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July 24, 2017

Thomas Brizzolara, Director of Public Affairs  
Orange and Rockland Utilities, Inc.  
1 Blue Hill Plaza  
Pearl River, New York 10965

RE: Eruv on Orange & Rockland Facilities  
Township of Mahwah, NJ

Dear Mr. Brizzolara:

The undersigned is the attorney for the Township of Mahwah. I am advising you that the Township requires the removal of the devices and strips placed on poles owned and maintained by Orange and Rockland Utilities, Inc. ("O&R") on certain streets within the Township of Mahwah, which are intended to denote the boundaries of an eruv.

Mahwah's Zoning Ordinance regarding signage prohibits the placement of items on public utility poles. It is the Township's position that this Ordinance prohibits the placement of devices and materials which have been located on O&R's poles which are intended to denote an eruv.

In addition, applicable statutes would require municipal approval for the use by another party of utility poles within Township rights-of-way. More particularly, N.J.S.A. 48:3-19 expressly requires the consent of a municipality when a party seeks to use utility poles owned by another. Furthermore, N.J.S.A. 48:17-10 prohibits the placement of or construction of any pole, conduit, wire or fixture on or upon any public road without approval of the governing body of the municipality, except as to lines maintained by telegraph or telephone companies.

From the foregoing, it is clear that O&R has failed to adhere to local Ordinance, nor has it sought the necessary approvals as required by State statute. For these reasons, the Township hereby directs that the devices and materials placed on the utility poles be immediately removed. Failure to comply with this directive will result in the Township pursuing all available remedies to secure the removal of these devices and fixtures.

Please be guided accordingly.

Very truly yours,

  
BRIAN M. CHEWCASKIE

BMC/cj

cc: Timothy P. Cawley, CEO, Orange and Rockland Utilities, Inc.  
Mayor William Laforet  
Mahwah Township Council  
Quentin Wiest, Administrator