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ENDING BARRIERS...Rep. Leonard Lance (R-7th) speaks at a press conference last Thursday on the MODERN Cures Act legislation he is sponsoring in Congress. Also pictured, from left to right, are: Sally Fullman, Healthy Bones Program for New Jersey Seniors with Osteoporosis; Debbie Schlossberg, Greater New York Chapter of the ALS Association; John Crowley of Amicus Therapeutics and the inspiration for the 2010 motion picture *Extraordinary Measures*; Eric Gascho, National Health Council, and Bonnie Anderson, a mesothelioma survivor. Please see story on page 2.



LEARNING EXPERIENCE...Brownies from Jefferson School in Westfield visit the office of *The Westfield Leader* on January 19 to learn how newspapers are made (and because their mothers made them do it). A good time was had by all.



APPROVED...The Garwood Planning Board listens to applications at its January 25 meeting. The board approved a bulk variance for a 375-square-foot addition to the second floor of a residence on Willow Avenue, voting 7-2 in favor of the addition.

Building Safety Discussed

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District (SID).

Westfield Construction Official Steve Friedman told *The Leader* that "those buildings were built 40 to 50 years ago." He said that once a certificate of occupancy is issued the town has no right to go in and request any changes. He added that not all new buildings require sprinklers and that the requirements are based on the size of the buildings.

Mr. Friedman said that restaurants are annually inspected, but those inspections do not show what's behind the walls in terms of wiring. Chief Kelly said that the inspection process involves ensuring that the existing fire alarm system is working, that all fire extinguishers are present and up to date, as well as ensuring that all emergency lighting and signage is in working order.

The Root family, who owned and operated Roots Home Confectionary at the location from 1966-1982 and still owns the property, said that they intend to rebuild.

Ms. Cronin told *The Leader* she hopes to see retail with apartments above, given the proximity to the train station as that is the "type of

development that should be encouraged."

Several fundraisers are being held to benefit the Sound Station and its owners Bob and Liz Larson. Mr. Larson told *The Leader* "we lost everything." The Sound Station has long been a hangout for teenagers and other music lovers with monthly band performances and other music events. Mr. Larson's parents opened the store 23 years ago and "opened up our hearts to the whole entire town."

He said that he does plan to reopen in the area, but was unsure as to where it would be but said, "I can't imagine doing anything else." Mr. Larson expressed his gratitude to those who are donating to help them come back. "I didn't expect this." As of press time over \$13,000 has been raised through the website www.indiegogo.com/helpandstation and a benefit is planned for Saturday, April 21, at Crossroads in Garwood.

Attempts to reach the owners of Clyne & Murphy, Figaro's Hair Styling, Rocky the Tailor, Cobblers Bench Shoe Repair and Unmasked were unsuccessful as of press time.

BOEs Discuss Election Move

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are definite benefits to the budget's automatic passing if it arrived under the 2-percent cap; however, she called the act of voting on a budget a "very unique and powerful way to exercise one's democratic right."

She also said the election of board members, if elections are moved, are "10 times more likely to become politicized." A change in that regard represented "the biggest downside" to her.

David Gorbunoff said he did not think voting in November would cause the board to "take sides or align around certain causes." And Warren McFall said that the district could save about \$28,000 by moving elections to November. He called this a "considerable amount" and "an awful-strong reason why we should" move elections.

The Garwood Board of Education has scheduled a special meeting for this Tuesday, February 7, at 6:30 p.m. in the all-purpose room of Lincoln School to discuss the issue.

The Berkeley Heights Board of Education, which has an agreement with the Mountainside BOE for teens attending Governor Livingston High School, will discuss the issue at its Thursday, February 9 meeting. The meeting will be held at 8 p.m. in the multi-purpose room of Columbia Middle School, 345 Plainfield Avenue in Berkeley Heights. The Mountainside BOE will discuss whether to move the election at its Tuesday, February 7 meeting to be held beginning 6:30 p.m. in the Deerfield School cafeteria.

The switch to November will present an added challenge to county clerks throughout the state. They will now serve as the filing officers for the nomination petitions and will rule on objections to the petitions.

Despite the increased responsibility, Union County Clerk Joanne Rajoppi told *The Leader*, "I'm looking forward to this challenge."

Due to the respective local races and differing needs of each community, she said her office already creates 40 to

80 different versions of a ballot.

Her costs will rise now due to configuring more "complex" ballots during an already-busy Presidential election year. To ensure that the November school election remains a non-partisan affair, it will appear on a separate section of the ballot.

The county budgeted \$700,000 in each of the last two years for reimbursement for the cost of school elections.

The Union County Vocational-Technical Schools, as well as charter school boards will not be impacted by the new state law, as their schools are governed by appointed, not elected, bodies. The Vo-Tech BOE is appointed by the Union County Board of Chosen Freeholders. Neither have budgets voted on by the public.

