

EXHIBIT O

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November 13, 2017

Via Email david.gudino@verizon.com

David Gudino, Esq.
Area Counsel - Mid-Atlantic North & South
Verizon Communications, Inc.
One Verizon Way | VC52S222
Basking Ridge, NJ 07920

**Re: Bergen Rockland Eruv Assoc. et al. v. Borough of Upper Saddle River
Case 2:17-cv-05512-JMV-CLW**

Dear Mr. Gudino:

As you are aware, this firm is special counsel to the Borough of Upper Saddle River. In furtherance of our emails regarding the request of the Eruv Plaintiffs in the ongoing federal litigation to place lechis on Verizon-owned poles in Upper Saddle River, my client has advised me that it is the Borough's position that under both a municipal ordinance and two state statutes, the Borough Council's approval is necessary before anyone may install any sign or device (including lechis) on utility poles within the Borough.

Enclosed herewith is a copy of Ordinance 16-15 (Codified as § 122-17GH) which is part of the Borough's Streets and Sidewalks Ordinance and prohibits the placement of items on public utility poles, except as may be authorized or required by law. It is the Borough's position that this Ordinance prohibits the placement of devices and materials, whether a sign or a lechi which is intended to denote an eruv, without a formal application to the Borough Council.

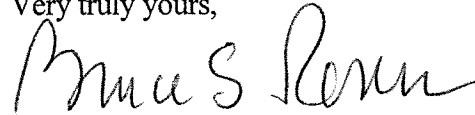
In addition, N.J.S.A. 48:3-19 expressly requires consent of a municipality when a party seeks to use utility poles owned by another, and N.J.S.A. 48:17-10 prohibits placement of or construction of any pole, conduit, wire or fixture on or upon any public road without approval of the governing body except as to lines maintained by telephone or utility companies.

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Therefore, we respectfully request that Verizon neither issue any license nor consent to any installation of lechis on poles owned by Verizon and/or managed under the Joint Use Agreement with Orange & Rockland Utilities, Inc. unless or until the Borough has approved this installation and/or the matter is otherwise determined by the Courts. As municipal consideration of an application is a legal requirement, please be aware that failure to comply with this request will result in the Borough pursuing all available remedies to enjoin Verizon in this regard.

Very truly yours,

A handwritten signature in black ink, appearing to read "Bruce S. Rosen". The signature is written in a cursive, flowing style.

Bruce S. Rosen

BSR/ckc

Enclosure

cc: Yehuda Buchweitz, Esq.

Robert T. Regan, Esq.

Joel Kurtzberg, Esq.

Marci Hamilton, Esq.

Adopted 10/1/15

BOROUGH OF UPPER SADDLE RIVER

ORDINANCE #16-15

**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.

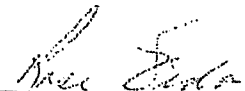
All ordinances or parts or ordinances which are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of such inconsistencies.

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: 4/3/15
Adopted: 10/1/15
Approved: 10/1/15