

ELECTIONS

Lechatchila Aribber

2 IYAR, 5766

Tiferes SheBeTiferes

VOTE

At the Kingston Ave entrance to
770, at the side of the Ladies Shul,
(Tifferes Zíkeininim Levi Yitzchak)

8am - 11pm

APRIL 30, 2006

THE OVERWHELMING IMPORTANCE ATTACHED BY THE REBBE TO THE RABBONIM'S ELECTION

Parshas Mishpotim, Erev Rosh Chodesh Adar, 1987

Points made by the Rebbe:

Every Person was asked to participate in the elections

The overwhelming majority, answered this call

They all came to a holy site, the Beis Medrash, and particularly to the Rebbe's shul

This conveys and grants to the elected Rabbonim an outstanding strong power that is unsurpassed.

לעומת זאת — מהקהילות היחידות שבהם נבחרו הרבנים ע"י הציבור כולו, הרי זו קהילת "קראון־הייטס", שכל אנשי הקהילה נקראו להשתתף אישית בבחירות, ורובא דרובא נענו לקריאה זו, ובאו כולם למקום קדוש, בית־הכנסת ובית־המדרש, ובמיוחד — ביהכ"נ וביהמ"ד של כ"ק מו"ח אדמו"ר נשיא דורנו, ושם בחרו בעצמם את הרבנים — עובדה שמעניקה לרבנים תוקף הכי חזק שאין למעלה ממנו.

There is but 1 Torah, and 1 Shulchan Aruch.

1 Beis Din, 1 Voice.

No Agenda.

Rabbi Light, went to Rabbi Mangel on Wednesday, April 26 as a representative of the Vaad Hakohol, and spend an hour talking to Rabbi Mangel and trying to convince Rabbi Mangel to run on the Sunday elections. Rabbi Mangel's answer to Rabbi Light, was "No Comment", which the Vaad Hakohol considered a refusal.

Unfortunately, there are no other candidates at this time that are willing to put their name on the ballot. Rabbi Mangel, Rabbi Levi Garelik and Rabbi Bell were all approached and asked to run. To go about saying this is all one sided is just deceitful and it is done just to foment more machloket in the community.

By electing any or all of the 3 Rabbonim, according to your choice, you will give the Beis Din the power to have a clear majority.

This will be a start of a new positive era, where the Beis Din can implement whatever needs to be implemented and correct what has to be corrected.

What is even more important is that our kids will hear clearly one voice, and not be confused whether to say one brocho or 2 on erev Pesach.

ועד הקהל דשכונת קראון הייטס

VAAD HAKOHOL
OF CROWN HEIGHTS

כאן צוה ד' את הברכה



ב"סד

בד"צ דק"ר קראון הייטס
ברוקלין, נ.י.

To: All members of Crown Heights ANASH
From: Crown Heights Jewish Community Council
Subject: Beis Din Election this coming Sunday IY"H

We are pleased to announce that the elections for additional Rabbonim to the Crown Heights Beis Din will take place IY'H as scheduled this coming Sunday, 2 Iyar (April 30th.)

We are indeed fortunate that the election will be managed and monitored by a large contingent of Netzigim including, but not limited to, Benny Raskin, Moishe Haber, Alexander Weiss and Yossel Reices as well as by the highly respected Election Services Corporation.

The Election Services Corporation has been contracted to monitor the election process and assure absolute integrity to the entire process. Their credibility and reporting will hold up in any Beis Din or civil court, should such testimony ever be required.

In order to avoid any partisanship, and to help bring an end to the needless disharmony that currently prevails, the Vaad Hakohol is using its authority to initiate these elections without seeking approvals from current Rabbonim. At the time Rav Marlow and Rav Osdoba were elected together with Rabbi Chanzin, the Rebbe told Rav Chanzin to stay in Israel. The Rebbe said then, that both Rabbonim should not be involved in the election for the third Rav or in deciding who the Rabbonim on the ballot would be.

The candidates for Rabbonim are:

Rav Yitzchok Raitport, shlita
Rav Shlomo Yehuda Halevi Segal, shlita
Ravi Yitzchok Zirkind, shlita

We are currently working with more Rabbonim as potential candidates.

Voters have the option of voting for one, two or three candidates.

Each candidate who garners votes from more than 50% of the qualified ballots cast will become a *Chaver Beis Din Tzedek* of Crown Heights.

Your participation in this election is vital. The quality and composition of the Beis Din affects every one of us directly and indirectly – and no one is more important than you.

This is your opportunity to help heal the wounds of the past and set our Beis Din back on track *l'shem ule'tiferes*. Make sure your voice is heard this Sunday.

Bivracha,



יושב ראש
בשם הוועד הקהל

Elections will be held:

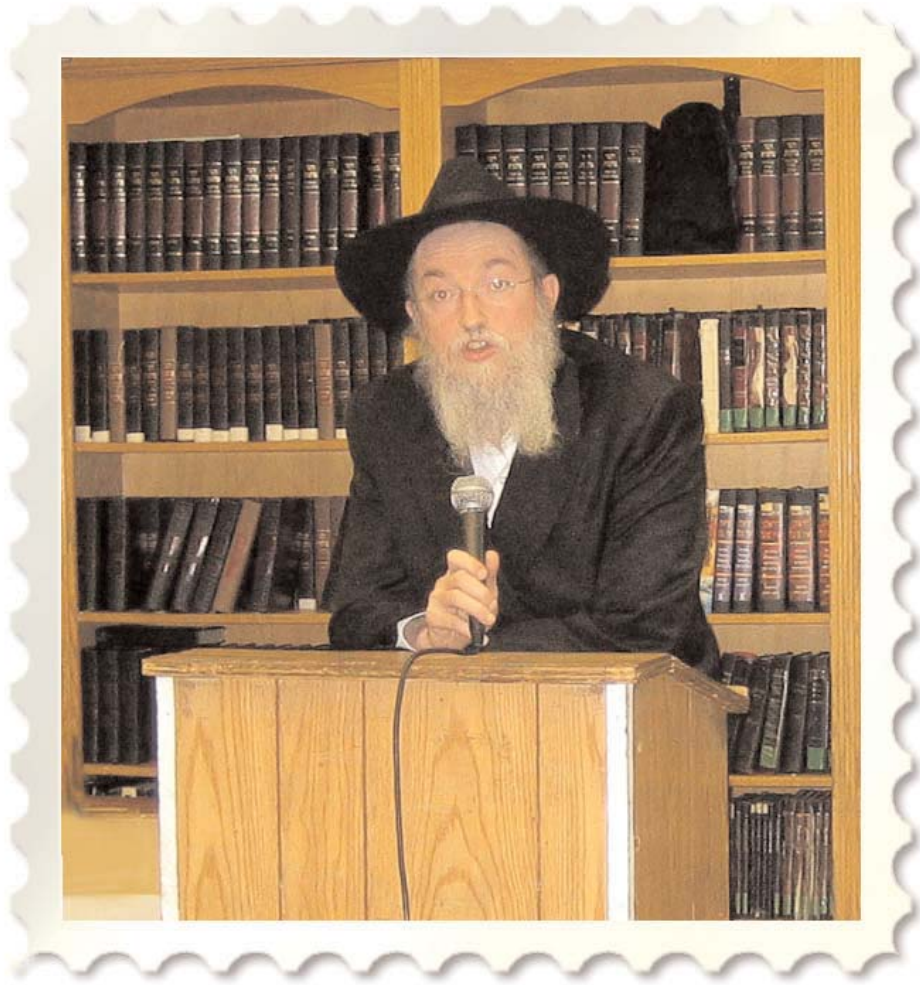
At the Kingston Ave entrance to 770, at the side of the Ladies Shul,
(Tifferes Z'keinim Levi Yitzchak)

8am to 11pm



Rabbi Yitzchok Raitport is respected worldwide as a Posek, Gaon and Talmid Chacham. Rav Reitport is the author of many Sefarim on the Rambam and Halacha.

The Rebbe paid for the publication of Rav Raitports' first Sefer and wrote a haskama for the Sefer as well. The Rebbe publicly called Rav Raitport a Posek!



Rabbi Shlomo Yehuda Halevi Segal is a beloved Rosh Yeshiva in Oholei Torah, well known for his straight mind and smooth approach to Paskening Dinei Torah. Rav Segal was recommended by the late Rav Aizik Schwei Z"l, the Rav and Rosh Yeshiva in Montreal (brother of Rav Yaacov Schwei), over 20 years ago, as a great future Rav. Rav Segal was originally invited by Rav Yaacov Schwei to join in assisting the Beth Din in paskening Shaylos and sitting in on Dinei Torah and was consequently accepted by Rav Osdoba as well.

For many years he has assisted all the Rabbonim of the Crown Heights Beth Din in Paskening Shaylos and in Dinei Torah.



Rabbi Yitzchok Zirkind comes from the well known Zirkind family A/K/A as a Halacha family. Rabbi Zirkind is also the son-in-law of Harav Yitzchok Dovid Groner, Rav and Shliach in Melbourne Australia. Rav Zirkind is well known as a big Talmid Chacham especially in the field of Halacha.

For many years he has assisted all the Rabbonim of the Crown Heights Beth Din in Paskening Shaylos and in Dinei Torah.

