



# Mahwah Twp. Wins Appellate Court Ruling in Road Safety Case

Press Releases

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A New Jersey appeals court has upheld Mahwah Township's authority to limit access to a small section of roadway, finding that the suit challenging the traffic control ordinance was not filed in time and that the ordinance was valid in view of public safety needs.

In *Cabezas v. Township of Mahwah, et al.*, the Appellate Division panel of judges stated that the suit should have been filed within 45 days of the date the ordinance was published, and that the Township's decision to close a 15-foot section of Olney Road was based on safety concerns supported by engineering reports from the New Jersey Department of Transportation and other traffic safety professionals. Those reports indicate that Olney Road at the restricted access point, between Miller Road and Stephens Lane, is too narrow to safely accommodate two lanes of traffic.

The Township's decision, therefore, was not arbitrary and capricious as alleged in the lawsuit, the Court ruled. In addition to the Township, the suit, filed by a resident, named the former mayor, the late Richard Martel, and the Township Council.

Mahwah Township and the other defendants were represented for the appeal by **Andrew T. Fede** of Archer P.C. in Hackensack. Mr. Fede's broad litigation background includes extensive experience representing public agencies in state and federal trial and appellate courts.

*Archer PC is a full-service regional law firm with more than 200 lawyers and eight offices in Haddonfield, Hackensack, Princeton and Flemington, N.J.; Philadelphia, Pa.; New York, N.Y.; and Wilmington and Georgetown, Del. The Firm has been serving Fortune 100 clients, small to medium-sized businesses and individuals for more than 80 years. Each office provides full-service litigation and transactional capabilities in nearly every area of law including corporate, estate & trust, family & matrimonial, labor & employment, litigation, medical & personal injury and real estate services. For more information, visit [www.archerlaw.com](http://www.archerlaw.com).*

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