

Report criticizes the P.A.'s project

By Jim DeRogatis

12/4/89
A grassroots group opposed to the Hoboken/Port Authority waterfront project has released a report that strongly criticizes the terms of the development agreement.

Mayor Patrick Pasculli is urging the City Council to approve the agreement at a special meeting Wednesday. He said the P.A. is providing the city with the best deal possible for its waterfront piers.

But Save Hoboken from Over-Development charges that "the level playing field" the mayor boasts of achieving is as steep as the Palisades.

SHOD, which launched an unsuccessful ballot referendum to dedicate the city-owned waterfront as park land, released a report Friday that criticized several aspects of the city's deal with the P.A. According to SHOD:

• The plan violates the state Department of Environmental Protection's waterfront guidelines.

Building heights in the plan are "much higher than represented in the model at City Hall and many times in

excess of the height-to-open-space ratio" set by DEP, according to the SHOD report.

As a bi-state agency, the P.A. is not restricted by state or municipal law and does not have to follow the DEP guidelines. But Pasculli has stressed that the development conforms to the city's master plan and the "perimeter theory" of keeping the tallest buildings on the city's edge.

• The 18 percent open space set aside in the project is not enough.

"The open space includes not only streets, sidewalks and other project-related areas, but also two existing parks: the ballfield at Stevens Park and the paved plaza at the Erie-Lackawanna terminal," according to the report.

Pasculli has said that a "Great Lawn" that will be built by the P.A. within the next 2½ years will be a major new park that will benefit all Hoboken residents. But SHOD claims the park "is simply the inside of a traffic circle. Perhaps the picnickers can roast their wienies on car exhaust."

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• The city cannot accommodate the additional 2,900 cars the project will generate.

"A traffic-impact study for the project released three years ago predicted Level F, or impossible gridlock, at several intersections," the SHOD report states. "Our air is already so polluted that it violates federal EPA standards for ozone, carbon monoxide and particulates. Can we accommodate 2,900 more cars?"

Pointing to Hoboken's location as a transportation hub, Pasculli and P.A. executives have said they believe most people will use mass transit to

reach the project. They say a waterfront highway proposed by the state Department of Transportation would keep much traffic off Hoboken streets.

• Two-thirds of the \$30 million in rent that the P.A. will pay the city is contingent upon the authority's attracting developers for the project and the city's getting the sewer ban lifted.

"Twenty million dollars is conditional on the P.A. securing developers and permits," SHOD states. "If the P.A. fails, the payments become 'advances' for which the city must pay interest."

Pasculli has said the city has several checks against the P.A. built into the agreement, should it fail to deliver on its end of the bargain. SHOD claims they are not enough, but the mayor says the P.A. has negotiated in good faith with the city and wants the project to succeed.

The SHOD report was signed by Sada Fretz and Dan Tumpson, members of the late Mayor Thomas Vezetti's Waterfront Advisory Committee, which opposed a joint Hoboken/P.A. development. But the chairman of that committee has endorsed Pasculli's agreement.

"I think the city got good financial advice and good legal advice and came away with as good a deal as it could have hoped for," said Mayme Jurkat, a member of Pasculli's negotiating team who was an opponent of the P.A. when she served on Vezetti's advisory board.

"It's not perfect, but it's a good deal, and it's time to move on this project. This agreement bears no resemblance to the kind of thing the P.A. was offering four or five years ago."

The debate is expected to continue hot and heavy through Wednesday's 7 p.m. council meeting at City Hall.

Hearing on P.A. deal tonight

Vote on waterfront development slated for tomorrow

By Dan Rosenfeld

12/6/89

The Hoboken City Council will begin hearing public comment on the proposed waterfront development agreement with the Port Authority of New York and New Jersey tonight at 7 p.m. in City Hall.

But by law the council can not vote on the proposal until tomorrow.

Observers expect the council to approve the agreement that will reap the city \$7 million by the end of the year.

Without the funds, Hoboken would not have been able to balance its budget this year, city officials said.

Under the agreement, the

Port Authority would give the city \$30 million in rent by 1994 and spend an additional \$41 million in infrastructure improvements.

Executives of large development companies said that their companies could beat the Port Authority's deal.

Councilmen Joseph Della Fave and Thomas Newman have called for the council to solicit other proposals.

The project, which would stretch north along the Hudson River from the New Jersey Transit rail yards to the Stevens Institute of Technology campus, proposes 3.73 million square feet of commercial and residential space.

Early plans call for 1,600 luxury residential units, 1.3 million square feet of office and retail space, a 14.5-acre marina and more than 2,500 parking spaces.

Critics say the office space will be unrentable because Port Authority regulations forbid it from luring Manhattan firms to the Hudson County gold coast.

Mayor Patrick Pasculli contends the project developer, who will subcontract with the Port Authority, will be able to rent to New York interests.

But Stephen Berger, executive director of the Port Au-

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Hoboken High School passes asbestos test

By Dan Rosenfeld

12/2/89

Hoboken High School was reopened yesterday afternoon after it passed asbestos air quality tests, allowing regular classes to resume on Monday, school officials said.

The city issued a temporary certificate of occupancy by noon and students were using school facilities during the afternoon. The Scholastic Aptitude Test will be given at the school today, school officials said.

Three asbestos-laden square-foot tiles fell from the

third-floor ceiling Tuesday night, putting the number of fallen tiles over 25. Officials learned Wednesday that federal environmental regulations require a building to close temporarily when more than 25 square feet of asbestos tiles fall.

Workers removed the three tiles and other tiles that appeared ready to fall to prevent the school from being forced to close again.

Asbestos was widely used in school construction during the 1950s and 60s because of its flame-retardant properties.

Council is expected to OK deal with Port Authority

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thority, acknowledged last week that the project will be limited to New Jersey or out-of-state firms.

Real estate executives predicted the Port Authority will not make a profit on the project because of its \$71 million upfront investment.

It will be too much to re-occupy without a New York firm to anchor the commercial space, they said.

Hartz Mountain Industries also came forward to develop the Hoboken waterfront, but city officials opted to deal with the Port Authority.

Other real estate developers are still interested in wooing the project away from the Port Authority.

"The P.A. is another level of bureaucracy that is not needed to develop the waterfront," said one real estate executive.

P.A. project called 'a matter of pride'

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the project will be profitable, especially since the P.A. is prohibited from renting office space in New Jersey to New York businesses.

But a high-ranking P.A. source said that whether the project realizes a profit "is almost a secondary concern at this point."

"LaRocco almost has to see the project succeed as a matter of personal pride," the source said. "He has invested years of effort and a considerable amount of money in this, and he doesn't want to see it fail. It means too much to his career and his department."

LaRocco, 42, is an intense, sharp-talking professional who has headed the P.A.'s economic development department since its inception in 1983. He oversees almost all of the P.A.'s non-transportation activities and is second in authority only to Executive Director Stephen Berger. He has supported the Hoboken development from the beginning.

LaRocco refused to be interviewed for this story. He released a tersely worded one-paragraph statement through the P.A.'s public information office.

"The Hoboken waterfront development has been discussed for a long, long time and we believe the various matters have been fully addressed," the statement said.

"Negotiations proceeded in an environment of mutual respect and we believe the final agreement is a fair and balanced one. This agreement is now before the Hoboken City Council for its action, and we respect that process without further comment in the press from us."

The council will vote on the development agreement Wednesday night. If it is approved, as expected, it will allow the P.A. to act as a middle man between the city and private developers.

The P.A. will pay the city \$30 million in rent and spend \$41 million to build infrastructure on the city-owned project site, which stretches from the NJ Transit terminal to Sixth Street. The P.A. will then attract private developers to build 1.3 million square feet of office and retail space, 1,600 luxury housing units, a hotel, a marina and 2,500 parking spaces.

Profits—if any—would be divided among the developers, the P.A. and the city. The P.A. is prohibited from earning profits on mass transit operations, but the Hoboken project is exempt because of a special law.

Mayor Patrick Pasculli, who drafted the agreement with the P.A. and has urged the council to support it, believes the Hoboken development is a matter of pride with the P.A.

"This is the most attractive site on the waterfront, and this project could be the most publicized, well-thought out development on the coastline," he said. "I think they want to prove they can do it."

The P.A.'s official position, according to its spokesmen, is

that the authority made a commitment to the governors of New Jersey and New York, it budgeted for the projects and it intends to keep its word.

But privately, Berger and other executives have doubts about the project, sources said. "If Berger had his way, the P.A. wouldn't be involved in any real estate development projects," according to a high-ranking P.A. source.

The Hoboken development was first conceived in the early 1980s by Berger's predecessor, Peter Goldmark, and then-P.A. Chairman Alan Sagner.

The authority had been a presence on the Hoboken piers since 1982, when it entered a 50-year lease with the federal government to run a marine shipping terminal, but the shipping industry was dead and the piers were sitting idle.

Sagner and Goldmark realized the potential of the site and proposed the Hudson Center plan to then-Mayor Steve Cappelletto. They were instrumental in convincing the federal government to return the piers to Hoboken, and they lobbied the New York and New Jersey legislatures to pass laws that would allow the authority to undertake profit-making waterfront development projects in Hoboken and Hunters Point, Queens.

But negotiations with Hoboken on the development agreement dragged on as the city administration changed three times in a three-year span. Meanwhile, land acquisition at Hunters Point was causing similar frustrations.

When Berger became the executive director in 1987, it was clear he didn't share Goldmark's vision of the P.A. as a "world-class developer." He stressed in every interview that the business of the P.A. was transportation—not development.

Berger has never publicly criticized the Hoboken development. But Philip Kaltenbacher, who replaced Sagner as commissioner, told The New York Times in October 1987 that the project would never be built because of irreconcilable differences between the city and the P.A.

"We're probably second only to the bubonic plague in terms of how some people in Hoboken view us," Kaltenbacher said.

LaRocco never gave up hope on the Hoboken project, however. He continued to work quietly behind the scenes. He lobbied politicians and community activists and continually pushed for an agreement at the negotiating table.

"Each and every project has its own life-cycle," LaRocco told The Jersey Journal in January 1987. "Every project finds its own time and rhythm based on environmental, political, social, financial and market considerations."

Both LaRocco and Pasculli believe that the Hoboken development's time has finally arrived. The City Council's vote Wednesday and the P.A. commissioners' vote on Dec. 14 will show if they're right.

P.A. project called 'a matter of pride'

By Jim DeRogatis

12/4/89

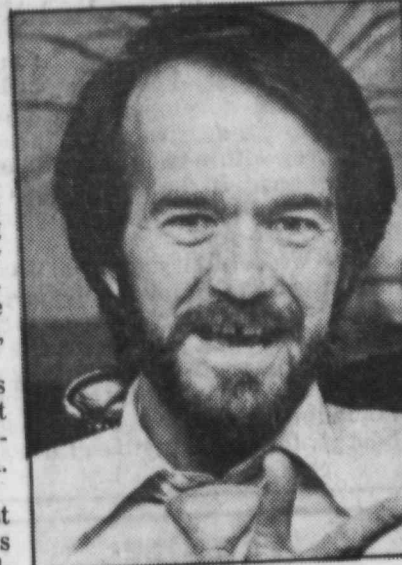
As the debate continues over the merits of the Hoboken waterfront development, a major question remains: what's in it for the Port Authority?

The bi-state agency is in the business of building bridges and tunnels, not luxury condominiums. But the P.A. has aggressively pursued the Hoboken project for 10 years, despite numerous setbacks.

At stake is a top executive's pride and the prestige that building a "world-class development" would bring, P.A. sources said.

Some P.A. executives lost faith in the development years ago, the sources said. But Philip LaRocco, director of world trade and economic development, refused to let the project die.

When the project was first introduced in the early '80s, P.A. executives believed it would generate revenue and stimulate economic growth along the waterfront. But the economics of waterfront development have changed considerably.



Philip LaRocco
P.A. development chief

Major projects have sprung up to the north and south while the Hoboken/P.A. project stayed on the drawing board. Critics of the joint development point to the glut of empty office space and luxury condominiums and question whether

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Probe focusing on Badaracco

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agent heading the probe. The agency is looking into the relationship between Badaracco and 1067 Electric, a contracting firm he controlled, as well as audits of thrift loans, he said.

Badaracco resigned as president of Elysian in September, 1987, following a routine audit by the Federal Home Loan Bank Board, now the Office of Thrift Supervision.

According to sworn affidavits filed last week by former Elysian directors, Badaracco resigned on orders of the FHLBB due to bank overdrafts involving 1067 Electric and another contractor.

The directors, Badaracco and other Elysian officials are targets of federal court suits by Belfiore and other developers claiming the thrift and Badaracco's contracting firm conspired to undermine their projects.

George Hernandez, OTS agent managing Elysian, would not comment but said OTS, along with the Federal Deposit Insurance Corp., normally cooperates with the FBI in investigations of failed S&Ls.

Belfiore claims he has been unable to obtain audits of his project as well as other loan documentation from Elysian under Badaracco or Rochester Consulting Associates, a New York thrift consultant hired to

run Elysian in late 1987.

The federal probe apparently centers on overdrafts on accounts of 1067 Electric and Donald Lynch of Jersey Electric Co., Jersey City. Badaracco, 57, who lives in Fort Lee, has an unlisted phone and was unavailable for comment.

Badaracco owes Lynch \$350,000 on a promissory note, according to records provided by the banker when he filed for personal bankruptcy in U.S. Bankruptcy Court in Newark in March, 1988.

He has not been charged with any wrongdoing. Badaracco has often been described as a hard-nosed but free-wheeling manager by his associates. He took over the helm of Elysian in 1987 when it had assets of \$1 million. When he resigned, assets were \$286 million.

After numerous federal and private audits, over-inflated assets and real estate were brought back to true value. Elysian now has a negative net worth and assets of \$148 million.

Badaracco and his father, Ernest Sr., were principals of the insolvent Badaracco Brothers & Co., an electrical contracting firm. His wife was a controlling partner in 1067 Electric, which was named after the address of the couple's home in Fort Lee.



A car from Northeastern Analytical Corp. is parked behind Hoboken High School yesterday as company employees remove asbestos debris from inside the building.

Safety measure

School to stay closed

Hoboken High asbestos removal continues

By EDWARD K. SHANAHAN

The Hudson Dispatch

HOBOKEN — Hoboken High School will be closed for a second consecutive day today as a safety measure after tiles containing asbestos fell from a third-floor ceiling, school officials said.

Parents of students said yesterday they were upset about the possibility of dangerous conditions and were shocked because they were not directly notified about what administrators are doing to address the problem.

"The whole community is shook up about this. We're uninformed about the asbestos problem at the high school," said the parent of a ninth-grade student, asking to remain anonymous. "We want to know if it's safe for us to send our kids into that building."

Assistant Schools Superintendent Francis McGorty said the school principal, Charles Tortorella, called the students together Tuesday to tell them why they were being sent home and to relay the message to their parents.

McGorty said Tortorella planned to hold a public forum Wednesday night at the high school to address parents' concerns about the asbestos problem.

McGorty said three ceiling tiles had fallen to the ground in a third-floor hallway at 8:30 p.m. Tuesday and were immediately discovered by school custodians.

McGorty said the third floor was closed to students Wednesday morning, and the school was closed at 1 p.m. after the company hired by the city to study the asbestos problem in district buildings, Northeastern Analytical Corp. of Evesham, Burlington County, told school officials state law required them to close the building.

"Right now, Northeastern Analytical is in the process of doing cleanup, removal and the most sophisticated type of air quality testing in the area where the tiles fell," McGorty said yesterday.

"We are scheduled to give the SAT tests in the high school on Saturday (tomorrow) and reopen for classes on Monday," he said.

School Business Administrator Anthony Curko said in addition to the tiles in the hallway, the company will clean up asbestos debris in a third-floor classroom.

Curko estimated the cost of the emergency work would be close to \$3,000 and the cost for asbestos removal in all district facilities would be about \$1.8 million.

FBI resumes probe of Elysian Savings

By Bill Campbell

12/6/89

The FBI has resumed its probe into Elysian Federal Savings Bank in Hoboken, focusing on the role of its flamboyant former chief executive and the electrical contracting firm he headed.

A source cooperating with the probe said the FBI may subpoena former Elysian executives next week to obtain internal audits and other inter-

nal documents. A spokesman in the Newark FBI office would neither confirm nor deny the investigation into Elysian, which was seized by federal thrift regulators in February, or of its former president, Ernest Badaracco Jr.

However, Perry Belfiore, a local developer who had a project funded by the thrift, said he met Monday with the FBI

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Priest helps gays connect to church

By EDWARD K. SHANAHAN
The Hudson Dispatch

HOBOKEN — An Episcopal ministry dedicated to the spiritual needs of members of the area's gay community is doing well, according to the clergyman who runs the outreach program.

"Things are going fine, and I'm busier than ever. I thought I would be," said the Rev. Robert Williams, openly gay and the lone staff member of the Oasis.

The Oasis, whose offices are on the third floor of All Saints Episcopal Church on Washington Street, was started by the Episcopal Diocese of Newark in June "to try and integrate lesbian and gay people into the existing parishes of the church," according to Williams.

"It's still early in the life of the program, but Williams and the Oasis are doing what they set out to do and we're pleased with his work," said Archdeacon Leslie Smith, diocese spokesman.

Williams said, "Many members of the gay community gave up on organized religion, but now a lot of them are working more actively on their spirituality."

He attributes this in part to the AIDS crisis, which has hit the gay community hardest.

"The Episcopal Church has never been that good in the past at reaching out to bring people, gay or straight, into the fold and the Oasis is a step in that direction."

"This diocese is probably the most progressive in

the country on gay issues, and head and shoulders above even those in New York and San Francisco," Williams said.

Williams credits the diocese's liberal policies to Bishop John S. Spong, who encouraged him to join the diocese and start the ministry.

In announcing the creation of the Oasis, Spong said, "We are committed to inclusiveness as a mark of Christianity, not only for the lesbian and gay community, but for everyone."

Williams describes his duties in terms of three main functions that help create a better understanding between gay and straight Episcopalians.

"First, there's the Oasis itself," he said. "Second, I'm on the staff at this church, where I deliver regular sermons and function as an openly gay priest in a parish which is pretty straight."

"And finally, because I'm an ordained gay person, I get a lot of calls from members of the gay community who are in need of a priest for counseling or hospital visitation."

Williams also accepts invitations to deliver guest sermons at parishes throughout the diocese, which he follows with informal talks designed to establish more dialogue between gay and straight members of the church.

The 33-year-old Texas native, who is currently a deacon and is scheduled to be ordained as a priest by Spong on Dec. 16, said the Oasis is an unusual church program.

"If I were to leave, the diocese would probably get a hundred applications to fill my position," he said.



The Rev. Robert Williams of the Oasis in Hoboken looks through a stained-glass window of All Saints Episcopal Church.
DON SMITH THE HUDSON DISPATCH

High school closed by asbestos threat

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Signs were posted on all entrances to the high school telling students that it is closed at least until Monday.

The two missed days will be made up in January and March, McGorty said.

Some students said they welcomed the four-day weekend while others said they were concerned that they were being denied a quality education.

"I hope they get it out fast and get us back in quick so we get an education," said Javier Nieves, a sophomore, while hanging out on Washington Street.

"If the school is closed, everyone's mind is going to close down and we're all going to be stupid," Nieves said.

Students say they believe the asbestos files are more dangerous than school administrators claim.

"I'm worried that asbestos is flying all over the place," said Abel Esquivel, a junior.

"Most of the kids I know say they think the asbestos is going

to affect them," Esquivel said. "I'm scared about a tile falling and hitting me on the head," said Robert Ramos, a senior.

"In all the classrooms tiles are hanging down," Ramos said.

Hoboken High School, which was completed in 1962, is riddled with asbestos in tiles, pipe insulation, fire doors and other areas.

The district estimates it will cost between \$1.5 million and \$1.8 million to remove all of the carcinogen.

Eight other school buildings, including the district offices, have some asbestos contamination, according to district records.

Officials said they are reaching out for state and federal aid for the asbestos abatement.

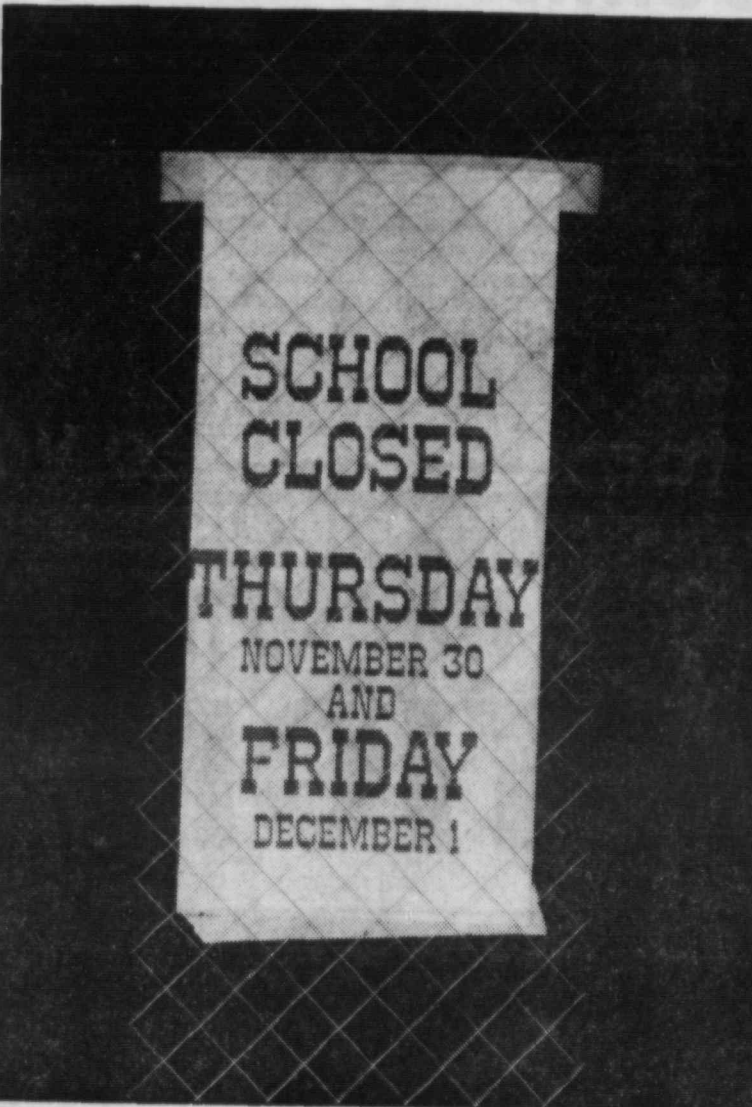
"We're really trying to get through the school year," McGorty said.

"The problem is so vast and comprehensive that we could be confronted with this happening again," he said.

While officials said they were confident the school will be reopened Monday, they were developing a plan to teach high school students if the building can't reopen shortly.

"We're of the belief that the school will reopen by Monday," McGorty said.

"In fact, the kids will take the SAT (Scholastic Aptitude Test) in that building on Saturday," he said.



This sign was posted on the door of Hoboken High School yesterday after tiles containing asbestos fell from the ceiling.
Journal photo by M. Kathleen Kelly

High school closed by asbestos threat

By Dan Rosenfeld

Hoboken High School was shut down yesterday and may remain closed indefinitely because of falling asbestos ceiling tiles, school officials said.

Air samples were taken yesterday and based on those test results school officials will know early this morning if they can reopen the school Monday.

In June several tiles fell, but the school quickly reopened for summer school.

School officials stressed that the closing had nothing to do with air quality tests.

All previous tests concluded that students, teachers and staff were in no danger from the asbestos.

Asbestos, a carcinogen, was widely used in school construction during the 1950s and 60s because of its flame-retardant properties.

Three asbestos-laden tiles fell from the third-floor ceiling Tuesday night putting the number of fallen foot-square tiles over 25.

Officials learned Wednesday that federal environmental regulations require a building

to close temporarily when more than 25 square feet of asbestos tile falls, said Anthony Curko, district business administrator.

"We immediately sealed off the third floor on Tuesday," said Frank McGorty, assistant superintendent.

"When the consultant came in, we were told that we had no choice but to close the school," McGorty said.

The school system's consultant, Northeastern Analytical of Marlton, was in the building performing tests while workers removed the three tiles and other tiles that appeared ready to fall.

"As soon as the kids are done for the school year, we'll go in and remove all the tiles," McGorty said.

"During Christmas recess we'll do further removal. Our objective is to disturb their education as little as possible," he said.

Board of Education headquarters was flooded with calls from concerned parents, officials said.

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Principal's plea, plus warning detour Hoboken school walkout

By Dan Rosenfeld

Hoboken High School administration quashed a student walkout over the building's asbestos contamination yesterday less than 24 hours before the school's state championship football game against Passaic.

