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Depositions upon oral examination of
Lydia Cruz + Judith Champion

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CA000982T

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION - MIDDLESEX COUNTY
DOCKET NO. C-4122-73

CA000982T

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 CRANBURY; 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

1 TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF MONROE; TOWNSHIP
2 COMMITTEE OF THE TOWNSHIP OF
NORTH BRUNSWICK; TOWNSHIP
3 COMMITTEE OF THE TOWNSHIP
OF PISCATAWAY; TOWNSHIP
4 COMMITTEE OF THE TOWNSHIP
OF PLAINSBORO; MAYOR AND
5 COUNCIL OF THE BOROUGH OF
SAYREVILLE; MAYOR AND
6 COUNCIL OF THE CITY OF
SOUTH AMOBY; TOWNSHIP COMMITTEE
7 OF THE TOWNSHIP OF SOUTH
BRUNSWICK; MAYOR AND COUNCIL
8 OF THE BOROUGH OF SOUTH
PLAINFIELD; MAYOR AND COUNCIL
9 OF THE BOROUGH OF SOUTH
RIVER; MAYOR AND COUNCIL
10 OF THE BOROUGH OF SPOTSWOOD;
TOWNSHIP COMMITTEE OF THE
11 TOWNSHIP OF WOODBRIDGE.

12 Defendants,

13 -and-

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

16 3rd Party Defendants.

17

18

19 TRANSCRIPT OF DEPOSITIONS, taken by and before
20 RICHARD C. GUINTA, Notary Public and Certified Shorthand
21 Reporter of the State of New Jersey, at THE PINES MANOR,
22 Route 27, Edison, New Jersey, on Thursday, March 20,
23 1975, commencing at 9:40 a.m.

24

25

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

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

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

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

7 MESSRS. RUBIN & LERNER
By: Lawrence Lerner, Esquire
8 Attorneys for the Borough of Highland Park

9 MESSRS. RAFANO & WOOD
By: Christopher R. Wood, Esquire
10 Attorneys for the Borough of Jamesburg and
Borough of South River
11

MESSRS. ALFONSO, GROSSMAN & ALFONSO
12 By: Louis J. Alfonso, Esquire
Attorneys for the Township of Madison
13

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

15 MESSRS. MOSS & INGLESE
By: Samuel C. Inglese, Esqurire
16 Attorneys for the Township of Monroe

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

19 JOHN J. VAIL, ESQUIRE
Attorney for the City of South Amboy
20

MESSRS. SEIFFERT, FRISCH & GRUBER
21 By: Michael Richman, Esquire
Attorneys for the Township of South Brunswick
22

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

24 GUIDO J. BRIGIANI, ESQUIRE
Attorney for the Borough of Spotswood
25

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

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

WITNESS	DIRECT	CROSS
LYDIA CRUZ		
By Mr. Alfonso		4
By Mr. Brigiani		14
JUDITH CHAMPION		
By Mr. Chernin	20	
By Mr. Spritzer		51
By Mr. Rozanski		56
By Mr. Brigiani		61
By Mr. Alfonso		71
By Mr. Baker		80
By Mr. Inglese		86
By Mr. Cummins		121
By Mr. Wood		145
By Mr. Plechner		162
By Mr. Richman		194
By Mr. Lerner		203

1 L Y D I A C R U Z, 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 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.

1 Q What about somebody from Brazil. You consider
2 that person to be part of the Hispanic community?
3 A Yes, I think I would.
4 Q They speak Portuguese in Brazil, don't they,
5 Mrs. Cruz?
6 A Yes, but I don't think they are considered whites.
7 Q So what you're saying is that it's not a question
8 as to whether or not a person speaks Spanish or not,
9 because people could very well speak Portuguese and still
10 be part of the Hispanic community as you define it, is
11 that correct?
12 A Do you know that Portuguese language is very
13 close to Hispanic language?
14 Q That's not my question.
15 What I'm trying to get at is, how do you
16 differentiate between what is in Hispanic community and
17 what is not. You have told me people from Brazil who
18 speak Portuguese to be part of that Hispanic community.
19 A I want to retract. I don't think that they are
20 part of this Hispanic community.
21 Q Now you're saying that they're not part of the
22 Hispanic community.
23 A Yes.
24 Q Now, what about somebody from Lisbon, Portugal.
25 Are they part of the Hispanic community?

1 A You know, I don't know much geography.
2 Will you please consider my knowledge?
3 Q Mrs. Cruz, I am sure from the responses that you
4 have made, that as far as geography is concerned, you
5 are in no way ignorant. You are familiar with where
6 Portugal is, it's next to Spain, in Europe.
7 I'm asking if you know. If you don't know,
8 just say you don't know.
9 A Yes, I know that, but I don't know all the
10 countries and the language. If you keep asking country
11 by country, maybe I will know to answer your question.
12 Q What about South American countries that speak
13 Spanish. As an example, Uruguay, Paraguay, or Boliva,
14 you consider those to be part of the Hispanic community?
15 A Yes.
16 Q You do or you don't?
17 A I do.
18 Q What about Argentina, which is next to Boliva
19 and Uruguay? You consider the Argentine people to
20 be part of the Hispanic community?
21 A I think so, yes.
22 Q So what you're saying, then, Mrs. Cruz, it's
23 not a question of whether a person is just Puerto Rican
24 or not Puerto Rican, it's a question of geographically
25 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?

1 A Yes.
2 Q And after that discussion, you decided, or a
3 decision was made that you would take personal days
4 for the time that you're here.
5 A Yes. Vacation days.
6 Q Did you discuss that with anyone else besides
7 your supervisor?
8 A No, I didn't. Just the immediate supervisor.
9 Q Have you made any inquiry regarding possibilities
10 of you seeking employment in Madison Township?
11 A No.
12 Q Now, you mentioned when you were here last time
13 that you had not received a New Jersey driver's license.
14 Have you as of today received a New Jersey driver's
15 license?
16 A Not yet.
17 Q Now, is the automobile that you purchased recently,
18 is that registered in your name?
19 A Yes.
20 Q Do you know how to drive that automobile?
21 A No. I don't have a driver's license, I can not
22 drive it, you know.
23 Q I'm not asking you whether you can or can not
24 drive it, I'm asking you whether you know how to drive
25 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 If 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.

1 Q So you don't know whether or not your position
2 is open to you only because you're a resident of Middlesex
3 County.
4 A I never check on that.
5 MR. ALFONSO: That's all, thank you,
6 Mrs. Cruz.
7 THE WITNESS: Okay, you're welcome.
8
9
10 CROSS-EXAMINATION BY MR. BRIGIANI:
11 Q Guido Brigiani for the Borough of Spotswood. And
12 also Mr. Burns asked me to represent him, he's the
13 attorney for the Township of North Brunswick, since he
14 was engaged in another court.
15 Mrs. Cruz, you said you lived on Stockton Street
16 in Perth Amboy, and that's a subsidized housing, I
17 believe, in the City of Perth Amboy?
18 A Yes.
19 Q Now, that particular housing development is right
20 next to the school, isn't it?
21 A Yes.
22 Q The last time you were here, you seemed to
23 indicate it was some distance away.
24 They're right in the same block, and they adjoin
25 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.

