



State of New Jersey
Government Records Council
Request for Reconsideration

This form must be prepared and submitted to the Executive Director of the Government Records Council within ten (10) business days of your receipt of the Council's Decision for the matter you request be reconsidered pursuant to *N.J.A.C. 5:105-2.10*.¹ Forms not thoroughly completed will not be legally sufficient for reconsideration. Please submit the completed form to:

Executive Director
Government Records Council
101 S. Broad Street, P.O. Box 819
Trenton, NJ 08625-0819
Phone: (609) 292-6830
Fax: (609) 633-6337

Thomas Caggiano	v.	Borough of Stanhope	20 -
_____		_____	_____
COMPLAINANT		AGENCY	GRC Comp. #

- Final Decision

- Interim Decision DATE OF DECISION
Aug 30, 2010 Thomas Caggiano v.
Borough of Stanhope (Sussex) GRC
Complaint No. 2010-173

Reason for reconsideration (must check one or more):

- | | |
|---|--|
| <input checked="" type="checkbox"/> Mistake | <input type="checkbox"/> New Evidence ² |
| <input checked="" type="checkbox"/> Extraordinary Circumstances | <input type="checkbox"/> Change in Circumstances |
| <input checked="" type="checkbox"/> Fraud | <input checked="" type="checkbox"/> Illegality |

Explain in detail why the reason(s) checked above are applicable to this matter or attach a legal argument in support of the checked reason(s).

¹ For your convenience this provision of the Administrative Code may be found on the GRC website: www.nj.gov/grc/home/rules/pdf/Promulgated_Regulations.pdf

² This is evidence that could not have been provided prior to the Council's Decision because the evidence did not exist at that time.

I am a witness to the FBI, State Police Official Corruption, U.S.P.S. Inspection Service, Office of Attorney Ethics, ACJC and Department of Community Affairs Local Finance Board. I adopt in this VERIFIED CERTIFIED AFFIDAVIT the filed complaint of over 200 pages with adopted exhibits containing submissions by over 30 persons noting the fraud, trickery, conspiracy of the Borough of Stanhope as perjury was committed by the Mayor of Stanhope Diana Kuncken, the Laddey, Clark and Ryan LLC Borough Attorney Richard A. Stein, Esq in the malicious convictions of my on a petty disorder charge by Stanhope officials. In a filing of 13 Criminal Charges by the Borough of Stanhope officials and employees under Ind 08-09-316-I State v. Thomas Caggiano the malicious criminal charges were Dismissed with Prejudice.

Whereas the Sussex County Administrator has requested twice investigations of the Sherrif of Sussex County and the Sussex County Prosecutor's Office, the Department of Education's auditor and the Department of the New Jersey Attorney General's Fiscal Bureau have also requested criminal investigations, the newspapers have reported the corruption in the Borough of Stanhope in mailings to thousands of Sussex County resident's, the Office of Attorney General's former Director of Community Affairs Kim Ricketts notified the U.S. Attorney's Office, the Department of Law and Public Safety, and Director of Agriculture of 90 exhibits I submitted to the Board of Engineers and in recent mailings to me of Annual Financial Reports submitted to the Department of Local Government Services by Borough of Stanhope persons, false perjured data was provided to the Department of Local Government Services as noted in the complaint I filed to Beth Gates who provided me the evidence of the false submittals by John Cilo Jr., Scarlet Doyle and Eric Keller and that other persons who were falsely reported as Officials to the public in false, fraudulantly mailed News Bulletins, other reports such as P. David Zimmerman's Area in Need of Redevelopment did NOT submit Annual Financial Reports if he were an official but no record of any contract was provided by the Borough of Stanhope as its Mayor, Governing Body members, former Town administrator Teri Massood who admitted she destroyed Government Records in a former hearing before Judge Solomon, ALJ and that "executive court" record is adopted by reference.

