

AMG

9-9-86

CL re:

~~order~~ order transferring jurisdiction  
to COAH regarding "Scan resume motion"

PS 4

AM000 2690

RECEIVED

## KUNZMAN, COLEY, YOSPIN &amp; BERNSTEIN

SEP 8 1986

A PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW

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September 4, 1986

15 MOUNTAIN VIEW  
 JUDGE SERPENTELLI'S CHAMBERS  
 WARREN, NEW JERSEY 07060

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Honorable Eugene D. Serpentelli  
 Judge, Superior Court of New Jersey  
 Ocean County Court House  
 Toms River, NJ 08754

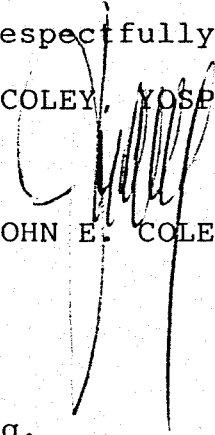
Re: AMG Realty Company, et al. v. Township of Warren

Dear Judge Serpentelli:

Please find enclosed a proposed form of Order transferring the pending issues relative to infrastructure restraints to The Council on Affordable Housing. This Order is being submitted under the Five Day Rule. If no objection should be entered within five days of the date hereof, we request that you kindly sign same and return a signed copy in the envelope provided. I am, by a copy of this letter, providing a copy of the proposed Order to all counsel.

Respectfully yours,

KUNZMAN, COLEY, YOSPIN &amp; BERNSTEIN

  
 JOHN E. COLEY, JR.

SAK:ma

enclosures

cc: Joseph E. Murray, Esq.  
 Eugene Jacobs, Esq.  
 Raymond R. Trombadore, Esq.  
 Robert H. Kraus, Esq.  
 John T. Lynch, Esq.  
 Paul R. Williams, Jr., Esq.  
 J. Albert Mastro, Esq.  
 Warren Township Committee

9-16-86  
filed  
IN CHANCERY  
COURT OF COMMON PLEAS

KUNZMAN, COLEY, YOSPIN & BERNSTEIN, P.A.  
15 Mountain Boulevard  
Warren, NJ 07060  
(201) 757-7800  
Attorneys for Defendant, Township of Warren

AMG REALTY COMPANY and	:	
SKYTOP LAND CORP.,	:	
	:	
Plaintiff,	:	
	:	SUPERIOR COURT OF NEW JERSEY
JOAN H. FACEY, et als.,	:	LAW DIVISION: SOMERSET COUNTY
	:	DOCKET NO: L-23277-80 P.W.
Intervenors,	:	L-67820-80 P.W.
	:	
-v-	:	
	:	Civil Action
THE TOWNSHIP OF WARREN,	:	
	:	
Defendant,	:	ORDER TRANSFERRING JURISDICTION
	:	TO THE COUNCIL ON AFFORDABLE
CONSOLIDATED WITH	:	HOUSING
TIMBER PROPERTIES,	:	
	:	
Plaintiff,	:	
	:	
-v-	:	
	:	
THE TOWNSHIP OF WARREN,	:	
et als.,	:	
	:	
Defendant.	:	

This matter having come before the Court originally on Motion of Joseph E. Murray, Esq., McDonough, Murray & Korn, attorneys for AMG Realty Company and Skytop Land Company, for imposition of conditions pending commencement of activities of The Council on Affordable Housing, and pending transfer of this matter to The Council, and the Court, after having considered opposition presented by John E. Coley, Jr., Esq., Kunzman, Coley,

Yospin & Bernstein, attorneys for the Township of Warren, and J. Albert Mastro, Esq., attorney for the Sewerage Authority of the Township of Warren, an Order was entered on June 6, 1986 permitting discovery with respect to the issues presented, and providing that a Plenary Hearing shall be held with respect to the issues, and continuing restraints previously issued by the Court with respect to expansion of Stage IV sanitary sewerage treatment facility within the Township of Warren; and

The Court being aware that The Council on Affordable Housing has commenced operations, and has jurisdiction to determine the issues aforesaid; and

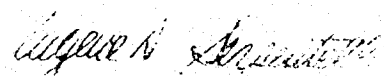
The Court not having conducted the Plenary Hearing;

It is on this 16 day of Sept., 1986

ORDERED that all pending issues with respect to the infrastructure restraints on the Township of Warren are transferred to The Counsel on Affordable Housing;

AND, IT IS FURTHER ORDERED that this Court shall no longer retain jurisdiction over any of the issues in the within matter in accordance with the Fair Housing Act;

AND, IT IS FURTHER ORDERED that a copy of this Order shall be served upon all parties within 10 days of the date hereof.

  
HONORABLE EUGENE D. SERPENTELLI, A.J.S.C.

ORDER  
9-16-86

File

PAGE 1 Hon. C. D. Sergentelli JS C

DATE July 8, 1983 J. E. Fullin CLERK

Somerset Co. REPORTER

MOUNT LAUREL II

L-67820-80

Timber Properties a  
Corp. of the St. of N.J.

Pltf.

Def. Township

Motion to Dismiss  
or in the

-vs-

The Township of Warren,  
The Planning Board of  
the Township of Warren,  
and the Warren Twp.  
Sewerage Authority,

Defds.

Alternative  
Consolidate with

L-23277-80

A.M.C. Realty, Co.

-vs-

Twp. of Warren.

App. Pltf. Raymond E. Trombadoro, Esq.

Def. John E. Coley, Esq. for the Township.

Def. J. Albert Mastro, Esq. for Sewerage Authority

Def. Eugene W. Jacobs, Esq. for Planning Board

The Court will decide this motion under  
the provisions of R. 1:6-2.