

# Civil Legal of New Br. v. Carteret (Monroe)

12/1/87 1987

Letter re: Changing of Turpin attorney

attached: • letter re: receipt of motion for accelerated denial

- Letter from Jamesburg.
- Letter from Civic Legal
- Letter asking COAH to extend mediation period
- Letter re: mediation update
- Letter re: Lot #8's suitability
- Letter re: Site #5
- Letter re: Monroe depl. withdrawal from Gold's remedy
- Letter of Counsel withdrawal
  - w/ • letter informing of missing appendix
  - letter confirm mediation meeting
  - letter from attorney to conduct mediation
- Letter of objections to COAH
- Letter confirming docs sent
- Letter confirming ~~extension~~ extension of time

26 pgs.

ML 000215 L

**GLENN BERMAN**

A PROFESSIONAL CORPORATION

*Attorney at Law*

**WAYNE J. BARTHOLOMEW**

December 1, 1987

196 MAIN STREET  
SOUTH RIVER, N. J. 08882-1593

(201) 257-9720

FILE NO.

State of New Jersey  
Council of Affordable Housing  
707 Alexander Road  
CN 813  
Trenton, NJ 08625-0813

ATTENTION: MISS RENEE REISS  
Administrative Assistant

Re: The Civil League of Greater New Brunswick  
vs. The Borough of Carteret, et al.  
(Monroe Manor, Inc., Objector - Township of Monroe)

Dear Ms. Reiss:

Mario Apuzzo, Esq., formerly the Director of Law for the Township of Monroe, has forwarded to me the letter of Ronald L. Shimanowitz dated November 20, 1987 and directed to you. When Mr. Apuzzo, the attorney of record in the above matter furnished said letter to me, he indicated that he never received the Motion referred to in said letter; and accordingly, could not reply to the same even if authorized to do so.

Mario Apuzzo, Esq., is no longer the Director of Law for the Township of Monroe; and on November 4, 1987, I was appointed the acting Director of Law, and my appointment expires December 31, 1987. I have now received from the Township Clerk a copy of the subject Motion, though I obviously have not been the attorney of record upon to this point.

Since my appointment expires December 31, 1987, may I respectfully request that the Township be given until January 31, 1988 to reply to said Motion. This extension will afford the incoming Director of Law adequate time to reply to the same. Thank you for your courtesies.

Very truly yours,

GLENN BERMAN

lp

cc: Monroe Service List  
Mr. Marvin Schmelzer  
Mr. David Zimmerman  
Clerk, Monroe Township

COPY

*Law Offices*  
*Hutt, Berkow & Jankowski*

A PROFESSIONAL CORPORATION

FAX: 201-634-0718

Our File #

Gordon Berkow  
Stewart M. Hutt  
Joseph J. Jankowski  
Janice K. Scherer  
Ronald L. Shimanowitz  
Susan Brown Peitz  
Mark Williams  
Michael J. Gonnella  
Michael F. Kaelber  
Ben D. Shiriak

459 Amboy Avenue  
P.O. Box 648  
Woodbridge, New Jersey 07095  
201-634-6400

November 20, 1987

State of New Jersey  
Council on Affordable Housing  
707 Alexander Road  
CN 813  
Trenton, NJ 08625-0813

Attention: Miss Renee Reiss  
Administrative Assistant

Re: The Civic League of Greater New  
Brunswick v. The Borough of Carteret, et al.  
(Monroe Manor, Inc., Objector - Township of  
Monroe)

Dear Ms. Reiss:

This firm represents Monroe Manor, Inc. which is one of the objectors in the above captioned matter. We are in receipt of Motion for Accelerated Denial filed on behalf of the Civic League. Please be advised that objector Monroe Manor, Inc. joins in and supports said Motion for Accelerated Denial of Substantive Certification based upon the arguments set forth in the Letter Brief of Barbara J. Williams, dated November 11, 1987 and the attachment thereto.

Thanking you for your attention, I am

Very truly yours,

RONALD L. SHIMANOWITZ  
FOR THE FIRM

RLS:al

cc: Monroe Service List  
Mr. Marvin Schmelzer  
Mr. David Zimmerman

# Borough of Jamesburg

INCORPORATED 1887

Municipal Building  
31 East Railroad Avenue  
Jamesburg, New Jersey 08831

November 17, 1987

Phone:  
(201) 521-2222

Hon. Barbara J. Williams, Esq.  
90 Denow Rd.  
Lawrenceville, N.J. 08648

Dear Ms. Williams:

I received a copy of your 11/11/87 motion filed with COAH, and it is a very commendable document.

The enclosed correspondence might be something you would need to have for the future, in your files.

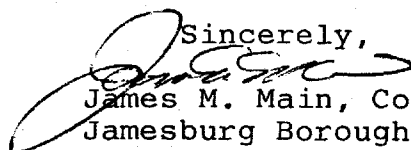
Along with your theory that Monroe is not acting in good faith, this documents that the superintendent, Dr. Marasco and the Monroe Board of Education had serious concerns for the future of the school system, at least back in January, 1985, with regard to Mount Laurel housing.

