

CA - Monroe

2/14/75

cover letter + receipt letter
interrogatories request

P. 917
Pg 34

CACW1633G

TOWNSHIP OF MONROE
County of Middlesex

201-548-3122 - 201-828-4449

DEPARTMENT OF LAW

RECEIVED

FEB 18 1975

SAMUEL C. INGLESE
Director

406 Main Street
Metuchen, N. J. 08840

February 14, 1975

National Committee Against Discrimination
in Housing, Inc.
1425 H. Street, N.W.
Washington, D.C. 20005

Attn.: Daniel A. Searing, Esq.

Re: Urban League of Greater New Brunswick, et al
vs
The Mayor and Council of Carteret, et als.

Dear Mr. Searing:

In reference to the above matter, this is to acknowledge receipt of your letter dated February 12, 1975, requesting the answers to interrogatories from the Township of Monroe. This is to advise you that the answers are almost complete as of this date and you should receive the answers within the next week.

Thank you for your kindness in extending the time to answer same.

Very truly yours,

Samuel C. Inglese

SAMUEL C. INGLESE

(cp)

SCI:cp

CA001633G

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MOSS AND INGLESE

COUNSELLORS AT LAW

METUCHEN PROFESSIONAL BUILDING

406 MAIN STREET

METUCHEN, N.J. 08840

548-3122

AREA CODE 201

ROBERT F. MOSS
NEW JERSEY BAR
FLORIDA BAR

SAMUEL C. INGLESE
NEW JERSEY BAR

DAVID JOSEPH FRIZELL
NEW JERSEY BAR

BRANCH OFFICE
134 N. MAIN STREET
MILLTOWN, N.J. 08850

RECEIVED

February 14, 1975

FEB 19 1975

David H. Ben-Asher, Esq.
Baumgart & Ben-Asher, Esqs.
134 Evergreen Place
East Orange, New Jersey 07018

Re: Urban League vs Carteret, et als

Dear Mr. Ben-Asher:

In reference to the above matter, enclosed herewith please find original and one (1) copy of interrogatories to be answered by the plaintiffs within the time prescribed by the rules of the court.

Kindly acknowledge receipt of same on the enclosed copy of this letter and return to my office.

Very truly yours,

Samuel C. Inglese

SAMUEL C. INGLESE

SCI:cp
enc.

MOSS AND INGLESE

406 MAIN STREET

METUCHEN, N. J. 08840

(201) 548-3122

ATTORNEYS FOR Defendant, Township of Monroe

Plaintiff

URBAN LEAGUE OF GREATER NEW
BRUNSWICK, et al.,

vs.

Defendant

THE MAYOR AND COUNCIL OF THE BOROUGH
OF CARTERET, et als.,

SUPERIOR COURT OF
NEW JERSEY
MIDDLESEX COUNTY
CHANCERY DIVISION

Docket No. C-4122-73

CIVIL ACTION

INTERROGATORIES

TO: DAVID H. BEN-ASHER, ESQ.
BAUMGART & BEN-ASHER, ESQS.
134 Evergeren Place
East Orange, New Jersey 07018

SIR:

PLEASE TAKE NOTICE that the defendant, Township Council of the Township of Monroe, demands of plaintiffs answers under oath, to the following interrogatories within the time prescribed by law:

1. With reference to Paragraph 1 of the complaint, set forth with particularity each and every fact of which the plaintiffs have knowledge, or upon which they rely to support their allegation of defendant, Township of Monroe's:

(a) economic discrimination in housing.

(b) racial discrimination in housing.

(c) the allegations challenging the exclusion of housing the plaintiffs can afford by:

(1) Monroe's Zoning Ordinance.

(2) Monroe's land use policy & practices.

(d) prevent plaintiffs from residing in Monroe by depriving plaintiffs' children of educational opportunities.

(e) as to each plaintiff set forth the specific facts as to housing needs of each plaintiff, setting forth among said facts:

(1) the size of the lot required.

a. the size of the building.

b. the number of rooms

(2) the cost to purchase:

a. said lot.

b. land and building

c. to build

d. to rent.

(f) as to each plaintiff set forth the specific facts as to what each plaintiff can afford to pay:

(1) to purchase land and building.

(2) to purchase land.

(3) to build

(4) to rent

(g) Set forth the name and address of each person having knowledge of the facts set forth above (a through f), together with the general substance as to each person of their knowledge.

(h) Identify each and every writing of which plaintiffs have knowledge supporting facts set forth in Interrogatory No. 1 above.

(1) Set forth the name of the person or place and address where such writings may be inspected, secured, or if published, by whom, when and where published.

