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Eminent domain foes to protest eviction

Halpers must quit farm by 3 p.m. Monday

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A California-based group opposed to the use of eminent domain is planning a protest over the weekend at a Piscataway farm seized by the township. The group wants to show support for the Halper family, who must be off the property by Monday afternoon.

"We must draw a line in the sand and say: NO MORE!" reads a notice posted on www.freerepublic.com, a site run by Freestar Media LLC, a conservative organization that lobbies against eminent domain. "We must defend our constitutional right to own property. If this event isn't worthy of your time, then you will never find an event that is."

The group is calling for protesters to camp out at the 75-acre farm at Metlars Lane and South Washington Avenue beginning Saturday, hoping they will stay throughout the eviction.

Clara Halper, who lives on the farm with her husband Larry and their children, plans to be a part of the protest, but said she will be off the farm before 3 p.m. Monday, the deadline a state Superior Court judge gave the family to vacate the premises.

"We're considered homeless at that point," Clara Halper said yesterday, taking a break from packing her belongings. "We've been doing the best we can do. It's very difficult"

A letter from the Halper's lawyer warned family members not to stay on the property past the deadline.

"The bottom line is that on July 10, 2006, at 3 p.m. or sometime thereafter, armed personnel, whether members of the Piscataway Township Police Department or the Middlesex County Sheriff's Office, will forcibly remove you and your family from the premises unless you vacate in advance of the deadline," the letter warns.

However, Mayor Brian Wahler said the Supreme Court of New Jersey will be responsible for the eviction, not the township.

The Halper family has been battling Piscataway for the last seven years in an effort to keep the township from taking the property through eminent domain. The family lost the fight two years ago when a state judge granted the township the authority to seize the property.

A state judge has allowed the family to remain on the property, granting several extensions, to give the them time to move.

The township and the Halpers continue to argue over the value of the farm. A jury concluded the property was worth nearly \$18 million, but the township is appealing the award and has paid the family only \$4.3 million so far.

The idea for the camp-out this weekend came from Freestar Executive Producer Logan Darrow Clements, as part of a documentary the organization is shooting about eminent domain abuse. The documentary focuses on the Lost Liberty Hotel project in Weare, N.H., which Clements proposed to build on land owned by U.S. Supreme Court Justice David H. Souter.

Clements contacted the Halpers, who agreed to host the protest. A band is scheduled to play on Sunday, an activity Clements hopes will "give people another reason to show up," he said. Clements said he did not know how many people would come to the camp-out.

The filmmaker added that he will be taping the weekend's events as well as the eviction.

Thom Ammirato, spokesman for the Piscataway Property Rights Organization, a bipartisan citizens group pushing for a referendum to forbid eminent domain unless the land clearly goes to public use, said a few of the organization's members may attend the camp-out.

"There's nothing binding the municipality to keep the land as open space" once the eviction goes through, Ammirato said.

Mark Halper, Larry Halper's brother, said he thought the weekend protest was a good idea.

"Hopefully, it will bring awareness of eminent domain and the government's awesome power, which is being abused," said Mark Halper, who has bought a farm in Somerset County.

Wahler said the municipality had no intention of intervening in the camp-out unless protesters block traffic.

"I hope a lot of people do go out there," said Wahler, who called the farm an eyesore to the community. "We'll give them garbage bags so they can clean up that mess."

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