During morning classes students passed the word of a seventh period walk-out to protest the presence of toxins in the school which has been closed twice within the past six months because of falling asbestos tiles.

School administration learned of the walk-out by 11 a.m. and principal Charles Tortorella went on the public address system to head off the protest.

"I issued the students a challenge," Tortorella said. "I told them to come and talk to me before they made a decision. I got on the PA system and talked about personal pride and responsibility. I questioned their timing with the state championship game tomorrow. I told them it was a slap in the face to the school,

the band, the cheerleaders and the football team."

Students said that Tortorella's comments and threats were the main reason no students walked out at the start of seventh period. Dozens of students had congregated around the school during sixth period, but Dean Edward Radigan and football coach Edward Stinson quickly had them back inside.

"Mr. Tortorella has had no answers for us or the parents," said Raquel Melendez, secretary of the senior class, while standing across the street from the school. "A room we were in, 220, was closed for two days because of asbestos and now we're back in."

Several students said Tortorella was using the football team as a method to work on their guilt feelings to get them to staying in the building. Tortorella told the students over the public address system that severe disciplinary action would be taken on any student who walked out.

The school was closed Nov. 30 and Dec. 1 and in June because of falling tiles.

School officials said they

share the concern of the students, but removal of the carcinogen remains \$1.8 million and months away.

Air quality tests taken by North Eastern Analytical, the district's environmental consultant, contend that asbestos levels at present are of no danger to teachers, staff and students.

While workers will remove asbestos during Christmas recess a complete cleanup isn't scheduled until the summer.

"They have money for new cars and for the football team then they have money to clean up the school," said Ruben Rivera, a student.

Other students said that school administration should spend less time worrying about football and more time improving education.

"Whether or not we win or lose the (state championship) game the asbestos isn't going to get out," said another student, who requested anonymity.

"There're rooms that keep getting locked and they talk about football."

Councilmen say city is losing out

Newman, Della Fave say P.A. gets cut rate

By Jim DeRogatis and Dan Rosenfeld

Two Hoboken councilmen charged yesterday that the Port Authority may be giving Hoboken only half of what its waterfront is worth.

The appraisers hired by the city, G.A. Partners, valued the P.A.'s development deal at \$35 million, according to Councilmen Thomas Newman and Joseph Della Fave.

But the city tax assessor valued the land at \$64 million — \$29 million less than what the P.A. is paying Hoboken, the

council members said. The question of just how much the piers are worth is one of several raised by the councilmen.

Newman and Della Fave said they do not oppose the joint P.A./Hoboken development, but they have not been given enough time to study the complicated development agreement and are not convinced that the city is getting the best deal possible.

The council is scheduled to begin a public hearing on the P.A. deal at its regular meeting at 7 p.m. tomorrow in City Hall, and continue it at a special

meeting at 6 p.m. Thursday.

Mayor Patrick Pasculi presented the agreement to the council last week and asked that it waive the standard 30-day public hearing, prompting Newman and Della Fave to charge that the agreement was being "railroaded" through the council.

Pasculi refuted the councilmen's claim. "We took the position last year before a final agreement was made to get a second financial opinion," Pasculi said. "Newman supported

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Hoboken councilmen charge P.A. is getting cut-rate deal

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that decision and we hired a most prestigious company, J.A. Partners, a subsidiary of Arthur Andersen. From what I understand, the report came back favorable to the city and now Newman is questioning it. So it seems whether the city gets a second opinion, a third opinion or a dozen opinions, Councilman Newman simply will not be satisfied."

Della Fave also charged, at a council caucus last night, that the city scheduled Thursday's special meeting on the P.A. plan solely to make a possible vote legal. If a vote were held tomorrow, as was originally scheduled, it would have been illegal because only nine days would have passed since the resolution on the plan was introduced on Nov. 27, Della Fave said. The law says 10 days must pass between first reading and final adoption, he said.

But City Law Director Eugene O'Connell said the Thursday meeting was scheduled to allow the public and the council more time to comment on the resolution than they would have had if it had been included among other items in tomorrow's regular agenda.

The vote will be one of the most important ever made by the Hoboken council. It will

allow the P.A. to attract developers who will build a large mixed-use development on the city-owned waterfront.

The P.A. will spend \$41 million for infrastructure improvements and \$30 million in rental payments to the city.

But Della Fave and Newman explained at the caucus that they thought the wording of the agreement could force the city to pay for some of the infrastructure.

"This is definitely the type of thing that we should have had more than nine days to research and explore," Della Fave said. "These documents should have been available to the council and the public so they could make the best possible decision."

Pasculi defended the 30-day request last week. "I didn't think it was necessary to have the 30 days because this administration has already received far more public input on this project than any previous administration," he said.

The mayor said the council had several briefings by the city's chief negotiators and Newman was present at each briefing and updating. Pasculi said the consultants for the project will be available at tomorrow's meeting.

But Newman said the city still doesn't have a clear idea what its property is worth. G.A. Partners only appraised the value of the deal the P.A. is offering the city, not the market value of the piers, he said.

Newman and Della Fave said the city should have obtained a real appraisal of its waterfront and solicited offers from other developers so that it could be certain that the P.A. is providing the best deal.

"There is a huge contradiction here," Newman said. "If the waterfront is worth \$64 million, and the P.A. deal is only worth \$35 million, that's nuts."

Another major problem, according to the councilmen, is that the development agreement allows the P.A. to break its lease with the city if Hoboken does not meet its obligations, but it doesn't give Hoboken the same right.

"A basic right that any landlord has is the right to evict a tenant if he doesn't live up to the lease," Newman said. "We don't have that right."

But Pasculi said the city has much better protection under the current agreement than it had under a 1962 agreement that gave the P.A. use of their piers for 50 years with a 50-year option.

"Further, under this agreement the property will return to the city if nothing is done with the land," Pasculi said.

Della Fave said his biggest objection is that the council doesn't know whether a private

developer could have beaten the P.A. deal. "We're being asked to make this decision without knowing whether the competition could match or surpass the P.A.'s deal," he said.

At least one major Hudson County developer is convinced that Hoboken is not getting a good deal.

A top executive with one of the largest developers in the state said the Hoboken waterfront development agreement is burdened with too much upfront debt ever to be a money maker.

The project will also be hurt by a law which restricts the P.A. from marketing office space in the development to New York tenants, he said.

"New York City is the only market for the Hudson River waterfront," the executive said. "And with the P.A., the only area to find tenants will be excluded."

Several developers, including Harz Mountain Industries, approached Pasculi with interest in the waterfront project. Those developers won't deal with the Port Authority because of the added cost and the New York tenant restriction, the executive said.

"I can't imagine anyone who would knowingly come and develop that project," he said. "The \$71 million will make it tough to compete economically and no New York tenants will make it almost impossible."

Pasculi said New York tenants will be eligible to rent space on the piers because the P.A. is not the developer.

"Our agreement does not stop P.A. from seeking tenants from the metropolitan area," Pasculi said. "The P.A. is our infrastructure developer and financial partner. They will not be the developer."

Pasculi said the arrangement will allow the city to "reap the benefits of a substantial public investment in its property so we can leverage private investment dollars. I think that is what was missing from area other development in the city's north and south developments."

Pasculi said the P.A. will be prohibited from soliciting New York City tenants only if a developer cannot be found and the P.A. must itself build and own the buildings.

"Actually, the P.A. would probably be the best partner to have under those conditions," Pasculi said, "because they are committed to build 500,000 square feet of commercial space if a private developer cannot be found."

Journal reporters Earl Morgan and Dominick Calicchio contributed to this article.

Hoboken OKs P.A. deal

Continued from Page 1

to Hoboken. Without a tenant waiting for the space, it is unlikely a developer would build on the waterfront, real estate executives said.

"We lost a golden opportunity when we didn't go out for RFPs (request for proposals)," Della Fave said. "The competitive process would have brought the market to bear on them."

"New York is the only market for this development," said one real estate executive. "The P.A. is the worst possible developer for this project because they can't compete in the only market."

This deal apparently marks the end of three decades of feuding between the P.A. and Hoboken over the defunct

piers. Suits and countersuits have been filed over the piers with the city finally winning a \$10 million settlement from the P.A.

While the P.A. can escape from the lease if the city fails to deliver certain services like sewerage, the city would have to go to sue the P.A. to break the agreement if the development stagnates.

For the past two decades, the decaying piers have sat dormant.

"The last 18 years we have had no activity on the waterfront. It has led to increased costs for all the taxpayers of Hoboken," said Councilman Richard England.

Early plans call for all nine buildings to be completed by 1997.

Hoboken Council OKs deal with Port Authority

By Dan Rosenfeld

The Hoboken City Council approved a 50-year lease with the Port Authority of New York and New Jersey to develop the city's waterfront last night by a 7-2 vote.

If the council had not approved the lease agreement, the city would have had a \$7 million shortfall in this year's budget. Under the lease, the city will receive \$30 million in up-front payments by 1994 and \$41 million in infrastructure improvements from the P.A.

Initial plans call for the project, which will stretch from the NJ Trans-

sit rail yards to Stevens Institute of Technology campus, to have 3.73 million square feet of residential and commercial space.

The development will have 1,600 luxury residential units and a 14.5-acre marina, but no low- or moderate-income housing. Residents, religious leaders and housing groups criticized the project's lack of affordable housing, contending the development will segment the city into rich and poor ghettos.

Councilman Joseph Della Fave has criticized the lease with the P.A. because the city did not solicit offers from other developers. Mayor Pat-

rick Pasculi, the chief proponent of the lease, wanted to deal with the public P.A. authority over a private firm because of added safeguards against potential legal impropriety, City Hall sources said.

The passage of the lease agreement is a major victory for Pasculi, who defeated Della Fave in this year's mayoral election. "It proves that the city and government can speak with one voice," Pasculi said after signing and notarizing the ordinance. "That's what the previous administrations were lacking."

Environmental groups are considering challenging the agreement

in court because it violates city ordinances. They contend that Pasculi's ramming the lease through the council in 10 days instead of the usual 30 days denied the public a full opportunity to review the contract and mount an opposition.

High-level executives for large New Jersey development firms said their companies could beat the P.A. deal. Real estate experts said the property is the leading undeveloped track on the Hudson County gold coast because of its proximity to NJ Transit, PATH trains and the Hoboken-Battery Park City ferry. The city tax assessor listed the property at

\$64 million, but city officials say the undeveloped land is worth less than \$20 million.

After 1994, money the city hopes to receive from the project hinges on its economic viability. While the P.A. will pay no taxes to the city, the project's subcontractor will be required to pay at least \$13 million a year to the city after 1997.

But critics of the project and real estate officials said the P.A. will have difficulty finding a developer. P.A. regulations forbid the bistate agency from wooing a New York firm

See HOBOKEN — Page 13.

Hoboken gives nod to P.A. deal

By EDWARD K. SHANAHAN
The Hudson Dispatch

HOBOKEN — The city took a dramatic and long-anticipated step into the future last night when the City Council approved an ordinance to enter into a partnership with the Port Authority to redevelop a portion of the Hudson River waterfront.

After the vote was taken, Mayor Patrick Pasculli, the driving force be-

hind the agreement, said, "It's a great relief that it's finally over and that we've put into place an important mechanism to develop the waterfront for the good of the entire public."

At its special meeting last night, the council also approved a resolution designed to show the administration's commitment to build affordable housing in the city, which critics contend is lacking in the face of the Port Authority of New York and New Jersey deal.

After a brief hearing, which was dominated by supporters of the proposed agreement, each council member gave a statement explaining his position on the deal before the final vote was taken.

Before casting his vote, Councilman David Roberts, a vocal supporter of the deal, said the vote was "a heavyweight decision, and I think we should take

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In Your Opinion

Waterfront deal good for Hoboken

On Monday, November 27, 1989, I submitted to the City Council a completed Public Alliance Agreement between the City of Hoboken and the Port Authority of New York and New Jersey. This document represents literally hundreds of hours of negotiations and preparation. It is an agreement which structures a partnership to develop our spectacular waterfront property.

After years of false starts, broken promises and unrealistic expectations, we finally have an opportunity to take advantage of one of our most valuable assets. I have made sure that the interests of the city are well protected while ensuring us enormous benefits.

Although reality dictates that no partnership is perfect, I believe that this agreement represents a give and take that reflects the needs of both parties.

Although my critics have referred to the process I have used as "railroading" in reality it has taken a year and six months to come to fruition. Throughout that time there have been dozens of public hearings, two mayoral and council elections where the opposing sides made their agenda for the waterfront a significant campaign issue, and several closed sessions of the council to brief them on our progress along the way. Hardly a railroading process.

When I took office, I offered the Port Authority a "window of opportunity" for negotiating a partnership that had set a timeline. I made it clear to the public, the council, and the Port Authority that if satisfactory terms couldn't be reached by December of this year, I would terminate all discussions. I met that goal.

Last May, when the City Council approved the Principles of Agreement and the public overwhelmingly endorsed my waterfront plan by re-electing me, I felt comfortable with anticipating \$7 million in revenue from the Port Authority in the City's budget. However, at the same time, I also authorized a mechanism be established to replace those funds should the negotiations break down.

The City Council has never been in the position of being railroaded into accepting an agreement which does not have overwhelming benefits for the City.

The Public Alliance Agreement which I bring before you and the City Council provides the City with \$30 million in fixed payments over the next five years; a minimum of \$41

HOBOKEN

CONTINUED FROM PAGE 1

this opportunity to move our city forward."

The final tally was 7-2 in favor of the agreement, with Councilmen Thomas Newman and Joseph Della Fave dissenting.

Della Fave and Newman said they were disappointed to see the deal approved, but both also said they will do what they can to make it work.

The agreement calls for the city to lease 32 acres on its southern waterfront, bounded by the New Jersey Transit train terminal to the south and Stevens Institute of Technology to the north, to the authority for 50 years.

The authority will invest \$41 million in site preparation and then seek private developers to build 3.5 million square feet of residential and office space, according to the agreement.

The city will receive \$30 million in rental payments during the next five years, including an immediate \$7 million payment that already has been figured in this year's municipal budget.

The agreement now goes to the authority's Board of Commissioners, which is expected to consider it Thursday at its last scheduled meeting of the year.

City Law Director Eugene O'Connell said the affordable housing resolution was put together to make sure money from the project, which does not include provisions for on-site affordable housing, would be used to build 240 units of low- and moderate-income housing by 1999.

million in infrastructure improvements; acres of parks and open public spaces; thousands of jobs; a job training program for our citizens; millions of dollars in tax revenue over the term of the agreement; strict building design and open space guidelines and a share of the project's gross revenue stream. And it mandates performance deadlines and standards for the Port Authority.

In addition, the agreement and plan design was arrived at by a battery of waterfront experts working with the Mayor's Planning and Negotiating Team of private citizens, administrative staff and Council members. That team has included experts such as: two financial/real estate firms, two urban design firms, traffic consultants, lawyers, professional negotiators, engineers and architects.

I am confident that the Agreement before you represents the best possible terms the City could hope to achieve with any public, or private partner.

MAYOR PATRICK PASCULLI

Hoboken Mayor

In Your Opinion

Deadline time in Hoboken

Under extraordinary time pressure, the Hoboken City Council is being asked to approve a contract with the Port Authority for waterfront development. The prospects presented for ultimate financial gain to the city seem highly optimistic. Concerns by some critics that a private agency might develop more quickly and efficiently than the bi-state Port Authority are genuine.

Despite these factors, a vote by the council in favor of the contract seems an intelligent response to the needs of the taxpayers, the immediate financial stability of the city and the mandate of the voters.

Hoboken city government, under a complicated lease agreement, would get millions of P.A. dollars that have already been anticipated in the 1989 budget. You can take issue with the anticipation of these funds in that budget, but at this point delaying the vote on the contract beyond the 1989 calendar year could hurt the city fiscally.

The agreement also provides considerable transfusions of cash to the city in the years to come. The P.A. would build a park and provide infrastructure for private housing and commercial development on the city's southern waterfront.

The final agreement is being presented to the council, but with less time than usual for the council to study the measure. Mayor Patrick Pasculli contends that the illness of a Port Authority lawyer during the negotiations delayed the final agreement to this point. For such an important project, that's very unfortunate. But it shouldn't be fatal — the overall scope of the project was announced months ago.

The decisive argument in favor of this agreement is what happened in the 1989 municipal election. There was a referendum to halt development of the southern waterfront. It lost. Pasculli made waterfront development a central mayoral campaign theme and announced he was working out an agreement with the P.A. He won. Those expressions of voter support should be respected.

HOBOKEN

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First and Fourth streets along the Hudson River.

She said this agreement began with the Principles of Agreement signed by the city and the bi-state agency in May and is "substantially consistent with them, though some of the terms are a little different."

She pointed out one of the key

differences was that the authority is now obligated to invest "a minimum of \$41 million in the infrastructure of the site." She added the final deal would give the city a \$3 million lease payment in September without the conditions originally set forth in the Principles of Agreement.

Councilman Joseph Della

Fave, an outspoken opponent of the plan, said it was his understanding that the Principles of Agreement called for the authority to invest \$52 million in the infrastructure and therefore "the city has lost \$11 million." Della Fave also complained about a lack of time to review the agreement and said, "We've already come up with a few places where it needs to be tightened up." He did not specify what these changes were.

Later in the meeting, Robert Moore, who identified himself as a taxpayer, said, "Let's stop debating and get moving on this waterfront."

Joseph File, Hudson County Chamber of Commerce vice president, also addressed the council. He said the chamber "was in total support of the agreement and pleased that the waterfront project is finally coming to fruition."

Ira Karasick, a lawyer who works with the Hoboken Campaign for Housing Justice, said that "without malice yet angered by the betrayal of the poor and middle class of Hoboken, the Campaign for Housing Justice urges that the ordinance authorizing the agreement be defeated."

Anne Babineau, chief negotiator for the city in its talks with the authority, said Hoboken was committed to building affordable housing as part of the project and said the agreement does provide for such housing to be built.

The hearing began with Babineau explaining the agreement, which would call for construction of 3.2 million square feet of residential and commercial space between

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out there that are concerned about this project," Tumpson said.

He added that group members are still unsure what action they might take to try to stop the agreement, but said, "If we do something, it won't come until after the council has approved the plan."

Pasculli said he is anxious to see the council approve the deal no later than next Wednesday, the day before the year's last scheduled meeting of the Port Authority of New York and New Jersey's Board of Commissioners.

Pasculli said yesterday, "If any of the council members had sug-

gestions about changes they felt might be needed in the agreement, Monday night's caucus session would have been the time to bring them up."

The council members asked some questions about the deal, but no one, including Tom Newman and Joe Della Fave, offered any changes they would like to see," Pasculli said.

Meanwhile, Newman and Della Fave said they remain opposed to the agreement, which they maintain provides the city with some obvious immediate benefits, but some potentially long-term problems.

"Under this agreement, the city has no rights, only obligations," Della Fave said. "The Port Authority has opportunities to get out of the agreement if the city doesn't perform in certain ways, but the city doesn't have the same opportunities."

Newman took issue with a financial analysis of the deal

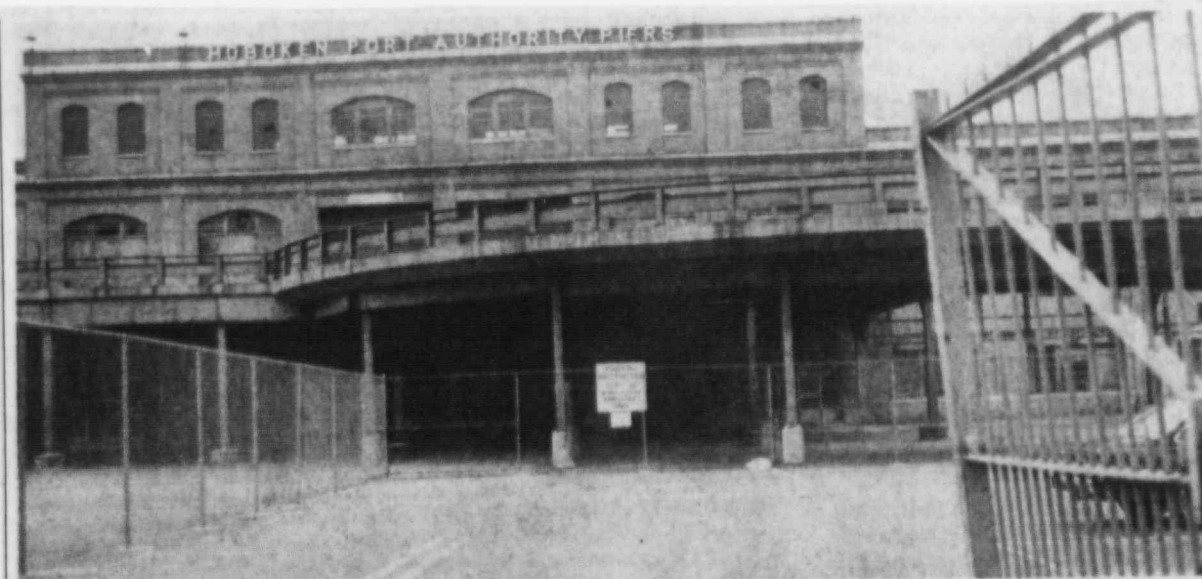
provided to the city by G.A. Partners, a subsidiary of the New York accounting firm of Arthur Andersen & Co.

Newman said, "G.A. Partners said the P.A. deal is worth \$35 million to the city, but they didn't give us a real financial appraisal of what (that) waterfront property is worth."

Newman added that the city tax assessor valued the land at \$64 million when it was appraised in conjunction with a blight study of the area in October.

"This difference between \$64 million and \$35 million is a big one that needs more explanation than we've gotten," Newman said.

City Business Administrator Edwin J. Chius said the assessor's appraisal was inflated because values were given to buildings on the waterfront that will be demolished to make way for the authority project.



Abandoned Port Authority of New York and New Jersey piers in Hoboken would be part of a waterfront redevelopment plan the city and authority are considered likely to approve.

DON MCCOY THE HUDSON DISPATCH

Riverfront development

Hoboken giving public one shot at P.A. proposal

By EDWARD K. SHANAHAN
The Hudson Dispatch

HOBOKEN — The temperature is expected to rise a few degrees in City Hall tonight as the public gets its only chance to address the City Council about the proposed final agreement between the city and the Port Authority to redevelop a portion of the Hudson River waterfront.

Mayor Patrick Pasculli, the driving force behind the deal, said yesterday he is convinced it is the best one the city could have

made for the property and he believes the council will approve it when a final vote is taken at a special meeting scheduled for 6 p.m. tomorrow.

Residents who back the agreement are expected to show up in force for the council meeting to voice their support for the mayor's plans to approve the agreement as soon as possible.

Opponents of the project were distributing fliers yesterday outside the PATH station here, urging residents to attend the meeting and protest the deal for



PATRICK PASCULLI
Believes it's best possible deal

the southern portion of the waterfront.

Don Tumpson, a Save Hoboken from Over Development member, said last night that his group was not responsible for the fliers, but said he and other members also will be at the meeting.

"I think there are a lot of people

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Challenge likely

Hoboken fears police contract Pact would cut men on beat

By ROBERT HENNELLY
The Hudson Dispatch

HOBOKEN — A controversial state-arbitrated contract with the city Police Department could cut the number of men on patrol, city officials said yesterday.

Business Administrator Edwin J. Chius said the city may challenge the proposed contract that would put police on a five-days-on, three-days-off cycle.

Officials said that the proposed change from the current schedule, which is five days on and two days off, followed by a cycle of five days on, three days off, would result in 12,000 fewer manhours of police protection.

"We have been trying to emphasize more street presence," Mayor Patrick Pasculli said. Chius said

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CONTRACT

CONTINUED FROM PAGE 1

he is concerned that additional days off would mean increased personnel costs.

A former PBA president, Sgt. Jim Fitzsimmons, said his organization would not comment.

The increase in days off is part of a package approved by an arbitrator for the state Public Employment Relations Commission. The contract includes a 7 percent increase in salary for 1989 and 1990, followed by a 9 percent increase in salary for 1991, a vision-care plan and a \$200 increase in the annual clothing allowance.

"By 1991, that will mean that an officer at the end of his second year will be making \$39,602," Chius said. Chius said that the city has never before appealed a decision reached through PERC arbitration.

"I do not think it is the monetary part so much, but the addition of 18 days off to the 40 vacation days they already have," Chius said.

The city has 83 men in its PBA bargaining unit, and 58 in the Police Superiors Association. The officers and the city reached an

agreement in May that netted the men a 7 percent salary increase for 1989 and 1990, as well as vision care for 1990.

The PBA newsletter said of the agreement, "Most importantly, all of this was won with no give-backs."

