian M. Chewcaskie, Esq. (by e-mail only)

Chief James N. Batelli

---

**From:** William Laforet  
**Sent:** Wednesday, August 02, 2017 12:22 PM  
**To:** Brian Chewcaskie; Matthew Giacobbe  
**Cc:** Quentin Wiest; Chief James N. Batelli  
**Subject:** [REDACTED]  
**Attachments:** IMG\_2702.PNG

Brian, Matt [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

*Mayor Bill Laforet*



Mahwah selected the Safest Community in all of New Jersey 2014

William "Bill" Laforet  
Mayor Township of Mahwah  
475 Corporate Drive  
Mahwah, New Jersey 07430  
201-529-5757 ex 267  
[wlaforet@mahwahtwp.org](mailto:wlaforet@mahwahtwp.org)

Redacted -  
Attorney -  
Client  
Privilege  
Info.  
[Signature]

**TOWNSHIP OF MAHWAH**  
**PARKS & PLAYGROUNDS ARE OPEN TO**  
**NEW JERSEY RESIDENTS ONLY**

**ORDINANCE NO. 1806**

~~GUEST OF A RESIDENT ARE PERMITTED USE~~

~~EMPLOYEES OF LOCAL BUSINESSES ARE PERMITTED USE~~

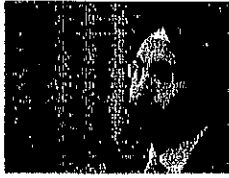
Statement on Ordinance 1806 which restricts use of parks to New Jersey residents only and scheduled to become law today.

- The Mahwah Police adheres to all New Jersey Attorney General guidelines which prohibit bias based profiling. At the direction of the Bergen County Prosecutor, Ordinance # 1806 will not be enforced by the Mahwah Police Department.



## Prosecutor: Mahwah park ban could illegally target Jews

Svetlana Shkolnikova, Staff Writer, @svetashko Published 5:00 a.m. ET July 28, 2017



(Photo: Michael Keras/northjersey.com)

MAHWAH — Bergen County Prosecutor Gurbir S. Grewal ordered the Mahwah Police Department on Thursday to ignore a new municipal ordinance banning non-state residents from township parks, calling the regulation a possible violation of constitutional rights.

In a directive to Police Chief James Batelli, Grewal warned that the ordinance could lead to racial profiling, unlawful searches and seizures and illegally target out-of-state members of the Orthodox Jewish community who use Mahwah's parks.

"At best, the ordinance invites Mahwah Police Department officers to stop individuals for no reason at all," Grewal wrote in a letter to Batelli. "At worst, Mahwah Police Department officers may be called on to stop

individuals for impermissible reasons."

The township adopted the ordinance on June 29 with the aim of curbing the number of outsiders flooding its parkland, sometimes by the busload, Council President Rob Hermansen said. It went into effect Thursday.

**CONTROVERSY:** [Jewish group prepares for legal fight over religious boundary \(/story/news/bergen/2017/07/27/jewish-group-prepares-legal-fight-over-religious-boundary/512083001/\)](#)

**OPPOSITION:** [200 people gather to support removal of Mahwah eruv \(/story/news/2017/07/25/200-people-gather-support-mahwahs-removal-eruv/506836001/\)](#)

**ERUV:** [Mahwah engineer orders Jewish group to take down religious boundary \(/story/news/bergen/mahwah/2017/07/22/mahwah-engineer-orders-jewish-group-take-down-religious-boundary/501336001/\)](#)

Batelli reached out to the prosecutor Monday with concerns about enforcement, according to Grewal. Batelli told Grewal that the Police Department received numerous calls from residents asking that the ordinance be specifically applied to Orthodox Jews that they believed were visiting from out of state, the prosecutor wrote in his letter.

Batelli could not be reached for comment Thursday.

Hermansen said the ordinance was not drafted with the Orthodox Jewish community in mind. He said the council was simply responding to complaints from residents that Mahwah's public parks were being taken over by people with New York license plates.

"It's not an attack on anyone," Hermansen said. "We are an inclusive town. All we're trying to do is protect the town."

(Article continues below document)

Printed from Hamodia.com

## Prosecutor Tells Mahwah to Ignore Rule Targeting Jews

Sunday, July 30, 2017 at 6:59 pm | י"א אב תשע"ז

**MAHWAH, N.J.** (AP/Hamodia) - A New Jersey prosecutor has ordered a town's police department to ignore a new ordinance that he says could illegally target Orthodox Jews from New York.

Bergen County Prosecutor Gurbir Grewal told Mahwah Police Chief James Batelli to ignore the ordinance banning out-of-state residents from township parks. The ordinance went into effect Thursday.

In the directive to Batelli, Grewal warned that the ordinance could lead to racial profiling and unlawful searches and seizures. The ordinance could also illegally target out-of-state members of the Orthodox Jewish community who use Mahwah's parks, Grewal said.

Grewal's letter comes after the town ordered the South Monsey Eruv Fund to stop installing PVC piping to delineate the borders of an *eruv* they were building on utility poles. Township officials have called for the *eruv*'s removal, citing zoning regulations that prohibit signs on utility poles.

The *eruv* was vandalized on Friday in six different areas. A local resident was arrested later in the day for the vandalism and the *eruv* was repaired in time for Shabbos.

The ordinance adopted last month, Council President Rob Hermansen claimed, was not targeting Jews but was responding to complaints from residents that Mahwah's public parks were being taken over by people with New York license plates.

However, Grewal said that police have "received numerous calls asking for [the ordinance] to be enforced against individuals perceived by the callers to be out-of-state members of the Hasidic Jewish community using Mahwah parks."

A new group with more than 3,000 members was formed, Mahwah Strong, to oppose the *eruv*.

Hermansen said the council will rework the parks ordinance in light of Grewal's directive, but he maintained that the township will put residents first. Mayor William Laforet says the prosecutor's directive would help Mahwah avoid profiling lawsuits.

**Filed under:** Jews

**Chief James N. Batelli**

---

**From:** Chief James N. Batelli  
**Sent:** Wednesday, July 19, 2017 2:49 PM  
**To:** Quentin Wiest  
**Cc:** William Laforest  
**Subject:** Commodore Perry Park

Mr. Wiest,

Ordinance 1806 which was sent to me shows an effective date of July 27<sup>th</sup>, 2017. Unless I am mistaken and please advise me if I am, there is nothing existing which authorizes us from questioning a large group in our parks unless they are breaking a law and/or Ordinance and I'm not sure what is meant by a large group.

I have serious concerns which I am in the process of formalizing about enforcement of Ordinance #1806. We are going to be asked to start enforcing an Ordinance that bans individuals from out of state from using our parks and playgrounds. Typically Officers make an observation of a law and/or Ordinance being violated and then take the appropriate action to enforce the law based upon that observation and probable cause. If we are called to a park and/or playground there is no discernible observation that can be made that would have an Officer believe someone is not a State resident other than them exiting an out of state registered vehicle at which time we could take the appropriate action. In New Jersey bias based profiling is prohibited under New Jersey Attorney General Guidelines and Officers cannot take action, detain someone or otherwise single them out based on the race, religion or outward appearance. Individuals are not obligated to carry identification to use a public park nor do they have to display their identification in a park if they are not doing anything wrong. The Ordinance was also modified to state that employees of businesses can use Township parks and guests of residents can use Township parks which makes enforcement further complicated.

Before I place Officers in positions where bias based profiling complaints could be filed against them I am looking for guidance in enforcement of this Ordinance. I am looking to contact the Office of the Attorney General in enforcement of this type of Ordinance absent direction from the Township Attorney.

There are also enforcement questions I have previously submitted but have not been answered. Our agency stands ready to enforce any Ordinance passed by the Council in a fair and impartial manner and consistent with accepted guidelines.

Introduction 6/8/17  
Public Hearing 6/29/17  
Effective 7/27/17

Section 5:-- This Ordinance shall take effect twenty (20) days after final passage, adoption and publication according to law.

Jim Batelli

---

**From:** Quentin Wiest  
**Sent:** Wednesday, July 19, 2017 2:11 PM  
**To:** Chief James N. Batelli

**Cc:** William Laforet  
**Subject:** Commodore Perry Park

Chief,

I just received a complaint concerning a large group here. Could you have someone check on where they are from as I believe the new ordinance is in place?

Thank you,

Quentin

Sent from my Verizon, Samsung Galaxy smartphone

**Chief James N. Batelli**

---

**From:** Quentin Wiest  
**Sent:** Thursday, August 10, 2017 9:54 AM  
**To:** Chief James N. Batelli  
**Subject:** Ordinances 1810 & 1811

I note that the agenda now shows these ordinances as being tabled.

**Quentin Wiest**  
**Business Administrator**  
**Township of Mahwah**  
475 Corporate Drive  
Mahwah, NJ 07430  
[QWiest@MahwahTwp.org](mailto:QWiest@MahwahTwp.org)  
201-529-5757 x 265



**Chief James N. Batelli**

---

**From:** Chief James N. Batelli  
**Sent:** Friday, August 04, 2017 9:01 AM  
**To:** Quentin Wiest  
**Subject:** Barkawi v Haledon  
**Attachments:** 20170804\_081341.pdf

Barkawi v. Haledon is the case cited in the Prosecutor's decision. While the fact basis is different the ruling by the Superior Court Judge could easily be applied to what Ordinance 1806 asked us to do.

James N. Batelli  
Chief of Police  
Mahwah Police Department  
Administrative Assistant Kathleen Kelly [REDACTED]

Redacted -  
Telephone #

A Nationally Accredited Law Enforcement Agency Through CALEA – [www.calea.org](http://www.calea.org)

**Chief James N. Batelli**

---

**From:** Chief James N. Batelli  
**Sent:** Wednesday, August 02, 2017 12:49 PM  
**To:** William Laforet; Matthew Giacobbe  
**Cc:** Quentin Wiest  
**Subject:** [REDACTED]

[REDACTED]

Regards,

James N. Batelli  
Chief of Police  
Mahwah Police Department  
Administrative Assistant Kathleen Kelly [REDACTED]

A Nationally Accredited Law Enforcement Agency Through CALEA - [www.calea.org](http://www.calea.org)

---

**From:** William Laforet  
**Sent:** Wednesday, August 02, 2017 12:22 PM  
**To:** Brian Chewcaskie; Matthew Giacobbe  
**Cc:** Quentin Wiest; Chief James N. Batelli  
**Subject:** [REDACTED]

Brian, Matt, [REDACTED]

[REDACTED]

[REDACTED]

Redacted -  
Telephone # and  
Attorney -  
Client Privilege  
Info.

*[Signature]*



Redacted-  
Attorney-  
Client  
Privilege  
Info.



William "Bill" Laforet  
Mayor Township of Mahwah  
475 Corporate Drive  
Mahwah, New Jersey 07430  
201-529-5757 ex 267  
[wlaforet@mahwahtwp.org](mailto:wlaforet@mahwahtwp.org)



**Chief James N. Batelli**

---

**From:** Chief James N. Batelli  
**Sent:** Wednesday, July 26, 2017 7:16 PM  
**To:** William Laforet; Quentin Wiest  
**Cc:** Kathy Coviello  
**Subject:** Ordinance 1806

Mayor,

I would ask the you disseminate the following e-mail in its entirety without any changes or modifications to the Council this evening. Today we had had 35 complaints about park use which we did not respond to.

\*\*\*\*\*

For some time I have expressed my concerns about the ability to enforce Ordinance 1806 as it relates to the use of Township parks and playgrounds by only New Jersey residents. I asked for legal guidance and raised my concerns in written correspondence. It was my opinion that the Ordinance could potentially violate New Jersey Attorney General guidelines on bias based profiling. On Tuesday I met with Bergen County Prosecutor Gurbir S. Grewal and others to discuss the Ordinance. The Prosecutor is the top law enforcement officer in the county.

The Prosecutor is in the process of drafting a formal letter to me, but until such time as I receive the letter at the behest and authority of the Prosecutor I have been directed in an e-mail received today to instruct all members of the Department not to enforce Mahwah Township Ordinance # 1806. I will follow the directions of the County Prosecutor.

James N. Batelli  
Chief of Police  
Mahwah Police Department  
[Redacted] Administrative Assistant Kathleen Kelly  
[Redacted] Direct Line

A Nationally Accredited Law Enforcement Agency through CALEA - [www.calea.org](http://www.calea.org)

Redacted —  
Telephone #'s  
E

## Chief James N. Batelli

---

**From:** Chief James N. Batelli  
**Sent:** Monday, July 24, 2017 9:23 AM  
**To:** Quentin Wiest; William Laforet  
**Subject:** Ordinance 1806  
**Attachments:** 20170724\_081414.pdf

Tracking:	Recipient	Delivery	Read
	Quentin Wiest	Delivered: 7/24/2017 9:23 AM	Read: 7/24/2017 10:56 AM
	William Laforet	Delivered: 7/24/2017 9:23 AM	Read: 7/24/2017 9:24 AM

Please see the attached new article. While this deals with a more restrictive Ordinance for parks ( non-residents cannot use parks) the verbiage in the findings (highlighted) of the Superior Court Judge is none the less significant:

"Judge McVeigh also found that police had no constitutional means of ascertaining the residency status of a park user". Residents come in all shapes, sizes and colors, she said. The Ordinance gives " absolutely no neutral criteria to ensure that the governmental intrusion is not the product of the detaining personnel's unfettered discretion", and therefore violates the Fourth Amendment."

The Haledon ordinance invited law enforcement officials to ask for identification for no reason or for impermissible reasons, such as race or ethnicity", said Penny Venetis the Rutgers professor argues the case.

James N. Batelli  
Chief of Police  
Mahwah Police Department  
Administrative Assistant Kathleen Kelly [REDACTED]

Redacted -  
Telephone#

A Nationally Accredited Law Enforcement Agency Through CALEA - [www.calea.org](http://www.calea.org)



**Chief James N. Batelli**

---

**From:** Quentin Wiest  
**Sent:** Tuesday, August 01, 2017 2:59 PM  
**To:** Brian Chewcaskie  
**Cc:** Chief James N. Batelli  
**Subject:** FW: Ordinances 1810 - 1812

Brian:

Please see the Chief's request below. Is your office able to provide this?

***Quentin Wiest***

***Business Administrator***

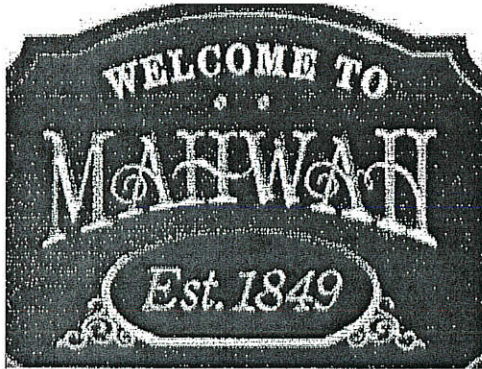
***Township of Mahwah***

***475 Corporate Drive***

***Mahwah, NJ 07430***

***QWiest@MahwahTwp.org***

***201-529-5757 x 265***



---

**From:** Chief James N. Batelli  
**Sent:** Tuesday, August 01, 2017 2:18 PM  
**To:** Quentin Wiest  
**Subject:** Ordinances 1810 - 1812

Mr. Wiest,

Can these documents be provided in a format that highlights the changes that have been made from the original. It makes it easier to respond to.

Thanks,

James N. Batelli  
Chief of Police  
Mahwah Police Department  
Administrative Assistant Kathleen Kelly [REDACTED]

Redacted -  
Telephone #

A handwritten signature in blue ink, appearing to be 'J. Batelli'.

---

**From:** Quentin Wiest  
**Sent:** Monday, July 31, 2017 3:38 PM  
**To:** Chief James N. Batelli; Michael Kelly; Kathy Coviello; Glenn Dowson  
**Cc:** Denise Storms; Brian Chewcaskie  
**Subject:** Ordinances 1810 - 1812

To all:

The Township Council has introduced the attached ordinances on first reading at their meeting of 7/27. A public hearing and possible final adoption is scheduled for the meeting of 8/10.

Please provide comments or concerns as listed. If you have no comments or concerns, please respond indicating that you have no issue with what is proposed.

Chief Batelli	1810, 1811, 1812
Michael Kelly	1810 & 1812
Township Clerk	1810
Director Dowson	1812

**Quentin Wiest**  
**Business Administrator**  
**Township of Mahwah**  
475 Corporate Drive  
Mahwah, NJ 07430  
[QWiest@MahwahTwp.org](mailto:QWiest@MahwahTwp.org)  
201-529-5757 x 265



**Chief James N. Batelli**

---

**From:** Chief James N. Batelli  
**Sent:** Thursday, July 27, 2017 10:09 AM  
**To:** Quentin Wiest  
**Cc:** William Laforet  
**Subject:** Ordinance 1806

We had 34 calls yesterday in regards to park use. We did not respond to those calls.

**Statement on Ordinance 1806 which restricts use of parks to New Jersey residents only and scheduled to become law today.**

**The Mahwah Police adheres to all New Jersey Attorney General guidelines which prohibit bias based profiling. At the direction of the Bergen County Prosecutor, Ordinance # 1806 will not be enforced by the Mahwah Police Department**

---

**From:** Quentin Wiest  
**Sent:** Thursday, July 27, 2017 9:30 AM  
**To:** Chief James N. Batelli  
**Cc:** William Laforet  
**Subject:** RE: Ordinance 1806

I likely will be asked what the script says. Please forward a copy.

Thanks

**Quentin Wiest**  
*Business Administrator*  
*Township of Mahwah*  
475 Corporate Drive  
Mahwah, NJ 07430  
[QWiest@MahwahTwp.org](mailto:QWiest@MahwahTwp.org)  
201-529-5757 x 265



---

**From:** Chief James N. Batelli  
**Sent:** Thursday, July 27, 2017 9:26 AM  
**To:** Quentin Wiest



**Cc:** William Laforet  
**Subject:** Ordinance 1806

Mr. Wiest,

The dispatchers have been provided a script to read to callers so the message is consistent and clear.

In terms of a police response there will be no police car dispatched if the complaint is about an out of state resident, or someone using our parks that shouldn't be since there is no lawful action we can take and I have received a directive from the County Prosecutor not to enforce the Ordinance.

