

Old Bridge-Madison Park-Sayre Woods South-Cliffwood Beach-Cheesequake-Browntown-Central Park

MADISONAMERICAN

VOL. 28, No. 13

THURSDAY, JULY 11, 1963

LAURENCE HARBOR, N. J.

(Contains less than 75% advertising)

PRICE FIVE CENTS

"7-11" Unlucky Numbers At Zoning Board Hearing

Usually the meetings of the Madison Township Zoning Board of Adjustment are placid and quiet not so the most recent meeting of the group held at the municipal building on Route 9, main point of the arguement was the proposed erection of a grocery chain store on Bordentown Avenue, near the intersection of Ernston Road.

Chief opponent of the proposed store was Donald Tierney of Madison Park a candidate for the Township Council on the Republican ticket.

The Mac Kinnon Giants con-

tinued to hold first place in

the Madison Township Baseball

League by splitting a pair of

games. The Madison Park-Cen-

tral Park Twins drubbed the

Giants, 4-1, through Jim Glea-

son's mound effort. Peter

Smith was the losing pitcher.

The second game, the Giants

edged Old Bridge, 5-4, on Tom

Rummel's single in the last inn-

ing which drove in the the win-

ning tally. Tom Hammel poled

a home run over the left field

fence for the Colts. In this

game, Smith was the winning

hurler with Tom Yanik the lo-

ser.

MacKinnon Giants Set Pace

of Jacobson, Goldfarb and Tanzman Perth Amboy realtors represented the Southland Corporation of Dallas, Texas. The lone star state firmoperates a chain of dairy and grocery stores under the name of "7-11", it was explained that the firm derives the name from their hours of business 7 a.m. until 11 p.m.

Aerial View, Page 7

Tierney the main objector listed several reasons that the Thomas Alikas of the firm application be denied. According

game, Sayre Woods South Re-

bels lost its fifth straight at

the hands of the Colts, 4-2.

Bruce Miklaszowski, pitched the

win for Old Bridge. Larry Spa-

ra was the losing moundsman

Harbor are now 5-2 with the

Madison Park-Central Twins

close behind in second place

with a 4-2 mark. Old Bridge

has a 4-3 record with Sayre

Woods South in last place.

The Giants from Laurence

for the Rebels.

to the G. O. P. candidate the Board cannot discuss rezoning the area from residential to commercial because the building permit for store was issued by the township building inspector.

Tierney also questioned the legal advertisement saying that

Donald Tierney

it did not include sufficient information in that it only listed a commercial building in a residential zone. The advertisement stated that the time of the meeting was at 8:00 p.m. while the notice given to property owners set the meeting time at 8:15 p.m..

Tierney protested the granting of the permit on the grounds that it would agravate an already bad traffic problem at the intersection of Ernston Road and Bordentown Avenue, taking chalk in hand the Madison Park resident drew a traffic pattern on the blackboard of the meeting room. Tierney pointed out that there are two gas stations as well as a group of stores near the heavily traveled intersection and the erection of the store would add to the already congested traffic problem. Three other objectors from Madison Park were heard concerning the granting of the permit.

The Zoning Board of Adjustment stated they will decide the situation in the near future.

Michael Farrington a member of the Zoning Board moved that variance be denied the Christian Faith Camp to use

a building as a dormitory. According to Farrington the site had been inspected and found to have inadequate sanitary facilities, and was unsafe for housing large groups. The Board moved for denial of the application on the grounds that it would contrary to the public health, safety and general welfare.

A variance in the Zoning Code was granted Mr. and Mrs. Bernard Fleming of Laurence Harbor to build a house on a 75 X 100 foot lot on Ocean Blvd., Cliffwood Beach.

A varience was also given to Mr. and Mrs. Harry Wendell of 11 Street, Bayonne to build a house on Bentley Avenue Old Bridge on a lot 100 x 100 feet.

Maglies and Ludwig were also granted a variance in the Zoning Code to erect a house on a lot 75 X 100 feet on Belmont Avenue, Old Bridge.

At the conclusion of the various hearings Leon Arrowsmith Chairman of the Board announced is there any other business to come before this Board. Donald Tierney, rose to his feet clutching a clip board and papers in his hand. The chairman either ignored the G. O. P. candidate or did not see him raise his hand. Tierney shouted to the Board. "Mr. Chairman. you still haven't opened the meeting to the public!"



In the other Carleton League of the United Presbyterian Church and other leading Protestant, Catholic and Jewish clergymen were arrested when they attempted to integrate an amusement park near Baltimore. The long list of clergy arrested read like a "Who's Who in Church Affairs".

All were charged under a Maryland trespass law which permits the Club of the Raritan Bay Area owner of a business to refuse entrance to any person he wishes. The law itself might be unjust and seem unfair to some but never-the-less

> Certainly, these distinguished clergymen, were fully aware that they were breaking the law when they took matters into their own hands. Most certainly these same distinguished clergymen must preach the ten commandments, they must ask their parishioners to uphold the laws of their various faiths and yet these same distinguished clergymen violated

The negro can protest that he is discriminated against, shouts of accumulated at the monthly thrift | freedom now and we must be free are catchy phrases and might gain some support, but what is Freedom. Certainly to be free doesn't mean bridge, by Mrs. Gerald MacLean that you have the right to violate any law of the land. It doesn't give a person the right to create disturbances, to incite riots, to cause hard-

> hardships. The Irish, Italian, Slovak and scores of other nationalities that make up our great nation have all had their share of woes and

> When the United States entered World War II hundreds of Americans of Japanese nationality were hustled off to hastily constructed internment camps. Where were the distinguished clergymen then? Where

The negro in the past score of years has certainly bettered his living standard. Integration has advanced even in the deep south. All the progress that has taken almost a century to produce could be ruined by demonstrations similar to the Baltimore incident. This is Our Nation, Judging was based on the gen- it is Our Country and the law is Our Law. If the law is unjust or unfair there are peaceful and more responsible ways in which to repeal the

The situation is indeed explosive, and much of the seething and dis-The next project of the Garden | content is not in the deep south, it's near at hand, unless more level head prevail above the angry crowds, shouting for freedom now, the activities resume in September. situation can only result in bloodshed and for what certainly not Ifreedom?

Annual Picnic Set

the third annual Twins' Picnic were discussed during the final meeting of the season of the Twins' Mothers held at Hill Lanes, Route 9, Madison Township.

Dr., Hazlet, chairman in charge of arrangements, announced the annual affair will be held Sunday at Roosevelt Park, Edison, Nonmembers with twins or multiple births have been invited to attend.

Mrs. Frank Novak of Perth Amboy, ways and means chairman, presented a full schedule of a law of a state. events for the next season. It was announced that clothing

table is being distributed to the St. Joseph's Orphanage, Woodof Parlin, welfare chairman.

