

Mayor Deems Councilmen 'Out of Order' During Legal Fees Debate

By MICHAEL J. POLLACK
Specialty Written for The Westfield Leader

WESTFIELD - In response to Fourth Ward Councilman Tom Bigosinski's calls for lowering the rate for legal expenses, First Ward Councilman Peter Echausse, head of the Finance Policy Committee, has recommended 31 municipalities to survey in order to compare rates.

Over the summer, Town Clerk Claire Gray and Town Administrator Jim Gildea received and compiled data from 13 municipalities that responded, a 42-percent response rate. During Tuesday's meeting, the council discussed the findings and how to move forward.

At January's reorganization meeting, Mr. Gildea told new council members that Municipal Attorney Robert

Cockren's base salary, \$59,805 in 2006, covers "ordinary duties" governed in the town code. Other activities, deemed "extraordinary duties," vary as they come up during the course of the year and/or are assigned by the council. The extraordinary duties are governed by an outside rate of \$150 an hour, Mr. Gildea explained.

In the survey, which used Scotch Plains, Westfield, New Brunswick, Clark, Berkeley Heights, Fanwood, Cranford, Millburn, Chester, Rahway, Union, Hillside, Nutley and Summit as examples, the towns averaged \$147-per-hour rates for municipal attorney and \$146-per-hour rates for partners and associates, with Mr. Gildea saying Westfield is "right at the average."

Previously, at a public meeting on June 20, when voting on second reading for an ordinance governing annual salaries for the mayor, council and certain appointed officers, Mr. Bigosinski represented the one dissenting voice in a 7-1 vote, with Third Ward Councilman Dave Haas absent.

Mr. Bigosinski at that time told *The Westfield Leader* that he did not support the ordinance because it did not call for a competitive-bidding mechanism when compensating town, planning board and board of adjustment attorneys.

In May, Mr. Bigosinski said the town could save upwards of \$47,000 on its estimated \$230,000 legal budget by amending the hourly rates of attorneys working under Mr. Cockren

and Labor Attorney Rick Danser.

During Tuesday's discussion, after vetting the statistics, Second Ward Councilwoman Jo Ann Neylan thanked Mr. Gildea for the findings after "many meetings where the town attorney was put on the defensive because of misrepresentations that we pay an exorbitant amount of money for our town attorney."

The committee recommended unanimously keeping the \$150 an hour rate for the municipal, planning board and zoning board attorneys.

The committee will continue to investigate "differentiated rates" for those attorneys not appointed by the town in the appointed attorney's firm. Mr. Echausse said the committee will "have to get a better idea of the experience levels in those firms or practices that do work for the town."

As another piece to the legal compensation issue, the finance committee will determine in the near future if appointed part-time officials should be eligible for a pension.

In terms of the 14 towns, six go to RFP (request for proposal) for appointed positions. Westfield is one of the eight that does not.

Mr. Echausse said in terms of conducting RFPs for appointed positions, the way the current system is structured, "with the mayor making the decisions and the checks and balances by the town council, (is) sufficient in my mind."

Third Ward Councilman Dave Haas supported the concept of RFP. Mr. Haas said he envisioned an RFP going out at a rate determined by the council with some list of qualifications. He said the RFP process would provide for "an open book" and "protect against cronyism."

Mr. Haas told *The Leader* on Wednesday that since "several" towns go to RFP, the survey shows that

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Greg Ryan for The Westfield Leader

HOMECOMING RALLY...Westfield High School students held their pep rally indoors in the school gym last Wednesday due to inclement Thanksgiving Day weather. Spirits were not dampened, although the annual football game was moved to Saturday, when the Blue Devils prevailed at Plainfield by a score of 17-7.

WF BOE Extends Contract For Interim WHS Principal

By MEGHAN GILL
Specialty Written for The Westfield Leader

WESTFIELD - The board of education (BOE) approved the extension of interim Westfield High School Principal Dennis Fyffe's contract for the 2007-2008 academic year at the board's November 21 meeting. Mr. Fyffe will be paid \$675 per day.

Mr. Fyffe came to Westfield with 35 years of experience, most recently serving as interim superintendent of schools for the Long Beach Island Board of Education. Prior to WHS, Mr. Fyffe was superintendent of schools in Sayreville from 2000

through 2005; he had first served at the assistant superintendent from 1997 through 2000.

Mr. Fyffe was hired by the district as an interim principal after Tony Akey, Summit High School assistant principal, declined an offer made by the Westfield district to replace former Principal Robert Petix in July.

"Having Dennis for another year offers us several benefits - most importantly, the continuity of having a strong, seasoned administrator in place," BOE President Anne Riegel said.

"Dennis also brings expertise in scheduling and management of student administrative databases...all in all, we feel lucky that Dennis is willing and excited to stay on for an additional year," she said.

She also said that the district has retained the services of a national search firm, Hazard Young Attea, to "help us look for a permanent high school principal."

Mr. Fyffe addressed the board and public. "I have felt very welcomed since I walked through the door. I'm loving being back in the building - thank you so much, I do appreciate it," he said.