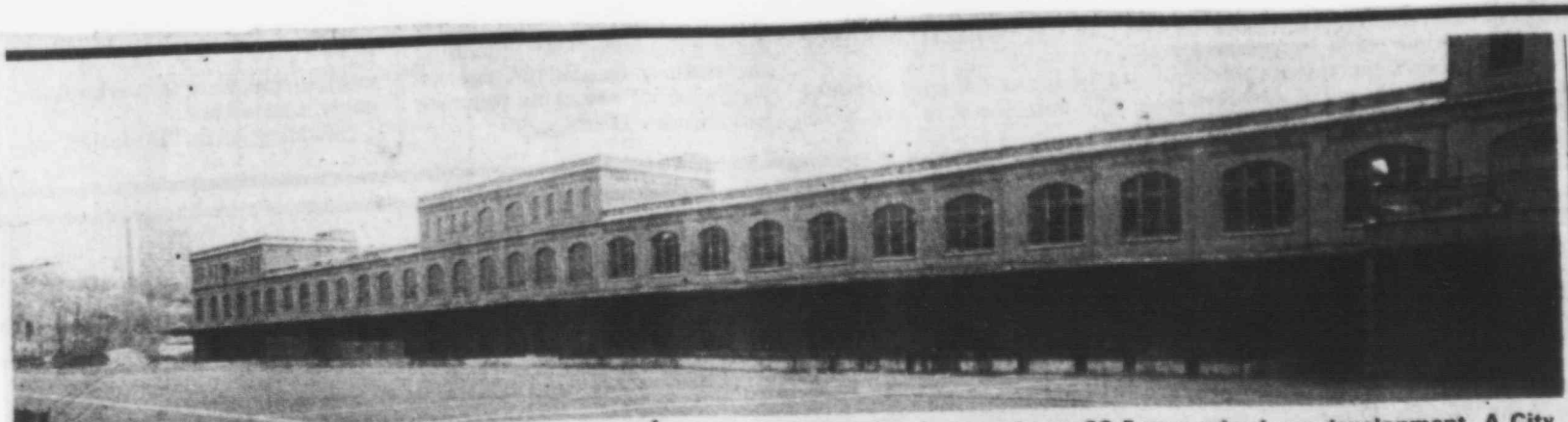
The PBA contract expired in January, went to arbitration in October and the package now on the table was approved by arbitrator Paul Kell Dec. 15.

Pasculli said that drastic cuts in state and federal aid to the city, coupled with a soft real estate market, will make the budget even more austere this year.

"Last year, we lost \$1 million in school aid, \$500,000 in revenue-sharing and \$500,000 in Distressed Cities Aid," Pasculli said. "We are going to either be faced with deficits, drastically increasing taxes or cutting services."

Chius said the city had not received the PERC document although it was supposed to get it three weeks ago.

"I don't think the arbitrator looked at the fact that we are still a distressed city," Pasculli said.



An empty Hudson River pier building lines the edge of River Street in Hoboken, where the city and Port Authority of New York and New Jersey are proposing a 30.5-acre mixed-use development. A City Council vote is expected tonight.

DON SMITH THE HUDSON DISPATCH

Housing at issue

New concerns over Hoboken plan

By EDWARD K. SHANAHAN
The Hudson Dispatch

HOBOKEN — City Council chambers were overflowing last night as residents voiced concerns over the city's proposed agreement to redevelop the southern portion of its Hudson River waterfront in partnership with the Port Authority.

Both supporters and foes of the deal attended the hearing, and one of the main topics of discussion was the agreement's provisions for

affordable housing to be built on the waterfront site.

The council is expected to approve the agreement, which would bring the city an immediate \$7 million payment from the Port Authority of New York and New Jersey, at a special meeting tonight at 6 in City Hall.

Last night, the Rev. Geoffrey Curtis, Hoboken Clergy Coalition president, said, "More affordable housing can and must be built as part of this agreement or it will destroy the fabric of our city."

Parents push school trustees over asbestos

By EDWARD K. SHANAHAN
The Hudson Dispatch

HOBOKEN — Outraged parents jammed last night's Board of Education meeting and raised many questions about the ongoing asbestos problems at Hoboken High School and the board's plans to correct them.

Board members and representatives of the company that has been hired to oversee the district's asbestos management plan tried to calm the fears of parents worried about whether the building is safe for their children.

One immediate step the board took last night to address the problem was to award a \$19,000 contract to the L & C Europa Co. of Garfield for removal of about 2,000 of the ceiling tiles during Christmas break.

Twice in the past two weeks, ceiling tiles have dropped to the floor at the high school, sending asbestos fibers, which have been linked to cancer, into the air.

The most recent incident occurred yesterday when one tile fell after school had closed for the day.

The work to be performed under the L & C contract was described as preventive by Christopher Purvis, a representative of Northeastern Analytical Corp. of Evesham Township in Burlington County, the board's asbestos consultant.

Board President Mario Mercado said the asbestos problem in the city's schools is "monumental and we are not dragging our feet in addressing it."

"It's going to take more time and money than we have right now to take care of the whole problem," Mercado said.

Some parents in the audience last night did not appear to be convinced the board is making the best effort to ensure the safety of students.

Linda Melendez, whose daughter is a senior at the school, said, "It's a mess over there and, even if they do this work at Christmas, I know that more tiles are going to fall before the end of the winter."

On Nov. 28, three tiles fell from a third-floor ceiling, forcing Schools Superintendent Walter Fine to close the school for 2½ days while the area was cleared.

Richard Tarrant, owned early Hoboken bus line

The Hudson Dispatch

FORT LEE — Richard J. Tarrant, whose family settled in Jersey City in the 1790s, owned the first bus transportation line on Washington Street in Hoboken.

Mr. Tarrant, 95, died Tuesday at Dover Christian Nursing Home.

He was born Feb. 10, 1894, in Jersey City. Mr. Tarrant married Adeline Austin in 1920. The couple moved to Ridgefield in 1927 and settled here in 1934. Mrs. Tarrant died in 1987.

Mr. Tarrant, a borough resident, owned the bus company from the early 1900s until serving in the Army during World War I, said his daughter, Doris Tarrant of Fort Lee.

Mr. Tarrant owned the 3200 Club, a bar and restaurant at 3200 Hudson Blvd. in Jersey City for about 15 years in the 1940s, she said. He previously owned

several trucking companies in Hudson County.

He belonged to American Legion Post 40 and Knights of Columbus Alhambra Council, both of Ridgefield Park.

He is also survived by a sister, Julia Murphy of Spring Lakes Heights.

Frank A. Patti and Kenneth Mikatarian Funeral Home here is handling arrangements.

Dec. 6, 1989

Stevens is not trying to stop P.A. project

By James Efstathiou

A highly placed source at Stevens Institute of Technology agrees with Hoboken officials' claims that the college's lawsuit against the city is not intended to kill the recent waterfront development agreement with the Port Authority of New York and New Jersey.

Instead, according to the source, the suit is keyed to forcing the resolution of a zoning dispute between the city and the college.

Stevens filed the suit in Superior Court late last week challenging a newly confirmed agreement between the city and the P.A. providing for development of 70 acres of waterfront property.

Mayor Patrick Pasculli has said from the outset that the suit was an effort by the college to get more favorable treatment for its proposed Technology Pavilion. "I think they're trying to hold some type of trump card on the city," he said.

Stevens attorney James P. Dugan could have been implying the same thing when he said, "We're not interested in frustrating the legitimate development aspirations of the city. We're concerned with having our legitimate aspirations not frustrated and we think that both the city and Stevens can be accommodated."

Zoning changes proposed

See STEVENS — Page 8.

Stevens is not trying to stop P.A. project

Continued from Page 1

for the college's waterfront property would devalue the land and prevent the creation of the Stevens Technology Pavilion, a planned 1-million-square-foot high-tech/business center, college sources said.

Final action on the zoning changes, which would set a 35-foot building height limit along the Stevens waterfront property, is scheduled for the Jan. 17 City Council meeting.

Stevens officials and city planners began discussions of the technology pavilion and the effect on it of the zoning changes last month when the college formally protested the changes.

The college has proposed swapping six or seven acres of its land at the foot of Castle Point for an equal parcel of city-owned waterfront land, according to a college source. The Castle Point parcel could be kept green while Stevens could build its center further south on city property zoned to accommodate 300-foot high structures.

But despite an apparent willingness to entertain options, Stevens officials filed suit last week challenging the Hoboken-P.A. agreement in what the source said was an effort to force the issue.

"This is what we're looking for some type of deal where we can get the value out of our property where we don't hurt Hoboken," said the source. "We'd like them to look with favor on some sort of land swap. That's one possibility. The other is: let us build."

The suit charges the City Council and Planning Board improperly approved the P.A. agreement and rushed it through without time for public comment. Preceding the agreement, the city drafted a redevelopment plan for the area.

"The redevelopment area ended at the Stevens boundary line and provides on one side of the line that the P.A. can build to the height of 33 stories and Stevens could build to the height of three stories and that just doesn't seem to make much sense," said Dugan. "We don't mean to be confrontational with the city. We understand the city's problems. But we have to be concerned with the future of the school."

City officials were surprised by the suit, citing a "spirit of cooperation" over the zoning issue.

"Basically, Stevens came to the city with a concern and we felt that the concern was a legitimate one," said city Law Director Eugene O'Connell.

Residents criticize Hoboken deal with P.A.

By Dan Rosenfeld

A stream of angry Hoboken residents blasted the city's proposed partnership with the Port Authority of New York and New Jersey as a means to develop the waterfront during a city council meeting last night.

As speaker after speaker criticized almost every element of the P.A.-Hoboken lease agreement, the plan's chief proponent, Mayor Patrick Pasculli, sat quietly smiling. Residents said the council has already made up its mind to approve the agreement tomorrow at a 7 p.m. continuation of tonight's meeting.

Councilmen Joseph Della Fave and Thomas Newman have spoken against the proposed agreement and residents said they expect the remaining seven council members to approve the lease.

"There are so many people who are dead set against this deal just because it's with the

P.A.," Kenneth Lenz, a long-time Hoboken resident, said after a 10-minute impassioned speech before the council.

Hoboken and the P.A. have been long-standing rivals with numerous suits and counter-suits being filed. The waterfront piers have been a sticking point between the city and the bi-state agency for more than three decades with the city finally winning a \$10 million settlement from the P.A.

The project, which would stretch from the NJ Transit rail yards to Steves Institute of

Technology campus, proposes 3.73 million square feet of residential and commercial space.

The development would have 1,600 luxury residential units and no low or moderate income housing on site. Opponents objected that the vast majority of city residents could not afford to live in the development.

"I think it's an insult to the people who put you in office," Lenz loudly said to the council. "When it's full we'll lose state

See RESIDENTS — Page 7.

Vandalism probed

Hoboken High shut again

Asbestos tile falls to floor

By EDWARD K. SHANAHAN
The Hudson Dispatch

HOBOKEN — Education officials were forced to close Hoboken High School for the second time in two weeks yesterday after an early morning discovery that another asbestos-laden tile had fallen from a third-floor ceiling.

Schools Superintendent Walter J. Fine said the school would reopen today, but if another tile containing the cancer-linked substance falls before the Christmas vacation, he might be forced to close the building so removal of damaged tiles can begin immediately.

"I want to give the students the best educational program in the safest area as quickly as possible," Fine said. "I can't go on with these interruptions."

Three ceiling tiles fell on Nov. 28, forcing officials to close the school for 2½ days. Fine said those days would be made up later in the year.

He said the Board of Education was still developing a contingency plan for students to make up any more class time that is lost as a result of the asbestos problem.

"I've been informed by the experts we hired to address this

situation that there is no health problem here at the present time," Fine said. "If, in the future, they tell me there is a health problem, I will be forced to close the school and begin removal work as soon as possible."

Asbestos was a popular building material in 1962, when the building was constructed, and has since been linked to cancer.

Yesterday's closing came after a piece of one ceiling tile was discovered on the floor by a teacher and janitor at about 7 a.m. The tile may have been dis-

lodged as a result of vandalism, said board Secretary Anthony Curko.

"If you look at the tile, part of it is still in the ceiling and it's been pushed up, as if someone punched it with a stick or their hand," Curko said.

Curko said the Police Department was investigating whether the tile had been vandalized.

Police said last night their investigation was still in progress.

A representative of Northeastern Analytical Corp. of Evesham, Burlington County,



The Rev. Robert Williams, right, is ordained by Newark Episcopal Bishop John Shelby Spong at Trinity Church of All Saints in Hoboken, despite protests occasioned by Williams' admitted homosexuality.

Legality questioned

Gay priest offers Mass Service follows contested Hoboken ordination

By SEBASTIAN D'ELIA

The Hudson Dispatch

HOBOKEN — A gay priest quietly offered his first Mass yesterday morning, a day after his controversial ordination at an Episcopal church here.

The Rev. Robert Williams, an avowed homosexual, was ordained despite the cries of protesters on Saturday at Trinity Church of All Saints on Washington Street.

During the ordination, two people were permitted

to voice objections and a third, the Rev. Skip Robokoff, Fort Lee Gospel Church pastor, was forced to leave the ceremony by laymen when he stood up and interrupted the ceremony.

Robokoff said he had not been invited to attend the ceremony, but added he felt "compelled to go as a priest" to object.

"It's particularly painful when a church sanctions sin, and that's what this Episcopal Church is doing," Robokoff said. "It was my duty as a minister

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PRIEST

CONTINUED FROM PAGE 3

to do what I did, even at the risk of upsetting some people."

The ceremony went on, however, and Williams, a 34-year-old Texas native, was ordained by Bishop John Shelby Spong of the Newark Diocese.

Williams was unavailable for comment yesterday, since he spent most of the day with his family, according to his live-in companion, James Skelley.

Skelley said he was not surprised by the criticism at Saturday's ordination, but added that all went smoothly during Williams' first Mass yesterday.

"These people can get up and squawk all they want," he said. "I was just a little upset because my children were there."

Skelley's former wife Suzanne and their daughters Victoria and Vanessa also attended the ceremony.

"My daughters seemed to understand what was happening," Skelley said.

The ordination has stirred considerable criticism within Episcopal circles. Critics said Williams' ordination violates a 1979 resolution drafted by the General Convention, which said it is inappropriate for a church to ordain a practicing homosexual.

An Episcopal synod, led by Bishop Clarence Pope of the Fort Worth (Texas) Diocese, said the resolution carries the force of law. Others, including the Rev. George Swanson of Ascension Church in Jersey City, said the resolution is not law.

"Canons are laws, not resolutions," Swanson said. "I think Williams has great courage. He is seeking the call in a way that is difficult for him. But that's the way it is for pioneers. Pioneers aren't always welcome."

Hoboken residents rap deal with P.A.

Continued from Page 1

and federal aid because of the increase in (average) income. We want improvements in our side of town not just down by the river."

Under the agreement the city would receive \$30 million in advanced rent by 1994 and \$41 million in infrastructure improvements from the P.A. The city would receive no tax revenue directly from the P.A., but only from the development's subcontractor once the space is rented out.

Critics said the city will never receive much of the anticipated \$1 billion in revenue by 2040 because the project is unrentable. The P.A. is forbidden from wooing New York firms to the waterfront development because it is a bi-state agency.

The Rev. Paul Hagedorn, pastor of St. Matthews, compared the city to Esau giving away his birthright to Jacob, the P.A., for a pot of stew.

"Hoboken is giving up its birthright for a quick fix in taxes," Hagedorn said. "We are creating an elite enclave and gone will be the birthright of community."

Andrew Szabo, a vice president of Kinder-DeBor, said the council should have solicited proposals from private firms as well as the P.A. In that manner the city would get the most for its land, he said.

Representatives of Hartz Mountain Industries were in

the audience. Real estate executives from prominent development companies have said that their companies could beat the P.A. deal.

Residents questioned why the city was receiving so little for land that is assessed at \$64 million.

Anne Babineau, city council, responded that the land is worth only \$19 million and the \$64 million assessment was taken out of context.

The Hoboken Campaign for Housing Justice and the Hoboken Clergy Coalition urged the council to defeat the plan because it will do little to provide affordable housing. Although the city will set aside more than \$30 million for affordable housing the P.A. will not contribute to the affordable housing fund.

"It's contrary to Hoboken law," said Steven Busch of Save Hoboken from Over Development, holding a copy of an ordinance that requires affordable housing elements in all new projects.

Robert Moore, a 57-year resident, said property owners are growing tired of ever-increasing taxes while the council debates the future of the city's largest asset.

More time has been spent planning, reviewing and studying the waterfront than the invasion of Normandy," Moore told the council. "It's time to stop debating and get off our rear ends."

Mile Square mecca

There was a time when the words "on the waterfront" brought visions of sailors, sleazy bars and Marlon Brando to mind.

That time has long passed in Hoboken. Now "on the waterfront" brings visions of hope for the Mile Square City.

Hoboken and the Port Authority of New York and New Jersey have agreed on a plan that will bring business, housing and park space to the river. The plan, worked out by the administration of Mayor Patrick Pasculli, calls for a 30.5-acre development on what is now mostly abandoned piers.

Under terms of the deal, the city will rent the land to the authority for the next 50 years. In return, the bi-state MR. PASCULLI agency will give the city \$7 million, which is already part of this year's budget. This money comes with no strings attached, as does another \$3 million the city would receive next year.

Hoboken has been promised an additional \$20 million from the authority, but that money is conditional on such elements as state approval for an upgrade of the sewage treatment plant that would allow more sewer hookups.

In addition to these millions, the authority has agreed to pump \$41 million into infrastructure for the site. After that, the authority and the city will split the profits from subleases in the development for the next 30 years at a 75-25 percent ratio. For the following 20 years, the city will receive a 60 percent cut.

THAT'S A lot of money for Hoboken. The authority will also take the responsibility to find a private developer for the site. If the authority cannot find a company to take on the project, it will have to begin construction on a part of the project itself.

Unlikely as that is, if the authority were to build the project, we could be opening a can of worms. On the one hand, that proviso assures that the project will be built, but if the authority builds, it cannot — as a bi-state agency — recruit New York businesses to move to New Jersey. And those are the obvious targets of any Hudson County development. If they were to be excluded, Hoboken would suffer from competition from other areas.

The chances of that happening though are probably slim. Hoboken is in a prime location, and developers should be glad to get their hands on prime waterfront property.

THE PLAN has not been without its adversaries, though. Some people would like to see the entire waterfront turned into one huge park. While that would be ideal, it's simply not practical. One of Hoboken's major attributes is its waterfront and the accompanying view of Manhattan. It would be unrealistic to expect the city not to play its trump card.

But there are parts of the deal that are open to question.

It seems premature for the city to have spent the \$7 million it was to receive from the authority months before any papers were signed. That move helped keep taxes down, but it did so artificially and no doubt placed added pressure on the council to swiftly approve the package.

But even with those reservations, this project holds much promise for the future of Hoboken — as well as Hudson County — as both a residential and business mecca.

Police will patrol Hoboken High

Off-duty police officers will patrol Hoboken High School for the next week in an effort to stop vandalism to ceiling tiles which has caused the school to close twice in the last two weeks, school officials said.

Through an agreement between the Board of Education and the Patrolmen's Benevolent Association, one officer will be stationed on each floor of the building overnight until Christmas vacation begins, to ensure that no more of the asbestos-laden tiles become dislodged, board Vice President James Farina said.

Farina said police have determined it was vandalism that caused a tile to fall after students left the building Tuesday, forcing officials to close the school, located at Eighth and Clinton streets, on Wednesday. During the night of Nov. 28, three tiles fell in the building, and officials closed the school for 2½ days.

—EDWARD K. SHANAHAN.

Angelo Catalano

Warrant arrests were cop's forte

By JEFFREY L. PERLAH

Dispatch Obituary Writer

HOBOKEN — When Angelo Catalano was a city police detective, he made warrant arrests his specialty.

"He was an ace," said Detective Sgt. Vincent Lombardi. "I wouldn't be surprised if that man made 100 arrests a year, all on warrants."

Mr. Catalano, 67, a lifelong city resident, died Saturday at Christ Hospital in Jersey City.

He joined the Police Department and was a detective for about 20 years before retiring two years ago.

His former detective commander, retired Capt. Patrick Donatacci, said Mr. Catalano would make numerous warrant arrests each day, involving domestic disputes, assaults and "just about everything else."

"If we were to accumulate the amount of arrests he made on warrants, it would be tremendous," Mr. Donatacci said.

The two had been friends since their Army days in Europe during World War II. They served with the 473rd Battalion, an armored division, throughout the war, Mr. Donatacci said. Mr. Catalano received a Purple Heart, he said.

"Through the Army, through the Police Department, through the years, he was a very good friend," Mr. Donatacci said. "I will miss him."

A charter member of the city's Police Benevolent Association, Mr. Catalano received a Gold Card Membership, the organization's highest honor, said retired Detective Sgt. Richard Carroll, a former PBA state delegate. He said Mr. Catalano led many fundraising activities for the PBA.

"He was very dedicated to that organization," said his sister, Anna Catalano of Hoboken. "He ran their dances for almost 30 years."

Mr. Catalano also was Hoboken March of Dimes chairman and a New Jersey Federal Credit Union charter member, Mr. Carroll said.

If he were not making arrests or serving city organizations, Mr. Catalano could often be found with the Hoboken YMCA Handball Club.

"He was in great shape," Mr. Carroll said. "We bowled with the Hudson County Police League (last) Thursday."

Mr. Catalano is also survived by his wife, Emma (nee Perucich), a son, Anthony Catalano of Bernardsville; a daughter, Joann Catalano of North Bergen; and three brothers, Frank Catalano of Union City, John Catalano of Ridgefield Park and Joseph Catalano of Toms River.

Lawton-Turso Funeral Home here is handling arrangements.

Dec. 13, 1989

Waterfront plan

Troubles grow for P.A. deal

Pasculli considers suing Stevens Tech

By EDWARD K. SHANAHAN

The Hudson Dispatch 12/13/89

HOBOKEN — Mayor Patrick Pasculli yesterday said the city will take legal action against Stevens Institute of Technology



to protect the planned development of the southern waterfront in tandem with the Port Authority of New York and New Jersey.

Pasculli also said the suit brought against the city by Stevens had forced him to call off talks between the two parties aimed at fulfilling the college's wishes to build a large office complex on its waterfront property.

Pasculli said he has directed City Law Director Eugene O'Connell to file a motion to have Stevens' suit dismissed and also to investigate the possibility of a countersuit against the college.

"Stevens contributes only minimally to this city and offers our citizens very limited access to their campus," Pasculli said. "It may be time for us to raise these issues, as well as others, in court."

City Business Administrator Edwin Chius said that during the 1960s the college paid the city \$100,000 a year in lieu of taxes, but this year paid only \$27,000.

In its suit, filed Friday in

Please see HOBOKEN Page 7

HOBOKEN

CONTINUED FROM PAGE 1

Hudson County Superior Court in Jersey City, Stevens seeks to have the agreement with the Port Authority of New York and New Jersey blocked, charging it was rushed through without the proper public review process and would have a negative impact on the college's property.

A Stevens proposal developed in conjunction with Hartz Mountain Industries of Secaucus to build a 1 million-square-foot office building for hi-tech companies on property just to the north of the city's land was shot down by the Planning Board in November.

In making its unanimous rejection, the board said the proposed building was too large for the Castle Point location and would create major traffic headaches for the city.

C. Thomas Lunghard, the college's vice president for administration, said representatives of Stevens and the city had met "seven or eight times in the past month to work on a compromise that would allow us to proceed with our technology pavilion. There was nothing in those meetings to guarantee an agreement would be reached."

"We still hope we can work in good faith to pull something together, but we had to protect our legal position," Lunghard said.

Pasculli said the city already had spent a considerable amount of money trying to work out a plan that would benefit "the community and Stevens, but there will be no more meetings unless they have a change of heart."

"When the city amended the zoning ordinance for the waterfront, they zoned their property and 'downzoned' ours," Lunghard said. "Under the new zoning rules, our project is totally out of the question."

Both Pasculli and Lunghard confirmed the two parties had been trying to work out some kind of land swap that would have given the city the opportunity to create open space on the Stevens property and allowed the college to build a large facility on another parcel.

"We thought our proposal would be complementary to the city's redevelopment plans," Lunghard said. "We have no intention of competing with the city."

To hauler

Garbage pileup sparks threat to halt payments

By EDWARD K. SHANAHAN

The Hudson Dispatch 12/10/89

HOBOKEN — The city's streets are filled with debris because the corporation responsible for trash pickup is not doing its job, officials said yesterday.

One councilman is so incensed he said he will recommend the city withhold more than \$120,000 in payments to the concern, La Pera Contracting Corp. of Newark, if it fails to send a representative to tonight's City Council meeting to answer his questions.

Councilman David Roberts said "the streets aren't clean enough because La Pera is not picking up all the garbage and the workers are apparently picking and choosing what they will take."

Mayor Patrick Pasculli said problems exist with both La Pera and the city's efforts to pick up cardboard and newspapers, which are recyclable materials.

