

## Robert Hermansen

---

**From:** Carol Janelli <cjanelli@gmcnjlaw.com>  
**Sent:** Thursday, August 03, 2017 9:48 AM  
**To:** William Laforet; Quentin Wiest; Robert Hermansen  
**Subject:** Eruv  
**Attachments:** Rosen, Bruce forwarding documents.pdf

Please see attached.

**Carol Janelli | Gittleman, Muhlstock, Chewcaskle, L.L.P.**

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2200 Fletcher Avenue, 5th Floor, Fort Lee, NJ 07024

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BRIAN M. CHEWCASKIE  
E-MAIL  
brian@gmenylaw.com

August 2, 2017

VIA E-MAIL ([brosern@marc.law](mailto:brosern@marc.law))

Bruce S. Rosen, Esq.  
McCusker Anselmi Rosen & Carvelli, PC  
210 Park Avenue - Suite 301  
Florham Park, New Jersey 07932

RE: Mahwah - Eruv

Dear Mr. Rosen:

Thank you for speaking with me today. In accordance with our discussion, I am enclosing the following documents:

- Mahwah Zoning Officer Michael Kelly's July 21, 2017 letter to the South Monsey Eruv Fund with respect to zoning violations;
- My July 24, 2017 letter to Orange and Rockland Utilities, Inc. advising that the Township requires the removal of the devices and strips from its utility poles located in Mahwah; and
- July 26, 2017 correspondence to the Township from Weil, Gotshal & Manges, LLP.

It is my understanding that you are willing to discuss this matter with the Township Council.

I appreciate your offer to discuss same with the Township Council and will reach out to the Council President to determine a meeting date that would be available. Presently the Township Council has a regular meeting scheduled for Thursday, August 10<sup>th</sup>, and I would appreciate it if you would advise if you would be available to meet with the Council in executive session prior to the start of the regular meeting.

In the interim, if you have any questions, please do not hesitate to contact me.

Very truly yours,



BRIAN M. CHEWCASKIE

BMC/cj  
enclosure  
cc: Mayor William Laforet  
Quentin Wiest, Esq.  
Robert Hermansen, Council President



## Township Of Mahwah

Municipal Offices: 475 Corporate Drive  
P.O. Box 733 • Mahwah, NJ 07430  
Tel 201-529-5757 • Fax 201-512-0537

Board of Adjustment x 245

Property Maintenance x 246

Zoning/Planning Board x 245

**VIA CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**  
**And VIA REGULAR MAIL**

July 21, 2017

South Monsey Eruv Fund  
31 Morris Road  
Spring Valley, NY 10977

Re: Installation of Signs on Utility Poles  
Zoning Violations  
East Mahwah Road, Airmont Avenue,  
Masonic Road and Sparrowbush Road  
Township of Mahwah  
Our File No. MA-75-28

To Whom It May Concern:

It has come to my attention that the South Monsey Eruv Fund has installed an eruv along utility poles in the Township of Mahwah. In reviewing the Zoning Ordinance of the Township of Mahwah, same is impermissible as the installation of an eruv would constitute a sign on a utility pole.

I direct your attention to the following section of the Township of Mahwah Zoning Ordinance, which defines a sign as follows: "Sign shall mean any device for visual communication that is used for the purpose of bringing the subject thereof to the attention of the public". (Section 24-2.2). Further, the Township Zoning Ordinance specifically prohibits the following signs within all zones in the Township: "Signs placed on trees, rocks or utility poles". (Section 24-6.8F(3)(c)).

In reviewing the ordinance, the installation of an eruv constitutes a prohibited activity and is therefore in violation of the ordinance sections mentioned herein. You must take the appropriate steps to remove the eruv that has been presently installed and cease further installation of same.

You must commence the removal of the eruv no later than July 28, 2017 and must complete the removal of all eruv no later than August 4, 2017. Should these deadlines not be met, we will recommend that summonses be issued for the violations that have occurred. In addition, you must provide me with notification of the commencement of removal.

South Monsey Env Fund  
July 21, 2017  
Page 2

If you have any questions concerning the applicability of the ordinance, please do not hesitate to contact me.

Very truly yours,

BOSWELL McCLAVE ENGINEERING

Michael J. Kelly, P.E.  
Administrative Officer  
Department of Land Use and  
Property Maintenance

MJK/jg

cc: The Honorable Mayor and Council  
Quentin Wiest, Township Business Administrator  
Kathrine G. Coviello, Township Clerk  
Geri Entrup, Planning Department  
Chief James N. Batelli, Mahwah Police Department  
Kenny Sullivan, Rockland Electric Company  
Michelle Damiani, Rockland Electric Company  
Chaim Steinmetz

170721JCL.dqs

GITTLEMAN, MUHLSTOCK & CHEWCASKIE, L.L.P.

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MELVIN GITTLEMAN (800-8010)  
STEVEN MUHLSTOCK  
DRIAN M. CHEWCASKIE  
NYLEMA NABBIE (N.J. & N.Y.)

TELESCOPIER  
(201) 944-1467

DRIAN M. CHEWCASKIE  
E-MAIL:  
drian@gmcajhow.com

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. CHENCASKIE

BMC/cj

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

## Weil, Gotshal & Manges LLP

BY E-MAIL

787 Fifth Avenue  
New York, NY 10153-0119  
+1 212 310 8000 tel  
+1 212 310 8007 fax

Yehudah L. Buchwaltz

July 26, 2017

Mayor William C. Laforet  
Richard J. Martel Municipal Building Complex  
475 Corporate Dr.  
Mahwah, NJ 07430  
wlaforet@mahwahwp.org

Re: *Mahwah Eruv, Your File No. MA-75-28*

Dear Mayor Laforet:

We represent a not-for-profit company being incorporated for the purpose of coordinating efforts to expand an eruv in parts of the Township of Mahwah (the "Township"), and surrounding areas. I write in response to the July 21, 2017 letter from Michael J. Kelly, Administrative Officer, Department of Land Use and Property Maintenance, Township of Mahwah, to the South Monsey Eruv Fund, in which the Township threatens to impede my clients' constitutional and contractual rights by demanding the removal of certain lechis – which are improperly deemed to be "signs" in the face of settled law to the contrary – by August 4, 2017.

For your reference, an eruv is a virtually invisible unbroken demarcation of an area which may be established by the attachment of wooden or plastic strips, called "lechis," to telephone or utility poles. Jewish law prohibits the carrying or pushing of objects from a private domain, such as a home, to the public domain on the Sabbath and Yom Kippur. Based on the sincerely-held religious belief of certain observant Jews, without an eruv, they are unable to leave their homes on these days to attend services at synagogue or be with family and friends if they are, for example, pushing a baby stroller or wheelchair, or carrying things such as prayer books, keys, or medications. Thus, absent an eruv, certain observant Jews are deprived of the opportunity to participate in mandatory communal prayers and observances. Accordingly, a multitude of eruvin (the plural of "eruv") have been established statewide and nationwide.

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<sup>1</sup> The first eruv in the United States was established in 1894 in the city of St. Louis, Missouri. Since then at least twenty-eight out of the fifty states now contain one or more municipalities with an eruv. These include, among many others: Cherry Hill, East Brunswick, Englewood, Fort Lee, Maplewood, Paramus, Passaic-Clifton, Rutherford, Teaneck, Edison, West Orange, Long Branch, Tenafly, and Ventnor, New Jersey; Westhampton Beach, Southampton, Quogue, Huntington, Stony Brook, Patchogue, East Northport, Merrick, Mineola, North Bellmore, Plainville, Great Neck, Valley Stream, West Hempstead, Long Beach, Atlantic Beach, Lido Beach, Roslyn, Searingtown, Forest Hills, Kew Gardens, Belle Harbor,



Any legal question regarding eruv has been conclusively settled, as every court to have considered the matter, including the Third Circuit Court of Appeals (governing New Jersey), has determined that the creation of an eruv, including through the utilization of public utility poles for the attachment of lechis, is a reasonable accommodation of religious practice under the Free Exercise Clause. *See Tenaflly Eruv Ass'n v. Borough of Tenaflly*, 309 F.3d 144, 176 (3d Cir. 2002); *ACLU of N.J. v. City of Long Branch*, 670 F. Supp. 1293, 1295 (D.N.J. 1987). Following its successful *pro bono* representation of eruv proponents in *Tenaflly*, our law firm represented an eruv association in multi-year litigation against the municipalities of Westhampton Beach, Quogue, and Southampton, NY. There, New York state and federal courts, including the Second Circuit Court of Appeals, repeatedly ruled in favor of the eruv association, finding, among other things, that municipal non-interference with the creation of an eruv is a constitutional exercise of religious freedoms and "[n]eutral accommodation of religious practice," (*see Jewish People for the Betterment of Westhampton Beach v. Vill. of Westhampton Beach*, 778 F.3d 390, 395 (2d Cir. 2015)); that lechis are not signs for the purpose of town sign ordinances, and municipalities have affirmative duties to accommodate religious uses of utility poles (*see East End Eruv Ass'n v. Town of Southampton, et al.*, No. 14-21124, 2015 WL 4160461 (Sup. Ct. Suffolk Cty., June 30, 2015)); and that utility companies have the authority to enter into contracts for the attachment of lechis to poles (*see Verizon New York, Inc., et al. v. The Village of Westhampton Beach, et al.*, 11-cv-00252, 2014 WL 2711846 (E.D.N.Y. Jun. 16, 2014)). An eruv has now been up in these municipalities for almost two years, without further dispute or controversy.

In the days following the Second Circuit's unanimous decision in January 2015 in a case that I argued, then-mayor of Montvale, New Jersey, Mayor Fyfe, issued a public statement recognizing that an eruv is constructed "so as to be unobtrusive and nearly invisible to the general public," and that it "has been

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Holliswood, Jamaica Estates, New Rochelle, Soarsdale, White Plains, Albany, and Manhattan, New York; Bridgeport, Hartford, Norwalk, Stamford, New Haven, and Waterbury, Connecticut; Boston, Cambridge, Springfield, and Worcester, Massachusetts; Providence, Rhode Island; Berkeley, La Jolla, Long Beach, Los Angeles, Palo Alto, San Diego, and San Francisco, California; Pittsburgh, Philadelphia, and Lower Merion, Pennsylvania; Chicago, Buffalo Grove, Glenview-Northbrook, and Skokie, Illinois; Ann Arbor, Southfield, Oak Park, and West Bloomfield Township, Michigan; Baltimore, Potomac, and Silver Spring, Maryland; Charleston, South Carolina; Birmingham, Alabama; Atlanta, Georgia; Las Vegas, Nevada; Miami, Ft. Lauderdale, Boca Raton, Boyton Beach, Deerfield Beach, Delray Beach, and Jacksonville, Florida; Denver, Colorado; Cleveland, Cincinnati, and Columbus, Ohio; Portland, Oregon; Memphis and Nashville, Tennessee; New Orleans, Louisiana; Dallas, Houston, and San Antonio, Texas; Richmond, Virginia; Seattle, Washington; Phoenix, Arizona; and Washington, D.C. Most recently, eruv have been established in Plano and Austin, Texas; Scottsdale, Arizona; and Omaha, Nebraska. On the occasion of the inauguration of the first eruv in Washington, D.C., President George H.W. Bush wrote a letter to the Jewish community of Washington in which he stated: "there is a long tradition linking the establishment of eruvim with the secular authorities in the great political centers where Jewish communities have lived. . . . Now, you have built this eruv in Washington, and the territory it covers includes the Capitol, the White House, the Supreme Court, and many other federal buildings. By permitting Jewish families to spend more time together on the Sabbath, it will enable them to enjoy the Sabbath more and promote traditional family values, and it will lead to a fuller and better life for the entire Jewish community in Washington. I look upon this work as a favorable endeavor. G-d bless you." *See* 1990 Letter from George Bush to Congregation Keshar Israel, attached hereto as Exhibit A.

universally held that the construction of an eruv serves 'the secular purpose of accommodation' and does not violate the separation of Church and State." As that statement correctly noted, "[a]bsent any compelling safety concerns, there is little role for Montvale to play in what amounts to a private negotiation between Orange and Rockland and the community that requested the eruv." See Eruv Statement by Mayor of Montvale, attached hereto as Exhibit B.

Over the past months, therefore, my clients have sought to expand an existing eruv to parts of Mahwah, Upper Saddle River, and Montvale by attaching lechis to utility poles pursuant to valid licenses negotiated between community members using the eruv and Orange and Rockland Utilities, Inc. ("O&R"). As you may know, Mahwah officials were aware of and voiced no opposition to the Jewish community's efforts to create the eruv, and Mahwah police worked collaboratively with Rabbi Chaim Steinmetz, who in turn complied with all paperwork and safety measures that were requested. Indeed, pursuant to a written Agreement between The Township of Mahwah and the Vaad HaEruv, the Mahwah Police Department issued invoices to Rabbi Steinmetz in the aggregate amount of almost \$2,000 for the hours of work that Mahwah Police officers spent supervising the installation of the eruv. As shown in Exhibit C, attached hereto, Mahwah Police have marked these invoices "paid in full."

Indeed, last week, you issued a public statement recognizing that the Board of Public Utilities (BPU) "has granted permission" for my clients to place lechis on O&R utility poles. See "Message from the Mayor – Eruv Update" (July 19, 2017), attached hereto as Exhibit D. You explained that "because of several Federal Law suits" – i.e., those described above – "both BPU and O&R are obligated to allow these ERUV markings, but they have NO OBLIGATION to notify the municipality." *Id.* (emphasis in original). And, as you noted, "[a]dvice by our attorney is that we cannot do anything about the installation of these plastic pipes on these utility poles establishing a[n] ERUV." *Id.*

In light of your recent public statement, which acknowledged the settled legal principles outlined above, we were quite surprised and dismayed to receive the Township's July 21, 2017 letter. We have reviewed the sole local ordinance cited in that letter as purportedly restricting my clients' exercise of their civil liberties. It does nothing of the kind.