The board also approved the appointment of Lynn Muir, a special education teacher at WHS, as an administrative intern at the high school.

"We have young teachers pursuing a degree in administration," Superintendent of Schools William Foley said. He said that the district should "tap into homegrown" teachers more to fill administrative positions.

The board then conducted first reading of superintendent's report on the technology curriculum, presented by Barbara Mammen, supervisor of Instructional Technology.

Ms. Mammen spoke about the curriculum for the technology-literacy plan for elementary students in grades 3 through 8. According to the New Jersey core curriculum content standard for technological literacy, "all students will use computer applications to gather and organize information and solve problems."

Ms. Mammen presented three plans

to the board to implement the elementary-school curriculum. Plan A involves hiring three technology teachers, six mobile laptop labs, software, three LCD projectors and three laptops, at an annual cost of \$251,300.

Plan B includes hiring two technology teachers, six mobile laptop labs, software, two laptops, two LCD projectors and professional development for teachers, with an annual price tag of \$198,250. Plan C includes six mobile laptop labs, software, six multimedia carts, classroom kits and professional development, at an annual cost of \$150,350.

Plan C would include no new teacher hires, as the classroom teachers would be trained to teach the technology curriculum.

"I've been waiting for 10 years for the board to present this presentation," board member Gary McCready said. "We have to get people to use this technology in their everyday lives."

"We need to level the playing field for students who have no computers at home," board member Beth Cassie said.

"I'm concerned about the dollars," former Finance Committee Chairman Rich Solomon said.

Mr. Foley said the second reading of the curriculum would take place in January.

The board approved the submission of a grant to expand the existing program for students with autism in the amount of \$300,000 from June 27, 2007 through June 29, 2008. The board also approved a bid to Kelin, Inc. of Colonia for the removal and replacement of a hot water boiler at WHS at a cost of \$139,950.

Mr. Foley announced that Assemblyman Jon Bramnick (R-21) would be available at Westfield Memorial Library on Friday, December 8 to discuss potential legislation regarding consolidation of school districts and budget caps as the joint legislative committees in Trenton are considering.

The next board meeting will take place on Tuesday, December 5, at 8 p.m. at the board's administrative building at 302 Elm Street.



Benjamin B. Corbin for The Westfield Leader

CHRISTMAS PREPARATION...A worker hangs Christmas wreaths on lampposts in downtown Westfield in anticipation of the holiday season.

Ferguson Hopes for Vote on Respite Care Legislation

By PAUL J. PEYTON
Specialty Written for The Westfield Leader

WESTFIELD - Fresh off the closest election battle of his career, Rep. Mike Ferguson (R-7th, New Providence) said he will be able to work well with the new Democratic majority in Congress come January.

During a visit to *The Westfield Leader* last Wednesday, Mr. Ferguson said Republicans were handed defeats "up and down the ballot" across the nation. Mr. Ferguson, who will begin his fourth term in January, said he has worked with Democrats on various pieces of legislation during his tenure.

"I have been somebody who has worked across party lines for six years," he said.

He noted that Democrats would hold 232-200 majority in the 110th Congress during the 2007-2008 session, similar to the current Republican majority. Mr. Ferguson said with a slim majority, Democrats will have to work across party lines to get legislation passed.

"You just can't get 218 votes with just your own people," he said, adding, "Congress is going to be very narrowly divided."

One piece of legislation Mr. Ferguson said he will try to push through the lame-duck GOP majority in December *The Lifespan Respite Care Act*, or H.R. 3238. Mr. Ferguson is the prime sponsor in the House; Sen. Hillary Clinton (D-NY) is the co-prime sponsor in the Senate.

Mr. Ferguson's mother, Roberta, died in 2003 of multiple myeloma. His father, Thomas, cared for his mother at home. Mr. Ferguson said the legislation would help family caregivers find and pay for respite services for people such as seriously ill parents and disabled children. The bill includes \$280 million over five years for respite care to assist caregivers.

"In the scope of the federal budget, it is a pittance," Mr. Ferguson said. "I think it has the potential to do an enormous amount of good."

The bill has been supported by a number of Arc's statewide, Cerebral

Palsy of New Jersey and the Easter Seals New Jersey, Inc.

"We are cautiously optimistic that we are going to get that (House) vote" in the lame-duck session, he said, noting that President George W. Bush has indicated he would sign the measure if it reaches his desk.

In terms of his committee assignments in the new session, Mr. Ferguson said he expects to remain a member of the House Energy and Commerce Committee based on his seniority on the panel.

Mr. Ferguson said he has focused on mostly bipartisan issues, including legislation addressing health care and special education, during his tenure. On special education, Mr. Ferguson said, "We are trying to get full funding" for IDEA - the Individuals With Disabilities Education Improvement Act, which provides funds for special education.

The congressman said he has also helped procure federal funding for the Green Brook Flood Control project and the redesign of Route 22 in Somerset, as well as working to assist Cranford with its flooding issues.

