



SCOTCH PLAINS

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NEW FANWOOD OAK...Councilwoman Karen M. Schurtz of Fanwood and members of the Park Middle School Environmental Club help welcome a new "Fanwood Oak" to Carriage House Park, a pocket park currently being developed on Watson Road, during Fanwood's annual Arbor Day observance last Friday. The new tree replaces the original Fanwood Oak, which was lost to disease in 1996 after standing for more than 300 years. The youngsters, pictured left to right, are: Foreground, Allison Brown and Katie Stamler, and background, Elizabeth Lescano and Louis Lescano.

SP Planning Bd. OKs Hovnanian 100-Unit Townhouse Development

By DEBORAH MADISON
Specially Written for The Times

The Scotch Plains Planning Board unanimously approved an application on Monday night by real estate developer K. Hovnanian for a 100-unit townhouse development off of Route 22 and Scotland Avenue on a 7.7-acre site known as the Reserve. Several board members stated that although their concerns for the safety of the site were still not satisfied, they felt compelled to approve the application due to the likelihood of losing a multi-million dollar lawsuit filed by the developer against the Planning Board, the township and the individuals on the board. Additionally, the board's attorney, Lawrence Woodruff, advised board members that according to Town Attorney Douglas W. Hansen, their legal reasons for the denial had been addressed and resolved by Hovnanian, rendering their objections inadequate to hold up in court. Bordered on three sides by Greenbrook, the roadways surround-

ing the site have flooded during severe storms, making access to and from the site potentially hazardous. The board denied the previous applications based on safety concerns for residents trying to gain emergency ingress or egress from the site during potential flooding conditions. Following hours of expert testimony both for and against the proposed development, and two previous denials by the board, K. Hovnanian filed a lawsuit against the Planning Board, the township and the individual members of the board, claiming that their previous denial was "capricious, arbitrary and unreasonable," and suing for "inverse condemnation," which could cost the township millions of dollars, if the suit was lost. "Inverse condemnation" is a law which protects landowners from a township arbitrarily rendering a piece of property unusable and worthless. Additionally, the site had been zoned as suitable for low-to-moderate income housing, several years

ago, as part of the township's Mount Laurel obligation, after a potential lawsuit by another developer. The State's Council on Affordable Housing, (COAH) also approved the suitability of the site for Mount Laurel housing based on the information provided to COAH by the township. This Mount Laurel zoning made it more difficult, legally, for the board to deny the application, according to Mayor Martin L. Marks. "When something is designated for Mount Laurel, and approved by COAH, that makes it more difficult for the township to renege on fulfilling that obligation," he said. "The usual safety standards are relaxed once that designation has been approved." Mr. Woodruff explained that the lawsuit, which named the members of the Planning Board personally as defendants, was not likely to be covered by insurance. The complaint also alleged that the denial was intended to "dispro-

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Fanwood Planning Board Okays Banquet Facility for Sun Tavern

By SUZETTE F. STALKER
Specially Written for The Times

The Fanwood Planning Board unanimously approved an application last week by the Sun Tavern, located at South Avenue and Terrill Road, to establish a second-floor party/banquet room and convert a small foyer area on the first floor into an additional seating area. In the brief April 25 conclusion to a public hearing which began March 28, Sun Tavern owner Kenneth C. Duda and his attorney, Joseph Castelluci, told board members an agreement had been reached with the adjacent Young Paint & Varnish Company to provide adequate parking for the enhanced facility. Sun Tavern, which has 60 on-site parking spaces, leases an additional 48 spaces from the company for evening hours. The total 108 spaces exceeds the 97 which are called for under the borough's recently revised zoning ordinance. Reiterating testimony which had been presented at the initial hearing, Mr. Duda said no parties would be held in the banquet room after 6 p.m. on Fridays and Saturdays, in an effort to avoid a parking crunch on the restaurant's busiest nights. As part of the board's approval of his petition, the applicant also agreed to finish off an area of sidewalk. Prior to rendering their 9-0 decision in favor of the application, board members commended Mr. Duda for his cooperative efforts in addressing their concerns during the two-part