1 Q When. Other than this suit.
2 A I have done it through -- I have expressed my
3 objections through Legal Services Board.
4 Q To what?
5 A Legal Services Board.
6 Q I'm talking about Spotswood now.
7 A Yes. It was not direct -- was not directly
8 with Spotswood, but I have objection for the cities.
9 This is the general term.
10 That has zoning boards, zoning rules that somehow
11 indirectly keep an invisible fence.
12 Q Let me ask you this way. You said you made
13 your feelings known. You are militant in your feeling
14 towards discrimination, is that correct?
15 A Yes.
16 Q And you made your feelings known to the Legal
17 Services?
18 A Yes.
19 Q And you said to them, or whoever it was, and
20 if I'm incorrect you say so, that you objected to these,
21 what you term, what you consider exclusionary policies
22 of communities in general, is that correct?
23 A Yes.
24 Q I mean, you didn't say that you believe that
25 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.

1 (Discussion off the record.)
2 (After discussion.)
3 MR. SEARING: Can we be excused for
4 a few minutes?
5 MR. BRIGIANI: Well, go ahead. It's
6 a little bit unusual, but --
7 MR. SEARING: I appreciate your
8 indulgence.
9 (Discussion off the record.)
10 (Mr. Searing and Mrs. Cruz leave the
11 deposition room.)
12 (After discussion.)
13 MR. SEARING: Mrs. Cruz has informed
14 me that she is unable to continue, for
15 health reasons, and has asked to be excused.
16 The attorneys present have agreed
17 to it. Mrs. Cruz has agreed to make
18 herself available for finishing her deposition
19 at another time.
20 MR. BRIGIANI: May I ask, did you
21 indicate she was being operated on today
22 or tomorrow?
23 MR. SEARING: Mrs. Cruz is going to
24 enter the hospital shortly for an operation,
25 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.)
8
9
10
11
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 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 That 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

1 return?

2 A I guess it was in 1971.

3 Q You filed no returns for the years -- calendar

4 year '72, '3 and, I gather you will not file one for

5 '74?

6 A No. Right.

7 Q Will you tell me what your monthly income is?

8 A My monthly income is $310.

9 Q Tell me how you make that up. How do you arrive

10 at that figure? What's the composite?

11 A Welfare.

12 Q Totally?

13 A Right. Flat grant.

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

15 A Correct.

16 Q And is someone or some organization paying for

17 your college education?

18 A Yes.

19 Q Who?

20 A Well, I receive a loan and a grant, National Direct

21 Student Loan, and a supplementary grant from the college.

22 Q How much do you get from each?

23 A Three hundred from each.

24 Q Have you been receiving that for three years?

25 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 How 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 someway?
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 rather 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

1 share of low income housing, okay?

2 Q Have you checked out to see which one in Middlesex

3 County has their share?

4 A Yes.

5 Q Who?

6 A New Brunswick and Perth Amboy, I believe carry

7 much, much more than their share.

8 Q Where have you looked to find out and get this

9 information?

10 A In the statistics from the transcripts from this

11 case.

12 Q Now you've got me confused. What transcript are

13 you talking about?

14 MR. SEARING: The --

15 MR. CHERNIN: Excuse me, Mr. Searing.

16 I may be able to guess what you're

17 going to say, but I'm not quite sure what

18 the young lady will say.

19 If you don't mind, I'd like to get

20 her impression of what she said to me.

21 A The data that was compiled -- I don't know what

22 it's called. I don't know what exactly the label it is.

23 It's this thing right here.

24 Q Do you have a document in front of you?

25 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 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.

1 What is your meaning of your phrase, "Within
2 reason"?
3 A I don't expect to go -- I don't expect there to
4 be vacant housing, low income housing, sitting all over
5 the County of Middlesex, just waiting for me to move in.
6 I do expect that the municipalities, all the
7 municipalities in Middlesex County, and other counties,
8 should have accommodations for low income people, because
9 they do employ low income people, and if the people
10 are working in a county, I don't see why they should
11 have to live outside the county.
12 Q Let me follow that a minute, Mrs. Champion. Let
13 us assume that a municipality does in fact have low
14 income housing, but there are no vacancies in that low
15 income housing.
16 What do you propose that the remedy there be?
17 A Well, it would depend on a couple of variables.
18 If they did in fact carry their share of the
19 percentage of low income in the county, then I wouldn't
20 expect to find an apartment there.
21 If they didn't have their share, then I would
22 expect that they should construct some additional housing.
23 Q Do I gather from what you're saying that each
24 municipality should build enough low income housing to
25 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 housing

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 being 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

1 that you are in any other way being discriminated against,
2 in Middlesex County?
3 A I guess my being on welfare would be part of my
4 economic situation.
5 Q I didn't mean your economic situation. I mean,
6 do you feel that there is any other area in which you
7 are being discriminated against, not assisted by the
8 government?
9 A No, I suppose not.
10 There is the fact of my being on welfare. I've
11 been discriminated against, because I am on welfare.
12 I've been refused housing, because of it.
13 Q Because you're receiving some form of governmental
14 assistance, you feel that that in itself has resulted
15 in some forms of discrimination.
16 A Yes.
17 Q I gather that that means that, in some people's
18 mind, that because you are not gainfully employed and
19 because you are obliged to seek governmental assistance,
20 that in and of itself is a form of discrimination. In
21 their minds.

1 witness not to answer?

2 MR. SEARING: The question is

3 irrelevant, immaterial --

4 MR. INGLESE: Those are insufficient

5 grounds under our rules.

6 MR. CHERNIN: May I add one other thing

7 to you, Mr. Searing, you've already given

8 me those answers.

9 In your answers to interrogatories.

10 MR. SEARING: What question?

11 MR. CHERNIN: Whether or not she

12 signed an agreement or authorization,

13 whether any retainers were executed.

14 Irrespective of whether there are or are

15 not, I would like the witness to answer

16 the question, unless you persist in your

17 instructions.

18 MR. SEARING: What was the question

19 again?

20 MR. CHERNIN: I'll repeat it.

21 Q Mrs. Champion, did you issue any authorization

22 for anybody to institute this suit on your behalf

23 and in your name?

24 MR. SEARING: You can answer that.

25 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 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 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 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.

1 Q Have you looked in Eidson at all, on Route 1,
2 in regard to a mobile home park?
3 A No, I have not.
4 Q Have you looked in South Brunswick?
5 A No. Route 18 is the only one I'm even aware of.
6 Q Well, what would your requirements be in respect
7 to the location of a mobile home?
8 A So it was in some sort of a -- it would have to
9 be off of the main highways, it would have to be off
10 the main highways, it would have to be in an acceptable
11 school district.
12 Q What would the rent have to be, the same as you
13 stated for an apartment?
14 A Sure. That doesn't change.
15 Q And if there was a down payment, I assume you
16 couldn't afford it.
17 A No. You're speaking of purchasing?
18 Q Yes. Would you consider purchasing a mobile
19 home?
20 A No. It's not in my realm at all.
21 Q So you would only consider renting a mobile home.
22 A Yes.
23 Q And the only mobile park you are aware of, and
24 which they are rented, is Route 18 in East Brunswick?
25 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 keep 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 bridges?

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 gas
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

1 a Master Plan, in which low income housing is a part.
2 Q How do you propose, then, that this building be
3 financed?
4 A I would assume by -- I don't know how that works.
5 Now, if a construction company comes in and -- I
6 don't know. I would imagine the community itself,
7 a construction concern, and the federal government.
8 Q Okay. Let me ask you this specifically. Why
9 do you want to move out of your present location in
10 Sayreville?
11 A It's much too expensive. It's much, much too
12 expensive.
13 Q Does the pollution play a factor in it?
14 A Yes.
15 Q Does the vandalism play a factor in it?
16 A Yes.
17 Q Does the overcrowding play a factor in it?
18 A Yes.
19 Q Do the traffic conditions play a factor in it?
20 A Yes.
21 MR. ROZANSKI: No further questions.
22
23
24
25

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 seems 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 not.
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.

