

CA-North Brunswick

9/16/74

~~Copy letter
Answer~~

Answer by North Brunswick
to the complaint.

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CA001673A

North Brunswick

Township of North Brunswick

NEW JERSEY

711 HERMANN ROAD
POST OFFICE BOX 182
NORTH BRUNSWICK, N. J. 08902

Reply to:
103 Bayard Street
New Brunswick, N.J. 08901

September 16, 1974

Clerk of the Superior Court
Superior Court of New Jersey
State House Annex
Trenton, New Jersey 08625

Re: Urban League of Greater New Brunswick, et als,
vs. Township Committee of North Brunswick, et als,
Docket No. C-4122-73

Dear Sir:

I am enclosing herewith original and two copies of Answer on behalf of Defendant Township Committee of North Brunswick, in the above matter.

Very truly yours,

JOSEPH H. BURNS

JHB/bn

Encls.

cc: Attorneys listed on attached sheet

CA001673A

Copy of the within answer has been sent to the following:

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NEW BRUNSWICK, N. J. 08903
(201) 545-6700
ATTORNEY FOR Defendant

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
MIDDLESEX COUNTY

Plaintiff 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,
JEAN WHITE, On their own behalf and on
behalf of all others ^{vs.} similarly situated.
Defendant

Docket No. C-4122-73

TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NORTH BRUNSWICK.

CIVIL ACTION

ANSWER

The defendant, Township Committee of the Township of
North Brunswick, by way of Answer to the Complaint filed herein,
says:

1. This Defendant denies the allegations set forth in paragraphs 1, 2, and 3.
2. This Defendant does not have sufficient information to admit or deny paragraphs 4, 5, 6, 7, 8, 9, 10, and 11.
3. This Defendant denies the allegations set forth in paragraph 12.

4. This Defendant admits the allegations set forth in paragraphs 13 and 14.

5. This Defendant does not have sufficient information to admit or deny the allegations set forth in paragraphs 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 and 29.

6. This defendant denies the allegations set forth in paragraph 30.

7. This Defendant does not have sufficient information to admit or deny the allegations in paragraph 31.

8. This Defendant denies the allegations set forth in paragraphs 32, 33, 34, and 35.

FIRST SEPARATE DEFENSE

Plaintiffs do not constitute a class.

SECOND SEPARATE DEFENSE

Defendants do not constitute a class.

THIRD SEPARATE DEFENSE

Plaintiffs have not exhausted administrative remedies.

FOURTH SEPARATE DEFENSE

No claim has been set forth for which relief can be granted.

FIFTH SEPARATE DEFENSE

The complaint does not set forth proper subject matter for an action under the Declaratory Judgment Act.

SIXTH SEPARATE DEFENSE

None of the Plaintiffs reside in the Township of North Brunswick and cannot impute actions of the other municipalities in conjunction with this Defendant.

SEVENTH SEPARATE DEFENSE

Plaintiffs do not have standing to maintain this action against this Defendant.

EIGHTH SEPARATE DEFENSE

Indispensable parties have not been joined in this action.

NINTH SEPARATE DEFENSE

This Defendants zoning ordinance and its actions in connection therewith reflect a proper exercise of power in accordance with the laws of New Jersey; therefore, the alleged remedy sought by Plaintiffs can be given only by the Legislature.

TENTH SEPARATE DEFENSE

This Defendant is not factually within the general allegations set forth by the Plaintiffs.

ELEVENTH SEPARATE DEFENSE

This Defendant is unique in its circumstances as to the other Defendants.

TWELFTH SEPARATE DEFENSE

Plaintiffs have not alleged any actions directed against them specifically by this Defendant.

THIRTEENTH SEPARATE DEFENSE

The complaint should be dismissed with court costs and counsel fees assessed against Plaintiffs.

FOURTEENTH SEPARATE DEFENSE

Plaintiffs seek alleged remedies involving federal law which are not justifiable by this Court.

/s/ Joseph H. Burns

JOSEPH H. BURNS
Attorney for Defendant
Township Committee of North
Brunswick

I certify that this pleading was served according to the Rules.

/s/ Joseph H. Burns

JOSEPH H. BURNS
Attorney for Defendant
Township Committee of North
Brunswick