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South. Plainfield

August 1985

Order

pgs. 5

CA0025910

**FRANK A. SANTORO**

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 ATTORNEY FOR Defendants

SUPERIOR COURT OF  
 NEW JERSEY  
 CHANCERY DIVISION  
 MIDDLESEX COUNTY  
 Civil Action  
 No. C-4122-73  
 OCEAN COUNTY  
 MOUNT LAUREL  
 LAW DIVISION  
 MIDDLESEX COUNTY  
 NO. 56349-81

*Plaintiff*

URBAN LEAGUE OF GREATER  
 NEW BRUNSWICK, et al.,  
 Plaintiffs,

vs.

*Defendant*

THE MAYOR AND COUNCIL OF  
 THE BOROUGH OF CARTERET,  
 et al.,  
 Defendants,

vs.

BOROUGH OF SOUTH PLAINFIELD  
 BY ITS MAYOR AND COUNCIL,  
 et al.,  
 Defendants.

*Docket No.* C-4122-73**CIVIL ACTION**

ORDER

This matter having been opened to the Court on motion of Plaintiff, Urban League of Greater New Brunswick, et al. and the Court having been advised that the Defendant Borough of South Plainfield has adopted "Under Protest" Ordinance 1009 and 1010 on August 7, 1985, at a special meeting called for that purpose, and that the adoption "Under Protest" complies with the previous Orders of this Court to adopt such Ordinances,

It is hereby ORDERED this 7<sup>th</sup> day of August, 1985, that:

(1) That the restraints imposed upon Defendant, Borough of South Plainfield, preventing the defendant from issuing building permits, site plan and subdivision approvals for property not subject to the Judgment vs. South Plainfield of May 22, 1984 and the "least cost housing" provisions of proposed Ordinance 1009 be and hereby are dissolved; and

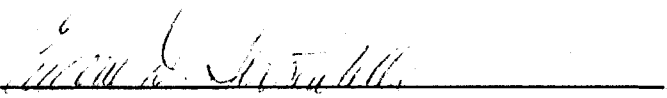
(2) That pending the Court's further determination of the Defendant Borough of South Plainfield's request for transfer of the case to the Council on Affordable Housing, the enforceability and legal efficacy of Ordinances 1009 and 1010 of the Borough of South Plainfield were and will continue to be stayed pending the Court's determination of the Borough's transfer motion; and

(3) That pending further Order of this Court, the restraints imposed upon the Defendant Borough of South Plainfield as set forth in paragraph 3 of the Amended Order of this Court entered on July 19, 1985 shall remain in full force and effect with respect to building permits, site plan and subdivision approvals for property subject to the Judgment vs. South Plainfield of May 22, 1984 and the "least cost housing" provisions of proposed Ordinance 1009; and

(4) That pending further Order of this Court the restraints as set forth in paragraph 4 of the Amended Order of this Court entered July 19, 1985 shall remain in full force and effect; and

(5) All other relief requested by Plaintiff is hereby denied without prejudice as being premature; and

(6) That a copy of this Order be served upon all parties on the service list within 5 days from the date hereof.



EUGENE D. SERPENTELLI, A.J.S.C.

The undersigned as attorneys for Plaintiff Urban League and Defendant of Borough of South Plainfield hereby consent to the form of this Order.



BARBARA WILLIAMS, ESQ.  
CO-COUNSEL FOR PLAINTIFF  
URBAN LEAGUE



FRANK A. SANTORO, ESQ.  
ATTORNEY FOR DEFENDANT  
BOROUGH OF SOUTH PLAINFIELD

8/19/85

**Be it resolved,** by the Mayor and Council of the Borough of South Plainfield,  
New Jersey, that:

Ordinance No. 1009 entitled "AN ORDINANCE AMENDING  
ORDINANCE NO. 801 ENTITLED "ZONING ORDINANCE OF THE BOROUGH  
OF SOUTH PLAINFIELD, 1978", be finally adopted "UNDER PROTEST"  
and advertised according to law.

(SEAL)

*Walter De Santis*  
.....  
Clerk of the Borough of South Plainfield

Approved ..... August 7, 1985

s/ Michael English  
.....  
Mayor of the Borough of South Plainfield

I certify the foregoing to be a true and correct  
abstract of a resolution regularly passed at a meet-  
ing of the Common Council of the Borough of  
South Plainfield, held

..... August 7, 1985 .....

and in that respect a true and correct copy of  
its minutes

*Walter De Santis*  
.....  
Clerk of the Borough of South Plainfield

.....  
.....  
..... } COMMITTEE

**Be it resolved,** by the Mayor and Council of the Borough of South Plainfield,  
New Jersey, that:

Ordinance No. 1010 entitled "AFFORDABLE HOUSING ORDINANCE  
OF THE BOROUGH OF SOUTH PLAINFIELD", be finally adopted "UNDER  
PROTEST" and advertised according to law.

(SEAL)

Approved ..... August 7....., 19 85

*W. R. [Signature]*  
.....  
Clerk of the Borough of South Plainfield

s/ Michael English.....  
Mayor of the Borough of South Plainfield

I certify the foregoing to be a true and correct  
abstract of a resolution regularly passed at a meet-  
ing of the Common Council of the Borough of  
South Plainfield, held

..... August 7, 1985 .....

and in that respect a true and correct copy of  
its minutes.

*W. R. [Signature]*  
.....  
Clerk of the Borough of South Plainfield

..... }  
..... } COMMITTEE  
..... }