

UL v. Certoret (S. Plainfield)

5 Sept (1985)

Letter from ~~A~~ Neisser to Judge re: transfer  
motion

ZPg's

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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

The Honorable Eugene D. Serpentelli  
Assignment Judge, Superior Court  
Ocean County Court House  
Toms River, New Jersey 08754

Urban League vs. Carteret, et al., # C 4122-73  
(South Plainfield)

Dear Judge Serpentelli:

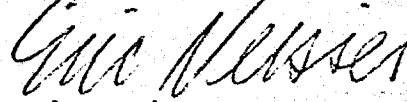
Your clerk has informed me that South Plainfield's transfer motion, originally returnable September 6, has now been adjourned for three weeks to September 27. Although we fully understand the reasons for this re-scheduling, we are concerned about any delay because of the existing stay of the new ordinances' effectiveness pending decision of the transfer motion. For this reason, we would request that the Master be directed to report on whether the zoning and affordable housing ordinances of South Plainfield adopted on August 7, 1985 comply with the Judgment of May 22, 1984, by Monday, September 23. This would permit the parties time for receipt and review of her report prior to the September 27 return date and allow the Court to vacate the stay immediately if the transfer motion is denied on that date.

I understand that the Court has already sent Ms. Lerman copies of the ordinances. I herewith enclose for her a copy of the zoning map we received and the Judgment. As previously stated to the Court and counsel, the Urban League plaintiffs consider Ordinances No. 1009 and 1010 as adopted by the South Plainfield Council on August 7, 1985 to comply with the Judgment, except for the zoning ordinance's failure to specify the block and lot numbers of the land within the new zones. Although we recognize that specification of block and lot numbers in zoning ordinances is not typical, we believe it essential given the few sites involved, the inevitable generality of any map boundary, and the unfortunate conduct of the Borough and its Planning Board in the past year in granting approvals or taking other inconsistent action concerning affected land. We are, of course, agreeable to having the Master consult by telephone or otherwise with our consultant, Alan Mallach, or with any town official or planning consultant, in order to expedite her review.

In order to insure completion of the few remaining matters necessary before South Plainfield receives a final judgment and repose, I have gone over in detail with Mr. Santoro the documentation still required and confirmed this by the enclosed letter. As explained there, I am not now requesting a formal court order for these materials in reliance upon Mr. Santoro's express commitment today to provide them to me in advance of the return date.

Thank you for your consideration of this matter.

Sincerely yours,



Eric Neisser  
Counsel for Urban League  
Plaintiffs

encls

cc: Carla Lerman, Master  
South Plainfield Service List