Winners Named

Recently the Garden Dept. of the Woman's Club of Old Bridge held its annual judging of the exteriors of members' homes. First prize went to Mrs. Lee Schaffer of Creighton Village. Second prize was awarded to Mrs. John Gallagher, 93 Southwood Drive, and third prize to Mrs. Frank Illuzzi of 7 Grove Lane, Southwood. Mrs. Edward Schilke of 178 Southwood Drive, received honorable mention.

Judges were Mrs. Kepp and Mrs. Sackel, of the East Brunswick Garden Club, qualified judges, very active in state wide Garden Club affairs.

eral appearance of the home exteriors.

Refreshments were served to law. Garden Dept. members and judges at the home of Mrs. Illuzzi.

Dept. will be a lesson in flower arranging by Mrs. Helt, when This will be open to members and interested persons.



Recently the Rev. Dr. Eugene Carson Blake, Chief executive officer

Mrs. Joseph Findis, 14 Coach it is the law.

ships on other persons. This is not freedom.,

The negro is not the only person in these United States ever to face hardships and even discrimination.

were the shouts of "freedom now, we must be free"?



Charles Aumick Former Building Inspector

The Zoning Board Attorney Schnoll of SayreWoods South answered back "are you Mr. Tierney trying to tell this Board how to run their business, there is no public portion of the meeting, objections are heard on each application for a variance, objectors can speak their piece at this time. This is not a forum and you can't just sound off.".

Tierney slightly warm under the collar shouted back "you are denying me the right to speak, you still haven't opened the meeting to the public. Board Chairman Leon Arrowsmith then got into the stormy session "we asked if there was any business to come before this board, you had your opportunity to object to any of the decisions, Arrowsmith asked and received a motion to adjourn the motion was moved.

Tierney, quite visibly shaken, threw down his clipboard and stalked to the rear of the meeting room. The question of legality of opening the meeting to the general public was again under discussion near the water cooler. Tierney shouted to Attorney Schnoll "I want to ask you a legal question". After a brief few seconds of discussion Schnoll walked away from the G. O. P. candidate.

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(Registered)

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Business Boom

Owners of restaurants, taverns, gas stations and other business establishments located on Madison Township highways should look forward to a "booming" business in 1964. With the opening of the New York World's Fair and the Democratic National Convention scheduled for Atlantic City the area should do very well.

Proprietors of the various eating establishments and taverns should anticipate the "boom" and start cleaning up their places. A little paint here and there and a general cleaning-up would help. There will be thousands and thousands of additional vehicles travelling the highways between Atlantic City and New York.

Eating places in New York City will not be able to handle the entire army of Fair and Convention visitors, so they will have to look for other eating places. Madison Township is the "hub" of the New York area, we're about half way from the Fair site to Atlantic City and Madison Township should get quite a bit of the business.

Let's paint up, clean up and get ready for the "boom", it might not happen again for some time, so now is the time to prepare.

Jet Age Travel?

The drama and excitement that have come in this age of international jet travel have been given well earned credit. The world has shrunk unimaginably. We can be almost anywhere in a matter of hours, traveling at speeds of 600 miles an hour in perfect comfort.

Notice we used the term "almost anywhere". We wonder if the supporters of jet age travel have ever tried to get around the intersection of Route 9 and Ernston Road on a busy shopping night?

True we might be able to travel from New York to Miami in a couple of hours but the traffic problem at the light on Route 9 and Ernston Road defies description.

The situation at the intersection is not getting any better and maybe it just seems to this writer that the signal lights directing the flow of traffic on Route 9 have been extended to allow more traffic to flow north and south on Route 9, this may be our imagination but it seems that way.

Recently we have come upon a scheme to beat the traffic light and the intersection of Route 9 and Ernston Road, we just continue north on the highway until we hit Sayreville and make a left turn at the first traffic island opening.

Certainly the State Highway Department must be aware of the problem at the intersection, when the movies that are presently under construction open their doors for business the situation will greatly be aggravated. We wonder when something will be done?

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Under The Fence

HOTTEST STORY: The hottest story bouncing around Washington these days is that Robert Kennedy is going to star next year in his own musical called "STOP THE WORLD, I WANT TO GET HOFFA". The Jersey Democrats are all "charged" up seeing that Atlantic City will be the site of the 1964 Democratic Convention, hell wouldn't it be something if Hoffa's union decided to go on strike and wouldn't move any of the television equipment to Atlantic City. You know it could just happen.

PAINT JOB: No the paint isn't peeling that bad at the Madison Township Building on Route 9. The members of the road department are removing some of the flaking paint in order to prepare the building for a new paint job. The building was painted last year at the cost of several hundreds of dollars but the paint didn't take and started peeling. We hear that the contractor that painted the building put in a bid for the second job. The joint really looks pretty crummy, maybe we had better hurry up the job?

ROAD DEPARTMENT: Well. Cheesequake Road from Highway 9 to Bordentown Avenue, is finally passable, it's been the best we've seen for several years we certainly hope that the road department will be able to maintain the road and keep it in pretty good condition. Road Department is certainly making a project out of the road behind police headquarters. Wonder when the County Road Department will do something about the Englishtown Road, quite a bit of water floods the area and lays there for several days splashing on everything every time a car hits one of the puddles. This situation has existed for several years. Englishtown Road, Bordentown Ave-

Fire Report

Chief A. E. Hansen Jr., of the Cheesequake Independent Fire Company issued the report for the month of June.

The report showed that the fire company answered two general alarms, four brush fires, three carfires and one control burning.

According to the report the company used a total of 230 man hours in answering the various alarms.

Chief Hansen issued a warning that the area is still dangerous and all outside burning of brush or other debris should be held off until more favorable conditions exist. The woods are still "bone dry" despite heavy rains, according to the Chief the situation will exist until it rains for several days.

Residents should be very careful of that open fire even a barb-cue fire can get out of control. nue and Ernston Road are all County Roads and some work should be done of the drainage problem on all of them. Every time it rains these roads become nearly impassable with quite a bit of water piling up.

RUMOR AROUND TOWN: Understand that Madison Township Attorney Harold G. Smith may soon get the appointment as Township Attorney in Marlboro Township, the move is pretty definite. We wonder if they can use a township engineer over in Marlboro Township? Some local Democrats are worried about the local political situation they of course realize that if they loose the November Election, they will be out of jobs. After the first of the year the position of Tax Collector and Tax Assessor will be appointed offices. If the Dems were to loose the November Election they would have to wait until 1965 before they could again try to take control.

OUGHT TO BE A LAW: The Township Committee ought to pass an ordinance making it mandatory that every water company operating in Madison Township file a list of owners and their telephone numbers in case there is an emergency. We received several telephone calls from irate citizens in the Cliffwood Beach area that they were unsable to get in touch with the Cliffwood Beach Water Company. The poor desk man at the police

station really catches it when the water pressure is low in the various areas.

