



Christina M. Hinke for *The Westfield Leader*
BELLY DANCING...During the Cranford Cruiser Night last Thursday, Ayla Meyer, front left, Diana Ramirez, back left, Sharen Sutera, center, and Laura Walsh, show off their SharQuibelly dance workout technique.

Scotch Plains Lawsuit

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powers of the manger [sic]."

Mayor Malool told *The Leader* that it was Mr. Capabianco's choice to leave.

"I had nothing to do with it," she said. She also said Mr. Samuel "wasn't in the [February 18] meeting and has no idea what went on." She said the four-month period between Mr. Capabianco's exit and the hiring of a successor "was a very difficult time, but we all pulled together and managed to get through it fine."

"I didn't make any decisions by myself," she added.

Mr. Levine called Mr. Samuel's complaint "frivolous, baseless and procedurally and substantively defective." He told *The Leader* he plans to send Mr. Samuel a letter identify-

ing the defects in the complaint and requesting that it be withdrawn. If it is not, Mr. Levine said the township will "seek to recover all legal expenses incurred by the taxpayers in defending this lawsuit."

In response, Mr. Samuel told *The Leader* he received Mr. Levine's letter.

"Of course, I take letters such as this seriously," he said. "I have begun studying his letter and doing some research and find that Mr. Levine has not checked his facts, in some instances, and he appears not to have considered all of the relevant statutes and cases relevant to his letter. I hope we can address these serious issues without resorting to name calling."

Hyatt Hills Golf Course

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contaminated soil.

The property's groundwater is monitored regularly, as is required by the state, and the NJDEP gets a yearly report, which had "not found any documentation that the cap was damaged," Mr. Hajna said.

The NJDEP had only approved the site for its current operation, and it is not approved for residential use. "Any future use would have to be re-evaluated" by the NJDEP, Mr. Hajna said.

Now, ownership of the property is in the hands of Motors Liquidations company, which is the successor company for GM. This shell company acts as the seller for properties GM did not want to keep and Motors Liquidation will sell as part of the bankruptcy process to pay off outstanding debt.

Tom Wilkinson, a spokesperson for GM, said he does not know who is interested in purchasing the land, who, if anyone, was approached or what lies ahead for the parcel.

"It takes a couple of years to wind down," said Mr. Wilkinson of the assets that will be sold through the bankruptcy courts.

Since Union County razed Oak Ridge Golf Course and turned it into a park, Hyatt Hills is the only remaining public course in Clark.

"It's important to have golf in communities," said Dan Hollis, general manager at Hyatt Hills.

Since Oak Ridge closed, Hyatt Hills has seen a rise in sales over last summer, even with this year's rainfall and the recession, Mr. Hollis said.

Mr. Hollis stated that golfers have remarked to him that they come to Hyatt Hills because of Oak Ridge's demise.

John Barrett of Cranford has been coming to the nine-hole course since it opened. "I play at least twice a week. I enjoy it very much. It is the best public course in the state or this part of the country. It is very well maintained, and it has a good staff here. If they have to close, it would be terrible."

He pays the annual township resident rate of \$35 for an ID card and receives a discount on the daily fee every time he plays. For ID cardholders, a weekday nine-hole play costs \$18 and \$15 for seniors and young people. Mr. Barrett said with the discount, he pays \$5 on a weekday.

A county spokesman had no comment when asked if the county would have an interest in buying the course.

As far as income and profit margins, the GM spokesperson had no idea and said it was too small of a business to ask someone to look up the income statements, and several calls to Clark and Cranford officials were not returned.

The tax deal laid out eight years ago is that GM pays taxes to Clark and Cranford, but the level of payment would shift to the commission over a 20-year period.

Cranford collects one third of the tax

N. Providence

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Councilman Vyaz said he was voting no because he did not "think it's a good deal" as the MOU was currently drafted.

Council President MacDermott said she is "vehemently against a bond" or increasing the tax burden in a year when the borough had to lay off borough employees. She stated her trust in the county to deliver a good project, as she "know(s) how much they care about open space."

Mayor Thoms told *The Westfield Leader* that he has been working with the county on this issue since 2007 and that he "believe(s) it was a decision that should be made by (the) council," as it was the "best informed."

Financial Rating of Area Towns, County

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Fanwood and Cranford were last rated A1; two of Cranford's neighbors, Roselle and Garwood, maintain A3 ratings. Obligations rated A are subject to low credit risk but "have elements present that suggest a susceptibility to impairment over the long term."

