

William Laforet

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From: Patricia Maiello <[REDACTED]>  
Sent: Tuesday, July 18, 2017 10:43 AM  
To: William Laforet  
Subject: Eruv pipes & Non New Jersey residents using our Parks

Redacted -  
Email  
Address *ke*

Mayor Laforet,

I am an Mahwah homeowner and I'm very much concerned and disturbed about the appearance of the eruv pipes in the Masonicus area of New Jersey. These are religious symbol and have no business being erected in the town.

Of more concern, there are a large number of non New Jersey residents visiting our parks and disrespecting them. They have New York plates (and are of the Hasidic faith). I am not against persons of the Jewish faith, however, the large number of nonresident Hasidics visiting our towns parks are creating a public nuisance that needs to be dealt with promptly and strictly. I have had several experiences with them using our town parks without permission, despite the recent ordinance that was passed barring non New Jersey residents, littering proliferately, while being disrespectful to my child and myself. It has come to the point where we feel like the outsiders in Mahwah, although we are the ones paying the taxes and they are NOT. Quite often I drive by the Winter's Pond area and I see quite a few nonresidents there. I feel like Mahwah taxpayers can no longer enjoy the parks as they were meant to be enjoyed. That is indeed disturbing and unacceptable.

Also, other parents have had disturbing incidents with Hasidics visiting ball fields and grilling with barbecues where there are children attempting to play baseball. They refuse to move when asked. This is against the fire ordinance and an overt the safety issue. You merely need to reference the Mahwah Moms and Dads post on the issue and you you will be able to contact the witnesses themselves directly.

I expect a prompt response on what steps are being taken to address these issues. I suspect that the signs that are supposed to be posted will not be adequate to curtail the problem. Will there be more police patrols making sure non-residents are not in our parks?

Thank you for your prompt attention to the matter.

Sincerely,

Patricia Maiello

William Laforet

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From: William Laforet  
Sent: Wednesday, July 19, 2017 7:08 PM  
To: Brian Chewcaskie  
Subject: ERuv

Redacted -  
Attorney Client  
Privilege

How about it Mr. Mayor Bill Laforet???

"In Tenaflly Eruv Association v. Borough of Tenaflly (309 F.3d 144), Judge Ambro, writing for the United States Third Circuit Court of Appeals, held that Eruv Association members had no intrinsic right to add attachments to telephone poles on Borough property and that the borough, if it wished, could enact a general, neutral ordinance against all attachments to utility poles that could be enforced against the eruv. However, Judge Ambro held that in this case, the Borough had not enacted a genuinely general or neutral ordinance because it permitted a wide variety of attachments to utility poles for non-religious purposes, including posting signs and other items. Because it permitted attachments to utility poles for secular purposes, the court held, it could not selectively exclude attachments for religious purposes.

The United States Supreme Court declined to hear the case. It was subsequently cited as precedent by a number of other federal courts deciding disputes between an eruv association and a local government."

## William Laforet

**From:** William Laforet  
**Sent:** Wednesday, July 19, 2017 7:27 AM  
**To:** Robert Hermansen; George Ervin; Janet Ariemma; Jonathan Wong; James Wysocki; David May; Steve Sbarra  
**Cc:** Brian Chewcaskie; Quentin Wiest  
**Subject:** FW: March 2017 - ERUV permit - Mahwah  
**Attachments:** 84b71852-6958-4f16-85fd-0bcd1b939e5a-131389117428639101.xlsx

If you follow Social Media, concerns from residents have spread from Upper Saddle River to Mahwah regarding the ERUV. Attached is the list provided by O&R of every pole where the plastic pipes have been secured. There are some links that better help you understand some of the issues.

[REDACTED]

Thanks for the opportunity to explain the ERUV. As by now you know that an ERUV is a closed perimeter area of about 26 square miles. <http://www.myjewishlearning.com/article/eruv>

The BPU (<http://www.bpu.state.nj.us>) a State public utility authority who has granted permission to this group to place these ½ plastic tubes for the purpose of a ERUV on Rockland Electric Poles. <https://www.oru.com/en/contact-us>

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But they have NO OBLIGATION to notify the municipality. The most recent litigation was in Tenaflly NJ. <http://www2.ca3.uscourts.gov/opinarch/013301.txt>

These markings connect Saddle River Road and East Mahwah road, by way of Airmont, Airmont, Masonicus, Sparrowbush 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, or could O&R deny the application.

There are many rumors out in the public which I understand is deeply concerning to residents. I hope that we have provided you some information which will help understanding the situation at hand. More to come.

Mayor Bill Laforet

*Redacted -  
Attorney-Client  
Privilege.*

*Mayor Bill Laforet*



**CALEA**  
POLICE AND SHERIFFS ASSOCIATION OF NEW JERSEY



Mahwah selected the Safest Community in all of New Jersey 2014

William "Bill" Laforet  
Mayor Township of Mahwah  
475 Corporate Drive  
Mahwah, New Jersey 07430  
201-529-5757 ex 267  
[wlaforet@mahwahtwp.org](mailto:wlaforet@mahwahtwp.org)

From: William Laforet  
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*Cell [REDACTED]  
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[wlaforet@mahwahtwp.org](mailto:wlaforet@mahwahtwp.org)

From: Damiani, Michelle [mailto:[REDACTED]]  
Sent: Wednesday, May 10, 2017 2:41 PM  
To: [REDACTED] William Laforet <WLaforet@mahwahtwp.org>  
Cc: Chief James N. Batelli <JBatelli@mahwahpd.org>  
Subject: March 2017 - ERUV permit - Mahwah

Mayor,

Attached you will find a list of poles that have been permitted by RECO for ERUV to be installed through the Joint Use agreement process.  
Kenny Sullivan is O&R's Joint Use Facilitator and he can be reached at [REDACTED] for further questions.

Regards, Michelle

*Redacted -  
Attorney -  
Client  
Privilege,  
Email  
Addresses  
& Telephone  
# R*

Order	Status	Instance Reason	Job Type	Pole Number	Number of Attachments	Energized Attachment	Address
1	Accepted	Accepted	Attach	55673-40110	1	False	89 E Mahwah rd
2	Accepted	Accepted	Attach	556724099	1	False	89 E Mahwah rd
3	Accepted	Accepted	Attach	55671-40086	1	False	65 E Mahwah rd
4	Accepted	Accepted	Attach	55670-40074	1	False	65 E Mahwah rd
5	Accepted	Accepted	Attach	556649-40061	1	False	70 E Mahwah rd
6	Accepted	Accepted	Attach	55668-40050	1	False	70 E Mahwah rd
7	Accepted	Accepted	Attach	55668-40034	1	False	70 E Mahwah rd
8	Accepted	Accepted	Attach	55668-40027	1	False	73 E Mahwah rd
9	Accepted	Accepted	Attach	55668-40013	1	False	73 E Mahwah rd
10	Accepted	Accepted	Attach	55670-39982	1	False	77 E Mahwah rd
11	Accepted	Accepted	Attach	55670-39873	1	False	77 E Mahwah rd
12	Accepted	Accepted	Attach	55671-39960	1	False	77 E Mahwah rd
13	Accepted	Accepted	Attach	55669-39826	1	False	85 E Mahwah rd
14	Accepted	Accepted	Attach	55668-39814	1	False	85 E Mahwah rd
15	Accepted	Accepted	Attach	55666-39899	1	False	85 E Mahwah rd
16	Accepted	Accepted	Attach	55664-39884	1	False	54 E Mahwah rd
17	Accepted	Accepted	Attach	20593	1	False	54 E Mahwah rd
18	Accepted	Accepted	Attach	55661-39852	1	False	56 E Mahwah rd
19	Accepted	Accepted	Attach	55660-39833	1	False	66 E Mahwah rd
20	Accepted	Accepted	Attach	55659-39816	1	False	66 E Mahwah rd
21	Accepted	Accepted	Attach	55656-39796	1	False	76 E Mahwah rd
22	Accepted	Accepted	Attach	55659-39786	1	False	76 E Mahwah rd
23	Accepted	Accepted	Attach	55653-39773	1	False	76 E Mahwah rd
24	Accepted	Accepted	Attach	55651-39761	1	False	97 E Mahwah rd
25	Accepted	Accepted	Attach	55651-39750	1	False	97 E Mahwah rd
26	Accepted	Accepted	Attach	55652-34239	1	False	97 E Mahwah rd
27	Accepted	Accepted	Attach	55653-39726	1	False	97 E Mahwah rd
28	Accepted	Accepted	Attach	55655-39714	1	False	101 E Mahwah rd
29	Accepted	Accepted	Attach	55656-39701	1	False	101 E Mahwah rd
30	Accepted	Accepted	Attach	55656-39688	1	False	274 Airmont Ave
31	Accepted	Accepted	Attach	55670-39690	1	False	274 Airmont Ave
32	Accepted	Accepted	Attach	55683-39682	1	False	274 Airmont Ave

33	Accepted	Accepted	Attach	55706-39693	1	False	274 Airmont Ave
34	Accepted	Accepted	Attach	55714-39693	1	False	103 Airmont Ave
35	Accepted	Accepted	Attach	5571-39683	1	False	103 Airmont Ave
36	Accepted	Accepted	Attach	55708-39673	1	False	103 Airmont Ave
37	Accepted	Accepted	Attach	55705-39663	1	False	108 Airmont Ave
38	Accepted	Accepted	Attach	55701-39652	1	False	108 Airmont Ave
39	Accepted	Accepted	Attach	55698-34643	1	False	113 Airmont Ave
40	Accepted	Accepted	Attach	55695-39633	1	False	113 Airmont Ave
41	Accepted	Accepted	Attach	5569-39620	1	False	115 Airmont Ave
42	Accepted	Accepted	Attach	55619-3968	1	False	119 Airmont Ave
43	Accepted	Accepted	Attach	55686-39597	1	False	123 Airmont Ave
44	Accepted	Accepted	Attach	55682-39853	1	False	123 Airmont Ave
45	Accepted	Accepted	Attach	55479-39571	1	False	144 Airmont Ave
46	Accepted	Accepted	Attach	55677-39559	1	False	144 Airmont Ave
47	Accepted	Accepted	Attach	55724-39545	1	False	144 Airmont Ave
48	Accepted	Accepted	Attach	55672-39531	1	False	145 Airmont Ave
49	Accepted	Accepted	Attach	55672-39517	1	False	145 Airmont Ave
50	Accepted	Accepted	Attach	55672-39505	1	False	166 Airmont Ave
51	Accepted	Accepted	Attach	55672-39492	1	False	166 Airmont Ave
52	Accepted	Accepted	Attach	39478	1	False	205 Masonicus Rd
53	Accepted	Accepted	Attach	55673-39467	1	False	205 Masonicus Rd
54	Accepted	Accepted	Attach	55673-39456	1	False	205 Masonicus Rd
55	Accepted	Accepted	Attach	55697-39451	1	False	15 Masonicus Rd
56	Accepted	Accepted	Attach	55708-39449	1	False	15 Masonicus Rd
57	Accepted	Accepted	Attach	55725-39446	1	False	19 Masonicus Rd
58	Accepted	Accepted	Attach	55731-39445	1	False	19 Masonicus Rd
59	Accepted	Accepted	Attach	55743-39441	1	False	25 Masonicus Rd
60	Accepted	Accepted	Attach	55757-39437	1	False	25 Masonicus Rd
61	Accepted	Accepted	Attach	55770-39432	1	False	29 Masonicus Rd
62	Accepted	Accepted	Attach	55784-39427	1	False	29 Masonicus Rd
63	Accepted	Accepted	Attach	55837-39405	1	False	29 Masonicus Rd
64	Accepted	Accepted	Attach	55908-34406	1	False	43 Masonicus Rd
65	Accepted	Accepted	Attach	55794-39417	1	False	43 Masonicus Rd
66	Accepted	Accepted	Attach	55825-39411	1	False	58 Masonicus Rd

