

Westfield Town Council

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Westfield "wouldn't be breaking new ground."

At the meeting, Mr. Haas also took issue with the survey, saying "there are communities in here that aren't very representative of Westfield." He questioned the point of the survey and found "no more than seven or eight that are similar to us in population and socioeconomic distribution."

Mr. Haas, who alleged he voiced his concerns earlier, said certain numbers should be thrown out and are "clearly skewing the average." For example, he cited Nutley and New Brunswick's planning board attorneys' base salaries, \$21,000 and \$29,917, respectively, while none of the other 12 communities topped \$12,000.

When Third Ward Councilman Mark Ciarrocca said towns such as Nutley and Chester were used because of their inclusion in Mr. Bigosinski's claims, Mr. Haas said the objective of the survey "was not to check Tom's (Bigosinski's) memo." Mr. Echausse responded, "No, no, no, you're wrong because I was publicly castigated by Mr. Bigosinski on this issue. I said to Mr. Bigosinski that I, as finance chairman, would stop the budget process if he would give me hard data because I'm in the business of making financial decisions on fact, not based upon conversations with people in his law firm. He said 'I can't do that.' I said, 'You can't do it or you won't do it?'"

He admitted that the numbers aren't "perfect" because it is not a statewide database, but said, "We're working on information in a presentation by Tom."

Mr. Haas responded that the towns used "solely because they were in Tom's memo," regardless of the findings, "may or may not be appropriate to include in our average."

When asked by First Ward Councilman Sal Caruana, Mr. Haas said he "absolutely" pointed out the towns he felt were inappropriate. "I did object to it at the time." Mr. Caruana disagreed, saying, "You're objecting now because the data doesn't fit your presupposition," adding that Mr. Haas didn't bring the arguments up in committee. "That really is a low blow in terms of the committee process."

Mr. Haas interjected, saying, "You're absolutely wrong." He told *The Leader* Wednesday that he "hadn't attacked specifics (of the survey) in the committee meeting" because he didn't feel they were "relevant," adding that he "probably should not have raised them at the council level."

Mr. Caruana then spoke over Mr. Haas, adding, "Like Mr. Bigosinski, the only way these guys know how to discuss this issue is by way of ambush, and here we are. David, I have to tell you, I'm extremely disappointed in you because you had the opportunity."

Mayor Andy Skibitsky had to implore his councilmen to "talk about this in a gentlemanly way."

At this point, Mr. Bigosinski interrupted and said, "You (Mr. Caruana) are full of crap. I gave you memos."

Mr. Haas described the atmosphere that ensued as "spirited, loud and emotional." Mr. Bigosinski and Mr. Caruana shouted at each other, as Mr. Caruana responded, "You gave us garbage." This prompted the mayor to warn the councilmen that they were both "out of order" and tell Mr. Caruana to "please keep (his) voice down."

Mr. Caruana continued, saying Mr. Haas didn't give his objection in committee and now "he [is] destroying the (data) and I think that's completely unethical."

With councilmen continuing to raise voices, the mayor again had to remind everyone to speak civilly and that "(he) is running this meeting."

Mr. Echausse said, "I am not here to turn to Tom and go 'I gotcha.'" He said the goal was to see if the town was paying market rate and how it compares to other towns. "I'm not here to go to war on anyone from a political perspective."

Mr. Bigosinski said, "As far as the ambush and misrepresentation charges go, I think that's absolute crap."

He said the data misses two points brought forth in his memo. He said the town code calls for the appointment of the town attorney, "not a town firm."

Mr. Bigosinski claimed that 75 percent of extraordinary work done in 2005 was performed by attorneys with less than 10 years of experience, some of whom are not admitted to practice in New Jersey.

Fourth Ward Councilman Jim Foerst said, according to Section 1-2 of the Town Code, when speaking about the attorney as a singular person, the "word 'person' shall extend and be applied to associations, firms, partnerships and bodies politic and corpo-

rate as well as to individuals."

Mr. Cockren said he remembered two instances in which he went to a lawyer in the firm outside of New Jersey because of the "specific expertise required."

Mr. Bigosinski again claimed the town was not following the Town Code and said the issuance of approximately \$150,000 in 2005 to associates is not provided for in the Town Code and gives "unfettered discretion to our town attorney."

Mr. Gildea responded, "Please, do not look at me or Bob (Cockren) or any employee who works for the town and insinuate that we're doing something wrong, insinuate that we're doing things arbitrarily, insinuate doing things that are illegal or fraudulent. That's not happening."

"It might have happened in the past," he added, "but it is not happening under my watch, his (Cockren's) watch or the mayor's watch. It really gets me upset when I hear council members, whose job it is to represent the town employees and the residents, say things that you're saying. It's very hurtful."