First, a lechi is not a "device for visual communication" and thus does not constitute a "sign" under Township of Mahwah Zoning Ordinance Section 24-2.2, cited in Mr. Kelly's letter. As the Third Circuit expressly held in *Tenafly*, lechis "serve a purely functional, non-communicative purpose." *Tenafly*, 309 F.3d, at 162 (emphasis added). In *Southampton*, a New York state court likewise held that lechis "do not display a message or delineation," and therefore cannot be "signs" for purposes of town sign ordinances. See 2015 WL 4160461, at \*5. Because a lechi is not a "sign," it is not prohibited by Township of Mahwah Zoning Ordinance Section 24-6.8(F)(3)(c), which solely relates to "signs placed on trees, rocks or utility poles." This is now well-settled law, and any position to the contrary is frivolous.

*Second*, even if the Ordinance did apply – and it plainly does not – we are already aware that the Township has selectively enforced the Ordinance. See Exhibit E (picture of house number “150” sign on a pole at 150 Airmont Ave, Mahwah, NJ, 07430). Such selective enforcement runs headlong into *Tenafly*, which held that the borough’s selective, discretionary application of a local ordinance violated the neutrality principle of the Free Exercise Clause, because it “devalue[d] . . . Jewish reasons for posting items on utility poles by judging them to be of lesser import than nonreligious reasons and thus single[d] out the plaintiffs’ religiously motivated conduct for discriminatory treatment.” 309 F.3d at 168 (citing, *inter alia*, *Church of the Lukumi Babalu Aye, Inc. v. City of Hialeah*, 508 U.S. 520, 537 (1993)).

It is distressingly clear to us that the Township’s take-down demand stems from opposition from a vocal minority of the community that is clearly based on rank religious animus. As you are likely aware, a vicious discriminatory campaign against the eruv expansion has been launched by residents in both Mahwah and adjacent towns, including the “Petition to Protect the Quality of Our Community in Mahwah.” Illustrative examples of the public comments posted on this “Petition” unfortunately speak for themselves:

- “Get those scum out of here.”
- “They are clearly trying to annex land like they’ve been doing in Occupied Palestine. Look up the satanic verses of the Talmud and tell me what you see.”
- “Our town is such a great place and if these things move in they will ruin it. They think they can do whatever the hell they want and we’ll be known as a dirty town if they move in. Please keep them out...”
- “I don’t want these rude, nasty, dirty people who think they can do what they want in our nice town.”
- “I don’t want my town to be gross and infested with these nasty people.”
- “I do not want these things coming into my town and ruining it.”

These ignorant and wildly anti-Semitic public comments are, of course, extremely troubling, and have no place in civilized society. We are also aware of, and deeply concerned about, news reports that certain lechis in Mahwah have been vandalized.<sup>2</sup> Against this backdrop of hatred, any action taken by the Township will be in response to a religious practice—specifically, a religious practice of observant

<sup>2</sup> See <http://newjersey.news12.com/story/35960811/fight-brewn-between-orthodox-community-and-mahwah-residents> (“News 12 New Jersey found some [lechis] that seemed to have been vandalized. Pieces of the pipe were torn from the fittings on the utility poles, while other pieces were strewn on the ground.”).

Jews. Here, too, the *Tenafly* decision is instructive, if not dispositive, as the Third Circuit held that where a borough's action is directed against a religious group in a manner that is neither neutral nor generally applicable, it must withstand strict scrutiny review. *Tenafly*, 309 F.3d at 165 (citing *Lukumi*, 508 U.S. at 532, 542).

Finally, Mr. Kelly's letter ignores that observant Jews will suffer practical difficulties and hardships each and every week that passes without an eruv, as the elderly, disabled, and families of young children are confined to their homes and thus separated from family members and the rest of the community during the Sabbath. Municipal intransigence in accommodating sincerely-held religious beliefs by obstructing the creation of an eruv can constitute constitutional injury, and has given rise in other cases to claims for violation of, among other things, individuals' First Amendment Free Exercise Clause rights, the Religious Land Use and Institutionalized Persons Act, 42 U.S.C. § 2000cc et seq., as well as 42 U.S.C. § 1983. Section 1983 recognizes a private cause of action against any person who, acting under color of state law, deprives another of "any rights, privileges or immunities secured by the Constitution and laws" of the United States. *Monell v. N.Y.C. Dep't of Social Servs.*, 436 U.S. 658 (1978). Such a claim is proper against a municipality when its policies deprive an individual of his or her federal rights, *id.* at 690, and the prevailing party in such an action is entitled to reasonable attorneys' fees. *See* 42 U.S.C. § 1988; *see also Tenafly Eruv Ass'n v. Borough of Tenafly*, 195 Fed. App'x. 93 (3d Cir. 2006) (granting eruv association's motions for attorneys' fees in the aggregate amount of over \$400,000, based on law firm rates from the year 2002, which was followed by a settlement by the borough). Moreover, if the Township persists in the demand contained in the July 21 letter, it will also constitute a tortious interference with my clients' valid licenses with O&R under New Jersey state law. At bottom, proceeding any further in this matter will be a costly and assuredly unsuccessful endeavor for the Township.

We greatly appreciate any efforts on your part to learn more about eruvim and would like to work together to resolve any potential dispute prior to our seeking relief from the courts if possible. For all of the reasons cited above, any legal issues associated with eruvim have been conclusively settled by the courts, and we thus reject the Township's demand to remove the lechis from O&R's utility poles. We are available at the earliest possible convenience for you and the Town Council to discuss any remaining questions or concerns the Township has. We reserve all of our client's legal rights.

Sincerely yours,

/s/ Yehudah L. Buchweitz

Yehudah L. Buchweitz

July 26, 2017  
Page 6

Weil, Gotshal & Manges LLP

cc: Michael J. Kelly  
John L. Carley, Esq.  
Yitzchok Altman  
Jay Friedman  
Moshe Pinkasovits  
Abraham Rosenwasser  
Andrea Jaffe  
Rabbi Chaim Steinmetz  
Robert G. Sugarman, Esq.  
David Yolkut, Esq.  
Jessie B. Mishkin, Esq.

# Exhibit A

A 41

THE WHITE HOUSE

WASHINGTON

Eruv Sabbath, 1990

I am pleased to send greetings to Congregation Keshar Israel and to the Orthodox Jewish community in Washington as you celebrate the inauguration of the first eruv in the District of Columbia.

The construction of this eruv is particularly significant not only because it marks the growth of the Orthodox Jewish community in Washington but also because this city is our Nation's Capital. Indeed, there is a long tradition linking the establishment of eruvim with the secular authorities in the great political centers where Jewish communities have lived. In the words of a responsa of Rabbi Moses Sofer: "Bless the Lord, God of Israel, who has inclined the hearts of kings, rulers, and officers -- under whose sovereign jurisdiction we, the Jewish people find protection -- to grant permission to us to keep our faith in general, and specifically to establish eruvim in their thoroughfares, even on streets where the most important members of the government themselves live . . . in this city, there are places where we need to install a number of objects in order to create an eruv and we have not hidden our work, rather, it is publicized and open to all without doubt and permission has been granted."

Now, you have built this eruv in Washington, and the territory it covers includes the Capitol, the White House, the Supreme Court, and many other Federal buildings. By permitting Jewish families to spend more time together on the Sabbath, it will enable them to enjoy the Sabbath more and promote traditional family values, and it will lead to a fuller and better life for the entire Jewish community in Washington. I look upon this work as a favorable endeavor. God bless you.

*Cy Burt*

# Exhibit B



### Message From the Mayor

Several residents have recently brought to my attention the placement of what is known as an *eruv* on utility poles owned and operated by Orange and Rockland in the area of Lark Lane bordering on Chestnut Ridge, New York. In response to these inquiries, I contacted Orange and Rockland and consulted with our municipal attorney. I wanted to briefly address this issue to provide some background information concerning the *eruv* and the way that our courts have handled prior disputes on this issue.

For those who are unfamiliar with the term, an *eruv* is a ritual enclosure that allows members of certain Jewish communities to carry objects and move more freely in their neighborhood on the Sabbath. An *eruv* typically consists of a network of thin wires and posts that are attached to the top of utility poles. Ordinarily, an *eruv* is constructed in a way so as to be unobtrusive and nearly invisible to the general public. For example, they are located all throughout Manhattan, and I personally have never noticed one in all my time in the City.

Courts in both New York and New Jersey have addressed lawsuits filed to either block or permit the construction of an *eruv*. Most recently, in a decision issued on January 6, 2015, the United States Court of Appeals for the Second Circuit dismissed a lawsuit seeking to prohibit an *eruv* in the Long Island community of Westhampton. The Second Circuit relied upon a 2002 Federal decision concerning Tenafly, New Jersey, which affirmed the right to place an *eruv* on utility poles in the municipality with the permission of the utility. In these and other cases, it has been universally held that the construction of an *eruv* serves the "secular purpose of accommodation" and does not violate the separation of Church and State. Absent any

compelling safety concerns, there is little role for Montvale to play in what amounts to a private negotiation between Orange and Rockland and the community that requested the *eruv*.

I understand that members of the public may have additional questions, and I would be happy to discuss this matter further. If you would like to speak to me about this issue, or about any other issue concerning the Borough, please feel free to contact me at [mayorfyfe@montvaleboro.org](mailto:mayorfyfe@montvaleboro.org) or to attend one of our council meetings which are held on the second and last Tuesday of every month.

## **EXHIBIT C**

**Mahwah Police Department**

221 Franklin Turnpike

Mahwah, New Jersey

201-529-1000 X.212

Attn: Captain Stuart Blank

**Bill To:**Vaad Haeruv  
P.O. Box 1118  
Monsey, NY 10952**Invoice**

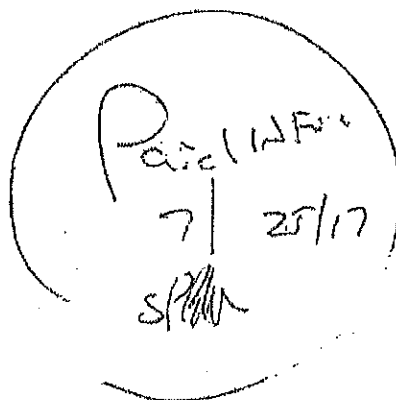
Number: 3607

Date: June 23, 2017

**Ship To:**Vaad Haeruv  
P.O. Box 1118  
Monsey, NY 10952

PO Number	Terms	Project
		ERUV

Date	Description	Hours	Rate	Amount
6/22/17	Lehman	6.00	114.79	688.74
6/23/17	Monico	6.00	114.79	688.74
Location: East Mahwah mahwah Jobs # 141, 144				
Total				\$1,377.48

Amount Paid: 1,377.48  
Amount Due: 0.00

**Mahwah Police Department**

221 Franklin Turnpike  
Mahwah, New Jersey  
201-529-1000 X 212  
Attn: Captain Stuart Blank

**Bill To:**

Vaad Haeruv  
P.O. Box 1118  
Monsey, NY 10952

**Invoice**

Number: 3691

Date: June 30, 2017

**Ship To:**

Vaad Haeruv  
P.O. Box 1118  
Monsey, NY 10952

PO Number	Terms	Project
		ERUV


Date	Description	Hours	Rate	Amount
6/28/17	Canning	5.00	114.79	573.95
Location: Almont & Almont mahwah Job # 146:				
Total				\$573.95

12 Roll  
Paid 7/25/17  
SKL

Amount Paid: 573.95

Amount Due: 0.00

## **EXHIBIT D**



Currently:  
July 25, 2017  
12:32 PM

Home

**GENERAL**

About Mahwah  
Calendar of Events  
Helpful Links  
News & Announcements  
Photo Journal

**OFFICIALS**

Mayor's Online Office  
Township Council  
Boards, Commissions & Committees  
Government Representatives

**GOVERNMENT**

Bids, RFP's, RFQ's, Notice of Intent  
Community Emergency Response Team (CERT)  
Contacts Directory  
Departments  
E-Mail Subscriptions  
Emergency Services  
Forms Center  
Frequently Asked Questions  
Meeting Agendas & Minutes  
Municipal Code  
Senior Center

# Township of Mahwah, N.J.

Working for you

## News & Announcements

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### Message from the Mayor - ERUV UPDATE

Release Date: July 19, 2017

If you follow Social Media, concerns from residents have spread from Upper Saddle River to Mahwah regarding the ERUV. An ERUV is a closed perimeter area of about 26 square miles. Please click on the following link for more information: <http://www.myjewishlearning.com/article/eruv>

Click on the following link for a list provided by O&R of every utility pole where the plastic pipes have been secured. (Click here: [Listing of Poles](#) ) Advice by our attorney is that we cannot do anything about the installation of these plastic pipes on these utility poles establishing a ERUV. There are links below that may better help you understand some of the issues.

The Board of Public Utilities (BPU) <http://www.bpu.state.nj.us> is the State of New Jersey public utility authority who has granted permission to this group to place the 1/2 plastic pipes for the purpose of a ERUV on Orange and Rockland (O&R) utility poles. <https://www.oru.com/en/contact-us>

Normally, O&R does not allow anyone to place anything on their utility poles without permission but because of several Federal Law suits, both BPU and O&R are obligated to allow these ERUV markings, But they have NO OBLIGATION to notify the municipality. The most recent litigation was in Tenafly NJ. <http://www2.ca3.uscourts.gov/opinarch/013301.txt>

These markings connect Saddle River Road and East Mahwah road, by way of Airmount Road, Airmont Ave, Masonious Road and Sparrowbush Road and a left hand turn onto Saddle River Road.

