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97Feb20

Village Told to Complete Process For DOT and DEP Permits for March Meeting

Judge Delays Start of Cases Involving ShopRite Appeal, Related Litigation, Until Garwood Votes on Final Site Plan

By PAUL J. PEYTON

Union County Superior Court Judge Edwin W. Beglin, Jr. decided last Friday to postpone on the numerous litigation pending before the court involving two applications by Village Super Markets, Inc. to construct a ShopRite supermarket on North Avenue.

Judge Beglin said he would rather wait until the Garwood Planning Board has rendered a decision regarding a final site plan by Village to construct the store solely in Garwood. The Garwood board is scheduled to resume its hearings on the final application on Wednesday, March 26.

The case evolves out of the original application by Village to construct a 58,000 square-foot store in Westfield with a portion (30 percent) crossing into neighboring Garwood where the parking also would be located. The case originally was heard before both the Westfield and Garwood Planning Boards. The Garwood board then pulled out of the hearings while it worked to amend its zoning ordinance by creating a Community Commercial Zone.

The creation of the zone was cited by Shirley Ann Fontana of Westfield in her lawsuit challenging the Garwood Planning Board's approval of the Westfield/Garwood ShopRite plan. Mrs. Fontana claimed the zone "was tailor-made" for Village's site plan application in that, among other things, it "specifically permitted food stores" of up to 60,000 square feet, thus permitting the ShopRite as an accepted use.

The suit also states Garwood could not approve such a zoning change since it had yet to adopt a land use plan element and housing plan element as part of its master plan which also is required by the state Council on Affordable Housing in regard to Mount Laurel housing.

Among the many charges in the suit by Westfield residents Dr. Ulf and Maryann Dolling over the Garwood-only plan is that Village misled the Garwood Planning Board by proceeding with its appeal of the Westfield

Planning Board's decision.

The Dollings have claimed the Garwood board had made it clear that it did not want to consider the Garwood-only application if Village was going to continue its option of the Westfield/Garwood store plan.

The Westfield board defeated the application for the Westfield/Garwood store plan in May of 1995. That summer the Garwood board approved the preliminary application for the same site plan. A new application for preliminary site plan approval, placing the entire store and its parking lot in the borough, was later approved by the board.

The Dollings, represented by Westfield attorney Brian Fahey, have filed litigation challenging the Garwood board's decision in granting preliminary approvals in both the Garwood-only and Westfield/Garwood plans. Mrs. Fontana, represented by William Butler of Westfield, also has challenged the approval of the Westfield/Garwood plan by the Garwood board.

Mr. Butler also is representing John R. Weidele, Sr. of Garwood who has filed legal action against the board's decision to grant preliminary approval of the Garwood-only ShopRite.

Mr. Butler and Mr. Fahey, Judge Beglin said, will be able to amend their legal challenges against the preliminary approvals granted by the Garwood board if the board approves the final site plan which is expected.

As soon as those briefs are filed, including memorialization of the board's decision, Judge Beglin indicated he will call a pretrial telephone conference with the attorneys involved in the cases to determine how to proceed with the case, including the setting of a starting date for the trial.

Steven Barcan, representing Village Super Markets, indicated, when questioned by Judge Beglin, that the firm fully intends to proceed with its Garwood-only plan.

No action was taken on the Garwood ShopRite application in 1996. In December of the previous year the Westfield board, facing heavy public opposition, declined to support a "settlement agreement" with Village. That agreement would have made numerous amendments to the site plan which was defeated by the board.

Judge Beglin said he first wants to deal with any of the challenges to the ordinances involved in the Garwood case. The judge is expected to deal with all the Garwood cases first before addressing the Westfield board's decision.

Mr. Barcan indicated he expects Village to gain the necessary permits from the State Departments of Transportation (DOT) and Environmental Protection it needs to proceed forward.

The DOT issues involve adding green time for a traffic signal at the exit driveway for the property, curb cuts and two-lane striping of North Avenue near the Hess service station.

Judge Beglin indicated he was surprised Village had yet to get the necessary permits which he said he did not think should have been a major problem to obtain.

In addition to its appeal, Village has filed a damages claim in the amount of \$5.1 million against the Westfield Planning Board.

The Weidele and Fontana challenges charge that approval of the ShopRite store, whether it was the Westfield/Garwood or Garwood-only plans, would create traffic "gridlock" on North Avenue and intersections near the site.

In his lawsuit, Mr. Weidele has claimed that during the hearings on the Garwood-only plan, the Garwood Planning Board denied Mrs. Fontana and the Dollings permission to participate during the hearings by citing them as not "interested parties" in the application.

Also charged in the lawsuit was a claim that Mrs. Fontana and the Dollings could not participate in the hearing before the board on November 8, 1995, unless they disclosed the financial arrangements they had made with their attorneys.

Plaza Properties (owners of the strip mall on North Avenue which would be demolished to make room for the ShopRite parking), Village Super Markets, and the borough of Garwood are co-defendants in the Dolling, Weidele and Fontana lawsuits.

Norman Sevell, the owner of the Westfield Lumber and Home Center property, has been named as a defendant in the Garwood-only challenge filed by the Dollings. Judge Beglin said he intends not to hear that case due to a conflict involving Mr. Sevell. The judge's daughter, a newspaper reporter, interviewed Mr. Sevell (who owns a towing company) regarding the Garden State Parkway towing contract.

Among Village's objections to the Westfield Planning Board's decision is the fact the board made its decision in part on concerns over an increase of traffic along North Avenue over which it does not have jurisdiction -- the DOT does.

Village cited lost profits including out-of-pocket expenses as part of its damages claim. The firm first filed its application before the Garwood and Westfield boards in 1992.

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Will Landmark Remain Local Cinema?



The Players, (left to right) Anthony Schilling, Michele Picou, Jesse Sayegh, Bud Boothe, David Owens and Mayor Tom Jardim

97Feb20

Does Rialto Gain New Life As Theater Operator Reveals Purchase Pact?

