

~~W. K. Carter~~ CA - General

2/27/75

Depositions upon oral examination of
Lydia Cruz

P.i. 3386
Pg 178

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2
3 URBAN LEAGUE OF GREATER NEW
4 BRUNSWICK, a non-profit
5 corporation of the State of
6 New Jersey; CLEVELAND BENSON;
7 FANNIE BOTTS; JUDITH CHAMPION;
8 LYDIA CRUZ; BARBARA TIPPETT;
9 KENNETH TUSKEY and JEAN WHITE;
10 On their own behalf and on
11 behalf of all other similarly
12 situated,

DEPOSITIONS UPON

Plaintiffs,

ORAL EXAMINATION

-vs-

OF

11 THE MAYOR AND COUNCIL OF THE
12 BOROUGH OF CARTERET; TOWNSHIP
13 COMMITTEE OF THE TOWNSHIP OF
14 CRANBURY; MAYOR AND COUNCIL
15 OF THE BOROUGH OF DUNNELLEN;
16 TOWNSHIP COMMITTEE OF THE
17 TOWNSHIP OF EAST BRUNSWICK;
18 TOWNSHIP COMMITTEE OF THE
19 TOWNSHIP OF EDISON; MAYOR
20 AND COUNCIL OF THE BOROUGH
21 OF HELMETTA; MAYOR AND COUNCIL
22 OF THE BOROUGH OF HIGHLAND
23 PARK; MAYOR AND COUNCIL OF
24 THE BOROUGH OF JAMESBURG;
25 TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF MADISON; MAYOR
AND COUNCIL OF THE BOROUGH
OF METUCHEN; MAYOR AND
COUNCIL OF THE BOROUGH OF
MIDDLESEX; MAYOR AND COUNCIL
OF THE BOROUGH OF MILLTOWN;

LYDIA CRUZ

RICHARD C. GUINTA
Certified Shorthand Reporter
53 Paterson Street
New Brunswick, N.J.
247-5551

1 TOWNSHIP COMMITTEE OF THE
2 TOWNSHIP OF MONROE; TOWNSHIP
3 COMMITTEE OF THE TOWNSHIP OF
4 NORTH BRUNSWICK; TOWNSHIP
5 COMMITTEE OF THE TOWNSHIP
6 OF PISCATAWAY; TOWNSHIP
7 COMMITTEE OF THE TOWNSHIP
8 OF PLAINSBORO; MAYOR AND
9 COUNCIL OF THE BOROUGH OF
10 SAYREVILLE; MAYOR AND
11 COUNCIL OF THE CITY OF
12 SOUTH AMBOY; TOWNSHIP COMMITTEE
13 OF THE TOWNSHIP OF SOUTH
14 BRUNSWICK; MAYOR AND COUNCIL
15 OF THE BOROUGH OF SOUTH
16 PLAINFIELD; MAYOR AND COUNCIL
17 OF THE BOROUGH OF SOUTH
18 RIVER; MAYOR AND COUNCIL
19 OF THE BOROUGH OF SPOTSWOOD;
20 TOWNSHIP COMMITTEE OF THE
21 TOWNSHIP OF WOODBRIDGE.

Defendants.

16 TRANSCRIPT OF DEPOSITIONS, taken by and before
17 RICHARD C. GUINTA, Notary Public and Certified Shorthand
18 Reporter of the State of New Jersey, at THE PINES MANOR,
19 Route 27, Edison, New Jersey, on Thursday, February 27,
20 1975, commencing at 10:10 a.m.

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MESSRS. SEIFFERT, FRISCH & GRUBER
By: Thomas J. Cafferty, Esquire
Attorneys for the Township of South Brunswick

SANFORD E. CHERNIN, ESQUIRE
Attorney for the Borough of South Plainfield

GUIDO J. BRIGIANI, ESQUIRE
Attorney for the Borough of Spotswood

ARTHUR W. BURGESS, ESQUIRE
By: Richard A. Rozanski, Esquire
Attorneys for the Township of Woodbridge

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I N D E X T O W I T N E S S

<u>WITNESS</u>	<u>DIRECT</u>	<u>CROSS</u>
LYDIA CRUZ		
By Mr. Busch	14	
By Mr. Spritzer		52
By Mr. Moran		55
By Mr. Wood		66
By: Mr. Inglese		88
By Mr. Lerner		130
By Mr. Sachar		141
By Mr. Plechner		147
By Mr. Lanfrit		158
By Mr. Alfonso		166

1 MR. INGLESE: Mr. Searing, I would
2 request that the witnesses be sequestered
3 and that we have one witness appear at
4 a time, so that each can be questioned
5 individually.

6 MR. SEARING: Could you state your
7 reason for that, please?

8 MR. INGLESE: Yes.

9 We want -- we do not desire to have
10 the other witnesses here to hear the
11 answers of the testifying witness, the
12 witness being deposed, and to adjust
13 their testimony to that in order to
14 substantiate each other.

15 Each one of them has their own
16 specific reasons, there are specific
17 statements in the complaint, by each
18 individual one as to the reasons for
19 bringing the suit and I think that they
20 should each be deposed separately, based
21 upon that.

22 MR. SEARING: Well, my answer would
23 be that we agree fully each of them does
24 have a separate reason for filing this
25 suit.

1 There has been no collusion between
2 them. They are parties to the case,
3 and it's my understanding that they are
4 entitled to be present at the deposition
5 of each and every other party.

6 And I would object to their being
7 sequestered unless we can have some
8 additional showing, or -- is there
9 something in the New Jersey rules that
10 would cover this, to your knowledge?

11 MR. INGLESE: There are provisions
12 within the rules of the right to have
13 witnesses sequestered, yes.

14 MR. VAIL: I think if Mr. Searing
15 is correct in the position he takes,
16 all of the members of the class are
17 entitled to be here also, even though
18 they haven't had notice of this action,
19 and even though Judge Furman feels that
20 notice isn't required, and frankly, he
21 takes the position that there's been no
22 collusion, and part of this deposition
23 is to determine whether or not there
24 has been collusion between the plaintiffs
25 here.

1 For that reason and that reason
2 alone, I think, that we are entitled
3 to sequestration. Frankly, I think,
4 that if Mr. Searing will not comply
5 with your request, and my request,
6 which I join in your request, I think
7 we should adjourn, move before
8 Judge Furman for an order for sequestration,
9 and for costs, and reasonable counsel
10 fee for all counsel present.

11 MR. INGLESE: I might also indicate,
12 I would join with Mr. Vail in that
13 suggestion, but I would also advise
14 Mr. Searing that, of course, you are
15 here to adequately protect each one
16 of these witnesses, and, of course, the
17 transcripts, if you get a copy of them,
18 would be available to each and every
19 one of these witnesses for their
20 subsequent examination after they have
21 been transcribed, of course, so that
22 they would not be -- I don't think they
23 would be in any way foreclosed in any
24 rights, since they can not partake in
25 any of the discussions of the party being
deposed.

1 MR. SEARING: I argue that not
2 every member of the class need be
3 represented, but that the named plaintiffs,
4 as representatives of the class, do
5 indeed have a right to be present.

6 I would suggest we call the
7 judge's chambers and get a ruling on it
8 right now, without adjourning or going
9 through all the formal motions.

10 MR. INGLESE: If the judge gives
11 us a ruling, I would like it on record.

12 MR. VAIL: I'm not going to make
13 any phone calls, because they're certainly
14 not appealable in any form.

15 Secondly, I'm not going to
16 participate in this proceeding if we
17 are not going to take these people
18 separately.

19 MR. SPRITZER: May I just add,
20 I think there's good reason in this
21 particular case, Mr. Searing, for
22 sequestering.

23 Part of the questions will probably
24 go to the desires of the individual
25 plaintiffs for certain types of housing

1 and other types of things.

2 Much of this could be subjective
3 rather than objective facts.

4 Because of the subjectivity, each
5 plaintiff, each party plaintiff sitting
6 here, if they were listening to the
7 others, could be affected in their
8 testimony by some of the subjective
9 comments of the first plaintiff.

10 So from that point of view, I think,
11 there is a good reason in this particular
12 case for sequestering.

13 Whether it would be upheld by a
14 judge under the rules, I don't know.
15 But, I don't think that the suggestion
16 here that is being made is being made
17 merely out of whole cloth, or merely
18 to harass. It's a solid -- I think
19 it's a solid objection, in this
20 particular type of case.

21 MR. SEARING: I don't argue that.
22 I'm not questioning it by any means,
23 the good faith of the objection.

24 My concern is, I think we're all
25 dealing with adults, they all have

1 separate circumstances, they all have
2 separate desires, they all have separate
3 needs in many cases.

4 And, they will not be influenced
5 by the testimony.

6 MR. SPRITZER: That's the point.

7 MR. MORAN: If that was the case,
8 there would be no rule about sequestering
9 of witnesses.

10 MR. SEARING: It may be true.

11 MR. MORAN: I know of no New Jersey
12 rule which gives any party the right to
13 be present at somebody else's deposition.

14 I think the problem could simply
15 be solved if we adjourned the depositions,
16 if that's what you want to do, and schedule
17 each plaintiff on a separate day at some
18 future date.

19 MR. BUSCH: Or send home all the
20 plaintiffs but one and take one now.

21 MR. VAIL: And further, to buttress
22 my position, if I had received answers
23 to the interrogatories, which I propounded
24 upon your office sometime ago, and which
25 I have not received, I might feel a little

1 bit differently this morning, and
2 I might know a little bit more about
3 what way I was going this morning. But,
4 I don't know.

5 And, that also is one of the reasons
6 why I join in the motion.

7 MR. SEARING: I would not at this
8 point like to get into the discussion
9 of interrogatories, for a variety of
10 reasons, some of which I'm sure other
11 counsel would not want to get into either.

12 MR. VAIL: I answered yours.

13 MR. SEARING: Yes, sir, and I'm
14 in the process of answering yours.

15 When were they submitted to my
16 office?

17 MR. INGLESE: I think we're getting
18 beyond the point on the record, at this
19 stage.

20 Let's stick with the issue.

21 MR. SEARING: I would like to adjourn
22 for a few minutes, for the purpose of
23 making a couple of telephone calls, and
24 then I may be able to have some additional
25 suggestions.

1 MR. BUSCH: Let's go off the
2 record now.

3 (Discussion off the record.)

4 (Recess at 10:15 a.m.)

5
6 (After recess.)

7 MR. INGLESE: We show, Mr. Searing
8 has agreed to sequester the witnesses?

9 MR. SEARING: Right.

10 MR. INGLESE: And have them testify
11 one at a time.

12 MR. BUSCH: Off the record.)

13 (Discussion off the record.)

14 (After discussion.)

15 MR. BUSCH: Mr. Searing, this is
16 the deposition of Lydia Cruz, is that
17 correct?

18 MR. SEARING: That's correct.

19 MR. BUSCH: This is a deposition
20 in response to a notice which I sent
21 out January 17, 1975, requesting each of
22 the named plaintiffs to appear for
23 depositions, all of whom were asked
24 to bring with them all records, minute
25 books, correspondence, applications,

1 memoranda and other writings, which are
2 evidence of an attempt made by them or
3 any of them to secure adequate housing
4 within the geographical limits of the
5 23 defendant municipalities.

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8 L Y D I A C R U Z, sworn.

9 MR. BUSCH: Just by way of further
10 preliminary statements, Mr. Searing,
11 and you can add anything you might wish.

12 Based upon Judge Furman's preliminary
13 rulings, these depositions are intended
14 to cover the regional aspects of the case,
15 and in no way is any one town foreclosed
16 at a subsequent date for having
17 depositions scheduled for attempts made
18 by the plaintiffs to secure specific
19 housing in that town.

20 MR. SEARING: Or questions that
21 pertain directly to that municipality.

22 MR. BUSCH: Yes. And I understand
23 Highland Park has had such depositions
24 and other towns may in the future.

25 MR. LERNER: That's correct.

1 DIRECT EXAMINATION BY MR. BUSCH:

2 Q My name is Bertram Busch, I represent the Township
3 of East Brunswick. Today's proceeding is called a
4 deposition.

5 There are attorneys in the room representing
6 various other towns in the County of Middlesex who
7 may be asking you questions.

8 If I should ask you a question that you can not
9 understand, please tell me. If you want me to ask
10 it in another way, tell me that also.

11 If you answer a question, I will have to assume
12 that you understood it, and that your answer was in
13 response to my question.

14 Is that understood?

15 A Yes.

16 Q Now, although we are in a private room and not
17 in a courthouse, this is sworn testimony, and you are
18 giving every answer under oath.

19 A Yes.

20 Q In the event of a trial, it is possible and
21 likely that what you say here today may come up in the
22 future at the trial.

23 Do you understand that?

24 A Yes.

25 Q And do you read and write English, Mrs. Cruz?

1 A Yes.

2 Q It's possible that although an attorney sitting
3 in this room asking you a question, Mr. Searing may
4 object.

5 If he makes an objection, please let him make
6 his statement, because the reporter can only take
7 down one statement at a time.

8 Even though he makes an objection, it is also
9 possible that he may tell you to go ahead and answer
10 the question. He is simply making an objection for
11 the record.

12 A Yes.

13 Q Everything that we say here has to be taken
14 down and it is important for you to answer verbally,
15 rather than by shaking your head one way or the other.

16 A I understand.

17 Q Fine.

18 What is your address, Mrs. Cruz?

19 A I live at 364 Stockton Place -- Stockton Street
20 in Perth Amboy.

21 Q And with whom do you live?

22 A I live with my eight children.

23 Q Will you give me the age of the oldest and the
24 youngest?

25 A The oldest who live with me is 18 years old, boy.

1 Q And the youngest?

2 A Seven year old girl.

3 Q How many of your children have any kind of
4 employment at all?

5 A They start now to have part-time jobs, two of
6 them.

7 Q Can you give me their names and ages?

8 A One is Benjamin Cruz.

9 MR. INGLESE: I'm sorry?

10 MR. LERNER: Benjamin.

11 A He's eighteen.

12 Samuel Cruz, fifteen years old.

13 Q And what kind of work does Benjamin do?

14 A He will be working with the Puerto Rican
15 Association part-time.

16 And Samuel will be working with the Madison Day
17 Care Center part-time.

18 Q Do you know how much they will be earning?

19 A Since this is the first week that they will
20 start to work, I assume that they will be getting at
21 least two dollars per hour.

22 Which is the minimum.

23 Q And is Mr. Cruz alive?

24 A Yes.

25 Q He does not live with you?

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A No.

Q What is his full name?

A Manuel.

Q Can you tell me where he lives?

A He live at 288 Davidson Street in Perth Amboy.

Q How long have you and he lived apart?

A For around five years.

Q Are you divorced?

A Yes.

Q Does he contribute to the support of you or the children?

A No.

Q At the time that you were divorced, was there ever a court order directing him to contribute to the support of you or the children?

(Louis J. Alfonso is now present in the room.)

A Yes.

Q And how much was he required to pay?

A Eighteen dollars per week.

Q And has there ever been any other order after that one?

A No.

Q When is the last time that he paid anything toward the support of you or the children?

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A I don't remember.

Q Is it more than a year or two?

A Yes.

Q Which court granted the divorce, in which county?

A In New Brunswick.

Q In Middlesex County?

A Yes. I want to specify that he's disabled.

Q Is he earning any money now at all?

A No, he's not earning any money.

Q Is he paid any disability, or any other governmental check, social security?

A He's receiving what they call SSI.

Q Do you know what that mean?

A Supplementary Security Income, I think.

Q Do you know how much that is?

A A hundred eighty-two dollars.

Q Every week or every month?

A Every month.

Q Before I go further into the employment and the earnings in your family, are you a member of the Urban League of Greater New Brunswick?

A No, I don't.

Q Are you on welfare?

A Yes.

Q Do you receive a regular payment from welfare each

1 week or month?

2 A Yes.

3 Q How much do you receive?

4 A Until this month, I was receiving five hundred
5 dollars.

6 Q And is that every month?

7 A Yes.

8 Q When would you be paid that money? What day
9 in the month?

10 A The first of each month.

11 Q And it changed this month?

12 A It will be a little change, not much.

13 Q Will it go up or down?

14 A A little down.

15 Q Did anybody at welfare tell you that in order
16 to continue receiving welfare payments, they would like
17 you to be part of this lawsuit?

18 MR. SEARING: I object to that
19 question.

20 State the relevancy of that, please.

21 MR. BUSCH: I'm trying to establish,
22 Mr. Searing, exactly who these plaintiffs
23 are, what class they represent, and what
24 motivated them to join this lawsuit.

25 I think I'm entitled to know that.

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You're not directing her not to answer?

MR. SEARING: Would you repeat the question.

MR. VAIL: Read it back.

(Whereupon, pending question read back by the reporter.)

A No.

Q How did you --

A Did I answer right?

MR. SEARING: Objection stands, but it's all right for the witness to answer.

A I'm very sorry.

MR. SEARING: That's all right. That's all right. I would have stopped you.

MR. VAIL: You object to the answer?

MR. SEARING: No. I object to the question.

Q How did you happen to join this lawsuit, Mrs. Cruz?

MR. SEARING: I object to that question as so put and I will instruct the witness not to answer.

I again would like a statement

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as to its relevancy, please.

MR. MORAN: Can we go off the record for one second?

(Discussion off the record.)

(After discussion.)

MR. SACHAR: May I also, for the record, state, the fact it's not admissible at trial does not prevent the witness from answering the question.

It may lead to other questions. No ground for objection, that the court may ultimately rule that the answer is not admissible.

MR. SEARING: My objection to that question stands as immaterial and irrelevant to the issues being presented in this case, but I will allow the witness to answer.

You want to read back the question for her?

MR. BUSCH: It's short enough, I can do it myself.

Q How did you happen to join this litigation?

A I have been mad all along, very mad, awful mad, because I understand this housing situation all over the county.

1 Q How did you learn that there was a lawsuit that was
2 going to be started?

3 MR. SEARING: I object to that
4 question, but the witness can answer.

5 MR. BUSCH: I'll assume you have
6 a continuing objection, so we don't
7 clutter up the record.

8 MR. SEARING: Okay.

9 Q How did you happen to join this particular lawsuit?

10 A Shall I answer?

11 Q Yes. He told you that you can answer.

12 A Through, honestly speaking, through Legal Services,
13 which I'm a board member.

14 Q You're a board member of Legal Services?

15 A That's right.

16 Q And where do they meet?

17 A In New Brunswick.

18 Q Do you know the address?

19 A I go there, but I don't know the exact address.

20 I know I go there, but --

21 Q Okay. Who was it who first told you about
22 this lawsuit?

23 A I don't remember a specific person, but I can
24 remember that it was through somebody in Legal Services.

25 Q Do you know whether they asked you to join the

1 lawsuit?

