

CA - Monroe

6/4/75

~~Monroe's analysis~~ - CL re: enclosed forms

- interrogatories sent by Monroe to P w/answers

+ accompanying chart about # of

housing units

+ certification

P.i. 913
Pg 36

CA001644 G

June 4, 1975

Mr. Samuel C. Inglese, Esq.
406 Main Street
Metuchen, New Jersey 08840

Re: Urban League et al vs Borough of
Carteret, et al

Dear Mr. Inglese:

Enclosed please find plaintiffs' answers to
your interrogatories.

We will, of course, be updating the information
as per the rules as discovery and preparation for a
full hearing proceed. Because of the time involved
in securing plaintiffs' signatures, I have certified
the authenticity of the answers. If this is not
satisfactory, please let me know as soon as possible
and I will arrange for plaintiffs' certification.

Sincerely,

Daniel A. Searing
Attorney for Plaintiffs

Enclosures

CA001644G

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.

At this time, plaintiffs rely on information outlined in answers below to interrogatories 6, 7(a), 8, 9

(b) racial discrimination in housing.

See answer to 1(a), above.

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

(1) Monroe's Zoning Ordinance.

At this time, plaintiffs rely on the 1968 Monroe Township zoning ordinance, as amended.

Sec. 5B1 requires in Residential "A" zones a minimum lot size of 20,000 square feet with a frontage of not less than 100 ft.

Sec. 5B6 as amended requires a minimum habitable floor area of not less than 1350 sq. ft. for a one-story dwelling.

Sec. 6B3 as amended requires a minimum habitable floor area of not less than 1200 sq. ft. for a one-story building.

Sec. 8B1 requires, in rural residential zones, minimum lot size of 30,000 sq ft. with a frontage of not less than 150 ft.

Sec. 8B5, as amended, requires a minimum habitable floor area of not less than 1500 sq. ft. for a one-story dwelling.

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

See attached sheet.

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

See answer to interrogatory 8. Additional information upon which plaintiffs will rely is not available at this time.

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

See attached pages for answers to (e) and (f).

(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.

ANSWERS TO INTERROGATORIES 1(e) and 1 (f)

The information available at this time on the housing needs of plaintiffs, and what they can afford to pay is set forth below. Some information, such as the size of the lot required and the size of the building is impossible to pinpoint because of variances caused by such things as type of housing, location, and available public utilities. All plaintiffs share a desire for decent, safe, and sanitary housing in a suitable environment.

The cost to purchase said housing is, at the time, impossible to answer. In many respects this is dependant upon the nature of the relief granted.

The figure on what each plaintiff can afford to pay cannot be broken down into component parts, but rather is expressed in the normal manner as a monthly figure that can be applied either to purchase or rent.

CLEVELAND BENSON

Mr. Benson would like a house, with 3-4 bedrooms, 2 baths, a living room, kitchen and family room. He can pay \$250-300 per month, including utilities. He is not fussy about the type or location.

BARBARA TIPPETT

Mrs. Tippett wants 3 bedrooms, or 2 bedrooms and a family room, living room, dining room, kitchen and one bath. She can pay \$220 per month, including utilities. She would like someplace decent, preferably not over someone, in a suburban location.

LYDIA CRUZ

Mrs. Cruz can pay \$200 per month toward the cost of housing and needs 6 bedrooms, a kitchen, 2 baths, and a playroom. She would like anyplace out of Perth Amboy, close to schools, in an integrated community.

FANNIE BOTTS

Ms. Botts is planning to withdraw from the case for personal reasons.

JEAN WHITE

Ms. White is planning to withdraw from the case for personal reasons.

JUDITH CHAMPION

Ms. Champion would like a house in a good school district, in a less polluted area. She needs 2 bedrooms, living rooms, family room, kitchen and 1 bath. She can pay \$140 per month, including utilities.

KENNETH TUSKEY

Mr. Tuskey is not seeking housing; he is seeking an opportunity to live in an integrated municipality of South Brunswick.

(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.

