

Hillsborough Lit.

10-9-96

- Letter re: enclosure
- encl. Affidavit of Service
- encl. Statement of Items comprising the record

pgs. 9

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State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY
 DIVISION OF LAW
 RICHARD J. HUGHES JUSTICE COMPLEX
 25 MARKET STREET
 CN 112
 TRENTON, NJ 08625-0112

CHRISTINE TODD WHITMAN
 Governor

DEBORAH T. PORITZ
 Attorney General

(609) 292-9302

October 9, 1996

Emille R. Cox
 Clerk of the Appellate Division
 Superior Court of New Jersey
 Hughes Justice Complex
 CN 006
 Trenton, New Jersey 08625

Re: IN THE MATTER OF THE PETITION FOR
 SUBSTANTIVE CERTIFICATION OF THE HOUSING
 ELEMENT AND FAIR SHARE PLAN OF THE
 TOWNSHIP OF HILLSBOROUGH, SOMERSET COUNTY
 DOCKET NO. A-5349-95TI

Dear Mr. Cox:

Enclosed for filing please find the original and two
 copies of a Statement of Items Comprising the Record in the above
 referenced matter. Please return one copy stamped filed in the
 enclosed interoffice envelope.

Very truly yours,

PETER VERNIERO
 ATTORNEY GENERAL OF NEW JERSEY

By: William P. Malloy, Jr.
 William P. Malloy
 Deputy Attorney General

c: Edward Lloyd, Esq.
 Frank Yurasko, Esq.
 Ronald L. Shimanowitz, Esq.
 Stephen Eisdorfer, Esq.
 Peter A. Buchsbaum, Esq.
 Edward A. Halpern, Esq.

DEBORAH T. PORITZ
Attorney General of New Jersey
R. J. Hughes Justice Complex
CN 112 - 25 Market Street
Trenton, New Jersey 08625

By: William P. Malloy
Deputy Attorney General
Telephone No. (609) 292-9302

SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-5349-95TI

IN THE MATTER OF THE PETITION)
SUBSTANTIVE CERTIFICATION OF THE)
HOUSING ELEMENT AND FAIR SHARE) AFFIDAVIT OF SERVICE
PLAN OF THE TOWNSHIP OF)
HILLSBOROUGH, SOMERSET COUNTY)

STATE OF NEW JERSEY)
) ss.
COUNTY OF MERCER)

I Marianne Farmer, of full age, being duly sworn according to law, upon her oath deposes and says:

1. I am a Legal Secretary employed by the State of New Jersey, Department of Law & Public Safety, Division of Law, located at the R. J. Hughes Justice Complex, 25 Market Street, Trenton, New Jersey.

2. On October 9, 1996, at the direction of Deputy Attorney General William P. Malloy I forwarded a copy of the Statement of Items Comprising the Record in the above referenced matter to the following parties by regular mail:

TO: Edward Lloyd, Esq.
Rutgers Environmental Law Clinic
15 Washington Street
Newark, New Jersey 07102

Frank Yurasko, Esq.
63 Route 206 South
P.O. Box 1041
Somerville, New Jersey 08876

Ronald L. Shimanowitz, Esq.
Hutt & Berkow, P.C.
459 Amboy Avenue
Woodbridge, New Jersey 07095
Newark, New Jersey 07102


Stephen Eisdorfer, Esq.
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202 Carnegie Ctr.
Princeton, New Jersey 08543

Peter A. Buchsbaum, Esq.
Greenbaum,, Rowe, Smith, Ravin
Davis & Himmel
Metro Corporate Campus One
P.O. Box 5600
Woodbridge, New Jersey 07095-0988

Edward A. Halpern, Esq.
Professional Center at Hillsborough
503 Omni Drive At Rt. 206
Somerville, New Jersey 08876


Marianne Farmer

Sworn to & Subscribed before
me this 9 th day of October, 1996


Daniel P. Reynolds
An Attorney at Law of the
State of New Jersey

PETER VERNIERO,
Attorney General of New Jersey
Attorney for Council on Affordable Housing
R. J. Hughes Justice Complex
CN 112
Trenton, New Jersey 08625

By: William P. Malloy
Deputy Attorney General
(609)292-9302

In the Matter of the Petition for)	Superior Court of New Jersey
Substantive Certification of the)	Appellate Division
Housing Element and Fair Share Plan)	Docket No. A-5349-95TI
of the Township of Hillsborough,)	
Somerset County)	<u>Civil Action</u>
)	
)	Statement of Items
)	Comprising the Record

Pursuant to R. 2:5-4, the Council on Affordable Housing (COAH) hereby files the following Statement of Items Comprising the Record on Appeal in this matter:

1. Order of transfer to the Council on Affordable Housing (COAH) with regard to Township of Hillsborough, dated March 27, 1986.
2. Amended housing element dated February 1988 with supporting documentation.
3. Mediation report dated March 21, 1988.
4. Minutes of COAH Board meeting dated April 18, 1988 (recorded but not transcribed).
5. Resolution #7 dated June 6, 1988 approving Regional Contribution Agreement (RCA) between Hillsborough Township and Phillipsburg Town.
6. Resolution #40 dated June 6, 1988 granting Hillsborough Township substantive certification.
7. Minutes of COAH Board meeting dated June 6, 1988 (recorded but not transcribed).
8. Letter dated June 10, 1988 to Mayor Peter Biondi from Douglas Opalski with attached resolutions of approval.
9. Minutes of COAH Board meeting dated January 30, 1989 (recorded but not transcribed).
10. Minutes of COAH Board meeting dated February 21, 1989 (recorded but not transcribed).