67	Accepted	Accepted	Attach	55819-39405	1	False	58 Masonicus Rd
68	Accepted	Accepted	Attach	55836-39396	1	False	58 Masonicus Rd
69	Accepted	Accepted	Attach	59858-39396	1	False	63 Masonicus Rd
70	Accepted	Accepted	Attach	55878-39404	1	False	63 Masonicus Rd
71	Accepted	Accepted	Attach	55915-39406	1	False	63 Masonicus Rd
72	Accepted	Accepted	Attach	55930-39406	1	False	68 Masonicus Rd
73	Accepted	Accepted	Attach	55942-39406	1	False	68 Masonicus Rd
74	Accepted	Accepted	Attach	55953-39405	1	False	80 Masonicus Rd
75	Accepted	Accepted	Attach	55964-39902	1	False	80 Masonicus Rd
76	Accepted	Accepted	Attach	55976-39401	1	False	80 Masonicus Rd
77	Accepted	Accepted	Attach	55996-39397	1	False	96 Masonicus Rd
78	Accepted	Accepted	Attach	56008-39395	1	False	96 Masonicus Rd
79	Accepted	Accepted	Attach	56020-39384	1	False	96 Masonicus Rd
80	Accepted	Accepted	Attach	56034-39386	1	False	201 Masonicus Rd
81	Accepted	Accepted	Attach	56049-39383	1	False	201 Masonicus Rd
82	Accepted	Accepted	Attach	56064-39380	1	False	181 Masonicus Rd
83	Accepted	Accepted	Attach	56078-39378	1	False	181 Masonicus Rd
84	Accepted	Accepted	Attach	56098-39375	1	False	178 Masonicus Rd
85	Accepted	Accepted	Attach	56098-39379	1	False	178 Masonicus Rd
86	Accepted	Accepted	Attach	56135-39338	1	False	2 Sparrowbush Rd
87	Accepted	Accepted	Attach	56150-39333	1	False	2 Sparrowbush Rd
88	Accepted	Accepted	Attach	56346-39273	1	False	2 Sparrowbush Rd
89	Accepted	Accepted	Attach	56357-39268	1	False	8 Sparrowbush Rd
90	Accepted	Accepted	Attach	56360-39265	1	False	8 Sparrowbush Rd
91	Accepted	Accepted	Attach	56368-39253	1	False	21 Sparrowbush Rd
92	Accepted	Accepted	Attach	56368-39253	1	False	21 Sparrowbush Rd
93	Accepted	Accepted	Attach	56376-39248	1	False	21 Sparrowbush Rd
94	Accepted	Accepted	Attach	56389-39244	1	False	21 Sparrowbush Rd
95	Accepted	Accepted	Attach	59401-39242	1	False	76 Sparrowbush Rd
96	Accepted	Accepted	Attach	56412-39240	1	False	76 Sparrowbush Rd
97	Accepted	Accepted	Attach	56423-92339	1	False	528 Saddle river Rd West
98	Accepted	Accepted	Attach	56425-39246	1	False	528 Saddle river Rd West
99	Accepted	Accepted	Attach	56427-39260	1	False	536 Saddle river Rd West
100	Accepted	Accepted	Attach	56427-34282	1	False	536 Saddle river Rd West

101	Accepted	Accepted	Attach	56428-39292	1	False	536 Saddle river Rd	West
102	Accepted	Accepted	Attach	56430-39302	1	False	539 Saddle river Rd	West
103	Accepted	Accepted	Attach	56432-39312	1	False	539 Saddle river Rd	West
104	Accepted	Accepted	Attach	56436-39322	1	False	544 Saddle river Rd	West
105	Accepted	Accepted	Attach	56440-3332	1	False	548 Saddle river Rd	West
106	Accepted	Accepted	Attach	56444-39353	1	False	548 Saddle river Rd	West
107	Accepted	Accepted	Attach	56452-39373	1	False	558 Saddle river Rd	West
108	Accepted	Accepted	Attach	56456-39384	1	False	558 Saddle river Rd	West
109	Accepted	Accepted	Attach	56466-39412	1	False	562 Saddle river Rd	West
110	Accepted	Accepted	Attach	56469-39420	1	False	562 Saddle river Rd	West
111	Accepted	Accepted	Attach	56471-39930	1	False	569 Saddle river Rd	West
112	Accepted	Accepted	Attach	56472-39439	1	False	574 Saddle river Rd	West
113	Accepted	Accepted	Attach	56474-39953	1	False	574 Saddle river Rd	West



William Laforet

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From: Brian Chewcaskie <brian@gmcnjlaw.com>  
Sent: Wednesday, July 19, 2017 7:32 AM  
To: William Laforet  
Cc: Robert Hermansen; George Ervin; Janet Ariemma; Jonathan Wong; James Wysocki; David May; Steve Sbarra; Quentin Wiest  
Subject: Re: March 2017 - ERUV permit - Mahwah

[REDACTED]

Brian M Chewcaskie  
Gittleman Muhlstock & Chewcaskie  
2200 Fletcher Ave.  
Fort Lee, NJ 07024  
201-944-2300  
[brian@gmcnjlaw.com](mailto:brian@gmcnjlaw.com)

Redacted -  
Attorney -  
Client  
Privilege.

On Jul 19, 2017, at 7:26 AM, William Laforet <[WLaforet@mahwahtwp.org](mailto:WLaforet@mahwahtwp.org)> wrote:

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Thanks for the opportunity to explain the ERUV. As by now you know that an ERUV is a closed perimeter area of about 26 square miles. <http://www.myjewishlearning.com/article/eruv>

The BPU (<http://www.bpu.state.nj.us>) a State public utility authority who has granted permission to this group to place these 1/2 plastic tubes for the purpose of a ERUV on Rockland Electric Poles. <https://www.oru.com/en/contact-us>

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But they have NO OBLIGATION to notify the municipality. The most recent litigation was in Tenaflly NJ. <http://www2.ca3.uscourts.gov/opinarch/013301.txt>

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

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There are many rumors out in the public which I understand is deeply concerning to residents. I hope that we have provided you some information which will help understanding the situation at hand. More to come.

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<image001.jpg><image002.jpg><image003.jpg><image004.png>

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Mayor Township of Mahwah  
475 Corporate Drive  
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201-529-5757 ex 267  
[wlaforet@mahwahtwp.org](mailto:wlaforet@mahwahtwp.org)

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Telephone #'s  
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To: Brian Chewcaskie <[brian@gmcnilaw.com](mailto:brian@gmcnilaw.com)>; Robert Hermansen <[RHermansen@mahwahtwp.org](mailto:RHermansen@mahwahtwp.org)>

Cc: Quentin Wiest <[QWiest@mahwahtwp.org](mailto:QWiest@mahwahtwp.org)>

Subject: FW: March 2017 - ERUV permit - Mahwah

Brian, I am under the impression that we can fight this route.

Tenafly being the example of a community who did not accept this activity.

As a point of information, there was discussion that these contractors needing MPD special detail. Can we refuse them.

We are concerned about the timing of this event and we would like to discuss at your earliest convenience.

Cell [REDACTED]

Mayor Bill Laforet

<image001.jpg><image002.jpg><image003.jpg><image004.png>

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Mayor,

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Kenny Sullivan is O&R's Joint Use Facilitator and he can be reached at [REDACTED] for further questions.

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Cc: Quentin Wiest <[QWiest@mahwahtwp.org](mailto:QWiest@mahwahtwp.org)>

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[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
  
Cell [REDACTED]

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Mayor Township of Mahwah

475 Corporate Drive

Mahwah, New Jersey 07430

201-529-5757 ex 267

[wlaforet@mahwahtwp.org](mailto:wlaforet@mahwahtwp.org)

From: Damiani, Michelle [mailto:[REDACTED]]

Sent: Wednesday, May 10, 2017 2:41 PM

To: [REDACTED] William Laforet <[WLaforet@mahwahtwp.org](mailto:WLaforet@mahwahtwp.org)>

Cc: Chief James N. Batelli <[JBatelli@mahwahpd.org](mailto:JBatelli@mahwahpd.org)>

Subject: March 2017 - ERUV permit - Mahwah

Mayor,

Attached you will find a list of poles that have been permitted by RECO for ERUV to be installed through the Joint Use agreement process.

Kenny Sullivan is O&R's Joint Use Facilitator and he can be reached at [REDACTED] for further questions.

Regards, Michelle

<84b71852-6958-4f16-85fd-0bcd1b939e5a-131389117428639101.xlsx>

Redacted -  
Attorney-Client  
Privilege, Telephone  
#, Email Addresses.



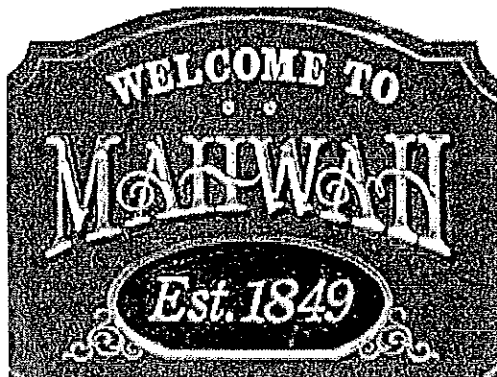
## William Laforet

---

**From:** Quentin Wiest  
**Sent:** Wednesday, July 19, 2017 9:44 AM  
**To:** William Laforet  
**Cc:** Debra M. Burns  
**Subject:** RE: March 2017 - ERUV permit - Mahwah

Do you want this or some version to be placed on the town website?

