

U.L. v. Cateret, Old Bridge

11/26/1984

- - Old Bridge Twp's response to O & Y Old Bridge Development Co.'s Notice of motion (11/2/84) addressed to Judge

Pgs. 2

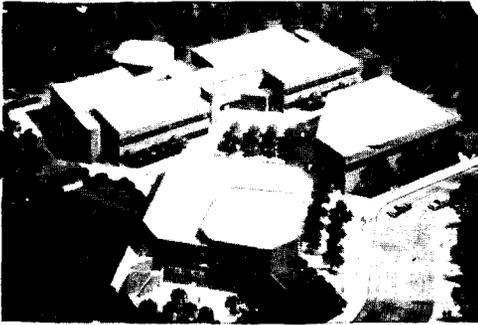
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Township of Old Bridge

MIDDLESEX COUNTY, N.J.

ONE OLD BRIDGE PLAZA • OLD BRIDGE, N.J. 08857



JEROME J. CONVERY
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Honorable Eugene D. Serpentelli J.S.C.
Ocean County Courthouse
Toms River, N.J. 08753

November 26, 1984

RECEIVED

Re: Urban League of Greater New
Brunswick, et al
v. Borough of Carteret, et al
(Old Bridge Township), C-4122-73
O & Y Old Bridge Development Corp.
v. Township of Old Bridge, C-009837-84

Dear Judge Serpentelli:

I have reviewed the Notice of Motion, dated November 2, 1984, submitted on behalf of O & Y Old Bridge Development Corporation, and the voluminous materials in support thereof, and file the following response on behalf of the Township of Old Bridge:

1. In regard to the request for a "full consolidation" of these matters so that Olympia and York may be empowered to receive copies of future correspondence, attend meetings, submit suggestions, and attempt to enter into a settlement, I submit that the Consolidation Order previously executed in these matters is still appropriate and reflects the proper relationship between the parties. There is no need for further action by the Court at this time.
Regarding any settlement discussions with Olympia and York, the Court should be informed that Olympia and York submitted a proposal for settlement which contained certain non-negotiable items. That proposal was rejected by the Township Council, and no further proposal has been forthcoming from Olympia and York, in spite of the fact that the Township proposal has been forwarded to all parties and the Court. If a further proposal is forthcoming from Olympia and York, same will be presented to the Township Council, and seriously discussed and considered, in like fashion to the recent proposal from Woodhaven.
2. In view of your recent appointment of a "Master" in these matters, I believe that the request for an "accelerated" time schedule is without basis, and certainly premature.



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3. In regard to the request for the right to apply for sanctions in the event that the Township does not submit a compliant ordinance, again there is no basis for such request, the motion is premature, and certainly all parties must be given ample time to meet with the "Master" before any ordinance revision occurs now that the Court has seen fit to appoint a "Master".

Although I have read all the supporting materials submitted by Olympia and York, including its self-serving version of the history of this litigation, I fail to see much relevancy to the Motion before the Court. Now that a "Master" has been appointed, the Township of Old Bridge will meet with the Master, and whichever parties the Master deems appropriate, to discuss Ordinance revision.

The Township reserves its right to further response at oral argument on Friday, November 30, 1984 at 1:30 P.M.

Respectfully,



Jerome J. Convery,
Township Attorney

JJC/jd

cc: All Counsel

cc: Mayor Russell J. Azzarello