See attached sheet

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

The allegations in paragraph 1 of the complaint summarize the allegations detailed in succeeding paragraphs. For that reason, written documentation of para. 1 allegations are those listed in the answers below.

ANSWERS TO INTERROGATORY 1(g)

The following people have general and specific knowledge of official actions of Monroe, of zoning and other land use policies and practices in Monroe, the condition and type of existing housing stock, the amount and type of commercial and industrial development, and the past and existing employment and population figures:

Mayor - Joseph S. Indyk, Spotswood Englishtown Rd. Jamesburg, N.J.
Council Members

John R. Klink 111 Applegate Avenue, Spotswood, N.J. 08884
Michael J. Dipierro, 451B Lower, Matchaponix Rd. Jamesburg, 08831
George H. O'Carroll, Eleventh St., Outcalt, Jamesburg, N.J. 08831
Ben A. Roth, 19 First Avenue, Spotswood, N.J. 08884
William J. Ryan, 219A Manchester Lane, Jamesburg, N.J. 08831
Planning Board Members

Sam Shahinian, Mounts Mills Road, Jamesburg, 08831
Ernest W. Butcher, 312 Forsgate Drive, Jamesburg, N.J. 08831
John R. Klink, 111 Applegate Avenue, Spotswood, N.J. 08884
David Grey, 59N Fairfield Lane, Jamesburg, N.J. 08831
Elizabeth Neubauer, 71A Picea Plaza, Cranbury, N.J. 08512
Robertos VandeBeek, Old Forge Road, Jamesburg, N.J. 08831
Ray Hensel, Box 184A, Cranbury, N.J. 08512
Gerald Rifano, 3 River Street, Spotswood, N.J. 08884
Elizabeth Kelly, Mount Mills Road, Jamesburg, N.J.

The following people have general knowledge of the labor, housing and zoning conditions in Middlesex County as such conditions relate to the administration of state and federal programs.

James P. Sweeney, Area Director, Department of Housing and Urban Development, Dateway #1, Newark, N.J. 07102;
Mr. Hyman Center, Chairman, Middlesex County Planning Board - County Administration Bldg., John F. Kennedy Sq. New Brunswick, N.J. 08901;
Dr. J. Douglas Carroll, Jr., Exec. Dir., Tri-State Regional Planning Commission, 1 World Trade Ctr, 56 South, New York New York 10048;
Richard A. Ginman, Director, Division of State and Regional Planning, 329 West State Street, P.O. Box 2768, Trenton New Jersey 08625.

The following people have general knowledge of the census data used to support the allegations in the complaint, the existing zoning and land use practices in Monroe, and the contents of the Middlesex County Master Plan as it relates to the allegations in the complaint:

Mr. John Prior, NCDH, 1425 H Street, N.W. Washington, D.C. 20005
Ernest Erber " " " " " " " " " "

(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.

see answer to (h) above.

(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.

At this time, plaintiffs cannot state with specificity such reliance, if any, other than the passage of zoning ordinances and amendments. Additional discovery will be necessary before this can be answered.

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.

See answer to i above

(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.

At this time no such oral statements are relied upon.

(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.

At this time, plaintiffs cannot state with specificity such reliance, if any, other than the passing of zoning ordinances and amendments. Additional discovery will be necessary before this can be answered.

(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.

At this time, no such oral statements are relied upon.

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:

See answer to interrogatory 1(c)(1).

ii. Other land uses and practices:

See answer to interrogatory 1(c)(2).

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.

Plaintiffs are barred from securing housing throughout the 23 defendant communities, and in Monroe specifically through the operation and application of the zoning and other land use policies and practices detailed in interrogatory 1(c) (1) and (2).

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

The operation and application of the zoning and other land use policies and practices detailed in 1(c) (1) and (2) prevents plaintiffs and the class they represent from securing housing within a reasonable distance of expanding employment opportunities.

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

i. the expanding market area.

Middlesex county

(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.

See answer to interrogatory 1(c) (1) and (2).

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

See answer to iii, below.

iii. define the limits of said region.

