

# Principal to Review Student Broadcasts, Sparks Debate

By VICTORIA McCABE  
Specially Written for The Scotch Plains-Fanwood Times

WESTFIELD—Westfield High School Interim Principal Dennis Fyffe's decision to invoke his right to prior review of "Blue Devil News" ("BDN") television shows on TV-36 has sparked censorship debate between student journalists, teachers and school and town officials.

Mr. Fyffe's decision to review each program before student journalists submit it to the local-access channel came after a commentary segment in the most recent "BDN" broadcast sparked concerns from Westfield Mayor Andrew Skibitsky and school administrators, multiple sources confirmed.

"BDN," a collaboration between WHS's broadcast journalism and broadcast television production classes, both in their first year of existence, has produced and aired 10 shows on TV-36 since last October.

In the show's past two episodes, WHS senior and "BDN" commentary anchor Kim Angus presented commentary pieces criticizing certain aspects of town-council proceedings. The second part of the commentary was a part of a program that first aired April 1, according to Director of Blue Devils TV John Burns.

"They did a segment on the council that I thought wasn't fair to some council people they interviewed," Mayor Skibitsky said. He said he relayed that opinion to then-BOE President Anne Riegel.

Upon learning of the concerns, Superintendent of Schools William Foley reviewed the episode and said, "We didn't feel that the piece should be pulled, but we felt we have standards for broadcasts that weren't met."

"I thought the overall broadcast was fine," Mr. Foley said. "I thought it was unfair of a student to refer to TV-36 as a propaganda machine, especially as she was on the air. TV-36 is a local access channel, not propaganda."

Miss Angus began her segment by saying, "I understand that TV-36 is the propaganda installment for the town to parade and gloat their accomplishments. However, here I am on Channel 36 with my true unfiltered opinions about the Town of Westfield and the government that runs it." She then enumerated her ideas for improving town-government operations.

Mr. Foley said he relayed concerns he heard to Mr. Fyffe and requested a meeting with the principal and "BDN" adviser Warren Hynes, a WHS English and broadcast journalism teacher. "We decided that the broadcasts should be reviewed at several different levels," Mr. Foley said.

Under the new procedures, "BDN" will submit the finished copy of its broadcast to the principal for review. Mr. Fyffe said he would view and return the show as quickly as possible.

Miss Angus said, as research for her piece, she attended four town council meetings and called and e-mailed council members repeatedly since mid-January.

She said she believed her piece was "opinionated but fair." She said that no council member or BOE member contacted her personally after the commentary aired; she said Mr. Hynes was the first to inform her about "distaste" for her piece and that she later spoke with the principal regarding prior review.

Mr. Fyffe said he met with Miss Angus and a fellow "BDN" reporter — "Our primary role here is education, and that's what this is here."

*Hi's Eye*, WHS's student weekly non-censored newspaper, in an April 20 news article, said Mr. Foley was not in favor of prior review, but he told *The Scotch Plains-Fanwood Times* that was a "misinterpretation."

He said he agrees with the principal's decision: "We are teaching students to be journalists, and they must meet certain standards. Mostly, I think that teachers can handle that, but because [the broadcast journalism program] is new, I asked if we had clear standards for review and asked if, at least right now, Mr. Fyffe could be involved."

Ms. Riegel said the BOE approved the broadcast curriculum last year — "it calls for standards of research quality and journalism ethics." She declined to comment on whether she believed "BDN" journalists violated those ethics.

Mr. Fyffe said this is not a First Amendment issue. "I'm not interested in censoring, muzzling or prior restraint of content," he said. "This isn't a content issue at all." "We're not talking about pulling broadcasts," Mr. Foley said. "We expect that when things are presented, they would be accurate."

Former WHS principal Robert Petix, a Scotch Plains resident, said he would not have supported a call for prior review. "I would have said to [Mr. Hynes], 'Is it libelous? Is it slanderous?' If he said 'no,' that would have been good enough for me." "We share TV-36 with the town," Ms. Riegel said. "What's on there needs to be appropriate to be viewed publicly, and I think for the most part it is."

She said, in this instance, "I'm not sure if everything was factually correct; the tone could be more neutral."