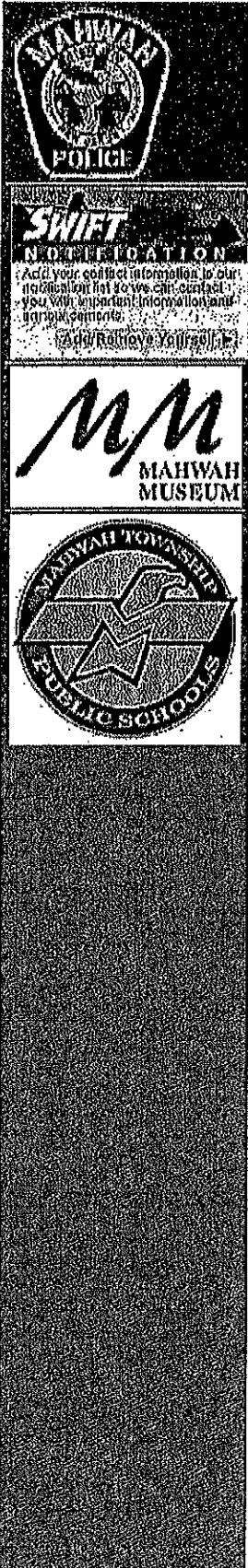
The ERUV is not complete until the perimeter is complete. The municipalities, both Mahwah and Upper Saddle River, did not receive any notice, nor could O&R deny the application.

I realize a lot of Information is circulating around town and some of it may be concerning to residents. I hope we have provided you with information that provides an understanding of the situation at hand. I, along with the Council, continue to explore options regarding this issue. We will pass on any new information as we receive.

Regards,

### Current News & Information

Title	(Posted)
NJ Clean Energy Programs Information	(7-21-17)
Message from the Mayor - ERUV UPDATE	(7-19-17)
TWP. AUCTIONS RETIRED POLICE VEHICLES VIA GOVDEALS	(7-15-17)
A Message From the Senior Center	(7-14-17)
Change In Recycling Center Saturday Hours	(7-13-17)
JULY 13 PADDLE DAY CANCELLED	(7-13-17)
July Upcoming Events - Senior Center	(7-13-17)
Delay of 2017-2018 Tax Bills	(7-12-17)
Senior Trip - August 25, 2017	(7-12-17)
2017 Mahwah Day Participant Forms Are Available	(7-10-17)
New Umbrellas and Chairs At the Mahwah Municipal Pool	(6-30-17)
Wyckoff Avenue Detour - Sanitary Sewer Work	(6-28-17)
Township Summer Road Closures	(6-27-17)
July 2017 Calendar	(6-26-17)
June 26 Planning Board Meeting Cancelled	(6-23-17)
Recycling Barrel Give Away - July 15	(6-23-17)
A Message From the Mahwah Municipal Pool	(6-21-17)
Movie Day At the Senior Activity Center	(6-21-17)
Senior Center - Medicare Fraud Prevention	(6-21-17)
Sr. Center - Bergen County Clerk's Office to Provide Services	(6-21-17)
Sr. Center - Visit From The	(6-21-17)

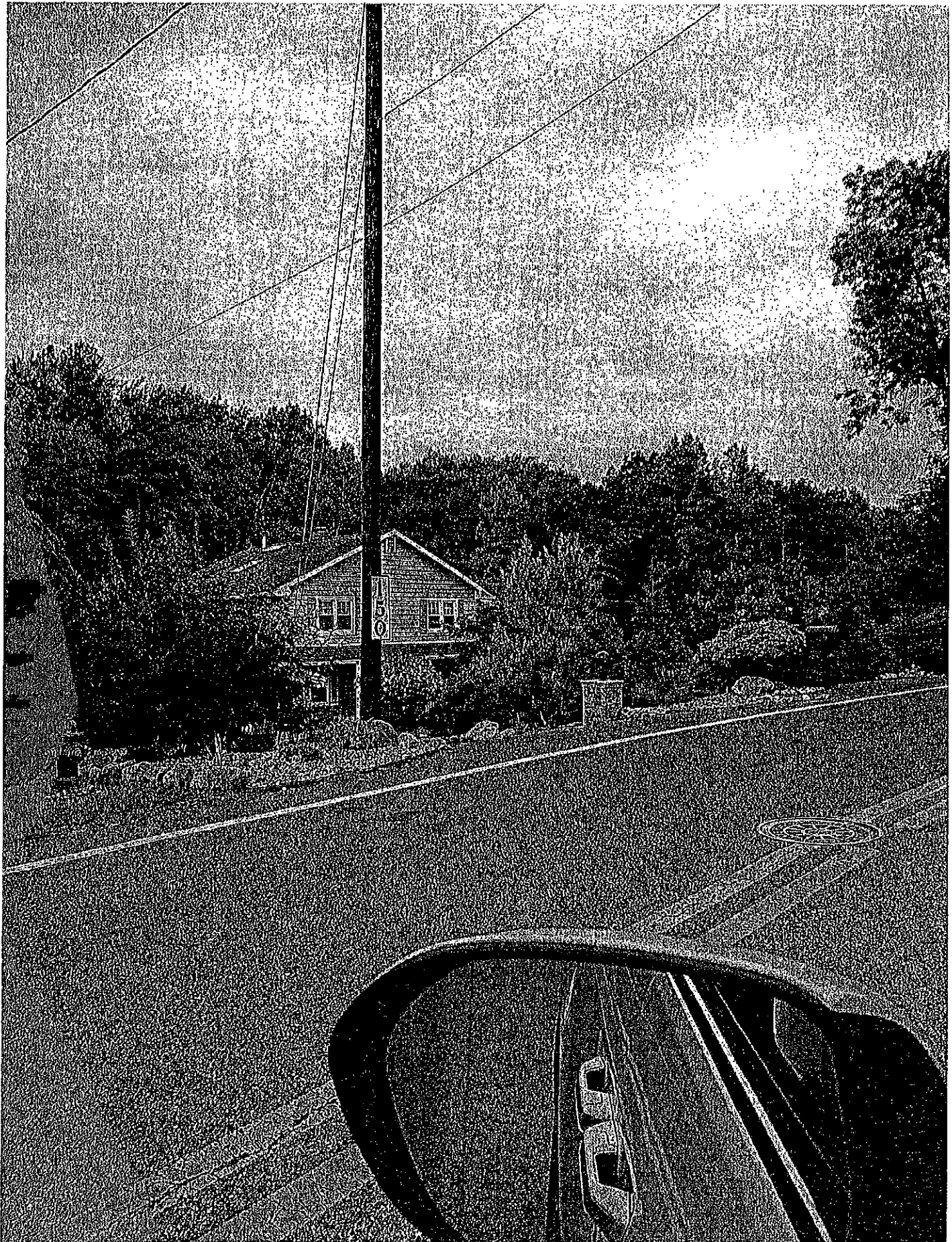


Mayor Bill Laforet

Vista	
Crescent Avenue Closed on	(8-13-17)
or about June 26,	
Changes in Council Meeting	(8-8-17)
Schedule	
Township of Mahwah 2016	(6-1-17)
Audit Report	
2017 Water Department	(5-31-17)
Consumer Confidence	
Report	
June 2017 Senior Center	(5-24-17)
Calendar	
Water Report - Lead and	(5-8-17)
Copper Samples	
Notice of Council Meeting	(4-25-17)
Time Change	
2017 Municipal Budget	(4-24-17)
Joint Statement of Mayor	(4-24-17)
and Council President	
Adult Tennis Clinic	(4-21-17)
Registration	
2017 Budget Analysis	(4-20-17)
Co-Ed Township Softball	(4-18-17)
Tournament	
2017 Mahwah Pool Forms	(4-12-17)
Available	
Changes in Recycling	(4-11-17)
Center Hours	
Curbside Appliance Pick Up	(3-31-17)
Spring Clean Up	(3-30-17)
Information - Grass Bags	
2017 Budget Documents	(3-27-17)
(Introduced)	
NJ Transit Metro North Fare	(3-9-17)
Changes	
MMA Announces Substance	(3-6-17)
Abuse Community Liaison	
Correct Disposal of	(3-1-17)
"Sharps"	
Jazz Dance - Message from	(2-22-17)
the Senior Center	
Rockland Electric Co. -	(2-16-17)
Vegetation Management	
2016 Annual Debt Statement	(2-14-17)
2016 Unaudited Annual	(2-14-17)
Financial Statement	
New Dance Class	(1-5-17)
AARP Tax Program	(1-4-17)
Senior Fraud Awareness	(12-13-16)
2017 BCUA Collection Dates	(12-9-16)
Menorah Lighting	(11-22-16)
Environmental Commission	(10-21-16)
Meeting - October 26, 2016	
How To Prevent Electrical	(10-14-16)
Fires	



## **EXHIBIT E**



Brought to you by [www.didtheyvote.com](http://www.didtheyvote.com)  
See website for more information

**Robert Hermansen**

---

**From:** Melanie Sue [REDACTED]  
**Sent:** Wednesday, August 02, 2017 2:11 PM  
**To:** Robert Hermansen; Jonathan Wong  
**Subject:** inquiry to join lawsuit

Dear Rob and Jonathan,

I'm curious if the town council is aware of any lawsuit filed against Rockland Electric with regard to the placement of the eruv. I believe the county of Rockland has initiated one. Will Mahwah join or need to start their own? My understanding is that the eruv was never installed in Park ridge last year. They are covered by PSEG. But the current townships involved with this issue are covered by Rockland Electric. Seems like a clear cut separation of state/religion. The utility company should not be using the poles in this way. Can you please advise on this matter? Thank you.

~Melanie Sue (resident on Grenadier drive)  
[REDACTED]

Redacted  
Email Address  
and Telephone  
# [Signature]

**Robert Hermansen**

---

**From:** Vincent Giovinco [REDACTED]  
**Sent:** Wednesday, August 02, 2017 8:49 AM  
**To:** Robert Hermansen  
**Subject:** Re: What is your position on the ERUV issue?

What are convenient times to call?

Sent from my iPhone

On Aug 2, 2017, at 12:33 AM, Robert Hermansen <[RHermansen@mahwahtwp.org](mailto:RHermansen@mahwahtwp.org)> wrote:

Call me at [REDACTED] and will talk about these issues.

Sent from my iPad

On Aug 1, 2017, at 4:46 PM, Vincent Giovinco [REDACTED] wrote:

Dear Mr. Hermansen:

1. When did you become aware of the installation of the ERUV's and by which Town entity (Police, Parks, etc.)?
2. What is your position on this issue?
3. Does the fact that it is a matter of public record that thirty members of this same Orthodox group have been indicted recently in NJ for the State and Federal government of tax evasion, defrauding welfare and Medicare bother you?
4. What action do you anticipate taking on the issue?

Awaiting your comments

Vincent J Giovinco  
152 Old Woods Ct  
Mahwah

Redacted -  
Email Addresses  
and Telephone  
# 16

**Robert Hermansen**

---

**From:** Vincent Giovinco <[REDACTED]>  
**Sent:** Tuesday, August 01, 2017 4:46 PM  
**To:** Robert Hermansen  
**Cc:** [REDACTED]  
**Subject:** What is your position on the ERUV issue?

Dear Mr. Hermansen:

1. When did you become aware of the installation of the ERUV's and by which Town entity (Police, Parks, etc,)?
2. What is your position on this issue?
3. Does the fact that it is a matter of public record that thirty members of this same Orthodox group have been indicted recently in NJ for the State and Federal government of tax evasion, defrauding welfare and Medicare bother you?
4. What action do you anticipate taking on the issue?

Awaiting your comments

Vincent J Giovinco  
152 Old Woods Ct  
Mahwah

Redacted  
Email Addresses.



## Robert Hermansen

---

**From:** Dave Rojek [REDACTED]  
**Sent:** Monday, July 31, 2017 3:38 PM  
**To:** Robert Hermansen; Jonathan Wong; Janet Ariemma; George Ervin; David May; Steve Sbarra; James Wysocki  
**Subject:** Your Views @ The Record

Redacted  
Email Addresses  
✓

Members of the Council:

For your information, I sent this letter to the editor to the Record last week. As of Monday, it has yet to appear in print.

The Council and the town attorney may wish to consider that the issue of the eruv might not necessarily be one about religion but rather one about violated private property rights. We should not others be in control of the issue in the public and judicial eyes, steering it to where they want it to be - religious rights. Rather, we should get in control of it and steer the issue toward (non-volatile, secular) property rights.

Dave Rojek

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**From:** Dave Rojek [mailto:[REDACTED]]  
**Sent:** Wednesday, July 26, 2017 2:54 PM  
**To:** 'LettersToTheEditor@northjersey.com'  
**Subject:** Your Views

Regarding the Mahwah Eruv issue, the writers of the articles and editorial should have first consulted with the Record's Legal Counsel. Had they done so, they would have learned that probably this is not at all an issue of religious freedom, but rather one of private property rights and unauthorized trespass.


For the most part, utility poles and lines are located on and over privately-owned property that is adjacent to roadways, and usually a portion of these adjacent private properties contain a legal right-of-way possessed by municipalities for use for the "general public good". For such general public good, municipalities have granted a use-license to certain public utilities of the municipality's legal right-of-way. A examination would probably find that such utilities have not been granted the ability from the municipality to sub-grant their use-license on their own, especially to entities having nothing to do with the general public good, but rather to their own private good.

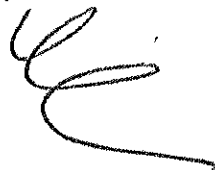
It is most likely that the Eruv erectors did not secure the permission from each of the private property owners to trespass on their land for their purposes, as they did not secure the permission of the township for use under their general public good right-of-way rights. Their having secured permission from Rockland Electric was therefore irrelevant.

