

WF Councilmen Say Lazarowitz Did Not Violate Ordinance

By LAUREN S. PASS
Specially Written for The Westfield Leader

Two weeks ago, Westfield Mayor Gregory McDermott told *The Westfield Leader* that Third Ward Democrat Councilwoman Claire Lazarowitz violated one of the town's Common Cause ordinances by handing out a letter from the town with her campaign literature during the weekend of October 5.

Councilwoman Lazarowitz told *The Leader* last week that she "did not do anything wrong" and that she wants to clear her "good name."

She had previously acknowledged that she distributed the town letter with her campaign material, but stated that they were not clipped together.

Councilwoman Lazarowitz said that the ordinance, "doesn't even apply," because it has to do with fundraising. She also said that she ran off more copies of the letter using her own money so that they could be distributed to residents.

In a follow-up statement last Friday, Mayor McDermott said, "I do not believe that Claire's actions were consistent in keeping with the spirit and intent of our Common Cause ordinance."

The common cause ordinance, which was passed in March of 1999, bans "the use of government buildings and government equipment for political fundraising."

The ordinance states several "prohibited forms of fundraising," including "using municipal letterhead to solicit or accept contributions." The ordinance does not mention the distribution of campaign literature.

When asked if Councilwoman Lazarowitz was in violation of the ordinance, Fourth Ward Democrat Councilman and attorney Lawrence Goldman responded, "Not as far as I'm concerned."

Mr. Goldman said that the ordinance clearly targets political fundraising. He was Chairman of the Laws and Rules Committee in 1999 and is a current member of that committee.

Second Ward Republican Councilman, attorney and Laws and Rules Committee member Matthew Albano told *The Leader*, upon review of the ordinance, that it applies to political fundraising and not to campaigning.

Approximately 120 copies of the letter were printed by the town on Westfield letterhead with Councilwoman Lazarowitz's name and contact information. The letter notified residents of an upcoming Public Safety Committee meeting to "address concerns expressed by residents in regard to the proposed traffic light at Central Avenue and Clover Street."

When Councilwoman Lazarowitz was unable to distribute all of the letters, Al Horta, from the Department of Public Works (DPW), distributed approximately 73 letters on Monday, October 7.

Mr. Horta distributed to homes on Central Avenue, Francis Terrace, Belmar Terrace, Clover Street, Pinegrove Avenue and Marlboro Street.

Mr. Horta, whose regular duties

for the DPW are as a land surveyor for the town, also hand delivers public notices for the Planning Board.

According to Town Administrator James Gildea, it is "not in our (the town's) realm to support any candidate." He added that a similar letter had been mailed to several residents in the Second Ward, for Republican Councilman Rafael Betancourt, to give notice of a Transportation Parking and Traffic Committee (TPT) meeting.

Mr. Gildea said that, because Councilwoman Lazarowitz wanted so many letters to be sent out, it was not cost effective for them to be mailed.

The letter was also sent home in the backpacks of children at Jefferson Elementary School. According to Westfield Board of Education Public Information Officer Lorre Korecky, Superintendent of Schools Dr. William Foley gave permission for the letters to be distributed with the children.

Harry Pozzycki, Chairman for Common Cause, explained to *The Leader* that he did not know all of the issues involved, but stated that if Councilwoman Lazarowitz was not asking for political funds, the matter would not be covered under the ordinance.

Town Attorney Robert Cockren was unable to review the ordinance and comment to *The Leader* prior to press time.



Westfield Polling Places:

First Ward:

Districts 1 and 2:
Roosevelt Intermediate School Gym, 302 Clark Street.
Districts 3, 5 and 7:
Franklin Elementary School Auditorium, 700 Prospect Street.
Districts 4 and 6:
Westfield Memorial Library, Program Room, 550 East Broad Street.

Second Ward:

District 1:
Union County Annex, 300 North Avenue.
District 2, 3 and 6:
Washington Elementary School Auditorium, 900 St. Marks Avenue.
District 4 and 5:
Wilson Elementary School Auditorium, 301 Linden Avenue.