2 A I was willing to -- I was looking for someone
3 that could help me, in the first place, then it happen
4 that we join together.

5 Q Who first discussed the lawsuit with you,
6 Mrs. Cruz?

7 A The lawyer.

8 Q The lawyer at Legal Services?

9 A No.

10 Q Do you know who the lawyer was?

11 MR. SEARING: If you remember.

12 A No, I don't remember the lawyer. In particular.

13 Q He was not a lawyer from Legal Services, is
14 that right?

15 A He was a lawyer for Legal -- I know it was
16 somebody from Legal Services, but I don't remember
17 was exactly a lawyer or so.

18 Q You don't remember who it was. You have to say
19 no for the record.

20 A No.

21 Q Was it a man? As opposed to --

22 A I think so, yes.

23 Q Were you promised anything at all if you would
24 join the suit?

25 A Like I said before, I was willing to find someone

1 that help me fight this battle.

2 Q I understand that answer.

3 My question now is, were you promised anything
4 at all by anyone, money or otherwise, if you would
5 join this lawsuit?

6 A Oh, no.

7 Q Were you promised anything at all by anyone for
8 coming here today to testify?

9 A No.

10 Q Were you prepared for today's deposition by
11 Mr. Searing or by anybody else?

12 A No.

13 Q Nobody prepared you as to what the deposition
14 would be like?

15 A He gave me a brief explanation, but that was
16 about it.

17 Q And when was that?

18 MR. SEARING: I object. That's
19 all privileged material, for heaven's
20 sake.

21 MR. BUSCH: Mr. Searing, I did not
22 ask what you told her. I asked when
23 it was.

24 A The only explanation -- the only explanation he
25 gave me, that it was something similar to the other
deposition.

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MR. SEARING: He asked you when.

Q When was it that Mr. Searing told you that it was similar to the other deposition?

A Just a brief conversation we had up there, upstairs.

Q Today?

A Yes.

Q With regard to the other deposition which was taken by Highland Park, did he prepare you for that deposition?

A No, he didn't.

Q Did another attorney prepare you?

A No.

Q Did anyone tell you what that deposition would be like?

A Just they -- no, I just --

MR. SEARING: Can we go off the record a minute?

MR. BUSCH: Mr. Searing, no, I object to that. This is really the witness now. I'm asking what her recollection is as to the instructions she received for a deposition.

A He only explain to me that I have to answer some questions that the lawyer will ask me.

Q Were any of the questions suggested to you in

1 advance as to what they might be?

2 A No.

3 Q They didn't tell you what questions might be
4 asked?

5 A No.

6 Q Did they suggest what answers you should give
7 in the event that certain questions were asked?

8 A No.

9 Q Getting back to your family situation, can
10 you tell me whether you own your own home or do you
11 rent?

12 A I rent.

13 Q Is it an apartment or a single family house or
14 something other than that?

15 A An apartment. In the multi-housing --

16 Q Excuse me? Multi-family housing?

17 A Yes.

18 Q How many apartments are in your project?

19 A Hundred twenty-six.

20 Q Where is it located again?

21 A 364 Stockton Street.

22 Q Do you know how old a building the apartment
23 building is?

24 A Yes. It was built in 1962.

25 Q 1960 what?

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A Two.

Q Do you know whether it has any kind of public assistance or subsidy?

A No.

Q You don't know? You don't know or it doesn't have it?

A It is government housing project.

Q It is a government housing project?

A Yes.

Q How many rooms do you have, Mrs. Cruz?

A Six.

Q Could you tell me what the rooms are?

A I have four bedrooms, a bathroom, a kitchen and living room in one unit.

Q So when you say you have six rooms, were you counting the bathroom as one room?

A No, but when I say kitchen and the living room is all one room.

Q That's only one room?

A Yes.

Q And you have four bedrooms?

A Yes.

Q That's five. What is the sixth room?

A The bathroom.

Q And you only have one bathroom?

1 A Yes.

2 Q Does your family use any other bathroom in any
3 other apartment or in the hallway in the area?

4 A No.

5 Q Do you know how many square feet of living space
6 you have?

7 A No, I never measure it.

8 Q Would you describe the conditions under which
9 you live as being crowded?

10 A I have, since my family is composed of five boys
11 and five girls, because, like I explain before, I have
12 two other kids who are older who are in institutions,
13 that even though they are not physically living with
14 me, they are part of the family too.

15 And eventually they will come back.

16 Q How many people live in the apartment now?

17 A Eight, eight kids and myself, nine.

18 Q Eight kids and yourself. Are there two other
19 kids also?

20 A Yes.

21 Q How many children do you have all together?

22 A All together I have ten.

23 Q And the two older ones, you say, are in an
24 institution?

25 A Yes.

1 Q But eventually they are going to come back with
2 you?

3 A Yes.

4 Q Are they there sometimes now?

5 A For vacations or so, visits.

6 Q How many people occupy each bedroom?

7 A One bedroom is for myself, then I have to put the
8 girls in one room and then three of the boys in one
9 room and two of the boys in another room.

10 Q Does anybody sleep in the living room?

11 A No.

12 Q What is the cost of the apartment?

13 A Presently I'm paying a hundred fifty-five, a
14 month. Per month.

15 Q What does that include? Does it include gas
16 and electric?

17 A Utilities, yes.

18 Q Do you have any other fixed expenses each month
19 besides the hundred fifty-five dollars per month?

20 Aside from food and clothing. Do you have any other
21 fixed expenses?

22 A Just the telephone.

23 Q Are you employed, Mrs. Cruz?

24 A Yes.

25 Q By whom?

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A By M.C.E.O.C.

Q How many hours a week do you work?

A Seven hours.

Q Seven hours a day?

A Seven hours a day, thirty-five hours a week.

Q Do you work in the New Brunswick office or Perth Amboy or where?

A In Perth Amboy office.

Q How much do you earn each week, before deductions, and then how much do you take home?

A Two hundred sixty-nine every two weeks, I bring home two hundred fifty.

Q You bring home two hundred fifty?

A Yes.

Q 250?

A Yes.

Q How do you get to work each day?

A I walk.

Q How long a walk is it?

A Around five blocks.

Q What is your previous employment experience before coming to M.C.E.O.C.?

A I was working for Family Counseling Services.

Q Where are they?

A They are at Highland Park, but they have -- I

1 was working in the project in Perth Amboy.

2 Q So was most of your work actually in Perth Amboy?

3 A In Perth Amboy.

4 Q How did you get to that job?

5 A Walking too.

6 Q What kind of work do you do for M.C.E.O.C.?

7 A I'm a social worker.

8 Q And what kind of work did you do for Family
9 Counseling Services?

10 A I was a type of counselor, too.

11 MR. VAIL: Did you get that?

12 A My title was welfare specialist.

13 Q Do you have any specific training to be a social
14 worker or welfare specialist?

15 A I wonder if that is relevant? I will not answer
16 that.

17 Q I'm just asking you what your training is in terms
18 of your job opportunities, Mrs. Cruz. And I'm asking
19 whether you were specifically trained in any way to be
20 a social worker.

21 A I have had training, yes.

22 Q And where did you obtain that training?

23 A Some through Middlesex County College, some through
24 Rutgers University courses.

25 Q Were the Rutgers University courses taken at home

1 or did you go to Rutgers for them?

2 A I go to -- I used to go to Rutgers for them.

3 Q Did you ever receive a degree or a diploma?

4 A No, I didn't.

5 Q How did you get to Rutgers when you took those
6 courses?

7 A By bus.

8 Q Do you own a car?

9 A Yes.

10 Q Do you have a license?

11 A No. I'm in the process of getting one.

12 Q Does anyone in your family who lives with
13 you have a driver's license?

14 A Yes.

15 Q Do they ever drive you or the car, you and the
16 car, or the car without you?

17 A No.

18 Q Before working for Family Counseling Services,
19 did you have any other employment experience?

20 A Not in the social field.

21 Q In any field at all, what type of employment
22 did you have?

23 A Sewing machine operator.

24 Q And where were you employed last as a sewing
25 machine operator?

1 A New York Girls' Coat.

2 Q Where is that located?

3 A Fayette Street, Perth Amboy.

4 Q How long were you employed there?

5 A Just a few months.

6 Q And before that, where were you employed?

7 A I want to explain once and for all. You
8 understand the status of my family, you understand
9 my youngest --

10 MR. WOOD: I object to that.

11 Mr. Searing. This is unresponsive
12 to the question posed.

13 MR. SEARING: Let's let the attorney
14 asking the question say that.

15 MR. WOOD: I understand.

16 Q Let me just explain, Mrs. Cruz.

17 We are simply here to find out what your
18 employment experience is and what you are capable of
19 doing by way of employment.

20 We are not in any way passing judgment or
21 criticizing you, if there was a time that you didn't
22 work.

23 Okay? I just want to know what your employment
24 experience has been.

25 And my question is, before working as a sewing

1 machine operator at Fayette Street, what was the last
2 job you had before that?

3 A I have been working on and off as a sewing
4 machine operator for a long period of time.

5 Q Can you tell me approximately how many years?
6 Not exactly, but approximately.

7 A I have been working as a sewing machine operator
8 since I was fifteen years old.

9 Q And how old are you now?

10 A I'm going to be 43 next week.

11 Q How long have you been with the M.C.E.O.C.?

12 A I have been direct -- employed by M.C.E.O.C.
13 for a year.

14 Q And -- I'm sorry, go ahead.

15 A But related to this agency, I have been more than
16 eight years.

17 What I want to say is I have been working very
18 close with M.C.E.O.C. for the last seven years or so.

19 Q Were you a paid employee for those seven years?

20 A No. I was a volunteer.

21 Q But for the past year, you've been a paid employee?

22 A Yes.

23 Q And before this past year with M.C.E.O.C., were
24 you a paid employee of Family Counseling Services?

25 A That's right.

1 Q And for how long were you there?

2 A For two years.

3 Q And so it was before that that you were a
4 sewing machine operator?

5 A Yes.

6 Q And from the age of 15 until about the age of
7 39 or 40, you worked as a sewing machine operator?

8 A That's right.

9 Q How long have you lived in Perth Amboy?

10 A I've been living in Perth Amboy for 23 years.

11 Q And was your work as a sewing machine operator
12 in the City of Perth Amboy?

13 A Yes.

14 Q The entire --

15 A No, not the entire. I worked in Puerto Rico.

16 Q But for the 23 years that you lived in Perth
17 Amboy, did you work as a sewing machine operator?

18 A Yes.

19 Q Until three years ago?

20 A Yes.

21 Q During those 23 years, did you ever try to obtain
22 employment in any other city? Or town?

23 A No.

24 Q Were you -- there's no question pending.

25 Have you ever commuted to work by car as opposed

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to bus or any other method? Bus or walking?

A By car, yes.

Q You have commuted by car?

A Yes.

Q To which job was that?

A Oh, to work?

Q Yes, to work.

A No.

Q It's always been either walking or perhaps bus?

A Yes.

Q How long have you lived where you presently live,
Mrs. Cruz?

A Since the project opened, since 1962.

Q And where did you live before that?

A I live in another housing project, at 595
Zambory Street.

Q Was your husband with you then?

A Yes.

Q And he was with you until about five years ago?

A Yes.

Q At any time, before you moved into the present
housing project in 1962, did you ever look for housing
in the United States other than in Perth Amboy?

Do you understand the question or would you like
me to rephrase it?

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A Will you please rephrase it?

Q As I understand your testimony, you moved into your present address on Stockton Street in 1962, right?

A Yes.

Q Before moving into Stockton Street, did you look in any other town other than Perth Amboy?

A At that particular time, I was not thinking of moving out of Perth Amboy.

Q So that you were living in one project and then you moved in 1962 to Stockton Street and you did not look in other towns or cities, is that right?

A No.

Q So the record is clear, my question is, is that correct?

A Yes.

Q At any time, since living at your present address, have you attempted to locate housing in any other city or town other than Perth Amboy?

A Yes.

Q When did you first look in another town?

A Somewhere since 1969 on.

Q From 1969 on, you've been looking in other towns?

A Yes.

Q Can you tell me what towns you've looked in?

1 A I ask specifically -- I specifically looked in
2 Highland Park.

3 Q Is that the only town?

4 A Not that specifically. I was trying to move,
5 but, like I said, I was really searching in Highland
6 Park.

7 The others I look, but not as intensively as I
8 did in Highland Park.

9 Q Did you go to a real estate broker?

10 A Yes.

11 Q And do you remember the name of the broker
12 you went to?

13 A Yes, the Berg Agency.

14 Q Which office of the Berg Agency did you go to?

15 A I called.

16 Q Did you ever go into the office?

17 A No, I never went into the office.

18 Q When was the first time you called the Berg
19 Agency, Mrs. Cruz?

20 A I think sometime during 1969 too.

21 Q Did you get the name of the person you spoke to?

22 A No.

23 Q Did you speak to them on more than one occasion?

24 A No, only once.

25 Q And on that one occasion, what did you tell the

1 person you spoke to?

2 A That I was interested to find a house through the
3 235 Program.

4 Q What is the 235 Program?

5 A It is a HUD program, who gives assistance for poor
6 families.

7 Q Had anyone told you that Highland Park had such
8 housing?

9 A I don't understand the question.

10 Q Did you tell the broker that you wanted housing
11 in Highland Park under the 235 Program?

12 A Not specifically, but I was looking, searching
13 in the entire area, a house through 235.

14 Q Did you mention 235 to the Berg Agency?

15 A Yes.

16 Q Did they seem to know what that was?

17 MR. VAIL: For the record, whatever
18 was said to her on the phone by anyone
19 from the Berg Agency is hearsay, and I
20 object to it for that reason.

21 You may answer.

22 A The answer I had was that they didn't deal with
23 that legislation, or whatever, the program at all.

24 Q Do you know whether you spoke to a man or a
25 woman?

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A I don't remember.

Q Did you call any other brokers?

A I was approached by Mr. -- I don't remember quite well. Was a black man who had a real estate in, I think, New Brunswick.

Q What's your best recollection of his name?

A Brunson.

Q And what did he say to you?

MR. BUSCH: Mr. Vail's objection is noted?

MR. VAIL: Thank you. Continuing?

MR. BUSCH: Yes.

A That was, you know, -- I can not remember very clearly, but I remember that he told me that he could make houses, I think it was in Piscataway, and we could -- that I could buy through him, through the 235 Program.

Q Did you attempt to get a house in Piscataway from Mr. Brunson?

A He tried, but he said the type of house that they will not be -- would cost much more than what the program entitle me.

Q And when was this that you talked to Mr. Brunson?

A That was around 1969 or 1972 -- '70.

Q How many times did you talk to him?

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A I spoke about four times.

Q Did you ever meet with him in person?

A Yes.

Q Did you ever sign any papers?

A No.

Q Do you have anything in writing, either from the Berg Agency or from Brunson, or anything that you gave them in writing?

A No.

Q It was all speaking orally, is that right?

A Yes.

Q What other attempts did you make to locate housing outside of Perth Amboy?

A I have been reading the papers.

Q Which papers do you read?

A The News Tribune and the Home News.

Q Have you attempted to follow up on any of the ads that you've read?

A I never found any suitable for me.

Q Have you been looking for the past five or six years?

A Yes.

Q And you've never called any of the people who have listed their ads in the paper?

A No.

1 Q You said you haven't found any that are suitable
2 for you, is that right?

3 A Yes.

4 Q And at the present time, as of February 1975,
5 what are your housing needs, or what do you consider
6 suitable for yourself?

7 A A house where I could put my children, at least
8 two of my children in each bedroom, a play room, two
9 bathrooms, and kitchen, living room.

10 Q If we count up the number of rooms, you would
11 need at least five bedrooms, one for yourself and four
12 for the eight children who live with you, is that right?

13 A Yes.

14 Q You have to answer.

15 A Yes.

16 Q And would you also expect another bedroom for
17 the two children who are in the institution?

18 A Yes, as long as they don't --

19 Q Five bedrooms for the children and one for
20 yourself?

21 A Yes.

22 Q So we're speaking of six bedrooms, a play room,
23 a living room and a kitchen, is that right?

24 A Yes.

25 Q And two bathrooms.

1 Do you have any needs as far as what size lot you
2 would be on, or whether there would be any yard space?

3 A You know, you speak idealistic. I could say
4 whatever it is. But, if I have enough to house my
5 children in a comfortable way will be enough.

6 Q So you don't have any requirement for yard
7 space at all?

8 A Will be good, but not specifically.

9 Q Do you have any requirement in your own mind
10 as to the size of the rooms?

11 A Large enough that they don't have to crash with
12 each other.

13 Q So they don't have to what?

14 A Crash.

15 Q And what price are you willing to pay for this
16 home?

17 A If it's a comfortable mortgage.

18 Q How much can you afford to pay on a mortgage?

19 A I think I can afford about 250 dollars mortgage.

20 MR. CHERNIN: Can you read that
21 answer back, please?

22 (Whereupon, answer read back by
23 the reporter.)

24 Q You mean 250 dollars a month to cover the mortgage
25 and the taxes for that month?

1 A That's right.

2 Q And do you have any money to put down as a down
3 payment?

4 A I don't have a large amount of money, but if it
5 is a low down payment, I will be able to pay.

6 Q And what do you consider a low down payment?

7 A Around a thousand dollars.

8 Q Does your husband have any money in the bank
9 or any of his own assets?

10 A No.

11 Q Do any of your children have any money in the
12 bank or any of their own assets?

13 A No.

14 Q So that the thousand dollars would simply
15 be paid by you?

16 A Yes.

17 Q And in looking in the papers, you have been
18 unable to find a six bedroom home with two baths and
19 the other appointments at the price you indicated,
20 is that right?

21 A Yes.

22 Q Just so I fully understand your testimony,
23 Mrs. Cruz, other than the Brunson and the Berg Agency,
24 you haven't gone to any other broker? Is that right?

25 A I went to another broker in Metuchen, but I don't

1 know the name.

2 Q Did you go into the office?

3 A Yes.

4 Q And what did you tell that broker?

5 A He was a broker that was dealing with the 235
6 Program.

7 Q What did you tell him?

8 A That I was interested in buying a house away
9 from Perth Amboy.

10 Q Did you look at any pictures of homes in his
11 office?

12 A Yes.

13 Q Did he have any homes that were within your
14 price range?

15 A No.

16 Q What towns were you looking at homes for?

17 A Any town besides Perth Amboy and New Brunswick.

18 Q And he had nothing?

19 A He had nothing.

20 Q Why is it that you want to move out of Perth
21 Amboy, Mrs. Cruz?

22 A First of all, because of environmental reasons.

23 Q Can you say that again, please?

24 A Environmental.

25 Q Environmental reasons?

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A Yes.