It has taken Jamesburg five (5) referendae, which were all rejected and finally an alternate financial vehicle (lease/purchase) and **eight (8) long years**, to finally build an addition to our middleschool, which has enabled us to become an "approved" school district, under the present state monitoring process. Therefore, for Monroe not to have already taken some remedial action with regard to additional classrooms, is revealing.

The Jamesburg School District at one time "received" all Monroe high school students to our high school. However, approximately ten (10) years ago the Commissioner of Education mandated the closing of Jamesburg high school, due to deterioration, inadequate facilities and inadequate curriculae, and also mandated our sending of our high school students to Monroe high school. Monroe, both the board and governing body and especially Mayor Garibaldi, fought this mandate bitterly, but ultimately lost and today we send approximately 150 students to Monroe high school, on a sending/receiving tuition basis.

It is not remote to consider that because of lack of planning with regard to Mount Laurel housing, the school district could petition the commissioner to dissolve the relationship because of an "emergency", which would be a further impact on the Borough of Jamesburg. I don't believe a commissioner or state board would allow this to happen, but since Monroe seems hell-bent on disregarding the impact on Jamesburg on all other issues, it is not beyond imagination.

Sincerely,

  
James M. Main, Council Pres.  
Jamesburg Borough Council

*Barbara J. Williams, Esq.*

*Attorney*

*90 Denow Road*

*Lawrenceville, New Jersey 08648*

*(609) 896-0910*

August 31, 1987

Steven D. Altman Esq.  
Benedict and Altman  
247 Livingston Avenue  
New Brunswick, New Jersey 08901

Re: Urban (Civic) League of Greater New Brunswick v.  
Borough of Carteret

Dear Mr. Altman:

I represent the Civic League of Greater New Brunswick in the abover referenced matter which is presently in mediation before the Council on Affordable Housing. ("COAH").

Monroe Township has proposed a Fair Share Plan which would utilize several sites contiguous to, or overlapping with, the boundary of Monroe with Jamesburg. These sites, proximate to Jamesburg, are the only sites which are proposed to fulfill Monroe's obligation to provide low and moderate income housing.

The Civic League has objected to the sites, in part, on the grounds that the sites impact on Jamesburg in terms of infrastructure, traffic etc. I am enclosing a copy of the objections filed by the Civic League for your review and information.

The position of Jamesburg as to the proposed development of these sites remains unknown. Needless to say, if Jamesburg does not object to the proposed development as outlined, the Civic League will re-evaluate its objection. However, if Jamesburg does object, it is imperative that it make its objections known to the undersigned and Edward J. Boccher Esq. immediately.

Steven D. Altman Esq.  
Page Two

A meeting of all Township officials, objectors and developers is scheduled for September 3 at 10:00 a.m. in the Monroe Township municipal building. We welcome your participation and input. If you cannot attend, I would appreciate your advising me of your position at your earliest opportunity.

Very truly yours,



Barbara J. Williams

cc: John J. Poulter, Clerk  
Edward J. Boccher Esq.

Monroe Service List

Mr. C. Roy Epps

**STEINBERG & BOCCHER**

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

65 OLD ROUTE 22

CLINTON, NEW JERSEY 08809

(201) 730-7585

SOMERSET COUNTY OFFICE  
ONE LAMINGTON ROAD  
SOMERVILLE, NEW JERSEY 08876  
(201) 725-2639

FRANKLYN C. STEINBERG, III  
EDWARD J. BOCCHER\*  
ALFRED E. DONNELLANT  
OF COUNSEL

\*NJ AND PA BARS  
†NJ AND NY BARS

August 12, 1987

PLEASE REPLY TO CLINTON

New Jersey Council on Affordable Housing  
707 Alexander Road  
CN 813  
Trenton, New Jersey 08625-0813

Attention: Shirley Bishop

Re: Monroe Township, Middlesex County-  
Mt. Laurel Obligations


Dear Ms. Bishop:

Mediation in the above captioned matter is scheduled to expire on August 24, 1987. This is to request that the Council on Affordable Housing, at its meeting on August 17, 1987 extend the period for mediation in this matter for twenty-nine (29) days to September 21, 1987.

Mediation in this matter has started slowly, due in part to the unavailability of some parties on vacation, and also because the Council has only recently granted the application of the Civic League for a waiver from the Council's rule that all parties share the costs associated with mediation. Nevertheless, mediation has proceeded in this matter, meetings have been conducted and documentation and information exchanged. It is unlikely, however, that a complete and thorough report and recommendation may be prepared in the time remaining in this case. Consequently, we respectfully request that the Council extend the time for mediation to allow for further discussions among the parties. We enclose a proposed form of resolution providing for this extension of time.