1 It's a matter of degree.

2

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 Pine Tree,

11 are there any other apartments that you inquired of

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.
16
17
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.

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

1 in so far were very polluted. It's quite a problem,
2 I don't know what to do about it. I don't know.
3 Q In what particular way is your present home
4 inadequate?
5 A Financially, basically. It's quite expensive.
6 Q How long did you say you lived there?
7 A I've lived there for a year in June.
8 Q And you've managed to live there for a year,
9 but it's no longer possible, because of your financial
10 situation?
11 A I've managed, with much difficulty. In June the
12 rent is going to be increased again.
13 Rents have increased, which causes quite a
14 problem.
15 MR. BAKER: No other questions.
16 MR. SEARING: Off the record for
17 a minute.
18 (Discussion off the record.)
19 (After discussion.)
20 (Adjourned for luncheon recess.)
21
22
23
24
25

1 (After luncheon recess.)

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

3 CROSS-EXAMINATION BY MR. INGLESE:

4 Q Mrs. Champion, my name is Samuel Inglese,

5 I represent Monroe Township.

6 Do you know where Monroe Township is?

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

8 Q Have you ever sought any housing in Monroe

9 Township?

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

11 Q Have you ever investigated the school system in

12 Monroe Township?

13 A No.

14 Q Do you have any opinion at this point as to whether

15 or not you would like to live in Monroe Township?

16 A No, I don't. Monroe Township seems very, very

17 vague in my mind.

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

19 A Monroe Township seems very vague in my mind. Is

20 it out by Jamesburg?

21 Q Yes, that's the general area.

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

23 Q Do you know anything about the community other

24 than it's near Jamesburg?

25 A No.

1 Q I'd like to get back to some other matters
2 that you discussed and I'll get to some other areas
3 that have not been covered yet.
4 First of all, I think that you've testified that
5 you're on welfare and you receive approximately $310
6 a month?
7 A Yes.
8 Q And out of that $310, you're to pay out of that
9 your portion of the rent, food for yourself and your
10 children?
11 A Yes.
12 Q Do you also -- do you have any other source of
13 income?
14 A My grant from school.
15 Q You call that an income. Is it money that you
16 get or are you talking about it as being the payment
17 of the tuition at school?
18 A After the tuition is paid and the books are bought,
19 there's approximately two hundred dollars left over.
20 Q Is that for the whole year or is that --
21 A That's for one semester.
22 Q How many semesters are there?
23 A Two.
24 Q So you get a total of four hundred dollars extra?
25 A Right.

1 Q Who is it that pays this grant?
2 A The state and the college. It's half grant and
3 half loan. Half of it I have to pay back, half of it
4 is free money.
5 Q All right. Is that under a Student Loan Program
6 you're talking about?
7 A The loan portion is a Student Loan, it's called
8 National Direct Student Loan. The grant portion is
9 a supplementary grant from the college, because the
10 loan that I receive isn't enough for me to go to
11 school.
12 Q The grant itself, this is the one that's the
13 gift, not the loan, that's supplied to you by who?
14 A The college, I believe, but I'm not sure.
15 Q And this is Middlesex County College?
16 A Yes.
17 Q Do you know whether or not they get those funds
18 from the state, the federal government or the county,
19 or even the welfare people?
20 A I don't know. I'm sure that it's not the Welfare
21 Board, because the Welfare Board considers it income
22 and takes it away from me. So in essence, I don't get --
23 they consider it, after my tuition, they don't even
24 consider books. Six hundred dollars per semester.
25 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 towards 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. INGLESE: 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.

1 Q Mrs. Champion, in regards to the other parties,
2 do you know Cleveland Benson?
3 A No, I do not.
4 Q Have you ever met Cleveland Benson?
5 A No, I did not.
6 Q Do you know Fannie Botts?
7 A No, I do not.
8 Q Have you ever met Fannie Botts?
9 A No.
10 Q Do you know Judith --you know her. Do you know
11 Lydia Cruz?
12 A Yes.
13 Q You met her?
14 A Yes.
15 Q Would you tell me when you first met Lydia Cruz
16 and where?
17 A The last deposition.
18 Q Prior to the last deposition, had you ever met
19 Lydia Cruz?
20 A No.
21 Q Now, do you know Barbara Tippitt?
22 A No, I do not.
23 Q Have you ever met Barbara Tippitt?
24 A Yes, I think I ran into her at the law office of --
25 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.

1 MR. SEARING: That's fine. Under the
2 rules I have a right to object to your
3 question and direct the witness not to
4 answer.
5 As I understand it, you have a
6 right to move before the court.
7 MR. INGLESE: I also advise you that
8 this also involves a conversation between
9 the parties, which can be discovered at
10 this point.
11 Still instruct her not to
12 answer?
13 MR. SEARING: Yes, I do.
14 MR. CHERNIN: May I ask a questions?
15 Mr. Searing, is your instruction
16 based upon the thought that discussions
17 between parties outside of counsel's
18 presence is privileged matter?
19 MR. SEARING: No.
20 MR. CHERNIN: You agree it is not
21 privileged.
22 MR. SEARING: No.
23 MR. CHERNIN: Pardon?
24 MR. SEARING: Yes, I agree it's not
25 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.

1 MR. SEARING: I'll retain my
2 objection to this line of questioning.
3 MR. INGLESE: I might say at this
4 point, Mr. Searing, that I intend that
5 when the application is made to the court
6 to have her instructed to answer the
7 questions, I will seek costs, which I'm
8 sure counsel will join in, together with
9 the cost of the reporter, and I will also
10 request especially that you have New Jersey
11 counsel present with you at all proceedings.
12 Because of the difficulties we're
13 running into due to your lack of knowledge
14 of the New Jersey law in this regard.
15 Q Mrs. Champion, you know Jean White?
16 A No, I do not.
17 Q Ever met Jean White? A No.
18 Q Out of all of these co-plaintiffs that we're
19 talking about, there's only one common person with whom
20 you met and knew and that's Mr. Tuskey.
21 A Well, I met Lydia also.
22 Q I mean you met her after the suit started.
23 A Right.
24 Q The only person that you met prior to the
25 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 iiself 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

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.

1 Q Well, so that you're talking about integration,
2 you're talking about an overall factor of the whole
3 human race, financial scales, religious scales and
4 the various ethnic backgrounds.
5 A That's ideal integration, yes.
6 Q Now, would you consider that kind of a background
7 to be percentage-wise or would you -- in other words,
8 would be fully integrated, would you say, and I will
9 throw out percentages, but they're not yours, okay?
10 Let's say, twenty percent black, ten percent
11 Puerto Rican, fifty percent white, ten percent others?
12 A Yes.
13 Q Would you figure that there should be certain
14 percentages of each?
15 A Yes, I would say.
16 Q As a fully integrated community?
17 A I would say, yes.
18 Q What about deviations from those various
19 percentages? Do you think there should be deviations?
20 A Well, there would have to be deviations, of course.
21 Q Well, do you think that they should be allowed?
22 A Realistically they would have to be, yes, they
23 would have to be allowed.
24 Q Supposing -- strike that.
25 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 my 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?