Q And, specifically, what about the environment do you want to move away from?

A One, the overcrowding, the segregation, the housing and schools.

Q Is crime a problem where you live?

A Crime.

Q How about air pollution or dirty air? Is there any problem with that?

A You know that Perth Amboy is more industrial.

Q Is that one of the reasons you want to move out?

A Yes, sir.

Q How about traffic? Is that any problem? Crowding in the streets?

A No.

Q That's not a problem?

A No.

Q Are there any other reasons that you can think of as to why you want to move out of where you presently live?

A Yes. I would like to -- you see, the main reason is that I live so squeezed, and if I -- I would not have time to -- today to explain how it is to be squeezed, how is to live in a place that you don't find storage anything. It's like a nightmare. It's very confusing.

1 Even the statistics have proven that, do mental damage.

2 Q Do you expect within a few years that some of
3 your older children will be moving out on their own?

4 A Yes, but that will not help the density. Not
5 only in my particular unit.

6 Q Is your hundred and twenty-six apartment unit
7 a crowded unit, the building?

8 A Yes. And if you read the News Tribune, have
9 been a few articles. I forget to bring it with
10 me today. But I can make a photo copy.

11 That right now they are trying to eliminate
12 the first floor to lower the density.

13 Q Are there any play areas at the project?

14 A No.

15 Q Is there any yard space or grass area?

16 A No.

17 Q None at all?

18 A None at all.

19 Q Is it right out to the sidewalk?

20 A Yes. There is -- there are very small -- before
21 the sidewalk, there is very small space before the
22 sidewalk, but if you put six hundred children that
23 live under that unit, just standing, they will not
24 fit.

25 Q Have you ever talked to any builder who said that

1 he could build a house for you anywhere?

2 A Only to this Brunson.

3 Q You mentioned Brunson and Berg and the Metuchen
4 broker.

5 Were there any other people you ever spoke to
6 about getting other housing?

7 A No.

8 Q Have you ever been told by any representative
9 of a city or town government of the towns outside
10 of Perth Amboy that you were not welcome in their towns?

11 A Directly not, but indirectly, I got the
12 message across a long time ago.

13 Q First we'll take it directly.

14 Did any representative of a town government
15 outside of Perth Amboy ever talk to you about anything
16 at all? Have you ever talked to any representative of
17 Highland Park government or East Brunswick or Piscataway?

18 A No. I'm not a politician.

19 Q Indirectly you got the message long ago, is that
20 right?

21 A Yes.

22 Q But never from a representative of the government.

23 A No.

24 MR. VAIL: For the record, once
25 again, it's a conclusion. There's no

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evidence to support what the lady has
said about getting an indirect message.

I object.

Q What are some of the other towns in Middlesex
County that you would consider living in?

A Will you please say it again?

Q What are some of the other towns in Middlesex
County that you would consider living in? You've
mentioned Piscataway and Highland Park. Are there
any other towns you'd consider living in?

A You see, I want Middlesex County -- I choose
Middlesex County to live.

I refuse to live in New Brunswick, and I refuse
to live in Perth Amboy. I would be willing to live in
any neighborhood besides Perth Amboy and New Brunswick.

Q I'm asking you specifically if you can name
each town that you would be willing to live in.

A It would be nice to live in Edison.

Q Okay.

A Or it would be nice to live in Woodbridge. It
would be nice to live in Piscataway, live in East
Brunswick. Will be nice to live in Metuchen.

South Amboy I'm not too sure, because it may be
racist.

MR. VAIL: For the record, I

1 object to the statement that South
2 Amboy is racist.

3 Obviously, this lady is racist
4 in making that statement. I frankly
5 don't care whether she would like to live
6 in South Amboy or not.

7 Up until now there's be no testimony
8 about it, about any connection between
9 South Amboy and her in this suit.

10 I think that Mr. Searing ought to
11 instruct his client about who is
12 racist and who is not. She hasn't
13 said one word up until now to connect
14 South Amboy with this suit at all.

15 And, there's nothing in her
16 complaint that alleges that she had any
17 contact with South Amboy.

18 And, she's been questioned at
19 length by counsel up until now.

20 MR. BUSCH: Thank you, Mr. Vail.

21 Q Are there any other towns? Edison, Woodbridge,
22 Piscataway, Highland Park, Metuchen, East Brunswick.

23 Are there any other towns in the county that
24 you would like to live in?

25 A I specifically say that any place besides Perth Amboy

1 Q Do you know any other towns in the county?

2 A Yes, I know a few towns.

3 Q What are some of the other towns?

4 A I don't know, not even to pronounce -- close to
5 Metuchen. I don't know how to pronounce it.

6 Q Tell me any of them that you can think of that
7 you haven't mentioned today.

8 A In Carteret. I would like to live in Carteret
9 too.

10 Q Have you been in touch with the Urban League
11 at all since this case has started?

12 A No.

13 Q And I believe you stated you're not a member
14 of the Urban League, is that right?

15 A No.

16 Q Would you be willing to live in a mobile home,
17 a trailer?

18 A I never thought about it.

19 Q Well, now that you're having time to think about
20 it, would you be willing to live in one?

21 A I will consider it.

22 Q You would consider it with all your eight children?

23 A Yes.

24 Q How many bedrooms would you require in a mobile
25 home? The same number as a house?

1
A Yes.

2 MR. BUSCH: I have no further
3 questions at this time.
4

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6 CROSS-EXAMINATION BY MR. SPRITZER:

7 Q Mrs. Cruz, I'm Martin Spritzer, I represent
8 the Borough of Metuchen. I would like to ask you just
9 a few questions.

10 You stated in your previous testimony that
11 you had gone to a broker in Metuchen.

12 A Yes.

13 Q But you didn't remember his name.

14 A No.

15 Q Or her name, is that correct?

16 A His name.

17 Q Do you know what year that was?

18 A I think it was around 1969 or 1970.

19 Q Do you know where the main street is in
20 Metuchen?

21 A Yes.

22 Q Was this broker on the main street?

23 A I think so, was in the main street.

24 Q I'm going to name a few names, and I'd like to
25 see whether you're familiar with these. Perhaps you

1 can recall.

2 Does the Docs Agency --

3 A No.

4 Q Wasn't the Docs Agency.

5 A No.

6 Q McPherson Agency?

7 A No.

8 Q The Schenck Agency?

9 A No.

10 Q The Nann Agency?

11 A I think it was the Nann Agency.

12 Q And you told them about -- you inquired about
13 the 235 homes from them.

14 A Yes.

15 Q And they didn't have anything for you.

16 A No.

17 Q Did you inquire about any other types of homes?
18 Besides the 235?

19 A I could not afford at that time -- I could not
20 afford anything besides that program.

21 Q Did you inquire from any of the brokers that
22 you've mentioned, Brunson, Nann and Berg, about apartments?

23 A Honestly speaking, I'm afraid to move to an
24 apartment, to a private apartment, because of the
25 composition of my family. And --

1 Q By that you mean the size of your family?

2 A The size of my family, and having young kids
3 and teenagers. I have the fear that I will be evicted
4 for one reason or another.

5 Q So, actually, in whatever municipality that you
6 want to move to, outside of Perth Amboy or New Brunswick,
7 you're not interested in moving into any apartments.

8 A Unless I will certainly deal with a landlord
9 who would understand my particular situation.

10 Q In other words, you'd have to check the landlord
11 out first, is that correct?

12 A Yes.

13 Q Do you have air conditioning in your apartment?

14 A No.

15 Q Do you have TV?

16 A Yes.

17 Q How many TV's?

18 A I have about three TV's.

19 Q Your children have any particular hobbies?

20 A You understand that boys like the sports more
21 than the inside recreation.

22 Q Do you know what a mobile home is?

23 A Yes.

24 Q And do you know that a mobile home is normally --
25 do you know the size of a mobile home?

1 A I have never gone inside a mobile home.

2 Q So you don't know how large they are on the
3 inside.

4 A I don't know how large, how they are built
5 or anything.

6 Q And you don't know how many rooms there are in
7 them?

8 A No.

9 Q And you don't know the sizes of any of the rooms.

10 A No.

11 MR. SPRITZER: No further questions.

12

13

14 CROSS-EXAMINATION BY MR. MORAN:

15 Q Mrs. Cruz, my name is William C. Moran and I'm
16 the attorney here for the Township of Cranbury.

17 Do you know where the Township of Cranbury is?

18 A I honestly don't.

19 Q Did you ever make any attempts to obtain housing
20 in Cranbury Township?

21 A No.

22 Q Do you own a car?

23 A Yes.

24 Q Would you be able to drive to work?

25 A No -- I'm trying to get a driver's license.

1 Q Pardon?

2 A I'm trying to get a driver's license.

3 Q You don't have a driver's license now.

4 A No.

5 Q You've had to rely on mass transportation or
6 walking to get to work.

7 A Yes.

8 Q Wherever you acquired housing, if you're
9 successful in acquiring housing outside of Perth
10 Amboy or New Brunswick, would you insist or have as
11 a requirement that you have access to mass transportation?
12 Bus routes or trains or something like that?

13 MR. SACHAR: Mr. Searing, one of
14 the witnesses is near the door there,
15 I've asked him to move, because we can
16 hear the questions and answers out there.
17 He refuses to move unless you tell
18 him to do it.

19 MR. SEARING: Can we adjourn for
20 a minute?

21 (Recess at 11:23 a.m.)

22 (After recess at 11:26 a.m.)

23 Q I was asking you, Mrs. Cruz, whether or not
24 it would be a requirement of any municipality that you
25 wanted to move into that mass transportation be available,

1 either by way of bus or train?

2 A Not necessarily, because I have some children
3 that have driver's license.

4 Q You work in Perth Amboy, is that correct?

5 A Yes.

6 Q Do you feel that your job there is secure?

7 A Is secure, but I would like to move.

8 Q You would like to change employment?

9 A Yes.

10 Q What would you be looking for?

11 A A kind of job in my field.

12 Q And what field is that?

13 A Social work.

14 Q Do you have any specific places that you would
15 like to work?

16 A You see, since I would not depend on transportation
17 to go to work, I would prefer to live somewhere and work
18 somewhere else, if it is necessary.

19 But, what affect me is not the employment
20 side, but the housing side.

21 Q Are there any specific areas, though, that you
22 would like to work in? I mean physically, geographical
23 areas that you would like to work.

24 A I don't think so.

25 Q You'd be willing to work just about anywhere?

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A Around the -- to work, you mean?

Q Yes, to work.

A Around the county, yes.

Q Do you have any ambitions to obtain more training or education in your field?

A Yes.

Q What specifically would you like to do by way of that?

A I have to go -- even though I realize I'm kind of old, I would like to be more advanced in the matter of social work, and I would like to be a lawyer just like you.

Q Do you have a high school education?

A Yes.

Q And have you taken any college courses?

A Yes.

Q You haven't received a degree yet, is that correct?

A No. Because I have not had the time to put my degrees with my credits -- my experience with my credits together.

Q If you were to go back to college, how much longer would you have to go before you obtained a degree?

A I don't think it will longer than a year.

Q Would a requirement of the housing that you're

1 looking for, the house that you're looking for, be
2 that it have, or be connected to a sewer system?

3 A It should be, I think.

4 I don't understand very well the question.

5 Q Do you know what a septic system is?

6 A Yes, I do.

7 Q Would you be willing to accept a house that
8 had a septic system, or would you want a house that
9 is connected to a sewer system, a central sewer system?

10 A I would prefer that house -- that have a central,
11 but not specifically.

12 Q Would you want a house that is connected to a
13 city water system, or would you prefer one that has
14 its own well?

15 A I don't think -- as long as -- I think it would
16 be better to have through the city, but that is not
17 too important.

18 If I have to chose to have my own well.

19 Q Are you familiar with the problems of water
20 treatment that can crop up when you have your own
21 well in a house?

22 A I've never had a well in my house.

23 Q So you would not know anything about the expense --

24 MR. SEARING: If you know.

25 Q You wouldn't know anything about the expense

1 that could be involved there.

2 A No, I don't.

3 Q I got a little confused about the income that
4 you said that you have in the family.

5 The job that you now have, did you say pays
6 269 dollars gross every two weeks?

7 Is that correct?

8 A Yes.

9 Q And in addition to that, you receive about 500
10 dollars a month from welfare?

11 A That's right.

12 Q And you say each of your two sons is now in part-
13 time jobs?

14 A Yes.

15 Q About how much time will they be working on the
16 jobs?

17 A They just started.

18 Q Do you know how many hours per week that they
19 expect that they will work?

20 A I don't think more than three hours or four hours.

21 Q A week?

22 A No, a day. About fifteen hours a week, or twenty,
23 the most. According to the law, the school law. They
24 can not work more than twenty hours.

25 Q In doing some quick addition here, I add that up to

1 with your children's income coming somewhere between
2 15 and 16 thousand dollars a year gross income.

3 Is that about right?

4 A Well, you see, considering welfare --

5 Q I just asked you whether 15 or 16, between
6 15 and 16 thousand dollars a year gross income is
7 about right, what you think your family income is
8 going to be.

9 A I expect to have another raise quite soon.

10 Q In your job.

11 A In my job.

12 Q And that would make it even higher?

13 A It will make it even higher.

14 Q How much do you think that raise will be?

15 A Near 9 thousand dollars.

16 Q Up to 9 thousand dollars a year?

17 A Yes.

18 Q Would you expect after you get that raise that
19 you'll continue to get 5 hundred dollars a month from
20 welfare?

21 A I will still qualify for welfare. I will be
22 deducted only one-third of my raise.

23 That means if I make 90 dollars more every month,
24 I will be deducted from my check thirty dollars.

25 Q So that you would only be losing about 30 dollars

1 a month from welfare, even after you get this raise.

2 A Yes, -- no. I will be losing one-third of my
3 raise.

4 I will -- I also will have the benefit of the
5 food stamps, medical benefits, which I understand --
6 which you understand are very high.

7 Q You buy food stamps now?

8 A Yes.

9 Q What price do you have to pay for the food stamps?

10 A I pay a hundred ninety-eight dollars for
11 two hundred seventy-eight dollars coupons.

12 Then if my mortgage will go high, I will have
13 more food stamps allowance.

14 Q If the amount of money you have to pay for
15 your housing goes up, you'll pay less for the food
16 stamps?

17 A Less for the food stamps.

18 Q Now, going back to how this lawsuit got started.
19 You were on the board of the Middlesex County Legal
20 Services Corporation?

21 A That's right.

22 Q Did you indicate to anybody at Middlesex County
23 Legal Services that you were looking for housing?

24 A They are familiar with my circumstances.

25 Q How did they become familiar with your circumstances?

1 A Some of the lawyers know me, my condition.
2 They even visit my house sometime.

3 Q Did you ever specifically tell them that you
4 were looking for housing?

5 A They know it all along.

6 Q Did anybody from Middlesex County Legal Services
7 ever come to you and say, "There's this lawsuit that's
8 going to be started, and would you be interested in
9 being a party to it?"

10 MR. SEARING: If you remember.

11 MR. BUSCH: Hopefully that's true
12 of everything, Mr. Searing.

13 A You see, I'm a plaintiff, and I have been a
14 leader of tenants' organization, because of my madness.
15 And I understand the housing situation quite well.

16 Q What I'm asking you is, did somebody come to
17 you and say, "Would you become a party to this lawsuit?"

18 A I express at the Legal Services meeting my madness,
19 because through them I was aware of some town ordinances
20 that in a way prevent me to get there.

21 MR. SACHAR: I want to object to
22 the answer, not only as not being
23 responsive, but a speech.

24 The answer calls for a yes or no
25 answer.

1 I ask counsel instruct the
2 witness, when a question is asked that
3 requires a yes or no, that she only
4 answer yes or no, not make a speech.

5 MR. WOOD: Note for the record,
6 I join.

7 MR. VAIL: And I object, this lady
8 is not competent to make a legal
9 conclusion as to what town ordinances are
10 or are not discriminatory, in regards
11 to her particular situation.

12 Q Did you understand the question I asked you,
13 Mrs. Cruz? Maybe I can rephrase it.

14 A I understand it. I understand very well, but
15 you need two to make a match. You know what I mean?

16 I was mad enough to be willing that somebody
17 come along, that person came along, but I was more than
18 willing to be part of it.

19 Q Who was the person that came along?

20 A I don't remember at this time specifically.

21 Q Well, who did that person work for?

22 A I think for Legal Services.

23 Q Was it a man or a woman?

24 MR. SEARING: The witness has already
25 answered these questions once, and I

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object to their being asked again.

MR. MORAN: The questions that she answered until now dealt in a general way.

MR. SEARING: The last three questions you asked were asked by Mr. Busch early on in his deposition.

I would like to avoid repetitive questioning.

Q What specifically did that individual say to you?

A I don't remember.

Q But, as a result of that conversation, you became one of the plaintiffs in this lawsuit, is that correct?

A Yes.

Q Did you go to that individual and ask to become a plaintiff?

A I express my desire to do something about it.

Q But, did you actually go to him? Did you seek him out?

A Yes, I seek him out.

MR. MORAN: I don't have any other questions.

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CROSS-EXAMINATION BY MR. ALFONSO:

Q I'm Louis Alfonso --

MR. BUSCH: We have an order here.

MR. ALFONSO: I'm sorry.

CROSS-EXAMINATION BY MR. WOOD:

Q Mrs. Cruz, my name is Christopher Wood, appearing on behalf of the Borough of South River and the Borough of Jamesburg.

Do you know where the Borough of Jamesburg is located?

A Yes.

Q Where is it?

A You have to pass Sayreville, going kind of west, and I have gone through Jamesburg.

Q Are you familiar with the Borough of South River? Do you know where that is?

A I only past there once, honestly speaking.

Q Only through South River once?

A South River, yes.

Q Mrs. Cruz, were you born in Puerto Rico?

A Yes.

Q And what's your date of birth?

A Is that important?

Q Yes.

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MR. SEARING: Yes, you have to answer.

A My date of birth was March 6, 1932.

Q How long did you live in Puerto Rico?

A I live until -- I live in Puerto Rico until I was 19 years old.

Q And in what year would it be that you came to New Jersey?

A I didn't come directly to New Jersey, I came to New York.

Q To the City of New York?

