

~~U.L. v. Carteret~~ U.L. v. Carteret

South Brunswick

19-Feb-75

Interrogatories : demand
for information by Urban League.

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DANIEL A. SEARING
ARTHUR WOLF
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National Committee Against
Discrimination in Housing, Inc.
1425 H Street, N.W.
Washington, D.C. 20005
202-783-8150

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

Civil Action
INTERROGATORIES

To:
ANDRE W. GRUBER, Esq.
1215 Livingston Avenue
North Brunswick, New Jersey 08902

DEMAND is hereby made of the defendant TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF SOUTH BRUNSWICK for Certified
Answers to the following interrogatories within the time
prescribed by the Rules of this Court.

1. Please provide the most current statistics
available on the population of the municipality, by
income level and race (categorized as white, black,

(For answers, please see Appendix attached hereto and
incorporated herein)

spanish-speaking, other), citing source.

2. Provide for each public school within the municipality, the number of pupils enrolled, with sub-totals for whites, blacks, spanish-speaking and other, giving school name, location, grades served and area.

3. Provide the number of dwellings presently within the municipality in each of the following value categories, as determined from the property tax rolls.

(a) Single family homes under \$15,000

(b) \$15,000 to \$25,000

(c) \$25,000 to \$35,000

(d) Over \$35,000

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(a) Single family homes under \$15,000

(b) \$15,000 to \$25,000

(c) \$25,000 to \$35,000

(d) Over \$35,000

4. Provide the number of multi-family units in each of the following rental categories and ranges.

Type	Rental Range				
	Under \$100	\$100 - \$149	\$150 - \$199	\$200 - \$249	\$250 & Over
Efficiency					
One-Bedroom					
Two-Bedroom					
Three or more Bedrooms					

5. Provide the total number of mobile homes in municipality that exist as conforming uses under current zoning ordinance.

6. Provide the number of housing units within the municipality that are below the standards required for new construction or rehabilitation in local building codes and housing standards ordinance. Indicate how many are currently occupied and how many vacant.

7. Provide for each department in the municipality the number of municipal employees by job category, race, and annual salary or hourly wage.

8. Provide the number of county and state employees working or employed in the municipality by job category, race, and annual salary or hourly wage.

9. For each zoning use category (and subcategory, if necessary, in the municipality) state the total number of acres contained therein and state how many acres are vacant. (For example, R-1 residential; 130 acres; 23 vacant).

10. List the proposals or requests for amendment to the zoning ordinance to authorize or facilitate residential construction of the types listed below, from January 1, 1970 to the present, setting forth the date of the proposal or request, name of requesting party, and ultimate disposition. If units were to be subsidized under state or federal programs, state what program was involved.

(a) Single-family detached or attached home construction (involving 10 or more contiguous lots).

(b) Multi-family structures.

(c) Planned unit or other cluster developments.

(d) Mobile home sites.

11. List for the following four categories, the applications for, use variances, special permits or exceptions that have been filed from January 1, 1970 to the present, setting forth the date of initial application, name of the requesting party, and ultimate disposition of application. If units were to be subsidized under state or federal programs, state what program was involved.

(a) Detached or attached single-family home construction (involving 10 or more contiguous lots).

(b) Multi-family structures.

(c) Planned unit or other cluster developments.

(d) Mobile home sites.

12. List the name, address, race and duties of each municipal official, employee, and consultant involved in the municipal zoning and planning process: State the source of their authority.

12. (Continued)

13. State whether there are any state or federal subsidized housing units now within or planned for the municipality. If so, list the location, number, size and type of units, project racial occupancy percentages, source of the subsidy and date of initial occupancy.

(a) State whether the municipality ever affirmatively encouraged or assisted in the provision of subsidized housing.

(b) State whether any official body of the municipality has ever discussed providing subsidized housing. If so, list the name of the deliberating body, the date and time of the meeting and provide a copy of the minutes or any report resulting from such meetings.

(b) (Continued)

14. State whether there has been any correspondence, contact, or meetings since January 1, 1970 between any municipal officials, employees, or consultants and any county or regional planning body regarding your municipality's housing needs. If so, please attach copies of such correspondence and provide the dates and times of such meetings or contacts indicating whether a written record of such meetings or contacts was ever made.

15. State whether the municipality has a rent control ordinance. If so, specify when such an ordinance was first considered and the date of adoption. Attach a copy of the ordinance and the minutes of council meetings at which such an ordinance was considered, and any documented statistics on housing conditions presented at such meetings.

15. (Continued)

16. State whether at any time from January 1, 1970 to the present there has been in effect a sewer, building permit, or other moratorium relating to housing. If so, state the effective date, who imposed it, and the terms and conditions thereof.

17. State whether as a condition of employment any municipal employee is required to live within the boundaries of the municipality or the county. If so, indicate how long such requirement has been in effect, its scope and who imposed it.

18. For each commercial, industrial, or other business establishment within the municipality having 15 or more employees, list its name, address, number of employees, and the year it first opened for business.

19. State whether the municipality has a fair housing or anti-blockbusting ordinance. If so, attach a copy.

20. State whether your municipality has ever taken steps to encourage industry to locate in the municipality. If so, please indicate what steps have been taken.

21. Attach a copy of the current zoning ordinance and any and all amendments in force; and a copy of any proposed amendments to the zoning ordinance that are currently pending before the governing body.

22. Identify the location of the official zoning maps, the coverage, and date of preparation. State whether zoning maps incorporating the most recent amendments are available. If so, state where they can be obtained and the price thereof.

23. State whether your municipality has proposed and adopted a master plan. If so, please identify a copy indicating the coverage, date of preparation, and number of pages. Also identify by location and content all amendments and background reports prepared in conjunction with such master plan amendment.

24. State whether the municipality has had prepared or is preparing studies, planning papers, research reports or other similar documents in the areas listed below. Identify each item by author or title, subject, date, number of pages, location of copies and indicate whether a summary is available:

(a) The need for housing within the municipality;

(b) The condition and amount of existing housing stock;

(c) The inception of programs relating to code enforcement;

(d) The requirement for residential densities, floor space, bedroom ratios, and mobile homes within the municipality;

(e) The need for providing low and moderate income subsidized or unsubsidized housing within the municipality;

(f) The utilization of land for commercial and residential or industrial purposes; and .

(g) The wage and salary scales of employees within the private sector of the municipality.

25. State whether your municipality has ever been studied by, advised by, or received assistance from agencies of federal, state or county government, in preparing studies or other information concerning the areas listed below. Identify each item by author or title, subject, date, number of pages, location of copies, and indicate whether a summary is available.

(a) Need for housing within the municipality and surrounding areas;

(b) Attitudes toward housing within the municipality and surrounding area;

(c) Housing costs within the municipality and surrounding area;

(d) The amount and percentage of vacant acreage zoned for industrial use.

26. State whether you have ever received any federal or state assistance for any purpose since 1960, setting forth the date and size of the grant, the use to which such funds were put, the location of use, and whether any funds remain to be expended.

(b) Attitudes toward housing within the municipality and surrounding area;


(c) Housing costs within the municipality and surrounding area;

(d) The amount and percentage of vacant acreage zoned for industrial use.

26. State whether you have ever received any federal or state assistance for any purpose since 1960, setting forth the date and size of the grant, the use to which such funds were put, the location of use, and whether any funds remain to be expended.


26. (Continued)

BAUMGART & BEN-ASHER
Attorneys for Plaintiff

By 
DAVID H. BEN-ASHER
A Member of the Firm

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.

 DIRECTOR OF
PLANNING &
DEVELOPMENT
BY TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF SOUTH BRUNSWICK

DATED: 2/19/75

1. Income of families and unrelated individuals - measures of general tendency:

<u>FAMILIES:</u>	<u>FAMILY INCOME</u>		
	<u>Total</u>	<u>Mean</u>	<u>Median</u>
3479	\$48,457,950	\$13,940	\$13,023

<u>INDIVIDUALS</u>	<u>UNRELATED INDIVIDUAL INCOME</u>		
	<u>Total</u>	<u>Mean</u>	<u>Median</u>
602	\$3,122,000	\$5186	\$4153

Population By Race

Total	White	Negro	Indian	Other Specified	Other	Other Non-Specified
14,058	13,533	418	6	89	12	-

Source 1970 U. S. Census

2. See #2 Attached.

3.	(a) Single family homes under \$15,000	21
	(b) \$15,000 - \$25,000	200
	(c) \$25,000 - \$35,000	1417
	(d) Over \$35,000	2064

4.-

Type	Under \$100	\$100-\$149	\$150-\$199	\$200-\$249	\$250 and over
Efficiency	None	None	2	None	None
1-Bedroom	None	None	32	150	76
2-Bedroom	None	None	None	2	52
2-Bedrooms or more	None	None	None	None	None

5. 485 Mobile Homes

6. None

7. See Attached #7.

8. See Attached #8.

9. *See attached next page.*

10. Planned unit development request for zoning change by Paul Goldman, February 23, 1970 reviewed proposed site plan with Planning Board; June 14, 1971 met with Planning Board; filed suit in February 1973 attacking zoning ordinance; amended the suit in ; Planning Board adopted Master Plan designating this area, as well as others, as future Planned Residential Development zones; litigation dropped by the plaintiff on January, 1975.