Mr. Hynes said the "BDN" show producer e-mailed the mayor two weeks ago to offer him a chance to speak with "BDN" on camera and respond to the piece. As of press time, the mayor had not responded to the e-mail, Mr. Hynes said.

"I hope [the mayor and council] would take advantage of [the 'BDN'] open forum," Miss Angus said. "We wish anyone would respond to any of our pieces with their opinions."

Mayor Skibitsky said Monday that he had not been in contact with "BDN" but confirmed he received an e-mail from the journalists. When asked if he would consider the program's offer to speak with students on air, he responded, "No, not necessarily."

"[Miss Angus] knew she wouldn't be able to easily speak with the town council (after airing the piece), but she felt strongly about it and felt that the importance of saying it outweighed who she would upset," Mr. Hynes said.

Second Ward Councilwoman Vicki Kimmins said there is "a big difference" between censorship and review. "I don't see why the administration can't review the work to make sure it's a good piece representative of (WHS's) quality students."

Councilman Tom Bigosinski said, "I don't want to second-guess the decisions of school administrators, but I think students should be able to offer their opinions unfettered, as long as their facts are straight."

Mr. Petix said that the school administration erred by "allowing a 65-year tradition

(of non-censorship in the high-school journalism program) to fall by the wayside."

Mr. Petix said, "The [BOE], instead of standing up for the school and the school press, stood by friends on the council. This was a political decision, not an educational one."

Mayor Skibitsky said he was not involved with the decision to subject "BDN" shows to prior review. "I don't have an opinion one way or the other. I trust that the BOE and the school system will do what's right."

Mr. Hynes said "BDN" changed its on-air mission statement from "'We are an open forum that is not censored' to 'We are subject to prior review.'"

Miss Angus said prior review would change the way she approaches stories. "I won't be as aggressive," she said. "I'm discouraged from doing any kind of pieces about the town council."

"It's unfortunate to feel you can't criticize government," she said. "I'm a resident, a constituent, and I have attended public schools."

Heather Rocco, chairwoman of the WHS English department, said she is "disappointed" with the prior-review decision even though board policy gives the principal the right to review student publications. "I don't think it's wise," she said. "It's a form of censorship, even though the goal isn't to censor."

"I think there's a conflict within the school," Miss Angus said. "It's hypocritical — we're told to be fearless, to be aggressive. There are signs in the hallway and on the wall against censorship."

Mr. Petix said that claiming there is a difference between prior review and censorship is "absolute nonsense. Censorship means he's going to decide what's appropriate. It's trying to sell us the emperor's new clothes."

There is a difference between *Hi's Eye* and TV-36, Mr. Foley said. "*Hi's Eye* is in the family — something like 80 percent of subscribers are students. TV-36 is a town-channel broadcast — it has a completely different audience."

He said that on public airwaves, there are rules of decorum and language and that people speaking on TV-36 are viewed as representing the school district. "It's not about free speech — it's about what's appropriate."

He said "BDN" on-air graphics noting that a segment is a commentary piece and its disclaimer stating that commentary represents the opinion of the commentator, not anyone else, are "helpful, but that's not a license to say anything you want."

Mr. Petix said, "Since when is tone an issue in a free press? People have a right to a negative tone. People have a right to be passionate on the air."

The prerequisite classes for "BDN" and *Hi's Eye* journalists are the same, and the former principal said there is no difference between the two outlets: "[BDN] students come out of the *Hi's Eye* training. The same rules should apply."

The April 20 *Hi's Eye* editorial states, "WHS student journalists aspire to uphold the principles of sound, professional journalism, both in content and quality. Administrative prior review undermines the aspect of the journalism program that distinguishes it from other schools."

Mr. Fyffe said *Hi's Eye* is "understandably concerned" but said that "once we go through this, I think everyone can relax. I can't imagine a content issue I'd object to."

"Student journalists here are very responsible. They are willing to take on controversial issues and handle them very well," he said. "I have a tremendous amount of confidence in them."

No one has set a timetable regarding the number of broadcasts Mr. Fyffe would review in advance, the principal and superintendent said.

