

UL v. Carteret (S. Plainfield)

8 Oct (1985)

letter from Neisser to Carracino re: Block 174
Lot 1

2 pgs

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THE STATE UNIVERSITY OF NEW JERSEY
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October 8, 1985

Anthony F. Carracino, Esq.
Dato, Ippolito and Carracino
234 Main Street
Woodbridge, New Jersey 07095

Dear Mr. Carracino,

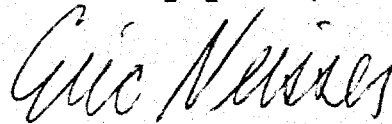
Yesterday I received your letter of October 3. Because Block 74 Lot 1 is not within the land specified in the Judgment as to South Plainfield filed May 22, 1984, the Urban League has no objection to the Planning Board granting final approval of the subdivision described in, and preliminarily approved by, the resolution of April 16, 1985 that you sent with your letter. I note in passing, as I did on the phone, that it is at best curious why there is such a sudden urgency to place final approval on the agenda without normal notice in early October when preliminary approval occurred in April.

For the record, however, it is very important for me to note that at no time did I discuss this matter with Judge Serpentelli nor did I tell you on the telephone that I would discuss it with the Judge. I said I would look into the matter and get back to you. The Court's orders require 14 days' advance written notice to the Urban League plaintiffs of Planning Board agendas. This is to permit us to monitor the Planning Board's activities so that they do not approve, as they have in the past, developments inconsistent with the Judgment which the Borough so long refused to implement. When I had the opportunity, I checked the block and lot number on your client's application against the Judgment and determined that your project would not affect the plaintiffs' rights.

~~The Orders do not authorize or encourage ex parte communication with the judge, which was the implication of your letter whether or not intended. As the judge noted in open court on October 2 during the argument, there have been several~~

unwarranted statements by persons in South Plainfield that there is a special relationship between the Judge and the Urban League plaintiffs, statements which are both totally false and insulting to the Court and to me personally. Anyone who is aware that South Plainfield stipulated as to all facts necessary for entry of the Judgment, that the Borough wilfully violated that Judgment and two other Orders over a period of 15 months, and that the Court has regularly denied numerous requests for relief by the plaintiffs, not to mention anyone who has observed Judge Serpentelli or dealt with me, would not make such suggestions.

Sincerely yours,



Eric Neisser

cc: Judge Serpentelli
South Plainfield Service List