



Township Of Mahwah

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Cell Tower Update:

April 15, 2021

First and foremost, we want to remind you that while there is still litigation pending with respect to the cell tower - the Township is legally permitted to proceed with the construction of the temporary tower. However, our discussion regarding anything having to do with this important project, at the advice of counsel, is limited in order to protect the interests of the Township.

With respect to the construction of the temporary tower - construction crews have been on-site over the past three weeks. During that time, the monopole, antennas, necessary electronics, and most of the electrical and fiber optic wiring has been installed on site. In addition, the Township entered into an access agreement with a neighboring resident, and on April 6, 2021, Orange & Rockland entered the property to add certain wiring to the access area. Unbeknownst to the Township, Township Engineer, or the project manager at Orange and Rockland, the crew assigned to the operation mistakenly cleared six trees. The trees were all less than 4.5 inches in diameter. However, due to the nature of the area in question, it was certainly a cause for concern - and the work in the access area came to a halt.

Fortunately, the Township took immediate action and contacted the Department of Environmental Protection and was advised this past Tuesday afternoon that there was no violation of the wetlands area and that no remediation plan is required. Therefore, at this time the Township believes that it is in a position to proceed with the completion of the electrical wiring in the access area.

This evening the Council has voted to amend the easement agreement with the neighboring property owner to ensure he is compensated for the trees that were removed and disturbance to the property – this additional compensation will be provided by AT&T.

At this time Orange and Rockland have indicated to us that they require just one working day to complete the wiring run and to energize the lines to the tower. We look forward to working with the property owner and Orange and Rockland to have this work scheduled and completed as soon as possible.