

MM

10-17-76

Correctors to AL Talbott's
testimony from ML take on
10-21-76.

PSL 9

* note: try to find transcript &
replace w/corrected copies.

MM 000081 S

JAY H. WOOD
13 RIDGEWOOD CIRCLE
HADDONFIELD, N. J. 08033
November 17, 1976

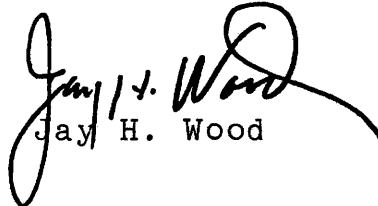
CARL S. BISGAIER, ESQ.
Deputy Director
Department of the Public Advocate
P. O. Box 141
Trenton, New Jersey 08601

Dear Sir:

Enclosed are corrected pages to be inserted in the depositions taken October 21, 1976, in re: Southern Burlington County N.A.A.C.P. vs. Township of Mount Laurel.

No correction of the witness' testimony on page 6, line 23, due to the fact that my notes of testimony indicate the witness used the word prepared.

Yours very truly,


Jay H. Wood

1 I also at that point tried to define physically,
2 as well as operationally, how this could be done,
3 and what would be included as developable as refers
4 to non-developable.

5 Q Did you receive any instructions from anyone
6 other than Mr. Glass as to how you should go about
7 preparing that study?

8 A I discussed my work very generally with council,
9 as I do all of the things which I do for them, because
10 they would be paying for it. I discussed the method
11 which I would use, and the data which was available
12 to me, primarily pointing out to them the efficiency
13 of my method of doing it, and the economy to them.

14 Q Did anybody of the Town Council have any
15 discussions or criticisms of the work you were doing?

16 A I cannot remember anything specific. There
17 was general discussion, but I don't recall anything
18 specific.

19 Q What was your understanding of what you were
20 supposed to do?

21 A Generate one number.

22 Q And what was that number to reflect?

23 A The area and the township which could be
24 developed.

25 Q What land was to be excluded from that calculation?

1 these were then forwarded to you. I don't remember
2 whether they were or not. Those are the memos I will
3 send you.

4 Q O.K., thank you. Now, during your work on that
5 study as to available vacant lands, and subsequent
6 to its completion, did you have occasion to show your
7 work product to Lou Glass and review it with him?

8 A I do not recall whether he specifically saw
9 all of the maps which I had worked on.

10 Q To what extent, to the best of your recollection,
11 did Mr. Glass review the methodologies you used and
12 the actual work product?

13 A By work product, do you mean all of the back-
14 up sheets in the thing that we had showed you?

15 Q Yes.

16 A My recollection was he reviewed thoroughly the
17 methodology. With regard to the exact sheets of numbers
18 which are additions of areas, I don't believe he
19 reviewed those. It was purely a mathematical calcula-
20 tion.

21 Q Well, there was also plans that you used in
22 making your calculations. Did he have occasion to
23 review those?

24 A I don't recall.

25 Q Do you have any knowledge as to the status of

1 present development proposals for the three sites
2 that were selected in Ordinance Number 1976-5?

3 A Would you rephrase the question and clarify
4 what you mean, status of development?

5 Q By status of development, I mean what the status
6 is of any proposed development plans for those sites,
7 whether such plans even exist at all.

8 A With regard to the Larchmont P.U.D., there was
9 a tentative approval given to a number of revisions.
10 Although I don't know specifically. My guess would
11 be the use proposed for the low income zoning is
12 consistent with the schedule for development.

13 If you want to verify this, you could go to the
14 schedule which the developer submitted and find out
15 when that particular section is proposed for develop-
16 ment.

17 Q You do not know when that is though?

18 A No, I don't have the information in front of
19 me.

20 With regard to the Binswanger/Herman tract,
21 I don't know of any specific plans to develop the
22 high density residential section. Most of the problems
23 associated with that site have centered around traffic,
24 internal circulation and utilities.

25 I have met on several occasions with the

1 Q And what is your educational background?

2 A High school graduate, two years of college.

3 I don't know whether you call it a graduate of the

4 New Jersey State course they ran at Rutgers for

5 housing inspectors, both the standard and advanced,

6 and courses on electrical and heating and air condition-

7 ing wiring.

8 Q Ordinance 1976-5 refers to a study that was

9 done in the housing conditions in Mount Laurel. Did

10 you participate in that study?

11 A I do not know what is in the ordinance. I

12 participated in a house to house survey of the township

13 for a housing study.

