

Pay to Play Legislation Gains Momentum Statewide

By MICHAEL M. SHAPIRO
Specially Written for The Westfield Leader and The Times

Ongoing revelations of alleged unethical conduct by officials at all levels of government throughout the State of New Jersey have begun to take a toll on public confidence in our elected leaders. A recent expose into the conduct of a top Governor James McGreevey fundraiser, Roger Chugh, who allegedly shook down Asian-Indian merchants for contributions, has raised eyebrows throughout the State and has sent legislators who are up for election in November, scurrying to prove that they are "reformers."

Many elected officials in both political parties, as well as challengers in the upcoming election, are campaigning for office claiming that they will restore integrity in New Jersey's political system and will end the "culture of corruption" plaguing politics in the Garden State.

A major focus of many campaigns is "Pay to Play" reform legislation, which, according to its original sponsor, State Senator Tom Kean, Jr. (R-21), "aims to sever the link between campaign contributions and government contracts."

After pledging to support "Pay to Play" legislation while campaigning for Governor, Governor McGreevey has "actively sought to kill every true 'Pay to Play' reform measure to date," Senator Kean said. However, the political winds appear to be changing. On the State level, "Pay to Play" reform legislation is gaining momentum, with both political parties scrambling to embrace the mantra of reform before November's election. With recent passage of "Pay to Play" reform legislation in Hamilton Township and other municipalities throughout the state, pressure is mounting for reform at the local level, as well.

"Pay to Play" legislation prohibits the awarding of government contracts to those who make political contributions to candidates and political parties that are involved in the awarding of such contracts. The legislation aims to tackle the appearance of impropriety that exists in New Jersey regarding the linkage between campaign contributions and the awarding of government contracts. Contracts awarded to campaign contributors tend to be inflated, resulting in higher contract prices. These higher contract prices result in higher taxes, a burden shouldered by all New Jersey residents.

For example, Parsons Infrastructure and Technology was awarded a \$400 million dollar no-bid contract, under the Whitman administration, to provide a new auto emissions testing system. Parsons won its contract by giving over \$500,000 in political contributions. The project had cost overruns in excess of \$100 million, paid for by New Jersey's taxpayers. At a time when our State is battling to stay fiscally afloat, inflated government contracts awarded to political contributors have raised the ire of many New Jersey voters.

Although Westfield has been a leader in the state in reforming politics, it has refused to enact "Pay to Play" reform. In 1999, Westfield banned campaign fundraising in public buildings and approved a measure implementing open competition for professional contracts. However, in September of 2002, Harry

Pozycycki, Chairman of the Board for Common Cause, addressed the Westfield Council about the need for local "Pay to Play" reform, modeled after Sen. Kean's proposed legislation proposed for the State of New Jersey. The council referred the ordinance to the Laws and Rules Committee, where it has been virtually ignored.

The pressure mounting at the state level and in localities throughout New Jersey may bring reform to Westfield and nearby towns. Hamilton Township is a case in point. In November 2001, the Hamilton Township Council approved "Pay to Play" reform. However, after new members were elected and the political party controlling the council changed, the new Hamilton Township Council repealed the legislation in 2002. Common Cause and other "good government" groups worked with the residents of Hamilton Township and began a petition drive to allow residents of Hamilton to vote on the ordinance by means of a ballot measure this coming November. The good government reformers and residents gathered 4,000 signatures, more than a thousand over the number necessary to qualify for a ballot measure. Confronted by this outpouring of support for "Pay to Play" reform in Hamilton Township, the Council reversed its position and approved the ordinance in August.

The recent focus on ethics in New Jersey politics and the passage of "Pay to Play" reform legislation in Hamilton Township and other municipalities, have begun a snowball effect. In town after town, residents of the municipalities are coming forward to urge the passage of "Pay to Play" reform. Elected leaders and candidates for office are openly attempting to outdo each other in voicing their support for "Pay to Play" legislation. Even Governor McGreevey, who has raised obstacle after obstacle to passage of Senator Kean's legislation to ban "Pay to Play" throughout New Jersey government, recently pledged on NJ 101.5 FM's "Ask the Governor" program, to pass "Pay to Play" reform. Given the changing political tide, it comes as no surprise that locality after locality are lining up to support "Pay to Play" reform. With many civic-minded residents in Westfield and other towns nearby, has the time for "Pay to Play" reform arrived?

Weapons Of Mass Destruction Drill To Be Saturday

COUNTY - On Saturday, September 6, police, firefighters and EMTs will test their ability to respond to a potential attack using weapons of mass destruction. A drill by Union County's Office of Emergency Management will involve law enforcement and emergency responders from all of the county's 21 towns, all county hospitals, health care providers and county and state officials. The drill will also involve as many as 60 community volunteers, many of whom will be patients and victims.

The event will begin at 9 a.m. and will last about four hours. It will begin at Union Train Station, Morris Avenue and Green Lane, Union. Then it will move to the Westfield Train Station, South Avenue, Westfield. See story on Page 1.



RECOGNIZED...Westfield barber, Joe Aprile, known as Mr. J's Hairstylist, of South Avenue, celebrated his 37th year in business this month with a visit from Westfield Mayor Gregory McDermott and Republican candidate for town council from Ward four, James Foerst. "This is the first time in my 37 years in Westfield that a mayor has come into my shop for a hair cut," noted Mr. Aprile. Pictured above, from the left, are Mr. J., Mr. Foerst and Mayor McDermott.