1 A Do I know the names and addresses of people in
2 my same situation?
3 Q Who you would consider as part of the class that
4 you represent in this suit.
5 A Names and addresses. Yes, I have some friends
6 that are in similar situations.
7 Q Would you be able to supply your attorney
8 with the names and addresses of those people?
9 A Not offhand.
10 Q May I ask why?
11 A I've lost contact with most of them. I just
12 don't know the addresses. I mean, I suppose if I
13 sat down, went home and looked through my books and
14 things like that I might be able to find them.
15 Q If the court were to order that all the members
16 of the class that are known be given notice, would you
17 be willing to do this on behalf of your attorney, so
18 he can give them notice as to whether or not they want
19 to be part of this suit?
20 Do you understand my question?
21 A Yeah. You want to know if I would in fact give
22 Mr. Searing the names of anyone I know who would be in
23 my class.
24 Q Yes.
25 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. INGLESE: 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. INGLESE: 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.

1 MR. SEARING: Fine. That's my wish too.
2 Q Now, Mrs. Champion, in all of our discussions
3 here with your problems of housing, you have constantly
4 commented that you have been looking for an apartment.
5 When asked about a house,you said that you would
6 not look for a house, because you just, with your
7 means now you could not afford a house.
8 A Yes. There was a time when I -- I still do.
9 I mean, I look at the houses, where it says, "House
10 For Rent," in the newspaper. There was a time
11 when occasionally one would appear that I could afford.
12 That time has passed.
13 Q Is it passed, because you have the realization
14 that even if you could find one at the rent that you
15 would like, you still would not be able to afford it?
16 A It has passed, because the rents have increased
17 so drastically over the years.
18 Q What is your understanding of what you would have
19 to pay if you rented a house?
20 A Today?
21 Q Well, even before when you were looking.
22 A Whether I would live in an apartment or a house,
23 or a mobile home, or anything, my rent allotment does
24 not change, it's always the same. It doesn't matter
25 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

1 opposed to apartments.

2 Q Okay, fine.

3 Is it your contemplation in this suit, other

4 than housing, to seek integration of all communities?

5 A I think that would be an excellent idea.

6 Q All right.

7 You say it would be an excellent idea.

8 Do you seek that in this suit?

9 A Do I seek integration in this suit?

10 Yes. That would be part of it.

11 Q Do you have or have you thought of any concept

12 or any idea as to how this might be accomplished?

13 A I think to start off with, if we got some low

14 income housing into these municipalities where there

15 are no low income inhabitants, or very few, that it

16 would not only benefit the low income people, but it

17 would also benefit the middle and upper income people,

18 to have there community integrated.

19 Q You didn't answer my question. Have you thought

20 of how this would be -- of how you would be able to

21 accomplish the integration in the communities?

22 A Long-range, I do not know, but to begin with, low

23 income housing in the communities.

24 Q And if low income housing were provided for the

25 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.

1 Q The eastern side of Woodbridge.
2 A Yes. Perhaps I don't know where Dunellen is.
3 Q Well, have you ever been in Dunellen?
4 A Yes, I've gone to the movies in Dunellen.
5 Q You went to the movies in Dunellen.
6 A Yes.
7 Q How long ago?
8 A I don't remember.
9 Q Two years ago, three years ago?
10 A Within six months.
11 Q Was that the first time you had been in Dunellen?
12 A No. I've driven through Dunellen. I've never
13 gone to Dunellen for any special purpose, other than
14 to go to the movies.
15 Q Now, did you drive there yourself?
16 A Alone in the car, is that what you mean?
17 By myself?
18 Q Either way. How did you get to Dunellen?
19 A I drove in a car.
20 Q Did you drive yourself?
21 A I don't remember. I suppose at one time or
22 another I did drive myself to Dunellen.
23 Q Now, are you sure that you know where it is?
24 A No, now I'm not. I don't know the boundaries.
25 Q You don't know -- you do not.

1 A No.

2 Q Do you know what part of the county it's located

3 in?

4 A Central northeast. Northeast. I don't know.

5 I don't know.

6 Q Okay. Have you ever looked for housing, either

7 house, apartment, or what have you, in Dunellen?

8 A No. It was too far to consider.

9 Q Too far?

10 A Not for myself, but for my roommate. I've always

11 had a roommate.

12 Q So that right now Dunellen is --

13 A If I could find a place in Dunellen, I could

14 afford to live by myself, it would be a consideration.

15 I suppose. But, I don't know anything about the

16 school systems in Dunellen. I don't know much about

17 Dunellen at all.

18 Q Do you know how densely populated Dunellen is?

19 A No.

20 Q If I told you that Dunellen was one square mile

21 and that there were seven thousand people in Dunellen,

22 would you accept those figures?

23 A I don't know.

24 Q Pardon me?

25 A I suppose. I don't know anything about it.

1 Q Okay.

2 And, if I told you that Dunellen was the fourth

3 densest town in the county, would you accept that

4 figure?

5 A I suppose.

6 Q Okay.

7 Now, I believe that you said before that you

8 didn't want to live in a place that was too densely

9 populated. You didn't want to live in a high population

10 density area. Was that your testimony before?

11 A I believe so, yes.

12 Q So that if you accept those figures that I have

13 given you, am I to assume that you would not want to

14 live in Dunellen?

15 A Well, I really don't know -- I can't see one

16 square mile with seven thousand people, that just

17 doesn't compute. What I'm thinking of is more on a

18 lesser scale of apartment complexes housing, two bedrooms

19 housing families with five children, and that sort

20 of thing. That's what I'm speaking of.

21 I can't understand these other figures.

22 Q I'm not sure that I understand your answer. You

23 said people with five children. What do you mean by that?

24 A Speaking of population density, when I speak of

25 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.

1 MR. SEARING: To the best of
2 her knowledge.
3 Q Can you give me the facts upon which you base
4 your answer?
5 A The only facts that I have on that are in
6 this Complaint, in the back there's written up
7 Zoning Ordinances for each municipality, and every one
8 states that, when complexes go up, the majority are
9 one bedroom, there's a small percentage with two, and
10 most of them don't allow three bedroom apartments.
11 Q Would you look with regard to Dunellen?
12 A Dunellen prohibits mobile homes and multi-family
13 dwellings.
14 Q Excuse me. That is not true, and I think for
15 the record, Mr. Searing, Dunellen does permit multi-
16 family dwellings.
17 There are several multi-family dwellings in
18 Dunellen.
19 MR. SEARING: What's in the Complaint
20 was based on the information available
21 to us at the time.
22 MR. CUMMINS: Where did you get the
23 information?
24 MR. SEARING: I believe from a copy
25 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 mean? 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

1 what I've read in the Complaint.
2 Q Okay. So that that is the factual basis for
3 your answer before.
4 A That's right.
5 Q Would you say that there should be a certain number
6 of five bedroom apartments in a municipality, or should
7 that be dictated by market conditions or by ordinance?
8 A All right. We've arrived at this number five
9 bedroom. This is just --
10 Q Say four or five bedrooms.
11 A More than two.
12 Q Well, I want to have more than three.
13 A Okay, more than three. Should this be because
14 of the need? Now what is it --
15 Q I'm saying should there be a mandate that each
16 town must have X number of four and five bedroom
17 apartments, or should that be dictated by market
18 conditions?
19 A I would think it should be an ordinance. Because
20 there's definitely a need.
21 Q You say that municipalities, then, should be
22 required by ordinance to establish that there should
23 be X number of four and five bedroom apartments in that
24 municipality.
25 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 it by
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

1 suppose that would be done -- would be changed when
2 the census was taken.
3 Q What would you do? Would you build an apartment
4 complex that would have X number of five bedroom houses --
5 apartments, even though there was no need for them,
6 in 1975?
7 A No. In the first place, I would not build an
8 apartment complex with -- when you build an apartment
9 complex, there should be one bedroom, two bedroom,
10 three bedroom, four bedroom apartments.
11 Q But how many?
12 A Whatever is needed. Whatever the ratio is to the
13 number of families in the community, working in the
14 community.
15 Q But who would establish that? Would it be the
16 builder or would it be the municipality?
17 A It would be the municipality.
18 Q And the municipality, then, as I understand it,
19 would dictate, in 1975, that in a community that has
20 land, that they should build an apartment complex, and
21 that that apartment complex should have, let's say, for
22 discussion sake, five, four-bedroom apartment units
23 in that complex?
24 A Along with the other apartments, right.
25 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,

1 put it on.