Respectfully submitted,

STEINBERG & BOCCHER  
A Professional Corporation

By:   
Edward J. Boccher

EJB:jm

Enc.

cc: Service List of Parties

MONROE TOWNSHIP  
SERVICE LIST OF PARTIES

C. Roy Epps, President  
Civic League of Greater New Brunswick  
47-49 Throop Avenue  
New Brunswick, New Jersey 08901  
247-9066

Monroe Development Association  
c/o Bisgaier & Pancotto  
20 Kings Highway West  
Haddonfield, New Jersey 08033  
(609)354-7677

Ms. Helen Myhalchyk, Clerk  
Jamesburg Boro  
Municipal Building  
31 E. Railroad Avenue  
Jamesburg, New Jersey 08831  
521-2222

Lori Associates and HADB Associates  
c/o Clapp & Eisenberg  
80 Park Plaza  
Newark, New Jersey 07102  
Attention: Frederick Kessler, Esq.  
642-3900

Monroe Manor, Inc.  
c/o Ronald L. Shimanowitz, Esq.  
Hutt, Barkow & Jankowski  
P.O. Box 648  
Woodbridge, New Jersey 07095  
634-6400

Mr. Albert Lobbato  
Central Monroe Homeowner's Association  
495 State Home Road  
Jamesburg, New Jersey 08831  
521-2648

---

Intesar Zaidi  
R.D.#1, Box 314A  
Jamesburg, New Jersey 08831

Garden State Building  
Raritan Plaza  
Edison, New Jersey 08837



**Monroe Properties**  
c/o Jay Simel  
585 Main Street  
Woodbridge, New Jersey 07095

**Petti Limited**  
c/o George and Helen Petti  
Rattlesnake Bridge Road  
Bedminster, New Jersey 07921

**Sharon and Diane Bradley**  
10 Warren Street  
Jamesburg, New Jersey 08831

**STEINBERG & BOCCHER**

A PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW  
65 OLD ROUTE 22  
CLINTON, NEW JERSEY 08809  
(201) 730-7585

AUG 13

FRANKLYN C. STEINBERG, III  
EDWARD J. BOCCHER\*  
ALFRED E. DONNELLANT  
OF COUNSEL

SOMERSET COUNTY OFFICE  
ONE LAMINGTON ROAD  
SOMERVILLE, NEW JERSEY 08876  
(201) 725-2639

TNJ AND PA BARS  
TNJ AND NY BARS

PLEASE REPLY TO CLINTON

August 12, 1987

C. Roy Epps, President  
Civic League of Greater New Brunswick  
47-49 Throop Avenue  
New Brunswick, New Jersey 08901

Monroe Development Association  
c/o Bisgaier & Pancotto  
20 Kings Highway West  
Haddonfield, New Jersey 08033

Ms. Helen Myhalchyk, Clerk  
Jamesburg Boro  
Municipal Building  
31 E. Railroad Avenue  
Jamesburg, New Jersey 08831

Lori Associates and HADB Associates  
c/o Frederick Kessler, Esq.  
Clapp & Eisenberg  
80 Park Plaza  
Newark, New Jersey 08034

Monroe Manor, Inc.  
c/o Ronald L. Shimanowitz, Esq.  
Hutt, Barkow & Jankowski  
P.O. Box 648  
Woodbridge, New Jersey 07095

Mr. Albert Lobbato  
Central Monroe Homeowner's Association  
495 State Home Road  
Jamesburg, New Jersey 08831

Re: Monroe Twp., Middlesex County-  
Mt. Laurel Obligation

Gentlemen and Ms. Myhalchyk:

This is to advise you of the status of mediation in this matter. As we discussed at our initial mediation session, my initial approach in this case was to meet with representatives of the Township in order to obtain more detailed information with respect to the municipality's proposed housing plan. I have met with Mr. Appuzzo, Mr. Tolischus, and Mr. Rogers of the Municipal Utilities Authority to consider in greater detail the elements of the Township's housing plan. I also met with Thomas R. Farino, Jr., Esq., an attorney who represents the developers who propose to improve the sites designated by the Township in its housing element. I found this meeting to be helpful and requested that Mr. Farino provide me with more detailed information in response to certain questions I raised concerning the Township's proposed sites. Enclosed please find copies of correspondence received from Mr. Farino regarding sites 5, 6, 6A, and 8, which provide further information regarding the development of these areas.

I suggest that our next step in this matter is to again meet in a joint session, wherein the municipality may make a detailed presentation regarding its housing plan, with

August 12, 1987

Page 2

the assistance of Mr. Farino, and may respond to questions and inquiry from the objectors in this matter. I will have my office contact you to arrange a convenient time for this meeting. In the interim, if anyone has any questions or comments regarding the status of this matter, or proceeding in this vein, please do not hesitate to contact me.

Very truly yours,

STEINBERG & BOCCHER  
A Professional Corporation

By:   
Edward J. Boccher

EJB:kes

Enclosure

cc: Intesar Zaidi  
Garden State Building  
Monroe Properties  
Petti Limited  
Sharon and Diane Bradley  
Council on Affordable Housing (W/ Enc.)  
Mr. Peter M. Tolischus (W/ Enc.)

