

● Letter to Judge re Scheduled conference

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June 24, 1986

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The Honorable Eugene D. Serpentelli  
Assignment Judge, Superior Court  
Ocean County Court House, CN 2191  
Toms River, N.J. 08754

Re: Urban League, et al v.  
Old Bridge, et al

Dear Judge Serpentelli:

This is acknowledge that a conference is scheduled before Your Honor on July 14, 1986, at 2:00 P.M. However, the Planning Board is concerned with the status of this matter particularly in light of the letter of June 18, 1986, from John Payne, Esq. regarding the Urban League's position. The current information and data regarding the extent of wetlands reveals a rather serious situation possibly requiring extensive changes. The Planning Board is advised by its consultant as well as the Army Corps of Engineers that the time necessary to finally delineate wetlands may involve months and possibly years. In this setting, the Planning Board does not seek to place itself or the Township of Old Bridge in a position in which it is accused of waiving any rights it may have. The wetlands issue is substantial and serious and may destroy the integrity of the development plans of Olympia and York and Woodhaven.

A case management conference would not be premature in this context but is the only alternative which the Planning Board sees as a viable attempt to deal with difficult issues short of filing a formal motion to transfer the matter to the Affordable Housing Council due to an "impossibility of conditions" as a result of the wetlands issue.

Additionally, it is the Planning Board's position that the judgment of this Court is not final in light of the serious issues which have arisen with respect to the extent and severity of the wetlands problem. If the proposed sites of the Olympia and York and Woodhaven developments involve serious environmental problems which were not disclosed at

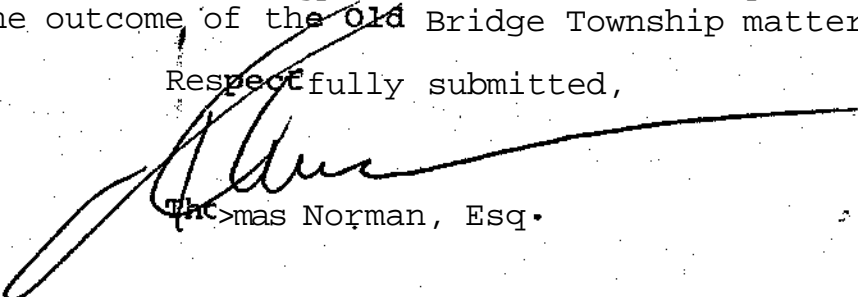
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the time the settlement was agreed upon and the initial judgment filed, it is difficult to believe that the judgment is final within the meaning of the Fair Housing Act. In fact, if necessary, the Planning Board will submit a formal motion to the Court returnable on July 14 or on a date to be determined at the July 14 case management conference to transfer the matter to the Affordable Housing Council.

If the Urban League is concerned with constitutional and statutory infirmities in the Council's methodology, it should certainly raise those issues regardless of the outcome of the Old Bridge Township matter,

Respectfully submitted,



Thomas Norman, Esq.

TN:mk

CC: All Parties