

CA - ~~XXXXXXXXXX~~ General - 20-Mar-75

Deposition of Lydia Cruz
and Judith Champion

pgs = 223

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URBAN LEAGUE OF GREATER NEW
BRUNSWICK, a non-profit
corporation of the State of
New Jersey; CLEVELAND BENSON;
FANNIE BOTTS; JUDITH CHAMPION;
LYDIA CRUZ; BARBARA TIPPETT;
KENNETH TUSKEY and JEAN WHITE;
On their own behalf and on
behalf of all other similarly
situated,

Plaintiffs,

-vs-

THE MAYOR AND COUNCIL OF THE
BOROUGH OF CARTERET; TOWNSHIP
COMMITTEE OF THE TOWNSHIP OF
CRANEURY; MAYOR AND COUNCIL
OF THE BOROUGH OF DUNNELLEN;
TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF EAST BRUNSWICK;
TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF EDISON; MAYOR
AND COUNCIL OF THE BOROUGH
OF HELMETTA; MAYOR AND COUNCIL
OF THE BOROUGH OF HIGHLAND
PARK; MAYOR AND COUNCIL OF
THE BOROUGH OF JAMESBURG;
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;

DEPOSITIONS UPON
ORAL EXAMINATION

OF
LYDIA CRUZ
JUDITH CHAMPION

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

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TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF MONROE; TOWNSHIP
COMMITTEE OF THE TOWNSHIP OF
NORTH BRUNSWICK; TOWNSHIP
COMMITTEE OF THE TOWNSHIP
OF PISCATAWAY; TOWNSHIP
COMMITTEE OF THE TOWNSHIP
OF PLAINSBORO; MAYOR AND
COUNCIL OF THE BOROUGH OF
SAYREVILLE; MAYOR AND
COUNCIL OF THE CITY OF
SOUTH AMOBY; TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF SOUTH
BRUNSWICK; MAYOR AND COUNCIL
OF THE BOROUGH OF SOUTH
PLAINFIELD; MAYOR AND COUNCIL
OF THE BOROUGH OF SOUTH
RIVER; MAYOR AND COUNCIL
OF THE BOROUGH OF SPOTSWOOD;
TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF WOODBRIDGE.

Defendants,

-and-

MAYOR AND COUNCIL OF THE CITY OF
NEW BRUNSWICK, and MAYOR
AND COUNCIL OF THE CITY OF
PERTH AMBOY,

3rd Party Defendants.

TRANSCRIPT OF DEPOSITIONS, taken by and before

RICHARD C. GUINTA, Notary Public and Certified Shorthand
Reporter of the State of New Jersey, at THE PINES MANOR,
Route 27, Edison, New Jersey, on Thursday, March 20,
1975, commencing at 9:40 a.m.

1 A P P E A R A N C E S:

2 MESSRS. BAUMGERT & BEN-ASHER
3 By: Daniel A. Searing, Esquire (Of counsel)
4 Attorneys for the Plaintiffs

5 DENNIS CUMMINS, ESQUIRE
6 Attorney for the Borough of Dunnellen

7 RICHARD F. PLECHNER, ESQUIRE
8 Attorney for the Borough of Helmetta

9 MESSRS. RUBIN & LERNER
10 By: Lawrence Lerner, Esquire
11 Attorneys for the Borough of Highland Park

12 MESSRS. RAFANO & WOOD
13 By: Christopher R. Wood, Esquire
14 Attorneys for the Borough of Jamesburg,
15 Borough of South River

16 MESSRS. ALFONSO, GROSSMAN & ALFONSO
17 By: Louis J. Alfonso, Esquire
18 Attorneys for the Township of Madison

19 MARTIN A. SPRITZER, ESQUIRE
20 Attorney for the Borough of Metuchen

21 MESSRS. MOSS & INGLESE
22 By: Samuel C. Inglese, Esquire
23 Attorneys for the Township of Monroe

24 MESSRS. KARCHER, REAVEY & KARCHER
25 By: Joseph Baker, Esquire
Attorneys for the Borough of Sayreville

JOHN J. VAIL, ESQUIRE
Attorney for the City of South Amboy

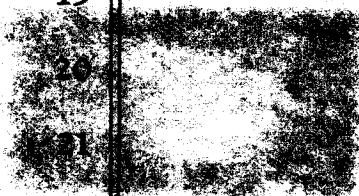
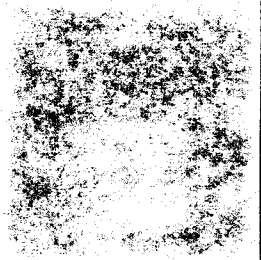
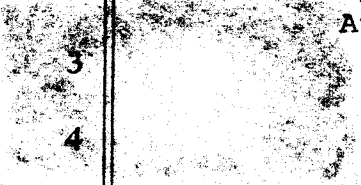
MESSRS. SEIFFERT, FRISCH & GRUBER
By: Michael Richman, Esquire
Attorneys for the Township of South Brunswick

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

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

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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 E S

WITNESS

DIRECT

CROSS

LYDIA CRUZ

By Mr. Alfonso
By Mr. Brigiani

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JUDITH CHAMPION

By Mr. Chernin
By Mr. Spritzer
By Mr. Rozanski
By Mr. Brigiani
By Mr. Alfonso
By Mr. Baker
By Mr. Inglese
By Mr. Cummins
By Mr. Wood
By Mr. Plechner
By Mr. Richman
By Mr. Lerner

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1 LYDIA CRUZ, resumes.

2 CONTINUED CROSS-EXAMINATION BY MR. ALFONSO:

3 Q Good morning, Mrs. Cruz.

4 A Good morning.

5 Q I want to start where we left off last time,
6 and I was asking you some questions, specifically,
7 regarding Madison Township, and we had gotten -- we were
8 talking about a co-worker of yours who was Italian, and
9 I had asked you whether or not you considered that to
10 be one of the three categories, white, black or Puerto
11 Rican, and you answered that you did.

12 In looking over the transcript, I see I didn't
13 ask you which category you felt Italians fit into. I'd
14 like to ask you that now.

15 A Maybe the minority of the majority.

16 I could put it that way.

17 Q You consider them to be a minority of the majority,
18 is that what you said?

19 A You see, in this country, you don't consider,
20 you know, as long as you are not black, not Puerto Rican,
21 you are white.

22 Q So you would consider them to be in the white
23 category.

24 A Yes.

25 Q Now, when you put Puerto Rican in a separate

1 category, what about, say, the people who speak Spanish
2 in the Dominican Republic. Would you consider them to
3 be in that same category?

4 A They are not Puerto Rican. They are Hispanic.

5 Q So Hispanic you put in a separate category?

6 A No, we are all together.

7 Q And you would consider Hispanic people to be in
8 the same category as Puerto Ricans.

9 A Yes.

10 Q What about somebody who comes from Spain, Madrid,
11 or Costa Del Sol? Would you consider them to be Hispanic?

12 A Well, I know why you say that. I know why you
13 say that.

14 Q Well, Mrs. Cruz, I'm asking the question for a
15 responsive answer. I don't really care whether you know
16 why I'm asking it or not asking it.

17 A The lady I'm talking about is half Hispanic.

18 Q My question was --

19 A Maybe that's how come you asked me that question.

20 Q Would you consider somebody from Spain to be in
21 the Hispanic category?

22 A I don't know, because -- especially people that
23 come from Spain or Cuba, they make it in the White
24 society so quick, that they are very soon not considered
25 minorities.

1 Q So your feeling is that after somebody from
2 Spain arrives, they're no longer a part of the Hispanic
3 community, and they should be considered in the white
4 category?

5 A Yes, I mentioned if they adjust to the white
6 community.

7 Q If they adjust, you say.

8 A Yes.

9 Q You assume if a Puerto Rican or Hispanic person
10 would be able to adjust, they would also merge into the
11 white category, is that correct?

12 A You know, from the point of view of white people,
13 no matter if a Puerto Rican have blue eyes, and blond
14 hair, he's not considered white. I don't know why.

15 Q So you're saying, then, it's not possible for a
16 Puerto Rican to become part of the white majority, is
17 that correct?

18 A It's very hard to merge, because of the rejection.

19 Q Do you feel that it's possible or is it just very
20 hard?

21 A It could be, but most of the time it's not.

22 Q But, there are times when a Puerto Rican is able
23 to merge, isn't that correct, Mrs. Cruz, and you consider
24 that person to be part of the white majority?

25 A If we would be able to merge, it would be easy.

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Q What about somebody from Brazil. You consider that person to be part of the Hispanic community?

A Yes, I think I would.

Q They speak Portuguese in Brazil, don't they, Mrs. Cruz?

A Yes, but I don't think they are considered whites.

Q So what you're saying is that it's not a question as to whether or not a person speaks Spanish or not, because people could very well speak Portuguese and still be part of the Hispanic community as you define it, is that correct?

A Do you know that Portuguese language is very close to Hispanic language?

Q That's not my question.

What I'm trying to get at is, how do you differentiate between what is in Hispanic community and what is not. You have told me people from Brazil who speak Portuguese to be part of that Hispanic community.

A I want to retract. I don't think that they are part of this Hispanic community.

Q Now you're saying that they're not part of the Hispanic community.

A Yes.

Q Now, what about somebody from Lisbon, Portugal. Are they part of the Hispanic community?

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A You know, I don't know much geography.

Will you please consider my knowledge?

Q Mrs. Cruz, I am sure from the responses that you have made, that as far as geography is concerned, you are in no way ignorant. You are familiar with where Portugal is, it's next to Spain, in Europe.

I'm asking if you know. If you don't know, just say you don't know.

A Yes, I know that, but I don't know all the countries and the language. If you keep asking country by country, maybe I will know to answer your question.

Q What about South American countries that speak Spanish. As an example, Uruguay, Paraguay, or Boliva, you consider those to be part of the Hispanic community?

A Yes.

Q You do or you don't?

A I do.

Q What about Argentina, which is next to Boliva and Uruguay? You consider the Argentine people to be part of the Hispanic community?

A I think so, yes.

Q So what you're saying, then, Mrs. Cruz, it's not a question of whether a person is just Puerto Rican or not Puerto Rican, it's a question of geographically where they come from, isn't that correct?

1 A You know, in fact every time a Spanish surname
2 comes in the paper, or whatever, it reflects Puerto Rican.
3 Because we are the majority in the United States, and
4 even though there are a lot of people from other countries
5 that speak Spanish.

6 They are considered Puerto Rican. They judge them
7 Puerto Rican. That's it. And that's one thing that we
8 have against us.

9 Q But, you don't consider the Cubans to be part of
10 that group, do you?

11 A Cubans too. Like I said before, they are able
12 to merge in an easy way than the Puerto Rican. I don't
13 know why.

14 Q Do you know of any Puerto Ricans at all who have
15 been assimilated into the white community, to the white
16 majority community, as you term it?

17 A Very few.

18 Q But you do know some, don't you?

19 A Yes.

20 Q Do you know why these people -- do you have any
21 inkling or know why these people were able to become
22 part of this white majority, as you term it?

23 A I wonder why you come with all these questions.

24 Q Well, Mrs. Cruz, quite frankly, I don't think it's
25 for you to wonder why I'm here with these questions.

1 We're here as part of a court proceeding, legal
2 depositions, and I have the right to ask these questions.

3 If your attorney doesn't feel they're proper,
4 he can object, and if he feels they're way out of line,
5 he'll ask you not to answer them.

6 Now, he hasn't objected. I don't think it's for
7 you to raise these questions.

8 I have a question pending and I'm asking you to
9 answer it.

10 A Can you please repeat it again.

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

13 A Like I say, there are quite few, and the reason
14 that they do, I don't know, but very few can.

15 Q Now, when you were here last time, I asked you
16 whether or not you were salaried and you answered yes,
17 you were, and I asked you whether or not you were being
18 paid by M.C.E.O.C. during the time that you were going
19 to be attending these depositions and at the subsequent
20 court hearings, and you advised me at that time that,
21 at that time, you didn't know, but you were going to
22 discuss it with your supervisor. Have you discussed
23 that with your supervisor?

24 MR. SEARING: I object, but the
25 witness can answer.

- 1 A I took a personal day.
- 2 Q So the last time that you were here, you took
- 3 a personal day.
- 4 A Yes.
- 5 Q And are you taking a personal day today?
- 6 A Um hum.
- 7 Q How many personal days are you entitled to
- 8 a year?
- 9 A I can take them from my vacation.
- 10 Q In other words, you can take a sufficient number
- 11 of days to equal the amount of days you have for
- 12 vacation?
- 13 A Yes.
- 14 Q How many days is that per year?
- 15 A The first year is two weeks, and the second year
- 16 is three.
- 17 Q Are you still into your first year there or are
- 18 you into your second year?
- 19 A I went into my second year.
- 20 Q Did you have any vacation days left over from
- 21 last year?
- 22 A Yes, almost all.
- 23 Besides those two days.
- 24 Q So, then, Mrs. Cruz, you did discuss this matter
- 25 with your supervisor, is that correct?

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A Yes.

Q And after that discussion, you decided, or a decision was made that you would take personal days for the time that you're here.

A Yes. Vacation days.

Q Did you discuss that with anyone else besides your supervisor?

A No, I didn't. Just the immediate supervisor.

Q Have you made any inquiry regarding possibilities of you seeking employment in Madison Township?

A No.

Q Now, you mentioned when you were here last time that you had not received a New Jersey driver's license. Have you as of today received a New Jersey driver's license?

A Not yet.

Q Now, is the automobile that you purchased recently, is that registered in your name?

A Yes.

Q Do you know how to drive that automobile?

A No. I don't have a driver's license, I can not drive it, you know.

Q I'm not asking you whether you can or can not drive it, I'm asking you whether you know how to drive the automobile.

1 A No, I don't.

2 Q Have you received any training in the driving of
3 an automobile?

4 A No.

5 Q Do you know how to drive an automobile, as of
6 today?

7 A No.

8 Q How did you get here today, Mrs. Cruz?

9 A I had a ride.

10 Q Who drove you?

11 A My friend.

12 Q What's her name?

13 A His name?

14 Q His or her name.

15 A George Savedira.

16 Q Where does he live?

17 MR. SEARING: I object, but the
18 witness can answer.

19 A He live in Carteret.

20 Q you were to move out of the county, isn't it
21 true that you would not be entitled to receive any
22 salary from M.C.E.O.C.?

23 A If I move out of the county?

24 Q Out of the county.

25 A If I don't -- I have never check on that.

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Q So you don't know whether or not your position is open to you only because you're a resident of Middlesex County.

A I never check on that.

MR. ALFONSO: That's all, thank you, Mrs. Cruz.

THE WITNESS: Okay, you're welcome.

CROSS-EXAMINATION BY MR. BRIGIANI:

Q Guido Brigiani for the Borough of Spotswood. And also Mr. Burns asked me to represent him, he's the attorney for the Township of North Brunswick, since he was engaged in another court.

Mrs. Cruz, you said you lived on Stockton Street in Perth Amboy, and that's a subsidized housing, I believe, in the City of Perth Amboy?

A Yes.

Q Now, that particular housing development is right next to the school, isn't it?

A Yes.

Q The last time you were here, you seemed to indicate it was some distance away.

They're right in the same block, and they adjoin each other, the school and the development.

1 A Yes.

2 Q In addition to that, talking about playgrounds,
3 isn't there a playground, Patten playground, only a few
4 blocks away, at Fayette Street?

5 A It's more than five blocks away.

6 Q It's walking distance.

7 Short blocks, aren't they?

8 A Long blocks.

9 Q All right.

10 Do you know where the Borough of Spotswood is?

11 A I don't think so, no.

12 Q Have you ever made any inquiry or application or
13 any other indication of wanting to obtain housing
14 facilities in the Borough of Spotswood?

15 A No, not in particular.

16 Q Have you ever made any application for a job in
17 the Borough of Spotswood?

18 A No.

19 Q Have you ever objected in any way, either directly
20 or indirectly, as to the zoning ordinance or any other
21 law of the community which affects housing?

22 A Will you please say it again?

23 (Whereupon, pending question read
24 back by the reporter.

25 A Yes.

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Q When. Other than this suit.

A I have done it through -- I have expressed my objections through Legal Services Board.

Q To what?

A Legal Services Board.

Q I'm talking about Spotswood now.

A Yes. It was not direct -- was not directly with Spotswood, but I have objection for the cities. This is the general term.

That has zoning boards, zoning rules that indirectly keep an invisible fence.

Q Let me ask you this way. You said you made your feelings known. You are militant in your feeling towards discrimination, is that correct?

A Yes.

Q And you made your feelings known to the Legal Services?

A Yes.

Q And you said to them, or whoever it was, and if I'm incorrect you say so, that you objected to these, what you term, what you consider exclusionary policies of communities in general, is that correct?

A Yes.

Q I mean, you didn't say that you believe that Spotswood and so and so town and that town have exclusionary

1 laws. You never said that, did you?

2 A I know that most of the reason --

3 Q The answer is yes or no.

4 MR. SEARING: Other than what's in
5 the complaint.

6 Q I'm outside the complaint.

7 A Directly with Spotswood, no.

8 Q Are you familiar with -- have you even to this day,
9 are you familiar and have you read the zoning ordinance
10 of the Borough of Spotswood?

11 A No. I think all these questions I have been
12 explained when I told you I was not familiar with the
13 town itself.

14 Q You don't mind if I ask the question, do you?

15 A This is understandable.

16 Q I'm not trying -- believe me, I'm not trying
17 to harass you, Mrs. Cruz.

18 I'm merely trying to find out how much you know
19 about Spotswood. That's what I'm interested in, the
20 Borough of Spotswood. All right?

21 A Okay.

22 Q So, do I understand the answer was no to that,
23 you are not familiar with the zoning laws of the
24 Borough of Spotswood.

25 A No.

1 Q And you never sought a job in the Borough of
2 Spotswood, correct?

3 A No.

4 Q In answer to a previous question, you made the
5 statement that the mere fact that you had a Spanish name,
6 that if that was published, any person, not you, any
7 person, immediately that would create a feeling of
8 antagonism and discrimination against that particular
9 person, is that correct?

10 MR. SEARING: Are you reading from
11 the prior transcript?

12 MR. BRIGIANI: No. I'm talking about
13 in answer to Mr. Alfonso's question.

14 MR. SEARING: Just a few minutes
15 ago?

16 MR. BRIGIANI: Yes.

17 Q Am I correct?

18 A That's my feeling.

19 Q Do you feel that that --

20 A Excuse me.

21 Q May I inquire as to what we're doing now?

22 MR. SEARING: Can we go off for a
23 minute?

24 Off the record for a minute?

25 MR. BRIGIANI: Go ahead.

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(Discussion off the record.)

(After discussion.)

MR. SEARING: Can we be excused for a few minutes?

MR. BRIGIANI: Well, go ahead. It's a little bit unusual, but --

MR. SEARING: I appreciate your indulgence.

(Discussion off the record.)

(Mr. Searing and Mrs. Cruz leave the deposition room.)

(After discussion.)

MR. SEARING: Mrs. Cruz has informed me that she is unable to continue, for health reasons, and has asked to be excused.

The attorneys present have agreed to it. Mrs. Cruz has agreed to make herself available for finishing her deposition at another time.

MR. BRIGIANI: May I ask, did you indicate she was being operated on today or tomorrow?

MR. SEARING: Mrs. Cruz is going to enter the hospital shortly for an operation, and that is the reason for her inability

1 to concentrate on the questions.

2 Is that satisfactory?

3 MR. BRIGIANI: Satisfactory to me.

4 MR. SEARING: Okay. We'll start with
5 Miss Champion in just a second.

6 (Discussion off the record.)

7 (After discussion.)

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12 J U D I T H C H A M P I O N, sworn.

13 12 Euler Street, South Amboy.

14 DIRECT EXAMINATION BY MR. CHERNIN:

15 Q Mrs. Champion, is it Miss or Mrs.?

16 A Mrs. Champion.

17 Q My name is Sanford Chernin, and I'm the attorney
18 for the Borough of South Plainfield in this matter.

19 Initially, do you know where South Plainfield is?

20 A Vaguely.

21 Q Can you give me an idea of where you think it's
22 located?

23 A Out Stelton Road, past Camp Kilmer.

24 Q Have you ever, to your recollection, been in
25 South Plainfield at all?

1 A Passing through, perhaps, that's all.

2 Q Have you ever lived in South Plainfield?

3 A No.

4 Q Have you ever sought any housing accommodations
5 whatever in South Plainfield?

6 A No.

7 Q Are you even interested in living in South
8 Plainfield?

9 A I guess not. I never sought housing there.
10 Apparently not.

11 Q You've never attempted to buy any real estate
12 in South Plainfield?

13 A No.

14 Q Nor tried to rent any rooms in South Plainfield?

15 A No.

16 Q Or apartments in South Plainfield or anything
17 of that nature.

18 A No.

19 Q Never sought the services of a realtor?

20 A No.

21 Q Never sought the services of a realtor for South
22 Plainfield.

23 Q You presently live in South Amboy.

24 A Right.

25 Q What kind of accommodations do you now live in?

- 1 A I live upstairs in a two family home.
- 2 Q How many rooms are there in your apartment?
- 3 A There are three bedrooms, kitchen, living room,
4 dining room.
- 5 Q How many people occupy that apartment?
- 6 A Four.
- 7 Q Would you name them? Give me their relationship
8 to you and their ages.
- 9 A My daughter, Christine, seven, my son, Eric, four,
10 my friend Eileen Abbott, twenty five.
- 11 Q Is there anyone else who utilizes that apartment
12 with you?
- 13 A No.
- 14 Q What's the rental you're paying there?
- 15 A The whole rent is \$275 dollars a month, plus
16 utilities.
- 17 Q Can you approximate your monthly cost for utilities?
- 18 A Eighty dollars a month.
- 19 Q Are you presently married?
- 20 A No, I'm divorced.
- 21 Q When was your divorce?
- 22 A A year ago February.
- 23 Q And the name of your former husband, please?
- 24 A Richard Champion.
- 25 Q Do you know where he lives?

- 1 A No, I don't.
- 2 Q Are you receiving any support from him?
- 3 A No, I'm not.
- 4 Q You're working?
- 5 A No, I'm going to school.
- 6 Q What school?
- 7 A Middlesex County College.
- 8 Q How long have you been going there?
- 9 A Almost three years.
- 10 Q Excuse me. How old are you?
- 11 A Twenty-six.
- 12 Q Have you ever worked for a living?
- 13 A Yes.
- 14 Q Doing what?
- 15 A Secretarial work, basically.
- 16 Q For what kind of organization or firms?
- 17 A McGraw, Incorporated, in Hightstown, and Fedders,
- 18 in Edison.
- 19 Q When was the last time you worked?
- 20 A Fedders, Edison, in -- from January to May of 1971.
- 21 Q What was the last time you worked?
- 22 A Yes, -- no, no, that's not the last time I
- 23 worked. The last time I worked was last summer, I worked
- 24 for Doctor David Singer, Highland Park.
- 25 Q When was the last time you filed an income tax

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return?

A I guess it was in 1971.

Q You filed no returns for the years -- calendar year '72, '3 and, I gather you will not file one for '74?

A No. Right.

Q Will you tell me what your monthly income is?

A My monthly income is \$310.

Q Tell me how you make that up. How do you arrive at that figure? What's the composite?

A Welfare.

Q Totally?

A Right. Flat grant.

Q And that's to support you and your children?

A Correct.

Q And is someone or some organization paying for your college education?

A Yes.

Q Who?

A Well, I receive a loan and a grant, National Direct State loan, and a supplementary grant from the college.

Q How much do you get from each?

A Three hundred from each.

Q Have you been receiving that for three years?

A No, I've been receiving that for four semesters.

