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September 6, 2018

Hon. Frank Caramagna,
Chairman
Democratic Club of Elmwood Park, Inc.
126 Gilbert Avenue
Elmwood Park, NJ 07470

RE: 2018 General Election

Dear Chairman Caramagna:

Please be advised that I represent the legal interests of Magdalena Giandomenico and Sammie Keith Work, with regard to potential serious issues associated with the upcoming election. In preparation for same, I have become aware of serious concerns regarding alleged improper actions in the handling of Vote-by-Mail applications, voter certifications and completed ballots, during the 2017 general election.

Therefore, as a courtesy to you and your organization, I am requesting that you assist us in assuring that the election of 2018 proceeds in a completely fair and unbiased manner.

I trust you concur in the belief that allegations of interfering with a voter's rights, particularly those involving votes via mail, are very profound in nature and must not be taken lightly. It is our mutual obligation to protect the integrity of the electoral process.

For the upcoming election, council candidates Magdalena Giandomenico and Sammie Keith Work demand that the rights of all voters in Elmwood Park be respected, protected and honored.

Therefore, I direct your attention to the following provisions of New Jersey law, which are triggered by the issues involving the allegations from the prior year's election.

In the first instance, N.J.S.A. 19:63-16 lays out the specific process for marking a Vote-by-Mail ballot, who may assist a voter in physically casting their vote, completing the required certification contained within the ballot envelope, the required acknowledgement of the assistor on the certification, as well as the limitations as to the amount of ballots a messenger and/or bearer may deliver to a United State Post Office, mailbox or to the County Board of Elections office.

I further call your attention to NJSA 19:63-12, which provides the language printed within the Vote-by-Mail ballot alerting the voter to his or her rights, and the requirements to lawfully and properly complete the ballot so it may be appropriately counted on election day.

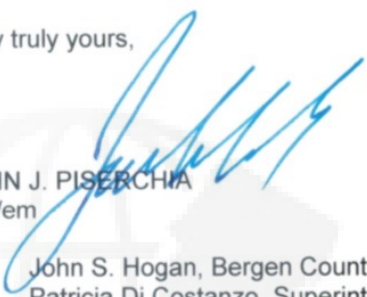
Please understand and appreciate that my clients are committed to appropriately monitoring all aspects of the Vote-by-Mail process in the Elmwood Park general election this year. They will further commit effort to engaging voters and advising them both of their rights and how to protect those rights when casting their vote via mail.

In closing, I direct you and your supporters to the potential statutory penalties relative to the Vote-by-Mail system, where, under N.J.S.A. 19:34-11, the law reads that "[e]very person not entitled to vote who fraudulently votes, and every person who votes more than once at any one election; or knowingly hands in two or more ballots folded together; or changes any ballot after it has been deposited in the ballot box; or adds, or attempts to add, any ballot to those legally polled at any election, either by fraudulently introducing the same into the ballot box before or after the ballots therein have been counted; or adds to or mixes with, or attempts to add to or mix with, the ballots lawfully polled, other ballots while the same are being counted or canvassed, or at any other time, with intent to change the result of such election; or carries away or destroys, or attempts to carry away or destroy, any poll list, or ballots, or ballot box, for the purpose of breaking up or invalidating the election; or willfully detains, mutilates or destroys any election returns; or in any manner so interferes with the officers holding the election, or conducting the canvass, or with the voters lawfully exercising their rights of voting at the election, as to prevent the election or canvass from being fairly had and lawfully conducted, shall be guilty of a crime of the third degree."