Since credit ratings are, partially, based on how often a municipality goes out to the bond market, smaller entities usually have lower scores, according to Moody's.

The county seat in Elizabeth, New Jersey's fourth largest city, earned an A3 rating from Moody's last year. William Reyes, public information spokesman for Elizabeth, said the rating was "pretty high for a large urban city."

S & P assigned AAA/stable ratings to Westfield's \$8.2 million in general improvement bonds and \$3 million in swimming pool utility general obligation (GO) bonds.

According to S & P's report, the rating reflects the town's "affluent, mature residential community with a vibrant downtown; modest, continued growth in an already-sizeable property tax base that has no taxpayer concentration; solid financial position, coupled with good reserves; and a low debt burden with limited additional capital needs."

The report touted the success of downtown Westfield. It noted that occupancy rates, which have been as high as 99 percent in the past, under the economic downturn, have "modestly declined to 94 percent."

It also rated Westfield highly for its "ample metered parking area that provides the town with an additional revenue source." Town unemployment, which has been historically well below county, state and national rates, "spiked" to 5.5 percent in May 2009; 2008 unemployment was 3.2 percent and remains "below all comparable levels."

The report found that the property tax base has seen "modest, yet consistent, growth" over the past several years. Assessed value has increased by 3.4 percent since fiscal year 2004 to \$1.896 billion in fiscal year 2009, or a comparable \$7.78 billion in market value.

"This equates to what we consider an extremely strong per-capita market value of \$257,683," the report says.

Despite the downturn in the housing market, according to the report, home sales have declined, "but values have not diminished." It finds that wealth and income indicators are "very strong."

Speaking with Town Administrator Jim Gildea, Mr. Caruana and Mayor Andy Skibitsky, among others, S & P said, "Fiscal [year] 2009 is on track with budgeted levels, and officials are projecting a break-even year. Management had indicated it intends to rebuild its fund balance again by increasing certain fines and fees, and continuing ongoing expenditure cuts. Furthermore, the town has access to additional reserves, if necessary." The town closed fiscal year 2008

with a \$2.85 million unreserved general fund balance.

When assessing Westfield's financial management practices, S & P found them to be "good."

"Highlights" of Westfield's management included annual budget preparation, which uses historical-trend analysis to look back five years for revenues and expenditures, and the town's recent adoption of a debt-management resolution that requires the reducing of total outstanding debt by budgeting capital needs no greater than 50 to 75 percent of the maturing debt within a two-year period.

S & P did note that "the town does not currently perform long-term financial planning, but management has indicated its intention to do so in the near future."

Mr. Caruana, who announced the AAA rating last Tuesday during the town council meeting, said despite the success, Westfield must remain "proactive," rather than reactive.

"Shakespeare reminds us: 'Uneasy is the head that wears the crown.' For Westfield to succeed and to remain proactive, we must, in the current crisis, continue to cut employee and operating costs," Mr. Caruana said. "We must continue to enhance revenue sources, and we must continue to safeguard the interests of the Westfield taxpayers in an era of declining state aid and soaring county taxes."

S & P released Union County's rating report to *The Westfield Leader*.

In 2008, S & P assigned its AA+ long-term rating to Union County's 2008 general improvement bonds (\$105 million), county vocational-technical school bonds and county college bonds.

S & P under its methodology, found the county's financial position to be "satisfactory" and its financial-management practices "standard."

S & P reporting said in 2008 that the county's finance department maintains "adequate policies in most, but not all, key areas."

Highlights of Union County's financial practices and policies include quarterly reporting to the Board of Chosen Freeholders on year-to-date performance and a six-year CIP [Capital Improvement Plan] that is updated annually.

"However," the report reads, "management does not do long-term financial forecasting or have policies regarding debt limits, other than what is mandated by the state, or minimum reserve requirements."

S & P found the county's debt levels to be "very manageable" considering "above-average" wealth and income level.

From a national perspective, Ana Sandoval of S & P's media relations said 40 percent of states in the country have AA ratings, including New Jersey and New York. There is only one A-rated state, California.

According to the April 10, 2009 issue of *The New York Times*, New Jersey's total debt stands at \$35 billion, and "during the past 15 years, the state's debt has increased four-fold from \$8.1 billion."