INDUSTRIAL COMMISSION: We wonder why the Industrial Commission doesn't hire a person familiar with industry or real estate to try to induce industry to move into Madison Township. The score up to date for the industrial commission is a great big fat zero. You can talk about industry, you can send out pamphlets and erect billboard signs but none of this will get industry. Let's face it, you've got to get somebody on the road "hustling" to bring industry into Madison Township. This jazz about there isn't property available or that the farmer's want \$30,000 an acre for land is for the birds. There is plenty of property available. Perhaps the Industrial Commission can hire a full time person familiar with industry, part of his salary could be paid by the Sewerage Authority, Water Authority because they would also benefit if industry were to settle in Madison Township.

WATER AUTHORITY: We were looking over a proposed schedule for connecting into the Municipal Water System, ye gads. What prices! It looks like they want to pay off the entire Water Bonding on the installation of a few service connections. If any industry were to check on the prices charged they'd check right out of town, hell it's cheaper to drill for oil.



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Do You Remember When



Dr. William Sample, DO YOU REMEMBER? superintendent of schools for Madison Township expansion program which was approved by the delivers opening address at "ground breaking" ceremonies for the Madison Township High School. We wonder when the Board of Education will hold

"ground breaking" ceremonies for recent school voters? We wonder if the Board of Education proposed building program will ever get off the ground.

Patten said.

ters would enable patients to be

near their families and thus ex-

pedite their recovery. "Hope,

spirit and modern techniques are

extremely essential," he said.

has passed the Senate and

hearings are scheduled to con-

tinue in the House this week.

It would help the mentally re-

tarded by providing \$140 million

for research centers and univer-

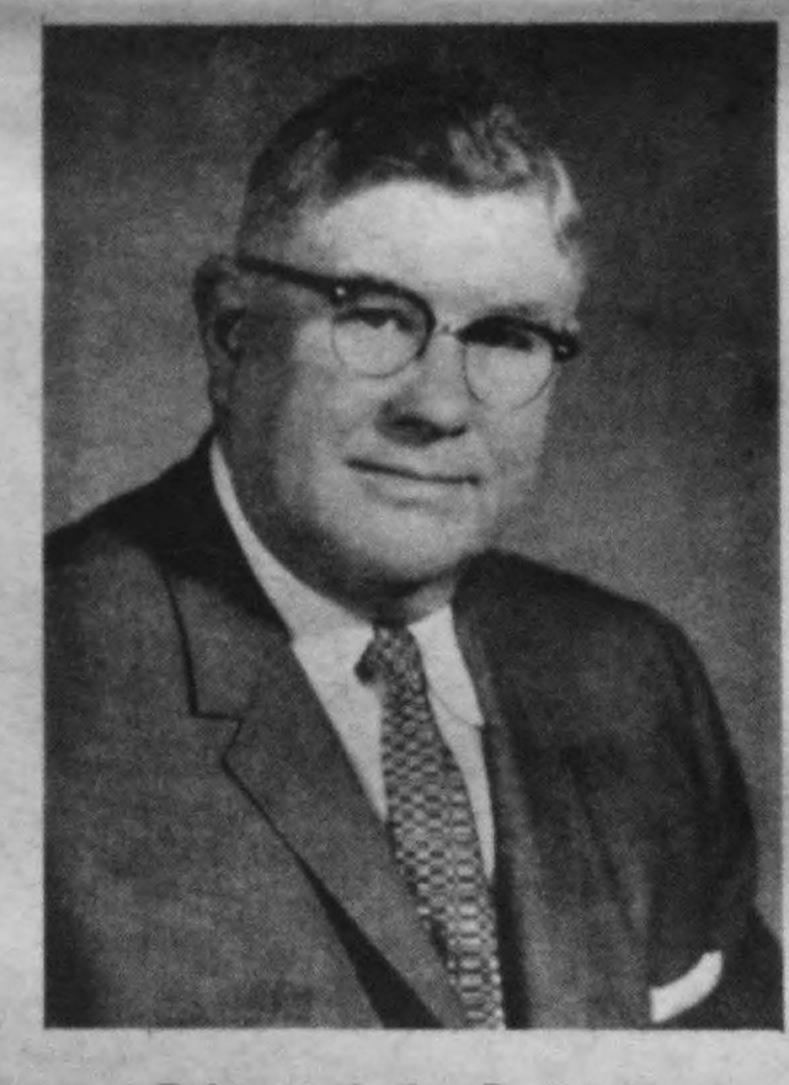
sity and state grants.

The bill covering the program

Patten Backs Mental Health Bill

Wednesday said he is a strong supporter of the Administration's \$850 million mental health program and declared "it would provide real hope for the 1.5 million persons treated in institutions every year and would be one of the most humane and constructive pieces of social legislation ever passed by a Congress."

Patten said those suffering from mental illness and retardation "are a tragic loss of valuable human resources. They challenge not to science, but to society," which, he said, is deprived of their contributions and skills.



Edward J. Patten

The representative of the 15th District - Middlesex County said "the toll of mental illness and retardation, in terms of human despair and cost, is enormous."

He said that in cost, the program would be economical com- but said that "nationwide, there pared with the expense of current state and county mental programs in the nation, which

Rep. Edward J. Patten (D-NJ) | Patten commended President Kennedy for sending the first mental health message to Congress and pointed out that the Chief Executive said mental illness and retardation are "of critical size and impact" and that the dual problem has been tolerated far too long."

> Citing the gravity of the problem, Patten disclosed that recently, Dr. Arnold Kallen, President of the N.J. Neuro-psychiatric Association, said that mental illness is the number one public health problem of New Jersey. He said that Dr. Kallen revealed that "more than one-half of all hospital beds in the state are occupied by mentally ill persons."

Calling the President's program "one of the most urgentlyneeded ever submitted," Patten said it is aimed at reducing the number of patients in mental hospitals in half within 20 years.

Patten said this could be accomplished by constructing community mental health centers and stressing prevention, treatment and rehabilitation, instead of relying on the outmoded practise of confinement, in antiquated and overcrowded custodial institutions.

Patten, who served in the Meyner cabinet for 8 years, lauded the former Governor's Adminstration for the heavy emphasis it placed on treatment, instead of confinement in N.J. mental institutions. The Congressman said that N.J. is one of the eleven states that discharged 7 out of 10 schizophrenia patients within 9 months after being admitted.

He also praised the Administration of Gov. Hughes for its work in the mental health field. are startling gaps that must be reduced."