2 Q Now, would you say that the municipality should

3 dictate that this new apartment complex have four, five

4 bedroom apartments, and that that should be dictated

5 by ordinance? I believe that's your previous testimony,

6 is that correct?

7 A On the basis of need.

8 Q Well, would that need be based upon population

9 figures in 1975 or projected population figures?

10 A Well, I suppose with the rate of population

11 increase, it would certainly have to be projected.

12 Q Then, supposing now that a particular town

13 has a population need of four in 1975, but in 1980

14 it has either a population need of, either two, or of

15 ten.

16 What would you do than?

17 A So we have an instance of either two apartments

18 being vacant or a need of six more. Right?

19 Q Yes.

20 A I can't see the plausibility of a decrease in

21 need, but, hypothetically, if there were ten more needed --

22 six more needed, rather, I would build them.

23 The two that are lying vacant, I don't know what

24 to do with them. Leave them fallow, or -- divide them

25 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 your 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?

1 MR. SEARING: I object to that
2 question and instruct the witness not to
3 answer.
4 This is the same line of questioning
5 we went through with Mr. Monroe, trying
6 to come in the back door. Not calculated
7 to lead to evidence that will advance
8 the issues and I have perfectly legitimate
9 grounds to answer the question.
10 Q Can you tell me when you were contacted by a
11 representative of the Welfare Board?
12 MR. SEARING: I instruct the witness
13 not to answer.
14 Q Have you ever appeared in Domestic Relations
15 Court, Middlesex County Domestic Relations Court?
16 A Yes.
17 Q How long ago?
18 A Two years, perhaps, somewhere around there.
19 Q Okay.
20 How many times did you appear? Just once?
21 A Twice.
22 Q Twice. The last time two years ago?
23 A Approximately.
24 Q You feel that right now the only way that you
25 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?

1 A I would hope so.

2 Q If a municipality has little or no vacant land,

3 would you think it should be required to provide low

4 income housing?

5 A If it hasn't any place to build it, it can

6 not be built.

7 Q Now, do you think a town -- let's assume that

8 a town has maybe some land. Do you think that that

9 town should be required by law to make an application

10 for federal funding?

11 A Yes.

12 Q Do you think that a group of people who live

13 together have the right to determine that they do not

14 want it -- if I can use this word, the bureaucracy of

15 having to concern themselves with federal government

16 bureaucracy. Do you understand my question?

17 A Yes.

18 What you're saying is, you have a group of people,

19 say upper middle income, living in an area, there's

20 attractive land next to them, and the federal government

21 wants to build low income housing --

22 Q No, that's not my question.

23 A Then I don't understand.

24 Q Do you think a group of people, not necessarily

25 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

10

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?

1 A Yes, I have.

2 Q Have you looked within the past three years?

3 A Yes.

4 Q How many occasions? Approximately.

5 A Three.

6 Q Let's take occasion number one. Do you recall

7 when that was?

8 A Yes.

9 That was from June to November of 1972.

10 Q How many places did you look at?

11 A Only one complex that I remember at that time,

12 they were the Johnson -- the apartments across the

13 street from the high school.

14 Q That was the only place you looked?

15 A No. I looked in the newspaper for separate

16 residences.

17 I even went to look at a couple places, but they

18 were quite run down, and highly over priced.

19 Q When you went to look at Johnson Gardens, or the

20 apartment complex across from the high school, did

21 you physically look at the apartments there?

22 A Yes.

23 Q Was that on one occasion or more than one occasion?

24 A That was one occasion.

25 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 striken.

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?

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?

1 A He did.

2 Q Has he supported you since that time?

3 A No.

4 Q Now, how long have you been going to college?

5 A Almost three years.

6 Q Are you going full-time?

7 A Yes.

8 Q For this whole three years?

9 A No.

10 Q How far are you in your college?

11 A I'm in my last semester of my second year.

12 I had some difficulty with illnesses, so it's

13 taken me a little longer.

14 Q In May or June you will have fully completed

15 two years of college?

16 A Yes.

17 Q Have you been attending college full-time since

18 September of 1974?

19 A Yes. -- Now wait a minute.

20 September of '74, I started out full-time, I

21 got pneumonia, and I was in the hospital for quite a

22 long time, I dropped to part-time. I resumed full-time

23 in January of '75.

24 Q How many days a week do you attend school?

25 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?

1 A It varies from nine to ten to eleven.

2 Q What time are you finished at the latest, on any

3 given day?

4 A Two-thirty. This semester. The semesters vary

5 also.

6 Q Okay. Now, do you have any part-time employment

7 whatsoever?

8 A No, I don't.

9 Q The other girl that lives with you, is she employed?

10 A Yes.

11 Q Full-time basis?

12 A Yes.

13 Q Have you looked for part-time employment?

14 A In the summer. I just am physically unable to do

15 it and go to school and raise two children at the same

16 time.

17 Q Your ex-husband's in-laws reside at all locally?

18 A Spotswood.

19 Q Have you ever looked to them for help?

20 A No.

21 Q Now, you indicate that the New Brunswick school

22 system is not satisfactory to you, is that right?

23 A Yes.

24 Q Have you actively examined the New Brunswick school

25 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.

1 Q That would not bother you.

2 A I don't think so.

3 Q Suppose within that complex ninety percent of

4 the dwelling units had two or more children? Would

5 that concern you?

6 A No.

7 Q Do you feel recreation is important to your

8 family needs?

9 A Yes.

10 Q Do you expect that recreation to be provided

11 privately or publicly?

12 A Well, both. I think there's an obligation

13 publicly to provide recreation for children.

14 Q When I say recreation, I mean recreation encompassing,

15 let's say, all sports, from organized team sports to

16 simply walking. Is your answer still the same?

17 A Yes.

18 Q Mr. Cummins was asking you a series of questions

19 about the circle, so to speak, of public funding and

20 the ultimate return of the burden to the taxpayer.

21 I think that's what he was getting at. Did you

22 understand that?

23 A Yes.

24 Q Does that bother you?

25 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?

1 A Yes.

2 Q And do you realize that basically that does occur,

3 I'll say in most municipalities, not all, most counties,

4 not all counties, most state governments, and most

5 surely the federal government.

6 Do you understand that?

7 A You'll have to repeat that.

8 Q In other words, I'm asking you a very broad

9 question. And what I'm saying is that not all

10 municipalities are having a problem with debt, not all

11 counties, not all states have a problem with debt.