hearing and for his plans to improve his business, which opened two years ago. The property had previously been home to several other establishments, including the Goal Post. "He's done everything we've asked him to do and I'd like to compliment him on doing it in such a speedy fashion," remarked board member Andrew J. MacDonald. "I think it's good for the town." Under other business, the Planning Board also adopted resolutions memorializing its decisions in three additional cases which were heard at its March 28 regular meeting. During that meeting, the board approved a bulk variance for Dan and Cathy Prelusky of 132 Vinton Circle to construct a single-story family room, measuring 12 feet by 24 feet, on the northeast side of their residence. The couple required the variance because their proposed side yard setback, with an overhang, measured 5.5 feet. The permitted distance is 10 feet. In a separate appeal, John Kazimerkiewicz of 72 Shady Lane was awarded a bulk variance to enclose his existing backyard patio area for use all year long. Mr. Kazimerkiewicz required the variance because his proposed rear yard setback fell two feet short of the permitted 25-foot distance. Finally, the board approved a simple subdivision at 173 South Martine Avenue in order to create two conforming lots. The owner of

the property, Marjorie C. Rose, will continue to live on one of the lots, which fronts onto Martine Avenue. CDI Builders of Scotch Plains was expected to purchase the second lot, which will front onto Trenton Avenue. rupty expert," Township Attorney Douglas W. Hansen informed the council that he and Mr. Jacobson had appeared in Superior Court in Elizabeth on Tuesday morning seeking an order to have Mr. Polidore's assets frozen. If an objection to the request is raised, a hearing will be held on Friday. Mr. Hansen added that prosecutors have already seized Mr. Polidore's bank accounts, which he described as having "a substantial amount of money." Officials have also seized Mr. Polidore's vehicle, as well as a hot dog truck he recently purchased. There is also an effort underway by law enforcement officials to attach themselves to Mr. Polidore's real

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OFFICIAL ARRESTED FOR ALLEGED EMBEZZLEMENT OF \$150,000

Scotch Plains Town Treasurer Faces Criminal, Civil Charges

By FRED ROSSI
Specially Written for The Times

Officials in Scotch Plains are pressing ahead with actions intended to minimize the damage arising from last week's arrest of township treasurer William Polidore on charges that he embezzled more than \$150,000 from township bank accounts. Officials will press criminal and civil charges against Mr. Polidore,

who had joined the township staff two years ago. Township Attorney Douglas W. Hansen told *The Times* that the local police department and the Union County Prosecutor's office are conducting a joint investigation of Mr. Polidore's activities and added that, since Mr. Polidore was bonded, the township is fully covered by insurance for the amount of money he is alleged to have stolen. Union County Prosecutor Thomas V. Manahan said Mr. Polidore "is alleged to have written checks to himself from a township trust account and then cashed them using a personal account to make purchases." These purchases are reported to have included several luxury items such as golf clubs and expensive watches and the leasing of a Mercedes-Benz. "He was then able to cover his tracks and conceal the thefts by destroying original records and creating phony statements and vouchers," Mr. Manahan added.

township's financial statements. Mr. Atkins said Mr. Polidore has been suspended without pay, and added that the township will "do everything we can to get the money back from him so we can reimburse the insurance company." That includes freezing Mr. Polidore's assets and bank accounts, he said. In connection with this effort, the Township Council will hire a special counsel to assist with these activities. Calling the charges "extremely shocking," Mr. Atkins said "the taxpayers are the victims here." Mr. Polidore, who was not a certified public accountant and had not yet qualified for a state-issued Certified Municipal Finance Officer license, was charged last week with one count of theft of more than \$75,000, a second degree offense that carries a mandatory term of incarceration of up to 10 years.

Emergency Still Effective For Water Use

By HORACE R. CORBIN
Specially Written for The Times

Local residents served by Elizabethtown Water Company were urged to continue to boil their water while making every effort to continue conservation efforts following a major water main break Monday night near the company's primary water treatment plant in Bridgewater. The area affected included Westfield, Scotch Plains, Fanwood and Mountainside, as well as one million customers in 46 municipalities served by Elizabethtown Water, including most of Union County.