"This is new and we're learning," Mr. Foley said. "I suspect as time goes on we'll have better procedures."

## SP Council

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mentations on the roof, which has been plagued by leaks.

It's likely that there will be a temporary solution, similar to what was done at the municipal building several years ago, with patching done on the roof to stem, if not completely eliminate, the leaks and, hopefully, "hold it over for a year or two," according to Mr. Atkins. In the meantime, he said he wants to speak with architects about addressing "the long-range, permanent issues" involving the facility, which could mean a substantial renovation of the existing building or a new building on the same site. Mr. Atkins also wants to speak with architects to receive their input on how best to proceed with renovations to the two firehouses located behind the municipal building and at the corner of Martine Avenue and Raritan Road. Late last year, fire department personnel presented proposals to the council for renovations to the department's two facilities.

In other business, Councilman Glover told the council that the township's revamped website should be up and running by July 1. Department heads were provided last week with forms to be completed that will comprise much of the information initially offered on the new site, which will be developed and managed by City Connections LLC.

Mr. Tomkins said the estimated bills would likely be mailed out at the end of June and would be due August 1. Actual tax bills for the fourth quarter would be prepared and mailed out after extraordinary state aid is determined and the municipal budget is revised, finalized, and adopted sometime in July, he said.

Borough Attorney Dennis Estis suggested "providing some kind of simple, straightforward explanation" of the estimated and actual tax bills issue.

Mr. Tomkins agreed: "You're going to get a lot of people calling in [to borough hall], trying to see what this means." Borough officials said they plan to publish a notice in the upcoming *Fanwoodian*.

Tuesday night's meeting also featured a presentation by state Assemblywoman Linda Stender (LD-22, Fanwood). Mrs. Stender spoke about state legislation she is proposing to promote "environmentally sustainable" communities in New Jersey.

"We just can't wait for the federal government to act," said Mrs. Stender, adding that moving toward "energy independence" is "a matter of national security."

"It's not going to be easy," she said. "It requires a change in our thinking like we have not seen since in the Industrial Age."

The assemblywoman also said that, while legislation "at the top" is needed, it is also important to have "education and support" from municipalities.

"Fanwood's always been at the forefront of these kinds of issues," Mrs. Stender said. She encouraged the borough to consider establishing a task force or volunteer group to prioritize "green" initiatives as starting points providing "the most impact."

Mayor Mahr responded, "I like the



DAISIES AT THE FIREHOUSE...Members of Daisy Troop 602 of the Fanwood-Scotch Plains community pay a recent visit to the Scotch Plains firehouse. The girls each came away with the Courageous and Strong Daisy Petal. Troop members are pictured with fire department member Carmen Grosso and one of the department's trucks.

## Appeals Court Reverses WF Woman's Suit Against County

By STEVEN REILLY  
Specially Written for The Scotch Plains-Fanwood Times

AREA — A state appeals court has reversed a lower-court decision on a lawsuit brought by a Westfield woman who alleges she did not receive a job promotion because of her political affiliation.

David Corrigan, an attorney representing Maria Todaro, a county employee who said she was denied a promotion because she was a registered Republican and the county is run by Democrats, said his client should be promoted to superintendent of the county's division of weights and measures. The division is responsible for checking to ensure accuracy of gasoline pumps, supermarket scales, store scanners and other measurement devices.

"My client should get the position or front pay," Mr. Corrigan said. "A jury said that she was illegally discriminated against because of politics, and now the county still will not give her the job."

A jury awarded Ms. Todaro, who has been with the county division since 1993, \$378,000 in 2005 after the court concluded that she was denied the position based on her political affiliation. The two parties later reached an out-of-court \$300,000 settlement on the discrimination charge, but Ms. Todaro appealed the second part of the suit that she was the most qualified candidate.

"My client has been vindicated by

the decision," Mr. Corrigan said. "Ms. Todaro is the most qualified person for the superintendent position. If the county did the right thing in the first place, we would not be here today."

Although Ms. Todaro won the discrimination case in state superior court in Elizabeth, the judge declined to appoint her to the county job. Mr. Corrigan said. The case was appealed and now has been remanded back to state court. A new trial is scheduled to begin on July 16 before Superior Court Judge Ross Anzaldi.