The region referred to is defined as the eight counties comprising the New Jersey portion of the New York-Northeastern New Jersey Standard Consolidated Area. The counties are Bergen, Essex, Hudson, Middlesex, Morris, Passaic, Somerset and Union.

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

(a) low income person.

Low income person means individuals or families of low income who cannot afford to pay enough to cause private enterprise in their locality or metropolitan area to build an adequate supply of decent, safe and sanitary dwellings for their use. Pub. L. No. 93-303.

(b) moderate income person.

Low and moderate income person is defined as individuals or families whose incomes do not exceed 80 percent of the median family income of the area as determined by the Secretary of the Department of Housing and Urban Development

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.

The New Brunswick-Perth Amboy-Sayreville SMSA is Middlesex County.

(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.

Statistical Reporter, 73-12, June 1973, p. 192-197

(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.

See interrogatory 6(3)(b)(1)

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:

County 26,067
Monroe 673

(1) Black.

County 11,333
Monroe 83

(2) Puerto Ricans.

Monroe 98
County 3,049

(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.

See listing for Ernest Erber and John Prior, Mr. Hyman Center Dr. J. Douglass Carroll, Richard Ginman, interrogatory 1(g), and for information pertaining specifically to Monroe, listing of Monroe's officials, interrogatory 1(g).

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

U.S. Bureau of Census. Census of Population: 1970 General Population Characteristics Final Report PC (1) - B 32 New Jersey.

. General Social and Economic Characteristics. Final Report PC (1) - C 32. New Jersey.

(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.

Superintendent of Documents
U.S. Government Printing Office
Washington, D.C. 20402

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.

See interrogatory 3,d, iii.

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

This allegation is not applicable to Monroe since between 1960-1970, its minority population decreased by 250, or 23.5%.

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.

The black population of Monroe decreased from 982 to 673 during the 1960s. Most of the township's remaining black population resides in rural residential zones near the New Jersey Home for Boys. In census tract 82.02, which covers most of this area, 27.7% of the dwelling units occupied by minorities are overcrowded, compared to 6.8% for the entire township.

(a) The areas characterized by:

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

See above. At this time, detailed information as to substandard housing is unavailable.

(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.

See interrogatory 1(g).

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

U.S. Bureau of Census. Census of Population and Housing: 1970 Census Tracts Final Report PHC (1) - 146 Newark, N.J. SMSA.

U.S. Bureau of the Census. Census of Housing: 1970 Block Statistics Final Report HC (3) - 159 New York, NY. See attached sheet

(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.

See interrogatory 6 (3)(b)1, for census information. At this time, information on the location of municipal zoning maps is unavailable.

Answer to Interrogatory 8(c) -

Northeastern New Jersey Urbanized Area. Part 3 - Northeastern New Jersey.

Zoning maps and ordinances of individual towns.

(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.

At this time, no, unless official ordinances and census documents are included in the definition of written statements.

(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.

See (d) above.

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.

See interrogatory 8(c)(1).

(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.

At this time, no such oral statements are relied upon.

(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.

If the passage of zoning ordinances and amendments and other such legislative functions are considered, plaintiffs so rely. Detailed information such as requested is not available at this time.

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:

See attached chart relating to median incomes.

(1) For Blacks.

ANSWER TO INTERROGATORY 9(a)
 1969 MEDIAN FAMILY INCOMES

IN
 MIDDLESEX COUNTY

(Data Unavailable for Municipalities With Less
 Than 400 Black or Puerto Rican Households)

	<u>TOTAL</u>	<u>BLACK*</u>	<u>PUERTO RICAN *</u>
Middlesex County	\$11,982	\$ 8,993	\$ 7,489
Carteret	11,232	6,392	8,400
Cranbury	14,076		
Dunellen	11,077		
East Brunswick	14,855		
Edison	12,914		
Helmetta	10,168		
Highland Park	11,757	11,000	
Jamesburg	10,202		
Madison Tp.	12,116		
Metuchen	13,703	12,771	
Middlesex	12,269		
Milltown	12,954		
Monroe	11,681		
New Brunswick	9,589	7,709	4,944
North Brunswick	12,900		
Perth Amboy	9,414	8,021	6,831
Piscataway	11,695		
Plainsboro	10,883		
Sayreville	12,079		
South Amboy	10,802		
South Brunswick	13,023		

	<u>TOTAL</u>	<u>BLACK*</u>	<u>PUERTO RICAN*</u>
South Plainfield	\$12,773	\$11,000	
South River	11,405		
Spotswood	12,407		
Woodbridge	12,205		

*Data Unavailable for Municipalities With Less Than 400 Black or Puerto Rican Households.

