THE WESTFIELD LEADER.

Ad Populos, Non Aditus, Pervenimus

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Bigosinski Wins By Single Vote; GOP Files Recount

By MICHAEL J. POLLACK
Specially Written for The Westfield Leader

WESTFIELD –Democrat Tom Bigosinski remained victorious by one vote over Republican Eric Leuthold this week for the fourth ward seat on the town council after the county counted absentee and provisional ballots.

The Union County Board of Elections confirmed that last Thursday, at the county offices in Elizabeth, Mr. Bigosinski held a 1,469 to 1,468 edge over Mr. Leuthold. At press time, Mr. Leuthold's contingent had not filed for a recount officially; however, Fourth Ward Councilman Jim Foerst, in his capacity as counsel for Mr. Leuthold, told *The Westfield Leader* he is filing today for a recount of all ballots cast. The absolute deadline to file is Wednesday, November 23.

Dennis Kobitz, deputy administrator of the Union County Board of Elections, confirmed that the county received 10 provisional ballots for the fourth ward — six were counted, four were rejected. Also, four absentee ballots received too late were rejected.

Of the six provisionals counted, Mr. Bigosinski picked up two to Mr. Leuthold's three. The sixth ballot, while tallied, did not contain a vote for either candidate. While unable to disclose the person's specific choices, Mr. Kobitz said the person "did not vote the whole ticket and chose not to vote for that office."

Mr. Kobitz also explained what circumstances may warrant disavowing a ballot.

"Ballots can be rejected because there's no signature or the person is not registered," he said. "Also, for instance, (if) a person moves from Essex to Union County, they need to reregister (not vote with a provisional ballot.)"

Asked about the possibility of a runoff if a recount revealed a tie, Mr. Kobitz said, "nothing like this has ever happened in my 21 years in the county."

An election supervisor at the county offices said Mr. Leuthold's contingent must respond to an "order to show cause" before they state what they want counted, whether it be the machines, absentees or all votes.

Mr. Foerst said his concern lies in knowing "were all the absentee ballots counted, if for nothing but the integrity of the election process. I've never been through this before; the town has never been through this before."

He said a recount involves only the ballots accepted as valid and timely votes. Mr. Foerst added that if he feels there's anything wrong, or a discrepancy in a particular ballot exists, "we file for a formal election contest."

"Filing for a recount doesn't hurt. I congratulated Tom (Bigosinski) when he won the primary; he understands the fourth ward. If he's elected, I look forward to working with him," Mr. Foerst added.

For projected winner Mr. Bigosinski, he said it is an "interesting and anxious time. I'm certainly happy that every vote has been counted and it appears the board will certify the vote."

On the prospect of a recount being requested, he said, "I am disappointed that this is dragging on after all the votes have been counted and the results have been certified as final, but I like and respect Eric Leuthold a lot, and I know he will realize when the challenges and maneuvering have gone too far. But, until then, I remain ready and eager to start serving the fourth ward and the town."

Mr. Bigosinski joked when asked what preparations he must make, saying, "I have to clean out my attic. Once that's done, I'll be ready to hit the ground running."

Mr. Bigosinski said he's been "greatly taxed by the election, it's hard to get into second gear." Saying

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Benjaimn B. Corbin for *The Westfield Leader*

CROWDS OF THANKS...For the third straight day in Westfield, crowds welcomed home from Iraq soldiers of the 250th Signal Battalion who were deployed from the Westfield Armory. The people pictured above last Wednesday await to cheer the arrival of the final contingent of soldiers.

DWC and WACC Reach Accord on 'W'

By PAUL J. PEYTON
Specially Written for The Westfield Leader

WESTFIELD – Officials from the town, Downtown Westfield Corporation (DWC) and the Westfield Area Chamber of Commerce (WACC) reached an agreement Monday night for future use of the "W" insignia used by both organizations. Both boards of directors are expected to ratify their agreements this week.

The DWC filed suit against the WACC earlier this month over what it claimed was a trade infringement of the "W," utilized by the DWC on entry signs to the town and other promotional materials. The WACC, which used a similar "W" on its gift coins, sought to use the letter on its newly-printed gift cards, which will replace the coins.

