

Monroe - 1985

date ???

~~ML~~ letter memorandum from Zerman

Pgs = 9

no P.i.

ML 000 ⁴¹⁰ ~~ML~~ D

CARLA L. LERMAN
413 W. ENGLEWOOD AVENUE
TEANECK, NEW JERSEY 07666

Ms. Donna Tarr - T1
Office of the Clerk
Superior Court of New Jersey
Appellate Division
CN006
Trenton, N.J. 08625

RE: A-5394-84T1
Urban League of
Greater New Brunswick

vs

Twp of Monroe et al.

Dear Ms. Tarr,

Please accept this letter memorandum in support of my argument to pay my reasonable fee as Court-appointed expert in connection with the captioned matter.

In August, 1983, I was called by the Honorable Eugene D. Serpentelli, whom I did not know, because my name had been submitted, with others, as a person who might be appropriate to serve as the Court's expert in the case of The Urban League of Greater New Brunswick v. Carteret et al. Attached hereto, as exhibit A for the Court's consideration, is a copy of my curriculum vitae. Of the names submitted by the parties to the suit, my name was apparently one of those to which no party had objected, and Judge Serpentelli asked if I would serve as the Court's expert witness in order to prepare a Fair Share report for the case. I was very pleased to accept this assignment. I was asked to inform the Court of what my hourly and/or daily fee for services would be, and was subsequently instructed by the Court that I was to bill all parties equally for my services.

During September, October and November of 1983, I prepared a Fair Share Report for the case, defining the region, determining present and prospective need, and allocating a Fair Share of that need to each of seven townships involved in the case. In January, 1984, at a case management conference, there was discussion of various methodologies that had been used by different experts in several cases before Judge Serpentelli, and Judge Serpentelli requested that I chair a committee of all of the experts involved for plaintiffs and defendants in The Urban League of Greater New Brunswick v. Carteret et al. to determine if a consensus could be reached on a methodology to be used in determining need and allocating fair share. This planning group met during February and March, and I then prepared a report with

input from the entire group, which has been described as the consensus report. This report was made available to all parties in the case at the beginning of April, 1984. In May of 1984 all parties in the case were billed equally for services I had provided since August of 1983. The amount billed to each party was \$1,572. Monroe Township was one of the parties which received this bill.

In April and May, 1984, the case was brought to trial, and I was asked by the Court to testify, which I did for four days during that trial. Certain additional services were requested in terms of computation of region and resulting Fair Share by Monroe Township and Cranbury Township. These calculations were done and this particular work was billed only to those two towns. In September, 1984, Monroe Township was billed \$297.55 for this work, and for testimony at the trial.

In August, 1984, Monroe Township was ordered to rezone with a Fair Share number of 774. In that same order I was appointed Master to assist the Township with their rezoning, and to assist the parties to the suit in reaching agreement. Monroe Township did not start any action on this order until September 1984, and, starting at that time, I met with the Council in public session and executive sessions 16 times to hear and review specific developers' proposals and to discuss and review with them directions for the rezoning that, in my judgement, would be acceptable to the Court. In January, the Council was ready for the drafting of specific ordinances, and engaged the services of a professional planner to meet with them and to meet with me, and subsequently to draft the ordinances. In March, 1985, I submitted a third bill for services to Monroe Township for work performed from the time of Judge Serpentelli's August 1984 order through January 1985. The amount of this bill was \$4970. A copy of each of the above described bills is attached as exhibits B, C and D.

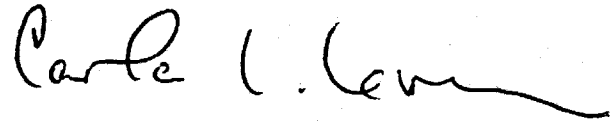
In April, 1985, a compliance program report was submitted to me and I was requested by the Court to review the compliance program and give my recommendations for acceptance or rejection by the Court, as well as my proposals for modifications which might make it acceptable. As there were certain portions of the compliance program which differed from that which was proposed in my meetings with the Council, there were certain recommendations that were necessary to enhance the possibility of low and moderate income housing being built. Additionally, during the period of my review a development which had been indicated in the compliance program to provide a five percent set-aside of units for low and moderate income households, was given preliminary approval by the Planning Board and the Council without this set-aside being required. My review of the compliance program reflected what appeared to be a change in the compliance program being approved by the Council, and I recommended additions to the compliance program which I felt would correct that deficiency. I have not yet billed Monroe Township for the time spent in reviewing the compliance program and writing my recommendations

based on that review.

I performed the work in the case of The Urban League of Greater New Brunswick v. Carteret et al. on the order of the Superior Court of Ocean County and I believe I did what was requested of me in those orders. At no time did the Mayor, Council members, or the attorney for Monroe Township advise me that I should not do the work requested by the Court, or that I should not attend meetings as requested by the Council. Certainly, if the Court desires to have qualified expert witnesses available to assist it from time to time, the Court's order to pay its expert witnesses must be obeyed. During the two years throughout which my services were requested and were rendered, I had always assumed that I would be paid a reasonable fee for the services that I performed. To date, only Monroe Township, to which a substantial amount of time was devoted, has failed to comply with the Court order and to pay my fee.

