

UL v. Certoret (S. Plainfield)

17 Oct (1985)

Letter from Barcan to Judge re: Harris Structured
Steel Co

2 pgs

CA000681L

WILENTZ, GOLDMAN & SPITZER

A PROFESSIONAL CORPORATION
 ATTORNEYS AT LAW
 PLAZA 9 BUILDING
 900 ROUTE 9
 P. O. BOX 10
 WOODBRIDGE, N.J. 07095

MILTON B. CONFORD
 COUNSEL

DAVID T. WILENTZ
 G. GEORGE GOLDMAN (1922-1989)
 HENRY M. SPITZER
 WARREN W. WILENTZ
 MATTHIAS D. DILEO
 ROBERT A. PETITO
 MORRIS BROWN*
 HAROLD G. SMITH
 FREDERIC K. BECKER*
 DOUGLAS T. HAGUE
 NICHOLAS L. SANTOWASSO
 ALFRED J. HILL
 FRANCIS X. JOURNICK (1962-1982)
 RICHARD F. LERT
 JOHN A. HOFFMAN
 STANLEY L. BENN
 STEPHEN E. BARCAN
 ROBERT J. CRAFESI
 FRANCIS V. BONELLO

VINCENT P. MALTESE
 KENNETH B. FALK*
 DAVID M. WILDSTEIN
 ALAN M. DARNELL
 GORDON J. GOLJIN
 JEROME J. BRUDER
 FRANK M. CIUFFANI
 HARVIN J. BRAUTH
 STUART A. HOBERMAN**
 NICHOLAS W. MCCLEAR
 STEPHEN A. SPITZER
 RICHARD R. BONAMO*
 HELEN DAVIS CHAITMAN*
 PETER C. PARAS
 ANNE S. BABINEAU*
 CHRISTINE D. PETRUZZELL
 ROGER B. KAPLAN*
 PHILIP A. PAHIGIAN***†

(201) 636-8000

TELECOMER

(201) 636-0860

777 WESTPARK AVENUE
 P. O. BOX 365
 OAKHURST, N.J. 07755

(201) 493-2202

FREDERICK J. DENNEHY
 BRIAN J. MOLLOY
 ROY H. TANZMAN
 RANDALL J. RICHARDS
 BARRY T. ALBIN*
 BONNIE M. S. REISS
 SHELDON E. JAFFE*
 STUART T. COX, JR.
 PHILIP A. TORTORETI
 RICHARD P. DAINGERFIELD*
 STEVEN J. TRIPP
 RICHARD J. BINDELGLASS
 LINDA LASHBROOK
 CHRISTOPHER M. PLACITELLA

JAMES E. TRABILSY
 MAUREEN S. BINETTI
 JAMES M. BURNS
 JULIANN MESSINA HUGENT
 JOHN P. PAONE, JR.*
 MICHAEL J. BARRETT
 AIMEE L. MANOCCHO
 PETER C. VISCEGLIA
 JEFFREY R. RICH*
 ROBERT J. LEVIN
 ANGELO JOHN CIFALDI
 DOUGLAS WATSON LUBIC*
 LYDIA KWASNY
 STUART R. TENZER

† ALSO ADMITTED IN V.I.
 * ALSO ADMITTED IN D.C.
 * ALSO ADMITTED IN PA.
 * ALSO ADMITTED IN N.Y.

PLEASE REPLY TO:
 Woodbridge

◊ CERTIFIED CIVIL TRIAL ATTORNEY
 ○ CERTIFIED CRIMINAL TRIAL ATTORNEY

October 17, 1985

Honorable Eugene D. Serpentelli
 Ocean County Court House
 CN-2191
 Toms River, New Jersey 08754

Re: Urban League vs. Borough of South
 Plainfield

Dear Judge Serpentelli:

This office represents Harris Structural Steel Co., Inc. which owns property in South Plainfield which is the subject of the Judgment in the Urban League case. That Judgment compelled the Borough of South Plainfield to rezone the Harris property exclusively for multi-family use with a 20 percent Mount Laurel set aside. This property is across the street from the Harris Structural Steel plant in Piscataway which is involved in the Piscataway Mount Laurel litigation.

My client has proposed an alternative form of development with counsel for the Urban League and the Borough's planner. This would involve subsidizing the Mount Laurel units with office buildings or other light industrial facilities. In other words, the Mount Laurel units would be built but the market rate units would be replaced by industrial facilities which would subsidize the Mount Laurel units. We have not been able to resolve this proposal with either party and propose to file a motion for intervention so that our proposal can be presented to the Court. The motion would be combined with Harris

WILENTZ, GOLDMAN & SPITZER

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

Honorable Eugene D. Serpentelli

Page 2

October 17, 1985

Structural Steel's alternative argument that the Judgment which was entered compelling the rezoning of the Harris property was done without notice of any kind to Harris and, therefore, impairs Harris' rights.

We will file these motion papers next week and would appreciate knowing Your Honor's schedule with regard to the compliance hearing in this matter. I would hope the motion could be considered prior to the compliance hearing.

Respectfully yours,



STEPHEN E. BARCAN

SEB:ls

cc: Eric Neisser, Esquire ✓
Frank A. Santoro, Esquire
Mr. William Barraco
Mr. Scott Radway