SOURCE: U.S. Census of Population. General Social and Economic Characteristics of the Population. PC (1)-C 32 N.J.

U.S. Census of Population and Housing: Census Tracts.

(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.

At this time, this information is unavailable.

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.

At this time, this information is unavailable.

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

U.S. Bureau of the Census of Population: 1970, General Social and Economic Characteristics. Final Report PC (1) - C 32. New Jersey.

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.

See interrogatory 6 (3) (b) (1).

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.

See interrogatory 11, with specific reference to the employment information.

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

At this time, this information is unavailable.

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

At this time, this information is unavailable.

(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.

At this time, this information is unavailable.

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

Middlesex County Planning Board, Middlesex County Interim Master Plan, 1970.

(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.

Such writings are published by the Middlesex County Planning Board, County Administration Bldg., John F. Kennedy Sq., New Brunswick, N.J. 08901.

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.

In 1960, there were 125,347 housing units in Middlesex County. In 1973, there were an estimated 182,806 housing units in the County. This represents an increase of 57,459 units. In 1959 there were 136,507 jobs in Middlesex County. In 1973, there were 249,844 jobs in the County. This represents an increase of 113,337. Thus during the period 1960-73 jobs increased by 113,337, while dwelling units increased by 57,459, which is approximately one-half, or approximately 50 percent of the employment expansion during the same period.

(a) The time period referred to.

1960 - 1973

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

57,459

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

See attached chart.

(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.

See interrogatory 1(g), above.

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

U.S. Census of Housing, 1960 and 1970.
U.S. Bureau of Census, Construction Reports - Housing
Authorized by Building Permits and Construction
Contracts, 1970-1973

i. 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.

See interrogatory 6(3)(b)(1).

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.

The Middlesex County Planning Board's adopted Interim Master Plan (September, 1970) states that "most of the present and projected new jobs including most of the new low and moderate income jobs are growing outside the older municipalities" (p. 67).

There are 2,714 low rent public housing units in the county. 1,488, or over half of these are in New Brunswick and Perth Amboy.

Source: U.S. Dept of Housing and Urban Development, Housing Production and Mortgage Credit - FHA Division of Research and Statistics. Local Authorities Participating in Low-Rent Housing Programs as of June 30, 1973. Rpt S. 102 Wash.

See attached page

(a) The time period referred to.

1974

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

At this time, this information is unavailable.

ANSWER TO INTERROGATORY #1(c) (2)

At this time, plaintiffs will rely on the facts in (1) above and additionally assert that according to the Interim County Master Plan of September 1971, Monroe has an excessive amount of land zoned for industry in that only 331 acres are needed for existing and projected industrial uses by the year 2000. As of February, 1975, 10,000 of 10,300 acres zoned for industry were vacant. Additionally, defendant as of February 1975 had 17,500 acres zoned rural residential, of which 16,500 were vacant. Monroe also has not established a public housing authority, or passed the resolution of local approval required for the use of state financial aid to assist low and moderate income families with their housing needs. In addition, the Planned Retirement Community requires excessive amenities, in that a golf course, lake, clubhouse and shuffle board courts are required.

ANSWER TO INTERROGATORY #12 (cont'd)

U.S. Dept. of Housing and Urban Development, 1973.

There are 750 federally assisted moderate income units which have been constructed or approved for construction in the county. 540, or over 70% of these are in New Brunswick and Perth Amboy.

There are 464 state assisted moderate income housing units which have been constructed or approved for construction in Middlesex County. 312, or over 67% of them are in New Brunswick and Perth Amboy.

Source: New Jersey Housing Finance Agency

(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.