To offer public opinion, e-mail wboe@westfieldnj12.org and/or boe@spfk12.org.

Fatal Accident

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with this accident," said Mr. Holl. "Everything is being examined, everything is being reviewed; witness statements are being taken and reviewed as well."

Mr. Holl said the prosecutor's office had not released the identities of the male pedestrian or the drivers of either the Cavalier or the pickup. However, other sources have identified the pedestrian as David Kervick.

"There haven't been charges filed in this case," Mr. Holl stated. "The other people involved are private citizens."

Several other accidents have occurred in the vicinity of the intersection where last week's incident took place. On April 6, 2009, Kirk Kinkade, 36, of Westfield was killed when he was struck by an SUV that traveled up on to the sidewalk alongside the monument to veterans of World War I at the intersection of North Avenue and East Broad Street.

Berman Gets Probation

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the district's "contractor of record" and he approved contracts knowing that they contained false information.

Berman was charged in March 2011 as a result of an investigation by the Division of Criminal Justice Corruption Bureau, which also led to charges against a school district engineer and three contractors. The engineer and two of the contractors have pleaded guilty. Charges are pending against the third contractor, who is the co-owner of Metropolitan.

The school district engineer, Kenneth Disko, 48, of Mountainside, was the contracted engineer or engineer/architect on record for the Westfield, Tinton Falls and Scotch Plains-Fanwood school districts. Disko pleaded guilty on October 12, 2011 to taking thousands of dollars in kickbacks from 2001 to 2010 on contracts he recommended that involved rigged bids and fraudulently inflated costs. His sentencing is scheduled for Friday, March 2. The state will recommend that Disko be sentenced to three to five years in state prison, pay a penalty of at least \$50,000, and be barred from public contracts in New Jersey for 10 years, according to the Attorney General's office.

Disko admitted that he knowingly prepared fraudulent quotes and estimates in connection with school district contracts, and directed contractors to inflate quotes and estimates, according to the AG's office. He admitted that he submitted those quotes and estimates to the Westfield, Tinton Falls and Scotch Plains-Fanwood school districts and recommended approval of the fraudulently bid contracts in exchange

for thousands of dollars in kickbacks from contractors.

On December 1, 2011, two contractors pleaded guilty to rigging bids and inflating school contracts at the direction of Disko. Martin W. Starr, 45, of Cliffwood Beach, owner of Starr Contracting, and Stephen M. Gallagher, 51, of Cliffwood Beach, owner of East Commercial Construction, pleaded guilty to accusations charging them with third-degree false representations for a government contract. They are also scheduled to be sentenced on March 2. Under their plea agreements, the state will recommend that each man be sentenced to up to 364 days in the county jail and a term of probation. The companies owned by Starr and Gallagher also pleaded guilty to the same charge.

The individual and corporate defendants will be disqualified from public contracts for five years, and are jointly and severally liable for paying a \$50,000 penalty into the Anti-Trust Revolving Fund, according to the AG's office.

Charges are pending against the third contractor, John Sanguiliano, 57, of Scotch Plains, co-owner of Metropolitan Metal Window Company, which provided the windows and doors to Berman.

Mr. Chiesa and Criminal Justice Director Stephen Taylor noted that the Division of Criminal Justice has established a toll-free tipline, 1-866-TIPS-4CJ, for the public to report corruption, financial crime and other illegal activities. Additionally, the public can log on to the Division of Criminal Justice webpage at www.njdcj.org to report suspected wrongdoing.



ELECTION 2012...Janice Siegel and her husband, Dr. Lloyd Marks, hold a State of the Union party to watch the speech at their home in Westfield on January 24 to support the re-election of President Obama. David Haas, third ward councilman, is chairman of the Westfield Democratic Committee and Ms. Siegel is vice-chairwoman. Roslyn Harrison and Marvin Gersten are working with the committee to reelect the president. The committee encourages all local residents who support President Obama to contact them at www.westfielddems.org/.

Home Addition OK'd; 'Y' Must Submit Plan to Board

By CHRISTINA M. HINKE
Specially Written for *The Westfield Leader*

GARWOOD – The Garwood Planning Board on Wednesday voted 7-2, with board members Bruce Paterson and Bill Nierstedt dissenting, to approve a bulk variance for a 375-square-foot second-floor addition to a home at 123 Willow Avenue. The owners, Mr. and Mrs. John Marinello, sought relief for variances of pre-existing conditions regarding lot size and width-, front-, side- and rear-yard setbacks, as well as impervious coverage related to the second-floor expansion over the existing footprint.

Board member Michael Vena excused himself from hearing the application, as he is a neighbor of the applicants.

The applicants, who moved in six years ago, cited as hardships the need for more space as they have a 16-month-old child and are planning to have another baby. The plan shows expansion of the three bedrooms and master bath on the second floor. Mr. Marinello said all three bedrooms were roughly nine feet by seven feet.