A Yes.

Q When did you come to the City of New York?

A I came to the City of Perth Amboy to live --

Q When did you --

A In 1955.

Q You came to Perth Amboy in 1955. When did you come to the City of New York?

A In 1952.

Q 1952?

A Yes.

Q How many children were there in your family in Puerto Rico?

A Puerto Rico?

Q Yes.

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A I was single.

Q You misunderstand my question.

How many children were there in your family?

A Oh, my parent's family?

Q Yes.

A Seven.

Q Seven.

A Yes.

Q Do any of those people, any of your brothers
and sisters live in the Continental United States?

A Yes.

Q Do all of them?

A No, not all of them.

Q Did your father have an education?

A I will not answer that question.

MR. WOOD: Mr. Searing?

MR. SEARING: You want to state the
relevancy?

MR. WOOD: Do I want to state the
relevancy?

MR. SEARING: Please.

MR. WOOD: It's important.

MR. SEARING: She's hesitating,
because she doesn't understand why you're
asking. If you can explain why ---

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MR. WOOD: There's been an allegation in your complaint, this is a class action.

I think it's important insofar as the determination of what class she represents.

I think her background is extremely important in that regard.

A My father went up to eighth grade. He's a very religious man.

Q Very religious man?

A From the very ordained kind of religion. He's Pentecostal.

Q Your mother? She had an education?

A She had about the same type of education.

Q Did your father come to the United States?

A Yes.

Q The Continental United States?

A Yes.

Q Is he here now? Is he alive?

A Yes, he's alive.

Q Where does he live?

A He lives in Perth Amboy.

Q And is your mother in the Continental United States?

A No, she's dead.

Q She is dead.

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A Yes.

Q Did she come to the United States before she died or did she die in Puerto Rico?

A She died in the United States, Perth Amboy.

Q Excuse me. Did she come here with your father?

A Yes.

Q Now, your brothers and sisters that live in the United States, do they -- the Continental United States, I should qualify that, do they have educations?

A Not -- less education than I do.

Q Less than an education.

A Yes.

Q Did you receive your high school diploma in Puerto Rico?

A No. I receive here in the United States.

Q In the United States. Was that in the City of New York or in the State of New Jersey?

A In the State of New Jersey.

Q What high school did you attend?

A ~~Adult~~ ~~material~~ education.

Q ~~Adult~~ ~~material~~ education courses. Where were they given, Perth Amboy?

A Yes.

Q By whom were they given?

A By the direct -- the director, you mean?

1 Q Who gave --

2 A By the Board of Education, the adult
3 education.

4 Q The Board of Education of the City of Perth Amboy?

5 A That's right. The director, if you want to know
6 specifically, is Mr. Macancellas (phonetic).

7 Q When did you receive -- strike that.

8 Did you receive a high school equivalency
9 diploma or did you actually receive a high school
10 diploma?

11 A Equivalency.

12 Q When did you receive that?

13 A I'm going to explain to you. I have --

14 Q Now hold it. I asked a question, Mrs. Cruz, and
15 I'd like a responsive answer.

16 MR. SEARING: Just tell him when.

17 MR. WOOD: Would you read back the
18 question?

19 (Whereupon, pending question read
20 back by the reporter.)

21 A I have not received the equivalency diploma,
22 but I have more credit to have more than equivalency
23 diploma.

24 The reason why I don't have it is because I
25 have not taken the time, like I said before, to apply

1 for it.

2 But, I'm over the credits to have the diploma.

3 Q Is it your understanding that you have to take
4 a formal, or a written examination to obtain the high
5 school equivalency?

6 A But, I have taken tests, only one test I make
7 27 credits.

8 Q Listen to my question, please, Mrs. Cruz.

9 Is it your understanding that in order to
10 actually receive a diploma in your hands, that you
11 have to take further tests? I'm talking about a
12 high school --

13 A Not necessarily.

14 Q When did you take the first course at Rutgers
15 University?

16 A Many years ago.

17 Q Since 1968 I have been taking courses.

18 Q Since 1968?

19 A Yes.

20 Q Are you presently taking courses at Rutgers
21 University?

22 A No.

23 Q Now, do you have any idea of the number of credits
24 that you have accumulated to this point at Rutgers?

25 A At Rutgers, I don't think I have accumulated credits.

1 but I have accumulated credits through the Middlesex
2 County College.

3 The courses I took in Rutgers University have
4 been non-credit courses, but have been a lot. The
5 courses I have been taking in Middlesex County College
6 have been credit courses.

7 Q Credit courses.

8 A Yes.

9 Q The courses you took at Rutgers University require
10 the payment of tuition fees to Rutgers University?

11 A Yes, some of them.

12 Q Did you pay for them personally?

13 A Most of them I didn't.

14 Q You did not.

15 A I paid a few.

16 Q You paid for a few.

17 A Yes.

18 Q Who paid for the others?

19 A I was paid by Model Cities, through Model Cities,
20 and through M.C.E.O.C.

21 And some through a National Institute, the
22 Hispanic planning --

23 Q Some through a national institute, you say?

24 A Yes.

25 Q Of Hispanics?

1 A Yes. Hispanics, National Institute.

2 Like leadership training, through national
3 institutes.

4 Q They would in turn pay your tuition at Rutgers?

5 A Yes.

6 Q Have you paid for the tuition for the courses
7 you took at Middlesex County College?

8 A Some of them, I usually - I used to take them --
9 excuse me.

10 So many questions, I'm getting tired.

11 Model Cities used to pay for most of my courses,
12 in the Middlesex County College.

13 Through -- because of lack of funding, we have
14 been asked to pay our tuition. I have been doing
15 that lately, paying my own tuition.

16 Q Are you presently attending Middlesex County
17 College?

18 A Not directly in the campus. I'm taking courses
19 in Perth Amboy, through Middlesex County College.

20 Q Are those accredited courses?

21 A Yes.

22 Q Are you actively taking any courses at Rutgers
23 University at this time?

24 A No.

25 Q When was the last time you attended an active

1 course , I'll call it, at Rutgers University?

2 A About two years ago.

3 Q Have all the courses you've taken at Middlesex
4 County College been given by an extension at Perth Amboy?

5 A At the Middlesex County College, you mean?

6 Q Yes.

7 A Yes, an extension.

8 Q You've never attended the campus at Middlesex
9 County College?

10 A No.

11 Q Are you satisfied with the courses that you
12 have received at the extension unit in Perth Amboy?

13 A Well, as suited my needs.

14 Q It's your understanding, the Middlesex County
15 College have any other extensions other than in Perth
16 Amboy?

17 A I don't know about it.

18 Q Is it your intent to continue to take courses
19 from the Middlesex County College?

20 A Yes.

21 Q Is it your intent to continue or to start again
22 to take courses from Rutgers University?

23 A If it's possible, yes.

24 Can you ask why he's asking that?

25 MR. SEARING: Well, let's wait and

1 see if he asks any more.

2 Q Now, you worked as a -- you worked as a sewing
3 machine operator from the time you were 15 years old,
4 is that correct?

5 A Yes.

6 Q So you started working as a sewing machine operator
7 in Puerto Rico, is that correct?

8 A Yes.

9 Q When you came to New York City, did you work as
10 a sewing machine operator there?

11 A Yes.

12 Q You came to Perth Amboy, did you work as a
13 sewing machine operator in Perth Amboy?

14 A Yes.

15 Q When was the last time you worked as a sewing
16 machine operator?

17 A Somewhere in 1968, I think.

18 Q Somewheres in 1968.

19 A Yes.

20 Q Do you have a sewing machine at home?

21 A Yes.

22 Q Do you sew at home?

23 A Sometimes. I don't have much time to sew, but
24 I do sew sometimes.

25 Q Do you sew only for the family needs or do you

1 also sew for people on the outside?

2 A I limit myself at this point to sew for my
3 family.

4 Q Did you at one time sew for people that worked --
5 strike that.

6 Did you sew for people outside the family at
7 one time in your apartment?

8 A Not ever.

9 Q Not ever?

10 A No.

11 I could, though. But, I don't intend to be --

12 MR. SEARING: That's all right.

13 Q Do you have time to do that?

14 A At this moment to sew for somebody else, no.

15 Q Yes. What are the limitations on your time?
16 What causes the limitation on your time?

17 A My full time job and I'm going to school, and
18 the size of my family.

19 Q You are a member of tenant organizations, or
20 a tenant organization, is that correct?

21 A Yes.

22 Q When did you first join a tenant's organization?

23 A Back in 1968.

24 Q In 1968.

25 A I think earlier than that.

1 Q I'm sorry, I didn't hear you.

2 A I think it was earlier than that. It was about
3 the time when the O.E.O. program start to come, to
4 organize in the cities.

5 Q Would that be around 1965 or '66?

6 A Sixty-six.

7 Q Do you presently hold any officer's capacity
8 in a tenant's organization?

9 A Because of my responsibilities, I do not hold
10 office, but I place a very strong voice in the
11 organization.

12 Q Have you ever held an officer's position in
13 a tenant's organization?

14 A Yes.

15 Q What office was that?

16 A Chairman.

17 Q When were you elected chairman and when did you
18 terminate your office as chairman?

19 A I was chairman around 1968 to 1970.

20 Q What's the name of the tenant's organization?

21 A Perth Amboy Tenants Organization.

22 Q And at present you indicate you do have a very
23 strong voice in the tenant's organization?

24 A Yes.

25 Q Is there a board of directors?

1 A Yes.

2 Q Are you a member of the board of directors?

3 A No.

4 Q When were you married to your husband, do
5 you recall that? The date of marriage?

6 A What is the relevancy of the question?

7 Q I take strong exception to the witness asking
8 me what the relevancy of the question is. She should
9 be directed not to do that.

10 That's about the fourth time she's done that.

11 MR. SEARING: You turn to me and
12 ask me.

13 THE WITNESS: Okay.

14 MR. SEARING: Can you explain the
15 relevancy? I object on several grounds.

16 MR. WOOD: The allegations in the
17 complaint, she belongs to a class.

18 Again, I'm trying to determine
19 the economic benefits she may be
20 entitled to under all the circumstances
21 that she's already explained, and others
22 that I may develop with further questions.

23 MR. SEARING: Several times she
24 answered she is married. I fail to see
25 the relevance of the exact date.

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MR. WOOD: I'm asking the question.

Are you directing her not to answer?

MR. SEARING: I'll ask her to answer. I haven't received a satisfactory reply to my own question.

Q Could you answer the question?

A I will object.

MR. SEARING: You can answer.

THE WITNESS: I don't feel like answering.

MR. SEARING: Well, you have to.

A I married 1959.

Q When did your husband become disabled? I should say your former husband.

A He became disabled in 1965.

Q Was that as a result of an industrial accident?

A Yes.

Q Was it a work-connected accident?

A Yes.

Q Does he receive Workmen's Compensation?

A Very little.

Q Do you know how much he does receive?

A Oh, he's not receiving Workmen's Compensation

1 at this time.

2 Q Was he working at a job when he was injured?

3 A Yes.

4 Q Do you know where he was employed when he was
5 injured?

6 A He was employed by U.S. Plastic in Metuchen.

7 Q Can you tell us briefly the nature of his
8 disability?

9 A Back injury.

10 Q A back injury.

11 A Yes.

12 Q Did he have surgery as a result of that back
13 injury?

14 A No.

15 Q He has never had surgery as a result of that
16 back injury?

17 A No. He refuse to have surgery.

18 Q How old is your husband, approximately?

19 A He's fifty-three.

20 Q Do you recall the last time that he was gainfully
21 employed?

22 A Yes.

23 Q When was that?

24 A I think from 1970 to '72.

25 Q And was he working at the same place at that time?

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A No.

Q He was employed at another place?

A Yes.

Q Do you know where that is?

A He was employed by the Board of Education.

Q In the City of Perth Amboy?

A As a custodian.

Q In which school?

A Flynn School.

Q This Mr. Brunson, did he approach you or did you approach him?

A I found out about him through another customer of his.

Q That you knew.

A That I knew.

We made an appointment and we meet each other.

Q You met each other?

A Yes.

Q Did you discuss your financial status at that time with Mr. Brunson?

A Yes, we spoke about it.

Q Was that the only time that you ever met with Mr. Brunson?

A No. We met several times. This is another question that they asked me before.

1 Q Did he tell you initially whether or not he
2 was qualified -- whether you were a qualified buyer
3 under the 235 Program?

4 A He mention that I would qualify for the 235
5 Program.

6 Q And then at a later date he told you you were
7 not qualified, is that correct?

8 A No, he never told me that I didn't qualify.

9 Q Did he tell you that you were not qualified
10 because of your financial status?

11 MR. SEARING: The witness has
12 already answered she was told she was
13 not disqualified.

14 MR. WOOD: You direct her not to
15 answer?

16 MR. SEARING: Could you rephrase
17 it?

18 MR. WOOD: Read the question, please.

19 (Whereupon, pending question read
20 back by the reporter.)

21 MR. SEARING: Can you read the
22 question before that?

23 MR. WOOD: I'll withdraw the question.

24 MR. SPRITZER: Off the record for
25 a moment.

1 (Discussion off the record.)

2 (After discussion.)

3 Q Ultimately, you decided or Mr. Brunson decided
4 that you could not buy through the 235 Program, is
5 that correct?

6 A He never mention to me that.

7 Q Did you decide that financially you were unable
8 to participate in the 235 Program at the time you spoke
9 with him?

10 A Will you please repeat -- you know, I'm really
11 tired.

12 Q Did you ever make a formal application to the
13 235 Program to purchase a house?

14 A No, I didn't.

15 Q Why didn't you?

16 A The reason that I didn't follow up is because
17 he didn't follow up. We -- somehow we lose contact
18 with each other.

19 Q But, you did approach other brokers with the
20 235 Program, namely, Mr. Nann, to the best of your
21 recollection, in Metuchen, did you not?

22 A Yes.

23 Q Was that the only other attempt you made under
24 the 235 Program?

25 A The other attempt I try to make, he didn't --

1 the other agency was the Berg Agency, I explain
2 before, and he said he didn't deal at all with that
3 problem.

4 Q That was before Brunson, was it not?

5 A It was -- I can not recall. It was about the
6 same time. I don't know which was first.

7 Q When was the last time that you had contact
8 with any broker about the 235 Program?

9 A Oh, was somewhere in 1971 when the program was
10 freeze. I don't remember exactly.

11 MR. SEARING: If you remember.

12 Q Is that the last time?

13 A Yes. When I learn that the program was freeze.
14 I didn't have any -- what was the use to make any
15 attempts? There was no money available through HUD.

16 Q Have you made any application to the Federal
17 Housing Authority since that time?

18 A No.

19 Q Have you made application through any other means
20 for the purchase of a house since that time?

21 A Yes.

22 Q Where?

23 A Formal application, no. I have been inquiring
24 about houses, but I have never made formal applications.

25 Q Well, whom did you inquire of?

1 A I went to -- I don't remember the name. It
2 was a non-profit organization here in New Brunswick,
3 but I understand that he only rehabilitate houses
4 in the City of New Brunswick.

5 Q Who was that, do you know? Do you have any idea?

6 A Right offhand I don't know his name. I know
7 he's on Paterson Street, right in front of the
8 Administration Building.

9 Q When was that?

10 A About a month ago or so.

11 Q About one month ago?

12 A Yes.

13 Q Did anybody direct you to go to him?

14 A Yes.

15 Q Who?

16 A The deputy director of the agency which I
17 work for.

18 Q M.C.E.O.C.

19 A Yes.

20 Q Who is that?

21 A Mr. Burgos. B-u-r-g-o-s.

22 Q Since 1971, that's the only other attempt that
23 you've ever made.

24 A Besides reading the paper, but I understand the
25 houses -- in order to buy a house you need large amount

1 of down payment.

2 Q My question is, since 1971, this broker about
3 one month ago, that's the only other person you've
4 ever been to, is that correct?

5 A I have been reading the papers, that's all, for
6 an attempt --

7 MR. SEARING: That's okay.

8 No other person.

9 THE WITNESS: No.

10 Q One more question, Mrs. Cruz.

11 Are you familiar with litigation of Oakwood
12 at Madison and Suburban Action versus the Township
13 of Madison?

14 A I read in the paper, but I have not been
15 following that.

16 Q Did you ever discuss that case with any attorney
17 in Legal Services?

18 A No.

19 Q Did you ever discuss that case with any other
20 attorneys whatsoever?

21 A No.

22 MR. WOOD: I have no further
23 questions.

24 MR. INGLESE: We'll break temporarily
25 for lunch.

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MR. SEARING: How long?

MR. SPRITZER: As long as they
serve us.

(Recess for lunch at 12:07 p.m.)

(After lunch at 1:50 p.m.)

LYDIA CRUZ, resumes.

CROSS-EXAMINATION BY MR. INGLESE:

MR. INGLESE: For the record,
Sanford Chernin had to leave because
he had a trial to start at 1:30 and
requested that I ask some questions on
his behalf and has left me a list of
areas to cover, if you don't mind.

Q Mrs. Cruz, my name is Samuel Inglese and I represent
the Township of Monroe.

Now, first of all, have you ever attempted to
seek housing in the Township of Monore?

A No.

Q Do you know where the township is located?

MR. BUSCH: You have to answer
verbally.

A No.

Q Do you know whether or not you've ever been in the

1 Township of Monroe?

2 A No, I don't remember. Maybe I have passed by,
3 but I have no noticed that.

4 Q Now, you stated that you were attempting to get
5 some housing through the calling of various brokers
6 and asking them to see if they could get you housing
7 under the 235 Program.

8 A Yes.

9 Q Is that correct?

10 A Yes.

11 Q All right. Could you please tell me, do you
12 know what the 235 Program is?

13 A Yes.

14 Q Would you explain to me your understanding of
15 that program?

16 A I'm not thoroughly, because it's legislation,
17 the regulation or so, but as much as I understand, it's
18 a program that subsidize low income families with the
19 mortgage, according to the income of the family.

20 Q Okay. And do you know whether or not that's a
21 federal program?

22 A Yes, it's a federal program.

23 Q Now, under that program, do you know whether
24 or not you would have had to put any down payment on
25 the house that you might purchase?

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A Yes.

Q Yes, what, you would or you know?

A Yes, I would.

Q You would have to. What was your understanding as to how much money you would have to put down?

A About two hundred dollars.

Q Where did you get that information?

A I got that information, I think -- I'm not sure about that, through Model Cities --

Q From where?

A Model Cities.

Q Model Cities Program?

A Yes. And through seminars, seminars, housing seminars I have attended.