11. Minutes of COAH Board meeting dated March 13, 1989 (recorded but not transcribed).
12. Minutes of COAH Board meeting dated April 3, 1989 (recorded but not transcribed).
13. Letter to Edward Halpern from Douglas Opalski in response to June 10, 1991 fax from Edward Halpern to Douglas Opalski.
14. Letter dated June 20, 1991 from Sam Van Nest to Douglas Opalski with attached ordinance amending Chapter 77 Development Regulations.
15. Motion for Interim Substantive Certification dated April 12, 1994 from Edward Halpern.
16. Letter dated June 1, 1994 to Mayor Kenneth Scherer from Laura Preston.
17. Resolution dated June 1, 1994 granting Interim Substantive Certification with Compliance Report.
18. Minutes of COAH Board meeting dated June 1, 1994 (recorded but not transcribed).
19. Minutes of COAH Board meeting dated July 20, 1994 (recorded but not transcribed).
20. Letter dated February 10, 1995 to Shirley Bishop from Edward Halpern.
21. Letter dated February 22, 1995 to Mayor Kenneth Scherer from Somerset County Planning Board.
22. Letter dated February 27, 1995 to Shirley Bishop from Edward Halpern with attached resolutions: adoption of housing element by planning board; planning board resolution recommending the housing element for petitioning; resolution of the township committee accepting recommendation of planning board and township committee resolution for petitioning for substantive certification and a copy of the housing element/fair share plan dated February 1995.
23. Letter dated March 6, 1995 to Pam Yallowitz from Hillsborough Township re: public notice.
24. Letter dated March 14, 1995 to Mayor Kenneth Scherer from Pam Yallowitz.
25. Letter dated April 6, 1995 to Shirley Bishop from Gregory Bonin.
26. Objection to Hillsborough's plan dated April 19, 1995 to Council on Affordable Housing (COAH) from David Ravich.
27. Letter dated May 26, 1995 to Mayor Kenneth Scherer from Shirley Bishop with attached COAH Report.
28. Letter dated June 28, 1995 to Pam Yallowitz from Victoria McDonald with attached resolution.

29. Letter dated July 5, 1995 to Mediation Participants from Shirley Bishop with attachments.
30. Letter dated July 12, 1995 to Monica Etz from Edward Halpern with attached crediting documentation and a report from social service director.
31. Letter dated July 17, 1995 to Shirley Bishop from David Kinsey, with attached report.
32. Letter dated July 26, 1995 to Monica Etz from Edward Halpern, re: Response to COAH report.
33. Letter dated August 7, 1995 to James Cordingley from David Kinsey.
34. Letter dated August 10, 1995 to Sandra Remboske, NJDEP, from Van Cleef Engineering Associates with attached copy of the Planned Adult Community/Health Care Facility ordinance.
35. Memorandum dated August 14, 1995 to Monica Etz from Kathy McGlinchy.
36. Fax dated August 15, 1995 to Jim Cordingley from David Kinsey with attachments (same attachment as August 10, 1995 letter).
37. Memorandum dated August 22, 1995 to COAH Task Force from Monica Etz.
38. Letter dated August 23, 1995 to David Kinsey from James Cordingley.
39. Letter dated September 12, 1995 to Martin Bierbaum, Office of Environmental Planning from Van Cleef Engineering Associates.
40. Letter dated September 14, 1995 to Monica Etz from Edward Halpern with revised spending plan and marketing plan.
41. Letter dated September 19, 1995 to Ronald Shimanowitz from Monica Etz.
42. Fax dated October 2, 1995 to Jim Cordingley from Gregory Bonin.
43. Fax dated October 3, 1995 from Charles Newcomb, Office of State Planning to Shirley Bishop.
44. Letter dated October 6, 1995 to Shirley Bishop from Robert Heibell.
45. Minutes of October 11, 1995 COAH Board meeting (recorded but not transcribed).
46. Letter dated October 12, 1995 to Mayor Kenneth Scherer from Shirley Bishop with attached resolution granting an extension to mediation.
47. Minutes of November 1, 1995 COAH meeting (recorded but not transcribed).
48. Letter dated November 1, 1995 to Mayor Kenneth Scherer from Shirley Bishop with attached resolution granting an extension to mediation.