"My client has the most experience and scored the highest on the application for the superintendent's position," Mr. Corrigan said. "But based on politics, the county hired an applicant who scored the lowest on the test and has the least seniority."

The county hired Michael Florio, the son of Joseph Florio, a Democrat on the Union Township Committee for more than 10 years.

When asked for comment, County spokesman Sebastian D'Elia said, "The county cannot comment on ongoing litigation."

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## Fanwood Council

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required resolution allowing it to send out estimated third quarter tax bills, based on what was collected during the first two quarters, as well as other projected figures for the new budget.

Mr. Tomkins said the estimated bills would likely be mailed out at the end of June and would be due August 1. Actual tax bills for the fourth quarter would be prepared and mailed out after extraordinary state aid is determined and the municipal budget is revised, finalized, and adopted sometime in July, he said.

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"Fanwood's always been at the forefront of these kinds of issues," Mrs. Stender said. She encouraged the borough to consider establishing a task force or volunteer group to prioritize "green" initiatives as starting points providing "the most impact."

Mayor Mahr responded, "I like the

idea of a task force; we have to educate, challenge, and inspire our residents to get involved and be better stewards of the environment."



Ted Ritter for The Scotch Plains-Fanwood Times  
THINKING GREEN...State Assemblywoman Linda Stender (LD-22, Fanwood) spoke at Fanwood's May 1 borough council meeting. She talked about sponsoring state legislation to encourage "environmentally sustainable communities."

## FAA

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"Westfield will see departing aircraft at lower altitudes," he continued, when asked how the changes would impact the area.

Nancy Ward of Linden, a Union County Freeholder and liaison to the Aircraft Noise Advisory Board, said she is concerned about homeland security and voiced concerns that the subject be better addressed during the study.

"We think they can do better," added Jacob Maglera of the Air Traffic and Noise Advisory Board.

"We are trying to stop changes that would result in material changes to noise-level increases and noise pollution in Cranford and Union County," said Cranford Mayor Michael Plick.

Elizabeth Mayor Chris Bollwage said the FAA's plans unfairly impact his city's poorest residents and said changes would create more noise for more people, not less.

"At some point, the FAA has to realize Newark Airport has reached its capacity," said Mr. Bollwage, who has threatened to fight the FAA's proposal. "If they force this plan down our throats, we plan to take it to the courts...This is a sham here."

The hearing was one of five planned in each of the states affected by the redesign of the 31,000-square-mile airspace that includes all of New Jersey and parts of New York, Connecticut, Pennsylvania and Delaware.

In-depth information about the redesign can be found at [faa.gov/nynjph\\_airspace\\_redesign/](http://faa.gov/nynjph airspace_redesign/).

Comments should be submitted in writing to Steve Kelley, FAA, c/o Ram Nagendran 12005 Sunrise Valley Drive, MS C3.02 Reston, VA 20191 or made directly on the website.

## POLICE BLOTTER

### Fanwood

Friday, April 20, sometime between the hours of 8:30 a.m. and 5:30 p.m. a resident of Kempshall Terrace reported that someone broke the window of her vehicle while it was parked in her driveway.

Tuesday, April 24, Victor E. Aguirre, 23, of North Plainfield was arrested for an outstanding Newark warrant after a motor vehicle stop on Terrill Road.

Thursday, April 26, Jack Hargrove, 55, of Somerset was arrested for an outstanding South Orange warrant after a field investigation. The South Orange Municipal Court released him on his own recognizance.

Thursday, April 26, Jason A. Anderson, 26, of Old Bridge was arrested for an outstanding Watchung warrant after a field investigation.

Thursday, April 26, a resident of Saville Row reported that someone stole her identity and opened numerous credit cards in her name. According to police, the individual made numerous unauthorized credit card purchases.

Thursday, April 26, a resident of First Street reported that someone broke into her home and removed jewelry. According to police, forced entry was gained through the rear door.

Monday, April 30, Sometime between the hours of 9 p.m. on Sunday and 5 a.m. on Monday, one or more unidentified individuals reportedly entered the premises of a South Avenue eatery and removed \$60 from the cash register. According to police, there was no evidence of forced entry.