By SUZETTE STALKER for *The Westfield Leader* and *The Times*

A veteran movie theater operator has apparently saved the day for the 75-year-old Rialto Theatre, the future of which has remained uncertain for more than a year, by promising to keep the popular cinema intact while also giving it a fresh new look and updated amenities.

Jesse Sayegh, President of CJM Entertainment in Cedar Grove confirmed during a Thursday afternoon press conference in front of the theater on East Broad Street that he recently had reached an agreement with United Artists to purchase both the Rialto Theatre and the Bellevue Theatre in Upper Montclair for an undisclosed sum.

The press conference was attended by Mayor Thomas C. Jardim and former Mayor Garland C. "Bud" Boothe, Jr., members of the "Save the Rialto" Committee and others who have been involved in the struggle to keep the town's last remaining theater from fading into memory.

Anthony Schilling, President of Relocation Realty in Westfield, which brokered the deal between Mr. Sayegh and United Artists, explained that the agreement, which is expected to be finalized within the next several months, was hammered out after Long Island developer Herman "Hy" Carlinsky abandoned his option to purchase the theater earlier this month.

Mr. Sayegh, who has been in business for 20 years, owns theaters in several other New Jersey communities, including Linden, Cedar Grove and Ocean Township, in addition to the newly-acquired Bellevue Theatre. He said during the press conference that his interest in movie theaters dates back to his youth when he worked as an usher and a theater maintenance worker.

He said he plans to continue offering first-run films at the Rialto, and that he also intends to make some aesthetic improvements, including revamping the lobby, installing new carpets and seating and upgrading the building's sound system. Mr. Sayegh said he anticipates splitting the upstairs theater to create a total of four screens, but added that during renovations only one theater would be closed at a time to minimize inconvenience to patrons.

Regarded by many local residents as the centerpiece of Westfield's downtown, the Rialto has been a landmark on the corner of East Broad Street and Central Avenue since 1922. United Artists first announced in 1995 that it was selling many of its small theaters, including the Rialto, the Bellevue and the Pasquack Theatre in Westwood, in order to concentrate on multiplexes which can generate greater profits.

Mr. Schilling confirmed that he and Mr. Sayegh first began discussing the possibility of the latter buying the Rialto from United Artists about a year and a half ago, but that the prospective deal faded because the participants could not come to an agreement on a price at that time. Shortly afterwards, Mr. Carlinsky acquired a contract option to purchase the theater.

However, Mr. Schilling said that he and Mr. Sayegh continued to discuss other real estate deals throughout last year and that during this time he kept the CJM President apprised of the Rialto situation. Once Mr. Carlinsky had bowed out of his contract option, Mr. Sayegh was able to renew talks with United Artists about purchasing the theater.

Mayor Jardim said he was "cautiously optimistic" about the latest upswing in the Rialto Theatre saga, "but given the history of this thing you never know what can happen." Concerning Mr. Sayegh's background, the Mayor acknowledged that "he's a well-known theater operator, the economics are right and he's going to renovate it."

Last year, Mr. Carlinsky, who said he had been unsuccessful in reaching an agreement with a movie operator to lease the building as a theater, had attempted to negotiate a lease with The Gap, Inc. to open a Banana Republic store on the site. Westfield residents protested the plan with letters and telephone calls to The Gap's San Francisco headquarters, urging the clothing chain not to convert the cherished theater into retail.

The "Save the Rialto" Committee, organized through Westfield

MainStreet, utilized the collective expertise of many local volunteers to investigate ways of preserving the theater, which supporters maintained is still economically viable. The Gap, Inc. eventually withdrew plans for a store in response to public pressure, and the committee continued to meet periodically with Mr. Carlinsky to discuss development proposals for the Rialto, including one which called for a combination of retail and a movie theater in the building.

The developer, who had received several extensions on his purchase deadline since October, revealed on February 4 that he had bowed out of his option with United Artists. He told "Save the Rialto" members that he was not agreeable to United Artists' terms. The committee members had then planned to work directly with United Artists in helping to acquire a buyer for the Rialto who would be willing to keep a theater on the premises.

Discussing his anticipated strategy for competing with multiplexes like the Sony Theatres 10-plex on Route 22, East, in Mountainside, Mr. Sayegh explained that theaters such as the Rialto and the Bellvue offer patrons the comfort and convenience of being able to see a movie in their own neighborhood "Mothers can leave their children for a couple of hours," he observed. "You also have mature people who don't want to stand in long lines or to travel out onto the highway."

Another incentive for moviegoers to choose the local theater, according to Mr. Sayegh, would be that while mall theaters and multiplexes typically concentrate on the youth market, the Rialto would continue to present fare for all ages, including independent films such as *The English Patient*, which is currently playing at the Rialto. He said that in the future the theater may also show foreign features in addition to its mainstream offerings to attract an even wider audience.

David Owens, a local businessman and one of the principals of the "Save the Rialto" movement, predicted that under its new ownership, the theater could become a "real showplace." He emphasized during the press conference, however, that the community still needs to give Mr. Sayegh "the support to make this thing work just by going to the movies." He proposed that businesses in the downtown also could encourage people to patronize the Rialto through cross-promotional offers.

Former Mayor Boothe commented that the "Save the Rialto" Committee deserved "a lot of credit" for keeping the theater's cause alive, and compared residents' resolve to the "Stop the Mall" campaign of 15 years ago, when townspeople successfully argued against construction of a mall on 18 acres of property along Route No. 22 on the border between Westfield and Springfield.

Editors Note: See related articles in the Archives.

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Forbes Newspapers, Inc., to Sell..

By PAUL J. PEYTON for *The Westfield Leader* and *The Times*

Announced last week, it has reached agreement to sell its entire weekly newspaper chain to Paramus-based North Jersey Newspapers, an affiliate of Colorado-based MediaNews Group, Inc. The deal includes Forbes' Union County papers which are *The Westfield Record*, *The Cranford Chronicle*, and *The Scotch Plains-Fanwood Press*. The proposed sale price was not disclosed.

If the deal is completed the Forbes papers would expand North Jersey's coverage area to Somerset and Middlesex Counties while adding to its publications in Union County, which already include the *Suburban News* as well as papers in New Providence and Summit.

