

**GENOVA  
BURNS**  
ATTORNEYS-AT-LAW

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July 25, 2018

**VIA HAND DELIVERY AND ELECTRONIC MAIL**

Kathrine G. Coviello, RMC/CMC/MMC  
Municipal Clerk - Township of Mahwah  
Municipal Clerk's Office  
475 Corporate Drive  
Mahwah, New Jersey 07430

**Re: Objection to Petition to Recall Mahwah Mayor William Laforet**

Dear Ms. Coviello:

We represent the Honorable William Laforet, Mayor of the Township of Mahwah ("Mayor" or "Mayor Laforet"), with respect to the petition to recall Laforet (the "Recall Petition(s)") submitted by the "Committee to Recall Mayor William Laforet" (the "Recall Committee").

This letter shall serve as Mayor Laforet's objection to your incorrect July 11, 2018 determination that the Recall Petition satisfied statutory requirements and contained sufficient valid signatures to proceed under N.J.S.A. 19:27A-12. As set forth below, your initial determination, in your role as the statutory Recall Election Official ("REO") is incorrect because of the Recall Committee's failure to sign petitions they circulated, violations of statutory procedures to obtain signatures, failure to obtain enough signatures, violations of the duties and obligations as the REO, and other irregularities and/or violations of applicable law. For each of these independent reasons, the Recall Petition is void and must be rejected.

**STATEMENT OF FACTS**

On November 8, 2016, Mayor Laforet was re-elected to a second four-year term to serve as the Mayor of the Township of Mahwah. On January 6, 2017, Mayor Laforet was sworn-in to a four-year term as Mayor of the Township of Mahwah through December 31, 2020.



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On or before January 8, 2018, it appears that a recall committee was formed consisting of Melanie Sue, Vincent Maiello, Darlene Mikolajczk, and Brian Riback (the "Recall Committee"). On January 8, 2018, the Recall Committee filed a Notice of Intention to Circulate Petitions with the REO. On January 9, 2018, the REO certified the Notice of Intention to Circulate Petitions.

Upon information and belief, in mid-January 2018, the REO approved the format of the Recall Petition **without a statement of reasons for the recall**, or a response from the elected official subject to the recall as permitted by N.J.S.A. 19:27A-8(c). On the very same day, the Recall Committee began circulating the Recall Petition with a color cover sheet on a flyer that contained the following statement of reasons for the recall on behalf of the Recall Committee:

The Township of Mahwah is currently embroiled in several lawsuits and facing a tremendous amount of negative press. At the center of it all are the actions of Mayor William Laforet. Laforet is guilty of:

- INCOMPOTENT MANAGEMENT, POOR JUDGMENT, AND ABUSE OF POWER resulting in multiple lawsuits which could easily cost taxpayers in excess of \$60,000,000.
- BLATANT LYING to the public about his knowledge of planned expansion of non-resident partisan political groups into Mahwah.
- BREACHING HIS ETHICAL AND FIDUCIARY RESPONSIBILITIES by ignoring the town's attorneys and making statements to the media designed to undermine the town's legal positions and defame its reputation.
- ENCOURAGING DIVISIVENESS within Mahwah by endorsing lies and hate-mongering perpetuated by non-residents.
- Laforet has completely failed as a leader in bringing our community together. It is time for Mahwah and its residents to stop paying for the mistakes of its incompetent, untrustworthy, unethical, and selfish mayor. William Laforet must be removed from office now.



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On the reverse side of the leaflet was the following language:

STOP THE CORRUPTION  
END THE LIES  
PRESERVE MAHWAH  
RECALL LAFORET

SIGN THE PETITION  
Call 201-252-2515  
and we'll come to you!

Have questions? Want to learn more?  
[www.RecallMayorLaforet.com](http://www.RecallMayorLaforet.com)  
[Facebook.com/RecallLaforet](https://www.facebook.com/RecallLaforet)  
E-Mail: [RecallMayorLaforet@gmail.com](mailto:RecallMayorLaforet@gmail.com)

(A copy of the handout statement is attached hereto as Exhibit A).

No similar handout in response stating Mayor Laforet's response was distributed or requested by the Recall Committee in violation of N.J.S.A. 19:27A-8(c).

On June 27, 2018, the Recall Petitions were filed with the REO. On June 28, 2018, the REO allowed the Recall Committee to modify or alter their filing, although it is unclear what process was followed or what exactly was done.

On July 11, 2018, the REO notified the Recall Committee and the Mayor that verification of the Recall Petition was complete and there were sufficient valid signatures to proceed to the next step in the process.

On July 25, 2018, Mayor Laforet submitted the within objection to the REO, pursuant to N.J.S.A. 19:27A-12.





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## ARGUMENT

### I. The Recall Petitions are Void Because They are Not Signed by Each Member of the Recall Committee

It is indisputable that a recall petition must be deemed void when members of the recall committee fail to sign recall petitions that they circulated. As you are no doubt aware, the “Uniform Recall Election Law” (hereinafter the “UREL”) establishes the rules and regulations associated with a recall election. The statutory requirements guide the recall process and must be strictly adhered to. Indeed, the UREL must be interpreted with equity and fairness **to both** those seeking the recall and the individual whose recall is sought. See Dvorkin v. Dover Township, 29 N.J. 303 (1959). See also Comm. to Recall Theresa Casagrande from Office of Spring Lake Heights Sch. Bd. Member v. Casagrande, 304 N.J. Super. 496, 508 (Law. Div.), *aff'd*, 304 N.J. Super. 421 (App. Div. 1997). The REO must enforce the UREL, including the clear directive that a petition be rejected when it “fails to comply with the provisions of [the UREL].” N.J.S.A. 19:27A-11. Notably, section 8(h) of the UREL mandates that “[e]very **member** of a recall committee circulating a recall petition **shall sign the petition**. If any member of the committee shall fail to sign the petition, **the petition shall be deemed void**.” N.J.S.A. 19:27A-8(h)(emphases added). Here, this simple requirement has not been satisfied, and as a result, the Recall Petition must – as a matter of law – be deemed void.

It is not disputed that each of the four members of the Recall Committee – Melanie Sue, Vincent Maiello, Darlene Mikolajczyk and Brian Riback – circulated Recall Petitions. As such, pursuant to N.J.S.A. 19:27A-8(h), each of them was required to sign the Recall Petition they circulated. None did, nor does it appear that any members of the Recall Committee (other than one) signed **any** of the Recall Petitions irrespective of who circulated them. For this reason alone, the Recall Petitions must, pursuant to the clear and unequivocal language of the statute, be deemed void as a matter of law and must be rejected.

### II. The Recall Petitions are Void Because the Recall Committee Violated N.J.S.A. 19:27A-8(c)

The Recall Petition must also be rejected because the Recall Committee violated the express requirements of the UREL by circulating an unauthorized statement in support of their Recall Petition, without getting approval of the REO and without providing Mayor Laforet with his statutorily permitted right to respond.



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The UREL allows a recall committee to set forth a statement in the petition that explains reasons for the recall. N.J.S.A. 19:27A-8(c). When it does so, the official subject to the recall may provide a response that must also be included in the petition. Ibid. The petition need not contain a statement of reasons and when it does not, a response by the official subject to the recall cannot be included. Ibid. However, notwithstanding the statutory requirements, the Recall Committee's circulators here utilized a cover page flyer (the "Cover Page") that contained statements not properly affixed to the approved form of the Recall Petition as certified by the REO, and not provided to Mayor Laforet so a response could be provided. A true and correct copy of the cover sheet is attached hereto at Exhibit A.

The Cover Page contained statements disseminated by the circulators purportedly containing the Recall Committee's reasons for the recall. Use of the Cover Page violates the clear and unambiguous language of the UREL, and deprived the Mayor of his right to provide a response pursuant to N.J.S.A. 19:27A-8(c).