THOMAS R. FARINO, JR.  
*Counsellor at Law*

MEMBER N. J., D. C. AND PATENT BARS

CORNER APPLGARTH AND  
PROSPECT PLAINS ROADS  
CRANBURY, NEW JERSEY 08512  
(609) 655-2700

August 5, 1987

Edward J. Boccher, Esq.  
Steinberg & Boccher  
65 Old Route 22  
Clinton, NJ 08809

Re: Monroe Township, Middlesex County,  
Mt. Laurel Obligation; Lt. 14, Bk. 48

Dear Mr. Boccher:

It was a pleasure meeting with you on Friday, July 31, 1987 during your continued mediation session with the Monroe Township officials at the Township Municipal Complex. As we discussed at that time, the undersigned represents John Guyla, of Edison, New Jersey, owner of the subject site.

As we further discussed, Site No. 8 as depicted in the Housing Element/Fair Share Plan submitted by the Township of Monroe, comprises approximately 37 acres and is technically known as Lots 13.01 and 14 in Block 48 as shown on the Monroe Township Tax Map. The site is contiguous to what is known as the Beaver Brook Townhouse Development which is presently under construction. This townhouse development in the Borough of Jamesburg will contain a total of 337 units comprising some 7 sections and is being built out at a density of approximately 8 dwelling units per acre.

While it is clear that the subject site is contiguous to the Borough of Jamesburg, it should be clear that Jamesburg supports the proposed petition for rezoning in Monroe Township in that it is aware that the developer proposes to tie the Monroe Township development into the circulation network presently in place as part of the Jamesburg development.

John Guyla, owner of the subject site, will also become the developer of the subject tract, and possesses a great deal of experience in both residential and commercial development. It is anticipated that the total build out of the Beaver Brook Run Development in the Borough of Jamesburg will take another 12 months to complete and it is the developer's intention to continue a very similar style of construction onto the contiguous Monroe Township parcel, thus providing for a natural progression of development from Jamesburg into Monroe Township.

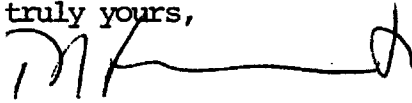
As to potential site limitations, the preliminary layout of the Monroe Township site reveals that no development has been proposed within any easement areas nor will any development encroach upon any flood plain or wetlands areas. Additionally, as to the issue of utilities, the subject site would be serviced by tying into the existing sewer network in the Beaver Brook Complex in the Borough of Jamesburg and the developer has already posted an appropriate sum with the municipality to reserve future capacity for that purpose.

Edward J. Boccher, Esq.  
August 5, 1987  
Page 2

In light of the above, I would urge you to sustain the Housing Element/Fair Share Plan as submitted to COAH by the Township of Monroe as it would relate to Parcel No. 8; it is respectfully submitted that this site represents an extremely realistic development opportunity which will permit the Township to satisfy its Mount Laurel obligation.

If you need any additional information from the undersigned or my client, please do not hesitate to contact me.

Very truly yours,



THOMAS R. FARINO, JR.

TRF: paa

cc: Mario Apuzzo, Esq.  
Peter Tolischus  
R. Joseph Ferenczi, Esq.

THOMAS R. FARINO, JR.  
*Counsellor at Law*

MEMBER N. J., D. C. AND PATENT BARS

CORNER APPLGARTH AND  
PROSPECT PLAINS ROADS  
CRANBURY, NEW JERSEY 08512  
(609) 655-2700

August 4, 1987

Edward J. Boccher, Esq.  
Steinberg & Boccher  
65 Old Route 22  
Clinton, NJ 08809

Re: Monroe Township, Middlesex County,  
Mt. Laurel Obligation; Lot 1, Blk. 66

Dear Mr. Boccher:

It was a pleasure meeting with you on Friday, July 31, 1987 during your continued mediation session with the Monroe Township officials at the Township Municipal Complex. As we discussed at that time, the undersigned represents GGP Industries, Inc., of Englishtown, New Jersey, owner of the subject site.

As we further discussed, Site No. 5 as depicted in the Housing Element/Fair Share Plan submitted by the Township of Monroe, comprises approximately 14 acres and is technically known as Lot 1, in Block 66 as shown on the Monroe Township Tax Map. This site is contiguous to a 19 acre site in the Borough of Jamesburg, also owned by GGP Industries, and which has recently been rezoned to permit townhouse development at a density of 8 dwelling units per acre. Accordingly, the subject site is bisected by the Jamesburg-Monroe Township municipal boundary. Notwithstanding this municipal boundary overlap, it should be clear that the Borough of Jamesburg supports the proposed petition for rezoning in Monroe Township in that it has specifically rezoned the 19 acre portion lying within its jurisdiction to accommodate townhouse development at a density of 8 dwelling units per acre.