If the acquisition is finalized, the Forbes acquisition would increase MediaNews' holdings to 136 newspapers in 11 states. The company, which signed a letter of intent to purchase the Forbes papers, has 60 days to review the chain's financial books and its operations. Forbes' Union County papers are based in Cranford.

The other weeklies in the deal are the *Bound Brook Chronicle*, *Franklin Focus*; *The Journal*, serving Green Brook and North Plainfield; *The Hills-Bedminster Press*; the *Buyers Guide* in Somerset County; the *Somerset Messenger-Gazette*, *The Journal of Warren and Watchung*, *Highland Park Herald*, and *The Review of Metuchen and Edison*.

Forbes spokeswoman, Elizabeth Ames, said Forbes' total circulation is in excess of 86,000. *The Messenger-Gazette* is the flagship paper in the chain with a circulation of approximately 8,200 paid subscribers. *The Cranford Chronicle*, founded around 1888, has some 6,200 paid subscribers; *The Record* has approximately 400 paid subscribers with *The Press* circulation of approximately 2,300.

MediaNews currently operates daily and weekly papers in Bergen, Passaic, Union and Warren Counties under its New Jersey subsidiary, North Jersey Newspapers Company. Its total weekly newspapers circulation (including shoppers) is 600,000. Its three New Jersey daily publications have a combined circulation of 120,000, according to a press statement issued by

Forbes, Inc.

According to the New Jersey Press Association's 1996 Membership Directory, North Jersey's total paid circulation was 55,069 (which includes 13 papers) with about half that figure (26,550) coming from its *Suburban Trends* publication, based in Butler, which circulates in over a dozen communities in Passaic County. Its non-paid publications (including shoppers) had a total circulation of 403,900. The *Suburban News*, based in Clark, is distributed to some 53,500 households in 16 towns.

MediaNews also operates among its holdings. *The Denver Post*, which has a daily circulation of 334,436 and a Sunday edition with a circulation of 461,837, the largest daily in Colorado. Nationally, MediaNews weeklies have a circulation of 1.5 million while the dailies' combined circulation is 1.2 million. The North Jersey Newspapers affiliate, however, currently is run separately from the parent company.

Its Union County papers include the *Suburban News*, a free shopper which is delivered to homes throughout a 15-town radius including Westfield, Scotch Plains and Fanwood. MediaNews purchased the *Suburban News* along with the *Independent Press* of New Providence and Berkeley Heights, and the *Summit Herald* (a weekly paper), in 1990, according to Richard Vezza of Westfield, North Jersey Newspapers President and Chief Operating Officer.

Mr. Vezza said MediaGroup's most recent purchase was Press Publications, a group of five weeklies in Warren County. North Jersey also operates Today Newspapers, which circulates in Passaic County and includes, among others, the *Wayne Today* and the *Dateline Journal*, (a free publication). Among its Bergen County papers is *The Ridgewood News*, established in 1889.

North Jersey also operates three dailies in New Jersey, *The North Jersey Herald News* in Passaic, *The Gloucester County Times*, and *Today's Sunbeam* in Salem (Sussex County). North Jersey employs a staff of 550 full-timers and 200 part-timers.

Mr. Vezza said that although North Jersey plans to make changes to the Forbes publications, he said it was too early to tell what those might be other than saying the company is committed to local coverage.

"We really are local weeklies," he said in describing the type of papers North Jersey operates.

Forbes got into the weekly newspaper business in 1987 with the purchase of Somerset Press, Inc., which includes the *Bound Brook Chronicle*, *The*

Chronicle of Middlesex and Dunellen, The Review of Metuchen and Edison, and the Somerset Messenger-Gazette.

Ms. Ames said Forbes Inc. has decided sell off its newspaper interests in order to concentrate on its core business of magazines. *Forbes* magazine will mark its 80th anniversary later this year. Over the past few years the company has started several new publications including, a lifestyle supplement, *Forbes FYI*; a technology supplement, *Forbes ASAP*, a Japanese language supplement and most recently, the *Gilder Technology Report*.

Although Forbes Newspapers has revenues of \$4 million, the firm had been losing money in recent months.

Several buyers were said to be interested in at least part or all of the weeklies. Among them were Worrall Community Newspapers, which operates papers in Essex and Union Counties; Recorder Publishing, which operates a dozen weeklies in Hunterdon, Morris and Somerset Counties, and The Princeton Packet, Inc., which has established weeklies in four counties.

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Editorial, Westfield- Feb. 20 1997

New Life for Rialto Proves Local Residents Can Make a Difference

The announcement last week that the Rialto Theatre, a Westfield landmark since 1922, has been sold and will remain a movie house, has proved that residents can make a difference.

The Rialto, located at the corner of East Broad Street and Central Avenue, is considered a staple in the economy of Westfield's downtown which has changed largely from retail (there are no men's clothing stores in town) to entertainment, i.e., restaurants and coffeehouses.

Shortly after press accounts, including those in *The Westfield Leader*, revealed that United Artists was looking to sell the popular movie house to a Long Island developer who would turn it into retail, a group of citizens created the "Save the Rialto" volunteer organization. Although the group had nothing to do with bringing CJM Entertainment into town to purchase the theater, its actions made developer Herman "Hy" Carlinsky rethink his actions of getting easy approval for a retail establishment at the site.

The new owner, Jesse Sayegh, who heads the Cedar Grove-based CJM Entertainment, owns theaters in Linden, Cedar Grove and Ocean Township. He also recently acquired the Montclair-based Bellevue Theatre. Interestingly, Mr. Carlinsky's firm, Armstrong Management Corporation, also had been interested in that theater, as well.

Mr. Sayegh has said he wants to split the upstairs theater into two screens, thus creating four screens, two on each floor. Currently the theater has two screens downstairs and one upstairs.

The "Save the Rialto" group wrote letters to The Gap's headquarters in San Francisco in an effort to steer off its interest in opening a Banana Republic store at the site. The Gap decided not to move forward with their proposal.