By handing out a statement to voters without affording the Mayor the opportunity to provide his responsive statement, the Recall Committee and each circulator violated N.J.S.A. 19:27A-9(b)(3), which requires that a circulator must circulate the petition "in absolute good faith for the purpose of causing the recall of the elected official named in the petition." The use of a separate statement of reasons supporting the recall in the Cover Page, while failing to distribute a statement from the Mayor, cannot be justified as anything other than the means of denying the Mayor his statutory opportunity to include his response in the Recall Petition given to individuals approached to indorse the recall petition. This violation infects the sanctity of the recall process set forth by the Legislature and calls into question whether those who indorsed the Recall Petition knew all sides regarding what they were signing. Indeed, use of the Cover Page demonstrates a lack of good faith by the circulators in circulating the Recall Petition, contrary to the law and requires rejection of the Recall Petition in its entirety.

### **III. The Recall Petitions Do Not Contain Adequate Signatures**

According to news reports, it appears that the Recall Election Official and Township Attorney advised publicly on or about June 28, 2018 that only 4,170 valid signatures are required for the Recall Petition to proceed. Indeed, this incorrect claim appears to have been repeated on other occasions by the REO and/or Recall Committee and published in a number of news reports. However, the Recall Election Official's calculation is simply wrong.

It is clear that the UREL mandates that a recall petition be "signed by a number of registered voters of the jurisdiction of the official sought to be recalled equal to 25% of the





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persons registered to vote in that jurisdiction on the date of the general election preceding” the notice of intent. N.J.S.A. 19:27A-5.

Thus, based on the REO and Township Attorney’s purported calculation of 4,170, there would have been only 16,679 registered voters in Mahwah on November 7, 2017. But, there were more than 17,000 voters registered on this date. In fact, there were 17,364 voters registered in Mahwah as of November 1, 2016 – one year before the calculation date at issue here. Based on the proper 2017 general election registration figure of 17,595, the Recall Committee was obligated to provide at least 4,399 valid signatures of voters. Because they did not, the Recall Petition must be rejected.

Indeed, while the Recall Committee purports to have 5,000 signatures submitted, they do not. The Recall Petition contains substantially less than 5,000 signatures, and in reviewing the Recall Election Officials own notes, as well as the elimination of duplicate signatures, unregistered individuals, those who are otherwise unqualified, false indorsements where someone appears to have signed on behalf of a purported voter, and those not registered to vote as of the date of their indorsement, the number of qualified signatures drops below the aforementioned threshold. This is a fatal defect that requires rejection of the Recall Petitions as a matter of law by the REO.

#### **IV. Government Officials Failure to Turn “Square Corners” During this Tainted Recall Process**

Based on the evidence we have received to date, it appears that the REO violated the “Square Corners Doctrine” in its handling of the Recall Petition and in its response to requests for government records relating to the Recall Petition. That doctrine mandates that government officials must “turn square corners” in dealing with the public. The Square Corners Doctrine applies to both the REO and Township Clerk, and the oath to be neutral has been violated by failing to provide complete responses to our OPRA requests, failure to maintain copies of government records, and in allowing the Recall Committee to modify the Recall Petition following its filing.

##### **A. OPRA Requests**

On behalf of Mayor Laforet, we filed various requests for documents, pursuant to New Jersey's Open Public Records Act (N.J.S.A. 47:1A-1 et seq.), (“OPRA,”), in an attempt to identify any changes to copies of the filed June 27, 2018 Recall Petitions. A true and exact copy of the June 28, 2018 request is attached hereto as Exhibit B; the June 29, 2018 request is attached hereto as Exhibit C; and the July 9, 2018 request is attached hereto as Exhibit D.



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On July 18, 2018, our office received documents from the Municipal Clerk forwarded by two emails in response to our July 9, 2018 request for communications between the REO/Township Clerk and the Recall Committee, and the REO/Township Clerk and the Township Council. A true and correct copy of the two emails with attachments from the REO/Township Clerk dated July 18, 2018 is attached hereto as Exhibit E.

Notably, the documents memorialize the following questionable activities:

- An email from REO/Township Clerk Kathy Coviello to Mahwah Township Attorney Brian Chewcaskie, Esq. sent on June 28, 2018 at 10:31 a.m.: “Mrs. Sue has been contacted and will be coming to include the first page of the Petition to the pages which you reviewed in my office this morning. As I requested, I need to have in writing what it is that is invalid in the Petition and where in the statute same is. My question is, Are there any other items which need to be done to the Petition?” (A true and correct copy of the email from REO/Township Clerk Kathy Coviello dated June 28, 2018 is attached hereto as Exhibit F).
- A letter from Brian Chewcaskie, Esq. dated June 28, 2018 to REO/Township Clerk Kathy Coviello: “I have had the opportunity to cursory review some of the petitions that were submitted, and indicated that there should be a correction in order to conform with N.J.S.A. 19:27A-8. As I advised you when reviewing some of the petitions, the circulator had attached to one of the petitions various signature pages which had numerous dates. As I advised you, if a circulator obtains signatures on different dates, the petitions should be affixed to each signature page corresponding to those dates. Although N.J.S.A. 19:27A-8 indicates that ‘a petition may consist of any number of separate sections which shall be identical except with respect to information required to be entered thereon by the signers and circulators...’ That section refers to the petition itself and not to the required acknowledgment for the signature pages. I did not want a technical requirement to affect the validity of the documentation submitted. It is my understanding that the Recall Committee is addressing same. Irrespective of the foregoing, the petition is deemed filed as of June 27, 2018.” (A true and correct copy of the letter from Township Attorney Brian Chewcaskie, Esq. dated June 28, 2018 is attached hereto as Exhibit G).
- An email from Melanie Sue to REO/Township Clerk Kathy Coviello and Mahwah Council President Robert Hermansen sent on June 26, 2018 at 8:49 a.m.: “Please allow for the campaign to address the mayor and council regarding the end of





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the recall campaign during the 6/28 council meeting. Thank you. (A true and correct copy of the email from Melanie Sue dated June 26, 2018 is attached hereto as Exhibit H).

- An email from Mahwah Council President Robert Hermansen to Melanie Sue copying REO/Township Clerk Kathy Coviello sent on June 26, 2018 at 9:18 a.m.: "There is always time during the 2<sup>nd</sup> public session to address the council and mayor. From what I understand the date to submit is coming soon. I will put a place holder on the agenda for legal with Kathy in case something happens between now and Thursday. If nothing does then you can address during the 2 [sic] public portion. Kathy, what day is the final day of the Recall?" (A true and correct copy of the email from Mahwah Council President Robert Hermansen dated June 26, 2018 is attached hereto as Exhibit D).
- An email from a Petition signatory to REO/Township Clerk Kathy Coviello sent on July 6, 2018 at 9:38 a.m.: "Please remove my name from the petition that was circulated regarding the removal of Laforet as township mayor. The information provided by the solicitor was false; I would not have signed if I had known then what I know now." (A true and correct copy of the email dated July 6, 2018 is attached hereto as Exhibit J).

The Township Clerk and REO are bound to perform their governmental duties as the record retention officer for the municipality. As such, the Township Clerk was required to make and retain copies of the original filed petitions without alterations exactly as they were received on June 27, 2018. Those copies of the original petitions should have been part of the OPRA production in response to our request of June 27, 2018. To date, we have not received copies of the original, unaltered petitions, nor have we been provided access to same.

B. The Recall Committee Failed to Use the Approved Petition Forms in Violation of the UREL

Based upon information from documents obtained from the Township Clerk in response to our OPRA requests, there are improprieties associated with the filed Recall Petition. It is clear that the Recall Committee did not use the REO-approved Recall Petition forms as required by the UREL. Indeed, the form approved by the Secretary of State was not used in violation of N.J.S.A. 19:27A-8. Specifically, it is clear that signature pages of the Recall Petition that were submitted to you as the REO on June 27, 2018 were incomplete, and at a minimum missing the first page of the Petition booklet with clear identifying information in a 10-point font as required by the UREL (the "Petition Booklet Cover").