Patten said that if the measure amount to \$2.4 billion a year. is passed, community health cen-

All Star Game Set For Harbor A Laurence Harbor-Cliffwood

Beach Babe Ruth League All-Star game between the regular - stars selected by the league's managers and the President's All-Stars chosen by loop head George Stone will be played at the field on Matawan Road, Laurence Harbor, on Friday evening at 6 P.M.

The President's All Star combination will include Mike De Simone, Len Force, Rod Nolan, Bill Borges, Bob Sand, Joe Koempel, Justin Rosate, Jim Smith, Dick Dickson, Roger Peters, Junior Olsen, Tony Pasqual, Dave Boyd, Mike Reilly, Ed Burns and Tom Smith.

These players have been standouts throughout the present season and should give the regular all-stars a good run l

for the money. The game is strictly an exhibition contest and will further prepare the regular all-star boys for the tough competition ahead of them when the state Babe Ruth League tournament begins.

William Maskevich is the manager of the regular all-stars. Maskevich has led his team, the Brynes Shamrocks, to the first half-season title in the league play. He is a seasoned baseball pilot who knows the finer points of the game and can impart that knowledge into the actions of his boys.

Stone is also a diamond figure of excellent repute. His knowledge of baseball is farreaching. This game should be a battle between the masterminds.

KEYPORT, N. J. Degree Day Delivery Budget Plan

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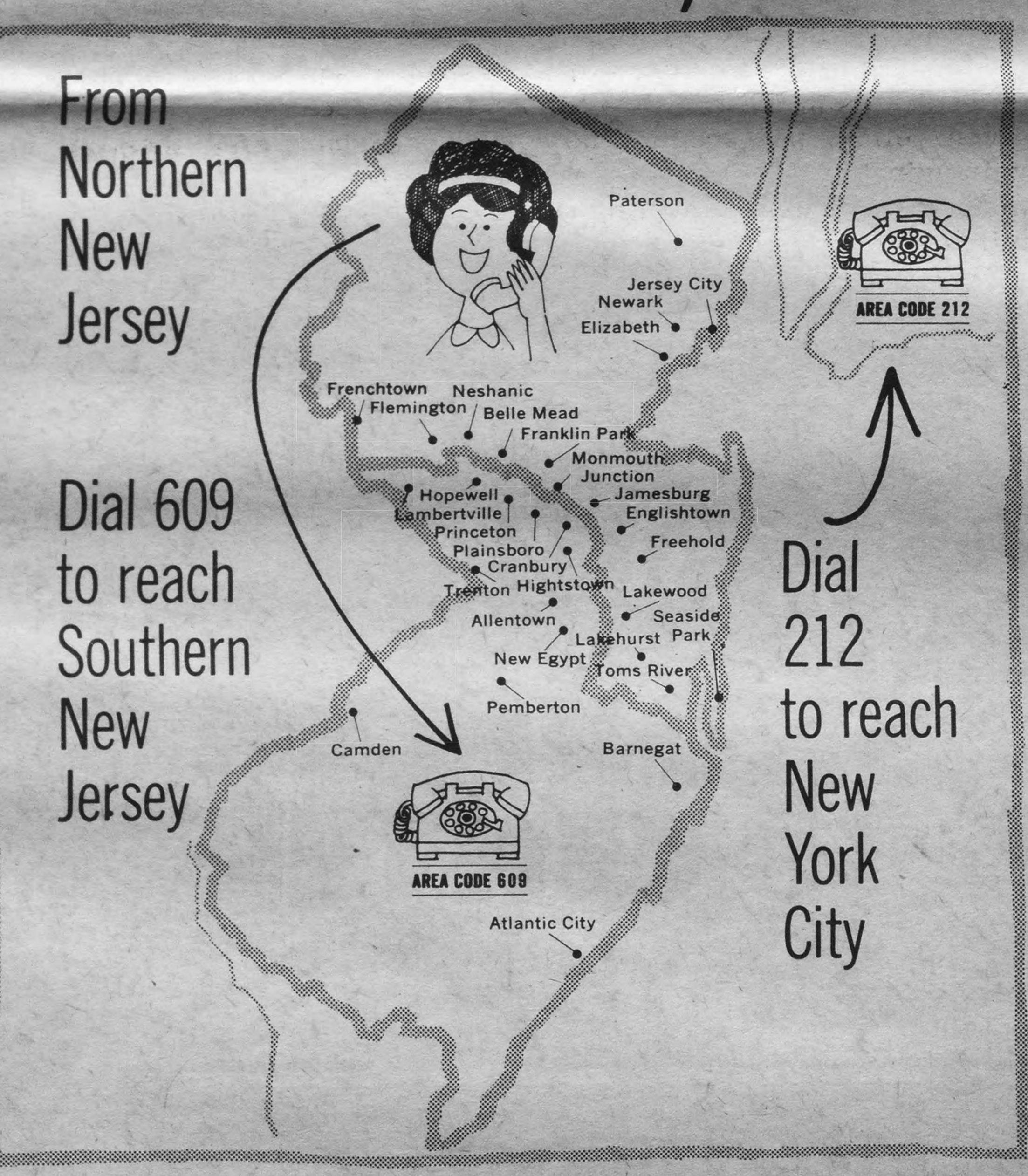
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DIAL 609 TO REACH SOUTHERN **NEW JERSEY**

For example: To dial 555-2368 in Atlantic City, simply dial 609 first, and then the Atlantic City number.

DIAL 212 TO REACH NEW YORK CITY Some New Jersey residents have been dialing 11 instead of 212 to reach New York City. Starting July 21, all New Jersey residents should dial the New York City Area Code 212 followed by the New York City number.

These changes will not affect your telephone rates.

Detailed information about these changes is being mailed to you. If you have any questions, just call the Telephone Business Office. NEW JERSEY BELL



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ROUTE 9
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TOWNSHIP



Postmaster Stresses UseOf"ZipCode"

Postal Patrons who reside in the Laurence Harbor area or other sections of Madison Township, N.J. receiving mail via the Laurence Harbor or South Amboy, N.J. Post Office, your five-diget Zip Code is 08879, Postmaster George W. Stader announced today.

"Everyone in the above area will use this Zip Code on all their correspondence to speed mail deliveries and reduce the chance of mis-sent mail," Postmaster Stader said.

Zip Code, the Post Office Department's revolutionary new system of improved mail dispatch and delivery, went into effect nationally on July 1.

Postmaster Stader stressed the importance of all citizens learning the Zip Code for their area and using it in their return

address on all correspondence. In answering mail, he said, Zip Codes taken from return addresses on incoming mail should be used.

"The Zip Code is literally the last word in mail addressing", Mr. Stader said. "It should FOLLOW the city and state in addresses."