(2) Do plaintiffs rely on any written or oral statement made by any official agent, representative, or employee of the defendant, Township of Monroe, or County of Middlesex, or State of New Jersey, regarding the allegations of Paragraphs 1 and 2 of the complaint?

a. If the answer is in the affirmative:

i. If in writing, indemnify or set forth a copy of each and every written statement relied upon.

ii. Set forth the name of the person or place and address where such writings may be inspected, secured, or if published, by whom, when and where published.

(3) If oral, the name and address of each person who made said statement and as to each person; the substance of said statement, together with the date, time and place where made; and the name and address of each and every person known to the plaintiffs who was present when said statement was made.

(4) If plaintiffs rely on any official action made by any official, agent, representative or employee of defendant, Township of Monroe, or County of Middlesex, or State of New Jersey, regarding the allegations of Paragraphs 1 and 2 of the complaint, set forth with particularity the name and official position of each of said officials, agent, representatives or employees of the Township of Monroe or County of Middlesex or State of New Jersey, setting forth with particularity as to each of said officials, agents, representatives or employees of the Township of Monroe or County of Middlesex or State of New Jersey, each and every official action and identify as to each of such officials, agents, representatives or employees of the Township of Monroe, or County of Middlesex, or State of New Jersey, any writings setting forth or supporting said action.

(5) If oral, the name and address of each person who made said statement and as to each person; the substance of said statement, together with the date, time and place where made; and the name and address of each and every person known to the plaintiffs who was present when said statement was made.

2. With reference to Paragraph 2 of the complaint, set forth with particularity each and every fact of which the plaintiffs have knowledge or upon which they will rely to support their allegation that the defendant, Township of Monroe, discriminates against the plaintiffs, which impedes and deters the construction of housing they can afford:

a. Through the maintenance and operation of:

i. It's zoning:

ii. Other land uses and practices:

3. With reference to Paragraph 2 of the complaint set forth with particularity each and every fact of which the plaintiffs have knowledge or upon which they rely which supports their allegation that defendant, Township of Monroe, bars plaintiffs from:

(a) securing housing throughout a major and expanding market area.

(b) from employment opportunities throughout a major and expanding market area.

(c) define the limits of the major market area as alleged in Paragraph 2 of the Complaint.

i. the expanding market area.

(d) Set forth policies and practices of the defendant, Township of Monroe, which plaintiff alleges adversely affects the housing market in the:

i. rest of the country.

ii. the region of which plaintiff alleges that the Township of Monroe is a part.

iii. define the limits of said region.

4. With reference to Paragraph I of the Complaint, set forth with particularity plaintiff's definition of:

(a) low income person.

(b) moderate income person.

5. With reference to the allegations of Paragraph 15 of the Complaint set forth the boundaries of the Standard Metropolitan Statistical Area, of which plaintiff alleges the Township of Monroe is a part of.

(a) Identify each and every writing of which plaintiff has knowledge supporting the boundaries, delineating the area of which plaintiff alleges the Township of Monroe is a part of.

(b) Set forth the name of the person or place and address where such writings may be inspected, secured, or if published, by whom, when and where published.

6. With reference to Paragraph 16 of the Complaint, set forth with particularity each and every fact of which the plaintiffs have knowledge or upon which they rely which support their allegation as to the number of minorities in the Township of Monroe or Middlesex County that are:

(1) Black.

(2) Puerto Ricans.

(3) Other Minorities.

(a) Set forth the name and address of each person having knowledge of the facts set forth above, together with the general substance as to each person of their knowledge.

(b) Identify each and every writing of which plaintiffs have knowledge supporting the facts set forth in Paragraph 16 of the Complaint.

(1) Set forth the name of the person or place and address where such writings may be inspected, secured, or if published, by whom, when and where published.

7. With reference to the allegations of Paragraph 18 of the Complaint, set forth with particularity the limits of the region referred to in said paragraph.

(a) The number and percentage of minority population growth of the defendant, Township of Monroe.

8. With reference to Paragraph 20 of the Complaint set forth with particularity each and every fact of which the plaintiffs have knowledge or upon which they will rely in the Township of Monroe, which support their allegations.

(a) The areas characterized by:

(1) Substandard housing, higher density, and less restrictive zoning than white population areas.

(b) Set forth the name and address of each person having knowledge of the facts set forth above, together with the general substance as to each person of their knowledge.

(c) Identify each and every writing of which plaintiffs have knowledge supporting the facts set forth in Paragraph 20 of the Complaint.

(1) Set forth the name of the person or place and address where such writings may be inspected, secured, or if published, the name of the publisher, and when and where published.