He said Mr. Bigosinski's premise is true about paying associates. However, for "20-years plus," he said, "the town has always used attorneys who have their own practice or large firms. It is not practical to use one person for the amount of legal work we have."

During public comment, Jim Baker of Lincoln Road asked how the town "got from \$100 an hour to \$150 an hour in a 13-month period?"

Mr. Foerst told Mr. Baker that the increase "was recommended by (by former) Councilman (Larry) Goldman."

"It's mindboggling," Mr. Baker said. "We look at everything in town and (think) - how can we cut it? I can't imagine Larry Goldman caving the rest of the town council into giving the current town attorney a raise of 50 percent."

Mr. Gildea gave a history of what occurred. "In 2003, in preparation for the 2004 budget process, in looking at the hourly rates, I found some inconsistencies in the planning board, municipal and board of adjustment attorneys. Speaking to Bob (Cockren) and other attorneys, we asked them if they would be interested in examining this. I brought the issue to the finance committee. For 10 years or more, the hourly rate had been \$100 an hour," he said.

"The committee asked me to do a quick survey of five communities to get information on hourly rates for attorneys," Mr. Gildea added. "The purpose was to get information on hourly rates. We came back to the committee; they reviewed it. The towns' rates ranged from \$125 and \$160. We deferred to Mark (Ciarrocca) and Larry (Goldman) because they were the two lawyers on the committee."

He said the committee recommended a "two-tier approach," raising the fee in March 2004 to \$125 an hour and \$150 in April 2005.

He said, "As an employer, it is your responsibility to pay your employees fairly. When I realized there was inequity in this situation after many, many years and talked to the attorneys about it, yes, they were interested in getting that adjustment made."

Saying it was a personnel matter and compensation issue, which the council usually does not discuss, he said, "As far as I'm concerned, this matter is over."

SP PB Approves Subdivision For 5 Mountain Ave. Homes

By FRED T. ROSSI

Specialty Written for The Westfield Leader

SCOTCH PLAINS — After listening to neighborhood residents' concerns, the township planning board Monday night unanimously approved a major subdivision application that will result in the razing of a century-old home and the creation of five new lots for single-family homes on Mountain Avenue.

Vincent Wilt, the chairman of the Westfield planning board, plans to purchase the property at 2343 Mountain Avenue and divide it into five new conforming lots. Three of the lots will face Mountain Avenue. A fourth property, to be situated behind those three lots, will face Watchung Terrace, while a fifth will face Harding Road. At the board's first meeting since October 11, Mr. Wilt estimated that the selling price of the five new homes that will eventually be built would be about \$550,000 each.

Nearly a dozen neighborhood residents attended the meeting, and several spoke in opposition to the application. David Murray of Watchung Terrace warned about existing problems regarding low water pressure and natural gas pressure in the neigh-



David B. Corbin for The Westfield Leader

POWER PUFF... Westfield High School junior Alex Pecora makes a run for it during the high school's Powder Puff football game, held last Wednesday at Kehler Stadium. The junior girls defeated the senior girls, 7-0, to hand the Class of 2007 its second defeat in a row in the annual contest.

MS Ex-Councilman Hired As DPW Worker; CFO Resigns

By JESSICA E. JASKULA

Specialty Written for The Westfield Leader

MOUNTAINSIDE — Mayor Robert Vigilanti on Tuesday night said the borough has received a check from the Union County Board of Chosen Freeholders for \$102,500 from the county's Kids Recreation Trust Fund.

The mayor said the money would be used to fund three main projects, including lighting at the Pony League field at Deerfield School, the resurfacing of tennis courts and fitness trail near Borough Hall and the purchase of new youth baseball equipment. The money will also go towards padding the Beechwood School gymnasium walls.

The council approved resolutions to appoint former councilman Ronald Romak as a part-time public works employee as schedule coordinator in the Public Works Department effective December 11 and to accept the resignation of Chief Finance Officer (CFO) Diane Marus, effective December 31.

Mayor Vigilanti authorized Ms. Marus to refund \$1,000 in escrow funds to Charles Pijanowski for a sanitary sewer trench at 214 Pembroke Road and \$800 to

Cosi to Open New Restaurant in Westfield

WESTFIELD — Cosi Restaurant announced earlier this month the forthcoming opening of their newest franchise to be located at 102-108 East Broad Street in Westfield. The site was formerly occupied by Wild Noodles Restaurant.

The Cosi franchise is owned and operated by Nathan Blau, Dominick Vespoli and Wayne Brown of Dominate Food Services VI, LLC.