1 Q Do you receive any monies from this girl friend
2 of yours who occupies the apartment with you?

3 A Not directly. We share the rent and the utilities,
4 but I don't receive any money from her.

5 Q What portion of it does she pay?

6 A We split 50-50.

7 Q What was your maiden name?

8 A Glock.

9 Q And your ethnic background is what?

10 A German and Irish.

11 Q Are you discontent living where you are?

12 A Yes.

13 Q Why?

14 A It cost too much money to live there.

15 Q Is there any other reason?

16 A It's in a highly polluted area. Lately we've
17 been having some problems with vandalism. I think perhaps
18 because we're so close to the highway.

19 Q Which highway?

20 A Route 35 and Route 9.

21 Q Do you know of any other area in Middlesex County
22 which you would consider not highly polluted and
23 relatively free from crime and vandalism?

24 A I think perhaps in Highland Park. I really
25 don't know.

1 Q Have you ever checked --

2 A As far as vandalism goes. I've just -- I just
3 had my car stolen, and my son had his bicycle stolen
4 and we've been having a rash of things happening in our
5 neighborhood.

6 Q I think we can readily agree, Mrs. Champion,
7 that occurs other places than South Amboy.

8 A I suppose. Especially in the times we have now.

9 Q What I'm getting at, though, is, have you looked
10 into the other communities in Middlesex County to check
11 and compare, to see whether any of those are less
12 polluted than where you now live?

13 A Not directly, no.

14 Q How about indirectly?

15 A Just opinions of friends living in those areas.

16 Q General conversation?

17 A Yes.

18 Q And that's that?

19 A Yes.

20 Q Now about insofar as a comparison of the crime
21 rate where you live and crime rate in other communities
22 in Middlesex County.

23 Have you checked that out at all?

24 A No.

25 Q The full extent of your knowledge concerning that,

1 I would assume, also, is your general conversation
2 with others?

3 A Yes.

4 Q And nothing more.

5 A Yes.

6 Q Have you attempted to relocate?

7 A Yes, I have.

8 Q When did you make your first effort?

9 A Well, I've been trying for the past four years,
10 but I can't seem to get out of the area.

11 Q What seems to be the reason?

12 A I can't find a place that I can afford.

13 Q Where have you looked?

14 A I've looked in Spotswood, South River, East
15 Brunswick, Edison, Metuchen, Madison Township, Highland
16 Park, Woodbridge.

17 There may be a couple other places, but I can't
18 place them.

19 Q Over what period of time did you make these
20 efforts to relocate?

21 A From June 1972 -- let me think on that a minute.

22 --I believe it was '72, until now, until the present time.

23 Q I understand you're still looking?

24 A Yes.

25 Q Now, what do your efforts consist of, during this

1 period of time, in order to attempt to relocate?

2 A Well, I consulted a realtor.

3 Q Where?

4 A Sun Realty, at one time.

5 Q Where are they?

6 A I don't even know where the main office is. The
7 reason I consulted them was, because a fella that I
8 went to high school with worked for them.

9 Q You say, "consulted." Did you go to their office?

10 A I called on the telephone.

11 Q Yes.

12 A I told them the areas I needed and what I could
13 pay.

14 Q Tell me what you told them.

15 A I told them I wanted to live somewhere close to
16 the college I was attending --

17 Q Do you know what municipality that college is in?

18 A Edison.

19 Q So you have a preference to living either in
20 Edison or in the immediate -- the communities immediately
21 adjacent to Edison?

22 A Yes. I didn't want it to be too far. But, I
23 wanted it to be in a fairly good school system.

24 Q Did you specify the communities that you wanted?

25 A No, I didn't.

1 Q What do you call a good school system?

2 A A system whose majority of time is concerned with
3 education rather than discipline.

4 Q Have you made a study of those school systems
5 in the county?

6 A To some degree, yes.

7 Q Give me an idea of what you did.

8 A I have a couple of friends who are school teachers
9 now.

10 Q In what schools?

11 A One specifically, the girl that I live with, works
12 in the Manalapan school system, and when she was seeking
13 employment, which was almost three years ago, she was
14 looking into the school systems, finding out which
15 ones were more progressive than other ones.

16 Q Did she give you her opinion about her own school
17 system that she works in?

18 A Sure, we talk about it.

19 Q Do you know what county that's in?

20 A It's in Monmouth County, I believe.

21 Q Do I understand you had some discussion or
22 discussions at length with this girl friend of yours
23 and she gave you her views?

24 A Yes.

25 Q Did you make any other efforts to research the

1 problem, rating or qualifying the school systems in
2 Middlesex County?

3 A People that have children in those school systems.

4 Q Pardon me?

5 A People who have children in those school systems.

6 Q You mean you spoke to parents?

7 A Yes.

8 Q Can you identify any of them?

9 A I might be able to, let me think.

10 Q Well, to save you some time --

11 A It was a very long time ago, because I've been
12 in Sayreville for quite a long time.

13 Q You've been where?

14 A Well, my town is Sayreville, my mailing address
15 is South Amboy. My children go to Sayreville school
16 system.

17 I suppose I should have brought that out.

18 Q Help me out a little bit. How does that work?

19 A Well, I guess, because I'm located closer to the
20 South Amboy Post Office, and because Sayreville is,
21 strangely shaped. They cut it off.

22 Q Do you in fact live in Sayreville or South Amboy?

23 A Sayreville.

24 Q You do not live in South Amboy.

25 A No. I live in Sayreville.

1 Q But, you have a mailing address --

2 MR. SEARING: I believe the map
3 would show, the street she lives on, is
4 the dividing street, and has been the
5 cause of some confusion, stemming way
6 back to the summertime.

7 MR. CHERNIN: I'm not challenging
8 it, Mr. Searing, I just wanted to make
9 sure I knew where she was living, or at
10 least where she thinks she's living.

11 Q Now, rather than to identify the people with whom
12 you had these discussions, can you tell me the names of
13 the schools that you're talking about?

14 A New Brunswick --

15 Q New Brunswick what?

16 A New Brunswick and Perth Amboy school systems.

17 Q Well, there are more than one school in each of
18 those municipalities, aren't there?

19 A I suppose there are, yes.

20 Q And various grades and levels.

21 A I don't know anything about that, specifically.

22 I haven't made any direct inquiries about the
23 school systems, only that, from conversation, that New
24 Brunswick school system and Perth Amboy school systems
25 have a lot of discipline problems.

1 Other school systems, I've heard that East
2 Brunswick and Edison school systems are quite progressive
3 as is Highland Park, and Piscataway, North and South
4 Brunswick I know nothing about.

5 Q The information you're giving me, and I don't mean
6 to be offensive about it, but it comes in the form of
7 gossip more than anything else, doesn't it?

8 A I suppose you could put that label on it if you
9 wished.

10 Q And you yourself haven't gone into any of these
11 schools, let's start at, say, kindergarten school, in
12 any of the towns, and checked it out yourself.

13 A No, only Sayreville, only the ones my daughter
14 goes to.

15 Q In New Brunswick, you haven't gone into the
16 elementary schools and looked around?

17 A No.

18 Q Spoken to any of the teachers?

19 A No.

20 Q Or the principals?

21 A No.

22 Q To see whether in fact they had a problem?

23 A No.

24 Q And going up the ladder all the way through the
25 high schools, you haven't gone into that?

1 A Well, high schools don't concern me right now.

2 Q Because of the age of your children, right?

3 A Right.

4 Q How about Sayreville. Have you gone into that?

5 A Yes.

6 Q What school did you go into in Sayreville?

7 A Well, two of them, Truman School, which my
8 daughter is presently enrolled in, and Washington School,
9 which is on Main Street.

10 Q What's your criticism of Truman School?

11 A None whatsoever.

12 MR. SPRITZER: I didn't hear that
13 answer.

14 A None.

15 Q And the other one on Washington Street?

16 A Yes.

17 Q Is there a name to that?

18 A Washington School.

19 Q What's your criticism of that school?

20 A I don't believe I have any. My daughter was in
21 it for just a few months, when we moved.

22 Q So the two schools you did check out in Sayreville,
23 you have no criticism of those.

24 A Right.

25 Q Is there any other criticism you have for any of

1 the schools in Sayreville?

2 A They're the only two I'm familiar with.

3 Q The other information is this so-called gossip
4 type information.

5 A Yes.

6 MR. SEARING: We object to that
7 characterization, as a matter of course.

8 Q Mrs. Champion, getting back to the times when
9 you made inquiries, or inquiry of this Sun Realty --

10 A Yes.

11 Q --you have no recollection of the office you
12 called. That is, the location of it.

13 A Might have been East Brunswick, but I'm not sure.

14 MR. BRIGIANI: I didn't hear that.

15 THE WITNESS: It might have been
16 East Brunswick, but I'm not sure.

17 Q I assume also that you no longer remember the
18 name of the gentleman you spoke to?

19 A You're right in your assumption.

20 Q What I would like you to think about, and give me
21 as much details, exactly what did you tell this gentleman
22 at Sun Realty that you wanted?

23 A I told him that I wanted a two-bedroom apartment,
24 in a good school district, near Middlesex County College,
25 at a rent maximum of a hundred forty dollars, or a hundred

1 fifty dollars, perhaps. I don't remember which.

2 Q So you described it with a bedroom limitation,
3 in other words, a number of bedrooms.

4 A Oh, sure.

5 Q And you described it with a rental limitation,
6 that is, the amount that you felt you could afford to pay.

7 A Right.

8 Q Did he give you an answer?

9 A Yes.

10 Q What did he say?

11 A He told me there was no such apartment.

12 Q In any of the communities that you were interested
13 in?

14 A He couldn't find any any place.

15 Q You, of your own personal knowledge, Mrs. Champion,
16 know of any community anywhere that would accommodate,
17 or would provide you with a two-bedroom apartment, as
18 you've described, for the rental of approximately 150
19 or 160 dollars per month?

20 A There was one.

21 Q Where?

22 A In Rutgers Student Housing, Piscataway. But,
23 they have recently increased their rents to \$205.

24 Q And would that accommodation have satisfied you?

25 A Yes.

1 Q And, if there was one available there, you would
2 be willing to accept it?

3 A Yes.

4 Q I gather you were not then and probably not now
5 interested in a one-family residential home.

6 A It's quite out of my financial area. I couldn't
7 even think about it.

8 Q And the problem, then, is the absence of money.

9 A Right.

10 Q Now, what is your complaint today, Mrs. Champion,
11 concerning the unavailability of the housing you would
12 like?

13 A The apartments are just much, much too expensive,
14 and there aren't any apartments really for families.
15 All the new apartments that go up have one bedroom, or
16 two bedrooms, and the two bedrooms cost quite a bit of
17 money.

18 Q You're not really saying that there aren't a large,
19 large number of two bedroom apartments in the County of
20 Middlesex, are you?

21 A There aren't that many, no. Most complexes that
22 go up only have -- the majority of the apartments are
23 one bedroom apartments.

24 Q Have you looked into Madison Township, for instance?

25 A Skytop and London Terrace, and that whole row of

1 complexes, if that is Madison Township, yes.

2 Q By my recollection, there seems to be a whole row
3 of garden apartments up and down, what is that, Route 9?

4 A Right.

5 Q One off the top of my head is Nieuw Amsterdam
6 Village.

7 A Yes.

8 Q Have you been in there?

9 A Yes.

10 Q Checked out the two bedroom apartments?

11 A Yes.

12 Q They do have a large number in there?

13 A I looked -- I don't know about the number of
14 apartments they have, but I did go there, I guess it
15 was almost two years ago --no, it was about a year ago,
16 year and a half ago, and it was myself and my two children
17 and the girl that I'm living with now.

18 The apartments weren't big enough for us. What
19 we would have had to do is divide one of the bedrooms,
20 because there's four of us. And it just wouldn't have
21 worked.

22 Q You said there were four of you?

23 A Right.

24 Q Not four in your family?

25 A There was with my roommate. The apartments are

1 two bedroom apartments and they're far beyond my
2 financial accessibility.

3 I mean, I just couldn't think about it. The
4 only one as I said before that I have found that I could
5 afford is Rutgers Housing. And now that one is out of
6 my reach also.

7 Q Narrowing it down, Mrs. Champion, your problem
8 is one pretty much restricted to the absence of money.

9 A That's correct.

10 Q Do you feel, Mrs. Champion, that you should be
11 able to live anywhere in the community that you desire?

12 A To some extent, yes.

13 Q Can you explain it to me?

14 A I don't feel that I should be able to say, go into
15 any community and immediately procure housing.

16 But, there should be some place other than Perth
17 Amboy or New Brunswick that I could find some place to
18 live.

19 Q Do you feel, because you can't do that, as you've
20 just described, that you're being discriminated against
21 in some way?

22 A Sure, yes.

23 Q Tell me how you feel that this discrimination,
24 as you've described it, comes about.

25 A How I feel it comes about?

1 Q Yes. What causes it?

2 A Insufficient low income housing.

3 Q You feel that it's somebody's obligation to provide
4 low income housing?

5 A I do.

6 Q Whose obligation would you think it would be?

7 A I would say it would be all the municipalities
8 should take some sort of effort to share the housing
9 problem for the low income people.

10 Q Are you saying the government should do that or
11 the municipalities themselves should do that?

12 A Well, I don't know exactly how the economic part
13 of it goes.

14 Q What I'm getting at, who should own these apartments
15 and build these apartments for low income people that
16 you've just described, in order to permit you to live
17 there?

18 A I guess the state, the municipalities and the
19 federal government should get together on it.

20 Q So, what you're saying is that you feel that the
21 burden to provide you with this type of low income housing
22 is basically a governmental burden, whether it be on a
23 municipal level, a county level or a state level, or
24 maybe even a federal level.

25 A I suppose. I can't see any place else to go.

1 Q And this kind of situation, really, and the
2 **complaint** you're making as to the absence of this type
3 **housing**, is not generally confined to Middlesex County,
4 **is it?**

5 A I don't know about the other counties.

6 Q Well, what I gather is that you're saying the
7 governmental agency, or whatever it may be, or whichever
8 one it may be, should have the burden of providing this
9 accommodation to you.

10 MR. SEARING: Was that a question?

11 MR. CHERNIN: That's a question.

12 (Whereupon, pending question read

13 back by the reporter.)

14 MR. SEARING: I'm sorry, I guess it
15 was a question.

16 Q I'm asking whether or not you agree with what I
17 said.

18 A I suppose, yes.

19 Q And the function of the various governmental bodies
20 **is not** a, not only a county-wide problem, but a
21 **state-wide** and country-wide problem, wouldn't that be so?

22 A I'm sorry, I don't understand. Do you mean --

23 Q I'll try it again. The obligation to provide
24 this low income housing, as you've described it, which you
25 attribute to some governmental body, do you follow me so
far?

1 A Yes, yes.

2 Q Really should not be, and can not be limited to
3 a municipality or a county or a state, but could
4 conceivably be nation-wide, if the federal government
5 at least is to participate in it.

6 A Yes.

7 Q You agree with that?

8 A Yes.

9 Q And, is it your feeling, Mrs. Champion, that
10 you should be able to live pretty much anywhere you'd
11 like to, and there should be some kind of low income
12 housing available to you?

13 A As I said before, I don't expect to be able to
14 live any place I want to, that is much, much too ideal.

15 Q But, not out of the question, in your mind?

16 A But, not out of the question?

17 Q In your mind.

18 A I think it is out of the question. I've kind of
19 lowered my ideals somewhat over the years.

20 Q Why do you say it's out of the question? What's
21 the limitation?

22 A I don't understand now.

23 Q You've placed a limitation on living anywhere you
24 want to.

25 A Okay. One municipality may already have their

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share of low income housing, okay?

Q Have you checked out to see which one in Middlesex County has their share?

A Yes.

Q Who?

A New Brunswick and Perth Amboy, I believe carry much, much more than their share.

Q Where have you looked to find out and get this information?

A In the statistics from the transcripts from this case.

Q Now you've got me confused. What transcript are you talking about?

MR. SEARING: The --

MR. CHERNIN: Excuse me, Mr. Searing.

I may be able to guess what you're going to say, but I'm not quite sure what the young lady will say.

If you don't mind, I'd like to get her impression of what she said to me.

A The data that was compiled -- I don't know what it's called. I don't know what exactly the label it is. It's this thing right here.

Q Do you have a document in front of you?

A Yes.

1 Q Is there a caption on the document?

2 A I don't know, which one is it?

3 Q Do you know what it is you have in your hand?

4 A It's the Complaint, it's a copy of the Complaint.

5 Q You're referring to the Complaint in this case.

6 A Yes.

7 Q You've read that?

8 A Yes.

9 Q Do you understand it?

10 A To some degree.

11 Q Now, would you mind going back to the limitations
12 that we were talking about, as to where you should be
13 able to live, when you would like to?

14 A Okay.

15 Q Would you give me those limitations again,
16 please?

17 A I don't know what -- I don't think I understand,
18 I'm sorry, what you mean by the "limitations."

19 Q All right, let's back up again.

20 Q Do you feel that you should be able to live, or
21 entitled to live, in any place you wish, and have
22 accommodations as you previously described available to
23 you?

24 A Within reason.

25 Q All right.

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What is your meaning of your phrase, "Within reason"?

A I don't expect to go -- I don't expect there to be vacant housing, low income housing, sitting all over the County of Middlesex, just waiting for me to move in.

I do expect that the municipalities, all the municipalities in Middlesex County, and other counties, should have accommodations for low income people, because they do employ low income people, and if the people are working in a county, I don't see why they should have to live outside the county.

Q Let me follow that a minute, Mrs. Champion. Let us assume that a municipality does in fact have low income housing, but there are no vacancies in that low income housing.

What do you propose that the remedy there be?

A Well, it would depend on a couple of variables.

If they did in fact carry their share of the percentage of low income in the county, then I wouldn't expect to find an apartment there.

If they didn't have their share, then I would expect that they should construct some additional housing.

Q Do I gather from what you're saying that each municipality should build enough low income housing to arithmetically constitute its basis of low income housing?

1 A To integrate it as evenly as possible.

2 Q Would you take into account the fact that one
3 municipality may have already erected and have available
4 a far greater percentage than it might normally have
5 if it were divided on a arithmetic basis?

6 A Of low income housing?

7 Q Of low income housing.

8 A I wouldn't think that that would be fair either.
9 I mean, why should one community carry the load more so
10 than the others?

11 Q Are you placing the limitation, then, in your
12 mind and theory, as to the fact that a given municipality
13 should have only its prorata percentage of low income
14 housing?

15 A Well, you see, if one community has an excess,
16 another community will not have to have their fair
17 share, because it's taken up over here.

18 Q That would be acceptable to you?

19 A No. I think it should be evenly distributed.

20 I think that when you have a mass of low income housin
21 in one area, it can not do any more than create a ghetto.

22 Q And it's your feeling that a given municipality
23 which has a far greater amount that should be attributable
24 to it, should then cut down on theirs, so that others
25 should build up on theirs?

1 A Well, -- I suppose that would be the only way,
2 perhaps. Now I'm not sure of this. To alleviate the
3 problem of massive low income concentrations.

4 I don't see any other way.

5 Q Have you at all looked into the feasibility of
6 building low income housing, supported by governmental
7 funds?

8 A You mean the costs?

9 Q Yes, that's one of the considerations, yes, the
10 costs.

11 A No, I don't know specifically the costs. I know
12 that there are monies available.

13 Q Do you feel that the various governmental agencies
14 are obliged to avail themselves of the funds that you
15 just talked about in order to build this low income
16 housing?

17 A I do.

18 Q Do you think that they should do that?

19 A Yes.

20 Q Do you feel, Mrs. Champion, that you are in any
21 way discriminated against, because of your ethnic
22 background?

23 A No.

24 Q Other than the economic, in quotes, discrimination
25 which we've already been talking about, do you feel

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that you are in any other way being discriminated against,
in Middlesex County?

A I guess my being on welfare would be part of my
economic situation.

Q I didn't mean your economic situation. I mean,
do you feel that there is any other area in which you
are being discriminated against, not assisted by the
government?

A No, I suppose not.

There is the fact of my being on welfare. I've
been discriminated against, because I am on welfare.
I've been refused housing, because of it.

Q Because you're receiving some form of governmental
assistance, you feel that that in itself has resulted
in some forms of discrimination.

A Yes.

Q I gather that that means that, in some people's
mind, that because you are not gainfully employed and
because you are obliged to seek governmental assistance,
that in and of itself is a form of discrimination. In
their minds.

A Yes.

MR. SEARING: I object to that
question, in the sense that the witness--
I mean, it's almost impossible for her

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to be reading other people's minds.

But, I'll let the answer stand.

MR. CHERNIN: To save a little time, it's my recollection, we do have a stipulation we're reserving all objections, save those which pertain to confidential material, or questions objected to the form of questions or things of that nature.

MR. SEARING: Yes. I just hadn't said anything in a while.

MR. CHERNIN: I didn't miss it.

Q Mrs. Champion, are you a member of the Urban League?

A League?

No, I'm not.

Q How is it you came to be a plaintiff in this litigation?

MR. SEARING: I object and instruct the witness not to answer the question.

Q Did you sign any documentation authorizing this litigation in your name?

MR. SEARING: I instruct the witness not to answer the question.

MR. INGLESE: May I request counsel give the reason why he's instructing the

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witness not to answer?

MR. SEARING: The question is irrelevant, immaterial --

MR. INGLESE: Those are insufficient grounds under our rules.

MR. CHERNIN: May I add one other thing to you, Mr. Searing, you've already given me those answers.

In your answers to interrogatories.

MR. SEARING: What question?

MR. CHERNIN: Whether or not she signed an agreement or authorization, whether any retainers were executed. Irrespective of whether there are or are not, I would like the witness to answer the question, unless you persist in your instructions.

MR. SEARING: What was the question again?

MR. CHERNIN: I'll repeat it.

Q Mrs. Champion, did you issue any authorization for anybody to institute this suit on your behalf and in your name?

MR. SEARING: You can answer that.

A I really don't remember. I don't remember signing

1 anything specifically.

2 Q Were you consulted by anyone -- withdraw that.

3 A A little while ago you were pointing to that
4 document on the table in front of you. That's the
5 Complaint in this case. Was that ever explained to
6 you during any time prior to its filing?

7 A No.

8 Q No one ever went over it with you and told you
9 what you were alleging in that instrument?

10 MR. SEARING: I object, instruct
11 the witness not to answer that question.

12 That material is privileged.

13 Q Do you know, Mrs. Champion, what's in that
14 instrument that pertains to you?

15 A Yes.

16 Q What is it?

17 A It states my name and address incorrectly --

18 Q You want to make the correction now?

19 A Yes. As it reads here, it states I reside in
20 New Brunswick, at 12 Euler Street, South Amboy. New
21 Brunswick shouldn't be there. It states that I have
22 two children, I am Caucasian, live in a three bedroom
23 apartment with a female friend --

24 Q The three bedroom apartment statement, is that
25 accurate?

1 A Yes. I'm a student at Middlesex County College
2 in Edison, my income is welfare, that I would like
3 to be able to live in a suburban part of Middlesex
4 County, by myself and my children, but have been
5 unable to find such housing.

6 Q Am I wrong in my recollection, Mrs. Champion,
7 a little while ago you said that you -- withdraw the
8 question.

9 Do you know what your complaints are that are
10 contained in that document?

11 A My complaint is essentially a financial one, an
12 economic one.

13 MR. CHERNIN: No other questions.

14 MR. SEARING: Can we have a five
15 minute break, just to stretch or get
16 a glass of water?

17 MR. SPRITZER: Sure.

18 (Recess.)

19 (After recess.)

20 CROSS EXAMINATION BY MR. SPRITZER:

21 Q Mrs. Champion, I'm Martin Spritzer.

22 A Hello.

23 Q The attorney for the Borough of Metuchen, one of
24 the defendants. I'm just going to ask you a few questions.

25 A Okay.

1 Q In your seeking low income housing throughout
2 the county, did you ever go to any municipal board
3 or body in the county, and ask that board or body
4 to take steps to provide low income housing?