Whereas all former District 24 State representatives requested criminal investigations and over 15 property owners requested investigations, including the Federal State Senator and Congressman, and several court administrators, deputy court administrators, town administrators are known to me to be reporting criminal conduct to the Department of Justice, the FBI and the State Police Official Corruption Bureau the findings by the GRC are in error, based upon fraudulent, malicious petty order convictions and court orders that are unconstitutional. Judicial Notice per R. 202 was provided in a filing by the court ordered attorney Robert Mattia, Esq. in motions to the Superior Court of Sussex County and the Sussex County Prosecutor's Office as violations of discovery by various State agencies, the courts have refused to provide court records and other State records, that the municipal appeal process is being also in violation of court rules and the constitution and in similar fashion to the prior Dismissal with Prejudice of the thirteen criminal charges by Stanhope officials, the forty or more convictions of me by Judge Dana who threatened witnesses in his court, did not allow witnesses appearing in his court in my defense to testify and issued sentences determined to be in violation of law as determined by the Superior Court in agreement with the State of New Jersey's Attorney General in the form of motions submitted by Robert Mattia, Esq. as my standby attorney under the municipal appeals which were agreed by Judge N. Peter Conforti, JSC that I was wrongfully imprisoned for 85 days and that Judge Dana, JMC repeatedly violated

court rules as was determined by the Superior Court in agreement with the Sussex County Prosecutor's Office, fraud, error, and failure by the GRC's corrupt executive director Catherine Starhill, Esq. and In-house lawyer Karyn Gordon and their accomplice the Office of Attorney General's Division of Law's GRC Debra Allen, Esq. are obvious per Rule 201(Notice of Facts) and by non-disclosure of relevant materials by the municipal prosecutor William Hinkes, Esq, who did NOT have a valid contract meeting the requirements of the Local Public Contracts Law. Whereas the District XA Ethics committee assigned an investigator for violation of the Rules of Professional Conduct by both the court's municipal prosecutor William Hinkes, Esq. and the Borough Attorney for Stanhope Richard Stein, Esq. but do to the severity of the violations, the State of New Jersey's Office of Attorney Ethics has taken over the investigation from the District XA Ethics Committee that was already commenced under Docket XA-10-018E.

Also do to the extent of the mail fraud, harrassment of my wife Kathryn Caggiano and myself in North Las Vegas, Nv the United States Postal Service Inspection Service which I was referred by the FBI in Nevada is so extensive its original investigation that was assigned to the State of Nv Las Vegas investigator's team leader Dan Brukaker under case 14933147 has now been reassigned to the AZ HQ U.S.P.S. Inspection Service as in addition to initial compliant and additional filing have now been provided to the Morris County Prosecutor's Office Bob Webber, the ACJC and the U.S.P. S. Inspection Service against the "Sister Township" of Stanhope the Borough of Netcong's municipal court Judge, its court administrator and its Chief of Police for threatening and harrassing letters sent by mail as the Township would NOT even permit Affidavits of Probable Causes to be filed in its court, threatened me when I submitted an OPRA request which will have a denial of access complaint filed as noted in the filing to the New Jersey Supreme Court's Advisory Committee on Judicial Conduct and three published ACJC complaints published by Inside on the Outside on the revised published web site <http://freedomnewsdigest.com> and <http://thomascaggiano.com> are adopted basis upon my personal knowledge and usable as evidence by the GRC in any hearing of reconsideration with other facts contained herein and other adopted by reference materials to prove the denial of access was willful, that the analysis by the GRC was in fact false and willful and negligent thereby violations of the Tort Claim Act exemptions, violation of the Rules of Professional Conduct by its lawyers.

The court order of a municipal judge can not violate the Constitutions of the United States of America, the constitutions of New Jersey as should be known by lawyers per the Code of Ethics which was violated. The Open Public Meetings Act, the Open Public Records Act can not have court orders issued by a municipal judge that violate these States as noted by Notice of Law and facts.

The court order cited by the GRC is based upon error as it also includes the court order that Judge Bozonelis, AJSC issued under the filed Docket SSX-L-847-07 filed by the Borough of Stanhope on Dec 18, 2007, 3:35 P.M. in Caption Borough of Stanhope v. Thomas Caggiano and GOVERNMENT RECORD COUNCIL. While there has never been any hearing with witnesses nor cross examination under oath the VERIFIED AFFIDAVIT submitted by the Borough of Stanhope is a perjured document, willfully deceptive violating the Rules of Ethics by Richard Stein, Esq. as noted below:

a. Item 7: On or about November 1, 2000, the Zoning Board of Adjustment of the Borough of Stanhope granted a variance to allow for the construction of a single-family

home at the premises designated as Block 10902, Lot 10. This is false in that a minor sub-division combining three separate lots on 10,11 and 12 was reconfigured to Block 10902 Lots 10 and 12 as lot 11 was eliminated and the homes of the sub-division were designated 2 and 6 Oak Drive.