בס"ד

הרב אברהם אודאבא
מרא דאתרא וחבר הבר"צ דק"ק קראון הייטס

Rabbi Avrohom Osdoba

602 Montgomery Street
Brooklyn, NY 11225
(718) 771-8737

A Beis Din has only one agenda, the Shulchan Aruch, unfortunately recently, in the last couple of years the Beis Din has not been functioning. The solution is, we need more Rabbonim to help us out. Therefore, I approve the elections scheduled this Sunday, and I definitely do not think it should be delayed. Anyone who wishes to delay this election, is only trying to introduce confusion and undermine the whole issue.

I feel this election is necessary to restore unity and functionality to our Beis Din. I have no personal agenda. On the contrary, what do I need this election for, personally? As the situation is now, there is only one other Rov, afterwards I will just be one of several, but I only want to see a functioning Beis Din Al pi Shulchan Aruch, therefore I am willing to do it. On the contrary, I welcome advice and help from the other Rabbonim. If the Beis Din is united, then all else will follow. The Vaad Hakohol will be united, the Netzigim will be united, and the community will be united.

Avrohom Osdoba
Mora D'Asra and
Chaver Beis Din Tzedek of Crown Heights

בס"ד

הרב אברהם אזדאבא
מרא דאתרא וחבר הבד"צ דק"ק קראון הייטס

Rabbi Avrohom Osdoba

602 Montgomery Street
 Brooklyn, NY 11225
 (718) 771-8737

יום חמישי ערב ראש חודש אייר, ה'תשס"ו

לכל תושבי שכונתנו שיחיו כאן צוה ה' את הברכה

כידוע אשר ביום ראשון תפארת שבתפארת ב' אייר הבעל"ט יתקיימו בחירות לרבנים שיצטרפו כחברים בהבד"צ בעז"ה, ע"י בחירות מכל תושבי השכונה (הראויים לבחור) והרי ידועה השיחה הקדושה בקשר עם הבחירות דשנת תשמ"ו (לקו"ש חלק כח עמ' 255)

עצם ענין הבחירות הוא דבר טוב מאד, ומבקש אני מכל אחד ואחד הזכאי לבחור שיצא ויבחר לשם שמים והקב"ה יעזור שהבד"צ יחזור להיות לשם ולתפארת, כיום הוסדר.

מובן שחברי ועד הקהל (ביחד עם הנציגים) הביאו בפני את רשימת המועמדים ולאחר שעברתי על השמות ראיתי שהם אותם ששימשו בבד"צ בעבר.

כל אלו שמטרתם לעצור את הבחירות ולהשאיר את המצב של הבד"צ לב"ד חלוק ולהבעיר אש המחלוקת הם בגדר הולכי רכיל וגוי ואל לנו לשמוע את הדברי ריק שלהם אלא על כולנו לצאת ולבחור כפי רצונו הקדוש של נשיא דורנו שלא יהיו פחות מג' דיינים המבואר בארוכה בשיחה הנ"ל, וכידוע לכל בר-ישראל שב"ד הוא הרכב של (לכל הפחות) ג' רבנים.

והי יברך את עמו בשלום

אברהם אזדאבא

מרא דאתרא וחבר הבד"צ

בס"ד

הרב אברהם אודאבא
מרא דאתרא וחבר הכר"צ דק"ק קראון הייטס

Rabbi Avrohom Osdoba

602 Montgomery Street
Brooklyn, NY 11225
(718) 771-8737

Free Translation

Erev Rosh Chodesh Iyar, 5766

To all residents of our Shchuna, may they live & be well,

As is public knowledge on this coming Sunday, Tifferes Shebetifferes, the second day of Iyar, may it be an auspicious hour, elections to choose additional Rabbonim to become members of the Beis Din will be held by eligible voters of our Shchuna. As it is written in the Sicha Kdoisha in connection with the elections of 1986, Likutei Sichos 28 pg 255.

The election itself is a very positive thing and I am requesting from each and every person who is eligible to vote to go out and vote for the sake of Heaven, and the Almighty will surely assist in the beautiful development of our community.

Understandably the members of the Vaad Hakohol (in conjunction with the Netzigim) presented to me the list of candidates and after reviewing the names I saw that they had previously worked in this BeDaTz, and I pronounce that each of the candidates is fully qualified to bear the title of Rav and member of the Beis Din.

All those whose purpose is to halt the elections and to perpetuate the flames of discord, are in the category of slanderers and let us not listen to their empty words, but it is incumbent on all of us to go out and vote – as is the Holy will of the Nossi of our generation that it be a Beis Din of not less than 3 Rabbonim, in accordance with the previously mentioned Sicha.

As is known to every Jew that a Beis Din should be made up of (no less than) 3 Rabbonim.

And the Almighty should Bless His nation with peace,

יְהוָה יְבָרֵךְ אֶתְּכֶם וְאֶתְּרַבְּבְכֶם

Avrohom Osdoba

Mora d'Asra and Chaver Beis Din Tzedek

*Election Services Corporation***SAMPLE BALLOT****CROWN HEIGHTS JEWISH COMMUNITY COUNCIL****ELECTION FOR CHAVER, BEIS DIN TZEDEK OF CROWN HEIGHTS****VOTING BY MALE MEMBERS ONLY****POLLS WILL BE OPEN FROM 8AM TO 11PM ON SUNDAY APRIL 30, 2006
KINGSTON AVENUE ENTRANCE TO 770, AT THE SIDE OF THE LADIES SHUL
(TIFFERES Z'KEINIM LEVI YITZCHAK)****IMPORTANT MESSAGE-PLEASE READ BEFORE VOTING****THE ELECTION IS BEING SUPERVISED AND THE RESULTS
CERTIFIED BY ELECTION SERVICES CORPORATION, AN
INDEPENDENT THIRD PARTY VENDOR. YOU MUST
PRESENT VALID IDENTIFICATION (DRIVER'S LICENSE OR
SIMILAR) TO VOTE.**

1. READ THIS BALLOT CAREFULLY BEFORE VOTING. FILL IN THE "O" OR PLACE AN "X" MARK IN THE CIRCLE NEXT TO THE NAME(S) OF THE CANDIDATE(S) OF YOUR CHOICE. NO OTHER MARK SHOULD BE USED.
2. YOU CAN VOTE FOR UP TO THREE (3) CANDIDATES. YOU DO NOT HAVE TO VOTE FOR THREE, YOU MAY VOTE FOR ONE CHOICE OR TWO CHOICES OR THREE CHOICES. IF YOU VOTE FOR MORE THAN THREE (3) CHOICES, YOUR BALLOT WILL BE VOID.
3. CANDIDATES RECEIVING MORE THAN 50% OF THE TOTAL NUMBER OF VALID VOTES CAST WILL BE DECLARED TO BE A WINNER.
4. YOU MUST VOTE INSIDE THE VOTING BOOTH. PLACE VOTED BALLOT INSIDE BALLOT BOX AND EXIT THE POLLING AREA.
5. YOU MUST NOT DISCUSS YOUR VOTE WITH ANY FELLOW MEMBER IN THE BUILDING.

**DO NOT SIGN YOUR NAME OR PLACE ANY IDENTIFYING MARKS ON THIS BALLOT.
YOUR VOTE IS SECRET. PLEASE ASK ELECTION SERVICES CORPORATION
PERSONNEL FOR ASSISTANCE AND NOT FELLOW MEMBERS.**

CHAVER, BEIS DIN TZEDEK OF CROWN HEIGHTS**(VOTE FOR UP TO THREE (3) CHOICES)**

- 1 RAV YITZCHOK RAITPORT, SHLITA
- 2 RAV SHLOMO YEHUDA HALEVI SEGAL, SHLITA
- 3 RAV YITZCHOK ZIRKIND, SHLITA

טופס הצבעה לדוגמא
בחירות לחבר של בית דין צדק דקראון הייטס

הודעה חשובה – נא לקרוא לפני ההצבעה

הבחירות הן תחת הפיקוח של ELECTION SERVICES CORPORATION חברה עצמאית מבחוץ והתוצאות יאושרו על ידם. עליך להוכיח זהותך (רשיון נהיגה וכדומה) על-מנת להצביע. אם שמך לא מופיע ברשימת הבוחרים אתה מוכרח להוכיח שהנך:

- (א) גבר נשוי וגר בקראון הייטס או
(ב) גבר מעל גיל שלושים וגר בקראון הייטס

על-מנת להוכיח שהנך גר בקראון הייטס עליך להופיע ב"צא"ח ליסט" או להביא חשבון חשמל וכדומה על שמך.

- 1) קרא את טופס ההצבעה בזהירות לפני ההצבעה. סמן את בחירתך על ידי מילוי העיגול (כך ●) או סמן X או בתוך העיגול על יד שם(ות) המועמד(ים) כפי בחירתך. אין להשתמש בשום סימן אחר על-מנת לבחור.
- 2) אפשר לבחור במועמד אחד, בשנים או בשלשה מועמדים. אם תצביע בעד יותר משלשה. הצבעתך תיפסל. טופס הצבעה ריק יפסל גם-כן. הטפסים הפסולים לא יחשבו במנין.
- 3) מועמד(ים) שיקבל(ו) מעל חמישים אחוז מהקולות הכשרים יוכרזו כחברים מלאים בבד"צ דקראון הייטס.
- 4) יש להצביע אך ורק בתוך הקלפי. שים את טופס ההצבעה בתוך קופסת ההצבעה וצא משטח הקלפי.
- 5) אין לדבר עם איש אודות הצבעתך בתוך איזור ההצבעה.