**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



Redacted -  
Attorney -  
Client  
Privilege  
E

---

**From:** William Laforet  
**Sent:** Wednesday, July 19, 2017 7:27 AM  
**To:** Robert Hermansen; George Ervin; Janet Ariemma; Jonathan Wong; James Wysocki; David May; Steve Sbarra  
**Cc:** Brian Chewcaskie; Quentin Wiest  
**Subject:** FW: March 2017 - ERUV permit - Mahwah

If you follow Social Media, concerns from residents have spread from Upper Saddle River to Mahwah regarding the ERUV. Attached is the list provided by O&R of every pole where the plastic pipes have been secured. There are some links that better help you understand some of the issues.

[REDACTED]

Thanks for the opportunity to explain the ERUV. As by now you know that an ERUV is a closed perimeter area of about 26 square miles. <http://www.nyjewishlearning.com/article/eruv>

The BPU (<http://www.bpu.state.nj.us>) a State public utility authority who has granted permission to this group to place these 1/2 plastic tubes for the purpose of a ERUV on Rockland Electric Poles. <https://www.oru.com/en/contact-us>

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But they have NO OBLIGATION to notify the municipality. The most recent litigation was in Tenafly NJ.  
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There are many rumors out in the public which I understand is deeply concerning to residents. I hope that we have provided you some information which will help understanding the situation at hand. More to come.

Mayor Bill Laforet

*Mayor Bill Laforet*



Mahwah selected the Safest Community in all of New Jersey 2014

William "Bill" Laforet  
Mayor Township of Mahwah  
475 Corporate Drive  
Mahwah, New Jersey 07430  
201-529-5757 ex 267  
[wlaforet@mahwahtwp.org](mailto:wlaforet@mahwahtwp.org)

From: William Laforet

Sent: Wednesday, May 10, 2017 5:06 PM

To: Brian Chewcaskie <[brian@gmcnjlaw.com](mailto:brian@gmcnjlaw.com)>; Robert Hermansen <[RHermansen@mahwahtwp.org](mailto:RHermansen@mahwahtwp.org)>

Cc: Quentin Wiest <[QWiest@mahwahtwp.org](mailto:QWiest@mahwahtwp.org)>

Subject: FW: March 2017 - ERUV permit - Mahwah

Cell [REDACTED]  
*Mayor Bill Laforet.*

Redacted -  
Attorney-Client  
Privilege & Telephone  
# [REDACTED]





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Mayor Township of Mahwah  
475 Corporate Drive  
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[wlaforet@mahwahtwp.org](mailto:wlaforet@mahwahtwp.org)

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Sent: Wednesday, May 10, 2017 2:41 PM  
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Regards, Michelle

Redacted —  
Email Addresses and  
Telephone #

**William Laforet**

---

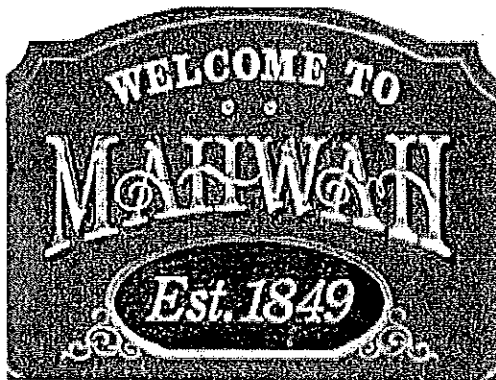
**From:** Quentin Wiest  
**Sent:** Wednesday, July 19, 2017 10:43 AM  
**To:** William Laforet  
**Subject:** Resident Call Concerning the ERUV

Mayor:

I spoke with Daniel Kennedy who lives on Johnson Ave about the ERUV. Not happy. Asked if you would call him at [REDACTED]

*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*

Redacted -  
Telephone #



**William Laforet**

---

**From:** David May  
**Sent:** Wednesday, July 19, 2017 10:33 AM  
**To:** William Laforet  
**Cc:** Brian Chewcaskie; Robert Hermansen; George Ervin; Janet Ariemma; Jonathan Wong; James Wysocki; Steve Sbarra; Quentin Wiest  
**Subject:** Re: March 2017 - ERUV permit - Mahwah

My question is why is Orange and Rockland telling residents that the municipality does need to approve this and that the town has already approved?

Can we have representatives from O&R attend our next meeting?

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

Redacted —  
Attorney —  
Client  
Privilege

On Jul 19, 2017, at 7:37 AM, William Laforet <WLaforet@mahwahtwp.org> wrote:

*Mayor Bill Laforet*

<image001.jpg><image002.jpg><image003.jpg><image004.png>

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William "Bill" Laforet  
Mayor Township of Mahwah  
475 Corporate Drive  
Mahwah, New Jersey 07430  
201-529-5757 ex 267  
[wlaforet@mahwahtwp.org](mailto:wlaforet@mahwahtwp.org)

**From:** Brian Chewcaskie [<mailto:brian@gmcnjlaw.com>]  
**Sent:** Wednesday, July 19, 2017 7:32 AM  
**To:** William Laforet <WLaforet@mahwahtwp.org>  
**Cc:** Robert Hermansen <RHermansen@mahwahtwp.org>; George Ervin <GErvin@mahwahtwp.org>; Janet Ariemma <JAriemma@mahwahtwp.org>; Jonathan Wong <JWong@mahwahtwp.org>; James Wysocki <JWysocki@mahwahtwp.org>; David May <DMay@mahwahtwp.org>; Steve Sbarra <SSbarra@mahwahtwp.org>; Quentin Wiest <QWiest@mahwahtwp.org>  
**Subject:** Re: March 2017 - ERUV permit - Mahwah

Brian M Chewcaskie  
Gittleman Muhlstock & Chewcaskie

2200 Fletcher Ave.  
Fort Lee, NJ 07024  
201-944-2300  
[brian@gmcnjlaw.com](mailto:brian@gmcnjlaw.com)

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Mayor Bill Laforet

*Mayor Bill Laforet*

<image001.jpg><image002.jpg><image003.jpg><image004.png>

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William "Bill" Laforet  
Mayor Township of Mahwah  
475 Corporate Drive  
Mahwah, New Jersey 07430  
201-529-5757 ex 267  
[wlaforet@mahwahtwp.org](mailto:wlaforet@mahwahtwp.org)

Redacted -  
Attorney -  
Client

Privilege

*[Handwritten signature]*

From: William Laforet  
Sent: Wednesday, May 10, 2017 5:06 PM  
To: Brian Chewcaskie <brian@gmcnilaw.com>; Robert Hermansen  
<RHermansen@mahwahtwp.org>  
Cc: Quentin Wiest <QWiest@mahwahtwp.org>  
Subject: FW: March 2017 - ERUV permit - Mahwah

[REDACTED]

Cell [REDACTED]

Mayor Bill Laforet.

<image001.jpg><image002.jpg><image003.jpg><image004.png>

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475 Corporate Drive  
Mahwah, New Jersey 07430  
201-529-5757 ex 267  
wlaforet@mahwahtwp.org

Redacted -  
Attorney-  
Client  
Privilege,  
Email  
Addresses  
& Telephone  
# [Signature]

From: Damiani, Michelle [mailto:[REDACTED]]  
Sent: Wednesday, May 10, 2017 2:41 PM  
To: [REDACTED] William Laforet <WLaforet@mahwahtwp.org>  
Cc: Chief James N. Batelli <JBatelli@mahwahpd.org>  
Subject: March 2017 - ERUV permit - Mahwah

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[REDACTED] for further questions.

Regards, Michelle

<84b71852-6958-4f16-85fd-0bcd1b939e5a-131389117428639101.xlsx>

## William Laforet

---

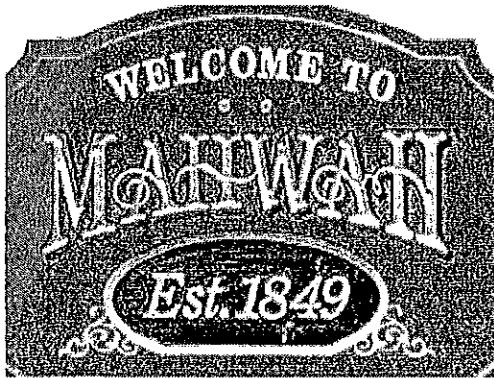
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*Quentin Wiest*  
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*475 Corporate Drive*  
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[QWiest@MahwahTwp.org](mailto:QWiest@MahwahTwp.org)  
*201-529-5757 x 265*

Redacted  
Telephone #

A handwritten signature, likely of William Laforet, consisting of a large, stylized 'S' shape.

## William Laforet

---

**From:** George Ervin  
**Sent:** Wednesday, July 19, 2017 11:02 AM  
**To:** William Laforet  
**Cc:** Brian Chewcaskie; Robert Hermansen; Janet Ariemma; Jonathan Wong; James Wysocki; David May; Steve Sbarra; Quentin Wiest  
**Subject:** Re: March 2017 - ERUV permit - Mahwah  
**Attachments:** image001.jpg; image002.jpg; image003.jpg; image004.png

I believe we need to take an extremely close look at the Tenaflly case. Upon reading what I have thus far, Tenaflly doesn't appear to have lost that case. It appears that they eventually approved the eruv to avoid further litigation based on selective enforcement of the ordinance regarding signage on utility poles.

The eruv there was not able to be removed during litigation.

Perhaps we should review our ordinance regarding this as well.

Just my two cents.

