

VL v. Carstoft (S. Plainfield)

March 24 (1987)

Letter discussing oral arguments, that Council on  
affordable Housing lacks jurisdiction

-request that council on Affordable Housing  
immediately release the escrowed land sales  
receipts to Borough of S. Plainfield

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March 24, 1987

State of New Jersey  
Council on Affordable Housing  
707 Alexander Road  
CN-813  
Trenton, New Jersey 08625-0813

RE: Urban League of Greater New Brunswick, et al., vs.  
Mayor and Council of the Borough of Carteret et al.

Dear Chairman Kondrup and Members of the Council:

Reference is made to the Council's direction at its hearing on March 16, 1987 that either party forward to the Council any documentation which mandated that escrowed land funds be utilized for the purpose of constructing low and moderate income housing within the Borough of South Plainfield.

A review of the Letter Memorandum submitted by Barbara J. Williams, Esq. confirms that no such Order exists. Ms. Williams' memorandum simply restates the position of the Civic League and does not provide any additional information to the Council on Affordable Housing.

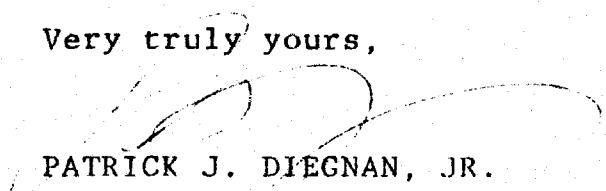
As stated at oral argument, the sole reason that the Court imposed restraints upon the Borough of South Plainfield was to assure that the Borough would comply with all appropriate Court Orders and would proceed in good faith before the Council on Affordable Housing. The Borough has done so and accordingly the funds in question should be released to avoid a budgetary crisis in South Plainfield.

Additionally, as discussed at oral argument it is submitted that the Council on Affordable Housing lacks jurisdiction to continue the imposition of restraints on the proceeds of Borough land sales or to direct that those funds be used for any particular purpose.

Council on Affordable Housing  
Page Two  
March 24, 1987

Accordingly, it is respectfully requested that the Council on Affordable Housing immediately release the escrowed land sales receipts to the Borough of South Plainfield.

Very truly yours,



PATRICK J. DIEGNAN, JR.

PJD/dg  
cc: Attached list