אין לחתום או לסמן שום דבר נוסף על טופס ההצבעה. ההצבעה היא חשאית.

ELECTION SERVICES CORPORATION אם אתה צריך עזרה בקש מצוות
ולא מאף אחד אחר.

בחר בחבר(ים) נוספ(ים) בבית דין צדק דקראון הייטס
יש לבחור באחד, בשנים או בשלשה

- 1) הרב יצחק רייטפארט שליט"א
- 2) הרב שלמה יהודה הלוי סגל שליט"א
- 3) הרב יצחק זירקינד שליט"א

ב"ה

הצהרה

**בקשר לבחירות הרבנים להבד"צ דשכונת קראון הייטס כאן צוה ה' את הברכה
ביום א' אחרי-קדושים, ב' אייר ת"ת שבת"ת תשס"ו (04-30-06)**

**עם היות שהדברים דלקמן הם דברים הכי פשוטים, בכל זאת בכדי למנוע אי-הבנות הננו מוצאים לנכון
להצהיר שעל תנאים אלו אנו מצביעים:**

- א. בזה שכבוד תורתו מקבל עליו את המינוי לרב מרא דאתרא וחבר הבית דין צדק דקהילה קדישא קהילת קראון הייטס כאן צוה ה' את הברכה, ה"ה מקבל ע"ע את התנאים דלהלן:
 - ב. מהנכון שבין הרבנים הנבחרים שליט"א תשרור יחס של כבוד הדדי ובמיוחד להרבנים הותיקים (ולפי סדר כניסתם להבד"צ) הרבנים הגאונים אזדאבא, העלער ושווי שליט"א.
- זהו תוכן משמעות הבחירות
- ג. כידוע דתפקידם/גדרם של רבנים מתחלקים לארבעה חלקים כלליים. א) שאלות ב) דיני תורה ג) קבלת אחריות (מהרבנים על הקהילה וענייני) ד) קבלת מרות (של הרבנים מהציבור)
 - ד. ואם היות שבשביל א' או ב' לא צריכים בחירות (לד"ת מספיק קבלת-קנין משני הצדדין ובשביל שאלות לא צריכים כלום) את הבחירות לרבנים מקיימים רק בשביל השנים האחרונים כני"ל (אחריות ומרות).
 - ה. בכל זאת הוא מקבל ע"ע ג"כ לשרת את הקהל בשני האופנים הראשונים (שאלות ודיני תורה) במשך שעות וזמנים מסוימים כפי אשר יתדבר כל רב נבחר בפני עצמו עם ראשי הציבור ופרנסיו -ה"ה חברי הועד-קהל – כל הפרטים של הזמנים והמשכורת וכו'.
 - ו. מקבלים ע"ע להפגש מפעם לפעם בזמנים קבועים דהיינו פעם בשבועיים בכל ליל רביעי בשעה תשע בערב לדון בכל ענייני הקהלה ולהחליט עליהם.
 - ז. בפעם הראשונה אחרי גמר בחירות כל הרבנים תתקיים האסיפה ביום הרביעי הכי קרוב להבחירות, בשעה תשע בערב באולם האסיפות של משרד הבד"צ.
 - ח. המוזמנים הם הנבחרים החדשים ביחד עם הרבנים אזדאבא, העלער ושווי שליט"א.
 - ט. בכל אסיפה ישמש בתור יושב ראש האסיפה אחד מהרבנים אסיפה אחר אסיפה לפי סדר ה א-ב של התחלת שמותם (באסיפה הראשונה ישמש יו"ר הרב אזדאבא שליט"א).
 - י. בכל אסיפה צ"ל ג"כ מזכיר שרושם ראשי פרקים מהאסיפה (המזכיר יכול להיות אחד מהרבנים או מישהו אחר כפי החלטת (רוב דעות של) הרבנים). רב שלא נכח באסיפה מאיזה טעם שיהי על הרבנים התברים הנבחרים שנמצאים על אתר להחליט בזה.
 - יא. כל דבר שמחייב את הציבור כמו כל כרוז, תקנה, גזירה, גלוי דעת, בירור הלכה או פסק דין, וכן החלטה למנות דיינים חדשים (בשביל: א. שאלות ב. דיני תורה כני"ל סעיף ג') וכן כל ענייני ההכשר וכן למנות מזכיר הבי"ד, כל זה צ"ל ע"פ החלטת רובם של חברי הבד"צ (אלו שנבחרו ע"י הצבור)
 - יב. רב אחד (או מיעוט מהבד"צ) שמוציא כרוז וכו' וכיו"ב אין על הקהל שום התחייבות מזה.
 - יג. כל מינוי של דין חדש (שאלות ודיני תורה) כני"ל סעיף י"א הרי הוא בעצם הסכמה של חברי הבד"צ (הנבחרים) שהדין החדש הוא ראוי להיות מועמד (קאנדידאט) בשביל בחירות בשביל הבד"צ (שאלות, ד"ת, אחריות ומרות כני"ל סעיף ג') שיתקיימו בעתיד. כאשר יתקיימו.
 - יד. הסעיפים הנ"ל (ו, ז, ט, יו"ד) יכולים להשתנות בהתאם להחלטת (רוב) חברי הבד"צ (הנבחרים) והם משמשים רק בתור הצעת קו התחלת העבודה של הבד"צ אחר הבחירות.

BS"D

Declaration

Regarding the election of the Rabbonim to the Bais Din Tzedek of the Crown Heights Community, **כאן צוה ד' את הברכה** on Sunday the 2nd Iyar 5766 (4/30/06)

Even if the content below is straightforward, nevertheless we wish to prevent possible misunderstandings about our intentions, and intended words, therefore we are explaining at length the following conditions: (these are the conditions we have in mind when voting for the Rabbonim)

1. By accepting upon himself the nomination for Rav, Mara D'Asra and member of the Bais Din Tzedek of the holy community of Crown Heights, the distinguished Rabbi agrees to the following conditions:
2. It is expected that the elected Rabbonim conduct themselves with mutual respect and in particular towards the incumbent Rabbonim, the esteemed Rabbis Osdoba, Heller and Schwei Shlita (listed in the sequence of their entry to the BaDaTz).
3. The responsibilities of the Rabbanim fall into four general functions:
 - A) Respond to Shaalos
 - B) Participate in Dinei Torah
 - C) Acceptance of Responsibility (on the Rav for the community)
 - D) Acceptance of Authority (of the Rav by the community).
4. Since for functions A and B no election is necessary - as for Dinei Torah only a mutual acceptance is needed and for Shaalos there is no pre-requisite - the election is being conducted for the last two functions (Acceptance of Responsibility and Authority).
5. Nevertheless, the candidate accepts upon himself to also serve the first two functions - namely responding to Shaalos and participating in Dinei Torah - for certain hours and periods in according to what each elected Rav will agree with the heads of the community and supporters - the members of the Vaad HaKohol - the details of hours of service and compensation.
6. The candidates accept upon themselves to meet every second Wednesday evening at 9 PM to discuss and rule on community issues.
7. Following the conclusion of the election the first meeting will take place on the first Wednesday at 9 PM in the Conference Room of the Rabbonim offices.
8. Invited to this meeting are the newly elected Rabbonim along with Rabbis Osdoba, Heller and Schwei Shlita.
9. The chair of these meetings should rotate alphabetically (in Alef-Beis sequence) corresponding to each Rav's family name. (Accordingly, Rav Osdoba will serve as

chairman for the first meeting.)

10. Each meeting should have a secretary that records the minutes. (The secretary may be one of the Rabbonim or someone appointed by a majority decision of the Rabbonim.) If a Rov is absent from any meeting because of any reason, it is then up to the present members to reach a decision what to do.
11. Any obligation on the community like any Halachic clarification, Bais Din ruling, any decision to appoint additional Dayanim (to handle Shaalos and Dinei Torah), all Kashrus issues and the appointment of a Bais Din secretary all have to be decided by a majority decision of the publicly elected members of the Bais Din.
12. If a single Rav (or a minority of the Bais Din) issues a ruling that contradicts the majority opinion of the Bais Din there is no obligation on the community to abide by this ruling.
13. The appointment of any new Dayan (to handle Shaalos and Dinei Torah) implies the Bais Din's acceptance of the new Dayan as a qualified candidate in any future elections for Rabbonim.
14. Articles 6 through 10 are subject to modification by a majority vote of the elected members of the Bais Din. They are listed here merely as a framework to follow immediately following the election.

A timely note from a former chairman of the Vaad Hakohol of Crown Heights:

To: Anash of Crown Heights
From: NUCHIE Gross

Subject: The importance of voting for Dayanim/Rabbonim this Sunday

As a former member of the Vaad Hakohol during the last election and as someone who cares deeply about every member of the community, I am pleading with every eligible voter to make sure you vote on Sunday.