The break also impacted customers in eight other communities serviced by Edison and Liberty water companies. Erin Reilly, spokeswoman for Elizabethtown Water Company in Westfield, told *The Westfield Leader* and *The Times of Scotch Plains-Fanwood* that the break was isolated as of Tuesday morning. The water company reported that customers began seeing normal pressures and flows by early Tuesday morning. However, major news stations reported that some customers were still experiencing low pressures throughout the day. Backup pipe lines were brought into service, and the output of Elizabethtown's Franklin treatment plant was increased to maximum capacity, Ms. Reilly reported. The company issued a precautionary boil water advisory notice on Tuesday morning, in case contamination entered into its distribution system due to low pressure in the mains. As of Wednesday, the advisory remained in effect. Many area schools were closed on Tuesday due to the water advisory, while schools that remained open advised students to bring their own water. To date, there is no evidence that contamination entered the distribution system, Ms. Reilly stated. The company recom-

If he were to be convicted, Mr. Polidore would also forfeit any opportunity to hold public office again. Referring not only to Mr. Polidore's arrest, but also to the lawsuit filed against the township police department and the withdrawal of Acting Governor Donald T. DiFrancesco from the gubernatorial race, Mayor Martin L. Marks told *The Times* that "it hasn't been the most pleasant of experiences being mayor lately." His reaction to Mr. Polidore's arrest, he said, was "shock and then anger that someone could do that to us." Mr. Marks said the late Democratic Councilman Franklin P. Donatelli had recommended Mr. Polidore for the treasurer's position two years ago as a result of working with Mr. Polidore at Runnells Specialty in the discrepancies in the

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POLITICAL VISIT...Democratic politicians stopped by the office of *The Westfield Leader* and *The Times of Scotch Plains-Fanwood* during Sunday's Spring Fling festivities. Pictured, left to right, are: Union County Freeholder Lewis Mingo, Jr., former Westfield Mayor Thomas C. Jardim, Woodbridge Mayor and candidate for New Jersey Governor Jim McGreevey, Union County Freeholders Mary P. Rutolo and Daniel Sullivan, and former Seventh District Congressional candidate J. Brooke Hern. Mr. Jardim and Mr. Hern are both running for Assembly in the redrawn 21st legislative district.

Scotch Plains Council Takes Action to Recoup \$150,000 Allegedly Taken by Treasurer

By FRED ROSSI
Specially Written for The Times

Moving quickly to address the embezzlement charges against the township treasurer, the Scotch Plains Township Council took action at its conference meeting on Tuesday night to begin the process of recovering the money that William Polidore is alleged to have stolen, while keeping the interests of township taxpayers uppermost in mind. Three resolutions were passed, including one appointing Gary S. Jacobson, an attorney from Springfield, as special counsel to provide legal advice to the township regarding the Polidore matter. Describing Mr. Jacobson as "a commercial litigator and a bank-

meeting next Tuesday that will authorize Killam Associates to begin preliminary work on possibly turning a three-acre parcel of township-owned land on Plainfield Avenue into a park that could include a baseball field and a soccer field. Township Manager Thomas E. Atkins urged the council to press ahead with the project even as local leaders await further word from state environmental officials on the possibility of developing a portion of the Ashbrook Reservation into a similar recreational park. If matters proceed expeditiously on the Plainfield Avenue project, it is possible the new park could be ready for use by the fall of 2002. Mr. Atkins noted that the funds to pay for the development would likely come out of the local Open Space Trust Fund, which was established by township voters in November

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Holocaust Survivor Tells Personal Experiences to Terrill Sixth-Graders

By SUSAN M. DYCKMAN
Specially Written for The Westfield Leader and The Times

SCOTCH PLAINS — It is one thing to read about the Holocaust in a book. It is quite another experience to sit a few feet from someone who lived it, and absorb a vivid account of her experiences. Sixth-grade students at Terrill Middle School were fortunate to have both opportunities when Livia Bitton-Jackson visited their school April 20.

It was 12-year old Evan Goldsmith who recognized the name "Bitton-Jackson," when his class started reading one of her books, "I Have Lived a Thousand Years."

His mother, Debbie, recalled, "Evan said, 'I recognize that name.'" It turned out Mrs. Bitton-Jackson is the mother of a friend of the Goldsmith family, who lives in Scotch Plains. The Goldsmiths and English teacher Maureen Semple corresponded with the author and made plans for her to visit the school.

A college professor as well as a writer, Mrs. Bitton-Jackson is tall, blonde and blue-eyed. She looks nothing like the stereotypical Jew of Eastern Europe who was hunted and persecuted by Adolf Hitler and his henchmen.

That is likely why she, at age 13, caught the eye of Dr. Joseph Mengele at the gates of Auschwitz, the concentration camp to which she, her mother, brother and aunt were sentenced for the last year of World War II. After asking her if she was Jewish, Dr. Mengele directed her and her mother toward the right. Her aunt was forced to the left. (Her brother had been taken away with the men.)

It was much later when Mrs. Bitton-Jackson learned that the line to the left (where she and her mother were originally headed) marched directly to the gas chambers.