12 I'm asking you, do you understand that and do

13 you recognize that as a problem?

14 A Yes.

15 Q Does that bother you?

16 A Yes.

17 Q Why does that concern you, or why does it bother

18 you?

19 A I don't understand, I'm not following. You're

20 going to have to go around again.

21 Q You indicated it did bother you?

22 A It bothers me that the middle income person is

23 hit with the burden of the low -- of supporting the

24 low income person.

25 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.
20
21
22
23
24
25

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?

1 A If the schools that the children were sent to
2 were adequate, I would have no objection.
3 Q Well, if the schools the children were sent to
4 were Jamesburg and Cranbury, would you want to move
5 into the town?
6 A I don't know Cranbury, but Jamesburg I would not
7 want to send my daughter to, no.
8 Q I presume you wouldn't want to move into Helmetta.
9 A If that's how it works.
10 Q Would you want to move into a town with no sewers
11 and water?
12 A No.
13 Q Now, does your husband pay you any support at all?
14 A No, he does not.
15 Q Do you know where he is?
16 A No, I don't.
17 Q What are you basic skills as a worker?
18 A Secretarial.
19 Q Have you attempted to obtain secretarial employment?
20 A Not since I've started school.
21 Q Why?
22 A Because I want to do social work. I don't want
23 to sit in an office. I do it in the summer. I'd like
24 to train myself for something other than secretarial
25 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 bet
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 supoose 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

1 from there?

2 MR. PLECHNER: I'm looking up

3 statistics in it.

4 The next question I'm taking from it.

5 Q Is it not a fact that with a net income of $419.99

6 a month, family of three, you would still be eligible

7 for food stamps?

8 MR. SEARING: Tell us the source

9 of the statistics.

10 Q Army Times, March 26, 1975, page 4.

11 MR. SEARING: Column?

12 MR. PLECHNER: It's a block, column 2.

13 A I don't know.

14 The food stamps -- getting the food stamps isn't

15 what counts. How much you pay for the food stamps

16 is what counts.

17 You can get a hundred dollars a month for twenty

18 dollars, or you can get a hundred dollars a month for

19 ninety dollars.

20 Q Well, do you know the figure that you would be

21 eligible to get? Would you believe you could get a

22 hundred twenty-two dollars for a hundred and four dollars,

23 at that salary?

24 A I would, yes.

25 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.

1 Q But no graduate school?

2 A No graduate school.

3 Q You say you own an automobile, is that correct?

4 A Yes, that's right.

5 Q And it's an old automobile?

6 A It certainly is.

7 Q Is it an adequate automobile?

8 A Presently.

9 Q Is it in good condition?

10 A No.

11 Q Do you feel that the municipality should subsidize

12 you for a new automobile?

13 A No, I do not.

14 Q But, you feel they should for housing.

15 A Yes, I do.

16 Q And how do you make the distinction?

17 A I can't live in my car.

18 Q And you can't travel in your house.

19 A No, I can't.

20 Q Have you considered a mobile home?

21 MR. SEARING: We have talked about that.

22 Q So you feel housing should be subsidized, but

23 transportation not, is that correct?

24 A I think public transportation system could be

25 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

1 living in, because you're living there, is that
2 correct?
3 A That is not obvious at all, no.
4 Q Is your rent paid to date?
5 A My rent is paid, but I do without quite a bit in
6 order to pay the rent.
7 Q Well, isn't that life? Don't we all do without
8 some things?
9 A Some of us do without much, much more than others.
10 Q How do we obtain those things that we do without?
11 A How do we --
12 Q How can we obtain them?
13 A We educate ourselves and go out into the working
14 world and help each other.
15 Q And we attempt to work to obtain funds to buy
16 these things, don't we?
17 A That's right.
18 Q Now, you spoke before of upper class, middle
19 class and lower class.
20 And, that the burden of subsidized housing should
21 fall on the upper class. How do you define these classes?
22 A Income-wise.
23 Q And would you give us a bracket for each of these
24 classes?
25 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

1 housing.

2 MR. PLECHNER: I think she did, but

3 it doesn't matter.

4 Q Do you think there's a particular class that

5 should bear the brunt of the burden?

6 A I think that it should be worked out on a ratio,

7 on a scale. You can't say the middle class should bear

8 that much of the burden and the upper class should

9 bear the same amount.

10 I don't know how the tax system goes. I don't

11 know what percent of what tax would go to these federally

12 subsidized housing units. I don't know how that works.

13 But, it seems to me that the people with the

14 most money should help the most.

15 Q And who are those people?

16 A I guess -- if we're designating class,

17 socio-economically, that it should be the people who

18 make the most money, which would be the upper class.

19 Q Okay. Now, do you feel there is sufficient

20 money and sufficient numbers in the upper class to

21 pay for these things that you feel are required of

22 government?

23 A I don't have -- I have no idea what the statistics

24 on class number are.

25 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?

1 A In the event you develop some difficulties, as
2 I did, in the first two years or year and a half, my
3 son was much too young to leave to go to work. He
4 would have in essence been raised by a babysitter if
5 I left him with a babysitter when I went to work.
6 So, I waited until he was old enough, to send to
7 nursery school, and then I went to school.
8 I don't necessarily subscribe that as the best
9 route to take.
10 MR. SEARING: I think this particular
11 line of questioning is becoming harassing,
12 regardless of the fact that I have a standing
13 objection and with full knowledge of the
14 New Jersey rules. I also think it's
15 irrelevant. I don't think it's calculated
16 to lead to evidence that would advance
17 the issues or the defenses in this case,
18 and I'm going to begin instructing the
19 witness not to answer, if you persist in
20 this.
21 MR. PLECHNER: I think it's quite
22 relevant to whether or not the witness
23 is able to pay for adequate housing, which
24 is one of the major issues here.
25 MR. SEARING: This is the question

1 we've been exploring all day long.

2 MR. PLECHNER: If I were to, for

3 instance, stop work, and then file suit

4 and say that I should be subsidized, I

5 think it would be relevant that I had stopped

6 work, of my own accord, and was able to

7 support myself.

8 I think here it's fairly clear, I

9 won't pursue it any longer, because it's

10 clear, the young lady could work if

11 she wanted to.

12 MR. VAIL: I think she admitted that

13 herself, and that was her choice, Dick,

14 to proceed with her career in the manner

15 which she is doing it.

16 MR. SEARING: I think she said it

17 was her choice to proceed with her education,

18 in the hopes of improving herself, not only

19 for her benefit, but the benefit of society

20 in general.

21 And, that she has indicated it's

22 a choice she believes people should make,

23 be able to make.

24 Q Now, to go back, again, to your desire to live

25 in a suburban area --

1 MR. SEARING: Can we take a break,
2 please?
3 MR. PLECHNER: Sure.
4 (Recess at 3:50 p.m.)
5
6 (After recess at 4:10 p.m.)
7 Q I think when we took recess before, I indicated
8 I was going to change my line of questioning to the
9 area of suburban living, basically.
10 Would you have any idea as to what you feel is
11 an appropriate minimum lot size for a single family
12 house in a residential zone?
13 A No, I have no idea.
14 Q What would you like to live on? What size lot?
15 A I don't have any conception of the size. I don't
16 know.
17 Q You live in a one-family house presently, is
18 that correct?
19 A Two-family.
20 Q Two-family. There's another apartment up over
21 yours?
22 A I'm up.
23 Q There's one under you. Is there a yard involved?
24 A Yes.
25 Q What size lot is the house on?