Downturn In Economy Impacting Activity at Ports

By KATHERINE SLOAN

Specialty Writer for *The Westfield Leader*

WESTFIELD — The current economic recession is impacting the activity of importing and exporting goods through the ports of New York and New Jersey.

During the recent Stella Maris Chapel's 14th Annual Blessing of the Ports to wish good fortune to boaters and ports, including those in Newark, Elizabeth and Staten Island last month, there was an empirical decrease in the amount of ship activity compared to what was witnessed by members of *The Westfield Leader* during the 10th annual blessing.

Michael Costa, a member of the International Longshoremen's Association (I.L.A.) local no. 1235, told *The Leader* the east coast represents one of the largest port systems in the United States. He said that the reason for the decline in current port activity might be due to higher costs in importing and exporting goods.

According to a March 2009 Port Authority of New York and New Jersey (PANYNJ) press release, the decline in activity due to the economic downturn was anticipated. The Port Authority stated that the last decline in cargo volume at the ports occurred in 1993.

The Associated Press (AP) reported that *Economist* believes the recession caused a diminution in the demand for importing.

Although the current economy is affecting transportation of goods, the PANYNJ foresees a growth in the amount of shipments. Investing in express rail and trucks has been an alternative to moving products by sea to ensure an increase in the growth of freights, PANYNJ officials reported.

On the upside, the PANYNJ's \$246-million investment in port activity has created over 230,000 jobs in the ports, according to the PANYNJ. This enables PANYNJ to remain competitive throughout the ports in North America. In addition, PANYNJ anticipates a future increase in the amount of imported bulk cargo, which was reported as a growth in 2008 over 2007 by 1.6 percent, equating to 55.3 million metric tons in 2008 and 54.4 million metric tons in 2007.

The PANYNJ reported setting a new annual record in 2008 for the dollar worth of the total cargo activity in the ports, ranging over \$190 billion. Even with the high record in 2008, there was still a 25 percent decline for exports and 34.9 percent decrease for imports in 2009, according to The AP. There was an upset in the total number of ship activity in 2008

for the ports in New York and New Jersey. In 2008, 5,251 ships conducted business there, compared to 5,465 ships in 2007.

"Fifteen straight years with increased activity at our port facilities, which is an impressive run, and despite this year's flat growth we look optimistically to the future," Port Authority Deputy Executive Director Susan Bass Levin reported in a press release in March. "That's why it is critical now, while we have the opportunity to create needed short-term jobs, to continue our investments in dredging, freight rail and upgrading roads to the terminals so our port is ready for the inevitable turnaround in global commerce."

Port Authority Executive Director Chris Ward confirmed in the same release that the "...Port Authority is not recession-proof, and we are committed to making the necessary adjustments to our operating and capital budget to reflect economic reality."

The Port Authority's focus, it is reported, is to refurbish the growth activity in the terminals.

As for speculation that more ships are using the Staten Island and Brooklyn ports versus the New Jersey ports may be based on the notion that the Bayonne Bridge is "the biggest obstacle," said Gary Whyte of Mountaineer, director of northeast operations for Ecuadorian Line.

Mr. Whyte said there are larger ships that cannot travel underneath the Bayonne Bridge so they have to use the Brooklyn ports. In order to circulate activity throughout the ports in New York and New Jersey, Mr. Whyte suggested that the bridge might need to be moved, rebuilt or even lifted.

According to the New York/New Jersey Port Authority, construction overhaul of Staten Island bridges including the Goethals Bridge, Bayonne Bridge and Outerbridge Crossing are in the works as chief missions in the upcoming years. The cost to modernize the Goethals Bridge is estimated at \$550 to 600 million, and is slated to begin next year.

The cost to recast the viaducts on the Bayonne Bridge is approximated at \$20 to \$30 million and is predicted to begin in 2011. Reconstruction of the Outerbridge Crossing has already begun at a projected cost of \$1 to 5 million. The PANYNJ plans to increase capital spending to \$3.3 billion, 28 percent higher over last year, for bridge renovation. In the long run, the PANYNJ said the investment in capital would create a competitive advantage and growth in its ports.



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CUSTOMIZED CRUISER...Lou Strano of Linden and former Westfield businessman shows off his customized 1978 M.G.B. at Cranford's Cruiser Night last Thursday. With the help of his 16-year-old granddaughter, Shane Strano of Westfield, he was able to restore and custom build this classic car. Town and area residents perused the some 200 cars on display in the downtown, which included classics and newer cars. Music was played over a loudspeaker, and dance demonstrations also took to the street.