Once upon a time Crown Heights could boast of a peerless Beis Din comprised of Dayanim who had no political or personal agenda, and whose only concern was the well-being of every man, woman and child in our shchunah whose importance extends throughout the world

Sadly, of the three gedolim who served with such seamless integrity and had the brocho of the Rebbe, only Rav Osdoba remains -- clinging steadfastly to an integrity that rises above political considerations, and serves no master but the Ribono shel Olam.

And I speak as one who suffered personally because of Rav Osdoba's psak, but it was a psak that had no hint of corruption and no scintilla of power politics or personal gain (this is not the time to elaborate.)

Right now our community is in trouble. Our youth are confused, and more and more are going off the derech. And not just our young -- entire families are adrift with nowhere to turn for guidance and help. The example being set by the current matzav in our Beis Din is causing unprecedented destruction and breakdown among our neighbors.

Sadly there are a handful of corrupt yechidim in our community who have long desired to control our Beis Din because they view it as a key to personal, political and material power. And the only way they can enjoy such power is by having their influence over Dayanim who bend to their will.

These individuals are manipulating some Rabbonim in order to derail this Sunday's elections .

These elections offer our kehilla the potential brocho of up to three outstanding Dayanim who have vast experience and no personal agenda or interest in personal gain. Each candidate is a Rov of utmost integrity (all have already served in various functions and where called upon as needed) who can help restore to our Beis Din the shem and tiferes for which it was once justly renowned.

This election is totally consistent with the Rebbe's goal of having "rov am" appointing the community's Rabbonim

Our Kehilla is today blessed with a Rosh Hakohol, Moishe Rubashkin, whose every waking moment is a testament to his integrity and to his selfless concern for even (and especially) the smallest and weakest members of the Crown Heights community. While no man is perfect, surely we all recognize his unstinting acts of tzedaka and chesed. For anyone to impugn his integrity with regard to the election is to behave like Korach, except that Korach was not motivated by cynicism, greed and personal gain.

To his credit, Moishe Rubashkin has, in R. Segal, R. Raitport and R. Zirkind, assembled a slate of three outstanding, independent, experienced Rabbonim.

What's more he has openly invited, and continues to invite, other nominees.

Those who would torpedo this election are free to list their own candidates. That they have not done so, is ample evidence of their true motives, to sow dissent and sinas chinom in order to wrest control of the Beis Din for their own underhanded and nefarious purposes.

As the Rebbe often quoted from the Slichos of Erev Rosh Hashana; "Merubim tzorchei amcha" – our community's needs are many. These needs will only be met if an honest, diligent, capable and totally apolitical Beis Din is allowed to function without a gang of hangers-on who care only for their own kovod.

Please, please make sure you vote this Sunday.

Thank you.
Nuchi Gross

ועד הקהל דשכונת קראון הייטס

VAAD HAKOHOL OF CROWN HEIGHTS

כאן צוה ד' את הברכה



בד"צ דק"ק קראון הייטס
ברוקלין, נ.י.

ב"סד

To my fellow Anash, members of the Crown Heights Jewish Community. My name is Moishe Rubashkin, and most of you know me as your Rosh Hakohol, the chairman of the Crown Heights Jewish Community Council also known as the Vaad Hakohol.

My job, and the job of the Vaad Hakohol, is to work to improve the quality of life in Crown Heights – to care for every member of the community, especially those who are least able to care for themselves.

In this respect, my administration which was elected to office 18 months ago, has worked tirelessly, and achieved notable results.

But there is another aspect to the Vaad Hakohol's responsibilities. As the democratically elected representatives of the *Kehilla* it is our task to make sure that the key *Mosdos* that make a *Kehilla* viable are able to function properly.

Foremost among these *Mosdos* is the community's Beis Din. For, indeed, without a properly functioning, universally respected Beis Din, no *Kehilla* can exist. Whether it is for *Dinei Torah, bein adam l' chaveiro*, issues of Kashrus, or community standards for appropriate chassidish conduct, it is the Beis Din's responsibility to issue rulings that guide and define life in our community every single day.

For 20 years the Crown Heights Beis Din was viewed far and wide as the very model of what a Beis Din should be. Under the leadership of three outstanding Rabbanim, Rav Marlow zichrono livrocho, Rav Osdobo *shlita* and Rav Heller *shlita*, our neighborhood Beis Din was a shining example of Halachic rigor, absolute integrity, and, above all, an example of sholom bays.

You see my friends, Rabbonim have to be very tough-minded people. They are not our buddies. They must be men of tremendous learning and significant '*shimush*' which can be translated as learning applied to

practical halachic decision-making. And most importantly, they must be above politics.

The Shulchan Aruch requires a Beis Din to have at least three, and ideally five, full time Dayanim. The reason for this is obvious. Because no two Rabbonim see things in precisely the same way; And it requires a *Rov Kol*, a majority opinion, to reach a decision that is binding on the *Kehilla*.

Make no mistake. Before Rav Marlow and Rav Osdoba and Rav Heller would issue a *Psak*, a ruling, they would often have heated debates among themselves. But these debates were always held behind closed doors, as they should be. The final *Psak* was always delivered as unanimous, even if one of the Dayanim had dissented. No one on the *Kehilla* would ever know if there had been a debate or disagreement, and who the dissenting voice was. The Beis Din would issue a unified ruling that was incumbent on everyone.

Thus, the dignity of the Beis Din was never compromised, and the ruling was always either unanimous or appeared unanimous because each Dayan respected the directive of *acharei rabim l'hatos*, majority rule.

The passing of Rav Marlowe was a major blow to our *Kehilla* and to the Beis Din. Likewise the decision of Rav Heller to withdraw from most Beis Din activity for personal reasons.

This left Rav Osdoba *shlita* with an insurmountable workload and a Beis Din that no longer had three functioning Dayanim.

In order to process the Beis Din's caseload, Rav Osdoba was fortunate to be assisted by two outstanding Rabbonim with significant '*shimush*' experience, namely Rav Yitzchok Raitport *shlita* and Rav Shlomo Yehuda Halevi Segal *shlita*, who was invited by Rav Schwei.

At that time there was also an additional *Rov* sitting in the Beis Din who was not on the community payroll. Rather he was selected and paid directly by powerful individuals in the community who desired to have him become a member of the Beis Din. This *Rov* was Rav Aharon Yaakov Schwei *shlita*.

The individuals, at the time of the first election of the Rabbonim, offered \$10,000 per year to Rav Zirkind head of the *Netzigim* at the time, that he

would undertake the expense of the Rabbonim. The Rebbe spoke that very Shabbos a whole *Sicha* that the Rabbonim must be paid by the *Kehilla*.

Three years ago under intense pressure, Rav Osdoba consented to have Rav Schwei run unopposed in an election to the Beis Din, against his original wish to have 3 Rabbonim run. Without Rav Osdoba's consent Rav Schwei's candidacy would have been null and void.

However, Rav Osdoba gave his consent in writing with the proviso that Rav Raitport *shlita* and Rav Segal *shlita* would function as Dayanim on the Beis Din as well.

Rav Osdoba, who became our Moro D'Asro under the Rebbe was being cautious, as any Moro D'Asro in his position must be, especially in light of the circumstances. After all, without the participation of Rav Raitport and Rav Segal, the Beis Din would have only two Dayanim which would make a majority decision all but impossible.

Rav Osdoba had hoped that once Rav Schwei was officially elected — based on his accepting the participation of Rav Raitport and Rav Segal as fellow Dayanim — the Beis Din could once again function properly, with private deliberations and public unity.

Alas this was not meant to be. Virtually every major decision reached by a majority of the Rabbonim was rejected by Rav Schwei. For example, Rabbi Heller who never gets involved wrote Rabbi Schwei a letter regarding the water filters. Rabbi Osdoba wrote in his letter that there is no need for a filter and notwithstanding a majority decision, Rabbi Schwei wrote on Beis Din stationary that filters should be used.

To further complicate matters, Rav Schwei retroactively negated the terms that allowed him to become a Rav, namely his recognition of Rav Raitport and Rav Segal as de facto Dayanim.

The result is a Beis Din that has lost its dignity, lost its authority, and lost its ability to set an example for our Kehilla and especially for our young people.

It is also a source of great pain that our Moro D'Asro Rav Osdoba, who has been guiding us for over 20 years with the Rebbe's *Brocho* should see

himself vilified and called to frivolous, ad hoc, *Dinei Torah* by a colleague – a colleague who refuses to abide by the terms of his election, and refuses to conduct himself in a manner that befits a Rav. This is both unprecedented and unacceptable. And the situation is untenable and cannot continue.

It is not the Vaad Hakohol's job to choose Rabbanim. The Rebbe decreed that this is the responsibility of the majority of Anash.

However it is the Vaad Hakohol's responsibility to provide Anash an opportunity to freely elect its Rabbanim from among a slate of qualified Rabbonim.

Which is why we are conducting elections on the second day of Iyar, Sunday April 30th, to elect Rabbonim to our Beis Din – in order to have the five Rabbonim that are ideally necessary, according to the *Shulchan Aruch*, for a Beis Din to function properly.

The other candidates are:

- 1 Rabbi Yitzchak Raitport Shlita
- 2 Rabbi Shlomo Yehuda Halevi Segal
- 3 Rabbi Yitzchok Zirkind

Praying and hoping to add more candidates in the near future.