James N. Batelli  
Chief of Police  
Mahwah Police Department  
Administrative Assistant Kathleen Kelly [REDACTED]

Redacted  
Telephone #  
[Signature]

A Nationally Accredited Law Enforcement Agency Through CALEA – [www.calea.org](http://www.calea.org)

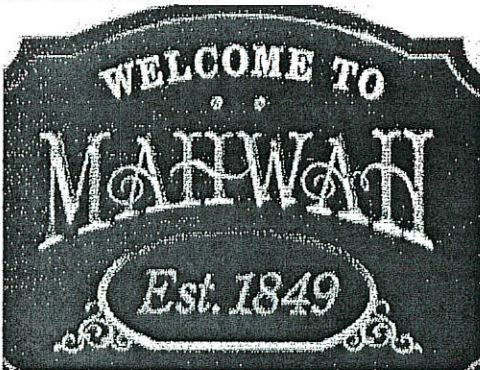
---

**From:** Quentin Wiest  
**Sent:** Thursday, July 27, 2017 9:14 AM  
**To:** Chief James N. Batelli  
**Subject:** RE: Ordinance 1806

Chief:

Just so I may pass the information along, how will you instruct the Department to respond to complaints about park use during this period?

**Quentin Wiest**  
**Business Administrator**  
**Township of Mahwah**  
475 Corporate Drive  
Mahwah, NJ 07430  
[QWiest@MahwahTwp.org](mailto:QWiest@MahwahTwp.org)  
201-529-5757 x 265



---

**From:** Chief James N. Batelli  
**Sent:** Wednesday, July 26, 2017 7:16 PM

**To:** William Laforet; Quentin Wiest  
**Cc:** Kathy Coviello  
**Subject:** Ordinance 1806

Mayor,

I would ask the you disseminate the following e-mail in its entirety without any changes or modifications to the Council this evening. Today we had had 35 complaints about park use which we did not respond to.

\*\*\*\*\*

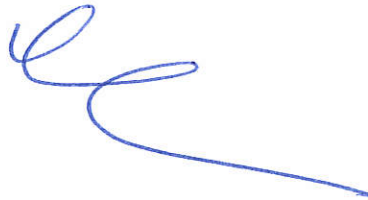
For some time I have expressed my concerns about the ability to enforce Ordinance 1806 as it relates to the use of Township parks and playgrounds by only New Jersey residents. I asked for legal guidance and raised my concerns in written correspondence. It was my opinion that the Ordinance could potentially violate New Jersey Attorney General guidelines on bias based profiling. On Tuesday I met with Bergen County Prosecutor Gurbir S. Grewal and others to discuss the Ordinance. The Prosecutor is the top law enforcement officer in the county.

The Prosecutor is in the process of drafting a formal letter to me, but until such time as I receive the letter at the behest and authority of the Prosecutor I have been directed in an e-mail received today to instruct all members of the Department not to enforce Mahwah Township Ordinance # 1806. I will follow the directions of the County Prosecutor.

James N. Batelli  
Chief of Police  
Mahwah Police Department  
[Redacted] Administrative Assistant Kathleen Kelly  
[Redacted] Direct Line

A Nationally Accredited Law Enforcement Agency through CALEA - [www.calea.org](http://www.calea.org)

Redacted -  
Telephone #'s



**Chief James N. Batelli**

---

**From:** Chief James N. Batelli  
**Sent:** Thursday, July 27, 2017 9:26 AM  
**To:** Quentin Wiest  
**Cc:** William Laforet  
**Subject:** Ordinance 1806

Mr. Wiest,

The dispatchers have been provided a script to read to callers so the message is consistent and clear.

In terms of a police response there will be no police car dispatched if the complaint is about an out of state resident, or someone using our parks that shouldn't be since there is no lawful action we can take and I have received a directive from the County Prosecutor not to enforce the Ordinance.

James N. Batelli  
Chief of Police  
Mahwah Police Department  
Administrative Assistant Kathleen Kelly [REDACTED]

A Nationally Accredited Law Enforcement Agency Through CALEA - [www.calea.org](http://www.calea.org)

Redacted -  
Telephone #  
[Signature]

---

**From:** Quentin Wiest  
**Sent:** Thursday, July 27, 2017 9:14 AM  
**To:** Chief James N. Batelli  
**Subject:** RE: Ordinance 1806

Chief:

Just so I may pass the information along, how will you instruct the Department to respond to complaints about park use during this period?

**Quentin Wiest**  
**Business Administrator**  
**Township of Mahwah**  
475 Corporate Drive  
Mahwah, NJ 07430  
[QWiest@MahwahTwp.org](mailto:QWiest@MahwahTwp.org)  
201-529-5757 x 265





**From:** Chief James N. Batelli  
**Sent:** Wednesday, July 26, 2017 7:16 PM  
**To:** William Laforet; Quentin Wiest  
**Cc:** Kathy Coviello  
**Subject:** Ordinance 1806

Mayor,

I would ask the you disseminate the following e-mail in its entirety without any changes or modifications to the Council this evening. Today we had had 35 complaints about park use which we did not respond to.

\*\*\*\*\*

For some time I have expressed my concerns about the ability to enforce Ordinance 1806 as it relates to the use of Township parks and playgrounds by only New Jersey residents. I asked for legal guidance and raised my concerns in written correspondence. It was my opinion that the Ordinance could potentially violate New Jersey Attorney General guidelines on bias based profiling. On Tuesday I met with Bergen County Prosecutor Gurbir S. Grewal and others to discuss the Ordinance. The Prosecutor is the top law enforcement officer in the county.

The Prosecutor is in the process of drafting a formal letter to me, but until such time as I receive the letter at the behest and authority of the Prosecutor I have been directed in an e-mail received today to instruct all members of the Department not to enforce Mahwah Township Ordinance # 1806. I will follow the directions of the County Prosecutor.

James N. Batelli  
Chief of Police  
Mahwah Police Department  
[REDACTED] Administrative Assistant Kathleen Kelly  
[REDACTED] Direct Line

A Nationally Accredited Law Enforcement Agency through CALEA - [www.calea.org](http://www.calea.org)

Redacted -  
Telephone #'s

**Chief James N. Batelli**

---

**From:** William Laforet  
**Sent:** Monday, July 24, 2017 9:30 AM  
**To:** Brian Chewcaskie; Michael Kelly; Quentin Wiest  
**Cc:** Chief James N. Batelli  
**Subject:** FW: Ordinance 1806  
**Attachments:** 20170724\_081414.pdf

Redacted -  
Attorney-Client  
Privilege Info. *if*

Brian, please [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Mayor Bill Laforet

Mahwah selected the Safest Community in all of New Jersey 2014 William "Bill" Laforet Mayor Township of Mahwah  
475 Corporate Drive  
Mahwah, New Jersey 07430  
201-529-5757 ex 267  
[wlaforet@mahwahtwp.org](mailto:wlaforet@mahwahtwp.org)

-----Original Message-----

**From:** Chief James N. Batelli  
**Sent:** Monday, July 24, 2017 9:23 AM  
**To:** Quentin Wiest <[QWiest@mahwahtwp.org](mailto:QWiest@mahwahtwp.org)>; William Laforet <[WLaforet@mahwahtwp.org](mailto:WLaforet@mahwahtwp.org)>  
**Subject:** Ordinance 1806

Please see the attached new article. While this deals with a more restrictive Ordinance for parks ( non-residents cannot use parks) the verbiage in the findings (highlighted) of the Superior Court Judge is none the less significant:

"Judge McVeigh also found that police had no constitutional means of ascertaining the residency status of a park user". Residents come in all shapes, sizes and colors, she said. The Ordinance gives " absolutely no neutral criteria to ensure that the governmental intrusion is not the product of the detaining personnel's unfettered discretion", and therefore violates the Fourth Amendment."

The Haledon ordinance invited law enforcement officials to ask for identification for no reason or for impermissible reasons, such as race or ethnicity", said Penny Venetis the Rutgers professor argues the case.

James N. Batelli  
Chief of Police  
Mahwah Police Department  
Administrative Assistant Kathleen Kelly [REDACTED]

Redacted -  
Telephone # *if*

A Nationally Accredited Law Enforcement Agency Through CALEA - [www.calea.org](http://www.calea.org)

## Chief James N. Batelli

---

**From:** Chief James N. Batelli  
**Sent:** Monday, July 24, 2017 9:23 AM  
**To:** Quentin Wiest; William Laforet  
**Subject:** Ordinance 1806  
**Attachments:** 20170724\_081414.pdf

Tracking:	Recipient	Delivery	Read
	Quentin Wiest	Delivered: 7/24/2017 9:23 AM	Read: 7/24/2017 10:56 AM
	William Laforet	Delivered: 7/24/2017 9:23 AM	Read: 7/24/2017 9:24 AM

Please see the attached new article. While this deals with a more restrictive Ordinance for parks ( non-residents cannot use parks) the verbiage in the findings (highlighted) of the Superior Court Judge is none the less significant:

"Judge McVeigh also found that police had no constitutional means of ascertaining the residency status of a park user". Residents come in all shapes, sizes and colors, she said. The Ordinance gives " absolutely no neutral criteria to ensure that the governmental intrusion is not the product of the detaining personnel's unfettered discretion", and therefore violates the Fourth Amendment."

The Haledon ordinance invited law enforcement officials to ask for identification for no reason or for impermissible reasons, such as race or ethnicity", said Penny Venetis the Rutgers professor argues the case.

James N. Batelli  
Chief of Police  
Mahwah Police Department  
Administrative Assistant Kathleen Kelly [REDACTED]

Redacted -  
Telephone#

A Nationally Accredited Law Enforcement Agency Through CALEA - [www.calea.org](http://www.calea.org)



# NJ COURT SAYS TOWNS CANNOT CLOSE PARKS TO NONRESIDENTS

Home (<https://www.aclu-nj.org/>) - News (<https://www.aclu-nj.org/news/>)  
 > NJ Court Says Towns Cannot Close Parks to Nonresidents

July 29, 2004

(<https://www.facebook.com/sharer.php?text=NJ+Court+Says+Towns+Cannot+Close+Parks+to+Nonresidents&url=https://www.aclu-nj.org/news/2004/07/29/nj-court-says-towns-cannot-close-parks-to-nonresidents&via=aclu-nj>)

(<https://twitter.com/share?url=https://www.aclu-nj.org/news/2004/07/29/nj-court-says-towns-cannot-close-parks-to-nonresidents&via=aclu-nj>)

NEWARK, NJ -- A Superior Court Judge today ruled that New Jersey municipalities may not restrict use of their parks to town residents.

The ruling, which is the first of its kind in New Jersey, and one of the first in the country, is the result of a lawsuit filed by the American Civil Liberties Union of New Jersey in cooperation with attorneys from the Constitutional Litigation Clinic at Rutgers Law School in Newark.

The ACLU and the Constitutional Litigation Clinic challenged a Borough of Haledon ordinance that restricts use of the public parks to town residents and their accompanied guests. Violation of the ordinance carries a \$500 fine and/or a 30-day jail sentence. Many towns throughout New Jersey have similar laws.

Judge Margaret M. McVeigh, a Superior Court Judge in Paterson, ruled that the ordinance violated the First and Fourth Amendment rights of non-resident park users.

The Court held that parks serve a unique role in American society, allowing newcomers to become part of the community. "At one time all of us were outsiders," Judge McVeigh said. "The way we became part of the community was to watch, listen, learn, and impart a little bit of ourselves in the process."

Judge McVeigh also found that police had not used lawful means of ascertaining the residency status of a park user. "Residents come in all shapes, sizes, and colors," she said. "The ordinance gives absolutely no neutral criteria to ensure that the governmental intrusion is not the product of the government personnel's unfettered discretion," and therefore violates the Fourth Amendment.

"This decision comes at a particularly apt time," said Laura M. Lapidus, Legal Director of the ACLU of New Jersey. "It would be ironic if, just as New Jersey won bragging rights to Ellis Island, the immigrant gateway to America, the state courts sanctioned the balkanization of New Jersey's towns, allowing them to turn away outsiders. Thankfully that didn't happen today."

The ACLU brought suit on behalf of Hilda Barkawi, a native of Syria and a resident of Prospect Park, who was arrested and prosecuted for using Haledon's Roe Field Park in 1993, in violation of an earlier version of the town ordinance.

## NEWS BY ISSUE

- Criminal Justice (<https://www.aclu-nj.org/news/category/criminal-justice>) (107)
- Cyber-Liberties (<https://www.aclu-nj.org/news/category/cyber-liberties>) (6)
- Discrimination (<https://www.aclu-nj.org/news/category/discrimination>) (77)
- Economic Justice (<https://www.aclu-nj.org/news/category/economic-justice>) (32)
- Elections & Voting (<https://www.aclu-nj.org/news/category/elections-voting>) (39)
- Free Speech (<https://www.aclu-nj.org/news/category/free-speech>) (92)
- Immigrant Rights (<https://www.aclu-nj.org/news/category/immigrant-rights>) (68)
- LGBT Rights (<https://www.aclu-nj.org/news/category/lgbt-rights>) (49)
- National Security (<https://www.aclu-nj.org/news/category/national-security>) (25)
- Open Government (<https://www.aclu-nj.org/news/category/open-government>) (93)



The ACLU and the Constitutional Litigation Clinic represented Barkawi in that criminal case, which led to an appellate court decision invalidating the original ordinance because it did not adequately inform the public that infractions would be punished by penal sanctions. The Borough reenacted the ordinance in 1995, making it clear that violators would be subject to punishment.

Barkawi argued that the revised ordinance violated non-residents' constitutional equal protection and free speech rights as well as their right to be free from an onerous public source of information.

"The Taledon ordinance invited law enforcement officials to ask the identification question for any number of reasons, including race or ethnicity," said Penny Venetis, the Rutgers professor who argued the case. "Our constitution does not permit police to question on the basis."

Barkawi also argued that the ordinance violated New Jersey's public policy against discrimination against non-residents as well as the common law public trust doctrine, which holds that New Jersey's public parks and beaches are held in trust for all residents of the state to enjoy.

"This suit is an important step in fighting the growing national trend of sealing off traditionally public spaces," Venetis added. "This practice is particularly pronounced in suburban communities that want to exclude their less affluent neighbors. We believe that public spaces are for the public at large, not just local residents."

The case is *Barkawi v. Borough of Haledon*, Docket No. 1-6997-96.

Category: Discrimination (<https://www.aclu-nj.org/news/category/discrimination>)

« ACLU-NJ Urges Court to Strike Provision that Punishes Children (<https://www.aclu-nj.org/news/2004/07/28/aclu-nj-urges-court-to-strike-provision-that-punishes-children>)

ACLU-NJ Offers Legal Help to FBI Questioned » (<https://www.aclu-nj.org/news/2004/08/19/aclu-nj-offers-legal-help-to-fbi-questioned>)

- Police Practices (<https://www.aclu-nj.org/news/category/police-practices>) (119)
- Prisons (<https://www.aclu-nj.org/news/category/prisons>) (37)
- Privacy (<https://www.aclu-nj.org/news/category/privacy>) (30)
- Religious Freedom (<https://www.aclu-nj.org/news/category/religious-freedom>) (36)
- Reproductive Freedom (<https://www.aclu-nj.org/news/category/reproductive-freedom>) (19)
- Student & Youth Rights (<https://www.aclu-nj.org/news/category/student-youth-rights>) (74)
- Uncategorized (<https://www.aclu-nj.org/news/category/uncategorized>) (6)

## NEWS ARCHIVES

Select Month



(/youthrights/what-your-rights-when/)

**Chief James N. Batelli**

---

**From:** William Laforet  
**Sent:** Saturday, July 22, 2017 8:35 PM  
**To:** Quentin Wiest  
**Cc:** Chief James N. Batelli; Brian Chewcaskie  
**Subject:** Re: Ordinance 1806

[REDACTED]

Redacted -  
Attorney -  
Client  
Privilege  
Info.

Sent from my iPad

> On Jul 21, 2017, at 9:11 AM, Quentin Wiest <[QWiest@mahwahtwp.org](mailto:QWiest@mahwahtwp.org)> wrote:

>

> Chief:

>

> Your letter has been forwarded to the Municipal Attorney for comment.

>

> Regards,

>

> Quentin Wiest

> Business Administrator

> Township of Mahwah

> 475 Corporate Drive

> Mahwah, NJ 07430

> [QWiest@MahwahTwp.org](mailto:QWiest@MahwahTwp.org)

> 201-529-5757 x 265

>

>

>

> -----Original Message-----

> From: Chief James N. Batelli

> Sent: Thursday, July 20, 2017 1:40 PM

> To: Quentin Wiest; William Laforet

> Subject: Ordinance 1806

>

>

> See attached.

**Chief James N. Batelli**

---

**From:** Quentin Wiest  
**Sent:** Friday, July 21, 2017 9:12 AM  
**To:** Chief James N. Batelli  
**Cc:** William Laforet  
**Subject:** RE: Ordinance 1806

Chief:

Your letter has been forwarded to the Municipal Attorney for comment.

Regards,

Quentin Wiest  
Business Administrator  
Township of Mahwah  
475 Corporate Drive  
Mahwah, NJ 07430  
[QWiest@MahwahTwp.org](mailto:QWiest@MahwahTwp.org)  
201-529-5757 x 265

-----Original Message-----

**From:** Chief James N. Batelli  
**Sent:** Thursday, July 20, 2017 1:40 PM  
**To:** Quentin Wiest; William Laforet  
**Subject:** Ordinance 1806

See attached.

**Chief James N. Batelli**

---

**From:** Quentin Wiest  
**Sent:** Wednesday, July 19, 2017 2:11 PM  
**To:** Chief James N. Batelli  
**Cc:** William Laforet  
**Subject:** Commodore Perry Park

Chief,

I just received a complaint concerning a large group here. Could you have someone check on where they are from as I believe the new ordinance is in place?

Thank you.