David Martone, chairman of the DWC Board of Directors; Hans Winberg, WACC chairman; Mayor Andy Skibitsky, Town Councilmen Sal Caruana and Larry Goldman, and Jim Gildea, town administrator, attended Monday night's meeting at the municipal building, which lasted 90 minutes.

Mr. Winberg said as part of the agreement between the two organizations, the WACC can issue the existing gift cards right away; the gift card presentation sleeve (the greeting card-like folder that shoppers receive with the cards) will have a fine print disclaimer on the back reading, "The WACC is an independent non-profit organization whose purpose is to promote commerce in the Westfield area. The WACC has no official affiliation with the Town of Westfield or any of its agencies."

In addition, the DWC has agreed to drop the lawsuit immediately. Once both boards have approved the agreement, Mr. Gildea will draft a press release saying that the two organizations are "eager to work together on our common goals and objectives," said Mr. Winberg in an e-mail to chamber members. The town administrator

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NOT A TEARDOWN?…Phil Richardson of Westfield took this home remodeling photograph upon returning from voting on Election Day, November 8. Only the front door of the home is left standing on this "remodeling" project at 500 Summit Avenue. ***The Westfield Leader*** **has been told that a "stop work" order has been issued by the town construction official for causes undisclosed.**

Michael J. Pollack for *The Westfield Leader*

11TH HOUR OF THE 11TH DAY OF THE 11TH MONTH...Westfield war veterans march down North Avenue before Veterans' Day ceremonies at the North Avenue and East Broad Street plaza. At 11 a.m. on November 11, wreathes were laid and taps sounded. Vietnam War veteran and American Legion Post No. 3 Commander Pete Hogaboom led the ceremonies, which featured Second Ward Councilwoman Jo Ann Neylan and a presentation by Mr. Hogaboom's son Thomas .

Town To Further Investigate Myrtle Landscaping Business

By MICHAEL POLLACK
Specially Written for The Westfield Leader

WESTFIELD – The Westfield Town Council met November 9 in the wake of the previous day's election. The council experienced a momentary delay because they did not have a quorum until reelected First Ward Councilman Sal Caruana arrived. Councilmen Rafael Betancourt, Larry Goldman, Mark Ciarrocca and Peter Echausse were absent. The council, in a brief meeting, discussed the Downtown Westfield Corporation (DWC) lawsuit against the Chamber of Commerce, gave an update on a Myrtle Avenue landscaping service and recapped the town's street paving projects.

Allen Solomon of WeCare (Westfield Concerned Citizens for Responsible Development), spoke out against the lawsuit filed by the DWC against the Chamber of Commerce concerning licensing and copyright violations of using the "W" insignia He asked if the council "would be interceding" in the matter because "we (We Care) don't want to have to change our name to 'e Care.' It seems as if, from what we have heard, that the DWC has lost sight of what they were formed for.

"(They're) filing suit against the Chamber of Commerce over the use of the letter 'W,' which is a font in public domain; they are forcing members of their own group, taxed by the SID (special improvement district) to support the pay for a lawsuit. They are becoming very petty. The gift cards were made to promote business, not controversy," Mr. Solomon added.

Mayor Andy Skibitsky confirmed that the council "will be interceding. I've asked (Town Administrator) Mr. (Jim) Gildea to set up a meeting Monday with Councilmen Caruana and Goldman and representatives from both groups, and we hope to have this resolved shortly."

Virginia Cossenza, who previously addressed the council concerning the use of Jeff's Landscaping on Myrtle Avenue, returned to see if the town had any revisions to report.

Town Attorney Robert Cockren said "the zoning officer (Kathleen Neville) did an investigation and made an inquiry to the property owner," and laid out the use of the property since 1990.

"This is a legal issue that needs to be defined and solved," he said.

Mr. Cockren said a property "could enjoy non-conforming-use that pre dates the zoning regulations, but we can look back to 1990 and there is evidence that some parts of the use have certainly intensified."

Mr. Cockren said the zoning officer will ask neighbors for "actual knowledge" of the property's use and fill in facts about the historical use of the property; afterwards, she will make a determination if a violation should be issued to the property.

"If that happens, what generally occurs is that the property comes before the board of whether of adjustment to seek either a variance or a determination by the board that the use is consistent with the property's pre existing nature or not. It's a fact-intensive analysis, looking at the number of trucks, employees, etc," he said.