Third Ward:

District 1:
Westfield Rescue Squad, 335 Waterson Street.
Districts 2, 3 and 4:
Edison Intermediate School Gym, 800 Rahway Avenue.
Districts 5, 6 and 7:
Jefferson Elementary School Auditorium, 1200 Boulevard.

Fourth Ward:

Districts 1 and 2:
McKinley Elementary School Auditorium, 500 First Avenue.
Districts 3 and 4:
Westfield High School Lobby, 550 Dorian Road.
District 5:
Jefferson Elementary School Auditorium, 1200 Boulevard.

Mountainside Polling Places:

District 1 and 6:
Municipal Building, Court Room, 1385 Route 22.
District 2, 7 and 8:
Our Lady of Lourdes Roman Catholic Church, 300 Central Avenue.
District 3, 4 and 5:
Presbyterian Church, Assembly Room, Deerpath and Meeting House Lane.



Jennifer Pinto for The Westfield Leader

GOBLINS ON PARADE... On Saturday afternoon, the Downtown Westfield Corporation invited Westfield and Scotch Plains residents, wearing their creepiest and cutest Halloween costumes, to Quimby Street for the annual Halloween Costume Contest. Merchants passed out candy to the youngsters and some of the stores sponsored prizes for contest categories such as, "Most Chilling," "Cutest Baby," and "Most Down to Earth."

APPROVAL OF OCT. 15 MEETING MINUTES UNKNOWN

Westfield Town Council Argues Over Common Cause Ordinance Allegations

By LAUREN S. PASS
Specially Written for The Westfield Leader

During the regular business of the Westfield Town Council, a motion was made by Second Ward Republican Councilman Rafael Betancourt and seconded by Second Ward Republican Councilman Matthew Albano for the approval of the minutes from the regular meeting on Tuesday, October 15.

When the mayor asked if there was any discussion about the minutes, Fourth Ward Democratic Councilwoman Susan Jacobson stated her unhappiness that Mayor McDermott had called *The Westfield Leader* the morning after the meeting on October 15 regarding his statement that Third Ward Democratic Councilwoman Claire Lazarowitz had violated a common cause ordinance.

Councilwoman Jacobson said that she felt that the mayor should have called Councilwoman Lazarowitz to let her know this was going to be in *The Leader*, and that he did not "own up" to his statement at last week's conference session. She also said that his actions destroyed trust and that it "diminished my respect for you as mayor."

Mayor McDermott responded that he called *The Leader* and that he "spoke with Lauren Pass," who reiterated questions asked by resident Vic Trzesniowski the night before which the mayor had not answered.

Councilwoman Jacobson questioned the mayor saying that Councilwoman Lazarowitz violated an ordinance, "knowing they would use a banner headline."

Mayor McDermott said that he has

no control of the headlines, and that he is not the only person who calls *The Leader* the day after the meeting.

Councilwoman Jacobson said that the council should have been contacted regarding this issue. She added that Councilwoman Lazarowitz had

been advised on how to distribute the letter regarding the meeting on October 10, and that there was no mention of an ordinance violation at the meeting on October 15. She also said that the mayor's statement was a "political move."

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Construction Concerns Discussed By Residents

By LAUREN S. PASS
Specially Written for The Westfield Leader

The regular meeting of the Westfield Town Council started out with a presentation from Town Engineer Kenneth Marsh, who explained to the public that the current road projects occurring on Mountain and South Avenues are being done by the county.

According to Mr. Marsh he had spoken with someone from the county in an effort to have the paving project on Mountain Avenue postponed until next year so that the town could work on the curbing. Mr. Marsh said

that he was then informed that the contractor could not extend into next year.

Mayor Gregory McDermott questioned why the two road projects were being done at the same time.

Mr. Marsh replied that the county should have had control of the schedule. He also said that in the rain the county would be able to mill, but not pave. He added that the South Avenue project was moving from West to East into Garwood.

