

CA - Sayreville 28-Feb-78

Letter - re: issues arising at  
hearing for Sayreville's motion.

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CA 001952L

*Case*

NATIONAL COMMITTEE AGAINST DISCRIMINATION IN HOUSING, INC.  
Fair Housing Legal Program  
1425 H Street, N.W., Washington, D. C. 20005 • (202) 783-8150

MARTIN E. SLOANE  
General Counsel

February 28, 1978

Honorable David D. Furman  
Middlesex County Courthouse  
New Brunswick, New Jersey 08903

Re: Urban League of Greater New Brunswick, et al.,  
v. The Mayor and Council of the Borough of  
Carteret, et al., Docket No. C-4122-73

Dear Judge Furman:

In reviewing the argument of last Friday concerning the motion made by the Borough of Sayreville, plaintiffs believe it is necessary to write you with regard to one issue which arose during the hearing, namely, the importance of the nature of the order requested by the Borough. While plaintiffs discussed this issue during the argument, upon reflection I am not certain whether plaintiffs' position was made as fully as necessary. Since this Court is asked to find, upon review of the submitted documents, that Sayreville is capable of producing 1661 units by 1985, and since the Borough is the first to seek an order of compliance, plaintiffs feel a particular urgency in reiterating this position.

Regardless of any facts submitted by Sayreville (or any other fair share municipality), plaintiffs would oppose an order of compliance at this time because we believe there can be actual compliance with your opinion and judgment in the case of Sayreville only when 1661 low and moderate income units are in place within the prescribed time limit.

While plaintiffs oppose the entry of any order at this time, if this Court determines, contrary to plaintiffs' findings to date, that the present plan submitted by the Borough allows for 1661 low and moderate income units, and

Honorable David D. Furman

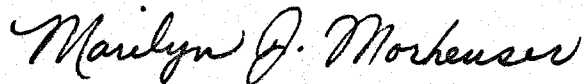
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further, finds it necessary to enter some order at this time, plaintiffs would suggest that the Court's order be in the form of an order certifying appropriate efforts toward compliance with the Court's opinion, rather than an order of compliance per se.

Finally, we wish again to request that plaintiffs be permitted to be present at any analysis of the Sayreville data by an outside person. Should you not favor this request and should you lean toward determining that Sayreville has shown sufficient efforts to comply with the Court's opinion, we respectfully request a factual hearing on the matter.

Respectfully,



Marilyn J. Morheuser  
Attorney for Plaintiffs

cc: Alan J. Karcher