

BOE OKs \$79.5 Million Budget; \$68.2 Mil. Levy Heads to Voters

By MEGHAN GILL
Specially Written for The Westfield Leader

WESTFIELD — The board of education adopted the final 2006-2007 school budget of \$79,491,415 at a special meeting held Tuesday evening at the board's Elm Street administrative offices. The budget is an increase of 4.05 percent or \$3,016,041 over last year. That figure includes debt service of \$2,379,891.

The proposed \$68,227,778 tax levy, which is up 3.85 percent, represents a \$2,805,051 or 14-cent increase or \$253 per \$100 of assessed value for the average Westfield homeowner. A tax point in Westfield equals \$180,000 in total spending. The board unanimously voted 9-0 to adopt the budget and tax levy.

The tax levy, which will go before the voters on Tuesday, April 18, reflects a 4.05 percent increase over last year.

"We have held nine public meetings since December... this board (has put forth) its best effort to balance the needs of our children and be fiscally responsible," board member and Finance Committee Chairman Richard Solomon said.

Superintendent Dr. William Foley explained that the public should now understand that "the \$79 million budget is built up of many small parts."

Dr. Foley recommended that the board not lower the budget less than 14 cents. He said he didn't see "any reason to have this budget lower... you



and all of us have done a pretty good job," considering there will be the largest first grade class in September since 1970.

Kim Rhodes was the only board member to urge that the budget be cut by \$180,000 to reach the 13-cent mark. She argued that, "I am not comfortable with 14 cents. I think that we can do better; it is not appropriate to spend money on things that we could live without. My first choice is to go for the 13-cent amount and take out \$180,000."

All of the other board members addressed the group, stating that they were in support of the 14-cent amount. Most of them agreed that they could not justify cutting services that were helpful to the needs of the students.

At the end of the discussion, Ms. Rhodes conceded and concurred with the other members on the 14-cent

figure. "We can do better at being more responsible. This budget is doomed to failure if we don't stand together. I will vote on the 14 cents," she said.

Local property taxes make up 86 percent of the budget. The state covers 6 percent, which has remained flat for six years, while federal aid accounts for 3 percent of the budget and 5 percent of the budget comes from other sources.

Lorre Korecky, school community relations coordinator, explained that these sources are "interest earned, income rental of Lincoln School to Union County Educational Services Commission and fund balance (surplus), which is 2 percent of the total (revenue side of the) budget."

Fund balance, she explained, is a reserve account to be used for capital projects or unexpected out-of-district placements that may come up during the academic year. The district also receives annual pledges and donations from members of the community.

In other business, the board announced that the district is engaged in a national search for a new Westfield High School (WHS) principal. The board has invited members of the community to complete a survey indicating attributes the new principal should possess, as well as their feelings about the future direction of WHS. The survey can be accessed on the district website, www.westfieldnj.k12.org.



PROGRESS...Construction workers make noticeable progress on the bank building restoration at One Elm Street and North Avenue in the downtown of Westfield this week. Along with the conversion progress at the PNC Bank building on Prospect Street around the corner, the area is shaping up to be a highly visible and attractive center.

Former MS BOE President, Kress, Loses Law License for Six Months

By DEBORAH MADISON
Specially Written for The Westfield Leader

MOUNTAINSIDE — Mountainside resident and former President of the Mountainside Board of Education, Richard Kress, has been suspended from practicing law by the New Jersey Supreme Court.

The six-month suspension, which begins Friday, April 10, is for professional misconduct stemming from clients that he represented in 2003 and years prior. Mr. Kress was a member of the school board for 15 years, serving as board president from 2002 to 2004.

According to William Ziff of Westfield, Secretary for the Union County branch of the Office of Attorney Ethics (OAE), the order of suspension issued by the court found that Mr. Kress engaged in conduct that involved dishonesty, deceit or misrepresentation, failure to inform clients of termination of representation due to impairment, failure to put his hourly fee in writing, failure to communicate with his clients, lack of diligence and violating professional rules of conduct.