Further, as respects the applicability of the US Constitutional right of freedom of religion to this issue, back in 1919 the US Supreme Court ruled in *Schenck v United States* that constitutional rights are not

unlimited, using the example that you cannot claim free speech in shouting "fire" in a crowded theater. Similarly, religious rights are not unlimited. You cannot claim to be of the Aztec/ Inca/ Mayan/ Toltec/ etc religion that requires human sacrifice, as a license allowing human sacrifices under the Constitution. Likewise, one should not be able to claim that their constitutional religious rights allow the superseding of others' private property rights.

David Rojek  
Mahwah, July 26

~~~~~  
David Rojek  
15 Hutton Drive  
Mahwah, NJ 07430  


Redacted  
Telephone # 

**Robert Hermansen**

---

**From:** [REDACTED]  
**Sent:** Monday, July 31, 2017 1:31 PM  
**To:** William Laforet; Robert Hermansen; Jonathan Wong; Janet Ariemma; George Ervin; David May; Steve Sbarra; James Wysocki  
**Subject:** Potential Meeting  
**Attachments:** LetterfromMawahStrong7.31.17.pdf

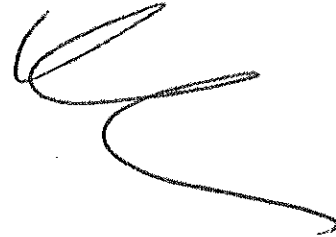
Dear Mayor Laforet and Mahwah Town Council,

Please see the attached letter which we intend to formally email to the South Monsey Eruv Fund (SMEF) later today. We wanted to advise you of this communication in case you have already scheduled an open dialogue with the SMEF. If you are already in contact with them please advise us as we would appreciate representation by our groups' leaders at such meeting.

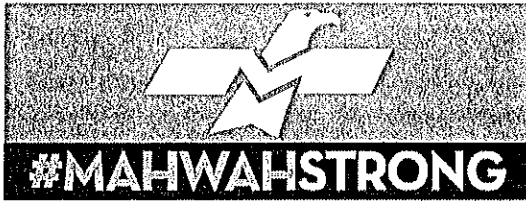
We appreciate your continued efforts in this matter and look forward to working collectively with you.

Regards,  
Leadership of Mahwah Strong

Redacted  
Email Address

A handwritten signature in black ink, consisting of a stylized 'K' or 'R' shape with a long horizontal stroke extending to the right.





To: South Monsey Eruv Fund  
Mahwah Mayor Bill Laforet  
Mahwah Town Council

From: Leaders of Mahwah Strong

July 31, 2017

Mahwah Strong is a group of a few thousand current Mahwah residents whose goal is to live in harmony with our neighbors.

In light of recent media reports we would like to suggest a meeting between the South Monsey Eruv Fund, Mahwah town leadership and leadership of this citizen's group so we may open a dialogue with between leaders of all parties.

We are happy to help facilitate a meeting in the next week at your convenience.

Please let us know your available dates and times and we will handle the set up arrangements.

Please respond to us by contacting us at [REDACTED] by Thursday August 4, 2017.

Kind regards,  
Mahwah Strong

Redacted  
Email Address

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke at the bottom.

**Robert Hermansen**

---

**From:** [REDACTED]  
**Sent:** Monday, July 31, 2017 1:27 PM  
**To:** William Laforet; Robert Hermansen  
**Subject:** PLEASE READ- Mahwah Resident

Redacted -  
Email Address  
KE

Mayor Laforet and Councilman Hermansen,

My name is Rich Scanlon and I live at 409 Green Mountain Rd in Mahwah.

Firstly, I wanted to thank you for a well run and respectful Town Meeting last Thursday. Think it just reinforces how professional, fair, and open our community is.

I wanted to make an inquiry about the Eruv situation and maybe leave some food for thought. I'm no lawyer, but I've found it interesting that this argument hasn't been raised as much.

Are you aware of this UCLA Law Research Report in  
2015: <http://www.odwyerpr.com/story/public/3840/2015-01-12/ucla-law-prof-says-eruvim-are-unconstitutional.html>

My question/ thought is simply this:

Why is it not considered unconstitutional or discriminatory for one group (ANY group) to create walls or barriers (be it "artificial" or not) representing their own personal beliefs and needs that encloses both public and private property that doesn't belong to them?

The implication is that any group can "claim" or "mark" any territory serving their needs, disregarding the separation of Church and State and the rights of citizens within that domain that are not of the same beliefs or group.

Marking or claiming boundaries enclosing public and private land for religious or personal meaning seems like a clear violation of the Constitution.

Furthermore, what are the implications/ infringements of the rights of those ppl living within these "boundaries"? These are residents who are possibly being infringed upon by having their own private property artificially and involuntarily included in a religious domain. Freedom of religion AND from religion are basic rights in the US I believe.

Defining a religious barrier that defines borders of both public and private property seems misaligned w/ rights of others.

As a home owner, I should not be forced to live within any religious domain if I don't choose to, correct? And I think it's clear through writings/ web sites/ etc that enclosures such as an Eruv are clearly marked and defined w/o any consideration for the Public or other Private citizens.