GGP Industries, Inc., owner of the subject site, will also become the developer of the subject tract, and possesses a great deal of experience in both residential and commercial development. It is anticipated that an approval of the proposed project in the Borough of Jamesburg will take approximately 3 months inasmuch as the underlying zoning is already in place. It is the developer's intention to immediately commence construction upon receipt of his site plan approval. Once the appropriate zoning is in place with regard to the Monroe Township portion of this site, the developer will proceed to file an appropriate site plan application with the Planning Board and continue the build out of his Jamesburg townhouse development into Monroe Township, thus providing for a natural progression of development from Jamesburg into Monroe Township.

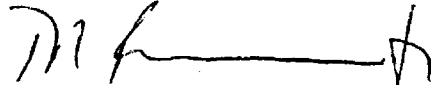
As to potential site limitations, the preliminary layout of the Monroe Township site reveals that no development has been proposed within the railroad easement nor will any development encroach upon the power line easement traversing the subject site. Additionally, as to the issue of utilities, the subject site would be serviced by an existing sewer line tying into Gatzmer Avenue which presently contains unused capacity.

Edward J. Boccher, Esq.  
August 4, 1987  
Page 2

In light of the above, I would urge you to sustain the Housing Element/Fair Share Plan as submitted to COAH by the Township of Monroe as it would relate to Parcel No. 5; it is respectfully submitted that this site represents an extremely realistic development opportunity which will permit the Township to satisfy its Mt. Laurel obligation.

If you need any additional information from the undersigned or my client, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read 'T. Farino, Jr.', with a stylized flourish at the end.

THOMAS R. FARINO, JR.

TRF:paa

cc: Mario Apuzzo, Esq.  
Peter Tolischus  
George Petti

**BISGAIER & PANCOTTO**  
ATTORNEYS AT LAW  
20 KINGS HIGHWAY WEST  
HADDONFIELD, NEW JERSEY 08033

CARL S. BISGAIER  
LINDA PANCOTTO

TELEPHONE  
(609) 354-7677

July 8, 1987

Audrey Winkler, Principal Planner  
NJ Council on Affordable Housing  
CN 813  
Trenton, New Jersey 08625-0813

Re: Monroe Tp./Monroe Development Associates

Dear Ms. Winkler:

Please be advised that Monroe Development Associates no longer maintains an interest in the land which originally provided the basis for its request for a "builder's remedy". The remaining partnership, which no longer includes the landowner, will maintain its objector status as a transferred case and join in the objections filed by the Civic League dated June 25, 1987. Kindly continue to keep me posted of all future action and/or meetings.

Very truly yours,

CARL S. BISGAIER

CSB:emm

cc: Barbara J. Williams, Esquire  
Eric Neisser, Esquire  
Mario Apuzzo, Esquire



Law Offices

Hutt, Berkow & Jankowski

A PROFESSIONAL CORPORATION

Park Professional Bldg.

459 Amboy Avenue

P.O. Box 648

Woodbridge, N.J. 07095

July 6, 1987

COPY

Reply to

P.O. Box 648

(201) 634-6400

Our File #

Gordon Berkow  
Stewart M. Hutt  
Joseph J. Jankowski  
Janice H. Schorer  
Ronald L. Shimanowitz  
Walter G. Luger  
Susan Brown Peitz  
Mark Williams  
Michael J. Gonnella  
Michael F. Kaerber

COUNCIL ON AFFORDABLE HOUSING  
707 Alexander Road  
Trenton, New Jersey 08625-0813

Attention: Renee Reiss, Administrative Secretary

Re: Monroe Manor, Inc.  
(Township of Monroe, Middlesex County)  
Petition for Substantive Certification

Dear Ms. Reiss:

I am writing to advise that Thomas R. Farino, Jr. has withdrawn as counsel for Monroe Manor, Inc. and that this firm will take on the representation of Monroe Manor, Inc. with regard to the Township of Monroe's Petition for Substantive Certification. The Monroe Manor, Inc. tract consists of 180 acres bounded by Highway 33, Etra and Butcher Roads and is what was previously described as site "B" in the Township's January 5, 1987 submission.

By letter dated May 13, 1987, Mr. Farino had filed an objection to the Township's most recent (May 7, 1987) submission with regard to Petition for Substantive Certification and, therefore, we would expect our client to be included in the mediation process.

The purpose of this letter is to notify the Council and all parties involved of this firm's representation of Monroe Manor, Inc. and that all future correspondence should be sent to the attention of the undersigned.

In addition, please be advised that Monroe Manor, Inc. joins in the objections set forth in the letter of Barbara Williams dated June 25, 1987.

*Hutt, Berkow & Jankowski*

A PROFESSIONAL CORPORATION

Council on Affordable Housing  
Attention: Renee Reiss  
Page Two  
July 6, 1987

---

Thanking you for your attention, I am

Very truly yours,

RONALD L. SHIMANOWITZ  
FOR THE FIRM

RLS:pc

cc: Thomas R. Farino, Jr., Esq.  
Mr. Marvin Schmelzer  
Barbara J. Williams, Esq.  
Mario Apuzzo, Esq.  
Douglas K. Wolfson, Esq.  
Frederic S. Kessler, Esq.  
Carl S. Bisgaier, Esq.

