

Old Bridge 1987

- Letter to Judge re: no objection to extension of time request
- letter to Judge re: proposed order
- Attach: proposed order

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S.I. Newhouse Center For Law and Justice
15 Washington Street • Newark • New Jersey 07102-3192 • 201/648-5687

July 14, 1987

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

RE: Urban League, et al. v. Carteret, et al.

Dear Judge Serpentelli:

The Civic League plaintiffs have no objection to the extension of time requested by Thomas Norman, Esq. as set forth in the proposed form of Order submitted by Thomas Hall, Esq.

This consent is predicated on our understanding that the Township's papers will not only be filed by July 24, 1987, but will be received in this office on or before that date.

Respectfully yours,

cc/Old Bridge Service List

bcc/Payne, Neisser w/July 13, 1987 Tom Hall
letter and Order

tark

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July 13, 1987

FILE NO.

Honorable Eugene D. Serpentelli, A.J.S.C.
Superior Court of New Jersey
Ocean County Court House
Toms River, New Jersey 08754

Re: Old Bridge Township

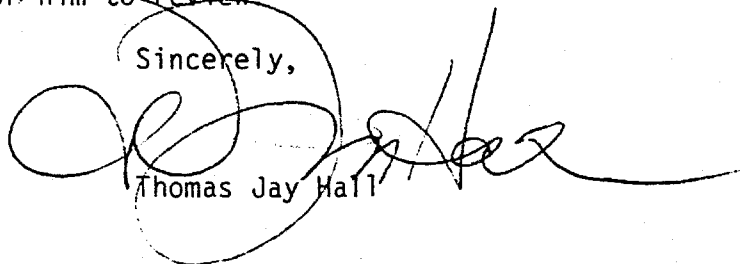
Dear Judge Serpentelli:

I have spoken with Tom Norman and Barbara Stark concerning the proposed Order. I have amended the Order to reflect the following:

- 1) Comments made by Tom Norman with respect to the characterization of the Township's motion (numbered paragraph 2);
- 2) The Urban League's indication that Mr. Mezey has agreed to cover the cost of the report to be undertaken by Mr. Raymond; and
- 3) Amendments to the briefing schedule, to reflect changes requested by Mr. Norman (moving the Township's response date to July 24th; moving the answering briefs to the August 7th; and providing four days for the Township to complete any reply to the plaintiff's answering papers). All parties have indicated they would like to have the motion continued to be heard on the 13th of August.

If this revised Order is acceptable to Your Honor, and Mr. Raymond is in fact appointed by the Court, I would suggest that parties provide Mr. Raymond with background material for him to review

Sincerely,



Thomas Jay Hall

TJH:sls
Enclosure

cc: All parties on attached service list

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URBAN LEAGUE OF GREATER NEW
BRUNSWICK, et al.,

Plaintiffs,

v.

THE MAYOR AND COUNCIL of the
BOROUGH OF CARTERET, et al.,

Defendants,

and

O&Y OLD BRIDGE DEVELOPMENT
CORPORATION, a Delaware
Corporation,

Plaintiff,

v.

THE TOWNSHIP OF OLD BRIDGE in
the COUNTY OF MIDDLESEX, a
Municipal Corporation of the
State of New Jersey, THE TOWNSHIP
COUNCIL OF THE TOWNSHIP OF
OLD BRIDGE, THE MUNICIPAL
UTILITIES AUTHORITY OF THE
TOWNSHIP OF OLD BRIDGE, THE
SEWERAGE AUTHORITY OF THE
TOWNSHIP OF OLD BRIDGE and
THE PLANNING BOARD OF THE
TOWNSHIP OF OLD BRIDGE,

Defendants.

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
MIDDLESEX COUNTY

DOCKET NO. C-4122-73

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
MIDDLESEX COUNTY/
OCEAN COUNTY
(Mount Laurel II)

DOCKET NO. L-009837-84 P.W.

Civil Action

ORDER

This matter having been opened to the court in a case management conference by O&Y Old Bridge Development Corp. (hereinafter "O&Y"), Thomas Jay Hall and Dean A. Gaver, Esquires, appearing; in the presence of plaintiff Woodhaven Village Inc. (hereinafter "Woodhaven"), Stewart Hutt, Esq., appearing; and in the presence of the Urban (now Civic) League of Greater New Brunswick (hereinafter "Urban League"), Barbara Stark and John Payne, Esquires appearing; and in the presence of The Township of Old Bridge Planning Board (hereinafter "Planning Board"), Thomas Norman, Esquire appearing; and in the presence of the the Township of Old Bridge and the Township Council of Old Bridge (hereinafter "Township") Jerome J. Convery, Esquire appearing; and in the presence of Oakwood at Madison and Beren Corp. (hereinafter, "Oakwood"), Fredrick A. Mezey, Esquire appearing; and the court having heard arguments and good cause having been shown:

It is on this ____ day of _____ 1987:

ORDERED:

1. George M. Raymond, AIA, AICP of Tarrytown, New York is hereby appointed as Special Master to the Court. As his first assignment, Mr. Raymond shall immediately familiarize himself with the particulars of the proposed settlement of the controversy between Oakwood and the Urban League and shall provide a report with respect to a proposed solution no later than August 1. Costs for such review and report shall be borne by Oakwood.

Until such time as the Court otherwise directs, Mr. Raymond is to familiarize himself with the background and current status of the overall case, involving plaintiffs O&Y, Woodhaven, Urban League, the Planning Board and the Township. Further action by Mr. Raymond will be pursuant to

future directions issued by this Court. The parties are to supply Mr. Raymond with all appropriate reports, maps and documents, and shall provide Mr. Raymond with such other material as he may request from time to time.

In the event that the Court upholds the January 24, 1986 settlement, costs for Mr. Raymond's services shall be shared as provided in section V-F.4 of the agreement which is part of the settlement. In the event that the Court voids the January 24, 1986 agreement and transfers this case to the Council on Affordable Housing, any costs incurred for Mr. Raymond's services up to August 13, 1987 shall be shared equally by the buider-plaintiffs, O&Y and Woodhaven.

2. The Township's Motion to set aside the order of settlement and to transfer the litigation to the jurisdiction of the Council on Affordable Housing is hereby scheduled to be heard on August 13, 1987 at 10:00 a.m. in the Court House, Toms River, New Jersey. The Township and the Planning Board shall file all briefs, affidavits and reports no later than July 24, 1987; plaintiffs shall file any answering briefs, affidavits and reports no later than August 7, 1987; and the Township and Planning Board shall have until August 11, 1987 to file any reply briefs.

3. Pending the outcome of the August 13, 1987 hearing, the terms and conditions of the Order of January 24, 1986 are maintained as filed.

Eugene D. Serpentelli, A.J.S.C.

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