For the foregoing reasons, I respectfully request that Monroe Township be ordered to pay my fee for services rendered in the amount of \$6839.55.

Sincerely,

A handwritten signature in cursive script that reads "Carla L. Lerman". The signature is written in black ink and is positioned to the right of the typed name.

Carla L. Lerman, P.P.

cc: Hon. Eugene D. Serpentelli, A.J.S.C.
All counsel

PROFESSIONAL HISTORY

Bergen County Government

1977 to Present: Executive Director, Housing Authority of Bergen County, Hackensack, New Jersey.

Job Responsibilities

Responsible for administration of all affairs of the authority, and for the formulation of plans for new programs and for their implementation. The Housing Authority, with an annual operating budget of over \$6,000,000, works with 43 member municipalities within Bergen County. The Executive Director is solely responsible to a board of Commissioners, which functions as an autonomous public body.

1978 to Present: Executive Director, Housing Development Corporation of Bergen County.

Job Responsibilities

In 1978, an instrumentality of the Authority, the Housing Development Corporation of Bergen County was formed in order to engage in the financing and development of housing for low income people. The first project of the corporation was the issuance of \$5,270,000 in tax exempt bonds to finance a 135-unit senior citizen building assisted under Section 8.

As the Executive Director of the Corporation, I have supervised the issuance of tax exempt bonds and the Land Bank program, through which the corporation purchases land for development of condominiums to be sold to moderate income families. To date, 50 condominiums have been completed or are in development, on 14 different sites.

1976 - 1977: Director, Bergen County Home Improvement Program, Hackensack, New Jersey.

Job Responsibilities:

Responsibilities included establishment of policies and guidelines for housing rehabilitation program in 64 municipalities; liaison and interpretation to the Mayors, Councils, and municipal officials of the participating communities; daily administration of programs serving hundreds of homeowners; development of new housing programs to meet emerging needs; development of contacts and negotiation with financial institutions to increase sources of bank loans; contact with potential developers both for new construction and substantial rehabilitation; facilitating the formation of non-profit housing sponsors and provision of technical assistance where needed; supervision of staff members in HIP programs, including cost estimators, rehabilitation advisors and construction crew.

Related Voluntary Professional Activity

1976 to Present: Commissioner, Teaneck Redevelopment Agency.

The Teaneck Redevelopment Agency has assembled through acquisition 50 acres of land, and has developed a land use plan, zoning plan and redevelopment agreement for purchase and use of the site for office, hotel and residential development. I have had the opportunity to be a Commissioner of the Agency since January 1976, through the entire period of planning, sale, and contract negotiations.

1975-1976; Planning Consultant with Morris B. Fleissig and Associates, Surfside, Florida

Job Responsibilities

Preparation and administration of Community Development Program and Housing Assistance Plan for a city with no community development agency.

1961-1974: Planning Consultant with Candeb, Fleissig and Associates, Newark, New Jersey. (Senior Planner 1958-1961)

Job Responsibilities

Preparation of programs for development and renewal of applicant cities, as prescribed by Federal regulations during this period. The projects included demographic and economic base studies and analyses, downtown and neighborhood redevelopment plans, master plans, and capital improvement programs.

1955-1958: Planning Specialist in several Chicago agencies.

OTHER CURRENT PROFESSIONAL AND COMMUNITY ACTIVITIES

Board of Directors, National Housing Conference.

Vice-President, N.J. Chapter, National Association of Housing and Redevelopment Officials

Board of Directors and Vice -President, National Multiple Sclerosis Society, Bergen-Passaic Chapter

Board of Directors, New Jersey Association of Housing and Redevelopment Authorities.

EDUCATION: Vassar College - B.A., Major in Sociology
University of Chicago - M.A., City Planning
Professional Planner, Licensed in New Jersey

CARLA L. LERMAN
413 W. ENGLEWOOD AVENUE
TEANECK, NEW JERSEY 07666

EXHIBIT B

TO: ALL COUNSEL in Urban League v. Carteret and Consolidated Cases
FROM: Carla L. Lerman *CL*
DATE: May 12, 1984
RE: Revised Statement for Professional Services

On April 18, 1984, the enclosed statement was submitted to the parties designated in the first court order on this matter. Subsequently, Judge Serpentelli directed that this statement should be submitted to thirteen parties currently involved in the Mt. Laurel aspects of this case.

The total for August 1, 1983 through March 31, 1984 was \$20,440. (292 hours). That amount billed equally to thirteen parties will be:

$$\$20,440 \div 13 = \$1572.31$$

AMOUNT DUE FROM EACH PARTY: \$1572.

If you have any questions regarding this statement, please let me know. Thank you for your consideration in this matter.

encl.
cc: Hon. E.D. Serpentelli

CARLA L. LERMAN
 413 W. ENGLEWOOD AVENUE
 TEANECK, NEW JERSEY 07666

April 18, 1984

Professional Planning Services for Urban League of
 Greater New Brunswick v. Carteret et al.