1 A I have no idea.
2 Q You consider the lot size adequate where you are?
3 A Yes, it's adequate.
4 Q And do you consider it desirable, a desirable size?
5 A I don't know.
6 Q Well --
7 A There's enough room for the children to play in it.
8 Of course, the landlady has the gates locked, so the
9 children can't get in it. But, it's adequate size.
10 Q Is the landlady the other family in the house,
11 incidentally?
12 A Yes, -- well, no, her daughter is the other
13 family in the house.
14 Q Now, you indicated another reason that you
15 wanted to live in a more suburban area was the
16 discipline problems in the school, is that correct?
17 A Yes.
18 Q Now, do you find those problems present in Sayreville?
19 A No.
20 Q But, you feel they would be present in Perth Amboy
21 or New Brunswick.
22 A Yes.
23 MR. SEARING: She's answered that
24 already.
25 Q Now, what do you think causes the discipline problem

1 in urban areas?

2 A I think perhaps overcrowding, not only in the

3 school, but in the neighborhoods. The concentrations

4 of low income people who are basically, perhaps, so

5 low income, are having such a problem financially, that

6 education is not a major consideration, as far as they're

7 concerned.

8 Simply because there's too many other things that

9 are more important. They don't consider education

10 as one of the supreme necessities. Therefore, the

11 children, when they go into the school system, don't

12 go in with education on the proper level.

13 Q In other words, you would not want to live in

14 an area where there's a large number of low income people,

15 is that correct?

16 A No, that's not correct.

17 The problem is -- well, if the concentration

18 was too dense, no, I would not want to live there.

19 Q Now, as far as population density in the school,

20 do you have any reason to believe that the schools

21 are more crowded in Perth Amboy or New Brunswick than

22 they are, say, in Sayreville or South Amboy?

23 A Just from word of mouth.

24 Q But, you don't have any facts.

25 A No, I do not.

1 Q Are you aware of the situation in New Brunswick
2 where they are discussing busing people into the school
3 from the outlying areas?
4 A No, I'm not.
5 Q So, it's possible that New Brunswick in fact has a
6 less dense school population than Sayreville or South
7 Amboy, shall we say.
8 A It could be. I don't know.
9 Q Now, are you aware of low cost housing that
10 presently exists in the Township of Woodbridge?
11 A No, I'm not.
12 Q Do you feel there are discipline problems or crime
13 problems involved in certain areas other than in school?
14 A Certainly.
15 Q And where do you find these to be located?
16 A Everywhere. There's discipline problems, all
17 children have discipline problems, of one form or another.
18 Some more extreme.
19 Q Well, do you feel some towns have a greater problem
20 than other towns?
21 A I would think so. I don't know for a fact, but
22 I would think the higher the population, the higher the
23 ratio of crime.
24 Q You mean by, "the higher," the denser, is that
25 correct?

1 A Right. Population-wise.

2 Q Now, for instance, the Borough of Metuchen has

3 a denser population than, say, the Borough of Sayreville.

4 Do you think there's more crime in the Borough

5 of Metuchen than the Borough of Sayreville?

6 MR. SEARING: If you know.

7 A I don't know.

8 Q Do you think there's a greater degree of crime,

9 or greater amount of crime in an area where there is a

10 higher level of low income of population?

11 A I don't know.

12 Q You don't know if there's any ratio to income and

13 crime.

14 A No, I don't know.

15 Q You're majoring in sociology?

16 A Yes.

17 Q Have you had any courses where you've studied that?

18 A No, I haven't.

19 Q Do you feel that there should be any relationship

20 between low income housing and the availability of jobs?

21 MR. SEARING: Do you understand the

22 question?

23 A I think so. I think that a county, or an area --

24 there should be an adequate number of low income housing

25 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 X 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.

1 Q Now, is there anything in your consideration,
2 when you seek housing personally where -- strike that.
3 Do you consider, in looking for housing, your
4 transportation needs?
5 A Yes.
6 Q And in relationship to what?
7 A Relationship to gasoline.
8 Q The relationship to where you commute to school,
9 is that correct?
10 A Yes.
11 Q Now, have you, in seeking housing, considering
12 these needs, arrived at any formula, or any radius of
13 transportation from school to where you seek to locate?
14 A You mean how far away would I go? What is the
15 perimeter?
16 Q That's right. What's the radius, I guess you can
17 call it.
18 A I don't know in exact miles, but I would say
19 no more than a half hour. The reason for this being,
20 I'm in a very tight schedule. I work inside my children's
21 schedule.
22 I have to be home at a certain time. I can't leave
23 until after my daughter goes off to school. So there's
24 the time element.
25 I don't know how many -- perhaps fifteen miles.

1 But that's a guess.

2 Q And that would be based on not only time, but

3 it would be based on finances, wouldn't it?

4 A Yes.

5 Q Because if you travel more than fifteen miles

6 or so, it becomes more expensive.

7 A Yes.

8 Q Your travel, I presume, is by automobile.

9 A Yes.

10 Q Incidentally, do you receive any financial assistance

11 from your parents?

12 A No.

13 Q Now, you made particular comment as to Jamesburg

14 high school.

15 A High school? No, I don't believe.

16 Q Jamesburg school system.

17 A Okay.

18 Q And going back to the reference to the Borough

19 of Helmetta, which I indicated before I represent, what

20 in particular do you object to concerning the Jamesburg

21 school system?

22 A Well, I don't know exactly, I can not give you

23 anything in particular, because I have not -- this is only

24 word of mouth, but I understand that Jamesburg has quite

25 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 learning 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

1 in the system since then?
2 A No, I don't know.
3 Q You indicated previously your parents are not
4 college graduates, is that correct?
5 A Right.
6 Q Now, you said you would be willing to live in
7 multi-family housing if the same were available at a
8 price you could afford to pay, is that correct?
9 A Yes.
10 Q Could you describe for us the type of multi-family
11 housing, either by giving us a description or by pointing
12 to a particular development, that you would desire?
13 A Well, various forms. It doesn't matter. If they
14 were well maintained they could be high-rise, they could
15 be two-story, they could be single story.
16 If they had enough room in them and were reasonably
17 priced, it wouldn't matter on the construction.
18 Q How much room would you consider enough room?
19 MR. SEARING: She's testified on
20 a couple of occasions to the need for
21 her housing. This is really repetitious.
22 MR. PLECHNER: I don't think we've
23 ever gone into area requirements, frankly.
24 MR. SEARING: Room requirements, we
25 have.

1 MR. PLECHNER: I'm not talking
2 about the number of rooms, I'm talking
3 about the area.
4 MR. SEARING: What do you mean
5 by area?
6 MR. PLECHNER: The size.
7 THE WITNESS: Square feet?
8 Q Yes.
9 A I have no idea. I couldn't even guess how big
10 this room is. I don't know.
11 Q Do you know of any federally subsidized or state
12 or locally subsidized public housing in Middlesex
13 County or elsewhere, in which you would like to live?
14 A Yes. I'd like to live in Rutgers Student Housing.
15 Q Well, that's a very specialized type of housing.
16 A It's federally subsidized, is it not?
17 Q But, you could only live there if you were
18 a student at Rutgers.
19 A Right.
20 Q But, other than that, is there anywhere, families,
21 other than college students, would like to live?
22 A But, this student housing, this isn't married student
23 housing, this is family. It's multi-dwelling. It's true
24 you must be a student to get in, but you also must have
25 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.
12
13
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 So, 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 That 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?