All of these candidates are highly qualified Rabbonim, major *Talmidei Chachomim*, *Bekiim* in *Halacha*, men of wisdom and *shimush* who would do our *Kehilla* proud. All of these candidates have served with all the Rabbonim in various functions.

It is very important that you come out and vote on 2 Iyar, Sunday, April 30th, because the results will effect you and your family for years and years to come in countless ways – from Chinuch, to marital issues to litigation *bein adam l'chaveiro* to Kashrus.

The way the election will work is that each voter has the choice of 1,2,3 or more candidates. The candidate who has fifty percent plus of the vote will join the Beis Din. Any ballot will be accepted as long as at least one candidate has been chosen.

Once the elections behind us, it is our sincere hope that true sholom will

be restored to our community, and true dignity to our Beis Din.

Please do your share by voting on 2 Iyar, Sunday, April 30th. Because the decisions of the Rabbonim are theirs alone to make. But the responsibility for who the Rabbonim are, rests on your shoulders. This is a responsibility none of us should take lightly.

Thank You.



יושב ראש

בשם הוועד הקהל

ועד הקהל דשכונת קראון הייטס

VAAD HAKOHOH
OF CROWN HEIGHTS

כאן צוה ד' את הברכה



ב"סד

An Open Letter to Rabbi Nissan Mangel
From The Vaad Hakohol of Crown Heights

Dear Rabbi Mangel,

As the duly elected Vaad Hakohol of Crown Heights, and as individuals who greatly respect your enormous contributions in making the Rebbe's Siddur accessible to the general public and your signal role in educating literally thousands of Jews in the ways of Torah, Yiddishkeit and Chassidus, we are pained and puzzled by your attaching your good name to recent partisan actions intended to de-legitimize Rav Shlomo Yehuda HaLevi Segal shlita's role as a Dayan on the Crown Heights Beis Din, and by extension the Vaad Hakohol.

These partisan actions – by definition – do not represent the will of the majority of the Crown Heights Kehilla, or its best interests – and disrupt the long overdue attempt to restore functionality and integrity to the Crown Heights Beis Din.

We quote a letter from Rabbi Yaakov Schwei shlita dated 5 Iyar 5752 written on Beis Din stationery to this effect:

“What is in the interests of the community is up to a majority of the community to decide ... and, according to the instructions of the Rebbe, even a Rav has no right to interfere, and as I was told by Rabbi Yitzchok Hendel, no one has the authority to interfere with someone who represents the community.”

Furthermore, as you very well know, Rabbi Schwei's position as a Rav on the Crown Heights Beis Din – assuming his election to the Beis Din was a priori legitimate – is contingent on the formal approval of Rabbi Avrohom Osdoba shlita. Rabbi Schwei's candidacy was approved by Rabbi Osdoba on the condition that Rabbi Shlomo Yehuda HaLevi Segal serve as a Dayan on the Beis Din. Indeed, to the extent that Rabbi Schwei's election

had any validity at all, it was dependent on his accepting Rav Raitport & Rav Segal as colleagues on the Beis Din.

Hence, to label Rav Segal as a 'minuy chodosh' a new appointee, and demand that he step down from his work as a Dayan is deeply troubling. Furthermore, no Rav acting alone without the consent of his colleagues on the Beis Din has any right to summon a sitting Dayan to a Din Torah regarding that Dayan's legitimacy.

For this reason, Rav Segal is not and cannot be in the category of 'mesarev' (refusing to answer a summons to a Din Torah) as he has no business responding to a frivolous summons that has no halachic basis. Indeed, Rav Segal is under orders from the senior member of the Beis Din, Rav Osdoba shlita who was elected under the Rebbe and has been Moro d'Asro in Crown Heights for some 20 years, to ignore any such summonses as they are without basis in Halacha and fly in the face of the very basis on which Rav Schwei is serving as a Rav.

I further call your attention to a response signed by Rav Marlow z"l, Rav Osdoba shlita and Rav Heller shlita dated 19 Av 5748:

"...There is (in Crown Heights) an absolute need (for an elected Vaad Hakohol) as has always been the practice throughout the Jewish world...

"Regarding its parameters ... (citing numerous rabbinic sources); if there are more than seven elected members then they are responsible for all the needs of the community. If there are fewer than seven, they must clarify as to what they were appointed for, or declare that they are responsible for all the community's needs.

" It is possible (for the Vaad Hakohol) to make an amendment establishing that a general meeting be called in the event that a predetermined number (that number to be established by the Vaad) of people request such a meeting ... but until such time as there is a general meeting, the decision of the Vaad Hakahal must be accepted..."

What has come to light is that that there were indeed other candidates who were to be included on the ballot, but whose names were forcibly

removed as a result of pressure from third parties who wanted to guarantee the outcome of that election – an outcome that could only result from a single candidate running unopposed, which was then – and continues to be – contrary to the wishes of a majority of Crown Heights ANASH.

The other candidate who withdrew under pressure from the list was Rabbi Yitzchok Raitport shlita.

At that time you, unfortunately broke your leg twice in two different places and you told people in the community that it was a sign 'Min Hashamayim' not to get involved in the Beis Din. Recently, the moment you signed the letter against the Mora d'Asro of over 20 yrs, you were laid up in bed with a Roiz on your foot and were incapacitated for many days.

With regards to yourself, what disturbs us especially is not only that you allowed yourself and your good name to be used to defame a Talmid Chacham whose role in the Beis Din is not open to dispute. What troubles us is that you would affix your signature to a letter which:

1. Refers to our Moro d'Asro with utter disrespect, referring to Rav Osdoba shlita as "he" and "him";
2. Refers to Rav Segal shlita as a "minui chodosh" when this is patently false;
3. Includes a third signatory who is from outside the community and is widely viewed as a troubled soul with no legitimacy whatsoever vis a vis anything to do with the Crown Heights Kehilla;
4. Legitimizes outright mesira by approving a civil legal action – something that is the ultimate prohibition, and guaranteed to result in a massive chilul Hashem and the utter undoing of the Rebbe's community.

It is no secret that the Rebbe counseled you not to get involved in community Rabbonus. This is something you discussed openly. At the time, many of us were surprised by the Rebbe's position in light of your signal contributions to Chabad-Lubavitch and your peerless record as a scholar, teacher and guide to thousands of talmidim.

Your recent actions have made clear why the Rebbe advised you to steer clear of community matters. We plead with you to follow the Rebbe's advice and continue your heretofore unblemished record of doing what you do best.

Please note that this Vaad Hakohol, throughout its 14 month tenure, has scrupulously avoided any negative pronouncements, choosing instead to focus on positive activities, helping those in need, and shoring up the community's infrastructure and services. It is unfortunate that a handful of individuals who are incapable of respecting the halachically mandated legitimacy of the Vaad Hakohol, are attempting to hijack the community and impose their will through secret pressure, terror tactics and outright deception.

Under such circumstances we have no choice but to respond accordingly. We plead with you to distance yourself from these individuals and allow us to do our job – namely to restore the dignity and functionality of our Beis Din through legitimate and open elections. This is our job. It is why we were elected. It is what the Rebbe wants.

Yours truly,



Moshe Rubashkin

In the name of the Vaad Hakohol of Crown Heights

ועד הקהל דשכונת קראון הייטס

VAAD HAKOHOL
OF CROWN HEIGHTS

כאן צוה ד' את הברכה



בד"צ דק"ק קראון הייטס
ברוקלין, נ. י.

ב"סד

To the Editor:

The letter by my fellow Vaad member Leibish Nash (Crown Heights Chronicle 4/7/06) is an offense to basic decency, to common sense, to the rules of law, and to Halacha especially the Halachos against *motzi shem ra*.

Above all it is an offense to the entire community of Crown Heights because he uses both innuendo and sheker to destroy the one democratically elected institution that, in its current incarnation, works tirelessly to improve the conditions and quality of life for the entire Jewish Community of Crown Heights without regard to politics or partisan issues.

The Vaad Hakohol, the Crown Heights Jewish Community Council, of which Mr. Nash is a board member, was democratically elected by the community to represent its best interests. It is my privilege to serve as its Chairman.

The record of my administration speaks for itself in terms of our ceaseless and successful efforts to address the needs of ANASH, especially those who because of widowhood, divorce or poverty lack the muscle and the loud voice to play the game of kol d'alim gvar,: victory to the most violent.

Indeed for the first time in its history, the Vaad Hakohol is being run as a democratic institution and therein lays its strength, its character and, above all its success. This Vaad is actually doing something. And we are doing it by simple majority vote, and we are doing it despite being saddled with some holdovers from the Vaad's more Bolshevik past, when there was no democracy and, therefore no accountability to the one person we are accountable to: the man, woman and child on the street.

Yes, Mr. Nash is nostalgic for the good old days of smoke filled rooms and old boy politics. And when his voice is in the minority he resorts to out-

right lies and innuendo, such as "Two of the five rubber-stamped the deal after the fact" Of course, he mentions no names or dates, nor does he offer any evidence of any kind.