The author shared "scenes" of her experiences with the students. She told what it was like to be taken from her home, and confined with 4,000 other Jews in a single building called a "collection center." She spoke of her great fear at being separated from her father and brother, locked into windowless cattle cars for the three-day train trip to Auschwitz, and, finally, herded into the camp.

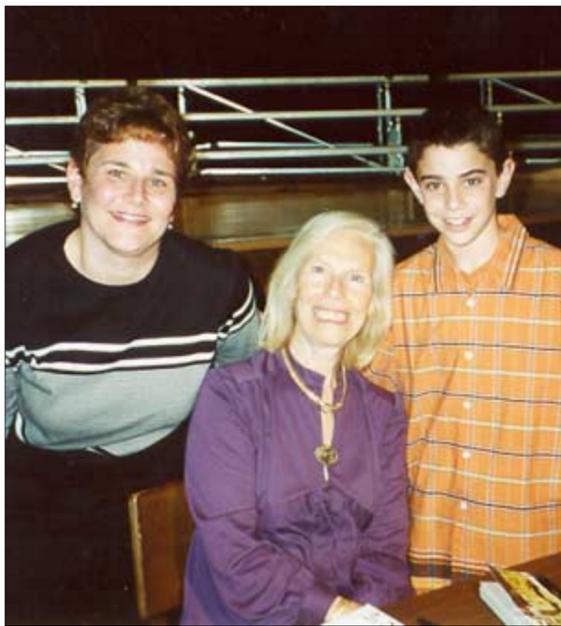
Her voiced strained with emotion, and her thoughts visibly focused on atrocities committed over 50 years ago, Mrs. Bitton-Jackson said, "It is painful for me to talk about and painful for you to listen."

The students, however, listened intently and respectfully for more than an hour. They asked good questions, including, "Did you ever want to give up?"

Mrs. Bitton-Jackson explained that much of her will to live came from being able to stay with her mother who became ill soon after they arrived in camp.

"I had to take care of her," she said. "I have a strong will to go on and do what has to be done. If you give up, you are your own worst enemy."

The day liberation came, Mrs. Bitton-Jackson and others who had survived the camps, were on board another cattle car being transported to their planned death in an effort by a desperate Nazi army to erase all traces of the concentration



A PERSONAL ACCOUNT...Holocaust survivor, professor and author Livia Bitton-Jackson, center, visited Terrill Middle School in Scotch Plains to speak with sixth grade students about her experiences in Auschwitz. She is pictured here with Debbie Goldsmith and her son, Evan.

camp. When an American soldier boarded the train, he could not tell if its occupants were men or women.

In all her imaginings about the day she would again know freedom, said Mrs. Bitton-Jackson, "I did not imagine I would not have the strength to be happy about freedom." She and her mother crawled off the train.

One of the German women from the town near where the train was stopped came out to see the refugees, and spoke to her. Of the camps the woman said, "It must have been hard for you at your age." She asked the woman how old

she thought she was. The woman replied, "sixty or sixty one."

Mrs. Bitton-Jackson remembered thinking, "I am 14, but I have a lived a thousand years." That became the title of her book.

Students presented Mrs. Bitton-Jackson with flowers, a specially made book filled with drawings and notes from sixth graders, as well as a donation to Emanah Women, an organization which organizes social-welfare and educational projects in Israel. The author encouraged the students to write her with any other questions they might have.

SCOTCH PLAINS POLICE BLOTTER

TUESDAY, APRIL 17

- A Wareham Court resident reported the theft of a child car seat from her vehicle. The theft occurred over the past week.

MONDAY, APRIL 23

- A Plainfield resident reported the theft of a small amount of cash from a jacket while visiting on Country Club Lane. The theft occurred early Monday morning.

- An Elm Court resident reported finding pry marks on two rear doors to the residence. It was unknown when it occurred. Entry was not gained.

- A Winchester Drive resident reported a burglary that occurred sometime during the day. The master bedroom was ransacked and miscellaneous jewelry was taken. Entry was gained through a basement window.

TUESDAY, APRIL 24

- A Willow Avenue resident reported the theft of a chrome panel taken from the wheel area of his vehicle while being serviced at a Terrill

Road muffler shop.

WEDNESDAY, APRIL 25

- A King Street resident reported finding a rear window smashed and the master bedroom ransacked. It could not be determined if anything was taken.

