

~~U.L. v. Carteret~~

15 Nov. 1976

CA - Sayreville

- Letter from Seating to Karcher re: time to
review report (1)

- Letter from Karcher to Seating Nov. 9 re:
Dr. Talanico (2)

Pgs 3

CA001931L

Sayreville

NATIONAL COMMITTEE AGAINST DISCRIMINATION IN HOUSING, INC.

1425 H Street, N.W., Washington, DC 20005 • (202) 783-8150

November 15, 1976

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Mr. Alan J. Karcher
Borough Attorney
The Borough of Sayreville
Middlesex County
167 Main Street
Sayreville, New Jersey 08872

Re: Urban League of Greater New Brunswick
et al., v. Carteret, et al.
C-4122-73

Dear Mr. Karcher:

This is in reply to your letter of November 9, 1976.

Plaintiffs request that they be provided sufficient time to review the report which you have commissioned should you propose introducing this report at the scheduled hearing as evidence of your compliance with the Judgment.

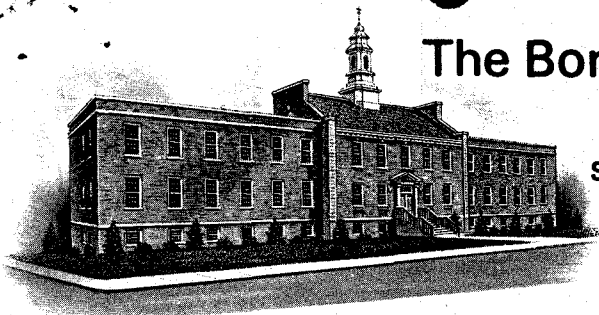
Plaintiffs, as made clear at the hearing on September 24, 1976, do not accept your reasoning that "potential units" provided for under a zoning ordinance found constitutionally invalid by the Court meets your burden of proof concerning compliance with the Judgment. We also reject any implications that the burden of proof concerning compliance has shifted from defendants to plaintiffs. Our memorandum in opposition to your motion is being forwarded under separate cover.

Sincerely,

Daniel A. Searing/da

Daniel A. Searing

cc: Hon. David D. Furman



The Borough of Sayreville

MIDDLESEX COUNTY
167 MAIN STREET
SAYREVILLE, NEW JERSEY 08872
(201) 257-3200

MAYOR:
JOHN E. CZERNIKOWSKI
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ALAN J. KARCHER, Attorney
HOWARD M. SCHOOR, Engineer
JAMES I. LINDSAY, Treasurer
J. HOWARD KOLB, Tax Assessor
JAMES P. DOLAN, Tax Collector

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November 9, 1976

Daniel A. Searing, Esq.
National Committee Against
Discrimination in Housing, Inc.
1425 H Street, N.W.
Washington, DC 20005

RE: Urban League of Greater New
Brunswick, et al vs. Carteret, et al.
C-4122-73

Dear Mr. Searing:

This will acknowledge your letter of November 1, 1976. The Borough has retained Dr. Joseph F. Talarico, Professor and Chairman of the Economics Department of Rider College to prepare a report as to the hypothetical range of purchase prices and rental figures or dwelling units which may be constructed in Sayreville under our zoning ordinances.

No official of the Borough has or would have, as a part of his official functions, figures with regard to proposed purchase prices or rental ranges. That is why we have retained Dr. Talarico to provide his expert opinion.

I have been advised verbally by Dr. Talarico that his hypothetical construct shall be based upon the following premises: the raw land costs for property presently available within the Borough, the costs of off and on-site improvements and the per square foot construction costs which may be applicable, correlated with the New Uniform Construction Code of the State of New Jersey, all of which will be in turn correlated with the Borough's present zoning ordinances which provide, as you know, for the construction of 2,465 apartments, 2,404 townhouses, and 730 single family dwellings or a total of approximately 5,600 dwelling units.



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November 9, 1976
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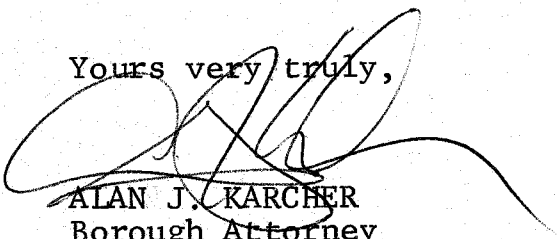
We look forward to the oral argument scheduled for November 19, 1976. In fact, we are so anxious that I have cancelled my usual attendance at the League of Municipalities convention in order that we might dispose of this matter on the date set.

I, as you, have read Judge Furman's opinion and the guidelines established therein. More germane therefore, to the issue at hand, is any information you may have which in any way contradicts the number of potential units provided for by the ordinances I have set forth above.

We are dealing here not with mere projections but with cold, hard numbers, and in fact our numbers do not merely meet the guidelines set by Judge Furman but significantly exceed those numbers.

Should you have any information to the contrary, please advise.

Yours very truly,


ALAN J. KARCHER
Borough Attorney

AJK:MJK
CC: Hon. David D. Furman