For the record, the Vaad meets almost daily. What's more, as secretary it was Mr. Nash's job to record the minutes of the Vaad meetings. To date he has refused to provide any of his notes or minutes. Worse yet, our effort to hire a qualified secretary to record the minutes, were thwarted by none other than Mr. Nash himself.

Is it any wonder that Mrs. Fayge Hurwitz who was the best executive director quit because of Mr. Nash. Mr. Shaya Boymelgreen quit as a Vaad member because of Mr. Nash. Joseph B. Spielman has not spoken to Mr. Nash in 8 years, etc.

Mr. Leibish Nash and Mr. Yisroel Best met and employee of the Jewish Community Council and asked that she give them something to fight Moshe Rubashkin with. Then Mr. Nash and Mr. Best called the employee to apologize for having said something that never took place at a meeting, in order to defame Moshe Rubashkin. The Council's employee wrote an affidavit and had it notarized detailing exactly what happened in this incident. This affidavit is on record.

Mr. Nash believes that merely by saying something it becomes true - especially if it appears in print.

Mr. Nash writes; "I was under the impression that if two Yidden have a disagreement, the Torah provides for a civilized and effective means of resolution." Except for the fact that we are not dealing here with a case of "two Yidden having a disagreement" that requires resolution. Rather, we are dealing with a board of five officials who were elected to govern the community and make decisions that effect the community by a universally accepted process called majority rule.

This is not a disagreement between "two Yidden".

When a disgruntled minority member of a governing body is unhappy with the result of a democratic vote, this does not entitle him to go crying to a makeshift trio of Rabbonim and demand a Din Torah.

Imagine what havoc this would do to a community if every majority decision were subsequently paralyzed because the loser didn't get his way.

To blithely claim, as Mr. Nash does, that "Halacha takes precedence over democracy" reveals his ignorance of Halacha and his flouting of democracy. And when brandishing his ignorance, illiteracy and Bolshevik mentality to bully his way doesn't work, Leibish Nash resorts to name-calling and referring to those he disagrees with as "inexperienced newcomers." Yes, we all know what the experienced veterans did when they held the keys to the Vaad – effectively nothing. Russia had its experienced government which, thank G-d, was replaced by inexperienced newcomers. New York once had its experienced Tammany Hall hacks. Thank G-d they were replaced by inexperienced newcomers. And now, Boruch Hashem, Crown Heights is blessed with a solid majority of inexperienced newcomers on its Vaad Hakohol to help undo all the damage and self-serving backroom deals of the old boys who were swept out of office.

So, by all means, let Mr. Nash play the perennial crybaby running to his cronies and to Rabbonim to jury-rigg ad hoc *Zabla* Beis Dins for relief. Let him call us names and hurl adjectives such as "sham" and "gross" and "rubber stamp". Let him refer to genuine democracy and majority opinion as "manipulation". As we say, "*kol ha-posel mumav posel.*" Mr. Nash can do his homework and look up what these words mean.

Finally there is some openness and clarity and blue sky in Crown Heights, and the people's interests are finally being addressed. One cannot blame Leibish Nash for pining for the bad old days. But if he expects to bring them back he is going to have to do so by running his own slate for the next Vaad Hakohol and hoping it gains a majority.

Until such time he should act like a Mensch and play by the rules.

Sincerely,



Moshe Rubashkin

ועד הקהל דשכונת קראון הייטס

VAAD HAKOHOL
OF CROWN HEIGHTS

כאן צוה ד' את הברכה



ב"סד

To the Editor:

Our colleague Chanina Sperlin would have the reader believe that he has been kept out of the loop vis a vis the Vaad HaKohol's scheduling elections for new Rabbonim. In fact this is not the case. Mr Sperlin has been involved in the process from the very beginning, and represents the minority view on the Vaad. It goes without saying that the Vaad has an obligation to issue materials that inform and educate the voters before they go to the polls. That Mr. Sperlin would prefer to keep the voters in the dark is understandable, coming from someone who wishes to torpedo the elections and maintain the terrible status quo.

He then goes on to assert that "If any of the Rabbonim (on the Beis Din) object to a candidate, that person shouldn't be able to run since there is a psak din from the Chasam Sopher and the Tzitz Eliezer that no new Rov can be installed in a community without the approval of the existing Rov..."

Mr, Sperlin is 100% correct in this regard, and our existing Rov, Rav Osdoba shlita, has no objection to the candidates being fielded for election, including the candidacy of Rav Schwei shlita.

The problem has been that Rav Schwei's current position on the Beis din (for which he was allowed to run unopposed) was contingent on Rav Osdoba's approval, per the very psak cited by Mr. Sperlin. However Rav Osdoba gave his approval only on the condition that Rav Schwei accept the presence of Rav Raitport shlita and Rav Segal shlita on the Beis Din. Unfortunately, Rav Schwei has chosen to flout this proviso, and has rejected and defamed both Rabbonim. Hence Rav Schwei's position as Rov, based on the Chasam Sofer's psak, is a priori null and void, and he must stand for election once again, this time in a bona fide vote against real candidates.

Mr. Sperlin then writes "I personally feel we should elect only one more

Rov because the Rebbe said that a Beis Din means three Rabbonim." Mr. Sperlin's personal feelings are irrelevant. Further the Beis Din needs at least two more rabbonim as it now has only one legitimate Rov, namely Rav Osdoba. As for the Rebbe's position – it has always been consistent with the Shulchan Aruch; Three Rabbonim are a minimum, not a maximum.

On a final note, Mr. Sperlin believes that Rabbonim should be nominated by "a panel of independent Rabbonim, or at least by businessmen that (sic) know something about Rabbonus." In this he truly flies in the face of the Rebbe's teachings that our community Rabbonim should be picked by Anash. After all, "*Asei lecha Rav*" is not speaking just to businessmen. We are all in this together - and our Rabbonim must serve the needs of all people not just the interests of businessmen.

Yours Truly,



Moshe Rubashkin
Rosh HaKohol

ועד הקהל דשכונת קראון הייטס

VAAD HAKOHOL
OF CROWN HEIGHTS

כאן צוה ד' את הברכה



בד"צ דק"ק קראון הייטס
ברוקלין, נ.י.

ב"סד

Re: Election for new Dayanim

Many readers of Crown Heights.Info have written in with comments, suggestions and queries concerning this Sunday's election for additional Rabbonim for the Crown Heights Beis Din. We hope the following will help clarify any outstanding issues.

Please make sure to vote on Sunday. Your vote is critical to your future and the future of the entire community.

Yours Truly,

Vaad Hakohol – Crown Heights Jewish Community Council

Can we have some information regarding each candidate: ie. schooling, background, accomplishments, etc., current residence?

Each of the candidates is well known, highly regarded and has extensive experience as a working Rov with the Crown Heights Beis Din. The Rebbe was emphatic that all dayanim must have "shimush" – practical experience, not merely lomdus. The Beis Din would be fortunate to have any or all three these outstanding candidates serving our kehillah

Can we perhaps have also Rabbi Schwei's name on the ballot to reconfirm that he is indeed elected as our Rav?

Important questions have been raised pertaining to Rav Schwei's legitimacy as a Dayan for several reasons:

1. He ran unopposed in the last election;
2. He had been on the private payroll of a local businessman, and

hence his objectivity might be questioned;

3. His election was predicated upon his accepting Rav Segal and Rav Raitport as colleagues – which he subsequently reneged upon; His joining the Beis Din has resulted in a period of unprecedented divisiveness and public discord.

Nevertheless, in the interests of *Sholom Bayis*, the Vaad has decided not to alter the status quo in the hope that additional Rabbonim will help nurture an atmosphere of tranquility and clear majority opinion.

What's the difference? CH is not part of USA where information is disseminated. Obviously, we are still in "Communist Russia" where you get to vote yes or yes. Can't you people "SEE" what our "so called Chairman" is trying to accomplish?

Sadly the above correspondent is turning the facts on their head. The last election (which predated the current Vaad) was indeed a Soviet style election with no choices and only single candidate being offered on a take it or leave it basis.

The current election is open to any and all candidates. The Vaad has issued repeated calls for nominations, and remains ready – at this late date – to add additional nominees to the current list of candidates, regardless of who or where the nomination comes from. If the writer of this letter has any candidates to suggest, we are totally receptive.

There is no need for much information. Rabbi Segal was appointed to work in the beis Din by rabbi Osdoba and with the haskama of rabbi Schwei, Rabbi Raitport is a known talmid chochom and Posek very respected not only in Lubavitch but in Boro park and beyond. Rabbi Yitzchok Zirkind is a very brilliant talmid chochom very sharp. he is compassionate and very understanding. He knows the job of a Rov. His whole life he has dealt in halacha.

Indeed all these are true facts. All of the current candidates are tried and proven Rabbonim with genuine "shimush" per the Rebbe's directives.

If we want a true SHALOM in the neighborhood, I think that ALL

present Rabbonim be on the list as well.

Then they will have to be all equal and there can be no more fighting and perhaps peace will prevail in our Shechunah and perhaps the young generation will have something to look forward to.

Once a Mara D'Asra is elected to serve as a Dayan it is an appointment for life. Rav Osdoba has been a Dayan with the Rebbe's approval for two decades. As for Rav Schwei, there are strong arguments for having him run in a legitimate election, especially as he has chosen to reject the terms on which Rav Osdoba allowed him to become a candidate in the first place. However (see above) in their interests of shalom bayis we are not changing his status quo.