See interrogatory 1(g).

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

See interrogatory 12, above, in which sources are listed.

(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.

See interrogatory 6(3)(b)(1), and addresses of county and state officials, 1(g)

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.

See attached chart.

ANSWER TO INTERROGATORY #13

NUMBER OF ACRES AND PERCENTAGE OF VACANT LAND IN
EACH MUNICIPALITY ZONED FOR INDUSTRY
AS OF 1970

Municipality	Acres	Percentage
Carteret	108	52.9
Cranbury	2,899	43.6
Dunellen	-----	-----
East Brunswick	1,984	26.2
Edison	4,070	51.5
Helmetta	26	44.8
Highland Park	-----	-----
Jamesburg	19	37.3
Madison	4,090	24.2
Metuchen	166	50.9
Middlesex	307	47.8
Milltown	45	14.1
Monroe	6,867	35.4
North Brunswick	2,016	66.0
Piscataway	1,545	27.7
Plainsboro	1,235	25.0
Sayreville	3,027	74.1
South Amboy	115	58.1
South Brunswick	9,069	45.4
South Plainfield	1,133	73.5
South River	115	36.6
Spotswood	23	11.4
Woodbridge	2,848	84.5

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

At this time, this figure is not for plaintiffs to determine. However, the Interim Middlesex County Master Plan projects a need for 331.1 acres of land for manufacturing and 110 acres of land for mining in Monroe in the year 2000. 10,300 acres of land are currently zoned industrial by Monroe.

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

See answer to interrogatory 13(a) above.

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

At this time, this information is unavailable. Additional discovery by plaintiffs will be necessary to secure it.

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.

The facts outlined in paragraph 30a of the complaint are from New Jersey Department of Community Affairs, The Housing Crises in New Jersey: 1970, p. 29

30(b) - In 1967 a study conducted by the Middlesex County Planning Board revealed that the mix of apartment units was that 75% of all multi-family units constructed in Middlesex County and neighboring Franklin Township were 1 bedroom. The percentage of 2 bedroom apartments has decreased since then, according to the annual reports of the New Jersey Department of Community Affairs, Division of Housing - Urban Renewal, "New Multi-Family Dwellings in N.J.", 1967-73. Recent factual data for 30(c) is at this time unavailable to plaintiffs. Facts for paragraphs 30(d) and (e) of the complaint are as listed in interrogatory 12.

(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.

See interrogatory 1(g).

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

See Interrogatory 14 above.

(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.

See interrogatory 14 above.

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.

40 N.J. S.A. 27-2 (1967)

(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.

Middlesex County Planning Board, Middlesex County Interim Master Plan ,Sept. 1970, pp. 59-86 "Housing Policies".

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.

See interrogatory 1(c) (1) and (2).

(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.

See interrogatory 1(g).

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

Monroe Township Zoning Ordinance, as amended (1968)

(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.

Ernest W. Butcher, Township Clerk, Monroe
Monroe Township Hall
Prospect Plains, New Jersey

(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.

See (i) below.

(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.

At this time, plaintiffs do not so rely. Further discovery will be necessary to determine such reliance, if any.

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.

See (c) above.

(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.

See (c) above.

(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.

At this time, plaintiffs cannot state with specificity such reliance, if any. Additional discovery will be necessary before this can be answered.

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

At this time, this information is unavailable to Plaintiffs

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

See answer to interrogatory 21

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

At this time, this information is unavailable to Plaintiffs.

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

At this time, this information is unavailable to Plaintiffs.

(1) Garden Apartment units.

At this time, this information is unavailable to Plaintiffs.

(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.

See interrogatory 1(c) (1) and (2)

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

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

See interrogatory 1(c) (1)

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

See interrogatory 1(c) (1)

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

At this time this figure is not for plaintiffs to determine. Determination of such requirements is for municipal authorities to decide in consideration of all circumstances.

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

See interrogatory 1(c) (1). Such requirements are totally unrelated to health, welfare and safety.

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.

