

CA-Helmetta

10/18/77

letter re: substitution of atty

pg 2

CA 00 1437 L

FILED

OCT 20 1977

LAW OFFICES OF
BRESSLER AND BLAUSTEIN, P. A.
A PROFESSIONAL CORPORATION

DAVID D. FURMAN, J.S.C.

MARC J. BRESSLER
HARVEY BLAUSTEIN
MEMBER N. J. & FLA. BAR

OF COUNSEL

ARNOLD N. BRESSLER
MEMBER N. Y. & N. J. BAR

MARTIN G. RASKIN
PATENT & TRADEMARK CAUSES
MEMBER N. Y. BAR

P. O. BOX 564
69 AMBOY AVENUE
METUCHEN, NEW JERSEY 08840
(201) 494-8555

REFER TO FILE NO.

October 18, 1977

Honorable David D. Furman
Middlesex County Court House
New Brunswick, New Jersey 08903

Re: Urban League vs. The Mayor and Council of
the Borough of Carteret, et als.
Docket No. C-4122-73

Dear Judge Furman:

Please be advised that I have recently been substituted as attorney for the Borough of Helmetta in place of Richard Plechner, Esq. I trust Your Honor has received a copy of the Substitution of Attorney and I have filed same with counsel for the plaintiff. Regrettably, as of this juncture, I do not have a full list of all counsel involved and therefore have not filed copies of same with other defense counsel.

I trust I need not advise the Court of the difficulty in fully familiarizing myself with all the facts involved in this suit in the short period of time that I have had. I would like to advance some thoughts in behalf of the Borough of Helmetta and ask that the Court consider them in lieu of a brief.

Initially, let me indicate that I would like to adopt the arguments made by Mr. Lerner in behalf of the Borough of Highland Park and Mr. Spritzer, in behalf of the Borough of Metuchen. To reinstate their arguments again would serve no purpose and I, therefore, will elect to save the

CA001437L

Helmetta

Honorable David D. Furman
Page Two
October 18, 1977

Court in re-reading similar statements.

On behalf of the Borough of Helmetta, I wish to point out that Mayor Patricia Boyles has gone to great lengths with the County of Middlesex to see to it that a 10-acre parcel of property sought to be taken for Jamesburg Park be returned to the Borough. Said tract of property has, in fact, been re-zoned for townhouses as per the agreement which conditionally dismissed Helmetta from the within action.

Further, I understand that the Planning Board of our Borough is currently involved with recommending the re-zoning of residential lots in the Borough to the reduced size of 100 feet by 100 feet.

It would appear that the applications by the plaintiffs is inappropriate as they seek to re-litigate issues that have been thoroughly reviewed by the Court and for which appropriate determinations have been made.

Further, in light of recent cases cited by co-counsel, it would appear that Helmetta should be placed under no further burden than that previously agreed to for which they were granted a conditional dismissal from the within litigation.

On behalf of the Borough, I urge the dismissal of plaintiffs motion against the Borough of Helmetta.

Respectfully yours,



HARVEY BLAUSTEIN

HB:rmj

cc: Baumgart & Ben-Asher, Esqs.
Marilyn Morheuser, Esq.
Martin E. Sloane, Esq.
Roger C. Rosenthal, Esq.
Arthur D. Wolf