

U.C. v. Carter

Dec 4, 1984

S. Plainfield

Letter to Barbara to Judge re: amendment  
of Order.

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December 4, 1984

The Honorable Eugene D. Serpentelli  
Judge, Superior Court  
Ocean County Court House  
Toms River, N.J. 08753

Re: Urban League v. Carteret, Civ C 4122-73

Dear Judge Serpentelli:

I am in receipt of Mr. Diegnan's letter to Your Honor dated November 29, 1984 wherein he requested the proposed Order be amended to require that the proposed ordinance changes be submitted to the Planning Board by December 8 rather than a first reading by the Council by that date.

To the best of my recollection, on the return date of the motion, Mr. Diegnan proposed and the Court ordered that the ordinance be submitted for first reading within thirty (30) days.

I am concerned that the suggested change to the proposed Order leaves passage on the first reading and indeed ultimate adoption "open-ended." While Mr. Diegnan's proposed change requires the Borough Planning Board to "immediately" forward the revised Ordinances to the Borough Council, no date certain is set for the Council's first reading or adoption of the ordinance.

If the proposed Order includes a date certain for the Council's first reading and adoption of the revised Ordinance, plaintiffs will not oppose a reasonable postponement of the December 8 date, with such dates to be established by the Court in its discretion. Without such dates set, we strongly oppose Mr. Diegnan's proposed revision.

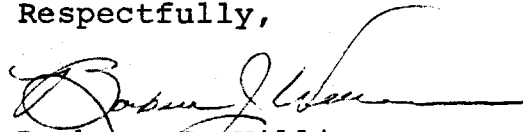
We have also received a copy of Mr. Calderone's letter dated December 3, 1984 detailing his objections to the notice requirements for the South Plainfield Planning Board.

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As regards the Planning Board we have no objection to restricting the fourteen (14) day notice requirement to the sites specified in the Judgment as to South Plainfield as long as we continue to receive copies of the Planning Board agenda five (5) days before a meeting and the defendant agrees that plaintiffs will not be prejudiced in failing to object to actions for which we have not received notice.

Respectfully,



Barbara J. Williams  
Attorney for Plaintiffs

cc/Patrick Diegnan, Jr., Esq.  
Angelo H. Dalto, Esq.  
William V. Lane, Esq.  
Peter J. Calderone, Esq.