

UL v. Cartwright (North Brunswick) 11/28 (1984)

Letter discussing revised ordinance and its refusal to be adopted

2 pgs

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Our File #*

November 28, 1984

Leslie S. Lefkowitz, Esq.  
LEFKOWITZ, ROCKOFF & ZUBLATT, ESQS.  
1500 Finnigans Lane  
North Brunswick, New Jersey 08902

Re: Urban League of Greater New Brunswick, et al.  
v. Borough of Carteret  
(Brunswick Manor Associates v. Twp. of No. Brunswick

Dear Mr. Lefkowitz:

I am writing to confirm our telephone conversation of Tuesday, November 27, 1984 during which you informed me that the November 19, 1984 introduction on first reading of the Revised Ordinance was solely an effort on your part to expedite a possible adoption of said ordinance.

In addition, you have represented that the aforementioned Revised Ordinance will not be adopted during the second reading on December 3, 1984. We are in agreement that to adopt said ordinance, in the absence of an agreement among the parties (and the review of the Court's expert) would be a clear violation of Paragraph 17 of the Consent Order executed by Judge Serpentelli on September 10, 1984. (a copy of said Paragraph is enclosed herewith for the convenience of yourself and your client).

Based upon your representation that the Revised Ordinance will not be adopted, I will not appear on behalf of my client at the Council meeting scheduled for December 3, 1984.

Furthermore, on September 15, 1984 Plaintiff, Brunswick Manor, submitted to the Township three reports constituting its recommendations for ordinance revisions. To date, we have received no feedback on said reports and, the suggestions contained therein have not been incorporated into the revised ordinance. There has been little or no opportunity for negotiations among the parties toward a revised ordinance which is agreeable to all parties, as is required by the Consent Order.

*Hutt, Berkow, Hollander & Jankowski*

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Leslie S. Lefkowitz, Esq.  
November 28, 1984  
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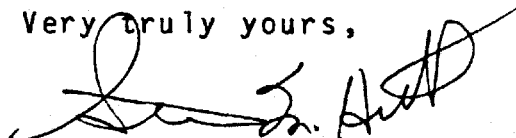
Moreover, I have yet to receive a formal response from the Township to my letter to Judge Serpentelli, dated October 29, 1984 regarding the 3 story height limitation. I would greatly appreciate your providing me with the Township's official position on this issue.

Lastly, and perhaps most importantly, we must establish a conference schedule so that all parties may get together and reach agreement on ordinance revisions. Such agreement is contemplated by Paragraph 17 of the Consent Order. Quite frankly, I would prefer negotiating with all parties prior to requesting the appointment of a Master as provided by Consent Order.

I trust the above will assist us all in our attempt to comply with the Consent Order which is the cornerstone of the settlement for which we worked so hard to achieve.

Thanking you for your kind attention in this matter, I am,

Very truly yours,

  
STEWART M. HUTT  
For the Firm

SMH:a1  
Enclosure

cc: Hon. Eugene D. Serpentelli  
Robert Lecky, Esq.  
Barbara Williams, Esq.  
Bruce Gelber, Esq.  
Doug Wilson, Esq.  
Fred Kessler, Esq.  
Mike Kaplan, Esq.  
Sam Halpern