Monday, April 30, Gerold W. Ireland, Jr., 18, of Scotch Plains was arrested on an outstanding Westfield warrant after a motor vehicle stop on South Avenue.

Tuesday, April 24, a resident of Hetfield Avenue reported that someone sold an item over the Internet to a person in Mexico who failed to pay him when the item was received.

Wednesday, April 25, a business owner on Route 22 reported that he agreed to purchase equipment from an individual. According to police, after the individual was paid \$15,000, he failed to deliver the equipment.

Wednesday, April 25, a resident of Evergreen Avenue reported that someone sent him a text message that contained profanity.

Thursday, April 26, a manager of a Park Avenue store reported that a customer removed approximately \$150 worth of merchandise without paying for it.

Saturday, April 28, Eugene Gerhart, 23, of Winfield Park was arrested and charged with DWI after a motor vehicle stop for a moving violation. According to police, the officer detected the strong odor of alcohol. After failing several field sobriety tests, Gerhart was placed under arrest, police said. He was processed and released on a summons, police said.

Saturday, April 28, Donna Kostovich, 45, of Scotch Plains was arrested and charged for DWI after police found her asleep at the wheel of her vehicle at the intersection of Park Avenue and Bartle Avenue. According to police, Kostovich failed several field sobriety tests prior to being placed under arrest. She was transported to headquarters where she was processed and released with a summons.

Sunday, April 29, Neil Auricchio, 43, of Princeton was arrested following a motor vehicle stop for an outstanding warrant out of Cape May.

### Westfield

Friday, April 20, Sheila Gillmore, 37, of Newark was arrested at the Clifton Police Department on an outstanding Westfield criminal warrant with bail of \$150. She was committed on default of bail to the Union County jail. Friday, April 20, an incident of criminal mischief was reported at a Mountain Avenue house used by the Westfield Historical Society, in which a piece of plywood covering a rear doorway was removed. No other damage was reported.

Saturday, April 21, Alejandro Morales, 24, of Newark was arrested at the Harrison Police Department on two outstanding criminal warrants, including one from Westfield with bail of \$500 and one from Newark with bail of \$300. Morales was unable to post bail and was held pending transport to the Union County jail.

Tuesday, April 24, a Toyota Camry reported stolen in Elizabeth the previous day was recovered on the 500 block of Trinity Place. The owner was notified that the vehicle was recovered.

Wednesday, April 25, Kyle Murrell, 22, of Elizabeth was arrested on various charges after the motor vehicle in which he was a passenger was stopped on the 400 block of Central Avenue for failing to dim its headlights to oncoming traffic and having illegally tinted windows.

After noticing multiple unopened beer bottles on the floor on the passenger side of the vehicle, police asked Murrell and the driver to exit the vehicle. A subsequent search uncovered 13 packets of suspected marijuana in Murrell's pocket, at which time he attempted to flee from authorities, police said. Two police officers apprehended him a short distance away, and during a struggle with them Murrell allegedly kicked both of them in the chest before he was subdued.

Murrell was charged with two counts each of assault on police and resisting arrest; possession of a controlled dangerous substance, defined as under 50 grams of marijuana; hindering apprehension; obstruction of the administration of law and three counts of criminal mischief.



WELCOME BACK...State Police Superintendent Colonel Rick Fuentes, right, a product of Garwood public schools, receives the "Garwood People Making A Difference Award" at the Education Foundation of Garwood's appreciation dinner, held April 26 by the Foundation's John Moran. Mr. Fuentes graduated from Lincoln School in 1965 and Arthur L. Johnson Regional High School in Clark in 1969.



UNITED WAY STAND...Keith Hertell, Westfield Symphony Gala chairman, left, and Mark Fleder, president of the Westfield Symphony Orchestra Board of Trustees, right, welcome Honorary Chair Linda Maggio, executive director of the Westfield United Way, to the Westfield Symphony Orchestra fundraising Gala 2007, East Meets West, at Shackamaxon Golf and Country Club in Scotch Plains on Saturday, April 28. See additional photos at [goleader.com/photos](http://goleader.com/photos).