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The Petition Booklet Cover is required to include critical and statutorily required information including the following: the purpose of obtaining the signatures; "Petition For the Recall of William Laforet From the Office of Mayor of the Township of Mahwah"; the names and signatures of the four Recall Committee members; "the recall election shall be held on at the next general election, November 6, 2018. No special election is requested"; the Statement of the Recall Committee (No Statement Provided); and Answer From the Elected Official (No Answer Provided).

The failure of the Recall Committee to file their Recall Petition in the required manner is a violation of the UREL demonstrates that the approved Recall Petition was not circulated in the form or manner required, and calls the authenticity of the entire Recall Petition into question. As such, the Recall Petition must be rejected on this basis alone.

C. Government Officials Worked with the Recall Committee to Fix the Petition in Violation of the UREL and Square Corners Doctrine

It is clear that the office of the REO became the principle resource for resolving issues and modifying defects in filed Recall Petitions in violation of the UREL.

In an attempt to remedy fatal defects in the filed Recall Petitions, the REO was in contact with members of the Recall Committee and the Mahwah Township Attorney Brian Chewcaskie, Esq., on June 28, 2018 with advice to the Recall Committee to alter the filed Recall Petitions (one day after the REO accepted the Recall Petitions for filing). (See Exhibits F and G). These actions call into question the impartiality of the REO in the dual role as the REO and Township Clerk, as well as the validity of the Recall Petitions themselves.

In his review of the petitions, Township Attorney Brian Chewcaskie, Esq. pointed out that various signature pages "... had numerous dates. As I advised you, if a circulator obtains signatures on different dates, the petitions should be affixed to each signature page corresponding to those dates." The REO then contacted Melanie Sue, who apparently returned to the REO's office at Township Hall on June 28, 2018 to insert the missing Cover Page to include signature pages with different dates. This revelation from documents obtained through OPRA casts doubt on the veracity of the entire petition. Indeed, it is proof that the Township Attorney and REO provided legal advice to the Recall Committee in the midst of this process and without notifying Mayor Laforet. The fact that the circulator added the Cover Pages after the fact with the REO's assistance begs the question as to whether the signatories were given a chance to see the petition Cover Page as required by the UREL. It also indicates that the signatories may have been asked to simply sign, without reviewing the reason for their



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signature, the Committee's declaration of "No Statement" and the "No Answer from Elected Official" sections of the Recall Petition, in violation of the UREL.

Mayor Laforet has observed members of the Township Council instructing government officials in Mahwah to not provide the Mayor with information regarding the recall election. Specifically, Mahwah Council President Robert Hermansen interrupted a conversation between Mayor Laforet and Mahwah Township Attorney Brian Chewcaskie, Esq., and instructed the Township Attorney to refrain from discussing the recall matter with the Mayor. While instructing the Township Attorney not to discuss the Recall Petition with the Mayor, the Council President and the Township Attorney held a private meeting in Township Hall to discuss the Recall Petition and correct the faulty Recall Petitions.<sup>1</sup>

While a municipal clerk performs various tasks to assist the public, a REO must follow the statutory requirements of the UREL. It is well settled that where the Legislature has not given directions to municipal clerks or county clerks in statutory enactments relating to elections, either in specific terms or in language from which the legislative intent can be discerned, as to matters pertaining to the conduct thereof, some decisions must rest within the discretion of such clerks.

The facts stated above demonstrate that the REO/Township Clerk violated its obligations under the UREL as well as the "Square Corners Doctrine" by helping the Recall Committee correct their faulty Recall Petitions by allegedly adding and moving pages of the filed Recall Petitions, while at the same time preventing Mayor Laforet from simply obtaining the original and unaltered filed copies of the Recall Petitions or information regarding same pursuant to OPRA as was the duty of the Township Clerk.

These actions violate the UREL, and the Recall Petitions should be declared void at this time.

#### **V. Other Evidence that Supports Voiding the Recall Petition**

There are numerous other reasons to declare the Recall Petition void. Based upon information and belief, members of the Mahwah Township Council, as political opponents of Mayor Laforet, are driving the Recall Petition efforts behind the scenes in an attempt to defy the will of the voters of Mahwah who twice elected Mayor Laforet.

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<sup>1</sup> The Township Attorney should not be providing legal advice to either side during the recall process, and his conversations with Mahwah Council President Robert Hermansen about the recall efforts, a political opponent of Mayor Laforet and a leader of the recall efforts, call into question the Township Attorney's impartiality, representation, conflicts and directions in this process.





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Also, we have received information that circulators of the Recall Petition communicated false information to signatories (see Exhibit J), including the false claim that Mayor Laforet supported the recall efforts, inducing them to sign. There are also allegations of circulators representing to signatories that the petitions were actually a poll, or that their signatures were necessary to get Mayor Laforet's name on the ballot. There are also allegations that people who were not official circulators went out and obtained signatures that were later incorporated into different Recall Petition packets.

In addition, a cursory review of the Recall Petition reveals numerous irregularities. Some pages of the Recall Petition appear to have been filled out by one spouse on behalf of both the married couple (and in a few cases, the entire family). Some of the petitions had the signature of the circulator on a line with the term "circulator" handwritten by the circulator, as opposed to the printed line with the term "circulator" typed on the form approved by the REO. Notably, some of the pages of the Recall Petition where the voters are required to fill out appear to have been partly filled out by the circulator. For example, parts of the voter's address are written in the circulator's handwriting. Other individuals were not registered at the time they signed, or signed the Recall Petition in several places.

As further evidence that the Recall Committee failed to comply with the statutes established for a recall election, the Recall Committee's required filing with the New Jersey Election Law Enforcement Commission ("ELEC") was untimely. The Recall Committee had 10 days (not business days) to file a the RC1 and RC2 forms from "the date the committee is established." Using January 8, 2018 as a starting point, the date the Committee filed the Notice of Intention to Recall, the Committee would have had a January 18, 2018 deadline file these documents. These documents were signed on January 18, 2018, but filed on January 22, 2018. As such, they are not timely.

For all these reasons set forth above, the Recall Petition is void and must be invalidated.



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**CONCLUSION**

Therefore, Mayor Laforet respectfully requests that you as the REO declare the Recall Petition void as non-complaint with the UREL. Mayor Laforet reserves all rights and remedies available to him relating to this matter.

Respectfully submitted,

**GENOVA BURNS LLC**

ANGELO J. GENOVA

**GENOVA BURNS LLC**

RAJIV D. PARIKH

AJG/KAL/rmw  
Enc.

- c: Brian M. Chewcaskie, Esq. – (via hand delivery and electronic mail w/encs.)  
Hon. William Laforet – (via electronic mail w/encs.)