In one case cited by the court, Mr. Kress' lack of diligence resulted in a longer jail sentence for a client who had requested that Mr. Kress file a plea bargain agreement, which he neglected to file. In another instance, Mr. Kress allegedly used a client's American Express Card to run up a

\$3,100 charge in lieu of payment, knowing that the client's bankruptcy was pending. The court's written findings noted that they found Mr. Kress' behavior to be deceitful and fraudulent.

In a written response to the court, Mr. Kress contended that his failure to communicate and failure to act with diligence stemmed from an extended illness in May of 2003. However, the OAE noted in their written findings that some of the incidences of professional misconduct took place prior to this illness.

Prior to these violations, the respondent had a disciplinary history of other charges of misconduct. Mr. Kress had been previously suspended for one year in 2003 for representing an accounting firm as well as the individual partners after a conflict of interest developed between the parties. According to the charges founded by the review board, the respondent also attempted to create a sham transaction to deceive a third party that a mortgage had been assigned for bona fide consideration, when it had not. Finally, the respondent made misrepresentations to the parties regarding the transaction.

In 1992, Mr. Kress was suspended for three months when, as municipal court prosecutor, he failed to disclose to the municipal court judge the circumstances surrounding the dismissal of a drunk-driving case.

He was also reprimanded in 1996 for failure to timely file a reply to a motion for pendente lite (pending litigation) support and to timely file a motion for reconsideration, as well as failing to keep his clients informed of the status of the matter.

In his written response to the charges stemming from the 2003 case, Mr. Kress maintained that all three parties were aware of the fact that he represented each of them and that there were never any misrepresentations made.

The attorney disciplinary system consists of three levels: Office of Attorney Ethics (OAE) and district ethics committees, Disciplinary Review Board (DRB), and the state Supreme Court. The first level, consisting of 17 regionalized district ethics committees, is divided along single or multiple county lines. District committees consist of attorney and public members, who serve pro bono, to investigate, prosecute and decide disciplinary matters. They screen and docket grievances and conduct hearings. The OAE investigates special cases and manages the district committees.

The second level, the DRB, is the intermediate appellate tribunal in disciplinary matters. All recommendations for discipline from district committees and certain other matters come to the DRB. The DRB decides

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Mountainside BOE Grants Final Budget Approval

By GINA LEVINE-LEVY
Specially Written for The Westfield Leader

MOUNTAINSIDE — The Mountainside Board of Education adopted the Fiscal Year (FY) 2006-2007 budget of \$13,966,844 at Tuesday night's meeting. The proposed \$11,276,433 tax levy will go before voters on Tuesday, April 18.

According to BOE figures, the average taxpayer will pay \$392.

Business Administrator Roderic McLaughlin explained that were it not for a significant budget shortfall this year, in the area of special education, the average cost per homeowner would have been half that amount.

Mr. McLaughlin reiterated, from a prior budget meeting, that the FY 2005-2006 budget significantly "under-appropriated" for the number of special education students in the district. At the time that budget was passed, there were 15 known special education students in the district; however, only 10 were appropriated for in the budget. Currently, there are 17 special education students accounted for in the budget, which makes the misappropriation even more significant.

As a result of the misappropriation, however, the FY 2006-2007 special education budget was increased by \$580,093.

Board member Patricia Knodel questioned how five children could have been "missed" in the budget.

Mr. McLaughlin responded that the business office prepared applications for out-of-district placement for special education students and an audit showed that the record keeping "was not as accurate as it should have been." But board members agreed there is no clear answer as to how, exactly, the misappropriation occurred.

Board President John Perrin did point out that, despite the budget short-

fall, proper services were provided to the students.

Mr. McLaughlin noted that roughly \$7.5 million of the budget reflects staff salaries for 116 full- and part-time employees, as well as health benefits including medical and dental coverage.

Increase in tuition, paid to Berkeley Heights, of \$155,112.

Utility costs in the FY 2006-2007 budget increased by \$200,862, due greatly to the jump in natural gas prices. The gas budget alone increased 90 percent.

