

~~0000~~ South River

3/25/76

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Letter to Judge from Schwartz requesting that the order be executed as South River had adopted amendments to its zoning ordinance to ^{eliminate} ~~empty~~ ~~with~~ its exclusivity provisions.

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CA 002165L

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IN REPLY REFER TO:
SR-117G

March 25, 1976

Hon. David D. Furman
Judge, Superior Court
Middlesex County Court House
New Brunswick, New Jersey 08903

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

Dear Judge Furman:

I am in receipt of the letter of Martin E. Sloane, Esq. dated March 19, 1976 in which he objects to the proposed Order previously submitted on behalf of the Borough of South River by Robert Rafano, Esq., who had been handling this matter for said defendant.

On March 1, 1976, Mr. Rafano informed myself and the members of the Governing Body of the Borough of South River that your Honor had conditionally dismissed the Borough of South River from the above captioned litigation except as to certain exclusionary provisions of the South River zoning ordinance.

Moreover, Mr. Rafano confirmed that your Honor was conditioning the Borough's dismissal on a possible future Order concerning said defendant's duty to apply for funds for rehabilitation of dilapidated or sub-standard housing within the Borough.

In reviewing the proposed Order submitted by Mr. Rafano, it appears to me that the exclusionary provisions of the South River zoning ordinance, as considered by your Honor, have been eliminated.

So. River

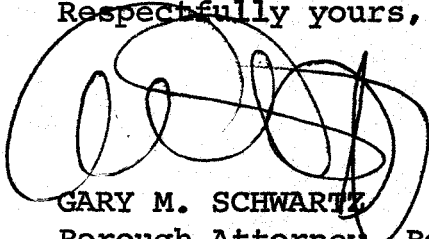
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March 25, 1976
Hon. David D. Furman

At this time, I would inform your Honor that the Borough has introduced amendments to the zoning ordinance to conform with the proposed order and, in fact, met last evening and finally adopted, on second reading, the amendments as suggested by your Honor. Thus, it appears to me that the proposed order is in no way premature.

From my understanding of the previous arguments of counsel, and my discussion with my predecessor, plaintiff's counsel, is in reality, re-arguing his clients' position on an issue which has been apparently decided by your Honor. It was my express understanding from discussions with Mr. Rafano that the provisions of sub-paragraph 1 through 6 in the proposed order are satisfactory to your Honor. Accordingly, I would ask that since your Honor has ruled, that the order as submitted, be executed.

Respectfully yours,



GARY M. SCHWARTZ
Borough Attorney, Borough of South River
GMS/ez

cc: Martin E. Sloane, General Counsel
All counsel of record
Robert C. Rafano, Esq.

RECEIVED & RECORDED
MIDDLESEX COUNTY, N.J.

'75 JAN 24 PM 12:00

FILED

JAN 4 1975

Richard J. Korman
D-10
Clerk

BOOK PAGE
FRANK SCHATZMAN
CLERK

Attorney(s): **FOLEY AND GAZI**
Office Address & Tel. No.: **1430 Oak Tree Road**
Iselin, New Jersey 08830
Attorney(s) for **201/283-0900 968-5100**
Defendant Borough of South River

<p>URBAN LEAGUE OF GREATER NEW BRUNSWICK etc.</p> <p style="text-align: right;"><i>Plaintiff(s)</i></p> <p style="text-align: center;"><i>vs.</i></p> <p>MAYOR AND COUNCIL OF THE BOROUGH OF CARTERET et al</p> <p style="text-align: right;"><i>Defendant(s)</i></p>	}	<p>SUPERIOR COURT OF NEW JERSEY CHANCERY DIVISION MIDDLESEX COUNTY</p> <p>Docket No. C-4122-73 314 CIVIL ACTION ✓</p> <p style="text-align: center;">SUBSTITUTION OF ATTORNEY</p>
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The undersigned hereby consents to the substitution of

as Attorney(s) for the **ROBERT C. RAFANO, ESQ. of**
RAFANO AND WOOD
Borough of South River *in the above entitled cause.*

Dated: **January 9** 19 **75**

WILLIAM H. GAZI
Attorney(s) for **Defendant Borough of**
South River

RULS-ML-717