14 Q Can you state what the scope of your participa-

15 tion was?

16 A To review with the land planner Lou Glass, the

17 files that I actively have. I have a filing cabinet

18 full of pending violations, or complaints, or housing

19 problems.

20 And we went through those, as well as covered

21 most of the town which has not been recently developed.

22 Meaning that we did not do a house to house in Ramble-

23 wood, Ramblewood Farms and Ramblewood Village. We

24 did in Springville, Fellowship and most of the older

25 section of town.

1 Q Now, are you certain that when Mr. Glass was
2 doing his study, that he went to and did visibly
3 inspect all the units in the town which in your opinion,
4 might have been in need of replacement or substantial
5 rehabilitation?

6 A Yes. I am taking it you mean physically saw
7 the house. He might not have gone physically through
8 the house, but he did see it.

9 Q Now, just to clarify the inspection that you
10 made, it was a visible site inspection. Is that
11 correct?

12 A With Mr. Glass, yes.

13 Q Now, is it possible that there are units in
14 the township which a visible site inspection would
15 appear to be units which are not needing substantial
16 rehabilitation or replacement, but which because of
17 the interior, services or structures of the unit might
18 require substantial rehabilitation, such as, for
19 example, lack of proper toilet facilities, or the like.

20 A Generally speaking, the outside of the house is
21 the first thing a person won't maintain. There is a
22 possibility the house will be painted, and the grass
23 cut, and the inside not be working, generally have a
24 complaint from the person in the house that they
25 maintain the house, but the landlord has failed to

1 provide the fixtures.

2 Q Is it possible there are some that you are
3 aware of?

4 MR. TRIMBLE: I object to that. Anything is
5 possible. The answer has to be yes to that. Any-
6 thing is possible, I think you better use is it
7 probable.

8 BY MR. BISGAIER:

9 Q Based on your knowledge of the township, is it
10 possible there are units in the town that which you do
11 not know about that a site inspection would indicate
12 that the unit is safe and sanitary, but the unit, itself,
13 is not due to interior problems?

14 MR. TRIMBLE: The answer to that must be
15 yes. Because of the English language, the answer
16 has to be yes.

17 BY MR. BISGAIER:

18 Q The answer is yes?

19 A Yes.

20 Q Now, you referred, I believe, it is likely
21 there are cases where there are renters. If there
22 were interior problems, you would be made aware of
23 the problems. Is that your testimony?

24 A That happens quite often, yes.

25 Q Have you become aware of a situation with a

1 renter where that problem did exist and you did not become
2 aware of it through a complaint, but another source?

3 A What other source would there be?

4 Q There wouldn't be any, right.

5 A There could be a neighbor's complaint and not
6 the tenant's complaint.

7 Q Has that occurred as to the interior of the
8 house, as opposed to exterior?

9 A Most often it is the exterior.

10 Q Has it happened on the interior of a structure?

11 A I can recall a couple of times, yes.

12 Q Now, have you had any experience where a
13 tenant, because of his or her fears, as to the relation-
14 ship between the tenants and landlord might be re-
15 luctant to come to you with a complaint as to the
16 habitability of the unit in this township?

17 A I am sure that possibility exists. Some people
18 are just afraid to come to the township for anything.

19 Q Now, with regard to homeowners, it is unlikely,
20 is it not, that a homeowner would come to the township,
21 especially the town's building inspector, and reveal
22 to the building inspector certain deficiencies with
23 their particular dwelling unit, is that not correct?

24 A I have had landlords' complaints to tenants
25 before.

1 A No.

2 Q Do you have some personal knowledge of the
3 existence of such units?

4 A I don't have knowledge -- personal knowledge
5 of what income bracket you are talking of, so I don't
6 know how to answer the question.

7 What price are you talking?

8 Q Mr. Glass has used, for his purposes, defining
9 a low income person as someone earning five thousand,
10 I believe, or under, 1970 dollars. Moderate income
11 is ten thousand dollars or under. And Mr. Trimble
12 can correct me if I am wrong.

13 Let's take a person earning five thousand
14 dollars or under, 1970 dollars. Are you familiar
15 personally with the availability of vacant and habit-
16 able units that would be affordable to those persons
17 in Mount Laurel Township, if you remember or not?

18 A I don't really know how to answer your question.

19 Q What is your problem?

20 A A man could make five thousand dollars a year
21 and spend four to live and only have a thousand left.

22 Are you asking me, do I know of any houses
23 that sell for less than ten thousand dollars? That
24 I might have more knowledge of.

25 Q Have you ever had occasion, yourself, to