Tamaques Way resident Stephen Nettler addressed the council regard-

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GOP Candidates Hope to Land Seats On All-Democratic Freeholder Board

By FRED ROSSI
Specially Written for The Westfield Leader

Union County Republicans will be seeking to make a dent in the 9-

0 all-Democratic Board of Chosen Freeholders in next week's voting, when three seats will be at stake.

Republicans Joel Whitaker, currently the President of the Fanwood Borough Council, is running with Anira Clericuzio of Cranford and Elyse Bochicchio Medved of Rahway against Democratic incumbents Angel Estrada, Nicholas Scutari and Rick Proctor.

Mr. Whitaker told *The Westfield Leader* earlier this year that the "overriding question to be addressed [in the campaign] is whether the county is well-served by having a 9-0 Freeholder Board. There is some doubt that it is."

The Republicans have been talking about what they see as unnecessarily high property taxes in Union County during the past five years of all-Democratic control.

The Republicans also criticized the Freeholders several months ago for their preliminary plan to sell several acres of land purchased with county open space trust funds to a Summit church, a proposal the Freeholders backed away from a month ago.

The party also criticized the county for its plans to allow New York City trash to be transported via train through the county.

The Democrats' campaign has been a low-key affair, with the three incumbents promising to continue pushing various county initiatives aimed at students and senior citizens

was re-elected in 1999. In 2001, Mr. Fuccillo ran for the Second Ward seat, but was defeated



Gregory McDermott



Thomas Fuccillo

by incumbent Republican Matthew Albano.

Carl Salisbury's decision not to run for a third term in the First Ward brings two newcomers, Democrat Mark Kuehn and Republican Sal Caruana, to the race.

Republican Rafael Betancourt, seeking his second term for council, faces Democrat David Owens in the Second Ward.

Incumbent Democrat Claire Lazarowitz, who has served on the council since 2000, is running against Republican Andy Skibitsky in the Third Ward.

Democrat Councilman Larry Goldman, seeking his fourth term on the council, is being challenged by Christopher Panagos in the Fourth Ward.

For more information on all of the candidates, please see their individual biographies on pages 12 and 13.

as well as continuing efforts at acquiring open space and striving to ensure adequate emergency preparedness.

GOP Incumbents Run Unopposed In Mountainside

By LAUREN S. PASS
Specially Written for The Westfield Leader

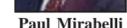
Mountainside Borough Council incumbent candidates Paul Mirabelli and Keith Turner, both Republicans, will run uncontested for re-election next Tuesday.

Mr. Turner is seeking his fourth term on the council, and has been a resident of Mountainside since 1958. He has served as Council President, and on the Recreation Commission, Fire Commissioner and Planning Board Liaison.



Keith Turner

Mr. Mirabelli has been a borough resident since 1990. This will be his third run for council. He has served on the Fire and Police Department Commissions, and has been Liaison to the Planning Board, Rescue Squad and Tax Assessor's office.



Paul Mirabelli

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Publisher's Note

Thank you for reading this issue of *The Westfield Leader*. Each year on the Thursday prior to election day, we mail this special edition to everyone in Westfield. It contains information about the candidates for office. We hope you vote Tuesday, November 5.

For those of you that are not subscribers, we ask that you become one. We never call to ask.

Thank you to our advertisers and subscribers that make this possible.



Rafael J. BETANCOURT

**Westfield Councilman, 2000 to present
Council Liaison to Planning Board, 2000 to present
Chairman, Traffic, Parking, and Transportation Committee**

- Partner, Pisano, Triarsi and Betancourt, L.L.C.
- 17 year resident of Westfield
- Former Municipal Prosecutor, Town of Westfield
- Former Municipal Defender, Town of Westfield
- Former Board of Governors Treasurer and President, Nomahegan Swim Club
- Patron, Westfield Symphony Orchestra
- Foundation Partner, Westfield Foundation
- Former Y's Mens Club Member
- Former Member of NJ Supreme Court Committee on Attorney Ethics
- Former Union County District Chair of NJ Supreme Court Fee Arbitration Committee
- Former Special Agent, Federal Bureau of Investigation
- Former Assistant Prosecutor, Union County Prosecutor's Office
- Married to Esperanza; sons, Diego and Andres

