

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

YISROEL FRIEDMAN and S. MOSHE
PINKASOVITS

Plaintiffs,

-against-

THE BOROUGH OF UPPER SADDLE RIVER
and JOANNE L. MINICHETTI, individually and in
her official capacity as Mayor of the Borough of
Upper Saddle River

Defendants.

**DECLARATION OF YISROEL FRIEDMAN IN SUPPORT OF
PLAINTIFFS' APPLICATION FOR A TEMPORARY RESTRAINING ORDER**

I, Yisroel Friedman, hereby declare under penalty of perjury:

1. I am a plaintiff in the above-captioned proceeding. I was recently involved with the expansion of an existing eruv that now covers a portion of the Borough of Upper Saddle River, the purpose of which was to include members of the community, including myself and my family, that, prior to the expansion, lived outside of the area covered by the existing eruv. As such, I am familiar with the facts and circumstances set forth herein. I submit this Declaration in support of Plaintiffs' Application for a Temporary Restraining Order.

2. I maintain my personal residence in the Village of Airmont, New York, a village that is immediately adjacent to the Borough of Upper Saddle River, New Jersey.

3. Due to the recent efforts to expand an existing eruv – an expansion that by necessity required affixing narrow wooden or plastic strips (“lechis”) to utility poles in Upper Saddle River – my house now falls within an eruv. As a result, for the past three Sabbaths, my family and I have been able to more fully practice our religion. More specifically, over the past

three Sabbaths, my family and I have been able to carry items such as prayer shawls and prayer books to our synagogue and have been able to bring food, games, gifts, and books to the homes of fellow community members. We have also been able to push strollers and wheelchairs within the confines of the newly expanded eruv. This has enabled us to more fully practice our religion, both at our synagogue and at communal activities in the homes of fellow community members on the Sabbath.

4. The ability to push a stroller is particularly important to me and my family, as my wife and I have two young children – one infant and one toddler – both of whom are not able to walk all the way to our synagogue on the Sabbath. As a result of now having an eruv, my entire family is able to fully observe the Sabbath, as we are now able to push our two young children to our synagogue and to the houses of other community members in their strollers. If the eruv were removed, either I or my wife would no longer be able to fully observe the Sabbath, because one of us would have to remain at home with our young children throughout the Sabbath.

5. It is not just my family that has benefited from the eruv over the past three weeks. Many other members of the community have benefited as well. Like my family, these community members are also now able to more fully practice their religion. For example, the father-in-law of one of my neighbors, who visits my neighbors often, is dependent on a wheelchair. As a result of now having an eruv, he is able to fully observe the Sabbath when visiting his family. If the eruv were removed, my neighbor's father-in-law would no longer be able to attend synagogue (or attend meals at the homes of other community members), as he would be confined to the house for the entirety of the Sabbath.

6. In addition, and like myself, many other members of the community have young children that require a stroller to travel more than a very short distance. Over the last three

weeks, these community members have also been able to more fully practice their religion due to the presence of the eruv. As a result of now being able to push a stroller, these families are now able to attend synagogue and spend time on the Sabbath with other community members outside of their homes. Without the eruv, some family members would be forced to stay home for the entirety of the Sabbath to care for their young children.

7. It is my understanding that Upper Saddle River has demanded that the lechis affixed to utility poles – lechis that were installed with all of the necessary approvals and with the consent of the utility company that owns the poles, the Upper Saddle River Police Department, and even the Upper Saddle River Mayor's Office – be removed by Wednesday July 26, 2017 at noon. It is also my understanding that Upper Saddle River has stated that if the lechis are not removed by that time, the Borough will have them removed. If any of these lechis are removed, the eruv that encompasses my house will become invalid, and, as a direct result of the actions of Upper Saddle River, my family and I, along with many other community members, will no longer be able to freely and fully practice our religion.

8. I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 27, 2017.


YISROEL FRIEDMAN