b. Item 8: The Sussex County Soil Conservation District is the agency charged with the responsibility of approving the soil conservation measures for the development of any property in Sussex County. That is also false as single home developments are exempt from the State's Sussex County Soil Conservation District certification for development and in fact such as finding was issued by the State's Soil Conservation Committee by its executive director James Sadley on my successful third party appeal that the drawing that was filed by the developer E.N.F. Development Co. LLC was AFTER the first house was built and sold and that as noted by fifteen property owners the development was illegal. The PROJECT was NOT a single home as the three lot single home plan WAS REJECTED by the Board of Adjustment and a MINOR SUB-DIVISION was approved and placed into Deed Convents which the Borough has by its continuing fraud and trickery willfully deceived the courts.

c. Item 14: Attached hereto as Exhibit C is a letter from John H. Mahrer, Office of Regulatory Affairs, New Jersey Department of Community Affairs dated March 4, 2003 finding no wrong doing by government officials is also deceptive. Mr. Maher visited my home for 1 hour and contacted his superior Mr. Gerald Grayce to determine what course of actions should be taken by me and advised me contract the Office of Attorney General of New Jersey as the site plan was violated as he observed by looking at the Minor Sub-division but was NOT within his jurisdiction as the Borough Engineer and Mayor and Governing Body had the responsibility per Chap 100 Land Development for municipal laws and the State's Soil Conservation District was responsible for drawing changes in the State Soil Erosion and Sediment Control Plan for THE PROJECT. Whereas changes to the drawings were made, the developer violated both the State's Soil Erosion and Sediment Control Act and municipal laws but the DEP excellent Deputy Commissioner Lisa Jackson, who was always helpful, in fact was deceived by James Sadley in her initial request to him to assure the provisions of the General Wetland Permit that the DEP issued was complied and false deceptive statements were made by James Sadely. Then at my request, she had her designee on the State Soil Conservation Committee Larry Baier contact the Sussex County Soil Conservation District District Chair Clifford Lundin, Esq. and he also falsely informed Lisa Jackson's designee that the Project was developed per State Laws as NO certified Soil Erosion and Sediment Control Plan existed for the project and construction permits were issued based upon false representations by the Borough Engineer and the State of New Jersey which also had the Secretary of Agriculture contacted by the home owner of 6 Oak Drive who asked if his home, part of a subdivision was built per State law and he was also falsely told by the State and the Borough and the Department of Community Affairs that the certificate of occupancy issued by the Borough of Stanhope used by the Developer was in fact FALSE based upon fraud and trickery by the State and municipality in a conspiracy that continues with more threats and illegal court findings.

As noted in the Transcript of Motion, Mar 14, 2009 before the dishonorable B. Theodore Bozonelis, A.J.S.C. on a changed Docket caption Borough of Stanhope vs. Thomas Caggiano which was originally against the GRC in fact as a stay request on transferring Denials of Access to the Office of Administrative Law,

As noted on page 45

Mr. Caggiano: Your Honor, may I make some comments on what you just read?

THE COURT: I -- I'm not finding taht all of these allegations are true? I'm just indicat- ing and dealing with temporary restraints today.

In violaltion of the Constitution for a speedy trial, Judge Bozonelis, A.J.S.C. stated a hearing would be held in several weeks but in fact NO hearing has ever been held since Mar 14, 2008.

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The COURT: But I don't have enough information today for me to be granting some blanket ban on a citizen to make OPRA requests. I don't even have information as to how these 800 requests were mae.

Mr. Caggiano: You have NO CLUE of that number.

THE COURT: That's correct. That's what I'm saying. Right. And I don't have that proof in front of me in that regard, and you're absolutely right. That's why I'm NOT putting any restraint in that regrad. Okay? Other ten, Mr. Caggiano, if your going to make an OPRA request, it's got to be done by mail.

Whereas the Judge Bozonelis court order is embeded in both the Judge Dana court order and the Judge Conforti, JSC court order as NOTED by the Vicinage Assignment Judge's court order I have the right to issue an OPRA request which the Borough by deceit and fraud has denied.