*Law Offices*  
*Hutt, Berkow & Jankowski*  
A PROFESSIONAL CORPORATION

*Gordon Berkow*  
*Stewart M. Hutt*  
*Joseph J. Jankowski*  
*Janice K. Scherer*  
*Ronald L. Shimanowitz*  
*Walter G. Luger*  
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*Mark Williams*  
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*Michael F. Kaelber*

*Park Professional Bldg.*  
*459 Amboy Avenue*  
*P. O. Box 648*  
*Woodbridge, N.J. 07095*

July 6, 1987

*Reply to*  
*P. O. Box 648*  
*(201) 634-6400*  
*Our File #*

BARBARA J. WILLIAMS, ESQ.  
90 Denow Road  
Lawrenceville, New Jersey 08648

Re: Monroe Manor, Inc.  
(Township of Monroe, Middlesex County)  
Petition for Substantive Certification

Dear Barbara:

We are in receipt of your letter to COAH dated June 25, 1987 together with copy of "Objections of the Civic League to Monroe's Housing Element and Fair Share Plan". On Page 2 thereof reference is made to the annexed report of Allan Mallach dated June, 1987; however, our copy of your Objections did not include said attachment. We would greatly appreciate your forwarding same at your earliest convenience.

Thanking you for your attention, I am

Very truly yours,

  
RONALD L. SHIMANOWITZ  
FOR THE FIRM

RLS:pc

STEINBERG & BOCCHER

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

65 OLD ROUTE 22

CLINTON, NEW JERSEY 08809

(201) 730-7585

JUL 17

FRANKLYN C. STEINBERG, III

EDWARD J. BOCCHER\*

ALFRED E. DONNELLANT  
OF COUNSEL

\*NJ AND PA BARS  
†NJ AND NY BARS

SOMERSET COUNTY OFFICE  
ONE LAMINGTON ROAD  
SOMERVILLE, NEW JERSEY 08876  
(201) 725-2639

PLEASE REPLY TO CLINTON

July 16, 1987

Mr. Peter Tolischus  
E. Eugene Cross Associates  
235 Livingston Avenue  
New Brunswick, New Jersey 08903

Mario Apuzzo, Esq.  
81 East Railroad Avenue  
Jamesburg, New Jersey 08831

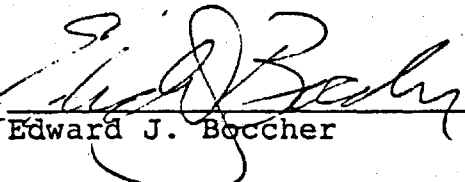
Re: Monroe Township, Middlesex County  
Mt. Laurel Obligation

Gentlemen:

This letter will confirm our sceduled mediation session in regard to the above captioned matter on Thursday, July 23, 1987 at 10:00 a.m. in the Staff Offices of the Council on Affordable Housing at 707 Alexander Road, Princeton.

Very truly yours,

STEINBERG & BOCCHER  
A Professional Corporation

By:   
Edward J. Boccher

EJB/drh

cc: Council on Affordable Housing  
Clerk of Monroe Township  
Service List of Parties

**STEINBERG & BOCCHER**

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

65 OLD ROUTE 22

CLINTON, NEW JERSEY 08809

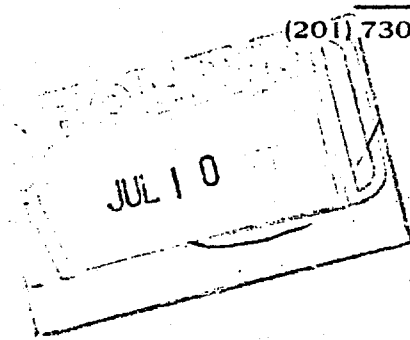
(201) 730-7585

FRANKLYN C. STEINBERG, III

EDWARD J. BOCCHER\*

ALFRED E. DONNELLANT  
OF COUNSEL

\*NJ AND PA BARS  
†NJ AND NY BARS



SOMERSET COUNTY OFFICE  
ONE LAMINGTON ROAD  
SOMERVILLE, NEW JERSEY 08876  
(201) 725-2639

PLEASE REPLY TO CLINTON

July 9, 1987

Mr. Peter Tolischus  
E. Eugene Oross Associates  
235 Livingston Avenue  
P.O. Box 1288  
New Brunswick, New Jersey 08903

Mario Apuzzo, Esq.  
81 East Railroad Avenue  
Jamesburg, New Jersey 08831

Re: Monroe Township, Middlesex County  
Mt. Laurel Obligation

Gentlemen:

Please be advised that I have been retained by the Council on Affordable Housing to conduct mediation in this matter. The time set-aside for mediation is rapidly passing, and I suggest that we quickly schedule meeting dates and devise ground rules to govern mediation.