I'm sure the Legal powers that be could argue this more eloquently, but I wanted to throw this thought out there.

So often this particular argument is made about signage and ordinances, when there may be an opportunity to look at this from a different angle.

Thank you very much for your time, and hopefully we will find a good resolution to the issues at hand.

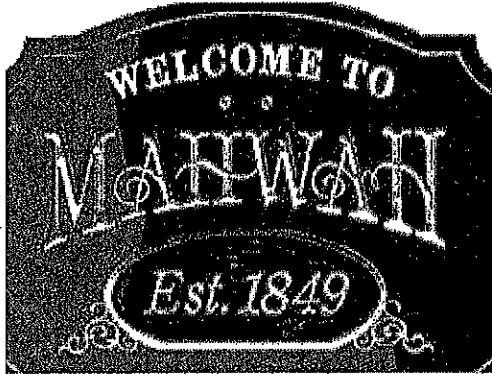
## Robert Hermansen

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**From:** Quentin Wiest  
**Sent:** Monday, July 31, 2017 9:42 AM  
**To:** Robert Hermansen  
**Subject:** FW:

FYI

**Quentin Wiest**  
**Business Administrator**  
**Township of Mahwah**  
475 Corporate Drive  
Mahwah, NJ 07430  
[QWiest@MahwahTwp.org](mailto:QWiest@MahwahTwp.org)  
201-529-5757 x 265



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**From:** Chief James N. Batelli  
**Sent:** Sunday, July 30, 2017 12:08 PM  
**To:** Quentin Wiest; William Laforet; Brian Chewcaskie  
**Subject:**

I wish to bring these matters to your attention:

1. **Council President Hermansen is telling residents I approved the ERUV's.** This is not factual and he knows that. I neither have the authority nor is there any documentation nor any individual from Orange and Rockland that has stated that I approved the ERUV's. The fact is the Township was advised in early May via e-mail that ERUV's were going to be installed and on what specific poles and locations. The Township took no position to oppose the installation or even question their installation.

2. In an article on the Bergen Record on July 28th 2017 **Council President Hermansen "accused Batelli of sitting on the sidelines during the drafting, introduction and adoption of the Ordinance and was blindsided by the Chief's decision to contact the Prosecutor's office..."** This is not factual and there are documents to support this yet the Township takes no action to stop my character from being defamed in public arena. The Mayor sent me the Ordinance on July 7th at 9:53 a.m. asking for input on what the sign should look like. At 10:28 a.m the same day I responded with inquiries and those inquiries continued. On July 19th I sent an e-mail again questioning the legality of the Ordinance and that is posed bias based profiling issues. I informed the Township that if I did not receive legal direction from the Township on this I would be left with no choice but to go to the Attorney General. There was no response. On July 20th, 2017 one week before the Ordinance was to become law I sent a four page letter to the Township expressing my concerns and asking for legal guidance. Again absolutely no response. Left with no choice I contacted Prosecutor Gurbir Grewal who ruled the Ordinance unconstitutional and I would have violated the law if I enforced the Ordinance

enacted by Council. I believe the Township was setting me up for failure by either directing me to enforce an unconstitutional Ordinance or possibly face insubordination charges by not enforcing the law. Despite the Ordinance being ruled unconstitutional Council President Hermansen is still directing the signs be installed at the park as a "deterrent". Despite knowing the Council President Hermansen's comments about me sitting on the sidelines during the drafting, introduction and adoption of the Ordinance were false the Township took no position to correct them and again allowed my character in the community to be defamed.

**3. Council President Hermansen directed the Mayor to ask me if I gave a group of Hassidic children a tour of police headquarters.** This was done in the presence of another Council member and I believe the Business Administrator. During my tenure of Chief I have never been asked the race, religion, or ethnicity of a group being given a tour and when asked what difference the religion of a tour was I received no answer so I will again ask what was the purpose of that question ? Clearly some serious conclusions can be made when we are now questioned about religious background of tour groups.

Lastly as I have written before during the July 27th, 2017 Council meeting, Council member Jim Wysocki stated there were administrative issues within the Police Department and the Council had been discussing them for some time. I have asked for what those administrative issues are so I can correct them. I also question why I wasn't provided a Rice notice if these administrative issues were discussed. They were not listed on any public agenda that I saw nor any closed session agenda summary that I was sent. Is it the intention to claim "for some time" there were issues within the Police Department and not advise the Chief so they can be corrected. The Matrix study at a cost of \$50,000 found no critical negative administrative issues, our agency is CALEA certified, in 14 years I believe there has been only 4 grievances and three of those were the result of Council actions, our agency has seized over 3 million dollars and used it to improve the agency. A six month summary sent to the Business Administrator found summonses increased, calls for service increased and overtime was down. Council member Wysocki has never talked to me or any other administrative office in the department so where is he getting his information, what is the information, what is he basing it on and what are the issues. Am I not entitled to address these so called administrative issues and provide an explanation if they actually exist ? I have never been reprimanded or failed to provide any documentation asked for by the Council or the Mayor. When Council member Wysocki was elected I documented in writing an issue with a Wysocki family member who was previously employed in our agency and expressed my opinion that this may influence Jim Wysocki's decisions on actions involving the Police Department.

