

# The Westfield Leader

— Established 1890 —  
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Legal Newspaper for Union County, New Jersey

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## 21st District News Zone Pricing Is an Archaic Concept Whose Time has Past

Assemblyman Jon Brannick, Westfield

Simple economics tells us that the more a commodity is in demand, the higher the price will be. That's especially true for gasoline. Other factors, including refinery processing costs, profit margins, distributions, marketing and the political atmosphere in crude-zone pricing and, depending on the locale of the service station, make it anyone's guess what consumers will pay at the pump.

For those not familiar with this concept, zone pricing allows oil companies to charge retailers varying wholesale gasoline prices based on the retailers' location. That is, a retailer will be charged a different price for the same brand and grade of gasoline depending on the "price zone" in which the retailer is located. Mind you, suppliers determine their own need for price zones and the number to establish.

In determining the wholesale cost, factors such as competition, gasoline taxes, type of product, traffic patterns, natural barriers such as rivers and parks, and man-made barriers such as highways, play into the equation.

In New Jersey, this policy has been permitted to allegedly "meet competition." Nothing can be further from the truth. Zone pricing, in fact, works against the concept of competition and the free market system. It is an archaic policy whose time has past and it needs to be eliminated.

Oil companies have engaged in this practice since the turn of the 20th century. Cost recovery was the initial motivating factor behind this concept. Back in the day, suppliers use horse-drawn tank wagons to supply and deliver product to their dealers. Because delivery was determined by how long it would take for the supplier to reach his destination, "zones" were implemented.

For instance, if delivery took a day or less, "Zone 1" dealers would receive a certain wholesale price. Locations that required a two-day journey would be in "Zone 2," and would receive a higher

wholesale price than Zone 1. The concept extended to Zone 3, Zone 4, and so on.

As our culture progressed and our transportation systems improved, discrepancies in delivery costs leveled out, yet zone pricing continued as a popular marketing technique. Suppliers claim that it offers flexibility, allows for competition and maximizes profitability. Frankly, I fail to see the logic in that thinking. In fact, the practice is outright discriminatory.

Recently, I received a call from a gas station owner in Chatham Township whose station is in a "zone" as determined by his supplier. Because of this "zone," the owner must pay a wholesale price that is 12 cents higher than a station in Rockaway Township would pay. A station in Union, only eight miles away, pays 10 cents less for the same gas.

The reality is zone pricing forces some stations to pay more than others for the exact same gas. Of course, the ultimate loser is the consumer, since the price discrepancy is passed on to the person buying at the pump.

It's time for New Jersey to shed the shackles of the past and move into the 21st century. Consumers and station owners have enough working against them in these volatile times of gasoline price wars; zone pricing shouldn't be one of them. For this reason, I have introduced legislation, A-176, calling for the elimination of this practice. I urge and encourage my fellow legislators to support this bill.

The Legislature must be permitted to review the oil company's basis for establishing zones. These same companies should be required to demonstrate why gasoline in the suburbs is more expensive than in urban areas. The burden of proof lies with the oil companies who need to prove that this ancient practice does anything other than jack up gasoline prices for New Jersey consumers.

Assemblyman Brannick maintains a legislative office at 203 Elm Street, 1st Floor, Westfield, NJ 07090. His office may be contacted at (908) 232-2673.



Below are four arcane words, each with four definitions - only one is correct. The others are made up. Are you sharp enough to discern this deception of diction?

If you can guess one correctly - good guess. If you get two - well-read individual. If you get three - word expert. If you get all four - You must have a lot of free time!

All words and correct definitions come from the board game Diction Deception.

Answers to last week's arcane words.