George Ervin  
Councilman

Sent from my iPad

On Jul 19, 2017, at 7:37 AM, William Laforet <[WLaforet@mahwahtwp.org](mailto:WLaforet@mahwahtwp.org)> wrote:

Yes, you are correct, May 10, 2017 attached, Thanks

*Mayor Bill Laforet*



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William "Bill" Laforet  
Mayor Township of Mahwah  
475 Corporate Drive  
Mahwah, New Jersey 07430  
201-529-5757 ex 267  
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**Subject:** Re: March 2017 - ERUV permit - Mahwah

[REDACTED]

Brian M Chewcaskie  
Gittleman Muhlstock & Chewcaskie  
2200 Fletcher Ave.  
Fort Lee, NJ 07024  
201-944-2300  
[brian@gmcnilaw.com](mailto:brian@gmcnilaw.com)

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*Mayor Bill Laforet*

<image001.jpg><image002.jpg><image003.jpg><image004.png>

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Attorney-Client  
Privilege  
K



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[REDACTED]

Cell [REDACTED]  
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Redacted -  
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Regards, Michelle

<84b71852-6958-4f16-85fd-0bcd1b939e5a-131389117428639101.xlsx>

## William Laforet

---

**From:** Debra M. Burns  
**Sent:** Wednesday, July 19, 2017 11:28 AM  
**To:** Quentin Wiest; William Laforet  
**Subject:** ERUV

Below is the revised statement :

Please note: There was not a list from O&R of utility poles .

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>

Attached is the list provided by O&R of every utility pole where the plastic pipes have been secured. 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.

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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. We will pass on any new information as we receive.

Regards,

Mayor Bill Laforet

*Deb Burns*

Administration Secretary / Secretary to the Mayor  
Township of Mahwah  
475 Corporate Drive  
Mahwah, NJ 07430  
P: 201-529-5757, Ext. 262  
F: 201-529-0061

dburns@mahwahtwp.org

## William Laforet

---

**From:** Debra M. Burns  
**Sent:** Wednesday, July 19, 2017 11:48 AM  
**To:** William Laforet  
**Subject:** RE: ERUV

Ok. List of poles.....

*Deb Burns*

Administration Secretary / Secretary to the Mayor  
Township of Mahwah  
475 Corporate Drive  
Mahwah, NJ 07430  
P: 201-529-5757, Ext. 262  
F: 201-529-0061  
dburns@mahwahtwp.org

---

**From:** William Laforet  
**Sent:** Wednesday, July 19, 2017 11:35 AM  
**To:** Debra M. Burns  
**Subject:** Re: ERUV

Show to Q I am good

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**William Laforet**

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**From:** William Laforet  
**Sent:** Wednesday, July 19, 2017 12:22 PM  
**To:** Brian Chewcaskie  
**Cc:** Robert Hermansen; George Ervin; Janet Ariemma; Jonathan Wong; James Wysocki; David May; Steve Sbarra; Quentin Wiest  
**Subject:** RE: March 2017 - ERUV permit - Mahwah

*Mayor Bill Laforet*



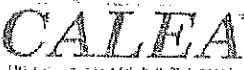
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*Redacted -  
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Privilege*

**From:** William Laforet  
**Sent:** Wednesday, July 19, 2017 7:38 AM  
**To:** 'Brian Chewcaskie' <brian@gmcnjlaw.com>  
**Cc:** Robert Hermansen <RHermansen@mahwahtwp.org>; George Ervin <GERvin@mahwahtwp.org>; Janet Ariemma <JAriemma@mahwahtwp.org>; Jonathan Wong <JWong@mahwahtwp.org>; James Wysocki <JWysocki@mahwahtwp.org>; David May <DMay@mahwahtwp.org>; Steve Sbarra <SSbarra@mahwahtwp.org>; Quentin Wiest <QWiest@mahwahtwp.org>  
**Subject:** RE: March 2017 - ERUV permit - Mahwah

*Mayor Bill Laforet*



Mahwah selected the Safest Community in all of New Jersey 2014

William "Bill" Laforet  
Mayor Township of Mahwah  
475 Corporate Drive  
Mahwah, New Jersey 07430  
201-529-5757 ex 267  
[wlaforet@mahwahtwp.org](mailto:wlaforet@mahwahtwp.org)

From: Brian Chewcaskie [<mailto:brian@gmcnjlaw.com>]  
Sent: Wednesday, July 19, 2017 7:32 AM  
To: William Laforet <[WLaforet@mahwahtwp.org](mailto:WLaforet@mahwahtwp.org)>  
Cc: Robert Hermansen <[RHermansen@mahwahtwp.org](mailto:RHermansen@mahwahtwp.org)>; George Ervin <[GErvin@mahwahtwp.org](mailto:GErvin@mahwahtwp.org)>; Janet Ariemma <[JAriemma@mahwahtwp.org](mailto:JAriemma@mahwahtwp.org)>; Jonathan Wong <[JWong@mahwahtwp.org](mailto:JWong@mahwahtwp.org)>; James Wysocki <[JWysocki@mahwahtwp.org](mailto:JWysocki@mahwahtwp.org)>; David May <[DMay@mahwahtwp.org](mailto:DMay@mahwahtwp.org)>; Steve Sbarra <[SSbarra@mahwahtwp.org](mailto:SSbarra@mahwahtwp.org)>; Quentin Wiest <[QWiest@mahwahtwp.org](mailto:QWiest@mahwahtwp.org)>  
Subject: Re: March 2017 - ERUV permit - Mahwah

Brian M Chewcaskie  
Gittleman Muhlstock & Chewcaskie  
2200 Fletcher Ave.  
Fort Lee, NJ 07024  
201-944-2300  
[brian@gmcnjlaw.com](mailto:brian@gmcnjlaw.com)

Redacted -  
Attorney-Client  
Privilege  
KE

On Jul 19, 2017, at 7:26 AM, William Laforet <[WLaforet@mahwahtwp.org](mailto:WLaforet@mahwahtwp.org)> wrote:

If you follow Social Media, concerns from residents have spread from Upper Saddle River to Mahwah regarding the ERUV. Attached is the list provided by O&R of every pole where the plastic pipes have been secured. There are some links that better help you understand some of the issues.

Thanks for the opportunity to explain the ERUV. As by now you know that an ERUV is a closed perimeter area of about 26 square miles. <http://www.myjewishlearning.com/article/eruv>

The BPU (<http://www.bpu.state.nj.us>) a State public utility authority who has granted permission to this group to place these 1/2 plastic tubes for the purpose of a ERUV on Rockland Electric Poles. <https://www.oru.com/en/contact-us>

Normally, O&R does not allow anyone to place anything on the poles with...out permission. Not only does the BPU obligated to allow these ERUV markings, Orange and Rockland has an obligation to comply because of several Federal Law suits.

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 Airmont, Airmont, Moneys, Sparrowbush 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, or could O&R deny the application.

There are many rumors out in the public which I understand is deeply concerning to residents. I hope that we have provided you some information which will help understanding the situation at hand. More to come.

Mayor Bill Laforet

*Mayor Bill Laforet*

<image001.jpg><image002.jpg><image003.jpg><image004.png>

Mahwah selected the Safest Community in all of New Jersey 2014

William "Bill" Laforet  
Mayor Township of Mahwah  
475 Corporate Drive  
Mahwah, New Jersey 07430  
201-529-5757 ex 267  
[wlaforet@mahwahtwp.org](mailto:wlaforet@mahwahtwp.org)

From: William Laforet

Sent: Wednesday, May 10, 2017 5:06 PM

To: Brian Chewcaskie <[brian@gmcnilaw.com](mailto:brian@gmcnilaw.com)>; Robert Hermansen <[RHermansen@mahwahtwp.org](mailto:RHermansen@mahwahtwp.org)>

Cc: Quentin Wiest <[QWiest@mahwahtwp.org](mailto:QWiest@mahwahtwp.org)>

Subject: FW: March 2017 - ERUV permit - Mahwah

[REDACTED]

Cell [REDACTED]

*Mayor Bill Laforet*

<image001.jpg><image002.jpg><image003.jpg><image004.png>

Mahwah selected the Safest Community in all of New Jersey 2014

William "Bill" Laforet  
Mayor Township of Mahwah  
475 Corporate Drive  
Mahwah, New Jersey 07430  
201-529-5757 ex 267  
[wlaforet@mahwahtwp.org](mailto:wlaforet@mahwahtwp.org)

Redacted -  
Email Addresses,  
Attorney-Client  
Privilege &  
Telephone #

From: Damiani, Michelle [mailto:[REDACTED]]

Sent: Wednesday, May 10, 2017 2:41 PM

To: [REDACTED] William Laforet <[WLaforet@mahwahtwp.org](mailto:WLaforet@mahwahtwp.org)>



Cc: Chief James N. Batelli <[JBatelli@mahwahpd.org](mailto:JBatelli@mahwahpd.org)>

Subject: March 2017 - ERUV permit - Mahwah

Mayor,

Attached you will find a list of poles that have been permitted by RECO for ERUV to be installed through the Joint Use agreement process.

Kenny Sullivan is O&R's Joint Use Facilitator and he can be reached at [REDACTED] for further questions.

Regards, Michelle

<84b71852-6958-4f16-85fd-0bcd1b939e5a-131389117428639101.xlsx>

Redacted -  
Telephone #

A large, stylized handwritten mark, possibly a signature or initials, consisting of a loop and a long, sweeping tail.

## William Laforet

---

**From:** Quentin Wiest  
**Sent:** Wednesday, July 19, 2017 12:32 PM  
**To:** Debra M. Burns  
**Cc:** William Laforet  
**Subject:** FW: ERUV

Deb:

Per the below from Brian, this is accurate. I would just change "or" to "nor" in the line about O&R could not deny the application.

I forwarded the Mayor's email to you with the pole list attached.

**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



---

**From:** Brian Chewcaskie [mailto:[brian@gmcnjlaw.com](mailto:brian@gmcnjlaw.com)]  
**Sent:** Wednesday, July 19, 2017 12:25 PM  
**To:** Quentin Wiest  
**Subject:** RE: ERUV

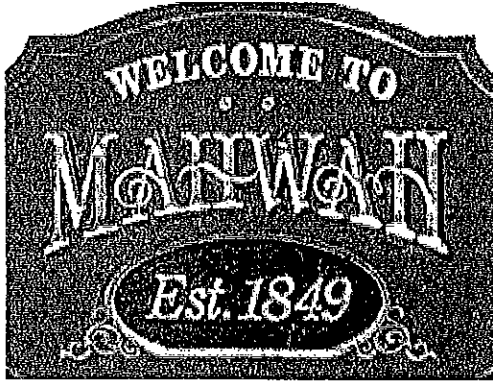
This is accurate

**From:** Quentin Wiest [mailto:[QWiest@mahwahtp.org](mailto:QWiest@mahwahtp.org)]  
**Sent:** Wednesday, July 19, 2017 11:55 AM  
**To:** Brian Chewcaskie <[brian@gmcnjlaw.com](mailto:brian@gmcnjlaw.com)>  
**Subject:** FW: ERUV

Brian:

Would you like to suggest any edits? This is planned to go on the website.

