

League Challenges COAH's 'Fatally Flawed' Regulations

By MICHAEL J. POLLACK
Specially Written for The Westfield Leader and The Times
Editor's Note: The following is the first of a two-part series on legal challenges to new regulations on low-to moderate-income housing rules in New Jersey.

AREA - Because the Council on Affordable Housing (COAH) denied the League of Municipalities' request to delay the December 31 deadline for towns to submit their compliance plans (called Fair Share Plans), the League has filed a notice of appeal with the Appellate Division of the Superior Court of New Jersey.

The Fair Housing Act of 1985 created COAH as the state legislature's response to a series of New Jersey

Supreme Court cases known as the Mount Laurel decisions.

The decisions stipulated that municipalities have a constitutional obligation to provide a "realistic opportunity" for the construction of low and moderate-income housing.

If municipalities in any way deny or hinder the construction of affordable housing, they are at risk for lawsuits. While participation in COAH is voluntary, full compliance and COAH certification offer towns protection from these lawsuits.

According to Executive Director William Dressel, the League is challenging the "validity" of the newest COAH regulations.

The third-round rules establish a new ratio of requiring that one afford-

able unit be built for every four market-rate units, and one affordable unit be created for every 16 jobs added. Any participating municipality must also track its housing and job-creation numbers since 2004, and project the trend through 2018.

League Assistant General Counsel Edward Buzak, of The Buzak Law Group, will represent the League in its legal challenge.

He called COAH's regulations "unsustainable and fatally flawed."

Mr. Buzak added, "COAH's regulations, if implemented, will drive up the costs of compliance, and those additional costs will ultimately be borne by taxpayers. We can do better."

The League accused COAH's third-round rules of being "unachievable" and said that towns' obligations are based upon "unreliable and inaccurate information and exaggerated projections, which result from false and unsupported assumptions."

Chris Donnelly, a spokesperson for COAH, said the League's motion for an extension on the year-end deadline to submit Fair Share Plans was denied because, "the council did not feel there was sufficient evidence to show that requiring municipalities to submit their plans by December 31, 2008, would cause them harm."

Mr. Donnelly said, "The council also felt that any further delays would be detrimental to the promotion, construction and rehabilitation of affordable housing. We are dedicated to moving forward with the third-round rules and are available to work with municipalities in crafting their affordable housing plans."

He added, "COAH is moving forward with the third-round regulations and the December 31 deadline, and we encourage all municipalities to submit their plans as soon as possible."

COAH falls under the jurisdiction of the state's Department of Community Affairs (DCA). DCA Commissioner Joseph Doria, a former Bayonne mayor and ex-state legislator, said in a statement, "It is important to keep in mind that we are talking about housing for the hardworking men and women of New Jersey and housing that allows children to remain in the communities where they grew up. This is a vital issue and the highest priority for COAH."

He said COAH's new rules continue the use of a "growth-share approach," which bases towns' obligations on market-rate residential and non-residential growth.

Municipalities are required to zone and plan for eventual affordable units; however, they are only responsible for building affordable housing in relation to the growth that actually occurs.

New Westfield Town Planner Bill Drew was hired to replace outgoing planner Judith Thornton primarily due to his knowledge and background in COAH matters.

Mr. Drew said, at present, there is no specific number of homes



Fred Rossi for The Scotch Plains-Fanwood Times
A LONG TENURE...Scotch Plains Municipal Manager Tom Atkins reviews computer documents in his office. He will retire on August 29 after 28 years of running the township's day-to-day operations.

Colleagues Salute Atkins At Close of 28-Year Career

By FRED T. ROSSI
Specially Written for The Scotch Plains-Fanwood Times
Editor's Note: The following is the first of a two-part series on the retirement of Scotch Plains Township Manager Thomas E. Atkins.

SCOTCH PLAINS - Thomas E. Atkins, who is retiring next week as municipal manager, said he has heard his job is likened to being a football quarterback because a manager has "people rushing at you from all directions." The difference, Mr. Atkins said, is that "in football, it's usually only seven or eight people; here, you're getting rushed by 300 people at times."

Mr. Atkins finishes his 28-year career in Scotch Plains next Friday, just a few days short of 10,300 days on the job - and it's a good bet that he remembers some detail from each of those days, as well as many of the days that preceded his first day with the township government on June 23, 1980.

His memory for details has long been recognized, and a township council resolution eight years ago honoring Mr. Atkins on his 20th year of service stated that his "vast knowledge of the township is surpassed by none and is a

constant source of amazement to all who know him, with his recollection of names, addresses, phone numbers and specific events, which date back almost half a century and are almost always 100 percent accurate."