1. Eremacausis - A slow combustion or oxidation of organic matter in the presence of air and water
2. Trumeau - A pillar which supports the arch of a double door or opening
3. Cysiology - The branch of physiology that deals with pregnancy
4. Infundibuliform - Having the shape of a funnel

### ZAYAT

1. A resting place for travelers in Burma
2. A reception room for foreigners
3. A toll for passage through a forest
4. A looking glass, small telescope

### CAPH

1. A mangy, scabby animal
2. A pretender to learning; a quack
3. A snide remark
4. The eleventh letter of the Hebrew alphabet

### ABUNA

1. A slaughterhouse for cattle
2. An interpreter; translator
3. Head of the Christian church in Abyssinia
4. A grave digger

### CHIROPTERA

1. Pertaining to the hands and feet
2. The order of mammals such as the bats
3. An extinct animal of the Triassic Period, known only from its fossil footprints
4. Pertaining to the business of writing

## Letters to the Editor

### Plan Ahead for Traffic At Lincoln School

When the traffic around McKinley School became a safety concern, a committee was formed to try to solve the issue by creating new traffic patterns and parking zones. Not too far from McKinley, another potential traffic nightmare is on the horizon. I have not heard anything about plans for busing, so when Lincoln School does become a Kindergarten-only school, traffic around the school will be greatly increased in the morning, before lunch, after lunch, and at the end of the school day.

These students are attending school for the first time and parents will want to walk their child to the door and wait at the door at pick-up time. I will not be affected by this potential traffic nightmare, but I hope that the town council is looking into this now, long before hundreds of Kindergartners and their care takers' cars appear on Westfield Avenue so that a solution can be found that insures the students' safety while respecting the residents' quality of life on school days.

Renate Bieber  
Westfield

### Intern Experience is Invaluable for Future

As a first-year intern with *The Leader/Times*, I was introduced to an assortment of tools used in the field of journalism such as copy editing, conducting interviews, attending public events, shadowing meetings and writing stories for the newspaper. The knowledge I gained from this experience will be invaluable to all of my future endeavors, whether they are in journalism or in any other field.

I am currently a rising Senior at the Union County Magnet High School.

Bryan Krichinsky  
Westfield

## Community Announcement

### Toiletries and Linens Sought For Shelters

WESTFIELD - The Greater Union County Association of Realtors is collecting towels, toiletries and linens for distribution to local shelters for abused women and the homeless.

Sponsored by the Realtor Community Service Committee, this 12th annual drive will conclude on Wednesday, September 20.

The public is invited to donate towels and linens that are still serviceable but perhaps no longer suitable for guests or may not match the current décor. The committee also is seeking unused toiletries from hotels collected in traveling (shampoo, conditioner, soaps, lotion, shower caps, etc.)

Individuals also are welcome to donate makeup and cosmetics, hygiene items and the hospitality packages given by airlines on first class overseas flights. For the eighth year, the committee has expanded the collection to include bed linens such as spreads, quilts and blankets, either for adults or children.

The committee requests that all donated towels or linens be laundered and that toiletries be unopened. Items may be brought to the Greater Union County Association of Realtors at 767 Central Avenue in Westfield between 8:30 a.m. and 4:30 p.m., Monday through Friday. If unable to do so, please call the association office at (908) 232-9000 to make alternative arrangements.

### To Reach Us

E-Mail - editor@goleader.com  
Phone - (908) 232-4407

For more information, see  
www.goleader.com

### Clarification

Mrs. Jean Sawtelle's letter to the editor last week should have stated "size-inappropriate residences" rather than "size appropriate."

Eric Leuthold  
Westfield

## Letters to the Editor

### Political Maneuvering Causes the Oil Crisis, Not an Oil Shortage

Oil is a commodity and gasoline is a commodity. The price reflects supply and demand. Profit is not a four-letter word.

The world at the present time is awash in oil. When are liberals and democrats going to stop using oil and gasoline as fodder for the ignorant?

President Carter during his Presidency announced with a straight face that the world would run out of oil by 1990. He based this on an IRS tax rule that oil companies could not keep reserves on their balance sheets for more than ten years.

As long as the fear of higher prices prevail, the price of oil will remain high. When an oil company sells oil, it uses an accounting method called LIFO, "last in first out." If it did not, it would not have the money to buy oil at market price and sell at a profit - and of course pay taxes on this profit.