14405013v1 (21490.005)



# EXHIBIT A



**STOP THE CORRUPTION  
END THE LIES  
PRESERVE MAHWAH**

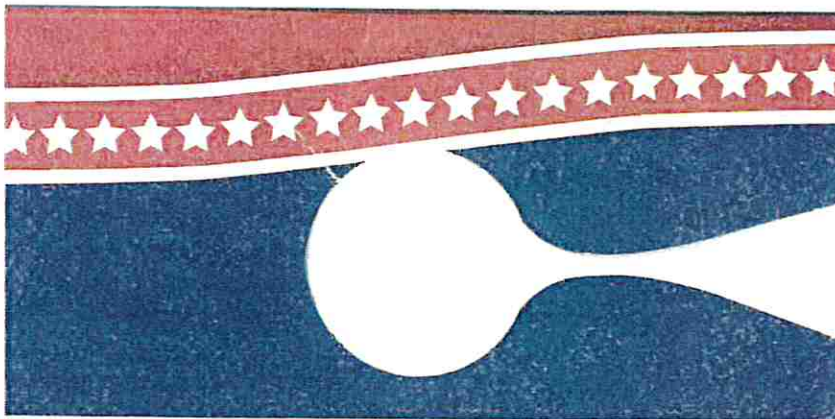
**RECALL  
LAFORET**

**SIGN THE  
PETITION**

**Call 201-252-2515  
and we'll come to you!**

*Have questions? Want to learn more?*  
[www.RecallMayorLaforet.com](http://www.RecallMayorLaforet.com)  
[Facebook.com/RecallLaforet](https://www.facebook.com/RecallLaforet)  
*E-mail: [RecallMayorLaforet@gmail.com](mailto:RecallMayorLaforet@gmail.com)*





*The township of Mahwah is currently embroiled in several lawsuits and facing a tremendous amount of negative press. At the center of it all are the actions of Mayor William Laforet. Laforet is guilty of:*

- ♦ **INCOMPETENT MANAGEMENT, POOR JUDGMENT, AND ABUSE OF POWER** resulting in multiple lawsuits which could easily cost taxpayers in excess of \$60,000,000.
- ♦ **BLATANTLY LYING** to the public about his knowledge of planned expansion of non-resident partisan political groups into Mahwah.
- ♦ **BREACHING HIS ETHICAL AND FIDUCIARY RESPONSIBILITIES** by ignoring the town's attorneys and making statements to the media designed to undermine the town's legal positions and defame its reputation.
- ♦ **ENCOURAGING DIVISIVENESS** within Mahwah by endorsing lies and hate-mongering perpetuated by non-residents.

**EXHIBIT B**





Genova Burns LLC  
494 Broad Street, Newark, NJ 07102  
Tel: 973.533.0777 Fax: 973.533.1112  
Web: [www.genovaburns.com](http://www.genovaburns.com)

Steven A. Krup, Esq.  
Member of NJ Bar  
[skrup@genovaburns.com](mailto:skrup@genovaburns.com)  
Direct: (973) 230-2088

June 28, 2018

**VIA ELECTRONIC MAIL ([kcoviello@mahwahtwp.org](mailto:kcoviello@mahwahtwp.org))**

Kathrine G. Coviello, RMC/CMC/MMC  
Municipal Clerk  
Township of Mahwah  
Municipal Clerk's Office  
475 Corporate Drive  
Mahwah, New Jersey 07430

Re: **Request Pursuant to N.J.S.A. 47:1A-1, et seq.**

Dear Ms. Coviello:

Pursuant to N.J.S.A. 47:1A-1, et seq., enclosed please find a government-records request for the records of the Township of Mahwah. Please provide us with copies, stored electronically or in hardcopy form, of the following records:

1. Copies of all documents, including but not limited to, the petition certified on January 9, 2018, all petitions, notices and related correspondence in connection with the petition to recall Mayor William Laforet.

Electronic copies of all responsive records are preferred, but, if that is not possible, please provide the anticipated cost of copies. Once you have had an opportunity to assess the copying costs for reproduction of the documents, please contact me and we will make arrangements for payment and delivery.

Thank you for your attention to this matter.

Very truly yours,

GENOVA BURNS LLC

STEVEN A. KRUP

SAK  
Enclosure



## Township Of Mahwah

Municipal Clerk's Office  
475 Corporate Drive  
P.O. Box 733 • Mahwah, NJ 07430

REVISED: 5/23/16

Kathrine G. Coviello, RMC/CMC/MMC  
Municipal Clerk  
kcoviello@mahwahwp.org

Tel: 201-529-5757 Ext 4  
Fax: 201-529-5740  
www.mahwahwp.org

### REQUEST FOR ACCESS TO GOVERNMENT RECORDS

\*\*\*\*\*

#### FOR MUNICIPAL USE ONLY

Date Received: \_\_\_\_\_

Date of Response: \_\_\_\_\_

\*\*\*\*\*

Name: \_\_\_\_\_ Steven A. Krup, Esq.

Address: \_\_\_\_\_ Genova Burns LLC

\_\_\_\_\_ 494 Broad Street, Newark, NJ 07102

Telephone (Day): \_\_\_\_\_ (973) 230-2088

Email Address: \_\_\_\_\_ skrup@genovaburns.com

#### Information Requested:

\_\_\_\_\_ Copy of Minutes (Specify Board or Entity, date, topic or other identifying information)

\_\_\_\_\_ Copy of Ordinance or Resolution (Specify date, number or other identifying information)

☒ Other (Specify):

Copies of all documents, including but not limited to, the petition certified on January 9, 2018, all petitions,

\_\_\_\_\_ notices and related correspondence in connection with the petition to recall Mayor William Laforet.

#### Information on Specific Property:

Address: \_\_\_\_\_

Block: \_\_\_\_\_ Lot: \_\_\_\_\_

\*\*\*Please email response to skrup@genovaburns.com



A request for access to or for a copy of Government Records should be submitted on this form which has been adopted by the Municipal Clerk as the Custodian of Records. Some records will be immediately available during normal business hours. Some records will require time to compile and to make the copies requested, but will normally be available during normal business hours and within seven (7) business days. If any document or copy which has been requested is not a public record or cannot be provided within the seven (7) business days, you will be provided with a response with that information within the seven (7) business days. Some records requested have specific fees or other response times established by statute. There is no fee involved in simply inspecting a document during normal business hours. This request may be filed electronically. In general:

- Immediate access is ordinarily available for budgets, bills, vouchers, contracts, including collective negotiations agreements and individual employment contracts, and public employee salary and overtime information. Minutes of public meetings will be generally available immediately after the minutes have been approved.
- Records which are not readily available or which will require a search of records will be made available as soon as possible and the applicant will be provided with an interim report within seven (7) business days indicating the time which will be required to provide the records.
- Except as otherwise provided by law or regulation, the fee assessed for the duplication of a printed record shall be \$.05 for 8½" by 11" size pages and \$.07 for 8½" by 14" pages; for a Police Accident Report there is an additional fee when the request is not made in person of \$5.00 for the first 3 pages and \$1.00 for each additional page, as provided by N.J.S.A. 39:4-131. Fee for oversize copy shall be \$3.00 as per Ordinance No. 1540
- Where a request is for a copy in a format other than a photocopy, reasonable efforts will be made to provide the information in the format requested. The cost will be based on the costs of producing the format requested.
- Where a legal determination must be made as to whether records are "public records" as provided by law, the request will be reviewed by the Municipal Attorney.

The term "public records" generally includes those records determined to be public in accordance with N.J.S.A. 47:1A-1. The term does not include employee personnel files, police investigation records, public assistance files or other matters in which there is a right of privacy or confidentiality or inter-agency or intra-agency advisory, consultative, or deliberative material or other material which is specifically exempted by law.

The Applicant hereby acknowledges receipt of a copy of this form with the date on which the information is expected to be available and the estimated cost. The applicant hereby certifies that he or she has not been convicted of any indictable offense under the laws of this State, any other state or the United States and is not seeking government records containing personal information pertaining the victim or the victim's family as provided by N.J.S.A. 47:1a-1 et seq.

This form, when signed by the Municipal Official shall constitute a receipt for any deposits received.

