

# Eminent domain opponent signs residency pact

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COASTAL MONMOUTH BUREAU

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LONG BRANCH — On the first anniversary of the historic Kelo Supreme Court decision that upheld a city's right to use eminent domain, state Superior Court Judge Lawrence M. Lawson told MTOTSA residents they had to leave their homes.

Friday, the second anniversary of Kelo, Lawson, sitting in Freehold, told one resident of the Marine Terrace, Ocean Terrace, Seaview Avenue (MTOTSA) neighborhood he could stay, at least for a while.

Lawson was hearing the city's request to evict tenant William A. Nordahl, 69, who has lived in his Marine Terrace apartment for more than 40 years. The city, which for months had urged Nordahl to sign an agreement that would allow him to stay, had finally had enough and made the court motion, said city attorney Paul V. Fernicola.

Nordahl, who many credit as the organizing force behind the MTOTSA Alliance, a group of some 20 property owners in that area who have taken their fight to remain in their homes to the state appellate division, had refused to sign the "use and occupancy" agreement.

After an unsuccessful action March 2, Nordahl and his lawyer, Barbara J. Gonos, were in front of Lawson to fight the city, which wanted Nordahl to sign the agreement that limited his right to stay in the home, or be evicted. Lawson indicated the city's agreement was reasonable, and Nordahl should either sign it or be evicted.

"I think it was very clear he intended to put pressure on us to sign," Nordahl said later.

Nordahl can stay in the apartment throughout the time the MTOTSA action is in the appellate division, and if the city prevails, Nordahl will get an additional 90 days to vacate, with notice in writing.

But the city also raised his rent, from \$650 a month to \$715, a 10 percent increase.

"We told the judge that we were reluctant to be in court," Fernicola said of the city's position. "We have no desire to seek the (eviction) order."

But Nordahl had to sign the agreement, which provided that he not use the fact that the city allowed him to stay as a defense for the city's ultimate move to evict him should Long Branch prevail in the MTOTSA appeal. (Nordahl is not part of the appeal because he is not a property owner).

Nordahl won a concession from the city that the agreement does not impact his appeal, which is centered on his tenants' rights.

Also Friday night, a group of regional eminent domain opponents were observing the anniversary of the Kelo decision at the Jersey Shore Arts Center in Ocean Grove.

## STORYCHAT

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The People of the State of New Jersey need to gather in a force to make eminent domain reform occur. Assembly Concurrent Resolution (ACR 138) to put the question on the ballot "Eminent Domain For Private Gain should stop"

The motion was brought to the floor by Assemblyman Merkt of the 25th District, June 21.

Assemblyman Berzechelli, also Mayor of Paulsboro a Democrat, moved to table it. 48 Voted to table, while 31 voted not to. The actual assembly votes standing in the way of getting the reform on the ballot in November will be published, along with breaking news and information on the abuse of eminent domain in New Jersey at [www.njeminentdomainabuse.com](http://www.njeminentdomainabuse.com)

Posted by: GrownUp on Sat Jun 23, 2007 1:28 pm

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