Mayor Martin Marks, whose nine years as mayor have coincided with the last third of Mr. Atkins' tenure, said Mr. Atkins' memory "is uncanny if not eerie." He affectionately dubbed Mr. Atkins "the Rain Man of Scotch Plains."

"The fact that he's lasted 28 years is testament to his staying power, his abilities, his knowledge of his job and his love for the town," the mayor told *The Scotch Plains-Fanwood Times*. "The thing about Tom is that he grew up here, he went through the school system, he knows the people, he knows the characters that make the town unique."

His career in local government began, Mr. Atkins recalled, after he graduated with a masters' degree in public administration in 1973. He said he visited municipal managers in various New Jersey towns, seeking career advice and perhaps a foot in the door. One stop during that summer of 1973 was to

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FOR A FOOD CAUSE...Don Wussler, left, speaks with Scotch Plains Business and Professionals Association President, Dr. Frank Di Lollo, middle, and a shopper at the Scotch Plains Farmers Marketplace about upcoming events to raise money for the Korean War Veterans Memorial Clock for the town of Scotch Plains. This Saturday, August 23, there will be a bake sale and a day-long mini-golf fundraiser at the Scotch Hills Country Club. Businesses may sponsor a hole for \$50. For more information, call Mr. Wussler at (908) 889-1709.

Lance Stays Busy Greeting Voters, Fundraising for Fall Campaign

By KATIE ROGERS
Specially Written for The Westfield Leader and The Times
Editor's Note: The Westfield Leader and The Scotch Plains-Fanwood Times spent the day with Republican candidate for Congress from the 7th District, Leonard Lance, last Friday. A similar article on Democratic candidate Linda Stender appeared in the August 7 issue.

AREA - When most patrons arrived at the Scotchwood Diner on Route 22 last Friday, they didn't realize they would be getting a surprise visit from a state senator and congressional candidate. Senator Leonard Lance (R-23, Clinton) arrived with his entourage of support in tow, including Scotch Plains Mayor Martin Marks, Deputy Mayor Nancy Malool and candidate for township council, Mary DePaola.

Since securing his nomination as the Republican candidate for Congress in June, Mr. Lance has been working on the state budget in Trenton and campaigning non-stop. This particular day, he started his morning making fundraising phone calls, then stopped at the diner to talk to area citizens before facing an afternoon of door-to-door campaigning.

Mr. Marks led the meet-and-greet by approaching each diner and introducing them to "a very special friend of his," Mr. Lance, who handed guests a copy of his campaign literature.

Mr. Lance made his way around the restaurant, which included chatting with a prospective law student at Penn State University, a family of five - whose three children's ages he managed to guess correctly on first attempt - and a concerned local union worker and his family.

With about a dozen volunteers currently working behind him and a newly opened headquarters in Green Brook, Mr. Lance's campaign seemed ready for the fall vote. He told *The Westfield Leader* and *The Scotch Plains-Fanwood Times* that he anticipates a high voter turnout for the upcoming Congressional election due in part to this being a Presidential Election year.

After four terms representing the 7th Congressional District, Mike Ferguson decided not to seek re-election. Facing a 2006 challenge from Linda Stender (LD-22, Fanwood), Mr. Ferguson won the race by slightly more than 3,000 votes, or about 1.5 percent of all votes cast in the election, the closest challenge he had faced since being elected. After an open primary slated as the Republican Party's candidate to succeed Mr. Ferguson, Mr. Lance defeated the ballot's six candidates, which included Mayor Marks.

Although the district boasted a solid Republican majority in the past, it has now leaned Democratic as a result of the Presidential Primaries held in February, Mr. Lance said. This effect has directed the congressional candidate's campaign to swing unaffiliated and Independent voters his way in order to keep the seat in GOP

hands. "I would hope that I receive a majority of the Independent voters. I have the reputation in Trenton of being bi-partisan in nature, and I think I

"There is an interesting story behind every door, so this is not monotonous, it's quite the contrary," he said.

Following a map created for him



Katie Rogers for The Westfield Leader and The Times
DINER'S CLUB...State Senator Leonard Lance, the Republican candidate to replace Mike Ferguson in the U.S. Congress' 7th District, met with patrons at the Scotchwood Diner in Scotch Plains last Friday. Scotch Plains Mayor Martin Marks introduced Mr. Lance. Above, Mr. Lance speaks with a family of five before distributing campaign literature. He faces a Congressional challenge from Assemblywoman Linda Stender of Fanwood.

have the support of both Democrats and Republicans," he said. "I believe my views are the views of the people of central New Jersey. I am fiscally responsible, socially moderate and a strong environmentalist."