There are no formal rules governing the conduct of mediation, and the Council has permitted the parties the flexibility to structure mediation in any fashion considered best to facilitate an acceptable resolution. These "ground rules" should be established prior to our first mediation session. Therefore, I make the following proposal for your consideration:

1. Mediation will be conducted in an informal manner, and will be "off the record;" i.e., there will be no taping or transcribing of mediation sessions. Mediation sessions will be conducted in confidence. Neither the parties, their representatives, or the mediator will discuss the progress or substance of mediation with the press, unless otherwise agreed.

2. The record of mediation will be comprised of the following:

- a. The Township's proposed housing element and fair share plan, with addendums;
- b. The objectors' comments and reports;
- c. The Council on Affordable Housing (COAH) staff report and analysis;
- d. Any exhibits or documents introduced and accepted at mediation;

- e. Any agreements or stipulations entered into by the parties; and
- f. My report and recommendation to the Council on Affordable Housing.

3. No more than three (3) party representatives may participate in a mediation session at one time. You will inform me, and the other parties, in advance, of the proposed participation of representatives other than yourselves.

4. I may engage in ex parte discussions, or "caucuses," with any party. A party may also initiate such discussions with me. The substance of all such conversations will be kept confidential unless otherwise agreed.

My office will contact you to schedule a time and place for our initial mediation session. I welcome any suggestions.

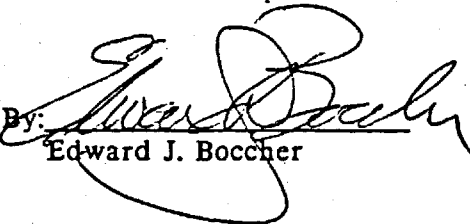
I request that the Township immediately provide me with a copy of its proposed housing element and fair share plan, and that the objectors immediately provide me with copies of their objections and comments. All parties are free to make any other submissions they feel are helpful to resolve this matter.

Finally, please note that my report and recommendation to the Council must also reflect the statutory and regulatory criteria necessary for a grant of substantive certification. Although the Council staff will not be a party to the mediation, its report will be relied upon in framing a recommendation. The costs associated with mediation will be shared equally by the municipality and the objectors. N.J.A.C. 5:91-7.1(b). These costs will be administered and imposed by the Council.

I look forward to meeting you, and to working with you to seek a resolution of this challenging, but no doubt difficult, matter. If you have any questions or comments regarding the above, please do not hesitate to contact me.

Very truly yours,

STEINBERG & BOCCHER  
A Professional Corporation

By:   
Edward J. Boccher

EJB:jm  
cc: Council on Affordable Housing  
Clerk of Monroe Township  
Service list of parties

SERVICE LIST OF PARTIES

Civic League of Greater New Brunswick  
47-49 Throop Avenue  
New Brunswick, New Jersey 08901

Monroe Development Association  
c/o Bisgaier & Pancotto  
510 Park Boulevard  
Cherry Hill, New Jersey 08034

Jamesburg Boro  
Municipal Building  
31 E. Railroad Avenue  
Jamesburg, New Jersey 08831

Lori Associates and HABD Associates  
c/o Clapp & Eisenberg  
80 Park Plaza  
Newark, New Jersey 07102

Monroe Manor, Inc.  
Corner of Applegarth & Prospect Plains Road  
Cranbury, New Jersey 08512

Central Monroe Homeowner's Association  
495 State Home Road  
Jamesburg, New Jersey 08831

Intesar Zaidi  
R.D.#1, Box 314A  
Jamesburg, New Jersey 08831

Garden State Building  
Raritan Plaza  
Edison, New Jersey 08837

Monroe Properties  
c/o Jay Simel  
585 Main Street  
Woodbridge, New Jersey 07095.

Petti Limited  
c/o George and Helen Petti  
Rattlesnake Bridge Road  
Bedminster, New Jersey 07921

Sharon and Diane Bradley  
10 Warren Street  
Jamesburg, New Jersey 08831

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ATLANTIC CITY, N. J. 08401  
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STUART L. PACHMAN  
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EDWARD N. FITZPATRICK  
HOWARD T. ROSEN  
JOHN J. BARRY  
WILLIAM S. KATCHEN  
MICHAEL A. BACKER  
GERALD H. LITWIN  
JEFFREY W. LORELL  
LAWRENCE B. MINK  
DOROTHY G. BLACK  
RONALD H. JANIS  
SALVATORE T. ALFANO  
JEFFREY M. SCHWARTZ  
FREDERIC S. KESSLER  
MARK FALK  
ROBERT A. MARSICO  
JOHN L. CONOVER

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JOHN A. AVERY  
PETER R. YAREM  
KATHY M. HOOKE  
BRYNA L. EDWARDS  
DANIEL J. WAGNER  
JAMES P. BRUNO  
JEFFREY L. KANTOWITZ  
AGNES I. RYMER  
RICHARD M. SKOLLER  
ROBERT J. FETTWEIS  
ALICIA OLIVERA VALLE  
RANDI SCHILLINGER  
MICHAEL W. ZELENTY  
JOHN L. LASKEY  
GARY MAZART  
ROGER L. CAMACHO  
COLLEEN D. SHIARELLA  
KAREN L. BISACCIO \*  
BERNADETTE M. PESLAK  
HARVEY C. KAISH  
JOHN F. TODD  
VINCENT F. PAPALIA  
LAWRENCE M. ROSS °  
CAMILLE M. KENNY  
CHRISTOPHER M. HARTWYK