9. A-5 rural agricultural; 719 acres; none developed.
A-3 residential agricultural: 8817 acres; 580 acres developed.
R-1 single family-cluster: 3302 acres; 565 acres developed.
R-2 single family-cluster: 2305 acres; 210 acres developed.
R-3 single family-cluster: 1926 acres, 1374 acres developed.
R-4 village residential: 82 acres; 70 acres developed.
~~PRD-5 green village option: 504 acres; none developed.~~
PRD-5 green village option: ²⁵²504 acres; ^{70 ac.}none developed.
PRD-7 green village option: 504 acres; none developed.
C-1 local commercial; 60 acres; 25 acres developed.
C-2 general commercial: 75 acres; 25 acres developed.
I-2 general industrial: 552 acres; 90 acres developed.
I-3 general industrial: 5371 acres; 685 acres developed.
LI-2 light industrial-office-research: 1102 acres; 186 acres developed.
LI-3 light industrial-office-research: 2402 acres; 134 acres developed.

12. Carl E. Hintz, 9-07 Fox Run, Plainsboro, N. J., caucasian, Director of Planning and Development, position by ordinance of township.

Abeles, Schwartz & Assoc., 12 Kenmare St., New York, N. Y.; housing and planning consultants working on Housing Demonstration Grant.

13. Yes - planned
Location is Route 27 in Kendall Park near New Road.
Number is 76 units of studio, one and two bedroom apartments.
Racial occupancy % not known at this time.
N. J. Housing Finance Agency and Federal funds, as available are funding sources.

(a) Yes.

(b) Yes - planning board at numerous work sessions for the past two years (public meetings). No minutes kept - not official hearings.

See attached reports.

14. Yes. Meetings between Carl E. Hintz, Director of Planning and Development and Gershen Associates, Housing and Planning Consultants August 1970-August 1973 (no records); meetings between Carl E. Hintz, Director of Planning and Development and N. J. Dept. of Community Affairs (see attached #14a); meeting between Carl E. Hintz, Director of Planning and Development and Abeles and Schwartz, Housing and Planning Consultants (see attached #14b); meetings between Carl E. Hintz and Middlesex County Planning Board Staff on numerous occasions between August 1970 to date (no records).

15. Yes. See attached #15. Introduced on August 13, 1973; Adopted August 27, 1973.

16. See attached #16.

- | | |
|------------------------------|--|
| 17. Township Clerk | Elected Official - State Statute |
| Tax Assessor | " " " " |
| Tax Collector | " " " " |
| Treasurer 1/3/67 | Township Ordinance - Administrative Code |
| Court Clerk 1/3/67 | " " " " |
| Public Works Director 1/3/67 | " " " " |
| Civil Defense Director | " " " " |
| Welfare Director | " " " " |

18. Only limited information is available on this question - see attached.

19. No.

20. Yes.
Advertisements in industrial business journals and publications and erection of signs welcoming industry to the township.
21. See attached copy of zoning ordinance.
22. No official map. Zoning map is attached in answer to question #21.
23. See attached copy of Master Plan. Maps are not available at this time, since the Plan is presently being published. A published copy will be available.
24. (a) Attached in response to question #13(b).
Also "South Brunswick Housing Demonstration Study", Abeles, Schwartz and Assoc., Project Director Carl Hintz, not yet completed, but will be available in Spring 1975. A summary will be available.
- (b) See Attached reports in answer #13(b).
- (c) No, except as related to in 1974 Master Plan (attached per answer #23).
- (d) No.
- (e) Same as (a).
- (f) Master Plan (attached per answer #23).
- (g) No, except as will be found in study of (a).
25. (a) Same as (a) of answer #24.
(b) No.
(c) As in (a) of answer #24.
(d) No.
26. N. J. Continuing Planning Assistance Program, amount not know (no records available) for preparing back ground planning studies, prior to 1970.

Sewer Grant from N. J. Dept. of Environmental Protection, 1973-74.

Green Acres Bond Issue funds for purchase of parkland in three municipal parks 1961, and in 1971: East New Road Park (1961), West New Road Park (1961 & 1971), Reichler Park (1961).

Housing Demonstration Grant from N. J. Dept. of Community Affairs, \$23,500, for preparation of "South Brunswick Housing Demonstration Study".
Funds still remain to be expended.

1/23/75

SOUTH BRUNSWICK TOWNSHIP PUBLIC SCHOOLS
OFFICE OF THE SUPERINTENDENT OF SCHOOLS
WEST NEW ROAD
MONMOUTH JUNCTION, NEW JERSEY 08852

Dr. James A. Kimple
Superintendent

Telephone
201-329-8182

PUPIL INFORMATION

<u>School</u>	<u>Grades</u>	<u>Race</u>	
Cambridge Cambridge Road Kendall Park, 08824	K thru 6th	435 white 119 black 1 Spanish 13 Oriental 8 East Indian	Total=476
Constable Constable Road Kendall Park, 08824	K thru 6th	353 white 25 black 4 Oriental	Total=382
Crossroads Georges Road Monmouth Junction 08852	6 thru 8th	765 white 42 black 6 Spanish 8 Oriental	Total=821
Dayton Georges Road Dayton, 08810	Grades 3, 4, 5,	164 white 8 black 1 Spanish 2 Oriental	Total=175
Deans Georges Road R.D.1 Monmouth Junction, 08852	Grades K thru 3rd	152 white 10 black	Total=162
Greenbrook Roberts Road Kendall Park, 08824	K thru 6th	437 white 15 black 12 Spanish 32 Oriental	Total=496
High School Major Rd. & Kingston Lane Monmouth Junction, 08852	9 thru 12th	1,184 white 68 black 22 Spanish 6 Oriental	Total=1,280
Kingston Academy St. at Rt.27 Kingston, 08528	Special	22 white 1 Oriental	Total=23
Monmouth Junction Ridge Road, RD 1 Monmouth Junction, 08852	K thru 5th	322 white 14 black 5 Spanish 18 Oriental	Total=359
<u>Totals</u>		3,834 white 201 black 47 Spanish 84 Oriental 8 East Indian	<u>Grand Total 4,1</u>

#2

#7

Answer to Question 7:

<u>Employee Job Category</u>	<u>Race</u>	<u>Annual Salary or Hourly Wage</u>
BUILDING DEPT:		
1 Chief Building Inspector	Cau.	\$15,467.00
1 Building Inspector	Cau.	10,500.00
1 Part-time Bldg. Inspector	Cau.	\$5.00 per hour
1 Secretary	Mongoloid	6,789.00
ENGINEERING DEPT.:		
1 Engineer	Cau.	\$23,926.00
1 Asst. Engineer	Cau.	12,224.00
1 Engineering Aide	Cau.	7,941.56
1 Clerk-typist	Cau.	6,276.00
TREASURER'S DEPT.:		
1 Asst. Treasurer	Cau.	9,290.00
1 Senior Acct. Asst.	Cau.	7,636.00
1 Cashier	Cau.	6,035.00
TAX COLLECTION DEPT.:		
1 Tax Collector and Chief Financial Officer	Cau.	20,353.00
1 Bookkeeper-Clerk	Cau.	6,035.00
1 Acct. Clerk	Cau.	5,802.00
1 Cashier	Cau.	6,035.00
WATER AND SEWER COLLECTIONS:		
1 Deputy Collector	Cau.	7,060.00
1 Book. Machine Operator	Cau.	6,276.00
1 Cashier	Cau.	6,035.00
1 Meter Reader	Cau.	7,946.00
SOCIAL SERVICES DEPT.:		
1 Social Services Director	Cau.	10,449.00
1 Asst. to Director	Cau.	7,942.00
HEALTH DEPT.:		
1 Sanitarian-Plumbing Insp.	Cau.	12,713.00
1 Clerk II	Cau.	7,060.00
MUNICIPAL COURT:		
1 Judge	Cau.	5,200.00
1 Court Clerk	Cau.	9,662.00
1 Deputy Court Clerk	Cau.	8,259.00
1 Dep. Court Clerk/Clerk- Typist	Cau.	6,528.00
1 Municipal Prosecutor	Cau.	\$1500.00 ret- ainer+\$100.00 per case to maximum of \$3500.00
TOWNSHIP CLERK:		
1 Township Clerk (part-time)	Cau.	2,000.00
1 Assistant Clerk	Cau.	6,789.00

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ADMINISTRATION DEPT.:

1 Municipal Administrator	Cau.	\$29,500.00
1 Executive Secretary	Cau.	10,048.00
1 Secretary	Cau.	6,789.00
1 Receptionist	Cau.	5,802.00

ASSESSMENT DEPT.:

1 Tax Assessor	Cau.	18,095.00
1 Assistant Assessor	Cau.	10,449.00

RECREATION DEPT.:

1 Recreation Director	Cau.	13,221.00
1 Clerk-Typist	Cau.	6,528.00
1 Laborer	Cau.	\$3.82 per hour

POLICE DEPT.:

1 Lieutenant	Cau.	16,730.00
1 Sergeant	Cau.	13,221.00
5 Sergeants	Cau.	14,434.00
3 Detectives	Cau.	13,750.00
9 Patrolmen	Cau.	12,750.00
3 Patrolmen	Cau.	11,650.00
2 Patrolmen	Cau.	10,850.00
2 Patrolmen	Cau.	9,250.00
1 Civilian Dispatcher	Cau.	7,342.00
1 Civilian Dispatchers	Cau.	7,060.00
1 Administrative Secretary	Cau.	9,290.00
1 Clerk-Stenographer	Cau.	7,942.00

PUBLIC WORKS DEPT.:

1 Director	Cau.	22,014.00
1 Water Supervisor	Cau.	16,086.00
1 Sewer Supervisor	Cau.	15,467.00
3 Foremen	Cau.	12,729.00
1 Foreman	Cau.	11,294.00
1 Sewer Plant Operator	Cau.	11,294.40
6 Heavy Equip. Operators	Cau.	11,294.40
1 Heavy Equip. Operator	Cau.	10,441.60
1 Equip. Maintenance Man	Cau.	10,046.40
1 Heavy Equip. Operator	Cau.	10,441.60
1 Heavy Equip. Operator	Black	10,441.60
1 Heavy Equip. Operator	Cau.	9,672.00
1 Sewer Maintenance Man	Cau.	8,944.00
3 Equip. Operators	Cau.	9,672.00
1 Equip. Operator	Black	9,672.00
5 Laborers	Cau.	8,590.40
4 Laborers	Cau.	8,257.60
4 Laborers	Cau.	7,945.60
1 Laborer	Cau.	\$2.50 per hour
1 Secretary	Cau.	8,259.00
1 Clerk-Stenographer	Cau.	\$3.50 per hour
1 Clerk-Typist	Cau.	6,528.00

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PLANNING AND DEVELOPMENT DEPT.:

1 Director	Cau.	\$19,571.00
1 Administrative Secretary	Cau.	9,290.00
1 Planning technician part-time	Cau.	\$4.50 per hour

BOARD OF EDUCATION:

7 Administrators	Cau.	<u>Salary Range</u> \$23,500- 31,650.00
7 Principals	Cau.	24,000.00 - 29,500.00
3 Assistant Principals	Cau.	19,300.00 - 25,300.00
145 Elementary Teachers	Cau.	
9 Elementary Teachers	Black	
1 Elementary Teacher	Oriental	9,200.00 - 17,750.00
71 Secondary Teachers	Cau.	
15 Secondary Teachers	Black	
2 Secondary Teachers	Spanish	9,500.00 - 18,100.00
24 Special Services	Cau.	
2 Special Services	Black	9,200.00 - 17,900.00
8 Librarians	Cau.	12,260.00 - 16,800.00
6 Guidance Counsellors	White	
3 Guidance Counsellors	Black	10,500.00 - 21,296.00
7 Nurses	Cau.	8,650.00 - 15,800.00
7 Basic Child Study	Cau.	10,560.00 - 20,398.00
2 Basic Child Study	Black-	
8 Supplemental Teachers	Cau.	\$7.00 per hour
32 Custodians	Cau.	
5 Custodians	Black-	6,175.00 - 18,897.00
12 Custodians	Cau.	\$3.00-3.35 hour
7 Lunchroom	Cau.	2,626.00 - 2,951.00
3 Lunchroom	Cau.	\$2.19-2.30 hour
13 Bus Drivers	Cau.	\$3.30-4.30 hour
35 Secretaries, Clerk/Typists, Bookkeepers	Cau.	5,800.00 - 10,720.00

#8

Answer to Question 8:

RECREATION DEPT.:

1 Parks Foreman

Cau.

\$ 9,500.00

HEALTH DEPT.:

1 Sanitary Inspector

Cau.

8,200.00

Both of above are County

11. -

8/3/71 - Daniel Lombardi & Carmen De Cato - Variance for construction of garden apartments in R-A zone. Variance denied.

12/3/71- David Savage & Alexander Molnar - Variance for use of premises for single family dwellings, townhouses, garden apartments and commercial uses in R-A and R-20 zones. Approved and recommended to Township Committee. Approved by Township Committee 6/20/72.

3/10/72- Samuel J. Hamelsky - Variance for use of premises for erection of garden apartment complex and commercial buildings in R-A Zone. Variance denied.

5/4/72 - Meyer Frischling - Variance for approval of subdivision of 22 single family homes in R-A and LI-3 Zones. Recommended to Township Committee. Approved by Township Committee 9/5/72.

7/5/72 - David Savage & Alexander Molnar - Variance for use of premises for single family dwellings, townhouses, neighborhood commercial center, community facilities and gas station in R-A and R-20 Zones. Recommended to Township Committee. Approved by Township Committee 9/5/72.

~~XXXXXXXX~~

7/6/72 - Trigar, Ltd. - Variance for use of premises for construction of 168 garden apartment units in I-2 Zone. Application withdrawn by applicant.

12/19/72-Kingston Shield - Variance for use of premises for construction of 218 garden apartments and 78 townhouses in R-A zone. Application withdrawn by applicant.

1/24/73- Schuh Investment Co., Inc. - Variance for use of premises for construction of 218 garden apartment and 78 townhouses in R-A zone.

2/20/74- Raritan Valley Community Development Foundation, Inc. - Variance for use of premises for construction of multi-family housing units in R-3 zone. Approved and recommended to Township Committee. Approved by Township Committee 6/18/74.

To be subsidized by N. J. Dept. of Community Affairs, N.J. Housing Finance Agency Mortgage, U. S. Dept. of Housing & Urban Development.

4/4/74 - Rieder Communities, Inc. - Variance for issuance of temporary building permit for construction of one model home with sales office and 14 units in one building in PRD-5 Zone (townhouses). Variance granted.

4/17/74- Bill J. Gambocz - Variance to permit use of premises for construction of townhouses in R-1 Zone. Variance denied.

SOUTH BRUNSWICK TOWNSHIP

Ordinance No. 29-73

SOUTH BRUNSWICK TOWNSHIP ORDINANCE NO. 29-73

AN ORDINANCE TO REGULATE, CONTROL AND STABILIZE RENTS AND CREATE A RENT CONTROL BOARD WITHIN THE TOWNSHIP OF SOUTH BRUNSWICK, NEW JERSEY.

WHEREAS, the governing body of the Township of South Brunswick does hereby declare that a serious condition exists within the Township of South Brunswick with respect to the rental of housing space in multiple dwellings not subject to rent regulation; and

WHEREAS, under the police powers granted to the Mayor and Township Committee of the Township of South Brunswick in order to protect and promulgate the health, safety and welfare of the citizens of the Township of South Brunswick a rent leveling and control board is determined to be necessary within the Township of South Brunswick.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of South Brunswick County of Middlesex, and State of New Jersey as follows:

SECTION 1. DEFINITIONS

A. "Housing Space" means and includes that portion of a dwelling or mobile home space, rented or offered for rent for living and dwelling purposes to one individual or family unit together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such portion of the property.

B. "Dwelling" means and includes any building or structure or mobile home or land used as a mobile home space, rented or offered for rent to one or more tenants or family units. Exempt from this ordinance are motels, hotels and similar type buildings and buildings in which up to one-third of the occupied floor space is commercial, and housing units of two units or less. Housing units newly constructed or rented for the first time to a new tenant are exempted, and the initial rent may be determined by the landlord. All premises or buildings which are presently subject to rent control or rent stabilization by the United States or the State of New Jersey, are also exempted.

C. "Available for rent to tenants" means fit for habitation as defined by the statutes, codes and ordinances in full force and effect in the State of New Jersey, County of Middlesex, and Township of South Brunswick and occupied or unoccupied and offered for rent.

D. "Price Index" means the "Consumer Price Index" (all items) for the region of the United States of which the Township of South Brunswick, New Jersey is a part, published periodically by the Bureau of Labor Statistics, United States Department of Labor.

SECTION 2. Establishment of rents between a landlord and a tenant to whom this act is applicable shall hereafter be determined by the provisions of this ordinance. At the expiration of a lease or at the termination of the lease of a periodic tenant, no landlord may request or receive a percentage increase in rent which is greater than the percentage difference between the Consumer Price Index ninety (90) days prior to the expiration or termination of the lease and the Consumer Price Index at the date the prior lease was entered into with said tenant. For a periodic tenant whose lease term shall be less than one year, said tenant shall not suffer or be caused to pay any rent increase in any calendar year which exceeds the

average Consumer Price Index percentage differential for the calendar year prior thereto.

SECTION 3. Any rental increase at a time other than at the expiration of a lease or termination of a periodic lease shall be void. Any rental increase in excess of that authorized by the provisions of this ordinance shall be void.

SECTION 4. Any landlord seeking an increase in rent shall notify the tenant of the calculations involved in computing the increase including the Consumer Price Index at the date of entry of the prior lease, the Consumer Price Index Ninety (90) days before the expiration of the lease however, unless notice is mailed to the tenant's residence by certified mail, delivery is not considered to have been made unless a signed receipt is obtained from the tenant or his representative. A tenant may be notified by other than certified mail only if the landlord or his representative shall serve the tenant personally with the notice provided for herein and certify by affidavit such service and retain such affidavit in his records.

SECTION 5. A landlord may seek a tax surcharge from a tenant because of an increase in municipal property taxes. The tax surcharge shall not exceed the amount authorized by the following provisions. The landlord shall divide the increase in the present property tax over the property tax of the previous year by the number of square feet in the dwelling to obtain the tax increase per square foot. The tenant shall not be liable for a tax surcharge exceeding the tax increase per square foot multiplied by the number of square feet occupied by the tenant.

SECTION 6. A tenant shall be entitled to a rent reduction from a landlord because of a decrease in the Municipal property taxes or Municipal water and sewer rates. The reduction shall not exceed that amount authorized by the following provisions. The landlord shall divide the decrease (in the present property tax or water and sewer rates over the property tax or water and sewer rates of the previous year) by the number of square feet in the dwelling to obtain the decrease per square foot or mobile home pad whichever is appropriate. The decrease each tenant is entitled to shall be a credit to rent in twelve monthly installments. Any tenant entitled to a rent decrease hereunder shall be notified by the landlord of the calculations involved in computing such reduction and the effective date of such reduction.

SECTION 7. Any landlord seeking a surcharge shall notify the tenant by certified mail of the calculations involved in computing the tax surcharge including the present property tax for the dwelling, the property tax for the dwelling for the previous year, the number of square feet in the dwelling, the tax increase per square foot, the number of square feet occupied by the tenant and the maximum allowable surcharge.

SECTION 8. The tax surcharge each tenant is liable for shall be paid in (12) monthly payments, commencing July 1st of each year.

SECTION 9. The tax surcharge shall not be considered rent for purposes of computing cost of living rental increases.