Fellow Myrtle Avenue resident Marilyn Tommaro volunteered to fill in the gaps and provide background for the property.

In her Public Works Committee report, Chairwoman Jo Ann Neylan introduced a resolution awarding the town's various streets improvements contract. The small roads package includes Webster and Terrace Places and Lennox and Forest Avenues. In other road news, work on North Chestnut Street began on November 7 with the improvement of Belgian block curbing. Work on Highland, Kimball and North Euclid Avenues will begin within the next two weeks.

The mayor thanked the town for the large turnout to welcome the 250th Signal Battalion back to Westfield.

"Thank you for attending the homecoming. It was very well attended; several hundred came out," he said.The mayor offered his thanks to the fire and police departments in Cranford, Clark, Mountainside, Springfield and Garwood for assistance. "The troops were welcomed home in a manner they should be

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PSE&G Receives Approval by Board to Upgrade Substation; HSBC Bank Gains Site Plan Nod

By KIMBERLY A. BROADWELL
Specially Written for The Westfield Leader

WESTFIELD — The planning board unanimously approved two new appeals last Thursday evening at its monthly meeting.

PSE&G, located at 1742 Rahway Avenue, was granted major site plan approval to upgrade its existing substation by replacing the electrical transformers with two new high capacity transformers. The company also plans to upgrade its control house as well as the fencing surrounding the upgrades.

According to William Herriott, supervising engineer for PSE&G, the Westfield substation needed to be upgraded because of a recent trend of a system overload for the area. Mr. Herriott attributed the overloads to more area businesses and homes using more computers, central air conditioning, and in general, more energy. He noted that the company always takes weekly readings and analyzes the data.

Ira Rubin, from Burns and Row Engineering Company, testified on behalf of the energy company, stating that the old fence surrounding the substation would be replaced with an eight-foot fence. He noted that the National Electric Safety Code only requires a seven-foot fence to be placed around the substation, but that PSE&G planned to put in an eight-foot fence, with the last foot consisting of barbed wire.

He stated that the "barbed wire is a visual deterrent. Its high voltage, you don't get a second chance."

Mark DeVioti, security manager for PSE&G, who was the third witness to testify, said that the barbed wire would shoot up at a 45-degree angle. He also noted that the New Jersey Board of Public Utilities (BPU) states that the standard fencing for high voltage substations is a seven-foot high fence with an additional

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Publisher's Note: The November 24 Thanksgiving Day edition of *The Westfield Leader* will be published a day earlier on November 23.

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Mountainside Voting Results

November 8, 2005

	Governor											Assembly - LD21				County Clerk		Freeholders						
District	Forrester	Corzine	Forchion	Bell	Castillo	Pawlowski	Theiks	Latigona	Rozzo	Lariscy	Munoz	Bramnick	Merman	Bergen	Spector	Rajoppi	Quattrocchi	Kline	Dill	Estrada	Proctor	Ward	Turner	Mirabelli
1	182	95	1	1	1	1	1	0	0	0	179	179	85	86	146	114	168	170	167	84	86	89	190	191
2	163	106	2	0	3	0	0	0	0	0	163	165	90	88	138	115	164	164	160	88	82	85	184	179
3	186	106	1	0	0	2	1	0	0	0	195	190	89	93	166	113	189	188	182	94	86	95	207	207
4	197	99	1	0	1	0	1	0	0	0	197	195	83	78	166	113	188	190	185	86	88	89	201	202
5	211	116	3	0	3	4	2	0	0	0	212	217	97	95	184	133	211	204	204	98	101	101	215	222
6	153	95	2	2	1	2	1	0	0	0	161	156	72	74	131	103	141	142	144	87	89	87	168	163
7	171	132	1	0	7	3	1	3	0	0	185	174	100	107	142	152	178	175	177	103	109	107	195	198
8	122	110	0	0	2	2	3	1	0	0	117	124	95	95	96	129	119	115	117	93	101	82	133	135
9	157	101	1	0	3	0	0	1	0	1	153	152	78	77	118	120	148	141	146	84	87	87	162	159
Totals	1542	960	12	3	21	14	10	5	0	1	1562	1552	789	793	1287	1092	1506	1489	1482	817	829	822	1655	1656

			Question 1		Question 2	
Total Voters	2627	56.2%	Yes	No	Yes	No
Registered	4675		881	741	855	633