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



---

**From:** Debra M. Burns  
**Sent:** Wednesday, July 19, 2017 11:48 AM  
**To:** Quentin Wiest  
**Subject:** FW: ERUV

---

**From:** William Laforet  
**Sent:** Wednesday, July 19, 2017 11:35 AM  
**To:** Debra M. Burns  
**Subject:** Re: ERUV

Show to Q I am good

On Jul 19, 2017, at 11:27 AM, Debra M. Burns <[DBurns@mahwahtwp.org](mailto:DBurns@mahwahtwp.org)> wrote:

Below is the revised statement :

Please note: There was not a list from O&R of utility poles .

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>

Attached is the list provided by O&R of every utility pole where the plastic pipes have been secured. 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 ½ 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 Tenaflly 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, Masonicus 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, or 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. We will pass on any new information as we receive.

Regards,

Mayor Bill Laforet

*Deb Burns*

Administration Secretary / Secretary to the Mayor

Township of Mahwah

475 Corporate Drive

Mahwah, NJ 07430

P: 201-529-5757, Ext. 262

F: 201-529-0061

[dburns@mahwahwp.org](mailto:dburns@mahwahwp.org)

William Laforet

---

From: Mahwah-Ramsey Daily Voice [REDACTED]  
Sent: Thursday, July 20, 2017 7:41 PM  
To: William Laforet  
Subject: NEWS ALERT: Jewish Enclosure Sparks Controversy In Mahwah

Thursday, Jul 20, 2017

**MAHWAH-  
RAMSEY**

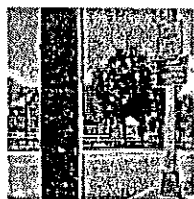


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Email Address

*[Handwritten signature]*

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**NEWS ALERT**

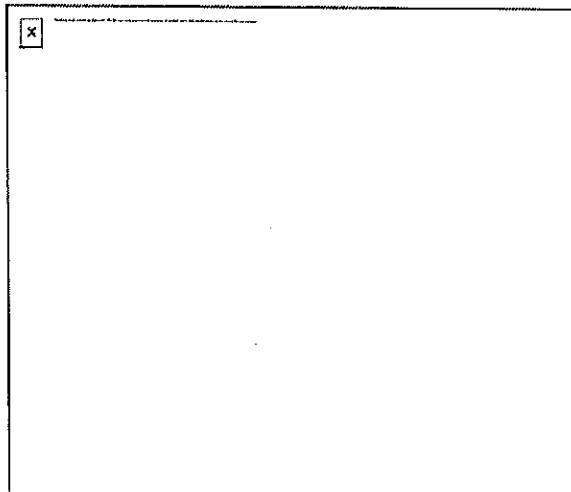


## **Jewish Enclosure Sparks Controversy In Mahwah**

by Lauren Kidd Ferguson

MAHWAH, N.J. – The installation of a ritual enclosure called an eruv in Mahwah has sparked an online petition with nearly 250 signers who...

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Daily Voice P.O. Box 829, Armonk, NY 10504, USA

1 1001

William Laforet

---

From: Kelsey Polster [REDACTED]  
Sent: Thursday, July 20, 2017 9:19 PM  
To: William Laforet  
Subject: ERUV

Redacted -  
Email Address

Good evening Mayor Laforet,

I hope this email finds you well. I am reaching out to you about an issue that is extremely heartbreaking to me as a lifelong Mahwah resident. I am apologizing in advance for the very lengthy email, however, this is a topic that is very near and dear to me. Recently, through social media I became aware of the installation ERUV on the township utility poles. As someone who grew up in Mahwah and recently just purchased my first home in Mahwah; it is exceedingly disheartening that something like this was done without anyone's knowledge. From my understanding, please correct me if I am wrong, the 1/2 inch PVC piping "symbolically extends the private domain of Jewish households into public areas, permitting activities within it that are normally forbidden in public on the Sabbath". To me, this sounds like the end to the Mahwah that I grew up in and loved and the beginning of Mahwah turning into Rockland County and all of the corruption.

After driving around some of Mahwah near me I noticed many poles with ERUV on them, and could not help but think, "How did no one see this?". Was this something that was completed by O&R or by a private company? I was always under the belief that when workers were working on the poles that police were needed for directing traffic to ensure the safety of the workers. Were police present when these were installed on the poles? And if so, who paid the police officers? If police were present, someone had to have known about these going up and the MAJOR change that these will be bringing to Mahwah. If the police were not present did no employee of Mahwah see work being done on the poles? I know for certain, how many amazing police and DPW workers we have in our great town. They are always all over town keeping us safe, protected and tidy, it is astonishing to me that NOT ONE person saw anything or made it public information.

Last night I logged on to social media to see an uproar about ERUV on the utility poles. After doing some research of my own and talking to numerous neighbors, friends and family; I was astonished to find out how many people (without social media) had no clue about this issue that effects EVERYONE. Since you have been mayor, you have been extremely transparent with issues going on in town with NEXTEL alerts and news coverage; how did something like this not make any news? When clearly by last night it was publically known that our town is being taken over. Are we that scared of putting up a fight for our great town that we are willing to sit quiet and let someone take it over without even attempting a fight? Will there be any news coverage on this issue? Or are we going to sit back and become the next Rockland County, and not do anything until it is too late?

When purchasing my first home, a lot of things went into this decision. I ultimately decided to stay in Mahwah because of the beauty, low taxes and AMAZING schools. I would hate to see all of this be ruined from one

group coming in and pushing the lifelong residents out by offering them cash for their house and driving them out of the neighborhoods.

I always was under the assumption that utility poles were for the utility companies to use to serve the people with electricity and phone service. When having a garage sale, signs are not permitted on utility poles, rightfully so. How is it legal to have religious symbols on utility poles that only cater to a small percentage of people? Where is the separation of religion and state here?

Thank you for taking time out of your day to read this email. I am looking forward to your response and any information that you can share on this topic.

Thank you,

Kelsey Polster

Resident

29 Sunnyside Road

Mahwah NJ 07430



William Laforet

---

From: Ridgewood Daily Voice [REDACTED]  
Sent: Thursday, July 20, 2017 9:26 PM  
To: William Laforet  
Subject: NEWS ALERT: Jewish Enclosure Sparks Controversy In Mahwah

Thursday, Jul 20, 2017

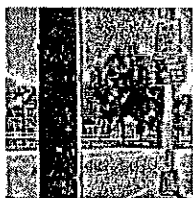
**RIDGEWOOD**



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Email Address

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NEWS ALERT

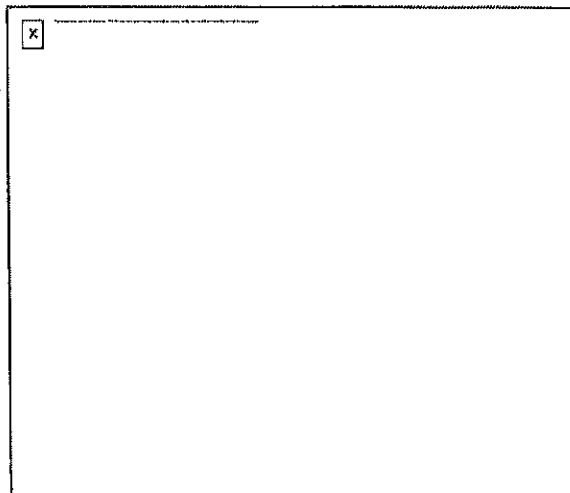


## Jewish Enclosure Sparks Controversy In Mahwah

by Lauren Kidd Ferguson

MAHWAH, N.J. – The installation of a ritual enclosure called an eruv in Mahwah has sparked an online petition with about 270 signers who ...

[Read More >](#)



William Laforet

---

**From:** Damiani, Michelle [REDACTED]  
**Sent:** Thursday, July 20, 2017 10:55 AM  
**To:** Quentin Wiest; William Laforet; Brian Chewcaskie  
**Subject:** ERUV information  
**Attachments:** 7.19 Letter.pdf; SKM\_554e17061216090.pdf; SKMBT\_60015062508210.pdf; Scan0031.pdf

All,  
Per our conversation this morning.  
Attached you will find all the correspondence that you can base your decisions on.

For your review here is a link to the Tenaflly case:  
the Borough of Tenaflly

ERUV contact:  
Rabbi Yisroel Kahan  
Community Liaison,  
[REDACTED]  
[REDACTED]

Redacted —  
Email Addresses  
& Telephone #



AN ORDINANCE TO AMEND CHAPTER 122 OF THE  
CODE OF THE BOROUGH OF UPPER SADDLE  
RIVER ENTITLED, "STREETS AND SIDEWALKS".

BE IT ORDAINED by the Mayor and Council of the Borough of Upper  
Saddle River, in the County of Bergen, and State of New Jersey as follows:

Section 1.

Chapter 122 of the Code of the Borough of Upper Saddle River, Streets  
and Sidewalks, Article III, Borough Road Regulations, §122-17, Unlawful Acts,  
be and is hereby amended to add the following paragraph:

"G. Post or affix any sign, advertisement, notice,  
poster, paper, device, or other matter to any  
public utility pole, shade tree, lamp post,  
curbstone, sidewalk, or upon any public structure or  
building, except as may be authorized or required  
by law."

Section 2. Fines and Penalties.

For violation of any provision of this Ordinance, the fines and penalties  
shall be in accordance with §1-15 of the Borough Code.

Section 3. Severability.

If any section, sentence or any other part of this Ordinance is adjudged  
unconstitutional or invalid, such judgment shall not effect, impair or invalidate  
the remainder of this Ordinance but shall be confined in its effect to the  
section, sentence or other part of this Ordinance directly involved in the  
controversy which such judgment shall be rendered.


Section 4. Inconsistent Ordinances Repealed.

All ordinances or parts or ordinances which are inconsistent with the  
provisions of this ordinance are hereby repealed, but only to the extent of such  
inconsistencies.

Section 5. Effective Date.

This Ordinance shall take effect after publication thereof and final  
passage as required by law.

  
JOANNE L. MINICHETTI, Mayor

  
ROSE VIDO, RMC Borough Clerk

Introduced: 9/3/15  
Adopted: 10/1/15

## 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. Buchwelts

July 19, 2017

Mayor Michael Ghassali  
12 Mercedes Drive  
Montvale, NJ 07645  
mghassali@montvaleboro.org

---

Re: *Chestnut Ridge Eruv Association*

Dear Mr. Mayor:

We represent the Chestnut Ridge Eruv Association ("CREA"), a not-for-profit company being incorporated for the purpose of coordinating efforts to expand an eruv in parts of Montvale Borough. I write regarding your recent directive to Borough police officers to stop their ongoing work with the CREA, and your suggestion that you *may* (but not necessarily will) raise the issue of an eruv in Montvale at the Borough's upcoming council meeting, which is not scheduled to take place until the end of the month.