SECTION 10. In the event a tax appeal is taken by the landlord and the landlord is successful in said appeal and the taxes reduced, the tenant shall receive fifty percent (50%) of said reduction as applied to its tax portion, after deducting all expenses incurred by landlord in prosecuting said appeal.

SECTION 11. A landlord who finds that present rentals from the apartment building or complex on which he seeks relief hereunder are insufficient to cover (1) the cost of payments on a first mortgage and any subsequent mortgages the proceeds of which subsequent mortgages are directly used to improve and upgrade the apartment building or complex on which relief hereunder is sought and (2) payments for maintenance may appeal to the Rent Leveling Board for increased rental. The Board may grant the landlord a hardship rent increase to meet these payments after considering the condition of the premises and degree of hardship to the landlord. Prior to any such appeal to the Board, a landlord must post in the lobby of each building or, if no lobby is present, in a conspicuous place in and about the premises a notice of said appeal setting for the basis for said appeal. Said notices must be posted for at least five (5) days prior to the proposed date of appeal.

Landlord may seek additional rental for major capital improvements or services. Capital Improvements shall be any item considered as such by the Internal Revenue Service. The landlord must notify each tenant by certified mail of the total cost of the completed capital improvement or service, the number of years of useful life of the improvement as claimed by the landlord for purposes of depreciation for income tax purpose, the average cost of the improvement the total number square feet of the dwelling or garden apartment complex, the total square feet occupied by the tenant and the capital improvement surcharge he is seeking from each tenant. The landlord seeking a capital improvement or service surcharge shall appeal for said surcharge to the Rent Leveling Board who shall determine if said improvement is a major improvement and if so shall permit such increase to take place. If said increase is granted, it shall not be considered rental and calculated in cost of living increases. In any event, no increase granted by authority by this section shall exceed 10% of the tenant's rent, unless said increase is mandated by local ordinance.

SECTION 12. There is hereby created a Rent Leveling Board within the Township of South Brunswick. Said board shall consist of two (2) tenants, two (2) landlords, and one (1) member at large to be appointed by the Township Committee who shall be neither a rental landlord or tenant. These members shall each serve a term for three (3) years, with each member serving without compensation.

SECTION 13. The Rent Leveling Board is hereby granted, and shall have and exercise, in addition to other powers herein granted, all the powers necessary and appropriate to carry out and execute the purposes of this ordinance, including but not limited to, the following:

a. To issue and promulgate such rules and regulations as it deems necessary to implement the purposes of this act, which rules and regulations shall have the force of law until revised, repealed or amended from time to time by the Board in the exercise of its discretion, providing that such rules are filed with the Township Clerk.

b. To supply information and assistance to landlords and tenants to help them comply with the provision of this ordinance.

c. To hold hearings and adjudicate applications from landlords for additional rental as hereinafter provided.

d. To hold hearings and adjudicate applications from tenants for reduced rental as hereinafter provided.

Said Board shall give both landlord tenant reasonable opportunity to be heard before making any determination.

SECTION 14. Both landlord and tenant may appeal the findings of the Board to Township Committee within twenty (20) days from the date of said determination request a hearing thereon by the Township Committee to be held within thirty days such appeal. The Township Committee have a right to approve, deny or alter decision.

SECTION 15. During the term of this ordinance, the landlord shall maintain same standards of service, maintenance furniture, furnishings and equipment in housing space and dwelling as he provided was required to do by law or lease at the time the lease was entered into.

SECTION 16. No landlord shall, after effective date of this ordinance, charge rents in excess of what he was receiving at the effective date of this ordinance except increases as authorized by this ordinance.

SECTION 17. A willful violation of provisions of this ordinance including, not limited to the willful filing with the Leveling Board of any material statement of fact, shall be punishable fine of not more than \$200.00 and imprisonment for not more than thirty (30) or both. A violation affecting more than leasehold shall be considered a separate violation as to each leasehold.

SECTION 18. This ordinance is necessary for the welfare of the Town and its inhabitants shall be liberally construed to effectuate the purpose thereof.

SECTION 19. If any provisions of this ordinance or the application of such provisions to any person or circumstances is declared invalid, such invalidity shall not effect provisions or applications of this act declared to be severable.

SECTION 20. This ordinance is to effect immediately upon passage publication as required by law and remain in full force and effect for a period to exceed three (3) years from said effective date at which time said ordinance shall be reviewed and considered by the governing body and if not extended, shall terminate.

The above ordinance was introduced passed on first reading at a special meeting of the Township Committee of the Township of South Brunswick held on August 13, and will be considered on second and reading and final passage at a special meeting of the Township Committee of Township of South Brunswick to be held at the Municipal Building, Monmouth Junction, South Brunswick Township, New Jersey 8:00 P.M. on August 27, 1973 at which and place any person interested therein be given the opportunity to be heard.

GILBERT J. SP
Township

CP: 8/19/73 lt

Fee: \$62.64

SOUTH BRUNSWICK TOWNSHIP

Ordinance No. 29-73

SOUTH BRUNSWICK TOWNSHIP ORDINANCE NO. 29-73

AN ORDINANCE TO REGULATE, CONTROL AND STABILIZE RENTS AND CREATE A RENT CONTROL BOARD WITHIN THE TOWNSHIP OF SOUTH BRUNSWICK, NEW JERSEY.

TAKE NOTICE that an Ordinance of which the above is the title, was introduced and passed on first reading at a special meeting of the Township Committee of the Township of South Brunswick, Middlesex County, New Jersey, held on August 13, 1973 and was passed on second reading and final adoption at a special meeting of the Township Committee of the Township of South Brunswick held on August 27, 1973 at the Municipal Building, Monmouth Junction, New Jersey, with the following amendments:

RESOLUTION

WHEREAS, the Township Committee of the Township of South Brunswick has considered Ordinance No. 29-73; and

WHEREAS, upon such consideration the Township Committee has discovered a clerical error in said Ordinance which is not considered to be of a substantial nature; and

WHEREAS, the Township Committee desires to make certain changes to said Ordinance which are not considered to be of a substantial nature;

THEREFORE, BE IT RESOLVED on this 27th day of August, 1973, by the Township Committee of the Township of South Brunswick, Middlesex County, New Jersey, that Ordinance No. 29-73 be and is hereby amended as follows:

Section 1, Paragraph B shall read as follows:

B. "Dwelling" means and includes any building or structure or mobile home or land used as a mobile home space, rented or offered for rent to one or more tenants or family units. Exempt from this ordinance are motels, hotels and similar type buildings and buildings in which up to one-third of the occupied floor space is commercial, and dwelling units of two units or less. Dwelling units newly constructed or rented for the first time to a new tenant are exempted, and the initial rent may be determined by the landlord. All premises or buildings which are presently subject to rent control or rent stabilization by the United States or the State of New Jersey, are also exempted.

Section 10 shall read as follows:

In the event a tax appeal is taken by the landlord and the landlord is successful in said appeal and the taxes reduced, the tenant shall receive fifty percent (50%) of said reduction as applied to its tax portion, provided a tenant is paying rent or a tax surcharge which includes the tax based upon the appealed assessment, after deducting all expenses incurred by landlord in prosecuting said appeal.

Section 11 shall read as follows:

A landlord who finds that present rentals from the apartment building or complex on which he seeks relief hereunder are insufficient to cover (1) the cost of payments on a first mortgage and any subsequent mortgages the proceeds of which subsequent mortgages are directly used to improve and upgrade the apartment building or complex on which relief hereunder is sought and (2) payments for maintenance may appeal to the Rent Leveling Board for increased rental.

The Board may grant the landlord a hardship rent increase to meet these payments after considering the condition of the premises and degree of hardship to the landlord. Prior to any such appeal to the Board, a landlord must post in the lobby of each building or, if no lobby is present, in a conspicuous place in and about the premises a notice of said appeal setting forth the basis for said appeal. Said notices must be posted for at least five (5) days prior to the proposed date of appeal.

Landlord may seek additional rental for major capital improvements or services. Capital Improvements shall be any item considered as such by the Internal Revenue Services, provided that such Capital Improvements benefit existing rental units. The Landlord must notify each tenant by certified mail of the total cost of the completed capital improvement or service, the number of years of useful life of the improvement as claimed by the landlord for purposes of depreciation for income tax purposes the average cost of the improvement, the total number square feet of the dwelling or garden apartment complex, the total square feet occupied by the tenant and the capital improvement surcharge he is seeking from each tenant. The Landlord seeking a capital improvement or service surcharge shall appeal for said surcharge to the Rent Leveling Board who shall determine if said improvement is a major improvement and if so shall permit such increase to take place. If said increase is granted, it shall not be considered rental and calculated in cost of living increases. In any event, no increase granted by authority of this section shall exceed 10% of the tenant's rent, unless said increase is mandated by local ordinance.

Section 19 shall read as follows:

If any provisions of this ordinance or the application of such provision to any person or circumstances is declared invalid, such invalidity shall not effect other provisions or applications of this act which can be given effect and, to this end, the provisions of this act are declared to be severable.