Q These housing seminars, were they provided by the M.C.E.O.C. or were they through some other organization?

A They have been provided for M.C.E.O.C. and through Model Cities too.

Q Now, what about the closing costs in the 235 Program? Was it your understanding that you were to pay that or was the closing cost to be borne by the person selling the house?

A The close -- I understand that we was supposed to pay some points, I don't know, I can not quite

1 recall. But, when I intended to buy the house through
2 that program, Legal Services was willing to do the
3 closing for me.

4 Q Now, you said that you spoke with people from
5 the Berg Agency and a few other agencies in regards to
6 seeking the purchase of a house under the 235 Program.

7 Did you, at any time, go to the offices of any
8 of these brokers?

9 A Yes, I went to the Nann office.

10 Q The Nann office. That's the one in Metuchen.

11 A And the Brunson. I never went to the Berg
12 office.

13 Q Now, did you advise them, at that time, as to
14 your income and how expensive a house you could afford?

15 A Yes.

16 Q And did you also advise them as to the number of
17 bedrooms that you would need?

18 A Yes.

19 Q And what was that, the six bedrooms?

20 A Yes, about.

21 Q Well, about. What did you advise them? You
22 wanted six bedrooms or less?

23 A I wanted larger than -- a six bedroom, the least.

24 Q Was the least that you wanted.

25 A Yes.

1 Q Did they, at any time, advise you as to whether
2 or not there were any six bedroom houses available
3 for sale at that time?

4 A Will you please pose the question again?

5 Q Did they ever tell you that there were houses
6 available with six bedrooms?

7 A I think that the answer I receive was that the
8 houses that have six, or more than six bedrooms, will
9 cost more than the program will provide, because there
10 was a ceiling that I could not buy a house higher
11 than 25 thousand dollars.

12 Q All right.

13 Now, did they, at any time, tell you that the
14 reason it would cost more was because of the size of
15 the house as opposed to its location?

16 A Mostly because of the size of the house.

17 Q Were you in your inquiries with any of the
18 brokers able to locate, or were they able to show you
19 a six bedroom house?

20 A No, they were unable to.

21 Q They were unable to show you anything?

22 A Yes.

23 Q Okay.

24 Did any of them attempt to show you a house
25 that would have had less than six bedrooms, that they

1 might be able to provide under the program?

2 A Under that program, I could not buy a house that
3 would not suit my needs.

4 Q I'm sorry, I didn't understand that.

5 MR. LERNER: Under the program
6 she couldn't have looked at a house that
7 didn't suit her needs.

8 Q Well, what would have been --- was there any
9 indication to you as to the maximum number of bedrooms
10 that would be available in a house that would come
11 within the program?

12 A I wasn't exactly with you. Ask me again.

13 (Whereupon, pending question read
14 back by the reporter.)

15 A I don't understand the question.

16 Q I'll rephrase it again.

17 When you went to the brokers, did they, at any
18 time, tell you that they had houses available with less
19 than six bedrooms, that they might be able to sell
20 under the program?

21 A Yes, I think so, yes.

22 Q Would you tell me what was the maximum number of
23 bedrooms that you can recall that was available.

24 A No more than four, three or four, the most.

25 Q Three or four at the most.

1 A Yes.

2 Q And you're presently living in a four bedroom
3 house.

4 A Yes.

5 Q So that could you tell me where that house was
6 available, or the houses, if there was more than one,
7 were available for you? That is, what cities or towns?

8 A One in Perth Amboy. That was the only one that
9 was shown to me.

10 Q I asked you a question, if they told you what
11 was available, and where it was.

12 Now, you only looked at the one in Perth Amboy.
13 Were you told about any others that were available that
14 you did not look at, in any other town?

15 A No. There was no other available.

16 Q Who set the price range of the house, you or the
17 broker?

18 A The broker. I -- I knew that I could not get
19 a house for more than 25 thousand dollars, so the broker
20 come up with a house, expensive than that, I could not
21 make the deal.

22 Q Did they tell you, at any time, that it would
23 be difficult to find a house in which the person
24 selling would be willing to sell under the 235 Program?

25 A Yes, they explain to me that it was very difficult.

1 Q So that they explained to you that your
2 market for housing would be limited, because of the
3 sellers not being willing to sell under that program.

4 A It was with the Berg Agency, that was my
5 experience.

6 Q They told you that there.

7 A Yes.

8 Q So it wasn't that there were not houses available
9 at 25 thousand dollars, is that correct?

10 A Yes, I was explained that there were no -- that
11 houses less than 25 dollars -- 25 thousand dollars for
12 the type of houses that I was looking for.

13 Q There were houses that were available, even less
14 than 25 thousand dollars, but they could not put it
15 through the 235 Program. Is that what you were advised?

16 A Yes.

17 Q Now, without going into the 235 Program, at the
18 time that you were looking for a house, did they,
19 at any time, advise you as to what value of house you
20 could afford?

21 Do you understand that question? It was based
22 upon your income, ~~your~~ finances.

23 Did they tell you what would be the maximum
24 value house that you could be able to afford and get a
25 mortgage on?

1 A No. I was never advised about that.

2 Q Did you ever ask them about that?

3 A No.

4 Q Now, in 1969, were you strictly on welfare
5 or were you also employed?

6 A I was strictly welfare.

7 Q So that you had no income other than that
8 which was being given to you by welfare at that time,
9 is that correct?

10 A Yes.

11 Q All right. And were you living in the same
12 house that you're living in now in 1969?

13 A Yes.

14 Q And what was your rent in 1969 in the housing
15 that you're presently in, do you recall?

16 A Was somewhere a hundred thirty-three dollars.

17 Q I see.

18 And you say that you were a member of the
19 Tenant's Association, there, is that correct?

20 A Yes.

21 Q Do you know by virtue of your being a member of
22 that association whether or not there is some type of
23 subsidizing of that housing project that you are
24 presently living in?

25 A I understand -- yes, is subsidized with the

1 federal government.

2 Q Have you ever looked for an apartment with four
3 bedrooms in which you-- which was not involved in
4 subsidy housing and what the value of that apartment
5 would be? The rent, not the value.

6 A Looking through the papers, they are very
7 expensive.

8 Q Would you give me a figure?

9 A Three hundred and up.

10 Q Now, you testified earlier that when you looked
11 for a house that you'd be able to buy one now, and that
12 you'd be able to put a thousand dollars down, is that
13 correct?

14 A Yes.

15 Q Now, the thousand dollars that you would be
16 able to put down, do you have that money now, available?

17 A Right now don't. I had some monies, but I just
18 bought -- like I explain before, I just bought a car.

19 If the house would be available, I will make the
20 means to come up with the down payment.

21 Q Now, are you also acquainted with what is closing
22 costs on a house?

23 A Yes.

24 Q Do you have the money in addition to the down
25 payment to meet the closing costs?

1 A Legal Services will do it for me.

2 Q Have you ever been advised that when you buy a
3 house that you would have to buy insurance for the
4 house?

5 A Yes, I know that.

6 Q And have you ever been advised that you would
7 have to put deposits with the mortgage company for
8 taxes?

9 A I suppose so.

10 Q Well, you suppose so. Do you know? Were you
11 or were you not advised?

12 A I never own a house before.

13 But, I suppose that that might be the case.

14 Q If I were to tell you that you would need
15 besides the down payment another five hundred dollars,
16 even though Legal Services would represent you, do you
17 think you still would be able to buy the house?

18 A Yes, I do.

19 Q At this time.

20 A Yes.

21 Q You said that you would be able to afford
22 250 dollars a month, is that correct?

23 A Yes.

24 Q Now, that 250 dollars a month, would that include
25 the principle, that is, the payment on the mortgage,

1 the interest on the money that you borrow, the taxes and
2 the insurance?

3 A As one payment, yes.

4 Q You're talking about one payment, 250 dollars.

5 A Yes.

6 Q Have you considered what it would cost you
7 to heat the house?

8 A Yes, but I have considered, too, that
9 according to the food stamp regulation, that that
10 will be a disregard.

11 Q I'm not talking about the food stamp program.

12 A Yes, but, you know, considering my financial --

13 Q Mrs. Cruz, listen to me and listen to the
14 questions, okay?

15 Now, would you be able to afford to pay the
16 heat on the house?

17 A Yes. That's what I mean. I will be able to
18 afford the heat of the house, because I will have the
19 difference in food stamps.

20 Q You're sure you still would qualify for food
21 stamps when you own property?

22 A Yes.

23 Q Is that correct?

24 A Yes, with no problem.

25 Q What about the electric in the house?

1 A All utilities, all type of utilities.

2 Q Well, have you taken the expense of the
3 utilities into consideration as to whether or not
4 you would be able to afford a house?

5 A Yes.

6 Q Have you taken into consideration the expense
7 of the maintenance of the house?

8 That is, the painting, the repair work, et cetera,
9 as to whether or not you'd still be able to afford the
10 house?

11 A Yes, I have taken that in consideration too.

12 Q What do you think you could totally afford as
13 expenses for housing a month, if you went out and
14 bought a house right now?

15 A You see, since I know that I have been living in
16 a ghetto, I know this is very difficult --

17 MR. SACHAR: I object to this, it's
18 not responsive.

19 A The severity of the problem --

20 MR. SACHAR: Mr. Attorney, I object
21 to this answer. I ask the question be
22 read back and you instruct her to answer
23 the question only.

24 MR. SEARING: She is answering.
25 She didn't have a chance to answer it

1 before you started making your own
2 speech.

3 MR. SACHAR: Read the question
4 back.

5 (Whereupon, question referred to
6 above read back by the reporter.)

7 MR. SACHAR: Just a moment. That
8 requires an answer of dollars and cents
9 and nothing else.

10 A Fifty-five percent of my income. Does that
11 answer your question?

12 MR. SACHAR: Pardon me. I ask
13 she answer responsively for dollars
14 and cents.

15 MR. SEARING: Without agreeing with
16 your characterization, she has given
17 dollars and cents.

18 MR. INGLESE: Well, it's my
19 questioning and I will accept the answer.

20 If you don't mind, I will go further
21 on it.

22 Q Your income is somewhere around one thousand
23 dollars a month, is that correct? You have a --

24 A About 12 hundred dollars a month.

25 Q 12 hundred dollars a month. So that 55 percent
of that would be six hundred dollars a month, seven

1 hundred dollars a month. All right, six hundred fifty
2 dollars a month.

3 A It's kind of high, but I'm ready to pay that
4 price.

5 Q Okay.

6 Now, that would mean that you would have another
7 550 dollars a month which you would use for food,
8 is that correct?

9 A Yes.

10 Q Clothing?

11 A Uh huh.

12 Q Transportation for you and your children?

13 A Uh huh.

14 Q And any other expenses. You understand that?

15 A Yes.

16 Q Okay.

17 A I'm used to living on 500 dollar budget, with a
18 family of ten.

19 Q Okay?

20 A If that help answer the question.

21 Q Presently, you are living on a thousand dollars
22 a month -- 12 hundred dollars a month income, is that
23 correct?

24 A Yes.

25 Q And your rent is 150 dollars per month, correct?

1 A One hundred fifty-five.

2 Q One hundred fifty-five dollars per month.

3 And from that, do you pay any heat for your
4 apartment?

5 A I already answer that question, that I only pay
6 that one bill, was hundred fifty-five rent.

7 Q That includes your electric?

8 A Everything included.

9 Q Today, how much money do you put away in the
10 bank per month?

11 How much do you save?

12 A Some months I can save, some months I can not
13 save.

14 Q How much have you saved in the last year?

15 MR. SEARING: Approximately.

16 A You see, like every poor people, you save for
17 a while and then you drain it, and then you go back.

18 I have been able to go up to 500 dollars in the
19 bank.

20 Q How much?

21 A Five hundred dollars.

22 Q All right. So now you just told me that you
23 are maintaining a family on 500 dollars per month, of
24 ten people.

25 A I have also --

1 Q And you have an income of 12 hundred dollars
2 per month. So that leaves 700 dollars per month
3 that you have above and beyond the five hundred.

4 A I didn't -- will you please say it again?

5 (Whereupon, pending question
6 read back by the reporter.)

7 A I didn't state that I'm maintaining 500 dollars
8 a month. I said I have done in the past when I was
9 just in a welfare grant alone, without working.

10 Q Well, that's more than five years ago, isn't it?

11 A Yes.

12 Q And your children were a lot smaller then, weren't
13 they?

14 A Yes.

15 Q Now, you said that you were maintaining a
16 family of ten. And yet you have testified so far that
17 there are eight children living with you, and yourself
18 making a total of nine.

19 A Yes.

20 Q Would you clear that up for me, please?

21 A Clear what up?

22 Q Well, you said you're maintaining a family of
23 ten with 500, yet you've testified there are only
24 eight living in your household.

25 A I think it's very simple. The more you get, the

1 more you spend.

2 Q You don't understand the question.

3 You have advised me that you supported ten
4 people, and that you only -- and you've also testified
5 you only have nine people in the household.

6 Would you explain where the other person is? Who
7 is the other person?

8 A I already explain. Did I explain that?

9 MR. INGLESE: She should answer
10 the question.

11 MR. SEARING: I don't think she
12 understands the question.

13 A Yes. The two other members of the family are
14 away, in institutions.

15 Q Okay. But that would be the ten children and
16 you would be eleven.

17 A Yes.

18 Q You have never -- what you have just testified
19 to is you're supporting ten on 500 dollars.

20 MR. SEARING: No, wait a minute.

21 Can I make a basic clarification?

22 She testified that she has at one
23 time supported ten on 500 a month. And
24 you asked her, "But wasn't that five
25 years ago?" And she said, "Yes, it was."

1 Now you're asking her to explain
2 the differential between the population
3 of her household five years ago and the
4 population now.

5 If you will ask her the question
6 directly instead of trying to draw
7 inferences from her, I think you'd get
8 farther.

9 MR. INGLESE: I'll withdraw the
10 question.

11 Q Mrs. Cruz, are you now stating at this point
12 that because there are nine people in your household,
13 it cost you approximately 12 hundred dollars a month
14 to support yourself and them?

15 Less approximately 500 dollars a year that you
16 save.

17 A Yes, but if I have to squeeze myself a little
18 bit and have to make some cuts somewhere else, I will
19 be able to make it too.

20 Q Can I ask you, on the 12 hundred dollars per
21 month, maybe it was answered before, but I don't
22 recall, does that 12 hundred dollars per month include
23 the difference between the cost of the food stamps and
24 their value? Do you understand my question?

25 A Yes.

1 It will include the food stamps allowance.

2 Q In other words, the 12 hundred dollars includes
3 the difference in the cost of the food stamps and
4 their value.

5 A Yes.

6 Q Okay.

7 Let me just get something here.

8 You earn how much money at M.C.E.O.C.?

9 A I get 250 every two weeks.

10 Q That's what you net.

11 A Net.

12 Q You gross 269.

13 A Yes.

14 Q By the way, that 19 dollars, that's deducted,
15 what does that go for?

16 A I know that it doesn't include federal taxes.

17 Q Does it include --

18 A Federal -- I think it's retirement.

19 MR. VAIL: F.I.C.A.

20 A And for unemployment.

21 Q There's a pension program? You're putting
22 money away in the pension program too?

23 A No, I don't think.

24 MR. SEARING: Do you mean Social
25 Security?

- 1 A Yes.
- 2 Q And unemployment?
- 3 A Yes.
- 4 Q And that's what the nineteen dollars is.
- 5 A Yes.
- 6 Q All right.
- 7 What is your gross annual wage? Do you know
- 8 what that is?
- 9 A Seven thousand dollars.
- 10 Q And you get how much per month from welfare?
- 11 A Five hundred dollars.
- 12 Q So that's another six thousand dollars.
- 13 A Yes. So.
- 14 Q So that comes out to a total of 13 thousand
- 15 dollars.
- 16 MR. VAIL: Food stamps is in
- 17 addition.
- 18 Q Mrs. Cruz, now you testified that you attempted
- 19 to look for housing in Highland Park, if I recall.
- 20 A Yes.
- 21 Q In Metuchen.
- 22 A Yes.
- 23 Q And what other communities that you recall?
- 24 A You see, specifically --
- 25 Q Just if you recall. Just give me the names of

1 the communities, if you recall. Don't explain yet.
2 I just want an answer to the question.

3 MR. SEARING: If you can't
4 remember, it's already on the record
5 what you testified to before.

6 If you can't remember, you can't
7 remember.

8 A I do not remember.

9 Q Were any of the communities, in addition to
10 those two that you looked for housing, were any of
11 them in the outlying areas?

12 For instance, outlying areas, let's say, of
13 Edison Township? Let me rephrase that question.

14 Did you look for housing in Edison Township?

15 A Not directly searching, but if I would read
16 in the paper that a house was available in Edison that
17 could suit my needs I would apply for it.

18 Q Did you ever find a house being advertised
19 in Edison that would suit your needs?

20 A No.

21 Q In looking for housing as to any particular --
22 your particular housing, did you set up any qualifications
23 as to their locations in the community?

24 A The only qualification that I would ask, it
25 be close to schools, because I have children in schools.

1 Q What about transportation?

2 A Not necessarily. It would be better if I
3 would find a house near public transportation system.

4 Q When you went to Middlesex County College, you
5 went to the Extension Service in Perth Amboy?

6 Is that correct?

7 A Yes.

8 Q Now, why didn't you go to the school on campus?

9 A Because I had a choice.

10 Q And why did you select Perth Amboy? Because it
11 was within walking distance?

12 A That's right.

13 Q Did you have a means of being able to get
14 out to the college, as opposed to getting to the
15 Extension in Perth Amboy?

16 A It was closer to me.

17 Q Now, as part of your complaint, you state in
18 there that -- you've testified that the common areas of
19 the housing are poor and that there is no recreation
20 there, is that correct?

21 A Yes.

22 Q Is there or are there any recreational facilities
23 close to and within proximity of the public housing in
24 which you're living?

25 A The closest is the playground of School Number 10,

1 who has basketball stand and that's it.

2 Q There's a school right near it, is that true?

3 A Yes.

4 Q And how large is the playground?

5 A I could say like half a block.

6 Q And are you saying at this point that all it
7 has is a basketball court?

8 A Yes.

9 Q Does it have a place to play baseball?

10 A No.

11 Q The children play baseball there?

12 A No.

13 Q Are there any other sports that they may play
14 other than basketball there?

15 A They just play kick ball, but nothing else.

16 Q You say your children do like to get involved in
17 some sports, that they like to play the various sports.

18 Do they go anywhere to play baseball within
19 Perth Amboy?

20 A No, they don't play baseball.

21 Q Any sports.

22 A Yes.

23 Q Okay. What sports do they play?

24 A Basketball.

25 Q They play any other sports besides basketball?

1 A If you call that sport, that they like to go
2 roller skating.

3 Q Do they roller skate in the playground at the
4 school nearby?

5 A No, they go to South Amboy to roller skate.

6 Q They go roller skating in a roller skating rink.

7 MR. VAIL: What town was that?

8 Q South Amboy. How do they get there?

9 A They commute with friends.

10 MR. VAIL: Off the record.

11 (Discussion off the record.)