Through the persistent efforts of the volunteer committee, organized through Westfield MainStreet, the Rialto has been saved, at least for now.

With upgrades in the sound system and fiscal appearance (both interior and exterior) we believe the theater can still be a viable business despite the competition it faces from the Sony 10-Plex on Route No. 22, East, Mountainside. Local theaters like the Rialto and the Bellevue serve a purpose: They provide a convenience for local residents, and

stimulate the local economy by providing business for the many restaurants and coffeehouses located nearby.

The new Rialto owner has promised to continue to show films geared to the whole family while adding foreign films into the mix to attract an even greater audience.

It is also important to keep the theater so as to maintain alternate-time use businesses in the downtown, according to a past study of downtown development. This helps to alleviate traffic jams and parking woes at peak hours during the day.

The "Save the Rialto" movement, which has drawn groups of children from Westfield's schools over the past few months in support of the theater, has helped keep families in town rather than shifting this business out to the highway. Their fight follows a similar one by Westfield residents and surrounding towns in the early 1980s to fight the development of a mall on Route No. 22 on property located on the Westfield/Springfield border.

We wish Mr. Sayegh the best of luck and success as he assumes command of the Rialto. We encourage Westfield residents to show their support by viewing flicks at Westfield's last movie house. After all, a few months ago it appeared the theater's future was doomed.

Editorial, Scotch Plains - Feb. 20, 1997

We Anxiously Await Final Numbers On Municipal, School, County Budgets

In the next few weeks municipal governments of the communities covered by *The Westfield Leader* and *The Times* of Scotch Plains and Fanwood, will be unveiling their budgets. This is the first piece of the local property tax and is the smallest of the three sections in the tax bills. The school budgets, which will go before voters in April, and the Union County spending plan are the other parts of the property tax.

School budgets will be unveiled in the coming weeks while Union County Freeholder Finance Committee Chairman, Walter D. McNeil, Jr., said he hopes to have the county budget adopted by the end of March. Westfield's governing body is expected to introduce its municipal spending plan in March with adoption set for April. The final version of the Scotch Plains municipal spending plan is expected to be in the hands of the Township Council by mid-March for introduction.

The Westfield budget, currently being reviewed by the Town Council, shows a hike of \$667,000 over last year's spending plan. The current Scotch Plains' budget, being reviewed by the council, is \$538,000 or 3.63 percent over last year. The amount to be raised through Westfield and Scotch Plains taxes still is being reviewed by local officials.

The Fanwood Borough Council introduced a \$5,512,787.41 spending plan last week, a \$211,256 or 3.98 percent increase over the 1996 budget. The budget shows no tax increase over last year, the first time in recent memory that the governing body has

been able to accomplish that feat.

Union County Manager Ann M. Baran unveiled an executive budget of \$276.5 million in January. The budget, which has been turned over to the Finance Committee, contains no increase in the overall tax levy. The Democratic majority has indicated they would like to see the county budget lowered even further.

In addition to the local budgets, the Westfield Board of Education is proposing to put a referendum for some \$5 million before voters in September for technology improvements throughout the school system. The referendum is expected to go before voters in October.

Also, Westfield downtown property owners and merchants will see an added tax as a result of the newly-created Special Improvement District. The SID board unveiled a \$226,000 spending plan last week.

As the numbers are revealed by local officials they will be reported in this newspaper. At present it appears Westfield will see the biggest increase, although it is hard to discuss the actual impact until the local budgets are introduced.

We encourage local officials to hold the line as much as possible by trying to avoid any significant increases. Hopefully this can be done by maintaining the current level of municipal services in Westfield, Scotch Plains and Fanwood.

We look forward to seeing the final numbers as they are released by our local officials after the countless number of hours they have spent sifting through financial data.

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Diane Holzmilller Explains



97Feb18

Westfield Rescue Squad Seeking New Volunteers

The Westfield Volunteer Rescue Squad will hold a recruiting open house on Wednesday, February 26, at 7:30 p.m., for anyone interested in volunteering with the squad. The evening will include a tour of the building, ambulances and an overview of what it takes to volunteer with the rescue squad.

One long-time volunteer with the squad and member of the recruiting committee, Diane Holzmilller, explained that the squad welcomes anyone with a few hours a week to spare and a sincere interest in helping others.

There are two primary ways to volunteer said Mrs. Holzmilller: As an emergency medical technician (EMT) or a dispatcher. Interested individuals need not have any prior medical or emergency experience since training for both EMT and dispatcher positions is provided by the rescue squad.

Mrs. Holzmilller encouraged people to give of their time and to "take the plunge" and train to become volunteer emergency medical technicians or dispatchers with the rescue squad.

"Volunteering at the squad is an important way you can directly impact the life of your family, friends and neighbors in the community," she said.

The squad, located at 335 Watterson Street in Westfield just off the Westfield traffic circle, is an all-volunteer organization serving the community of Westfield and is actively recruiting new members. To learn about volunteering, please call 233-2501, or attend the open house on February 26.

For all emergency service please call 911.

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SPRING FLING DATE ANNOUNCED

The Westfield Area Chamber of Commerce has announced its third annual Spring Fling Street Fair will be held Sunday, April 20. Streets along Elm, East Broad, Quimby and Prospect Streets will be closed to traffic during the hours of noon through 6 p.m.

Chamber members and other Westfield businesses are invited to exhibit their products, said Chamber Executive Director Katherine Broihier. Over 150 designers and craftsmen will feature wearable art, jewelry and clothing, In addition there will be a variety of foods, children's activities and entertainment. This year's event will again feature a "Kids Expo" area at the corner of East Broad and Prospect Streets.

Local businesses who wish to participate may call the Chamber of Commerce at 233-3021 for a contract. Contracts have been mailed to all Chamber members and area nonprofit organizations. Cost to Chamber members is \$100 for professional and retail space; \$150 for food vendors, and \$25 for non-profit groups. Non-Chamber members fees are \$275, \$300 and \$50, respectively. Crafters or artisans who wish to display must call the Advertising Alliance directly at 996-3036.