GILBERT J. SPAHR
Township Clerk

APPROVED:
Andre Wm. Gruber,
Township Attorney
CP: 8-29-73 1T
Fee: 24.84

SOUTH BRUNSWICK TOWNSHIP

Ordinance No. 42-73

NOTICE

SOUTH BRUNSWICK TOWNSHIP
ORDINANCE NO. 42-73

AN ORDINANCE TO AMEND AN ORDINANCE TO REGULATE, CONTROL AND STABILIZE RENTS AND CREATE A RENT CONTROL BOARD WITHIN THE TOWNSHIP OF SOUTH BRUNSWICK, NEW JERSEY

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF SOUTH BRUNSWICK, COUNTY OF MIDDLESEX, NEW JERSEY, as follows:

SECTION 12 shall be and is hereby amended to read as follows:

SECTION 12. There is hereby created a Rent Levelling Board within the Township of South Brunswick. Said Board shall consist of five members, appointed by the Township Committee. The Board shall consist of two owners of multiple dwellings located within the Township, two tenants residing in the Township and a fifth member who shall be the Chairman, but shall not be a tenant or owner of multiple dwellings. These members shall each serve a term for three (3) years. There shall also be two alternates, one of whom shall act in the event that a member of the Board in their category shall not be available at a meeting or hearing or in case of conflict of interest. All members shall not hold any other elective office or position in the Township. The Board shall have available to it, the services of an attorney and a clerk, who shall be appointed by the Township Committee, for a one year term ending December 31. The members of the Board shall serve without compensation, but the salaries of the attorney and secretary shall be fixed by Township Ordinance.

The above Ordinance was introduced and passed on first reading at a regular meeting of the Township Committee of the Township of South Brunswick held on November 7, 1973 and will be considered on second and final reading and final passage at a regular meeting of the Township Committee of the Township of South Brunswick to be held at the Municipal Building, Monmouth Junction, South Brunswick Township, New Jersey at 8:00 P.M. on December 4, 1973 at which time and place any person interested therein will be given the opportunity to be heard.

GILBERT J. SPAHR,
Township Clerk

CP: 11/13/73 11
Fee: \$11.88

ADOPTED

MINUTES OF SPECIAL MEETING OF THE TOWNSHIP
COMMITTEE OF THE TOWNSHIP OF SOUTH BRUNSWICK

August 13, 1973

The special meeting was called to order at 10:55 p.m. by Mayor Robert Nicholas.

Roll call was as follows:

Dr. Ilnicki	Present
Mr. Rueschmann	Present
Mr. Spataro	Present
Mr. Visinski	Present
Dr. Nicholas	Present

Also present were: Mr. Colasurdo, Administrator; Mr. Gruber, Attorney; Mr. Spahr, Clerk.

Ordinance No. 29-73, Rent Control, Introduction

Motion was made by Dr. Ilnicki and seconded by Dr. Nicholas that "AN ORDINANCE TO REGULATE, CONTROL AND STABILIZE RENTS AND CREATE A RENT CONTROL BOARD WITHIN THE TOWNSHIP OF SOUTH BRUNSWICK, NEW JERSEY," be introduced and that a public hearing be scheduled for August 27, 1973.

All members voted yes on roll call.

Adjournment

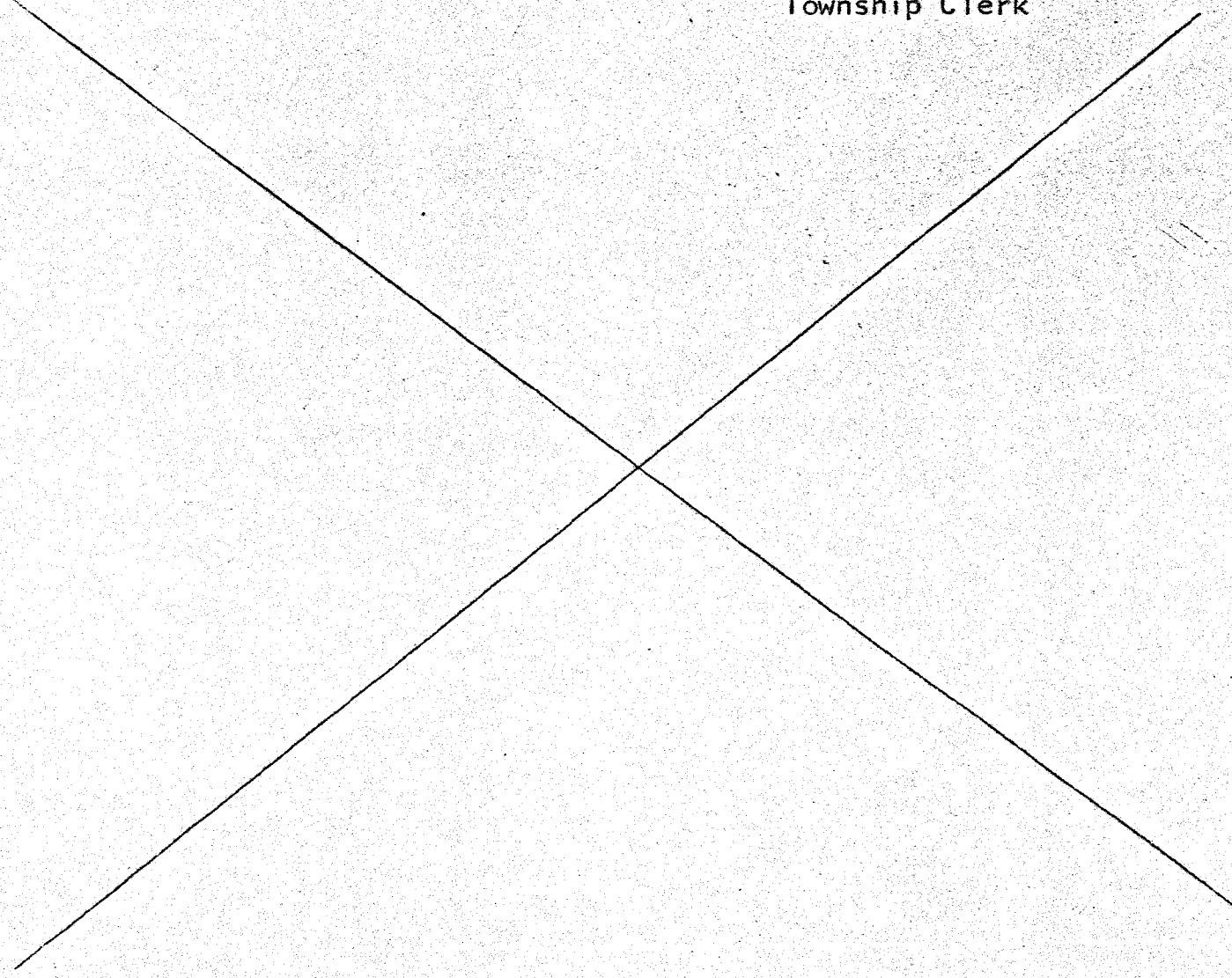
Motion was made by Mr. Rueschmann and seconded by Dr. Nicholas that the meeting be adjourned.

All members voted yes.

The meeting was adjourned at 11:00 p.m.

Gilbert J. Spahr

Gilbert Spahr
Township Clerk



MINUTES OF A SPECIAL MEETING OF THE TOWNSHIP
COMMITTEE OF THE TOWNSHIP OF SOUTH BRUNSWICK

August 27, 1973

The meeting was called to order at 8:35 p.m. by Mayor Robert Nicholas followed by the Pledge of Allegiance to the Flag.

Roll call was as follows:

Dr. Ilnicki	Present
Mr. Rueschmann	Present
Mr. Spataro	Absent
Mr. Visinski	Present
Dr. Nicholas	Present

Also present were Mr. Colasurdo, Administrator; Mr. Gruber, Attorney; Mr. Spahr, Township Clerk.

Ordinance No. 29-73, Rent Control, Adoption

Motion was made by Dr. Ilnicki and seconded by Dr. Nicholas that "AN ORDINANCE TO REGULATE, CONTROL AND STABILIZE RENTS AND CREATE A RENT CONTROL BOARD WITHIN THE TOWNSHIP OF SOUTH BRUNSWICK, NEW JERSEY," be opened to the public for discussion.

All members voted yes.

Mr. Gruber explained the Ordinance.

Mrs. Sylvia Schulman asked if the lease would be applicable if the Ordinance were passed. Mr. Gruber replied to her questions.

Mr. Duffy asked if the lease must be received by certified mail. Mr. Gruber replied that the landlord seeking an increase must notify tenants by certified mail of the calculations, but that the lease may be delivered personally.

Mr. Duffy asked if it were legal to increase rent without citing the reasons why.

Mr. Dominic Martin asked the effective date of the Ordinance.

Mrs. Connie Brown asked if the lease must be notarized.

Mrs. Maxine Hirsch asked for an explanation of the term "Price Index."

Mrs. Fishkin asked if there were provisions included forcing the landlord to provide the services promised.

Mr. Kaestner indicated to the Committee that he was opposed to the Ordinance. He informed the Committee that he owns apartments, and uses rent increases to get rid of tenants who are undesirable.

Mr. Perry Fitzpatrick thanked the Committee for recognizing the problem, and for trying to solve it.

Mr. Raymond S. Londa, Attorney for Monmouth Mobile Sales indicated that he had communicated with the Committee expressing his client's displeasure with the Ordinance. He informed the Committee that he had drafted an Ordinance in Elizabeth, New Jersey.

Since there were no further comments from the public, motion was made by Mr. Visinski and seconded by Dr. Ilnicki that the public portion of the meeting be closed.

All members voted yes.

A recess was called at 9:30 p.m.

The meeting was reconvened at 9:35 p.m.

Motion was made by Dr. Ilnicki and seconded by Mr. Visinski that the following Resolution be adopted:

WHEREAS, the Township Committee of the Township of South Brunswick has considered Ordinance No. 29-73; and

WHEREAS, upon such consideration the Township Committee has discovered certain clerical errors in said Ordinance which are not considered to be of a substantial nature; and

WHEREAS, the Township Committee desires to make certain changes to said Ordinance which are not considered to be of a substantial nature;

THEREFORE, BE IT RESOLVED on this 27th day of August, 1973, by the Township Committee of the Township of South Brunswick, Middlesex County, New Jersey, that Ordinance No. 29-73 be and is hereby amended to read as follows:

Section 1, Paragraph B shall read as follows:

B. "Dwelling" means and includes any building or structure or mobile home or land used as a mobile home space, rented or offered for rent to one or more tenants or family units. Exempt from this Ordinance are motels, hotels and similar type buildings and buildings in which up to one-third of the occupied floor space is commercial and dwelling units of two units or less. Dwelling units newly constructed or rented for the first time to a new tenant are exempted, and the initial rent may be determined by the landlord. All premises or buildings which are presently subject to rent control or rent stabilization by the United States or the State of New Jersey, are also exempted.