According to their website, getcosi.com, Cosi bills itself as "America's favorite premium, convenience restaurant offering menus full of creative, fresh and flavorful foods."

The Westfield restaurant will display a hearth stone oven where bread will be freshly baked in front of customers.

The restaurant will offer flatbread and sandwiches made to order. Breakfast, lunch, afternoon coffee, dinner and desserts will be serviced with a variety of tossed salads, melts, pizzas, soups, bagels, gourmet beverages and desserts. Offerings will also be available for catering.

SP PB Approves Subdivision For 5 Mountain Ave. Homes

hood, and said the new homes may face similar problems. His wife, Nancy, expressed concern about the safety of children in the neighborhood during construction, when foundations will be dug and large equipment will be in the area.

Richard Shedlin of Harding Road expressed concern about the potential size of the new homes and how close one of the homes might be to his own adjoining property.

Multiple neighbors said the character of the neighborhood, which is located between Mountain Avenue and Route 22, would change "drastically" if the existing home, built in the 1860s, is demolished, older trees are removed and the new homes are developed.

Board member Joseph Doyle and other board members told residents that an application requiring no variances and in compliance with all local ordinances, such as Mr. Wilt's, must be approved by the board. "If we don't approve [this application]," Mr. Doyle said, "someone else will," namely a court that would, on appeal, overturn a planning board denial of such an application. Multiple board members repeated, "Our hands are tied."

The board said neighbors' concerns about the quality of their utility service were not in the board's purview and must instead be resolved by the local utilities. Since the property in question is located on Mountain Avenue, a county roadway, Mr. Wilt said he will also seek approval for his application from county officials.

POLICE BLOTTER

Westfield

Saturday, November 18, Michelle Spencer, 38, of Newark was arrested on Central Avenue near Grove Street on a criminal warrant issued by the Irvington Court. She was turned over to Irvington police.

Sunday, November 19, Wanda J. Delgado, 25, of Lodi was arrested by New Jersey State Police at the Short Hills Mall on a criminal warrant issued by the Westfield Court. She was released after posting \$500 bail.

Sunday, November 19, Joshua Veitze, 22, of Plainfield was arrested following a motor vehicle stop at Lamberts Mill Road and Lamberts Circle and charged with possession of less than 50 grams of suspected marijuana. He was released on his own recognizance with a summons pending a November 29 court date.

Sunday, November 19, a Scotch Plains resident reported the theft of his wallet from a business in the 100 block of North Avenue. The wallet, which contained a small amount of cash, bank cards and personal items, was left on a countertop and taken by one or more unknown individuals.

Thursday, November 23, after being stopped for motor vehicle violations, Hugo Reis, 25, of Clark was arrested at Boulevard and Grove Street and charged with driving while intoxicated (DWI). He later was released to a responsible individual.

Friday, November 24, a burglary was reported at a residence on the 300 block of Scotch Plains Avenue in which an X-box 360 and some video games were reported stolen. Police said the front door of the residence had been left unlocked.

Friday, November 24, police reported that a 21-year-old Westfield man was assaulted on the 500 block of Downer Street. According to the victim, the male suspect threw dirt in his face and then punched him several times before fleeing the scene. The victim was transported to Overlook Hospital in Summit for treatment. No one had been charged in connection with the incident.

Saturday, November 25, Bobby Lee Reeves, Jr., 37, of Jersey City was arrested at South and Central Avenues and charged with DWI. He later was released to his wife.

Saturday, November 25, Mark Boyle, 19, of Westfield was arrested outside a

residence on Kimball Circle and charged with DWI. He later was released to a responsible individual.

Saturday, November 25, Allen Futran, 18, of Westfield was arrested at Barchester Way and Naworth Path and charged with possession of less than 50 grams of marijuana and possession of drug paraphernalia. Police officers came upon the suspect while checking a burglar alarm. He was released on his own recognizance.

Saturday, November 25, Tyesha Braxton, 19, of Plainfield was arrested and charged with theft and shoplifting on the 600 block of North Avenue. West Authorities alleged Braxton under-rung \$550 worth of merchandise for \$25. They also allege she credited gift cards in the amount of \$700 and made purchases with them. She was released on her own recognizance.

Sunday, November 26, Nadiah Jallof, 28, of Roselle Park was arrested at South Avenue and Crossway Place and charged with DWI. Jallof later was released to a responsible individual.

Fanwood

Monday, November 20, Lewis C. Graves, 48, of Westfield was stopped for a motor vehicle violation on Hetfield Avenue and arrested on an outstanding East Orange warrant.

Wednesday, November 22, Pamela G. Edwards, 37, of Scotch Plains was arrested on an outstanding Watchung warrant after a motor vehicle stop on Martine Avenue.

