

~~Woodbridge~~ Woodbridge  
CA ✓

9/17/74

Answer by Defendant to Complaint

6 pgs.

CA 002191A

RECEIVED & RECORDED  
MIDDLESEX COUNTY, N.J.

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FRANK SCHATZMAN  
CLERK

DS  
*Mortimer J. Kaufman*

URBAN LEAGUE OF GREATER NEW  
BRUNSWICK, a non-profit  
corporation of the State of  
New Jersey, etals,

314  
SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION  
MIDDLESEX COUNTY  
DOCKET NO. C-4122-73 ✓

Plaintiffs

CIVIL ACTION

-vs-

ANSWER

THE MAYOR AND COUNCIL OF THE  
BOROUGH OF CARTERET, etals,

Defendants

Defendant, the Municipal Council of the Township of  
Woodbridge, a Municipal Corporation of the State of New Jersey,  
located in the County of Middlesex and State of New Jersey, an-  
swering the Complaint, says that:

1. It has been improperly designated in the Complaint filed  
by the Plaintiffs as the "Township Committee of the Township of  
Woodbridge."

I. AS TO PRELIMINARY STATEMENT

1. Answering Paragraph 1, this Defendant does not  
have knowledge or information sufficient to form a belief concern-  
ing the status or condition of the "persons" alluded to therein

and therefore it denies the allegations of said Paragraph. This Defendant particularly denies that it engages in any exclusionary zoning and land use policies and that it deprives any children of equal educational opportunities.

2. Paragraph 2 is denied.

3. Paragraph 3 contains no factual allegations and requires no answer.

II. AS TO PLAINTIFFS

4. Answering Paragraph 4 to 11 inclusive, this Defendant does not have knowledge or information sufficient to form a belief concerning the allegations in said Paragraphs and therefore it denies said allegations. It particularly denies that it engages in any exclusionary or discriminatory zoning or land use practices.

III. AS TO CLASS ACTION ALLEGATIONS

5. Paragraph 12 is denied.

6. Paragraph 13 is admitted.

IV. AS TO FACTUAL ALLEGATIONS

7. The allegations contained in the first and last sentences of Paragraph 14 are admitted. This Defendant does not have knowledge or information sufficient to form a belief concerning the remaining allegations in said Paragraph, which it

therefore denies.

8. Paragraph 15 is admitted and further answering said Paragraph, this Defendant alleges that its zoning and land use practices may not legally or otherwise be controlled by any directive adopted by the Federal Office of Management and Budget.

9. Paragraph 16 is admitted and further answering said Paragraph, this Defendant alleges that in relationship to the population of the Township of Woodbridge, a substantial number of so-called minority citizens reside therein.

10. Answering Paragraph 17, this Defendant admits that from 1960 to 1970 the population of Middlesex County increased. This Defendant does not have knowledge or information sufficient to form a belief as to the remaining allegations in said Paragraph, which it therefore denies.

11. This Defendant does not have knowledge or information sufficient to form a belief concerning the allegations of Paragraph 18 and therefore denies the same.

12. Paragraph 19 is admitted.

13. To the extent that the allegations of Paragraph 20 purport to be relative to the Township of Woodbridge, said allegations are denied.

14. This Defendant does not have knowledge or information sufficient to form a belief concerning the allegations contained in Paragraphs 21, 22, and 23, and therefore denies the same.

15. Paragraph 24 is admitted and further answering said Paragraph, it is alleged that the state of affairs described therein is characteristic generally of the entire nation

16. Paragraph 25 is admitted.

17. This Defendant does not have knowledge or information sufficient to form a belief concerning the allegation contained in Paragraphs 26, 27, and 28, and therefore denies the same.

18. Insofar as the allegations of Paragraph 29 purport to be directed against the Township of Woodbridge, they are denied.

19. This Defendant does not have knowledge or information sufficient to form a belief concerning the allegations contained in Paragraphs 30 and 31.

20. Paragraphs 32, 33, 34, and 35 are denied.

V. AS TO APPENDIX

21. Answering those allegations contained in t

Appendix annexed to the Complaint and directed to this Defendant, it is admitted that its zoning ordinance makes no provision for mobile homes; however, mobile homes in large numbers exist in the community as non-conforming uses; that its ordinance allows multi-family dwellings by special permit only; that its ordinance requires that such dwellings should contain no more than one bedroom; that single family dwellings have minimum floor areas of 900 to 2,000 square feet. It is denied that an excessive amount of land in the Township of Woodbridge is zoned for commercial and industrial use; moreover, multi-family residence use is permitted in certain of its commercial and industrial zones.

Defendant further alleges that they have completed three senior citizen projects in the community during the past twenty years.

FIRST SEPARATE DEFENSE

The Plaintiffs have no legal interest in the subject matter of this action which entitles them to maintain this action.

SECOND SEPARATE DEFENSE

This Defendant has not engaged in any discriminatory or exclusionary zoning or land use practices.

THIRD SEPARATE DEFENSE

The remedies of injunction will not lie to compel this De-

defendant to legislate changes in its zoning ordinance.

FOURTH SEPARATE DEFENSE

This Court has no jurisdiction to require this Defendant to legislate changes in its zoning ordinance.

FIFTH SEPARATE DEFENSE

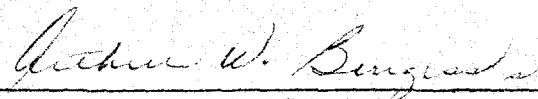
This Defendant may not be compelled to legislate jointly or in conjunction with other municipalities in respect to zoning and land use practices.

SIXTH SEPARATE DEFENSE

This Court lacks jurisdiction to compel this Defendant to construct public housing accommodations or to seek public funds for that purpose.

SEVENTH SEPARATE DEFENSE

The Complaint fails to state a claim or claims for which relief may be granted.



ARTHUR W. BURGESS  
Attorney for Defendant  
Municipal Council of  
Woodbridge Township

I hereby certify that the within Answer has been filed within the time specified according to law.