This Council does not let facts get in their way when attempting to defame my character in the community. It was only a short time ago that Council made a public statement that overtime was out of control and poorly managed only to have the Matrix Study find it was managed efficiently and we were 5% to 7% below national standards.

In the past I have been told "Council can be advised but they cannot be told what to say." Regardless of that opinion I have a right as an employee of the Township to work in a environment free of harassment and without blatant mistruths about me told to the public that maligns my character and standing in the community.

James N. Batelli  
Chief of Police  
Mahwah Police Department  
[Redacted] Administrative Assistant Kathleen Kelly  
[Redacted] Direct Line

Redacted  
Telephone #'s

A Nationally Accredited Law Enforcement Agency through CALEA - [www.calea.org](http://www.calea.org)

**Robert Hermansen**

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**From:** Steve Sbarra  
**Sent:** Saturday, July 29, 2017 9:24 AM  
**To:** David May  
**Cc:** Kathy Coviello; Robert Hermansen; Jonathan Wong; Janet Ariemma; George Ervin; James Wysocki  
**Subject:** Re: Non Residents Ordinance

I have some questions for Kathy regarding this OPRA request, Has a formal OPRA request form come into The clerks office requesting any information on our new Park ordinance? iIn this letter it states that the reporter reported that we have banned all NON RESIDENTS which is not the case. the letter writer also did not provide us with the ordinance number in question, thus without a formal OPRA request I do not believe that we should answer this letter. Please confirm and send a copy of the official request so I can comply if necessary.


Sent from my iPad

On Jul 28, 2017, at 9:58 PM, David May <[DMay@mahwahtwp.org](mailto:DMay@mahwahtwp.org)> wrote:

Yes, I saw this article. Who are the town officials referenced in the article? I don't believe fear of any religious group was mentioned during discussion of the ordinance.

David May  
Councilman  
Township of Mahwah  
475 Corporate Drive  
Mahwah, NJ 07430

On Jul 28, 2017, at 12:10 PM, Kathy Coviello <[KCoviello@mahwahtwp.org](mailto:KCoviello@mahwahtwp.org)> wrote:

**From:** OJPAC [mailto:  
**Sent:** Thursday, July 27, 2017 9:55 PM  
**To:** William Laforet  
**Cc:** Kathy Coviello  
**Subject:** Non Residents Ordinance

*Redacted  
Email Address*



Good day Mayor and officials of the Township of Mahwah, N.J.

On July 27, 2017, Jerry DeMarco reported in the Ramapo Daily Voice that "[Mahwah] Township officials said they hoped the

measure [to ban non-residents from visiting parks] would provide protection against what residents fear is an organized incursion from Rockland County of Orthodox families who've recently swarmed parks in Mahwah, Montvale, Ramsey and Upper Saddle River by the busload."

If the above report is inaccurate, please inform the public that it is inaccurate. If as we suspect that the report is accurate - especially coinciding with the recent Eruv action of your government - please be aware that taking official government action against an ethnic or religious group is discriminatory and unconstitutional.

Under New Jersey's OPRA, we are requesting that you please share via email or regular mail any and all correspondence, records and meeting minutes that township officials had in context of the above-mentioned ordinance.

In addition, because the intent of the ordinance may be subject to a Federal-level civil rights lawsuit (and perhaps a criminal inquiry too due to its potential violation of law), we would

respectfully caution you against deleting any records related to this topic.

Thank you,

Aron Spielman

Mayer Berger

Yossi Gestetner

Co-founders; Orthodox Jewish Public Affairs  
Council (OJPAC)

Please email the requested records to

 or mail it too

OJPAC

P.O. Box 852

Spring Valley, NY

10977

Redacted  
Email  
Address



P.S. Representatives of OJPAC are willing to attend public meetings/forums to address questions/concerns that residents may have about the growth of the Orthodox Jewish community. However, due to the physical intimidation that an Orthodox Jewish female reporter suffered this week when she reported on an anti-Eruv gathering in Mahwah, OJPAC