1 A Well, it might turn out that way, if one
2 municipality is so closed up, is so built up. It
3 might turn out that way.
4 It wouldn't be as extreme as we have it now. Now
5 we have Perth Amboy, New Brunswick carrying the whole
6 load, just about the whole load. That's an extreme.
7 You could even it out much, much better than it
8 is now.
9 We couldn't get it down to the exact one percent
10 off from each other, no. But, as close as we could.
11 Some municipalities may have more than others. But
12 not too far off.
13 Q Well, if, as you've indicated, some municipalities
14 you're aware of in Middlesex County have no vacant land,
15 so they would not be in a position, if they have no
16 low and middle income housing now, they would not be
17 in a position to generate any.
18 A If there was no land, you can't build.
19 Q So that would put our municipalities in the
20 position of having to bear that portion of the low
21 and moderate income housing above and beyond what
22 would normally be their fair share?
23 A Perhaps you could work out something with the
24 municipality that doesn't have any land, get them to
25 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 governmental
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.

1 MR. RICHMAN: Off the record.
2 (Discussion off the record.)
3 (After discussion.)
4 MR. RICHMAN: That's all.
5
6
7 CROSS-EXAMINATION BY MR. LERNER:
8 Q You had some trouble at the welfare office over
9 a landlord matter?
10 A Yes.
11 Q And that's when you first went to see Mr. Tuskey?
12 A Yes.
13 Q Was it Mr. Tuskey's job to offer you advice as
14 to available housing, or answer questions concerning
15 housing?
16 A Yes, I believe so.
17 Q What was his job description in Welfare?
18 A I don't know.
19 Q In any event, you indicated you had a housing
20 problem, and then you were somehow referred through
21 the welfare office to Mr. Tuskey.
22 A In the Housing Authority, I think.
23 Q Housing Authority section of the Welfare Department.
24 A Yes.
25 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

1 head yes?

2 A No. You don't get any more. You get what you

3 get, that's it.

4 Q If you had an income allowance of six hundred

5 dollars a month, do you think that you could find

6 adequate housing?

7 A Yes.

8 Q There's no question in your mind that with the

9 availability of six hundred dollars a month, you could

10 find housing.

11 A Yes.

12 Q To satisfy your needs and the needs of your family,

13 under the present housing situation, as it presently

14 exists.

15 A Yes.

16 Q So isn't it a fact, then, that the only thing

17 stopping you from finding adequate housing is money?

18 A Yes.

19 Q And not necessarily the availability of the housing.

20 A No, the availability of the housing plays a big

21 part in it.

22 Q But, that, perhaps, would only serve in some

23 factors. But, you did answer the question, if you did

24 have enough money, you could find housing.

25 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 housing.

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 not 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.

1 Q When you have graduated, and have your degree
2 and become a social worker, as you so chose, you would
3 then, and you indicated, vacate housing that would have
4 been provided for you, if such is the case for a person
5 of low economic means, is that correct?
6 A Yes.
7 Q Aren't you then delegating the continued presence
8 of persons of low economic means to the areas where
9 that housing is to be built?
10 A You see, when this housing is built, it's not
11 going to be built with a wall around it. It's going to
12 be built, or it should be, with all economic backgrounds
13 in one area.
14 Q Well, wouldn't that only be effective if in fact
15 you get supplemental monies so that you can have the
16 ability of renting a house in an area of people paying
17 for or renting a home, based on their income? Isn't
18 that the only way to insure a person of low economic
19 means in an area surrounded by people of varied
20 economic means?
21 A Let's go back for a minute to --
22 Q If you build a low economic housing project, and
23 when I say a project, it can be high-rise, garden apartment
24 or what have you. It's for people of low income. I'm
25 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

1 A Well, they must. They can't accept subsidy --
2 Q So the people who live around this building are
3 to be the constant source of inspiration, and the constant
4 buffer to anever-changing group of low economic people.
5 MR. SEARING: This is under your
6 particular universe that you have
7 constructed.
8 MR. LERNER: That's correct.
9 MR. SEARING: One out of a number
10 of possible alternatives.
11 A Yes. I suppose you could say they would be of
12 inspiration to each other.
13 Q Well, inspiration to each other, but the people
14 who own their own homes surrounding this area would not
15 have the mobility of moving to other homes, unless
16 they sell their home.
17 A Right.
18 Q And the ability to sell their own home would
19 then depend upon the economic circumstances affecting
20 our economy at that particular moment, as to what they
21 would get for their home.
22 A This is presupposing that this low income housing
23 is such a hardship to have near these people.
24 Q Well, the low income housing that presently
25 exists is -- well, first of all, it would of necessity,

1 by your own definition, include multi-bedroom units,
2 two, three, four bedroom units. Is that correct?
3 A Yes.
4 Q And the density, then, of occupancy would then
5 be higher than apartments that have one bedroom or two
6 bedroom units.
7 A Yes, but they wouldn't have to be, say, as massive
8 as one of the projects. Because they would be distributed
9 throughout the county.
10 Q Well, the choice and type of construction would
11 not necessarily be Utopian.
12 In other words, the number of units themselves
13 would be predicated upon existing zoning or some other
14 authority deciding upon how many units are built and
15 where they're built, isn't that correct?
16 A Yes.
17 Q So that you could conceivably have another building
18 going up of low income units.
19 But, in all deference to your suggestion, some
20 one-bedroom, some two-bedroom, some three-bedroom,
21 some four-bedroom.
22 A Yes.
23 Q But, in any event, the extent of density would
24 be greater than -- in a whole apartment house of
25 one-bedroom units. Is that correct?

1 A Yes.
2 Q And ghettoes themselves, the way you described
3 them before, are areas of high density.
4 A Yes.
5 Q So that in fact, any concentration of multi-bedroom
6 units would tend to lead to a greater degree of
7 occupancy than what is presently the case, anywhere
8 in the county.
9 A What do you do otherwise?
10 Q The alternative, the multi-density housing that
11 we have now, which is Perth Amboy and New Brunswick, isn't
12 that so?
13 A But, isn't that extreme confinement? Isn't that
14 massing of the minorities? Isn't that keeping the
15 people over here happy and impinging on these over here?
16 Q Generally I agree with you. Again I then say to
17 you, aren't you in fact a member of a class that is denied
18 adequate housing by lack of funds to select proper
19 housing for yourself and your family, as opposed to
20 housing being constructed for you in some fixed location?
21 A Well, I believe even with the funds, the housing
22 is very difficult to find in Middlesex County. What
23 the vacancy rate is, is quite low. With these housing
24 units developed, as we were talking about before, and
25 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 would be paid by some federal agency or some other --
21 or from 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 But, 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

1 there are less available housing.

2 A Yes.

3 Q So, then, it really comes down to where if

4 housing were available, it would really be the funds

5 that would prevent you from having it.

6 A Yes.

7 MR. LERNER: No further questions.

8 MR. SEARING: Thank you for your

9 testimony.

10 (Whereupon, depositions adjourned

11 at 5:15 p.m.)

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I Richard C. Guinta the officer before whom the foregoing depositions were taken, do hereby certify that the witness (es) whose testimony appears in the foregoing depositions was (were) duly sworn by me and that said depositions are a true record of the testimony given by said witness (es); that I am neither attorney nor counsel for, nor related to, nor employed by any of the parties to the action in which the depositions were taken; and further, that I am not financially interested in the action.

Richard C. Guinta

3/26/75