Fair Share Report, November, 1983

Research on regional and local trends, statistical
 analysis, report writing:

August 28, 1983	4 hours		
" 30, 1983	4 hours	Total	8 hours
Sept. 11, 1983	5 hours		
" 17, 1983	5 hours		
" 25, 1983	5 hours	Total	15 hours
October 1, 1983	7 hours		
" 3, 1983	7 hours		
" 4, 1983	10 hours		
" 15, 1983	6 hours		
" 16, 1983	7 hours		
" 17, 1983	8 hours		
" 23, 1983	8 hours		
" 25, 1983	7 hours		
" 28, 1983	10 hours		
" 29, 1983	8 hours	Total	78 hours
November 4, 1983	10 hours		
" 5, 1983	10 hours		
" 6, 1983	10 hours		
" 9, 1983	7 hours		
" 11, 1983	9 hours	Total	46 hours
Total First Fair Share Report:			147 hours

Response to Judge Serpentelli's questions; preliminary
 preparation of responses to counsels' questions, stopped
 at Judge Serpentelli's direction

January 2, 1984 10 hours

January 21, 1984 6 hours

Case Management Conference: Ocean County Court House

January 24, 1984 7 hours

Preparation of revised Fair Share Report using Warren Twp.
 methodology, as per Judge Serpentelli's direction

January 28, 1984 8 hours Total 31 hours

February 1, 1984 3 hours

February 5, 1984 5 hours

Meeting of Planners' Consensus Group

February 7, 1984 11 hours

CARLA L. LERMAN
 413 W. ENGLEWOOD AVENUE
 TEANECK, NEW JERSEY 07666

April 18, 1984

Professional Planning Services for Urban League of
 Greater New Brunswick v. Carteret et al., p.2

Meeting of Planners' Consensus Group and preparation
 of draft memo for Counsel and Planners

February 13, 1984 10 hours

Meeting with Planners and Counsel

February 14, 1984 6 hours

Preparation of revised Fair Share Report, based on
 Consensus Methodology (March 7, 1984 Report)

February 19, 1984 8 hours

" 20, 1984 8 hours

" 25, 1984 10 hours Total 61 hours

March 1, 1984 5 hours

" 4, 1984 8 hours

Meeting of Planners' Consensus Group

March 2, 1984 9 hours

Meeting of Planners' Consensus Group subcommittee

March 8, 1984 5 hours

Memorandum on Median Income and revised Fair Shares

March 10, 1984 5 hours

" 12, 1984 5 hours

Pre-Trial, Ocean County Court House

March 16, 1984 4 hours

Preparation of revised Fair Share Report (April 2, 1984 Report)

March 24, 1984 8 hours

" 31, 1984 4 hours Total 53 hours

Total all revisions and new Fair Share Reports: 145 hours

Total August 1, 1983 through March 31, 1984:

292 hours : \$20,440.

Billed equally to plaintiffs and defendants

\$20,440. ÷ 8 = \$2,555.

AMOUNT DUE FROM EACH PARTY: \$2,555.

CARLA L. LERMAN
413 W. ENGLEWOOD AVENUE
TEANECK, NEW JERSEY 07666

EXHIBIT C

September 9, 1984

Thomas R. Farino, Jr., Esq.
Cor. Applegarth and Half Acre Roads
Cranbury, New Jersey 08512

Dear Mr. Farino,

I am submitting herewith my statement for professional services performed in the trial of Urban League of Greater New Brunswick v. Carteret et al. I have also included one half the cost of recomputing the commutersheds for Monroe and Cranbury, and for preparing the map which you requested. The bill from Michael Tobia for the mapping work, which I have already paid, is enclosed.

April 16 and 30, 1984
May 3 and 9, 1984

Attendance and testifying at trial:

31 hours \$2170.

Billed equally to twelve parties:

\$2170. ÷ 12 \$180.80

Revision of commutersheds and preparation
of map, as requested:

2 hours 140.
map 93.50
 \$233.50

Billed equally to two parties: \$116.75

Total \$297.55

The bill that I submitted in May, 1984, for work performed from August 1983 through March 1984, is still outstanding.

I appreciate your consideration in this matter.

Sincerely,

Carla L. Lerman

enc.

cc: Hon. Eugene D. Serpentelli, J.S.C.

CARLA L. LERMAN
413 W. ENGLEWOOD AVENUE
TEANECK, NEW JERSEY 07666

EXHIBIT D

March 22, 1985

Thomas R. Farino, Jr., Esq.
Corner Applegartg and Prospect Plains Roads
Cranbury, New Jersey 08512

Dear Mr. Farino,

Summarized below is my statement for professional services in
the matter of Urban League of Greater New Brunswick v. Carteret, et al.
from September 1984 through March 15, 1985.

Meetings with the Monroe Township Council, and
document review:

September 22, 1984
October 16, 20, and 27, 1984.
November 3, 10, 17, 20, and 26, 1984.
December 1, 5, 10, 15, and 17, 1984.
January 28, 1985
February 16, 1985

71 hours

\$4970.

As in the past, I appreciate your consideration in this matter.

Sincerely,

CLL

Carla L. Lerman, P.P.

cc: Hon. Eugene D. Serpentelli, J.S.C.