All exhibitors, even Chamber members, are urged to reserve space immediately as space is limited and sells out every year, the spokeswoman said.

Reservations are made only with payment and a signed contract. The deadline for food is Friday, February 28, and for all others, Friday, March 14. Food vendors are required to complete special insurance requirements before participating.

"This event is planned for downtown Westfield to stimulate sales and provide a friendly atmosphere to market to customers," Mrs. Broihier said.

Admission and parking to this family event is free.

The rain date is Sunday, April 27. For more information or for corporate sponsorships of entertainment activities, please contact the Westfield Area Chamber of Commerce at 233-3021.

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Senior forward Wayne Pai faces off against a Cranford Cougar in Blue Devil win.

97Feb10 Westfield HS Hockey

Blue Devils Beat Cranford, 7-6,

For Fourth Win in Ice Hockey Season

By Andrew Cambria

Specially Written for The Westfield Leader and The Times

The Westfield High School ice hockey team defeated the Cranford Cougars by a score of 7-6 on February 5. The Devils improved its record to 4-11-4 before a packed house at Warinanco Park.

The two rivals' first meeting was on December 23, where Westfield also was victorious by a score of 7-4. The first game set the stage for the second round of the neighborhood rivalry

Westfield came off a difficult loss to second-ranked St. Joseph's of Montvale two nights before. Westfield proved that they can compete with the best of them by losing to St. Joseph's, 6-4.

Cranford came ready to play last Wednesday night. The Cougars came out flying as they racked four goals in the first 10 minutes of the period. Westfield woke up from their first period slumber when senior Captain Derek Fisher began to rally the troops. Fisher opened up the scoring for the Devils when he found the back of the net on a power-play goal late in the first. Sophomore Ronnie Kashlak made the game 4-2 with 45 seconds remaining in the period. Kashlak was assisted by sophomore Kevin Anton.

"We came out over confident. Cranford really took it to us in the first 10 minutes, but the first two goals helped us rise to the occasion," said Kashlak.

As the second period was underway, Westfield had junior Brian Garrison in net. Fisher broke through first for Westfield when he picked up a short-handed goal early in the period. Cranford was able to answer the goal by netting a power-play goal a minute and a half later. Midway through the third, Kashlak made it 5-4 when he tallied his second goal of the night. Assists came from Fisher and sophomore Josh Falcone. Westfield was on the comeback trail when senior Wayne Pai tied the game at 5 on an unassisted goal. Pai had the crowd roaring after his goal as chants of "we've got Wayne!" echoed in the rink.

Junior Matt Hanas assisted Dan Marer to make the score 6-5. Fagin was able to net one goal on the night, as he gave Westfield their final goal of the night. Fagin's goal was assisted by Fisher and Kashlak. Westfield came to life in the second period by out-shooting Cranford, 21-16. As the two teams headed to the locker rooms for the final period of play, Westfield had the edge at 7-5.

Defense was the name of the game for the Devils in the third period. Westfield gave up only one goal midway through the period. Solid defensive play came from the entire team. Westfield was without junior defensemen Brendan Hickey, who was out with an injured hand.

Westfield made the game a real thrill by killing two power plays in the third, while Garrison had a spectacular third period of play in goal.

"We played real well late in the game. It was a team effort that gave us the win," said Westfield Coach Brian LaFontaine following the game.

LaFontaine went on to say that the team showed great character on the comeback victory.

The team's next battle is on Monday against Brick Memorial. Then Westfield will gear up for the division playoffs.

Photograph Notes: Westfield High School senior forward Wayne Pai, No. 10, faces off against a Cranford Cougar on February 5 at the Warinanco Rink in Roselle. Juniors Eric Kolb, No. 4, and Steve Wlazlo (far right) are poised to join the fray. The Blue Devils edged out Cranford High School, 7-

6. Pai, Danny Marer and Christian Fagin tallied one goal apiece, while Derek Fisher and Ronnie Kashlak each connected for two.

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Congressman

Bob Franks

97Feb10

Budget Amendment Will Aid Families

Congressman Robert D. Franks, the only New Jersey member of the House Budget Committee, said that a Balanced Budget Amendment will "enable the families of Central New Jersey to enjoy a higher standard of living."

At a press conference in Westfield, Congressman Franks said, "I support the Balanced Budget Amendment because I want families to enjoy a higher standard of living. I want to see every child have an opportunity to live out the American Dream."

"It is an undisputed fact that a Balanced Budget Amendment will lead to lower interest rates, increased economic growth and more job creation," added Congressman Franks, whose Seventh District includes Westfield, Scotch Plains and Fanwood.

In discussing the benefits of the Balanced Budget Amendment, Congressman Franks was joined by Central Jersey bankers, realtors, small business owners, car dealers and elected officials.

The United States Senate is expected to begin debating the Balanced Budget Amendment this week and the House has scheduled a vote for Wednesday, February 26.

Congressman Franks said, "Thirty years of reckless deficit spending have taken a devastating toll. Washington's deficits have forced interest rates up, making it more expensive for every family to purchase a home, finance a

new car or pay for a child's college education."

"The generation-long pattern of deficit spending, with no regard to who will pay the bills, is leaving our children and grandchildren with staggering debts," he said. "A child born today already has a bill from the federal government for nearly \$200,000. That's a newborn's share of the interest payment on the \$5.1 trillion national debt. That child's bill will get larger unless we act now to finally end deficit spending."

Congressman Franks also stressed the importance of placing the Social Security Trust Fund under the protection of the Balanced Budget Amendment, saying, "It is the best protection we can provide today's seniors and those approaching retirement age."

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BLOCK ATTEMPT:

South Brunswick girls fail to block successful shot from a Westfield Blue Devil.

Photo by Bill Burke

Kemps, McKeon Lead Blue Devil Girls to Victory

by David B. Corbin

Senior guard Jen Kempf came on strong with an offensive surge in the final minute of the Westfield Blue Devils tournament game against South Brunswick High School and defeated them 52-47 to win the second annual Westfield Tournament on Friday, December 27.

