

Old Bridge (1988)

Copy of a self-explanatory letter

pgs = 4

no P.I.

CA 000202L



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

January 4, 1988

Mr. C. Roy Epps, President
Civic League of Greater New Brunswick
47-49 Throop Avenue
New Brunswick, NJ 08901

Dear Roy:

Enclosed please find self-explanatory letter
of Dean Gaver, Esq., dated December 16, 1987.

Sincerely,

encls

cc/John, Eric

HERBERT J. HANNOCH
(1911-1983)

MILTON H. STERN
ALBERT G. BESSER
BERNARD S. BERKOWITZ
JAMES P. DUGAN
RONALD M. STURTZ
CARL G. WEISENFELD
ROBERT J. DEL TUFO
JAMES J. SHRAGER
ASHLEY STEINHART
DEAN A. GAVER
JOSEPH J. FLEISCHMAN
ELLEN B. KULKA
BERNARD J. D'AVELLA, JR.
SANDERS M. CHATTMAN
STEVEN C. LEVITT
STEPHEN P. LICHTSTEIN
IRA B. MARCUS
ANTHONY J. MARCHETTA
WILLIAM W. ROBERTSON

TODD M. SAHNER
IRVIN H. FREILICH
ROBERT C. EPSTEIN
THEODORE MARGOLIS
CARLETON RICHARD KEMPH
LAWRENCE T. NEHER
ARLENE ELGART HIRSKY
GENE R. KORF
JONATHAN M. GROSS
SHELDON M. FINNELLSTEIN
RICHARD J. CONWAY, JR.
MICHAEL L. ROSENBERG
A. PATRICK NUCCARONE

OF COUNSEL
JOSEPH A. WEISMAN
WILLIAM J. HELLER
CARMINE A. IANNAZONE

HANNOCH WEISMAN

A PROFESSIONAL CORPORATION
COUNSELLORS AT LAW

4 BECKER FARM ROAD

ROSELAND, NEW JERSEY 07068-3788

(201) 535-5300

PLEASE REPLY TO:

P.O. BOX 1040

NEWARK, NJ 07101-9819

N.Y. TELEPHONE

(212) 732-3262

WRITER'S DIRECT LINE. (201) 535-

ROBERT P. ZOLLER
JOHN MELICHAREK, JR.
ANDREW J. STAMELMAN
KEVIN J. BRUNO
NANCY LEM
HIRIAM E. CAHN
JACK GILLMAN
MARY ELLEN SCHEUER
THOMAS L. WEISENBECK
DAVID OWEN
PETER B. BENNETT
KEVIN F. MURPHY
LEONARD A. DAVID
RICHARD M. SLOTKIN
MICHAEL G. KEATING
JOHN M. SIMON
JEFFREY B. LEHRER
DAVID C. BERMAN
JEFFREY W. POMPEO
MICHAEL KURAK
NANCY B. ROHN
MARY ANN WALKER COLLINS
GERALYN G. HUMPHREY

LAWRENCE W. DIAMON
SUSAN N. NILCH
JEFFREY A. CONEN
RICHARD S. FINKELST
JAMES J. SCOTT
BRIAN W. KRONICK
RONALD S. LADELL
SHIRLEY L. BERGER
KEVIN P. MALLERY
JAN C. WALKER
GREGORY J. BATTISTA
SANDRA L. COHEN
ROSEMARY M. LAURA
PATRICIA T. LEUZZI
DEBORAH S. KINBURN
CHARLES E. HEADEN
ANGELA M. DESIMONE
ALLAN L. ROSENBLATT
SUNIL K. GARG
SUSAN R. RUBRIGHT
ANDREA F. WAGNER*
GREGG E. CLIFTON
DENNIS M. SABOURIN
*PA BAR ONLY

December 16, 1987

Honorable Eugene D. Serpentelli
Court House
CN-2191
Toms River, New Jersey 08753

Re: Woodhaven Village/O&Y Old Bridge/
Urban League v. Old Bridge

Dear Judge Serpentelli:

We recently received a copy of the moving papers submitted by Woodhaven Village, Inc. seeking reconsideration of Your Honor's order of October 6, 1987 vacating the settlement previously approved in the above matter. In its brief, Woodhaven asserts that notwithstanding Your Honor's decision, there remains in effect a sewer agreement among O & Y, Woodhaven and the Old Bridge M.U.A., which will provide for sewers to service the southwest portion of the town. (pp. 27-28)

While O&Y takes no position on Woodhaven's motion, we feel constrained to point out that Woodhaven's interpretation of the sewer agreement may in fact be incorrect. Assuming that the settlement agreement is voided, the same change in facts which yield that result may as well require, or at least permit, that the sewer agreement be terminated. We are not prepared to address the specifics of this issue at this point, nor do we think that the issue need be resolved now, but simply wish to make the record clear that the continued viability of the sewer agreement is, in view of Your Honor's decision, questionable. We

HANNOCH WEISMAN

A PROFESSIONAL CORPORATION

Honorable Eugene D. Serpentelli

December 16, 1987

Page 2

do not wish our nonfiling of any formal papers in connection with the Woodhaven motion to be construed as an adoption of or agreement with such assertions contained in Woodhaven's papers.

Sincerely,



DEAN A. GAVER

DAG:da

cc: All parties on service list

SERVICE LIST - OLD BRIDGE

Thomas Norman, Esq.
Norman & Kingsbury
Jackson Commons A-2
30 Jackson Road
Medford, NJ 08055

Jerome J. Convery, Esq.
151 Route 516
P.O. Box 642
Old Bridge, NJ 08857

Stewart Hutt, Esq.
Hutt, Berkow & Jankowski
459 Amboy Avenue
P.O. Box 648
Woodbridge, NJ 07095

William Flynn, Esq.
Antonio & Flynn
255 Highway 516
P.O. Box 515
Old Bridge, NJ 08857

Barbara Stark, Esq.
Rutgers School of Law
Constitutional Litigation
Clinic
15 Washington Street
Newark, NJ 07102-3192

Mr. Lloyd Brown
O & Y Old Bridge Development
Corp.
760 Highway 18
East Brunswick, NJ 08816

George Raymond
Court-appointed Master
Raymond, Parish, Pine & Weiner
455 White Plains Road
Tarrytown, NY 10591

Thomas Jay Hall, Esq.
Brener, Wallack & Hill
210 Carnegie Center
Princeton, NJ 08543-5226

Frederick C. Mezey, Esq.
Mezey & Mezey
93 Bayard Street
New Brunswick, NJ 08903