The information requested will be ready on \_\_\_\_\_

Estimated Number of Pages \_\_\_\_\_

Estimated Cost \_\_\_\_\_

Deposit \_\_\_\_\_

(Required where the anticipated cost of reproduction exceeds \$5.00)

Steven A. Karp  
Applicant

\_\_\_\_\_  
Municipal Official

Date: 06/28/2018

Date: \_\_\_\_\_

# EXHIBIT C





Genova Burns LLC  
494 Broad Street, Newark, NJ 07102  
Tel: 973.533.0777 Fax: 973.533.1112  
Web: [www.genovaburns.com](http://www.genovaburns.com)

Steven A. Krup, Esq.  
Member of N.J. Bar  
[skrup@genovaburns.com](mailto:skrup@genovaburns.com)  
Direct: (973) 230-2088

June 29, 2018

**VIA ELECTRONIC MAIL ([kcoviello@mahwahtwp.org](mailto:kcoviello@mahwahtwp.org))**

Kathrine G. Coviello, RMC/CMC/MMC  
Municipal Clerk  
Township of Mahwah  
Municipal Clerk's Office  
475 Corporate Drive  
Mahwah, New Jersey 07430

Re: **Request Pursuant to N.J.S.A. 47:1A-1, et seq.**

Dear Ms. Coviello:

Pursuant to N.J.S.A. 47:1A-1, et seq., enclosed please find a government-records request for the records of the Township of Mahwah. Please provide us with copies, stored electronically or in hardcopy form, of the following records:

1. Copies of all documents, including but not limited to, all petitions and related correspondence submitted on June 28, 2018, in connection with the petition to recall Mayor William Laforet.

Electronic copies of all responsive records are preferred, but, if that is not possible, please provide the anticipated cost of copies. Once you have had an opportunity to assess the copying costs for reproduction of the documents, please contact me and we will make arrangements for payment and delivery.

Thank you for your attention to this matter.

Very truly yours,

**GENOVA BURNS LLC**

STEVEN A. KRUP

SAK:cm  
Enclosure

REVISED: 5/23/16



## Township Of Mahwah

Municipal Clerk's Office  
475 Corporate Drive  
P.O. Box 733 • Mahwah, NJ 07430

Kathrine G. Coviello, RMC/CMC/MMC  
Municipal Clerk  
kcoviello@mahwahwp.org

Tel: 201-529-5757 Ext 4  
Fax: 201-529-5740  
www.mahwahwp.org

### REQUEST FOR ACCESS TO GOVERNMENT RECORDS

\*\*\*\*\*

#### FOR MUNICIPAL USE ONLY

Date Received: \_\_\_\_\_

Date of Response: \_\_\_\_\_

\*\*\*\*\*

Name: \_\_\_\_\_ Steven A. Krup, Esq.

Address: \_\_\_\_\_ Genova Burns LLC

494 Broad Street, Newark, NJ 07102

Telephone (Day): \_\_\_\_\_ (973) 230-2088

Email Address: \_\_\_\_\_ skrup@genovaburns.com

#### Information Requested:

\_\_\_\_\_ Copy of Minutes (Specify Board or Entity, date, topic or other identifying information)

\_\_\_\_\_ Copy of Ordinance or Resolution (Specify date, number or other identifying information)

✓ \_\_\_\_\_ Other (Specify)

Copies of all documents, including but not limited to, all petitions and related correspondence submitted on

June 28, 2018, in connection with the petition to recall Mayor William Laforet.

#### Information on Specific Property:

Address: \_\_\_\_\_

Block: \_\_\_\_\_ Lot: \_\_\_\_\_

\*\*\*Please email response to skrup@genovaburns.com



A request for access to or for a copy of Government Records should be submitted on this form which has been adopted by the Municipal Clerk as the Custodian of Records. Some records will be immediately available during normal business hours. Some records will require time to compile and to make the copies requested, but will normally be available during normal business hours and within seven (7) business days. If any document or copy which has been requested is not a public record or cannot be provided within the seven (7) business days, you will be provided with a response with that information within the seven (7) business days. Some records requested have specific fees or other response times established by statute. There is no fee involved in simply inspecting a document during normal business hours. This request may be filed electronically. In general:

- Immediate access is ordinarily available for budgets, bills, vouchers, contracts, including collective negotiations agreements and individual employment contracts, and public employee salary and overtime information. Minutes of public meetings will be generally available immediately after the minutes have been approved.
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- Where a request is for a copy in a format other than a photocopy, reasonable efforts will be made to provide the information in the format requested. The cost will be based on the costs of producing the format requested.
- Where a legal determination must be made as to whether records are "public records" as provided by law, the request will be reviewed by the Municipal Attorney.

The term "public records" generally includes those records determined to be public in accordance with N.J.S.A. 47:1A-1. The term does not include employee personnel files, police investigation records, public assistance files or other matters in which there is a right of privacy or confidentiality or inter-agency or intra-agency advisory, consultative, or deliberative material or other material which is specifically exempted by law.

The Applicant hereby acknowledges receipt of a copy of this form with the date on which the information is expected to be available and the estimated cost. The applicant hereby certifies that he or she has not been convicted of any indictable offense under the laws of this State, any other state or the United States and is not seeking government records containing personal information pertaining to the victim or the victim's family as provided by N.J.S.A. 47:1A-1 et seq.

This form, when signed by the Municipal Official shall constitute a receipt for any deposits received.

The information requested will be ready on \_\_\_\_\_

Estimated Number of Pages \_\_\_\_\_

Estimated Cost \_\_\_\_\_

Deposit \_\_\_\_\_

(Required where the anticipated cost of reproduction exceeds \$5.00)

Steven A. Karp  
Applicant

\_\_\_\_\_  
Municipal Official

Date: June 29, 2018

Date: \_\_\_\_\_

**EXHIBIT D**



**GENOVA  
BURNS**  
ATTORNEYS-AT-LAW

Genova Burns LLC  
494 Broad Street, Newark, NJ 07102  
Tel: 973.533.0777 Fax: 973.533.1112  
Web: [www.genovaburns.com](http://www.genovaburns.com)

Steven A. Krup, Esq.  
Member of NJ Bar  
[skrup@genovaburns.com](mailto:skrup@genovaburns.com)  
Direct: (973) 230-2088

July 9, 2018

**VIA ELECTRONIC MAIL ([kcoviello@mahwahtwp.org](mailto:kcoviello@mahwahtwp.org))**

Kathrine G. Coviello, RMC/CMC/MMC  
Municipal Clerk  
Township of Mahwah  
Municipal Clerk's Office  
475 Corporate Drive  
Mahwah, New Jersey 07430

**Re: Request Pursuant to N.J.S.A. 47:1A-1, et seq.**

Dear Ms. Coviello:

Pursuant to N.J.S.A. 47:1A-1, et seq., enclosed please find a government-records request for the records of the Township of Mahwah. Please provide us with copies, stored electronically or in hardcopy form, of the following records:

1. Any and all communications between Ms. Kathrine Coviello, Township Clerk, and/or Ms. Janis Fox, Deputy Township Clerk, and/or Ms. Carolyn George, Clerk and anyone on The Committee to Recall Mayor Laforet, from May 9, 2018 through July 9, 2018; and
2. Any and all communications between Ms. Kathrine Coviello, Township Clerk, and/or Ms. Janis Fox, Deputy Township Clerk, and/or Ms. Carolyn George, Clerk and Township Council President Robert Hermansen, and/or Counsel Vice President, Jonathan Wong, and/or Council Members Janet Ariemma, and/or George Ervin, and/or David May, and/or Michelle Crowe Paz, and/or James Wysocki, from May 9, 2018 through July 9, 2018.

Electronic copies of all responsive records are preferred, but, if that is not possible, please provide the anticipated cost of copies. Once you have had an opportunity to assess the copying costs for reproduction of the documents, please contact me and we will make arrangements for payment and delivery.





GENOVA  
BURNS  
ATTORNEYS-AT-LAW

Kathrine Coviello, RMC/CMC/MMC  
July 9, 2018  
Page 2

Thank you for your attention to this matter.