5 A No, I did not.

6 Q You never showed up at a council meeting or a
7 commission meeting?

8 A No.

9 Q Or a Planning Board meeting?

10 A No, I did not.

11 Q Did anybody do that on your behalf? To your
12 knowledge.

13 A No.

14 Q On your original testimony, did you say you
15 looked in Metuchen?

16 A Yes, I did.

17 Q Did you go to any broker in Metuchen?

18 A No, I did not.

19 Q Did you find any apartments available in Metuchen?

20 A To my extent -- the extent of my search in Metuchen
21 was confined to the newspaper. What was available in
22 Metuchen was beyond my reach financially, in the newspaper.
23 And that's as far as it went.

24 Q Do you have any savings?

25 A Yes, I do.

- 1 Q How much?
- 2 A Oh, maybe twenty-five dollars, something like that.
- 3 Q Is that in a savings bank?
- 4 A Yes, it is in my son's savings account.
- 5 Q Do you know what a mobile home is?
- 6 A Yes.
- 7 Q Would you consider living in a mobile home?
- 8 A Yes, I would, and I have, twice in my life.
- 9 Q When was this?
- 10 A This was in the latter part of '68, and the
- 11 beginning of '69, in Radcliffe, Kentucky.
- 12 Q Was that with your husband at the time?
- 13 A Yes.
- 14 Q Was that a single wide or double wide?
- 15 A Single.
- 16 Q How many bedrooms did it have?
- 17 A Two.
- 18 Q Did you have children at that time?
- 19 A Yes, one.
- 20 Q Do you consider mobile homes suitable for low
- 21 income people?
- 22 A I was quite comfortable in one.
- 23 Q When I say, do you consider them suitable, as
- 24 far as economically suitable? Financially suitable?
- 25 A I do not know what they rent for now. I do not

1 even see very many now. When I lived in Kentucky,
2 the low income housing was mobile homes and trailers.

3 There weren't apartments built. I rented a
4 two bedroom mobile home for a hundred twenty-five
5 dollars a month, which was quite suitable.

6 Q Who owned the home?

7 A I do not know. It was in the midst of a complex
8 of mobile homes.

9 Q You only rent it, you didn't own it.

10 A Right.

11 Q Do you know how much mobile homes cost to buy?

12 A I do not, no.

13 Q Have you sought housing accommodations in the
14 last couple of years, when you've been looking, in any
15 mobile homes in Middlesex County?

16 A No -- no, I have not.

17 Q But, you say you would be satisfied to live in
18 a mobile home?

19 A If I could find one in -- the only mobile home
20 park that I'm aware of is right on Route 18, which I
21 would not even think about moving.

22 Q Why is that?

23 A Because of the sake of my children.

24 Q What do you mean for the sake of your children?

25 A Because of the highway.

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Q Have you looked in Eidson at all, on Route 1, in regard to a mobile home park?

A No, I have not.

Q Have you looked in South Brunswick?

A No. Route 18 is the only one I'm even aware of.

Q Well, what would your requirements be in respect to the location of a mobile home?

A So it was in some sort of a -- it would have to be off of the main highways, it would have to be off the main highways, it would have to be in an acceptable school district.

Q What would the rent have to be, the same as you stated for an apartment?

A Sure. That doesn't change.

Q And if there was a down payment, I assume you couldn't afford it.

A No. You're speaking of purchasing?

Q Yes. Would you consider purchasing a mobile home?

A No. It's not in my realm at all.

Q So you would only consider renting a mobile home.

A Yes.

Q And the only mobile park you are aware of, and which they are rented, is Route 18 in East Brunswick?

A I'm not even sure that they're rented. It's

1 the only one that I've seen.

2 Q Now, Mrs. Champion, you indicated on Mr. Chernin's
3 questions that you want all municipalities of
4 Middlesex County to share in respect -- proportionately,
5 I assume, for the responsibility for low income housing.

6 A Yes.

7 Q Have you given any thought to the extent of that
8 sharing by municipality which has very little vacant
9 land left?

10 A Yes, I have.

11 Q And what is that thought?

12 A Well, if there is no place to build, I don't see
13 how -- if there's no place to build, you can't build.
14 If it's all built up.

15 MR. CUMMINS: I can't hear
16 the witness.

17 (Whereupon, last answer read back
18 by the reporter.)

19 MR. SPRITZER: No further questions.

20
21 CROSS EXAMINATION BY MR. ROZANSKI:

22 Q I'm Richard Rozanski and I'm representing the
23 Township of Woodbridge.

24 I only have a few short questions for you.

25 Are you interested in living in Woodbridge Township?

1 A It was one of my considerations, yes.

2 Q Do you know where Woodbridge Township is at?

3 A I don't know the extent of it.

4 Q What extent do you know? What in your mind
5 encompasses Woodbridge?

6 A Woodbridge starts on the northern side of Perth
7 Amboy, I believe, goes up to Colonia, or perhaps Colonia
8 is a part of the Woodbridge. I'm not sure of the
9 boundaries.

10 Q You're sure it starts somewhere north of Perth
11 Amboy.

12 A Yes.

13 Q Have you ever sought housing in Woodbridge?

14 A Yes, in the newspaper.

15 Q In the newspaper. Is that the only method
16 that you used to seek housing there? You never got in
17 touch with a realtor?

18 A No realtors, no.

19 Q Just through the newspaper, then.

20 A Yes.

21 Q Now, what was the result of you looking through
22 the newspaper?

23 A There was nothing that I could afford.

24 Q Was this just for apartments or for housing?

25 A There's no -- do you mean single residences?

1 Q Yes.

2 A It was for both. I keep my eyes open for both,
3 but I realize single residence will not appear.

4 Q In your Complaint, you stated that you would like
5 to live in a house of your own in a suburban part
6 of Middlesex County.

7 What do you mean by "suburban part of Middlesex
8 County"?

9 A I suppose by suburban I mean not as highly
10 industrial as the area I'm living in now.

11 I have a problem with the pollution. I'm getting
12 ill, and my doctor tells me that it is the area that
13 I'm living in is causing me some problems.

14 Q Can you describe exactly the area you're living in?
15 It's somewhere around Route 35 and 9 in Sayreville.

16 A It's right by the bridges.

17 Q Right beyond the bridges?

18 A Yes.

19 Q Would you say, perhaps, half a mile beyond the
20 bridge?

21 A I would say a quarter of a mile beyond the bridges.

22 Q That would put you beyond the Parkway Plaza, some
23 point beyond that?

24 A I suppose.

25 Q Now, would that be on the north or the south

1 side of Route 9? North -- heading south, it would be
2 the right-hand side. Heading south on Route 9, the
3 north would be the right-hand side.

4 A I don't know exactly.

5 Q Okay, strike that.

6 Are you aware of any pollution that occurs in
7 Woodbridge?

8 A Not directly of how much industry they have, no.

9 Q Have you ever been past the Hess complex in
10 Woodbridge, in Port Reading?

11 A That's the main Hess Building? With the
12 stations on both sides?

13 Q No. This would be in Port Reading.

14 A The one down by the water?

15 Q That's right.

16 A Yes, I pass it several times every day.

17 Q Have you ever seen much pollution coming from
18 there?

19 A I think it's basically on the other side.

20 Q Do you feel that Woodbridge can provide low
21 income housing for you?

22 A Yes.

23 Q How do you propose that they provide this low
24 income housing?

25 A By building it. I believe that the county has

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a Master Plan, in which low income housing is a part.

Q How do you propose, then, that this building be financed?

A I would assume by -- I don't know how that works. Now, if a construction company comes in and -- I don't know. I would imagine the community itself, a construction concern, and the federal government.

Q Okay. Let me ask you this specifically. Why do you want to move out of your present location in Sayreville?

A It's much too expensive. It's much, much too expensive.

Q Does the pollution play a factor in it?

A Yes.

Q Does the vandalism play a factor in it?

A Yes.

Q Does the overcrowding play a factor in it?

A Yes.

Q Do the traffic conditions play a factor in it?

A Yes.

MR. ROZANSKI: No further questions.

1 CROSS-EXAMINATION BY MR. BRIGIANI:

2 Q Mrs. Champion, I'm Guido Brigiani, attorney for
3 the Borough of Spotswood.

4 You mentioned that you looked in Spotswood. In
5 what manner did you look in Spotswood?

6 A I went to a complex, I'm not sure of the name,
7 it's on Main Street -- it's not the one down by the
8 water treatment plant, it's the one across the street
9 from Verasca's Hardware Store.

10 I don't know the name of it, but I could not
11 afford it.

12 My parents also searched for me in Spotswood.

13 Q Your parents?

14 A Yes. I was born and raised in Spotswood.

15 Q Your parents are living in Spotswood now?

16 A Yes.

17 Q And the name is Glock?

18 A Yes.

19 Q Well, there are more than one, or there is more
20 than one multi-family housing development in Spotswood,
21 is that correct?

22 A Yes.

23 Q Besides the one that you -- did you or did your
24 parents --

25 A I did.

1 Q What was the answer, they weren't available,
2 they weren't there or what?

3 A There was one available, within, I believe it
4 was four months I could move in.

5 They were building new apartments. It was a
6 two-bedroom, and it was at least fifty dollars a month
7 more than I can afford.

8 Q Did you try any of the others?

9 A The one down by the water treatment plant, I did
10 not try, simply because I have a friend living there
11 with her two children, whom I had visited on occasion
12 and it just didn't seem like the atmosphere that I
13 would want for my children.

14 Q And these are the rents, in that particular
15 place, are the type of rents that you could afford?

16 A I don't know about the rents in that place.

17 Q There's also another one further up the street.

18 A Yes.

19 Q Did you try that one?

20 A No, I did not. I had heard that it was basically
21 the same as the rents that I inquired about on the
22 other side of the street.

23 Q But, you're not sure whether or not apartments
24 are available there, within the price range that you
25 might want.

1 A My parents were looking, my parents' friends
2 were looking. I wanted to live in Spotswood. That's
3 where my family is. No one could find anything. And
4 the search covered three months.

5 Q By "find anything," do you mean the apartments --
6 there were no vacant apartments or that you just
7 couldn't afford the rent, which?

8 A I couldn't afford the rent.

9 Q But, there are vacant apartments.

10 A At that time they told me, in the one complex,
11 that I could move in in three months. They were building
12 new ones.

13 Q And that would have been satisfactory?

14 A If I would have been able to afford it, certainly.

15 Q And you complained about the other ones, because
16 you felt that they weren't adequate, in what way?

17 A The atmosphere.

18 Q By "The atmosphere," these were within your
19 ability to pay?

20 A I do not know that.

21 Q By, "The atmosphere," what do you mean by that?

22 A There seemed to be a great many, I really don't
23 know how, or whether I should label these people. It
24 wasn't a family atmosphere. There didn't seem to be
25 a lot of families with children. It was more of a younger

1 group of people.

2 Q These are rather substantial complexes, aren't
3 they?

4 A Well, they're not garden apartments, as far as --
5 the way I categorize garden apartments. There's one
6 long hallway and doors off the hallway. They don't
7 seem to be very well kept at all.

8 Q You're talking **about** the fact that pollution
9 in the air affects your health, is that correct?

10 A Yes.

11 Q In other words, the pollution that's ~~there now~~
12 may not affect somebody else, but it specifically
13 affects you.

14 A I suppose we all have different degrees --

15 Q You have your own particular allergies.

16 A Yes.

17 Q Now, are you -- you must be aware, then, of the
18 pollution around Spotswood in the particular area you're
19 referring to, that's caused by Anheuser-Busch and
20 by the Peter Schweitzer Corporation?

21 A Yes.

22 Q And that wouldn't bother you?

23 A I grew up there, and I grew up on the other
24 side of town, away from the industry. I grew up
25 without any of the problems. Perhaps that's why, I was

1 immune, it was there when I was born, and I moved
2 away and came back to it. Maybe that's why I'm having
3 problems now. As to whether it would bother me now,
4 I don't know.

5 Q But you're aware of the pollution.

6 A Yes.

7 Q You're also aware that the both companies have
8 been sued a number of times for pollution, polluting
9 the air.

10 A Yes.

11 Q Not only in Spotswood, but every town around it.

12 A Yes.

13 Q You're -- your basic question is economic, and
14 the type of housing that you want is the type that you
15 can afford, and that has what you call good educational
16 facilities.

17 A Yes.

18 Q And you categorize good as opposed to not good,
19 those which have a discipline problem and those which

20 do.

21 A Yes.

22 Q Is it your feeling that only the schools you
23 mentioned in this county have discipline problems, the
24 ones you don't like?

25 A No, I'm sure every school has discipline problems.

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It's a matter of degree.

Q Incidentally, what do you -- you major in any particular subject in college?

A I'm in Social Sciences and I think I'm going to go into Sociology, or Social Welfare, but I'm not sure yet.

Q You're not going to be a teacher.

A No.

Q Now, apparently, from what you state, from the way you indicate, the only type of housing that would fit your particular situation would be a subsidized form of housing, is that correct?

A It is unfortunate, but it appears that way, yes.

Q So that this in essence would have to be comparable to the subsidized housing that you are familiar with, like Perth Amboy, New Brunswick, and in some other places.

A What do you mean by comparable?

Q Well, it would have to be a multi-family apartment house.

A I suppose.

Q Well, that's the only type of housing that I know of in multi-family, for low and middle income families.

A Yes.

Q And it would be occupied, of course, it's for

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their particular benefit, by low income first, then middle income can come in later.

Now, is that the type of housing that you would like to get into?

In other words, that particular format?

A It doesn't have to necessarily be that form of housing.

Q Well, I didn't ask you that. Would you be satisfied with that -- with housing in that type of complex?

A Yes, if it fit all the other conditions.

Q Now, all the other conditions are that they have a good school system.

A Yes.

Q And that you don't have any vandalism or difficulties of that nature.

A Well, yes.

Q Are you aware of what the conditions are in any of the housing establishments I've mentioned?

A You mean the ones in Spotswood?

Q Let me ask you.

Suppose I took, let's say, where Mrs. Cruz lives. Do you know where she lives? Do you know Mrs. Cruz?

A Vaguely. She lives in the projects in Perth Amboy.

1 Q Yes. Now, suppose we took that particular
2 project, with all the people in it, and put it into --
3 on Main Street in Spotswood. Would you live in that?

4 A No.

5 Q Why?

6 A Because it's grossly overcrowded. I think. From
7 the times that I've been there, which haven't been
8 many, but it seems to be -- seems to be very run down
9 and overcrowded.

10 And, I think, the main reason that it is, because
11 it's almost one of a kind.

12 Q What you're saying, the majority of the people
13 living there are Puerto Rican.

14 A I don't know.

15 Q Well, you said, "one of a kind."

16 A Meaning low income housing projects.

17 Q But, you said you've been through it, and it
18 seems that they were all Puerto Rican.

19 A No, I didn't say that at all. No. I don't
20 know the racial mixture. I have no idea. I've driven
21 through the projects, on the outside, really, and it's
22 just, perhaps I don't even have enough knowledge of
23 it to voice an opinion.

24 Q Are you familiar with the ones in New Brunswick?

25 A No, I'm not.

1 Q Have you ever been through those?

2 A No.

3 Q In any event, that is not the type of housing
4 that you would like, am I correct? No matter where
5 it is.

6 A No, no, no. You see, the problem I think with
7 this housing is they're overcrowded. They're overcrowded.
8 They're situated in two areas. We have Perth Amboy
9 and we have New Brunswick.

10 And instead of an even distribution, with
11 evenly distributed, it wouldn't be so massive.

12 Q I don't understand.

13 A The low income housing, evenly distributed
14 throughout the county, rather than situated in two
15 spots, in two areas.

16 Q Well, I don't know whether there are others
17 throughout the county, but, for example, take the
18 New Brunswick area. You're familiar with where
19 they are?

20 A No, I don't know them at all.

21 Q Are you aware that they face right on the Raritan
22 River, and I believe one of the finest areas in New
23 Brunswick?

24 A No. I never -- New Brunswick is outside of my
25 consideration, because of the school system. New Brunswick,

1 the rents are the lowest around, in New Brunswick,
2 but my daughter would fall apart in the school system.

3 Q On behalf of Mr. Joseph Burns, who is not here,
4 who is the attorney for the Township of North Brunswick,
5 have you ever made any inquiries concerning housing
6 in the Township of North Brunswick?

7 A No, I have not.

8 Q Never sought any housing in North Brunswick,
9 is that correct?

10 A No. And the reason being, the only housing
11 that I can -- the only housing I can afford is
12 shared with someone else. The girl I'm living with works
13 in Manalapan school system, and she felt, she had to
14 be taken into consideration, and she felt North Brunswick
15 was too far to commute.

16 So, I'm not aware of North Brunswick at all.

17 Q So you have no particular interest in North
18 Brunswick.

19 A No. Unless I could find some place there to live
20 by myself. But in the newspaper, I've never come across
21 anything.

22 Q Well, you never made any inquiry.

23 A No.

24 Q By newspaper, what newspaper are you referring to?

25 A The Home News, the News Tribune, and the Star

1 Ledger.

2 MR. BRIGIANI: No further questions.
3
4

5 CROSS-EXAMINATION BY MR. ALFONSO:

6 Q Mrs. Champion, I'm Louis Alfonso, representing
7 Madison Township.

8 You mentioned in response to someone else's
9 question that you had made some inquiries concerning
10 an apartment in Madison Township.

11 Can you tell me more specifically in Madison
12 Township where you sought such housing?

13 A If these are in fact in Madison Township, I was
14 to Madison Arms, London Terrace, Skytop Apartments. I
15 believe there's one there, Park View, I think they're
16 called, or something like that.

17 There's one on the other side, the name escapes
18 me. I think it might be Madison Gardens. One is
19 Madison Arms and one is Madison Gardens. I can't think
20 of any others.

21 Q And you inquire at Parkwood?

22 A Parkwood? Is there a Parkwood and a Park View?

23 Q Yes.

24 A Well, if they're in the one area, I went to all
25 of them.

1 Q This one area you're talking about, would it
2 be fair to say that would be the area that generally
3 runs down along Route 9 and starts in the London
4 Terrace, Skytop area, at Ernston Road is, runs south
5 on Route 9 down to the area where Madison Gardens is,
6 which is somewhat south of the intersection of --
7 strike that. Which is in the area of the intersection
8 of Route 34 and Route 9?

9 A That's correct.

10 Q Do you know where the Laurence Harbor section of
11 Madison Township is?

12 A Yes.

13 Q Did you seek apartments in that area?

14 A Yes.

15 Q Which apartments did you seek there?

16 A I can't remember the name. You turn right at the
17 light.

18 Q Which light?

19 A I believe it's the first one over the bridge.

20 I can't remember the name of the apartments.

21 Q Are you sure that's Madison Township?

22 A No, I'm not sure. I'm not sure.

23 Q It could very well be Matawan Borough or Matawan
24 Township, which is somewhat south of Madison Township,
25 isn't that so?

1 A I have no idea.

2 Q Have you sought any apartments in the Cliffwood
3 Beach section of Madison Township?

4 A No. I believe Cliffwood Beach is in Monmouth
5 County, but I'm not sure. But, I'm under that
6 impression, therefore, I would not seek housing there.

7 Q In other words, you've drawn a line of what you
8 considered to be the boundary and you would not seek
9 anything in Cliffwood Beach if you thought it would
10 be in Monmouth County. Do I paraphrase correctly
11 what you said?

12 A Yes.

13 Q So in answer to my response, that you thought
14 Cliffwood was in Monmouth County, you have not sought
15 apartments in Monmouth County.

16 A Right.

17 Q What about the South Old Bridge section of Madison
18 Township?

19 A Is that Pine Tree?

20 Q Pine Tree would be one of the complexes there.

21 A Yes, I was there.

22 Q Besides Pine Tree, have you sought apartments in
23 any other areas of South Old Bridge?

24 A Town Apartments, or Twin Oaks Apartments.

25 Q Do you know where Twin Oaks Apartments is?

1 A It's off of the extension of Route 18, I believe.
2 It's just before Pine Tree, traveling south.

3 Q Now, when did you make inquiries at Pine Tree
4 Apartments?

5 A June 1972, I was seeking housing for myself
6 and my two children. I couldn't afford it there. This
7 was all the apartments.

8 Q Did you go to Pine Tree?

9 A Yes.

10 Q And how did you get there?

11 A How did I get there?

12 Q How did you get there?

13 A You mean what road did I take?

14 Q No. What manner of transportation?

15 A A car.

16 Q You have a driver's license?

17 A Yes.

18 Q You own an automobile?

19 A Yes.

20 Q What year automobile do you own?

21 A '61 Valiant.

22 Q When did you obtain your driver's license?

23 A 1965.

24 Q So you drove to the Pine Tree Apartments and you
25 made an inquiry there.

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A Correct.

Q Were there any apartments available at the time you went?

A I believe there were.

Q And were they apartments that you were able to afford?

A No, they were not.

Q What was the price range that you were quoted?

A I don't remember.

Q And how much money could you have afforded to pay for apartments in 1972, in the Pine Tree area of Madison Township?

A Always been the same, it's not been changed.

Q And would that be --

A A hundred forty, hundred fifty dollars.

Q There were vacancies at Pine Tree, isn't that so?

A I believe so. I'm not positive, but I believe there were.

Q What about Twin Oaks or Town Oaks Apartments that you're speaking about that you said were off Route 18. When did you go there?

A I believe those I went to? -- Sometime between March and May of '74.

Q Were there vacancies in those apartments then?

A I don't remember. I don't remember.

1 Q Now, when you say Twin Oaks, would it refresh
2 your memory if I tell you they were the Town Oaks
3 Apartments?

4 A Yes.

5 Q And would it surprise you if I tell you that
6 at the time you went there, in 1974, you could have
7 obtained an apartment, two bedroom apartment, for under
8 two hundred dollars in that apartment complex?

9 A That wouldn't surprise me.

10 Q Did you make any inquiry regarding the prices
11 when you went there?

12 A I believe I did, yes.

13 Q And what did you find out?

14 A I don't remember exactly, but it was more than
15 I could afford. You see, ten dollars more is a lot.

16 Q So your limit was a hundred fifty dollars,
17 regardless of what the price was, if it was under two
18 hundred dollars, but above one hundred fifty dollars,
19 you didn't feel you'd be able to afford it?

20 A Yes. It would still be out of my range.

21 Q Did you make any inquiry with your girl friend,
22 to see whether or not you could share a cost in that
23 apartment?

24 A Yes. I believe the apartments were too small. What
25 we needed is a three bedroom. Two bedroom is not

1 sufficient for four of us.

2 Q Did you go back to Pine Tree Apartments since 1972?

3 A Yes.

4 Q When did you go back?

5 A It was in -- the same time I went to the Town
6 Oaks. They had just built some duplex apartments, I
7 believe. I'm not sure, but I think they were slightly
8 over three hundred dollars a month.

9 Q Besides these two apartment complexes you have
10 just been speaking about, Town Oaks East and ~~the~~
11 are there any other apartments that you inquired ~~at~~
12 in the South Old Bridge area of Madison Township?

13 A None that I can remember.

14 Q Did you make any inquiries in the Sayrewoods South
15 area of Madison Township? You know where the Sayrewoods
16 South area is?

17 A Would that not be Madison Arms, Madison Gardens?
18 And perhaps even all the apartments on the highway.

19 Q Did you go to Glenwood Apartments?

20 A Glenwood is much, much too expensive.

21 Q What about Madison Arms? Were there any vacancies
22 there? They're the ones located across the street,
23 across Route 516, from Glenwood.

24 A Yes, I did go there.

25 Q When?

1 A That was in '74.

2 Q When in 1974?

3 A The same period.

4 Q And what type of apartment were you seeking then?

5 A We were seeking -- we were trying to find a two
6 bedroom apartment with a room, one bedroom big enough
7 so that I could have some sort of a separate thing for
8 my bed and desk, my children would have to be in the
9 same, because the complexes, as far as I know, any that
10 I've seen don't have three bedroom apartments.