(d) Do plaintiffs rely upon any written or oral statement made by any official agent, representative or employee of the defendant, Township of Monroe, or County of Middlesex, or State of New Jersey, or the United States, regarding the allegations of Paragraph 20 of the Complaint.

(1) If the answer is in the affirmative:

i. If in writing, indemnify or set forth a copy of each and every written statement relied upon.

ii. Set forth the name of the person or place and address where such writings may be inspected, secured, or, if published, when, where and the name of the publisher and address.

(e) If oral, the name and address of each person who made such statement, together with the date, time and place where made, and the name and address of each and every person known to the plaintiffs who was present when said statement was made.

(f) If plaintiffs rely on any official action made by any official, agent, representative or employee of defendant, Township of Monroe, regarding the allegations of Paragraph 20 of the Complaint, set forth with particularity the name and official position of each of said officials, agents, representatives or employees of the Township of Monroe, each and every official action as to each of such officials, agents, representatives or employees of the Township of Monroe, any writings setting forth or supporting said action.

9. With reference to the allegations of Paragraph 22 of the Complaint set forth with particularity each and every fact of which the plaintiffs have knowledge or upon which they will rely, which support said allegations including but not limited to:

(a) The medium income separatably for each community of Middlesex County:

(1) For Blacks.

(2) For Puerto Ricans.

(3) For the balance of the population.

(4) The number of Blacks, Puerto Ricans employed in each defendant community, with the name and address of said employers.

i. Set forth the name and address of each person having knowledge of facts set forth above, together with a general substance as to each person of their knowledge.

ii. Identify each and every writing of which plaintiffs have knowledge supporting facts set forth in Paragraph 22 above.

iii. Set forth the name of the person or place and address where such writings may be inspected, secured, or if published, by whom, when and where published.

10. With reference to the allegations of Paragraph 23 of the Complaint, set forth with particularity each and every fact of which the plaintiffs have knowledge or upon which they will rely, which support their allegations.

(a) Set forth the number of the increase in jobs for each municipality.

(b) As to the increase of jobs set forth separably as to each defendant community in Middlesex County the number of jobs paying low and moderate wages.

(1) Set forth the name and address of each person having knowledge of the facts set forth above, together with a general substance as to each person of their knowledge.

(2) Identify each and every writing of which plaintiffs have knowledge supporting facts set forth in Paragraph 23 above.

(a) Set forth the name of the person or place and address where such writing may be inspected, secured, or, if published, by whom, their address, and when and where published.

11. With reference to the allegations of Paragraph 24 of the Complaint, set forth with particularity each and every fact of which the plaintiffs have knowledge or upon which they will rely, which support their allegations.

(a) The time period referred to.

(b) The number of housing units produced during said period in Middlesex County.

(c) The number of housing units produced in each municipality during said period.

(1) Set forth the name and address of each person having knowledge of the facts set forth above, together with a general substance as to each person of their knowledge.

(2) Identify each and every writing of which plaintiffs have knowledge supporting facts set forth in Paragraph 24 of the Complaint.

1. Set forth the name of the person or place and address where such writings may be inspected, secured, or if published, by whom, their address, and when and where published.

12. With reference to the allegations of Paragraph 25 of the Complaint, set forth with particularity each and every fact of which the plaintiffs have knowledge or upon they will rely, which support their allegations.

(a) The time period referred to.

(b) The number of low and moderate wage jobs in each of the defendant municipalities.

(c) Set forth the name and address of each person having knowledge of the facts set forth above, together with a general substance as to each person of their knowledge.

(d) Identify each and every writing of which plaintiffs have knowledge supporting the facts set forth in Paragraph 25 above.

(1) Set forth the name of the person or place and address where such writings may be inspected, secured, or, if published, by whom, when and where published.

13. With reference to the allegations of Paragraph 29 of the Complaint, set forth the number of acres and percentage of vacant land in each municipality zoned for industry.

(a) Set forth the number of acres and percentage of vacant land in the Township of Monroe not needed for industrial use.

(b) Set forth separably as to the other defendant communities, the number of acres and percentage of vacant land not needed for industrial use.

(c) Set forth separably as to each defendant community, the number of acres and percentage of developable land withdrawn from potential use for housing.

14. With reference to the allegations of Paragraph 30 of the Complaint, set forth with particularity each and every fact of which plaintiffs have knowledge or upon which they will rely, which support each allegation of said paragraph including particularities as to each defendant community.

(a) Set forth the name and address of each person having knowledge of the facts set forth above, together with a general substance as to each person of their knowledge.