Very truly yours,

GENOVA BURNS LLC

STEVEN A. KRUP

SAK:cm  
Enclosure



## Township Of Mahwah

Municipal Clerk's Office  
475 Corporate Drive  
P.O. Box 733 • Mahwah, NJ 07430

REVISED: 5/23/16

Kathrine G. Coviello, RMC/CMC/MMC  
Municipal Clerk  
kcoviello@mahwahwp.org

Tel: 201-529-5757 Ext 4  
Fax: 201-529-5740  
www.mahwahwp.org

### REQUEST FOR ACCESS TO GOVERNMENT RECORDS

\*\*\*\*\*

#### FOR MUNICIPAL USE ONLY

Date Received: \_\_\_\_\_

Date of Response: \_\_\_\_\_

\*\*\*\*\*

Name: Steven A. Krup, Esq.

Address: Genova Burns LLC

494 Broad Street, Newark, NJ 07102

Telephone (Day): (973) 230-2088

Email Address: skrup@genovaburns.com

#### Information Requested:

           Copy of Minutes (Specify Board or Entity, date, topic or other identifying information)

\_\_\_\_\_

           Copy of Ordinance or Resolution (Specify date, number or other identifying information)

\_\_\_\_\_

☒ Other (Specify)

Any and all communications between Ms. Kathrine Coviello, Township Clerk, and/or Ms. Janis Fox, Deputy Township Clerk, and/or Ms. Carolyn

George, Clerk and anyone on The Committee to Recall Mayor Laforet, from May 9, 2018 through July 9, 2018.

#### Information on Specific Property:

Address: \_\_\_\_\_

Block: \_\_\_\_\_ Lot: \_\_\_\_\_

\*\*\*Please email response to skrup@genovaburns.com

A request for access to or for a copy of Government Records should be submitted on this form which has been adopted by the Municipal Clerk as the Custodian of Records. Some records will be immediately available during normal business hours. Some records will require time to compile and to make the copies requested, but will normally be available during normal business hours and within seven (7) business days. If any document or copy which has been requested is not a public record or cannot be provided within the seven (7) business days, you will be provided with a response with that information within the seven (7) business days. Some records requested have specific fees or other response times established by statute. There is no fee involved in simply inspecting a document during normal business hours. This request may be filed electronically. In general:

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- Where a legal determination must be made as to whether records are "public records" as provided by law, the request will be reviewed by the Municipal Attorney.

The term "public records" generally includes those records determined to be public in accordance with N.J.S.A. 47:1A-1. The term does not include employee personnel files, police investigation records, public assistance files or other matters in which there is a right of privacy or confidentiality or inter-agency or intra-agency advisory, consultative, or deliberative material or other material which is specifically exempted by law.

The Applicant hereby acknowledges receipt of a copy of this form with the date on which the information is expected to be available and the estimated cost. The applicant hereby certifies that he or she has not been convicted of any indictable offense under the laws of this State, any other state or the United States and is not seeking government records containing personal information pertaining the victim or the victim's family as provided by N.J.S.A. 47:1a-1 et seq.

This form, when signed by the Municipal Official shall constitute a receipt for any deposits received.

The information requested will be ready on \_\_\_\_\_

Estimated Number of Pages \_\_\_\_\_

Estimated Cost \_\_\_\_\_

Deposit \_\_\_\_\_

(Required where the anticipated cost of reproduction exceeds \$5.00)

Steven A. Krup  
Applicant

\_\_\_\_\_  
Municipal Official

Date: 07/09/2018

Date: \_\_\_\_\_





## Township Of Mahwah

Municipal Clerk's Office  
475 Corporate Drive  
P.O. Box 733 • Mahwah, NJ 07430

REVISED: 5/23/16

Kathrine G. Coviello, RMC/CMC/MMC  
Municipal Clerk  
kcoviello@mahwahwp.org

Tel: 201-529-5757 Ext 4  
Fax: 201-529-5740  
www.mahwahwp.org

### REQUEST FOR ACCESS TO GOVERNMENT RECORDS

\*\*\*\*\*

#### FOR MUNICIPAL USE ONLY

Date Received: \_\_\_\_\_

Date of Response: \_\_\_\_\_

\*\*\*\*\*

Name: \_\_\_\_\_ Steven A. Krup, Esq.

Address: \_\_\_\_\_ Genova Burns LLC

494 Broad Street, Newark, NJ 07102

Telephone (Day): \_\_\_\_\_ (973) 230-2088

Email Address: \_\_\_\_\_ skrup@genovaburns.com

#### Information Requested:

\_\_\_\_\_ Copy of Minutes (Specify Board or Entity, date, topic or other identifying information)

\_\_\_\_\_ Copy of Ordinances or Resolution (Specify date, number or other identifying information)

✓ \_\_\_\_\_ Other (Specify)

Any and all communications between Ms. Kathrine Coviello, Township Clerk, and/or Ms. Janis Fox, Deputy Township Clerk, and/or Ms. Carolyn George,

Clerk and Township Council President Robert Hermansen, and/or Counsel Vice President Jonathan Wong, and/or Council Members Janet Ariemma, and/or George Ervin, and/or David May, and/or Michelle Crowe Paz, and/or James Wysocki, from May 9, 2018 through July 9, 2018.

#### Information on Specific Property:

Address: \_\_\_\_\_

Block: \_\_\_\_\_ Lot: \_\_\_\_\_

\*\*\*Please email response to skrup@genovaburns.com

A request for access to or for a copy of Government Records should be submitted on this form which has been adopted by the Municipal Clerk as the Custodian of Records. Some records will be immediately available during normal business hours. Some records will require time to compile and to make the copies requested, but will normally be available during normal business hours and within seven (7) business days. If any document or copy which has been requested is not a public record or cannot be provided within the seven (7) business days, you will be provided with a response with that information within the seven (7) business days. Some records requested have specific fees or other response times established by statute. There is no fee involved in simply inspecting a document during normal business hours. This request may be filed electronically. In general:

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The Applicant hereby acknowledges receipt of a copy of this form with the date on which the information is expected to be available and the estimated cost. The applicant hereby certifies that he or she has not been convicted of any indictable offense under the laws of this State, any other state or the United States and is not seeking government records containing personal information pertaining the victim or the victim's family as provided by N.J.S.A. 47:1a-1 et seq.

This form, when signed by the Municipal Official shall constitute a receipt for any deposits received.

The information requested will be ready on \_\_\_\_\_

Estimated Number of Pages \_\_\_\_\_

Estimated Cost \_\_\_\_\_

Deposit \_\_\_\_\_

(Required where the anticipated cost of reproduction exceeds \$5.00)

Herman A. Kump  
Applicant

Date: 07/09/2018

\_\_\_\_\_  
Municipal Official

Date: \_\_\_\_\_

**EXHIBIT E**



**Steven A. Krup**

---

**From:** Kathy Coviello <KCoviello@mahwahtwp.org>  
**Sent:** Thursday, July 12, 2018 6:12 PM  
**To:** Steven A. Krup  
**Subject:** OPRA Request  
**Attachments:** 20180712\_174622.pdf

Kathrine G. Coviello, RMC/CMC/MMC  
Municipal Clerk  
Township of Mahwah  
475 Corporate Drive  
Mahwah, New Jersey 07430  
Telephone: 201/529-5757, Extension 230  
Fax: 201/529-5740  
Email: [kcoviello@mahwahtwp.org](mailto:kcoviello@mahwahtwp.org)

NOTE: This E-mail is protected by the Electronic Communications Privacy Act, 18 U.S.C. Sections 2510-2521. This E-Mail and its contents may be Privileged & Confidential due to the Attorney-Client Privilege, Attorney Work Product, Deliberative Process or under the New Jersey Open Public Records Act. If you are not the intended recipient of this e-mail, please notify the sender, delete it and do not read, act upon, print, disclose, copy, retain or redistribute it.