Quentin

Sent from my Verizon, Samsung Galaxy smartphone



**Chief James N. Batelli**

---

**From:** Chief James N. Batelli  
**Sent:** Wednesday, July 12, 2017 1:15 PM  
**To:** Brian Chewcaskie; Quentin Wiest; 'Michael Kelly'; William Laforet  
**Cc:** Captain Steve Jaffe; Captain Stuart Blank  
**Subject:** New Jersey Residents Only / Parks  
**Attachments:** TOWNSHIP OF MAHWAH PARKS.docx

[REDACTED]

Regards,

Jim Batelli

---

**From:** Glenn Dowson  
**Sent:** Wednesday, July 12, 2017 11:44 AM  
**To:** Brian Chewcaskie; Chief James N. Batelli; Michael Kelly; William Laforet  
**Cc:** Quentin Wiest  
**Subject:** RE: New Jersey Residents Only / Parks

Gentlemen please let me know if this is good to go with.

Glenn

---

**From:** Brian Chewcaskie [mailto:[REDACTED]]  
**Sent:** Friday, July 07, 2017 4:25 PM  
**To:** Chief James N. Batelli <[JBatelli@mahwahpd.org](mailto:JBatelli@mahwahpd.org)>; Michael Kelly <[REDACTED]>; William Laforet <[WLaforet@mahwahtwp.org](mailto:WLaforet@mahwahtwp.org)>  
**Cc:** Quentin Wiest <[QWiest@mahwahtwp.org](mailto:QWiest@mahwahtwp.org)>; Glenn Dowson <[GDowson@mahwahtwp.org](mailto:GDowson@mahwahtwp.org)>  
**Subject:** RE: New Jersey Residents Only / Parks

[REDACTED]

---

**From:** Chief James N. Batelli [mailto:[JBatelli@mahwahpd.org](mailto:JBatelli@mahwahpd.org)]  
**Sent:** Friday, July 07, 2017 10:28 AM

Redacted -  
Email  
Addresses

Redacted -  
Attorney-Client  
Privilege Info.

**Chief James N. Batelli**

---

**From:** Brian Chewcaskie [REDACTED]  
**Sent:** Saturday, July 08, 2017 10:04 AM  
**To:** Chief James N. Batelli  
**Cc:** Quentin Wiest; William Laforet  
**Subject:** Re: New Jersey Residents Only / Parks

I will give you a call on Monday.

Brian M Chewcaskie  
Gittleman Muhlstrock and Chewcaskie  
2200 Fletcher Avenue  
Fort Lee, NJ 07024  
201-944-2300  
[REDACTED]

*Redacted -  
Email Addresses  
and Attorney-Client  
Privilege Info.*

On Jul 7, 2017, at 5:03 PM, Chief James N. Batelli <[JBatelli@mahwahpd.org](mailto:JBatelli@mahwahpd.org)> wrote:

Brian,

[REDACTED]

[REDACTED]

Regards,

Jim Batelli

---

**From:** Brian Chewcaskie [[mailto:\[REDACTED\]](mailto:[REDACTED])]  
**Sent:** Friday, July 07, 2017 4:25 PM  
**To:** Chief James N. Batelli; Michael Kelly; William Laforet  
**Cc:** Quentin Wiest; Glenn Dowson  
**Subject:** RE: New Jersey Residents Only / Parks

[REDACTED]

---

**From:** Chief James N. Batelli [<mailto:JBatelli@mahwahpd.org>]  
**Sent:** Friday, July 07, 2017 10:28 AM  
**To:** Michael Kelly <[\[REDACTED\]](mailto:[REDACTED])>; William Laforet <[WLaforet@mahwahtwp.org](mailto:WLaforet@mahwahtwp.org)>



Cc: Quentin Wiest <QWiest@mahwahtwp.org>; Glenn Dowson <GDowson@mahwahtwp.org>; Brian Chewcaskie [REDACTED]  
Subject: RE: New Jersey Residents Only / Parks

Mayor,

Redacted -  
Attorney-Client  
Privilege Supo

[REDACTED]

From: Michael Kelly [mailto:[REDACTED]]  
Sent: Friday, July 07, 2017 9:59 AM  
To: William Laforet  
Cc: Chief James N. Batelli; Quentin Wiest; Glenn Dowson; Brian Chewcaskie  
Subject: Re: New Jersey Residents Only / Parks

Redacted -  
Email  
Addresses

I heard USR has similar signs in Lyons park. May want to look at them.

Sent from my iPhone

On Jul 7, 2017, at 9:53 AM, William Laforet <WLaforet@mahwahtwp.org> wrote:

Chief, Mike, The Council recently passed an ordinance that allows "New Jersey Residents Only" in all of our Municipal Parks.  
Glen is looking for some input as to what the sign should look like, and specifically what it should say.  
If you have any suggestions, please let us know.  
Thanks, Mayor Bill Laforet

*Mayor Bill Laforet*

<image001.jpg><image002.jpg><image003.jpg><image004.png>

Mahwah selected the Safest Community in all of New Jersey 2014

William "Bill" Laforet  
Mayor Township of Mahwah  
475 Corporate Drive  
Mahwah, New Jersey 07430  
201-529-5757 ex 267  
wlaforet@mahwahtwp.org

<20170707\_092921.pdf>

**Chief James N. Batelli**

---

**From:** Glenn Dowson  
**Sent:** Wednesday, July 12, 2017 11:44 AM  
**To:** Brian Chewcaskie; Chief James N. Batelli; Michael Kelly; William Laforet  
**Cc:** Quentin Wiest  
**Subject:** RE: New Jersey Residents Only / Parks  
**Attachments:** TOWNSHIP OF MAHWAH PARKS.docx

Gentlemen please let me know if this is good to go with.

Glenn

**From:** Brian Chewcaskie [mailto: [REDACTED]]  
**Sent:** Friday, July 07, 2017 4:25 PM  
**To:** Chief James N. Batelli <JBatelli@mahwahpd.org>; Michael Kelly <mkelly@boswellengineering.com>; William Laforet <WLaforet@mahwahtwp.org>  
**Cc:** Quentin Wiest <QWiest@mahwahtwp.org>; Glenn Dowson <GDowson@mahwahtwp.org>  
**Subject:** RE: New Jersey Residents Only / Parks

*Redacted - Attorney-Client Privilege*

**From:** Chief James N. Batelli [mailto:JBatelli@mahwahpd.org]  
**Sent:** Friday, July 07, 2017 10:28 AM  
**To:** Michael Kelly < [REDACTED] >; William Laforet <WLaforet@mahwahtwp.org>  
**Cc:** Quentin Wiest <QWiest@mahwahtwp.org>; Glenn Dowson <GDowson@mahwahtwp.org>; Brian Chewcaskie <brian@gmcnjlaw.com>  
**Subject:** RE: New Jersey Residents Only / Parks

*Redacted - Email Addresses. etc*

Mayor,

**From:** Michael Kelly [mailto: [REDACTED]]  
**Sent:** Friday, July 07, 2017 9:59 AM  
**To:** William Laforet

**Cc:** Chief James N. Batelli; Quentin Wiest; Glenn Dowson; Brian Chewcaskle  
**Subject:** Re: New Jersey Residents Only / Parks

I heard USR has similar signs in Lyons park. May want to look at them.

Sent from my iPhone

On Jul 7, 2017, at 9:53 AM, William Laforet <WLaforet@mahwahtwp.org> wrote:

Chief, Mike, The Council recently passed an ordinance that allows "New Jersey Residents Only" in all of our Municipal Parks.

Glen is looking for some input as to what the sign should look like, and specifically what it should say.

If you have any suggestions, please let us know.

Thanks, Mayor Bill Laforet

*Mayor Bill Laforet*

<image001.jpg><image002.jpg><image003.jpg><image004.png>

Mahwah selected the Safest Community in all of New Jersey 2014

William "Bill" Laforet

Mayor Township of Mahwah

475 Corporate Drive

Mahwah, New Jersey 07430

201-529-5757 ex 267

wlaforet@mahwahtwp.org

<20170707\_092921.pdf>



## Watch Group

23 mins ·

I have been informed that at 10 AM on Monday we had 3 buses from a camp and an ambulance at Continental Soldiers field again. It seems this camp comes every Monday at 10am. They use Lake Henry and our playgrounds and the field. Today I asked our Business Administrator to reach out to our Police Chief and Prosecutor for a meeting where we can discuss solutions to enforcing our park ordinance. It is my belief that since the Police Chief is the head of law enforcement in our community that the ideas of how to enforce or laws should come from him. The attorney and Councilmembers have looked into some other towns and what they have done to enforce their laws. I am not sure what the chief has done other than going to the Prosecutor telling him why he did not want to enforce the law. I encourage you to contact the Chief and ask him to help us to

Brought to you by [www.didtheyvote.com](http://www.didtheyvote.com)

See website for more information



**Chief James N. Batelli**

---

**From:** Condon, Tim [REDACTED]  
**Sent:** Wednesday, July 26, 2017 6:18 PM  
**To:** Chief James N. Batelli; Grewal, Gurbir S.  
**Subject:** Re: Township Ordinance - Park Use

Chief,

Per our telephone conversation this afternoon, the Prosecutor is finalizing a letter which will serve as official guidance for your Department with respect to the enforceability of Mahwah Township Ordinance No. 1806. I anticipate that you will receive Prosecutor Grewal's letter at some point during business hours tomorrow.

Until such time as you receive the Prosecutor's letter, I am directing you on the authority and at the behest of the Prosecutor to instruct all members of your Police Department to not enforce Mahwah Township Ordinance No. 1806.

Should you have any further question regarding my direction on behalf of Prosecutor Grewal please contact me on my cellular phone at [REDACTED]

Regards,

Deputy Chief Tim Condon  
Bergen County Prosecutor's Office

Redacted -  
Email Addresses  
+ Telephone #'s

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: "Chief James N. Batelli" <[JBatelli@mahwahpd.org](mailto:JBatelli@mahwahpd.org)>

Date: 7/25/17 4:20 PM (GMT-05:00)

To: "Grewal, Gurbir S." [REDACTED], "Condon, Tim" [REDACTED]

Subject: Township Ordinance - Park Use

Prosecutor – Deputy Chief Condon,

Thank you for taking the time to meet with me today to discuss the Ordinance on the restricted use of parks and playgrounds. I appreciate your support and guidance on this matter.

James N. Batelli  
Chief of Police  
Mahwah Police Department  
Administrative Assistant Kathleen Kelly [REDACTED]

A Nationally Accredited Law Enforcement Agency Through CALEA – [www.calea.org](http://www.calea.org)



# NJ COURT SAYS TOWNS CANNOT CLOSE PARKS TO NONRESIDENTS

Home (<https://www.aclu-nj.org/>) > News (<https://www.aclu-nj.org/news/>)  
> NJ Court Says Towns Cannot Close Parks to Nonresidents

July 29, 2004

(<https://www.facebook.com/sharer.php?text=NJ+Court+Says+Towns+Cannot+Close+Parks+to+Nonresidents&url=https://www.aclu-nj.org/news/2004/07/29/nj-court-says-towns-cannot-close-parks-to-nonresidents>) (<https://twitter.com/share?url=https://www.aclu-nj.org/news/2004/07/29/nj-court-says-towns-cannot-close-parks-to-nonresidents&via=aclunj>)

NEWARK, NJ -- A Superior Court Judge today ruled that New Jersey municipalities may not restrict use of their parks to town residents.

The ruling, which is the first of its kind in New Jersey, and one of the first in the country, is the result of a lawsuit filed by the American Civil Liberties Union of New Jersey in cooperation with attorneys from the Constitutional Litigation Clinic at Rutgers Law School in Newark.

The ACLU and the Constitutional Litigation Clinic challenged a Borough of Haledon ordinance that restricts use of the public parks to town residents and their accompanied guests. Violation of the ordinance carries a \$500 fine and/or a 30-day jail sentence. Many towns throughout New Jersey have similar laws.

Judge Margaret M. McVeigh, a Superior Court Judge in Paterson, ruled that the ordinance violated the First and Fourth Amendment rights of non-resident park users.

The Court held that parks serve a unique role in American society, allowing newcomers to become part of the community. "At one time all of us were outsiders," Judge McVeigh said. The way we become part of the community was to watch, listen, learn, and "impart a little bit of ourselves in the process."

Judge McVeigh also found that police had no constitutional means of ascertaining the residency status of a patron. "Residents come in all shapes, sizes, and colors," she said. The ordinance gives "absolutely no neutral criteria to ensure that the governmental inclusion is not the product of the defining persons' unfiltered discretion," and therefore violates the Fourth Amendment.

"This decision comes at a particularly apt time," said Lester M. Lapidus, Legal Director of the ACLU of New Jersey. "It would be ironic if, just as New Jersey was bragging rights to Ellis Island, the immigrant gateway to America, the state courts sanctioned the balkanization of New Jersey's towns, allowing them to turn away outsiders. Thankfully that didn't happen today."

The ACLU brought suit on behalf of Hilda Barkawi, a native of Syria and a resident of Prospect Park, who was arrested and prosecuted for using Haledon's Roe Field Park in 1993, in violation of an earlier version of the town ordinance.

## NEWS BY ISSUE

- [Additional Issues](https://www.aclu-nj.org/news/category/additional-issues/) (17)
- [Criminal Justice](https://www.aclu-nj.org/news/category/criminal-justice/) (107)
- [Cyber Liberties](https://www.aclu-nj.org/news/category/cyber-liberties/) (6)
- [Discrimination](https://www.aclu-nj.org/news/category/discrimination/) (77)
- [Economic Justice](https://www.aclu-nj.org/news/category/economic-justice/) (32)
- [Elections & Voting](https://www.aclu-nj.org/news/category/elections-voting/) (39)
- [Free Speech](https://www.aclu-nj.org/news/category/free-speech/) (97)
- [Immigrant Rights](https://www.aclu-nj.org/news/category/immigrant-rights/) (38)
- [LGBT Rights](https://www.aclu-nj.org/news/category/lgbt-rights/) (49)
- [National Security](https://www.aclu-nj.org/news/category/national-security/) (30)
- [Open Government](https://www.aclu-nj.org/news/category/open-government/) (98)

The ACLU and the Constitutional Litigation Clinic represented Barkawi in that original case, which led to an appellate court decision invalidating the original ordinance because it did not adequately inform the public that infractions would be punished by penal sanctions. The Borough rescinded the ordinance in 1995, making it clear that violators would be subject to punishment.

Barkawi argued that the revised ordinance violated non-residents' constitutional equal protection and due process rights as well as their right to be free from unreasonable searches and seizures.

"I have often heard police officers and law enforcement officials ask for identification for no reason or for inordinately small reasons, such as race or ethnicity," said Penny Venetis, the Rutgers professor who argued the case. "Our constitution does not permit police investigation on other merits."

Barkawi also argued that the ordinance violated New Jersey's public policy against discrimination against non-residents as well as the common law public trust doctrine, which holds that New Jersey's public parks and beaches are held in trust for all residents of the state to enjoy.

"This suit is an important step in fighting the growing national trend of sealing off traditionally public spaces," Venetis added. "This practice is particularly pronounced in suburban communities that want to exclude their less affluent neighbors. We believe that public spaces are for the public at large, not just local residents."

The case is *Barkawi v. Borough of Haledon*, Docket No. 1-6997-96.

Category: Discrimination (<https://www.aclu-nj.org/news/category/discrimination>)

\* ACLU-NJ Urges Court to Strike Provision that Punishes Children (<https://www.aclu-nj.org/news/2004/07/28/aclu-nj-urges-court-to-strike-provision-that-punishes-children>)

ACLU-NJ Offers Legal Help to FBI Questioned » (<https://www.aclu-nj.org/news/2004/08/15/aclu-nj-offers-legal-help-to-fbi-questioned>)

- Police Practices (<https://www.aclu-nj.org/news/category/police-practices>) (115)
- Prisons (<https://www.aclu-nj.org/news/category/prisons>) (57)
- Privacy (<https://www.aclu-nj.org/news/category/privacy>) (39)
- Religious Freedom (<https://www.aclu-nj.org/news/category/religious-freedom>) (36)
- Reproductive Freedom (<https://www.aclu-nj.org/news/category/reproductive-freedom>) (19)
- Student & Youth Rights (<https://www.aclu-nj.org/news/category/student-youth-rights>) (74)
- Uncategorized (<https://www.aclu-nj.org/news/category/uncategorized>) (6)

## NEWS ARCHIVES

Select Month ☐



(<https://www.aclu-nj.org/news/2004/08/15/aclu-nj-offers-legal-help-to-fbi-questioned>)

## Robert Hermansen

---

**From:** Truglio, Judith [REDACTED]  
**Sent:** Tuesday, August 8, 2017 8:32 AM  
**To:** Robert Hermansen  
**Subject:** RE: Police Director

I appreciate your response

---


**From:** Robert Hermansen [mailto:RHermansen@mahwahtwp.org]  
**Sent:** Monday, August 07, 2017 10:55 PM  
**To:** Truglio, Judith  
**Cc:** William Laforet; Jonathan Wong; Janet Ariemma; George Ervin; David May; Steve Sbarra; jwyssocki@mahwahtwo.org  
**Subject:** Re: Police Director

Thank you for your opinion, I will not discuss personnel matters. I am sorry that you have issues with comments made by the Council about the Mayor. All I will say is that I have done my best to work with the Mayor this year. The Mayor stated this was the best budget meetings, and the easiest council he has worked with, in the 5 years he has been the mayor. I believe it is in the best interest on the town and for the people to look at all alternatives to help run the town. No one has anything negative about our men and women in our police department, in fact quite the opposite. Let me assure you this has nothing to do with politics. Thank you for expressing your opinion.

Robert Hermansen

Sent from my iPad

On Aug 7, 2017, at 8:46 AM, Truglio, Judith [REDACTED] wrote:

Redacted -  
Email  
Addresses.  


Dear Mr. Hermansen and Town Council Members

My husband and I moved our family which at the time consisted of three young children to Mahwah approximately fifteen years ago because of the reputation of the town. I was shocked, troubled and embarrassed when I read the article in The Patch regarding creating the position of a Police Director. I have thought about it for days and still cannot justify in my mind why this position is needed. I have sent my kids through the public school system and have seen the dedication and community involvement of the Mahwah Police Department. They are always there for the kids through the good and bad times. My son who is a recent graduate of Mahwah High School is part of a group of twenty close friends and I have never heard any one of them say anything negative regarding the police department. In fact, they always talk about all the things the police department has taught them. The police department spends countless hours running programs which educate both parents and children on internet safety, substance abuse, and countless other programs. The kids in town respect all the officers. Our town has an accredited police department and is considered one of the safest towns in New Jersey which makes other young families want to move here.