Kempf scored seven of her team's last eight points; first, with a three-point play to tie the score at 47-47; then, by making two free throws to put Westfield ahead 49-47 with :30 remaining of the game. The game was capped when Kempf put in two more free throws. Kempf totaled 11 points.

The scoring was virtually even with South Brunswick leading 27-25 at the half. Both teams scored eight points in the third-quarter, bringing the score to 35-33. In the fourth-quarter South Brunswick was outscoring Westfield, 12-11, until Kempf went on her scoring spree in the final moments of the game.

Forwards Liz McKeon and Amy Williams were consistent in scoring throughout the game. McKeon, a sophomore, led the Blue Devil girls with 17 points and Williams, a senior, broke double figures with 12 points.

Senior center Nicole DeSantis had six points, junior guard Coleen Ryan contributed four points and Suzanne Vinegra scored two points for the Blue Devils.

The victory over South Brunswick at the Westfield Tournament gave Westfield the championship and upped their record to (2-1) while South Brunswick slipped to (2-2).

The Blue Devils will host the Scotch Plains-Fanwood Raiders on Saturday,
January 4 at 7:00 p.m.



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Sewerage Authority Rejects Idea of Privatization

by Paul Peyton

The Rahway Valley Sewerage Authority (RVSA) will not privatize any of its operations -- at least not for the next three years, according to a resolution unanimously approved last week by the Board of Commissioners.

"We have an outstanding staff, no ifs, ands, or buts," said Commissioner Allen Chin of Westfield.

Commissioner Chin, a former Westfield Mayor, had seconded the motion made by Commissioner Ralph DeVino of Springfield.

"The staff has my utmost vote of confidence in the way the Authority is being operated," Commissioner Chin added.

In making his motion, Commissioner DeVino said, "Privatization is not even a consideration of the Commissioners because the 50-employee staff is doing such an outstanding job."

Authority Executive Director Richard Tokarski said that the annual charge of \$78 per household - the second lowest in the state -- "speaks volumes of the quality of the staff."

Mr. Tokarski added, "The Commissioners have required us to do more with less; the costs to our municipalities have decreased over 9 percent since 1992."

"When a company or government agency goes to privatization, it is usually because there is a problem," said Scotch Plains representative Joan Papan, Chairwoman of the Personnel Committee.

"The RVSA is one of the best run authorities in the state," she continued. "I can certainly understand how this authority could be attractive to a private firm. No. I think it would be fool hardy to even consider privatizing at this time," she said.

Mr. Tokarski said he has a number of initiatives aimed at cutting costs even further, thus adding to the savings for the residents, industries and commercial customers.

These include: Continuing staff reductions, primarily through attrition; continued reduction of overtime -- overtime in 1996 was at an all time low of 1,300 hours, which resulted in a savings of almost \$17,000 from the previous year; negotiation of a supplemental sludge reuse contract at a lower overall cost; installation of more efficient sludge thickening and dewatering equipment, and continuing the use of outsourcing services when cost effective.

The authority is an autonomous wastewater treatment agency servicing more than 300,000 residential and 3,500 industrial and commercial customers in 12 municipalities which include Springfield, Kenilworth, Roselle Park, Cranford, Westfield, Garwood, Clark, Rahway, Scotch Plains, Woodbridge, Mountainside and Winfield.

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Freeholders Demand Explanation On Whether New Air Routes Are Being Followed By Jetliners

By PAUL J. PEYTON

Specially Written for The Westfield Leader and The Times

Union County Freeholder Chairwoman Linda Stender last week instructed county officials to set up a meeting with representatives of the Federal Aviation Administration (FAA) in order to investigate recent allegations that air traffic routes under the Solberg Mitigation Plan are not being followed. The Solberg Plan was created by the FAA to provide noise relief in the county.

The charges were made at last week's Union County Board of Chosen Freeholders meeting by Jerome Feder of Westfield, Chairman of the Union County Air Traffic and Noise Advisory Board. The new traffic routes were supposed to go into effect last spring. The routes were prescribed in the Final Environmental Impact Statement approved by the FAA as an amendment to the Expanded East Coast Plan (EECP) which went into effect back in 1987. The EECP was put into place to improve efficiency for flights and avoid departure delays at busy East Coast airports.

Freeholder Stender said FAA officials should have the right to come before the board to either explain why they are not following the new flight routes or, if the charges are inaccurate, set the county straight as to any discrepancies in the data. Freeholder Stender said members of Congress will be invited to attend the meeting, as well.

The Solberg Plan was the result of the \$6.5 million environmental study which was ordered by Congress as part of the Air Safety Capacity Expansion Act of 1990. The study took 5 1/2 years to complete.

Under Solberg, flights from Newark Airport are supposed to proceed south of the airport for 9.5 miles before making a westerly turn toward the Solberg Navigational Aid in Hunterdon County, according to representatives of the Scotch Plains-based New Jersey Coalition Against Aircraft Noise (NJCAAN).

Mr. Feder told the Freeholders that those areas of western Union County which were supposed to see a reduction in jetliner noise from takeoffs from Newark International Airport are actually witnessing an increase in noise.

The Solberg Plan was intended to provide relief for some 18,000 residents, mostly in the Scotch Plains and Fanwood area. He said this plan, if actually implemented, "in general would be very beneficial for Union County." Instead, he said jetliners are now flying towards the heart of the county.

The Freeholders were shown what Mr. Feder described as data indicating flight patterns for aircraft taking off from Newark Airport on August 21 of last year. The data, reflecting six hours of flight patterns, was supplied by the FAA. The data was taken by the Port Authority of New York and New Jersey which operates Newark, Kennedy and LaGuardia Airports.

[Map of Flight patterns, click here](#)

An FAA spokesman told The Star-Ledger that the data includes all aircraft including small planes which do not fall under the Solberg directive. He said commercial airlines are following the new flight patterns, although, due to some changes such as weather, jetliners are permitted to deviate as much as a mile off the routes which he termed as simply rough guidelines.

Mr. Feder said the August 21 flight patterns are "a fair portrayal of what they (the aircraft) do."