At this time this figure is not for plaintiffs to determine. Determination of the reasonable amount is for municipal authorities to decide in consideration of all circumstances. Plaintiff's assertion is that the current allocation is excessive. See also interrogatory 13(a).

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

See v above.

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

(a) Residential usage
12,067 acres (1970)

(b) Industrial purposes
6,867 acres

(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.

Our legal position will be fully explicated at the appropriate time, either through pre-trial briefs or through other orders of the court. In addition plaintiffs' do not claim that they are entitled under the law to have low or middle income housing units made available to them, only that they are entitled to be free from discrimination in seeking equal housing opportunities. If plaintiffs prove their case, it may well be that as a matter of equitable relief, the court will order that plaintiffs are entitled under the law to have low or middle income housing units made available to them. However, the question of appropriate relief is one to be decided by the court after a full hearing on the merits, and it would be premature, as well as inappropriate for the plaintiffs to discuss the scope of relief.

(d) That the defendant has an excessive amount of land zoned one acre residential and industrial. Plaintiffs legal position will be fully explicated at the appropriate time. However, plaintiff does not claim that there is a per se excessive amount of land so zoned, but that the application of such zoning to large amounts of land is an inherent part of a consistent pattern of conduct by which low and moderate-income persons, white and nonwhite, have been excluded from Monroe.

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

i. Residential

See interrogatory (1) v above.

ii. Industrial

See interrogatory (1) v above.

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.

See interrogatory 1(c)(1) and (2) for those zoning and other land use policies and practices the discriminatory application of which plaintiffs wish stopped. The cessation of such discriminatory application, together with other equitable relief, should increase opportunities for housing low-and moderate-income families within Monroe. However, the question of the appropriateness or adequacy of the relief, is to be decided by the court after a full hearing on the merits.

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

See interrogatory 1(g) above.

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

See interrogatory 1(g), above.

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.

This information is presently unknown.

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.

At this time, no reports have been received.

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

At this time, this figure is not for plaintiffs to determine. The New Jersey Department of Community Affairs has calculated that as of 1970, Monroe needed a total of 341 units to accommodate its resident population of low and moderate income citizens, and those living in deteriorated, dilapidated, or units without plumbing. Any calculation of "fair share" would have to start with this minimal figure. Additionally, in Southern Burlington City NAACP v. Township of Mt. Laurel, A-11, Supreme Ct. of New Jersey, March 24, 1975 the Courts held that every municipality "must bear its fair share of the regional burden." (slip opinion at 49). Elements of this computation would be the housing needs of low and moderate income residents and former residents in substandard dwellings and those "presently employed or reasonably expected to be employed therein...." (slip opinion at 50).

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

At this time, this information is unavailable to plaintiffs, and additional discovery will be necessary.

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ARTHUR WOLF
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~~Attorney(s):~~

Office Address & Tel. No.: 202-783-8150

Attorney(s) for Plaintiffs

URBAN LEAGUE OF GREATER NEW
BRUNSWICK, et al

Plaintiff(s)

vs.

THE MAYOR AND COUNCIL OF THE
BOROUGH OF CARTERET, et al

Defendant(s)

DOCKET NO.

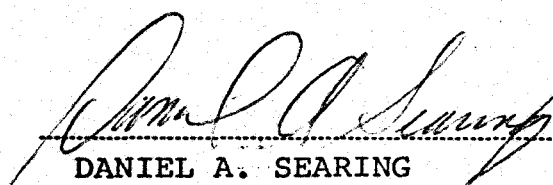
CIVIL ACTION

CERTIFICATION IN LIEU OF
OATH OR AFFIDAVIT

I certify that the foregoing statements made by me in the annexed interrogatories

are true. I am aware that if any of the foregoing statements made by me are wilfully false, I am subject to punishment.

