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The Review and Investigation Section
Election Law Enforcement Commission
P.O. Box 185
Trenton, New Jersey 08625-0185.

Re: Errors, discrepancies and misrepresentations made in the reports to the Commission by Joint Candidate Committee, **Moving Teaneck Forward** (MTF) in the 2020 Teaneck Township Council Election which concluded on May 12, 2020.
Moving Teaneck Forward was the successful joint candidate committee for three Council candidates - Michael Pagan, Karen Lew Orgen and Mark Schwartz.
Moving Teaneck Forward's reporting in 7 reports to the Commission from 2/2 to 7/3/2020 do in my judgment constitute a potential violation of the Election law Enforcement Commission's reporting requirements for Candidates and/or Candidate Committees and warrant an investigation within the authority of the Commission

Dear Sir or Madam:

There are a series of demonstrable and/or probable errors, discrepancies and/or misrepresentations in the reports made to ELEC by the Moving Teaneck Forward (MTF) slate of 3 candidates for the 3 Teaneck Township Council positions in the Township's municipal election completed on May 12, 2020. We believe that **only an investigation – including a Commission review of the records of the MTF slate's account with Cross River Bank - will clarify what was actually occurring in the revenues and expenditures by this Committee.** The MTF Committee is chaired and lists as its treasurer Gerald T. Reiner, Jr. who apparently is the person identified to the Commission as having authority to report and authorize expenditures by the Committee.

The following are the matters we believe require examination. We begin with problems in early reports – although the most serious get raised for MTF's later reports.

Depository Reporting Problems in the Period 2 and Period 3 reports: Why do the two 11-day pre-election reports (original and amended) list balances in the depository at the end of that 2nd reporting period that are significantly discrepant from the amount reported as the opening balance of the Depository in the 20-day post-election report. The R-1 forms explicitly direct the "opening balance" line in the Depository report to be identical to the closing balance from the prior – in this case (period-2 - 11-day pre-) Depository report. The discrepancies would appear to

be simply inexplicable.

Depository	R-1 per 1	R-1 per 2	R-1 per 2amend	R-1 per 3	R-1 per 3amend
Opening	\$0.00	\$16,127.00	\$16,127.00	\$29,044.00	\$29,044.00
Closing	\$16,127.00	26,544.00	\$24,044.00	.090.0	\$8,390.20

2) **Problems in reported numbers for all 6 expenditure numbers found on page 1 of MTF’s amended period 2 (11-day pre-election) report.** All entries in this section are demonstrably in error. This is readily seen by first comparing the 3 numbers found in “This report” column on p. 1 of the amended period-2 report (all were \$12,500)

with

the single expenditure of \$10,000 to Royal Printing on the D-1 disbursements page of this amended report.

and then comparing the 3 numbers in the 2nd (cumulative to date) column where \$22,500 is reported on lines 1,7 &9 – but the correct number should have been \$16,469.88 – since the total reported expenditures in the period-1 (29-day pre-) report had reported expenditures from that period to total \$6,469.88.

3) Multiple serious errors/discrepancies and questionable entries in the amended period-3 (20-day post-election) report

As the Commission itself likely will have already noted, the **initial** MTF period-3 (20-day post- election) report was: a) **a full month late** and 2) was effectively gibberish.

Assumedly that is why the MTF chair/treasurer submitted an **amended** 20-day post-election report the following day (the 3rd of July – a state holiday). There are several very noteworthy aspects to that report:

I. Unclarity about the dates/accuracy of expenditures reported in the 20-day post-election report.

a) The MTF’s list of disbursements in the 20-day post-election report includes 2 items said to have been disbursed in period 3 that total \$12,567– which is 46% of the \$27,172+ total of reported disbursements in period-3. That full \$27,172 is also said to have been the disbursement total in “this report” – a number which can actually be accurate only if the depository report is meant to report **what balances were actually true as of 7/3/** and not as of the due date of the actual 6/1, 20-day post-election report.

b) Even more troubling is the fact that \$10,000 of this amended period-3 list of disbursements is directly denied by its purported recipient. MTF reported the following to have been made in its attached page of disbursements - and specifically lists this:

5/18/2020	1001	Parano and Associates 20 Banta Place, Hackensack NJ 07601	GOTV, Opposition Research	\$10,000.00
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In a personal communication, David Parano categorically denies that he or his firm has at any time worked for – or invoiced – MTF. He denies having received any check – including the check identified (1001) - from MTF. Parano has not for 3 years had any business address in Hackensack – leaving it completely obscure as to why MTF reports it had sent the check there. Additionally, Parano denies having cashed any check from MTF at any time, including one dated or cashed 5/18 as the MTF’s period-2 (11-day pre-election) disbursement page records. (see below)

If Parano’s claim is correct, the MTF’s campaign depository report in the MTF amended period-3 (20-day post-election) report is a serious misrepresentation. In its depository report the completed transaction for the disbursement of \$10,000 to Parano is integral to the \$27,172 the MTF reports as its total disbursement line in the depository statement. The closing balance of \$8390 depends on the accuracy of that disbursement line.

Hence, not only is the “closing” date for the depository not the same as for the period-3 report’s due date, we note that irrespective of the closing date reported by the treasurer for the depository, there is the \$10,000 in cashed expenditure payment that is disputed by Parano. Again, only an investigation including the review of the MTF’s depository account can sort out the discrepancies.

Additional questions. Déjà vu all over again? It should be noted that in MTF’s **original 5/1** (first and timely-submitted) period-2 (11-day pre-election) report, the expenditures reported by MTF on its D-1 page included a \$2500 payment on 3/22 to the same David Parano Associates (same address as noted above) that would have meshed properly with the \$6470 expenditure total from the 29-day report and resulted in total expenditures of 18,969.88. at the end of period-2. For this depository report to have been accurate, the \$2500 claimed to have been sent 38 days earlier (3/22) to Parano would have to have been cashed. But wait!