THURSDAY, APRIL 26

- A Westfield Avenue business reported finding a rear door window smashed, the store entered and an undetermined amount of cash taken overnight.

- A Mountain Avenue resident reported approximately \$1,100 in unauthorized purchases were made to his credit card account in the Princeton area.

- A 15-year Scotch Plains resident was taken into custody for possession of marijuana after a fight with another youth in the 2100 block of Mountain Avenue. The boy was released to his parents. Juvenile complaints are pending.

THURSDAY, APRIL 26

- A Ramapo Way resident reported the theft of a bicycle taken from his garage at approximately 5:45 p.m. The complainant stated he saw a youth described as between 13 and 16 years old riding off with the bicycle.

SATURDAY, APRIL 28

- A burglary to a business in the 300 block of Park Avenue was reported. Entry was reportedly gained by breaking out a front window. The only items of merchandise taken valued at approximately \$75.

SUNDAY, APRIL 29

- Theft of vehicle parts reported from three vehicles parked in a lot in the 200 block of Park Avenue during the evening hours.

- Aalop H. Shah, 23, of Brooklyn, was arrested and charged with driving while under the influence of alcohol during a motor vehicle stop on Cooper Road, at approximately 12:30 a.m.

- The theft of a bicycle from in front of a residence in the 400 block of Willow Avenue was reported.

SP Planning Bd. OKs Hovnanian 100-Unit Townhouse Development

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portionately and adversely affect the ability of minorities to obtain housing in the township" in violation of

Water Emergency

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mended, as a precautionary measure, that customers continue to boil water for several days, while the company performed tests to confirm that the water was fit for drinking.

The New Jersey Department of Environmental Protection (DEP) also recommended that customers continue to heed the boil water advisory until notified that the water quality was acceptable.

Elizabethtown appealed to all customers to conserve water until further notice to preserve fire protection capacity and pressure throughout its service territory.

Repair crews were on site all day on Tuesday repairing the damaged main, which was located eight feet underground in a swampy area near the Raritan River. The area had to be drained before the damage could be assessed and repaired.

After repairs, the main had to be fully flushed and chlorinated. The entire process was expected to take several days.

The water treatment plant in Bridgewater, which dates back to 1931, normally supplies between 130 and 140 million gallons of water per day through the main which was ruptured. Currently, only 40 million gallons of water per day can be transmitted into the system from the Bridgewater plant, Ms. Reilly confirmed.

The last time that the Bridgewater plant was seriously disabled was in September of 1999, during Hurricane Floyd, when the system was completely flooded.

The water company's Franklin Township plant and reserve well sources have been pressed into full service to compensate for the supply limitations caused by the main break. These backup facilities have a capacity of about 100 million gallons a day. Storage tanks distributed throughout the multi-county network hold approximately a one-day supply of water.

The 40-year-old main that ruptured is a large, 60-inch diameter pipeline buried in the river bed. Repair costs and time are believed to be significant, although the water company would not provide a time estimate for the repair work, nor is the water company able to provide a reason for the pipe break.

The company is assessing the situation in the field and will provide further information as it becomes available. Further updates will be posted on the Web at www.etownwater.com.

If matters remain stable during the repair period, residents in this area of Union County are unlikely to recognize any service aberrations.

"At most, a slight color change in the water supply may occur as facilities become switched over," said Ms. Reilly.

Elizabethtown Water Company, a wholly-owned subsidiary of London, England-based Thames Water, along with the Edison and Liberty water companies, provides retail water service in 54 municipalities in Burlington, Hunterdon, Mercer, Middlesex, Morris, Ocean, Somerset, and Union Counties.

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the New Jersey Fair Housing Act, potentially subjecting the township to a charge of civil rights violations.

Union County Superior Court Judge John Pisansky heard the case and remanded the case back to the Planning Board with the recommendation that the parties involved work out a satisfactory solution to the safety and egress concerns. In response to that remand, Hovnanian met with Department of Transportation (DOT) and township officials to come up with a viable egress plan.

Four proposed solutions were presented to the Planning Board at Monday's meeting.

All four of the proposed solutions involved erecting a 120-foot-long removable barrier across Route 22. The barrier, which weighs 38,000 pounds, would operate electronically or manually and take only minutes to open. In the event that Route 22, West flooded, cars exiting the proposed development could be routed across the highway onto Route 22, East, which rarely becomes flooded.

The difference between the four proposals involved the type of lighting signals that would be used to stop eastbound and westbound traffic before the removable gate was opened.