(b) Identify each and every writing of which plaintiffs have knowledge supporting facts set forth in Paragraph 30 of the Complaint.

(1) Set forth the name of the person or place and address where such writings may be inspected, secured, or if published, by who, their address and when and where published.

15. With reference to the allegations of Paragraph 32 of the Complaint, set forth the citation of the State laws referred to in said paragraph.

(a) The provisions for the distribution of low and moderate income housing as to each and every defendant municipality upon which plaintiffs have knowledge of or will rely upon.

16. With reference to Paragraph 33 of the Complaint and No. 13, page 8 of the Appendix to the Complaint, set forth with particularity each and every fact of which the plaintiffs have knowledge or which they will rely, which support the allegations against the defendant, Township of Monroe.

(a) Set forth the name and address of each person having knowledge of the facts set forth above, together with a general substance as to each person of their knowledge.

(b) Identify each and every writing of which plaintiffs have knowledge supporting facts set forth in Paragraph 33 of the Complaint.

(1) Set forth the name of the person or person or place and address where such writings may be inspected, secured, or if published, by whom, when and where published.

(c) Do plaintiffs rely on any written or oral statement made by any official agent, representative or employee of the defendant, Township of Monroe, regarding the allegations of Paragraph 33 of the Complaint.

(1) If the answer is in the affirmative:

i. If in writing, indemnify or set forth a copy of each and every written statement relied upon.

ii. Set forth the name of the person or place and address where such writings may be inspected, secured, or if published, by whom, and when and where published.

(2) If oral, the name and address of each person who has made said statement and as to each person; the substance of said statement, together with the date, time and place where made; and the name and address of each and every person known to the plaintiffs who was present when said statement was made.

(d) If plaintiffs rely on any official action made by any official, agent, representative, or employee of defendant, Township of Monroe, regarding the allegations of Paragraph 33 of the Complaint, set forth with particularity the name and the official position of each of said officials, agents, representatives or employees of the Township of Monroe, setting forth with particularity as to each of said officials, agents, representatives or employees of the Township of Monroe, each and every official action and identify as to each of such officials, agents, representatives or employees of the Township of Monroe any writings setting forth or supporting said action.

(e) Set forth amount of land zoned for multi-family use in the Township of Monroe.

(f) Set forth the amount of land for multi-family use that plaintiffs claim should be zoned to be adequate.

(g) Set forth the amount of land actually used for multi-family use in the Township of Monroe.

(h) Set forth the number of multi-family dwellings in the Township of Monroe.

(1) Garden Apartment units.

(2) With reference to the allegations of Paragraph 33 of the Complaint, set forth with particularity each and every fact of which plaintiffs, or upon which they will rely, with reference to the Township of Monroe, as to the allegations with reference to single family attached housing that plaintiffs can afford.

i. The cost that plaintiffs can afford for single family housing.

(a) The size of land referred to as large lot size.

ii. The amount of excessive frontage requirements which has increased housing costs.

iii. The frontage requirements that would not have increased housing costs.

iv. The minimum floor area that would not have increased housing costs for the plaintiffs.

v. The amount of vacant land in the Township of Monroe zoned for industrial purposes in excess of need, to the exclusion of residential usage.

vi. Zoned land for industrial purposes in excess of need to the exclusion of residential uses.

1. The amount of land Monroe Township has zoned for:

(a) Residential usage

(b) Industrial purposes

(c) Set forth any state or federal law or citation which makes in mandatory for the Township of Monroe to provide federally or state subsidized housing for low income families.

(d) That the defendant has an excessive amount of land zoned one acre residential and industrial.

(e) Set forth plaintiffs contention as to said excess:

i. Residential

ii. Industrial

17. As to the Prayer for Relief, set forth with particularity each section of the Zoning Ordinance of the Township of Monroe, or other land use policies and practices, which plaintiffs seek to have declared null and void, and how the abolition of same would promote plaintiffs alleged objective of multi-family housing or low or moderate income housing in the Township of Monroe.

18. Set forth the name and address of each person having knowledge of any relevant facts with reference to the issues in this matter.

(a) The general substance as to each person of their knowledge.

19. Set forth the name and address of each and every expert witness plaintiffs have retained or intend to have testify at trial and their field of expertise.

20. Attach a copy of reports rendered to the plaintiffs by each of your proposed expert witnesses. If any reports were verbal, set forth in detail the verbal information supplied by the expert, together with the name of the expert supplying the same.

21. Set forth what the plaintiffs contend is a fair share for low and moderate income housing for each of the defendant communities.

(a) What does the plaintiff contend is the number of low and moderate income housing in each of the defendant communities?