Section 10 shall read as follows:

In the event a tax appeal is taken by the landlord and the landlord is successful in said appeal and the taxes reduced, the tenant shall receive fifty percent (50%) of said reduction as applied to its tax portion, provided a tenant is paying rent or a tax surcharge which includes the tax based upon the appealed assessment, after deducting all expenses incurred by the landlord in prosecuting said appeal.

Section 11 shall read as follows:

A landlord who finds that present rentals from the apartment building or complex on which he seeks relief hereunder are insufficient to cover (1) the cost of payments on a first mortgage and any subsequent mortgages are directly used to improve and upgrade the apartment building or complex on which relief hereunder is sought and (2) payments for maintenance may appeal to the Rent Leveling Board for increased rental. The Board may grant the landlord a hardship rent increase to meet these payments after considering the condition of the premises and degree of hardship to the landlord. Prior to any such appeal to the Board, a landlord must post in the lobby of each building or, if no lobby is present, in a conspicuous place in and about the premises a notice of said appeal setting forth the basis for said appeal. Said notices must be posted for at least five (5) days prior to the proposed date of appeal.

Landlord may seek additional rental for major capital improvements or services. Capital Improvements shall be any item considered as such by the Internal Revenue Service, provided that such Capital Improvements benefit existing rental units. The landlord must notify each tenant by certified mail of the total cost of the completed capital improvement or service, the number of years of useful life of the improvement as claimed by the landlord for purpose of depreciation for income tax purpose, the average cost of the improvement, the total number square feet of the dwelling or garden apartment complex, the total square feet occupied by the tenant and the capital improvement surcharge he is seeking from each tenant. The landlord seeking a capital improvement or service surcharge shall appeal for said surcharge to the Rent Leveling Board who shall determine if said improvement is a major improvement and if so shall permit such increase to take place. If said increase is granted, it shall not be considered

August 27, 1973

rental and calculated in cost of living increases. In any event, no increase granted by authority of this section shall exceed 10% of the tenant's rent, unless said increase is mandated by local Ordinance.

Section 19 shall read as follows:

If any provisions of this Ordinance or the application of such provision to any person or circumstances is declared invalid, such invalidity shall not effect other provisions or applications of this act which can be given effect and, to this end, the provisions of this act are declared to be severable.

Roll call vote was as follows: Dr. Ilnicki, yes; Mr. Visinski, yes; Dr. Nicholas, yes. Mr. Rueschmann was absent for the vote on this Resolution.

Motion was made by Dr. Ilnicki and seconded by Dr. Nicholas that Ordinance 29-73, "AN ORDINANCE TO REGULATE, CONTROL AND STABILIZE RENTS AND CREATE A RENT CONTROL BOARD WITHIN THE TOWNSHIP OF SOUTH BRUNSWICK, NEW JERSEY," be adopted.

Roll call vote was as follows: Dr. Ilnicki, yes; Mr. Visinski, yes; Dr. Nicholas, yes. Mr. Rueschmann was not present for this vote.

A recess was called at 9:55 p.m.

The meeting was reconvened at 10:05 p.m.

Public Hearing - Transfer of Liquor License, Macon to Danis.

Motion was made by Dr. Nicholas and seconded by Dr. Ilnicki that discussion on the following Resolution be opened to the public.

WHEREAS, Hub Restaurant, Inc. has applied for a transfer of Plenary Retail Consumption License No. C2 from Pleasant T. Macon T/A Macon's Willow Inn, and;

WHEREAS, Hub Restaurant Inc. is applying for transfer of premises from present location Highway #26, (U. S. Highway #1), South Brunswick, Monmouth Junction, New Jersey, and;

WHEREAS, The Township Committee has determined that Hub Restaurant Inc. has substantially complied with the notice requirements of the statutes and Township Ordinance, and;

WHEREAS, filing fee for said transfer has been submitted to the Township, and;

WHEREAS, there has been an objection to said transfer from person to person and place to place, and;

WHEREAS, the Township Committee after careful interrogation of all the witnesses and considering all of the evidence presented has determined that the said application appears to be in order.

NOW, THEREFORE, BE IT RESOLVED, on this 27th day of August, 1973, by the Township Committee of the Township of South Brunswick, County of Middlesex, that Plenary Retail Consumption License No. C2 be and is hereby transferred from Pleasant T. Macon T/A Macon's Willow Inn, Highway 26 (U. S. Highway #1) South Brunswick, Monmouth Junction, New Jersey, to Hub Restaurant, Inc., Highway #27, South Brunswick, Kendall Park, New Jersey, effective on or about September 1, 1973, subject to receipt of the release from tax liability from New Jersey Beverage Tax Bureau, and receipt of letter of consent from Pleasant T. Macon.

Mr. Steve Danis, owner of the Hub, explained to the Committee that the Hub, when originally opened was intended to be a luncheonette, but that the needs have changed. He assured the Committee that the Hub would continue to be run in an orderly manner.

Mr. Angelo Covino, one of the owners of Covino's Restaurant, stated that there were several businesses on Route 27 which served liquor, and that he felt that it was not beneficial to the community to have so many liquor licenses on Route 27. He also stated that he felt

that the Hub did not have enough parking area, and that he had been forced to expand his parking facilities.

Mr. Moser, of the Archway Tavern, stated that he felt that Route 27 was being overloaded with liquor licenses.

Since there was no further discussion from the public, motion was made by Dr. Ilnicki and seconded by Mr. Visinski that the public portion of the meeting be closed.

All members present voted yes. Mr. Rueschmann was not present for this vote.

A recess was called at 10:15 p.m.

The meeting was reconvened at 10:19 p.m.

Motion was made by Dr. Ilnicki and seconded by Dr. Nicholas that the Resolution be adopted.

Roll call vote was as follows: Dr. Ilnicki, yes; Mr. Visinski, yes; Dr. Nicholas, yes. Mr. Rueschmann was not present for this vote.

Motion was made by Dr. Nicholas and seconded by Dr. Ilnicki that the meeting be adjourned.

All members present voted yes.

The meeting was adjourned at 10:21 p.m.

Gilbert J. Spahr

Gilbert Spahr
Township Clerk

#14 A+B

February 27, 1973

Mr. Richard Ginman
N. J. Dept. of Community Affairs
363 W. State St., P. O. Box 2768
Trenton, N. J. 08623

Dear Mr. Ginman:

Enclosed are five copies requesting a demonstration grant from the Department of Community Affairs for a housing study. The proposal is explained in the application form and the study would be prepared by Gershen Associates, planning and housing consultants in Trenton.

We would like to have the opportunity to discuss this further with you and request that you contact us at your earliest convenience to set up a meeting.

Very truly yours,

Carl E. Hintz, Director of Planning
and Development

CEH/bbc

Encs. 5

cc: Dr. Robert M. Nicholas, Mayor, So. Bruns. Twp.
Kenneth Keller, Chairman, So. Bruns. Pl. Bd.
Elwood Jarner, Gershen Associates



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS

LAWRENCE F. KRAMER
COMMISSIONER

363 WEST STATE STREET
POST OFFICE BOX 2768
TRENTON, N.J. 08625

March 22, 1973

Mr. Carl E. Hintz
Director of Planning and Development
Township of South Brunswick
Municipal Building
Monmouth Junction, New Jersey 08852

Dear Mr. Hintz:

Mr. Richard Ginman, Director of the Division of State and Regional Planning, has forwarded to me your request for a Demonstration Grant to do a housing study in the Township of South Brunswick. Your request will be considered by the Policy Board of the Demonstration Grant Fund when the next round of funding of demonstration grants occurs. This will not be until at least after the beginning of the next fiscal year on July 1, 1973.

When the next round of funding does take place, your proposal will be presented to the Demonstration Grant Fund Policy Board which consists of heads of divisions and agencies relating to housing and planning within the Department of Community Affairs. The Policy Board reviews these proposals to determine first if the proposal falls within the scope of the legislation. The legislated purposes of the demonstration grants are to: (1) provide new and improved means of constructing or rehabilitating housing, and (2) prevent or eliminate slums and blight. In addition, the proposal must meet certain criteria developed by the Board which emphasize testing of new programs, providing start-up costs, limiting in number the same kinds of programs being tested at one time and funding non-profit agencies. Finally, the proposal must meet program priorities established by the Board.

If approved, the Policy Board will recommend that the Department fund the proposal and will submit it to the Departmental review committee. If approved by this committee, a contract will be executed.

MAR 26 1973

- 2 -

We will be in touch with you when the next round of funding occurs and your proposal enters this review process.

If you have any questions, please feel free to contact me at (609) 292-8118.

Very truly yours,

Cynthia R. Jillson

Cynthia R. Jillson, Program Manager
Revolving Housing Development and
Demonstration Grant Fund

CRJ:dv

cc: Richard Ginman



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS

PATRICIA Q. SHEEHAN
COMMISSIONER

363 WEST STATE STREET
POST OFFICE BOX 2768
TRENTON, N.J. 08625

March 27, 1974

Mr. Carl E. Hintz
Director of Planning and Development
Township of South Brunswick
Municipal Building
Monmouth Junction, New Jersey 08852

Dear Mr. Hintz:

Enclosed are the original and five (5) copies of the approved Grant Agreement between the New Jersey Department of Community Affairs and South Brunswick Department of Planning and Development which provides funds for a study on facilitating low and moderate income housing in PRD areas.

