

UL v. Certoret (S. Plainfield)

1 April (1987)

Letter confirming conversation w/Palomba
-emphasizing need for reaching a decision

2 pgs

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April 1, 1987

Mr. Arthur R. Kondrup
Chairman
Council on Affordable Housing
707 Alexander Road
Princeton, N.J.

RE: Urban League of Greater New Brunswick vs.
Borough of Carteret, et al. (South Plainfield)

Dear Mr. Kondrup:

This will confirm my office's conversation with Donald Palombi, Esq.

Mr. Palombi has stated that it is unlikely that the Council on Affordable Housing will be in a position to reach a decision as to the release of South Plainfield's escrowed land sale funds at its April 6, 1987 meeting.

As the Council is aware, the subject motion was brought on an expedited basis because South Plainfield is required by New Jersey statute to adopt its budget no later than April 13, 1987. Accordingly, the ultimate effect of the Council on Affordable Housing not reaching a decision before April 13, 1987 will be the same as denying South Plainfield's request to release the escrowed funds.

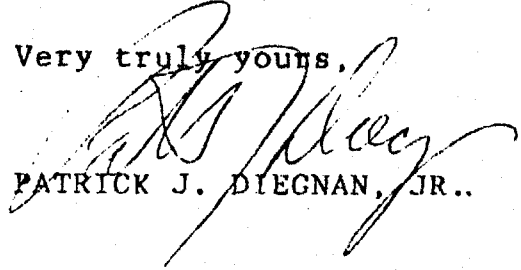
Mr. Palombi has indicated that the reason the Council has been unable to reach a decision is because there is no information available which confirms that the Borough did not attempt to misapply the subject funds. As I stated at oral argument no such documentation exists because the alleged activity never took place. The Borough now finds itself in a situation similar to one who is asked if he still beats his wife. It is impossible to prove the negative.

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I cannot stress the urgency of the Council reaching a decision in this matter. The effect of delay will be devastating upon the taxpayers of the Borough of South Plainfield.

If the Council requests, I shall be more than happy to appear at your April 6, 1987 meeting.

Very truly yours,



PATRICK J. DIEGNAN, JR..

PJD/acd
cc: Donald M. Palombi
Barbara Williams, Esq.