More Letters to the Editor

NJ DOT Should Have Left Traffic Light at South and West Broad

Your August 28 article describing removal of the traffic light at South and Rahway facing the driveway of the large office building, apparently with little or no notice or consultation with the Town, came as no surprise to me. While Route 28 is undeniably a State highway, which the state maintains and snow-plows, the state DOT in my view has a very poor record of recognizing that these highways are also important roads to the municipality wherein located, and the town officials should get some opportunity to be heard on their contemplated actions.

This came home to me very graphically in the long ShopRite hearings of unfond memory. For that store to go up either in Westfield or in Garwood the developer had to get what are known as "curb cut" permits onto North Avenue, a/k/a State Highway 28. These are done by the developer's traffic consultant direct with DOT, in Trenton, without a by your leave to the municipality, except to the extent that the municipality finds something out by accident or during the zoning process. Which is what happened with the ShopRite situation.

During our two and a half years of questioning, we learned that DOT wanted major changes in line striping, traffic light timing, parking and turning bans, etc. in three places - the underpass on the Cranford-Garwood line; the Garwood underpass; and of critical importance to Westfield, the North and Central intersection. The developer agreed to these conditions without blinking an eye; it wasn't THEIR town. But it was the Town of Westfield Planning Board on which I then sat, and we objected vociferously.

I was so mad about this that I wrote a column which appeared in New Jersey Municipalities magazine, demanding that the DOT or the developer affirmatively notify every municipality that would be affected by a change DOT required, whether in the municipality where the curb cut was requested or elsewhere. I do not know what, if anything, eventually was changed in the DOT process.

After I left office of course ShopRite went on to build wholly in Garwood. I have to assume that the same requirements as to changes in these three locations were again asserted by DOT. Fortunately for Westfield someone was able to ameliorate the original requirements, and what we have at North and Central is nowhere as bad as it would have been under the original requirements, about which we had no formal notice.

Going back to the South Avenue situation, when I moved here in 1959 the site was occupied, as it had been for many decades, by the J.S. Irving lumber yard and Tuttle Bros. hardware store. I exited

FW Borough President Responds To Concerns On Redevelopment

In a letter (*The Times*, August 28), Gale Miller quotes me, accurately, as saying the Republicans' "overriding theme...is experience and proven results."

A theme, of course, is a story line. It's not an issue, nor is it a concern. For Bill Clinton's first presidential race, the theme was, "It's the Economy Stupid."

For "many voters," posits Mrs. Miller "the main theme is concern over the redevelopment plan." She then goes on to weave a story that demands a response.

She asserts, without a shred of proof that Fanwood voters have assumed "the enormous costs of educating all the children who have moved into one of Scotch Plains' newer housing developments."

Apparently, Mrs. Miller would have the voters believe the taxpayers of Scotch Plains haven't paid a penny for any child who lives in a development built since 1979. It's a preposterous proposition on its face.

As a regional school district, the costs of educating all children - those from Fanwood and from Scotch Plains alike - are allocated by the state based upon the ratio of assessed values of property in the two communities. It's a fact that Fanwood pays less for each Fanwood pupil than Scotch Plains pays for each Scotch Plains pupil.

She then raises the question of whether children will move into Fanwood's downtown development. She says, inaccurately, that Mayor Jung and I "don't believe children will move into the proposed housing units because the units won't have backyards."

She's got that wrong, too. We have said we expect 0.1 school age children per unit. So, if there were 100 units, there would be 10 children.

She then asks whether "the empty nesters that the Berwick Chase and Sterling Chase developers promised actually (bought) those homes, or were the homes purchased instead by growing families?"

I have no idea what, if anything, was "promised" by the developers of Berwick

Chase and Sterling Chase. But she and I do agree on one thing: It's "not in a voter's or public official's best interests to rely on a developer's prediction of who will buy the housing units the developer wants to build and sell/rent for a profit."

Of course they shouldn't. That's why Fanwood has retained a professional planner - the same planner who advised the town under two Democrat mayors - to advise us on every step of the way. It's his conclusion - not the developer's - that the downtown development will generate 0.1 pupils per housing unit. That conclusion is based upon experience in similar developments elsewhere in New Jersey.

Mrs. Miller hopes voters will "consider" her unfounded fears "when heading to the voting booth."

I hope voters will consider the care with which the Mayor, Council (Republican and Democrat alike) and Planning Board have approached downtown redevelopment.

When Mayor Jung took office, there were empty stores. There was no adopted plan to redevelop the Dean Oil property, or the Ponzio property. Buildings continued to decay.

Mayor Jung promised during his first campaign to work night and day to revitalize Fanwood's downtown. He has kept that promise.

We promised to do so in an open fashion, listening to the public. We have kept that promise. There have been 22 public Planning Board and Council meetings, many of which were televised and at most of which public input was offered, at which the downtown plan was discussed. The adopted downtown plan is infinitely better because we welcome public input and we act on public input.

Four years ago, an Elizabeth developer sought to build a Motel 6-style apartment house on the Dean Oil site. There was only one member of the Planning Board who voted in favor of that plan.

Joel Whitaker
Fanwood Borough Council President

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