Prior to the execution of the contract, or within the time period stated, you are required to submit the following:

1. Pursuant to the provisions of Chapter 159, P.L. 148 (N.J.S.A. 40A-4-87), the Township of South Brunswick must submit a budget amendment for approval by the State of New Jersey.
2. A copy of a resolution by the governing board, attested to by its secretary, indicating acceptance of the obligations under the Grant Agreement. The resolution should also indicate the authorized signatories to the contract. Sample resolution is attached.
3. A statement from a duly licensed public accountant indicating the adequacy of your accounting system. Sample statement is attached.
4. A letter from an insurance agent or carrier, indicating that fidelity bond coverage has been obtained for each person who will be authorized to sign or countersign checks or to disburse cash. The amount of coverage required is \$23,500.00. This letter is to be submitted within 30 days after the execution of the Grant Agreement.

MAR 28 1974

Mr. Carl E. Hintz

- 2 -


March 27, 1974

Please sign all six copies of the contract. Affix the corporate seal over the attesting signature and return all six contracts with the above required documents to the New Jersey Department of Community Affairs, Division of Housing and Urban Renewal, Bureau of Housing Production, P.O. Box 2768, Trenton, New Jersey 08625.

Upon receipt of all documents, the Department will proceed with the execution of the Agreement. A copy of the executed contract will be forwarded to you with instructions for requisitioning the funds.

If you have any questions regarding this matter, please contact Jay Fiedler, Project Manager, at (609) 292-6486.

Very truly yours,



Sheryl J. Wolf, Administrative Aide
Housing Demonstration Program

SJW:ljf

enclosures

ABELES, SCHWARTZ AND ASSOCIATES
PLANNING AND DEVELOPMENT CONSULTANTS

August 30, 1974

Mr. Carl Hintz
Director of Planning and Development
Township of South Brunswick
Municipal Building
Monmouth Junction, N.J. 08852

Dear Carl:

I have enclosed some items which you can send to DCA.

Since most of the materials are pieces that will be contained in the final version, let me briefly explain the overall direction of my report and where the pieces will fit in.

Refer to the "Housing Demonstration Study" report outline that you wrote. My revised plan incorporates IV, Program (C-E). Note: all page numbers referred to in this letter are at the bottom of the enclosures. The final report will contain three major sections (pages 1-4 of the enclosed material are the writing outlines for the first two sections): Section 1 - National PUD Experience; Section 2 - Provision of Low/Moderate Income Housing -- Cost Analysis; Section 3 - Provision of Low/Moderate Income Housing -- Recommendations, Standards and Controls.

Pages 5-23 will be part of Section 2 (see Writing Outline . . . Cost Analysis on pp. 2-3).

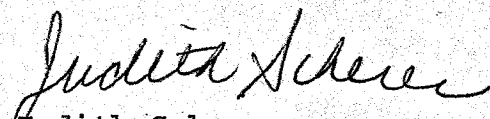
Carl Hintz - 2.

<u>Enclosure Page(s)</u>	<u>Probable use in Report</u>	<u>Corresponding Outline Item</u>
5 - 7	Rough draft - textual	I A - C
8 - 9	Text Table* or Appendix	II A
10	Text Table	II B 4
11 - 14	Text Table	II B 5 a
15 - 16	Text Table	II B 5 b
17	Text Table	II B 5 c
18 - 22	Appendix	II B 5 d
23	Text Table	II B 6

*Text Table indicates that the page will be used as an illustrative table in the textual portion.

At the present time, although the report is unwritten, I have performed the majority of the necessary work for Section 1, National PUD Experience, and for Section 2, Cost Analysis, for items I - III. If I do not hear from you to the contrary, I will proceed to begin the work on the other items (IV - VII) and for Section 3, before writing a draft. Let me know if you need additional materials to send to DCA at this time.

Cordially,


Judith Scherer

enc: two sets of 23 pages each

JS:mcb

ABELES, SCHWARTZ AND ASSOCIATES



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS

PATRICIA Q. SHEEHAN
COMMISSIONER

363 WEST STATE STREET
POST OFFICE BOX 2768
TRENTON, N.J. 08625

January 21, 1975

Mr. Carl E. Hintz, Director
Township of South Brunswick
Department of Planning & Development
Municipal Building
Monmouth Junction, New Jersey 08852

Dear Mr. Hintz:

A Grant Agreement, #00371, between the Township of South Brunswick and the New Jersey Department of Community Affairs providing assistance for a housing study was entered into on April 26, 1974. This agreement provided for a termination date of August 1, 1974. An extension was given which provided for a termination date of October 15, 1974.

This letter of amendment, in accordance with Page 3, Paragraph 11 of said Agreement, hereby authorizes a second extension of the contract period to February 28, 1975.

Very truly yours,

David S. Davies, Director
Division of Housing & Urban Renewal

DSD:M;f

JAN 24 1975

#18

10/4/74

Number of industries replying - 22

Employee type:	Number:
Unskilled	397
Skilled	485
Professional	100
Managerial	170

Annual Salary Ranges:

Less than \$5000	1
\$5000 - \$9999	655
\$10000 - \$14999	92
\$15000 - \$19999	154
Above \$20000	59

Teledyne Turner Tube has 31 in \$10000 to over \$20000 bracket.

#16

TOWNSHIP CLERK

State whether, at any time from January 1, 1970 to the present time, there has been in effect a sewer, building permit, or other moratorium relating to housing. If so, state the effective date, who imposed it and the terms and conditions thereof.

August 31, 1973	Sewer Ban	Department of Environmental Protection (Order attached)
September 19, 1972	Building	Township Committee Ordinances attached



State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WATER RESOURCES
P. O. BOX 1390
TRENTON, NEW JERSEY 08625

ORDER

WHEREAS, The New Jersey State Department of Environmental Protection has found through investigations made by its representatives that sewage of a polluting nature is being discharged into Heathcote Brook, a tributary to the Millstone River above the point from which supplies of water for domestic purposes may be obtained, and that such discharge is from the Kingston sewage treatment plant owned and operated by the Township of South Brunswick, County of Middlesex and State of New Jersey, in violation of N.J.S.A. 58:10-1; and

WHEREAS, The New Jersey State Department of Environmental Protection has found through investigations made by its representatives that the Kingston sewage treatment plant owned and operated by the Township of South Brunswick, County of Middlesex and State of New Jersey, is inadequate in unit design and capacity to properly care for, treat and dispose of sewage received therein before the effluent from said sewage treatment plant is discharged into Heathcote Brook, a tributary to the Millstone River, being waters of this State, thereby causing or threatening injury to the inhabitants of this State either in their health, comfort or property in violation of N.J.S.A. 58:12-2; and

WHEREAS, The New Jersey State Department of Environmental Protection in consideration of the aforesaid finds that in order for the wastewaters to be properly, adequately and sufficiently disposed of, wastewater treatment and/or disposal facilities must be provided in a manner approved by the State Department of Environmental Protection; therefore

IT IS HEREBY ORDERED by the New Jersey State Department of Environmental Protection pursuant to N.J.S.A. 58:10-1 and N.J.S.A. 58:12-2 that the Township of South Brunswick, County of Middlesex and State of New Jersey, must and shall upon receipt of this Order cease the connection of additional units into the Kingston sewerage facilities until wastewater treatment and/or disposal facilities are provided in a manner approved by the State Department of Environmental Protection; and

IT IS FURTHER ORDERED that the Township of South Brunswick must notify this Department prior to bypassing sewage from its Kingston sewage treatment plant; and

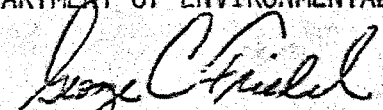
IT IS FURTHER ORDERED that the Township of South Brunswick shall submit to the New

Jersey State Department of Environmental Protection by October 1, 1973 a preliminary engineering report encompassing the abatement program the Township will pursue in regards to the Kingston sewerage facilities. The abatement program must include proposals for an infiltration study which should, at the minimum, evaluate all sources of infiltration such as the illegal connection of house drains to the Kingston sewerage system, investigation of the sewerage system which could entail television monitoring and, if found necessary, relining or grouting of the pipe or portions of the sewerage system. Said report shall include a work performance schedule specifying the measures said Township will take to comply with the terms of this Order specifying the dates for the completion of each such measure. In complying with this Order, the Township of South Brunswick must develop their abatement program in conformance with the New Jersey State Department of Environmental Protection's Interim Plan for the Millstone River Basin. Upon written approval of said engineering report and work performance schedule by the Department of Environmental Protection, the Township of South Brunswick shall implement said abatement program in accordance with the said schedule. Failure of such timely implementation thereof shall constitute a violation of this Order. If said engineering report or work performance schedule is found to be unacceptable, this Department reserves the right to issue such further written directive as may be necessary including a modification of such work performance schedule; and

NOTICE IS HEREBY GIVEN by the New Jersey State Department of Environmental Protection that failure to comply with the provisions of the aforesaid Order will result in prosecution under N.J.S.A. 58:10-1, N.J.S.A. 58:12-4 and N.J.S.A. 58:12-4.1; and

NOTICE IS FURTHER GIVEN to the Township of South Brunswick of its right to litigate the issues presented hereby at a formal hearing by the State Department of Environmental Protection. A hearing will be held only if requested in writing within 15 days of receipt thereof. Such request shall be directed to the State Department of Environmental Protection, Chief of the Bureau of Water Pollution Control, Attention: Supervisor of Enforcement, P.O. Box 1390, Trenton, New Jersey 08625.