Page 65: Line 14:

The COURT: I think what Stanhope is saying is that was among their alelgation of 800 ORPA requests that you --

Mr. Caggiano: No. They never provided an answer to any one of them ever.

The COURT: Well, that's before the Office of Adminstrative Law. UNDERSTAND THAT I DID NOT - - I AM NOT inposing any type of restraint.

The COURT: Line 22: And Stanhope is going to have to decide whether it's going to seek relief in terms of its allegation, and as Mr. Caggiano said, I don't have proof that there's 800 OPRA requests.

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Mr. Caggiano: Your honor, I would like to read two sentences from what I have 17 cop- ies of (OAL court orders)

THE COURT: All right. Go ahead, Mr. Caggiano.

Mr. CAGGIANO: This is direction to me. "All of discovery must be completed ten days before the hearing (Office of Administrative Law on Denial of Access by Stanhope Thomas Caggiano on Denials of Access sent to OAL) Therefore, the parties must immediately begin to exchange information, to seek access to public documents, to exhaust other informal means of obtaining information, to seek access to obtaining information, and if necessary to serve discovery notices and motions" The Borough of Stanhope refuses to completely comply with that direction. That's when they started filing all these charges against me.

The COURT: That's the Office of Administrative Law

Mr. Caggiano: That's the Office of Administrative Law directions to me on each of the 17 items. The basis of the initial docket a stay request NOT temporary restraining orders on a change Caption that the GRC has conspired with the Courts as noted on the Transcript record itself by the Court.

Whereas noted on the Transcript record above, the Borough provided NO evidence. The Assignment Judge for the Vinicage ordered the Borough to respond to my written OPRA requests any such order as stated by the GRC is baseless and as stated by its corrupt Borough Attorney Richard Stein who falsely stated ALL 800 OPRA requests were ALL on Zoning.

As noted a person has freedom of religion in this county and as noted on Sep 13, 2007, I sent a letter to the Mayor which had written on it, "I suggest you immediately resign, seek the forgiveness of God and the sacrament of reconciliation".

and in closing page 61, line 10:

The Court: Finally, I think the only item I did not address are the OPRA requests. Now in that regard, there are matters pending right now as I understand it before the Office of Administrative Law. Stanhope's goint to have to decide whether they wish to consolidate matters...

So if he's making an OPRA request, he's got to do it by mail (Violates OPRA and Appellate Court decisions), he's got to do it by mail **AND THEN THE TOWN WILL HAVE TO REPEND TO IT.**

Whereas I have requested copies of deeds, tax records, property record cards the Borough has also violated Judge Dana's and Judge Conforti's court orders in addition to the Vicinage Assignment Judge's court order, State law on the OPRA which permits felons to submit OPRA document requests and for court orders issued by the Office of Administrative Law which the Borough has also ignored as Richard Stein, Esq. has lied, committed perjury on a constant basis for 10 years and whereas so many investigations are proceeding for mail fraud, trickery, I believe a hearing is needed NOT a statment by the corrupt executive director Catherine Starghill, Esq who herself committed perjury in Trenton's municipal court and with the GRC has conspired to defraud the public for years.

I adopted by reference all records in the Dimissed Criminal Indictment filed by the Borough of Stanhope officials and employees that was Dimissed with Prejudice and whereas all fines, all probation were removed on the forty petty disorder convictions by the lies by the Mayor of Stanhope Diana Kuncken and the continuous lies and perjury by Richard Stein who falsely told Judge Dana that all copies of all documents I requested were provided. If such as statement were true. The GRC would have such proof in its own 8 month interim order investigation of the Borough of Stanhope but instead has engaged in a planned, orchestrated, agreed upon conspiracy to protect the Borough of Stanhope and other State agencies including itself that has denied access to Govt records.

As noted on the Record, Judge Dana's court even refused to provide copies of its own court records and the Trenton Municipal court had to be ordered by Judge Ostrer, JSC to provide its own court records of its malicious petty order conviction that is still under municipal appeal years later in violation of my constitutional rights for a speedy trial.