Roberts said the council is being asked to approve two payments to La Pera worth \$120,735



DAVID ROBERTS

Wants to withhold payment

at tonight's meeting, but "I'd like to hold up those checks unless an executive from the company makes an appearance and takes a satisfactory position on the situation."

A corporation spokesman said

a representative would attend the meeting to address the council's concerns, which he said is becoming a "big, big problem because people are confused who picks up the recyclable materials and when."

Public Works Director Roy Haack said there is a problem with La Pera, but also said, "I attribute the increased debris in the streets to the recycling program, which people still don't seem to understand even though we're in our third year of doing it."

Roberts said, "The excuse that's always given for why this stuff is left behind is that it's recyclable, but La Pera is also under contract to pick up some of those materials."

"Roy is knowledgeable about what the problems are, now what he has to do is solve them," Roberts said.

Pasculli agreed, saying, "I won't settle for any excuses about why trash and recyclables aren't being picked up. We simply have to do a better job."

Pasculli and Raveche patch up differences

Continued from Page 1

and that the Stevens Technology Pavilion will be a magnet for technology businesses and not just the general business clientele the port project will draw.

According to Raveche, the technology pavilion will provide ratables for Hoboken and jobs for area residents and establish throughout the nation a reputation for Hoboken as a center for technological development.

The college has offered its facilities to several community groups, including the fire department, the Hudson School and the Board of Education, has offered computers to Hoboken High School under a grant program and sponsors a program whereby its students tutor less privileged city children.

Raveche said he reluctantly went ahead with the suit to protect the college's future development.

In Hoboken

Busted pipe leaves 200 with no water

The Hudson Dispatch 12/12/89

HOBOKEN — City workers labored through the Christmas holiday to repair an aging water main ruptured in yesterday morning's chill, officials said, but they are uncertain when service will be completely restored.

The 80-year-old, six-inch diameter pipe apparently broke as a result of freezing temperatures, said Public Works Director Roy Haack. It left nearly 200 families in the vicinity of Bloomfield and Sixth streets without water beginning at about noon yesterday.

Haack said he expected some of the aging pipes might burst over the winter, but "it's just too bad it had to happen on Christmas."

People who live in the area affected by the break said it was an inconvenience, although several of those questioned said they are in the habit of keeping bottled water on hand.

John Mitchell, of the 600 block of Bloomfield Street, said, "I never drink the tap water here anyway since it always comes out of the faucet rusted."

Mitchell said the water stoppage would have no effect on preparations for Christmas dinner.

"My wife cooked everything last night," he said.

Other neighborhood residents said the lack of water made it impossible for them to use their bathrooms, which they considered the biggest inconvenience.

Haack said he hoped to have service restored by afternoon, but as of last night, workers were still beneath the street, trying to determine the seriousness of the break.

Yesterday's rupture was the most recent to occur in the county during the recent cold spell. Several water main breaks were reported last week in Jersey City.



Hoboken Public Works Supervisor Victor Lucatorto clears a path for water to drain from a leak on Bloomfield Street. Repairs to a ruptured water main left 200 families in the area without water for several hours yesterday.

DON MCCOY THE HUDSON DISPATCH

Fight still looms

Deal is backed by P.A.

Waterfront project for Hoboken gains

By EDWARD K. SHANAHAN

The Hudson Dispatch

NEW YORK — With Hoboken Mayor Patrick Pasculli and other city officials looking on, the Port Authority's Board of Commissioners voted unanimously yesterday to approve the deal to redevelop a portion of the city's Hudson River waterfront.

Chairman Philip D. Kaltenbacher of the Port Authority of New York and New Jersey said the board's action "sets the stage for a showcase development that will be symbolic of the vitality of our region into the 1990s and beyond."

Under the agreement, the authority will pay Hoboken \$30 million during the next five years, including a \$7 million payment when the deal is officially signed on Dec. 30, and invest \$41 million to prepare the site for preparation.

Pasculli, who was accompanied at the board meeting by city Business Administrator Edwin Chius and Councilman David Roberts, said afterward, "I think this marks the first day of a new era of economic growth for our community."

Meanwhile, community activists who are trying to block the agreement between the city and the bistate agency greeted commuters last night at the PATH train station in Hoboken with a petition calling for the deal to be put before voters as a referendum.

Annette Illing, a member of Save Hoboken from Over Development, or SHOD, said the petition was drafted by a "conglomeration of people who are opposed to this project," and that, since soliciting began on Tuesday, nearly 400 of the roughly 1,700 signatures needed had been gathered.

SHOD was able to gather enough signatures in the spring to have a referendum put on the May ballot, offering the public the chance to vote on whether the waterfront property should be developed or turned into a park.

Pasculli said the petitioning was "a blatant attempt by a small group of extremists to obstruct what I believe has been an orderly, fully democratic process in reaching an agreement with the Port Authority."

"You begin to abuse your rights and responsibilities when you continue to misrepresent what this agreement means for our community," Pasculli said.

Authority spokesman Allen Morrison said yesterday's vote authorized the awarding of two contracts for demolition work at the site, the first phase of infrastructure improvements.

Morrison said a \$2.8 million contract for demolition of the headhouse on the piers has been awarded to Mercer Wrecking & Recycling of Trenton, and a \$484,000 contract for demolition of the shed on Pier C was awarded to Blandford Land Clearing of Brooklyn.

Land deal battle advances

By EDWARD K. SHANAHAN

The Hudson Dispatch 12/27/89

HOBOKEN — Opponents of the city's recently adopted agreement with the Port Authority to build an office and apartment complex on a portion of the Hudson River waterfront said they will file a petition with the city clerk today calling for the deal to be placed before the public as a referendum question in a special election.

Dan Tumpson, a member of the group behind the petition campaign, said the move was aimed at preventing the city from "giving away the store for upfront money," in its 50-year lease agreement with the Port Authority of New York and New Jersey.

Mayor Patrick Pasculli said he had directed the city's Law Department to look into challenging the legality of the referendum and raised the possibility of a lawsuit against the petitioners.

Pasculli said the purpose of such an action would be to recover the cost of staging a special election and the amount of interest that could be incurred by the city if the referendum were successful and the development deal were blocked.

If the agreement is overturned in a special election, the city would be forced to borrow money to fill this year's budget gap that would otherwise come from the bistate agency's initial \$7 million lease payment on the 31 acres.

"This is a calculated and

divisive attempt by a small group of modern day urban anarchists to bring our municipal government to a halt and we are prepared to take them on in court," Pasculli said.

Tumpson said "we're playing within the system and using the only opportunity available to us to keep this deal from going through."

Tumpson said the petitioners had gathered 1,690 signatures to place the ordinance authorizing the agreement before the electorate, when only 1,520, 15 percent of voters to cast ballots in

November's general election, were needed.

City Clerk James Farina said he had 20 days to have the signatures verified by the Hudson County Board of Elections, but believed it could probably be done in time for the next City Council meeting, scheduled for Jan. 3.

The council would then have 60 days to either overturn the ordinance, which was adopted by a 7-2 margin on Dec. 7, place it on the ballot for a special election or stand with Pasculli and challenge the legality of the referendum in court.

Pasculli blasts Stevens lawsuit as 'misleading, deceptive'

By James Efstathiou

According to Stevens Institute of Technology president Harold Raveche, suing Hoboken to try and stop its waterfront development project with the Port Authority was a decision he'd rather not have made.

However, in a reconciliation letter to Mayor Patrick Pasculli, Raveche said he made the decision, nonetheless, to protect the college's long-time dream of creating a proposed Technology Pavilion from zoning changes that school officials say would kill the project.

"We are both faced with making decisions that we wish

we didn't have to make," wrote Raveche. "In my view, the recent litigation is such a decision."

In response, Pasculli called the Stevens lawsuit a "misleading and deceptive" attack on the P.A. agreement and suggested the college had been advised "by people who wish to see Hoboken's waterfront plans derailed for their own purposes."

Raveche closed his Dec. 19 letter with a plea to continue discussions he hoped would benefit both parties. In a written response three days later, Pasculli said negotiations were off until the lawsuit was withdrawn.

The college filed the civil suit against the city last week charging the mayor, City Council and Planning Board with rushing through a lease agreement with the P.A. without ample time for public comment. The suit also charges that the plan to develop 31 acres of prime city-owned waterfront would adversely affect the environment and quality of life in Hoboken.

The suit was filed amid ongoing negotiations between Hoboken and Stevens over the college's plan to build a one million-square-foot engineering research facility on its waterfront property at the foot of Castle Point. College officials

fear the project would be impossible if zoning changes for the area currently before the City Council are approved.

A high-ranking Stevens official and the attorney representing the college in the suit suggested the complaint might give the college leverage in discussions with the city on the zoning changes.

The two sides began talks on the zoning amendments following the Planning Board's rejection of a previous Stevens proposal to build 10- and 13-story office buildings on the waterfront. The board felt the project would block the view of the Palisades from the Hudson River, considered to be a his-

toric scenic corridor, and create traffic problems on the two-lane roadway leading to the project site.

Following the Planning Board decision, the council approved a redevelopment plan for city-owned property just to the south allowing for a 330-foot office tower and 3 million square feet of development.

"What they're really doing from our point of view is they're using our property to maintain a low profile so they can have a high profile on their property," said Stevens attorney Thomas Brady, following approval of the P.A. deal.

Talks on the Technology Pavilion were carried on in

good faith, according to Pasculli who, at the city's expense, called in its planning consultants to help reach an accord. However, the atmosphere of good faith was shattered by the surprise lawsuit, said Pasculli who added the city was looking into a possible countersuit against the college.

"I was surprised that Stevens would put its name to a legal complaint filled with the jargon and rhetoric of the political opponents of waterfront development; especially when you had expressed such approval of our plans to me in our private conversations," wrote Pasculli. He also criticized Stevens' tax-exempt status.

No-water Yule for Hoboken families

By James Efstathiou

A water main break that left as many as 200 Hoboken families without water or heat Christmas Day was finally repaired yesterday, however complaints of disrupted water service continued to pour into City Hall.

Record-setting low temperatures which are expected to continue through tomorrow caused several aging water pipes to freeze and crack including an 80-year-old main at Sixth and Bloomfield streets which burst 10 a.m. Christmas Day, officials said. Water service was restored to the area 25 hours later.

In addition, human error may have been to blame for water breaks in Hoboken High School and Demarest Junior High School over the holiday weekend, according to school officials. Windows were left open in both buildings resulting in broken water pipes and water damage, officials said.

"We try to help them out the best we can," said Department of Public Works Director Roy Haack, who had a list of 25 complaints of broken water meters and frozen water lines yesterday morning. "We do respond and try to steer the people in the right direction."

The trouble started Christmas Eve when a third-floor water pipe at Demarest burst after freezing. Water flowed into several classrooms and resulted in falling plaster in some rooms before the water was shut off.

A window in the third-floor teachers room was reportedly left open causing temperatures to drop enough to freeze the pipes. An architect is expected

to inspect the building for a damage assessment.

On Christmas Day, another water break was reported at the high school. Officials again blamed an open window in an unused third-floor bathroom where a pipe froze and burst. Several classrooms and the cafeteria sustained water damage, according to Anthony Curko, business administrator.

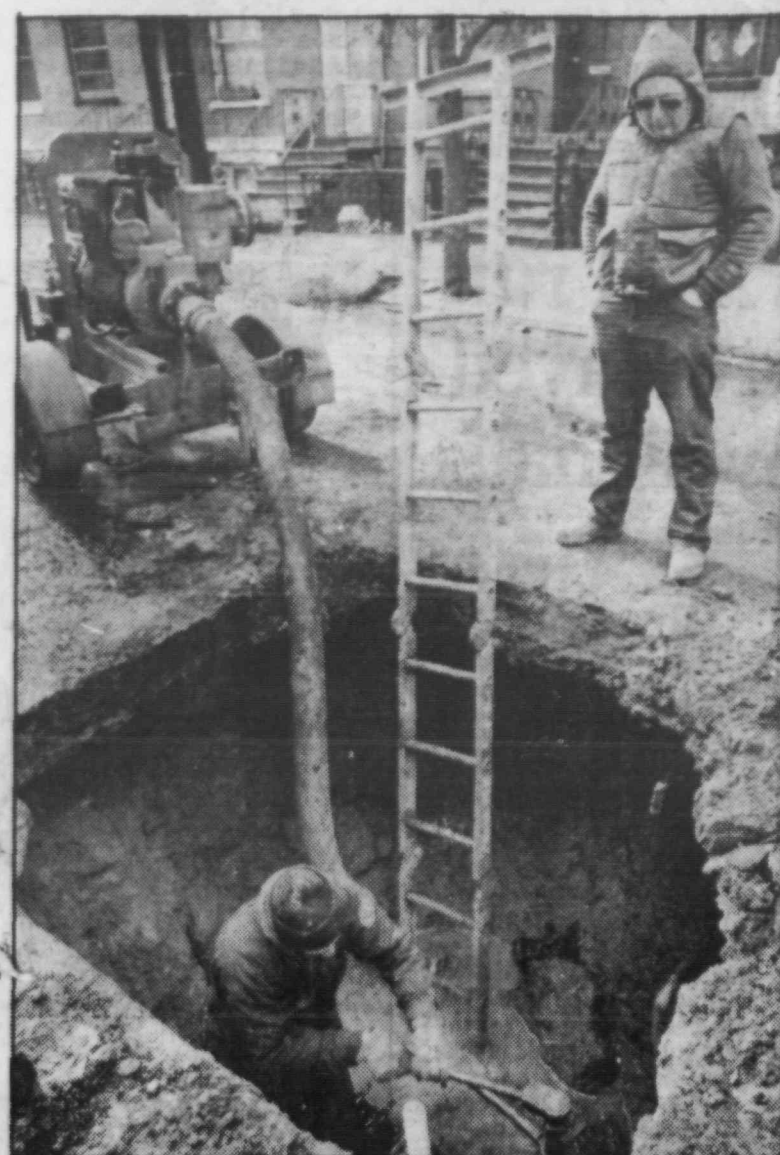
"We're going to have to investigate to see who left the windows open," said Superintendent of Schools Walter Fine, adding that it is the custodians' job to secure school buildings. "It's possible someone's going to have to answer for it."

Water damage at the high school could affect an asbestos clean-up job underway since the building was closed Friday. An abatement firm is removing some 2,000 square feet of asbestos-laden ceiling tiles to prevent accidents of the type that closed the building twice this month.

Water damage to the tiles may expand the scope of the job, Curko said.

A six-man Water Department crew worked straight through Christmas Day and night trying to repair the break at Sixth and Bloomfield streets, Haack said. The job was complicated by a broken shut-off valve and a nearby 30-inch main workers were wary of damaging.

Broken pipes were also reported on Grand Street between Fourth and Fifth streets where a mound of ice pushed from the pavement, at the Little League field house where water pipes burst and at Sixth and Hudson streets where freezing water pushed a fire hydrant out of the sidewalk.



Journal photo by Larry Cichulski
George Murch of the Hoboken Water Department is in the hole finishing repairs on water main that broke Christmas night in 600 block of Bloomfield Street. Co-worker Joe Caporino watches.

Hoarded her fortune

'Witch of Wall Street' Eccentric Hoboken millionaire slummed it

By LISA LIPKIN 12/26/89

To those who believe eccentric misers are the stuff of novels and fairy tales, think again. One such character, whose antics a Hollywood scriptwriter might have a tough time selling, lived in New Jersey.

Hetty Green, the miserly rags-to-riches character, was a real person. Money but loath to spend it, she resided in Hoboken from 1895 until shortly before her death in 1916. Though she lived the life of a pauper, Green was known as the "Richest Woman in the World."

She was born in 1834 in New Bedford, Mass., the daughter of the charismatic whaling magnate Edward Mott Robinson. Hetty enjoyed a privileged childhood, attending the finest boarding schools in New England and blossoming into a poised, regal young heiress. Robinson's influence on Hetty could be spotted early on. By age 10, she was reading financial newspapers and discussing bond trends. After she and her father moved to New York City, Hetty mingled in the finest circles, establishing an enviable social position.

At 31, Green was worth about \$4 million, which she inherited from her father. This fortune, coupled with the millions amassed by her husband, Edward Green, earned her more money than most people in the latter 1800s could even imagine existed.

But while most women of wealth were donating to charities, Green curiously hoarded her fortune while treating herself to almost nothing. She dressed shabbily, sporting musty and tattered clothes and often a dusty hat with bent feathers. So pathetic was her appearance that trolley operators, feeling sorry for



HETTY GREEN
Lived like pauper.

her, often let her ride free, a treatment she relished. When it came to investing, Green was notoriously shrewd. Her appearance, along with her cutthroat business practices, earned her the title "Witch of Wall Street."

"Hetty had the best banking brain of anyone I ever knew," said a New York executive. "She watched the money currents so closely that when I went to ask her for a loan, she often knew how much I was going to require before I opened my mouth."

But as Green's fortune grew,

her eccentricities became more manifest. In her mid-60s, she dwelled in Hoboken's cheapest cold-water flat, sharing a room with her daughter, Sylvia, while her son, Edward, slept on the floor. Under the doorbell at her 1203 Washington St. home was the name "C. Dewey," that of her terrier and constant companion. One year, Green fled with the dog to a friend's house in New York to avoid paying Hoboken's new \$2 dog tax. Upon hearing of this, her daughter paid the fee and Hetty returned home.

Sometimes Hetty's stinginess had more serious consequences. Her refusal to pay for the full medical treatment of Edward's leg injury resulted in a partial amputation.

When the children moved out on their own, they refused to live in the squalor in which they grew up. Sylvia moved to New York and Edward, to Texas, where he surrounded himself with luxury. To impress the glamorous actresses he entertained, Edward furnished his home with the finest antiques and a bar that had every conceivable spirit. But to impress his visiting mother, he rented rooms at the local YMCA and wore dime-store clothes.

Perhaps Hetty Green herself provided the best clue to her bizarre behavior. While walking C. Dewey one morning in Hoboken, she chanced upon an acquaintance, who asked, "Why do you love this little dog so much, Mrs. Green?"

With a raised eyebrow and impish grin, she replied, "He doesn't know how rich I am."

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Foes again challenge city pact with P.A.

Continued from Page 1

very bad for the city," said Busch. "The mayor says it's for political purposes. I have no political agenda here. I just can't stand by and see the city become a tributary of the P.A."

The city, with the P.A. as a development partner, wants to create a 3.3 million square foot mixed use development on city property bounded by the N.J. Transit train terminal and Stevens Institute of Technology.

Busch, along with members of Save Hoboken from Overdevelopment, sponsored a petition drive last spring calling for the proposed development to be dedicated as open public space. The city refused to certify the petition forcing SHOD to court to push its plan.

A lower court sided with the city. However an appeals court overruled and ordered the city clerk to put the referendum on the ballot. The voter-approved development by a large margin.

The city will again challenge the group's right to place the question before voters, according to Pasculli. Certain acts of government dealing with zoning changes are beyond the scope of the referendum process, according to city law director Eugene O'Connell, who said Hoboken might challenge the petition on statutory grounds.

The city might also counter to hold Citizens Collective responsible for the cost of borrowing the \$7 million the city budget will be short if a deal with the P.A. is not signed by year's end. Pasculli anticipated the payment in April when an agreement in principle was signed with the P.A.

Accepting the payment during negotiations with the P.A. infuriated administration critics who charged that Pasculli had surrendered his bargaining power.

Now, the administration says it will try to hold Citizens Collective responsible for the interest on a \$7 million loan should they succeed in delaying a final agreement.

"State statutes allows us to counter sue against frivolous lawsuits," said O'Connell. "If they got elected they could be running the city but they didn't. If they want to run city, they can pay for it."

But Busch said the petition does not challenge zoning changes but only the administration's power to enter into an agreement with the P.A.

Stevens, whose waterfront property borders the P.A. project on the north, has also challenged the agreement with a civil complaint charging the council and mayor with pushing the plan through without proper public notification.

200 families now have water again

HOBOKEN — A broken main that left nearly 200 families without water on Christmas Day and kept city workers laboring through the holiday was repaired yesterday morning.

Public Works Director Roy Haack said workers were able to close a two-foot crack in the six-inch-diameter pipe that runs beneath Bloomfield Street near Sixth Street at about 11 a.m., nearly 24 hours after the main ruptured.

Haack said two clamps were used as a temporary measure to repair the pipe, but, eventually, a 10- to 15-foot section of pipe will have to be replaced at the location.

Haack said workers also were busy repairing pipes that froze and cracked over the weekend at Hoboken High School, Demarest School, under Grand Street between Fourth and Fifth streets, and in the Levolor-Lorentzen factory at Eighth and Monroe streets. He also said a fire hydrant blew out of the ground at Sixth Street and River Road.

—EDWARD K. SHANAHAN.

Judge nixes attempt to halt Hoboken plan

By PETER F. DONOHUE

The Hudson Dispatch

JERSEY CITY — A Hudson County Superior Court judge here yesterday refused to block today's scheduled signing of the controversial Hoboken-Port Authority redevelopment deal, a move the city said would have wreaked financial havoc.

The judge's refusal clears the way for the Port Authority of New York and New Jersey's plans to lease 32 waterfront acres from the city and build office and apartment structures on the site.

But the challenge, brought by a group of citizens looking for more public input on the lease, is not over. A tentative date for a full hearing before Judge Maurice Gallipoli of county Superior Court, Law Division, Civil Part, has been set for Jan. 12.

Judge Severiano Lisboa of Hudson County Superior Court here denied an application for preliminary injunctive relief and refused to order City Clerk James J. Farina to accept a petition with 1,696 signatures of residents opposing the deal. The petition, compiled by members of organizations such as Save Hoboken From Overdevelopment and Hoboken Campaign for Housing Justice, if accepted, would have stalled the signing of the lease agreement.

SHOD and Housing Justice are seeking to have the ordinance authorizing the lease put before the voters.

Farina refused to file the petition Wednesday, prompting yesterday's court battle.

Lisboa sided with the city, saying the petitioners failed to prove they would suffer irreparable harm if the petition is not accepted.

"I don't see the harm," Lisboa said. "I know there's a lot of concern about overdevelopment and there's a gut feeling that the worst could happen — that there will be high-rise buildings everywhere — but there's always a fear when change is taking place."

Lisboa said he agrees with City Law Director Eugene O'Connell that the redevelopment process can not be stopped by a referendum. And he cited state legislation calling for redevelopment of the Hoboken waterfront.

Lisboa also said the redevelopment plan seemed com-



PATRICK PASCULLI
Wins major court victory.

prehensive and that the state legislative intent was to foster such action, as opposed to "piecemeal" development.

A jubilant Mayor Patrick Pasculli said he would join a top authority official today at 10 a.m. in his office to sign the lease agreement, at which time the city will receive \$7 million, the first installment on a 50-year lease.

Calling the petition drive the work of a small group of "radical extremists," Pasculli said the loss of the \$7 million the city is to receive would have left a devastating hole in the municipal budget.

O'Connell said the shortfall would have forced the city to borrow \$7 million, to cut basic services by 25 percent and to lay off policemen, firefighters and other city employees.

A disappointed Ira Karasick, the Hoboken attorney who represented the petitioners, said the "basic right of the people to be heard has been devastated."

Please see HOBOKEN Page 24

HOBOKEN

CONTINUED FROM PAGE 1

Karasick said he believes the economic doom forecast by the city if the deal is not approved, could be averted. And he criticized the city for relying so heavily on the deal to "salvage" its

Judge won't stall Hoboken agreement

Continued from Page 1

Attorney Ira Karasick of Hoboken, representing the plaintiffs, expressed "tremendous disappointment" over the ruling.

"The basic right of the people to be heard has been devastated," Karasick said. "But we'll have our day in court." Lisboa set a 1:30 p.m. show cause hearing for Jan. 12 before Superior Court Judge Maurice Gallipoli.

Law Director Eugene O'Connell, who with special counsel Viola S. Lordi argued the city's stance, said he is "very vindicated" by the judicial ruling.

"This shows that a group of opponents cannot stop a comprehensive redevelopment project through the referendum process," O'Connell said. "That has been our position from the start and we're happy the judge agrees."

The opponents of the leasing agreement gathered 1,696 signatures during a 20-day period, from Dec. 7 — when the City Council formally approved the ordinance — until 9:30 a.m. Wednesday, when they tried to present the signatures to Farina.

Farina refused to accept the petitions, contending that the leasing agreement is not subject to public referendum since it involves redevelopment for the waterfront arrived at by bi-state legislation.

The land in question is a 32-acre tract of prime waterfront property that will be leased to the Port Authority, who can then sub-lease to oth-

Hoboken, P.A. pact survives Referendum bid set back in court

By Patricia Scott

A Superior Court judge yesterday refused to order Hoboken to accept a referendum petition, paving the way for the signing this morning of a Hoboken-Port Authority leasing agreement.