Thank you for your trust and support. Please vote on November 5th. Rey



Paid for by Betancourt for Council Committee, Jay MacDonald Treasurer, 219 Linden Avenue, Westfield, NJ 07090

Westfield Town Council Argues Over Common Cause Ordinance Allegations

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First Ward Republican Councilman Peter Echausse said that he "believes in the freedom of the press." He then said that if the council wanted to "talk about decency and trust" that the council should discuss "members of the council signing a petition" to initiate the ward lawsuit earlier this year, citing that there was "no difference."

Councilman Albano questioned what relevance the conversation had to do with the approval of the minutes.

Councilwoman Jacobson responded that the minutes were not reflective of what happened after the meeting.

Councilman Albano said that the conversation was, "spin at it's finest" and suggested that the newspaper not be brought into the council chambers.

Councilwoman Lazarowitz stated that it was her name that was used and after bringing a copy of the ordinance in question out, asked the mayor to clarify his statement for the public.

Mayor McDermott responded that in his opinion it is the intent of common cause to not mix politics and government. He said that it is a fine line when speaking of soliciting a political contribution whether it was dealing with fundraising or votes.

Councilwoman Lazarowitz quoted from the ordinance and said that there is not "one line that speaks to this." She added that she was unable to send the article home to her mother in California.

Councilman Betancourt said that the violation of the ordinance was not the issue. He said that Councilwoman Lazarowitz was asked during the meeting on October 15 if she had distributed the letter from the town with her campaign literature and that she had said no. He added that a resident at the meeting then said that the two pieces were together.

Councilman Albano said that this was "not a productive conversation" and that "we should all be embarrassed" and suggested that the minutes be moved.

Councilwoman Lazarowitz said that the conversation should be public.

The mayor then called for a vote on the minutes.

Third Ward Democratic Councilman Kevin Walsh said that there was a dispute over what was said at the last minute.

A roll call was taken for the approval of the minutes where Councilmen Albano, Echausse and Betancourt and Mayor McDermott voted for the approval of the minutes, and Councilwomen Lazarowitz and Jacobson and Councilman Walsh and Fourth Ward Democrat Councilman Lawrence Goldman voted "no."

First Ward Democrat Carl Salisbury abstained from the vote because he was absent from the meeting.

This vote caused a 4-4 tie and it was still unknown at press time whether the minutes were passed

or not. According to Town Attorney Robert Cockren, this had never happened before, and he would have to look it up to find out what the status of the minutes were.

Moving on to the meeting's forum for open discussion, Mr. Trzesniowski said that during the Public Safety Committee meeting on October 10, Councilwoman Lazarowitz told residents "to leave on several occasions because she didn't like what she was hearing."

He added that Councilwoman Lazarowitz said that the traffic light at Central Avenue and Clover Street was a "political problem."

Campaign Manager for Democratic Mayoral Thomas Fuccillo and Westfield resident Anthony LaPorta said that Mayor McDermott owes Councilwoman Lazarowitz an apology. He quoted from the ordinance and said that it had nothing to do with handing out campaign literature. He said that he was not there to get votes for Councilwoman Lazarowitz and said that Mayor McDermott had abused his office and his power by accusing the councilwoman of doing something illegal.

Mr. LaPorta offered the mayor a copy of the ordinance, but the mayor said that he did not need to read it again.

Mayor McDermott reiterated his opinion on the fine line between soliciting contributions and votes. He did say that dealing strictly with fundraising he was incorrect that there was a violation of the ordinance.

Mr. LaPorta said that it was significant to what the ordinance "says in words" and "not in spirit." He added that the mayor had "harmed" a councilwoman "with intent" and that he "should be ashamed."