12 (After discussion.)

13 Q Do they go with their friends on public
14 transportation or do they go under private transportation?

15 A Public transportation and private transportation.
16 When they have the 35 cents they go in the bus.

17 Q And when they don't have the 35 cents somebody
18 gives them a ride?

19 A Yes. Or hitchhike.

20 Q Or hitchhike.

21 A Yes.

22 Q Are there any other sports activities that your
23 children are involved in?

24 MR. SEARING: I object to the line
25 of questioning and would like to have

1 a statement as to the relevancy that
2 you're pursuing, please?

3 MR. INGLESE: If you'll refer to
4 your complaint, paragraph 8, which
5 Mrs. Cruz has referred to, one of her
6 complaints therein is the lack of
7 recreation facilities in this area.

8 MR. SEARING: Okay. I withdraw
9 my objection.

10 Q Are there any other sports that your children --
11 activities your children are involved in other than
12 basketball and roller skating?

13 A They like to ride in those mini bikes.

14 Q Do they own a mini bike?

15 A They used to own a mini bike.

16 Q And where did they ride that mini bike?

17 A They have to sell it, because they can't find
18 a place where to ride it.

19 Q I see. How did they buy that mini bike?

20 A They work for it in the summer.

21 Q Which children owned it?

22 A What?

23 Q Which children owned the bike?

24 A Samuel, the fifteen year old boy.

25 Q The fifteen year old boy.

1 A Yes.

2 Q And where did he work?

3 A In the Puerto Rican Association for Human
4 Development.

5 Q And that is -- is that within local proximity
6 of where you live?

7 A Yes.

8 Q And was your son able to work -- walk to those --
9 that place where he worked?

10 A Yes.

11 Q Could you please explain to me if you were able
12 to get -- it's your understanding if you were able to
13 afford housing outside of Perth Amboy, what additional
14 recreation facilities you believe would be available
15 to you, where they would be located --

16 MR. SEARING: Can we ask the question
17 one at a time, please?

18 Q Sure.

19 What recreation facilities do you think would be
20 available to you that are not available in the City
21 of Perth Amboy?

22 A I don't think any specific recreation, but where
23 I'm concerned, too, is the composition of the people,
24 and the overcrowding of the facilities.

25 Q You're talking about the composition of people.

1 What composition of people are you looking for?

2 Are you personally looking for, as a place to reside?

3 A I would like to integrate. Do you want to be my
4 neighbor?

5 Q Sure. I have no objection.

6 I have none whatsoever.

7 MR. BUSCH: But, I don't think that's
8 pertinent.

9 Q Would you please give me what you consider to be
10 a norm of integration?

11 A A place where people from different ethnic
12 background could live together in a balanced amount.

13 Q Has this been your consideration since 1969,
14 since when you started looking for housing, that you
15 would like to move into a proper ethnic background
16 community?

17 A Yes.

18 Q Okay.

19 Now, you considered moving into two communities,
20 that's Metuchen and Highland Park, is that correct?

21 A Not specific -- I have searched those places
22 more actively than other places, but that doesn't mean
23 that those are my only choice.

24 Q Okay. But, when you conducted this search in
25 Highland Park and in Metuchen, did you conduct a survey

1 or an inquiry as to what the ethnic background of the
2 community was?

3 A You know, I hate to be nasty, but I'm not -- I
4 just want --

5 MR. SEARING: Just answer. It's
6 all right.

7 Q Mrs. Cruz, just answer the question.

8 A What is the question again?

9 Q When you --

10 A No, I didn't go looking for statistics.

11 Q So that you did not consider the ethnic
12 background of Highland Park or Metuchen in your
13 determination as to why you wanted to live there, is
14 that correct?

15 A I only understood that they have less Puerto
16 Rican and less black people living there.

17 Q So you wanted to live in a community where
18 there were less black people, is that correct?

19 A I said already a balance.

20 Q What is a balance? What do you consider a
21 balance?

22 A Thirty-three percent.

23 Q Of what?

24 A Of whites, 33 percent of Puerto Ricans, 33 percent
25 of blacks.

Q Okay.

1 Now, did you make an inquiry as far as Highland
2 Park was concerned as to whether or not they met
3 those qualifications?

4 A That's my intention. Just as --

5 Q Please answer the question. You were asked, did
6 you make an inquiry to ascertain whether or not
7 Highland Park met those qualifications which you have
8 just set?

9 A No.

10 Q Did you make an inquiry as to ascertain whether
11 or not Metuchen met those qualifications?

12 A No, sir.

13 Q Have you made an inquiry as to whether or not
14 Edison Township has met those qualifications?

15 A No.

16 Q Have you made an inquiry as to any community
17 as to whether or not they met those qualifications?

18 A You see, I don't want to --

19 Q Please answer the question.

20 MR. SEARING: It's all right, just
21 answer the question.

22 MR. INGLESE: I object to counsel
23 making --

24 MR. SEARING: No, I'm telling her --

25 MR. INGLESE: Let me finish. I object

1 to counsel making comments and statements
2 to her, and that if you want to make an
3 objection, please voice them on the
4 record, and allow everyone to hear them,
5 as long as she's being questioned.

6 A Well, you see --

7 Q Mrs. Cruz, I'm asking you a question.

8 Did you make an inquiry as to the ethnic background
9 and whether or not any of the communities in Middlesex
10 County met the qualifications that you have just set,
11 one-third black, one-third white, one-third Puerto
12 Rican?

13 A You see, that's the ideal thing. But I know
14 that right now --

15 Q Mrs. Cruz, please, answer the question.

16 A That's what I would like to see in the future.

17 Q I didn't ask you what you would like to see at
18 this point. I asked you, did you make an inquiry
19 throughout the county as to whether or not any of the
20 communities met the standards that you have just set?

21 One-third black, one-third white, one-third Puerto
22 Rican? The answer is either yes or not.

23 A No.

24 Q Okay.

25 You live in Perth Amboy, is that correct?

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A Yes.

Q Are you acquainted as to what the population of Perth Amboy is?

A I have an idea.

Q You have an idea.

Do you have any indication as to what the ethnic background in percentage is as far as Perth Amboy?

MR. SEARING: I object. Are you trying to qualify her as a census expert or what?

MR. INGLESE: I'm not qualifying her. Your objection is noted.

MR. SEARING: It is, and I want to hear the relevance of the question.

MR. INGLESE: The relevance of the entire case.

MR. SEARING: I'd like to see it spelled out, not just a conclusion.

MR. INGLESE: It's your issue, not ours. Your objection is noted.

Q Please answer the question.

MR. SEARING: Counsel will stipulate the witness is not a census expert.

MR. INGLESE: I will stipulate she is

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not a census expert.

Q Did you ever make an inquiry, do you know what the population breakdown is in Perth Amboy as to the percentages of white, black and Puerto Rican?

A I understand that 35 percent are --

Q I'm sorry? What percentage?

A 35 percent are Puerto Rican, fifteen percent are blacks, the rest are whites.

MR. SACHAR: Would you read that back?

(Whereupon, answer read back by the reporter.

Q I assume that it is your understanding and your opinion that Perth Amboy does not meet the guidelines that you have of one-third, one-third, one-third.

A I just don't live -- don't chose to live in Perth Amboy, that's it.

Q Okay.

Mrs. Cruz, would you please tell me why you left out as part of your percentages the Oriental people?

MR. SEARING: I object to that question. I'd like to hear a statement of relevancy.

MR. INGLESE: You have set forth questions in interrogatories on every one

1 of the municipalities in which
2 your question specifically requests the
3 breakdown as to the percentage of members
4 of various ethnic groups, including
5 Orientals, whites, blacks, Puerto Ricans,
6 and I can pull out the questions if you
7 want. These are your issues. And I
8 believe I have a right to inquire.

9 MR. SEARING: I'm aware of what
10 we put in the interrogatories, but I
11 don't see why it's relevant that
12 Mrs. Cruz be asked why she left out the
13 Orientals.

14 I still don't understand that.

15 MR. INGLESE: Mrs. Cruz is the
16 party, a named party to the suit. It
17 is part of her case. Those interrogatories
18 represent interrogatories being presented
19 by her and it is therefore part of the
20 case.

21 MR. SPRITZER: But for what purpose,
22 really, Sam?

23 MR. SEARING: I agree with that, but
24 I don't understand the purpose of the
25 question. I don't understand to what issue

1 it's addressed.

2 MR. INGLESE: She has advised, and
3 under her complaint, under paragraph 8,
4 the last sentence, she says she would
5 like a house in a racially and
6 economically integrated area, free of
7 crime and drug usage.

8 She has in her answers and in her
9 response as to what she constitutes
10 an integrated community as being members
11 of three different groups, and has
12 totally ignored members who also might
13 be minority groups, and whether or not
14 they would be part of that group is
15 relevant to these issues.

16 A Okay. Because I never thought of it.

17 Q Mrs. Cruz, have you ever been a witness in a
18 case of this type before?

19 A What type?

20 Q Pardon?

21 A What type?

22 Q Housing type of a case, civil rights case?

23 A No.

24 Q Have you ever been a party to any lawsuit?

25 A Yes.

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Q Would you tell me what lawsuits?

A Bilingual education suit in Perth Amboy.

Q What was the basis of that lawsuit?

A To teach children Spanish, or bilingual education.

Q That's in Perth Amboy.

A In Perth Amboy.

Q Have you ever been arrested?

A No.

Q Have you ever been involved in any demonstrations in the City of Perth Amboy for which you may have been brought into a police department?

A No.

Q Have you ever testified as a witness as to any charges against any individuals that may have been arrested during a demonstration?

A No.

I'm a radical, but I never reach that point.

Q Now, Mrs. Cruz, as part of this lawsuit, did you sign any retainer agreements with your counsel to authorize them to represent you in this lawsuit?

MR. SEARING: I object. What's the relevancy of that question?

MR. VAIL: I'd like to interject here and advise Mr. Searing, since he's not familiar with the rules, that

1 all he has the right to do is object,
2 not to ask you what the relevancy is.

3 I'm not pretending to be the
4 judge in this matter, but the way
5 we conduct depositions in New Jersey
6 is you make your objection, then you
7 either tell her she may or may not
8 answer.

9 And we go on from there.

10 But, at the rate it's going back
11 and forth between you and the respective
12 counsel, where you're acting as judge
13 and determining whether or not it's
14 relevant or not, there's no point to it.

15 MR. SEARING: I'm trying to get a
16 statement on the record. The rules speak
17 to the relevancy of the material that's
18 asked.

19 MR. VAIL: That's the point.
20 The relevancy is not in issue in a
21 deposition, because the question, even
22 though not relevant, may lead to something
23 that's relevant, and if you keep asking,
24 or making him show you, to your satisfaction,
25 what's relevant, we're gonna be here all
day.

1 MR. SEARING: I'm not the one asking --

2 MR. VAIL: I'm not denying anything
3 here, I'm the guy at the end, before
4 I get to question this lady. I don't
5 see the point of keeping the other
6 witness here for the afternoon.

7 You gentlemen know what time it
8 is. It's twenty to three, we're quitting
9 at four, and we have nine more attorneys
10 to question this lady on direct.

11 I think we ought to establish, at
12 least tell Mr. Searing he has no right
13 to be the judge of relevancy, and she either
14 answers or doesn't, and if he tells
15 her not to, you decide if you're going
16 into court to compel her to answer.

17 But, let's tell him what the rules
18 of evidence are, and let's abide by
19 them.

20 MR. SEARING: I have never heard
21 of any rule where you are not allowed to
22 ask what the purpose or the relevancy
23 of a question is before determining
24 how far you are going to extend your
25 objection.

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I'm sorry if that differs with
New Jersey practice.

MR. VAIL: You can state your objection
at length, but tell her to answer or not.

MR. SEARING: I'll be happy to do
that.

MR. VAIL: The judge determines
the relevancy, and if her answer is
admissible, but you can't assume that
function here.

MR. SEARING: I'm not. I'm not
making any judgment as to the nature
of the question.

I'm trying to determine whether we
have grounds on my part for objection,
that's all.

MR. VAIL: Frankly, I suspect you're
trying to lengthen these proceedings.

MR. SEARING: Oh, I beg your pardon.
I disagree with that.

MR. VAIL: For the record, I want
to make this point clear. And off the
record, we ought to tell this other lady
to go home. I don't want to inconvenience
anybody.

1 (Discussion off the record.)

2 (After discussion.)

3 MR. SEARING: Can we have a five
4 minute break.

5 (Recess at 2:42 p.m.)

6 (After recess at 2:48 p.m.)

7 Q Mrs. Cruz, did you sign an agreement authorizing
8 the attorneys handling this case to represent you?

9 MR. SEARING: I object to that
10 question. I will instruct the witness
11 not to answer.

12 Please do not answer that question.

13 MR. INGLESE: We'll have to make
14 an appropriate motion and Mrs. Cruz will
15 have to come back at another time.

16 Q Mrs. Cruz, have you made an inquiry within your
17 community, that is, among the Puerto Ricans, let's say,
18 as to whether or not they would like to have better
19 housing and can't afford it?

20 A Will you please say it again?

21 Q Have you made an inquiry within your community
22 as to whether or not there were some of the people
23 who lived there, the Puerto Rican community, as to
24 whether or not they would be interested in buying housing,
25 but yet can't afford it?

1 A But yet can not afford it?

2 Q Yes.

3 A Yes.

4 Q And do you know whether or not there are members
5 of your community who would like to move out and live
6 within an area that would be integrated such as you
7 have explained your concept of being integrated?

8 A Yes.

9 Q All right. And are these people readily
10 identifiable by you? In other words, do you know them?

11 A Offhand, I will not be able to give names.

12 But, you have to understand that I'm a social
13 worker and I deal with a lot of people that have
14 housing problems too.

15 Q Okay, fine. Do you consider yourself in
16 this lawsuit as a representative of all these people
17 attempting to get housing for them and integrating
18 the communities on their behalf, so that housing would
19 be available for them?

20 A I consider myself, because of my particular need.
21 You know what I am trying to say?

22 Q Yes. Well, my question is, are you instituting
23 this lawsuit on your sole behalf or on behalf of other
24 people in the same position as you are?

25 MR. SEARING: I object, calls for a

1 legal conclusion, but the witness
2 can answer.

3 A The way I see this suit, I think will benefit
4 myself, and it is my very own problem, and the problem
5 of the people that I represent.

6 Q Now, the people that you say you represent,
7 you've come across these people by virtue of your work
8 through the M.C.E.O.C.?

9 A Being part of the neighborhood, being part of
10 tenant's organization, and in my particular daily
11 case load.

12 Q Have you asked any of these people whether or
13 not they would want to be parties to this suit?

14 A No, I never did.

15 Q Okay.

16 Could you, -- could you ascertain who these
17 people are? Do you have a list of the members of your
18 tenant's association?

19 A Yes.

20 Q All right. And as an employee of the M.C.E.O.C.,
21 do you know if they maintain a record, or a list of the
22 people who come in there and who have needs for housing?

23 A Yes, I document it.

24 Q You document all of that.

25 A Yes.

1 Q So that there is a list that's available.

2 A Yes.

3 Q Have you inquired of any of the people that have
4 come to you at the M.C.E.O.C. as to whether or not
5 they would want to partake in this lawsuit?

6 A No, I didn't.

7 MR. INGLESE: I have no other
8 questions.

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11 CROSS-EXAMINATION BY MR. LERNER:

12 Q Mrs. Cruz, Lawrence Lerner for Highland Park.

13 Mrs. Cruz, if you were to read in the newspaper
14 tonight that a six bedroom house was for sale, would
15 you call that telephone number and inquire as to its
16 purchase price?

17 A Yes, I would.

18 Q And if they told you that the purchase price were
19 in excess of 25 thousand dollars, what would you then do?

20 A I would consider the length of the mortgage,
21 like -- for example, if I would find a house 30 thousand
22 dollars, and the period of paying that will be long
23 enough that I could afford, and the mortgage payment
24 will be low enough that I can afford, I would go ahead
25 and continue.

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Q Have you read the newspaper in the last month, the News Tribune, the Perth Amboy newspaper?

A Yes.

Q Is it your testimony -- have you made any phone calls to any of the ads in that paper?

A No.

Q Is it your testimony, then, that there have been no homes offered in the Perth Amboy newspaper wherein there is a house of sufficient size to suit your family's needs?

MR. SEARING: I object, but the witness may answer.

You can answer.

A No, I would not answer.

MR. SEARING: You have to answer.

It's to the best of your knowledge.

You have to answer when he asks, and if I don't instruct you not to answer.

A Honestly speaking, I have not looked at the paper -- I have been reading the paper, but I have not been reading the real estate page.

Q I asked that question for the past thirty days. Have you read the real estate page for the past six months?

A Yes.

1 Q Can you tell me how many phone calls you've
2 made in the past six months as a result of reading the
3 newspaper ads in the Perth Amboy newspaper?

4 A I don't know -- I did not make any telephone
5 calls.

6 Q Have you made any telephone calls as a result of
7 reading the ads of homes for sale in the Perth Amboy
8 newspaper in the past three years?

9 A Yes.

10 Q Approximately how many phone calls would you
11 have made in the past three years in looking for housing?

12 A I have not made telephone calls, because -- in
13 the ads that I read. I have not read of a house that
14 I can pay less than ten percent or so on mortgage,
15 down payment. And this is the reason why I have not
16 follow up with telephone calls.

17 Q Have you ever seen ads where they just didn't
18 disclose the price of the house? Where they just indicated
19 a telephone number and no price for the house?

20 A I don't remember getting to that type of ads.

21 Q If there was an ad that indicated a six bedroom --
22 six bedroom house or a five bedroom house, that would
23 have been sufficient for your needs, but the down payment
24 would have been more than the thousand dollars you have,
25 did that stop you from then proceeding to call regarding
that house?

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A If it is more than 2 thousand dollar, yes, I will not be able to afford that much.

Q Did you ever bring suit against the federal government to secure additional funding on their behalf for your benefit so that you could make an additional down payment?

A No.