Judge Severiano Lisboa denied a request for a temporary injunction that would have forced City Clerk James Farina to accept and review petitions gathered by members of the Save Hoboken from Overdevelopment organization and other activists who are against the leasing plan.

Had Lisboa approved the petitions, today's signing would have been postponed until the situation was resolved and the city would have faced a massive budget shortfall.

Judge Lisboa conceded that citizens' group, which collected 1,696 signatures, does "have the right to offer public comment" via petitions. But he said he doesn't believe the plaintiffs will be irreparably harmed by signing the Hoboken-Port Authority lease.

Lisboa called the redevelopment plan supported by Mayor Patrick Pasculli "a well thought-out and comprehensive one" and said Farina was "well-advised" when he rejected the petitions.

"I really don't see the harm here in not ordering the clerk to accept (the petitions)," Lisboa said. "People are often resistant to change... people have fears. It seems to me the Hoboken plan is an attempt to have development move ahead comprehensively and not in a piecemeal fashion."

Mayor Patrick Pasculli was pleased with Lisboa's decision, and said he felt confident that "reasonable and logical minds would prevail."

Lisboa's decision was blasted by Hoboken residents Daniel Tumpson, Stephen Busch and Ronald Hine, who attended the lengthy hearing yesterday.

See JUDGE — Page 9.

New try to block pier pact Foes' petitions ask referendum

By James Efstathiou

Hoboken officials are squaring off for another battle with a citizens group determined to halt a proposed waterfront development agreement with the Port Authority of New York and New Jersey.

Citizens Collective, opponents of the Hoboken/P.A. pact to develop 32 acres of city-owned waterfront, are expected to submit 1,696 signatures on a petition to the city clerk today calling for the City Council to repeal the ordinance authorizing the agreement with the P.A.

If the petition is certified — 1,520 signatures are needed — and the council refuses to rescind its approval, the question would be placed before the voters in a special election.

Mayor Patrick Pasculli, who won office in May with a promise to move ahead with the P.A. deal, has characterized his opponents as "modern day urban anarchists" bent on obstructing waterfront development at any price. Pasculli said his victories in successive municipal elections prove that residents want to move ahead and that it would be irresponsible and costly to hold another election.

But Steven Busch, one of five petitioners said that preserving the public process was his motive, not advancing political goals.

When the council waived the customary 30-day standing period on the ordinance at Pasculli's request, it suggested the administration had something to hide, according to Busch.

By forcing a referendum, the public would have more time to examine the agreement Busch believes could amount to a financial disaster for Hoboken. Citizens Collective has criticized the project as being too big, lacking an affordable housing component in violation of the city's Affordable Housing Ordinance, that the P.A. is a dangerous partner to deal with and that the council ignored public opinion in approving the deal.

"I'm just trying to stop something that I think is very,

See FOES — Page 4.

Real estate slowdown puts Hoboken savings bank in the red

By Bill Campbell

A downturn in the regional economy and real estate values in Hudson County will mean big losses for Hoboken's Washington Bancorp Inc., the parent of Washington Savings Bank, top executives said yesterday.

The bank becomes the latest to report losses due to a soft real estate market.

And in a related announcement, the bank said yesterday that Theodore Doll was appointed president and chief operating officer of Washington Bancorp, replacing Anthony Calabrese, who resigned earlier this month.

Washington Bancorp said it was adding about \$5 million to its loan loss reserve for the fourth quarter of 1989.

The bank anticipates loan losses "because of the continuing deterioration in real estate market values in Hudson and Bergen counties and the downturn in the economy of the New York metropolitan area," Paul Rotondi, chairman and chief executive officer, said.

He said the potential losses were identified about a year ago and adding to the loan loss reserve would hold off future losses.

"However, we continuously review the adequacy of the loan loss reserve and if there is further significant deterioration in real estate values, an additional increase in the reserve could become necessary," Rotondi said.

Washington Savings Bank is a major provider of residential mortgages in Hoboken and other Hudson County municipalities.

Adding to its reserve will likely mean the bank will report an after-tax loss of \$4 million in the fourth quarter. The year-end loss will amount to nearly \$3.5 million, or \$1.50 per share, Rotondi said.

Doll, the newly appointed president, has served as executive vice president since October.

Calabrese resigned from the \$356 million asset institution to head a recently chartered thrift in Garfield. He was chief executive officer of the thrift until 1988 when he was replaced by Rotondi.

Doll served an executive vice president and chief administrative officer with Ryan, Beck & Co. of East Orange, an investment banking firm, where he specialized in public finance and tax

shelters.

"Doll has brought a great deal of experience to our organization. His ability to serve as president and COO will enable us to continue to provide outstanding service to our customers and to achieve our goals in the future," said Rotondi in a statement.

Washington Savings Bank was rocked by financial setbacks last year. The bank suffered heavy commercial loan losses in 1988 and was forced to add \$18 million to reserves to cover the losses. That action led to a lawsuit by stockholders and blocked a planned merger with the Howard Savings Bank of Livingston.

A teller was also convicted for embezzling \$2.8 million, a loss which was covered by insurance.

Pasculli rallies against attempt to nullify P.A. waterfront pact

By James Efstathiou

Hoboken Mayor Patrick Pasculli yesterday directed his administration to reject a citizens' referendum petition calling for the repeal of a waterfront development agreement. The move forces the petitioners, Citizens Collective, to seek a court order compelling City Clerk James Farina to accept the petition which, if certified, would suspend the ordinance authorizing the agreement with the Port Authority of New York and New Jersey. The group is expected to seek such an order in Superior Court today.

If the court orders the city to certify the petition, the council would have an opportunity to repeal its Dec. 7 approval of the plan. Otherwise, the question would go to voters in a special election.

"We're disagreeing with the agreement and the lease arrangement with the P.A.," said Steven Busch, one of five petitioners. "We think it's a bad deal for the city and we'd like to give the voters the opportunity to look at it more closely and decide for themselves."

Pasculli has labeled opponents to his plan "modern-day urban anarchists" intent on disrupting any proposed development plan. He called the challenge "frivolous and divisive" and said he would fight for his plan in court or in an election.

"They can literally bring municipal government to a halt and I'm positive it's their intention," said Pasculli. "They wouldn't be satisfied with any waterfront development proposal. They seem to know the price of everything and the value of nothing."

The battle is similar to one waged prior to the last municipal election when Save Hoboken from Overdevelopment sought in appeals court to compel the city to certify an initiative petition calling for the waterfront parcel to be reserved

See MAYOR — Page 4.

Mayor opposes petition aimed at P.A. agreement

Continued from Page 1

Since then, the administration has moved ahead with plans to build a 3.3-million-square-foot mixed-use development on 31 acres stretching from the NJ Transit train terminal to Stevens Institute of Technology. The city has adopted a controversial lease agreement with the Port Authority to bring the project to fruition.

The pact calls for a \$7 million up-front payment to Hoboken which was to be delivered Saturday upon signing of the final agreement. The city has already spent the money and officials agree it is crucial to receive the money before the year's end.

Business Administrator Edwin Chius has drawn up contingency plans to borrow the \$7 million in the event the referendum succeeds in suspending the ordinance. During negotiations with the P.A., the administration said it was prepared to borrow the money if the two sides could not come to terms.

A P.A. spokesman declined to comment on potential legal actions which would block the agreement and said the agency was moving ahead with plans to sign the pact and deliver the check Saturday.

The administration is challenging the petition on grounds that the ordinance authorizing the P.A. agreement is not subject to a referendum challenge.

Law Director Eugene O'Connell said that bi-state legislation that allows the P.A. to participate in the development projects against such a challenge might have missed a deadline for filing its petition in the first place.

The ordinance was adopted Dec. 7 and signed that night by Pasculli. The 20-day time period for filing a referendum challenge might have expired midnight Tuesday, O'Connell said.

"We're saying the ordinance is not subject to referendum and therefore we directed the city clerk not to accept any petition with regard to that ordinance," said O'Connell.

But Busch said refusing to accept the petition was another example of the administration's refusal to hear out the public on the proposal. He said the city clerk was ignoring his responsibilities by not accepting the petition which challenges only the pact with the P.A., not the long-term development plans of the city.

"I don't think it really speaks very well for them," said Busch. "They know what the law is. They're just trying to use the taxpayers' money to thwart a citizens' referendum."

Hoboken garage chief parked trailer, race car without paying

By James Efstathiou

Hoboken municipal garage superintendent Lt. Mario Mercado apologized yesterday for storing a personal vehicle in the facility and agreed to pay the city any storage charges deemed appropriate.

Mercado, who supervises the garage on Observer Highway, said he stored a trailer and race car in the garage for three weeks because of a personal problem. The equipment was removed from the garage yesterday.

"It was an error on my part," said Mercado. "I fully expect to reimburse the city for any fees that they feel I should pay for storing the equipment there."

Public safety director Thomas Kennedy said he would review the incident with Mercado and that it was unlikely he would press for storage fees.

Low-income housing has a court date

Jersey justices' ruling seen key to fate of city ordinance

By James Efstathiou

The battle over who will build low-income housing in Hoboken is expected to continue in Superior Court this week in the case of a state builder's association challenge to Hoboken's affordable housing ordinance.

The builders have asked the court to knock down the law, which requires them to set aside a percentage of new units for low income housing or contribute to a housing trust fund, without the benefit of court testimony or municipal records.

They cite a recent appellate court ruling on a similar ordinance in Holmdel as justification. In the Holmdel case, the court ruled that set asides must be accompanied by other compensatory benefits to the builders and cash contributions to a housing trust fund constitute an illegal tax on developers.

But that decision has been appealed to the New Jersey Supreme Court which established set asides as a legitimate way to create affordable housing in

the first place in its Mount Laurel II decision. The Supreme Court has agreed to hear the case and briefs have been filed.

With a ruling from the state's highest court pending, Hoboken wants its case put on hold. City attorney Corinne M. Mullen will argue for a full trial Friday in Superior Court.

"Whenever you look at an ordinance like this, you should have the full municipal record and you need that to determine whether or not the ordinance is valid," said Mullen.

According to Mullen's brief, the Supreme Court might rule that portions of the Holmdel ordinance similar to Hoboken's which allow for cash contributions in lieu of set asides could be unconstitutional. If that were the case, however, those sections could be removed from the law leaving intact portions that require set asides.

As the courts and municipal governments grapple to come up with ways to imple-

See AFFORDABLE — Page 4.

Hoboken big to rock cradle anew

Editor's Note: The following is a New Year's bonus column from Nat Berg.

The Hoboken 6th Ward Councilman David Robertes expects another blessed event. Frau Anna is due for a May baby. Their first-born Amanda is 1½. (Thank you Mayor Pat Pasculli) ... Orlando Vason of Jersey City (he's a PATH signal staffer) recuperating from leg injury suffered on the job ... Emilie Scirocco of Jersey City passed her boards for a New Jersey chiropractor's license and joins her father Andrew in practice ... First grandchildren for Ridgefield Park's Paul and Cathie Cosgrave, and Lorraine and Howard Hendricks — the Cosgroves' infant is named Robert Flanagan Jr., and the Hendrickses' is tagged Lorraine Kay



DAVID ROBERTES
May baby on the way

Affordable housing law has a date in court

Continued from Page 1

ment the high court's order to create affordable housing, local builders continue to attack the law. The high court never intended to burden developers with the obligation of creating affordable housing, an obligation which should be spread throughout the community, they argue.

Local developer George Vallone Jr. of West Bank Construction said the ordinance would tag on an additional \$4 to \$5 million to the cost of his proposed 1600 Park Avenue project, a burden he says makes the project economically unfeasible.

"We've pretty much got it on hold," said Vallone of his project.

Hoboken Mayor Patrick Pasculli supports the ordinance and the concept that developers should be required to assist municipalities in the creation of affordable housing.

However, Pasculli was harshly criticized for backing a waterfront development agree-

ment with the Port Authority of New York and New Jersey that does not include an affordable housing component.

"The city does not appear to have a strong interest in its enforcement," said attorney Ira Karasick of the affordable housing law. "They didn't pay any attention to it when they

passed the redevelopment plan for the waterfront." Karasick said the law was created in anticipation of developing the city's southern waterfront and Observer Highway region, both of which would have provided affordable units or money to build them within the city.

Hoboken issues more tickets but clears fewer

By Agustin Torres

The municipal courts of Jersey City and Union City made impressive strides in issuing and disposing of parking summonses, according to a court calendar clearance status report for Hudson County municipalities.

A fall report was issued last month by the Hudson County Court Administrator's Office, comparing the period of from October 1988 to September 1989 with the same period for the previous 12 months. It listed the figures of traffic and criminal matters handled and disposed of by the municipal courts or violations bureaus.

According to the report, Jersey City issued 520,137 parking summonses for the 1988-1989 period and the court sys-

Only Jersey City, Union City handed out more in 12-month period

tem disposed of 817,591 parking tickets, with nearly 300,000 representing a backlog of summonses. The disposition rate was a gaudy 167 percent.

During the 1987-1988 period, Jersey City actually had more summonses issued, 532,741, but the municipality only disposed of 262,701 or 49 percent of the complaints.

A secretary in the court administrators office suggested that the improvement can be chalked up to "computerization."

Union City issued the next highest number of parking tickets during the 1988-1989 period with 218,080 and its court system handled 239,757 summons-

es at a rate of 109 percent. During the previous annual period, the city issued 175,811 parking tickets and had a disposition rate of 89 percent or 156,139 tickets.

"This is something we don't like to publicize," said Mayor Robert Menendez. "While clearing up backlogs means more revenues for the city and shows the efficiency of the courts, it also gives the appearance that all we are doing is giving out parking tickets."

For the latest annual period, Hoboken handed out 146,644 parking tickets, the third highest number of parking summonses issues in the county, and 124,615, or 84 per-

cent, were disposed. In the 1987-88 period 124,839 tickets were issued and 72,870 were disposed, 80 percent, for the 1988-89 period. The city issued 85,411 summonses for the period in 1987-1988 and the local court took care of 95,660 tickets or 112 percent.

East Newark parking tickets totaled 4,216 summonses and 5,216 disposed of by the court at a rate of 123 percent in the latest 12 months. In the previous period of the 4,350 is-

sumes, 3,189 were handled, or 87 percent.

Harrison issued 10,700 parking tickets handed out and 10,101 disposed for 94 percent in the most recent period. The previous year, 9,772 summonses were issued and 9,353 cleared for 96 percent.

Kearny's latest year saw the court handle 46,996 summonses although only 43,280 were issued. The backlogged tickets cleared raised the percentage to 107. The local system issues 40,305 parking summonses of which 42,493, or 105 percent, were cleared in the previous 12-month period.

North Bergen handed out 48,573 tickets, and disposed of

45,639, or 93 percent, in the 1988-89 period. The township issued more tickets the previous 12-month period at 50,016 and its court system handled 64,960, a rate of 129 percent.

The latest annual period saw Weehawken issue more summonses, 4,788, but with a lower disposition rate of 73 percent or 3,507 tickets. There were 3,666 Weehawken parking violators during the first annual period and the court and violations bureau took care of 4,391 of these or 119 percent.

The 1988-1989 period saw West New York hand out 70,705 parking summonses and 55,966 were handled by the court system at a 79-percent rate. During 1987-1988, the town saw 64,963 parking summonses issued and 49,043 disposed during the period, or 75 percent.

Garage chief accused

Kennedy will rule on storage charge

By ROBERT HENNELLY
The Hudson Dispatch

HOBOKEN — Mayor Patrick Pasculli said yesterday it will be up to the public safety director to decide whether the city Public Works Department garage superintendent, must pay storage charges for the vintage Dodge Coronet, red racing car and 10-foot auto trailer he kept there.

Lt. Mario Mercado was reprimanded Wednesday for storing personal property in the Observer Highway facility, Public Safety Director Thomas Kennedy said.

Kennedy met with Mercado on Tuesday night and said he will consult with the city's Law Department about any further disciplinary action.

Kennedy praised Mercado's overall performance and said the officer is "going through some personal problems, and it may be

an extenuating circumstance." Mercado receives \$59,000 a year as garage superintendent.

On Tuesday, a reporter and photographer for The Hudson Dispatch went to the garage after a telephone tip was received at the paper that Mercado was using the public facility for personal storage.

Mercado threatened the reporter with arrest if he did not leave the facility.

Yesterday, Kennedy said he was troubled by Mercado's use of the threat of arrest on a member of the press and said he has asked that a detective take statements from employees present when Mercado was questioned by newspaper personnel on the storage issue Tuesday night.

Kennedy said the two vehicles and the trailer were removed hours after the newspaper brought their presence to the attention of Pasculli that night.

Spiraling costs bring questions for legal counsel

By EDWARD K. SHANAHAN
The Hudson Dispatch

HOBOKEN — With the city now paying legal fees nine times higher than originally agreed upon to defend itself against a suit brought by a local engineering firm, the City Council last night sought explanations of the cost increase from a representative of the law firm handling the litigation.

Councilman Steve Cappiello said he would not vote to increase the contract to Wolf & Sampson to \$450,000 from \$400,000 unless Kenneth Laptook, an associate with the Roseland firm, convinced him it would be the last increase in the contract.

Cappiello said he thought the case could have been settled for less than the amount the city is now obligated to pay Wolf & Sampson.

The firm has also worked on behalf of the city to "minimize" state Environmental Protection Department and federal Environmental Protection Agency fines brought on by the ongoing sewage treatment problems in the city, according to Business Administrator Edwin J. Chius.

Wolf & Sampson originally was awarded a \$50,000 contract in 1986 to defend the city against a lawsuit brought by Mayo Lynch and Associates after the city terminated a contract with the Secaucus firm to design the city's

new sewage treatment plant.

THE CITY broke the contract in 1986 when Mayo Lynch's plans did not meet state environmental specifications.

The engineering firm sued the city that year to force the administration of then-Mayor Thomas F. Vezetti to pay the money owed, but lost when Assignment Judge Burrell Ives Humphreys of Hudson County Superior Court in Jersey City ruled the contract was invalid because it had not been advertised properly.

In other business at last night's meeting, Mayor Patrick Pasculli asked the council to appoint a committee to investigate complaints from residents about proposed changes in cable television service provided by Riverview Cablevision.

According to Pasculli, he has received numerous letters from people unhappy about Riverview's plans to scramble all television signals beginning in April, making it necessary for customers to rent converter boxes from the company.

PASCULLI SAID that by switching over to the converter boxes, Riverview's customers would not be able to use their own remote control units and would instead have to rent them from the company, increasing the cost of service.

Sewer panel wants to study cheaper method

By James Efstathiou

The Hoboken/Weehawken/Union City Sewage Authority is preparing to ask state and federal environmental agencies to consider an alternate sludge removal technology that authority chairman Richard Wolff said could lead to substantial savings on upgrading the Hoboken treatment plant.

The improvements are expected to cost \$97.5 million.

"I myself am persuaded on

the basis of two reports submitted thus far," said Wolff of the viability of going with the cheaper, more conservative alternative. The authority met Wednesday and discussed its options.

The Hoboken plant is under a federal order to upgrade to a system that removes more pollutants from waste water. Hoboken, Weehawken and parts of Union City that are served by the plant have been banned from adding new sewer

hookups at least until progress on the upgrade is underway.

Work on the liquid processing portion of the plant is expected to begin next week and be completed by January 1993. A second \$34.9 million contract for an innovative sludge removal system was to be awarded to a Wood-Ridge firm with work to be completed in 1993.

However, since that process requires a state Department of Environmental Protection air quality permit and

public hearings, the authority wants to suggest cheaper, more conventional alternatives to the DEP.

If the DEP gives the green light, sludge would be reduced to fertilizer pellets or landfill cover instead of being burned at the plant at an estimated savings of \$10 million to \$15 million.

The alternative sludge removal process could be completed by July 1992, according to the authority.

Suspect to face hearing

Hoboken worker netted in drug raid

By ROBERT HENNELLY
The Hudson Dispatch

HOBOKEN — A Public Works Department employee arrested last week, allegedly with \$22,000 of cocaine in his possession, will face city charges that his conduct was unbecoming a city employee, the agency director said yesterday.

Carlos Lopez Sr., 49, was arrested after a raid at a home in the 500 block of Second Street where police executed a search warrant. His son Carlos Jr., 21, and Nelly Bell Morales, 23, also were arrested just after midnight last Thursday.

All three were charged with possession of drug paraphernalia and cocaine, possession of cocaine with intent to distribute and possession with intent to distribute within 1,000 feet of a school.

Lopez reported to work Monday at the municipal garage, and a call from The Hudson Dispatch on Tuesday was the first time that he had heard about the arrest, department Director Roy Haack said.

"I think it is terrible that this is the first I have heard about this," Haack said.

Lopez makes \$13,000 a year and has worked for the city since March 1986.

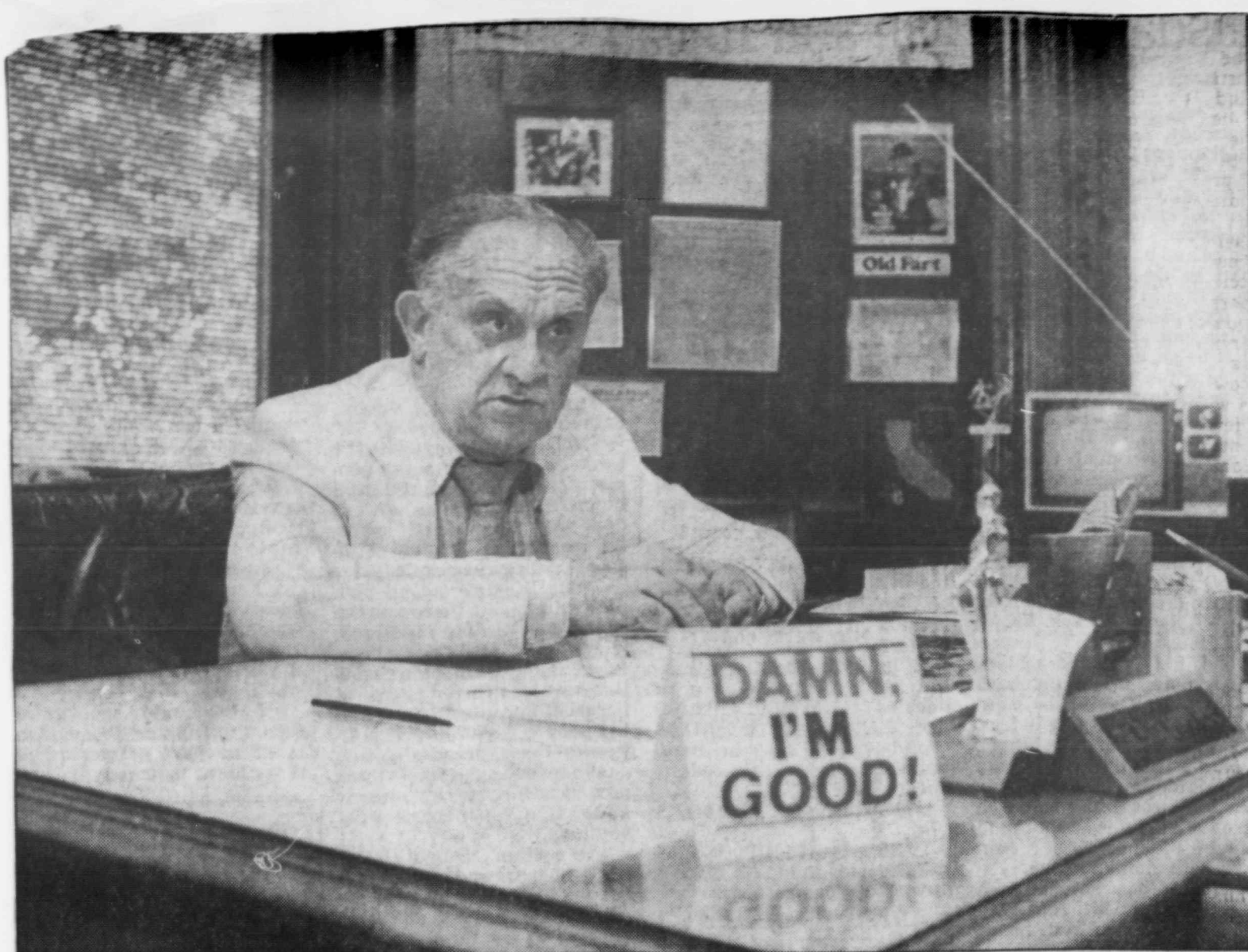
Haack said departmental charges were filed, but the city could not suspend Lopez because that action would be based on a presumption of his guilt.

"He has to go through the judicial process first, and then we will deal with it," Haack said.

