

UL v. Certoret (S. Plainfield)

9 Aug (1985)

Order dissolving ~~restraints~~ restraints
in S. Plainfield (Some of them)

3 pgs

* yellow sticky note - SP restraints

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SUPERIOR COURT OF
NEW JERSEY
CHANCERY DIVISION
MIDDLESEX COUNTY
Civil Action
No. C-4122-73
OCEAN COUNTY
MOUNT LAUREL
LAW DIVISION
MIDDLESEX COUNTY
NO. 56349-81

Plaintiff

URBAN LEAGUE OF GREATER
NEW BRUNSWICK, et al.,
Plaintiffs,

vs.

Defendant

THE MAYOR AND COUNCIL OF
THE BOROUGH OF CARTERET,
et al.,
Defendants,

vs.

BOROUGH OF SOUTH PLAINFIELD
BY ITS MAYOR AND COUNCIL,
et al.,
Defendants.

Docket No. C-4122-73

CIVIL ACTION

ORDER

This matter having been opened to the Court on motion of Plaintiff, Urban League of Greater New Brunswick, et al. and the Court having been advised that the Defendant Borough of South Plainfield has adopted "Under Protest" Ordinance 1009 and 1010 on August 7, 1985, at a special meeting called for that purpose, and that the adoption "Under Protest" complies with the previous Orders of this Court to adopt such Ordinances,

It is hereby ORDERED this *9th* day of August, 1985, that:

(1) That the restraints imposed upon Defendant, Borough of South Plainfield, preventing the defendant from issuing building permits, site plan and subdivision approvals for property not subject to the Judgment vs. South Plainfield of May 22, 1984 and the "least cost housing" provisions of proposed Ordinance 1009 be and hereby are dissolved; and

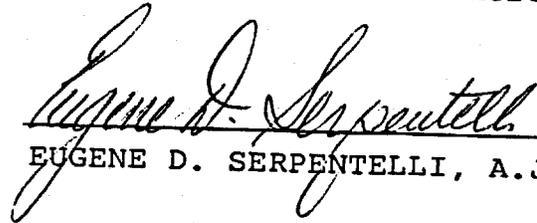
(2) That pending the Court's further determination of the Defendant Borough of South Plainfield's request for transfer of the case to the Council on Affordable Housing, the enforceability and legal efficacy of Ordinances 1009 and 1010 of the Borough of South Plainfield were and will continue to be stayed pending the Court's determination of the Borough's transfer motion; and

(3) That pending further Order of this Court, the restraints imposed upon the Defendant Borough of South Plainfield as set forth in paragraph 3 of the Amended Order of this Court entered on July 19, 1985 shall remain in full force and effect with respect to building permits, site plan and subdivision approvals for property subject to the Judgment vs. South Plainfield of May 22, 1984 and the "least cost housing" provisions of proposed Ordinance 1009; and

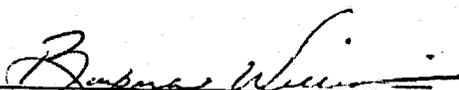
(4) That pending further Order of this Court the restraints as set forth in paragraph 4 of the Amended Order of this Court entered July 19, 1985 shall remain in full force and effect; and

(5) All other relief requested by Plaintiff is hereby denied without prejudice as being premature; and

(6) That a copy of this Order be served upon all parties on the service list within 5 days from the date hereof.


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

The undersigned as attorneys for Plaintiff Urban League and Defendant of Borough of South Plainfield hereby consent to the form of this Order.


BARBARA WILLIAMS, ESQ.
CO-COUNSEL FOR PLAINTIFF
URBAN LEAGUE


FRANK A. SANTORO, ESQ.
ATTORNEY FOR DEFENDANT
BOROUGH OF SOUTH PLAINFIELD