would attend such meetings only if the Mahwah P.D. would be on hand to assure the orderly process of such meetings.


Thank you.

cc:

U.S. Department of Justice  
Civil Rights Division  
950 Pennsylvania Avenue, N.W.  
Office of the Assistant Attorney General, Main  
Washington, D.C. 20530

U.S. Attorney's Office  
970 Broad Street, 7th Floor  
Newark, NJ 07102

Office of the Attorney General  
**Division on Civil Rights**  
P.O. Box 089  
Trenton, NJ 08625-0089

*Please mail your contribution to*  
OJPAC  
P.O. Box 852  
Spring Valley, NY  
10977  


Redacted  
Email  
Address

**Robert Hermansen**

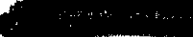
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**From:** David May  
**Sent:** Friday, July 28, 2017 9:59 PM  
**To:** Kathy Coviello  
**Cc:** Robert Hermansen; Jonathan Wong; Janet Ariemma; George Ervin; Steve Sbarra; James Wysocki  
**Subject:** Re: Non Residents Ordinance

Yes, I saw this article. Who are the town officials referenced in the article? I don't believe fear of any religious group was mentioned during discussion of the ordinance.

David May  
Councilman  
Township of Mahwah  
475 Corporate Drive  
Mahwah, NJ 07430

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**Sent:** Thursday, July 27, 2017 9:55 PM  
**To:** William Laforet  
**Cc:** Kathy Coviello  
**Subject:** Non Residents Ordinance

Redacted  
Email  
Address

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Thank you,

Aron Spielman


Mayer Berger

Yossi Gestetner

Co-founders; Orthodox Jewish Public Affairs Council  
(OJPAC)

Please email the requested records to  
[REDACTED] or mail it too

OJPAC  
P.O. Box 852  
Spring Valley, NY  
10977

Redacted  
Email  
Address  


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Thank you.

cc:

U.S. Department of Justice  
Civil Rights Division  
950 Pennsylvania Avenue, N.W.  
Office of the Assistant Attorney General, Main  
Washington, D.C. 20530

U.S. Attorney's Office  
970 Broad Street, 7th Floor  
Newark, NJ 07102

Office of the Attorney General  
**Division on Civil Rights**  
P.O. Box 089  
Trenton, NJ 08625-0089

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OJPAC  
P.O. Box 852  
Spring Valley, NY  
10977  
[www.OJPAC.org](http://www.OJPAC.org)

## Robert Hermansen

---

**From:** Susan C Montemorano [REDACTED]  
**Sent:** Friday, July 28, 2017 1:57 PM  
**To:** William Laforet  
**Cc:** Robert Hermansen; Jonathan Wong; Janet Ariemma; George Ervin; David May; Steve Sbarra; James Wysocki  
**Subject:** The eruv debate/problem

*Redacted  
Email Address*

Hi,

I have been watching the eruv debate online on facebook and in news reports.

I am completely on your side (for many reasons) - but as I am sure you now have had time to review the issue and how other towns have fared - you may have to accept the evrus after all. And all that it will do to your neighborhood.

A friend of mine sent me this message and I hope it may be helpful to you:

The only thing that can be done at this point is to sue the utility companies with the argument that they should not be allowing the rental of their poles, especially those located on private property to be used for religious symbols.

Every other argument appears to have made it through the courts and resulted in favorable rulings for the ervu community.

Hope this helps,

Susan C Montemorano, Pomona, NY



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**Just spreading the News in Ramapo, NY!**  
**Local Politics - Corruption - Environment**  
<https://www.facebook.com/TheMonteScoop/>

**Robert Hermansen**

---

**From:** Kathy Coviello  
**Sent:** Friday, July 28, 2017 12:26 PM  
**To:** Robert Hermansen  
**Subject:** FW: Signs in town (we spoke briefly at Town Hall)  
**Attachments:** 20170726\_194520.jpg; 20170726\_193251.jpg; 20170727\_123834.jpg; 20170727\_123956.jpg; 20170727\_124241.jpg; 20170727\_124406.jpg

**From:** Megan Jankowski [mailto: [REDACTED]]  
**Sent:** Friday, July 28, 2017 12:38 AM  
**To:** Kathy Coviello  
**Subject:** Signs in town (we spoke briefly at Town Hall)


Kathy,

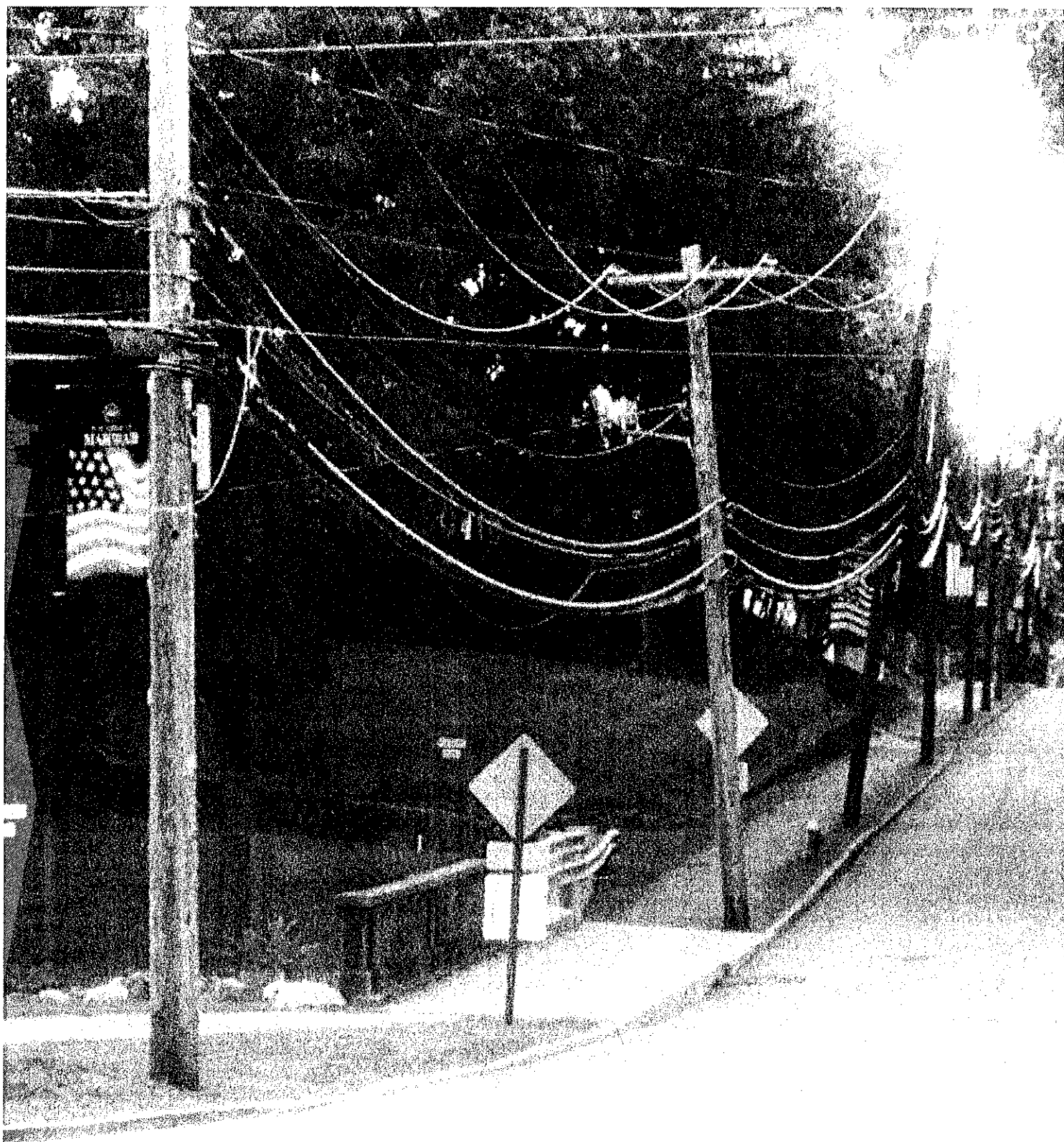
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1. There are multiple "Township of Mahwah" signs as well as American flags along East Ramapo Ave between the train station and Island Road.
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3. There are multiple American flags on Island Road near Commodore Perry field and the school.
4. At the exit of Mahwah High School, there is a "Stop" sign and "One Way" sign.
5. On Corporate Boulevard, there is a "Township of Mahwah" sign on the left side when coming from Macarthur Boulevard. It is before Town Hall. There is also empty poles where it looks like a sign used to hang at the entrance of Corporate Boulevard coming from Route 17.

Please let me know if there is any further information needed. My cell is [REDACTED] if you need to contact me by phone.

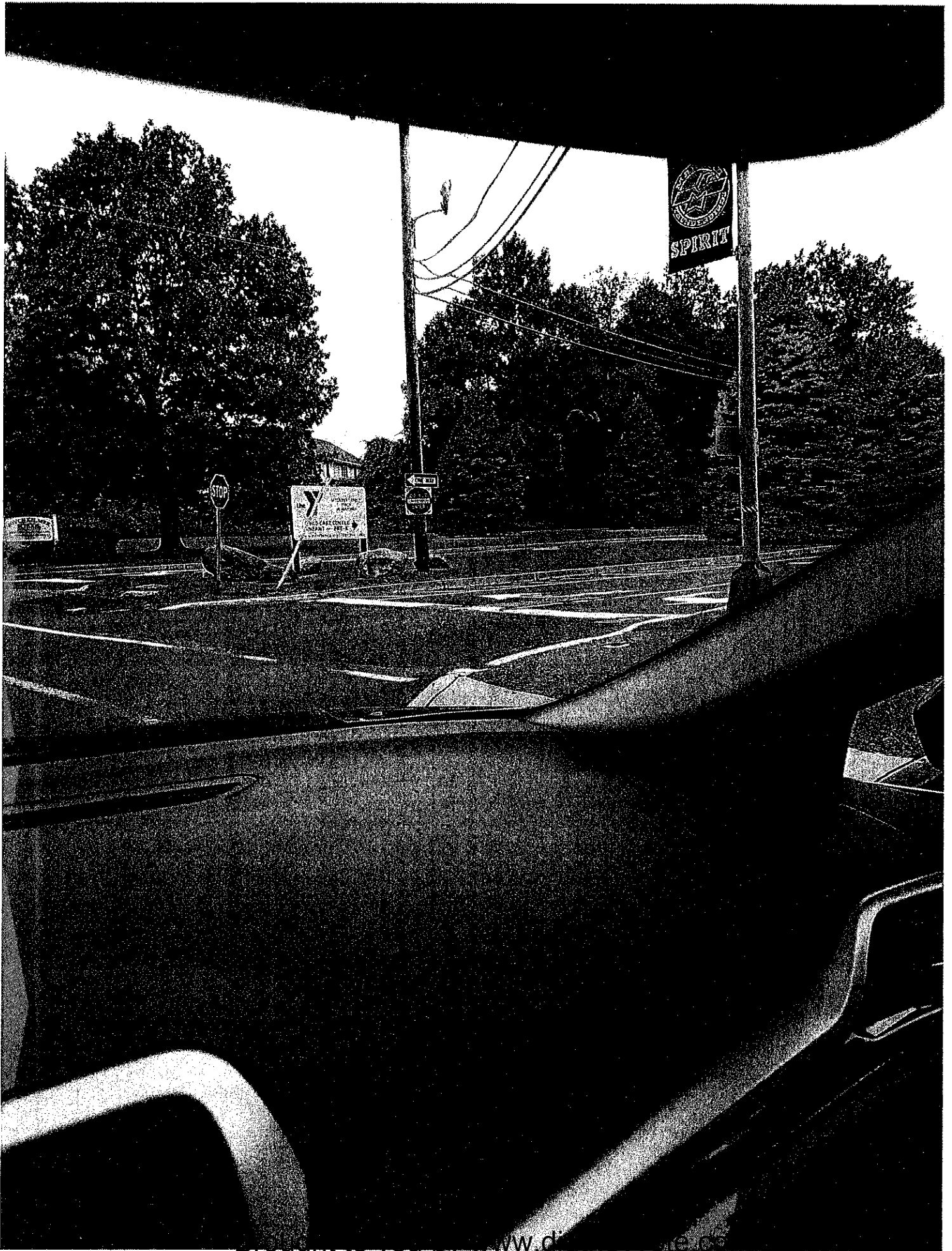
Thank you,  
Megan Jankowski

Redacted  
Email Address  
and Telephone  
#  


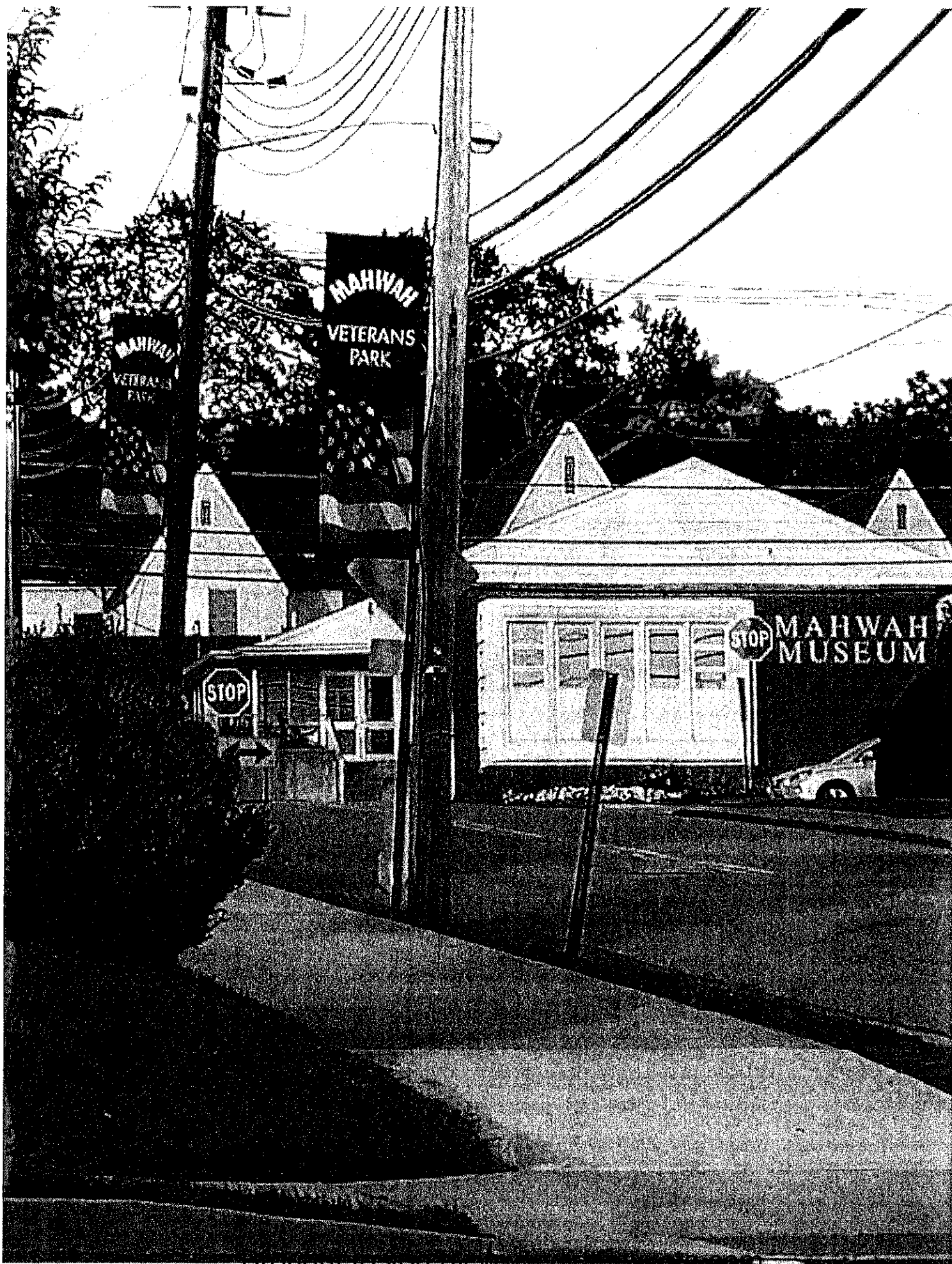