11 Q And what price did they quote you?

12 A I don't remember on that at all.

13 Q Do you recall whether it was too expensive?

14 A I think they had vacancies, and had we been able
15 to afford them, I might remember, but I don't remember.

16 Q Except for Glenwood Apartments, every project
17 you saw had vacancies at the time you made your inquiry?

18 A I believe so.

19 Q Now, you remember looking at the Arcade Apartments?

20 A Yes.

21 Q The fact that Arcade Apartments has two bedroom
22 apartments, plus --

23 A I missed you, I'm sorry.

24 Q Isn't it a fact that as a result of your inquiry,
25 you learned that the Arcade Apartments had two bedroom

1 apartments, plus an additional family room that could
2 be converted to a third bedroom?

3 A Yes.

4 Q Were you quoted a price for those?

5 A I don't remember. As a matter of fact, I think
6 what happened then, I didn't get any statistics on that
7 apartment, we went to the business office, and there
8 was a woman who was a tenant, I believe she was running
9 the office, she seemed quite scattered and had a lot
10 on her mind that day.

11 It was the end of my apartment-seeking day, it
12 was time to go home, and I think I was quite frustrated
13 at that point, and looking at the condition of the
14 apartments, and I had some friends of mine lived there
15 and complained of some vermin. I think at that point,
16 I had given up.

17 Q So you never went back to Arcade or made another
18 inquiry at Arcade.

19 A No.

20 Q What inquiries, if any, have you made regarding
21 the Madison Township school system?

22 A Just speaking with my roommate. She seems to
23 think it's a fairly good school system.

24 Q And that's the only inquiry that you've made.

25 A Yes.

1 Q Have you made any inquiries regarding the public
2 transportation system in the township?

3 A No.

4 Q Are you affiliated with Legal Services in any way?

5 A No.

6 Q Are you affiliated with M.C.E.O.C. in any way?

7 A No.

8 Q Are you receiving any money from any source
9 whatsoever for participating in this legal proceeding?

10 A No, I'm not.

11 Q Are you able to be reimbursed for your expenses
12 as a result of being here today or at any other
13 proceeding regarding this suit?

14 A No.

15 MR. ALFONSO: That's all, thank you.

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18 CROSS-EXAMINATION BY MR. BAKER:

19 Q My name is Joseph Baker and I'm here representing
20 Sayreville.

21 Have you looked at any other section of Sayreville
22 for housing?

23 A I used to live in another section of Sayreville.
24 I lived in lower Sayreville, down by the Washington
25 School.

1 Q Was that with your two children?

2 A Yes, it was.

3 Q What was the rent that you paid there?

4 A I was living in a little old house that my aunt
5 owned and I was paying thirty-five dollars a month
6 rent.

7 Q You say that the pollution, where you are
8 presently living, affects your health.

9 Is there any section in Sayreville where this
10 would not happen?

11 A The section that I lived in before, we had quite
12 a problem with Jersey Central, right down by the river.
13 And it would let itself be known constantly.

14 Q Am I correct in assuming that you don't want to
15 live in Sayreville?

16 A Sayreville is not that difficult a place to live
17 in. The school systems are okay, the rents are about
18 the same as every place else.

19 Q But, you just gave -- you have your present
20 address and another address you had lived in and both of
21 them were unacceptable.

22 A Wait a minute.

23 Q You said you lived near Jersey Central.

24 A Yes. At that time, it wasn't -- I would have
25 enjoyed staying there. That was all right.

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Q Have you looked -- where else have you looked for housing in Sayreville, other than this house you mentioned? Where you lived.

A All over the town.

Q Where in particular?

A Are the complexes that I was speaking about before London Terrace, is that Sayreville?

Q I believe it's Madison Township, although I'm not sure.

A Then I'm not -- I don't think that I'm aware of any complexes in Sayreville. I may be mistaken. Were there any, I probably would have looked for them. My daughter has been -- we've lived in Sayreville for the past four years.

As I had to move, once I was situated in Sayreville, I wanted to stay there, simply because of the school system, because she just doesn't take the adjustment of moving from one school system to another very well.

So, I looked all over. I can't tell you where specifically. I can't think of any complexes in Sayreville. But through the newspaper.

Q You said before that at your present home, you've had trouble with vandalism. Is this problem restricted to this area where you are now?

A I'm sure it's not, no.

1 Q So this problem would be throughout Sayreville.

2 A Yes. This is a recent thing that we've just
3 been having a problem with. I think the crime rate,
4 I don't know, but, I think, it must be up quite a bit,
5 because of the economic situation of the country, of
6 the world. It's not only in Sayreville.

7 Q Before Mr. Brigiani asked you if you were familiar
8 with Mrs. Cruz' apartment house. If that house were
9 on Main Street in Sayreville, you wouldn't want to
10 live there either. If it were moved from Perth Amboy
11 to the Main Street in Sayreville.

12 A We're going back to the same thing, only now
13 it's in Sayreville instead of Spotswood? Is that what's
14 happening?

15 Q Yes, right.

16 A If it were not grossly overcrowded and it was
17 kept up and there was a substantial amount of families
18 with children in the project, so that my children could
19 have some sort of a friendly neighborhood environment,
20 I would not have any objections to it.

21 Q You're saying that that complex we're talking
22 about is overcrowded. Now what's the cause of that
23 overcrowding?

24 A There's quite a limited number of low income housing
25 facilities in Middlesex County.

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Q Are you saying, then, that you do not want to live in an apartment complex in which the population density is very high? You're saying you don't want to live in a high density population area.

A Yes. I would prefer not to.

Q Now, you mentioned before that, I don't remember specifically, but you mentioned a particular apartment house with corridors.

A Right.

Q And you would not want to live in an apartment house with corridors, such as this.

A It wasn't specifically the corridors. That was just to identify the apartment, I believe.

Q If you had your choice between a garden apartment with your own entrance and an apartment with corridors, which would you elect to take?

A I don't think it would make any difference whatsoever, if the rest of the atmosphere was amenable.

Q You said -- is there any section in Sayreville where the pollution wouldn't bother you? I think I asked this before, but I forget your response. I just want to make sure I cover this point.

A Is there any section in Sayreville where the pollution wouldn't bother me. This is a recent thing with me. I don't know. The sections that I have lived

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in so far were very polluted. It's quite a problem,
I don't know what to do about it. I don't know.

Q In what particular way is your present home
inadequate?

A Financially, basically. It's quite expensive.

Q How long did you say you lived there?

A I've lived there for a year in June.

Q And you've managed to live there for a year,
but it's no longer possible, because of your financial
situation?

A I've managed, with much difficulty. In June the
rent is going to be increased again.

Rents have increased, which causes quite a
problem.

MR. BAKER: No other questions.

MR. SEARING: Off the record for
a minute.

(Discussion off the record.)

(After discussion.)

(Adjourned for luncheon recess.)

(After luncheon recess.)

J U D I T H C H A M P I O N, resumes.

CROSS-EXAMINATION BY MR. INGLESE:

Q Mrs. Champion, my name is Samuel Inglese,
I represent Monroe Township.

Do you know where Monroe Township is?

A Yes, I believe it's out by Jamesburg.

Q Have you ever sought any housing in Monroe
Township?

A I can't think of any specifically, no.

Q Have you ever investigated the school
Monroe Township?

A No.

Q Do you have any opinion at this point as to whether
or not you would like to live in Monroe Township?

A No, I don't. Monroe Township seems very, very
vague in my mind.

Q You're going to have to speak louder for me.

A Monroe Township seems very vague in my mind. Is
it out by Jamesburg?

Q Yes, that's the general area.

A Okay. No, I know nothing about the school system.

Q Do you know anything about the community other
than it's near Jamesburg?

A No.

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Q I'd like to get back to some other matters that you discussed and I'll get to some other areas that have not been covered yet.

First of all, I think that you've testified that you're on welfare and you receive approximately \$310 a month?

A Yes.

Q And out of that \$310, you're to pay out of that your portion of the rent, food for yourself and your children?

A Yes.

Q Do you also -- do you have any other source of income?

A My grant from school.

Q You call that an income. Is it money that you get or are you talking about it as being the payment of the tuition at school?

A After the tuition is paid and the books are bought, there's approximately two hundred dollars left over.

Q Is that for the whole year or is that --

A That's for one semester.

Q How many semesters are there?

A Two.

Q So you get a total of four hundred dollars extra?

A Right.

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Q Who is it that pays this grant?

A The state and the college. It's half grant and half loan. Half of it I have to pay back, half of it is free money.

Q All right. Is that under a Student Loan Program you're talking about?

A The loan portion is a Student Loan, it's called National Direct Student Loan. The grant portion is a supplementary grant from the college, because the loan that I receive isn't enough for me to go to school.

Q The grant itself, this is the one that's the gift, not the loan, that's supplied to you by who?

A The college, I believe, but I'm not sure.

Q And this is Middlesex County College?

A Yes.

Q Do you know whether or not they get those funds from the state, the federal government or the county, or even the welfare people?

A I don't know. I'm sure that it's not the Welfare Board because the Welfare Board considers it income and takes it away from me. So in essence, I don't get -- they consider it, after my tuition, they don't even consider books. Six hundred dollars per semester.

Four hundred dollars is taken up with tuition and

1 books, and the rest is for transportation and lunches
2 and whatever other expenses I have to assume to go to
3 school.

4 Welfare does not think, the rules do not allow
5 you for books. All they consider is my tuition.
6 Everything else is extra. And they consider it income and
7 increase the price of my food stamps by twenty-five dollars
8 a month.

9 So, I have to pay twenty-five dollars a month out
10 of my school loan for my food stamps.

11 So, I get it but I have to give it back to the
12 state. If you can understand that.

13 Q Yes, I understand.

14 Now, this friend of yours helps to pay for the
15 rent, I understand.

16 A Yes.

17 Q And she pays fifty percent?

18 A Yes, that's right.

19 Q Is there any other expenses that she contributes
20 toward the household, other than the rent?

21 A The utilities.

22 Q And that's the eighty dollars?

23 A Yes.

24 Q What about food? Does she contribute toward
25 the food?

1 A Well, we -- I take care of two-thirds of the food
2 and she pays fifty dollars a month and I pay a hundred
3 thirty dollars a month.

4 Whatever percentage that comes out to.

5 Q Is that towards food or are you talking about
6 rent?

7 A No, that's food.

8 Q That's food.

9 Now, you also said that you had a 1961 Valiant.

10 A Yes.

11 Q This 1961 Valiant, when did you purchase it?

12 A I didn't purchase it, I had it given to me two
13 months ago after my Volkswagen was stolen.

14 Q And prior to that you had a Volkswagen?

15 A Yes.

16 Q What was the year of that?

17 A Sixty-eight.

18 Q How did you come by the Volkswagen?

19 A I bought it when I was still married and living
20 in Kentucky.

21 Q And that would have been brand-new?

22 A Yes.

23 Q I assume that it's your obligation to meet the
24 expenses on the Valiant, for the gasoline, the insurance,
25 et cetera?

1 A That's right.

2 Q Now, I notice that, of course, in '68 you had a
3 vehicle. So that you're not concerned about being
4 located somewhere where there is mass transportation,
5 is that correct?

6 A Well --

7 Q The housing that you're seeking.

8 A No, that's not a prime consideration.

9 Q And you are a member of the suit as a member of
10 the class. Do you understand what that means?

11 A As far as I know, I fit into a certain -- I fit
12 into the economic category of the class. That's all
13 I understand by the class. By my being low income.

14 Q And do you consider that as being as a result of
15 your being on welfare or is it because you would be
16 representing the people who, although may be working,
17 may have that type of an income, where they would not
18 qualify?

19 A Yes. Welfare as well as the wage earners.

20 Q Do you know whether or not there are any members
21 of your class that are named in this suit, whether or not
22 any of them have an income and are not on welfare?

23 If you know.

24 A Combined income.

25 MR. CUMMINS: I'm sorry? I can't hear
you.

1 A Well, I'm having difficulty hearing as well.

2 MR. INGELSE: Well, why don't you

3 move over here.

4 Q You don't know whether or not --

5 A I don't know specifically. I think Lydia Cruz
6 works. Ken Tuskey, I don't believe -- he's not on
7 welfare. I don't know specifically.

8 Q All right. Now, I don't know, I don't remember
9 whether or not you testified, and if you did it's not
10 quite clear to me, but how did you come about to
11 be a member of this class and institute this law suit?

12 MR. SEARING: I instructed the
13 witness not to answer that question.

14 Maybe that was before you came in.

15 MR. INGELSE: You instructed her
16 after I was in, but were advised these
17 were part of the questions in the answers
18 to interrogatories.

19 MR. SEARING: That related to the
20 question of whether she had signed a
21 paper authorizing her, a retainer agreement.

22 Q Mrs. Champion, were you requested to be a member of
23 the class? By anyone?

24 MR. SEARING: I instruct the witness
25 not to answer that question.

1 Q I'll continue on with the questions and you keep
2 instructing her and we can go to court on it.

3 MR. PLECHNER: I'm disturbed. It
4 seems to me the question is relevant.
5 We're here involved in a Class Action, and
6 the question relates to whether or not
7 she is in fact a legitimate member of
8 a legitimate class.

9 Certainly whether or not this
10 class is contrived or is a natural class
11 is important and relevant.

12 I can not see the prejudice to
13 the plaintiffs' case by the question, unless
14 the answer to the question tends to
15 indicate that she is not a legitimate
16 member of the class claimed.

17 MR. SEARING: Whether or not she fits
18 into the definition of the class, of
19 whether or not she fits into the class
20 as defined, depends upon certain attributes
21 that she has.

22 That is not the subject of the question
23 as I understand it.

24 MR. PLECHNER: Perhaps we could have
25 the question read back.

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

3 MR. SEARING: That question does
4 not relate to whether she qualifies as a
5 member of the class.

6 MR. PLECHNER: I think it relates
7 to it or can lead to information that
8 relates to it. This is discovery. The
9 question might not be relevant at trial,
10 but it certainly can lead to information
11 that would determine whether or not she
12 is actually a member of the class.

13 And would help define the class as
14 well.

15 A class is a group of people that
16 were more or less rounded up to file suit
17 against twenty-three municipalities?

18 Or is the class a natural group that
19 came together seeking relief for a condition
20 that they feel exists affecting them?

21 I think the question is highly
22 relevant and leads to information. It's
23 a legitimate subject for discovery.

24 MR. SEARING: No, frankly, I think
25 we disagree on that point.

1 I don't think that question is
2 relevant, I don't think it goes to
3 advance the cause of what this suit is
4 all about.

5 The class has been certified in
6 court. The order has been or shortly
7 will be signed.

8 The definition of the class has
9 been briefed in the appropriate papers,
10 and counsel had an opportunity to respond
11 to that when that motion was up before the
12 court.

13 MR. PLECHNER: Well, of course, that
14 was prior to discovery, and one of the
15 purposes of the discovery is to get at
16 the facts. That's what we're trying to
17 do. And we can't establish the facts without
18 the use of discovery, when the facts
19 have to be ascertained from the other side,
20 from the plaintiffs.

21 MR. INGLESE: Mr. Plechner, if you
22 don't mind, let me continue on with my
23 questioning.

24 I'll reserve this and I'm sure anybody
25 else can make a motion too to Judge Furman.

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Q Mrs. Champion, in regards to the other parties,
do you know Cleveland Benson?

A No, I do not.

Q Have you ever met Cleveland Benson?

A No, I did not.

Q Do you know Fannie Botts?

A No, I do not.

Q Have you ever met Fannie Botts?

A No.

Q Do you know Judith --you know her. Do you know
Lydia Cruz?

A Yes.

Q You met her?

A Yes.

Q Would you tell me when you first met Lydia Cruz
and where?

A The last deposition.

Q Prior to the last deposition, had you ever met
Lydia Cruz?

A No.

Q Now, do you know Barbara Tippitt?

A No, I do not.

Q Have you ever met Barbara Tippitt?

A Yes, I think I ran into her at the law office of --

Q You're pointing at Mr. Lerner?

1 A Mr. Lerner.

2 Q Had you ever met her before that?

3 A No.

4 Q Do you know Kenneth Tuskey?

5 A Yes, I do.

6 Q And when did you come to know Kenneth?

7 A I had a problem with housing, and he was working
8 in the Housing Department, Welfare, and that's where
9 I met him.

10 Q And when was that?

11 A March 1974.

12 Q And did he assist you in housing at that time?

13 A Yes, he did.

14 Q Was your meeting of Mr. Tuskey at that time purely
15 on this professional basis?

16 A Yes.

17 Q All right. Did you subsequently meet with him
18 after that?

19 A Yes, I had. I had a problem with a landlady, and
20 I had to meet with Ken Tuskey several times after that.

21 Q When was that that you had the problem with the
22 landlady?

23 A That was between March and June of '74.

24 Q You're talking about 1974?

25 A Yes.

1 Q And was it at this time that Mr. Tuskey
2 spoke with you about this lawsuit?

3 MR. SEARING: I object to that
4 question and instruct the witness not to
5 answer.

6 Q Did Mr. Tuskey, at any time, talk to you about
7 this lawsuit?

8 MR. SEARING: I instruct the witness
9 not to answer that question.

10 Q Did Mr. Tuskey -- let me finish this series
11 of questions. Did Mr. Tuskey ever ask you to become
12 a party to this lawsuit?

13 MR. SEARING: I instruct the witness
14 not to answer that question.

15 MR. INGLESE: Now please give us the
16 reasons for your refusal to have her
17 answer these series of questions.

18 MR. SEARING: The question is not
19 calculated to lead to any matter that will
20 advance the suit.

21 MR. INGLESE: Mr. Searing, I might
22 remind you that it's not for you to determine
23 where I'm going with this, it's up to me
24 to determine where I'm going, and under
25 the rules I have a right to ask the questions.

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MR. SEARING: That's fine. Under the rules I have a right to object to your question and direct the witness not to answer.

As I understand it, you have a right to move before the court.

MR. INGLESE: I also advise you that this also involves a conversation between the parties, which can be discovered at this point.

Still instruct her not to answer?

MR. SEARING: Yes, I do.

MR. CHERNIN: May I ask a questions?

Mr. Searing, is your instruction based upon the thought that discussions between parties outside of counsel's presence is privileged matter?

MR. SEARING: No.

MR. CHERNIN: You agree it is not privileged.

MR. SEARING: No.

MR. CHERNIN: Pardon?

MR. SEARING: Yes, I agree it's not privileged. It's not between attorney and client.

1 MR. CHERNIN: Therefore, it's not
2 privileged matter.

3 MR. SEARING: No.

4 MR. CHERNIN: May I ask, therefore,
5 what the objection and the instruction
6 is based on?

7 MR. SEARING: I think -- I have
8 entered my objection and was told it
9 wasn't -- that I wasn't the proper person
10 to be deciding that.

11 I think this particular line of
12 questioning is irrelevant, not calculated
13 to lead to evidence that advances the
14 issues at hand.

15 MR. INGLESE: That's not grounds
16 under our rules.

17 MR. CHERNIN: Excuse me. Mr. Searing,
18 do you understand, or maybe you do or you
19 don't agree, that an objection as to
20 relevancy is not a reason for instruction
21 to the witness not to answer during
22 depositions.

23 Relevancy, or the lack of relevancy,
24 is not the basis for such instructions.

25 The matter must be privileged, at least.

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MR. SEARING: I'll retain my objection to this line of questioning.

MR. INGLESE: I might say at this point, Mr. Searing, that I intend that when the application is made to the court to have her instructed to answer the questions, I will seek costs, which I'm sure counsel will join in, together with the cost of the reporter, and I will also request especially that you have New Jersey counsel present with you at all proceedings.

Because of the difficulties we're running into due to your lack of knowledge of the New Jersey law in this regard.

Q Mrs. Champion, you know Jean White?

A No, I do not.

Q Ever met Jean White? A No.

Q Out of all of these co-plaintiffs that we're talking about, there's only one common person with whom you met and knew and that's Mr. Tuskey.

A Well, I met Lydia also.

Q I mean you met her after the suit started.

A Right.

Q The only person that you met prior to the institution of suit is Mr. Tuskey.

1 A Yes.

2 Q You said earlier you were not a member of the Urban
3 League, is that correct?

4 A That's right.

5 Q Have you ever been to the Urban League offices?

6 A No.

7 Q You know where the Urban League offices are
8 located?

9 A No, I don't.

10 Q Have you met any individual who was a member of
11 the Urban League?

12 A Not to my knowledge.

13 Q Do you know whether or not any of the other
14 plaintiffs are members of the Urban League?

15 A No, I do not.

16 Q Now, would you please -- I think you explained
17 to me that the member of the class that you think you
18 represent is the group that would have an income the
19 same as yours, is that correct?

20 A Yes.

21 Q And in some discussion before, other counsel
22 asked you whether or not you would live in some particular
23 subsidized housing, located within Perth Amboy, and
24 your answer was, you would not live in that particular
25 housing, because of the accommodations and the arrangements

1 and --

2 A School system, basically.

3 Q Well, I'm talking about the building itself.

4 That there were some defects in the building,
5 it was in some disrepair.

6 A Yes.

7 Q Clear something up for me, because you just made
8 a comment. Is the reason why you would not live in
9 the public housing in Perth Amboy, because of the school
10 system or is it because of the housing or is it both?

11 A It's both.

12 Q It's both, okay.

13 Now, you said that if we took that building
14 and moved it to another municipality, and I think
15 you were given two examples, one was Spotswood and
16 one was Jamesburg, and I think also Sayreville. If you
17 would live in it and you said no. Is that correct?

18 A No, I said yes.

19 Q You said that you would.

20 A I said I would if it were not overcrowded, if it
21 were not in disrepair and if it were in a good school
22 system. I have no objection to living in a project
23 if it's well maintained.

24 Q What is the basis of your conclusion that the project
25 itself is overcrowded?

1 A Just conversations with people of knowledge of it,
2 and riding through the one in Perth Amboy.

3 Q And who were some of the people you had conversations
4 with?

5 A I don't know anyone specifically. I mean, I --
6 I can't think of any specific person. I don't know.

7 Q Now, are you aware of how many -- the bedroom
8 arrangement in the apartments in the Perth Amboy Housing?

9 A I think two-bedroom is the highest that it goes.

10 Q And in your opinion, is it overcrowding on a per
11 apartment basis or is it on just the overall building?

12 A I guess it would be both.

13 Q Well, you're guessing at this point, but you're
14 relying on somebody else's information.

15 Did you ever inquire as to what would constitute
16 the overcrowding?

17 A No, I don't know.

18 Q I think you said that you did not know where the
19 apartments were, that is, the public housing apartments
20 were in New Brunswick, is that correct?

21 A Yes.

22 Q Are you aware of whether or not there is any
23 other public housing, anywhere else within the county,
24 other than New Brunswick and Perth Amboy?

25 A To my knowledge, New Brunswick and Perth Amboy

1 have the only public housing in the county.

2 Q Do you know whether or not there are any other
3 municipalities presently contemplating and in the
4 process of putting in some public housing?

5 A No, I do not know.

6 Q In Edison Township, if I were to tell you that
7 there was contemplation of public housing, would you
8 seek to make application to get admittance to that public
9 housing, if it was within your financial means?

10 A Yes.

11 Q And would it make any difference to you as to
12 where it was located within Edison Township?

13 A Only as far as school district goes.

14 Q Well, Edison Township itself is a total school
15 district, are you aware of that?

16 A No.

17 Q Do you know what a school district is?

18 A I guess the school district is for the whole
19 municipality, but there's separate schools in the
20 district.

21 Q That's correct. And you also may have a regional
22 district, which there are none in Middlesex County.

23 Now, you know where Inman Avenue is in Edison?

24 A No, I don't.

25 Q Do you know an area called -- Mr. Plechner I know

1 can correct me. Potters Village?

2 MR. PLECHNER: Yes.

3 Q Potters Village?

4 A Yes, I've heard of it.

5 Q What have you heard about it?

6 A I've heard that it's a ghettoed area in Edison,
7 the only one.

8 Q If they put public housing in that area, would
9 you move there?

10 A No, I don't suppose I would.

11 Q Could you tell me your reason why you would not?

12 A Mainly because as I understand, Potters is already
13 a very run down area, and with public housing put there,
14 I don't think it would be a proper environment for
15 my kids.