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, 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.<sup>1</sup>

---

<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, Tenaflly, and Ventnor, New Jersey; Westhampton Beach, Southampton, Quogue, Huntington, Stony Brook, Patchogue, East Northport, Merrick, Mineola, North Bellmore, Plainview, Great Neck, Valley Stream, West Hempstead, Long Beach, Atlantic Beach, Lido Beach, Roslyn, Searingtown, Forest Hills, Kew Gardens, Belle Harbor, Holliswood, Jamaica Estates, New Rochelle, Scarsdale, White Plains, Albany, and Manhattan, New York; Bridgeport,

As you may know, any legal question regarding *eruvim* 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 is a reasonable accommodation of religious practice under the Free Exercise Clause. *See Tenafty Eruv Ass'n v. Borough of Tenafty*, 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 Tenafty, this law firm recently 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, 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 utility companies have the authority under state law 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 (E.D.N.Y. Jun. 16, 2014)); and 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., Oct. 24, 2014)). An eruv has now been up in these municipalities for almost two years, without further dispute or controversy.

In fact, in the days following the Second Circuit's unanimous decision in January 2015 in a case that I argued, your predecessor 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 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

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, eruvim 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 Keshet Israel, attached hereto as Exhibit A.

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.

We were therefore very surprised to learn that you had recently ordered the cessation of privately-negotiated work to attach lechis to a few utility poles in Montvale. These few remaining lechis represent the last step in an eruv expansion project that has been ongoing with appropriate coordination from, and the approval of, Montvale police. Notably, significant funds have already been expended by representatives of the CREA in connection with this project.

By way of further background, over the past five months, an eruv has been created in parts of Mahwah and Upper Saddle River, New Jersey, by attaching over 200 lechis to utility poles pursuant to licenses negotiated between community members using the eruv and Orange and Rockland. In each of Mahwah and Upper Saddle River, the municipalities were aware of and voiced no opposition to the Jewish community's efforts to create the eruv, and worked collaboratively with Rabbi Chaim Steinmetz, who in turn complied with all paperwork and safety measures that were requested. The eruv in Mahwah and Upper Saddle River is an extension of an eruv that begins in Suffern, NY, and serves thousands of observant Jewish families. Without further expansion, however, at least 250 families who are residents of Montvale, Chestnut Ridge, and parts of Upper Saddle River and who would benefit from the eruv currently fall outside of it.

Accordingly, Rabbi Steinmetz met with Montvale police officers to discuss plans to expand the existing eruv by attaching 27 lechis to utility poles within Montvale. Rabbi Steinmetz spoke multiple times to Montvale police officers, including Captain Joseph Sanfilippo, regarding the safe installation of the lechis,<sup>2</sup> and he was advised that CREA should retain a certified flagman for the lechis, and to hire the requisite police officers for an intersection where six of the lechis would be put up. Following the instructions received from the police, Rabbi Steinmetz and members of the CREA invested in obtaining certification for a flagman, paid for the police presence, and rented the necessary equipment, only to learn on Monday, July 12 that you ordered Captain Sanfilippo to cease any work on the project. When Rabbi Steinmetz requested a meeting with you to discuss the stop work order, he was initially told that

<sup>2</sup> We have reviewed the Borough's ordinance regulating signs (Montvale Borough Code § 128.9.7A.1) and find no prohibition on lechis – plain, plastic or wooden strips painted to blend in with poles, which do not meet the definition of a "sign," therein. See Borough Code § 128.9.7A.2 (defining "sign" as "any device either freestanding or attached to ... any building or structure, including telephone poles, which displays, reproduces or includes any letter, word, name, number, model, insignia, emblem, design, device or representation used for one or more of the following purposes: to identify the premises or occupant or owner of the premises; to advertise any trade, business, profession, industry, service or other activity; to advertise any product or item; to advertise the sale or rental or use of all or part of the premises, including that upon which it is displayed; to direct vehicular or pedestrian traffic, other than state, county or municipal highway and roadway markers; and shall include any announcement, declaration, demonstration, display, illustration, insignia or any representation used to advertise or intended to advertise or promote the interests of any person.").

Mayor Michael Ghassali  
July 19, 2017  
Page 4

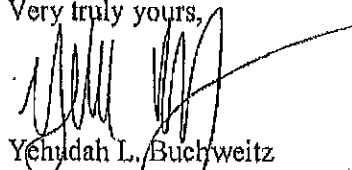
Well, Gotshal & Manges LLP

you were not available, and only after reiterating the importance of the eruv to the hundreds of families who are being left out of the eruv was a meeting granted on Tuesday, July 11. We understand that you ended the July 11 meeting by stating that you would consider (but not commit to) bringing the issue up at the next Borough Council meeting, which is not until July 25.

This is extremely problematic because observant Jewish members of the Montvale community and neighboring areas 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. We remind you that municipal intransigence in accommodating sincerely-held religious beliefs of these community-members 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 and 42 U.S.C. § 1983. Each week that you delay by issuing a stop work order only further compounds the ongoing harm to these families. We also note that Montvale's neighboring municipalities have each rightly declined to obstruct the construction of an eruv (which would be a costly and assuredly unsuccessful endeavor).

For all of these reasons, we respectfully request that you immediately rescind the stop-work order, and permit the Montvale police to reengage with Rabbi Steinmetz and the CREA forthwith. Although we believe any legal issues associated with eruvim to have been conclusively settled by the federal courts, as Montvale itself has previously and publicly recognized, we are available at your earliest possible convenience to discuss any questions or concerns with the Borough. We reserve all of our client's legal rights.

Very truly yours,



Yehudah L. Buchweitz

cc: Philip N. Boggia, Esq.  
Yitzchok Altman  
Joel Friedman  
Abraham Rosenwasser  
Rabbi Chaim Steinmetz  
Robert G. Sugarman, Esq.  
David Yolkut, Esq.  
Jessie B. Mishkin, Esq.

WEIL:06214453199995.5739

# Exhibit A

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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.

*Greg Burt*

### 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.

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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 *ariv*.

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.

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# Exhibit B

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Borough of Upper Saddle River, NJ  
Monday, June 12, 2017

## Chapter 122. Streets and Sidewalks

### Article III. Borough Road Regulations

#### § 122-17. Unlawful acts.

It shall be unlawful to:

- A. Cast, throw or spill dirt, sand, ashes, gravel, brick, stones, wastepaper, lumber or other similar loose material on a Borough road.
- B. Mix dry or wet concrete, cement or plaster of any kind or description on the surface of a Borough road.
- C. Spill turpentine, kerosene, gasoline, petroleum, lubricating oil or other highly flammable oils or their volatile products, or allow such fluids to escape, on the surface of a Borough road; or operate a tank truck or other vehicle from which fluids are permitted to escape.
- D. Flush or cause to be drained or pumped to the surface of a Borough road wastewater or fluid of any kind.
- E. Place or cause to be placed on a Borough road a permanent or temporary obstruction of any kind.
- F. Burn leaves or any other material on a Borough road which may cause sufficient heat to affect asphalt pavement.<sup>[1]</sup>  
<sup>[1]</sup> *Editor's Note: Former Subsection G, regarding throwing snow or ice on plowed roads, which immediately followed this subsection, was repealed 4-10-1996 by Ord. No. 2-96. See now § 122-17.1, Snow and ice removal; prohibited acts.*

- G. Post or affix any sign, advertisement, notice, poster, paper, device, or other matter to any public utility pole, shade tree, lamp post, curbstone, sidewalk, or upon any public structure or building, except as may be authorized or required by law.  
[Added 10-1-2015 by Ord. No 16-15]

## LICENSE AGREEMENT

THIS LICENSE AGREEMENT, made as of the 1<sup>st</sup> day of June, 2015 by and between ROCKLAND ELECTRIC COMPANY ("Licensor"), with an address of One Blue Hill Plaza, Pearl River, New York 10965, and VAAD HAERUV, C/O RABBI YECHIEL STEINMETZ ("Licensee"), with an address of 51 Ashel Lane, Monsey, New York 10952-2610. Licensor and Licensee are each sometimes referred to individually as a "Party" and collectively as the "Parties."

### WITNESSETH:

WHEREAS, Licensee desires to construct an Eruv by attaching conduit Lechi ("Attachments") on certain utility poles, located in Bergen County which are owned or jointly owned and/or used by Licensor and others, ("Poles") which Poles will be designated in Exhibit A attached hereto, as such may be amended from time-to-time.

WHEREAS, Licensor is willing to permit, to the extent it may lawfully do so, the attachment of Licensee's Attachments, provided the Attachments do not interfere with the operations of Licensor, or any other user of the Poles;

NOW, THEREFORE, in consideration of the mutual covenants, terms, and conditions herein contained, the Parties do hereby covenant and agree as follows:

1. No use, however granted, of the Poles or payment of any fees or charges required under this Agreement shall create or vest in the Licensee any ownership or property right in the Poles, and nothing contained herein shall be construed in any way as indicating that Licensor has conveyed to Licensee any ownership or property right in the Poles.
2. Nothing contained herein shall be construed as affecting any rights previously conferred by Licensor by agreement to others to make attachment to the Poles, and Licensor shall continue to have all rights which it now possesses to grant such rights.
3. The Poles are and will continue to be used, operated, and maintained primarily for the

purposes of Licensor, and Licensee's use will be secondary.