Scotch Plains Police Chief Thomas O'Brien and Fire Chief Jonathan Ellis, as well as Township Engineering Consultant Paul Ferriero, met with Hovnanian and DOT officials to review the four proposals.

They each issued letters of recommendation to the Planning Board supporting one of the options that would involve the installation of permanent traffic signals on Route 22 East and West at Scotland Avenue in order to stop traffic in the event of flooding conditions.

These traffic signals, which could be controlled electronically, would remain green, except in the event of a flood, when the removable barrier would be opened.

After hearing the details of all four options, explained by the traffic expert for Hovnanian, Scott Kennel, the board decided to recommend to the DOT the option of permanent light signals on both sides of the highway, also supported by the police chief and fire chief, along with flashing warning signals to alert motorists to the impending red lights.

The board included a flexibility clause that would allow either this option or a portable, removable light signal, if the DOT was not amenable to the board's first preference. The final decision as to which option to

employ rests with the DOT.

Attorney William Butler, representing Weldon Incorporated as an objector to the proposal, raised concerns about the reliability of the barrier technology, as well as the burden of maintenance and cost on the township.

Francine Chesler, attorney for Hovnanian, said that the applicant was amenable to assuming all costs involved in the maintenance of the equipment.

She also remarked that Weldon was objecting, not on the grounds of safety concerns, but because the company did not want to be subjected to complaints about their quarrying activities from future residents of the development.

Board Chairman George Tomkin and Construction Code Official Robert LaCosta, the only board members who voted in favor of the application last year, stated that they did not feel that the safety concerns were significant then or now.

"The possibility of flooding is no different than if a severe snow storm prevented someone from taking a joy ride for a few hours. It's just a minor inconvenience," Mr. Tomkin stated.

Mayor Marks commented that he was voting yes "with a \$10 million gun pointed at my head."

He also applauded his fellow volunteer board members for their devotion and courage to risk their own financial security in voting their conscience last year.

Councilwoman Paulette Coronato stated that in order to protect the citizens of Scotch Plains from further financial damage from lawsuits, she was voting to approve the application.

In other business, it was announced that Mr. Tomkin was awarded an "Outstanding Chairman" award for his commendable work as Planning Board Chairman by the New Jersey Planning Officials Association. Only 20 of these honors are awarded each year.

SPFHS Alumni Assoc.

To Meet on May 15

SCOTCH PLAINS — The regularly scheduled meeting of Scotch Plains-Fanwood High School (SPFHS) Alumni Association will be held on Tuesday, May 15, at 7:30 p.m. in Room No. 101 at SPFHS.

During the meeting, attendees will meet the two recipients and their parents for the 2001 SPFHS Alumni Association Scholarships. We will also vote on and elect officers for the coming year.

All are welcome to attend. Refreshments will be served.

For more information, please call Elena Harper at (908) 322-5863 or Kathy Van Horn at (908) 232-4132.

Fanwood Democratic Club To Hold Candidates Forum

FANWOOD — The Fanwood Democratic Club will hold its next public meeting on Tuesday, May 8, at 7:30 p.m. in the LaGrande Park Recreation Building off LaGrande Avenue.

The meeting will feature a discussion of Fanwood Borough issues and the recent changes to the landscape of the 22nd District.

Councilwoman Kathy Mitchell and her running mate, Michael Brennan, Democratic candidates for Borough Council seats in the November 6 General Election, will talk about their campaign and dis-

cuss issues of concern to Fanwood voters.

Union County Freeholder Linda d. Stender, a former Mayor of Fanwood, will be on hand to report about her campaign for the New Jersey Assembly from the 22nd Legislative District.

New residents of Fanwood are encouraged to attend the meeting along with current members of the Fanwood Democratic Club or anyone interested in learning more about local Democratic candidates.

For more information, please call Tom Plante at (908) 889-5298.

SP Council

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1999.

Separately, township officials will ask the State Department of Transportation to hold a public meeting with local officials and residents about its proposal to construct a new bridge over Route 22 to connect Park Avenue and Bonnie Burn Road. Mr. Atkins said it's probable that such a forum will take place in June.

Treasurer

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cialized Hospital in Berkeley Heights.

The mayor stressed that the matter involving Mr. Polidore was "an isolated incident," and said that there is "nothing going on in Town Hall where there aren't appropriate checks and balances in place. If we didn't have (those checks and balances), this could have gone on even longer and become even more of a catastrophe."

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