NEW JERSEY STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION


George C. Friedel, Acting Director
Division of Water Resources

Dated: August 31, 1973

SOUTH BRUNSWICK TOWNSHIP
Ordinance - 24-72

AN INTERIM ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO LIMIT AND RESTRICT TO SPECIFIED DISTRICTS OR ZONES AND TO REGULATE THEREIN BUILDINGS AND STRUCTURES ACCORDING TO THEIR CONSTRUCTION AND NATURE AND EXTENT OF THEIR USE AND THE NATURE AND EXTENT OF THE USE OF THE LAND IN THE TOWNSHIP OF SOUTH BRUNSWICK IN THE COUNTY OF MIDDLESEX AND PROVIDING FOR THE ADMINISTRATION AND THE ENFORCEMENT OF THE PROVISIONS HEREIN CONTAINED AND FIXING PENALTIES FOR THE VIOLATION THEREOF AND PROVIDING FOR THE SUSPENSION OF INCONSISTENT ORDINANCES"

WHEREAS, the Township Committee is aware of the necessity for providing for the planned orderly growth and development of the Township and the importance of comprehensive planning surveys which require time and effort in order to be properly accomplished; and

WHEREAS, the Township Committee through the Planning Board has completed a comprehensive Master Plan Study which will require considerable time to implement; and

WHEREAS, the present Zoning Ordinance is in need of revision for the interim period prior to the completion of a comprehensive revision based upon the new Master Plan;

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF SOUTH BRUNSWICK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AS FOLLOWS:

1. No applications for residential building units of any kind including townhouses, apartments and single family dwellings shall be approved by the Planning Board, Board of Adjustment of the Township Committee or erected by any person in any zone or district in South Brunswick Township for nine (9) months from the final publication date of this Ordinance; provided, however, that the erection of a single family dwelling or an addition thereto by an individual or family unit for the purpose of occupancy by the owner of record as a residence is not prohibited.

2. This Ordinance does not prohibit any non-residential use permitted in any zone or district.

3. This Ordinance does not apply to any person who has been granted a variance or preliminary or final subdivision approval for any residential use prior to the adoption and passage of this Ordinance.

4. No variance or special exception shall be granted which will modify or alter the terms and conditions of this Ordinance.

5. Any provision or provisions of the present Zoning Ordinance that are inconsistent with any provision of this interim Ordinance hereby are suspended for the time this Ordinance is in effect.

6. This Ordinance is specifically designated as an interim Zoning Ordinance and shall take effect upon final passage and publication according to law.

The above ordinance was introduced and passed on first reading at a regular meeting of the Township Committee of the Township of South Brunswick held on Aug. 15 and will be considered on second and final reading and final passage at a regular meeting of the Township Committee of the Township of South Brunswick to be held at the Municipal Building, Monmouth Junction, South Brunswick Township, New Jersey at 8:00 P.M. on Sept. 19, 1972 at which time and place any person interested therein will be given the opportunity to be heard.

GILBERT J. SPAHR
Township Clerk

CP: 2-24-72 17

SOUTH BRUNSWICK TOWNSHIP
ORDINANCE NO. 30-72

AN INTERIM ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO LIMIT AND RESTRICT TO SPECIFIED DISTRICTS OR ZONES AND TO REGULATE THEREIN BUILDINGS AND STRUCTURES ACCORDING TO THEIR CONSTRUCTION AND NATURE AND EXTENT OF THEIR USE AND THE NATURE AND EXTENT OF THE USE OF THE LAND IN THE TOWNSHIP OF SOUTH BRUNSWICK IN THE COUNTY OF MIDDLESEX AND PROVIDING FOR THE ADMINISTRATION AND THE ENFORCEMENT OF THE PROVISIONS HEREIN CONTAINED AND FIXING PENALTIES FOR THE VIOLATION THEREOF AND PROVIDING FOR THE SUSPENSION OF INCONSISTENT ORDINANCES"

TAKE NOTICE that an Ordinance of which the above is the title, was introduced and passed on first reading at a regular meeting of the Township Committee of the Township of South Brunswick, Middlesex County, New Jersey held on August 15, 1972 and was passed on second reading and final adoption at a regular meeting of the Township Committee of the Township of South Brunswick held on September 19, 1972.

GILBERT J. SPAHR,
Township Clerk

APPROVED:
Andre Wm. Gruber
Township Attorney

CP: 9-22-72 17
Fee: \$7.50

SOUTH BRUNSWICK TOWNSHIP

Ordinance No. 21-73

SOUTH BRUNSWICK ORDINANCE ORDINANCE NO. 21-73

AN INTERIM ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO LIMIT AND RESTRICT TO SPECIFIED DISTRICTS OR ZONES AND TO REGULATE THEREIN BUILDINGS AND STRUCTURES ACCORDING TO THEIR CONSTRUCTION AND NATURE AND EXTENT OF THEIR USE AND THE NATURE AND EXTENT OF THE USE OF THE LAND IN THE TOWNSHIP OF SOUTH BRUNSWICK IN THE COUNTY OF MIDDLESEX AND PROVIDING FOR THE ADMINISTRATION AND THE ENFORCEMENT OF THE PROVISIONS HEREIN CONTAINED AND FIXING PENALTIES FOR THE VIOLATION THEREOF AND PROVIDING FOR THE SUSPENSION OF INCONSISTENT ORDINANCES."

WHEREAS, the Township Committee is aware of the necessity for providing for the planned orderly growth and development of the Township and the importance of comprehensive planning surveys which require time and effort in order to be properly accomplished; and

WHEREAS, the Township Committee through the Planning Board completed a comprehensive Master Plan Study in December 1971; and

WHEREAS, the Planning Board had decided to review said Master Plan and directed the Township Planner to do a comprehensive study of the physical attributes existing and proposed public facilities, circulation systems and present housing and development patterns of the Township in light of environmental considerations and recent court decisions concerning zoning; and

WHEREAS, the Planner has completed his detailed study of the physical attributes existing and proposed public facilities, circulation systems and present housing and development in the Township; and

WHEREAS, the Planner has recommended changes in the Master Plan; and

WHEREAS, the Planning Board has held a public hearing to implement said changes

WHEREAS, the present Moratorium Ordinance shall expire on June 28, 1973; and

WHEREAS, the Planner is in the process of preparing Zoning Map changes for the consideration of the Planning Board and Township Committee; and

WHEREAS, said changes will be ready for the consideration of the Planning Board during the month of June 1973; and

WHEREAS, the Township Committee desires to have adequate citizen participation in the formulation of any zoning changes prior to formal introduction of said changes; and

WHEREAS, said informal citizen participation will require a series of meetings in various areas of our Township; and

WHEREAS, a period of time will be necessary for the Planning Board to review the Planner's proposals and the comments of the public.

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF SOUTH BRUNSWICK, COUNTY OF MIDDLESEX, NEW JERSEY as follows:

1. No applications for residential building units of any kind including townhouses, apartments and single family dwellings shall be approved by the Planning Board, Board of Adjustment or the Township Committee or erected by any person in any zone or district in South Brunswick Township until December 31, 1973; provided however, that the erection of a single family dwelling or an addition thereto by an individual or family unit for the purpose of occupancy by the owner of record as a residence is not prohibited.

2. This Ordinance does not prohibit any non-residential uses permitted in any zone or district.

3. This Ordinance does not apply to any person who has been granted a variance or preliminary or final subdivision approval for any residential use prior to the adoption and passage of this Ordinance.

4. No variance or special exception shall be granted which will modify or alter the terms and conditions of this Ordinance.

5. Any provision or provisions of the present Zoning Ordinance that are inconsistent with any provision of this interim Ordinance hereby are suspended for the time this Ordinance is in effect.

6. This Ordinance is specifically designated as an Interim Zoning Ordinance and shall take effect upon final passage and publication according to law.

The above ordinance was introduced and passed on first reading at a regular meeting of the Township Committee of the Township of South Brunswick held on May 15, 1973 and will be considered on second and final reading and final passage at a regular meeting of the Township Committee of the Township of South Brunswick to be held at the Municipal Building, Monmouth Junction, South Brunswick Township New Jersey at 8:00 P.M. on June 5, 1973 which time and place any person interested therein will be given the opportunity to be heard.

GILBERT J. SPAHR
Township Clerk

CP: 5-17-73 IT
Fee: \$23.76

SOUTH BRUNSWICK TOWNSHIP ORDINANCE NO. 21-73

AN INTERIM ORDINANCE ENTITLED "AN ORDINANCE TO LIMIT AND RESTRICT TO SPECIFIED DISTRICTS OR ZONES AND TO REGULATE THEREIN BUILDINGS AND STRUCTURES ACCORDING TO THEIR CONSTRUCTION AND NATURE AND EXTENT OF THEIR USE AND THE NATURE AND EXTENT OF THE USE OF THE LAND IN THE TOWNSHIP OF SOUTH BRUNSWICK IN THE COUNTY OF MIDDLESEX AND PROVIDING FOR THE ADMINISTRATION AND THE ENFORCEMENT OF THE PROVISIONS HEREIN CONTAINED AND FIXING PENALTIES FOR THE VIOLATION THEREOF AND PROVIDING FOR THE SUSPENSION OF INCONSISTENT ORDINANCES."

TAKE NOTICE that an Ordinance of which the above is the title was introduced and passed on first reading at a regular meeting of the Township Committee of the Township of South Brunswick, Middlesex County, New Jersey, held on May 15, 1973 and was passed on second reading and final adoption at a regular meeting of the Township Committee of the Township of South Brunswick, held on June 5, 1973 at the Municipal Building, Monmouth Junction, New Jersey.

GILBERT J. SPAHR
Township Clerk

C.P.: 6-14-73 IT
Fee: \$702