He cited these examples of the proper use of Zip Code: Mr. John Public 1 Matawan Road

Laurence Harbor, N.J. 08879

Mrs. John Public 1000 Washington Ave., South Amboy, N.J. 08879

The new ZIP Code plan, Mr. Stader said, for the first time will permit the Post Office Department to short-cut repeated

Codes Set For Dialing July 21

The New Jersey Bell Telephone Co. reminded its customers today that area codes will be used in dialing long distance calls between North and South Jersey beginning July 21.

On the same date, the company added, all New Jersey callers will begin using three-digit codes when they dial New York City or Philadelphia area numbers.

The area code for Northern New Jersey is 201 and the code for the southern portion of the state is 609.

On July 21 and after, the telephone user in South Jersey will dial the area code 201 before dialing the number on long distance calls to North Jersey. North Jersey long distance calls to South Jersey will be prefaced by dialing 609.

Area codes will not be necessary on calls within the same half of the state. Neither will they be required on calls between communities along the 201-609 dividing line if the communities are in the same local calling zone the company said.

Many telephone customers in the metropolitan area of North Jersey now use the special code City. Starting July 21, they will | changes.

use the area code for New York 483 Vehicles City instead. The New York City code is 212.

Similarly, many Camden County telephone users dial l-l in making calls to Philadelphia. They will switch to the Philadelphia area code, which is 215, on July

Area codes were set up in North and South Jersey several years ago for use by out-of-state callers dialing to New Jersey numbers. In using them on intrastate calling, New Jersey Bell will almost double the supply of usable telephone numbers to meet increasing demands for service.

Most telephone numbers can then be duplicated in both halves of the state after area codes become effective. The area code

states, New Jersey is one of the fic Safety Coordinator C. A. Wall. last to begin use of area codes on calls within its borders. New York has seven area codes in use and Pennsylvania has four.

New Jersey Bell estimates that the calling between North Jersey and South Jersey involves less than one-half of one per cent of 1-1 in dialing calls to New York | all calls originating in its ex-

address reading.

"The address on mail must often be read as many as eight or ten times by postal employees, to get it to the proper destination," Mr. Stader said. "Each handling slows the process of mail dispatch and adds to the opportunity for human error.

"With ZIP Code, a clerk needs only to glance at the code to know immediately to what national area, state and post office the letter is destined, and to speed it on its way, cutting up to 24 hours off the time between deposit and delivery."

Mr. Stader said that when ZIP Code is in full swing, the United States will have "the most modern system of mail distribution and delivery in existence."

Spot Check

Spot checks of 483 motor vehicles resulted in the issuance of six summonses as Madison Township Police conducted a Fourth of July traffic safety inspection.

Road checks were made between 9 a.m. and 10:30 a.m. and 49 vehicles were stopped on Ocean Boulevard, Cliffwood Beach. Two tickets were given for delinquent inspection and expired registra-

Spot checks were also held on Route 516 between 11 a.m and 1 p.m and from 1:30 to 3 p.m. On the first check 169 cars were inspected and 265 on the second check.

Captain William Wallace and Patrolman Joseph Jaeger and auxiliary police conducted the will serve to distinguish them. traffic check. They were as-Of the nation's most populous sisted by Middlesex County Traf-

> SCHOOL IS OUT CHILDREN AT PLAY

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PA 1-1260

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PA 1-9671

TOWNSHIP PLAYGROUNDS NOW OPEN

Laurence Harbor School Cheesequake School School 18 & 19 Sayrewoods South Voorhees School Southwood School

10 A.M. - 4 P.M. DAILY HOLIDAYS AND RAINY DAYS EACH AREA WILL BE CLOSED QUALIFIED PERSONNEL IN CHARGE

All games and equipment are being furnished by the Madison Township Recreation Committee

HARRY E. MESSENGER

Chairman

Township Recreation Committee

Madison Recs Lead League

The Madison Township Recreation Commission nine is leading the Laurence Harbor-Cliffwood Beach Babe Ruth Baseball League with two victories, according to George Stone, circuit president.

In second place in the team standings is the John Phillips Association with a 2-1 record. The Phillipsmen pulled the upof the week by edging Byrnes Shamrocks, 10-7 in a slugfest which saw Bill Borges outlast Tony Pasqual, on the mound.

Man o Contracting Company with a 1-1 mark holds third place followed by a three way by Cruz Construction Company,

Chappy's Lounge and the Shamrocks.

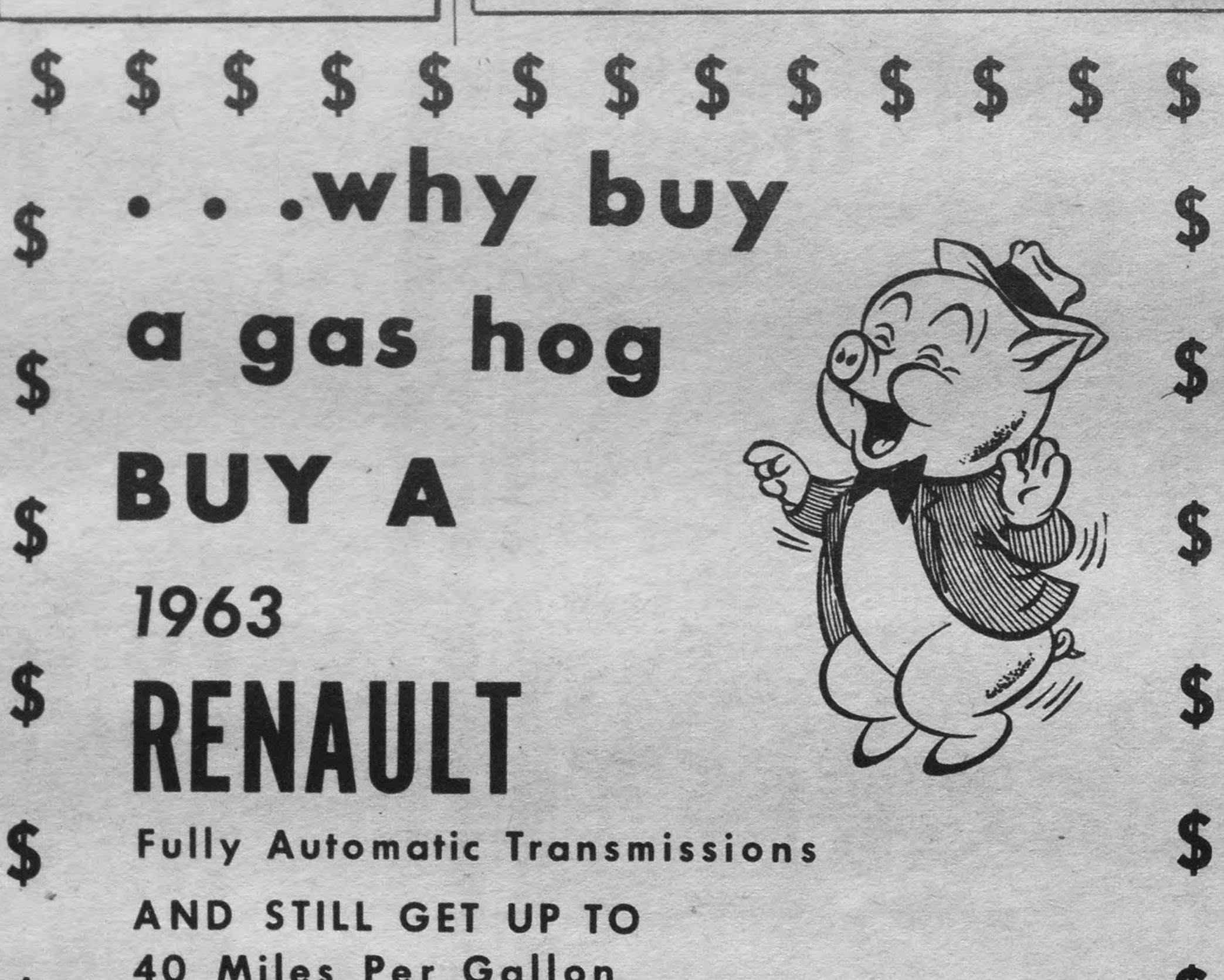
This week's schedule has been suspended so that the local all star aggregation which is managed by William Masevich, may practice for the regional Babe Ruth League championships which begin at Keyport High School field on Thursday(July 11) when Madison Park meets Bayshore of Keyport. On Friday, Old Bridge takes on Clark Township and on Saturday, Laurence Harbor-Cliffwood Beach tangles with Piscataway. The finals will be held on July 15, followed by the district playoffs on July 18 and the tie for the cellar spot shared New Jersey Central playoffs at Freehold on July 20.