"This is a very competitive district, and I believe the voters are extremely intelligent and will judge the candidates on the issues," Mr. Lance added.

Although going door-to-door is a common part of his daily campaigning, Mr. Lance said he never tires of meeting new voters.

by his campaign manager, Amanda Woloshen, Mr. Lance drove his four-year-old Honda Accord to countless homes that afternoon, causing the odometer - hovering at 122,000 miles - to click forward.

He greeted residents and handed them his campaign material. If no one answered the door, he left a handwritten note on the back of his literature.

However, he said he is always careful not to place anything in the mailbox because it is illegal to do so, since it is

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Katie Rogers for The Scotch Plains-Fanwood Times
MEETING GOP TEAM...Republican 7th Congressional District candidate, State Senator Leonard Lance, poses with Scotch Plains Mayor Marty Marks, left, GOP Township Council contender Mary DePaola and Deputy Mayor and GOP mayoral contender Nancy Malool, right, while greeting potential voters at the Scotchwood Diner last Friday.

Compensation of School Superintendents in Union County

(Note 1: Some differences exist between data reported by the NJ Department of Education and actual contract documents obtained from the respective boards of education, along with differences in the time periods stated for the data. The data below, normalized to the 2008-2009 school year, are believed accurate to within a few percentage points).

District, Superintendent	2008-09 Base Salary	Incl. Bonus	Others
Berkeley Heights, Judith Ann Rattner	\$200,000 ^{note 1}	\$212,000	see note 2
Central Jersey Arts, Benjamin Fox	\$ 92,000 ^{note 1}	unknown	unknown
Clark, Renae LaPrete (new interim)	\$172,000	unknown	unknown
Cranford, Lawrence Feinsod	\$209,020 ^{note 1}	\$233,000 ^{note 1}	see note 2
Elizabeth, Pablo Munoz	\$230,000 ^{note 1}	unknown	unknown
Garwood, Teresa Quigley	\$126,000 ^{note 1}	unknown	unknown
Hillside, Raymond Bandlow	\$180,000 ^{note 1}	\$194,000 ^{note 1}	unknown
Kenilworth, Lloyd Leschuk	\$166,000 ^{note 1}	\$169,000 ^{note 1}	unknown
Linden, Joseph Martino	\$199,900	\$217,000	see note 2
Morris-Union, Kim Coleman	\$222,960	\$237,108	see note 2
Mountainside, Jeanette Baubles	\$135,000	\$138,000	see note 2
New Providence, David Miceli	\$174,200	\$177,200 ^{note 1}	see note 2
Plainfield, Steve Gallon (newly hired)	\$198,000 ^{note 3}	unknown	see note 2
Queen City Academy, RaShawn Adams	\$112,000	unknown	unknown
Rahway, Frank Bughone	\$173,000	\$190,200 ^{note 1}	see note 2
Roselle Park, Patrick Spangnoletti	\$160,225	\$164,000 ^{note 1}	see note 2
Roselle, Elnardo Webster	\$159,862	unknown	see note 2
Scotch Plains-Fanwood, Margaret Hayes	\$189,000	\$214,000	see note 2
Springfield, Michael Davino	\$169,000 ^{note 1}	\$173,000 ^{note 1}	see note 2
Summit, Nathan Parker	\$214,000 ^{note 1}	\$218,000 ^{note 1}	see note 2
U.C. Education Services, William Presutti	\$173,056	indeterminate	
U.C. Executive, Carmen Centuolo	\$120,000	n/a	
U.C. TEAMS, Sheila Thorpe	(no response to inquiries)		
U.C. VoTech, Thomas Bistocchi	\$197,131		see note 2
Union Township, Theodore Jakubowski	\$215,534	\$219,500 ^{note 1}	see note 2
Westfield, Margaret Dolan	\$181,650	\$192,000 ^{note 1}	see note 2
Winfield Park, Alice D'Ambola	\$108,971	\$110,000 ^{note 1}	see note 2

(Note 2: Contracts include various forms of compensation for items such as travel, automobile, conferences, memberships and consulting activities. The contracts and NJDOE data can be reviewed at goleader.com. Note 3: Newly hired Plainfield Superintendent contract had been placed on hold by the NJDOE although the hiring of the superintendent is published on the district website. Commentary on the superintendent contracts is provided on page 4.)

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