4. Licensee will use the Attachments solely for the purpose of its Eruv. If Licensee attaches any unauthorized items to the Poles, Licensor may remove such items and Licensee shall reimburse Licensor for the costs of such removal.
5. Licensee shall, at its own cost and expense, maintain the Attachments in a safe condition and in good repair.
6. Licensee shall exercise special precautions to avoid damage to the facilities of Licensor and any other user of the Poles, and hereby assumes responsibility for any and all loss resulting from such damage caused by the acts, omissions or facilities of Licensee, its employees, contractors, or agents. Licensee shall make an immediate report to Licensor's Manager - Risk Management, c/o Orange and Rockland Utilities, Inc., One Blue Hill Plaza, Pearl River, NY 10965, of any such damage and shall reimburse Licensor and any other user of the Poles for all expenses incurred in repairing any such damage. The requirements of this paragraph are in addition to and not in limitation of the requirements set forth in Paragraph 12 below.
7. Licensee shall not, at any time, make any changes in the location of the Attachments the Poles without Licensor's prior written consent, except in cases of emergency in which case oral permission must first be obtained from Licensor's Service Operations Supervisor (Radio Dispatcher) at 845-352-6046, Spring Valley, NY. Such permission shall be confirmed in writing within five days of the time oral permission is given.
8. At Licensee's expense, Licensor shall perform periodic inspections of the Attachments, provided, however that Licensee shall not be responsible for the costs of more than one such inspection every five years. The fees associated with the periodic inspection shall be paid by Licensee, who will be billed at Licensor's prevailing billing rates, as the same may be adjusted from time-to-time. A copy of Licensor's current billing rates is attached hereto as Exhibit B. Licensor will provide the results of said inspections in writing within 30 days of each inspection, and Licensee may rely on the results of such inspections in connection with documenting compliance with the terms of this Agreement. Upon the discovery of an unauthorized attachment by Licensee, Licensee shall pay Licensor an amount equal to five times the annual rental fee for occupation of the pole up to the date of discovery.

9. Licensee shall pay Licensor a pole attachment fee of \$1.08 per month per Attachment for (i) sole-owned electric Poles and (ii) joint-owned Poles on which the Attachment is in Electric's custodial area. Where there are joint-owned poles and no custodial area, the pole attachment fee will be the sole-owned pole fee proportioned by the pole ownership ratio. The annual attachment fee shall be payable in advance and is due in January. The pole attachment fee shall be reviewed and re-determined annually and shall be adjusted and effective as of January 1<sup>st</sup> of the then current year.
10. Licensee shall indemnify, hold harmless and defend Licensor and its affiliates, and its and their officers, employees, directors, trustees, representatives, and agents from and against any and all claims, actions, liabilities, demands, damages, liens, losses, costs, expenses (including legal fees), judgments, and settlements of any nature whatsoever arising out of or incidental to this Agreement or work performed thereunder except to the extent due to the negligence or intentional acts of Licensor, its officers, employees, representatives or agents. In the event any suit, claim or proceeding, whether groundless or not, within the intentment of this provision is brought against Licensor, Licensee, upon notice from Licensor, shall defend the same at Licensee's own expense. This provision shall survive the termination of this Agreement.
11. Neither Licensor nor any other user of the Poles shall be liable to Licensee for any interruption of Licensee's Eruv or for any damage to Licensee's Attachments, arising in any manner. With respect to any such interruption or damage, Licensee specifically waives any claim against Licensor or any other user of the Poles, for consequential damages or loss of profits, irrespective of any fault, failure, negligence or alleged negligence on the part of Licensor or any other user of the Poles.
12. (a) Before commencing its attachment to the Poles, Licensee shall procure and maintain, at its own expense for the time period specified below, the following minimum insurance in forms and with insurance companies acceptable to the Licensor:
  - (1) Workers' Compensation Insurance for statutory obligations imposed by Workers' Compensation or Occupational Disease Laws, and Employer's Liability Insurance with a minimum limit of \$500,000.



- (2) General Liability Insurance including Personal Injury, Broad Form Property Damage, Products/Completed Operations, Contractual Liability Insurance covering all operations required to install and maintain Licensee's Attachments with minimum limits of liability of \$2,000,000 per occurrence.
- (3) Automobile Liability Insurance, including coverage for all owned, non-owned and hired automotive equipment used by Licensee so as to install or maintain Licensee's Attachments with minimum limits of liability of \$1,000,000 per occurrence.
- (b) If any of the work required to install or maintain Licensee's Attachments is subcontracted, Licensee shall require each subcontractor to carry all insurance required under this Section and to submit standard Accord Certificates of Insurance to the Licensor prior to subcontractor's commencement of its work.
- (c) For all insurance required hereunder, except Workers' Compensation and Employers Liability, the Licensor shall be named as an additional insured.
- (d) All of the insurance required hereunder shall be primary to any or all other insurance coverage and shall not contribute with similar insurance in effect for the Licensor.
- (e) All insurance required hereunder shall contain provisions wherein all rights of subrogation or recovery of any kind against the Licensor, its agents, employees, officers, successors and assigns are specifically waived by Licensee and the insuring entity.
- (f) All insurance where the Licensor is an additional insured must contain provisions which state that the policy will respond to claims or suits by the Licensor against Licensee or any other insured thereunder.
- (g) All insurance required hereunder shall provide insurance for occurrence during the effective dates of this Agreement and for a period of two years thereafter. In the event that any insurance as required herein is available only on a "claims-made" basis, such insurance

shall provide for a retroactive date not later than the effective date of this Agreement and such insurance shall be maintained by Licensee, with a retroactive date not later than the retroactive date required above, for a minimum period of five years after the termination of this Agreement.

(h) All insurance required herein shall be issued by an insurer licensed to do business in the States of New York and New Jersey and shall have a Best's Rating of not less than "A minus" and a net surplus of not less than \$25,000,000.

(i) Licensee's insurance carrier shall notify the Licensor of any material change in, or or cancellation of, the insurance required hereunder at least 30 days prior to the effective date of any such change or cancellation.

(j) Prior to the attachment of any Attachments, Licensee shall provide, for the Licensor's review and approval, a Certificate of Insurance verifying the existence of insurance coverage in compliance with above requirements, from insurance companies acceptable to Licensor. Unless otherwise specified, the Certificate of Insurance should be mailed to:

Orange and Rockland Utilities, Inc.  
Joint Use Facilities Department  
390 West Route 59  
Spring Valley, NY 10977

13. Unless previously terminated pursuant to its terms, this Agreement shall continue in effect for a term of five years and shall remain in effect thereafter until terminated by Licensor upon 90 days notice to Licensee, or until termination by Licensee effective upon Licensee's removal of the Attachments from the Poles and Licensor's inspection and approval thereof.
14. If Licensee: (i) fails to perform any of the covenants, conditions, terms or provisions of this Agreement and, except where a specified time is provided for the performance of the covenant or condition, when such default is not made good within 30 days after written notice, or (ii) is adjudicated as bankrupt or makes a general assignment for the benefit of creditors or takes the benefit of any insolvency act or if a permanent receiver or trustee is appointed for Licensee's property or if a temporary receiver is appointed for its property and such

appointment is not vacated within 90 days, then, and in any of such events, Licensor may, at its option, on five days notice in writing, terminate this Agreement and the terms hereof.

15. Termination of this Agreement under the provisions of Paragraph 13 or of Paragraph 14 above, shall not relieve Licensee from any liability or obligation hereunder.
16. If this Agreement is terminated under the provisions of Paragraph 13 or Paragraph 14 above, Licensee shall remove its attachments from the Poles within 30 days of the effective date of such termination. If Licensee fails to remove its attachments within 30 days of termination, Licensor may remove the attachments and charge Licensee with the cost of such removal.
17. Licensee shall not assign, transfer, sublet, or otherwise encumber this Agreement without Licensor's express prior written consent, such consent shall not be unreasonably withheld, and any such assignment without such consent shall be void.
18. To the extent that any Make-ready work (as defined therein) is required, it will be performed in accordance with Attachment 1.
19. This Agreement constitutes the entire agreement between the Parties and supersedes any prior or contemporaneous offers, proposals, agreements or discussions between the Parties relating to the subject matter hereof. The Agreement may not be modified or amended, nor may any obligation of either Party be changed or modified, except in writing signed by the duly authorized officers or agents of the Parties.
20. Licensee hereby waives any right to trial by jury in any litigation arising out of this Agreement or out of its use of space on the Poles.
21. Except as otherwise agreed in writing by the parties, any written notification to be given to Licensee under this Agreement shall be effective only if it is in writing and (i) delivered by hand (against signed receipt); (ii) sent postage prepaid, certified or registered mail, return receipt requested, (iii) sent by nationally recognized courier service providing for overnight

delivery, provided the sender shall obtain a written receipt; or (iv) sent by facsimile after with a confirming hard copy by regular mail, addressed as follows:

Orange and Rockland Utilities, Inc.  
390 West Route 59  
Spring Valley, NY 10977  
Attention: Joint Use Facilities  
Fax: (845) 577-3074

22. Except as otherwise agreed in writing by the Parties, any written notification to be given to Licensee under this Agreement shall be effective only if it is in writing and (i) delivered by hand (against signed receipt); (ii) sent postage prepaid, certified or registered mail, return receipt requested, (iii) sent by nationally recognized courier service providing for overnight delivery, provided the sender shall obtain a written receipt; or (iv) sent by facsimile after with a confirming hard copy by regular mail, addressed as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_

23. This Agreement shall be governed by and interpreted according to the laws of the State of New York without giving effect to the conflict or law principles thereof. The Parties hereto consent to the exclusive jurisdiction of the state or federal courts situated in the County of Rockland, City of New York, or regulatory agencies of competent jurisdiction for purposes of any legal action arising out of this Agreement.

IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed as of the day and year first above written.

ROCKLAND ELECTRIC COMPANY

By *Francis W. Pederly*  
Francis W. Pederly

Title VP- Operations

Date 10/4/15

VAAD HAERUV

By *Yechiel Steinmetz*  
*Yechiel Steinmetz*

Title Rabbi

(type or print name of individual signing)

Date MAY 29/15

Permit # \_\_\_\_\_

EXHIBIT A

REQUEST

Rockland Electric Company  
390 West Route 59  
Spring Valley, NY 10977  
Attention: Joint Use Facilities

In accordance with the terms of the Agreement between us, dated as of \_\_\_\_\_, 2015, request is hereby made for a Notice for the following Poles:

Also see attached drawing.

Cable or Equipment To Be Attached

Pole Numbers

See attached sheet(s)

\_\_\_\_\_  
(type or print name of applicant here)

By

\_\_\_\_\_  
(type or print name of individual signing)

Dated

NOTICE

Notice Number \_\_\_\_\_ is hereby provided for such of the above Poles as have not been stricken from the above list. Attached is our invoice which also describes what Make-ready work is necessary.

By

Rockland Electric Company

Dated

CONFIRMATION

The undersigned confirms Notice Number \_\_\_\_\_, Attached are the payment and insurance certificate, as required in our Agreement.

By

Dated

ENDORSEMENT

The Make-ready Work required for the above attachments is complete. This endorsement authorizes you to make the attachments described above. Attachment fees, as provided for in the Agreement, begin to accrue 30 days from the date of this Endorsement.