I, Kathrine G. Coviello, Municipal Clerk and Recall Official of the Township of Mahwah, do hereby approve and certify this Notice of Intention To Circulate Recall Petition To The Honorable William Laforet, received January 8, 2018.

*Carolyn W. George*  
CAROLYN W. GEORGE  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires 4/12/2021

*Kathrine G. Coviello*  
Kathrine G. Coviello, RMC/CMC/MMC  
Municipal Clerk and Recall Official  
January 9, 2018

TO: Honorable William Laforet, Mayor Mahwah Township; Katherine Coviello, Clerk Mahwah Township; Honorable John S. Hogan, Bergen County Clerk; Patricia DiCostanzo, Bergen County Superintendent Elections

Pursuant to the New Jersey Constitution Article 1, paragraph 2(b) and New Jersey election laws, We the undersigned registered and qualified electors of the State of New Jersey, respectfully state that we seek the recall and removal of William Laforet holding the office of Mayor, in Mahwah Township, New Jersey.

We demand an election of a successor to the office, Mayor of Mahwah, New Jersey at the next regular or general election, as appropriate.

The following Notice of Intention to Circulate Recall Petition was served on \_\_\_\_\_, to William Laforet:

### NOTICE OF INTENTION TO CIRCULATE RECALL PETITION.

#### TO THE HONORABLE WILLIAM LAFORET:

Pursuant to New Jersey Statutes Title 19, Section 19-27A et. seq. Recall Elections, the undersigned registered voters of the municipality of Mahwah, New Jersey, hereby give notice that we are the proponents of a recall petition and that we intend to seek your recall and removal from the office of Mayor of the Township of Mahwah in the State of New Jersey, and to demand election of a successor in that office.

#### COMMITTEE TO RECALL

WILLIAM LAFORET  
Name of Official Sought to be Recalled

#### FROM THE OFFICE OF

MAYOR OF THE TOWNSHIP OF MAHWAH  
Name of Office and Municipality

I certify that I am registered to vote in MAHWAH, NJ 07430 and support the recall of  
Municipality

WILLIAM LAFORET and accept the responsibilities associated with serving on the recall committee.  
Named Official

Signature of sponsor	Printed name	Business or residence address of sponsor
(1) <i>Melanie Sue</i>	Melanie Sue	13 Grenadier Drive, Mahwah, NJ
(2) <i>Vincent Mafello</i>	Vincent Mafello	33 Glasgow Terrace, Mahwah, NJ
(3) <i>Darlene Mikolajczyk</i>	Darlene Mikolajczyk	57 Karen Drive, Mahwah, NJ
(4) <i>Brian R. Back</i>	Brian R. Back	1171 Chedworth Circle, Mahwah, NJ
(5)		

If a special election is necessary for this recall, the cost is estimated to be \$ N/A

REC'D MUNICIPAL CLERK  
JAN 8 '18 PM 3:43

Correspondence for this committee may be addressed to:

The Committee to Recall Mayor Laforet  
Vincent Maiello, Chair  
115 Franklin Turnpike, #293  
Mahwah, NJ 07430  
201.252.2515

---



**AFFIDAVIT (PROOF) OF PUBLICATION**

STATE OF NEW JERSEY)

COUNTY OF BERGEN ) SS:

KATHRINE G. COVIELLO

OF FULL AGE, BEING FULLY

SWORN ACCORDING TO LAW,

DOTH DEPOSE AND SAY THAT

SHE IS THE TOWNSHIP CLERK OF

THE TOWNSHIP OF MAHWAH

AND, AS SUCH, ANNEXED A

PRINTED COPY OF A LEGAL

NOTICE PUBLISHED ON THE

25th DAY OF JANUARY 2018,

IN THE BERGEN COUNTY

THE RECORD, NEWSPAPER

PRINTED AND PUBLISHED IN THE

COUNTY OF BERGEN,

STATE OF NEW JERSEY.

*Kathrine G. Covello*

Sworn and subscribed before me this

25 day of January, 2018.

*Janis M. Fox*  
Notary Public of New Jersey

JANIS M. FOX  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires 3/20/2021

Legalaff.doc

**PUBLIC NOTICES**

I, Katherine G. Covello, Municipal Clerk and Recall Official of the Township of Mahwah, do hereby approve and certify this Notice of Intention to Circulate Recall Petition to the Honorable William Laforet, received January 8, 2018.

/s/ Katherine G. Covello  
RMC/CMC/MMC, Municipal Clerk  
and Recall Official January 9, 2018  
/s/ Carolyn W. George  
Notary Public of New Jersey  
My Commission Expires 4/12/2021

To: Honorable William Laforet, Mayor  
Mahwah Township; Katherine  
Covello, Clerk Mahwah Township;  
Honorable John S. Hogan, Bergen  
County Clerk; Patricia Desostanzo,  
Bergen County Superintendent of  
Elections.

Pursuant to the New Jersey Constitution, Article II, paragraph 2(b), and New Jersey election laws, we the undersigned, registered and qualified electors of the State of New Jersey, respectfully state that we seek the recall and removal of William Laforet, holding the office of Mayor, in Mahwah Township, New Jersey.

We demand an election of a successor to the office Mayor of Mahwah, New Jersey at the next regular or general election, as appropriate.

The following Notice of Intention to Circulate Recall Petition was served on January 11, 2018 to William Laforet.

**NOTICE OF INTENTION TO  
CIRCULATE RECALL PETITION.**

**TO THE HONORABLE WILLIAM  
LAFORET:**

Pursuant to New Jersey Statutes, Title 19, Section 19-27A, et seq., Recall Elections, the undersigned registered voters of the municipality of Mahwah, New Jersey, hereby give notice that we are the proponents of a recall petition and that we intend to seek your recall and removal from the office of Mayor of the Township of Mahwah in the State of New Jersey, and to demand election of a successor in that office.

**COMMITTEE TO RECALL WILLIAM  
LAFORET:**

**FROM THE OFFICE OF MAYOR OF  
THE TOWNSHIP OF MAHWAH:**

I certify that I am registered to vote in Mahwah, NJ 07430 and support the recall of WILLIAM LAFORET, and accept the responsibilities associated with serving on the recall committee.

/s/ Melanie Sue, 13 Grenadier Drive,  
Mahwah, NJ  
/s/ Vincent Maletto, 33 Glasgow Terrace,  
Mahwah, NJ  
/s/ Darlene Mikolajczyk, 57 Karen Drive,  
Mahwah, NJ  
/s/ Brian Pilback, 1171 Chadworth Circle,  
Mahwah, NJ

If a special election is necessary for this recall, the cost is estimated to be \$ N/A.

Correspondence for this committee may be addressed to:  
The Committee to Recall Mayor Laforet

Vincent Maletto, Chair  
115 Franklin Turnpike, #293  
Mahwah, NJ 07430  
201-252-2515  
January 25, 2018  
Fee: \$79.20 (\$8) 4235182

**North Jersey Media Group**

Classified Ad Receipt  
(For Info Only - NOT A BILL)

Customer: MAHWAH TOWNSHIP MUNICIPAL CLERK

Address: 475 CORPORATE DR  
MAHWAH NJ 074303603  
US

Ad No.: 0004234193

Pymt Method Check

Net Amt: \$75.90

Run Times: 1

No. of Affidavits: 0

Run Dates: 01/22/18

Text of Ad:

I, Katherine G. Covello, Municipal Clerk and Recall Officer of the Township of Mahwah, do hereby approve and certify this Notice of intention to Circulate Recall Petition to the Honorable William Laforet, received January 8, 2018.

