

Molroe (1985)

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THE STATE UNIVERSITY OF NEW JERSEY
RUTGERS
Campus at Newark

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

September 5, 1985

Ms. Carla Lerman
413 West Englewood Drive
Teaneck, New Jersey

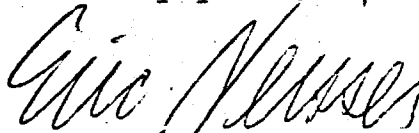
Re: Urban League vs. Carteret, No. C 4122-73 (Monroe)

Dear Ms. Lerman:

Enclosed please find a copy of Judge Serpentelli's two orders of August 30, 1985 with respect to Monroe. As you can see, the second order explicitly disapproves of the Township's proposed compliance plan of March 15, 1985 and directs you to submit your own recommendations for compliance by October 7th. As I had explained on the telephone, we understand this to call for the recommendations you would make without consideration of what the Township had previously proposed, and thus seeks a report quite different from your August report on the Township's proposed plan.

Although the Urban League plaintiffs provided you with comments on the Township's proposed plan and those comments certainly would have suggested our preferences for compliance, we would welcome the opportunity to meet or speak with you briefly again to address directly the task now before you.

Sincerely yours,



Eric Neisser
Counsel for Urban League Plaintiffs

encls

cc/Judge Serpentelli
Monroe Service List

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FILED 8/30/85
IN CHAMBERS
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ACLU of New Jersey

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SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION -
MIDDLESEX (OCEAN) COUNTY

URBAN LEAGUE OF GREATER
NEW BRUNSWICK, Plaintiffs
v.
THE MAYOR AND COUNCIL OF
THE BOROUGH OF CARTERET,
et al., Defendants

No. C-4122-73

ORDER

[MONROE TOWNSHIP]

The Urban League Plaintiffs having moved for temporary restraints against final Monroe Township Council approval of the application of Union Valley Corporation for the 2400 unit, age-restricted planned retirement community (identified variously as the "Concordia Extension" and "Whittingham") pending the Master's and this Court's review of Monroe Township's plan for compliance with this Court's Order and Judgment of August 13, 1984, and having filed in support thereof the Affidavits of Alan Mallach and Barbara Williams, Esq., a Memorandum of Law in Support, and a proposed Order, and

The Court having heard John M. Payne, Esq., for the Urban League Plaintiffs, Douglas K. Wolfson, Esq., for Union Valley Corporation, Arnold Mytelka, Esq., for Plaintiffs Lori Associates and Habd Associates, Mario Appuzzo, Esq., for the Defendant Township of Monroe, and having received a written statement from Carl S. Bisgaier, Esq., for Plaintiff Monroe Development Corporation, and

The Court on July 25, 1985, having entered an oral Order requiring the Township Council to inform the Court in writing no later than August 2, 1985, whether or not it reaffirms its decision of July 1, 1985, granting final approval to the Union Valley Corporation's development application, and

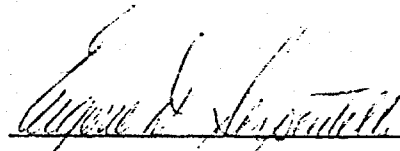
The Court having been informed in writing on August 2, 1985, that the Township Council does reaffirm its decision with respect to Union Valley Corporation,

I T I S H E R E B Y O R D E R E D this 30 day of August, 1985:

1. The Monroe Township proposed compliance plan of March 15, 1985, now under review by the Master, is hereby deemed to be insufficient to satisfy this Court's Judgment and Order of August 13, 1984, and is disapproved.

2. The Master is directed to submit her own recommendations concerning Monroe Township's compliance to the Court no later than October 7, 1985 ~~September 3, 1985~~. In connection therewith, she shall hear the advice of any interested parties, but shall not delay her submission for that reason.

3. The Court's oral Order of July 25, 1985, conditioning Union Valley Corporation's development approval on the continuing rights of the Urban League Plaintiffs to seek a 5% Mount Laurel set-aside in the Planned Retirement Community to be called "Whittingham," is vacated.



EUGENE D. SERPENTELLI, A.J.S.C.