Freeholder Donald Goncalves told the board that a friend of his who is employed as a pilot for a major airliner has indicated pilots are not following the Solberg flight paths.

Under questioning from board members, Mr. Feder said he has attempted to get additional data from the FAA to see the pattern of flight paths over several consecutive days. That information, however, has been withheld by the FAA officials who have cited ongoing litigation with the City of Elizabeth.

The city initiated the lawsuit opposing the 2.3-mile turn for departing flights away from Staten Island. The borough had complained to the FAA about the increase in air traffic noise from Newark Airport.

Barbara Krause, of Cranford, a member of the Noise Advisory Committee, said a Port Authority official told a member of the Cranford Air Noise Committee that aircraft were not following the routes prescribed in the Solberg Plan. She said, in a straw poll of members of the county committee, Kenilworth has been "extremely adversely affected" by the increase in air traffic noise. She said noise increases also were observed in Roselle and Roselle Park, Cranford and Union.

"It was just detrimental overall," she said.

The NJCAAN has been pushing for the FAA to go with what they have proposed as the Ocean Routing Alternative. Mr. Feder said the airline industry has opposed this change by stating it would increase fuel cost and create longer routes for the airlines.

Freeholder Edwin H. Force recommended that FAA officials be asked to supply data for departing flights for seven consecutive days, Sunday through Saturday, over the course of two months. He said the board should pick the dates to insure that the data is an accurate depiction of the flight paths pilots are following.

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Air Traffic Flight Tracks - August, 1996
The Port Authority of NY & NJ Records



Editors Note: The heavy black dashed lines show FAA Solberg Routes permitted which are designed to divert traffic around Union County. The green lines show the actual flight patterns of aircraft for the month traversing through the heart of Union County.

This alleged unsanctioned air traffic pattern and the noise complaints from the residents of Scotch Plains and Fanwood form the basis of the demand for explanation from the FAA by the Union County Board of Chosen Freeholders.

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<i>WCA Engineers</i>	Assisted Living	
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SID Board Approves 1997 Budget of \$226,000

97Feb20

Chamber of Commerce Objects

By PAUL J. PEYTON *for The Westfield Leader*

The Downtown Westfield Corporation, which manages the town's Special Improvement District (SID), approved its proposed 1997 budget of \$226,000 despite continued heavy opposition from the Westfield Area Chamber of Commerce. The budget is an increase of \$10,000 over the plan announced in early January. The SID board approved the spending plan by a 4-1 tally, with Gerri Gildea as the dissenting vote. She wanted the board to spend more time looking over the budget.

Last month the Chamber presented an alternative budget which was \$73,500 lower than the SID's draft budget of \$214,000.

The budget will now go to the Town Council which will have the final say on the spending plan. The plan includes an advancement from the town of \$25,000 to help the SID in its start-up costs.

The board has also sought an additional \$25,000 from the town as part of its renewal for the revitalization program previously administered by the Westfield MainStreet program.

The four-part program included in the SID program is design, promotions, economic restructuring, and organization. Joseph Spector, the SID Chairman, later told *The Leader* that in bringing the MainStreet program into the SID, the Executive Director of the SID, which has yet to be hired, also will run MainStreet.

Mr. Spector, operator of The Leader Store and a downtown property owner, said with the adoption of the SID's by-laws and approval of the budget, "we can declare the SID 'open for business' and get ready to begin delivering the programs and services that this board was created to provide for the revitalization of downtown Westfield."

He said the board hopes to have an office in the downtown area by the end of next month. A line item was included in its budget in the amount of \$18,000 for rental and utilities costs.

Among the programs outlined in the budget is a "clean sweep program" whereby the SID would fund the annual Cleanup Day, currently run by the Chamber, which would be expanded from past years with additional volunteers.

The Chamber, meanwhile, will be asked to expand its program of educating the public and downtown businesses concerning litter and other related issues.

An expenditure of \$40,000 is included to reimburse the town for the purchase of seasonal lights in time for the holiday season. Promotional costs, amounting to an additional \$43,000, include downtown and restaurant guides, and the Welcome Home to Westfield holiday program.

The organizational budget of \$88,500 includes costs related to everything from grant writing, to program supervision, supplies and a quarterly newsletter.

In terms of expanding programs currently offered by the town, Mr. Spector noted that \$15,200 has been included for this purpose, including adding more trash disposal pickups along with power washing of sidewalks.

Mr. Spector said MainStreet will be "instrumental" in helping get the SID program up and running.

Katherine L. Broihier, Executive Director for the Chamber, was critical of a number of line items in the budget. She questioned why no funds were included in the plan even as a goodwill gesture to help with the downtown's parking problem.

Mr. Spector said he has been in contact with First Ward Councilwoman Gail S. Vernick, the Chairwoman of the council's Transportation, Parking and Traffic Committee, to revitalize the Super Parking Committee, of which Mr. Spector is a member. A detailed parking report was submitted last year by a Parking Task Force created by former Mayor Garland C. "Bud" Boothe, Jr. The Super Parking Committee was created in order to follow through on the recommendations in the report.

He said the SID board is "looking at ways in which the SID can be instrumental in better managing the downtown parking situation." Mr. Spector said the SID does not have any control over the parking situation.

He said the recommendations in last year's Parking Task Force report could be implemented "without a major expense" to the town. He said the SID does not have the funds "to fix the parking crisis."

Mrs. Broihier also questioned the need for hiring consultants to gather data. Board member Jennifer Carlson Jeruzelski explained the database, which would be collected and used to identify and track businesses by types and perform market analyses, would actually be less expensive in the long term.

Mrs. Broihier said the Chamber was concerned that the SID was more interested in bringing large corporations to Westfield "which is not necessarily what we are looking for" in developing the program of economic development.

The Chamber director said she felt the \$15,000 included for market analysis, retention and recruitment consultants could be better spent in other areas. Mrs. Broihier said databases on economic restructuring are already available from large corporations.

Saul Drittel, a Chamber representative and realtor in town, said A&P supermarkets has made available such information to the Chamber. This includes the population makeup, spending habits and other related demographic data.