I have spoken to friends in other towns and learned that their towns do not have a Police Director. When questioned why Mahwah would consider having one, the only response I could come up with was that it was personal and political. The comments that are made about the police department and mayor from the council are an absolute embarrassment to the taxpayers of this town. And I can only imagine how much more embarrassing it will get over the next few months. If the taxpayer's are

Brought to you by [www.didtheyvote.com](http://www.didtheyvote.com)  
See website for more information

ultimately paying for this position, then why aren't we approving it. It seems that our money is being thrown away – it can be used for so many more things in the schools or towns to make it even better.

I hope all of you will listen to the residents of Mahwah and realize how unnecessary this position is. How can we have a police director who is not even a sworn officer and has no experience in this area? Please think about why you are doing this – Individuals in political positions should care most about the people they are representing and make the residents of their town proud to live there.

---

CONFIDENTIALITY NOTICE: This communication and any accompanying attachments are confidential and privileged. They are intended for the sole use of the addressee. If you receive this transmission in error, you are advised that any disclosure, copying, distribution, or the taking of any action in reliance upon this communication is strictly prohibited. Moreover, any such disclosure shall not compromise or waive the attorney-client, accountant-client, or other privileges as to this communication or otherwise. If you have received this communication in error, please contact me at the above internet e-mail address.

EisnerAmper LLP is a legally independent member firm of both the Allinial Global and EisnerAmper Global associations and does not accept any responsibility or liability for the actions or inactions on the part of any other individual member firm or firms.

Any tax advice contained in this memorandum (including any attachments) is not intended for and cannot be used, for the purpose of (i) avoiding penalties imposed by the Internal Revenue Code or (ii) promoting, marketing, or recommending any transaction.

---

CONFIDENTIALITY NOTICE: This communication and any accompanying attachments are confidential and privileged. They are intended for the sole use of the addressee. If you receive this transmission in error, you are advised that any disclosure, copying, distribution, or the taking of any action in reliance upon this communication is strictly prohibited. Moreover, any such disclosure shall not compromise or waive the attorney-client, accountant-client, or other privileges as to this communication or otherwise. If you have received this communication in error, please contact me at the above internet e-mail address.

EisnerAmper LLP is a legally independent member firm of both the Allinial Global and EisnerAmper Global associations and does not accept any responsibility or liability for the actions or inactions on the part of any other individual member firm or firms.

## Robert Hermansen

---

**From:** Microsoft Outlook  
**To:** jwysocki@mahwahtwo.org  
**Sent:** Monday, August 7, 2017 10:54 PM  
**Subject:** Undeliverable: Re: Police Director

### Delivery has failed to these recipients or groups:

jwysocki@mahwahtwo.org (jwysocki@mahwahtwo.org)

A problem occurred and this message couldn't be delivered. Check to be sure the e-mail address is correct. If the problem continues, please contact your helpdesk.

### Diagnostic information for administrators:

Generating server: PDEXCHANGE16.mpd.local

jwysocki@mahwahtwo.org  
#554 5.4.4 SMTPSEND.DNS.NonExistentDomain; nonexistent domain ##

### Original message headers:

Received: from PDEXCHANGE16.mpd.local ([:1]) by PDEXCHANGE16.mpd.local  
 ([:1]) with mapi id 14.03.0301.000; Mon, 7 Aug 2017 22:54:29 -0400  
From: Robert Hermansen <RHermansen@mahwahtwp.org>  
To: "Truglio, Judith" <judith.truglio@eisneramper.com>  
CC: William Laforet <WLaforet@mahwahtwp.org>, Jonathan Wong  
 <JWong@mahwahtwp.org>, Janet Ariemma <JAriemma@mahwahtwp.org>, George Ervin  
 <GERvin@mahwahtwp.org>, David May <DMay@mahwahtwp.org>, Steve Sbarra  
 <SSbarra@mahwahtwp.org>, "jwysocki@mahwahtwo.org" <jwysocki@mahwahtwo.org>  
Subject: Re: Police Director  
Thread-Topic: Police Director  
Thread-Index: AdMPeyhdG3Fi9W6VT3qRnvev4atCuAAdn5uq  
Date: Tue, 8 Aug 2017 02:54:28 +0000  
Message-ID: <0A87E964-A8FB-4555-BA4B-36B58968F199@mahwahtwp.org>  
References: <BCF98281C8F5254B95BD128ADAD02415A3522739@EC1WE8EX2.us.eisner.biz>  
In-Reply-To: <BCF98281C8F5254B95BD128ADAD02415A3522739@EC1WE8EX2.us.eisner.biz>  
Accept-Language: en-US  
Content-Language: en-US  
X-MS-Has-Attach:  
X-MS-TNEF-Correlator:  
Content-Type: multipart/alternative;  
 boundary="\_\_000\_0A87E964A8FB4555BA4B36B58968F199mahwahtwporg\_"  
MIME-Version: 1.0



## Robert Hermansen

---

**From:** Robert Hermansen  
**Sent:** Monday, August 7, 2017 10:54 PM  
**To:** Truglio, Judith  
**Cc:** William Laforet; Jonathan Wong; Janet Ariemma; George Ervin; David May; Steve Sbarra; jwysocki@mahwahtwo.org  
**Subject:** Re: Police Director

Thank you for your opinion, I will not discuss personnel matters. I am sorry that you have issues with comments made by the Council about the Mayor. All I will say is that I have done my best to work with the Mayor this year. The Mayor stated this was the best budget meetings, and the easiest council he has worked with, in the 5 years he has been the mayor. I believe it is in the best interest on the town and for the people to look at all alternatives to help run the town. No one has anything negative about our men and women in our police department, in fact quite the opposite. Let me assure you this has nothing to do with politics. Thank you for expressing your opinion.

Robert Hermansen

Sent from my iPad

Redacted -  
Email Address.

On Aug 7, 2017, at 8:46 AM, Truglio, Judith [REDACTED] wrote:



Dear Mr. Hermansen and Town Council Members

My husband and I moved our family which at the time consisted of three young children to Mahwah approximately fifteen years ago because of the reputation of the town. I was shocked, troubled and embarrassed when I read the article in The Patch regarding creating the position of a Police Director. I have thought about it for days and still cannot justify in my mind why this position is needed. I have sent my kids through the public school system and have seen the dedication and community involvement of the Mahwah Police Department. They are always there for the kids through the good and bad times. My son who is a recent graduate of Mahwah High School is part of a group of twenty close friends and I have never heard any one of them say anything negative regarding the police department. In fact, they always talk about all the things the police department has taught them. The police department spends countless hours running programs which educate both parents and children on internet safety, substance abuse, and countless other programs. The kids in town respect all the officers. Our town has an accredited police department and is considered one of the safest towns in New Jersey which makes other young families want to move here.

I have spoken to friends in other towns and learned that their towns do not have a Police Director. When questioned why Mahwah would consider having one, the only response I could come up with was that it was personal and political. The comments that are made about the police department and mayor from the council are an absolute embarrassment to the taxpayers of this town. And I can only imagine how much more embarrassing it will get over the next few months. If the taxpayer's are ultimately paying for this position, then why aren't we approving it. It seems that our money is being thrown away - it can be used for so many more things in the schools or towns to make it even better.

I hope all of your will listen to the residents of Mahwah and realize how unnecessary this position is. How can we have a police director who is not even a sworn officer and has no experience in this

area? Please think about why you are doing this – Individuals in political positions should care most about the people they are representing and make the residents of their town proud to live there.

---

CONFIDENTIALITY NOTICE: This communication and any accompanying attachments are confidential and privileged. They are intended for the sole use of the addressee. If you receive this transmission in error, you are advised that any disclosure, copying, distribution, or the taking of any action in reliance upon this communication is strictly prohibited. Moreover, any such disclosure shall not compromise or waive the attorney-client, accountant-client, or other privileges as to this communication or otherwise. If you have received this communication in error, please contact me at the above internet e-mail address.

EisnerAmper LLP is a legally independent member firm of both the Allinial Global and EisnerAmper Global associations and does not accept any responsibility or liability for the actions or inactions on the part of any other individual member firm or firms.

Any tax advice contained in this memorandum (including any attachments) is not intended for and cannot be used, for the purpose of (i) avoiding penalties imposed by the Internal Revenue Code or (ii) promoting, marketing, or recommending any transaction.

## Robert Hermansen

---

**From:** Steve Sbarra  
**Sent:** Monday, August 7, 2017 4:56 PM  
**To:** Quentin Wiest  
**Cc:** Robert Hermansen; Jonathan Wong; Brian Chewcaskie; James Wysocki; Janet Ariemma; George Ervin; Kathy Coviello; David May; [REDACTED]; William Laforet; Chief James N. Batelli  
**Subject:** Re: Ordinances 1810 - 1812

As you all know, these ordinances were introduced at the last council meeting for public comments and possible adoptions. Based on these comments and the Police Chief's comments via another email, it is my opinion that these three ordinances be pulled from Thursday's meeting in order to consider comments and other public concerns regarding them. I think the ordinance committee may need to take a better look and tweak the wording before final adoption. It is my feeling that with all the issues facing Mahwah at the moment, we should not rush into anything without proper attorney review and further discussion. Unfortunately due to a personal situation, I will be missing the next two council meetings. I await the views of the rest of the council on this matter.

Sent from my iPad

On Aug 7, 2017, at 12:24 PM, Quentin Wiest <[QWiest@mahwahtwp.org](mailto:QWiest@mahwahtwp.org)> wrote:

To all:

I forwarded Ordinances 1810 & 1812 to Mike Kelly for review. His comments are below. In my experience, minor changes (amendments) can be made at the time of the public hearing without causing ordinances to go back to first reading.

I would follow Brian's advice in the event that you wish to offer amendments.

**Quentin Wiest**  
**Business Administrator**  
**Township of Mahwah**  
475 Corporate Drive  
Mahwah, NJ 07430  
[QWiest@MahwahTwp.org](mailto:QWiest@MahwahTwp.org)  
201-529-5757 x 265  
<image001.jpg>

Redacted -  
Email  
Address

---

**From:** Michael Kelly [mailto:[REDACTED]]  
**Sent:** Friday, August 04, 2017 9:36 AM  
**To:** Quentin Wiest; Chief James N. Batelli; Kathy Coviello; Glenn Dowson  
**Cc:** Denise Storms; Brian Chewcaskie  
**Subject:** RE: Ordinances 1810 - 1812

For Ordinance 1810, I understand that the soliciting of real estate sales would be prohibited in areas included in the No Knock Registry. Can we just indicate that the soliciting of real estate sales is prohibited period?

For Ordinance 1812,



Section 15-1.1, first sentence is "flag" correct?

Section 15-1.4, do we want to replace "Street Commissioners" with "Township"?

Also in Sections 15-1.4 and 15-1.5 it appears to address removal of things from sidewalks, do we also want to include the removal of any unlawful acts?

Mike K.

---

**From:** Quentin Wiest [mailto:QWiest@mahwahtwp.org]

**Sent:** Monday, July 31, 2017 3:38 PM

**To:** Chief James N. Batelli <JBatelli@mahwahpd.org>; Michael Kelly [REDACTED];  
Kathy Coviello <KCoviello@mahwahtwp.org>; Glenn Dowson <GDowson@mahwahtwp.org>

**Cc:** Denise Storms <DStorms@mahwahtwp.org>; Brian Chewcaskie [REDACTED]

**Subject:** Ordinances 1810 - 1812

To all:

The Township Council has introduced the attached ordinances on first reading at their meeting of 7/27. A public hearing and possible final adoption is scheduled for the meeting of 8/10.

Please provide comments or concerns as listed. If you have no comments or concerns, please respond indicating that you have no issue with what is proposed.

Chief Batelli	1810, 1811, 1812
Michael Kelly	1810 & 1812
Township Clerk	1810
Director Dowson	1812

**Quentin Wiest**

**Business Administrator**

**Township of Mahwah**

475 Corporate Drive

Mahwah, NJ 07430

[QWiest@MahwahTwp.org](mailto:QWiest@MahwahTwp.org)

201-529-5757 x 265

<image001.jpg>

Redacted -  
Email  
Addresses



## Robert Hermansen

---

**From:** Truglio, Judith <[REDACTED]>  
**Sent:** Monday, August 7, 2017 8:46 AM  
**To:** William Laforet; Robert Hermansen; Jonathan Wong; Janet Ariemma; George Ervin; David May; Steve Sbarra; jwyssocki@mahwahtwo.org  
**Subject:** Police Director

Redacted -  
Email Address

Dear Mr. Hermansen and Town Council Members

My husband and I moved our family which at the time consisted of three young children to Mahwah approximately fifteen years ago because of the reputation of the town. I was shocked, troubled and embarrassed when I read the article in The Patch regarding creating the position of a Police Director. I have thought about it for days and still cannot justify in my mind why this position is needed. I have sent my kids through the public school system and have seen the dedication and community involvement of the Mahwah Police Department. They are always there for the kids through the good and bad times. My son who is a recent graduate of Mahwah High School is part of a group of twenty close friends and I have never heard any one of them say anything negative regarding the police department. In fact, they always talk about all the things the police department has taught them. The police department spends countless hours running programs which educate both parents and children on internet safety, substance abuse, and countless other programs. The kids in town respect all the officers. Our town has an accredited police department and is considered one of the safest towns in New Jersey which makes other young families want to move here.

I have spoken to friends in other towns and learned that their towns do not have a Police Director. When questioned why Mahwah would consider having one, the only response I could come up with was that it was personal and political. The comments that are made about the police department and mayor from the council are an absolute embarrassment to the taxpayers of this town. And I can only imagine how much more embarrassing it will get over the next few months. If the taxpayer's are ultimately paying for this position, then why aren't we approving it. It seems that our money is being thrown away – it can be used for so many more things in the schools or towns to make it even better.

I hope all of you will listen to the residents of Mahwah and realize how unnecessary this position is. How can we have a police director who is not even a sworn officer and has no experience in this area? Please think about why you are doing this – Individuals in political positions should care most about the people they are representing and make the residents of their town proud to live there.

---

CONFIDENTIALITY NOTICE: This communication and any accompanying attachments are confidential and privileged. They are intended for the sole use of the addressee. If you receive this transmission in error, you are advised that any disclosure, copying, distribution, or the taking of any action in reliance upon this communication is strictly prohibited. Moreover, any such disclosure shall not compromise or waive the attorney-client, accountant-client, or other privileges as to this communication or otherwise. If you have received this communication in error, please contact me at the above internet e-mail address.

EisnerAmper LLP is a legally independent member firm of both the Allinial Global and EisnerAmper Global associations and does not accept any responsibility or liability for the actions or inactions on the part of any other individual member firm or firms.

Brought to you by <sup>16</sup>www.didtheyvote.com  
See website for more information

Any tax advice contained in this memorandum (including any attachments) is not intended for and cannot be used, for the purpose of (i) avoiding penalties imposed by the Internal Revenue Code or (ii) promoting, marketing, or recommending any transaction.



## Robert Hermansen

---

**From:** [REDACTED]  
**Sent:** Sunday, August 6, 2017 9:13 AM  
**To:** Robert Hermansen; Jonathan Wong; Janet Ariemma; George Ervin; David May; Steve Sbarra; James Wysocki  
**Cc:** Chief James N. Batelli; William Laforet  
**Subject:** Re: Police Director Position

August 6, 2017

Dear Mr. Hermansen and Town Council Members:

I have lived in Mahwah for twenty two years and have raised two sons in this town. I was shocked and troubled to read the article in The Patch regarding hiring a Police Director. Why do we need this position? I have seen firsthand the dedication, compassion, and community involvement of the Mahwah Police Department. They are active in our schools and have fostered an open relationship with the kids in our town. They run programs to educate both parents and children on internet safety, substance abuse, and countless other programs. I can tell you the kids in this town respect and look up to the police, which is no easy task. That kind of attitude starts at the top. We are an accredited police department and considered one of the safest towns in New Jersey.

From an outsiders perspective this seems personal and political. Time and time again I read the council's negative comments about the police department and mayor and it is an embarrassment for this town. I have friends in neighboring towns that have referred to our council as a circus. I do not believe that any other town in Bergen County has a Police Director, and the towns that have had them in the past have eliminated the position.

Do we need to spend our taxpayer's money on a position that is purely administrative of budget and a liaison with the council and cannot be in charge of the day-to-day. Creating a position above our Chief who cannot be included in criminal investigations or reports, nor is a sworn officer and will be limited in scope, to anything any other resident is privileged, seems to be fiscally irresponsible. This town has enough lawsuits and potential lawsuits that it must defend. This new position could open our town to countless civil suits brought by our own officers. Consider the money you spent to investigate the department as well as the contract you are considering and we could add two more officers to our ranks that can protect our town.

There is no need for a position that towns in Bergen County have tried and eliminated. The council needs to respond to the town's people's wishes and stop the political witch hunt or most certainly the council will hear the town's people loud and clear the next few election cycles.

Regards,  
Christine Noonan

Redacted -  
Email  
Address

## Robert Hermansen

---

**From:** Quentin Wiest  
**Sent:** Thursday, August 3, 2017 5:42 PM  
**To:** Brian Chewcaskie  
**Cc:** Robert Hermansen; Jonathan Wong; William Laforet  
**Subject:** FW: Draft Park Permit Ordinance  
**Attachments:** 2017%20Special%20Events%20Application%20\_201703220917510461.pdf; HH Agreement for Facilities Use - MAHWAH.doc

Sorry, the Hold Harmless is attached to this.

**Quentin Wiest**  
*Business Administrator*  
*Township of Mahwah*  
475 Corporate Drive  
Mahwah, NJ 07430  
[QWiest@MahwahTwp.org](mailto:QWiest@MahwahTwp.org)  
201-529-5757 x 265



---

**From:** Quentin Wiest  
**Sent:** Thursday, August 03, 2017 5:41 PM  
**To:** Brian Chewcaskie  
**Cc:** Robert Hermansen; Jonathan Wong; William Laforet  
**Subject:** Draft Park Permit Ordinance

Brian:

Please let me know where we stand with regard to having a draft of a Park Permit ordinance. I will circulate a draft for departmental comments as soon as it is available.