On Dec. 14, Robert Van Ingen, 23, a city Water Department mechanic, was arrested on narcotics charges, along with Juan Guzman, 28, of Willow Avenue. Police said they were arrested with an eighth of an ounce of cocaine in their possession. They were charged with possession of cocaine, intent to distribute and intent to distribute within 1,000 feet of a school.

Haack said Van Ingen has voluntarily entered a drug rehabilitation program. The director said Van Ingen faces the same departmental charges as does Lopez.

Public Safety Director Thomas Kennedy, Haack and members of the Police Department planned to meet late yesterday to develop a way to flag the drug arrests of city employees. Public Safety Director Kennedy said the city and a Public Works Department employee were arrested for allegedly pulling a drug deal in the municipal garage.



Populist Thomas Vezzetti, who delighted in being called the "World's Wackiest Mayor," became Hoboken's chief executive in 1985. He died in office three years later.

Hoboken sewage system

\$475G deal pending in design suit

By EDWARD K. SHANAHAN
The Hudson Dispatch

HOBOKEN — The city has tentatively agreed to pay \$475,000 to an engineering company to settle a long-standing lawsuit arising from cancellation of a design contract for upgrading the sewage treatment plant, officials confirmed yesterday.

The settlement must still be approved by the City Council, which is expected to discuss the matter next Wednesday.

If the council approves the settlement, it would end the dispute between the city and Secaucus-based Mayo Lynch and Associates that arose in 1986 after the council dumped the company and its plan, which the state Environmental Protection Department said did not meet its standards.

Under terms of the agreement, the city would pay Mayo Lynch \$225,000 this year and another \$250,000 in 1991, and, in return, the company would end its suit against Hoboken, according to city Law Director Eugene O'Connell.

The payments would be split between the two years to ease the strain on the municipal budget, O'Connell said. He added the city could earn about \$35,000 in interest by holding the \$250,000 payment until next year.

O'Connell said the settlement was recommended to both parties by Judge Seymour Margulies of Hudson County Superior Court in Jersey City.

O'Connell estimated the cost of bringing the case to trial would be at least \$150,000, in addition to the roughly \$130,000 already paid to the Roseland law firm of Wolff and Samson, which has been special counsel to the city in the case.

In 1986, Assignment Judge Burrell Ives Humphreys of Superior Court ruled the Mayo Lynch contract was invalid because it had not been advertised properly.

Mayor Patrick Pasculli said that while he is anxious to put the matter to rest, he will wait to hear from Kenneth Laptook, the main Wolff and Samson attorney involved in the case, before deciding whether the settlement is the best course to take.

Councilman Joseph Della Fave said the city should not settle since "the lawyers have told us we have a strong case."

Della Fave said by paying the \$475,000 settlement, added to approximately \$785,000 already paid to the firm, the city would be paying almost the full amount for a contract that was never fulfilled.

Clues sought

Police probe death

Body of woman, 71, found in apartment

By ROBERT HENNELLY
The Hudson Dispatch

HOBOKEN — A 71-year-old woman was found dead with head wounds at her Fox Hill Gardens apartment, and the Hudson County Prosecutor's Office is investigating to determine whether she was murdered.

The office's Homicide Squad is investigating the death of Maria Acevedo, who was found by Samuel Cundiff, Hoboken Housing Authority security shift commander, at 9 p.m. Wednesday.

Fox Hill Gardens, at 13th Street and Willow Avenue, was built in 1973 and has 200 units of subsidized housing for senior citizens who pay 30 percent of their income to live there.

Police received a call from Acevedo's relatives, who had not seen her since 2 a.m. on New Year's Day, Cundiff said. Acevedo had a son who lives in Irvington.

A neighbor said Acevedo had lived in her 10th-floor apartment for five years, residing there alone since her husband died three years ago.

County Prosecutor Paul M. DePascale said there were no signs of sexual assault and no evidence of forced entry, and said the

Please see DEATH Page 4

Hoboken High

Two classrooms sealed by threat from asbestos

By EDWARD K. SHANAHAN
The Hudson Dispatch

HOBOKEN — Two classrooms at Hoboken High School were sealed yesterday while workers removed floor tiles containing asbestos that were apparently damaged when water pipes froze and burst in the building on Christmas Day, school officials said.

Principal Charles Tortorella said air-quality tests were to be performed in rooms 335 and 337

last night. He said he expects to get the results tomorrow night and insisted there is no cause for alarm.

"We are following the strictest safety procedures in addressing this problem," Tortorella said. "The state Department of Health told me we are exceeding their standards for monitoring the safety of the building."

Tortorella said the two rooms — which are next to each other — had been sealed off in November because of continuing problems

with damaged ceiling tiles also containing asbestos. Asbestos has been linked to cancer.

Damaged ceiling tiles were cleaned out of the two rooms, Tortorella said, as part of emergency asbestos removal by L & C Europa Co. of Garfield during the Christmas vacation. The classrooms were back in use on Tuesday when school reopened after the Christmas break.

Tortorella said a teacher noticed Wednesday that several tiles had popped up from the floor in room 335. He said he called Northeastern Analytical Corp. of Evesham Township in Burlington County, the Board of Education's asbestos consultant, and was told to close the room immediately.

Board Secretary Anthony Curko said representatives of NAC came to the school Wednesday night and, while examining the damaged tiles in room 335, found several tiles dislodged from the floor of room 337.

That room also was closed, and L & C Europa was called to remove the floor tiles from the two rooms, according to Curko.

The concern originally was awarded a \$19,000 contract to remove 2,000 ceiling tiles from the building, but had to remove additional tiles damaged when the pipes burst on Christmas, Curko said.

Schools Superintendent Walter Fine was forced to close the school, located at Eighth and Clinton streets, twice in December because of falling tiles.

DEATH

CONTINUED FROM PAGE 1

apartment was still locked when Cundiff went to check up on the elderly tenant.

City police and the prosecutor would not comment on whether there was any evidence of a robbery at the scene. The autopsy was assigned by the state Medical Examiner's Office in Newark.

Police questioned Carmella DeMussio, 77, who lives directly below Acevedo's apartment, to determine whether she heard anything. DeMussio said that she did not hear anything but did know the deceased.

"She did not speak a word of English, and I don't speak Spanish, but she always asked me how I was in Spanish when we were in the laundry room or in the elevator," DeMussio said.

"She was such a nice person. I was shocked to hear it. When my husband died two months ago and was I coming down the hallway

crying, she came up to me and said some words in Spanish, and kissed me on the cheek," DeMussio said.

Yesterday, senior citizens gathered in the large day room on the first floor and tried to piece details together about their neighbor's mysterious death and openly expressed their concern for their safety in the building.

"I thought this was a safe place. I wish I could get out of here," Franny Gianandrea, 79, said.

Tenants said there is a guard at the building only from 6 p.m. until 2 a.m., and said they want around-the-clock coverage. Longtime building residents said there had never been any trouble before.

Cundiff said the authority had scaled back the number of hours that the guard was on duty, because of budget cutbacks. "We used to spend more time there," Cundiff said.

Costa quitting school board, feels Hoboken cause hopeless

By James Efstathiou

Gerard Costa was elected to the Hoboken Board of Education in 1988 on a reform ticket backed by the late Mayor Thomas Vezzetti that swept three seats and promised to rebuild what the state labeled a failing educational system.

Now, 20 months into his three-year term, Costa is expected to submit a letter of resignation at tonight's board meeting.

Citing personal priorities including a recent move out of town and the growing sense that the current political reality stymied his effectiveness, Costa said he will hand in his resignation and leave before the meeting.

The move will open a board seat three months before April's scheduled school elections. The board has the option of appointing a trustee prior to the election or simply leaving the seat open.

Insiders said the board is likely to fill the vacancy, probably at a special meeting next week, and that Perry Belfiore who in 1988 served as trustee for six months, will be Costa's likely successor. Belfiore made his third unsuccessful bid for a board seat in last April's school election.

Costa's early departure leaves only one representative of the reform movement, Felix Rivera, sitting on the board that for a brief period in 1988

held a reform majority. In last year's board elections, a ticket backed by Mayor Patrick Pasculli which included two candidates previously associated with the reform movement swept into office.

A harsh critic of what he perceived as a patronage ridden system with faulty leadership and misplaced priorities, Costa said he was both disappointed and thankful for his tenure on the board. The district is in the second year of a three-year state plan to improve the education and administration of city schools.

"We set the stage. We set the agenda. We established what the important issues were," said Costa when asked to reflect on the successes of the reform movement.

"We set into motion an awareness and a scrutiny of Hoboken schools by the state and by the local community that is very healthy."

But at the same time, Costa said the movement failed to enact the fundamental changes it sought and that such changes were unlikely under the present political leadership in City Hall and on the board.

"My work on the Board of Education has really had no effect and I couldn't break through the closed system of leadership," said Costa. "I could no longer justify 50 to 60 meetings a year away from my family engaging in a cause and not having an effect. My daughter needs a father, not a dragon slayer particularly when the dragon still lives."

Vezzetti's death in March, 1988, among other factors, signaled the end of the reform movement on the board, according to councilman Joseph Della Fave, one of the late mayor's strongest supporters.

"We saw the possibility for change right in front of us," said Della Fave. "Now, people are fighting over who's going to get what job. People are jockeying over who's going to be

superintendent of the schools. The system is never going to see drastic improvement as long as politics dictates what goes on."

Board president Mario Mercado who often locked horns with Costa praised the retiring trustee as a competent board member while acknowledging the political differences between the two.

"I wish him well in the things he endeavors to do," said Mercado. "Unfortunately, we did not see eye to eye on board policies. Gerard Costa always made a point of espousing the views and the agenda of the people that put him in that seat which is opposed to where I stand."

Costa said one of his greatest triumphs on the board was being named to chair the New Jersey School Boards Association's early childhood education committee which formulated a position paper on the role public schools should take in early childhood education. The paper was adopted as the association's official state policy.

A disappointment was the failure of the board's 21st Century Committee which Costa also chaired to formulate a report on its findings. The committee met ten times in an effort to create a vision for the district leading into the next century.

Costa pointed to a two recent events as examples of continuing deficiencies in the district's operation he predicted would hold the system back from making real improvements. One was the board's June 29 approval of a teachers contract which it eventually rescinded amid confusion within the association representing instructors.

Costa also criticized the district for a lack of forethought in its handling of an ongoing asbestos problem in school buildings.

Hoboken, engineers at peace

Continued from Page 1

valid because of a technical error by the city clerk in a notice publication.

The city eventually hired a new engineer and construction on the plant is expected to begin this week.

Mayo Lynch has contended that it should not be penalized for the city's error and that even if the contract is invalid, it should be paid for the work already done.

The settlement calls for one payment of \$225,000 this year and the balance in 1991. The city can earn approximately \$30,000 in interest by splitting the payments, O'Connell said.

Hoboken, engineers at peace

Three-year-old lawsuit ending

By James Efstathiou

Attorneys representing Hoboken and the sewage engineering firm Mayo Lynch and Associates have come to terms on a proposed \$475,000 settlement of the firm's three-year-old suit against the city.

If the City Council approves the figure, Mayo Lynch will have received \$1,263,000 on a contract to design a secondary sewage treatment plant which was never constructed and which included plans a Superior Court judge called "not biddable or constructible." Mayo Lynch has already received \$788,000 in partial payment.

The overall cost to the city will be greater, however, after counting \$130,000 attorneys' fees already spent.

The settlement was reached last week and is expected to go before the council next Wednesday.

"My first reaction is that it's much too large for the city to give to Mayo Lynch," said Councilman Joseph Della Fave. "I don't think that the cost of litigating this would come close to \$475,000 and it would seem that we have a really good case against Mayo Lynch."

The settlement was negotiated by Kenneth Laptook for the city and Alex Boothe for Mayo Lynch. The City Council recently voiced its displeasure with the cost of defending the suit, a factor that weighed in the settlement figure, according to Law Director Eugene O'Connell.

"I think that the city is concerned about the litigation costs," said O'Connell. "With that in mind, I think the majority of the council would like the case settled."

Mayo Lynch was hired by Mayor Steve Cappiello's administration to prepare a preliminary design for a secondary sewage treatment plant in Hoboken. The city is under a federal order to upgrade and has been banned from linking new construction into the plant until it is improved.

After the state Department of Environmental Protection rejected Mayo Lynch's design, the late Mayor Thomas Vezzetti's administration refused to continue payments on the contract. The city had already paid \$788,000 to Mayo Lynch.

Mayo Lynch sued Vezzetti and eventually the city to receive its share of the contract, 5 percent of the total cost of what is now a \$97.5 million construction job. The courts eventually declared the entire contract in-

See HOBOKEN — Page 6.

Cable theft may mean added cost to viewers

By James Efstathiou

Hoboken residents will get their chance to speak out on Riverview Cablevision's plan to scramble its broadcast channels during a public hearing before the City Council Thursday in the City Hall council chambers.

The hearing will solicit public comment on all aspects of the company's service, including the plan to scramble on April 1. Public opinion will in part form the basis of the city's testimony before the Board of Public Utilities in February, according to City Council President E. Norman Wilson.

"We're trying to get locally a record established and testimony down on record," said Wilson. "It gives us a chance to field complaints, problems and at least establish a record."

The BPU, which licenses cable firms in the state, wants its own record of the industry's performance before going before the state Legislature in the summer. In July, state codes governing the industry expire and lawmakers are expected to consider changes.

Riverview general manager Joseph Fischer is expected to meet with Assemblymen Bernard Kenny and Robert Me-

nendez today to discuss scrambling. The legislators requested the meeting following public reaction to the plan which will add costs for some subscribers.

"We knew that it was going to impact some people and the reaction is not anticipated," said Fischer. "All we can do is try to explain it. I think that most people, when they do get the full explanation, do understand."

Cable theft has risen to "epidemic proportions" (the company estimates it loses \$2 million annually through cable theft) and scrambling the signal is the only way to stop thieves, Fischer said.

The change will require all subscribers to have a converter installed to receive the signal. About 25 percent of the firm's 37,000 subscribers currently don't have converters.

Many of those not using converters paid extra for cable-ready remote control televisions with advanced technology the changeover will render useless. Manufacturers' remote controls may still be used to adjust volume, tint, and operate other features. However, a remote from Riverview will be required to change channels.

There will be no charge for standard converter boxes. However, Riverview remote controls will cost \$2 or \$3 a month, depending on the subscriber's service. Since Riverview considers each home unit — television or VCR — a separate signal, additional converters will cost \$5 a month.

Viewers with a single converter can still record programs while not watching television or while watching the same channel being recorded. An additional converter will be required to record a channel different from the one being watched.

Municipal leaders have charged the company with passing along an added burden to legitimate subscribers to compensate for the problem of theft, a problem they say the company should confront on its own.

But Fischer said he has tried unsuccessfully to control theft and that scrambling is the most widely used method in the industry to secure cable signals in high-theft areas.

"Unfortunately, we must bear the cost of our neighbor's theft of services," said Fischer. "It's like shoplifting."



PATRICK PASCULLI
Plays hardball

Hoboken delivers its pitch

Baseball's home plans a museum

By EDWARD K. SHANAHAN
The Hudson Dispatch

HOBOKEN — Appearing in both ends of a two-night doubleheader here yesterday, Mayor Patrick Pasculli and his team threw a few high hard ones at New York legislators and took formal action to have this city recognized as the "birthplace of baseball."

"Once and for all, we're going to destroy the fabrication that Abner Doubleday invented the game, and that Cooperstown, N.Y., was its birthplace," Pasculli said at an afternoon press conference in City Hall.

Pasculli was joined by Assemblyman Bernard F. Kenny Jr., D-Hoboken, and local attorney Stephen E. Speiser.

Please see **BASEBALL** Page 6

BASEBALL

CONTINUED FROM PAGE 1

Together, they announced formation of a non-profit organization dedicated to building a baseball museum here.

Later in the day, at a specially called meeting, Pasculli proposed a resolution to the City Council calling for June 19 to be known as Baseball Day in Hoboken, in remembrance of the first game played here on that date in 1846. The resolution was approved unanimously.

Pasculli said the city will hold a series of celebratory events annually on Baseball Day, leading up to the 150th anniversary of the game in 1996.

Speiser, who described himself as a baseball enthusiast, said he had approached Kenny and Pasculli about doing something to earn the city the fame it deserves as the site where the first game of baseball was played.

Speiser said he was offended by New York Gov. Mario M. Cuomo's recent approval of state license plates bearing the slogan "Birthplace of Baseball."

"Since there is no historical basis for Cuomo's claim that baseball originated in New York, he is perpetuating a massive fraud on the American people," Speiser said.

Pasculli and Speiser contend the first game was played at the Elysian Fields on the city's northern riverfront, where the Maxwell House Coffee factory now stands, under rules developed by Alexander J. Cartwright.

Pasculli said he is negotiating with New Jersey Transit to determine whether the second floor of the Erie Lackawanna train terminal can be used as a site for the museum.

Costa resigns and offers bitter farewell

By James Efstathiou

A member of the Hoboken Board of Education fired a scathing parting shot at the district's top leadership and offered dire predictions for the future of Hoboken schools last night upon submitting his resignation.

Former trustee Gerard Costa charged that political interference would continue to be the downfall of the public school system and that the present school leadership was incapable of effecting real improvement.

Costa, one of the last remaining members of a reform coalition that for a brief time held a majority on the board, has retired 20 months into a three-year term after moving out of town.

His statements were contained in a six-page letter read into the record at Costa's request. The letter drew a heated reaction from several board members and Mayor Patrick Pasculli, who was in attendance.

"I am convinced of two things," wrote Costa. "Our district, left to itself, is incapable of self-correction and it must be led by a superintendent from outside the district."

The letter continued, "I think the current structure will insure a future of permanent mediocrity or less."

The letter was read by district business administrator Anthony Curko who, three pages into the statement, was interrupted by board Vice President James Farina, a longtime adversary of Costa.

"We have a meeting to conduct," said an angry Farina. "We don't have time for a seven-page political speech."

Farina was overruled by President Mario Mercado, another opponent of the policies of the reform movement and a primary target of Costa's remarks. Ironically, Mercado finished reading the statement when Curko had to leave the room momentarily.

When he completed the letter, Mercado wished Costa well, then blasted him for making a "blatant political statement" and for leaving the board before completing his term.

See **COSTA** — Page 5.

Costa leaves school board with a bitter farewell

Continued from Page 1

"I've been here for 25 years and I'm going to stay here because I have a vested interest in helping the people I represent and that's the little people," said Mercado. "I'm sorry your term has to end on this note."

Costa was elected to the

board in 1988 on a reform ticket backed by the late Mayor Thomas Vezetti that swept three seats and promised to rebuild what the state has labeled a failing educational system. He is the second member of that ticket to resign prior to completing the full term. Vivian Flora-Distaso left the board

months after taking office. The district was dropped into Level III monitoring by the state Board of Education in 1987 for substandard scores on standardized tests and unacceptable administrative practices. Three other districts in Hudson County, Union City, Weehawken and Jersey City which was taken over by the state, have been under Level III review.

Since then, Hoboken students have shown improvement on standardized tests of basic reading, writing and math skills.

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"He should have used his energies to work with the work-

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In his statement, Costa seemed to concede that the message of the reform movement which in 1985 propelled Vezetti to victory had been lost on the community in recent elections.

"Emerson once said that 'Every hero becomes a bore at last,' and to the extent that those of us in the reform movement have attempted heroic deeds, we are left repeating a message that voters seem to ignore," said Costa. "Nothing has been more frustrating than the loss of interest and passion."

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Hoboken strikes back

By EDWARD K. SHANAHAN

The Hudson Dispatch

HOBOKEN — Brushed back by New York politicians, Mayor Patrick Pasculli is up at the plate again, ready to take another swing at the question of where the game of baseball was born. At a special meeting scheduled for tomorrow at 8 p.m., Pasculli will ask City Council to approve a formal declaration that the game originated here. Pasculli also will ask the council to mark June

19 as Baseball Day in the city. "This is another chapter in the continuing saga of Hoboken taking its rightful position as the place where baseball began," Pasculli said yesterday. Pasculli said he was prompted to take action after New York Gov. Mario M. Cuomo signed a bill Sept. 20 authorizing state license plates to bear the slogan, "Birthplace of Baseball." A spokesman for the governor said the plates will be

Please see **BASEBALL** Page 6

Hoboken calling itself baseball's hometown

By James Efstathiou

Any baseball fan worth his salt can tell you that Abner Doubleday invented the national pastime in Cooperstown, N.Y., in 1839. Right?

Dead wrong say Hoboken politicians who believe they have the facts to prove baseball was first played in Elysian Fields in 1846 and the true inventor of the game was Alexander Cartwright.

That was the message delivered yesterday in City Hall as Hoboken took the offensive in the bi-state battle over the birthright of America's national pastime.

And officials here say New York Governor Mario Cuomo should be the first inductee in the baseball "Hall of Shame," for continuing to present the myth that Cooperstown, not Ho-

boken, is home to baseball.

"The only one advancing the Cooperstown baseball myth is Governor Mario Cuomo of New York," said Hoboken attorney Stephen Speiser. "If there were in fact a baseball 'Hall of Shame,' I would nominate Governor Mario Cuomo for induction."

Speiser was on hand yesterday as Mayor Patrick Pasculli and Assemblyman Bernard Kenny announced the formation of The American Baseball Heritage, Inc., a non-profit organization formed to promote what officials here believe is the true history of baseball's beginnings.

The announcement coincides with a resolution declaring June 19 "Baseball Day," and the unveiling of plans to

See **HOBOKEN** — Page 6.



Hoboken Mayor Patrick Pasculli holds up a baseball to emphasize his point as he asserts his city's claim as the birthplace of baseball.

BASEBALL

CONTINUED FROM PAGE 6

available April 1. When he signed the bill, Cuomo said, "according to enduring and cherished tradition, the national pastime began on the shores of Lake Otsego in New York."

Cuomo admitted there are no records to verify New York's claim, but Pasculli said Hoboken's claim is clear. He pointed to the opening chapter of the Baseball Encyclopedia, published by MacMillan Publishing Co., which says: "The first seeds that led to organized baseball in the U.S. were planted on the Elysian Fields in Hoboken, N.J., on June 19, 1846."

On that day, two amateur teams from New York City, the Knickerbockers and the New York Nine, played a game under rules established by Alexander J. Cartwright on the area now occupied by the Maxwell House factory near the Hudson River waterfront at the city's northern

end. A plaque commemorating that game sits on the traffic island in the middle of 11th Street near Washington Street.

"Baseball did not begin in a vacuum," Pasculli said. "The game started at a specific time, place and location."

But William Deane, senior research associate at the Baseball Hall of Fame in Cooperstown, N.Y., said that, although Elysian Fields was the site of the first recorded baseball game, "it's ridiculous to label one place the birthplace of the game. It was an evolutionary process."

The Hall of Fame's official position, Deane said, is that "whatever may or may not be proved in the future concerning baseball's true origin is, in many aspects, irrelevant."

Pasculli does not agree. "We intend to set the historical record straight," he said.

Cites mayoral defeat

Della Fave ally leaving school seat

By EDWARD K. SHANAHAN

The Hudson Dispatch

HOBOKEN — Frustrated in his efforts to change what he called a school system where politics outweighs education, Gerard Costa resigned his Board of Education seat at last night's meeting.

"My 18-month-old daughter needs a father more than a dragon-slayer, particularly when the dragons still live," Costa said.

He was elected to the board as part of a slate of reform candidates two years ago. Costa's departure leaves the board with only one avowed "reformer" — Felix Rivera, who was elected along with Costa and Vivian Flora-Distaso in April 1988.

At the time, their election gave the board a reform majority. In a six-page letter Costa submitted to the board last night, he said he was pessimistic about the school district.

"I am convinced about two things about the school district. Left to itself, it is incapable of self-correction and must be led by

a superintendent from outside the district," the letter said.

After the letter was read into the public record, board President Mario Mercado, often at odds with Costa, said, "While I wish you well Gerry, I have to say I've never heard a more blatantly political statement since I've served on this board."

Board sources said they are leaning toward choosing Perry Belfiore — who served a partial term as a board member before the 1988 election — to replace Costa until the next board election, in April.

In his letter, Costa pointed to last year's teacher contract controversy and the ongoing asbestos problems in school buildings as indicative of what he called the "ills of our district."

In June, five members of the board approved a three-year teacher pact, which already had been vetoed by the union membership.

The contract later was set aside by the board because of irregularities in its negotiation.



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Plays hardball

Hoboken delivers its pitch

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The hearing will solicit public comment on all aspects of the company's service, including the plan to scramble on April 1. Public opinion will in part form the basis of the city's testimony before the Board of Public Utilities in February, according to City Council President E. Norman Wilson.

"We're trying to get locally a record established and testimony down on record," said Wilson. "It gives us a chance to field complaints, problems and at least establish a record."

