

Morris County Fair Housing Council ~~Boonton Township~~ 06-20-1986
Boonton Township
CtH
Randy

Brief in opposition to the plaintiff's motion to impose conditions on the transfer of the litigation between the parties, pending the final disposition of this matter by the Council on Affordable Housing.

CH000103B

Pages ~~40~~ 46

Aside from the brief, which is 40 pages in length, there are 5 additional pages that are pieces of another document. These additional pieces are too difficult to interpret insofar as sequence since they are scattered. I think they should be disposed.

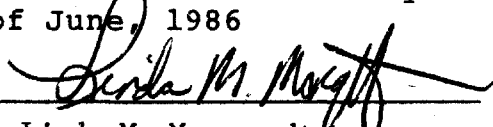
6. The Township of Randolph is in several different drainage basins, including the Whippany River Drainage Basin, the North branch of the Raritan River and the Black River Drainage Basin. Thus, to focus solely on development within the Rockaway River Drainage Basin fails to take into account the other drainage basins within the Township.


7. Assuming that Judge Gascoyne enters the order as proposed by the Rockaway Valley Regional Sewerage Authority, the RTMUA will receive 527,738 gallons per day of flow which is earmarked for current court orders, CP-1 forms and the elimination of septic areas where problems are contained. In addition, the Authority will receive 325,540 gallons per day of sewerage for new construction.

8. Of the new allocations, approximately 105,000 gallons has been designated for units which had been approved by the Planning Board, but not yet constructed. It is noted, however, that not all of these new units will be connected to our sewer system because of the inaccessibility of collector lines to the property.

9. I make this affidavit to induce the Court to deny the Public Advocate's application to enjoin the Authority from distributing gallonage for new construction for other than Mt. Laurel development.

Sworn to and Subscribed
Before me this 19th day
of June, 1986


Linda M. Marquardt
LINDA M. MARQUARDT
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Apr. 9, 1990


Terrence Mattice

copy

2. I am the person at Cerenzio & Panaro who generally handles the management functions at the RTMUA for the firm. As such, I am familiar with the operation of the Authority and its functions.

3. The RTMUA has kept a record of connections made to the sanitary sewer system over the last several years. A review of those records show that there were approximately 77 new sanitary sewer connections to our system between January 1985 and January 1986. For the previous year (January 1984 through January 1985) there were approximately 46 new connections. Between January 1983 and January 1984 there were approximately 75 connections. Between January 1982 and January 1983 there were approximately 54 new connections; between January 1981 and January 1982 there were approximately 30 new connections and between January 1980 and January 1981 there were approximately 39 new connections.

4. Although it is recognized that the Authority was operating under a building ban, the foregoing demonstrates that although there are a number of new building permits issued within the Township of Randolph, the majority of those building permits are for units which are not connected to the public sanitary sewer system.

5. More often than not, these units cannot be constructed on the public sanitary sewer system because there is no connecting point or line to which a connection can be made and the lots in question have adequate percolation for the issuance of an on-site permit.

FILED

JUN 20 1986

STEPHEN SKILLMAN,

J.S.C.

EDWARD J. BUZAK, ESQ.

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(201) 335-0600

ATTORNEY FOR Defendants, Township of Randolph, Randolph Township Planning Board and Randolph Township Municipal Utilities Authority

Plaintiff

MORRIS COUNTY FAIR HOUSING COUNCIL, et. al.,

vs.

Defendant

BOONTON TOWNSHIP, et. al.

SUPERIOR COURT OF NEW JERSEY
MIDDLESEX/MORRIS COUNTIES

Docket No L-6001-78 P.W.
L-59128-85 P.W.

CIVIL ACTION

AFFIDAVIT

Plaintiff

RANDOLPH MOUNTAIN INDUSTRIAL COMPLEX, a New Jersey Partnership

vs.

Defendant

THE BOARD OF ADJUSTMENT OF THE TOWNSHIP OF RANDOLPH, et. al.

STATE OF NEW JERSEY)

SS.:

COUNTY OF MORRIS)

I, TERRENCE MATTICE, of proper age, being duly sworn according to law upon my oath, depose and say:

1. I am an employee of the engineering firm of Cerenzio & Panaro, Hamburg, New Jersey, which serves as manager of the Randolph Township Municipal Utilities Authority ("RTMUA").