Attached is the Bergen County Permit Application for Special Events in case some have not seen it.

Also attached is a draft of a Hold Harmless Agreement for Use of Municipal Facilities covering insurance concerns as prepared by Frank Covelli's office.

**Quentin Wiest**  
*Business Administrator*  
*Township of Mahwah*

475 Corporate Drive  
Mahwah, NJ 07430  
[QWiest@MahwahTwp.org](mailto:QWiest@MahwahTwp.org)  
201-529-5757 x 265





**COUNTY OF BERGEN**

DEPARTMENT OF PARKS

DIVISION OF PARKS AND RECREATION • DIVISION OF CULTURAL AND HISTORIC AFFAIRS

One Bergen County Plaza – 4<sup>th</sup> Floor – Hackensack, NJ 07601-7076

(201) 336-7275 – FAX (201) 336-7262

James J. Tedesco, III  
County Executive

James G. Koth, III, PLA, ASLA  
Director of Parks

**SPECIAL EVENTS PERMIT APPLICATION**

NAME OF ORGANIZATION: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY

STATE

ZIP CODE

CONTACT PERSON: \_\_\_\_\_

(Must be at above address – which is where the permit will be mailed)

Cell: \_\_\_\_\_ Alt #: \_\_\_\_\_

Email: \_\_\_\_\_

PURPOSE OF EVENT: \_\_\_\_\_

\*\*\*\*\*

In order of preference:

PARK

AREA

DATE

1). \_\_\_\_\_ START TIME: \_\_\_\_\_

2). \_\_\_\_\_ END TIME: \_\_\_\_\_

3). \_\_\_\_\_ ESTIMATED# OF ATTENDEES: \_\_\_\_\_

4). \_\_\_\_\_

**\*\*Please submit application along with a proposed site map & event/production schedule.\*\***

**PLEASE NOTE:**

The Bergen County Department of Parks is unable to provide any personnel support or amenities, except for electricity "as is" in specific locations. Monies may not be collected on County Park property. Please make provisions to collect pledges etc. some other way. Food or other merchandise may not be sold. Admission may not be charged. Proper Certificate of Insurance must be on file in our office. It is your responsibility to notify local authorities (police, ambulance, etc.) about your event.

[www.co.bergen.nj.us](http://www.co.bergen.nj.us)

Brought to you by [www.didtheyvote.com](http://www.didtheyvote.com)

See website for more information



**COUNTY OF BERGEN**  
DEPARTMENT OF PARKS

**DIVISION OF PARKS AND RECREATION • DIVISION OF CULTURAL AND HISTORIC AFFAIRS**

One Bergen County Plaza – 4<sup>th</sup> Floor – Hackensack, NJ 07601-7076

(201) 336-7275 – FAX (201) 336-7262

**James J. Tedesco, III**  
County Executive

**James G. Koth, III, PLA, ASLA**  
Director of Parks

Dear Park Patron;

Each year the Bergen County Department of Parks processes thousands of requests for park-use permits. Prior to issuance of a permit to **groups of 100 or more**, the Department requires that a **Certificate of Insurance** be filed with our office.

The Certificate is to show a **minimum** of \$1,000,000 per occurrence, \$2,000,000 aggregate General Liability and \$10,000/person Medical Expense. **THE COUNTY OF BERGEN AND ITS OFFICIALS, EMPLOYEES AND AGENTS** must be named as **ADDITIONAL INSURED** and **COUNTY OF BERGEN** shown as **CERTIFICATE HOLDER**.

Your insurance company (agent) must be told of this requirement and the above underlined paragraph. They will, at that time, issue the Certificate of Insurance which can be mailed to the above address, faxed to (201) 336-7262 or emailed to [parkpermits@co.bergen.nj.us](mailto:parkpermits@co.bergen.nj.us)

Please make sure the term of the insurance (effective date to expiration date) falls within the dates you anticipate using the Bergen County Department of Parks facilities.

If the insured's name is different from your group name, please make sure that you or your agent clearly note your group name so that the certificate can be matched to your group.

If you have any questions concerning this matter, please call us at (201) 336-7261.

Thank you for your cooperation.

Sincerely,

Office of Permits & Special Events

[www.co.bergen.nj.us](http://www.co.bergen.nj.us)

Brought to you by [www.didtheyvote.com](http://www.didtheyvote.com)  
See website for more information





**COUNTY OF BERGEN**  
DEPARTMENT OF PARKS  
**DIVISION OF PARKS AND RECREATION • DIVISION OF CULTURAL AND HISTORIC AFFAIRS**

One Bergen County Plaza -- 4<sup>th</sup> Floor -- Hackensack, NJ 07601-7076  
(201) 336-7275 -- FAX (201) 336-7262

**James J. Tedesco, III**  
County Executive

**James G. Koth, III, PLA, ASLA**  
Director of Parks

**RULES AND REGULATIONS**

- 1). **NO ALCOHOLIC BEVERAGES OF ANY KIND IN ANY B.C. PARK!**
- 2). Build no fires, except in fireplaces or designated areas.
- 3). **GARBAGE MUST BE BAGGED & TIED AND PLACED AT A CONVIENENT LOCATION NEAR ROADSIDE FOR PICKUP. SECURITY DEPOSIT WILL NOT BE REFUNDED IF THIS IS NOT DONE.**
- 4). Music should be appropriate for all ages and volume should be kept low and confined to your group's area. .
- 5). Bring your permit to the park on the date of your picnic. A ranger will sign off on the condition of the site at the end of your picnic & bring it to our office for processing of your refund. If no one collects the permit, send it immediately to this office to start the refund process. Failure to return this permit **immediately after your event** may result in the forfeiture of the refund. Once refund process has been initiated, you will receive a Purchase Order via mail that you need to sign and return to Bergen County Treasury. Refund check cannot be issued without this signed Purchase Order. **Refunds take 6-8 weeks after receipt of signed permit to process.** The refund will be sent to name/address on check or money order you submitted with your application.
- 6). **Rained Out Events**— If your outing has been rained out and you wish to reschedule for another date, return original permit; together with a list of alternative dates. If one of those dates is available, a new permit will be issued. If you do not wish to reschedule, return the original permit & request refund of paid fees.
- 7). **Cancelled Events** —With exceptions of “rain outs”, refunds for cancellations will be made **ONLY** upon receipt of **TWO (2) WEEKS. PRIOR WRITTEN NOTICE** to this office with the return of the original permit. There will be a 10% or \$5.00 min. administrative charge deducted from the permit fee on all such cancellations.
- 8). Any change made to a permit, after it has been booked, is subject to a 10% or \$5.00 min. administrative charge. If a change is possible, a new permit will be issued. Please state if you wish to retain original permit if a change is not possible. Charge also applies to request for lost permits.
- 9). Facilities must be used cooperatively with other permit holders.
- 10). **Use of fields** is subject to ground & weather conditions. Park supervisor or security guard's word shall be final.
- 11). Unruly behavior or profane language will be cause for the revocation of this & succeeding permits.
- 12). **PERMITS ARE NON-TRANSFERABLE.**

Bergen County Parks Department  
Special Event Information Sheet

All groups of 10 people or more (adults and children included) must have a permit to picnic. You **must have a permit to** use a Pavilion, even if your group size is under 10 people. (**Check the fee schedule for the correct fees.** Permits are issued starting at 10AM and ending at 6PM (unless an earlier end-time is requested.) You may, however, remain in the park until ½ past sundown.

PLEASE NOTE: AREAS/TABLES ARE NOT HELD. THEREFORE, IF YOU ARE PLANNING A LATER START-TIME, YOU MUST HAVE SOMEONE AT THE PARK BY 10AM TO HOLD YOUR SPACE.

Softball field permits are **issued** if/when **available with a picnic permit only** for 2hr limit. (Contact office for information on obtaining a league/baseball team softball permit. It is a different application process. Soccer field permits **are not** issued with a picnic permit. (Contact the office for information on obtaining a soccer permit. No permits are issued for Tennis, basketball, bocce, horseshoes, & handball. In most cases, they are first-come, first-serve).

### **THE APPLICATION**

**Between March and August, applications must be submitted at least 3 weeks before the earliest date on the application. All other times, applications must be submitted at least 2 weeks before the earliest date.**

Make sure you fill out the application completely. If you leave out any necessary information, your application will be returned to you, thereby delaying issuance of a permit. For family permits, please use the address and phone number of the contact person as this is where the permit will be sent. Many times the permits are returned because the contact person does not live at the address given.

Applications take approximately 1 wk to process after receipt. The time will increase to 3wks during heavy volume season. Apply early enough to allow for this processing time.

**PLEASE DO NOT CALL FOR AVAILABILITY.** Availability is not given; it is based on what is available when we process your application. You should include at least 4 dates (you can give more). We do not reserve rain dates in advance. (However, you may submit a separate application and payment for a second date if necessary.) We will book you for the first date available, if any, from your list. To increase your chances of getting a permit you may also include alternate parks or alternate areas within a park.

If none of the choices on your application are available, we will contact you and work with you to try to find a suitable area. However, if nothing is available, your application will be returned to you. It is to your benefit to give as many alternates as you can use. **Please don't put down a date you can't use. You just might get it!**

### **HEADCOUNT**

Give the most accurate count of people possible. Include all children and adults who will be attending. Space will be reserved to accommodate this number only.

### **THE FEES**

Check the fee schedule to make sure you are including the correct fees. Take note that there is a separate line for pavilions. You must submit 2 separate checks with the application (or 2 money orders if application is received less than 3wks before date). Your application will be returned if the wrong fees are included. If you are requesting a pavilion, with alternate area being a picnic area, you should include 2 sets of checks or money orders: 1 set for the pavilion, 1 set for the picnic area. Based on what is available, we will return the unused set.

**If you are applying for a Bergen County rate, payment must be made with checks or money orders showing a Bergen County address. The application address must also be in Bergen County.**

**\*\*We will also need proof of residency- either with a Driver's License or copy of Utility Bill.\*\***

**DEPOSIT REFUND** The security deposit is refundable after your picnic, provided you have cleaned your area. Garbage must be bagged and placed at a convenient location near roadside for pickup. **Deposit will not be refunded if this is not done.** To obtain this refund you must provide your permit to the security guard at the park, or mail it to our office. Once refund process has been initiated, you will receive a Purchase Order via mail that you need to sign and return to Bergen County Treasury. **Check cannot be issued to you without this signed Purchase Order being returned to the County.** Refunds take 6-8wks after receipt to process. The refund will be sent to the address on the check or money order you submitted with your application. **Please make sure this is your current address.** If not, please provide proof of current address, such as a copy of Driver's License or Utility Bill.

**COUNTY OF BERGEN**

DEPARTMENT OF PARKS

DIVISION OF PARKS AND RECREATION • DIVISION OF CULTURAL AND HISTORIC AFFAIRS

One Bergen County Plaza - 4<sup>th</sup> Floor - Hackensack, NJ 07601-7076

(201) 336-7275 - FAX (201) 336-7262

James J. Tedesco, III  
County ExecutiveJames G. Koth, III, PLA, ASLA  
Director of Parks**2017 FEE SCHEDULE**

	<b><u>BERGEN COUNTY</u></b> <b><u>PERMIT FEES</u></b>	<b><u>NON-BERGEN</u></b> <b><u>PERMIT FEES</u></b>	<b><u>SECURITY</u></b> <b><u>DEPOSIT</u></b>
<b><u>SPECIAL EVENT</u></b>			
NUMBER IN GROUP			
10-49	\$75.00	\$125.00	\$125.00
50-99	\$125.00	\$175.00	\$175.00
100-149	\$175.00	\$225.00	\$225.00
150-199	\$225.00	\$275.00	\$275.00
200 - 999	\$1,625.00	\$1,625.00	\$1,625.00
1,000 - 3,000	\$3,500.00	\$3,500.00	\$3,500.00
3,001 - 5,000	\$7,200.00	\$7,200.00	\$7,200.00
5,001 - 10,000	\$15,000.00	\$15,000.00	\$15,000.00
10,000 and up	\$25,000.00	\$25,000.00	\$25,000.00

If you would like a picnic or pavilion area, you will need to pay the following fees along with the special event fee:

	<b><u>BERGEN COUNTY</u></b> <b><u>PERMIT FEES</u></b>	<b><u>NON-BERGEN</u></b> <b><u>PERMIT FEES</u></b>	<b><u>SECURITY</u></b> <b><u>DEPOSIT</u></b>
<b><u>PICNIC AREA</u></b>			
NUMBER IN GROUP			
1-199	\$225.00	\$275.00	\$275.00
<b><u>PAVILION AREA</u></b>			
NUMBER IN GROUP			
1-199	\$195.00	\$275.00	\$275.00

**FEES ARE SUBJECT TO CHANGE**

Please submit permit and deposit fees in **TWO SEPARATE CHECKS** made payable to BERGEN COUNTY DEPARTMENT OF PARKS.

**There are NO fee waivers or discounts for non-profit organizations.**

**NOTE: If applications received less than 3 weeks before picnic date, payment must be made by two separate money orders only.**

\*\*\*To qualify for Bergen County rates application must show a Bergen County address and you must submit checks or money orders imprinted with a Bergen County address.\*\*\*

Once a permit is booked, there is an administrative charge of \$5.00 or 10% of permit fee (whichever is greater) for any changes or cancellation (at least 2 weeks before picnic) of the permit.

Thank you for your continued interest in the Bergen County Department of Parks.

[www.co.bergen.nj.us](http://www.co.bergen.nj.us)

Brought to you by [www.didtheyvote.com](http://www.didtheyvote.com)  
See website for more information

## SPECIAL EVENTS APPLICATION QUESTIONNAIRE

Thank you for applying to have your special event in Bergen County Parks. Please fill out this questionnaire which will help us to make a determination and if approved plan accordingly.

Please describe in detail the type of event you are hoping to have in Bergen County Parks:

---

---

1. Are you planning to have vendors? YES NO

- # & types of vendors: \_\_\_\_\_

2. Are you planning to have tents? YES NO

- # of tents & sizes: \_\_\_\_\_
- Name of company renting tents from: \_\_\_\_\_

3. Will you have food & beverages at your event? YES NO

- List all food vendors/types of food & beverages being served: \_\_\_\_\_  
\_\_\_\_\_
- Will food be cooked on premise? YES NO
  - Specify by charcoal grill, propane grill or other: \_\_\_\_\_

4. Will you be applying for a permit to serve alcohol? YES NO

5. Will you have any inflatables or mechanical rides at your event? YES NO

- Name of company providing rides: \_\_\_\_\_

6. Will you be using any generators for power? YES NO

- Purpose & how many? \_\_\_\_\_

7. If your event is a run/walk, what is the distance? \_\_\_\_\_

8. What are your security needs? \_\_\_\_\_

9. Will you need shuttle bus services? YES NO

10. Will you be using the amphitheater (if applying for Overpeck Ridgefield Park)? YES NO

11. Any special needs or requests that the County should know? \_\_\_\_\_

---

[www.co.bergen.nj.us](http://www.co.bergen.nj.us)

Brought to you by [www.didtheyvote.com](http://www.didtheyvote.com)  
See website for more information

# TOWNSHIP OF MAHWAH

Bergen County, New Jersey



## HOLD HARMLESS AGREEMENT USE OF MUNICIPAL FACILITIES

**B**etween the **TOWNSHIP OF MAHWAH**,  
with principal offices located at: **475 Corporate Drive, Mahwah, NJ 07430**

*And*

\_\_\_\_\_  
*Organization Name*

\_\_\_\_\_  
*Street Address (Not Post Office Box)*

\_\_\_\_\_  
*Telephone Number*

\_\_\_\_\_  
*Contact Person*

Organization Type: *(Please Check One)*

- ☐ Individual  
☐ Non-Profit Organization  
☐ Profit Making Organization

In consideration for use of municipally owned facilities at \_\_\_\_\_  
\_\_\_\_\_ on the following date(s): \_\_\_\_\_  
for the purpose of \_\_\_\_\_,

the undersigned agrees to indemnify, defend and hold the **Township of Mahwah, NJ**  
(hereinafter referred to as the "Municipality") and its officers, agents, members, employees and  
assigns harmless from any and all liability, demands, claims, suits, losses, injuries, damages,  
judgements, expenses, costs and attorneys' fees arising out of the use of the above stated  
municipal property for the purposes stated above.

I (we) understand this Hold Harmless Agreement also provides the Municipality be indemnified  
from any and all liability, claims, demands, damages, judgements, expenses and costs of any  
kind resulting from the acts or omissions from any guest, participant, visitor or other person  
attending the event herein referred, unless waived in writing by the Municipality.

**HOLD HARMLESS AGREEMENT  
USE OF MUNICIPAL FACILITIES**

Page 2 of 2

I (we) agree to furnish a Certificate of Insurance evidencing Workers Compensation coverage (except for an individual) as well as Auto Liability (as applicable), General Liability, Bodily Injury and Property Damage coverage with minimum limits of liability not less than:

\_\_\_\_\_ \$ 300,000. for an Individual  
\_\_\_\_\_ \$ 500,000. for Non-Profit Organization  
\_\_\_\_\_ \$1,000,000. for a Profit Making Organization or Corporation

The Certificate of Insurance shall also specifically name the Municipality as an additional insured with respect to General Liability coverage for the event listed above. The Certificate must be furnished to the Municipality prior to the commencement of the event.

It is further understood and agreed, the Municipality is not responsible for personal property of the undersigned or their guests or participants.

The following information concerning the intended use of the premises is furnished:

- a) Total number of persons anticipated is \_\_\_\_\_.
- b) Live entertainment (will) or (will not) be provided.
- c) Other \_\_\_\_\_

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_, as the binding act in deed  
of \_\_\_\_\_  
*Name of Organization or Party*

\_\_\_\_\_  
**Authorized Signature**

\_\_\_\_\_  
**Witness**

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

**NOTE:** No photocopied or facsimile copies of this signed original Agreement shall be accepted. Only the original Agreement signed by an authorized individual shall be accepted. No exceptions and/or limitations to this Agreement will be accepted.



