

CA - Piscataway

8/30/85

Notice of motion to transfer action to council on affordable housing, for reconsideration of decision in light newly enacted legislative standards, for dissolution of restraints imposed by order dated 12/11/84 and for other relief

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ATTORNEYS FOR DEFENDANT, TOWNSHIP OF PISCATAWAY

----- X		SUPERIOR COURT OF NEW JERSEY
	URBAN LEAGUE OF GREATER NEW	CHANCERY DIVISION
	BRUNSWICK, ET AL.,	MIDDLESEX COUNTY
	Plaintiffs,	
	vs.	DOCKET NO. 4172-73
	THE MAYOR AND COUNCIL OF THE	CIVIL ACTION
	BOROUGH OF CARTERET, ET AL.,	
	Defendants.	NOTICE OF MOTION TO TRANSFER ACTION
		TO COUNCIL ON AFFORDABLE HOUSING, FOR
		RECONSIDERATION OF DECISION IN LIGHT
		NEWLY ENACTED LEGISLATIVE STANDARDS,
----- X		FOR DISSOLUTION OF RESTRAINTS IMPOSED
		BY ORDER DATED DECEMBER 11, 1984, AND
		FOR OTHER RELIEF

TO: Barbara Williams, Esq.
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ALL ATTORNEYS ON THE ATTACHED LIS'

PLEASE TAKE NOTICE THAT at a date and time to be fixed by
the Court, the undersigned, attorneys for Defendant, Township of

Piscataway, a Municipal Corporation of the State of New Jersey, will make application to the Honorable Eugene D. Serpentelli, Judge of the Superior Court of New Jersey, Ocean County Court House, Toms River, New Jersey, for an Order as follows:

A. Directing the transfer of the within litigation in which the Urban League (now Civic League) of Greater New Brunswick is the Plaintiff and the Township of Piscataway is the Defendant, and all matters consolidated therewith in which the Township of Piscataway is a Defendant, to the Council on Affordable Housing established by legislation enacted during July, 1985, and known generally as the "Fair Housing Act";

B. Dissolving all restraints imposed by virtue of an Order of this Court dated December 11, 1984, whereby the Township of Piscataway, the Zoning Board of the Township of Piscataway, and the Planning Board of the Township of Piscataway are restrained from issuing final developmental approvals with respect to any vacant land identified as "suitable" for high density residential development by virtue of a report of Carla Lerman, Court-appointed expert, rendered during November, 1984; and

D. Awarding such other and further relief as this Court deems equitable, just and proper.

Appended hereto is a Certification of Phillip Lewis Paley, Esq., attorney for the Defendant, Township of Piscataway, and a Memorandum of Law upon which counsel will rely at time of argument.

Appended hereto, further, is a form of Order conforming to the relief sought within this application.

The Defendant respectfully requests oral argument on this application.

KIRSTEN, FRIEDMAN & CHERIN
A PROFESSIONAL CORPORATION
Attorneys for Defendant,
Township of Piscataway,
A Municipal Corporation of
the State of New Jersey

By: 

PHILLIP LEWIS PALEY

DATED: August 30, 1985