Q Did you ever make an application to the Perth Amboy Housing Authority for any assistance for securing housing other than the housing you're in?

A I have -- no, I have not.

Q Are you familiar with Section 8 housing?

A No.

Q Are you familiar with subsidy housing under the Housing and Urban Development Program? Under Leased Housing Program, where the federal government offers assistance in subsidizing leased housing?

A No, I'm not familiar

Q When you say you're not familiar with it, can I then assume that you have made no such application?

A With the --

Q You have made no application to Housing and Urban Development or the Perth Amboy Housing Authority for other housing?

A No.

1 Q You indicated -- do you know how many baseball
2 fields and -- first of all -- strike that.

3 Are you aware that Perth Amboy does have baseball
4 fields?

5 A Yes.

6 Q You, doing social work in Perth Amboy, get around
7 the city a little bit and speak to people, and you've
8 got even pretty good knowledge of Perth Amboy as a city,
9 haven't you?

10 A Yes.

11 Q So you are familiar that baseball diamonds and
12 fields do exist in Perth Amboy.

13 A They do.

14 Q Yes?

15 A Yes.

16 Q Are you familiar that basketball courts do exist
17 in Perth Amboy?

18 A Yes.

19 Q Perth Amboy has in fact tennis courts -- basketball
20 courts that are lit at night during the summer for
21 summertime activities, does it not?

22 A Yes.

23 Q Perth Amboy has tennis courts, does it not?

24 A Yes.

25 Q Down by the water.

1 A Yes.

2 Q You're answering yes.

3 A Yes.

4 Q Perth Amboy has a boardwalk, is that correct?

5 A Okay, you call it that.

6 Q Perth Amboy in fact has a public beach, does it
7 not?

8 A If you call that a beach.

9 MR. BRIGIANI: I swam in it. I
10 think it's a good beach.

11 A It's polluted. It's prohibited to swim in that
12 beach, by the Department -- State Department of Health.

13 Q If you're aware of that, you must also be aware
14 that they're making attempts to clear the Raritan
15 River of pollution, and there are areas of Raritan Bay
16 where the water has been declared safe.

17 A Maybe.

18 Q Raritan Bay -- are you familiar with Raritan Bay?

19 A I guess so, yes.

20 Q Is that the body of water that surrounds --
21 that abuts Perth Amboy?

22 A Yes.

23 Q It's the same body of water that abuts South
24 Amboy.

25 A Yes.

L. Cruz - cross

1 Q And, in fact, it's the same body of water,
2 basically, that is contiguous, or next to Staten Island,
3 is that correct?

4 A Yes.

5 Q Are you aware that there are public beaches in
6 all of these other areas where people do go swimming?

7 A Yes.

8 Q How close to your house, your apartment, is the
9 grade school, in blocks? When I say grade school, I
10 mean through grade 8.

11 A Around six blocks.

12 Q How close to your home is the high school?

13 A About a mile, I think.

14 Q As a result of your action brought in Perth
15 Amboy, are there bilingual teachers employed by the
16 Perth Amboy school system?

17 A In some schools -- in some schools, yes.

18 Q So that Spanish speaking students in the City
19 of Perth Amboy have the advantage of having bilingual
20 education, is that correct?

21 A Yes.

22 Q Do you know whether or not there are any bilingual
23 teachers in Highland Park?

24 A They might. I don't know.

25 Q Do you know whether or not there are bilingual

1 teachers in Spanish, in any other community in
2 Middlesex County?

3 A Should be.

4 Q I'm sorry, I didn't hear you.

5 A Should be.

6 Q There should be?

7 A Yes.

8 Q Shouldn't there be only if there are Spanish
9 speaking students, or is it your contention that bilingual
10 teaching staffs should be provided regardless of the
11 need?

12 A I think in every school system there is a requirement
13 to speak a foreign language.

14 Q Are you aware that foreign language is taught
15 in every high school in the County of Middlesex?

16 A I suppose so.

17 Q But, that's not what you're really talking
18 about, is it? The fact that foreign language is taught
19 is not what you're concerned about, is it?

20 A Well, may I ask you what do you intend --

21 Q The intent of bilingual education is really
22 that the student who has difficulty with the English
23 language, would have some assistance in his native
24 language.

25 Isn't that really what you're concerned with?

1 A Yes.

2 Q But you're not suggesting, are you, that
3 bilingual teachers be made available, even though
4 the student need is not there.

5 A If the student needs not there, what's the
6 use of it?

7 Q Do you -- you have a family income, as I
8 understand it, of a little bit better than 13 thousand
9 dollars a year, is that correct?

10 A About.

11 Q Do you consider yourself a person of low income?

12 A According to the cost of living, in the State
13 of New Jersey, you know the statistics better than me.

14 I still consider myself, according to the size
15 of my family, low income person.

16 Q Aside from the federal government's consideration,
17 do you personally consider yourself a person of low
18 income?

19 MR. SEARING: I object, but the
20 witness may answer.

21 A I consider myself a person of low income.

22 Q Will you then tell me what you consider a person
23 to be of moderate income.

24 A I consider a person of moderate income, like
25 a family of four, making 15 thousand dollars.

1 Q 15 for a family of four.

2 What would you consider to be low income, the
3 upper extreme of low income for a family of four?

4 A The lowest?

5 Q The highest.

6 A The highest for a family of four? About 7 thousand.

7 Q Would you say as a result of your reading the
8 newspaper and searching for housing, that there is
9 a shortage of six bedroom homes in the area?

10 A Yes.

11 Q Do you know how much money it would take to
12 build a six bedroom house today?

13 A No.

14 Q Do you think that because you want a five or
15 six bedroom house for your family, that one should be
16 provided for you?

17 A Yes.

18 Q Whom do you think is the person responsible for
19 providing that home for you?

20 A You have the architect and the builder. What
21 I mean is, somebody have to come with the house and
22 somebody -- in order for me to live there.

23 Q I don't think -- okay. Let me rephrase the
24 question. It really wasn't my question.

25 What I meant, really, was, do you expect, or

1 do you expect some sort of entity, like the federal
2 government, to provide you with a house to suit your
3 family's needs, or the state government, or even a
4 town?

5 Do you think that they have a responsibility
6 in providing this home for you and your family?

7 A As an American citizen, I think the municipalities
8 should have in consideration.

9 (Whereupon, answer read back by
10 the reporter.)

11 A And equal responsibility among cities.

12 Q If you do not have the economic means to go out
13 and buy the house yourself, would you expect someone
14 else to buy it for you?

15 A If it is necessary and possible, yes.

16 Q When you say, "If it is necessary," do you
17 mean that if you do not have enough money, someone
18 else should provide the money?

19 A Not specifically the money. The availability,
20 first of all, of the house.

21 (Whereupon, answer read back
22 by the reporter.)

23 Q If I were to say that a brand-new --

24 MR. INGLESE: Excuse me for it again,
25 I object to Mr. Searing comments to her

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while the question was being asked.

MR. SEARING: I apologize. All I said to her was to continue to answer the questions.

Q If a five bedroom house, a brand-new five bedroom house were being built today, and the house were of such a square footage, it would cost, let's say, forty thousand dollars, or fifty thousand dollars, and the down payment is more than a thousand dollars, would you expect some government agency to provide the necessary funds to enable you to purchase this house?

A Yes.

Q And the criteria, the reason for that is merely, because you don't have enough money for it.

A Yes.

MR. LERNER: No further questions.

CROSS-EXAMINATION BY MR. SACHAR:

Q Mrs. Cruz, I understand that you're getting five hundred dollars a month welfare?

A Yes.

Q And where are you getting that from?

MR. SEARING: Could you identify?

I know who you are, but Mrs. Cruz, doesn't.

1 Q I'm Mr. Sachar.

2 A I know the intent of the question, but I'm free
3 of fraud, so, Middlesex County. You want my case
4 number, I will give it to you.

5 MR. SACHAR: May I ask counsel
6 again to direct the witness to answer
7 my question, without these speeches?

8 MR. SEARING: I'm sorry, would
9 you repeat the question?

10 (Whereupon, pending question read
11 back by the reporter.)

12 MR. SEARING: Just answer it.

13 A Middlesex County Welfare Board.

14 Q And does that five hundred dollars contain within
15 it help for housing?

16 A Not as rent subsidy, per se.

17 Q What does it -- what does the five hundred dollars --
18 how is the five hundred dollars made up by the welfare
19 board in arriving at that figure?

20 A It is a flat grant.

21 Q And how did they arrive at the five hundred
22 dollars as a flat grant?

23 A I don't think I have to answer that.

24 MR. SEARING: Yes, you do. If you
25 know. Do you understand what he's asking you?

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THE WITNESS: Yes.

A They have a special formula they want -- you want me to go through the way of --

MR. SEARING: If you know the formula.

A Okay.

According to welfare regulations, when you are on welfare, you start to work, they only will disregard -- they have several ways of disregarding.

They disregard you thirty -- I don't think I have to answer -- they are lawyers, they supposed to know welfare laws.

MR. SACHER: Mr. Counsel, I'm going to direct her to answer.

She's a social worker, she knows that a budget is made up, and she knows --

A Okay, I explain to you.

MR. SEARING: I object to the question if you're indicating that you want her to technically explain how her basic grant is made up.

She may not have the technical awareness of this.

MR. SACHER: I'm not asking for that. As a social worker, working in Middlesex

1 County, and that's what she testified
2 to, she knows it.

3 Q Isn't part of your job, when you go around,
4 to make up budgets for the people you call on?

5 A I don't call on anybody, they come to me in the
6 first place.

7 Q All right. When they come to you, don't you
8 go over their budget?

9 A Sometimes I do, yes.

10 Q And don't you allocate, and when I say you,
11 the welfare board, allocate a budget to them, based
12 on their needs?

13 A That's right.

14 Q And isn't that allocation made up of various
15 items?

16 A Yes.

17 Q Now, will you please tell us the items which you
18 take into consideration in making up your five hundred
19 dollars?

20 A My five hundred dollars come, like thirty dollars --
21 the first disregard. Fifty dollars working expenses,
22 one-third, and baby sitting expenses. -- baby sit
23 expenses. One-third of the remainder.

24 Q And how much is for the subsidized rent that you're
25 paying?

1 A They do not subsidize rent for me.

2 You understand welfare laws. Welfare only
3 give a flat grant. No matter how much rent you pay.

4 Q That's correct, but in that flat grant, there
5 is an allocation, isn't there, in order to make up
6 the amount, an amount for rent, and then you can pay
7 whatever you want after that?

8 A Good thing I'm a social worker that I could
9 answer you.

10 I think the most they pay for any family, the
11 most they pay, or they allow, is a hundred fifty dollar,
12 for the size of my family.

13 Q That's for rent.

14 A For rent.

15 Q Now then, did you ever make any complaint to the
16 Middlesex County Welfare Board, as to the grant that you
17 were receiving?

18 A I know one thing, I have been telling them at
19 quite a few meetings.

20 Q Did you ever make any written complaint to them
21 of the size of the grant that they were granting to
22 you?

23 A Not written complaint. But, we have been telling
24 them --

25 Q Please answer the question. Did you file or make

1 any written complaint as to the amount of the grant
2 that they were giving to you?

3 A No.

4 Q Did you ever take an appeal from the grant that
5 was given to you by the Middlesex County Welfare Board
6 to the State Agency or any person thereof in writing,
7 that it was insufficient for your purposes?

8 A No.

9 Q Now, with reference to Piscataway Township, do
10 you read the Home News in New Brunswick?

11 A Sometimes I do. Not every day.

12 Q Did you ever go into Piscataway Township?

13 A Yes.

14 I go every month.

15 Q Did you ever go to Piscataway Township and see
16 the vacant signs in the apartments, garden apartments
17 in Piscataway Township?

18 A I know that there's a lot of empty space.

19 Q Did you ever go to any of the apartments that
20 you know there are empty spaces and make inquiry as
21 to renting the vacant apartments?

22 A No.

23 Q Did you ever answer any ad in the newspaper with
24 reference to vacant apartments in Piscataway Township?

25 A No.

1 Q Did you ever make inquiry of anybody in Piscataway
2 Township for the purpose of renting a vacant apartment,
3 or apartments in Piscataway Township?

4 A No.

5 MR. SACHAR: No further questions.
6
7

8 CROSS-EXAMINATION BY MR. PLECHNER:

9 Q Mrs. Cruz, my name is Dick Plechner, I represent
10 the Borough of Helmetta.

11 Do you know where the Borough of Helmetta is
12 located?

13 A No.

14 Q Have you ever been there?

15 A No.

16 Q Have you ever heard of the Borough of Helmetta?

17 A No.

18 Q Now, Mrs. Cruz, would you wish to live in a housing
19 project?

20 A No. That depend of the type of house.

21 Q Would you want -- let's start out, would you
22 like to live in multi-family housing?

23 A No.

24 Q What you're seeking is a single family house.

25 A That will be the idealistic thing, but not in
particular.

1 Q But you definitely do not want to live in a
2 multi-family house.

3 A No.

4 Q Had you ever considered a two-family house?

5 A Will be better, yes.

6 Q Have you ever attempted to buy any two-family
7 houses?

8 A Yes.

9 Q Where did you attempt to buy a two-family house?

10 A I think I answer that before. I said actively
11 in Highland Park, a few other communities.

12 Q Did you ever consider buying a two-family house
13 in New Brunswick?

14 A As the last alternative, yes.

15 Q Now, Mrs. Cruz, would you consider living in
16 a town that had no recreational facilities?

17 A The recreational facilities are good, but it's
18 good to have the kids with plenty of space where they
19 could move around.

20 Q I'll get to the space. The first question is,
21 would you live in a town that had no public recreational
22 facilities?

23 A You see, my main concern is just the physical,
24 in the first place.

25 Q I think it's a relatively simple question. Would

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live in a town that had no public recreational facilities?

A It might be.

Q And what if that same town had no high school?
Would you still live there?

A It would be kind of difficult.

Q And if that same town also had no public
transportation.

A That would not be too bad, if you know how to
drive.

Q Incidentally, what kind of a car do you have?

A I just bought it. Oldsmobile, 1968.

Q If that same town that had no public recreational
facilities, no high school, also had no sewer and water,
would you consider it?

A I might consider that, yes.

Q I see.

And if it had -- have you ever worked in a
snuff mill?

A I don't know, what that?

Q Snuff is a kind of a tobacco, people are called
dippers or sniffers. They either chew it or they sniff
it. It's a ground tobacco powder. Do you know what
snuff is now?

A Yes.

Q Have you ever had any experience with snuff?

1 Ever worked in a snuff mill?

2 A I think I have been in places where they have
3 large amount of tobacco in storage.

4 Q But you don't know anything about working in a
5 snuff mill.

6 A No.

7 Q No experience in that area.

8 A No.

9 Q So if the town that you were seeking had no
10 public recreational facilities, no high school, no
11 public transportation, and its only source of employment
12 was a snuff mill, would you consider moving there?

13 A But, Piscataway is very close to the University.

14 Q I'm not talking about Piscataway.

15 I don't think -- that's one thing they don't have
16 in Piscataway is a snuff mill.

17 Would you consider living in the town I just
18 described?

19 A I would have my reservation. I would take that
20 as a last resort.

21 Q You might want to send them some aid, right?

22 Now, Mrs. Cruz, you said, well, as long as there's
23 plenty of space and area for your children to play in.

24 Would you then want, with this house that you're
25 buying, single family house, would you want some land
along with it?

1 A It would be good if I could have a big yard.

2 Q And what size lot do you think would be good?

3 A Like a large -- I would not say exactly yards or
4 meters, but I would say a large piece of land in the
5 back. You know, that my kids could move and run around.

6 Q Say a hundred by two hundred foot lot? Do you
7 think that would be a reasonable size?

8 A I think so.

9 Q And do you think a municipality should try and
10 provide for its people lots that meet that size?

11 A If it's possible, yes.

12 Q And they would do that by zoning, wouldn't
13 they?

14 A Yes.

15 Q So --

16 A Let's see. All right.

17 Q So you feel, then, it would be a good thing for
18 a municipality to zone so that there is land for
19 your children to play in, don't you?

20 A Well, not like enough to prevent other people
21 to live in, to move in.

22 Q How would you provide for land for people that
23 do move in and yet not to some degree limit the number
24 of people that can fit within the municipality?

25 MR. SEARING: I object, but the

1 witness can answer.

2 A You know, it's good to have space, but not such
3 a large space that -- you know, I think measuring where
4 I live, in a nine story building, with a hundred twenty-six
5 families, while other communities has very large space
6 to live, I think it could be a balance of that.

7 Q You're familiar with the one-family houses
8 in Perth Amboy where they're side by side, with no
9 side yards in between, aren't you?

10 A Yes.

11 Q You don't think that's good, do you?

12 A To a degree it's no good, but, you know, it has,
13 at least, a little bit.

14 Q In other words, you think that's better than
15 multi-family housing, but that's not as good as houses
16 with larger lots, is that correct?

17 A I wish you be in my place and I would be in yours.

18 Q Well, if you become a lawyer, maybe you will.

19 A Then you would have an all together different
20 scope.

21 (Whereupon, last answer read back
22 by the reporter.)

23 Q I'm not sure I know what that answer means.

24 Could you explain what you mean by that?

25 MR. SEARING: I'd like to hear the

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question, anyway.

(Whereupon, pending question
read back by the reporter.)

A My answer is, should be yard space, but not such
a large space that people can not afford to buy, poor
people can not afford to buy.

Q And do you have any idea what size lot, say,
a hundred by two hundred is?

A Yes, I think so.

Q That's not too large, is it?

A It's much larger than the place I live in.

Q Yes, and it's better than the place you live in,
isn't it?

A Yes.

Q And it's healthier to live under those conditions,
isn't it?

A Yes.

Q And it's better for your children to raise your
children under those conditions, isn't it?

A Yes. Excuse me. I would like to take a five
minute break.

MR. SEARING: Can we have a five
minute break?

MR. PLECHNER: It's half passed three,
and I've got a three o'clock appointment

1 I've missed already. I have a four o'clock
2 closing also.

3 MR. SEARING: Are you almost finished?

4 MR. PLECHNER: Yes.

5 MR. SEARING: Can you wait just
6 a minute?

7 THE WITNESS: Yes.

8 Q Now, do you feel that overcrowding, over density,
9 leads to problems in a municipality?

10 A Yes.

11 Q And do you think it helps lead to crime?

12 A In a way, yes.

13 Q And juvenile delinquency?

14 A Yes.

15 Q And it's less healthful than lower density housing,
16 is that correct?

17 A Yes.

18 Q Now, Mrs. Cruz, you say you presently have eight
19 children living with you, is that correct?

20 A Yes.

21 Q Plus yourself, that's nine people.

22 A Yes.

23 Q Now, when do you expect the other two children
24 to come back to live with you?

25 A One I expect in two years, the other, I don't
know if he will come back. I'm not sure.

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Q How old are these two children that are away?