Mr. Spector said the SID needs to have its own database which will include such information as the number of square feet available, and the types of businesses currently in town.

Dr. B. Carol Molnar, a member of the Board of Education and former member of the Planning Board, recommended that the SID consider putting together a manual to explain the permitting process in town for potential new businesses interested in opening up shop in Westfield.

Ms. Jeruzelski explained that such information was included within the budget under the \$5,000 line item "economic restructuring."

When the program is further along, Mr. Spector explained, the goal is to make the town's building department -- including the permit process -- more "user friendly."

Town Administrator Edward A. Gottko, an ex-officio member of the SID board, explained to Darryl Walker, a member of the Chamber's Board of Directors, that the SID board will receive \$113,000 of its total assessment this year.

It will receive 25 percent of the tax assessment on district properties on Friday, August 1. The remaining three-quarters will be received on Saturday, November 1; Sunday, February 1, and Friday, May 1 of next year.

Each payment, which will be collected by the town and sent to the SID board, will be in the amount of about \$56,000.

In terms of promotional events, Mr. Spector plans to do at least four events this year with the first slated for late spring. A summer event is also expected, as well. A total of \$25,000 has been set aside to implement these events.

Mrs. Broihier said the Spring Fling and FestiFall promotional events have generated "a huge profit each year" for the Chamber. She said each event nets \$5,000 in profits.

Under questioning from Mr. Gottko, Chamber representatives said that Advertising Alliance, which recruits vendors for the promotional events, receives 75 percent of the revenues from each event with the Chamber garnering the rest.

Ms. Jeruzelski questioned whether town merchants actually benefit from Chamber events which attract vendors from outside of Westfield. She said Westfield SID events will be geared for downtown businesses such as the possibility of a children's fashion show.

Mr. Drittel questioned several areas of the budget including the facilities cost for rent and utilities. He said there is space available in the business district at \$700 a month and under.

He said he sees the SID spending plan has almost the same as that of the MainStreet budget.

His biggest criticism was of the promotional budget of \$25,000 which he called "inadequate." Mr. Dittel said \$88,000 is a more realistic number. He said the cost for one mailing of 40,000 homes is \$13,000.

Mr. Dittel said promotions also should include advertising billboards, and newspaper advertising.

Mr. Spector said the SID's budget is not intended to replace but rather supplement the existing promotions of the Chamber.

Mr. Dittel said the \$15,000 included for facade renovations was not necessary, adding that the only thing that is needed is "people on the street" to shop at town stores.

"Move more money into marketing. That is our number one need," he told the SID board.

Mr. Dittel said the town now has a chance to take the money it will get from the large retailers in town such as Lord & Taylor and The Gap and use it to market the town.

He said due to the lack of funds the Chamber has not been able to accomplish this feat.

Mr. Dittel and W. Jubb Corbet, Jr., a former town councilman who chaired the Town Council's Finance Committee, said he is strongly opposed to the inclusion of monies for facade renovations. A total of \$5,000 is included in the budget for this expense.

Mayor Thomas C. Jardim said he believes the facade program, previously done through a grant obtained by MainStreet, has attracted customers to downtown stores such as The Gap.

Mr. Corbet was highly critical of the budget and relationship between the MainStreet and the SID. He said the Chamber should be the group directly involved in the process. He said the Chamber represents 250 businesses which pay between \$250 and \$500 in annual membership dues.

He said the MainStreet program "does not have an organizational structure and has done nothing as far as credibility except the spending of \$450,000 over three and a half years."

Michelle Picou, Manager of the MainStreet program, defended the program by stating it had managed to raise through volunteer fundraising over \$300,000.

"Never in our wildest dreams did we ever enjoy \$450,000," she shot back in responding to Mr. Corbet's accusation.

She said 17 building facades were renovated through the MainStreet program. Mrs. Picou said 11 grants amounting to some \$15,000 were obtained for the program. She added that the grants actually wound up generating over \$1 million in building

improvements as landlords put many of their own dollars in the renovations.

Mrs. Picou said MainStreet's success is what generated the creation of the SID program. She said critics of MainStreet may come to the office and look at the paperwork detailing the projects it worked on the past few years. She said over 300 volunteers have also lent their support to the effort.

Mr. Spector said that while serving on the council, Mr. Corbet wasn't available when it came to downtown issues "when we (downtown merchants) needed you most." He said Mr. Corbet's statements were not factual and "not based in the real world," adding that his comments over the past 18 years, when the SID was considered and then created, were never based on "substance."

Mr. Corbet accused the SID board of having two purposes: One to approve a parking deck and the second of approving appointments who vote in favor of the board's priorities.

The facade program in essence takes money from "the little guy" or merchants and uses to fund improvements to buildings he said are owned by millionaires. He said he can not understand why such a program is needed in a town "which essentially is not run down." He said taxpayers should not have to fund improvements for privately owned buildings.

He suggested the SID could work out of the Municipal Building or perhaps the public works building in order to save the \$18,000 budget for such costs.

The main changes in the draft budget and that approved by the town was a reduction in the program supervision (paid staff including benefits). This number was reduced from \$60,000 to \$40,000 in the budget. Mr. Spector noted that administrative salaries are for two people, not just a director.

Also, the power washing of sidewalks, included in the draft budget at \$4,000, has been combined under a line item listed as "downtown services." The \$15,200 will include such areas as the power washing and increased trash disposal services.

Board member Anthony Annese, a downtown property owner who formerly operated Tony Dennis clothing stores, said each speaker before the board showed a "rage" toward the SID plan. He was critical of Mr. Corbet, who accused the board of "fraud" over its budget and organizational process.

He said each board member was serving because they want to help the downtown. Mr. Annese said he was serving to help form a long-range plan for the SID district.

In terms of facade renovations, he said as strange as it may seem, when a property owned is given a \$500 grant for facade improvements, they wind up spending \$5,000. He said improved store fronts benefit the town and not the landlord.

He said the Chamber's promotions actually benefit outside vendors more than town merchants.

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