By

Rockland Electric Company

Dated

VAAD HAERUV OF ROCKLAND

EXHIBIT B

ATTACHMENT 1

ARTICLE I

MAKEREADY WORK DEFINITIONS

SECTION I

- A. **Request:** The document appended to this agreement as EXHIBIT A, when it has been submitted by Licensee to Licensors.
- B. **Notice:** The Request when it has been returned by Licensors to Licensee.
- C. **Confirmation:** The Notice when it has been submitted by Licensee to Licensors.
- D. **Endorsement:** The Confirmation when it has been returned by Licensors to Licensee.
- E. **Active Endorsement:** An Endorsement which has not been canceled for any reason.
- F. **Any Other User:** Any person, who has a right, by agreement, as of the date of this Agreement, to attach facilities to poles or, who may in the future by agreement, obtain such right.
- G. **Make-ready Work:** Surveys by Licensors to determine the availability for the attachment of Licensee's equipment to Poles, the work required by Licensors to make such Poles physically available for the attachment of Licensee's equipment, including bonding and grounding Licensee's support strand and equipment to that of the Licensors, and Any Other User; the work required by Licensors to prepare and deliver the invoices contemplated under this agreement; and the work required by Licensors to inspect Licensee's attachments.

ARTICLE II

GENERAL AGREEMENTS

SECTION 2

- A. Licensee shall have no right to attach its equipment to any Poles owned and/or used by Licensors until an Endorsement is issued specifically covering such Poles and further agrees not to make any such attachments until it has received such Endorsement.
- B. Licensee will use any equipment attached to Poles pursuant to Endorsement provided hereunder solely to provide telecommunication services.
- C. Licensee shall pay promptly the Charges described in Section 6(C) and any costs incurred by

Licensor or charged to Licensor in connection with or arising out of this agreement, as hereinafter provided.

- D. Nothing herein contained shall be construed to compel Licensor to extend, place or maintain any of its facilities not needed for its own service requirements.

### SECTION 3

The geographical area covered by this Agreement is Licensor's service territory within the County of Bergen.

## ARTICLE III REQUEST, SURVEY AND NOTICE

### SECTION 4

Whenever Licensee wishes Licensor to provide a Notice for any Poles covered hereby, it shall make Request to Licensor therefore, in duplicate, in the form as attached as EXHIBIT A hereto. Licensee shall specify in the Request the Pole numbers and locations for which it desires Notice and shall specify the cables or other equipment it wished to attach to each Pole.

### SECTION 5

Licensor, upon receipt of the Request, shall make appropriate surveys of such Poles in consultation with representatives of Any Other User, and Licensee to determine, among other things, whether such Poles are available for Licensee's attachments; and, if available, the Make-ready Work that will be required. The fees associated with the surveys will be paid by the Licensee, who will be billed at Licensor's prevailing billing rates, as the same may be adjusted from time-to-time. A copy of Licensor's billing rates is attached to the Agreement as Exhibit B.

### SECTION 6

- A. Licensor shall give Notice to Licensee, in the form as attached as EXHIBIT A hereto, that it:
- (i) Does not object to attachment of Licensee's equipment to the Poles described by the Request as are not crossed out by Licensor subject to the conditions in this agreement; and/or
  - (ii) Does object to attachment of Licensee's equipment to such Poles described by the Request as are crossed out by Licensor and the reason for the objection.
- B. Licensor shall assign the next consecutive number in a series designed to provide a written record of all Notices.
- C. Licensor shall, at the time that it gives Notice, provide to Licensee an invoice for the Charges associated with the Make-ready Work.
- D. Licensor shall make every reasonable effort to satisfy itself that it has determined the full



extent of the Make-ready Work. Nothing in the Agreement however, shall prevent Licensor from planning or making, at any time, whatever additional changes may be required to satisfy its service requirements, to remove hazardous conditions, or to provide for attachments of the equipment of Any Other User. Licensee agrees to reimburse Licensor for any costs of additional changes occasioned solely by the presence of Licensee attachments, except for those changes, which occur within two years after completion of the initial Make-ready Work.

- E. In the event that Licensee is required to obtain an easement or right-of-way for its Attachments to the Poles, it shall obtain such easement or right-of-way at no cost to Licensor.

#### SECTION 7

- A. Upon Licensee's request, Licensor shall permit Licensee to review the work prints, together with available supporting costing details, in order that Licensee may satisfy itself as to the contemplated Make-ready Work and associated costs and that the Make-ready Work will be performed in accordance with the current edition of the National Electric Safety Code, the American National Standards Institute, and Licensor's Construction Standards.

### ARTICLE IV

#### CONFIRMATION, COMPLETION OF MAKEREADY WORK AND ENDORSEMENT

#### SECTION 8

- A. Licensee shall, within 30 days after Licensor gives Notice, confirm the Notice, in duplicate, in the form attached as EXHIBIT A hereto.
- B. The absence of Confirmation within 30 days shall automatically result in the cancellation of the Notice. In this event, Licensee shall immediately pay to Licensor such portion of the invoice that represents that part of the Make-ready Work that has been completed.
- C. At the time that Licensee confirms the Notice it shall:
- (i) Pay to Licensor the full amount of Make-ready charges; and
  - (ii) Provide or update as may be necessary the insurance policies described in Paragraph 12 of the Agreement.

#### SECTION 9

- A. Work required to be performed prior to, and because of, attachment of Licensee equipment, including but not limited to the initial survey, re-arrangement of existing equipment, guying and anchoring, pole replacements, and construction inspections, shall be referred to as "Make-ready." Similar work required after initial attachment to a pole solely because of the existence of Licensee attachments shall be referred to as "additional Make-ready."

#### SECTION 10

- A. Licensor will endeavor to cooperate with Any Other User in performing the Make-ready Work, but does not undertake and expressly disclaims any right or obligation to require Any Other User to perform or cooperate in the performance of such Make-ready Work.

#### SECTION 11

- A. Licensor, shall upon completion of the Make-ready Work, endorse, date, and return copy of the Endorsement form as provided in EXHIBIT A hereto.
- B. The Endorsement shall be Licensee's authority to make attachments to the Poles designated in the endorsed Notice.
- C. Attachment fees described in Paragraph 9 shall begin to accrue 30 days following the date of Endorsement for sole owned electric and joint owned poles in the Licensor's custodial areas.

#### SECTION 12

Licensee shall in accordance with the provisions of Licensor's then current tariff, make application apart from this Agreement to Licensor for the purchase of electric energy for any appliance that may now or in the future require the use of electric energy.

### ARTICLE V

#### ATTACHMENTS AND MAINTENANCE OF ATTACHMENTS

#### SECTION 13

- A. Licensee, at its own cost and expense, shall construct, maintain, and replace all of its attachments on the Poles in accordance with the requirements and specifications of the National Electrical Safety Code, latest edition, and any amendments or revisions of said specifications or code, and in compliance with any rules or orders now in effect or that hereafter may be issued by the New York Public Service Commission, or other authority having jurisdiction over the Poles.

#### SECTION 14

Licensee shall, at its own cost and expense, maintain all of its attachments on the Poles in safe condition and in good repair. All tree trimming required on account of Licensee's attachments shall be done by it at its sole expense and in a manner satisfactory to Licensor and Any Other User.

From: [REDACTED]

To: Brian Chekowski &lt;brian@gmcmjlaw.com&gt;; Quentin Wiest &lt;QWiest@mahwahtwp.org&gt;; Mike Kelly &lt;mkelly@boswellengineering.com&gt;

Subject: ERuv

Date: Thu, Jul 20, 2017 1:21 pm

Attachments: IMG\_2678.JPG (368K)

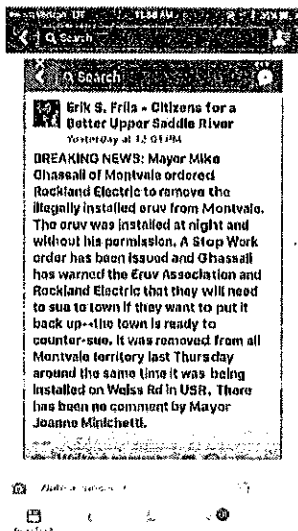
---

Does this change the draft of your letter?

---

1 Attached Images

---



Redacted —  
Email Address

Handwritten signature or initials in black ink.



## **Erik S. Friis ► Citizens for a Better Upper Saddle River**

Yesterday at 12:01 PM

**BREAKING NEWS:** Mayor Mike Ghassali of Montvale ordered Rockland Electric to remove the illegally installed eruv from Montvale. The eruv was installed at night and without his permission. A Stop Work order has been issued and Ghassali has warned the Eruv Association and Rockland Electric that they will need to sue to town if they want to put it back up--the town is ready to counter-sue. It was removed from all Montvale territory last Thursday around the same time it was being installed on Weiss Rd in USR. There has been no comment by Mayor Joanne Minichetti.

William Laforet

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From: Lauren Kidd Ferguson [REDACTED]  
Sent: Thursday, July 20, 2017 12:41 PM  
To: William Laforet  
Subject: ERUV

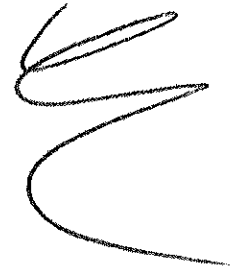
Mayor,

I saw your message about the ERUV. I am following the issue, and writing an article for Daily Voice. Do you have a few minutes to discuss?

Thanks,  
Lauren

Lauren Kidd Ferguson  
Reporter  
Daily Voice

Redacted -  
Email Address



## William Laforet

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From: William Laforet  
Sent: Thursday, July 20, 2017 1:00 PM  
To: 'Lauren Kidd Ferguson'  
Subject: RE: ERUV

Yes call me [REDACTED]

Cell [REDACTED]  
Mayor Bill Laforet.



Mahwah selected the Safest Community in all of New Jersey 2014

William "Bill" Laforet  
Mayor Township of Mahwah  
475 Corporate Drive  
Mahwah, New Jersey 07430  
201-529-5757 ex 267  
[wlaforet@mahwahtwp.org](mailto:wlaforet@mahwahtwp.org)

From: Lauren Kidd Ferguson [mailto:[REDACTED]]  
Sent: Thursday, July 20, 2017 12:41 PM  
To: William Laforet <WLaforet@mahwahtwp.org>  
Subject: ERUV

Redacted —  
Telephone  
#s and Email  
Address

Mayor,

I saw your message about the ERUV. I am following the issue, and writing an article for Daily Voice. Do you have a few minutes to discuss?

Thanks,  
Lauren

Lauren Kidd Ferguson  
Reporter  
Daily Voice