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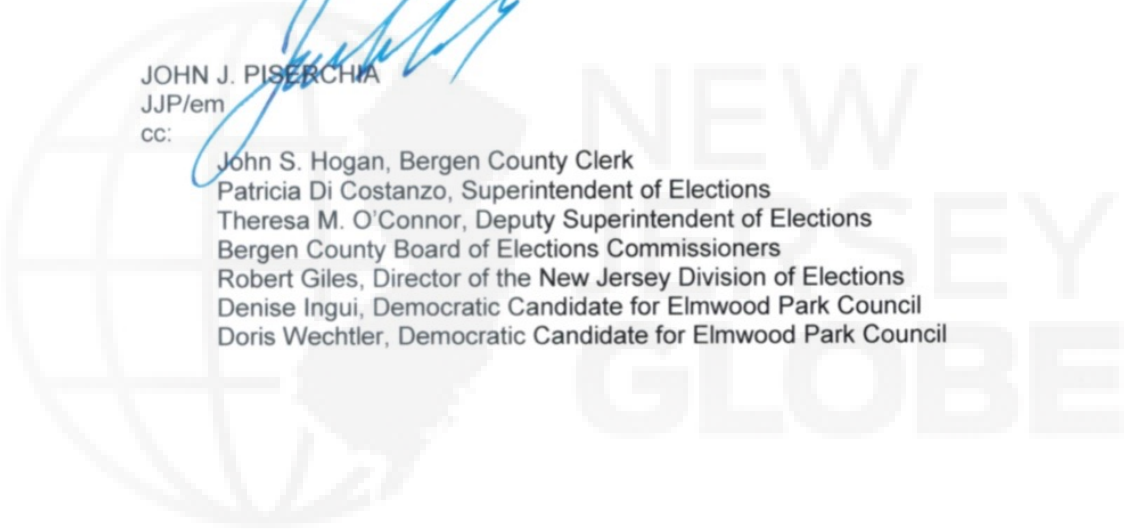
I thank you for your kind attention to the within, and trust you will join us in working thoroughly to ensure that all of New Jersey's election requirements are followed to the letter of the law to protect voters' rights and the integrity of this year's election in Elmwood Park.

Very truly yours,



JOHN J. PISERCHIA
JJP/em
cc:

John S. Hogan, Bergen County Clerk
Patricia Di Costanzo, Superintendent of Elections
Theresa M. O'Connor, Deputy Superintendent of Elections
Bergen County Board of Elections Commissioners
Robert Giles, Director of the New Jersey Division of Elections
Denise Ingui, Democratic Candidate for Elmwood Park Council
Doris Wechtler, Democratic Candidate for Elmwood Park Council



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BY: _____

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September 14, 2018

John J. Piserchia, Esq.
300 Lakawanna Avenue
Woodland Park, NJ 07424

RE: 2018 General Election

Dear Mr. Piserchia:

Please be advised that the undersigned is counsel to Mayor Frank Caramagna, Mayor of the Borough of Elmwood Park and Chairman of the Democratic Club of Elmwood Park. Your letter of September 6, 2018 has been turned over to me for response. Initially, your letter references "alleged improper actions" and infers some involvement by Mayor Caramagna. Your letter does not indicate specific, improper actions and your letter is merely designed to impugn Mayor Caramagna's integrity.

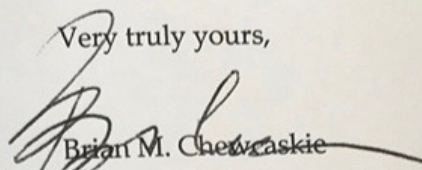
You also gratuitously reference various statutes regarding election law provisions which are and again, to infer some form of alleged misconduct. Mayor Caramagna is fully familiar with the statutes and does not require you to point out the requirements of same.

Please be advised that Mayor Caramagna will not countenance any further conduct either by you or on behalf of council candidates Magdalena Giandomenico or Sammie Keith Work alleging improper conduct. A mythical reference to alleged improper actions contained in your letter with copies being forwarded to the County Clerk and Board of Elections is designed to infer improper action and to impugn Mayor Caramagna's reputation. Any further action by you or the council candidates will be responded to swiftly in an appropriate manner.

John J. Piserchia, Esq.
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Please be guided accordingly.

Very truly yours,



Brian M. Chewaskie

BMC:mkb

cc: Mayor Frank Caramagna
John S. Hogan, Bergen County Clerk
Patricia DiCostanza, Superintendent of Elections
Theresa M. O'Connor, Deputy Superintendent of Elections
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Doris Wechtler, Democratic Candidate for Elmwood Park Council
Magdalena Giandomenico, Republican Candidate for Elmwood Park Council
Sammie Keith Work, Republican Candidate for Elmwood Park Council