The BPU, which licenses cable firms in the state, wants its own record of the industry's performance before going before the state Legislature in the summer. In July, state codes governing the industry expire and lawmakers are expected to consider changes.

Riverview general manager Joseph Fischer is expected to meet with Assemblymen Bernard Kenny and Robert Menendez today to discuss scrambling. The legislators requested the meeting following public reaction to the plan which will add costs for some subscribers.

"We know that it was going to impact some people and the reaction is not unanticipated," said Fischer. "All we can do is try to explain it. I think that most people, when they do get the full explanation, do understand."

Cable theft has risen to "epidemic proportions" (the company estimates it loses \$2 million annually through cable theft) and scrambling the signal is the only way to stop thieves, Fischer said.

See **CABLE** — Page 6.



Hoboken strikes back

By EDWARD K. SHANAHAN

The Hudson Dispatch

HOBOKEN — Brushed back by New York politicians, Mayor Patrick Pasculli is up at the plate again, ready to take another swing at the question of where the game of baseball was born. At a special meeting scheduled for tomorrow at 5 p.m., Pasculli will ask City Council to approve a formal declaration that the game originated here. Pasculli also will ask the council to mark June 19 as Baseball Day in the city.

"This is another chapter in the continuing saga of Hoboken taking its rightful position as the place where baseball began," Pasculli said yesterday. Pasculli said he was prompted to take action after New York Gov. Mario M. Cuomo signed a bill Sept. 20 authorizing state license plates to bear the slogan, "Birthplace of Baseball." A spokesman for the governor said the plates will be available April 1.

When he signed the bill, Cuomo said, "according to enduring and cherished tradition, the national pastime began on the shores of Lake Otsego in New York."

Cuomo admitted there are no records to verify New York's claim, but Pasculli said Hoboken's claim is clear. He pointed to the opening chapter of the Baseball Encyclopedia, published by MacMillan Publishing Co., which says: "The first seeds that led to organized baseball in the U.S. were planted on the Elysian Fields in Hoboken, N.J., on June 19, 1846."

On that day, two amateur teams from New York City, the Knickerbockers and the New York Nine, played a game under rules established by Alexander J. Cartwright on the area now occupied by the Maxwell House factory near the Hudson River waterfront at the city's northern end.

A plaque commemorating that game sits on the traffic island in the middle of 11th Street near Washington Street.

"Baseball did not begin in a vacuum," Pasculli said. "The game started at a specific time, place and location."

But William Deane, senior research associate at the Baseball Hall of Fame in Cooperstown, N.Y., said that, although Elysian Fields was the site of the first recorded baseball game, "it's ridiculous to label one place the birthplace of the game. It was an evolutionary process."

The Hall of Fame's official position, Deane said, is that "whatever may or may not be proved in the future concerning baseball's true origin is, in many aspects, irrelevant."

Pasculli does not agree. "We intend to set the historical record straight," he said.

See **HOBOKEN** — Page 6.

Hoboken calling itself baseball's hometown

By James Efstathiou

Any baseball fan worth his salt can tell you that Abner Doubleday invented the national pastime in Cooperstown, N.Y. in 1839. Right?

Dead wrong, say Hoboken politicians who believe they have the facts to prove baseball was first played in Elysian Fields in 1846 and the true inventor of the game was Alexander Cartwright.

That was the message delivered yesterday in City Hall as Hoboken took the offensive in the bi-state battle over the birthright of America's national pastime.

And officials here say New York Governor Mario Cuomo should be the first inductee in the baseball "Hall of Shame," for continuing to present the myth that Cooperstown, not Hoboken, is home to baseball.

"The only one advancing the Cooperstown baseball myth is Governor Mario Cuomo of New York," said Hoboken attorney Stephen Speiser. "If there were in fact a baseball 'Hall of Shame,' I would nominate Governor Mario Cuomo for induction."

Speiser was on hand yesterday as Mayor Patrick Pasculli and Assemblyman Bernard Kenny announced the formation of The American Baseball Heritage, Inc., a non-profit organization formed to promote what officials here believe is the true history of baseball's beginnings.

The announcement coincides with a resolution declaring June 19 "Baseball Day," and the unveiling of plans to build a baseball museum in Hoboken. The goal, according to Pasculli, is to set the record straight on the origins of the game and to prepare for a national celebration on June 19, 1996 marking the 150th anniversary of the game played at Elysian Fields.

"Once and for all we're going to destroy the fabrication that Abner Doubleday invented the game and that Cooperstown, N.Y., was its birthplace," said Pasculli.

The battle between the states over baseball erupted when Cuomo announced plans to commission a state license plate bearing the insignia, "New York — Birthplace of Baseball."

The belief that baseball was born in Cooperstown stemmed from a report commissioned by sports equipment

magnate A.G. Spalding released in 1907. The findings, who claimed to have witnessed Doubleday invent the game, was incorporated into baseball lore and was largely responsible for the creation of the baseball Hall of Fame in Cooperstown in 1939.

But several historians have refuted Spalding's findings. A 1969 Sports Illustrated magazine article rejected the theory that Doubleday invented the game and credits Cartwright with creating the rules of modern baseball.

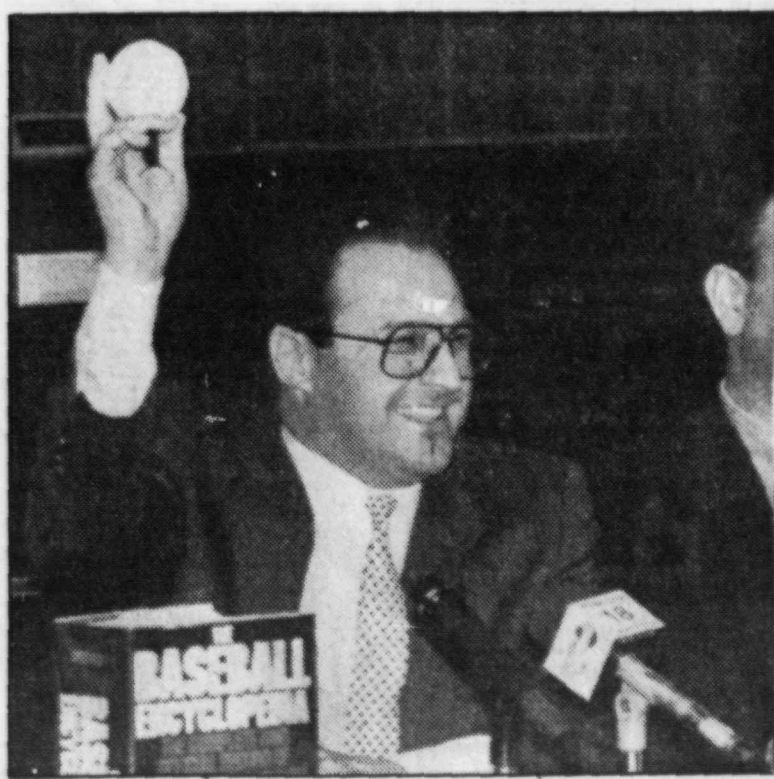
A preface to The Baseball Encyclopedia, the official record of major league baseball, also credits Cartwright with inventing and umpiring the first game played in Hoboken, June 19, 1846.

Whatever might have been played in Cooperstown in 1839 does not resemble baseball today, say historians. Sports Illustrated reports that Cartwright invented the concept of home plate and set the bases ninety feet apart.

In addition, he placed men at their respective positions in the field, invented the position of shortstop and transformed the focus of the game from the base runner to the bases.

"Unfortunately, over the last 100 years or so, we've been dominated by the media of New York and Philadelphia," said Kenny. "It's important to promote ourselves and find our spot in history."

When Cuomo announced plans to go ahead with the new license plates, expected to be issued beginning in April, Kenny sent the governor baseballs signed by over 100 New Jersey legislators opposing the move. But the protest did not deter Cuomo who according to Ken-



Hoboken Mayor Patrick Pasculli holds up a baseball to emphasize his point as he asserts his city's claim as the birthplace of baseball.

See **HOBOKEN** — Page 6.

BASEBALL

CONTINUED FROM PAGE 6

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See **HOBOKEN** — Page 6.

Cites mayoral defeat

By EDWARD K. SHANAHAN

The Hudson Dispatch

HOBOKEN — Frustrated in his efforts to change what he called a school system where politics outweighs education, Gerard Costa resigned his Board of Education seat at last night's meeting.

"My 18-month-old daughter needs a father more than a dragon-slayer, particularly when the dragons still live," Costa said.

He was elected to the board as part of a slate of reform candidates two years ago. Costa's departure leaves the board with only one avowed "reformer" — Felix Rivera, who was elected along with Costa and Vivian Flora-Distaso in April 1988.

At the time, their election gave the board a reform majority. In a six-page letter Costa submitted to the board last night, he said he was pessimistic about the school district.

"I am convinced about two things about the school district: Left to itself, it is incapable of self-correction and must be led by

a superintendent from outside the district," the letter said. After the letter was read into the public record, board President Mario Mercado, often at odds with Costa, said, "While I wish you well Gerry, I have to say I've never heard a more blatantly self-serving statement since I've served on this board."

Board sources said they are leaning toward choosing Perry Belfiore — who served a partial term as a board member before the 1988 election — to replace Costa until the next board election, in April.

In his letter, Costa pointed to last year's teacher contract controversy and the ongoing asbestos problems in school buildings as indicative of what he called the "ills of our district."

In June, five members of the board approved a three-year teacher pact, which already had been vetoed by the union membership.

The contract later was set aside by the board because of irregularities in its negotiation.

See **COSTA** — Page 5.

See **COSTA** — Page 5.

See **COSTA** — Page 5.

Go get 'em, Hoboken!

There's an old joke in journalism about not letting the truth get in the way of a good story. To journalists it's a joke.

To New York it's a way of life. The Empire State daily commits and brazenly displays so many annoying and fatuous follies that it may well be impossible to select the most



MR. PASCULLI have managed for quite some time to ignore this fact quite blithely, but Hoboken, finally, has had enough. To fight back, Mayor Patrick Pasculi, Assemblyman Bernard F. Kenny and lawyer Stephen E. Speiser have formed a non-profit organization to build a baseball museum in Hoboken. In addition, the City Council has proclaimed June 19 as Baseball Day in remembrance of the first game played in Hoboken in 1846. These are the preliminary steps in building up for the 150th anniversary of baseball to be celebrated during 1996 in Hoboken.

While their actions probably won't change any minds up in Albany, that's all right. First of all, how many minds are there in Albany? And second, if there are any, who cares what delusions they entertain?

It's not the New York politicians who count — it's the millions of baseball fans here and around the world. And when Mr. Pasculi and his teammates finish their work, the fans will know the truth: Hoboken is baseball's true home.

City council to vote on engineers' fee

By James Efstathiou

Payment would end lawsuit

The Hoboken City Council will consider paying former sewage engineers Mayo Lynch and Associates \$475,000 to end the firm's three-year old lawsuit against the city at tomorrow's council meeting.

If the council approves the figure, worked out by attorneys at a pre-trial settlement conference, Mayo Lynch will end up earning \$1,263,000 on a contract to design a sewage treatment plant even though their plans were eventually rejected by the state.

Mayo Lynch had previously

received \$788,000.

According to law director Eugene O'Connell, the settlement would end the suit in which the engineers claim they are owed between \$4 and \$5 million. The firm filed the suit in 1986 after the late Mayor Thomas Vezzetti refused to continue payments.

O'Connell is recommending the settlement because a jury might recommend a higher settlement, and to curtail legal fees. Hoboken has already

spent approximately \$130,000 on the case.

However, at least one council member is on the record against the settlement with others promising to take a closer look before rendering a decision.

"I can't approve a one and a half million dollar payment in good conscience using taxpayers money to give to an engineer who never had a contract with the city in the first place and whose million dollars payment

was manipulated by public officials all along," said Councilman Joseph Della Fave.

"Right now, I'm not too enthused," said Councilman Richard England of the settlement figure. "I want more information before I make a decision."

The chain of events began in 1985 when the council, under orders by the federal government to upgrade Hoboken's failing sewage treatment plant, hired Mayo Lynch for \$42,300 for professional services in anticipation of the upgrade.

See CITY — Page 4.

City plans to vote on engineers' fee

Continued from Page 1

The council also authorized former Mayor Steve Cappiello to execute a contract with Mayo Lynch which he did in March.

After Cappiello was upset in his re-election bid by Vezzetti, Mayo Lynch submitted bills to the city far in excess of the original \$42,300 the council approved. According to Della Fave, the firm was never authorized to go beyond the original resolution but did so knowing that elected representatives in City Hall would stand behind them.

"You had a majority of the City Council trying to make something real that never existed and the sole motivation was favoritism, power plays and trying to protect that political network," said Della Fave.

Finally, after learning the Department of Environmental Protection had rejected Mayo Lynch's design, Vezzetti refused to sign a payment of nearly \$300,000 after the council approved the invoice. Mayo Lynch sued Vezzetti and the city for what it felt was the

rightful payment for its services.

"There's no question but that we were engaged," said Joseph Lynch, head of the Hoboken firm. "Our contract was for the design of the treatment facilities of the Hoboken plant."

Lynch, whose firm is under fire for designs it submitted for the upgrade of West New York's treatment plant, said he's not satisfied with the settlement figure, but that the cost of litigating the suit and the advice of his attorneys led him to comply.

A Superior Court judge ruled that the contract with Mayo Lynch was invalid due to posting errors and the fact that somebody reading the original council resolution would never surmise that Mayo Lynch was due to earn over \$1 million on the pact.

The city has since hired a new sewage engineer whose plans for the plant upgrade are being implemented by a tri-municipal sewage authority formed to oversee the reconstruction.

\$475,000 payout

2 councilmen oppose Mayo Lynch bonanza

By EDWARD K. SHANAHAN
The Hudson Dispatch

HOBOKEN — The City Council, apparently eager to end a long-standing lawsuit, may approve a settlement tonight that would give a local engineering firm a total of more than \$1.2 million for what a judge ruled in 1986 was a \$42,000 contract.

At least two councilmen are livid about the proposed \$475,000 payment to Secaucus-based Mayo Lynch and Associates Inc., which was retained in 1985 to provide an initial plan for improving the city's sewage treatment plant.

Councilman Joseph Della Fave, citing the 1986 ruling by Assignment Judge Burrell Ives Humphreys of Hudson County Superior Court in Jersey City, said, "The simple fact is we never had a contract with them."

Della Fave said the city is faced with the possibility of settling "a politically manipulated contract that never existed under which Mayo Lynch did unacceptable work that was never used."

Councilman Thomas Newman agreed.

"It's absurd to be paying this kind of money to Mayo Lynch," he said. "It really sticks in my craw."

In addition to paying Mayo Lynch the \$475,000, the city would also agree to drop its attempts to recover \$788,000 it paid the firm in 1986, said city Law Director Eugene O'Connell.

O'Connell said he is recommending that the council approve the settlement in order to spare the city mounting legal fees and the possibility of losing the case if it goes to trial.

Two other councilmen — David

Roberts and E. Norman Wilson — said they need more answers from the city's special counsel before making a decision on the matter.

Roberts said the \$475,000 figure appears high to him.

But, he added, "at this point, it may be the best way to solve a bad situation."

Councilman Steve Cappiello, who signed the disputed contract as mayor in 1985, said settling the case is probably the safest way for the city to proceed.

The city's special counsel — Kenneth Lupton of the Roseland firm Wolff and Samson — was retained in 1985 to handle sewage matters for the city, and already has been paid about \$130,000.

Della Fave said Lupton has assured the council throughout the proceedings that the city is in



JOSEPH DELLA FAVE
Lashes 'political manipulation'

a strong legal position.

In 1986, then-Mayor Thomas F. Vezzetti balked at paying a \$300,000 bill from Mayo Lynch, saying there was no contract to cover that amount. The city had already made a \$788,000 payment in addition to the \$42,300 originally in the contract.

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HOBOKEN

CONTINUED FROM PAGE 3/17/90

In addition, Vezzetti charged, the firm's work had cost the city \$30 million in federal grants when the design was rejected as "unbuildable and unbuildable" by the state Environmental Protection Department.

Mayo Lynch took Vezzetti to court, and Humphreys ruled for the mayor.

The judge lauded Vezzetti for his refusal to pay the bill, saying the firm was entitled to receive only \$42,300 under the professional services agreement signed with the city in February 1985, because that was the only figure referred to in the resolution authorizing the agreement.

Hoboken's showbiz image not the same since 'Waterfront'

Truth in advertising doesn't seem to apply to Hoboken.

Two television commercials saturating the national airwaves claim to portray the Mile Square City.

But they might as well be set in Cleveland.

You've probably seen the Honda ad.

Robin Leach, the smarmy Australian of "Lifestyles of the Rich and Famous," is standing on a clean, wide street in front of a beautifully landscaped lawn.

The lawn leads up to a huge ranch-style house, complete with a two-car garage, that belongs to Danny the salesman, the short, rotund car dealer who never gets to give his sales pitch for Honda because the cars sell themselves.

The house, which takes up the better part of a city block, is located "here in lovely Hoboken, New Jersey," Robin booms.

But the real Hoboken is an aging, overcrowded, cramped city of five-story brick tenements.

It has undeniable charms, but

there are no sprawling ranches.

No two-car garages, no landscaped lawns, no clean, wide streets.

"We took a little bit of artistic license," said Allan Kay, chairman of the advertising firm Korey, Kay and Partners, which made the commercial for Tri-State Honda.

"Danny has become quite a popular celebrity. We didn't want to use his actual house because people might line up outside for an autograph."

One of the firm's copywriters grew up in Hoboken and decided to plug his home town "for sentimental reasons," Kay said.

Danny's house was actually located on Long Island.

If you can't believe Robin Leach, who can you believe?

Equally misleading is the Sanka commercial.

Filmed in mock-documentary fashion, it starts with flashes of hurried commuters running through a train station.

A caption tells us it's the "Hudson Street Station, New Jersey, 7:14 a.m."

JIM DeROGATIS



HUDSON BEAT

But there is no Hudson Street Station, New Jersey.

It's really the Erie-Lackawana Terminal, Hoboken.

"We wanted to keep the title simple and generic," said Cliff Sessions, a spokesman for General Foods USA, the makers of Sanka.

"Erie-Lackawana was too long and Hoboken was too specific."

The company should be ashamed.

If any corporation should be familiar with Hoboken and proud to be associated with the city, it's General

Foods. They own Maxwell House Coffee, and the Maxwell House factory has dominated the Hoboken waterfront for most of this century.

But the problems don't stop there.

We're supposed to believe the commuters are Hoboken residents rushing to work in New York. They screech to a halt to sample a free cup of Sanka, then stand around harping about how great it is.

"This is great," says one person. "What is this?" adds another. "Delicious."

"No way, this isn't Sanka." The best comment is by a hulking, flannel-shirted hardhat.

"I know football and I know coffee," he says, "and this is good coffee."

Any Hobokenite could tell you it's all bull.

People don't stop for anything during the morning rush hour, least of all a cup of instant decaffeinated coffee.

Two weeks ago, a Massachusetts official criticized the ad as misleading, and General Foods was forced to

admit the "taste test" was staged.

All of those "commuters" were really actors.

"Viewers have come to expect that participants in any taste test are real consumers stating their honest opinions, and not paid actors extolling the product with comment supplied to them by the advertiser," said Mary Ann Walsh, the Massachusetts secretary of Consumer Affairs-Business Regulation.

The company reluctantly agreed to superimpose the word "dramatization" at the bottom of the screen for three seconds as the commercial begins.

"We really don't think any changes in the commercial are required," said Sessions. "But in a spirit of cooperation, and to avoid any possibility of viewer confusion, we are adding the caption."

That doesn't help Hoboken, however.

The Honda and Sanka ads continue to show a Hoboken that simply isn't.

It's enough to give a city an identity crisis.

Morale called 'low'

Hoboken cops rip City Council in contract fight

By EDWARD K. SHANAHAN
The Hudson Dispatch

HOBOKEN — The City Council's decision to appeal an arbitrator's ruling on a new contract for police officers is not sitting well with members of the force, a union officer said yesterday.

"Morale is low," said Detective John Rutkowski, Patrolman's Benevolent Association Local 2 president.

Rutkowski said the city has the right to appeal the Dec. 15 decision by Paul Kell, an arbitrator with the state Public Employment Relations Commission, but questioned the logic of the move.

"How are the men supposed to feel when the city doesn't want to pay them what they feel they deserve?" Rutkowski said.

"We're very happy with the arbitrator's award," Rutkowski said. "Our guys did a tremendous amount of work putting together our proposal and obviously it paid off."

Kell's ruling gave the officers salary increases of 7 percent for 1989, 7 percent for this year, 5 percent for the first half of 1991 and 4 percent for the second half. The raise for 1989 is to be paid retroactively.

In addition, the arbitrator approved the union's proposal for a revised work schedule of five days on, followed by three days off.

Under the current schedule, officers work a two-week shift of five days on, three days off, then work five days and have two days off.

This is the part of the award causing the most problems for the administration and led to Mayor Patrick Pasculi's request for the council to contest the arbitrator's ruling.

Pasculi estimated the city will lose "hundreds of hours of police presence in our community" under the new work schedule.

City Business Administrator Edwin Chius criticized Kell's ruling as "arbitrary and



PATRICK PASCULLI
Sought appeal of ruling

capricious." He said the city could not afford to cover the lost time by paying overtime to officers.

The council voted unanimously at Wednesday's meeting to appeal the contract. City Law Director Eugene O'Connell said the case would be brought to the state Supreme Court.

Councilman David Roberts said the city has pledged not to increase the Public Safety Department's budget, "so if the appeal is unsuccessful, we'll have to cut back on the rank and file."

Hoboken votes to pay fired engineer

By James Efstathiou

Reluctant council decides to end dispute over sewage plant design

Although they called the settlement distasteful, disturbing and even tragic, the Hoboken City Council last night voted to pay a former sewage engineer \$475,000 to end the firm's three-year old lawsuit against the city.

The decision came after the council was briefed in closed session by a special attorney hired by the council to defend the suit in which Mayo

Lynch and Associates sought between \$4 and \$5 million in damages.

For members of the council, some of whom were not in office when Mayo Lynch sued the city after late Mayor Thomas Vezzetti refused to continue paying the engineer, the vote

boiled down to a tough business decision.

The city could either continue paying its attorney to defend the suit — the case has already cost taxpayers \$130,000 in legal fees — and take their chances in court, or approve the settlement and close the

door on the entire episode.

"In closed session it became evident that emotionally, most of us would like to fight and not give Lynch five cents," said council president E. Norman Wilson. Nevertheless Wilson, along with seven of his peers on the council voted for the settlement on the belief that it was more prudent to pay off Mayo Lynch than go to court.

The lone vote against the settlement came from Council-

man Joseph Della Fave.

See **ENGINEER** — Page 6.

Engineer to get sewage plant pay

Continued from Page 1

man Joseph Della Fave who was one of Vezzetti's strongest supporters when he chose to take on the Mayo Lynch contract. Della Fave said that certain council members voted not for sound business reasons but rather out of fear of what might be exposed in court should the case go to trial.

"The vote here was based on people's fear of what the Mayo Lynch trial would open up," said Della Fave. "Now they're going to claim it's a good business decision only to

get themselves out of the exposure of what happened in the past."

The chain of events began in 1985 when the council, under orders by the federal government to upgrade Hoboken's failing sewage treatment plant, hired long-time sewer engineers Mayo Lynch for \$42,300 worth of professional services in anticipation of the upgrade.

Mayo Lynch submitted bills to the city far in excess of the original \$42,300 the council approved. According to Della Fave, the firm was never autho-

rized to go beyond the original resolution but did so knowing that elected representatives in City Hall would stand behind them.

The settlement will be made in two payments, \$225,000 this year and \$250,000 in 1991. Mayo Lynch had already received \$788,000 before Vezzetti moved to break the contract.

In other action, the council voted to table proposed amendments to the city's zoning ordinance dealing with the waterfront.

Council settles lawsuit

Hoboken will pay engineer \$475,000

By EDWARD K. SHANAHAN

The Hudson Dispatch

HOBOKEN — The City Council last night voted 8-1 to pay Mayo Lynch and Associates \$475,000, ending a 3-year-old lawsuit.

Councilman Joseph Della Fave, the lone dissenter, said, "We have been left to decide what is just and what is reasonable in this case. And I don't think this settlement is either."

Other councilmen expressed dismay with having to pay the Secaucus engineering company the large sum for design work that was never used to improve the city's sewage treatment plant.

Councilman Richard DeBocis said, "It's a tragedy to make this payment, but it appears to be in the best interest of the city."

Also last night, an official reported that an aggressive new system of collecting fines for outstanding parking tickets would enable the city to raise an additional \$2 million a year in revenue.

Finance Director Nick Goldsack said the city implemented the plan for the last six weeks of 1989, and collected \$400,000 in previously unpaid parking fines.