Looking at the election results that swept the GOP out of power in Congress after 12 years, Mr. Ferguson said, "On Iraq, the President got the message loud and clear."

He said legislation proposed by Rep. Charles Rangel (D-NY) to bring back the military draft would be "a very serious policy change." Mr. Ferguson said the congressman previously voted against a similar bill. He said Mr. Rangel believes if children of congressional members were in danger of being drafted, the U.S. might be less apt to go to war.

Mr. Ferguson said he does not expect any staff changes in his Washington, D.C., or New Jersey offices. He said his offices receive thousands of communications each week, which are answered by his staff.

"We are fortunate that our constituents are not shy to let us know their opinions," he said.

Mr. Ferguson will begin his new term in January.

Auditor Notes Mountainside BOE Books are Sound

By KATHY MARQUES
Specialty written for The Westfield Leader

MOUNTAINSIDE - Board of Education auditor Robert Morrison, a certified public accountant with the firm of Hodulik & Morrison, addressed BOE members Tuesday night about the comprehensive annual financial report, covering the period ending June 2006.

"Last year, we were talking about problems with the numbers of the balance sheets, non-compliance with laws and regulations that regulate the way schools are supposed to operate and many other issues. Thankfully, all the issues were fixed in a single year. Last year, there were 30 recommendations that needed to be fixed. This year there are four, and I consider them housekeeping items, rather than indicative of serious problems," Mr. Morrison said.

As previously reported by *The Westfield Leader*, the auditor said the 2005 audit had been the "most challenging audit" he had "ever been involved in."

In his 2005 audit, Mr. Morrison said the BOE had overpaid Governor Livingston High School (GL) in Berkeley Heights and never received reimbursement. Mountainside teenagers go to high school at GL. Mr. Morrison also found that in 2005 the district referred to an account that included three separate programs: a children's program, enrichment and summer camp/enrichment.

At the time he suggested breaking the projects down into individual line

Mountainside to Light Christmas Tree on Sat.

MOUNTAINSIDE - The Mountainside Christmas Tree will be lit this Saturday, December 2. The annual ceremony is scheduled for dusk around 4:30 p.m. The tree is located next to the rescue squad building at the corner of New Providence Road and Route 22 East. The decorating of the tree has been organized and funded by community volunteers from the Lions Club.

Mayor Robert Vigilanti will officially light the tree, and the scouts will sing carols. The Mountainside Historical Committee will sell hot chocolate and desserts. There will also be a visit from Santa Claus for the children.

For more information, call the Mountainside Recreation Department at (908) 232-0015 or visit mountainside-nj.com/recreation.htm.

items on the budget. He had also recommended breaking down line items in the budget into separate classifications. Mr. Morrison explained that during the 2004-2005 school year, moneys would be paid from an account and it was impossible to determine to which program it was being allocated.

The auditor had also determined that in 2005 former business administrator Paul Vizzuso was often the only signature on canceled checks. Board policy requires at least two signatures on all checks. Current Business Administrator Rod McLaughlin was hired during the summer of 2005.

Mr. Morrison also found in last year's audit that he could not find a transportation contract or a food service contract in the BOE's possession. The 2005 audit also revealed that an additional 49 students were included in the student count that did not attend school in the district.

The board Tuesday night noted that R&L DataCenters Inc. would provide payroll services to the BOE.

In other business, Chief School Administrator (CSA) Richard O'Malley

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Garwood Plans Holiday Events

GARWOOD - The Garwood Public Celebrations Committee will sponsor upcoming holiday events. The tree-lighting ceremony will be held outside in front of Borough Hall on Saturday, December 2, at 4 p.m.

At the Christmas tree lighting, the Chamber of Commerce will take photos of children with Santa, and refreshments will be served. The Evers family, Kings Supermarkets, Shop-Rite, Dunkin Donuts and Burger King all donated to the event. The rain date is Sunday, December 3, at 4 p.m.

The committee will also sponsor a holiday home-decorating contest. Residents can decorate the outside of their homes festively, and on the nights of December 23 and 24, from 7 to 10 p.m., judges from neighboring towns will judge the homes.

Residents are invited to participate in the luminary lighting program, to take place on Christmas Eve, December 24. Residents can purchase luminaries at the baseball field house on the weekends of December 9 and 10 and December 16 and 17, from 10 a.m. until 2 p.m. The cost for candles, bags and sand will be \$6; residents are asked to bring a bucket for the sand.



Benjamin B. Corbin for The Westfield Leader

PROACTIVE...Westfield Police union members take their contract negotiation message to the public two weeks ago showing unity and resolve with placards.



Horace R. Corbin for The Westfield Leader

CLOSING IN...The Westfield Foundation helps the Westfield Memorial Library close in on its \$700,000 improvement goal by donating \$40,000 to the cause. The library has raised \$660,000, including gifts ranging from change donated by children to business contributions. Pictured, from left to right, are: Westfield Library Director Phil Israel, Westfield Foundation Director Betsy Chance, Barbara Doyle Frantz, president of the Westfield Foundation Board, and Cynthia Cockren, president of the Westfield Library Board.

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