16 Q Okay. Now, would it bother you any to move in
17 an area that is, let's say, fully integrated?

18 A No.

19 Q Now, can I get an understanding from you as to
20 what your understanding is of, a reflection from you,
21 what your understanding is what constitutes a fully
22 integrated community?

23 A One that holds racial, religious and income,
24 financial -- people of all races, financial backgrounds
25 and religions.

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Q Well, so that you're talking about integration, you're talking about an overall factor of the whole human race, financial scales, religious scales and the various ethnic backgrounds.

A That's ideal integration, yes.

Q Now, would you consider that kind of a background to be percentage-wise or would you -- in other words, would be fully integrated, would you say, and I will throw out percentages, but they're not yours, okay?

Let's say, twenty percent black, ten percent Puerto Rican, fifty percent white, ten percent others?

A Yes.

Q Would you figure that there should be certain percentages of each?

A Yes, I would say.

Q As a fully integrated community?

A I would say, yes.

Q What about deviations from those various percentages? Do you think there should be deviations?

A Well, there would have to be deviations, of course.

Q Well, do you think that they should be allowed?

A Realistically they would have to be, yes, they would have to be allowed.

Q Supposing -- strike that.

Are you aware of the nature of federal funding

1 for public housing and where that money is generally
2 allocated?

3 A No, I'm not.

4 Q If I told you that most of the monies for public
5 housing given by the federal government is being put
6 into urban areas, and that this was the only housing
7 that was available through federal funding, would you
8 be willing to move in urban areas to get this housing?

9 MR. SEARING: I object, but I'll

10 let the witness answer the question.

11 Your factual statement is incorrect.

12 Your hypothetical is incorrect and

13 I think misleading.

14 MR. INGLESE: I used the word "if."

15 A If -- again, it depends on the school system.

16 Education is so very important that if the school
17 if the housing were there, the school system weren't
18 any good, I wouldn't move there.

19 I would stay someplace else, and use all my money
20 for rent in order that my kids could go to a
21 better school, rather than have money left over and poor
22 education.

23 Q Supposing that through the process that is
24 presently being contemplated, I assume in the state level,
25 that the educational system throughout the state was

1 balanced out?

2 That is, that all school systems in all communities
3 throughout the state were guaranteed to give an education
4 as required by our constitution. Would you still
5 consider moving to other communities?

6 A If the housing were available, and I could afford
7 it, yes.

8 Q What we're talking about is your lawsuit here,
9 saying that municipalities should provide housing
10 for low income people. And you have said that you are
11 not willing at this time to live in Perth Amboy or to
12 live in New Brunswick, or even if public housing were
13 set up in Edison Township, in Potters Village, you
14 would not be willing at this time, with the thoughts
15 about what it is like, to move there.

16 If all the education was the same, and there
17 was housing available for low income people, but only
18 with Perth Amboy, and only within New Brunswick, would
19 you be willing to move to these communities?

20 A If I -- well, then the variable would be the
21 environment for my children.

22 Q Let's eliminate that variable. Maybe our
23 Environmental Commission will be successful enough to
24 clear the air throughout all communities.

25 A And the projects were not run down, eliminate that

1 one too.

2 And they were not overcrowded. Yes, I would live
3 there.

4 Q All right. So that you do lay certain conditions
5 down for you to be able to live within these communities
6 at this point.

7 A Yes.

8 Q Could you again give me the reason why you are
9 a plaintiff in this suit?

10 A Because I have gone through quite a bit of
11 frustration in the past four years, seeking housing.
12 I've had to transfer my kids from -- my daughter has
13 been in three different schools, since kindergarten.
14 She's now in second grade.

15 Every place I go is much too costly for me to
16 live comfortable. I felt too transient. I've just --
17 and I have to stay in the county, because I'm going to
18 school here.

19 Q Now, the reasons you have given me at this point
20 are your personal reasons. Do you have any reasons greater
21 than your personal reasons, in the institution of this
22 suit?

23 A I don't feel that the county is integrated well
24 enough.

25 Q Would you please explain that?

1 A If that can be considered personal, I don't know.

2 Q Would you explain that to me?

3 A It seems to me that there are two concentrations
4 of low income peoples in Middlesex County, Perth Amboy
5 and New Brunswick.

6 The other municipalities are not maintaining their
7 share. I mean, why does New Brunswick and Perth Amboy
8 have to have these high concentrations and the other
9 communities not?

10 Okay, the other communities have low income
11 people living here and there. Low income people are
12 working in these other communities. Why is there no
13 place for them to live there? Why must they live over here
14 and have to commute? Why isn't there a place for them
15 to live where they work?

16 Q Okay. Are you aware of the fact that there are
17 people who are in higher income that commute to work
18 in other municipalities?

19 A Oh, yes, of course I am.

20 Q Are you aware that some of these people commute
21 very long distances?

22 A Sure.

23 Q Do you -- you know, personally know, people other-
24 than these plaintiffs in this case who you would consider
25 members of your class? Do you know their names and
addresses?

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A Do I know the names and addresses of people in my same situation?

Q Who you would consider as part of the class that you represent in this suit.

A Names and addresses. Yes, I have some friends that are in similar situations.

Q Would you be able to supply your attorney with the names and addresses of those people?

A Not offhand.

Q May I ask why?

A I've lost contact with most of them. I just don't know the addresses. I mean, I suppose if I sat down, went home and looked through my books and things like that I might be able to find them.

Q If the court were to order that all the members of the class that are known be given notice, would you be willing to do this on behalf of your attorney, so he can give them notice as to whether or not they want to be part of this suit?

Do you understand my question?

A Yeah. You want to know if I would in fact give Mr. Searing the names of anyone I know who would be in my class.

Q Yes.

A So that he could ask them to come to court.

1 Q Notify them and request whether or not they want
2 to be a member of this class -- a party to this suit.

3 A I wouldn't see any reason why not to.

4 Q Okay. I asked you would you be willing to do it.

5 A I suppose.

6 Q You say that rather doubtfully.

7 A Well, I don't understand the relevancy of it.

8 MR. SEARING: The plaintiff is not
9 an attorney and perhaps needs some
10 explanation of exactly what you're getting
11 at.

12 MR. INGELESE: She doesn't need an
13 explanation and I'm not interested in
14 giving her an explanation.

15 MR. SEARING: If you want a
16 straightforward answer to your question,
17 you might have to.

18 I don't think she understands what
19 you're talking about.

20 MR. INGELESE: She answered the
21 question.

22 MR. SEARING: And you characterize
23 her answer as being doubtful. And I don't
24 think it's doubtful.

25 MR. INGELESE: The record indicates my

1 impressions, my observation of her and
2 her motions, and it indicated to me there
3 appeared to be some doubtfulness as to
4 whether or not she would be willing to
5 supply that information.

6 MR. SEARING: And the record
7 also reflects that she doesn't understand
8 what you're talking about.

9 And if you want a better answer, you'd
10 have to explain to a non-lawyer what the
11 Class Actions are all about.

12 MR. INGLESE: I assume she being
13 a plaintiff in this suit, Mr. Searing,
14 and you being her attorney, you have
15 thoroughly explained to her what she's
16 doing in this lawsuit, and what she is as
17 a member of the class and what it constitutes.

18 That's your job, not mine.

19 MR. SEARING: There is no doubt that
20 that is true. However, I have not gone
21 into a technical discussion, a law school
22 discussion of what Class Actions are.

23 MR. INGLESE: We're becoming rather
24 argumentative on the record and I prefer
25 to proceed.

MR. SEARING: Fine. That's my wish too.

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3 Q Now, Mrs. Champion, in all of our discussions
4 here with your problems of housing, you have constantly
5 commented that you have been looking for an apartment.

6 When asked about a house, you said that you would
7 not look for a house, because you just, with your
8 means now you could not afford a house.

9 A Yes. There was a time when I -- I still do.

10 I mean, I look at the houses, where it says, "House
11 For Rent," in the newspaper. There was a time
12 when occasionally one would appear that I could afford.
13 That time has passed.

14 Q Is it passed, because you have the realization
15 that even if you could find one at the rent that you
16 would like, you still would not be able to afford it?

17 A It has passed, because the rents have increased
18 so drastically over the years.

19 Q What is your understanding of what you would have
20 to pay if you rented a house?

21 A Today?

22 Q Well, even before when you were looking.

23 A Whether I would live in an apartment or a house,
24 or a mobile home, or anything, my rent allotment does
25 not change, it's always the same. It doesn't matter
where I'm looking to live. I can only afford that much.

1 Q I understand that, but you didn't answer my
2 question. My question is, what did you contemplate that
3 you would have to pay for a house rental?

4 A A hundred forty to a hundred fifty dollars.

5 Q Did you consider that that just covered the rent
6 or did that include the heat?

7 A That would just be the rent.

8 Q Did you contemplate whether or not you'd be able
9 to afford the heat for the house?

10 A Yes.

11 Q The electric?

12 A Yes.

13 It was very doubtful whether I could afford it.

14 Q Do you feel that there should be houses provided
15 for members of your class?

16 MR. SEARING: This is very repetitious
17 of testimony, of questions asked this
18 morning. I'll allow her to answer, but
19 I -- I'm sorry you weren't here to hear
20 that.

21 MR. INGLESE: Mr. Searing, I was
22 here, she was not questioned in regards to
23 she was questioned in regards to housing
24 in general, but not houses per se.

25 MR. SEARING: I'm allowing her to

1 answer. I just think this is repetitious.

2 MR. INGLESE: I want the record
3 to show that I have been here all day.

4 I may have been -- there may have
5 been about ten minutes that I missed.

6 Repeat the question.

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

9 A Houses would be much more expensive to construct
10 than apartments, less would be able to be built. I
11 would not expect that a community would build low
12 income house -- houses, per se.

13 Q I just want to comment, I'm moved by your realism
14 as to various costs and things of this matter, and
15 just bear with me, because I do represent a municipality.
16 I want to get through some of this questioning.

17 Now, in your Complaint, you say here, referring
18 to you in paragraph 7, the last -- next to last line.

19 "She would like to live in a house of her own
20 in the suburban part of Middlesex County, to provide
21 her children with a healthier environment. She has been
22 unable to find such housing."

23 What I'm trying to get clear here is, are you
24 or have you actually been looking for housing or is
25 this just a desire of yours, which you realistically know

1 could not be provided?

2 A I have actually been looking for housing, for
3 four years.

4 Q You've been looking for it, but I'm saying
5 here, what you're asking for under the class is that
6 provisions be made by the various municipalities
7 to provide housing, and in your instance a house, which
8 would meet the standards so that you can afford, or
9 members of your class can afford to have such a house,
10 either renting it, owning it or whatever the case might
11 be.

12 A Differentiating between a house and apartment.

13 Q Yes.

14 A I would settle for an apartment that I could
15 afford.

16 Q I want to go back to the house.

17 You say that you've been looking for a house.

18 A Yes.

19 Q You think that a municipality should provide
20 housing -- houses, houses, for members of your class?

21 A No.

22 Q Would you please answer why?

23 A Because of what I just stated before. We are in
24 such need, that it would be impractical right now,
25 with the economic conditions, to build houses, as

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opposed to apartments.

Q Okay, fine.

Is it your contemplation in this suit, other than housing, to seek integration of all communities?

A I think that would be an excellent idea.

Q All right.

You say it would be an excellent idea.

Do you seek that in this suit?

A Do I seek integration in this suit?

Yes. That would be part of it.

Q Do you have or have you thought of any concept or any idea as to how this might be accomplished?

A I think to start off with, if we got some low income housing into these municipalities where there are no low income inhabitants, or very few, that it would not only benefit the low income people, but it would also benefit the middle and upper income people, to have there community integrated.

Q You didn't answer my question. Have you thought of how this would be -- of how you would be able to accomplish the integration in the communities?

A Long-range, I do not know, but to begin with, low income housing in the communities.

Q And if low income housing were provided for the members of your class, and they refused to move out into

1 those areas where the low income housing was, would
2 you contemplate the requirement that some of them move
3 so that we can integrate the communities?

4 A This is an "if" question, I assume. This is a
5 big "if" question.

6 Q Yes, it is.

7 A If the low income people decided that they
8 wanted to live in the ghetto and they did not want
9 to live in the other communities, would I force them
10 to move?

11 I find that hard to even see.

12 Q Would you prefer not to answer it?

13 A I --

14 Q You don't have to answer it if you prefer not to.

15 A I don't have an answer for it.

16 Q Okay. Could you tell me what your definition of
17 ghetto is? Because you referred to that word on
18 several occasions.

19 A I think a ghetto is a concentration of a low
20 income minority.

21 Q Would you consider a ghetto to be an area of
22 ethnic group, an ethnic group area?

23 A No, not specifically. A ghetto is characterized by
24 the condition of the area, the condition in which the
25 people are living.

1 Q In other words, what you're really saying, I
2 assume what you're saying, I'm -- I want to get it
3 clear. A ghetto is characterized by the area where
4 the low income people live and what we might say the
5 destruction of the facilities, the buildings, the
6 sanitation --

7 A Lack of maintenance and the like, yes.

8 Q All right.

9 MR. INGLESE: No other questions.

10 THE WITNESS: Can I have a five
11 minute time out?

12 MR. CUMMINS: Yes.

13 (Discussion off the record.)

14 (Recess at 2:15 p.m.)

15 (After recess at 2:20 p.m.)

16

17 CROSS-EXAMINATION BY MR. CUMMINS:

18 Q Mrs. Champion, my name is Dennis Cummins, I
19 represent the Borough of Dunnellen.

20 Do you know where Dunnellen is?

21 A Yes, I do.

22 Q Where is it?

23 A It's on the northern side of Woodbridge.

24 Q The northern side of Woodbridge?

25 A The eastern side of Woodbridge.

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Q The eastern side of Woodbridge.

A Yes. Perhaps I don't know where Dunellen is.

Q Well, have you ever been in Dunellen?

A Yes, I've gone to the movies in Dunellen.

Q You went to the movies in Dunellen.

A Yes.

Q How long ago?

A I don't remember.

Q Two years ago, three years ago?

A Within six months.

Q Was that the first time you had been in Dunellen?

A No. I've driven through Dunellen. I've never gone to Dunellen for any special purpose, other than to go to the movies.

Q Now, did you drive there yourself?

A Alone in the car, is that what you mean?

By myself?

Q Either way. How did you get to Dunellen?

A I drove in a car.

Q Did you drive yourself?

A I don't remember. I suppose at one time or another I did drive myself to Dunellen.

Q Now, are you sure that you know where it is?

A No, now I'm not. I don't know the boundaries.

Q You don't know -- you do not.

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A No.

Q Do you know what part of the county it's located in?

A Central northeast. Northeast. I don't know. I don't know.

Q Okay. Have you ever looked for housing, either house, apartment, or what have you, in Dunellen?

A No. It was too far to consider.

Q Too far?

A Not for myself, but for my roommate. I've always had a roommate.

Q So that right now Dunellen is --

A If I could find a place in Dunellen, I could afford to live by myself, it would be a consideration.

I suppose. But, I don't know anything about the school systems in Dunellen. I don't know much about Dunellen at all.

Q Do you know how densely populated Dunellen is?

A No.

Q If I told you that Dunellen was one square mile and that there were seven thousand people in Dunellen, would you accept those figures?

A I don't know.

Q Pardon me?

A I suppose. I don't know anything about it.

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Q Okay.

And, if I told you that Dunellen was the fourth densest town in the county, would you accept that figure?

A I suppose.

Q Okay.

Now, I believe that you said before that you didn't want to live in a place that was too densely populated. You didn't want to live in a high population density area. Was that your testimony before?

A I believe so, yes.

Q So that if you accept those figures that I have given you, am I to assume that you would not want to live in Dunellen?

A Well, I really don't know -- I can't see one square mile with seven thousand people, that just doesn't compute. What I'm thinking of is more on a lesser scale of apartment complexes housing, two bedrooms housing families with five children, and that sort of thing. That's what I'm speaking of.

I can't understand these other figures.

Q I'm not sure that I understand your answer. You said people with five children. What do you mean by that?

A Speaking of population density, when I speak of population density, I am referring to housing projects

1 containing -- with apartments containing more people
2 than they realistically can contain.

3 Q You mean where an apartment complex is set up
4 for a two or three bedroom apartment complex, and twelve
5 people are living there? Is that what you mean?

6 A That's what I mean.

7 Q Where do you think those people should live,
8 people with ten or twelve children?

9 A I think there should be places for them to live.
10 I think there should be apartments that have more than
11 two bedrooms. Because there are people with more than
12 one or two children.

13 Q Have you ever talked to any builders?

14 A No.

15 Q Do you think that a municipality necessarily
16 dictates to a builder the number of apartments and
17 the number of bedrooms that he should put in an
18 apartment house complex?

19 A Yes.

20 Q You think that all municipalities do that?

21 A Yes.

22 Q You do for a fact say that all municipalities
23 dictate to a builder that he may not have an apartment
24 with, let's say, four or five bedrooms?

25 A Yes.

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MR. SEARING: To the best of
her knowledge.

Q Can you give me the facts upon which you base
your answer?

A The only facts that I have on that are in
this Complaint, in the back there's written up
Zoning Ordinances for each municipality, and every one
states that, when complexes go up, the majority are
one bedroom, there's a small percentage with two, and
most of them don't allow three bedroom apartments.

Q Would you look with regard to Dunellen?

A Dunellen prohibits mobile homes and multi-family
dwellings.

Q Excuse me. That is not true, and I think for
the record, Mr. Searing, Dunellen does permit multi-
family dwellings.

There are several multi-family dwellings in
Dunellen.

MR. SEARING: What's in the Complaint
was based on the information available
to us at the time.

MR. CUMMINS: Where did you get the
information?

MR. SEARING: I believe from a copy
of the Zoning Ordinance that we have.

1 But, it stands to be updated if
2 there's another -- if there is later
3 information.

4 Maybe the Zoning Ordinance we were
5 preparing the Complaint from was incorrect.

6 And, if that is so, and I accept your
7 characterization, we can correct the
8 Complaint.

9 I have no objection to that.

10 Q Now, assume, Mrs. Champion, that Dunellen does
11 permit multi-family dwellings.

12 Where do you see that Dunellen states that it
13 prohibits apartments.

14 A I don't see that.

15 Q You don't see that.

16 A No.

17 Q Outside of your reading of that Complaint --
18 withdraw that.

19 You made a universal statement. You know what
20 I made. All encompassing. You included everybody.

21 A Yes.

22 Q Do you know for a fact that every municipality
23 in the county does not permit four or five bedroom
24 apartments?

25 A No, I don't know for a fact. All I know about it is

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what I've read in the Complaint.

Q Okay. So that that is the factual basis for your answer before.

A That's right.

Q Would you say that there should be a certain number of five bedroom apartments in a municipality, or should that be dictated by market conditions or by ordinance?

A All right. We've arrived at this number five bedroom. This is just --

Q Say four or five bedrooms.

A More than two.

Q Well, I want to have more than three.

A Okay, more than three. Should this be because of the need? Now what is it --

Q I'm saying should there be a mandate that each town must have X number of four and five bedroom apartments, or should that be dictated by market conditions?

A I would think it should be an ordinance. Because there's definitely a need.

Q You say that municipalities, then, should be required by ordinance to establish that there should be X number of four and five bedroom apartments in that municipality.

A Yes.

1 Q Regardless of whether or not the market requires
2 it.

3 A Well, I don't know if you can say regardless,
4 because it's a definite need. It's a fact that they're
5 needed.

6 Q But you said --

7 A All right.

8 Q But you said you would require it by ordinance.

9 A By ordinance, yes.

10 Q And now I'm saying, you would require
11 ordinance regardless of whether or not market conditions --
12 you know what I mean by market conditions?

13 A By the need. Right?

14 Q Yes. By the market conditions, whether or not
15 market conditions warranted it.

16 A But wouldn't -- but wouldn't one reflect the
17 other? Isn't the ordinance -- aren't the Zoning Ordinances
18 supposed to reflect the market? I mean, isn't that
19 the way it's supposed to work?

20 if there's a need, isn't the ordinance supposed
21 to be directed toward the need?

22 Q Well, how do you determine, then, in an ordinance,
23 how many five bedroom apartments Dunellen should have?

24 A You must consider the number of -- the size of
25 the family, the number of families in the county. I

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suppose that would be done -- would be changed when
the census was taken.

Q What would you do? Would you build an apartment
complex that would have X number of five bedroom houses
apartments, even though there was no need for them,
in 1975?

A No. In the first place, I would not build an
apartment complex with -- when you build an apartment
complex, there should be one bedroom, two bedroom,
three bedroom, four bedroom apartments.

Q But how many?

A Whatever is needed. Whatever the ratio is to the
number of families in the community, working in the
community.

Q But who would establish that? Would it be the
builder or would it be the municipality?

A It would be the municipality.

Q And the municipality, then, as I understand it,
would dictate, in 1975, that in a community that has
land that they should build an apartment complex, and
that that apartment complex should have, let's say, for
discussion sake, five, four-bedroom apartment units
in that complex?

A Along with the other apartments, right.

Q Right.

1 A Yes.

2 Q And that that should be built regardless of whether
3 or not the builder can rent them or not.

4 MR. SEARING: Plaintiff has already
5 answered that question.

6 She is not a planner, and I think
7 the continuation of these hypothetical
8 situations is beginning to border on
9 harassment.

10 I realize I have a continuing
11 objection, but I think the record should
12 show that -- show my specific grounds in
13 this instance.

14 Q You don't feel as though I'm harassing you, do you?

15 A I'm getting tired.

16 Q Well, you've been here all day. But, my questions
17 aren't harassing you, are they?

18 A They seem to be quite repetitious.

19 MR. LERNER: Will you stop asking
20 on the record?

21 (Discussion off the record.)

22 (After discussion.)

23 MR. CUMMINS: I would like that on
24 the record, in view of counsel's objection.

25 MR. LERNER: Well, if you want it on,

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put it on.

Q Now, would you say that the municipality should dictate that this new apartment complex have four, five bedroom apartments, and that that should be dictated by ordinance? I believe that's your previous testimony, is that correct?

A On the basis of need.

Q Well, would that need be based upon population figures in 1975 or projected population figures?

A Well, I suppose with the rate of population increase, it would certainly have to be projected.

Q Then, supposing now that a particular town has a population need of four in 1975, but in 1980 it has either a population need of, either two, or of ten.

What would you do than?

A So we have an instance of either two apartments being vacant or a need of six more. Right?

Q Yes.

A I can't see the plausibility of a decrease in need. But, hypothetically, if there were ten more needed six more needed, rather, I would build them.

The two that are lying vacant, I don't know what to do with them. Leave them fallow, or -- divide them in half and make four apartments. I don't know.

1 Q Who would build them?

2 A Who would build them? Construction concern,
3 municipality and the state and federal government.

4 Q Who would own them?

5 A I have no idea. I don't know how that would work
6 out best. I don't know how that works.

7 Q Right now you're experiencing some difficulties
8 yourself, the difficulty is because of the fact that
9 perhaps you may not be able to afford where you are now
10 in June.

11 A That's right.

12 Q Now, do you know if the reason why you will not
13 be able to afford where you are now in June, is
14 because of rising heating cost or rising taxes or both,
15 or don't you know.