A One is nineteen, one is twenty-two.

Q Which one is going to be back in two years?

A One that I have in Academy.

Q Pardon me?

A One which I have in Academy.

Q In an academy?

A Yes.

Q Well, how old is he?

A He's --

Q Is he the nineteen year old or the twenty-two year old?

A Let's see. --

Q You have a choice.

A The one that is in academy, I consider him part of the household.

The nineteen year old boy could come any minute.

MR. PLECHNER: I'm not sure --

MR. SEARING: The nineteen year old boy can come any minute.

Q Where's he now?

A He has mental difficulties. He has been in Marlboro and is in what they call the Halfway House.

Q Is the twenty-two year old the one that's in the academy, then?

1 A No, no. I was mixed up. I have another in
2 academy, but I consider him part of the immediate
3 household.

4 Q Does he live in your household?

5 A Yes. He's part of the household. He comes in
6 weekends, and holidays and so forth.

7 Q What academy does he live at?

8 A Wardcrest Academy, in Philadelphia.

9 Q Is that a private school?

10 A Yes.

11 Q Who pays for his attendance?

12 A The Bureau of Children's Services.

13 Q And are his meals provided for him at that school?

14 A Yes. He live in.

15 Q So you don't have to pay for his support while
16 he's at that school, is that correct?

17 A No.

18 Q Now, if he comes back to live with you full-time,
19 will your welfare increase?

20 A Yes.

21 Q So you'll have more money when he's living with
22 you, is that correct?

23 A Yes.

24 Q Now, what about the twenty-two year old? Where
25 is he?

1 A He is in a drug rehabilitation program.

2 Q And he lives there?

3 A Yes.

4 Q So you're not supporting him either, are you?

5 A Just for the clothing, that's all.

6 Q Now, when he gets out, he will be able to work,
7 won't he? He's old enough to work.

8 A I think so.

9 Q So that would increase your income, would it
10 not, your family income?

11 A Yes.

12 Q Mrs. Cruz, where does your husband live?

13 A I already answer that question.

14 MR. SEARING: She testified to
15 that earlier.

16 Q Perth Amboy?

17 A Yes.

18 Q And with whom does he live?

19 A He lives alone.

20 Q Does he contribute any money to you or the
21 children?

22 A I answer that question.

23 Q Well, suppose you answer it again.

24 A He doesn't.

25 Q Have you asked him for any?

1 A He is on a fixed income.

2 Q Now, Mrs. Cruz, as a result of your husband's
3 disability, do your children receive any money from
4 any source, for instance, Social Security, for their
5 support?

6 A No, because he didn't work the five quarters,
7 according to the Social Security regulation.

8 He didn't work enough since 1965.

9 MR. PLECHNER: I didn't get that
10 answer.

11 (Whereupon, last answer read back
12 by the reporter.)

13 Q Does he receive any other funds from the State
14 of New Jersey for the children?

15 A No.

16 MR. PLECHNER: No further questions.

17 (Recess at 3:35 p.m.)

18 (After recess at 3:40 p.m.)

19

20 CROSS-EXAMINATION BY MR. LANFRIT:

21 Q Mrs. Cruz, my name is Peter Lanfrit, the Borough
22 of Carteret.

23 Part of this complaint states the municipalities
24 deny your children equal educational opportunities.

25 Do the other seven children, who we have not

1 yet discussed, attend Perth Amboy Public Schools?

2 A Yes.

3 Q And can you tell me the composure of the --
4 the racial composure of the public schools in Perth
5 Amboy?

6 A I think sixty percent of the public school
7 population are Latin Americans.

8 Q And can you tell me the racial composure of
9 of the building in which you reside?

10 A Yes. Can I?

11 Q Yes.

12 A I would say ninety percent Puerto Ricans.

13 Q What about the other ten percent?

14 A Black. Of the hundred twenty-six families, only
15 one white family live there.

16 Q How many white families?

17 A Only one.

18 Q Now, when you checked -- excuse me. One other
19 question.

20 Do all your children speak English?

21 A Yes, they all born here.

22 Q And when you checked into the other municipalities,
23 such as Highland Park and Metuchen that you talked
24 about, did you check into their school systems?

25 A No, I didn't go that far.

1 Q Did you check into their racial composure of
2 the system in any way?

3 A No, I didn't.

4 Q Did you check -- when you checked other
5 municipalities, about the availability of employment
6 in those municipalities --

7 A No, I didn't.

8 Q Your complaint states you were deprived, as
9 a result of the zoning ordinances, these municipalities
10 deprived low and moderate income persons to access
11 to employment opportunities.

12 But, you never made any attempt to check into
13 employment opportunities, is that correct?

14 A No.

15 Q And you never checked into equal educational
16 opportunities in any of these communities, is that
17 correct?

18 MR. SEARING: I object, but the
19 witness can answer.

20 A I have -- it's my impression, and it's something
21 that I read constantly, the quality of education of the
22 suburban areas against the ghettos, and areas like
23 New Brunswick and Perth Amboy.

24 Q You never checked into that, though, did you?

25 A Well, I have an idea, a picture of it, through

1 reading.

2 Q Do you have any idea how good the Highland
3 Park School system is?

4 A I think it's much better than Perth Amboy.

5 Q Did you check into it?

6 MR. SEARING: Is that a question?

7 MR. LANFRIT: Yes.

8 MR. SEARING: Define what you mean
9 by, "check in."

10 MR. LANFRIT: When she was looking
11 for housing, did she look into the
12 school system.

13 A I didn't physically go into the school and count
14 the heads.

15 Q Part of your complaint states that these other
16 municipalities deny low and moderate income persons,
17 white and non-white, the right to travel.

18 What do you mean by that?

19 MR. SEARING: I object, but the
20 witness can answer.

21 A You come from Carteret?

22 Q Yes.

23 A They don't even have a taxi agency.

24 Q Is it a requirement that every municipality have
25 a taxi agency, in your opinion?

1 A It's not a requirement, but for some people
2 that don't have the money to own a car, at least they
3 can have a taxi service.

4 Q Is it a requirement that every municipality
5 provide public transportation for all their people?

6 A It should be.

7 Q Is it a right that every municipality should
8 provide each family in that municipality with a car?

9 A No, I don't think so. Maybe if they would have
10 money enough they would provide you with a car.

11 Q Another part of your complaint states that
12 these municipalities deprive middle and upper income
13 white residents of the benefits of racial and economic
14 integration.

15 Can you tell me what you mean by that?

16 A You know, I'm very familiar with Carteret.
17 Personally, and I think it should be out of the
18 record. I notice that the houses where the Puerto
19 Rican were living were torn down. Okay?

20 And tell me if it is not true.

21 Q Excuse me, I didn't get that. Can you repeat that?

22 A The places where Puerto Rican were living, ten
23 or twenty years ago, today there is an empty space
24 right there. And I'm talking about -- yes, Urban
25 Renewal, they destroy that part and left it empty.

1 Q You have been to the Borough of Carteret, then.

2 A Yes.

3 Q How many times?

4 A Honestly speaking, I go more than once a week.

5 Q Have you ever sought housing in the Borough
6 of Carteret?

7 A Yes.

8 Q Can you tell me where?

9 A I see Urban -- let's see how they call this
10 place.

11 Roosevelt Manor, or something like that.

12 Q Roosevelt Manor?

13 A Yes.

14 Q Are those homes or apartments?

15 A I think they are apartments.

16 Q Did you fill out an application for an apartment
17 there?

18 A I intended to, but I inquire with the social
19 worker, who is just from my agency, and I can't give
20 the name -- Mrs. Santiago. She say there is about
21 300 waiting list.

22 Q There's a waiting list there.

23 Do you know what the rentals are in those
24 apartments?

25 A I'm not sure, but I think it has to do with the

1 income too.

2 Q In other words, they're government subsidized,
3 is that not correct?

4 A I guess so, yes.

5 Q Did you inquire into any other residences in
6 the Borough of Carteret?

7 A I have been looking around, yes.

8 Q Can you tell me where else you've looked in
9 the Borough of Carteret?

10 A Just what they call the city line.

11 Q The city line area, is that the area between
12 Woodbridge, the borderline between Woodbridge and
13 Carteret?

14 A Yes.

15 Q Do you know the racial composition of the
16 Borough of Carteret?

17 A Not specific. I know that the majority are
18 whites and that they live in one part of the city,
19 and that the blacks live in another part of the city.

20 Q Is that the same situation that exists in Perth
21 Amboy now?

22 A In Perth Amboy it's more dense.

23 Q It's more dense.

24 A Yes.

25 Q When you were looking in Carteret, were you

1 looking for houses or only apartments?

2 A Houses and apartments.

3 Q Did you look into any specific houses in the
4 Borough of Carteret?

5 A No.

6 Q What do you mean by looking, then?

7 A Just looking around, if there is a house for
8 sale or so.

9 Q Did you find any houses for sale?

10 A I notice that there are few empty houses that
11 are about to be torn down.

12 Q Did you find any empty houses that are for
13 sale?

14 A No.

15 Q Did you ever look for a job in the Borough of
16 Carteret?

17 A No.

18 Q Did you ever investigate the Carteret school
19 system?

20 A No. I'm not too familiar with it.

21 Q When you visited the Borough of Carteret on your
22 trips every -- once a week, did you find low income
23 housing in the Borough of Carteret?

24 A Just Urban Renewal.

25 Q Excuse me?

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A I'm only familiar with -- I only familiar with the Urban Renewal.

Q Do you know if there is low income housing in the Borough of Carteret?

A No, I don't.

Q Have you ever been refused housing in the Borough of Carteret?

A No.

MR. LANFRIT: No further questions.

CROSS-EXAMINATION BY MR. ALFONSO:

Q Mrs. Cruz, I'm Louis Alfonso, from Madison Township. Do you know where Madison Township is located?

A Yes.

Q Could you tell me where?

A Oh, let's see. It's around Route 1.

Q Have you ever been to Madison Township?

A I have been passing by, yes.

Q Passing by Madison Township on Route 1?

A Yes.

Q When was the last time that you were in Madison Township?

A Like physical, just walking through?

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Q Passing by.

MR. BRIGIANI: Excuse me a moment.

Maybe you ought to, instead of twisting your neck around, maybe you ought to bring your chair over here.

Do you mind putting it over here? I can't see you at all, then.

THE WITNESS: Okay.

Q When is the last time you were passing by, through Madison Township?

A To come here, I think I have to pass through Madison.

Q Well, you live in Perth Amboy and you think you had to pass through Madison Township to get here to Pines in Edison.

A Part of it, yes.

Q So, would it surprise you if I tell you that Madison Township is no where around here, that it's about 12 to 15 miles away?

A Maybe Edison does --

MR. VAIL: I'm sorry.

A Oh, Madison. Oh, no, Madison is -- I'm sorry. Madison Township is around Sayreville.

Q I know you've been here a long time and I'm sure

1 at this hour maybe you're getting a little mixed up --

2 A A little tired.

3 Q And a little tired.

4 A I was confusing Edison with Madison.

5 Q You know Madison Township is below Sayreville.

6 A Yes.

7 Q Or next to Sayreville.

8 A Yes.

9 Q And you know it's also next to Monroe Township?

10 A Uh huh.

11 Q I'll ask you again, now that you're more
12 familiar with where it's located, have you ever been to
13 Madison Township?

14 A Yes.

15 Q Okay. Could you tell me when was the last time
16 you were in Madison Township?

17 A Oh, the last time I went to Madison Township
18 was to pick up one of my son that was arrested because
19 he was with two or three, near a house.

20 MR. VAIL: I missed that.

21 What was the charge?

22 THE WITNESS: It was very discriminatory.

23 MR. VAIL: What was it?

24 THE WITNESS: He was resting against
25 a tree, in Madison Township, since hardly

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any Puerto Rican live there, they
took him as a suspicious person, and
I have to go --

MR. ALFONSO: I object to that.
You just a minute, Mrs. Cruz.

You let me put my objection on the
record, please.

That's speculation, and it goes
into motivation as to why the
police department took the action
that they did.

And it's not responsive to my
question.

MR. SEARING: You asked her when
she was there.

MR. ALFONSO: I did not ask her
anything about a son of hers being
arrested, or why the son was arrested
or anything like that. Not responsive.

MR. SEARING: You want the question
answered with a date.

MR. ALFONSO: That's correct.

MR. SEARING: J ust a date.

A Approximately about -- no, I have been there in
closer date, about a month ago.

1 Q And what was your purpose -- were you just passing
2 through there or were you there for a specific purpose?

3 A I went to pick up one of my boy's girl friend.

4 Q Was that the first time you had been to the
5 township since the time before regarding the incident
6 with your son?

7 A I have been passing by, but -- and I have visited
8 some friends too.

9 Q So you have some friends who live in Madison
10 Township?

11 A Yes. I used to have co-worker who live, who is
12 a resident of Madison Township.

13 Q You would visit the co-worker on occasion?

14 A Yes.

15 Q When was the last time you visited that co-worker?

16 A Around two years.

17 Q Do you recall what part of the township the
18 co-worker lived in?

19 A Specifically I don't.

20 Q Is that co-worker white or black or Puerto Rican.

21 A She's Italian.

22 Q You consider that to be a separate category
23 than the three that I have given you or is that included
24 in one of the categories?

25 A What's the question?

1 Q You consider Italian to be among the three
2 categories that you listed?

3 A Yes.

4 Q All right.

5 Now, did you make any attempt to find housing
6 in Madison Township in the area where your co-worker
7 lived?

8 A No.

9 Q Have you spoken to any real estate agents in
10 Madison Township about finding housing in Madison
11 Township?

12 A No.

13 Q Have you spoken to anyone regarding attempting
14 to find housing in Madison Township?

15 A No.

16 Q Mrs. Cruz, have you attempted to find any work
17 in Madison Township?

18 A No.

19 Q Have you made any inquiries regarding the school
20 system in Madison Township?

21 A I didn't make any, but through this worker,
22 which happen to be --

23 Q Again, Mrs. Cruz, my question --

24 MR. SEARING: Wait a minute. Let
25 him finish.

1 Q My question calls for a yes or no answer.

2 Did you make any inquiries regarding the school
3 system in Madison Township?

4 A Yes.

5 Q Would you tell me what type of inquiries you
6 made?

7 A Very informal one with the wife of the high
8 school principal, which was my co-worker.

9 Q Do you remember what her name is?

10 A Mrs. Marlene Delaney.

11 Q What did you ask her about the school system?

12 A About the racial component, about the type of
13 schooling activities I knew, through her, even not --
14 very informal conversation.

15 Q Did you make any inquiries regarding the
16 recreation facilities in Madison Township?

17 A No, but, again, through informal conversation --
18 Oh, yes, very informal conversation, they have a lot
19 of activities.

20 Q Your feeling is they have a lot of activities
21 in Madison Township.

22 A Yes.

23 Q Do you know whether or not there's a recreation
24 center in Madison Township?

25 A No.

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Q Would you be surprised if I told you there was no recreation center in Madison Township?

MR. SEARING: I'm sorry? There was?

Q No recreation center in Madison Township. Or would you have no feeling at all?

A No feeling at all.

Q Do you even care whether there's a recreation center in Madison Township?

A Sure I care.

Q Now, Mrs. Cruz, you mentioned that you're on the Board of Legal Services. Are you paid to be on the Board of Legal Services or there's no money involved in it?

A There's no money involved.

Q Are you reimbursed for your expenses?

A When I run into expenses, yes.

Q Are you able to submit a voucher to Legal Services for expenses in relation to this case?

A No.

Q And do you intend to do so?

A No.

Q You mentioned that you are employed by M.C.E.O.C.

A Yes.

Q Are you employed hourly or is it a salary?

1 A It's a salary.

2 Q Will your salary be any different this week
3 as a result of your being here today? Or will it
4 be the same as if you're working?

5 A I didn't discuss that with my supervisor. I
6 don't know if she's going to put me absent.

7 I let her know that I was coming -- I will be
8 absent, because of this deposition, but I don't know
9 if she's going to dock out of my payment, my pay, or
10 not.

11 Q Have you discussed your salary with M.C.E.O.C.
12 with anyone at M.C.E.O.C. in relation to what effect
13 this case would have on you possibly losing part of
14 your salary, because of losing time in relation to
15 this case?

16 A No.

17 MR. VAIL: It's four o'clock,
18 gentlemen.

19 MR. BRIGIANI: May I inject?
20 Will you excuse me?

21 MR. ALFONSO: I have quite a
22 number of questions.

23 MR. VAIL: That's part of the
24 problem. It's four o'clock, and while
25 I know the lady is tired, I'm even tireder.

1 I'd like to see her as the
2 lead off witness the next time around,
3 because there's no way that we can
4 complete this.

5 MR. ALFONSO: I didn't know it's four
6 o'clock already.

7 MR. BRIGIANI: Yes.

8 MR. VAIL: There are several
9 substantial matters I have to cover,
10 which resulted from her testimony,
11 statements that she made in reference
12 to South Amboy.

13 And I'm last. And I still have
14 Mr. Brigiani ahead of me, and
15 Mr. Alfonso, who has not finished.

16 Frankly, I would like to see
17 her as the lead off witness.

18 MR. SEARING: Who is the
19 gentleman sitting there?

20 MR. WOOD: Mr. Rozanski, Woodbridge.

21 MR. SEARING: I think he's last.

22 MR. VAIL: We did agree to quit.
23 Plaintiff's attorney has the right to
24 cross-examine her also.

25 MR. SEARING: Nine-thirty on the
20th.

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MR. VAIL: I'm sure we could finish it on the morning of the next -- at least finish with her on the morning of the next appearance.

MR. INGLESE: I think we should adjourn too. I have some matters to dispose of.

MR. SEARING: We'll start you at nine-thirty.

(Whereupon, deposition adjourned at four o'clock.)

I, **RICHARD C. GUINTA**, the officer before whom the foregoing depositions were taken, do hereby certify that the witness (es) whose testimony appears in the foregoing depositions was (were) duly sworn by me and that said depositions are a true record of the testimony given by said witness (es); that I am neither attorney nor counsel for, nor related to, nor employed by any of the parties to the action in which the depositions were taken; and further, that I am not financially interested in the action.

3-6-75

Richard C. Guinta