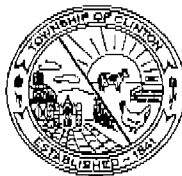


TOWNSHIP OF CLINTON
HUNTERDON COUNTY



Thomas Borkowski
Mayor

Thomas Kacedon
Council President

October 12, 2005

VIA TELECOPIER 609-292-2885
and REGULAR MAIL

The Honorable Bradley M. Campbell
State of New Jersey
Department of Environmental Protection
P.O. Box 402
Trenton, New Jersey 08625-0402

Re: Township of Clinton, County of Hunterdon
Block 7, Lots 18, 18.01 and 31
"Windy Acres"

Dear Commissioner Campbell:

This is in response to your letter, dated October 5, 2005.

We appreciate your interest in our community, but we were disappointed that you decided to write without having the benefit of accurate information upon which to form an opinion. Initially, we note that you did not contact us or anyone from the Township of Clinton negotiating the Settlement Agreement with P&H Clinton Partnership for information. If you had, we are certain that your opinion would have been quite different from that expressed in your letter.

For example, your letter is based upon a preliminary review of a report by Princeton Hydro, dated April 13, 2005, commissioned by an organization that vigorously opposes the proposed development. Were you advised that the Princeton Hydro report is outdated and not relevant to the Township's current settlement discussions and based upon a development consisting of 911 units that will not be built? The settlement proposal under consideration provides for a maximum of 515 units, of which 365 will be age-restricted, 90 will be affordable units to meet the Township's Second Round affordable housing obligation, and the dedication of

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land to the Township sufficient to construct up to 60 units necessary to address the Township's Third Round affordable housing obligation.

Were you advised that an environmental constraints map was prepared that shows these units can be located on the property substantially within the environmental constraints? Was this map presented for your review?

Were you advised that 2/3's of the proposed development will be open space? Were you advised that 13 acres have been set aside as a bobolink habitat? Were you advised that 14 acres are to be dedicated to the Township for open space and recreation?

Were you provided with a copy of the Settlement Agreement? Were you advised that the Settlement Agreement specifically requires that new stormwater calculations are to be submitted to the Planning Board for review as part of any development application?

Were you advised that the Settlement Agreement is consistent with the requirements to settle Mount Laurel litigation?

Were you advised that the Settlement Agreement expressly acknowledges the rights of the Planning Board to review any application that might be presented as a result of the Settlement Agreement?

Did you know that the time frames set forth in the proposed Settlement Agreement for review by Planning Board advisors comply with the Municipal Land Use Law?

The Settlement Agreement is the result of negotiations which began early this year and was the subject of a presentation to the governing body and the public on May 11, 2005. The approval of a Memorandum of Understanding, dated May 20, 2005, establishing the framework for a final settlement, the draft of Settlement Agreement was posted on the Township's website on September 21, 2005; and joint meetings of the governing body and Planning Board on September 28, and October 5, 2005, with extensive public comment at each meeting.

This has been a long and deliberate process and, as in all negotiations, a point arrives to either resolve the matter or move forward with the pending litigations in the Appellate Division, Law Division, Board of Public Utilities, and Council on Affordable Housing.

Lastly, it is surprising that you would offer an opinion on matters that may come before the Department of Environmental Protection; you may now be required to recuse yourself from involvement in any related matters that come before the Department as a result of this wholly misguided communication, a consequence which would indeed be unfortunate for the entire Township. You see, the Township must act in the best interests of all of the citizens of the Township. You, however, elected to involve yourself on behalf of a vocal minority that opposes the Settlement Agreement and worse, on the basis of incomplete and demonstrably inaccurate information.

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We ask that you promptly retract your letter of October 5, 2005 by written communication to us immediately, or explain the basis for your opinions in light of the information set forth in this letter.

Respectfully yours,



Thomas Borkowski



Thomas Kacedon

TB/n

cc: The Honorable Leonard Lance
Hunterdon County Board of Chosen Freeholders
Township of Clinton Council
Gail W. McKane, Administrator/Clerk
James Imbriaco, Planning Board Chairman
Daniel S. Bernstein, Esq.
Albert E. Cruz, Esq.