After Governor Jon Corzine's budget address last week, the district received an additional \$53,120 for "above average enrollment state aid." These funds went toward the general budget rather than to offset the local tax levy.

As board Vice President MaryBeth Schaumburg explained, the additional state aid would have offset the local tax levy by four dollars per homeowner. She said putting that money back into the budget, to use towards

curriculum and technology initiatives, will have a more substantial impact.

As it stands, the majority of the budget, about 81 percent, is funded by the local tax levy. About 12 percent is funded by dissolution money received when the regional district dissolved; about 5 percent is funded through state aid and the remainder is funded by miscellaneous revenue and the fund balance, or surplus.

One looming question, which involves an ongoing discussion among the board, is how the district will fill the 12 percent gap created once the dissolution fund expires in a few years.

As for the FY 2006-2007 budget, Chief School Administrator Dr. Richard O'Malley stated, "it really tries to put our fiscal house back in order." Dr. O'Malley said that class size is an important theme of this budget. He pointed out that with an average of 16 to 19 students per class, class sizes would be well below state average.

The budget proposes adding one new kindergarten teacher to potentially reduce class size to 16 students,

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GW Budget Up \$240,215 With Avg. Tax Hike of \$115

By JAMES HALLERAN
Specially Written for The Westfield Leader

GARWOOD — The borough council introduced a \$6,164,871 municipal budget Tuesday night, which represents an increase of \$240,215 over last year.

A total of \$4,157,80 will be raised in local municipal property taxes, an increase of \$257,636, representing an 11.5-point increase or \$115 for an average home assessed at \$100,000 in the borough over last year.

Councilwoman Villaggio said increases in the budget include employee pensions, health benefits, the library budget, and the fee for the Rahway Valley Sewerage Authority. Council President Villaggio said

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Clarification

A front-page story on the Union County Republican Convention in the March 23 issue should have quoted freeholder candidate Patricia Quattrocchi as saying three young people died at Union County correctional facilities. One was at the juvenile detention center and two were while incarcerated in the county jail.

Finance Chairman Echausse Tells 'Tale of Two Budgets'

By MICHAEL J. POLLACK
Specially Written for The Westfield Leader

WESTFIELD — At Tuesday's regular public meeting of the Westfield council, First Ward Councilman and Finance Policy Committee Chairman Peter Echausse announced that the 2006 budget process would be finalized within two weeks.

His committee met after the meeting to "dot the I's and cross the T's." He anticipated that if all went according to plan, the council and public might be privy to the figures at next week's council conference session.

Councilman Echausse said he hopes to bring forth a "prudent" budget that doesn't "nip us in the bud in future years and doesn't hurt us this year." He touted the budget as not favoring any cuts in services "in lieu of a very difficult financial situation at the state level."

The councilman, deeming the bud-

get conundrum, a "tale of two budgets," reiterated the many "budget busters" impact the budget through mandated services. These services include police and fire pensions, burgeoning library costs and Rahway Valley Sewerage Authority fees, which are all "going up at double digit rates. To offset that, we tried to pare down what we can control."

He said the committee would recommend, "strategically reducing headcount" by taking certain retiring positions and transitioning them to

part-time or "outright outsourcing" personnel or some of the services thought to be handled in-house. All told, the councilman said attacking the budget in this fashion would allow for a "nice savings" in salaries and would cause some "breakage" in the budget busters through limiting pension payouts and health care benefits.

He also volunteered, as a form of outreach, to inform the new council members on the details of the budget

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SLIGHT MISCALCULATION...The driver of this International Standard of Excellence truck must have overestimated the height of an underpass and had to pull over onto North Avenue by the junction of Lenox Avenue to check out the results.



UPSIDE-DOWN...Westfield firefighter David Mazza practices Tuesday flipping upside-down while repelling from the four-story roof of Carleton Towers on Carleton Road in Westfield. County training specialists and Westfield platoon members observe and participate in the exercises.

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