16 A Both.

17 Q Heating costs and taxes?

18 A Yes.

19 Q Then is it your understanding that the people who
20 own their apartment will have to pay higher taxes?

21 A Yes.

22 Q Do you know why they will have to pay higher taxes?

23 A I believe there was just a property tax increase
24 or something.

25 Q Because of re-evaluation, you mean?

- 1 A I really don't know anything about the taxes.
- 2 Q Well, will it be because of increased taxes for
- 3 schools or for municipal services?
- 4 A I thought it was a property tax increase, but
- 5 I really don't know.
- 6 Q Now, do you know where that property tax increase
- 7 goes to?
- 8 A No.
- 9 Q You do not.
- 10 A No.
- 11 Q Do you know that the property tax comes from
- 12 primarily the municipality and the county?
- 13 A The property tax comes from the county?
- 14 Q Strike that.
- 15 The property tax goes to the municipality and
- 16 the county? Do you know that?
- 17 A Yes.
- 18 Q Pardon me?
- 19 A Yes.
- 20 Q And do you know that, because you are receiving
- 21 a grant from Middlesex County College, that that in
- 22 some small way affects your rent?
- 23 A No, I don't know that.
- 24 Q You didn't know that.
- 25 A No.

1 Q Okay. And if the tax -- strike that.

2 If the municipality were to be caused to have
3 to build this apartment complex, do you then realize
4 that your taxes then would increase and you'd have to
5 pay more rent?

6 A You mean the people outside the low income housing,
7 everyone else is what you're saying?

8 Q I'm including the people who are in low income
9 housing.

10 A If a low income project is built, taxes go up and
11 everyone has to pay increased taxes.

12 Q Yes.

13 A Yes.

14 Q You understand that concept.

15 A Yes.

16 Q You mentioned an exception for low income housing.
17 Why did you mention that as an exception?

18 A For the increase in taxes?

19 Q Yes.

20 A People in low income housing -- the people in low
21 income housing don't have the money to pay the tax.
22 They don't own anything.

23 Q Well, isn't the unit itself owned by someone?

24 A Yes.

25 Q Well, do you think that the person who owns a

1 unit should himself have to pay the taxes out of his
2 own pocket?

3 A I really don't know, but I would think that
4 perhaps it should be the people with the majority of
5 the money who should help pay the taxes that are going
6 to build this low income housing.

7 Q What do you mean by that? A property tax or an
8 income tax or what?

9 A I don't know how these things work. I don't know
10 how they're divided up.

11 I don't really know where the monies come from.
12 I do know that you can't get money from a poor person,
13 tax money from a poor person to build low income housing.
14 You would have to get the money from the people that
15 had money.

16 Q Now, how long have you been on welfare?

17 A Four years, I guess, almost.

18 Q Four years.

19 A Almost.

20 Q And when you were contacted by this suit -- strike
21 that

22 When you were contacted concerning this suit,
23 did your contact in any way come from the Welfare Board?

24 A Yes.

25 Q Who?

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MR. SEARING: I object to that question and instruct the witness not to answer.

This is the same line of questioning we went through with Mr. Monroe, trying to come in the back door. Not calculated to lead to evidence that will advance the issues and I have perfectly legitimate grounds to answer the question.

Q Can you tell me when you were contacted by a representative of the Welfare Board?

MR. SEARING: I instruct the witness not to answer.

Q Have you ever appeared in Domestic Relations Court, Middlesex County Domestic Relations Court?

A Yes.

Q How long ago?

A Two years, perhaps, somewhere around there.

Q Okay.

Q How many times did you appear? Just once?

A Twice.

Q Twice. The last time two years ago?

A Approximately.

Q You feel that right now the only way that you can subsist, if you will, with integrity, would be

1 through subsidized housing.

2 A Yes.

3 Q I don't mean to demean that word integrity, but
4 I think it's very important.

5 Now, how long in your lifetime will you expect
6 this to be?

7 A Perhaps two or three more years.

8 Q Would you then, perhaps, be required to move?

9 A Would I then perhaps be required to move?

10 Q Yes.

11 A Were I living in subsidized housing, you mean?

12 Q Yes, Ma'am.

13 A If I were no longer low income housing -- if I
14 were no longer low income, then I should be required
15 to move and leave my place for someone who is low income.

16 Q And at that point, when you would be required to
17 move, do you feel that you would be in a different class
18 other than the class that you represent now?

19 A Financial class?

20 Q Yes, Ma'am.

21 A Sure. If I wasn't making low income, I would have
22 to be in a higher income class.

23 Q And then do you feel, at that time, you would
24 be able to afford whatever housing the market makes
25 available to you?

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A I would hope so.

Q If a municipality has little or no vacant land, would you think it should be required to provide low income housing?

A If it hasn't any place to build it, it can not be built.

Q Now, do you think a town -- let's assume that a town has maybe some land. Do you think that that town should be required by law to make an application for federal funding?

A Yes.

Q Do you think that a group of people who live together have the right to determine that they do not want it -- if I can use this word, the bureaucracy of having to concern themselves with federal government bureaucracy. Do you understand my question?

A Yes.

What you're saying is, you have a group of people, say upper middle income, living in an area, there's attractive land next to them, and the federal government wants to build low income housing --

Q No, that's not my question.

A Then I don't understand.

Q Do you think a group of people, not necessarily upper middle income, but a group of people, has the

1 right to say, they do not want to have to deal with
2 federal bureaucracy? Do you feel that people have
3 that right, groups of people have that right?

4 A Yes.

5 Q You do.

6 A Yes.

7 Q Okay.

8 Would you also say that right would hold for a
9 small town?

10 A If a group of people, or a small town, ~~did not~~
11 want to put up with federal bureaucracy, because they
12 did not agree with it for some reason, then they
13 would have the right, I would think, to fight it.

14 Q Let me preface my question with this.

15 Are you familiar with the Robinson versus Cahill
16 case?

17 A No.

18 Q Are you familiar with the Botter Decision?

19 A No.

20 Q Are you familiar with the problems of property
21 tax versus a broad base tax in New Jersey?

22 A No.

23 Q Now, with regard to the class that you represent,
24 do you feel that the class you represent is one that
25 is permanent or temporary?

1 A Temporary. In some cases, permanent in others.

2 Q And you feel, then, that you represent both classes.

3 -- both sections of the class.

4 A Yes.

5 Q Can you identify for me those sections of that
6 class that would be permanent?

7 A A low income wage earner, the large family, no
8 education. He will not get a better job. He'll be
9 right here in this niche, always.

10 Q How do you feel that you personally represent
11 that particular person, as a member of the class?

12 A Because I have been struggling just as he has.

13 Q Do you have any, either social or administrative
14 ties to this type of person? If you don't understand
15 my question, I'll rephrase it.

16 A Please do.

17 Q Surely.

18 You mentioned the class that's more permanent.

19 A Yes.

20 Q And you gave a good example. Are you in any way,
21 through membership in any organization, or through
22 any liaison, in any way, connected to people who would
23 form that class?

24 MR. SEARING: I object, but the
25 witness can answer.

1 A I can't think of anyone offhand.

2 I can not think of anyone offhand that I
3 could say, yes, I know him, he's in that permanent
4 class.

5 But, I don't discount the possibility.

6 Q But, you're not a member of any organization
7 of which --

8 A No.

9 Q That's tied to --

10 A No.

11 Q Okay.

12 May I inquire, the only organization that you're
13 connected with that has any bearing upon class representa-
14 tion in this suit would be your relationship with the
15 County Welfare Board, is that correct?

16 A Yes.

17 Q You are not a member of any other organization,
18 either social, religious, civic or anything else,
19 wherein you're tied into any member of the class in
20 this lawsuit.

21 A No.

22 Q Do you know of your own knowledge whether or not
23 at the time of the lawsuit there were any notices sent
24 to anybody else who was receiving welfare in Middlesex
25 County, from the Middlesex County Board of Taxation --

1 Middlesex County Welfare Board.

2 A No, I have no idea. I don't know.

3 Q Did you receive such a notice about the
4 commencement of this suit?

5 A From the Welfare Board?

6 Q Yes, Ma'am.

7 A No.

8 Q Pardon me?

9 A No.

10 Q You, then -- did you receive a notice about the
11 commencement of the suit?

12 MR. SEARING: I object to that
13 question and instruct the witness not to
14 answer.

15 MR. CUMMINS: Mr. Searing, that's
16 a rather very simple question. It can
17 be answered yes or no.

18 MR. SEARING: I realize that.

19 MR. CUMMINS: Just calls for, did
20 you know when the suit was started and
21 did you receive --

22 MR. SEARING: That's not what you
23 asked.

24 Q Okay. Withdraw the question.

25 Did you know when the suit was started?

1 A As far as I'm concerned, yes. For me, I guess
2 it started in either May or June of last year. That's
3 as far back as I know of it.

4 Q And was that as a result of a personal contact
5 or something in writing?

6 MR. SEARING: I instruct the
7 witness not to answer that question.

8 Q As a result of your knowledge of the lawsuit,
9 did you pass that knowledge onto anyone else?

10 A I spoke of it with acquaintances.

11 Q Personal friends?

12 A Yes.

13 Q You never addressed any public body.

14 A No.

15 Q Concerning it.

16 A No.

17 Q I don't know if I asked this question or not.

18 Bear with me. If I did, I don't expect an answer.

19 Did you look for any housing in Dunellen? Did

20 I ask you that?

21 A I don't remember. Not --

22 MR. SEARING: You did ask that
23 question and got an answer. And the
24 answer was something like, it was too
25 far for her roommate.

1 A Yes, right.

2 Q Okay. And you never looked for housing.

3 A I guess it was in the newspaper, and I looked
4 over it.

5 Nothing came up -- I saw nothing that I could
6 consider, I guess, because I don't remember it.

7 MR. CUMMINS: I have no further
8 questions, thank you.

9

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11 CROSS-EXAMINATION BY MR. WOOD:

12 Q My name is Christopher Wood, appearing on the
13 behalf of Jamesburg and South River.

14 First of all, do you know where Jamesburg is?

15 A Yes.

16 Q Have you looked for housing in the Borough of
17 Jamesburg?

18 A No, I have not.

19 Q By that I mean, have you looked for it physically
20 and looked in the newspapers also?

21 A I have a problem with the Jamesburg school system.

22 Q Do you know where the Borough of South River is?

23 A Yes, I do.

24 Q Have you looked for housing in the Borough of
25 South River?

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A Yes, I have.

Q Have you looked within the past three years?

A Yes.

Q How many occasions? Approximately.

A Three.

Q Let's take occasion number one. Do you recall when that was?

A Yes.

That was from June to November of 1972.

Q How many places did you look at?

A Only one complex that I remember at the time, they were the Johnson -- the apartments across the street from the high school.

Q That was the only place you looked?

A No. I looked in the newspaper for separate residences.

I even went to look at a couple places, but they were quite run down, and highly over priced.

Q When you went to look at Johnson Gardens, or the apartment complex across from the high school, did you physically look at the apartments there?

A Yes.

Q Was that on one occasion or more than one occasion?

A That was one occasion.

Q were any of the apartments offered to you?

1 A No. I had some problems there. For one thing,
2 the newspaper said they were priced one price and when
3 I got there, they were fifteen dollars higher than
4 the paper said. Which I thought was quite interesting.

5 Q You don't hold that against the borough itself,
6 do you?

7 All right, go ahead.

8 A The apartments were too much for me to afford
9 on my own, so this was going to have to be with another
10 person. They weren't big enough for four people.

11 And that was about it.

12 Q Did any of them have more than one bedroom? Do
13 you recall?

14 A There was a two bedroom, but the woman -- the reason
15 that we stopped consideration of it was, one, they
16 were too small, two, the woman that wouldn't allow
17 us an application, because I was on welfare, and because
18 I was going to be living with another girl. She somehow
19 thought that that --

20 Q Not proper?

21 A Yes.

22 Q You looked at two other dilapidated houses at
23 about the same time in South River?

24 A Yes.

25 Q Did you look at any other apartment complexes in

1 South River?

2 A No. That's the only one to my knowledge.

3 Q Did you look for any other private housing in
4 South River?

5 A In the newspaper, if any came in the newspaper,
6 and I thought they were within reach, I would call.

7 Q Did you go beyond the calling point with any
8 of them?

9 A No. Just the one complex and the two apartments.
10 One was a home and one was a -- I don't even know what
11 it was.

12 Q Duplex?

13 A It was upstairs over a store.

14 Q Now, a couple of these questions may be
15 repetitive, maybe they were asked before I got here.
16 First of all, the Complaint says you live with somebody
17 in New Brunswick now, right?

18 A In Sayreville.

19 Q Sayreville, I'm sorry.

20 MR. SEARING: That's a typo. That
21 New Brunswick should be stricken.

22 Q Does this other girl, does she contribute to
23 your rent?

24 A Yes.

25 Q I assume you have a budget in the family group,

1 I'll call it, that encompasses both your income and
2 hers?

3 A Yes.

4 Q I'd like to go into your background a little bit,
5 and I don't mean to offend you, but I'd like to very
6 quickly develop it, maybe four or five questions.

7 Were you born and raised in Spotswood. I don't
8 mean physically born, but raised in Spotswood?

9 A Yes.

10 Q And your parents live in Spotswood now, is
11 that correct?

12 A Yes.

13 Q Do your parents own a family home there?

14 A Yes.

15 Q How long have they owned that home?

16 A Approximately twenty years.

17 Q Are you an only child or do you have siblings?

18 A I have two sisters.

19 Q Are they older or younger?

20 A Younger.

21 Q Living at home?

22 A One is.

23 Q How old is she?

24 A Fifteen.

25 Q And your age is?

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A Twenty-six.

Q And the older sister?

A Twenty-two.

Q Is your father employed?

A Yes.

Q Where does he work?

A Peter J. Switzer's.

Q Is your mother employed?

A Yes.

Q Has your mother been employed for a number of years?

A I believe she's been employed for about eight years. She works for the Boy Scouts of America, North Brunswick.

Q How long has your dad been employed at Switzer's, do you recall?

A Ten years, maybe.

Q Do you know what your -- strike that.

When did you leave the family home?

A 1966.

Q Do you know what your dad's income was at that time?

A I have no idea whatsoever.

Q Was your mother working then?

A No.

Q Did you complete high school?

1 A Yes.

2 Q Did you have any college while you were living
3 at home?

4 A No.

5 Q Your twenty-two year old sister, was she provided
6 any college education by the family?

7 A No.

8 Q Did she finish high school?

9 A Yes.

10 Q Is she going to college now?

11 A No.

12 Q Has she ever been to college on her own?

13 A No.

14 Q The fifteen year old sister, is she in high school?

15 A Yes.

16 Q Is she taking a particular course in high school,
17 do you know?

18 A I believe she's taking the college curriculum.

19 Q Do you know if she has any plans to attend
20 college?

21 A Yes, she does.

22 Q Would your parents have been able to afford a
23 college education for you while you were living at home?
24 In your opinion.

25 A I don't think they would have been able to do it

1 comfortably, but I think they would have done it if
2 I wanted it.

3 Q They would have been able to pinch or squeeze here
4 and there and maybe do it for you?

5 A Perhaps, yes, but I really don't know.

6 Q How old were you when you were married?

7 A Eighteen.

8 Q And you have two children, is that correct?

9 A Yes.

10 Q The last time you resided with your husband was
11 when?

12 A 1972.

13 Q Was there a divorce granted?

14 A Yes, February of '74.

15 Q Who represented you in that proceeding, do you
16 recall?

17 A Legal Services.

18 Q Your husband deserted you about two years ago or
19 three years ago or something like that? Well, the
20 last time he lived with you, did he desert you
21 absolutely at that point?

22 A I kind of object to the word desertion.

23 Q Well --

24 A Whatever.

25 Q Did you leave the marital house or did he?

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A He did.

Q Has he supported you since that time?

A No.

Q Now, how long have you been going to college?

A Almost three years.

Q Are you going full-time?

A Yes.

Q For this whole three years?

A No.

Q How far are you in your college?

A I'm in my last semester of my second year.

I had some difficulty with illnesses, so it's taken me a little longer.

Q In May or June you will have fully completed two years of college?

A Yes.

Q Have you been attending college full-time since September of 1974?

A Yes. -- Now wait a minute.

September of '74, I started out full-time, I got pneumonia, and I was in the hospital for quite a long time, I dropped to part-time. I resumed full-time in January of '75.

Q How many days a week do you attend school?

A Five.

1 Q Are both your children school age?

2 A No.

3 Q One is?

4 A My daughter is in second grade, my son goes to
5 the day care center at Middlesex County College.

6 Q Do you have somebody that babysits for the two
7 year old-- for the second grader, when he comes home
8 from school?

9 A Usually I'm home on time. Today I'm not. My
10 neighbor is taking care of her.

11 Q You pay your neighbor when she babysits?

12 A No.

13 Q Do you reciprocate with your neighbor some other
14 way?

15 A Yes.

16 Q What time do you get up in the morning?

17 A Six-thirty. Quarter to seven sometimes, when I'm
18 lazy.

19 Q And you prepare the two year old for school, I
20 assume-- the second grader for school?

21 A The second grader and the four year old.

22 Q And prepare the four year old to go to Middlesex
23 County College with you.

24 A Right.

25 Q What time do your classes start?

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A It varies from nine to ten to eleven.

Q What time are you finished at the latest, on any given day?

A Two-thirty. This semester. The semesters vary also.

Q Okay. Now, do you have any part-time employment whatsoever?

A No, I don't.

Q The other girl that lives with you, is she employed?

A Yes.

Q Full-time basis?

A Yes.

Q Have you looked for part-time employment?

A In the summer. I just am physically unable to do it and go to school and raise two children at the same time.

Q Your ex-husband's in-laws reside at all locally?

A Spotswood.

Q Have you ever looked to them for help?

A No.

Q Now, you indicate that the New Brunswick school system is not satisfactory to you, is that right?

A Yes.

Q Have you actively examined the New Brunswick school system?

A No.

1 Q By that I mean have you gone there.

2 A Yes, I know what you mean. No.

3 Q You have not gone there.

4 A No.

5 Q Do you know about the New Brunswick school system
6 by word of mouth?

7 A Yes.

8 Q What bothers you about the New Brunswick school
9 system?

10 A There's too much time taken up in discipline.

11 Q I'll be very frank. Let me ask you this question.

12 Do you feel that there's a ghetto problem in
13 New Brunswick that's reflected in the school system?

14 A Yes.

15 Q Do you feel that there's an over-concentration of
16 blacks?

17 A I don't know about the racial concentration, I
18 really can't voice an opinion on that.

19 Q Is your main concern that, from what you're told,
20 that the normal learning process is somehow hampered
21 by the discipline problem?

22 A Yes.

23 Q Do you have the same complaint about the Perth
24 Amboy school system?

25 A Yes.

1 Q Do you have that complaint about any other school
2 system in the county, to your knowledge?

3 A Jamesburg.

4 Q In particular.

5 A Yes.

6 Q Now, as opposed to the attorneys that represent
7 you in this case, did you fill out any questionnaire
8 or provide any personal background information to
9 anybody in the Urban League?

10 A No.

11 Q Did you provide that information orally to an
12 administrator, let's say, of the Urban League?

13 A No.

14 Q Do you feel that if private housing were available
15 within your budgetary means, that that would be
16 satisfactory to you?

17 Do you feel if private housing, as opposed to
18 public housing, were available to you, within your
19 budgetary means, that would be satisfactory?

20 A Yes.

21 Q If you lived in a small residential house, say
22 in the Borough of Jamesburg, and there was vacant
23 land immediately adjacent to you, would you object if
24 there were a huge apartment complex constructed next to you?

25 A No, I don't believe so.

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Q That would not bother you.

A I don't think so.

Q Suppose within that complex ninety percent of the dwelling units had two or more children? Would that concern you?

A No.

Q Do you feel recreation is important to your family needs?

A Yes.

Q Do you expect that recreation to be provided privately or publicly?

A Well, both. I think there's an obligation publicly to provide recreation for children.

Q When I say recreation, I mean recreation encompassing, let's say, all sports, from organized team sports to simply walking. Is your answer still the same?

A Yes.

Q Mr. Cummins was asking you a series of questions about the circle, so to speak, of public funding and the ultimate return of the burden to the taxpayer.

Q I think that's what he was getting at. Did you understand that?

A Yes.

Q Does that bother you?

A It bothers me to the extent that the middle class

1 person seems to me to be hit with the burden, whereas
2 the upper class has so many ways of getting around it.

3 Q In other words, it bothers you that, for instance,
4 and I don't mean to be facetious by this question, that
5 that tax burden is ultimately returned to some people,
6 such as your parents?

7 A Yes, it bothers me. But, I don't see an alternative.

8 Q Does public debt bother you?

9 A Yes.

10 Q One of the basic reasons that you don't go out,
11 for instance, if somebody was willing to rent you a
12 private apartment, at two hundred dollars a month, the
13 reason that you don't go in and take the housing is
14 because you can't afford it, is that correct?

15 A Yes.

16 Q Based upon your budget, regardless of the
17 source of money.

18 A Yes.

19 Q You can not afford that, is that correct?

20 A Yes.

21 Q Do you understand the burden of the public debt
22 comes to rest upon most governmental agencies with
23 public spending today?

24 A Okay.

25 Q Do you understand that?

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A Yes.

Q And do you realize that basically that does occur, I'll say in most municipalities, not all, most counties, not all counties, most state governments, and most surely the federal government.

Do you understand that?

A You'll have to repeat that.

Q In other words, I'm asking you a very broad question. And what I'm saying is that not all municipalities are having a problem with debt, not all counties, not all states have a problem with debt.

I'm asking you, do you understand that and do you recognize that as a problem?

A Yes.

Q Does that bother you?

A Yes.

Q Why does that concern you, or why does it bother you?

A I don't understand, I'm not following. You're going to have to go around again.

Q You indicated it did bother you?

A It bothers me that the middle income person is hit with the burden of the low -- of supporting the low income person.

Q You don't believe in deficit spending for yourself

1 A Which means spending money I don't have.

2 Q That's correct.

3 A I don't, I don't believe in that.

4 Q At the end of a month, you want your budget to
5 balance, so to speak, is that correct?

6 A Yes. It usually balances.

7 Q Do you think that's wise in federal government?

8 A Ideally, of course.

9 Q That a budget --

10 A Yes.

11 Q That a budget balances. Do you think ~~that should~~
12 be?

13 A Yes, sure.

14 Q Do you think that's true of state, county,
15 municipal government?

16 A I believe that we -- it all operates in deficit.

17 Q Do you think that's wise that it does?

18 A No, I don't think that's wise.

19 MR. WOOD: No further questions.

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1 CROSS-EXAMINATION BY MR. PLECHNER:

2 Q I'm Dick Plechner, I represent the Borough of
3 Helmetta. First I'd ask you do you know where the
4 Borough of Helmetta is?

5 A Yes.

6 Q Right next to Spotswood.

7 A Yes, it certainly is.

8 Q Have you attempted to find housing in the Borough
9 of Helmetta?

10 A I don't believe I've ever -- I've never ~~gone~~
11 there physically, myself, to search. I don't ~~even~~
12 believe I've ever seen any in the newspaper.

13 Q Never made any particular effort to locate anything.

14 A No.

15 Q Now, you stated before that you wanted to live
16 in a suburban area.

17 Why do you want to live in a suburban area?

18 A I think it's a better atmosphere to raise children
19 in than in a city.

20 Q Now, what about a suburban area makes the better
21 atmosphere in which to raise children?

22 A Less population density, more trees, usually
23 better degree of education.

24 Q Do you feel that the population density has
25 an effect on this?

1 A Yes.

2 Q And you feel that a lower density is more desirable,
3 is that correct?

4 A Yes.

5 Q And do you feel that a preponderance of one family
6 homes is desirable over a preponderance of multi-family
7 housing?

8 A There should be a mixture of both, but speaking
9 in those terms, I suppose a mass of one family dwellings
10 would be better than a mass of multi-family in one spot.

11 Q Again, typically, if you prefer suburban living,
12 you feel that these houses should be on adequately sized
13 lots, isn't that correct, rather than all pushed together?

14 A This is single family dwellings we're speaking
15 of here?

16 Q Yes.

17 A Yes, they would have to be substantial size, so
18 that you can't -- you don't have to get up and stare
19 at your neighbor out the window.

20 Q And this makes for more healthful, pleasant living,
21 doesn't it?

22 A Ideally.

23 Q And where there's multi-family housing involved,
24 you would prefer, again, these houses to be built on
25 larger areas, where there are green spaces, is that

1 correct?

