

AM - ~~AM~~ Haulis v. Far Hills

10/4/85

L-73360-PW

transcript of excerpt of ct proceedings

p 5

AM000308S

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - OCEAN COUNTY
DOCKET NO. L-73360-80PW

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OCT - 7 1985

LOIS HAUEIS, ET AL,)
Plaintiffs,)
)
vs.)
)
BOROUGH OF FAR HILLS,)
ET AL,)
Defendant.)

TRANSCRIPT JUDGE SERPENTELLI'S CHAMBERS
OF
EXCERPT

B E F O R E:

HON. EUGENE D. SERPENTELLI, AJSC
Ocean County Courthouse
Toms River, NJ

September 4, 1985.

A P P E A R A N C E S:

THOMAS F. COLLINS, ESQUIRE,
For the Plaintiffs.

J. ALBERT MASTRO, ESQUIRE,
For Far Hills.

BRIAN SCHWARTZ, ESQUIRE,
For Timber Properties.

EDMOND M. KONIN, ESQUIRE, and
DANIEL O'CONNELL, ESQUIRE,
For Bedminster.

DAYETTE J. ZAMPOLIN, C.S.R.
Official Court Reporter
Ocean County Courthouse
Toms River, NJ

1 (The following occurs after a recess.)

2 THE COURT: All right. The record can
3 reflect the fact that during the break there was a
4 conference held with counsel and Mr. Raymond
5 concerning the sewerage, which was referred to
6 right before the break.

7 And I believe that we have a -- an
8 agreement and understanding among all of the
9 counsel, that the Township of Bedminster shall
10 pursue an upgrading of the BFHA Plant to a minimum
11 capacity of 270,000 gallons; it being understood,
12 that in so doing, it will not be to the detriment
13 of Timber Properties or their successors in
14 interest in the sites which were designated as J
15 and K, in the opinion of this Court, in Alan-Deane
16 versus Bedminster.

17 That the Township will pursue technical
18 upgrading within the guidelines and under the
19 conditions set forth in the Alan-Deane opinion
20 which included the obligation to do so in good
21 faith and aggressively, and include the monitoring
22 of those -- of the application process by the
23 Court-appointed Master.

24 It was agreed that the Court-appointed
25 Master would use technical expertise within his

1 own office, an engineer qualified in that area, to
2 verify that the Municipality is proceeding in an
3 appropriate and expeditious fashion, and report to
4 the Court in the event they're not.

5 That there are no specific time deadlines
6 set on it because of the impossibility of doing
7 that. That it's understood that the plaintiffs in
8 the Far Hills case would be next in line, so to
9 speak, after Timber, to receive allocation,
10 assuming that the approval for the increased
11 gallonage is obtained.

12 Now, what did I leave out? Anything?

13 MR. KONIN: Nothing.

14 MR. MASTRO: I think you left out a comma.

15 THE COURT: A comma? Put a comma in there
16 somewhere.

17 All right. I think, with that, we have
18 resolved the sewerage issue. Mr. O'Connell can
19 stay for lunch if he'd like, or he can get on the
20 road.

21 MR. O'CONNELL: I think I will leave.

22 THE COURT: Fine. Nice having you. Thank
23 you for your cooperation.

24 That would be embodied somehow in the order
25 of the Court. And in light of the fact that Mr.

1 O'Connell is here, although not technically in the
2 case, he should be included in the order, to
3 consent as to that aspect.

4 Okay?

5 MR. O'CONNELL: Thank you.

6 (Excerpt concluded.)

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* * *

C E R T I F I C A T E

I certify the foregoing to be a true and accurate transcript of the proceedings in the above-entitled cause.

Date:

10-4-85


DAYETTE J. ZAMPOLIN, C.S.R.
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(9-1-85)