ADVENTURE DAYCAMP

Route 9 Madison Township For Ages 6 to 13 "We Operate Rain or Shine"

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ALWAYS 100 FINE USED CARS TO CHOOSE FROM \$50,00 AND UP! SALES OPEN 9 A.M TO 9:30 P.M. PA 1-3600 SERVICES OPEN 8 A.M. TO 5:30 P.M. PA 1-0600

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Route 9 & Ernston Rd. Sayreville, N.J.

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Transcript Of The Court Record--Municipal Utilities Commission vs Browntown Water Co

MR. HELLRING: The exhibits which have been introduced into evidence before your Honor so far cover, with the exception which I will indicate, all of the exhibits which were introduced and identified during the course of the depositions, namely, those which were marked in the depositions as P-1 and as D-1 through D-9. Actually D-8 turned out to be a duplicate of D-4 and P-2, which your Honor will see from the depositions. There were four others marked D-10 through D-13 in the depositions, and they consist of excerpts from the original minutes themselves which were present at the deposition and they will be here tomorrow. Miss Mary Brown, the Township Clerk, will be bringing them.

That covers, if your Honor please, all of the exhibits.

MR. KRESS: Except this, will you stipulate to this? This is a certified copy of a resolution by the Township Committee on November 5th transferring its rights under any agreement with -- specifically the December 17th agreement to the Water Authority.

MR. HELLRING: Hee again, if your Honor please, we will be glad to join with Counsel in introducing it as a Joint Exhibit of a true copy of a resolution adopted by the Township Committee of the Township of Madison -- I am looking for the date.

MR. KRESS: November 5th. MR. HELLRING: At a meeting apparently held on November 5, 1962. In addition to the fact with respect to this, that it refers to an effort by the Township Municipality to turn over to the Water Authority its rights, if any, in an alleged agreement of December 17, 1956. Of course, as we have heretofore taken the posi we have heretofore taken the position that attempting to do this by resolution rather than by ordinance is ineffective to accomplish such a transfer.

(Resolution dated November 5, 1962, above referred to by Mr. Kress received in evidence and marked Joint Exhibit 13).

MR. HELLRING: There are certain matters, if your Honor please, as to which we believe counsel are prepared to stipulate in addition to the items which are already in the record. One of them is the fact that the Browntown Water Company is the only water company in operation in

the township of Madison as to which the township or the Water Authority has attempted to impose or exact or obtain a repurchase condition of the type which is attempted in this case.

MR. KRESS: I would also state, hour Honor --

MR. HELLRING: Is that much

correct?
Mr. Kress: That is correct, as

In addition to that, there are three other water companies who were granted a franchise on December 17 1956 who to my

were granted a franchise on December 17, 1956 who, to my knowledge, are not in operation, who did execute and deliver to the township an option agreement similar to the one dated December 17, 1956 in this case, but none of those three companies

are operating.

MR. HELLRING: The second stipulation which I believe counsel are able to make is that the file of the Public Utilities Commission regarding the Browntown Water Company contains nowhere any record or mention of any right of recapture on the part of Madison Township or any option to repurchase the facilities of the Browntown Water Company, nor do the files of the Public Utilities Commission contain anywhere any copies of any alleged contracts or agreements of this nature.

MR. KRESS: If your Honor please, I believe that is so, but I would not like to stipulate that until tomorrow, if that is a fact. I believe it is so.

THE COURT: Let's not stipulate that late that. We can stipulate that tomorrow. I won't make any notes of it. Why don't you go over those stipulations and make them tomorrow.

MR. HELLRING: There were some demands for admissions which were answered and we probably ought to introduce those,

that tie in with the stipulations. We better wait and do it tomor-row.

THE COURT: All right.

MR. HELLRING: In view of the fact that -- Perhaps this should be off the record.

THE COURT: Off the record.

(Discussion off the record)

(Hearing adjourned to June 11,

THE COURT: Now, what about it? We started with stipulations. Do you want to put the minutes in next and then we can wind up with the stipulations, or are you ready to go with the remaining

stipulations?

MR. KRESS: I think we are ready to go with the remaining stipulations.

MR. HELLRING: All right.

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If your Honor please, in that connection the file presently before your Honor I believe should contain the interrogatories and answers to interrogatories. Shall I offer them?

THE COURT: I dont' have them.
I don't have any copies of interrogatories.

MR. HELLRING: They were filed with the Court. We can offer copies.

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THE COURT: They are not in my file. If you just filed the originals they are in the original file, unless there are two copies filed.

MR. HELLRING: They should have been. They are not there? THE COURT: No.