26 days later (5/26) the Commission received an amended period-2 (11-day pre-election) report. The primary change in the amended report was that the \$2500 disbursement to Parano had simply (without explanation) been **extracted** from D-1 page of the **amended** 11-day pre-report.

But wait again - the closing balance for the MTF depository as reported in original 11-day depository report was 26,544) – but in this amended 11-day pre-election report the closing balance is listed as \$24,044 which is \$2500 less than the closing balance of the original report despite the fact that the disbursements listed had been reduced by \$2500. The math for the amended report should have shown the depository’s closing balance at 29,044, not the \$24,044 that had been reported for the period-2 depository closing

Again – in fact – that \$29,044 opening balance is the number that shows up as the

opening balance for the next, the amended period 3 (20-day post-election) report. But opening and closing balances are not, as I understand it, meant to be guesses or math exercises – they are to be reports of what is actually shown on bank statements. *All the more reason to review the MTF bank account.* (As previously noted, all other expenditure numbers on the first page of the amended report per-2 report were wrong – assuming the MTF’s own other calculations.¹

Missing from the Report. The Jewish Link is a weekly newspaper delivered free to about 4000 of the approximately 12,000 residences in the Township. (see footnote snip from the Jewish Link’s website.² Mark J. Schwartz, one of the MTF candidates in the 2020 Teaneck municipal council election, is co-publisher of the Jewish Link. The Jewish Link published 8 full-page ads supporting the MTF slate between 3/12/2020 and 5/7/2020, each of which included a “Paid for by Moving Teaneck Forward” line. (the pages and web addresses cited below take the reader to those ads in the Jewish Link archives).

- March 12, 2020 - Page 14 https://view.flipdocs.com/?ID=10009972_141422
- March 19, 2020 - Page 24 https://view.flipdocs.com/?ID=10009972_160291
- March 26, 2020 - Page 28 https://view.flipdocs.com/?ID=10009972_395302
- April 2, 2020 - Page 20 https://view.flipdocs.com/?ID=10009972_724300
- April 8, 2020 - Page 22 https://view.flipdocs.com/?ID=10009972_239818
- April 23, 2020 - Page 16 https://view.flipdocs.com/?ID=10009972_195640
- April 30, 2020 -Page 4 https://view.flipdocs.com/?ID=10009972_219535
- May 7, 2020 - Page 12 https://view.flipdocs.com/?ID=10009972_945359

YET - no reference to the Jewish Link is found in any of the MTF reports to ELEC - ***either*** as involving expenditures (whether as already paid or incurred); ***or***, at the absolute minimum, as in-kind contributions by the Link beginning with what should then have been reported in the period-1 (29-day pre-election) report. Since it is delivered free, the Jewish Link’s financial viability depends on its success in attracting

¹ There is in addition a major error in the reported cumulative-to-date receipts in line 2 (contributions in excess \$300) in the 2nd column on the first page of the amended period-3 (20-day post-election) report. It reports \$88,500 of such contributions. This is a mistake since the amended 11-day pre-election report had shown \$8,500 in that line 2 receipts category and there are no new reported receipts for period-3 in that category. Thus, the number that should appear in the cumulative receipts total column of line 2 is \$8,500, not \$88,500. In our judgment, this is the sole example of an MTF reporting mistake that can be viewed as simply an inadvertent typo.

²

Teaneck Voters: Vote For Schwartz, Orgen, Pagan (Lines 4,5,6)
By Moshe Kinderlehrer, Co-publisher, The Jewish Link | April 29, 2020

(Note: It’s election time in Teaneck, where just under half of The Jewish Link readership lives and where we currently deliver our newspaper via free home delivery, to nearly 4,000 households.)

By the time you read this, all Teaneck homes and voters should have received by mail—I hope—the ballots for the upcoming town council election.

ad for which charges fees. (Political ads in newspapers in Bergen County cost between \$750-\$1000 per ad). See also, <https://jewishlink.news/advertise>. Either way, this Jewish Link-related activity support should be included in the MTF reports to the Commission.

Question about the total amount of MTF checks from single sources that were reported to be not in excess of \$300. There is one other potential anomaly in the MTF's ELEC reports. The MTF total in reported contributions is \$52,432 and only \$8500 of that total is said to have come in contributions in excess of \$300 from 3 sources. And MTF reports **no** currency receipts, **no** loans and **no** "in kind" contributions of any sort. The means that **\$43,932+** are reported to have been received by MTF *in checks from any one source* that were **not** in excess of \$300. Although it is surely conceivable that 84% of a large municipal campaign's contributions could have come from such checks/sources, that total and percentage does represent an unusual contribution pattern for Teaneck municipal elections. (In the other 2020 Teaneck council candidate slate's ELEC reports, the contributions in checks totaling \$300 or less from anyone source were only 54% of its \$15,129 total.)

If the Commission does investigate the MTF depository account, it can also readily be determined whether the reported \$43K received by MTF in checks of less than \$300 from a single source is accurate.

The MTF's reports to the Commission surely raise at least the very serious questions we have identified in this request for an investigation. The MTF's expenditures in this municipal campaign are very large, surely by prior Teaneck municipal election standards. And apparently the MTF campaign still needs to raise more funds to pay its outstanding debts. As campaign expenditures grow, it is all the more important to the integrity of campaign financing – and to the integrity of elections themselves – to have any major election finance reporting questions fully investigated.

Sincerely,

Charles W. Powers signed