Councilman Echausse again brought up the Ward Commission Law Suit and said that there had been no notification to the Republican members of the council when

the attorney was hired. Councilwoman Jacobson said that it was a 5 to 4 vote along party lines for the lawsuit, but that when the letter for contract agreement came from the attorney the mayor never signed it. She said that the mayor is the leader of the community and should be held to a "different set of standards."

Councilman Betancourt said that all of the members of the council are leaders of the community. He said that the issue at hand was that a Public Safety Committee meeting was "conducted improperly" and for "political reasons." He questioned how many Public Safety meetings have been held this year and he said that all of the safety measures in the town taken this year have been by "virtue" of the Transportation Parking and Traffic (TPT) Committee, which he serves as Chairman of. He added that the election is one week away and that the public will decide.

Councilwoman Lazarowitz said that she had held three Public Safety meetings during the year and had been trying to do a "good thing" for her ward with the traffic light. She said that one of her constituents informed her that it was going to be an issue for her and her opponent Andy Skibitsky would be fighting over.

She stated that she worked with the Town Administrator James Gildea to get the meeting notice to residents and that said she "didn't think I was doing anything wrong."

Councilman Walsh said that they were elected to serve their constituents and that was what the councilwoman was trying to do. He then said that as a member of the TPT Committee he requests that the next time a meeting is held in someone's home that he be invited.

At that point, Councilman Betancourt responded that the next time someone on the council decides to sue the town, they should call him.

For more information on the Common Cause Ordinance, please see the story on Page 1, top left.

Construction

CONTINUED FROM PAGE 1

ing the recent problems with the micro paving done by Dosch-King, Inc. on the street.

Mr. Nettler cited company owner Peter King's presentation to the council at last week's meeting and questioned who was told that the road was not in good enough shape to use this process. He also questioned why residents were not notified and asked for consent for this "experimental process."

Mr. Nettler also questioned that with the coming election if there is a change on the council how can he be assured that the road will be on next year's list of roads to be paved.

Mayor McDermott responded that there would still be one representative from the ward on the council after the election.

Mr. Marsh said that he was not informed that the road was not in good enough condition. He said that the road is in good condition for the next five to seven years.

Mr. Nettler said that Mr. King should not be paid until at least the spring after the road is examined again. He also said that residents should be notified if an experimental process was to be used on a street. He also questioned the town's policy of accepting only the lowest bidder for projects.

Mr. Marsh explained that state law requires the town to take the lowest bid.

David Blackford, a resident on the corner of Clarence Street and Lamberts Mill Road, stated his aggravation over the five years of ongoing construction on Clarence Street.

He said that only Fourth Ward Democrat Councilman Lawrence Goldman has responded to his letters and that he would need a variance for a fence since the grading of his property has changed since the construction.

Mayor McDermott asked if Mr. Blackford could speak directly to Mr. Marsh after the meeting.

Councilman Goldman said that the town owes it to the residents to make sure that the approvals for the developer had all been complied with.

Mr. Marsh said that the town is currently working on some issues with the development that need correcting.

In other business, the council voted unanimously to re-appoint Town Clerk Bernard Heeny to a three-year term.

The next meeting of the town council will be held on Wednesday, November 6.

Westfield Public Schools Reveal Closure Dates

WESTFIELD — Kindergarten through fifth grade students will attend four-hour sessions on Tuesday, November 5, to allow for Curriculum Planning meetings for teachers in the afternoon.

Grades 1 through 5 will attend 8:30 a.m. to 12:30 p.m., while both morning and afternoon kindergarten sessions will be held from 10 a.m. to 12:30 p.m.

Westfield Public Schools will be closed for all students and teachers on Thursday and Friday, November 7 and 8, to permit the attendance of teachers at the New Jersey Education Association Convention.

Business can be transacted with school offices and the Administration Building from 8 a.m. to 3 p.m. Classes will resume at their regular starting time on Monday, November 11.



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