MR. HELLRING: Well, they are not lengthy. They are very brief. THE COURT: The only way I

(Continued on Page 7)

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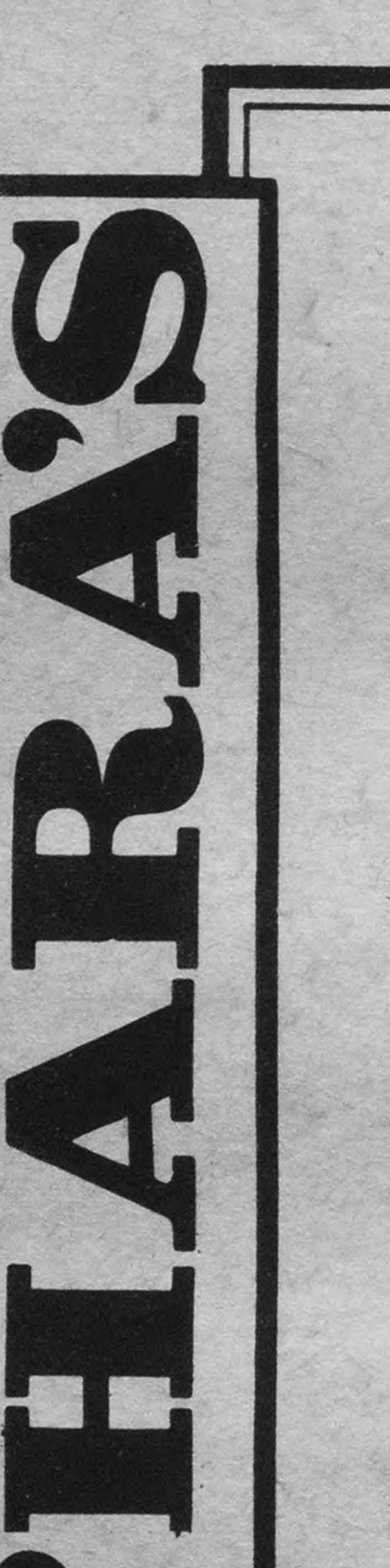
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Transcript

(Continued from Page 6)

can get them is if you file two copies.

MR. HELLRING: I thought we had done that.

would like to offer the Request for Admissions containing the answers filled in -- No. The Request for Admissions together with the answers. There were a total of 8 requests and 8 answers.

THE COURT: They may be marked. The Requests may be marked D-1 (A) and the answers

D-1 (B).

(Requests for Admissions above referred to by Mr. Hellring received in evidence and marked Exhibit D-1 (A); Answers to Requests for Admissions above referred to by Mr. Hellring received in evidence and marked Exhibit D-1 (B).)

MR. HELLRING: And then Interrogatories consisting of three interrogatories with the answers filled in, together with amended answers to the interrogatories which I offer also as a single exhibit in two parts.

THE COURT: They may be marked D-2 (a) and (b).

(Interrogatories and answers thereto above referred to by Mr. Hellring received in evidence and marked Exhibits D-2 (a) and (b))

MR. HELLRING: Next was a demand for copies of documents, really a single demand, pursuant to Revised Rules 4:24-2, to which there has never been any reply, none being required except under the conditions stated in the demand.

THE COURT: The demand may be marked D-3.

(Demand for Documents above referred to by Mr. Hellring received in evidence and marked Exhibit D-3)

MR. HELLRING: Included in the request for admissions and the answers to admissions there is already the admission that no other operating water company in Madison Township is subject to the same kind of capture clause as involved in this case, except that in the answers to the demand for admissions or request for admissions, Counsel at that time was not able to say that that was true as to the Midtown Water Company.

MR. KRESS: That is right. MR. HELLRING: But he has since inquired into that and is able to stipulate here, as I understand it, that there is no capture clause in existence with respect to the Midtown Water Company either.

THE COURT: So that would be admitted?

MR. HELLRING: Yes. THE COURT: That is Number

MR. HELLRING: Right. Can we stipulate to that here? MR. KRESS: Yes.

THE COURT: Now, going down to Number 8 of that-

MR. HELLRING: With respect to the Midtown Water Company, I think we can also stipulate that their permission to lay pipes by ordinance was granted in June of 1956.

Are you familiar with that fact? MR. KRESS: I am not familiar with the exact date.

MR. HELLRING: Well, the minutes are here and we can take a look. It happens we have the minutes for '56 here, so we can take a look at the minutes of June '56 and we can establish it that way. That was when the Midtown Water Company got its permission to lay pipes.

You were saying about Number

THE COURT: Now, Number 8, that the file of the Board of Public Utility Commissioners concerning the franchises and approval contains no reference. Now, that is denied.

MR. KRESS: That I double checked yesterday, your Honor, and I am agreeable now to admit

MR. HELLRING: So that is now stipulated?

THE COURT: Yes.

MR. KRESS: With reference to that, we have agreed to stipulate that the petition for approval was filed by the company and not by the Municipality.

MR. HELLRING: Oh, yes. The application to the Public Utility Commission for their approval to the operation by the Browntown Water Company as a water company was, of course, filed by the Browntown Water Company.

THE COURT: Yes. I'do know

MR. HELLRING: I think Mr. Kress wants to make a point that such application was not made by Madison Township.

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THE COURT: Yes. Before they do anything they have to have the consent which has to be filed. MR. HELLRING: That is right. THE COURT: All right. CONTINUED NEXT WEEK



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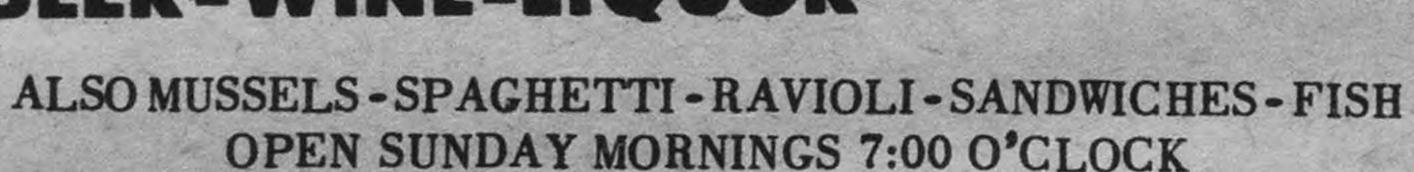
Aerial view of area where disputed variance for grocery store is centered about. Donald Tierney, G.O.P. candidate and a resident of Madison Park charged that the erection of the store would add to the general heavy traffic in the area. A permit for construction of the store was issued by the building inspector.



