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HUDSON COUNTY

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ATTORNEYS FOR PETITIONER

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IN RE THE JULY 10, 1990 : SUPERIOR COURT OF NEW JERSEY  
REFERENDUM QUESTION OF THE : LAW DIVISION : HUDSON COUNTY  
CITY OF HOBOKEN, COUNTY OF : DOCKET NO.  
HUDSON, STATE OF NEW JERSEY :  
: PETITION PURSUANT TO THE  
: PROVISIONS OF N.J.S.A.  
: 19:29-1 ET SEQ.  
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Petitioners set forth herein, residing in the City of Hoboken, in the County of Hudson and State of New Jersey, being registered voters of the same, and having voted in the July 10, 1990 election by way of their counsel respectfully request and show that:

1. On July 10, 1990, there was held in the City of Hoboken, County of Hudson and State of New Jersey, an election on a referendum and a public question.

2. Said question as a referendum dealt with the approval or disapproval of a municipal development project for the City of Hoboken.

3. As a result of the canvass after the election the question was defeated.

4. Voting in said election was done by means of voting machines and absentee ballots. It is believed that no emergency ballots were utilized.

5. There were absentee ballots which were delivered prior to the election and in all respects were in compliance with the law, which were not counted by the Hudson County Board of Elections.

6. A recount was ordered and held, the Superior Court announced and concluded the proceedings by an order of August 15, 1990.

7. The follows problems and violations of the provisions of N.J.S.A. 19:29-1 and the other provisions of Title 19 occurred such that a fair, free and full expression of the intent of the voters was not had.

(a) The election process failed to work in accordance with the statute in that persons who were not appointed and sworn to office as election board workers came into possession of materials, manned the polling places, and otherwise participated in the election process.

(b) Board workers who were duly appointed by the Hudson County Board of Election to work the election were prohibited, precluded and prevented from working in their appointed and sworn offices;

(c) Legal votes were rejected when the polling places which failed to open on time;

(d) Legal votes were rejected in that emergency means were not made available to voters when polling places could not open or serve the voters in accordance with the statute;

(e) Persons voted who were not residents of Hoboken;

(f) The person who died July 22, 1989 voted in the July 10, 1990 election;

(g) In some polling places more votes were tallied on the machine, than voters who entered the machine;

(h) On information and belief, wrongful assistance occurred with regard to voters, and together with intimidation and over reaching;

(i) Person who were entitled to vote had their votes rejected and were not allowed to vote;

(j) Absentee ballot were not handled, messengered, or marked in accordance with the statute;

(k) Board workers failed to properly have voters sign the voter books, properly enter the board workers initials thereon, properly enter the voting authority, properly have the voting authority completed and otherwise so conducted the election as to void, violate and deficiate the secrecy and integrity of the election process;

(l) On information and belief, some signatures on the signature card register (voting books) were forged;

(m) Persons who do not qualify under the statutes to be registered to vote by residency or registration were wrongfully allowed to vote;

(n) Absentee ballots were not marked in accordance with the statute;

(o) Various deficiencies occurred by the performance of the district board workers, many of whom were not appointed by the Hudson County Board of Elections or sworn to an oath of office, these deficiencies, violates and voids the election, as noted on schedule A a copy of which is attached hereto, on the official report of the Superintendent of Elections of the Board of Elections;

(p) Many votes were received in the election wherein the persons casting said vote failed to sign the signature copy register, have a signature comparison performed, or have available a sample signature for comparison

(q) Persons who were not empowered by statute to supervise the election proceedings interfered with the election proceedings, countermanded the orders of election officials and otherwise interfered in the election process which affected its outcome

8. As a result of these activities and other activities which a continuing investigation will disclose, the basic safeguards, protections and guarantees of fair election of full and free expression of the people were denied. As a result of these acts and others, malconduct,

fraud or corruption has occurred, illegal votes received, legal votes rejected, an error in the counting of the votes, or for other good cause which will be shown, the question was approved, and these allegations, activities and errors are sufficient to change the result of the election, declare the question passed, cast a cloud on the election, or raise sufficient factual basis to declare the election void and invalid.