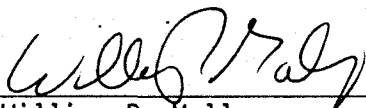
49. Letter dated November 13, 1995 to Shirley Bishop from David Kinsey, with supporting documentation.
50. Letter dated November 16, 1995 to Monica Etz from Gregory Bonin with attached resolutions.
51. Letter dated January 2, 1996 to Shirley Bishop from David Kinsey with attached letter from Edward Halpern.
52. Letter dated January 5, 1996 to Herbert Simmens from Shirley Bishop.
53. Letter dated January 11, 1996 to Monica Etz from Edward Halpern.
54. Letter dated January 17, 1996 to Mayor Kenneth Scherer from Shirley Bishop with attached mediation report.
55. Letter dated January 17, 1996 to Shirley Bishop from Hillsborough Township with attached general development plan application package, plan, map and ordinances.
56. Letter dated January 26, 1996 to Shirley Bishop from Edward Halpern.
57. Letter dated January 31, 1996 to Shirley Bishop from Herbert Simmens.
58. Letter dated February 5, 1996 to Monica Etz from Richard Coppola.
59. Minutes of February 7, 1996 COAH Board meeting (recorded but not transcribed).
60. Letter dated March 4, 1996 to Mayor Kenneth Scherer from Shirley Bishop with attached COAH report on petition for certification.
61. Letter dated March 5, 1996 to Mayor Kenneth Scherer from Shirley Bishop with attached letter to Herbert Simmens.
62. Letter dated March 15, 1996 to Shirley Bishop from Barbara Lawrence with attached comments from New Jersey Future.
63. Letter dated March 20, 1996 to Robert Shinn from New Jersey Future.
64. Letter dated March 21, 1996 to Mayor Kenneth Scherer from Shirley Bishop with attached comments from New Jersey Future.
65. Memorandum dated April 2, 1996 to COAH members with attached memo from Division of Law.
66. Minutes of April 3, 1996 COAH meeting (recorded but not transcribed).
67. Letter dated April 3, 1996 to Mayor Kenneth Scherer from Shirley Bishop with attached resolution and reports.
68. Letter dated April 25, 1996 to Monica Etz from Victoria McDonald with attached affordable housing ordinance.

69. Letter dated April 29, 1996 to Barbara Lawrence from Robert Shinn.
70. List of Public Agency Endorsements for proposed amendment to Hillsborough's wastewater management plan, with following attachments:
- Letter dated June 27, 1995 from Deborah A. Bechtel to Robert B. Heibell.
 - Letter dated February 17, 1995 from Glen D. Petrauski to Robert B. Heibell.
 - Letter dated April 18, 1994 from Gail Quabeck to Anthony McCracken.
 - Letter dated July 21, 1994 from Anthony McCracken to Frank S. Scarantino.
 - Hillsborough Township Committee Resolution dated December 15, 1994.
 - Letter dated August 1, 1994 from Kenneth C. Scherer to Daniel Van Abs.
 - Letter dated May 19, 1994 from Anthony McCracken to Diana Fainberg.
 - Two Resource Planning and Management Maps.
71. Draft Technical Reference Documents, New Jersey State Development and Redevelopment Plan:
- | | |
|---|-------------------|
| Growth Management Approaches | February 25, 1987 |
| Developments Standards For Limited Growth Areas | November 10, 1987 |
| Environmental Management Standards | April 11, 1987 |
| Preliminary Draft Plan: Policies and Standards | June 1, 1987 |
| Environmental Planning Elements | January, 1988 |
72. Preliminary State Development and Redevelopment Plan, "Communities of Place", Volumes I & II, November, 1988.
73. "Housing Accomodation By The State Development and Redevelopment Plan" (Draft Report), Burchell and Listokin, November, 1988.
74. "Tracking Growth and Change in New Jersey. A Framework For a Growth Management Information Program for the New Jersey State Development and Redevelopment Plan" submitted to N.J. State Planning Commission by UCI - the Urban Land Institute, Washington, D.C.; December, 1988.

75. Materials relative to Hillsborough and Somerset County Cross-Acceptance process.
76. Appendices to Cross-Acceptance Issues: Preliminary Staff Analysis - March, 1990
77. Interim State Development and Redevelopment Plan, "Communities of Place", July, 1991
78. Interim Statement of Agreements, Disagreements and Concerns of the State Development and Redevelopment, September 27, 1991.
79. Mapping and Growth Accomodation Guide Technical Assistance Manual, December, 1991.
80. State Development and Redevelopment Plan dated June 12, 1992.
81. Notice of Appeal received by COAH May 29, 1996, with attached Civil Case Information Statement.

Peter Verniero
Attorney General of New Jersey
Attorney for the Council on
Affordable Housing

Dated: 10/9/96

By: 
William P. Malloy
Deputy Attorney General

d3649w
updated 10/8/96