When the price of oil starts to drop, the value of its inventory starts to drop and it will pay taxes on non-existing profits. By law, it is permitted to change after a period of FIFO, "first in first out;" but in the meantime, this will cause the price of oil to decrease rapidly.

Let's look at gasoline in the United States. We have a shortage of refineries and this has driven the price up. Since

there is no shortage of oil, the only thing causing our high prices is the lack of refineries. And why have no new refineries been built in the last thirty years? - Because, the democrats and the environmentalists have blocked every effort on the part of the Bush administration to relax environmental rules. In addition, these same so called scientists have insisted on regulating how gasoline is produced, forcing refineries to produce gasoline with different additives for different states at different times of the year - in some cases (NJ) with disastrous results driving the prices up.

This has to be fixed and the same people who demanded the additives now demand that the oil companies pay to fix the problem.

In the meantime, we must produce our own oil in Alaska and Gulf of Mexico. Just the approval by congress to go ahead with these ventures will start to bring the price down since other producers will have to hold a position in the smaller US market.

These problems will not be solved until we get representatives in Washington that put the country ahead of political gains.

Jack McHugh  
Westfield

### Federal Government Must Uphold The Laws of the Land

I just read the letter to the editor written by one Mr. Thomas Lienhard of Westfield, published on August 24, about Judge Anna Diggs Taylor's ruling on the NSA wiretapping program. I would like to respond to him by asking this question: Do you believe in the rule of law?

It may seem like a silly question with an obvious answer ("Yes"), but that is precisely the reason that, as you say, there is widespread support for the judge's decision. The Bush Administration, by eavesdropping on the private phone calls of thousands of American citizens without a warrant, broke the law, plain and simple - and regurgitating worn-out neo-conservative rhetoric about "helping terrorist organizations" by simply trying to uphold the law is not going to change that.

The law they broke (one of many) is called the Foreign Intelligence Surveillance Act (FISA), and it clearly states that the government cannot conduct wiretapping operations for more than 72 hours without a special court warrant. This means that all the President had to do was to go through proper legal channels to conduct surveillance - and in the history of FISA, there has practically never been a time when a warrant has been denied.

It is appalling to me that this administration consistently operates under the idea that it is somehow above the law, and if someone actually tries to hold the administration accountable for breaking it, it either tries to change the law by imposing itself on Congress or just kick, scream and issue threats until they can drown out the voices for truth and justice.

Rosemary Topar  
Westfield

### Union County Freeholders Refuse To Comment on Unethical Acts

All Union County taxpayers should be embarrassed by the lapse in ethical behavior by our Freeholder Angel Estrada. He personally instructs a MVC employee to activate Hamlet Goore's registration and license before payment? This is ridiculous and makes me wonder what other favors are occurring behind these scenes within our county government.

Union County refuses to comment because it is "not a county matter." I ask how can the ethical behavior of an elected county official not be a county matter? Who is accountable for the behavior of

elected Freeholders?

Why do we hear relatively nothing from an elected body that receives and spends 20 percent of our tax bill? In many industries you would be fired for violating such policies as a leader and person of authority.

It is wrong to take advantage of leadership positions. People must have trust in these elected positions. As Union County residents, we all deserve better, as well as accountability and answers to these questions.

Eric Leuthold  
Westfield

# Everyone Is Urged To Renew Attention To Pedestrian Safety.

Pedestrian safety has been a concern over the last several years in Westfield. Unfortunately, Westfield resident Marie Schlieske was struck and killed on North Avenue on Monday while crossing to Drug Fair. North Avenue and East Broad Street historically have been problems in Westfield. This noontime tragedy reminds us of just how dangerous the roads can be.

Perhaps pedestrians have a false sense of security at these locations in town. Perhaps pedestrians and drivers become more distracted until disaster happens. People are driving more while distracted. Perhaps people are walking while distracted or with an unwarranted sense of security as well.

