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Supplemental Interrogatories

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Attorneys for Plaintiffs

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

URBAN LEAGUE OF GREATER
NEW BRUNSWICK, et al.

Plaintiffs,

v.

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

Defendants

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:
:
:
:
:
:

Civil Action

SUPPLEMENTAL INTERROGATORIES

TO: Mr. Louis Alfonso, Esq.
325 Highway 516
Old Bridge, New Jersey 08857

DEMAND is hereby made of the defendant TOWNSHIP OF
MADISON for Certified Answers to the following supplemental
interrogatories within the time prescribed by the Rules
of this Court.

1. Please list each of the zoning ordinance provisions
and land use practices admitted in the Request for Admissions
transmitted to you on May 17, 1975 which you conted are
justified by peculiar circumstances.

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2. Please state for each such ordinance provision or practice listed in response to Interrogatory #1 above, a summary of the peculiar circumstances, including the facts which support it. The Township has zoned to protect its flood plains, environment, water sheds and for other ecological reasons. It has also zoned to continue its character as a suburban community and has made provisions to meet the needs of the region by cluster and PUD zones plus its other low density areas.

3. Please state every other defense that you intend to raise at trial in response to the allegations of the complaint. See #2 above, plus high property taxes, high cost of land and building and lack of subsisity programs which in effect preclude low and moderate housing in the municipality regardless of zoning regulations. Right of municipality to zone for the public welfare will also be raised as a defense. Lacking of standing will be raised as a defense. Also raised will be argument that needs of region are already fairly met by this municipality in relation to surrounding areas. Reasonableness of Ordinance in light of economy, population, transportation, industry and other factors will be raised, and as to be developed at trial based on continuing investigation and examination and upon other facts to be developed at trial.

4. For each such defense listed in response to Interrogatory #3 above, provide a summary of the facts supporting it. See #3 above plus reports referred to in original answers to interrogatories.

5. If you plan to rely on any decision or action taken by any government official, agent, representative or employee of the defendant, County of Middlesex, or State of New Jersey regarding the defenses listed above, set forth with particularity:

(a) each and every such official decision or action upon which defendant will rely:

Continuing work being done by the County Planning Board and as investigation determines and upon facts to be developed at trial.

(b) the name and position of each government official, agent, representative or employee

See (a)

(c) a description of any document or writing supporting such decision or action.

See (a)

6. Please give the name and address of each expert witness whose testimony will be relied upon in preparation of the defenses listed in Interrogatories 1-3 above.

Township Planner and planning consultants, servants, agents and employees of the Township, representatives of the Middlesex County Planning Board. Representatives of the New Jersey Attorney General's Office, assigned to the Department of Environmental Protection and Water Policy Commission. Directors, Engineers and Supervisors for the Water Policy Commission and the Department of Environmental Protection for the State of New Jersey. Records and Personnel of the New Jersey Transportation Department. Additionally, this defendant reserves the right to add additional experts once it is ascertained what the contentions of the plaintiff are and has received a list of its experts.

7. Please provide a summary of any written reports prepared for use at trial of any expert upon whose testimony defendant will rely at the time of trial, including a statement of where a copy of such a report can be obtained and its cost. None at present.

8. If no written reports have been received, give the time, date and place of any interviews or oral discussions with experts and set forth a summary of such discussions.

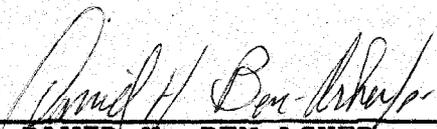
None at present.

9. Please describe all litigation filed, pending, adjudicated or otherwise resolved from January 1, 1973 to the present in which one or more of the issues involves all or any part of the municipal zoning ordinance. For each such case, please list the full caption, civil action number, court, date filed, name of plaintiffs' attorney and a summary of result or current status (this case need not be listed).

- a) Oakwood-at-Madison
- b) Bonnie Builders vs. Township of Madison - Superior Court of New Jersey - L-10201-74P.W. - Harold Smith, Esq.
- c) Brunetti vs. Township of Madison, et als - Superior Court of New Jersey - AD - A-377-74 - Harold Smith, Esq.
- d) Cantor, et als vs. Township of Madison - Superior Court of New Jersey - L-33433-70 - Herbert Bierman, Esq.
- e) Stark vs. Township of Madison, et al - Superior Court of New Jersey L-5555-74PW - J. Heilbrunn, Esq.
Superior Court of New Jersey L-41037-74 - J. Heilbrunn, Esq.
- f) to be supplimented. Additionally, various PW cases concerning denials of variance be either Zoning Board or governing body.

BAUMGART & BEN-ASHER
Attorneys for Plaintiff

BY:



DAVID H. BEN-ASHER
A member of the Firm

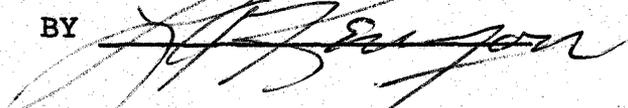
10-15-75

CERTIFICATION

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

MAYOR AND COUNCIL OF THE TOWNSHIP
OF OLD BRIDGE (MADISON TOWNSHIP)

BY



L. A. Kenyon
MANAGER

DATED:

Dec. 11/75