## Robert Hermansen

---

**From:** Quentin Wiest  
**Sent:** Thursday, August 3, 2017 5:41 PM  
**To:** Brian Chewcaskie  
**Cc:** Robert Hermansen; Jonathan Wong; William Laforet  
**Subject:** Draft Park Permit Ordinance  
**Attachments:** 2017%20Special%20Events%20Application%20\_201703220917510461.pdf

Brian:

Please let me know where we stand with regard to having a draft of a Park Permit ordinance. I will circulate a draft for departmental comments as soon as it is available.

Attached is the Bergen County Permit Application for Special Events in case some have not seen it.

Also attached is a draft of a Hold Harmless Agreement for Use of Municipal Facilities covering insurance concerns as prepared by Frank Covelli's office.

**Quentin Wiest**  
**Business Administrator**  
**Township of Mahwah**  
475 Corporate Drive  
Mahwah, NJ 07430  
[QWiest@MahwahTwp.org](mailto:QWiest@MahwahTwp.org)  
201-529-5757 x 265





**COUNTY OF BERGEN**

DEPARTMENT OF PARKS

**DIVISION OF PARKS AND RECREATION • DIVISION OF CULTURAL AND HISTORIC AFFAIRS**

One Bergen County Plaza – 4<sup>th</sup> Floor – Hackensack, NJ 07601-7076

(201) 336-7275 – FAX (201) 336-7262

**James J. Tedesco, III**  
County Executive

**James G. Koth, III, PLA, ASLA**  
Director of Parks

**SPECIAL EVENTS PERMIT APPLICATION**

**NAME OF ORGANIZATION:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

\_\_\_\_\_  
CITY

\_\_\_\_\_  
STATE

\_\_\_\_\_  
ZIP CODE

**CONTACT PERSON:** \_\_\_\_\_

(Must be at above address – which is where the permit will be mailed)

**Cell:** \_\_\_\_\_ **Alt #:** \_\_\_\_\_

**Email:** \_\_\_\_\_

**PURPOSE OF EVENT:** \_\_\_\_\_

\*\*\*\*\*

In order of preference:

**PARK**

**AREA**

**DATE**

1). \_\_\_\_\_

**START TIME:** \_\_\_\_\_

2). \_\_\_\_\_

**END TIME:** \_\_\_\_\_

3). \_\_\_\_\_

**ESTIMATED# OF ATTENDEES:** \_\_\_\_\_

4). \_\_\_\_\_

**\*\*Please submit application along with a proposed site map & event/production schedule.\*\***

**PLEASE NOTE:**

The Bergen County Department of Parks is unable to provide any personnel support or amenities, except for electricity "as is" in specific locations. Monies may not be collected on County Park property. Please make provisions to collect pledges etc. some other way. Food or other merchandise may not be sold. Admission may not be charged. Proper Certificate of Insurance must be on file in our office. It is your responsibility to notify local authorities (police, ambulance, etc.) about your event.

[www.co.bergen.nj.us](http://www.co.bergen.nj.us)

Brought to you by [www.didtheyvote.com](http://www.didtheyvote.com)

See website for more information



**COUNTY OF BERGEN**  
DEPARTMENT OF PARKS  
DIVISION OF PARKS AND RECREATION • DIVISION OF CULTURAL AND HISTORIC AFFAIRS

One Bergen County Plaza – 4<sup>th</sup> Floor – Hackensack, NJ 07601-7076  
(201) 336-7275 – FAX (201) 336-7262

**James J. Tedesco, III**  
County Executive

**James G. Koth, III, PLA, ASLA**  
Director of Parks

Dear Park Patron;

Each year the Bergen County Department of Parks processes thousands of requests for park-use permits. Prior to issuance of a permit to **groups of 100 or more**, the Department requires that a **Certificate of Insurance** be filed with our office.

The Certificate is to show a **minimum** of \$1,000,000 per occurrence, \$2,000,000 aggregate General Liability and \$10,000/person Medical Expense. **THE COUNTY OF BERGEN AND ITS OFFICIALS, EMPLOYEES AND AGENTS** must be named as **ADDITIONAL INSURED** and **COUNTY OF BERGEN** shown as **CERTIFICATE HOLDER**.

Your insurance company (agent) must be told of this requirement and the above underlined paragraph. They will, at that time, issue the Certificate of Insurance which can be mailed to the above address, faxed to (201) 336-7262 or emailed to [parkpermits@co.bergen.nj.us](mailto:parkpermits@co.bergen.nj.us)

Please make sure the term of the insurance (effective date to expiration date) falls within the dates you anticipate using the Bergen County Department of Parks facilities.

If the insured's name is different from your group name, please make sure that you or your agent clearly note your group name so that the certificate can be matched to your group.

If you have any questions concerning this matter, please call us at (201) 336-7261.

Thank you for your cooperation.

Sincerely,

Office of Permits & Special Events

[www.co.bergen.nj.us](http://www.co.bergen.nj.us)

Brought to you by [www.didtheyvote.com](http://www.didtheyvote.com)  
See website for more information



## COUNTY OF BERGEN

### DEPARTMENT OF PARKS

#### DIVISION OF PARKS AND RECREATION • DIVISION OF CULTURAL AND HISTORIC AFFAIRS

One Bergen County Plaza - 4<sup>th</sup> Floor - Hackensack, NJ 07601-7076

(201) 336-7275 - FAX (201) 336-7262

James J. Tedesco, III  
County Executive

James G. Koth, III, PLA, ASLA  
Director of Parks

### RULES AND REGULATIONS

- 1). NO ALCOHOLIC BEVERAGES OF ANY KIND IN ANY B.C. PARK!
- 2). Build no fires, except in fireplaces or designated areas.
- 3). GARBAGE MUST BE BAGGED & TIED AND PLACED AT A CONVIENENT LOCATION NEAR ROADSIDE FOR PICKUP. SECURITY DEPOSIT WILL NOT BE REFUNDED IF THIS IS NOT DONE.
- 4). Music should be appropriate for all ages and volume should be kept low and confined to your group's area. .
- 5). Bring your permit to the park on the date of your picnic. A ranger will sign off on the condition of the site at the end of your picnic & bring it to our office for processing of your refund. If no one collects the permit, send it immediately to this office to start the refund process. Failure to return this permit immediately after your event may result in the forfeiture of the refund. Once refund process has been initiated, you will receive a Purchase Order via mail that you need to sign and return to Bergen County Treasury. Refund check cannot be issued without this signed Purchase Order. **Refunds take 6-8 weeks after receipt of signed permit to process.** The refund will be sent to name/address on check or money order you submitted with your application.
- 6). **Rained Out Events**— If your outing has been rained out and you wish to reschedule for another date, return original permit; together with a list of alternative dates. If one of those dates is available, a new permit will be issued. If you do not wish to reschedule, return the original permit & request refund of paid fees.
- 7). **Cancelled Events** —With exceptions of “rain outs”, refunds for cancellations will be made **ONLY** upon receipt of **TWO (2) WEEKS. PRIOR WRITTEN NOTICE** to this office with the return of the original permit. There will be a 10% or \$5.00 min. administrative charge deducted from the permit fee on all such cancellations.
- 8). Any change made to a permit, after it has been booked, is subject to a 10% or \$5.00 min. administrative charge. If a change is possible, a new permit will be issued. Please state if you wish to retain original permit if a change is not possible. Charge also applies to request for lost permits.
- 9). Facilities must be used cooperatively with other permit holders.
- 10). **Use of fields** is subject to ground & weather conditions. Park supervisor or security guard's word shall be final.
- 11). Unruly behavior or profane language will be cause for the revocation of this & succeeding permits.
- 12). **PERMITS ARE NON-TRANSFERABLE.**

Bergen County Parks Department  
Special Event Information Sheet

All groups of 10 people or more (adults and children included) must have a permit to picnic. You **must have a permit to** use a Pavilion, even if your group size is under 10 people. (**Check the fee schedule for the correct fees.** Permits are issued starting at 10AM and ending at 6PM (unless an earlier end-time is requested.) You may, however, remain in the park until ½ past sundown.

PLEASE NOTE: AREAS/TABLES ARE NOT HELD. THEREFORE, IF YOU ARE PLANNING A LATER START-TIME, YOU MUST HAVE SOMEONE AT THE PARK BY 10AM TO HOLD YOUR SPACE.

Softball field permits are **issued** if/when **available with a picnic permit only** for 2hr limit. (Contact office for information on obtaining a league/baseball team softball permit. It is a different application process. Soccer field permits **are not** issued with a picnic permit. (Contact the office for information on obtaining a soccer permit. No permits are issued for Tennis, basketball, bocce, horseshoes, & handball. In most cases, they are first-come, first-serve).

### **THE APPLICATION**

**Between March and August, applications must be submitted at least 3 weeks before the earliest date on the application. All other times, applications must be submitted at least 2 weeks before the earliest date.**

Make sure you fill out the application completely. If you leave out any necessary information, your application will be returned to you, thereby delaying issuance of a permit. For family permits, please use the address and phone number of the contact person as this is where the permit will be sent. Many times the permits are returned because the contact person does not live at the address given.

Applications take approximately 1 wk to process after receipt. The time will increase to 3wks during heavy volume season. Apply early enough to allow for this processing time.

**PLEASE DO NOT CALL FOR AVAILABILITY.** Availability is not given; it is based on what is available when we process your application. You should include at least 4 dates (you can give more). We do not reserve rain dates in advance. (However, you may submit a separate application and payment for a second date if necessary.) We will book you for the first date available, if any, from your list. To increase your chances of getting a permit you may also include alternate parks or alternate areas within a park.

If none of the choices on your application are available, we will contact you and work with you to try to find a suitable area. However, if nothing is available, your application will be returned to you. It is to your benefit to give as many alternates as you can **use**. **Please don't put down a date you can't use. You just might get it!**

### **HEADCOUNT**

Give the most accurate count of people possible. Include all children and adults who will be attending. Space will be reserved to accommodate this number only.

### **THE FEES**

Check the fee schedule to make sure you are including the correct fees. Take note that there is a separate line for pavilions. You must submit 2 separate checks with the application (or 2 money orders if application is received less than 3wks before date). Your application will be returned if the wrong fees are included. If you are requesting a pavilion, with alternate area being a picnic area, you should include 2 sets of checks or money orders: 1 set for the pavilion, 1 set for the picnic area. Based on what is available, we will return the unused set.

**If you are applying for a Bergen County rate, payment must be made with checks or money orders showing a Bergen County address. The application address must also be in Bergen County.**

**\*\*We will also need proof of residency- either with a Driver's License or copy of Utility Bill.\*\***

**DEPOSIT REFUND** The security deposit is refundable after your picnic, provided you have cleaned your area. Garbage must be bagged and placed at a convenient location near roadside for pickup. **Deposit will not be refunded if this is not done.** To obtain this refund you must provide your permit to the security guard at the park, or mail it to our office. Once refund process has been initiated, you will receive a Purchase Order via mail that you need to sign and return to Bergen County Treasury. **Check cannot be issued to you without this signed Purchase Order being returned to the County.** Refunds take 6-8wks after receipt to process. The refund will be sent to the address on the check or money order you submitted with your application. **Please make sure this is your current address.** If not, please provide proof of current address, such as a copy of Driver's License or Utility Bill.



## COUNTY OF BERGEN

DEPARTMENT OF PARKS

DIVISION OF PARKS AND RECREATION • DIVISION OF CULTURAL AND HISTORIC AFFAIRS

One Bergen County Plaza - 4<sup>th</sup> Floor - Hackensack, NJ 07601-7076

(201) 336-7275 - FAX (201) 336-7262

James J. Tedesco, III  
County Executive

James G. Koth, III, PLA, ASLA  
Director of Parks

### 2017 FEE SCHEDULE

	<u>BERGEN COUNTY</u> <u>PERMIT FEES</u>	<u>NON-BERGEN</u> <u>PERMIT FEES</u>	<u>SECURITY</u> <u>DEPOSIT</u>
<b><u>SPECIAL EVENT</u></b>			
NUMBER IN GROUP			
10-49	\$75.00	\$125.00	\$125.00
50-99	\$125.00	\$175.00	\$175.00
100-149	\$175.00	\$225.00	\$225.00
150-199	\$225.00	\$275.00	\$275.00
200 - 999	\$1,625.00	\$1,625.00	\$1,625.00
1,000 - 3,000	\$3,500.00	\$3,500.00	\$3,500.00
3,001 - 5,000	\$7,200.00	\$7,200.00	\$7,200.00
5,001 - 10,000	\$15,000.00	\$15,000.00	\$15,000.00
10,000 and up	\$25,000.00	\$25,000.00	\$25,000.00

If you would like a picnic or pavilion area, you will need to pay the following fees along with the special event fee:

	<u>BERGEN COUNTY</u> <u>PERMIT FEES</u>	<u>NON-BERGEN</u> <u>PERMIT FEES</u>	<u>SECURITY</u> <u>DEPOSIT</u>
<b><u>PICNIC AREA</u></b>			
NUMBER IN GROUP			
1-199	\$225.00	\$275.00	\$275.00
<b><u>PAVILION AREA</u></b>			
NUMBER IN GROUP			
1-199	\$195.00	\$275.00	\$275.00

### **FEES ARE SUBJECT TO CHANGE**

Please submit permit and deposit fees in **TWO SEPARATE CHECKS** made payable to BERGEN COUNTY DEPARTMENT OF PARKS.

**There are NO fee waivers or discounts for non-profit organizations.**

**NOTE: If applications received less than 3 weeks before picnic date, payment must be made by two separate money orders only.**

\*\*\*To qualify for Bergen County rates application must show a Bergen County address and you must submit checks or money orders imprinted with a Bergen County address.\*\*\*

Once a permit is booked, there is an administrative charge of \$5.00 or 10% of permit fee (whichever is greater) for any changes or cancellation (at least 2 weeks before picnic) of the permit.

Thank you for your continued interest in the Bergen County Department of Parks.

[www.co.bergen.nj.us](http://www.co.bergen.nj.us)

Brought to you by [www.didtheyvote.com](http://www.didtheyvote.com)  
See website for more information



## SPECIAL EVENTS APPLICATION QUESTIONNAIRE

Thank you for applying to have your special event in Bergen County Parks. Please fill out this questionnaire which will help us to make a determination and if approved plan accordingly.

Please describe in detail the type of event you are hoping to have in Bergen County Parks:

---

---

1. Are you planning to have vendors? YES NO

- # & types of vendors: \_\_\_\_\_

2. Are you planning to have tents? YES NO

- # of tents & sizes: \_\_\_\_\_
- Name of company renting tents from: \_\_\_\_\_

3. Will you have food & beverages at your event? YES NO

- List all food vendors/types of food & beverages being served: \_\_\_\_\_  
\_\_\_\_\_
- Will food be cooked on premise? YES NO
  - Specify by charcoal grill, propane grill or other: \_\_\_\_\_

4. Will you be applying for a permit to serve alcohol? YES NO

5. Will you have any inflatables or mechanical rides at your event? YES NO

- Name of company providing rides: \_\_\_\_\_

6. Will you be using any generators for power? YES NO

- Purpose & how many? \_\_\_\_\_

7. If your event is a run/walk, what is the distance? \_\_\_\_\_

8. What are your security needs? \_\_\_\_\_

9. Will you need shuttle bus services? YES NO

10. Will you be using the amphitheater (if applying for Overpeck Ridgefield Park)? YES NO

11. Any special needs or requests that the County should know? \_\_\_\_\_

---

[www.co.bergen.nj.us](http://www.co.bergen.nj.us)

Brought to you by [www.didtheyvote.com](http://www.didtheyvote.com)  
See website for more information

## Robert Hermansen

---

**From:** Quentin Wiest  
**Sent:** Thursday, August 3, 2017 5:03 PM  
**To:** Brian Chewcaskie  
**Cc:** Robert Hermansen; Jonathan Wong; William Laforet; James Wysocki; Janet Ariemma; George Ervin; Steve Sbarra; Kathy Coviello; David May; Nylema Nabbie  
**Subject:** FW: Prosecutor Invitation to Meet - MORE

I should have added that we are aware that you will be away during the early part of next week and request that, in your absence, Nylema, attend the ordinance Committee. We will coordinate with her schedule.

**Quentin Wiest**  
**Business Administrator**  
**Township of Mahwah**  
475 Corporate Drive  
Mahwah, NJ 07430  
[QWiest@MahwahTwp.org](mailto:QWiest@MahwahTwp.org)  
201-529-5757 x 265



---

**From:** Quentin Wiest  
**Sent:** Thursday, August 03, 2017 4:48 PM  
**To:** Brian Chewcaskie  
**Cc:** Robert Hermansen; Jonathan Wong; William Laforet; James Wysocki; Janet Ariemma; George Ervin; Steve Sbarra; Kathy Coviello; David May  
**Subject:** Prosecutor Invitation to Meet

Brian:

[REDACTED]  
[REDACTED]  
[REDACTED]  
Regards,

**Quentin Wiest**

**Business Administrator**

**Township of Mahwah**

475 Corporate Drive

Mahwah, NJ 07430

[QWiest@MahwahTwp.org](mailto:QWiest@MahwahTwp.org)

201-529-5757 x 265



Redacted -  
Attorney-Client  
Privilege Info.