WHEREFORE, the Petitioner prays, in accordance with the provisions of N.J.S.A. 19:29-1, et seq., as follows:

A. That the Court issue an Order setting a suitable time and place for a hearing to review the objections set forth herein, not more than thirty (30) days or less than fifteen (15) days after the filing of this Petition, pursuant to N.J.S.A. 19:29-4;

B. That the Court designate a judge of the Superior Court assigned to Hudson County to hear and determine the case;

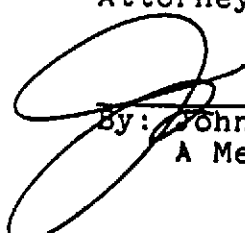
C. That at the hearing, the Court determine the malconduct, fraud or corruption, if any, the legality or illegality of any votes or voters that were cast, counted and canvassed in said election and such other grounds as made be presented at trial and issue a ruling on said allegations;

D. That the Court, after the hearing, either declare the question duly passed, or set aside the election and nullifying the results and order a new election;

E. That Petitioner, prior to the date set for hearing in this matter, shall be allowed to review and examine all books, papers, tallies, ballots, applications, envelopes, envelope flaps, signature copy registers, voting authorizations, messenger books, rejected absentee ballots and any other election material, records, reports, receipts or any other documents which may be in the possession, custody or control of any election official provided said examination occurs on notice to all interested persons and in the presence of appropriate officials.

F. Further, the Petitioner, on five (5) days notice to the Judge designated to hear this matter, may, take depositions of persons who participated in the election process, served as election officials or otherwise have knowledge or are believed to have knowledge that would lead to relevant information with regard to the matter set forth herein.

Carbone and Faasse  
Attorneys of Petitioner

  
By: John M. Carbone  
A Member of the Firm

Dated: August 17<sup>th</sup>, 1990.

VERIFICATION

I have read the Petition herein and state that its contents are true. I am a resident of the City of Hoboken, a registered voter therein and voted in the July 10th, 1990 election. I join in this application as a joint Petitioner. I am aware that if any of the foregoing statement made by me are willfully false, I am subject to punishment.

Name	Address	Signature
1. <u>Thomas P. Meenan</u>	<u>674 Wellhall St</u>	<u>Thomas P. Meenan</u>
2. <u>Thomas P. Meenan</u>	<u>110 Wellhall St</u>	<u>Thomas P. Meenan</u>
3. <u>John De Santis</u>	<u>1250 Gordon St</u>	<u>John De Santis</u>
4. <u>James J. Lombardi</u>	<u>1315 Gordon St</u>	<u>James J. Lombardi</u>
5. <u>LUZ MERCADO</u>	<u>4559 St. Art. 6E</u>	<u>Luz Mercado</u>
6. <u>Donia Cardona</u>	<u>320 Jackson St Apt 126</u>	<u>Donia Cardona</u>
7. <u>BENITO BERMEO</u>	<u>1203 W ST ST 5th</u>	<u>Benito Bermo</u>
8. <u>Peter J. Lopez</u>	<u>4150 5th St Hob. NJ</u>	<u>Peter J. Lopez</u>
9. <u>Frank Santillana</u>	<u>611 Broadway Hoboken</u>	<u>Frank Santillana</u>
10. <u>Frank Lopez</u>	<u>450 5th Street</u>	<u>Frank Lopez</u>
11. <u>Alvaro P. Pate</u>	<u>450 - 7 - 91 5th St</u>	<u>Alvaro P. Pate</u>
12. <u>Michael Pate</u>	<u>727 Adams St.</u>	<u>Michael Pate</u>
13. <u>Norma Lopez</u>	<u>332 Adams St.</u>	<u>Norma Lopez</u>
14. <u>Suzanne Warren</u>	<u>825 (Diver) Ave</u>	<u>Suzanne Warren</u>
15. <u>Frank Lopez</u>	<u>15 Church St</u>	<u>Frank Lopez</u>
16. <u>Thomas Lopez</u>	<u>10 Church Towers</u>	<u>Thomas Lopez</u>
17. <u>Thomas Lopez</u>	<u>629 Wellhall Ave.</u>	<u>Thomas Lopez</u>
18. <u>Thomas Lopez</u>	<u>209 Hoboken Ave</u>	<u>Thomas Lopez</u>
19. <u>Nichole Russo</u>	<u>10 Church Towers</u>	<u>Nichole Russo</u>
20. <u>Giua SARDELLA</u>	<u>412 Adams St.</u>	<u>Giua Sardella</u>