2 A Yes.

3 Q And how do we achieve this type of an ideal?

4 A I suppose, to begin with, we may go over the
5 Master Plan for zoning in Middlesex County. I think
6 there's room for low income housing in the basic planning
7 of the county.

8 Q But, to achieve the type of housing you just
9 described, we have to create zoning, don't we?

10 A We have to create different zoning than we have
11 now, yes.

12 Q And in what way do we have to make the difference?

13 A We have to take some of the land away from being
14 industrially zoned, and putting it into residential,
15 if complexes or multi-family dwellings fall in residential.
16 I suppose they do.

17 Q So you feel that more industrial land should be
18 zoned residential in Middlesex County?

19 A I feel there's an abundance of industrially zoned
20 property in Middlesex County.

21 Q Now, where do you feel that this is located,
22 specifically?

23 A Oh, I don't know specifically. I really don't
24 know. I don't know which tracts of land are zoned
25 what. I just have read the statistics and know that

1 there's something like forty percent of the land
2 zoned industrial is not needed for industry.

3 Q Well, are you familiar with the make up of any
4 of this land, the topography of any of it?

5 A No, I'm not.

6 Q Now, you live in the Borough of Sayreville,
7 correct?

8 A Right.

9 Q Are you familiar with the industrial lands in
10 the Borough of Sayreville?

11 A No.

12 Q You know where industry is located in Sayreville,
13 don't you?

14 A Yes.

15 Q Is there any place in Sayreville where industry
16 is located that you would like to live?

17 A No, but I'm sure that there's a lot of land, not
18 necessarily in Sayreville, but other places, where
19 it's zoned industrial, and it might be compatible for
20 residences.

21 Q But, you don't really know this of your own
22 knowledge?

23 A I don't know this, no.

24 Q Do you feel that land should be rezoned from
25 residential to anything different?

1 A I think we are in such a deficit of residential
2 lands that it would seem quite ludicrous to rezone
3 residential areas.

4 Q So you find nothing wrong with the present
5 residential zoning in the county, is that correct?

6 MR. SEARING: The plaintiff is not --

7 A I don't know these things.

8 MR. SEARING: The plaintiff is not
9 a professional planning or zoning expert.

10 MR. PLECHNER: I think we can take
11 notice of the fact she's not a professional
12 planner, but she is a plaintiff in the
13 suit. I'm trying to find out what she does
14 know.

15 Q So basically, you have no quarrel, you personally,
16 with any of the residential zoning in the county, is
17 that correct?

18 A Only that there's much too little of it. Which
19 is not too much.

20 Q Are you familiar with the zoning in Helmetta?

21 A No, I'm not.

22 Q Are you familiar with the school system in Helmetta?

23 A No, I'm not.

24 Q Would you want to move into a town that had no
25 schools over fifth grade level?

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A If the schools that the children were sent to were adequate, I would have no objection.

Q Well, if the schools the children were sent to were Jamesburg and Cranbury, would you want to move into the town?

A I don't know Cranbury, but Jamesburg I would not want to send my daughter to, no.

Q I presume you wouldn't want to move into Helmetta.

A If that's how it works.

Q Would you want to move into a town with no sewers and water?

A No.

Q Now, does your husband pay you any support at all?

A No, he does not.

Q Do you know where he is?

A No, I don't.

Q What are your basic skills as a worker?

A Secretarial.

Q Have you attempted to obtain secretarial employment?

A Not since I've started school.

Q Why?

A Because I want to do social work. I don't want to sit in an office. I do it in the summer. I'd like to train myself for something other than secretarial work.

1 Q But, if you did obtain a job, wouldn't you be
2 able to afford more rent?
3 A I don't think so, no.
4 Q In other words -- go ahead.
5 A I don't think I could get a salary high enough
6 to have my rent increased that much, because at the
7 same time I'd have doctor bills, which I don't have
8 now, under the Medicaid system, and I wouldn't have
9 the Food Stamp Program, and I really, right now, don't
10 know what secretaries are getting, but I wouldn't. But
11 that it's too much.
12 Q Well, wouldn't it be more than you're getting
13 through welfare?
14 A Perhaps -- not perhaps. It would be, yes.
15 Q And wouldn't you be able to retain some of your
16 welfare?
17 A I don't know. I don't suppose. I suppose I would
18 make too much to retain any welfare.
19 Q And your Food Stamp Program is based on a ratio
20 of members of household and monthly income, is it not?
21 A Right.
22 MR. SEARING: Is counsel reading
23 the newspaper?
24 MR. PLECHNER: Yes.
25 MR. SEARING: Are you taking questions

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from there?

MR. PLECHNER: I'm looking up statistics in it.

The next question I'm taking from it.

Q Is it not a fact that with a net income of \$419.99 a month, family of three, you would still be eligible for food stamps?

MR. SEARING: Tell us the source of the statistics.

Q Army Times, March 26, 1975, page 4.

MR. SEARING: Column?

MR. PLECHNER: It's a block, column.

A I don't know.

The food stamps -- getting the food stamps isn't what counts. How much you pay for the food stamps is what counts.

You can get a hundred dollars a month for twenty dollars, or you can get a hundred dollars a month for ninety dollars.

Q Well, do you know the figure that you would be eligible to get? Would you believe you could get a hundred twenty-two dollars for a hundred and four dollars, at that salary?

A I would, yes.

Which is a savings of how much?

1 Q Which would be a savings of, I think, eighteen
2 dollars. And that would be at a maximum, and you could
3 get more food stamps for less money, with a lower
4 income, is that correct?

5 A Right.

6 Q Lower net income.

7 Have you made any effort to determine what your
8 financial situation would be if, instead of going to
9 college, you went to work?

10 A No, I have not.

11 Q Why have you not?

12 A Because I do not want to do secretarial work. I
13 would like to continue my education and do social work.

14 Q Do you think if I decided to become a doctor
15 instead of a lawyer that I would be justified in quitting
16 work and having the government support me?

17 A No.

18 Q Well, why do you feel, because you don't want to
19 be a secretary, but would rather be a welfare worker,
20 the government should support you?

21 A You have had some education. I have had none.

22 Q At what limit do you draw the line as to how much
23 education you'd be entitled to at the expense of the
24 taxpayers?

25 A I think I should be entitled to four years of college.

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Q But no graduate school?

A No graduate school.

Q You say you own an automobile, is that correct?

A Yes, that's right.

Q And it's an old automobile?

A It certainly is.

Q Is it an adequate automobile?

A Presently.

Q Is it in good condition?

A No.

Q Do you feel that the municipality should subsidize
you for a new automobile?

A No, I do not.

Q But, you feel they should for housing.

A Yes, I do.

Q And how do you make the distinction?

A I can't live in my car.

Q And you can't travel in your house.

A No, I can't.

Q Have you considered a mobile home?

MR. SEARING: We have talked about that.

Q So you feel housing should be subsidized, but
transportation not, is that correct?

A I think public transportation system could be
worked on. But, I think, shelter is quite a necessity.

1 Q You presently are provided with shelter, is that
2 correct?

3 A Yes, I am.

4 Q Again, at what level do you feel that shelter
5 should be subsidized? What standard of living?

6 A What standard of living? It should be safe and
7 should have enough room, shouldn't be crowded, shouldn't
8 be over priced.

9 That's enough right now.

10 Q Now, is Sayreville safe?

11 A Is Sayreville safe? It's very safe where I'm
12 living right now.

13 Q Pardon me?

14 A It's safe where I'm living, my apartment where
15 I'm living is quite safe.

16 Q How much room do you have?

17 A I have a bedroom, my son and daughter share a
18 bedroom, and I have a living room and a kitchen and a
19 dining room, and that's it. And my roommate has a
20 room.

21 Q How old is your roommate?

22 A Twenty-five.

23 Q So you have room, is that correct, in which to live?

24 A Yes.

25 Q And, obviously, you can afford the house you're

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living in, because you're living there, is that correct?

A That is not obvious at all, no.

Q Is your rent paid to date?

A My rent is paid, but I do without quite a bit in order to pay the rent.

Q Well, isn't that life? Don't we all do without some things?

A Some of us do without much, much more than others.

Q How do we obtain those things that we do without?

A How do we --

Q How can we obtain them?

A We educate ourselves and go out into the working world and help each other.

Q And we attempt to work to obtain funds to buy these things, don't we?

A That's right.

Q Now, you spoke before of upper class, middle class and lower class.

And, that the burden of subsidized housing should fall on the upper class. How do you define these classes?

A Income-wise.

Q And would you give us a bracket for each of these classes?

A Oh, I suppose, depending on the size of the number

1 of dependents --

2 Q Well, for a family your size.

3 A I guess lower class would end at, maybe six
4 thousand dollars a year. Middle might be six to
5 twenty. Perhaps that's unrealistic. Upper middle,
6 twenty to twenty-five. I guess, maybe -- I really
7 don't know, perhaps thirty thousand a year with two
8 children is still upper middle.

9 MR. SEARING: Just to the best of
10 your knowledge.

11 A I guess upper might be -- start at thirty-five
12 to forty thousand, lower upper.

13 Q And you feel that the tax burden, then, should
14 fall in this upper class, thirty-five and up, is that
15 correct?

16 A Yes. As well as the government. Not the class
17 itself. The government has a hand in this also.

18 Q Well, where does the government get money?

19 A Well, all right --

20 MR. SEARING: I believe her
21 characterization, from Mr. Wood's question
22 was, that it bothered her to have the
23 burden fall upon the middle class.

24 I don't believe she designated a
25 class that should bear the burden for

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housing.

MR. PLECHNER: I think she did, but

it doesn't matter.

Q Do you think there's a particular class that should bear the brunt of the burden?

A I think that it should be worked out on a ratio, on a scale. You can't say the middle class should bear that much of the burden and the upper class should bear the same amount.

I don't know how the tax system goes. I don't know what percent of what tax would go to these federally subsidized housing units. I don't know how that works.

But, it seems to me that the people with the most money should help the most.

Q And who are those people?

A I guess -- if we're designating class, socio-economically, that it should be the people who make the most money, which would be the upper class.

Q Okay. Now, do you feel there is sufficient money and sufficient numbers in the upper class to pay for these things that you feel are required of government?

A I don't have -- I have no idea what the statistics on class number are.

Q Now, do you feel that, for instance, if I have a

1 young lady who is working for me who is supporting
2 herself and two children, a secretary's salary, do
3 you think she should be subsidized?

4 A If she isn't making enough money to support
5 herself and her two children.

6 If she falls into a certain wage earning category,
7 I do.

8 Q Now, do you think she should stop work and go to
9 college and be supported?

10 A I think if that it is her desire, that she should
11 not be denied it, any more than anyone else.

12 Q In other words, you feel whether one works or
13 pursues other interests, should be a matter of choice,
14 rather than necessity.

15 A I think they both have to be taken into consideration.

16 I don't feel that someone should be denied
17 secondary education, if they want it.

18 Q We're not talking secondary education now, we're
19 talking higher education.

20 A Okay, higher education, excuse me.

21 If they want it, I think we should -- I think we
22 should have a free education system.

23 Q Up how far?

24 A Four years, B.A., as some other states do. I
25 think the productivity return, perhaps, is increased when

1 you go to school. It takes you four years, but you
2 produce more.

3 Q You think there should be any age limitation?

4 A To when you can start school?

5 Q Yes.

6 A Certainly not.

7 Q You don't think the state should only support
8 those who continue school before having children, rather
9 than waiting until after they have two children and
10 then supporting them and the children?

11 A Definitely not.

12 Q You feel, I presume, the wise thing to do is,
13 have your kids first and then go to school, so the state
14 can support them at the same time.

15 A No. Your assumption is quite wrong.

16 Q Well, what do you feel the sequence should be?

17 A I feel that the easiest thing to do, if your
18 parents can afford it, is when you get out of high
19 school, if you want to go to college, when you get
20 out of high school, and you don't want to get married
21 and have children, you should go to college. If, however,
22 you want to get married, you should get married.

23 Q And then the state should support you?

24 A Pardon me?

25 Q And the state should support you?

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2 A In the event you develop some difficulties, as
3 I did, in the first two years or year and a half, my
4 son was much too young to leave to go to work. He
5 would have in essence been raised by a babysitter if
6 I left him with a babysitter when I went to work.

7 So, I waited until he was old enough, to send to
8 nursery school, and then I went to school.

9 I don't necessarily subscribe that as the best
10 route to take.

11 MR. SEARING: I think this particular
12 line of questioning is becoming harassing,
13 regardless of the fact that I have a standing
14 objection and with full knowledge of the
15 New Jersey rules. I also think it's
16 irrelevant. I don't think it's calculated
17 to lead to evidence that would advance
18 the issues or the defenses in this case,
19 and I'm going to begin instructing the
20 witness not to answer, if you persist in
21 this.

22 MR. PLECHNER: I think it's quite
23 relevant to whether or not the witness
24 is able to pay for adequate housing, which
25 is one of the major issues here.

MR. SEARING: This is the question

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we've been exploring all day long.

MR. PLECHNER: If I were to, for instance, stop work, and then file suit and say that I should be subsidized, I think it would be relevant that I had stopped work, of my own accord, and was able to support myself.

I think here it's fairly clear, I won't pursue it any longer, because it's clear, the young lady could work if she wanted to.

MR. VAIL: I think she admitted that herself, and that was her choice, Dick, to proceed with her career in the manner which she is doing it.

MR. SEARING: I think she said it was her choice to proceed with her education, in the hopes of improving herself, not only for her benefit, but the benefit of society in general.

And, that she has indicated it's a choice she believes people should make, be able to make.

Q Now, to go back, again, to your desire to live in a suburban area --

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MR. SEARING: Can we take a break,
please?

MR. PLECHNER: Sure.

(Recess at 3:50 p.m.)

(After recess at 4:10 p.m.)

Q I think when we took recess before, I indicated
I was going to change my line of questioning to the
area of suburban living, basically.

Would you have any idea as to what you
an appropriate minimum lot size for a single family
house in a residential zone?

A No, I have no idea.

Q What would you like to live on? What size lot?

A I don't have any conception of the size. I don't
know.

Q You live in a one-family house presently, is
that correct?

A Two-family.

Q Two-family. There's another apartment up over

A I'm up.

Q There's one under you. Is there a yard involved?

A Yes.

Q What size lot is the house on?

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A I have no idea.

Q You consider the lot size adequate where you are?

A Yes, it's adequate.

Q And do you consider it desirable, a desirable size?

A I don't know.

Q Well --

A There's enough room for the children to play in it.

Of course, the landlady has the gates locked, so the children can't get in it. But, it's adequate size.

Q Is the landlady the other family in the house, incidentally?

A Yes, -- well, no, her daughter is the other family in the house.

Q Now, you indicated another reason that you wanted to live in a more suburban area was the discipline problems in the school, is that correct?

A Yes.

Q Now, do you find those problems present in Sayreville?

A No.

Q But, you feel they would be present in Perth Amboy or New Brunswick.

A Yes.

MR. SEARING: She's answered that

already.

Q Now, what do you think causes the discipline problem

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in urban areas?

A I think perhaps overcrowding, not only in the school, but in the neighborhoods. The concentrations of low income people who are basically, perhaps, so low income, are having such a problem financially, that education is not a major consideration, as far as they're concerned.

Simply because there's too many other things that are more important. They don't consider education as one of the supreme necessities. Therefore, the children, when they go into the school system, don't go in with education on the proper level.

Q In other words, you would not want to live in an area where there's a large number of low income people, is that correct?

A No, that's not correct.

The problem is -- well, if the concentration was too dense, no, I would not want to live there.

Q Now, as far as population density in the school, do you have any reason to believe that the schools are more crowded in Perth Amboy or New Brunswick than they are, say, in Sayreville or South Amboy?

A Just from word of mouth.

Q But, you don't have any facts.

A No, I do not.

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Q Are you aware of the situation in New Brunswick where they are discussing busing people into the school from the outlying areas?

A No, I'm not.

Q So, it's possible that New Brunswick in fact has a less dense school population than Sayreville or South Amboy, shall we say.

A It could be. I don't know.

Q Now, are you aware of low cost housing that presently exists in the Township of Woodbridge?

A No, I'm not.

Q Do you feel there are discipline problems or crime problems involved in certain areas other than in school?

A Certainly.

Q And where do you find these to be located?

A Everywhere. There's discipline problems, all children have discipline problems, of one form or another. Some more extreme.

Q Well, do you feel some towns have a greater problem than other towns?

A I would think so. I don't know for a fact, but I would think the higher the population, the higher the ratio of crime.

Q You mean by, "the higher," the denser, is that correct?

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A Right. Population-wise.

Q Now, for instance, the Borough of Metuchen has a denser population than, say, the Borough of Sayreville.

Do you think there's more crime in the Borough of Metuchen than the Borough of Sayreville?

MR. SEARING: If you know.

A I don't know.

Q Do you think there's a greater degree of crime, or greater amount of crime in an area where there is a higher level of low income of population?

A I don't know.

Q You don't know if there's any ratio to income and crime.

A No, I don't know.

Q You're majoring in sociology?

A Yes.

Q Have you had any courses where you've studied that?

A No, I haven't.

Q Do you feel that there should be any relationship between low income housing and the availability of jobs?

MR. SEARING: Do you understand the question?

A I think so. I think that a county, or an area -- there should be an adequate number of low income housing units, corresponding with the number of low income jobs

1 in the area.

2 In other words, if there's -- the low income wage
3 earners should be able to live in the area which they work.

4 Q So, then, do you feel that if a town provides little
5 or no employment, it should not be required to provide
6 low income housing?

7 MR. SEARING: Do you understand that?

8 A Yeah. If a town doesn't have any jobs, then no
9 one should -- if no low income people work there, no low
10 income people should live there.

11 Which is, you know -- I don't see how a town can
12 exist without any low wage earners. They seem to me to
13 almost be the backbone. But, if indeed, I suppose,
14 there were no low income wage earners in the community,
15 then perhaps they should -- that community should not
16 be responsible for their shelter.

17 Q In other words, if the community can not provide
18 jobs for low income people, then that community should
19 not create housing for low income people, is that

20 correct?

21 A Well, if they have jobs already, if there are low
22 wage earners in the community, they should have the
23 necessary amount of corresponding housing.

24 If there are no more -- if there are wage earners
25 there already, all the jobs are filled, but, there's no

1 more low wage jobs, but there isn't enough housing
2 for the people that already are working, they still
3 should provide housing.

4 Q And if there is enough for the people that are
5 working there and living there, they should not be
6 creating more housing without jobs for other people in
7 a region or area, is that correct?

8 A Well, I don't know if that is correct or not.

9 I don't know if we can work on a municipal level,
10 rather than on a wider area.

11 Say, perhaps a county level. There are a number
12 of low income people in Middlesex County, all the
13 counties should have a reasonable share in the housing
14 problem for these people. I guess it can be
15 corresponded to their place of occupation.

16 Q In other words, it's desirable for people who --
17 particularly people of low income who have difficulty
18 in affording transportation, adequate transportation,
19 to live close to their jobs, isn't that correct?

20 A Yes.

21 Q And the further these people are located in their
22 jobs, the very nature of their situation, being low
23 income people, makes it more and more difficult for
24 them to obtain or retain employment, isn't that correct?

25 A Yes.

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Q Now, is there anything in your consideration, when you seek housing personally where -- strike that.

Do you consider, in looking for housing, your transportation needs?

A Yes.

Q And in relationship to what?

A Relationship to gasoline.

Q The relationship to where you commute to school, is that correct?

A Yes.

Q Now, have you, in seeking housing, considering these needs, arrived at any formula, or any radius of transportation from school to where you seek to locate?

A You mean how far away would I go? What is the perimeter?

Q That's right. What's the radius, I guess you can call it.

A I don't know in exact miles, but I would say no more than a half hour. The reason for this being, I'm on a very tight schedule. I work inside my children's schedule.

I have to be home at a certain time. I can't leave until after my daughter goes off to school. So there's the time element.

I don't know how many -- perhaps fifteen miles.

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But that's a guess.

Q And that would be based on not only time, but it would be based on finances, wouldn't it?

A Yes.

Q Because if you travel more than fifteen miles or so, it becomes more expensive.

A Yes.

Q Your travel, I presume, is by automobile.

A Yes.

Q Incidentally, do you receive any financial assistance from your parents?

A No.

Q Now, you made particular comment as to Jamesburg high school.

A High school? No, I don't believe.

Q Jamesburg school system.

A Okay.

Q And going back to the reference to the Borough of Metta, which I indicated before I represent, what in particular do you object to concerning the Jamesburg school system?

A Well, I don't know exactly, I can not give you anything in particular, because I have not -- this is only word of mouth, but I understand that Jamesburg has quite a bit of racial tension.

1 I don't know what causes it, but there's some sort
2 of misunderstanding going on between the blacks and
3 the whites in the community.

4 I don't know the cause. But, that would be my
5 main objection. I don't want my children -- I want them
6 to grow up with as little prejudice as possible. I
7 don't want to thrust them into a situation where the
8 blacks are the other, are the enemy.

9 Q And you also objected to Perth Amboy and New
10 Brunswick. Was that on the same basis?

11 A No. I don't know anything about the racial
12 problems, if there are any racial problems, in New
13 Brunswick or Perth Amboy.

14 Q What are the problems in New Brunswick and Perth
15 Amboy school systems?

16 MR. SEARING: She already stated,
17 the discipline problems. She's answered
18 the question three or four times. It's
19 very repetitious.

20 MR. PLECHNER: I asked her what are
21 the objections to the system. I didn't
22 ask her about the discipline problems.

23 A The discipline problems.

24 Q That's the only objection?

25 A Yes.

1 Q How would you define the discipline problems?

2 MR. SEARING: She's already done
3 that.

4 MR. PLECHNER: I don't think she ever
5 defined it. She said discipline problem,
6 which is a very broad term.

7 I don't think she said what about
8 the discipline problem. Or what she
9 means about it.

10 A I understand that the children, some of the
11 children, perhaps the majority of the children in the
12 New Brunswick school system, they don't hold education
13 in the proper light, because of their background,
14 because of the difficulties that their parents have
15 understanding, because of the discrimination and the
16 prejudice they have been living with.

17 Education to them is not of any great value.
18 Therefore, they don't hold it in respect, nor do they
19 hold the educators in respect, which results in discipline
20 problems.

21 Q And is this partly the result of racial tensions
22 in those two communities?

23 A I don't know.

24 Q Now, aside from Jamesburg, New Brunswick and Perth
25 Amboy, are there any other municipalities in the county

1 whose school systems you find to be undesirable?

2 A I think perhaps South Amboy school system, but
3 I don't really know for sure.

4 South River school system is the system I was
5 educated in. I'm not thrilled with it. But it's better
6 than some.

7 Q And what's your objection to South Amboy school
8 system?

9 A I don't know anything about it other than I've
10 heard that the system isn't all that progressive.
11 I really don't know enough. I'm not knowledgeable
12 enough to give you an opinion on that.

13 Q Is there a problem of double session and
14 overcrowding in South Amboy school system?

15 A I don't know.

16 Q What was the problem with the South River
17 school system?

18 A Oh, just from my own experience, I came out of
19 it very little, for some reason.

20 Q You felt that the teaching staff was inadequate?

21 A I don't know if it was the staff or the technique
22 or -- I really don't know.

23 Q What year did you graduate?

24 A 1966.

25 Q And do you know whether there have been any changes

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in the system since then?

A No, I don't know.

Q You indicated previously your parents are not college graduates, is that correct?

A Right.

Q Now, you said you would be willing to live in multi-family housing if the same were available at a price you could afford to pay, is that correct?

A Yes.

Q Could you describe for us the type of multi-family housing, either by giving us a description or by pointing to a particular development, that you would desire?

A Well, various forms. It doesn't matter. If they were well maintained they could be high-rise, they could be two-story, they could be single story.

If they had enough room in them and were reasonably priced, it wouldn't matter on the construction.

Q How much room would you consider enough room?