/s/ Katherine G. Covello,  
RMC/CK/MWC, Municipal Clerk  
and Recall Officer January 9, 2018  
/s/ Carolyn W. George,  
Notary Public of New Jersey  
My Commission Expires 4/12/2021

To: Honorable William Laforet: Mayor  
Mahwah Township; Katherine Covello,  
Clerk Mahwah Township; Honorable  
John S. Hogan, Bergen County  
Clerk; Patricia Discasanto, Bergen  
County Superintendent Elections

Pursuant to the New Jersey Constitution Article 1, paragraph 2(b) and New Jersey election laws, we the undersigned registered and qualified electors of the State of New Jersey, respectfully state that we seek the recall and removal of William Laforet holding the office of Mayor, in Mahwah Township, New Jersey.

We demand an election of a successor to the office, Mayor of Mahwah, New Jersey at the next regular or general election, as appropriate.

The following Notice of intention to Circulate Recall Petition was served on \_\_\_\_\_ to William Laforet:

**NOTICE OF INTENTION TO  
CIRCULATE RECALL PETITION**

**TO THE HONORABLE WILLIAM LAFORET**

Pursuant to New Jersey Statutes Title 19, Section 19-27A, §1903: Recall Elections, the undersigned registered voters of the municipality of Mahwah, New Jersey, hereby give notice that we are the proponents of a recall and removal from the office of Mayor of the Township of Mahwah in the State of New Jersey, and to demand election of a successor from that office.

**COMMITTEE TO RECALL WILLIAM LAFORET**

**FROM THE OFFICE OF: MAYOR OF  
THE TOWNSHIP OF MAHWAH**

I certify that I am registered to vote in Mahwah, NJ 07430 and support the recall of WILLIAM LAFORET, and accept the responsibilities associated with serving on the recall committee.

/s/ Melanie Sue, 13 Grenadier Drive,  
Mahwah, NJ  
/s/ Vincent Maitello, 35 Glasgow Terrace,  
Mahwah, NJ  
/s/ Darlene Mikolajczyk, 57 Karen Drive,  
Mahwah, NJ  
/s/ Brian Riback, 117 Chadworth Circle,  
Mahwah, NJ

If a special election is necessary for this recall, the cost is estimated to be \$ N/A.

Correspondence for this committee may be addressed to:  
The Committee to Recall Mayor Laforet

Vincent Maitello, Chair  
115 Franklin Turnpike, #293  
Mahwah, NJ 07430  
201-252-8515  
January 22, 2018

**EXHIBIT F**

**Kathy Coviello**

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**From:** Kathy Coviello  
**Sent:** Thursday, June 28, 2018 10:31 AM  
**To:** Brian Chewcaskie  
**Cc:** Melanie Sue  
**Subject:** Recall Petition

Mrs. Sue has been contacted and will be coming to include the first page of the Petition to the pages which you reviewed in my office this morning.

As I requested, I need to have in writing what it is that is invalid in the Petition and where in the statute same is.

My question to you is, Are there any other items which need to be done to the Petition?

Please advise.

**Kathrine G. Coviello, RMC/CMC/MMC**  
**Municipal Clerk**  
**Township of Mahwah**  
**475 Corporate Drive**  
**Mahwah, New Jersey 07430**  
**Telephone: 201/529-5757, Extension 230**  
**Fax: 201/529-5740**  
**Email: [kcoviello@mahwahtwp.org](mailto:kcoviello@mahwahtwp.org)**

**NOTE:** This E-mail is protected by the Electronic Communications Privacy Act, 18 U.S.C. Sections 2510-2521. This E-Mail and its contents may be Privileged & Confidential due to the Attorney-Client Privilege, Attorney Work Product, Deliberative Process or under the New Jersey Open Public Records Act. If you are not the intended recipient of this e-mail, please notify the sender, delete it and do not read, act upon, print, disclose, copy, retain or redistribute it.

**EXHIBIT G**



GITTLEMAN, MUHLSTOCK & CHEWCASKIE, L.L.P.

ATTORNEYS AT LAW  
2200 FLETCHER AVENUE  
9W OFFICE CENTER  
FORT LEE, NEW JERSEY 07024  
(201) 944-2300

MELVIN GITTLEMAN (1930-2018)  
STEVEN MUHLSTOCK  
BRIAN M. CHEWCASKIE  
NYLEMA NABBIE (N.J. & N.Y.)

TELECOPIER  
(201) 944-1487

BRIAN M. CHEWCASKIE  
E-MAIL  
brlan@gmchjlaw.com

June 28, 2018

VIA E-MAIL

Kathrine G. Coviello, Clerk  
Township of Mahwah  
475 Corporate Drive  
Mahwah, New Jersey 07430

RE: Recall Petition

Dear Ms. Coviello:

The following is intended to serve to confirm our conversation earlier this date with respect to the recall petition. As you are aware, I have had the opportunity to cursory review some of the petitions that were submitted, and indicated that there should be a correction in order to conform with N.J.S.A. 19:27A-8. As I advised you when reviewing some of the petitions, the circulator had attached to one of the petitions various signature pages which had numerous dates. As I advised you, if a circulator obtains signatures on different dates, the petitions should be affixed to each signature page corresponding to those dates.

Although N.J.S.A. 19:27A-8 indicates that "a petition may consist of any number of separate sections which shall be identical except with respect to information required to be entered thereon by the signers and circulators...". That section refers to the petition itself and not to the required acknowledgment for the signature pages. I did not want a technical requirement to affect the validity of the documentation submitted. It is my understanding that the Recall Committee is addressing same.

Irrespective of the foregoing, the petition is deemed filed as of June 27, 2018. In accordance with N.J.S.A. 19:27A-11 you, as the Recall Election Official, have ten (10) business days to determine the total number of signatures affixed thereto and whether the completed petition complies with all other provisions of the Act. The ten (10) business days will commence as of June 27, 2018 and expire July 12, 2018.

Please undertake the necessary steps to determine the adequacy of the number of signatures and compliance with the provisions of the statute,

If you have any questions, please do not hesitate to contact me.

Very truly yours,



BRIAN M. CHWASKIE

BMC/cj

cc: Council President Robert Hermansen

**EXHIBIT H**

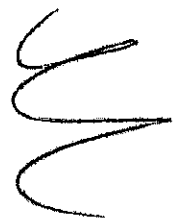
**Kathy Coviello**

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**From:** Melanie Sue [REDACTED]  
**Sent:** Tuesday, June 26, 2018 8:49 AM  
**To:** Kathy Coviello; Robert Hermansen  
**Subject:** Recall campaign closing statement

Redacted -  
Email  
Address

Please allow for the campaign to address the mayor and council regarding the end of the recall campaign during the 6/28 council meeting. Thank you.  
~Melanie Sue

A handwritten signature, possibly reading 'Kathy Coviello', written in cursive script.

**EXHIBIT I**



**Kathy Coviello**

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**From:** Robert Hermansen  
**Sent:** Tuesday, June 26, 2018 9:18 AM  
**To:** Melanie Sue  
**Cc:** Kathy Coviello  
**Subject:** Re: Recall campaign closing statement

There is always time during the 2nd public session to address the council and mayor. From what I understand the date to submit is coming soon. I will put a place holder on the agenda for legal with Kathy in case something happens between now and Thursday. If nothing does then you can address during the 2 public portion.

Kathy, what day is the final day of the Recall?

Rob

Redacted -  
Email  
Address

Sent from my iPad

> On Jun 26, 2018, at 8:49 AM, Melanie Sue <[REDACTED]> wrote:

>

> Please allow for the campaign to address the mayor and council regarding the end of the recall campaign during the 6/28 council meeting. Thank you.

> ~Melanie Sue

**EXHIBIT J**

REDACTED

Redacted -

Kathy Coviello

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From: [REDACTED]  
Sent: Friday, July 06, 2018 9:38 AM  
To: Kathy Coviello  
Subject: petition to remove Laforet as mayor

Email

Address



Please remove my name from the petition that was circulated regarding the removal of Laforet as township mayor. The information provided by the solicitor was false; I would not have signed if I had known then what I know now.

[REDACTED]