POLICE BLOTTER

Westfield

Wednesday, July 8, Neil Malde, 28, of Westfield was arrested on outstanding traffic warrants from Westfield, for \$130, and Kenilworth, for \$300. Malde, who was taken into custody at the Sayreville State Police Barracks following his arrest by state police, was released after being processed and posting bail.

Thursday, July 9, Palita S. Briley, 25, of Plainfield was arrested after a motor vehicle stop on South Avenue in Scotch Plains on two outstanding Plainfield warrants. They included a traffic warrant for \$750 and a criminal warrant for \$250. Briley was transported to Westfield police headquarters, where she was processed and held on default of bail. Custody of her was later transferred to the Plainfield Police Department.

Thursday, July 9, Jimmy Smith, Jr., 26, of Newark was arrested at Springfield police headquarters on outstanding traffic warrants from Westfield, for \$500, and Union Township, for \$374. He was committed to the Union County jail in lieu of bail.

Friday, July 10, Marquis P. Acklin, 19, of Bronx, N.Y., was arrested on the 600 block of North Chestnut Street on drug charges and three outstanding traffic warrants after police responded to a report of a suspicious motor vehicle.

Acklin was charged with possession of less than 50 grams of suspected marijuana and possession of drug paraphernalia. The warrants were from Hightstown, for \$215; Fair Haven, for \$100, and Metuchen, for \$89. He was released on his own recognizance with summonses and new court dates.

Saturday, July 11, Barry James, 30, of Irvington was arrested at Totowa state police headquarters on two outstanding warrants. They included a Westfield traffic warrant for \$500 and a Newark criminal warrant for \$125. James was released after posting bail, with court dates to be announced.

Saturday, July 11, Rajuan L. Foster, 31, of East Orange was arrested after a motor vehicle stop at West South Avenue and Crossway Place and charged with driving under the influence (DUI). He was transported to Westfield police headquarters, processed and released to a responsible individual.

Foster also was arrested on a Hillside traffic warrant for \$520. He was released on his own recognizance per the Hillside Police Department.

Saturday, July 11, Jose Pais, Jr., 20, of Linden was arrested at West North Avenue and Crossway Place and charged with DUI after his motor vehicle was observed apparently disabled on the side of the roadway. He was transported to Westfield police headquarters, processed and released to a responsible individual.

Saturday, July 11, a resident of Kirkview Circle reported an act of criminal mischief occurred at her home that resulted in an estimated \$15,000 in damage. Someone damaged the central air condenser located on the side of the home.

Sunday, July 12, Derrick Rolon, 40, of Plainfield was arrested during a motor vehicle stop on the 600 block of West South Avenue on an outstanding Fanwood traffic warrant. Rolon was released after posting \$250 bail, with a court date to be announced.

Sunday, July 12, the manager of a business in the area of South and Central Avenues reported that an attempt was made to break into the premises through a side door. Damage was observed but entry to the business was not gained.

Sunday, July 12, a resident of the 1200 block of Prospect Street reported that his curbside mailbox was damaged. The damage is suspected to have occurred the previous day at approximately 11:45 p.m.

Monday, July 13, Christian Cortes, 26, of Roselle was arrested during a motor vehicle stop at South Avenue and Boulevard on a Roselle traffic warrant for \$307. He was released on his own recognizance per the Roselle Municipal Court.

Scotch Plains

Tuesday, July 7, James Smith, 57, of Plainfield was arrested on an outstanding warrant after a motor vehicle stop. He was transported to police headquarters where he was processed and released.

Tuesday, July 7, a resident of Aberdeen Road reported that someone entered his motor vehicle and removed several items valued at \$100.

Tuesday, July 7, a resident of Rambling Drive reported that someone opened up two credit cards in his name without his authorization and made purchases totaling \$250.

Friday, July 10, Abel Perez, 19, Eddy Hernandez, 19, and Jefferson Lopez, 19, all of Plainfield, were arrested and charged with possession of marijuana after a motor vehicle stop. According to police, Lopez gave consent to search the vehicle and a K-9 unit was brought in to perform the search. The search yielded several large marijuana plants, police said. All three individuals were transported to police headquarters where they were processed and released.