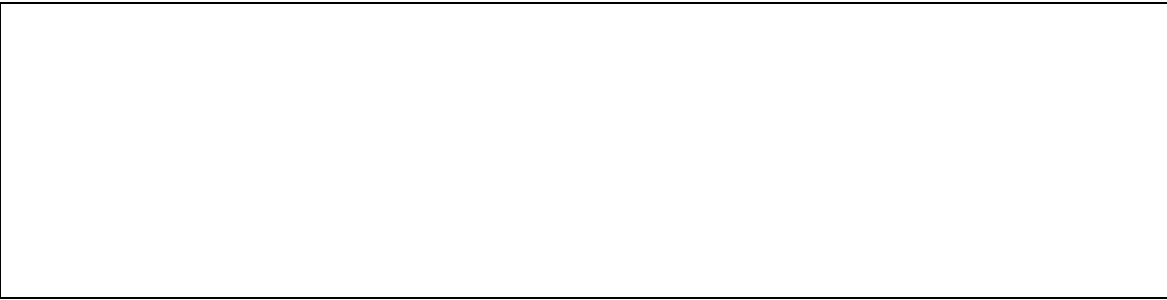
The so called temporary order by Judge Bozonelis, A.J.S.C. embedded in Judge Conforti's court order and Judge Dana's court order directs the Borough to respond to OPRA requests which it has denied willfully to prevent detection and apprehension of its criminal racketeering enterprise for as shown in over 200 pages of submittals to the Department of Community Affairs under the State's Ethics laws, the Borough has violated those laws by submitting false perjured documents to the Department of Community Affairs and has not submitted any records of P. David Zimmerman, a professional planner who for years in published reports, official town council and Land Use Board meetings falsely stated he WAS an official of Stanhope having submitted NO reports to the Department of Community Affairs annually if he were such an authorized person.

To conclude whereas as direct orders were provided the Vicinage Assignment Judge to the Borough of Stanhope in a Docket that originated against the GRC itself as in fact on the court record I agreed with the Borough of Stanhope that hearings should have been conducted by the GRC in the Department of Community Affairs NOT having a citizen, without any benefit as the civil fines go to the State of New Jersey per OPRA that a citizen should NOT have to become a lawyer, understand OAL court rules, subpoena witnesses at their costs, spend hundreds of hours to have denial of access wherein the State gains financial benefit and the taxpayers and person submitting the claim get no justice as their expenses, time are NOT reimbursed and if an appeal is need to the Appellate court the costs for copies of transcripts and CD ROM needed copies can be in the thousands of dollars as the copies are NOT per OPRA but other court rules which can make a CD ROM copy not cost \$10 but \$10,000 or more. I suggest the Department of Community Affairs seek to have that law changed so that the OPRA process is functional as it is now a dysfunctional operating procedure of NOT transparency but of corruption.

I certify the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false that I am subject to punishment.

Signed electronically Thomas Caggiano

Publisher <http://thomascaggiano.com/tyrannyexposed.pdf> which is adopted as a referenced exhibit hereto this request for reconsideration.



ATTACH ADDITIONAL PAGES IF NECESSARY

BY SIGNING THIS REQUEST FOR RECONSIDERATION, I AFFIRM THAT:

- THE INFORMATION I HAVE PROVIDED IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF; AND
- ANY DOCUMENTATION SUBMITTED IN SUPPORT OF THIS RECONSIDERATION IS A TRUE COPY; AND
- I WILL SERVE A COPY OF ALL PAGES OF THIS REQUEST FOR RECONSIDERATION ON ALL PARTIES SIMULTANEOUSLY; AND
- I AM FILING THIS REQUEST FOR RECONSIDERATION WITHIN THE TIME ALLOWED UNDER N.J.A.C. 5:105-2.10.
- This is A VERIFIED CERTIFIED AFFIDAVIT based upon my personal knowledge, its includes court transcript records and can be used as evidence in courts per N.J. Rules of Evidence
-

Thomas Caggiano

Thomas Caggiano	v.	Signed electronically	Sep 9, 2010
_____ Printed Name		_____ Signature	_____ Date

FOR GRC USE ONLY BELOW THIS LINE

GRC Rec'd Date Stamp

- Granted - This matter will be scheduled for reconsideration as soon as practicable
- Denied

_____ Catherine Starghill, Esq. Executive Director	_____ Date
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