Somehow, the word needs to get out just how critical it is to be alert, to not jaywalk, to not use cell phones while driving and to understand the effects of rain or poor visibility.

In December 2004, the Town of Westfield received a \$10,800 grant to assist its efforts to increase pedestrian safety in the municipality. The New Jersey Division of Highway, Traffic and Safety issued the grant and former Police Chief Bernard Tracy said it would be used to pay the salaries of officers assigned to enforce pedestrian safety laws on North Avenue and East Broad Street.

The town had seen a trend over the past few years prior to 2004 in increased pedestrian fatalities that were not in sync with previous statistics, Chief Tracy said.

Between 1985 and 1999, there was only one pedestrian fatality in the town. From January 1994 to December 1998, there were 90 pedestrian accidents resulting in 67 injuries and no fatalities. From January 1999 through December 2003, the total number of pedestrian accidents fell to 70. However, there were five pedestrian fatalities during that same time period.

All five fatalities during that period occurred on North Avenue and East Broad Street between the hours of 4:30 and 7 p.m., when it was dark. In addition, all the victims were females who were dressed in dark clothing and were not in the crosswalks when they were killed.

"Taking these conditions into account, our enforcement efforts will concentrate on targeting pedestrians who fail to use the crosswalk and motorists who fail to yield to pedestrians in the crosswalk," Chief Tracy said.

We urge everyone to renew his or her attention to pedestrian safety. Cars do rule the road, and forgetting this fact can be fatal.

### Unimaginable, Chilling

## \$300 Sheriff's Sale of Vehicles Worth More Than \$100,000

Without mentioning names last week, Assemblyman Dr. Eric Munoz of Summit wrote that he intended to introduce legislation to regulate public auctions. The legislation is "to correct obvious loopholes in current law governing public auctions...and to expand public notice requirements of public auctions, require a minimum bid and include a provision guarding against 'insider trading' information."

By the assemblyman's account, current New Jersey law regarding public auctions of personal property to satisfy a judgment only requires that the sheriff post a notice five days before the auction takes place somewhere in the sheriff's office. Mr. Munoz wrote, "It can be posted anywhere in the office, including the bathroom or the sheriff's personal office. There are no minimum bid requirements nor are sheriff's officers precluded from participating in the auction."

Asm. Munoz said his proposed legislation is designed to protect both consumers and businesses. Notice of the date, time and place of the public sale, together with a description of the items to be sold and the conditions of the sale, would be required to be published in a legal newspaper for at least seven days, but not more than 14 days after the last publication of notice. In addition, it would require a minimum bid of at least 80 percent of market value of the property to be auctioned, and it will include an "insider trading" provision precluding anyone from having prior notice of such auction from bidding on the items.

"There is an obvious glitch in the law," said

Mr. Munoz. "More often than not, the public is not even aware an auction is going to be held; there aren't any minimum bid requirements and it gives an unfair advantage to persons within the system. It's no different than insider trading with stocks."

He noted that, "because there isn't a minimum bid requirement, businesses that for whatever reason fail to pay judgments against them can end up losing all their assets through auctions. There is no doubt, this is one area that needs better regulation for the protection of both New Jersey consumers and business owners."

We commend Mr. Munoz for initiating this action. In our view, his words are a fantastic understatement. What is not mentioned by the assemblyman is the chilling set of circumstances leading to the requirement for such legislation that became known last week in Union County. Based on a court judgment, the sheriff's department, headed by longstanding Union County Sheriff Ralph Froehlich, seized three vehicles from a Hillside car dealer worth over \$100,000 and impounded them at Sevell's in Westfield. Then, a notice of auction was posted in the sheriff's office. Shortly thereafter, the sheriff's stepson, who also is a sheriff's officer, bought the vehicles at the auction for \$300.

The public is not aware that such unimaginable actions can occur and, worse yet, that such actions are viewed as "legal." As with the "Black Sox" World Series scandal of 1919, we ask the judge involved and the sheriff - "Say it ain't so, Joe."