Wednesday, November 22, Crescencio Vera-Luna, 26, of Plainfield was arrested and charged with DWI after a motor vehicle accident on Midway Avenue. Minor injuries were reported.

Saturday, November 25, Candice Cobb, 19, of Plainfield was arrested and charged with providing false information to police after a LaGrande Avenue motor vehicle stop.

Sunday, November 26, Sophie L. Roberson, 46, of Plainfield was arrested on an outstanding South Plainfield warrant, which was revealed after a motor vehicle stop on South Avenue. She also was charged with providing false information to police.

Sunday, November 26, two 15-year-old female juveniles and a 14-year-old female juvenile, all from Scotch Plains, were arrested and charged with theft by means of conveyance, specifically a motor vehicle, after a motor vehicle stop on Farley Avenue.

Sunday, November 26, a resident of Poplar Place reported a burglary. According to police, the burglary occurred sometime between 12:30 and 9 p.m. Reported missing were several pieces of jewelry and various other items, police said. The incident is under investigation.

Mountainside

Friday, November 24, a patron at a Route 22 theater reported a motor vehicle burglary. According to police, a purse and a handbag that contained cash, two palm pilots, a cellular telephone, credit cards and house keys were removed from the vehicle.

The victim later reported that an attempt was made to use an ATM card belonging to the victim to withdraw cash and that a stolen credit card was successfully used to make purchases, police said.

Friday, November 24, an employee at a Route 22 nursing home reported that his motor vehicle was burglarized while he was at work. According to police, the victim's passenger side window was smashed and the vehicle was ransacked. The victim reported that his GPS holder and adapter were removed from the vehicle. The value of the missing items, plus the damage to the car, is approximately \$300.

Saturday, November 25, Francis M. Ondash, Jr., 34, of West Orange was arrested and charged with DWI after a motor vehicle stop on Route 22.

Saturday, November 25, a resident of Meeting House Lane reported an incident of criminal mischief. According to police, someone broke the victim's light post from its base. The value of the light post is \$300.

Saturday, November 25, a resident of Meeting House Lane reported an incident of criminal mischief. According to police, someone knocked over the victim's light post. The value of the light post is \$200. Police confirmed there were other acts of criminal mischief reported in the vicinity.

Sunday, November 26, Jorge Abreu, 48, of Hillside was stopped for driving an unregistered motor vehicle on Route 22, after which it was revealed he was driving with a suspended driver's license. He was transported to police headquarters, where he was processed and released with a summons.

Sunday, November 26, Patrick T. Lilly, 27, of Scotch Plains was stopped on Route 22 for failure to maintain a lane and was subsequently arrested and charged with DWI. He was transported to police headquarters, where he was processed and released with a summons.

Scotch Plains

Friday, November 24, Salvatore Cerchio, 20, of Scotch Plains was arrested and charged with disorderly conduct after police received a call that an intoxicated male was banging on the trunk of a motor vehicle that was parked in the municipal lot. He was transported to police headquarters, where he was processed and released with a summons.

Friday, November 24, a resident of Tussell Lane reported an incident of criminal mischief. According to police, the victim discovered when he went out to his car in the morning that the windshield had been broken sometime overnight.

Saturday, November 25, a patron at a Route 22 restaurant reported a motor vehicle burglary. According to police, while the victim was parked in the lot, someone smashed a window on the vehicle and removed the navigation system. The value of the system was \$600.

Saturday, November 25, a resident of Bonus Hill Road reported an act of criminal mischief. According to police, someone drove over the victim's lawn during the night, causing damage.

Saturday, November 25, Antonio DiMuzio, 41, of Scotch Plains was arrested on an outstanding Plainfield warrant. According to authorities, he also was charged with eluding police after allegedly driving away following a stop for a motor vehicle violation. He was arrested at his residence, police said. DiMuzio was transported to police headquarters, where he was processed and released to the Plainfield Police Department.

Sunday, November 26, Jose Diaz, 27, of Plainfield was arrested and charged with DWI after being stopped for a motor vehicle violation. According to police, a strong odor of alcohol was detected coming from the car. Diaz was transported to police headquarters, where he was issued a summons and released.

WESTFIELD GLEE CLUB

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Fred Lecomte for The Westfield Leader

MEMENTOS... Congressman Mike Ferguson visited *The Westfield Leader* office last week and was presented with newspaper baseball caps and mousepads with scenes from Fanwood, Scotch Plains and Westfield. Mr. Ferguson and publisher Horace Corbin joke about politicians receiving gifts, and the Congressman was assured the mementos were of only nominal pecuniary value.

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