Dated: June 4 1975


DANIEL A. SEARING

TO ACCOMPANY INTERROGATORY

	<u>1960-64</u>	<u>1965</u>	<u>1966</u>	<u>1967</u>	<u>1968</u>	<u>1969</u>	<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>
Sayreville	1,380	295	364	371	267	109	72	94	101	89
Multi Family	1,042	28	4	0	0	0	2	0	4	0
South Amboy	163	25(9)	68	46	32	6	3	13	8	13
Multi Family	12	6	32	34	28	2	2	6	2	12
South Brunswick	187	36	125	236	25	34	136	179	203	227
Multi Family	0	0	100	190	0	0	0	0	0	0
South Plainsfield	404	122	70	151	65	131	62	77	87	49
Multi Family	8	0	4	14	2	2	0	2	6	0
South River	575	94	52	36	10	9	147	110	175	10
Multi Family	136	11	26	2	0	0	140	98	164	0
Spotswood	164	156	44	37	20	30	6	8	121	16
Multi Family	8	138	0	0	0	0	0	0	113	0
Woodbridge	3,610	986	172	146	190	160	135	644	791	80
Multi Family	1,992	585	0	8	0	2	2	475	650	0

TO ACCOMPANY INTERROGATORY

	<u>1960-64</u>	<u>1965</u>	<u>1966</u>	<u>1967</u>	<u>1968</u>	<u>1969</u>	<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>
Madison	3,186	1,062	2,167	129	628	787	62	69	28	36
Multi Family	1,868	886	1,830	32	548	724	2	2	0	0
Metuchen	426	36	21	17	31	18	30	29	29	16
Multi Family	158	0	0	0	0	0	0	0	0	0
Middlesex	712	76	48	599	76	32	21	(5)	16	16
Multi Family	288	24	22	480	6	0	6	(5)	0	0
Milltown	202	18	14	70	35	57	35	62	83	33
Multi Family	39	0	2	0	0	2	5	0	0	0
Monroe	241	55	242	128	150	545	193	212	524	417
Multi Family	0	0	205	0	0	108	68	160	186	0
New Brunswick	391	(PB) 235	103	400	(5)	16	7	(PB) 374	259 (11)	180
Multi Family	363	231	98	387	(5)	0	4		252 (PB)	0
North Brunswick	706	870	201	329	83	67	35	159	1,120	369
Multi Family	223	574	58	152	4	0	0	78	1,000	264
Perth Amböy	526	183	295	204 (PB)	38	64	28	140	343	9
Multi Family	318	71	224	124	12	4	4	108	318	4
Piscataway	1,432	967	813	1,906	651	107	229	347	167	65
Multi Family	459	668	532	1,700	522	0	0	116	24	0
Plainsboro	155	6	9	6	9	9	3	3	485	587
Multi Family	128	0	0	0	0	0	0	0	480	584

HOUSING STARTS IN MIDDLESEX COUNTY, 1960 - 1973

	<u>1960-64</u>	<u>1965</u>	<u>1966</u>	<u>1967</u>	<u>1968</u>	<u>1969</u>	<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>
County	20,279	7,880	6,075	5,488	4,579	3,029	1,774	3,523	5,008	2,433
Multi Family	9,861	4,895	3,705	3,195	2,716	958	300	1,784	3,314	942
Carteret	646	23	126	10	40	191	(5)	96	37	38
Multi Family	220	14	118	4	8	10	(5)	20	18 (2F)	28 (2F)
Cranbury	93	14	17	3	2	4	2	6	4	8
Multi Family	60	0	0	0	0	0	0	0	0	0
Dunellen	210	15	5	5	-(11)	5	1	26	28	11
Multi Family	55	4	0	0	-	0	0	10	14	2
East Brunswick	1,686	322	396	280	861	454	370	418	266	5
Multi Family	372	0	96	0	492	154	52	54	75	
Edison	3,687	2,000	694	282	297	239	176	249	114	143
Multi Family	1,537	1,391	350	4	56	0	10	92	8	
Helmetta	52	3	6	(5)	(5)	-	2	(5)	4	1
Multi Family	28	0	0	(5)	(5)	-	0	(5)	0	0
Highland Park	997	190	10	67	5	4	9	205	5	10
Multi Family	863	182	0	60	0	0	0	200	5	0
Jamesburg	247	219	10 (11)	112	6	1	15	4	14	10
Multi Family	66	210	2	86	0	0	8	0	0	0