Why was it that in the last elections it was stated EXPLICITLY that only if the candidate Will garner more than 50% of ELIGIBLE voters (not "actual" voters) will he win? why isn't the same applicable now? (it was at the direct order of Rabbi Osdoba).

The last elections was not a bona fide election. At best it was a referendum since there was but a single candidate. Hence the need for approval by 50% of eligible voters. This Sunday's election is a genuine election with three (or more) viable choices. Thus a simple majority of voters is sufficient. Anyone who chooses not to vote has no right to complain about the outcome.

Even more so, when this "askon" announces openly - (after trying to speak quietly behind the scenes, and did not help) – that if his candidate for Rov will be elected, then he will give money etc., and if not he will not give ... and through this he wants to force on the entire community his opinions – there is no bigger shochad (bribe) than this!

We can only assume who wrote this disgraceful letter, and what his personal agenda might be. The fact is, this election is precisely the opposite – an honest, objectively monitored election that is open to ALL candidates. This is in marked contrast to the last election in which alternative candidates were kept off the ballot. At that time private interests, by eliminating any competition, forced the community to accept a single candidate, one who was being paid for years by private balebatim. It is

interesting that it is precisely the people who engineered the last election who are now accusing the current Vaad of doing what they themselves did and are trying to do again. *Kol ha-posel mumav posel.*

...sounds pretty democratic, either vote for them, or don't, in any case they win...how many are we electing? all 3? are we having 5 Rabonim? wow...

Untrue and unfair. Voters have a right to choose one, two or all three candidates. Only a candidate who has garnered 50% or more of the popular vote will be named to the Beis Din. Thus it is entirely possible that the outcome will be only one additional Dayan, two additional Dayanim or even three. The complexion of the Beis Din will be radically different depending on how the community votes. And, once again, the roster is open to additional candidates. The write is welcome to make his own nominations.

Because when the people on top, compete, fight, hate, don't get along, automatically all those under them tend to do the same.

Precisely. Which is why the election is so important. It is worth noting that there was no fighting or hatred in the Beis Din until the last election. Rav Osdoba was a Dayan for 15 years and there was never any public discord among the Dayanim.

... like in the first elections that each candidate needed approval from other Rabbonim that he is appropriate for it

True. Which is why Rav Schwei needed Rav Osdoba's approval to run for Dayan in the last election. This approval was given conditionally, pending Rav Schwei's acceptance of Rav Segal and Rav Raitport as colleagues.

At least with Rabbi Schwei's, election it had Rabbi Osdoba's, 100%, full approval, BEFORE the Election, for him to even be considered to be eligible to be a Candidate - Now, it has absolutely "NO ONES" Approval!

Once again, Rav Schwei received Rav Osdoba's conditional approval, and these conditions were not honored subsequently. Hence it is moot whether Rav Schwei approves the candidates as they have already been approved by Rav Osdoba and have been rejected by Rav Schwei in abrogation of the terms of his original candidacy.

What a Chutzpah!, to step all over all 3 Elected Rabbonim of the Badatz - ignoring them and forcing an election against the will of Rabbi Heller and against the will of Rabbi Schwei and against the will of Rabbi Osdoba!

Rav Osdoba's approval of the candidates and acceptance of them as colleagues is long-standing. Rav Heller chooses to abstain. Rav Schwei has, through his own actions, demonstrated that he does not accept the need for an existing Dayan to approve candidates.

What's wrong with the Rabbonim we have now?

Two Rabonim are insufficient for a proper Beis Din. The Shulchan Aruch requires a minimum of three and ideally five, so that a proper majority opinion can be reached where there is no unanimity.

Shouldn't getting along with BOTH Rav Osdoba and Rav Schwei be important. One of the people running does NOT get along with Rav Schwei and has been brought to a din torah (and refused to show up!) Certain members of the election committee have also done that.

There is no precedent for a Dayan to call his fellow Dayanim to a Din torah simply because he does not agree with them. And they are under no obligation to heed such a hazmana. While harmony among Dayanim is the ideal – and was the rule for 15 years prior to the last election – it is hoped that the current election will once again restore dignity and cooperation to the Beis Din as it was exemplified under Rav Osdoba, Rav Heller and Rav Marlow z"l.

The 3 candidates listed have all served as Dayanim in Dinei Torah on

the BaDaTz together with one or more of the previously elected Rabbonim and have therefore been implicitly accepted as competent Rabbonim.

Absolutely, which is why the choices before the electorate are all outstanding and all 100% suited to the role of Dayan and Moro D'Asro.

The Crown Heights Anash would like to know weather the new elected Rabonim will have the same power as Rabbi Osdoba or will they be 'third class citizens'?

If the case is that they will not have the same power as R Osdoba then it's only fair that they be notified before hand to make sure that they still want to run even though they will remain '3rd class citizens'.

Every legitimately elected Dayan becomes an equal with the other Dayanim and is a Moro D'Asro in his own right.

Rabbi Schwei's election only brought machloikes and public mud-slinging to the community unparalleled in any other Bais Din in the world. (Maybe R. Osdoba had the foresight to this tragedy that the rest of us did not). By the way how can he counsel couples on Shalom Bayis if he washes all the community laundry in public? At least after this election the majority will rule and if the dissenting opinion chooses not to abide let him fight with the guy he sees in the mirror.

Thank you. There are things we as the Vaad Hakohol are abstaining for stating. But, "*chochom einav b'rosho.*"

They have my vote. R. Raitport is poshut a gaon olam, who is kol kulo torah & avodah. Rabbi Segal has the patience and the understanding of people to make a real difference in the community.

Thank you.

All this griping is coming from the old Netzigim gang that held the executive committee until 770's netzig was asked not participate and their junta fell apart.

The Vaad welcomes the idea of netzigim, and is hopeful that in future they will all be legitimately elected representatives of their mispalelim with no personal agendas other than to serve the community.

Marcia R. Eisenberg, Esq.
General Counsel
Director, Jewish Communal Affairs & Legal Assistance for Jewish Organizations
Jewish Community Relations Council of New York
70 West 36th Street, Suite 700
New York, NY 10018
(212) 983-4800, ext. 137
(212) 953-5688 (facsimile)
eisenbergm@jrcny.org

Date: March 31, 2006
To: Yisroel Best and the Crown Height N'tzigm
Re: Proposed April 4 Meeting

It has been brought to my attention that there has been a call for a special meeting of the N'tzigm for Tuesday, April 4, 2006 at 8:30 pm. I have been asked to comment on the proposed actions as outlined in the meeting noticed, dated March 25XX, 2006. In my role as Director of the Legal Assistance for Jewish Organizations spanning two decades, I have advised many JCCs and COJOs over the years on their By-laws, corporate procedures and best practices.

A. Proposed Amendment Contrary to Inherent Structure and Radical Change

The proposed amendment seems simple, but it is a major philosophical and power shift which runs counter to the current structure of the By-laws.

1. Currently, under Article VII. Section 2. Special meetings of the N'tzigm of CH there are six (6) groups or offices which may call for a special meeting of the N'tzigm: the Chairman of the Council (Vaad), Board of Directors (Vaad), Chairman of N'tzigm, Executive Committee of the N'tzigm, the N'tzigm at a prior meeting or a petition from the N'tzigm of 7 Member Organizations.

The proposed amendment would take away this power to call for a special meeting from all groups, except the Chairman of the N'tzigm. This is a radical change from the current By-laws which are very democratic in nature. This change runs counter to the careful balancing of power between the Executive Committee of the N'tzigm, the Vaad and the Member Organizations found in the rest of the By-laws. In twenty-five years of practice I have never seen such a restrictive provision for calling special meetings in By-laws of organizations

which have members. In addition, Section 603 of the New York State Not-for-Profit Corporation Law (which governs the CHJCC) states that notwithstanding what is contained in any set of By-laws, 10% of the members have the right to call a special meeting.

2. This amendment also calls for reducing the time for notice of special meetings from ten (10) day to three (3) days (although there appears to be a typo and it may be five (5) days). This change may be fine for some special meetings, but not for all such meetings.

According to the By-laws, the major powers and responsibilities that of the N'tzigim have are:

- to conduct elections for the Vaad;
- to impeach a director of the Vaad, if necessary; and
- to amend the By-laws.

For the following reasons the notice timing requirements for special meetings for these duties should not be reduced. The 10 day timing requirement enables the N'tzigim to have a reasonable period of time to consult with the Member Organizations' leadership and membership on serious issues facing the kehilla such as elections; impeachment and By-law changes. Moreover, the 10 days give the accused individual of an impeachment proceeding time to adequately prepare and present a defense – an important element of due process. These three duties are very important and should not be rushed and especially when community process and input is very are critical.

B. Agenda Item for Filling a Vacancy on the Board

This agenda item is not applicable at this time. The meeting notice quotes from Article VIII, Section 9, however, there is no vacancy on the Board – no death, no resignation and no impeachment proceedings have taken place. There are still five (5) members of the Board.

