

ML-Morris County Fair Housing Council
v. Benton Twp

5/29/86

Order for Joinder of Additional Parties

P 4

ML 000944J

This matter having been heard by this Court on May 14, 1986, on the application of plaintiffs Morris County Fair Housing Council et al. and Randolph Mountain Industrial Complex to join additional parties, and in the presence of counsel for plaintiffs Morris County Fair Housing Council et al., plaintiff Randolph Mountain Industrial Complex, defendant Township of Denville, defendant Denville Township Planning Board, defendant Township of Randolph, Denville Township Board of Adjustment, defendant Randolph Township Board of Adjustment, ~~and Randolph Township Municipal Utilities Authority, and Rockaway Valley Regional Sewerage Authority,~~ ^{and Randolph Township Planning Board} ~~and~~ ^{the motion to join Rockaway Valley Sewerage Authority having been withdrawn on the records,} and

The Court having considered the briefs and arguments of counsel; and

The Court having determined, for the reasons set forth in its oral opinion, that the applications were timely and satisfied the requirement of R. 1:6, that the Court has the jurisdiction and power to grant relief against the Denville Township Board of Adjustment, Randolph Township Planning Board, Randolph Township Board of Adjustment, and Randolph Township Municipal Utilities Authority, and that the application to join these parties should be granted,

It is on this 29th day of May, 1986, hereby ORDERED:

1. The Denville Township Board of Adjustment, Randolph Township Planning Board, Randolph Township Board of Adjustment, and Randolph Township Municipal Utilities Authority are joined as parties in Morris County Fair Housing Council et al. v. Boonton Township et al. for the limited purpose of binding them

to any order that this Court may grant in connection with imposition of conditions upon the transfer of so much of this case as concerns Denville and Randolph Townships to the Council on Affordable Housing.

2. The Denville Township Planning Board is a defendant in a case consolidated with Morris County Fair Housing Council et al v. Boonton Township et al. and is thus already properly before the Court in connection with any orders which the Court may order in connection with imposition of conditions upon transfer to the Council on Affordable Housing.

3. The Randolph Township Municipal Utilities Authority is joined as a party in Randolph Mountain Industrial Complex v. Board of Adjustment of the Township of Randolph for the limited purpose of binding it to any order that this Court may issue in connection with imposition of conditions upon transfer of this case to the Council on Affordable Housing.

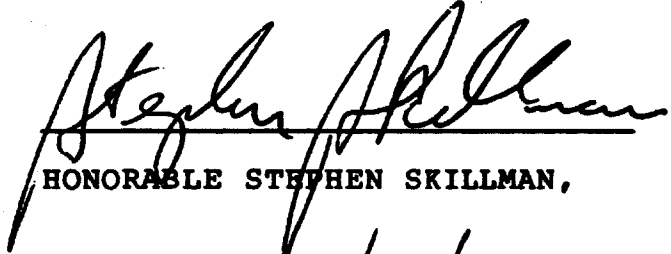
4. (a) Plaintiffs in the above entitled matters shall file and serve any additional briefs or other papers in support of applications for imposition of conditions on or before May 23, 1986. These papers shall include all additional exhibits and affidavits setting forth in full all testimony upon which plaintiffs intend to rely.

(b) Parties opposing imposition of conditions upon transfer shall file and serve all briefs and other papers on or before June 11, 1986. These papers shall include all exhibits and affidavits setting forth in full all testimony upon which these parties intend to rely. If any party opposing imposition

of conditions desires to present oral testimony of any witness, it shall file and serve, in addition to the affidavit setting forth the testimony in full, a written statement setting forth with specificity its reasons.

(c) Plaintiffs shall file and serve any briefs or other papers in reply on or before June 18, 1986. Such papers shall include all exhibits and affidavits setting forth in full the testimony of all witness upon which plaintiffs intend to rely in rebuttal. If any plaintiff seeks to cross-examine any defense witness, it shall so state. If any plaintiff seeks to present oral testimony, it shall file and serve, in addition to an affidavit setting forth that testimony in full, a written statement setting forth with specificity its reasons.

5. Briefs by all parties on the issue of whether, and in what manner, notice should be given to nonparties who may indirectly be affected by any orders that this Court might issue in connection with imposition of conditions upon transfer, shall be served and filed on or before May 23, 1986.


HONORABLE STEPHEN SKILLMAN,
Dated: 5/29/86