\* MEMBER MA BAR ONLY  
° MEMBER NY & NE BARS ONLY

June 29, 1987

Barbara J. Williams, Esq.  
90 Denow Road  
Lawrenceville, NJ 08648

Re: Monroe Township Housing  
Element & Fair Share Plan

Dear Barbara:

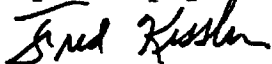
Enclosed is a copy of the objections which we filed with the Council on Affordable Housing on behalf of Lori Associates and HADB Associates. We had not previously forwarded the objections to you because we were unaware that you were continuing to represent the Civic League.

I have reviewed your objections, and I noticed a reference to the expert's report of Allan Mallach, which was not attached to our copy. Please send me a copy of the report at your earliest convenience.

I believe that it would be in our mutual interest to advocate the rezoning of the HADB parcel (Site 9), which appears to be the only available site in the Matchaponix Basin. We would also be happy to speak with you and your client about other ways that we can cooperate in the mediation process.

Feel free to give me a call at your convenience.

Very truly yours,

  
Frederic S. Kessler

FSK:mtp  
Enclosure



# Barbara J. Williams

ADMITTED TO BARS OF  
NEW JERSEY &  
NEW YORK

ATTORNEY AT LAW

THE OFFICE CENTER  
AT PRINCETON MEADOWS  
666 PLAINSBORO RD.  
PLAINSBORO, N.J. 08536

(609) 799-0776

90 DENOW RD.  
LAWRENCEVILLE, N.J. 08648  
(609) 896-0910  
207 SALEM CT.  
PRINCETON, N.J. 08540

REPLY TO:  
PLAINSBORO

December 7, 1987

Mr. C. Roy Epps, President  
Civic League of Greater New Brunswick  
47-49 Throop Avenue  
New Brunswick, New Jersey

Re: Urban (Civic League) of Greater New Brunswick v. The  
Borough of Carteret [Monroe].

Dear Roy:

I am enclosing various documents which I have received with respect to Monroe in order that both of our files will be complete. I am also enclosing a copy of the Bedminster opinion wherein COAH adopted the builder's remedy concept with respect to matters before it. It is to be noted that COAH also held that the application for accelerated denial was moot in that review and mediation had already been completed. We will all have to analyze the impact of this with respect to the outstanding Monroe motion for accelerated denial.

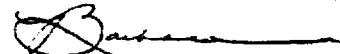
I am also enclosing recent articles from the Princeton Packet with respect to Monroe and Plainsboro which may be of interest.

By copies of this letter, I wish to advise all that several developments have occurred in Monroe. While I was gone, it appears that COAH denied the mediators request for a transfer to the ALJ and sent it to staff for review as to site suitability. Monroe is no longer represented by Mr. Appuzzo, but by a Glen Berman, Esq. who is a caretaker attorney until the end of the year. He has requested that any action on the outstanding motion be postponed until January 31, 1987 and has asked for our consent. In addition, Fred Kessler, Esq., representing Lori and HADB is contemplating moving for a builder's remedy in Monroe and wants our support.

C. Roy Epps, President  
Civic League of Greater New Brunswick  
December 8, 1987  
Page Two

Given the foregoing, perhaps another conference call is in order to consider our strategy before the holidays consume us all.

Very truly yours,



Barbara J. Williams

BJW/bh

cc. Dean John Payne  
Eric Neisser Esquire  
Alan Mallach

# Barbara J. Williams

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REPLY TO:  
PLAINSBORO

December 17, 1987

State of New Jersey  
Council on Affordable Housing  
707 Alexander Road  
Trenton, New Jersey 08625-0813

Att: Ms. Renee Reiss  
Administrative Assistant

Re: The Civic League of Greater New Brunswick v. The  
Borough of Carteret  
(The Township of Monroe)

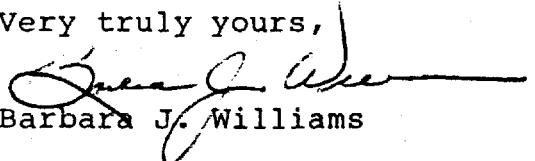
Dear Ms. Reiss:

This letter will confirm that the Civic League of Greater New Brunswick has agreed to an extension of time in relation to the outstanding Motion until January 31, 1987 in view of the anticipated change of attorneys in the Township of Monroe.

I trust that the Motion will not be scheduled prior to that date in light of this agreement. By a copy to all persons on the attached service list, I am advising all who have an interest in this matter of this postponement.

I thank you for your continued assistance in this matter.

Very truly yours,

  
Barbara J. Williams

BJW/bh  
encl.  
cc: Monroe Mailing List