

Holmdel 1984

12/26

Judge's letter re further information re Dr. Burchell's
Report

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Superior Court of New Jersey

CHAMBERS OF
JUDGE EUGENE D. SERPENTELLI

OCEAN COUNTY COURT HOUSE
C.N. 2191
TOMS RIVER, N.J. 08754

December 26, 1984

Alexander F. McGimpsey, Esq.
McGimpsey and Cafferty
P. O. Box 97
North Brunswick, N. J. 08902

Dear Mr. McGimpsey:

Re: Franklin Township and Holmdel Township
Mount Laurel

While I have been awaiting receipt of the additional information I have requested of you concerning Dr. Burchell's submission, I have been reviewing the data already prepared by him relating to both the Franklin Township and Holmdel Township matters.

I would like a further verification or clarification concerning Dr. Burchell's summary. I note that the CUPR utilizes a lack of central heating as one of its "surrogates" of deficiency whether or not the unit involved is equipped with a space heater and flue. The consensus report also utilizes lack of central heating as a surrogate but does not count as deficient any unit which has a room heater and flue.

My question is whether in compiling the three surrogate totals the CUPR five percent sample included all units lacking central heating or just those lacking both central heating or a room heater and flue. My understanding has been that the manner in which the consensus approach counts the heating surrogate requires a mathematical extrapolation (as explained in the AMG opinion) so that the data in that form would not appear in the Public Use Sample. If this assumption is correct the "income qualified" three surrogates in Dr. Burchell's report cannot be matched exactly to the CUPR six surrogate data.

Because receipt of the present need data is delaying determination of the fair share issues in both municipalities, I am sending a copy of this request directly to Dr. Burchell so that he may expedite a response to you for submission to me. I will see that all counsel involved in both cases receive a copy of the information requested here.

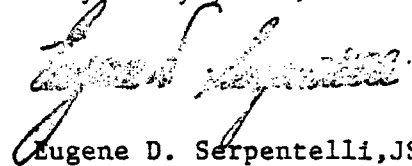
Alexander F. McGimpsey, Esq.

December 26, 1984

Of course, I also await receipt of a reply to other inquires of Dr. Burchell relating to both matters made to you and counsel for Holmdel Township.

I ask you and Mr. Reisner to obtain all responses not later than January 2, 1985.

Very truly yours,



Eugene D. Serpentelli, JSC

EDS:RDH

P. S. Since dictating the above, I have received Mr. Coppola's reports concerning Franklin and Holmdel Townships dated December 21, 1984. Counsel in each case shall have until January 7, 1985 to file any letter memorandum concerning Mr. Coppola's findings.

cc:

Hon. T. Anthony Gibson, J.S.C.
Hon. Stephen Skillman, J.S.C.
Dr. Robert W. Burchell
Richard T. Coppola
all counsel Franklin Township
all counsel Holmdel Township