

U.L. v. Carteret, Piscataway

8/21

1987

Paley letter to Epps re: mediation meeting about
Piscataways fairshare plan

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August 21, 1987

Civic League of Greater New Brunswick, Inc.
 47-49 Throop Avenue
 New Brunswick, New Jersey 08901
 Attn: C. Roy Epps, President

Dear Mr. Epps:

Ted Light, Mayor of the Township of Piscataway, has shown me your letter of August 3, 1987, addressed to him, concerning the first mediation session regarding Piscataway's fair share plan. Since the letter constitutes an indictment of my conduct, it is appropriate that I respond to it directly.

First, all persons in session at that proceeding, including you, agreed that everything stated during mediation was "off the record", in order to generate candid and productive dialogue. A spirited discussion took place on that very issue. "Off-the record" does not suggest dissemination to the Board of Directors of a county-wide organization or to elected officials serving an entire assembly district. The distribution of your letter ignores

Civic League of Greater New Brunswick, Inc.
August 21, 19878
Page 2

that clear understanding held by all parties during the meeting.

Second, your letter clearly suggests that I made statements at the meeting which you considered personally and professionally offensive. I am sorry that you may have felt personally affronted. I am, however, the attorney for the Township of Piscataway. In that regard, I am obliged to represent my client as aggressively as I possibly can. Just as you feel a commitment to aggressively represent the interests of your constituency before the Council on Affordable Housing, I feel an equal obligation to all citizens of Piscataway Township to represent their interests before that body. My comments were directed toward your organization's "standing" before the Council on Affordable Housing. I suggested that, in my view, the League lacked standing because the lawsuit which you had filed and pursued had been rendered academic by the rules and regulations of the Council. This is a defensible posture, even though you might disagree with it.

It was and is my view that the positions expressed by your organization over the years related to housing in the Mount Laurel context did not and do not conform to the overall interests of Piscataway. To place this statement in context, you will recall that the methodology adopted by

Civic League of Greater New Brunswick, Inc.
August 21, 19878
Page 3

Judges Serpentelli, Skilman, and Gibson would have compelled Piscataway to have provided the construction of 20,000 additional dwelling units, at a 4-for 1 ratio. This result is impractical and inappropriate. To rail against that result, as Piscataway has, is not to argue that Piscataway has no obligation to provide housing for economically disadvantaged families. Piscataway has never taken that position. Piscataway has endeavored for twenty-five years to provide more than its share of lower income housing -- the thousands of garden apartments units comprising nearly 1/3 of our housing stock certify to that far better than my words can.

At our meeting, I indicated specifically that Piscataway would not withdraw from mediation but would negotiate fairly with the Civic League and would proceed with the meeting; we did. Since that time, Piscataway's representatives have had a number of meetings with Mr. Bernards, the mediator appointed by the Council on Affordable Housing, as well as representatives of various developers. Piscataway has met its legal and moral commitments fully and will continue to do so in all respects. As I pointed out during our mediation session, Piscataway is one of three municipalities in the State of New Jersey to have approved and permitted the construction of a Mount Laurel townhouse

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Civic League of Greater New Brunswick, Inc.
August 21, 19878
Page 4

and condominium development, fully mixing lower, moderate and higher income persons.

To summarize, I am sorry if my comments upset you. I hope, as I have hoped for the more than ten years of my involvement as a public official of the Township, that any differences which might exist between your organization and the Township could be resolved in a productive and socially beneficial manner. I will continue to work toward that end.

Very truly yours,



PHILLIP LEWIS PALEY

PLP:bhp

cc: Honorable Mayor Ted Light