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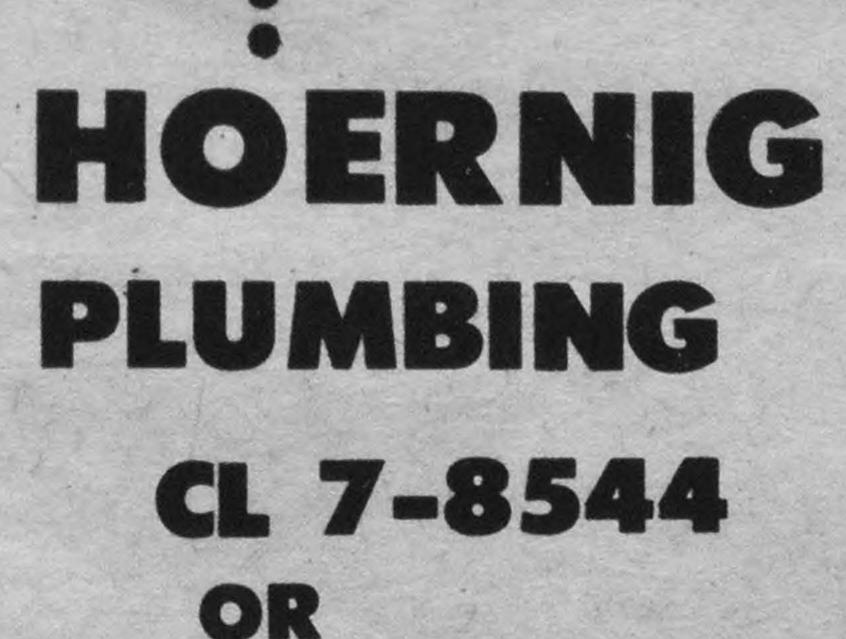
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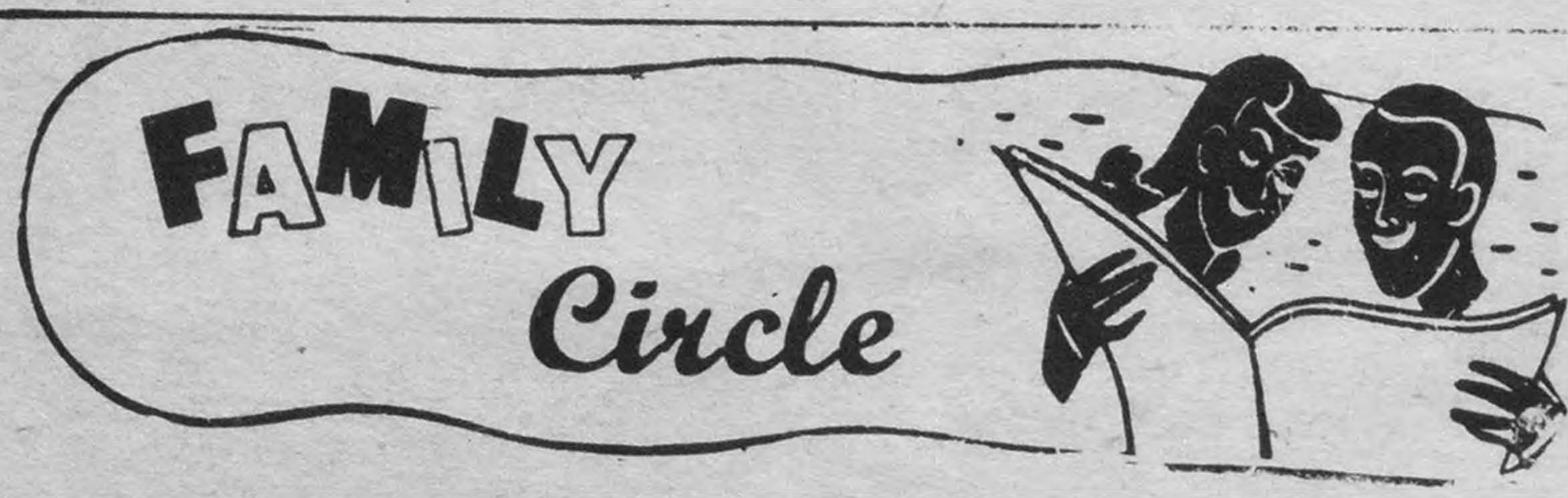
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Congratulations to Mr. and he will celebrate his 12th birth-Mrs. ROBERT ERRINGTON of day on Friday....Best Wishes to 3 Mabaline Road, Sayre Woods | Mr. EDWARD WINDAS of 48 Ocean Blvd., Cliffwood Beach he will celebrate his birthday on Friday....Best Wishes to Mr. CLYDE BOWNE of Cottrells Road, Cheesequake he will celebrate his birthday on Friday Best Wishes to DONALD PICURI of 42 Clemson Road, Madison Park he will celebrate his 17th birthday on Wednesday....Best Wishes to Miss LORRAINE THOMAS of Laurence Harbor she celebrated her 18th birthday on July 9th....Best Wishes to DENNIS VANCE of 116 Southwood Drive, Old Bridge he will celebrate his birthday on Sunday....Birthday wishes to Miss BARBARA RHODES of 48 Farless Avenue, Old Bridge she celebrates her 13th birthday on Saturday....her cousin ELLEN RHODES of Farless Avenue, Old Bridge will be 14 on the same day Best Wishes to Mrs. MARY DITRI of Bordentown Avenue, Madison Park she will celebrate her birthday on Saturday Congratulations to Mr. and Mrs. JAMES BINI of 21 Sycamore Drive, Old Bridge they will celebrate their 13th Wedding Anniversary next week on Friday.....Happy Birthday to CHUCKY HEDENBERG of Stoney Brook Drive, Old Bridge he celebrated his birthday on Monday....Best Wishes to Mrs. LILLIAN SAL-ERNO of 120 Princeton Road, Madison Park she will celebrate her birthday next Thursday BERNARD THOMAS SCANLON the littlest of the SCANLON'S ton Road, Madison Park they will is spending a few weeks at Camp celebrate their 15th Wedding An- | Columbus Barber Lake, New Jerniversary on Friday.....Happy sey.....Mr. and Mrs. ALSTANTON Birthday to JOSEPH GUINTA of of 15 Duke Court, Madison Park 10 Sycamore Drive, Old Bridge have as guest for two months

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Evidently the Township Building Inspector "goofed" when a building permit was issued to the Southland Corp., to construct a grocery store on Bordentown Avenue.

The error was quite understandable, at the intersection of Bordentown Avenue and Ernston Road, we find two gas stations, barber shop, grocery store, banking institute. the corner of Ernston and Rutger Road, we find a real estate office and a dentist.

The entire length of Bordentown Avenue Madison Township is near a rail road track and we find several more gas stations, church and a bank all within a half mile.

Many of the operations of course are in neighboring Sayreville.

In fact the property in question for several years had a sign on it "Commercial Property Available'

Carol's cousins from Europe

Rose Corigliano, of 46 Wash-ington Ave. Central Park, Le-Secretary to GEHRIE & GURNEY, Rt. 9, Cheesequake, is a patient at SOUTH AMBOY. Hospital where she is undergoing a five day minor ailment checkup.

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> Sanitation Committee Madison Township Joseph G. Hoff, Chairman Harry Messenger Joseph Pandozzi