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*Borough of Upper Saddle River*

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

BERGEN ROCKLAND ERUV ASSOCIATION,  
YISROEL FRIEDMAN, S. MOSHE  
PINKASOVITS, SARAH BERGER, MOSES  
BERGER, CHAIM BREUER, YOSEF  
ROSEN, AND TZVI SCHONFELD,

Plaintiffs,

v.

THE BOROUGH OF UPPER SADDLE  
RIVER,

Defendant.

Civil No.: 2:17-CV-05512-JMV-  
CLW

Civil Action

**DECLARATION OF  
DONALD HAUSCH**

I, Donald Hausch, declare under penalty of perjury:

1. I am a police officer with the Borough of Upper Saddle River (USR).

2. I have been a member of the Borough of Upper Saddle River's Police Department (USR PD) for 19 years, and hold the rank of Sergeant.

3. Accordingly, I have both personal and institutional knowledge with respect to USR's enforcement of its policy and code

provisions prohibiting the placement and/or installation of unauthorized signs, devices, and other matter on utility poles within USR.

4. This prohibition has been enforced consistently and uniformly and without regard to the content of the unauthorized signs, devices, or other matter at issue.

5. It has been the responsibility of the USR PD and the Department of Public Works (DPW) to enforce this prohibition by removing unauthorized signs, devices, or other matter on utility poles.

6. If a sign, device, or other matter that violated the law is within a USR PD officer's reach and can be safely removed by the officer, the sign, device, or other matter would be removed by a USR PD officer without regard to the content of the object removed.

7. If a sign, device or other matter that violates the law is out of reach or affixed in a manner that prevents an officer from safely removing the unauthorized sign, device, or other matter with his or her hands, then the officer would (1) notify the property owner and have the property owner remove the unauthorized sign, device, or other matter; (2) the DPW would be notified and a DPW staff member would be dispatched to remove the unauthorized sign, device, or other matter using a truck or other device that

could safely reach the object. This is also done without regard to the content of the object.

8. If the owner of the removed unauthorized sign, device, or other matter is clear from the face of the item removed, then the owner is notified that the unauthorized sign, device, or other matter is at the USR PD. However, if the owner fails to retrieve the unauthorized sign, device, or other matter, it would be discarded.

9. This prohibition against objects being affixed to USR utility poles without USR's consent has resulted in the removal of unauthorized signs, devices and other matter from utility poles. Examples of unauthorized signs, devices, or other matter that I have removed in and around USR include, but are not limited to, garage sale signs, sale signs, driveway repair advertisements, cleaning services advertisements, other business signs, real estate signs, and lost animal signs.

10. I cannot recall a time when I was not actively removing or instructing property owners to remove unauthorized signs, devices, and other matter from utility poles.

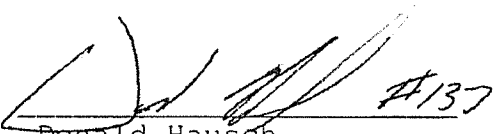
11. Officers of the USR PD are regularly reminded of the Town's policy with respect to the removal of unauthorized signs, devices, or other matter from utility poles.

12. On October 5, 2015, the Chief of Police, Patrick Rotella, emailed the USR PD, reminding officers to familiarize themselves

with the ordinance that prohibits the "posting of items on telephone poles." See attached as **Exhibit "A"** a true and correct copy of an email, dated October 5, 2015, to members of the USR PD reminding officers to familiarize themselves with the ordinance prohibiting posting unauthorized items on utility poles.

13. USR has consistently enforced and continues to consistently enforce this prohibition. Further, it does so without regard to the content of the unauthorized signs, devices or other matter at issue.

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

By:  #137  
Donald Hausch  
Sergeant Borough of Upper  
Saddle River Police  
Department

Executed on: November 2, 2017

# EXHIBIT A

## Chief Patrick Rotella

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**From:** Chief Patrick Rotella  
**Sent:** Monday, October 05, 2015 3:10 PM  
**To:** kzyskowski@usrpd.net; apulizzano@usrpd.net; cparrella@usrpd.net; dhausch@usrpd.net; dlally@usrpd.net; ekane@usrpd.net; emcdowell@usrpd.net; jfarrow@usrpd.net; kcampbell@usrpd.net; kosborne@usrpd.net; krodriguez@usrpd.net; mspina@usrpd.net; Patrolman Collin Gurney; tkilduff@usrpd.net; vsiracusa@usrpd.net; wlynch@usrpd.net  
**Subject:** new ordinances  
**Attachments:** trees.PDF; Plymouth.PDF; Telephonepoles.PDF

Please familiarize yourself with the attached ordinances

- No Left Turn Plymouth Dr
- No posting of items on telephone poles
- Tress

Chief Patrick A. Rotella  
Upper Saddle River Police Department  
368 West Saddle River Road  
Upper Saddle River, NJ 07458

P. 201-327-2700  
F. 201-934-3992



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