*[Handwritten signature]*

**Robert Hermansen**

---

**From:** Quentin Wiest  
**Sent:** Thursday, August 3, 2017 4:48 PM  
**To:** Brian Chewcaskie  
**Cc:** Robert Hermansen; Jonathan Wong; William Laforet; James Wysocki; Janet Ariemma; George Ervin; Steve Sbarra; Kathy Coviello; David May  
**Subject:** Prosecutor Invitation to Meet

Brian:

[REDACTED]

Regards,

**Quentin Wiest**  
**Business Administrator**  
**Township of Mahwah**  
475 Corporate Drive  
Mahwah, NJ 07430  
[QWiest@MahwahTwp.org](mailto:QWiest@MahwahTwp.org)  
201-529-5757 x 265

Redacted -  
Attorney Chend  
Printedge





## Robert Hermansen

---

**From:** David May  
**Sent:** Wednesday, August 2, 2017 2:29 PM  
**To:** Quentin Wiest  
**Cc:** Robert Hermansen; Jonathan Wong; Janet Ariemma; Steve Sbarra; George Ervin; James Wysocki; Brian Chewcaskie; Kathy Coviello; William Laforet  
**Subject:** Re: Ordinance 1806

Quentin,

Thank you for sending the supporting information. After just reviewing the video of our June 8th meeting and the discussion regarding the park ordinance, the conversation concluded with Mayor Laforet asking if he could have Glenn Dowson begin preparing the signs for the parks although the ordinance was not adopted yet. I have to question why The Mayor who seemed joyous at the prospect of the ordinance going into effect would then not reach out to the Police Chief prior to July 7th for Mr. Batelli's thoughts and potential concerns regarding the ordinance. If this would have happened in a timely manner, the concerns that raised on July 7th and 19th-20th could have been discussed at the Council Meeting on June 29th before the ordinance was adopted. Additionally, none of these items were brought up up at our July 13th meeting which was two weeks prior to the effective date. According to the Prosecutor, he received a letter from Chief Batelli on Monday, July 24th with no mention of a meeting with the Chief and others, while Chief Batelli noted in his email that he met with the Prosecutor on Tuesday, July 25th with no mention of a letter being sent on a July 24th. Lastly, on Thursday, in a Mahwah Daily Voice article it references that "Township Officials said they hoped the measure would provide protection against what residents fear is an organized incursion from Rockland County of Hasidic families...".

I would like to know why such a delay in getting the proposed ordinance to the Chief and why his concerns were not brought to the attention of the council until 5 hours before it was to go into effect which overall was a 7 week period.

I am reiterating my request to have the Police Chief and Prosecutor be invited to our next council meeting to have a discussion on enforcement.

Finally, I would like to know which Township Officials made the claim regarding the ordinance and how it was supposedly targeted towards a certain religious group. I know none of the council members made that claim especially since the recent issues that involve a religious organization arose after the the initial discussion of this ordinance which goes back to early May and the introduction of the ordinance on June 8th. The situation with the telephone poles didn't come to light until late June.

Thank you,

David May  
Councilman  
Township of Mahwah  
475 Corporate Drive  
Mahwah, NJ 07430

On Jul 27, 2017, at 12:45 PM, Quentin Wiest <[QWiest@mahwahtwp.org](mailto:QWiest@mahwahtwp.org)> wrote:

Dave:

I have scanned the letter that was attached to the 7/20 email. It is attached to this message. Hopefully you can open it now.

The only thing that I have that is older is attached. You can see that on 7/7 the Chief asked questions about guests of residents and employees of local businesses. As I stated, these were being addressed through the signage. He followed that up with questions about Ramapo Students and the RL Indians. These questions did not appear to be show-stoppers. The detailed letter of 7/20 presented the more substantial list of concerns.

I do not believe the County Prosecutor reviews all ordinances but that the Chief turned to him as his Superior for guidance rather than the AG. I was not aware of the meeting with the Prosecutor when it occurred and I do not believe that the Township Attorney attended, nor any member of the Council.

Ordinances become available for review when they are first posted on the website for introduction. I discussed, at last week's agenda meeting, the possibility of instituting a program where, once ordinances are released from the Ordinance Committee, that they not be posted for introduction for a week or more in order to allow for distribution to and comment from relevant Directors.

Regards,

**Quentin Wiest**

**Business Administrator**

**Township of Mahwah**

475 Corporate Drive

Mahwah, NJ 07430

[QWiest@MahwahTwp.org](mailto:QWiest@MahwahTwp.org)

201-529-5757 x 265



---

**From:** David May

**Sent:** Thursday, July 27, 2017 11:28 AM

**To:** Quentin Wiest

**Cc:** Robert Hermansen; Jonathan Wong; Janet Ariemma; Steve Sbarra; George Ervin; James Wysocki; Brian Chewcaskie; Kathy Coviello; William Laforet

**Subject:** Re: Ordinance 1806

Thank you for this. The second attachment which has a PDF that when I click to open it doesn't open. Maybe you can resend.



From the Chief's email and the use of the phrase "some time" I would have thought his concern would have been longer than one week. Are there additional emails that he may be referencing in regards to his concern? Was the Chief given a copy of the draft Ordinance for his review prior to the introduction of the ordinance?

David May  
Councilman  
Township of Mahwah  
475 Corporate Drive  
Mahwah, NJ 07430

On Jul 27, 2017, at 11:16 AM, Quentin Wiest <[QWiest@mahwahtwp.org](mailto:QWiest@mahwahtwp.org)> wrote:

Attached are two emails received from Chief Batelli. The first on 7/19 and the second on 7/20.

On 7/19, we had a meeting that afternoon with the PBA and Chief Batelli to discuss the Police Rules and Regulations. Although we did not go over his email specifically, we had a brief discussion offline with the Council members that were in attendance for that meeting to the effect that the Chief had real concerns about the enforcement of 1806 that he was trying to resolve with Brian but that he was considering going to the Attorney General for guidance, as stated in the email.

Previous to this, he had asked questions about guests of NJ residents and employees of stores in town. These concerns were being addressed through the proposed signage.

His email of 7/20 formalized his questions. Both were forwarded to Brian on 7/20.

With regard to complaint calls to the PD, the dispatchers have been given a script to the effect that, at the direction of the Bergen County Prosecutor, ordinance 1806 will not be enforced by the Mahwah Police Department.

The Chief is getting me information on the AG's guidelines which I will forward as soon as I receive it.

**Quentin Wiest**  
**Business Administrator**  
**Township of Mahwah**  
475 Corporate Drive  
Mahwah, NJ 07430  
[QWiest@MahwahTwp.org](mailto:QWiest@MahwahTwp.org)  
201-529-5757 x 265  
<image001.jpg>

---

**From:** David May  
**Sent:** Thursday, July 27, 2017 8:33 AM  
**To:** Quentin Wiest  
**Cc:** Robert Hermansen; Jonathan Wong; Janet Ariemma; Steve Sbarra; George Ervin; James Wysocki; Brian Chewcaskie; Kathy Coviello; William Laforet  
**Subject:** Re: Ordinance 1806

Quentin,

Thank you for sending this. I would ask why the Council was never informed of the Chief's concerns as to enforcement of this ordinance which he outlines below was provided in written correspondence. Please forward us this correspondence this morning so that we can fully understand the Chief's concerns in his own words. I also ask if and when the Township Attorney was made aware of this correspondence so that he could have a discussion regarding enforcement. Thirdly, I would like a copy of the New Jersey Attorney General Guidelines so that we can all understand every aspect of the issue of enforcement. I do want to express my displeasure as to the fact that we find out about confusion of enforcement of an ordinance less than 2 hours before it becomes "enforceable". Was the Chief provided a draft of the original ordinance for feedback? This process took over one month to enact and an additional 20 days until it goes into effect and thus is the first time we are hearing a doubt of enforcement?

If the police department received 35 calls yesterday, imagine how many they will receive today. I would like details on how they will be handling such calls today. I would imagine that a lack of a response at a field being used by non-NJ residents could lead to additional issues with residents. Knowing this will allow the Council to better respond when hearing from residents throughout the day and at our meeting tonight.

Thank you,

David May  
Councilman  
Township of Mahwah  
475 Corporate Drive  
Mahwah, NJ 07430

On Jul 26, 2017, at 10:38 PM, Quentin Wiest <[QWiest@mahwahtwp.org](mailto:QWiest@mahwahtwp.org)> wrote:

Just saw this now and wanted to make certain everyone sees it tonight.

Quentin

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: "Chief James N. Batelli" <[JBatelli@mahwahpd.org](mailto:JBatelli@mahwahpd.org)>

Date: 7/26/17 7:16 PM (GMT-05:00)

To: William Laforet <[WLaforet@mahwahtwp.org](mailto:WLaforet@mahwahtwp.org)>, Quentin Wiest <[QWiest@mahwahtwp.org](mailto:QWiest@mahwahtwp.org)>

Cc: Kathy Coviello <[KCoviello@mahwahtwp.org](mailto:KCoviello@mahwahtwp.org)>

Subject: Ordinance 1806

Mayor,

I would ask that you disseminate the following e-mail in its entirety without any changes or modifications to the Council this evening. Today we had had 35 complaints about park use which we did not respond to.

\*\*\*\*\*  
\*\*\*\*\*

For some time I have expressed my concerns about the ability to enforce Ordinance 1806 as it relates to the use of Township parks and playgrounds by only New Jersey residents. I asked for legal guidance and raised my concerns in written correspondence. It was my opinion that the Ordinance could potentially violate New Jersey Attorney General guidelines on bias based profiling. On Tuesday I met with Bergen County Prosecutor Gurbir S. Grewal and others to discuss the Ordinance. The Prosecutor is the top law enforcement officer in the county.

The Prosecutor is in the process of drafting a formal letter to me, but until such time as I receive the letter at the behest and authority of the Prosecutor I have been directed in an e-mail received today to instruct all members of the Department not to enforce Mahwah Township Ordinance # 1806. I will follow the directions of the County Prosecutor.

James N. Batelli  
Chief of Police  
Mahwah Police Department  
[REDACTED] Administrative Assistant Kathleen Kelly  
[REDACTED] Direct Line

*A Nationally Accredited Law Enforcement Agency through CALEA - [www.calea.org](http://www.calea.org)*

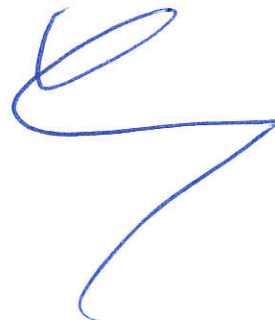
<mime-attachment>

<mime-attachment>

<Batelli Letter 7.20.17.pdf>

<mime-attachment>

Redacted  
Telephone #'s



## Robert Hermansen

---

**From:** Robert Hermansen  
**Sent:** Wednesday, August 2, 2017 12:34 AM  
**To:** Vincent Giovinco  
**Subject:** Re: What is your position on the ERUV issue?

Call me at [REDACTED] and will talk about these issues.

Sent from my iPad

On Aug 1, 2017, at 4:46 PM, Vincent Giovinco [REDACTED] wrote:

Dear Mr. Hermansen:

1. When did you become aware of the installation of the ERUV's and by which Town entity (Police, Parks, etc.)?
2. What is your position on this issue?
3. Does the fact that it is a matter of public record that thirty members of this same Orthodox group have been indicted recently in NJ for the State and Federal government of tax evasion, defrauding welfare and Medicare bother you?
4. What action do you anticipate taking on the issue?

Awaiting your comments

Vincent J Giovinco  
152 Old Woods Ct  
Mahwah

Redacted —  
Email Address  
+ Telephone#  
C

**Robert Hermansen**

---

**From:** Vincent Giovinco <[REDACTED]>  
**Sent:** Tuesday, August 1, 2017 4:46 PM  
**To:** Robert Hermansen  
**Cc:** [REDACTED]  
**Subject:** What is your position on the ERUV issue?

Dear Mr. Hermansen:

1. When did you become aware of the installation of the ERUV's and by which Town entity (Police, Parks, etc,)?
2. What is your position on this issue?
3. Does the fact that it is a matter of public record that thirty members of this same Orthodox group have been indicted recently in NJ for the State and Federal government of tax evasion, defrauding welfare and Medicare bother you?
4. What action do you anticipate taking on the issue?

Awaiting your comments

**Vincent J Giovinco**  
[REDACTED]

Redacted -  
Email  
Addresses.



## Robert Hermansen

---

**From:** Robert Hermansen  
**Sent:** Wednesday, August 2, 2017 1:06 PM  
**To:** Vincent Giovinco  
**Subject:** Re: What is your position on the ERUV issue?

Call me anytime.

Sent from my iPad

On Aug 2, 2017, at 8:48 AM, Vincent Giovinco [REDACTED] wrote:

What are convenient times to call?

Sent from my iPhone

On Aug 2, 2017, at 12:33 AM, Robert Hermansen <[RHermansen@mahwahtwp.org](mailto:RHermansen@mahwahtwp.org)> wrote:

Call me at [REDACTED] and will talk about these issues.

Sent from my iPad

On Aug 1, 2017, at 4:46 PM, Vincent Giovinco [REDACTED] wrote:

Dear Mr. Hermansen:

1. When did you become aware of the installation of the ERUV's and by which Town entity (Police, Parks, etc.)?
2. What is your position on this issue?
3. Does the fact that it is a matter of public record that thirty members of this same Orthodox group have been indicted recently in NJ for the State and Federal government of tax evasion, defrauding welfare and Medicare bother you?
4. What action do you anticipate taking on the issue?

Awaiting your comments

Vincent J Giovinco  
[REDACTED]

Redacted -  
Email  
Addresses  
and Telephone  
# [REDACTED]



## Robert Hermansen

---

**From:** Vincent Giovinco <[REDACTED]>  
**Sent:** Wednesday, August 2, 2017 8:49 AM  
**To:** Robert Hermansen  
**Subject:** Re: What is your position on the ERUV issue?

What are convenient times to call?

Sent from my iPhone

On Aug 2, 2017, at 12:33 AM, Robert Hermansen <[RHermansen@mahwahtwp.org](mailto:RHermansen@mahwahtwp.org)> wrote:

Call me at [REDACTED] and will talk about these issues.

Sent from my iPad

On Aug 1, 2017, at 4:46 PM, Vincent Giovinco [REDACTED] wrote:

Dear Mr. Hermansen:

1. When did you become aware of the installation of the ERUV's and by which Town entity (Police, Parks, etc.)?
2. What is your position on this issue?
3. Does the fact that it is a matter of public record that thirty members of this same Orthodox group have been indicted recently in NJ for the State and Federal government of tax evasion, defrauding welfare and Medicare bother you?
4. What action do you anticipate taking on the issue?

Awaiting your comments

**Vincent J Giovinco**  
[REDACTED]

Redacted-  
Email  
Addresses  
and  
Telephone  
#  
E

## Robert Hermansen

---

**From:** Yiyi Li [REDACTED]  
**Sent:** Monday, July 31, 2017 10:37 AM  
**To:** Robert Hermansen  
**Subject:** [Interview Request] Associated Press story on Town Ordinance No. 1806

Dear Council President Hermansen,

Hope you are doing well! This is Jessica with the Associated Press. I am currently working on a story about controversies that have surfaced around a municipality ordinance banning non-state residents from township parks. As such, would you be available for an interview for this story sometime later today or tomorrow to share your perspective? It should not take more than 20-30 minutes.


I will be making a trip up to Mahwah later today (if you are available later this afternoon that will be terrific). Alternatively, I can speak with you over the phone at any time this afternoon and evening.

Thank you so much for your time and help!

Best,  
Jessica



Redacted —  
Email Address  
and  
Telephone #



## Robert Hermansen

---

**From:** Steve Sbarra  
**Sent:** Saturday, July 29, 2017 9:24 AM  
**To:** David May  
**Cc:** Kathy Coviello; Robert Hermansen; Jonathan Wong; Janet Ariemma; George Ervin; James Wysocki  
**Subject:** Re: Non Residents Ordinance

I have some questions for Kathy regarding this OPRA request, Has a formal OPRA request form come into The clerks office requesting any information on our new Park ordinance? iIn this letter it states that the reporter reported that we have banned all NON RESIDENTS which is not the case. the letter writer also did not provide us with the ordinance number in question, thus without a formal OPRA request I do not believe that we should answer this letter. Please confirm and send a copy of the official request so I can comply if necessary.

Sent from my iPad

On Jul 28, 2017, at 9:58 PM, David May <[DMay@mahwahtwp.org](mailto:DMay@mahwahtwp.org)> wrote:

Yes, I saw this article. Who are the town officials referenced in the article? I don't believe fear of any religious group was mentioned during discussion of the ordinance.

David May  
Councilman  
Township of Mahwah  
475 Corporate Drive  
Mahwah, NJ 07430

On Jul 28, 2017, at 12:10 PM, Kathy Coviello <[KCoviello@mahwahtwp.org](mailto:KCoviello@mahwahtwp.org)> wrote:

**From:** OJPAC [REDACTED]  
**Sent:** Thursday, July 27, 2017 9:55 PM  
**To:** William Laforet  
**Cc:** Kathy Coviello  
**Subject:** Non Residents Ordinance

Redacted -  
Email Address

Good day Mayor and officials of the Township of Mahwah, N.J.

On July 27, 2017, Jerry DeMarco reported in the Ramapo Daily Voice that "[Mahwah] Township officials said they hoped the

measure [to ban non-residents from visiting parks] would provide protection against what residents fear is an organized incursion from Rockland County of Orthodox families who've recently swarmed parks in Mahwah, Montvale, Ramsey and Upper Saddle River by the busload."

If the above report is inaccurate, please inform the public that it is inaccurate. If as we suspect that the report is accurate - especially coinciding with the recent Eruv action of your government - please be aware that taking official government action against an ethnic or religious group is discriminatory and unconstitutional.

Under New Jersey's OPRA, we are requesting that you please share via email or regular mail any and all correspondence, records and meeting minutes that township officials had in context of the above-mentioned ordinance.

In addition, because the intent of the ordinance may be subject to a Federal-level civil rights lawsuit (and perhaps a criminal inquiry too due to its potential violation of



law), we would respectfully caution you against deleting any records related to this topic.


Thank you,

Aron Spielman

Mayer Berger

Yossi Gestetner

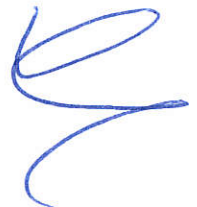
Co-founders; Orthodox Jewish Public Affairs Council (OJPAC)

Please email the requested records to  
 or mail it too

OJPAC  
P.O. Box 852  
Spring Valley, NY  
10977

Redacted -  
Email  
Address

P.S. Representatives of OJPAC are willing to attend public meetings/forums to address questions/concerns that residents may have about the growth of the Orthodox Jewish community. However, due to the physical



intimidation that an Orthodox Jewish female reporter suffered this week when she reported on an anti-Eruv gathering in Mahwah, OJPAC would attend such meetings only if the Mahwah P.D. would be on hand to assure the orderly process of such meetings.

