

U.L. v. Cateret, Monroe

9/16/85

Lpg

CA000379L

BISGAIER AND PANCOTTO

ATTORNEYS AT LAW
510 PARK BLVD
CHERRY HILL, N.J. 08034
TEL. (609) 665-1911

CARL S. BISGAIER
LINDA PANCOTTO

September 16, 1985

Ms. Carla Lerman
413 West Englewood Drive
Teaneck, New Jersey 07666

Re: Urban League v. Carteret
Monroe Development Associates v. Monroe Tp.

Dear Ms. Lerman:

I am in receipt of a copy of Eric Neisser's letter to you of September 5, 1985. I do take issue with some of the comments in that letter.

My understanding of your report is that it reviewed the Township's proposal and, with certain additional recommendations, found it compliant. I did not understand Judge Serpentelli to have required you to do more in any of the orders previously entered in this case. While it is certainly true that, if the spirit moves you, you might suggest to the court alternative compliance programs, I do not believe the court has ordered you to do so if you find the proposal already submitted to the court generally compliant subject to modifications.

Prior to your undertaking further work in this matter, I suggest that some guidance be obtained from the court. By copy of this letter to the court and counsel, I am indicating my request for such guidance. While I disagree with certain other recommendations in your report, specifically as to the density of our site (and intend to litigate certain of those disagreements if necessary), it does seem to me that your report is in the nature of what was requested by Judge Serpentelli. Furthermore, in light of the fact that you have found the Township's proposed compliance program generally satisfactory, I do not see the need for you to "reinvent the wheel" by coming up with a new program out of whole cloth.

Sincerely yours,

CARL S. BISGAIER

CSB:emm

cc: Hon. Eugene D. Serpentelli, AJSC
All counsel of record