MR. SEARING: She's testified on a couple of occasions to the need for her housing. This is really repetitious.

MR. PLECHNER: I don't think we've ever gone into area requirements, frankly.

MR. SEARING: Room requirements, we have.

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MR. PLECHNER: I'm not talking about the number of rooms, I'm talking about the area.

MR. SEARING: What do you mean by area?

MR. PLECHNER: The size.

THE WITNESS: Square feet?

Q Yes.

A I have no idea. I couldn't even guess how big this room is. I don't know.

Q Do you know of any federally subsidized or state or locally subsidized public housing in Middlesex County or elsewhere, in which you would like to live?

A Yes. I'd like to live in Rutgers Student Housing.

Q Well, that's a very specialized type of housing.

A It's federally subsidized, is it not?

Q But, you could only live there if you were a student at Rutgers.

A Right.

Q But, other than that, is there anywhere, families, other than college students, would like to live?

A But, this student housing, this isn't married student housing, this is family. It's multi-dwelling. It's true you must be a student to get in, but you also must have children.

1 Q Yes. But it's a specialized type of housing,
2 created for a special purpose, to house students.
3 Just like college dorms.

4 But, what I mean is for families. I might want
5 to live in the dorm at Douglas College, you know, if
6 I could.

7 Are there any other housing developments, public
8 housing developments, that you know of, that you
9 personally with your family would like to live in?

10 A No.

11 MR. PLECHNER: No further questions.

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14 CROSS-EXAMINATION BY MR. RICHMAN:

15 Q My name is Mike Richman and I represent the
16 Township of South Brunswick.

17 First of all, I'd like to ask the preliminary
18 questions. Have you sought housing in the Township
19 of South Brunswick?

20 A No.

21 Q Do you know where the Township of South Brunswick
22 is?

23 A I believe so. South of North Brunswick.

24 Q Are you familiar with the housing, generally
25 familiar with the types of housing that are available

1 within the township?

2 A No.

3 Q Have you looked in newspaper ads?

4 A No. It was always too far.

5 Q Always too far.

6 A Yes.

7 Q Are you familiar with the school system in South
8 Brunswick Township?

9 A No.

10 Q On a couple of instances -- well, first question.
11 You indicated that prior to going to school that you
12 were employed, is that correct?

13 A Yes.

14 Q And I believe you indicated you worked for Fedders
15 as one employer and --

16 A McGraw Hill.

17 Q McGraw Hill. Did either of these two employers
18 have college tuition rebate programs?

19 A I have no idea. It was before college ever entered
20 my mind.

21 Q No, at the time, that you were employed, you
22 didn't investigate that possibility.

23 A No.

24 Q And what was the last place you worked -- Fedders,
25 correct?

1 A Yes.

2 Q What was your income at that time?

3 A Oh, I guess a hundred fifteen dollars a month.

4 Q A hundred fifteen dollars a month --

5 A A week, I'm sorry. A week.

6 Q Now, I believe in answer to previous questions
7 you have used the term fair share on a number of occasions,
8 and I believe that you've partly defined this as providing
9 housing where people work.

10 Is there any other criteria that you would have
11 for determining what a municipality's fair share would be?

12 A I guess the amount of available land would have
13 to be a necessary consideration.

14 Q When you say the amount of available land, --

15 A Land that could adequately stand up to construction
16 of apartments.

17 Q And I take it that you would take into consideration
18 the environmental impact, among other things.

19 A Yes.

20 Q What the construction of housing would have.

21 A Yes.

22 Q I believe you also indicated in answer to a
23 previous question that you felt that perhaps the use
24 of the municipality as a boundary in which you had
25 defined housing needs was perhaps too narrow, is that

1 correct?

2 A Does this refer to speaking about how many jobs
3 are in an area?

4 Q Yes. Broadening the question to the whole
5 concept of, using your term, "fair share," I believe
6 you indicated generally that you felt municipal
7 boundaries, perhaps, were not totally the boundaries
8 that you would use to determine how the fair share would
9 be determined, is that correct?

10 A To a point, I suppose it's correct.

11 It's kind of difficult when we have waited so
12 long. We've come to a point where there are some
13 municipalities that just don't have room for low income
14 people.

15 It's much too late to integrate all the
16 communities, and let them carry their fair share. We
17 have to consider the open land rather highly now, as
18 well as the number of jobs in the area, but -- do
19 you understand?

20 Q Yes, I understand what you're saying, but it seems
21 to me, and correct me if I'm wrong, is what you're
22 saying, then, is perhaps those municipalities that
23 still have vacant land would be required to provide
24 more in the way of low and middle income housing than
25 would be their fair share. Is that not correct?

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A Well, it might turn out that way, if one municipality is so closed up, is so built up. It might turn out that way.

It wouldn't be as extreme as we have it now. Now we have Perth Amboy, New Brunswick carrying the whole load, just about the whole load. That's an extreme.

You could even it out much, much better than it is now.

We couldn't get it down to the exact one percent off from each other, no. But, as close as we could. Some municipalities may have more than others. But not too far off.

Q Well, if, as you've indicated, some municipalities you're aware of in Middlesex County have no vacant land, so they would not be in a position, if they have no low and middle income housing now, they would not be in a position to generate any.

A If there was no land, you can't build.

Q So that would put our municipalities in the position of having to bear that portion of the low and middle income housing above and beyond what would normally be their fair share?

A Perhaps you could work out something with the municipality that doesn't have any land, get them to share some of the expense.

1 Q That would be nice if we could have that kind
2 of cooperation.

3 MR. SEARING: And, I think, it's a
4 pretty good idea.

5 Q Now, I believe that you indicated, when we were
6 going beyond the municipal boundaries, for determining
7 the pool from which we're going to mete out the fair
8 shares. I believe you indicated the county level
9 was perhaps a level at which this could be determined.

10 Why particularly did you pick that government
11 level?

12 A Simply because I think it's -- the municipal
13 level would be too small to work at. The state level
14 would be too large. The county level would be a good
15 place to start, I think.

16 Q Did you have in mind when you picked that the fact
17 that it is a political unit in itself, the county?

18 A No. I was thinking of it geographically, area-wise.
19 When an area is planned, Middlesex County has a Master
20 Plan.

21 Q But, are you aware of the fact that Middlesex
22 County Master Plan includes certain municipalities
23 that are not within the county?

24 A No, I'm not.

25 Q Okay. Would you think that it would be a good idea

1 to take into consideration the input that these
2 bordering municipalities would have on the whole pool
3 of low and middle income people when you're distributing
4 the fair share in Middlesex County?

5 A You have to repeat that, please.

6 Q I'll take a specific example.

7 Franklin Township is in Somerset County, it
8 borders directly upon Middlesex County. It's one of
9 the municipalities that is considered in Middlesex
10 County's Master Plan.

11 Do you think that we should place the low and
12 moderate income people that Franklin Township generates
13 into the whole pot, when we're distributing fair share
14 throughout the municipalities?

15 A I don't know. I don't know. I didn't realize
16 that that was the case. I don't know.

17 Q Do you think that perhaps -- well, what criteria
18 would you specifically look for when you're determining
19 the area that these municipalities that we're referring
20 to, when we're going to determine what their fair share
21 is going to be?

22 A Well, I was just thinking on a county level.

23 Now, the county has 25 municipalities, they have
24 X number of low income people, they have two municipalities
25 that are carrying sixty percent of the low income.

1 Let's spread it out a little bit.

2 Let's put some of the low income people in some
3 of the other municipalities.

4 As far as connecting municipality influence,
5 I don't know anything about that.

6 Q Would you say that this would generally be a good
7 idea for each county in the state?

8 A Yes, I think integration is good for both low
9 income, middle income and upper income.

10 Q Would you say that there's an interaction between
11 the municipalities they are bordering?

12 A Yes.

13 Q And how do you think that interaction should
14 be taken into consideration?

15 A The other counties should be distributed as well.

16 They should have the low income distributed in
17 that county as well. I grew up in Spotswood. I never
18 saw a black person until I went to school, high
19 school, in South River.

20 I had extreme prejudice built into my personality.

21 It took me quite a long time to overcome. And, of
22 course, I haven't overcome it completely, because it's
23 so ingrained. It's not good.

24 Q All right. Let me ask you this question. There
25 are certain counties in this state, which I think that

1 you can refer to, Somerset borders on it, Hunterdon
2 very definitely, which even if you were to economically
3 and racially integrate within the county, you would
4 accomplish virtually nothing.

5 Is that not correct?

6 A I don't understand you.

7 Q Okay. You've indicated that the idea is to have
8 racial and economic integration throughout a county.

9 A Yes.

10 Q What do you do in those situations where the
11 county itself, even if you were to economically and
12 racially integrate, you would still end up with 99
13 percent white, even if you were to move the people
14 around.

15 A Why is that? Why do you end up with that if you
16 economically and racially integrate it? Why do you
17 end up with 99 percent white?

18 MR. LERNER: I object. We're taking
19 a deposition of a witness. And, I don't
20 think, it calls for answering questions
21 with questions.

22 A Okay. I don't understand.

23 MR. LERNER: And we're ending up
24 with more pages and more cost.

25 A I don't understand why you end up with more whites.

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MR. RICHMAN: Off the record.

(Discussion off the record.)

(After discussion.)

MR. RICHMAN: That's all.

CROSS-EXAMINATION BY MR. LERNER:

Q You had some trouble at the welfare office over a landlord matter?

A Yes.

Q And that's when you first went to see Mr. Tuskey?

A Yes.

Q Was it Mr. Tuskey's job to offer you advice as to available housing, or answer questions concerning housing?

A Yes, I believe so.

Q What was his job description in Welfare?

A I don't know.

Q In any event, you indicated you had a housing problem, and then you were somehow referred through the welfare office to Mr. Tuskey.

A In the Housing Authority, I think.

Q Housing Authority section of the Welfare Department.

A Yes.

Q Have you ever asked Mr. Tuskey to advise you as

1 to the location of housing? Available housing for you?

2 A No. I had asked my caseworker --

3 Q I'm only asking you about Mr. Tuskey.

4 A No.

5 Q Do you know whether or not it was part of
6 Mr. Tuskey's responsibilities to advise you as to
7 available housing?

8 MR. SEARING: If you know.

9 Q If you know.

10 A I don't believe it was.

11 Q Did he in fact advise you how to maintain your
12 relationship with your landlord?

13 A He felt it was best to get out of the situation.

14 Q When you say, "get out," you mean move.

15 A Yes.

16 Q Did he offer you any assistance in locating
17 other housing?

18 A No.

19 Q Have you ever made an application to Welfare for
20 more money? You're laughing. Put that on the record.

21 Have you ever -- let's go back to the initial
22 premise of all these --

23 MR. SEARING: You didn't get an
24 answer.

25 Q Well, there was no answer. Are you shaking your

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head yes?

A No. You don't get any more. You get what you get, that's it.

Q If you had an income allowance of six hundred dollars a month, do you think that you could find adequate housing?

A Yes.

Q There's no question in your mind that with the availability of six hundred dollars a month, you could find housing.

A Yes.

Q To satisfy your needs and the needs of your family, under the present housing situation, as it presently exists.

A Yes.

Q So isn't it a fact, then, that the only thing stopping you from finding adequate housing is money?

A Yes.

Q And not necessarily the availability of the housing.

A No, the availability of the housing plays a big part in it.

Q But, that, perhaps, would only serve in some factors. But, you did answer the question, if you did have enough money, you could find housing.

A Okay, yes.

1 Q The answer is yes, then.

2 A Yes.

3 Q Have you ever filed suit against the Welfare
4 Board to compel them to pay you more money?

5 A No.

6 Q So that you could in fact avail yourself of the
7 existing housing, as it's presently available?

8 A No.

9 Q Have you ever sought the advice of Legal Services,
10 or the National Committee on Discrimination and Housing,
11 with regard to a suit against the Welfare Authority
12 in Middlesex County, to compel them to provide you
13 with an adequate amount of money for the available
14 housing supply?

15 A No.

16 Q Has anyone ever discussed that with you?

17 A No.

18 Q If somebody were to discuss that as a Class Action,
19 would you be interested in becoming a member of that
20 class?

21 A I might consider it.

22 Q Wouldn't that in fact be a more immediate answer
23 to all your problem, in that if given the proper
24 amount of money you could in fact personally move for
25 the housing you desire, for yourself and your family?

1 A But isn't that the same thing?

2 Q If given the proper amount of money, wouldn't
3 the choice of the home be yours?

4 A Yes.

5 Q And wouldn't a suit to compel the housing
6 construction then limit your choices to where the houses
7 are constructed?

8 A They would be constructed all over. There would
9 be --

10 Q What if there's no land available in a town?
11 Do you think that housing should be removed so that other
12 housing could be built?

13 A No.

14 Q So, then, wouldn't it be fairer to say that
15 housing wouldn't be built all over? Housing would only
16 be built where it's capable of being built.

17 A Yes.

18 Q So, therefore, your choices would be limited as
19 to where you could move, if it could only be to new
20 houses.

21 A But, in view of my present situation, I certainly
22 would not feel like too much a limitation to me.

23 If suddenly the houses were in, say, even only five other
24 spots.

25 Q But, if you had the funds available, for the

1 existing rental market, you could move anywhere you
2 so chose.

3 A Yes, I could.

4 Q And that would in fact answer your problem and
5 presence in this class.

6 A Yes.

7 Q When you say that you were seeking integration
8 in communities, are you talking about economic integration?

9 A Economic and racial.

10 Q Well, let's take the economic situation first.

11 You consider yourself a person of low economic
12 means?

13 A Yes.

14 Q Low income grouping.

15 A Yes.

16 Q But, you're striving to remove yourself from
17 that grouping, isn't that true?

18 A Yes.

19 Q In fact, isn't that the essence of your answer to
20 the questions that were being asked to you before as to
21 why you take a job as a secretary? It's your intent to
22 take a job as a social worker, partially because of
23 greater remuneration to be afforded by that kind of
24 a position, and a person with a college degree.

25 A Yes.

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Q When you have graduated, and have your degree and become a social worker, as you so chose, you would then, and you indicated, vacate housing that would have been provided for you, if such is the case for a person of low economic means, is that correct?

A Yes.

Q Aren't you then delegating the continued presence of persons of low economic means to the areas where that housing is to be built?

A You see, when this housing is built, it's not going to be built with a wall around it. It's going to be built, or it should be, with all economic backgrounds in one area.

Q Well, wouldn't that only be effective if in fact you get supplemental monies so that you can have the ability of renting a house in an area of people paying for or renting a home, based on their income? Isn't that the only way to insure a person of low economic means in an area surrounded by people of varied economic means?

A Let's go back for a minute to --

Q If you build a low economic housing project, and when I say a project, it can be high-rise, garden apartment or what have you. It's for people of low income. I'm only talking about low income now.

1 Therefore, as your means go beyond low income,
2 you have to vacate.

3 A Right.

4 Q Again, another person of low income moves in.
5 So that location is then damned, so to speak, as being
6 a continual place for people of low income. Whether
7 it be you or your successor.

8 A Well, I don't see how we could say that it
9 would be damned, if it did not become run down, or if
10 it were well maintained. We're never gonna get rid of
11 low income people.

12 Q I'm not talking in terms of the derogatory sense.
13 I'm talking in the sense, it is delegated to be forever
14 a place for people of low income.

15 A Yes.

16 Q So that the financing of a place for low income
17 people is in fact financing it permanently in that
18 location.

19 Whoever the occupant may be.

20 A Yes.

21 Q So that the neighbors, who then live around this
22 type of construction would constantly be subjected to
23 people there of low economic means, who as soon as they
24 reach a plateau of economic stability or higher degree
25 of economic development, vacate.

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A Well, they must. They can't accept subsidy --

Q So the people who live around this building are to be the constant source of inspiration, and the constant buffer to an ever-changing group of low economic people.

MR. SEARING: This is under your particular **universe** that you have constructed.

MR. LERNER: That's correct.

MR. SEARING: One out of a number of possible alternatives.

A Yes. I suppose you could say they would be of inspiration to each other.

Q Well, inspiration to each other, but the people who own their own homes surrounding this area would not have the mobility of moving to other homes, unless they sell their home.

A Right.

Q And the ability to sell their own home would depend upon the economic circumstances affecting our economy at that particular moment, as to what they would get for their home.

A This is presupposing that this low income housing is such a hardship to have near these people.

Q Well, the low income housing that presently exists is -- well, first of all, it would of necessity,

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by your own definition, include multi-bedroom units,
two, three, four bedroom units. Is that correct?

A Yes.

Q And the density, then, of occupancy would then
be higher than apartments that have one bedroom or two
bedroom units.

A Yes, but they wouldn't have to be, say, as massive
as one of the projects. Because they would be distributed
throughout the county.

Q Well, the choice and type of construction would
not necessarily be Utopian.

In other words, the number of units themselves
would be predicated upon existing zoning or some other
authority deciding upon how many units are built and
where they're built, isn't that correct?

A Yes.

Q So that you could conceivably have another building
going up of low income units.

But, in all deference to your suggestion, some
one-bedroom, some two-bedroom, some three-bedroom,
some four-bedroom.

A Yes.

Q But, in any event, the extent of density would
be greater than -- in a whole apartment house of
one-bedroom units. Is that correct?

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A Yes.

Q And ghettos themselves, the way you described them before, are areas of high density.

A Yes.

Q So that in fact, any concentration of multi-bedroom units would tend to lead to a greater degree of occupancy than what is presently the case, anywhere in the county.

A What do you do otherwise?

Q The alternative, the multi-density housing that we have now, which is Perth Amboy and New Brunswick, isn't that so?

A But, isn't that extreme confinement? Isn't that massing of the minorities? Isn't that keeping the people over here happy and impinging on these over here?

Q Generally I agree with you. Again I then say to you, aren't you in fact a member of a class that is denied adequate housing by lack of funds to select proper housing for yourself and your family, as opposed to housing being constructed for you in some fixed location?

A Well, I believe even with the funds, the housing is very difficult to find in Middlesex County. What the vacancy rate is, is quite low. With these housing units developed, as we were talking about before, and I would in turn give my place up to someone else

1 and move some place else, when I got myself off the
2 welfare rolls, instead of doing that, say, in this
3 complex with one, two, three, four bedroom apartments,
4 my rent would be increased. I could maintain my apartment,
5 but my rent would be increased and I would go off
6 federal subsidy, and there would also, in that complex,
7 would be people not on relief, but the people who were
8 on relief would have a lower rent and would be subsidized.

9 Q Wouldn't that be the same as some people getting
10 money and some people not getting money and renting
11 their homes in the same building, renting apartments
12 in the same house?

13 A That's what it would be. Some people would have
14 a higher income.

15 Q And I'm only submitting to you the alternative,
16 of just having an increased source of funds, so that you
17 could rent in the same apartment house as, for example,
18 anyone who was sitting at this table today, who lived
19 in an apartment house, except that a portion of your
20 rent could be paid by some federal agency or some other
21 or welfare. But, giving you the same ability to
22 rent, in a home you so choose.

23 A I think that's a good idea, but I also think that
24 there's still a housing shortage.

25 I think there's still a housing shortage in Middlesex
County.

1 Q Do you understand the economics of housing?

2 A No.

3 Q Do you understand that where there's a need,
4 people will build? And when there's not a need the
5 apartments are empty?

6 A But, isn't the problem now that the high
7 construction costs and the need is going untended,
8 because of the cost of building?

9 Q The only thing that would stop a builder from
10 building is not the high construction costs --

11 A It's the zoning laws.

12 Q Now. I'm submitting to you that the only thing
13 that would stop a builder from building an apartment
14 house today would be his thought of not having enough
15 people to rent it after he's finished completing it.

16 Regardless of what his cost is. If it cost him
17 a million dollars to build it, he'll just pass it off
18 to the consumer.

19 So the question is really whether or not there
20 are enough consumers to rent it at the cost at which
21 it cost him to build it.

22 MR. SEARING: That is not a fair
23 characterization of what's happening
24 in Middlesex County. I think you're
25 misleading the witness.

1 The gravamen of the suit is that the
2 zoning laws in certain municipalities
3 have excluded the economic problem to
4 the degree that builders who want to
5 build apartments or homes to satisfy
6 the need for groups who can pay are not
7 being allowed to do so.

8 MR. LERNER: As I understood Mr. Cummins'
9 comments, the Borough of Dunellen has
10 no restrictions on apartments.

11 If that were the case, anyone could
12 build apartments where they so choose.

13 MR. SEARING: No. Mr. Cummins said,
14 we said in the Complaint that they allow
15 no apartments and he said they do allow
16 apartments.

17 MR. LERNER: My point is, if there
18 was a municipality that presently has
19 land zoned for apartments and no one chooses
20 to build the apartments, then, really,
21 that choice then is an economic one.

22 MR. SEARING: As that is characterized,
23 that's correct, I agree with that.

24 A But, what if someone does choose to build them
25 and they build one and two bedroom apartments?

1 Q Wouldn't you then think if there were a market for
2 three and four and five bedroom apartments, that a person
3 would build them, assuming there is somebody there to
4 rent them?

5 A I would think the zoning laws forbid them.

6 MR. SEARING: We're back to that
7 skewing of the market.

8 Q If the law permitted them and the person still
9 didn't build them, would it then be an economic decision?

10 A Then I suppose it would.

11 Q Do you know of any zoning laws that would
12 that limit the number of bedrooms in a house, in a
13 private house?

14 A In a private house? I don't know of any. I know
15 of apartments.

16 Q Private house.

17 A No.

18 Q So that four, five, six, seven, eight, nine, ten
19 bedroom homes can built, as far as you know, in every
20 municipality. In Middlesex County.

21 A What, what problem does that solve?

22 Q It provides a home with four, five, six, seven,
23 eight, nine ten bedrooms.

24 A That who can afford?

25 Q Then the question, then, is really money. If

1 the housing can be built for the person who needs
2 eight bedrooms, the question, then, is whether or not
3 they can afford it.

4 MR. SEARING: The question also
5 is how many --

6 Q No, the question to the witness.

7 MR. SEARING: I lost the question.

8 THE WITNESS: I did too.

9 Q I'll rephrase the question. If a ten bedroom
10 house were available to somebody who needed a ten
11 bedroom house --

12 A We've gone from four to ten.

13 Q Well, Mrs. Cruz, I think, almost came close.
14 Well, she needed five. A five bedroom house.

15 Now, five bedroom homes exist in much more of
16 a common sense, as opposed to a five bedroom apartment.

17 My question then would be, why don't you, if you
18 were the person, go out and rent a five bedroom house,
19 or buy a five bedroom house? Assuming no five bedroom
20 apartments exist, and the only reason, I guess, would
21 be economics.

22 Is that true?

23 A Yes.

24 Q So, isn't the lack of funds what affects your
25 critical choice, assuming there's housing?

1 A Assuming there's housing, in my case, it is
2 the finances.

3 Q Have you looked in the newspaper recently,
4 regarding homes for rent and homes for sale?

5 A Yes.

6 Q Are there listings? At any price?

7 A Very few, it seems, it's gone down quite a bit.

8 Q There's listings.

9 A Yes.

10 Q Are there in fact apartments for rent?

11 A Yes, there's apartments for rent.

12 Q Regardless of the rent charged.

13 A Regardless of charge, there are apartments.

14 The amount has decreased greatly in the past, even
15 two years.

16 Q Are there in fact more apartments available in
17 different communities than there are in others?

18 A Of course.

19 Q And wouldn't that be reflective of the school
20 system and the type of an environment that those
21 particular towns have to offer, as opposed to other
22 towns?

23 A Yes.

24 Q In fact, the towns that appear to be, quote,
25 nicer places to live, end quote, are the places where

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there are less available housing.

A Yes.

Q So, then, it really comes down to where if housing were available, it would really be the funds that would prevent you from having it.

A Yes.

MR. LERNER: No further questions.

MR. SEARING: Thank you for your testimony.

(Whereupon, depositions adjourned at 5:15 p.m.)

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.

Richard C. Guinta

3/26/75