Sunday, July 12, Michael Hanford, 25, of Scotch Plains was arrested and charged with driving while intoxicated (DWI) after a motor vehicle stop at which time the officer smelled the odor of alcohol. He was transported to police headquarters where he was processed and released.

Sunday, July 12, Aaron Dragone, 22, of

Kenilworth was arrested on an outstanding warrant after a motor vehicle stop. He was transported to police headquarters where he was processed and released.

Sunday, July 12, a resident of Wood Road reported that his former girlfriend calls him several times a day at all hours and yells at him.

Sunday, July 12, a resident of Martine Avenue reported that someone knocked over his lamppost valued at approximately \$150.

Mountainside

Tuesday, July 7, an employee at a Sheffield Street business reported that he left his motorcycle at his place of employment because the battery was dead, and that while he went home to get the jump box, someone removed his license plate.

Tuesday, July 7, Wayne O. Debarros, 31, of Mullica Hill was arrested and charged with DWI after police were notified of an individual driving his motor vehicle in an aggressive manner on Route 22. According to police, after the arresting officer signaled for Debarros to pull over, he exited the vehicle without placing it into park and laid face down and spread eagle in the slow lane of Route 22. Debarros also was charged with driving with a suspended license, possession of a controlled dangerous substance (CDS) in a vehicle and several other moving violations, police said.

Tuesday, July 7, Andre S. Reid, 25, of Maplewood was arrested for allegedly driving with a suspended license, after a motor vehicle stop for not having a front license plate. He was processed and released with a court date of Thursday, July 23.

Tuesday, July 7, Michael D. Bracuto, 40, of Cranford was picked up at the Middlesex County jail and charged with an outstanding warrant from Mountainside in the amount of \$1,107.

Wednesday, July 8, a 17-year-old juvenile from Westfield was arrested following a motor vehicle stop and charged with possession of less than 50 grams of a controlled dangerous substance. According to police, the arresting officer noticed the driver was uncomfortably nervous during routine questioning, and then the driver and passenger gave conflicting stories about where they were headed. The driver then admitted possessing the marijuana, police said. The juvenile was transported to police headquarters where he was processed and released.

Wednesday, July 8, police responded to Puddingstone Road on a report of a theft from a residence. According to police, the owner of the residence had recently passed away and when one of the daughters of the homeowner and her aunt arrived at the home to go through the belongings of the deceased, they saw another daughter, who the two women do not get along with, and her son leaving the residence.

Once inside, they noticed that a jewelry box containing approximately \$10,000 worth of jewelry and a watch valued at \$30,000 was missing from the master bedroom closet. Since there was no evidence of forced entry, the sister and the aunt believe that the daughter who was seen leaving the residence and has a key was the one who removed the jewelry box, police said. Nothing else was reported missing from the home.

Friday, July 10, Michael R. Hayes, 28, of North Plainfield was arrested for allegedly driving with a suspended license after a motor vehicle stop. According to police, he also was charged with several outstanding warrants.

Saturday, July 11, a patron of a Route 22 theater reported that he lost his wallet while viewing a movie and was unable to find it. According to police, the wallet contained a small amount of cash, a driver's license, gift cards and a Social Security card.

Saturday, July 11, Joseph D. Echols, III, 33, of Somerset was arrested following a motor vehicle accident on an outstanding warrant.

Saturday, July 11, Rajhon L. Ross, 21, of Plainfield was arrested following a motor vehicle stop for driving with a suspended license and hindering apprehension or prosecution after allegedly providing police with false information about his identity.

Kashawn Williams, 21, of Plainfield, a passenger in the vehicle, was arrested on a body warrant and charged with possession of a concealed weapon after a switchblade was found in his front pocket, authorities reported. Williams is restricted from carrying any type of weapon due to a previous burglary conviction, police said.

Saturday, July 11, Maria I. Sanchez, 55, of Plainfield was arrested after a motor vehicle stop for allegedly driving with a suspended license. She was processed and released at the scene.

Saturday, July 11, a resident of Little Court reported that he had received a telephone call that was threatening in nature. According to police, the victim stated that he occasionally submits editorials to a newspaper on his political views, which he described as liberal in nature. The caller identified himself as a skinhead and made several threatening remarks to the victim, stating that he was at the Dunellen train station with some friends waiting for the victim to show up, police said. The Dunellen Police Department was notified and a check of the train station for unusual persons or activities yielded negative results, authorities reported.