In order to impeach a director for cause the N'tzigim (and only the N'tzigim have such power) must follow the By-laws in Article VIII, Section 10. There is a process and specific 10 day notice must be made delivered and posted about impeaching any director. This has not happened. After the impeachment, the Beth Din of CH is the sole body which has with the authority to determine whether any director should be removed or to determine if another entity should make this decision. None of this has taken place, and therefore, there is no vacancy.

I am presuming that the pronouncement by a Zabla on March 23, 2006 regarding three directors is the basis for this agenda item. I am not a rabbinical authority, but your By-laws in Article XII state: "Any question which shall arise as to the interpretation of these Bylaws shall be decided by the Beth Din of Crown Heights." A Zabla is not the Beth Din of Crown Heights.

In summary, the proposed amendment to the By-laws is a major power shift and should not be done in haste or lightly and there is no current vacancy on the Board of the Vaad.

I generally advise nonprofit corporations against changing their By-laws in times of internal strife. One of the reasons that organizations can function is that people perceive the “rules” to be fair. If one side tries to change the rules in the middle of a dispute, the other side will inevitably feel violated. Those kinds of perceptions virtually guarantee that the effectiveness of an organization will be lessened.

Marcia R. Eisenberg, Esq.

General Counsel

Director, Jewish Communal Affairs & Legal Assistance for Jewish Organizations

Jewish Community Relations Council of New York

ועד הקהל דשכונת קראון הייטס

VAAD HAKOHOL
OF CROWN HEIGHTS

כאן צוה ד' את הברכה



ב"סד

בד"צ דק"ק קראון הייטס
ברוקלין, נ. י.

1 Nissan 5766
30 March 2006

To N'tzigm . Alternates, and Member Organizations of
Crown Heights Jewish Community Council

From: Moshe Rubashkin, Chairman, Board of Directors, Crown Heights Jewish
Community Council

Pursuant to Article XX, Section XX of the By-Laws of the Crown Heights Jewish Community Council, I am
calling a meeting of the N'tzigm as follows:

Date: Sunday evening , April 9, 2006 (12th of Nissan 5766)

Place: 8:30 PM sharp

Place: Rubashkin Home, XX President Street (between Kingston and Brooklyn Avenues)

Agenda:

1. Election of New Officers of the Executive Committee of the N'tzigm
2. Proposal for amendment of bylaws:

Article XX, Section XX shall be amended as follows:

Representatives of member synagogues shall regularly attend minyonim at the synagogue they
represent.

Kol Tuv,

Moshe Rubashkin

THE CROWN HEIGHTS CHRONICLE

כאן צוה ה' את הברכה

Established

3

Letters: Nash & Sperlin Speak Out

5

On Balance: I Can Only Repeat Myself

1981

9 Nissan, 5766 • April 7, 2006

THE INDEPENDENT NEWSPAPER OF THE CROWN HEIGHTS JEWISH COMMUNITY

Second Series: Vol. 2, No. 13

Netzigim Meet to Replace Vaad HaKahal;

Meeting Ends in Confusion

by Yitzchok Wagshul

Shmuel Plotkin) ... are disqualified, only two -- Mr. Nash and Chanina Sperlin -- would remain, necessitating at least one more member to be appointed."

The article goes on to explain some difficulties with this situation, and quotes the letter from Ms Eisenberg, General Counsel and Director of Jewish Communal Affairs, which you can see in the previous pages in its entirety.

The article describes the tumultuous meeting and its inconclusive ending.

".... On April 4, the Netzigim held what was termed an emergency meeting for the purpose of filling a vacancy on the Vaad Hakahal/ CHJCC Board of Directors. According to the bylaws of the Jewish Community Council, the Board of Directors can have no fewer than 3 and no more than 7 members. If the three Vaad members named (Moshe Rubashkin, Tzvi Lang, and

Because of the headlined meeting on the previous page, there was no recourse but to call an emergency meeting of the Netzigim, to replace the rogue Netzigim board that was illegally elected back in September, especially when this board tried, as we see unsuccessfully, to replace duly elected members of the current Vaad Hakohol/CHJCC Board of Directors. Although they were told by the lawyers there was no vacancy and therefore no need to elect members to a full board.

This is why a Netzigim meeting was called with proper 10 day notice and a new Netzigim Vaad was installed at this meeting.

Result from the meeting with the Netzigim:

18 Shuls in participated

15 representatives were present in person

3 joined by telephone (Erev Pesach was a hard time for everyone)

Voting results:

1 Abstained

1 said No

13 said yes

3 shuls on the phone voted yes but were not counted in the final count.

The new Netzigim chairman is:	Yanke Wice
V. Chairman:	Benny Raskin
Corresponding secretary:	Moshe Heber
Recording secretary:	Alexander Weisz
Treasurer:	Reuven Lipkind

Every vote counts to give the newly elected Rabbonim a proper mandate, and to show appreciation for the self-sacrifice they did for the community, by allowing their names to be put on the ballot.

No agenda only to be a sweet soldier of the Rebbe and to make the Crown Heights Shchuna a living example of the Rebbe's kids.

make poll.

VOTE
SUNDAY, 2 IYAR,
APRIL 30

At the Kingston Ave entrance to 770, at the
side of the Ladies Shul,

(Tifferes Zíkeinim Levi Yitzchak)

8am to 11pm

"It is sad that I cannot use my real name. But there is terror in our kehllah, and gangsters are attempting to hijack our Beis Din and destroy the Rebbe's community. I live in fear for my mishpoche, and must protect my identity."

"Right now our community is in trouble. Our youth are confused, and more and more are going off the derech. And not just our young - entire families are adrift with nowhere to turn for guidance and help. The example being set by the current matzav in our Beis Din is causing unprecedented destruction and breakdown among our neighbors."

IS THIS WHAT YOU WANT FOR OUR COMMUNITY???

The above are verbatim quotes from Toshvei Hashchuna. People just like you.

This elections is not about Rabbi Osdoba or About Rabbi Schwei, it is about our children.

If you do not vote, you are perpetuating a machloket.

This is our chance to have a Beis Din as it has to be, with a sufficient number of Rabbonim who will bring clarity to the community, and be an example our youth has been sadly lacking.

"These elections offer our kehilla the potential brocho of up to three outstanding Dayanim who have vast experience and no personal agenda or interest in personal gain. Each candidate is a Rov of utmost integrity (all have already served in various functions and where called upon as needed) who can help restore to our Beis Din the shem and tiferes for which it was once justly renowned."

LISTEN TO YOUR NEIGHBORS, THIS SUNDAY.....

VOTE!

Crown Heights Dilemma:

Rav Osdoba says Vote.

Rav Schwei say don't vote.

What do I do?

**This is exactly what's happening over the last three and a half years.
THE RABBONIM CAN'T AGREE ON ANYTHING!**

How long will this continue?

Who will your children look up to?

Will there ever be resolution to this continuous conflict?

Now is your chance to make the move: VOTE 3 NEW RABBONIM!

Think of YOUR future!

Think of YOUR CHILDRENS future!

This election is not about the 2 existing Rabbonim.

This election is about OUR future.

This election is about OUR CHILDRENS future.

THE REBBE SAID THAT THE KEHILA MUST VOTE FOR RABBONIM.

Whoever opposes the election, step up to the plate.

Submit your own candidates.

So far, every effort to placate the opponents of the election was rebuffed.

So far, every effort to ask EVERYBODY to submit THEIR candidates was rebuffed.

(Rabbi Schweis' suggested candidates, Rabbis Mangel and Bell, refused to run.)

Nobody may accuse 3 respected, competent and independent Rabbonim, as being in anybody's pocket, unless he himself is in somebody's pocket.

Nobody can accuse 3 independent, respected and competent Rabbonim, who sat on Dinei-Torah with Rav Osdoba and Rav Schwei (and sometimes they sided with one and sometimes they sided with the other, based on their independent Halachic opinion), as being unqualified.

If you vote for additional Rabbonim, you will have no more such dilemmas, as the Torah states "Acharei Rabim L'Hatos" (majority rules).

If you don't vote, you will have this dilemma for the rest of your life, because there is no possibility of majority rules, with 2 Rabbonim who never agree.

One says: solve the problem.

One says: let's not solve the problem.

*For the sake of solving the constant dilemma, **VOTE!***

For the sake of peace, VOTE!

For the sake of the future, VOTE!

*For the sake of your children, **VOTE!***

Vote Sunday 2nd of Iyar (April 30, 2006) for all three of the candidates for additional Rabbonim in the Beth Din of Crown Heights. Vote for Rabbi Yitzchok Reitport, Rabbi Yitzchok Zirkind and Rabbi Shlomo Segal as Rabbonim of the Crown Heights Beth-Din.

Vote Vote Vote

I TORAH,

בס"ד

I SHULCHAN ARUCH,

I BEIS DIN,

I VOICE.

NO AGENDA

Think of YOUR future!

Think of YOUR CHILDRENS future!

Who will your children look up to?

VOTE ON SUNDAY,

2 IYAR, 30 APRIL

Lechatchila Aribar, Tiferes ShebeTiferes

**At the kingston Avenue entrance to 770, at the side
of the Ladies Shul, (Tiferes Zikeinim Levi Yizchak)**

8am to 11pm

For the sake of the future, **VOTE!**
For the sake of your children, **VOTE!**

VOTE!