

5/10/85

Monroe 1985

Attorney Correspondance

pgs = 3 (2 response + 1 interrogatory)

no P.I.

ML000180 G



PETER P. GARIBALDI
Mayor

MARIO APUZZO
DIRECTOR OF LAW

Township of Monroe

County of Middlesex
DEPARTMENT OF LAW

Municipal Complex
Perrineville Road
Jamesburg, N.J. 08831
(201) 521-4400

May 10, 1985

Carl S. Bisgaier, Esq.
Bisgaier and Pancotto
510 Park Blvd.
Cherry Hill, N. J. 08034

Re: Monroe Development Associates
v. Monroe Township

Dear Mr. Bisgaier:

This is response to your letter of April 11, 1985 regarding notices of meetings of the Monroe Township governing body regarding its consolidation of the Hintz recommendations. I will answer your letter by making the following points:

- (1) I have reviewed the Monroe Township Personal Notice List, and I do not find your firm's name on that List. This means that our Township Clerk would not be required to send notice to you personally of the governing body meeting regarding its consolidation of the Hintz recommendations;
- (2) Our Township Clerk has informed me that she did send notice of the meeting to Rutgers University School of Law, Constitutional Litigation Clinic, 15 Washington Street, Newark, New Jersey 07102-3192, ATTN: Ms. Barbara Williams. It is the Township Clerk's understanding that Ms. Williams has served in the past as the liaison for transmitting notices to other attorneys representing the Urban League;
- (3) The Township Clerk has informed me (and I have seen a copy of the Notice myself) that the governing body meeting was advertised in the Home News on March 25, 1985;

Carl S. Bisgaier, Esq.
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- (4) The Township Clerk has advised me that she never sent your firm direct notice of any governing body meetings before, but rather, always sent them to Barbara Williams. In other words, she did no differently in this instance as she has done in the past;
- (5) We do not know who you telephoned the day before the meeting (and your letter does not state so) concerning whether or not there was going to be a meeting the next day, but the Township Clerk has assured me that her office made no such denials to anyone of the general public; and
- (6) Assuming arguendo that your client did speak with someone and received a denial as indicated in your letter, the question of whether such denial of a meeting was done intentionally on the part of any official and/or employee of the Township of Monroe is strongly objected to, and we answer that question with a strong "no."

I hope that I have addressed your letter satisfactorily, and I look forward to meeting with you.

Very truly yours,

MARIO APUZZO
Director of Law

MA:ap

cc: Peter P. Garibaldi, Mayor
Joseph Scranton, Business Administrator
Mary Carroll, Clerk
Ms. Carla Lerman
Stewart Hutt, Esq.
Arnold K. Mytelka, Esq.
John Payne, Esq.
Eric Neisser, Esq.

BISGAIER AND PANCOTTO

ATTORNEYS AT LAW

510 PARK BLVD.

CHERRY HILL, N.J. 08034

TEL. (609) 665-1911

CARL S. BISGAIER
LINDA PANCOTTO

April 11, 1985

Mario Apuzzo, Esquire
81 East Railroad Avenue
Jamesburg, New Jersey 08831

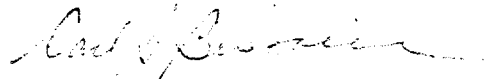
Re: Monroe Development Associates
v. Monroe Township

Dear Mr. Apuzzo:

I am writing to express my concern that notices of meetings of the governing body regarding its consolidation of the Hintz recommendations were never sent to me or my client. In fact, a telephone inquiry by my client the day before the meeting resulted in a denial that the meeting was even going to take place. My client or I would have been generally supportive of the package. We could have at least softened some of the criticism apparently received.

Would you kindly bring this to the attention of the appropriate officials. If it was intentional, steps should be undertaken to insure that it does not happen again. Thank you for your assistance.

Sincerely yours,



CARL S. BISGAIER

CSB:emm

cc: Ms. Carla Lerman
Stewart Hutt, Esquire
Arnold K. Mytelka, Esquire
John Payne, Esquire
Eric Neisser, Esquire