The expansion would result in the master bedroom becoming 16.5 feet by 10 feet, the second bedroom 9.7 feet by 15.6 feet and the third bedroom 9.1 feet by 13.2 feet. The master bath would be 7.1 by 5.10 feet. The plans would also push out the front door with a small vestibule. The three-bedroom house currently has two full baths and a finished basement.

The existing front-yard setback of about 15 feet is already non-conforming, said Attorney Donald Fraser, Jr., since 25 feet is the required front-yard setback.

Mr. Nierstedt took issue with the house having a 15-foot front-yard setback, saying he would rather see the addition only in the rear of the home and not the front. By building the addition, the home would have a "flat wall" as Mr. Nierstedt described, instead of it notching inward on the second floor as it currently does.

The home was built in 1907 and at some point the front porch was enclosed, creating the notch on the second floor. The property is 40 feet wide, which predates the 50-foot-wide provision.

Currently, the house has 68.04 percent impervious coverage, Mr. Fraser said, where 60 percent is the maximum allowed.

"We did try to sell the house. We put it up for six months, but we didn't have an offer. Not even a really low offer," Mr. Marinello said.

"I'm opposed to this," Mr. Nierstedt said. "In this situation...there is no hardship."

"Having a family is not a reason for granting a variance... [Economics] is not a land-related hardship," Mr. Nierstedt continued. "You are allowing an individual homeowner to have a larger house than permitted by code and there is no hardship."

"I can buy your argument about a larger house if they were putting on an addition to give them an enormous amount of additional space. They want to put on an addition of 375 square feet – you're talking about less than, not even a room. That is not blowing out a house," board member Stephen Greet retorted.

Mr. Paterson suggested a compromise. "Forget about the front expansion and allow the back expansion. I think that would be a fair compromise. It would maintain a nice looking house," he said.

Mr. Greet said he thought the alterations to the home would not dramatically change the appearance of the house.

Mr. Nierstedt said houses with porches add character to a home, and was not in favor of having a flat wall in the front.

"I think it is hardship," said Victor DeFilippo, the borough council liaison on the board.

"We changed this zone to a single. We hoped people would take the two and make them a one," said Borough Planner and Engineer Victor Vinegra, noting the neighborhood has a lot of two-family brick homes.

"Why do we have 25 feet? ... If we start giving away front-yard variances it is not good," said Mr. Nierstedt.

"You are not being receptive to young families and foster a positive atmosphere in the town," said Mr. Greet, who noted keeping young families in the borough would mean children attending the school system and families paying taxes for the schools.

"Families invest in their homes and upkeep of the neighborhood," said alternate board member Kathleen Villaggio.

At this point, the applicants passed around photos of neighboring homes that showed one that is 20 feet from the sidewalk and a house further away that is 15 feet from the sidewalk.

In other business, Mr. Vinegra said the Westfield Area "Y"'s five-year lease agreement with the board of education to use the Washington School for pre-school, daycare and after-school and fitness programs is subject to go before the planning board.

"The use is not permitted," he said. "The Washington School is zoned to be strictly a school."

The next board meeting is Wednesday, February 22, at 7:30 p.m.

Westfield Town Council

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town's traffic engineer, Gordon Meth, reported that poor lighting was a problem at that location, and he asked the mayor if any improvements had been made.

Mayor Skibitsky responded to Mr. Kasko by saying, "You've hit an all-time low." The two men then began talking over one another in a heated exchange that ultimately caused the mayor to ask that the meeting be adjourned until order could be restored.

The mayor criticized Mr. Kasko for suggesting that the recent tragedy was the town council's fault, saying that it was "ironic" for Mr. Kasko to say something of that nature after he was caught "sleeping" on the job, failed to back up a fellow police officer and lied under oath. Mayor Skibitsky read from a report by retired Summit Police Chief Robert Lucid which said that "Officer Kasko has failed" to uphold his office as a police officer.

Mr. Kasko said that he gave *The Westfield Leader* a power of attorney to access his personnel and internal affairs (IA) files. He expressed his disappointment that his IA file cannot be released as per state law, and said that of the 110 minutes of

the IA interview that was conducted, there is only an eight-minute tape.

Mr. Kasko continued to shout from the audience, "Why didn't you fire me, Mayor?" and said that the mayor should note those employees who were stealing time from the town, shouting, "Thieves are okay, right, Mayor?"

For more information on Mr. Kasko's employment with the Town of Westfield and his disciplinary history, see goleader.com/11sep22/11sep22.pdf.

Public Safety Committee Chairwoman Councilwoman JoAnn Neylan said that her committee welcomes public comments and that the town is doing the "best we can to make sure the streets of our town are safe." She also asked drivers to slow down and take vehicle operation seriously.

In other business, the council appointed William Taylor to the board of architectural review, with a term expiring December 31, 2014.

At the conclusion of the public meeting, the council went into closed session to discuss labor negotiations for the Teamsters, Communications Workers of America, police and fire unions.

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