Thank you.

cc:

U.S. Department of Justice  
Civil Rights Division  
950 Pennsylvania Avenue, N.W.  
Office of the Assistant Attorney General, Main  
Washington, D.C. 20530

U.S. Attorney's Office  
970 Broad Street, 7th Floor  
Newark, NJ 07102

Office of the Attorney General  
**Division on Civil Rights**  
P.O. Box 089  
Trenton, NJ 08625-0089

*Please mail your contribution to*  
OJPAC



P.O. Box 852  
Spring Valley, NY  
10977  
[www.OJPAC.org](http://www.OJPAC.org)

**Robert Hermansen**

---

**From:** David May  
**Sent:** Friday, July 28, 2017 9:59 PM  
**To:** Kathy Coviello  
**Cc:** Robert Hermansen; Jonathan Wong; Janet Ariemma; George Ervin; Steve Sbarra; James Wysocki  
**Subject:** Re: Non Residents Ordinance

Yes, I saw this article. Who are the town officials referenced in the article? I don't believe fear of any religious group was mentioned during discussion of the ordinance.

David May  
Councilman  
Township of Mahwah  
475 Corporate Drive  
Mahwah, NJ 07430

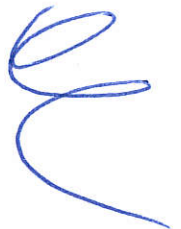
On Jul 28, 2017, at 12:10 PM, Kathy Coviello <[KCoviello@mahwahtwp.org](mailto:KCoviello@mahwahtwp.org)> wrote:

---

**From:** OJPAC [mailto:████████████████████]  
**Sent:** Thursday, July 27, 2017 9:55 PM  
**To:** William Laforet  
**Cc:** Kathy Coviello  
**Subject:** Non Residents Ordinance

Redacted -  
Email Address

Good day Mayor and officials of the Township of Mahwah, N.J.



On July 27, 2017, Jerry DeMarco reported in the Ramapo Daily Voice that "[Mahwah] Township officials said they hoped the measure [to ban non-residents from visiting parks] would provide protection against what residents fear is an organized incursion from Rockland County of Orthodox families who've recently swarmed parks in Mahwah, Montvale, Ramsey and Upper Saddle River by the busload."

If the above report is inaccurate, please inform the public that it is inaccurate. If as we suspect that the report is accurate - especially coinciding with the recent Eruv action of your government - please be aware that taking official government action against an ethnic or religious group is discriminatory and unconstitutional.

Under New Jersey's OPRA, we are requesting that you please share via email or regular mail any and all correspondence, records and meeting minutes that township officials had in context of the above-mentioned ordinance.

In addition, because the intent of the ordinance may be subject to a Federal-level civil rights lawsuit (and perhaps a criminal inquiry too due to its potential violation of law), we would respectfully caution you against deleting any records related to this topic.

Thank you,

Aron Spielman

Mayer Berger

Yossi Gestetner

Co-founders; Orthodox Jewish Public Affairs Council  
(OJPAC)

Please email the requested records to  
[REDACTED] or mail it too

Redacted -  
Email  
Address

OJPAC  
P.O. Box 852  
Spring Valley, NY  
10977



P.S. Representatives of OJPAC are willing to attend public meetings/forums to address questions/concerns that residents may have about the growth of the Orthodox Jewish community. However, due to the physical intimidation that an Orthodox Jewish female reporter suffered this week when she reported on an anti-Eruv gathering in Mahwah, OJPAC would attend such meetings only if the Mahwah P.D. would be on hand to assure the orderly process of such meetings.

Thank you.

cc:

U.S. Department of Justice

Civil Rights Division  
950 Pennsylvania Avenue, N.W.  
Office of the Assistant Attorney General, Main  
Washington, D.C. 20530

U.S. Attorney's Office  
970 Broad Street, 7th Floor  
Newark, NJ 07102

Office of the Attorney General  
**Division on Civil Rights**  
P.O. Box 089  
Trenton, NJ 08625-0089

*Please mail your contribution to*  
OJPAC  
P.O. Box 852  
Spring Valley, NY  
10977  
[www.OJPAC.org](http://www.OJPAC.org)

## Robert Hermansen

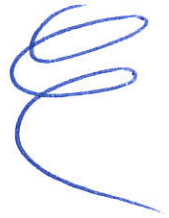
---

**From:** McGoldrick, Susann L. [REDACTED]  
**Sent:** Friday, July 28, 2017 12:33 PM  
**To:** Robert Hermansen  
**Subject:** WABC-TV interview request

Are you available for an interview this afternoon about the Bergen County Prosecutor saying the ban of non-residents at Mahwah parks cannot be enforced? Thanks.

Susann  
WABC-TV

Redacted -  
Email  
Address





**Robert Hermansen**

---

**From:** Kathy Coviello  
**Sent:** Friday, July 28, 2017 12:11 PM  
**To:** Robert Hermansen; Jonathan Wong; Janet Ariemma; David May; George Ervin; Steve Sbarra; James Wysocki  
**Subject:** FW: Non Residents Ordinance

Redacted -  
Email Addresses.

**From:** OJPAC [mailto: [REDACTED]]  
**Sent:** Thursday, July 27, 2017 10:04 PM  
**To:** William Laforet  
**Cc:** Kathy Coviello  
**Subject:** Re: Non Residents Ordinance

Please disregard the automatically-generated signature of the contribution and our mailing address in the email from 8 minutes ago. We forgot to remove it.

On Jul 27, 2017, at 9:55 PM, OJPAC [REDACTED] wrote:

Good day Mayor and officials of the Township of Mahwah, N.J.

On July 27, 2017, Jerry DeMarco reported in the Ramapo Daily Voice that "[Mahwah] Township officials said they hoped the measure [to ban non-residents from visiting parks] would provide protection against what residents fear is an organized incursion from Rockland County of Orthodox families who've recently swarmed parks in Mahwah, Montvale, Ramsey and Upper Saddle River by the busload."

If the above report is inaccurate, please inform the public that it is inaccurate. If as we suspect that the report is accurate - especially coinciding with the recent Eruv action of your government - please be aware that taking official government



action against an ethnic or religious group is discriminatory and unconstitutional.

Under New Jersey's OPRA, we are requesting that you please share via email or regular mail any and all correspondence, records and meeting minutes that township officials had in context of the above-mentioned ordinance.

In addition, because the intent of the ordinance may be subject to a Federal-level civil rights lawsuit (and perhaps a criminal inquiry too due to its potential violation of law), we would respectfully caution you against deleting any records related to this topic.

Thank you,

Aron Spielman

Mayer Berger

Yossi Gestetner

Co-founders; Orthodox Jewish Public Affairs Council (OJPAC)

Please email the requested records to [REDACTED] or mail it too

OJPAC

Redacted -  
Email Address



P.O. Box 852  
Spring Valley, NY  
10977

P.S. Representatives of OJPAC are willing to attend public meetings/forums to address questions/concerns that residents may have about the growth of the Orthodox Jewish community. However, due to the physical intimidation that an Orthodox Jewish female reporter suffered this week when she reported on an anti-Eruv gathering in Mahwah, OJPAC would attend such meetings only if the Mahwah P.D. would be on hand to assure the orderly process of such meetings.

Thank you.

cc:

U.S. Department of Justice  
Civil Rights Division  
950 Pennsylvania Avenue, N.W.  
Office of the Assistant Attorney General, Main  
Washington, D.C. 20530

U.S. Attorney's Office  
970 Broad Street, 7th Floor  
Newark, NJ 07102

Office of the Attorney General  
**Division on Civil Rights**  
P.O. Box 089  
Trenton, NJ 08625-0089

*Please mail your contribution to*  
OJPAC  
P.O. Box 852  
Spring Valley, NY  
10977  
[www.OJPAC.org](http://www.OJPAC.org)

*Please mail your contribution to*  
OJPAC  
P.O. Box 852  
Spring Valley, NY  
10977  
[www.OJPAC.org](http://www.OJPAC.org)

**Robert Hermansen**

---

**From:** Kathy Coviello  
**Sent:** Friday, July 28, 2017 12:10 PM  
**To:** Robert Hermansen; Jonathan Wong; Janet Ariemma; David May; George Ervin; Steve Sbarra; James Wysocki  
**Subject:** FW: Non Residents Ordinance

Redacted -  
Email Address

**From:** OJPAC [mailto: [REDACTED]]  
**Sent:** Thursday, July 27, 2017 9:55 PM  
**To:** William Laforet  
**Cc:** Kathy Coviello  
**Subject:** Non Residents Ordinance



Good day Mayor and officials of the Township of Mahwah, N.J.

On July 27, 2017, Jerry DeMarco reported in the Ramapo Daily Voice that "[Mahwah] Township officials said they hoped the measure [to ban non-residents from visiting parks] would provide protection against what residents fear is an organized incursion from Rockland County of Orthodox families who've recently swarmed parks in Mahwah, Montvale, Ramsey and Upper Saddle River by the busload."

If the above report is inaccurate, please inform the public that it is inaccurate. If as we suspect that the report is accurate - especially coinciding with the recent Eruv action of your government - please be aware that taking official government action against an ethnic or religious group is discriminatory and unconstitutional.



Under New Jersey's OPRA, we are requesting that you please share via email or regular mail any and all correspondence, records and meeting minutes that township officials had in context of the above-mentioned ordinance.

In addition, because the intent of the ordinance may be subject to a Federal-level civil rights lawsuit (and perhaps a criminal inquiry too due to its potential violation of law), we would respectfully caution you against deleting any records related to this topic.

Thank you,

Aron Spielman

Mayer Berger

Yossi Gestetner

Redacted —  
Email  
Address



Co-founders; Orthodox Jewish Public Affairs Council (OJPAC)

Please email the requested records to [REDACTED] or mail it too

OJPAC

P.O. Box 852

Spring Valley, NY

10977

P.S. Representatives of OJPAC are willing to attend public meetings/forums to address questions/concerns that residents may have about the growth of the Orthodox Jewish community. However, due to the physical intimidation that an Orthodox Jewish female reporter suffered this week when she reported on an anti-Eruv gathering in Mahwah, OJPAC would attend such meetings only if the Mahwah P.D. would be on hand to assure the orderly process of such meetings.

Thank you.

cc:

U.S. Department of Justice  
Civil Rights Division  
950 Pennsylvania Avenue, N.W.  
Office of the Assistant Attorney General, Main  
Washington, D.C. 20530

U.S. Attorney's Office  
970 Broad Street, 7th Floor  
Newark, NJ 07102

Office of the Attorney General  
**Division on Civil Rights**  
P.O. Box 089



Trenton, NJ 08625-0089

*Please mail your contribution to*

OJPAC

P.O. Box 852

Spring Valley, NY

10977

[www.OJPAC.org](http://www.OJPAC.org)

## Robert Hermansen

---

**From:** Quentin Wiest  
**Sent:** Thursday, July 27, 2017 12:46 PM  
**To:** David May  
**Cc:** Robert Hermansen; Jonathan Wong; Janet Ariemma; Steve Sbarra; George Ervin; James Wysocki; Brian Chewcaskie; Kathy Coviello; William Laforet  
**Subject:** RE: Ordinance 1806  
**Attachments:** Batelli Letter 7.20.17.pdf; New Jersey Residents Only / Parks

Dave:

I have scanned the letter that was attached to the 7/20 email. It is attached to this message. Hopefully you can open it now.

The only thing that I have that is older is attached. You can see that on 7/7 the Chief asked questions about guests of residents and employees of local businesses. As I stated, these were being addressed through the signage. He followed that up with questions about Ramapo Students and the RL Indians. These questions did not appear to be show-stoppers. The detailed letter of 7/20 presented the more substantial list of concerns.

I do not believe the County Prosecutor reviews all ordinances but that the Chief turned to him as his Superior for guidance rather than the AG. I was not aware of the meeting with the Prosecutor when it occurred and I do not believe that the Township Attorney attended, nor any member of the Council.

Ordinances become available for review when they are first posted on the website for introduction. I discussed, at last week's agenda meeting, the possibility of instituting a program where, once ordinances are released from the Ordinance Committee, that they not be posted for introduction for a week or more in order to allow for distribution to and comment from relevant Directors.

Regards,

**Quentin Wiest**  
**Business Administrator**  
**Township of Mahwah**  
475 Corporate Drive  
Mahwah, NJ 07430  
[QWiest@MahwahTwp.org](mailto:QWiest@MahwahTwp.org)  
201-529-5757 x 265



---

**From:** David May  
**Sent:** Thursday, July 27, 2017 11:28 AM  
**To:** Quentin Wiest  
**Cc:** Robert Hermansen; Jonathan Wong; Janet Ariemma; Steve Sbarra; George Ervin; James Wysocki; Brian Chewcaskie; Kathy Coviello; William Laforet  
**Subject:** Re: Ordinance 1806

Thank you for this. The second attachment which has a PDF that when I click to open it doesn't open. Maybe you can resend.

From the Chief's email and the use of the phrase "some time" I would have thought his concern would have been longer than one week. Are there additional emails that he may be referencing in regards to his concern? Was the Chief given a copy of the draft Ordinance for his review prior to the introduction of the ordinance?

David May  
Councilman  
Township of Mahwah  
475 Corporate Drive  
Mahwah, NJ 07430

On Jul 27, 2017, at 11:16 AM, Quentin Wiest <[QWiest@mahwahtwp.org](mailto:QWiest@mahwahtwp.org)> wrote:

Attached are two emails received from Chief Batelli. The first on 7/19 and the second on 7/20.

On 7/19, we had a meeting that afternoon with the PBA and Chief Batelli to discuss the Police Rules and Regulations. Although we did not go over his email specifically, we had a brief discussion offline with the Council members that were in attendance for that meeting to the effect that the Chief had real concerns about the enforcement of 1806 that he was trying to resolve with Brian but that he was considering going to the Attorney General for guidance, as stated in the email.

Previous to this, he had asked questions about guests of NJ residents and employees of stores in town. These concerns were being addressed through the proposed signage.

His email of 7/20 formalized his questions. Both were forwarded to Brian on 7/20.

With regard to complaint calls to the PD, the dispatchers have been given a script to the effect that, at the direction of the Bergen County Prosecutor, ordinance 1806 will not be enforced by the Mahwah Police Department.

The Chief is getting me information on the AG's guidelines which I will forward as soon as I receive it.

**Quentin Wiest**  
**Business Administrator**  
**Township of Mahwah**  
475 Corporate Drive  
Mahwah, NJ 07430  
[QWiest@MahwahTwp.org](mailto:QWiest@MahwahTwp.org)  
201-529-5757 x 265  
<image001.jpg>

---

**From:** David May  
**Sent:** Thursday, July 27, 2017 8:33 AM  
**To:** Quentin Wiest  
**Cc:** Robert Hermansen; Jonathan Wong; Janet Ariemma; Steve Sbarra; George Ervin; James Wysocki; Brian Chewcaskie; Kathy Coviello; William Laforet  
**Subject:** Re: Ordinance 1806

Quentin,

Thank you for sending this. I would ask why the Council was never informed of the Chief's concerns as to enforcement of this ordinance which he outlines below was provided in written correspondence. Please forward us this correspondence this morning so that we can fully understand the Chief's concerns in his own words. I also ask if and when the Township Attorney was made aware of this correspondence so that he could have a discussion regarding enforcement. Thirdly, I would like a copy of the New Jersey Attorney General Guidelines so that we can all understand every aspect of the issue of enforcement. I do want to express my displeasure as to the fact that we find out about confusion of enforcement of an ordinance less than 2 hours before it becomes "enforceable". Was the Chief provided a draft of the original ordinance for feedback? This process took over one month to enact and an additional 20 days until it goes into effect and thus is the first time we are hearing a doubt of enforcement?

If the police department received 35 calls yesterday, imagine how many they will receive today. I would like details on how they will be handling such calls today. I would imagine that a lack of a response at a field being used by non-NJ residents could lead to additional issues with residents. Knowing this will allow the Council to better respond when hearing from residents throughout the day and at our meeting tonight.

Thank you,

David May  
Councilman  
Township of Mahwah  
475 Corporate Drive  
Mahwah, NJ 07430

On Jul 26, 2017, at 10:38 PM, Quentin Wiest <[QWiest@mahwahtwp.org](mailto:QWiest@mahwahtwp.org)> wrote:

Just saw this now and wanted to make certain everyone sees it tonight.

Quentin

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: "Chief James N. Batelli" <[JBatelli@mahwahpd.org](mailto:JBatelli@mahwahpd.org)>

Date: 7/26/17 7:16 PM (GMT-05:00)

To: William Laforet <WLaforet@mahwahtwp.org>, Quentin Wiest  
<QWiest@mahwahtwp.org>  
Cc: Kathy Coviello <KCoviello@mahwahtwp.org>  
Subject: Ordinance 1806

Mayor,

I would ask the you disseminate the following e-mail in its entirety without any changes or modifications to the Council this evening. Today we had had 35 complaints about park use which we did not respond to.

\*\*\*\*\*  
\*\*\*\*\*

For some time I have expressed my concerns about the ability to enforce Ordinance 1806 as it relates to the use of Township parks and playgrounds by only New Jersey residents. I asked for legal guidance and raised my concerns in written correspondence. It was my opinion that the Ordinance could potentially violate New Jersey Attorney General guidelines on bias based profiling. On Tuesday I met with Bergen County Prosecutor Gurbir S. Grewal and others to discuss the Ordinance. The Prosecutor is the top law enforcement officer in the county.

The Prosecutor is in the process of drafting a formal letter to me, but until such time as I receive the letter at the behest and authority of the Prosecutor I have been directed in an e-mail received today to instruct all members of the Department not to enforce Mahwah Township Ordinance # 1806. I will follow the directions of the County Prosecutor.

James N. Batelli  
Chief of Police  
Mahwah Police Department  
[REDACTED] Administrative Assistant Kathleen Kelly  
[REDACTED] Direct Line

Redacted -  
Telephone #'s

A Nationally Accredited Law Enforcement Agency through CALEA - [www.calea.org](http://www.calea.org)

<mime-attachment>

<mime-attachment>