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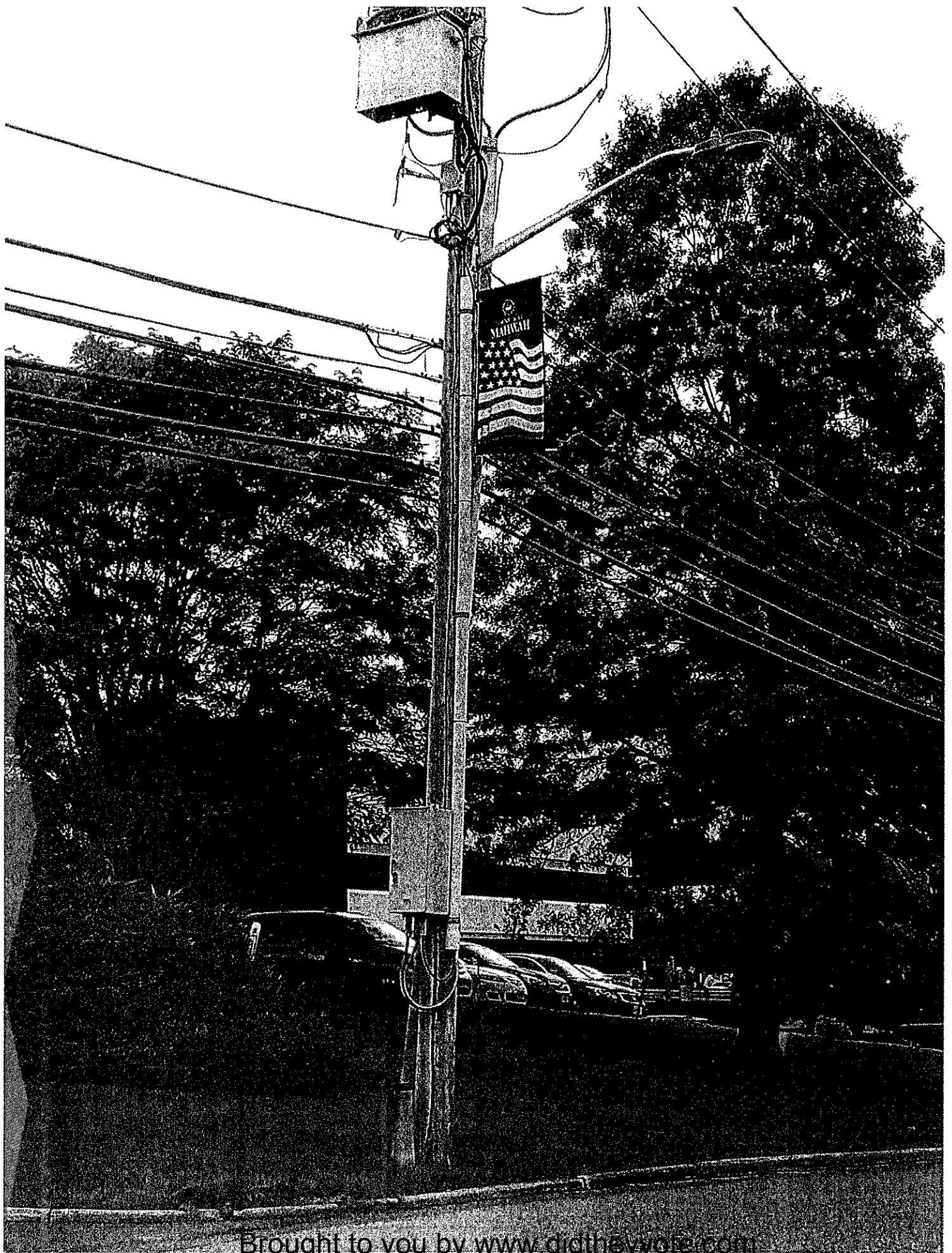


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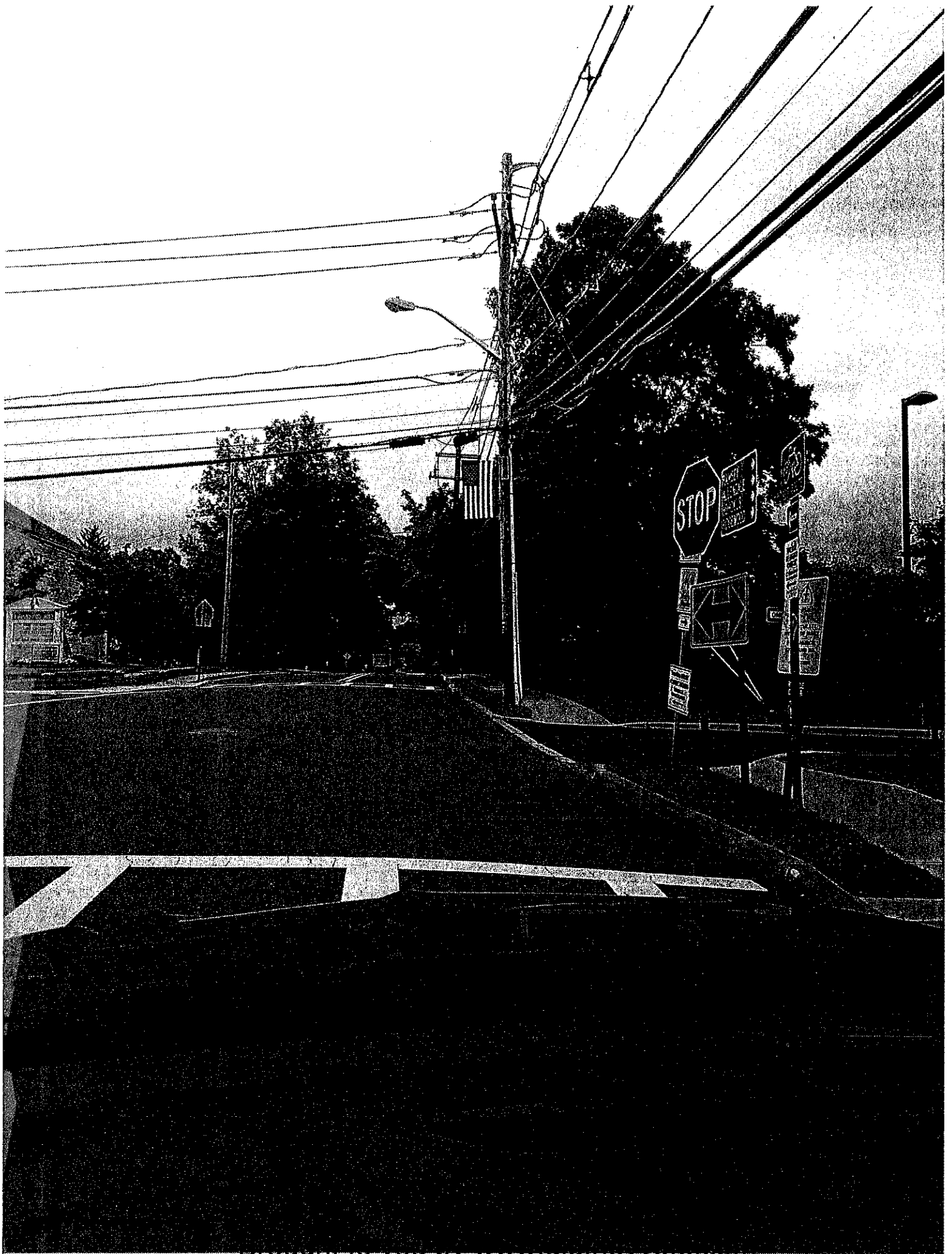
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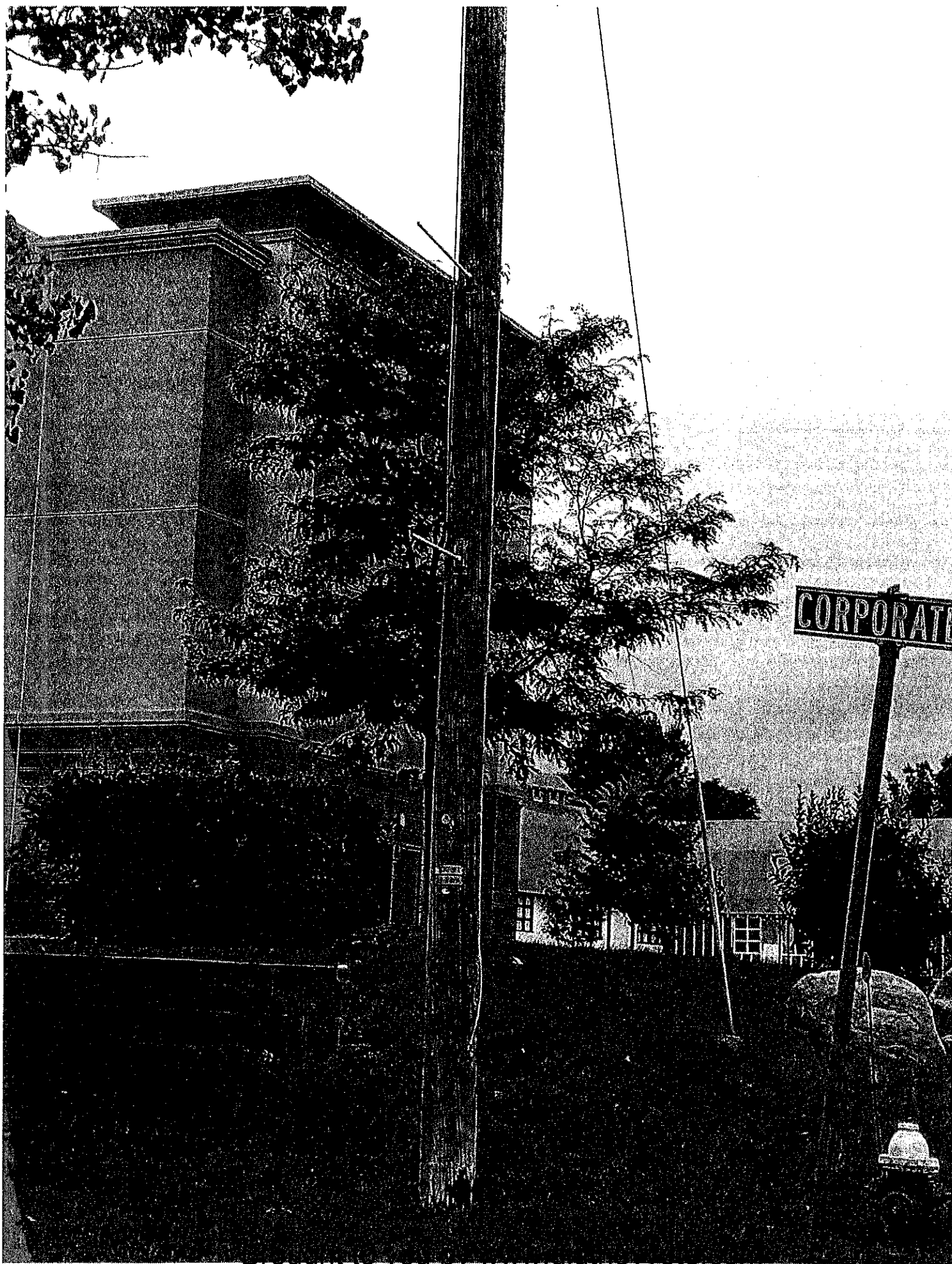
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Brought to you by W. Marlene Peterson

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**Robert Hermansen**

---

**From:** Kathy Coviello  
**Sent:** Friday, July 28, 2017 12:11 PM  
**To:** Robert Hermansen; Jonathan Wong; Janet Ariemma; David May; George Ervin; Steve Sbarra; James Wysocki  
**Subject:** FW: Non Residents Ordinance

Redacted  
Email Address

---

**From:** OJPAC [mailto: [REDACTED]]  
**Sent:** Thursday, July 27, 2017 10:04 PM  
**To:** William Laforet  
**Cc:** Kathy Coviello  
**Subject:** Re: Non Residents Ordinance



Please disregard the automatically-generated signature of the contribution and our mailing address in the email from 8 minutes ago. We forgot to remove it.

On Jul 27, 2017, at 9:55 PM, OJPAC <[REDACTED]> wrote:

Good day Mayor and officials of the Township of Mahwah, N.J.

On July 27, 2017, Jerry DeMarco reported in the Ramapo Daily Voice that "[Mahwah] Township officials said they hoped the measure [to ban non-residents from visiting parks] would provide protection against what residents fear is an organized incursion from Rockland County of Orthodox families who've recently swarmed parks in Mahwah, Montvale, Ramsey and Upper Saddle River by the busload."

If the above report is inaccurate, please inform the public that it is inaccurate. If as we suspect that the report is accurate - especially coinciding with the recent Eruv action of your government - please be aware that taking official government

action against an ethnic or religious group is discriminatory and unconstitutional.

Under New Jersey's OPRA, we are requesting that you please share via email or regular mail any and all correspondence, records and meeting minutes that township officials had in context of the above-mentioned ordinance.

In addition, because the intent of the ordinance may be subject to a Federal-level civil rights lawsuit (and perhaps a criminal inquiry too due to its potential violation of law), we would respectfully caution you against deleting any records related to this topic.

Thank you,

Aron Spielman


Mayer Berger

Yossi Gestetner

Co-founders; Orthodox Jewish Public Affairs Council  
(OJPAC)

Please email the requested records to [REDACTED] or  
mail it too

OJPAC  
P.O. Box 852

Redacted  
Email Address  


Spring Valley, NY  
10977

P.S. Representatives of OJPAC are willing to attend public meetings/forums to address questions/concerns that residents may have about the growth of the Orthodox Jewish community. However, due to the physical intimidation that an Orthodox Jewish female reporter suffered this week when she reported on an anti-Eruv gathering in Mahwah, OJPAC would attend such meetings only if the Mahwah P.D. would be on hand to assure the orderly process of such meetings.

Thank you.

cc:

U.S. Department of Justice  
Civil Rights Division  
950 Pennsylvania Avenue, N.W.  
Office of the Assistant Attorney General, Main  
Washington, D.C. 20530

U.S. Attorney's Office  
970 Broad Street, 7th Floor  
Newark, NJ 07102

Office of the Attorney General  
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Trenton, NJ 08625-0089

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**Robert Hermansen**

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**From:** Kathy Coviello  
**Sent:** Friday, July 28, 2017 12:10 PM  
**To:** Robert Hermansen; Jonathan Wong; Janet Ariemma; David May; George Ervin; Steve Sbarra; James Wysocki  
**Subject:** FW: Non Residents Ordinance

*Redacted  
Email Address*

**From:** OJPAC [mailto:  
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**Cc:** Kathy Coviello  
**Subject:** Non Residents Ordinance



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**Sent:** Friday, July 28, 2017 8:51 AM  
**To:** Robert Hermansen  
**Subject:** FW: Signs in town (we spoke briefly at Town Hall)  
**Attachments:** 20170726\_194520.jpg; 20170726\_193251.jpg; 20170727\_123834.jpg; 20170727\_123956.jpg; 20170727\_124241.jpg; 20170727\_124406.jpg

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**Sent:** Friday, July 28, 2017 12:38 AM  
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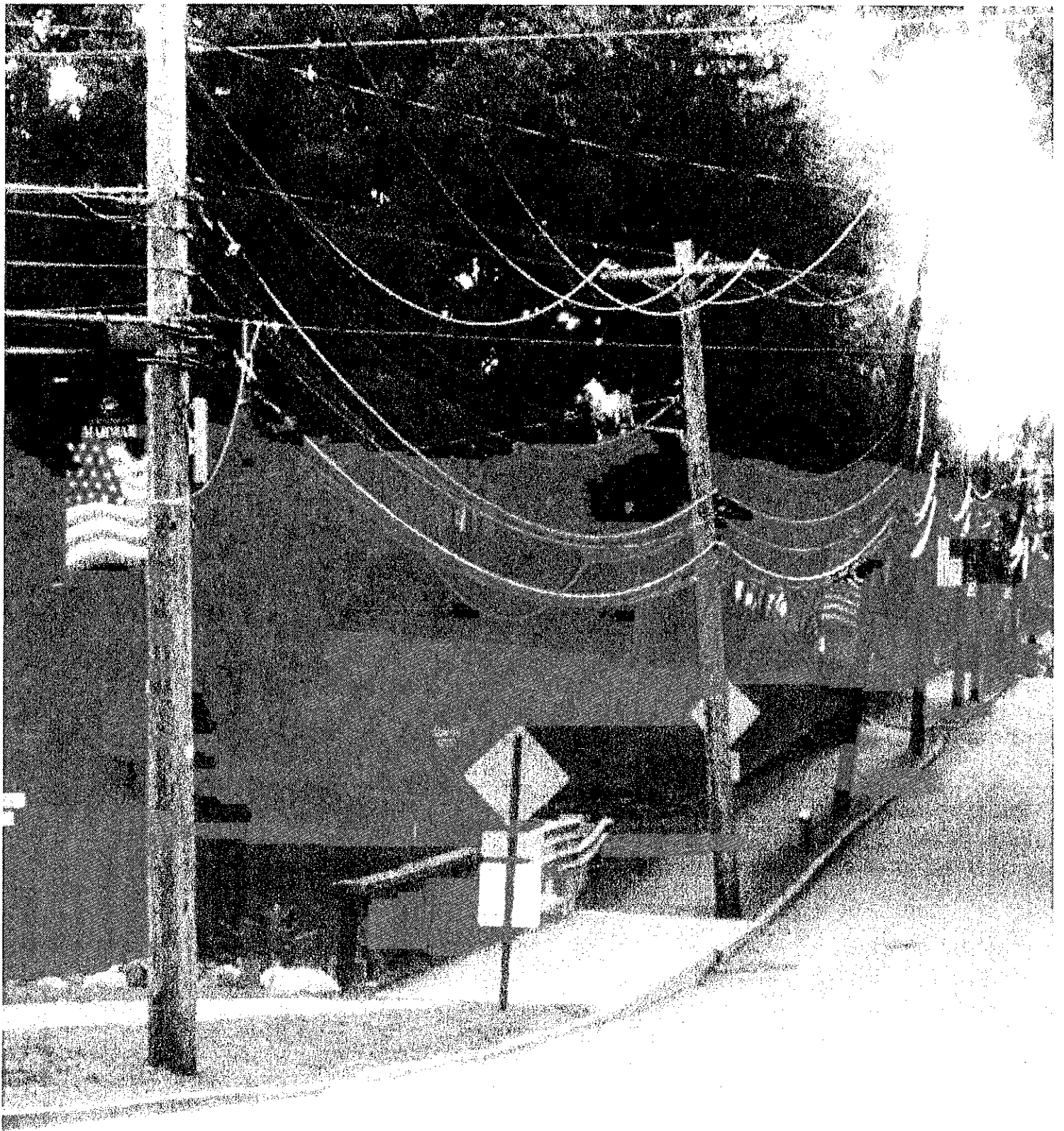
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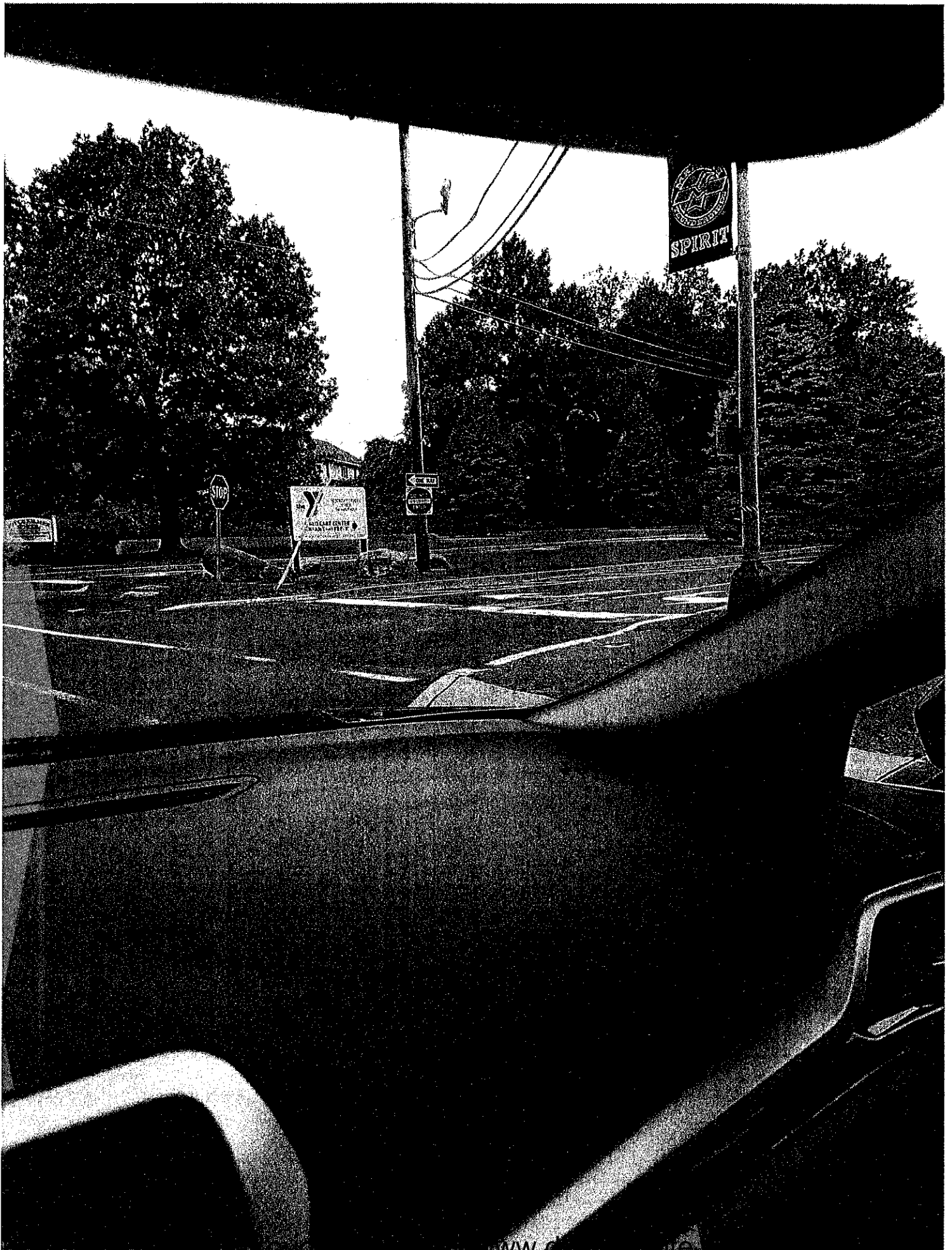
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Megan Jankowski

Redacted  
Email Address  
And Telephone  
#  




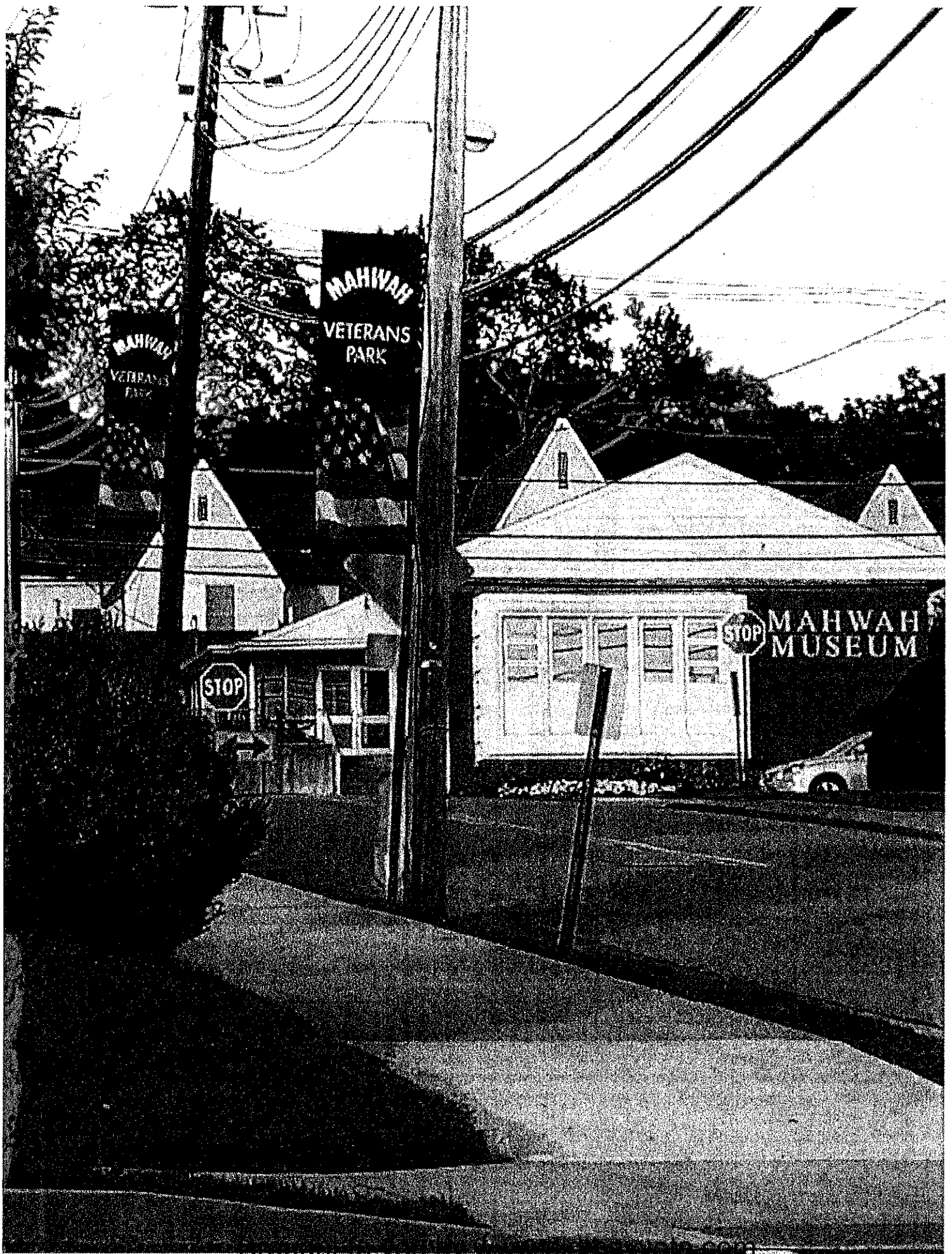
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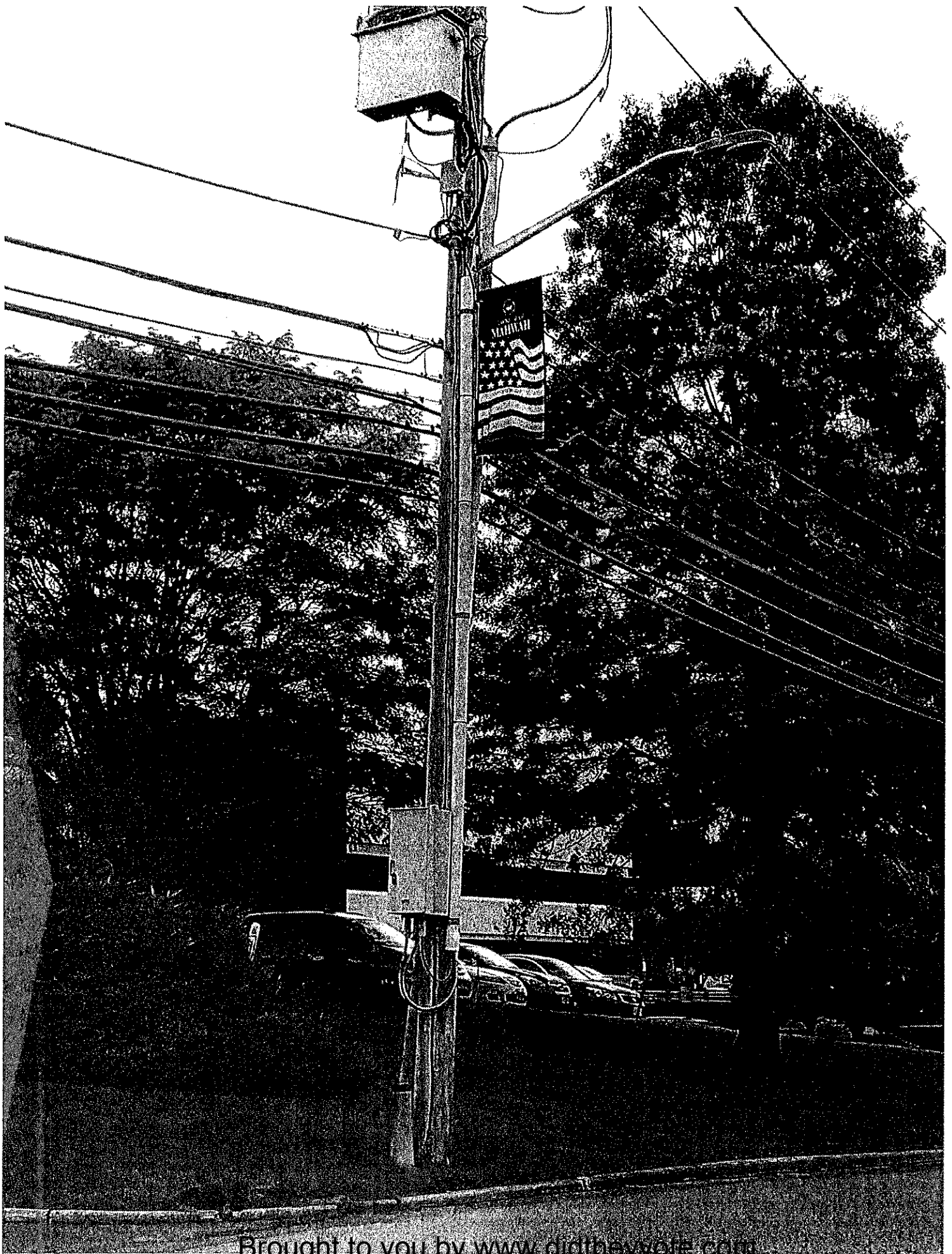
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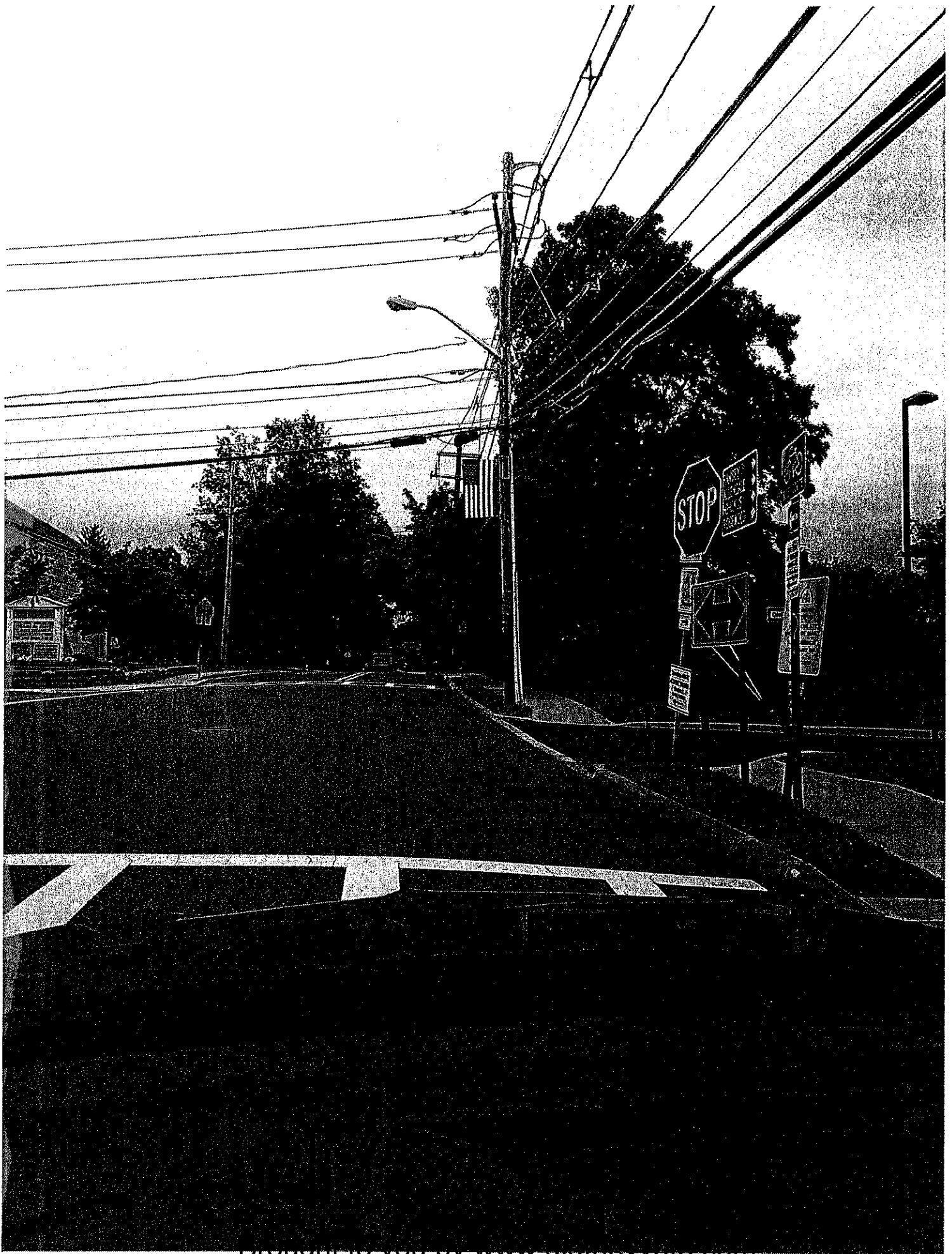
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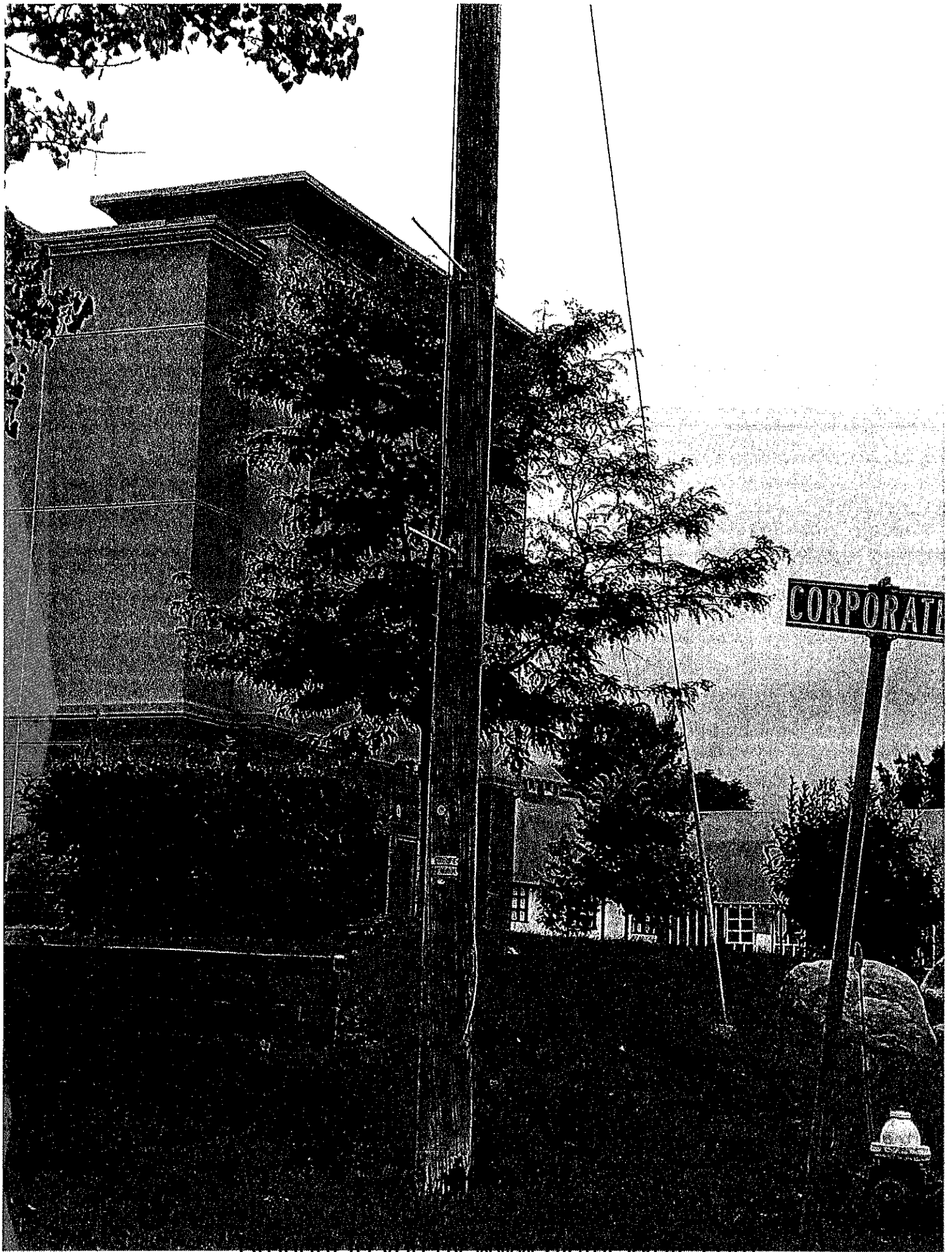
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