Using the computerized system could allow the city to collect \$3 million a year in parking fines — \$2 million more than it's collecting now, Goldsack told City Council members yesterday.

"In 1989, there were 217,000 outstanding parking tickets," Goldsack said. "By using this new lock box system, we were able to collect on half of those."

In a lock box system, violators were mailed copies of their outstanding parking tickets, along with notices that they failed to pay fines or appear in court.

The scofflaws were then asked to return payments to a post office box overseen by a local bank.

The bank directly deposited the money into a city account.

Goldsack said the entire process is run by a data processing firm hired by the city.

His remarks came as he explained last year's revenues. He said collecting parking tickets was one area where the city could greatly increase its revenues.

Council members appeared pleased with the idea, but appeared more interested in Goldsack's proposal to increase fines for parking violations.

Working with Lt. John Aiello of the Police Department's Traffic Division, Goldsack said he would recommend that fines for alter-side-of-the-street parking violations be increased from \$15 to \$35.

Goldsack said the increase would not only raise revenue, but also might deter some people from parking illegally, which would aid street cleaners.

Councilman Thomas Newman said the \$5 fine for parking at an expired meter should also be increased, although he said many city residents would disagree.

"A lot of people are happy to pay the \$5 ticket once or twice a month, since it's cheaper than parking in a garage," he said.

Riverview cable gets bashed at hearing

By James Efstathiou
Round one of an upcoming three-year battle over who will win a lucrative cable television contract in Hoboken began last night with a clear decision going against the current cable operator, Riverview Cablevision.

Speaker after speaker appearing before an ad hoc Hoboken City Council committee on cable television stepped up and took their best shots at Riverview, which also has franchises in North Bergen, Union City, West New York and Weehawken.

After each had their say, the standing-room-only crowd in the City Hall council chambers applauded and cheered while three of the firm's top executives sat quietly in the front row shaking their heads.

If it were truly a prize fight, they would have stopped it but when the hearing did end two hours after it began, one message rang clear.

"Throw them out!" The tone of those who spoke appeared to uncover years of pent up frustration and anger over the services provided by Riverview. There were no punches pulled and every aspect of the firm's operation was called to question.

Riverview has 37,000 North Hudson subscribers, many of whom were on hand with questions concerning the firm's rates, levels of customer service, the lack of premium channels, Spanish language stations and the absence of offices in each town.

But by far the overriding concern was Riverview's plan to scramble its broadcast signal in April.

The move, which company officials say is the only way to deter the theft of \$2 million in cable services annually, will mean added costs for some viewers and will require the installation of a cable converter box for every television or VCR to receive the signal.

Last night, viewers had the chance to let Riverview executives know exactly what they think of the plan.

"I got news for you mister, this (cable theft) isn't my fault. It's not the fault of anyone in this room and we're not going to pay for it," said Daniel Peck, echoing the sentiments of several speakers. "Profiteering, that's the bottom line."

Riverview rocked at Hoboken hearing

Continued from Page 1
pation of amending the codes. Hoboken consumer advocate Robert King and the city's law director are expected to testify before the BPU next month.

Further down the road, Riverview is expected to begin a three-year license renewal process as franchise agreements in all five towns will expire by 1995. According to a BPU supervisor, municipalities can challenge a renewal application by building a public record showing that a cable operator failed to live up to the terms of its franchise agreement.

"I'd say of the things I heard this evening, some of them, if true, would concern me," said Riverview general manager Joseph Fischer. "You have to be concerned as a businessman."

But Fischer said he felt many of the criticisms of Riverview contained half truths and in one instance, a speaker who knocked the company was in fact a disgruntled former employee who was fired. Fischer declined to name the individual. He said he would formally respond to the criticisms in the near future.

In addition to the plan to scramble, subscribers complained of poor reception, being charged for pay-per-view events that were never received and having to spend hours on the phone in order to reach customer service representatives.

In one case, a Hoboken resident reported a light-hearted prank she said exposed the firm's lack of internal communication.

Cynthia Silber, who lives on the 1100 block of Washington Street where cable service is not yet available, contacted Riverview in the fall in response to a promotion for new subscribers.

An installation date was eventually scheduled for December and the servicemen arrived, even though it was impossible to install the line.

"Instead of getting cable service Dec. 5 as I requested, I received a T-shirt in the mail saying, 'Welcome New Subscriber,'" said Silber. "I knew right away the next thing I would be getting was a bill."

Silber displayed a bill she received for basic service although the cable was never installed.

Hoboken school pact hinges on 3 issues

Continued from Page 1
service. "I think that's unconstitutional," said trustee Otto Hotendorf of the proposed salary guide. "I'm a union person. All for one and one for all. If the union treats all of their members with equality, we will knock out a contract Tuesday. If they don't, I'll be opposed to it."

Neither side predicts a strike or walkout over negotiations. The last time Hoboken teachers walked off the job was in 1975 when the two sides could not agree on an amended sick-day policy. Schools were closed 31 days due to that strike.

In other school related matters, the state Senate voted last week to push back school board elections from April 3 to May 1. The deadline for school districts to submit their budgets was also extended at the urging of Gov. James Florio.

The new governor won't present his budget to the state until March 15, typically the budget message is delivered Feb. 15, and since municipal school budgets depend largely on state financing, the extensions were recommended.

Board President Mario Machado said the budget shortfall and fiscal crisis were precipitated by the board announcing that it was hoping to negotiate a 7.5 percent wage increase with the union which represents the teachers throughout the municipal school district.

"We have to make sure that we have the money we need to do that before we can vote on the budget or make any transfers," Machado said.

Hoboken school pact hinges on 3 issues

By James Efstathiou
Negotiations on a new collective bargaining agreement between the Hoboken Board of Education and school teachers hinge on three key issues, according to sources close to the talks.

However, representatives of both sides did not believe the differences would prevent an accord soon.

Talks between the school board and the 420-member Hoboken Teachers Association resumed Jan. 12 with an all-night bargaining session at a local hotel. Another meeting has been scheduled for tomorrow in the school board offices.

Teachers, clerks, attendance officers and drivers have been on the job without a contract since the prior pact expired June 30. Negotiations were stalled for five months following a dispute within the

HTA that resulted in an unfair labor practices charge against the school board.

The case went before the state Public Employment Relations Commission which last month dismissed the complaint and upheld a July vote by the school board rescinding its earlier approval of a disputed contract.

The PERC decision essentially confirmed that the HTA has no working contract with the board, clearing the way for talks to resume.

Key sticking points in the negotiations are proposals to extend the work day by a half hour, revise distribution of salary increases and to amend the sick-day policy.

"I think that everybody's looking to work together and we're headed in the right direction," said Louise Cutillo-Bos.

See HOBOKEN — Page 6.

Hearing sought on plan for sludge burner

By James Efstathiou
Journal staff writer
The president of the Hoboken City Council has asked the state to hold a public hearing on plans to include a high-tech sludge gasification system as part of a \$97.6 million upgrade of the city's sewage treatment plant.

If the request is granted, preliminary indications from the state Department of Environmental Protection are that it will be, area residents will have another forum to be heard on what has become a volatile issue in other towns entertaining similar proposals.

Last week, some 800 people in Bayonne turned out for a public meeting on plans to build a sludge incinerator there.

In Hoboken, public scrutiny of the proposal is expected to intensify. Last night, representatives of seven North Hudson environmental and citizens groups met to trade information and develop a response to the plan.

Helen Manogue of the Hoboken Environmental Council said it was likely that the North Hudson coalition would also petition the DEP for a hearing on the issue and would ask the agency for a health risk assessment of gasification.

"We need to get information, that's basically what we're saying, and we don't feel we have enough facts to go on," said Manogue. "By any other name, it's an incinerator."

City Council president E. Norman Wilson asked for the hearing after reviewing a report prepared for the Hoboken-Union City/Weehawken Sewage Authority evaluating the proposed sludge gasifier and examining alternative sludge removal methods. Wilson said the report called the innovative technology into question on both economic and environmental grounds.

"I'm a little concerned," said Wilson. "I know the tri-city board was trying to get DEP to consider alternatives. I agreed with them."

But whether or not the DEP will consider alternatives remains to be seen. The agency previously held public hearings on gasification when plans were initially presented in 1985. The DEP has issued preliminary approval on the air quality permit for gasification with final approval expected after a review of public comment.

The tri-city authority awarded a \$34.9 million contract to build the gasification system which would become effective upon final approval by the DEP. The overall cost of rebuilding the Hoboken treatment plant figures to be offset, in part, by a \$30 million federal

State hearing sought on sludge incinerator

Continued from Page 1
grant, \$5 million of which was offered for including the new technology in design plans.

According to Hudson County Utilities chairman George Crimmins Jr., the DEP will only reconsider final approval of the air quality permit on the basis of technical objections to the gasification system.

Under gasification, sludge — the solid by-product of the sewage treatment process — is floated over heated sand in an enclosed chamber. The gas created from the process is used to generate electricity in the plant and the exhaust is released through smokestacks equipped with "scrubbers" to remove pollutants.

Plans call for a 22.8-ton per day gasification facility at the Hoboken plant which now generates 10 tons of sludge a day.

The process is distinguished from a sludge incinerator like the one proposed for Bayonne, according to Crimmins. The Bayonne incinerator is expected to handle up to 300 tons of sludge per day.

Historically, sludge has either been dumped at sea or buried in landfills. Sea dumping has been outlawed while

Pollution threat cited

Hoboken residents fear plant

Council chief seeking hearing on incinerator

By EDWARD K. SHANAHAN
The Hudson Dispatch
HOBOKEN — A city councilman yesterday joined the ranks of residents raising questions about a hi-tech sludge incinerator — the largest of its kind — scheduled to be built here.

Council President E. Norman Wilson said he will ask the state Environmental Protection Department for a hearing on the gasification incinerator, which is planned for the city's sewage treatment plant, which is being upgraded.

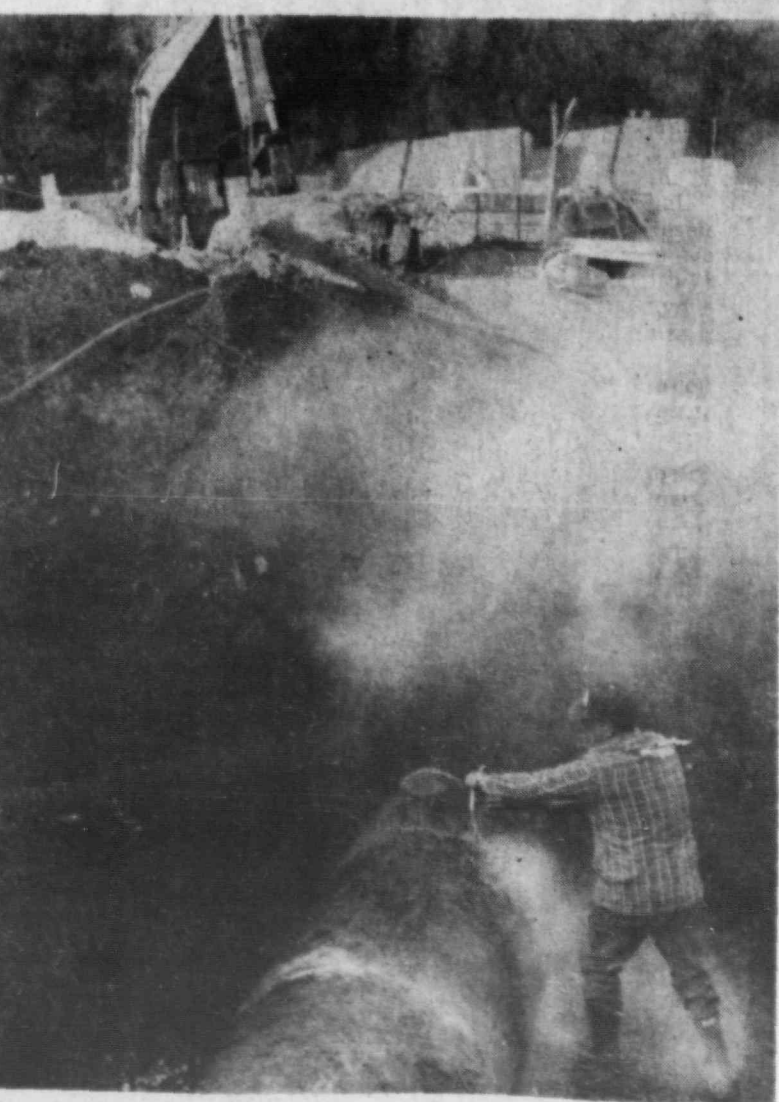
Wilson said air quality has been particularly bad in the area during the last two summers.

"What really struck me about this thing is the smokestacks," he said. "I want to know what the potential for increased air pollution will be."

His worries were echoed by local environmentalists meeting here last night to voice similar concerns about the proposed gasifier.

"In effect, using this gasification technology will make guinea pigs of the thousands of people in this region," Helen Manogue, a Hoboken Environment Committee member, told the two dozen people attending the hastily arranged session.

Manogue said she would call for a public meeting with EDP officials and urged others to do



Victor Roa of L.A.D. Construction yesterday cuts an old sewer line so workers can plug it and begin building a new pumping station at the Hoboken sewage treatment plant. Residents are demanding a hearing on an incinerator planned for the upgraded plant.

DON MCCOY, THE HUDSON DISPATCH

Riverview gets static on fees, scrambling

By EDWARD K. SHANAHAN
The Hudson Dispatch
HOBOKEN — Nearly 100 angry cable television subscribers packed City Hall council chambers last night, lashing out at Riverview Cablevision and the company's plan to scramble its broadcast signal beginning April 1.

The plan would cost some subscribers as much as \$8 a month.

"I think it's time we figured out who the real thief is," said one man who addressed a special City Council committee during last night's two-hour hearing.

He was referring to Riverview's explanation that scrambling is needed to prevent theft of cable services, which the company maintains is costing it \$2 million a year.

Mayor Patrick Pasculli said he created the committee — consisting of Councilmen Steve Capriello, E. Norman Wilson and David Roberts — after fielding numerous complaints from irate subscribers. The four were joined at the hearing by Assemblyman Bernard F. Kenny Jr., D-Hoboken.

City resident Ron Hunter said he did not think he should be charged extra to pay for people tapping into cable lines illegally. He also suggested Riverview should clean its own house first.

"When one of the company's employees came to my home for a service call, he said he could run cable lines into all my rooms for an extra \$20 in his pocket," Hunter said.

Jim Nash said he found it hard to believe the company's contention that 20 percent of the households in North Hudson who don't pay for cable service are stealing it.

Several of the more than 20 people who spoke complained that the converter boxes required to descramble the signal would stand in the way of many of the innovative features offered with new televisions.

Riverview General Manager Joseph Fischer sat in a front-row seat throughout the hearing, shaking his head periodically as subscribers aired their gripes to the board.

People who receive only basic service from Riverview and own cable-ready television sets will be most affected by the company's plan.

Once Riverview begins scrambling, cable-ready television owners will need converter boxes to descramble the signal. If they want remote-control units, they will have to rent them from the company for \$2 or \$3 a month.

CABLE

CONTINUED FROM PAGE 1

loud applause from the crowd. Fischer, who did not answer questions during the session, said later that customer complaints are always a cause for concern.

"I agree the boxes will render some television features useless, but we also heard a lot of half-truths tonight," Fischer said.

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Court quashes indictment of Hoboken councilman

DePascale says case going back to grand jury

By Patricia Scott
Journal staff writer

Superior Court Judge Robert Cavanaugh threw out the indictment of Hoboken Councilman David Roberts yesterday, ruling that Assistant County Prosecutor Jack Hill committed "prosecutorial misconduct" in his dealings with the grand jury that indicted Roberts last May.

Prosecutor Paul DePascale said he would look to retry Roberts.

DePascale said he will present evidence to a new grand jury as early as next week and said he "feels secure the case will stand on its merits and we will see another indictment."

Roberts was indicted on charges that he gave five Stevens Institute of Technology students a keg of beer on election day May 12, 1987, to cast votes for him under the names of Stevens students who graduated.

Cavanaugh said Hill "subliminally influenced" grand jurors and impinged on the independence of the grand jury's freedom and decision-making ability.

The judge's ruling upheld a defense motion brought on Monday by Dennis McAlevy, who claimed Hill used "verbal gymnastics, tricks and fancy footwork to cajole the grand jury into returning an indictment" against Roberts.

Cavanaugh, in dismissing the indictment, gave DePascale the power to either appeal his decision, re-present evidence to another grand jury or drop the case.

DePascale said he will re-present the case because "it's the quickest way to get a resolution."

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Hoboken Councilman David Roberts stands outside Newark courtroom yesterday after a judge threw out his indictment on election law violations. In background is his attorney, Dennis McAlevy.

settled," DePascale said. "If I re-present I could get a resolution in a month."

The case against Roberts was presented to four separate grand juries, but only the final jury empaneled in May 1989 deliberated on the facts and indicted Roberts on the two counts of election law violations.

The judge upheld McAlevy's claim that Hill improperly made repeated references to the earlier grand juries when speaking with the final grand jury and told that panel that Roberts was refusing to testify before them.

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improperly told jurors not to concern themselves with actions by other parties who might have been (criminally) involved because all evidence pointed to Roberts.

According to the grand jury transcripts, Hill told the jurors not to place emphasis on the five Stevens students involved in the illegal act. He also told jurors that Hoboken Mayor Patrick Pasculli would not be subpoenaed to appear before them — even though he was with Roberts when Roberts met with the students — because all testimony pointed to Roberts

See COURT — Page 4

Hoboken group fights giant incinerator

By EDWARD K. SHANAHAN
The Hudson Dispatch

HOBOKEN — With the clock ticking down, local environmentalists plan to meet tonight to plot how they can delay construction here of a hi-tech sludge incinerator — the biggest of its kind. "We're pulling together as much information on this as quickly as we can," said Helen Manogue, a Hoboken Environment

Committee member. Opponents are hoping to repeat the success of environmentalists in Bayonne, who last week gathered more than 1,000 people at a hearing to protest a sludge incinerator there. But for Manogue and her colleagues, time is of the essence. The state Environmental Protection Department is ready to approve the project unless it hears massive public opposition by Monday, the

end of the public-comment period. Graziella Heins of the Union City Residents Association lives on Mountain Road overlooking the site where the incinerator would be located. She said she will be attending tonight's meeting, scheduled to be held at 7 in the main library at Stevens Institute of Technology.

"I'm sure a lot of people are going to be up in arms about this," she said. "A lot of

things like this are sneaking up on us, and it's very frustrating."

Under federal and state pressure to upgrade its sewage-treatment plant, the Hoboken-Union City-Weehawken Sewerage Authority awarded two contracts totaling nearly \$97 million for the job.

Work has begun on the liquid-treatment portion of the plant under a \$62.6 million

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INCINERATOR

CONTINUED FROM PAGE 1

contract held by Taylor Woodrow Construction Corp. of Manhattan.

But work on the sludge-treatment portion of the plant is being delayed until the state department decides whether the facility will meet air quality standards.

The plant has been designed to use innovative gasification technology with which the sludge would be transformed to gas, which would then be burned to help power the facility.

Although gasification is used at smaller facilities, the plant here is supposed to handle 23 tons of dry sludge a day.

"There is no facility such as the proposed Hoboken facility currently used for sludge treatment in this country," said Robert Kotch, who works in the state department's Water Resources Division.

Gasification is different from incineration, but Kotch said his department applies the same air quality standards to both methods of sludge disposal.

"Gasification is an innovative process, not a proven technique," Kotch said. "There is some risk involved, but we think it will work."

Residents, however, have their doubts.

"The EPD has let down the residents in this area very badly in the last couple of years," Heins said.

Manogue said she does not know enough about gasification to convince her it will not be harmful to the local environment.

"We need to know how high the smokestacks are going to be, (and) what kind of emissions will be coming from that plant," she said.

Sewerage authority Chairman Richard Wolff said yesterday he is surprised nobody had voiced concerns previously about the project.

\$32M school budget expected in Hoboken

By MICHAEL MARKOWITZ
The Hudson Dispatch

HOBOKEN — The Board of Education's budget for the next school year will total almost \$32 million, but the spending plan will not become public until later this week because of lingering questions stemming from negotiations with the teachers' union.

Already past the state's deadline for completing its 1990-91 budget, the board again postponed introducing a spending proposal last night and scheduled a special meeting for Thursday at 4 p.m.

At that time, the school district will unveil a proposed budget that is about \$4 million higher

than this year's, Superintendent Walter J. Fine said.

Fine said the board has gotten an extension of the budget deadline from the Louis C. Accella, the state superintendent for Hudson County. The new budget will mean a relatively small rise in taxes, Fine said. He did not provide a figure for the tax increase.

The budget delay came after the board also decided to put off a spending freeze that was proposed for portions of the current budget.

According to a memo prepared for the board by Business Administrator Anthony Curko, \$279,400 is now allocated for increased salaries in the present

school year.

Fine said no funds budgeted for educational programs would be included in the freeze.

All action on the freeze and the new budget was postponed after a one-hour executive session. The closed meeting was convened after Trustee Felix Rivera, an opposition member, divulged the contents of Curko's memo. Board members said Rivera's questions may have hurt their bargaining position.

Last June, five members of the board approved a three-year pact that already had been vetoed by the union membership. The contract later was set aside because of irregularities in the negotiations.

Belfiore added to Hoboken ed board

HOBOKEN — Perry Belfiore, a construction contractor who lives on 11th Street, has been named to fill the Board of Education seat vacated this month by Gerard Costa.

Belfiore said he was chosen after meeting recently with Mayor Patrick Pasculli. The board confirmed his appointment Monday night over the objections of two trustees.

Trustee Felix Rivera, a dissident member of the board, cast the only vote against Belfiore. Rivera complained that Belfiore was the only nominee, and no selection process had been set up.

Another trustee, Claire DePalma, put aside what she called "personal differences" with Belfiore and voted "yes." Belfiore previously served on the board briefly prior to the 1988 election, which he lost to DePalma.

Costa, one of the last of the board's reform bloc, quit Jan. 9, saying he was dissatisfied with the politicization of the school district.

Belfiore joins the board at a time when it is trying to complete a budget for 1990-91 and reach a new contract with the teachers union.

The board expects to introduce its new budget at a special meeting tomorrow at 4 p.m. At that time, the board also may freeze portions of its current budget so money will be available to pay for teacher salary increases.

—MICHAEL MARKOWITZ.

Maxwell House may close Hoboken factory

By DONALD WARSHAW

Citing excess manufacturing capacity, the Maxwell House Coffee Co. yesterday indicated it will close either its landmark processing plant in Hoboken or one in Jacksonville, Fla.

The statement confirmed reports that Maxwell House President Raymond Viault visited the long-established Hoboken plant on Tuesday to inform workers and union representatives of an impending decision on the plant's future.

The Hoboken plant is one of the largest coffee-processing operations in

the world. Its illuminated sign high above the Hudson River waterfront has been a landmark since its opening in 1939. The plant employs 600, including 500 union production workers and warehouse employees.

The Florida plant predates the purchase in 1978 by General Foods of the Cheek-Neal Coffee Co. in Jacksonville, and its subsequent merger with Maxwell House, which now is part of the Kraft-General Foods conglomerate owned by Philip Morris.

"The management of Maxwell House is conducting an extensive review of its manufacturing function to

determine whether it can be carried out more efficiently," said company spokesman Cliff Sessions in Ryebrook, N.Y.

"Maxwell House has excess manufacturing capacity in its Eastern plants. There are two, one in Jacksonville and one in Hoboken, and it appears that one of these plants will be closed," Sessions said.

"Management will make a decision after completion of the review," Sessions stated.

"The decision will be made this year, but the closure will not be carried out in this year," Sessions added, indi-

cating the shutdown in all likelihood will take place in 1991.

Shipments of coffee into the Port of New York and New Jersey have been on the decline. The Port Authority of New York and New Jersey reported that 179 million tons of coffee were shipped into the port in 1988, the latest year for which figures are available. This was down from the 292 million tons of coffee shipped in 1987.

In addition to its Eastern plants, Maxwell House also operates processing plants in Houston, San Leandro, Calif., and in Montreal.

"I'm optimistic that our plant will be the one that remains in operation," said Stephen C. Hornik Sr., president of United Food and Commercial Workers (UFCW) Local 56. The local represents 400 production workers at the Hoboken plant, which processes both regular and instant coffees from beans shipped to its docks from throughout the world.

"I've heard the decision is to be made some time in the summer, and I'm optimistic we'll be okay, as we've been in the past," Hornik added.

"This is based on our being centrally located in the heart of the largest concentration of population in the United States and the quality of the workforce, among many other positive factors," the UFCW official added. "We also hear that the Jacksonville operation has problems, located as it is in what has become the heart of a residential area."

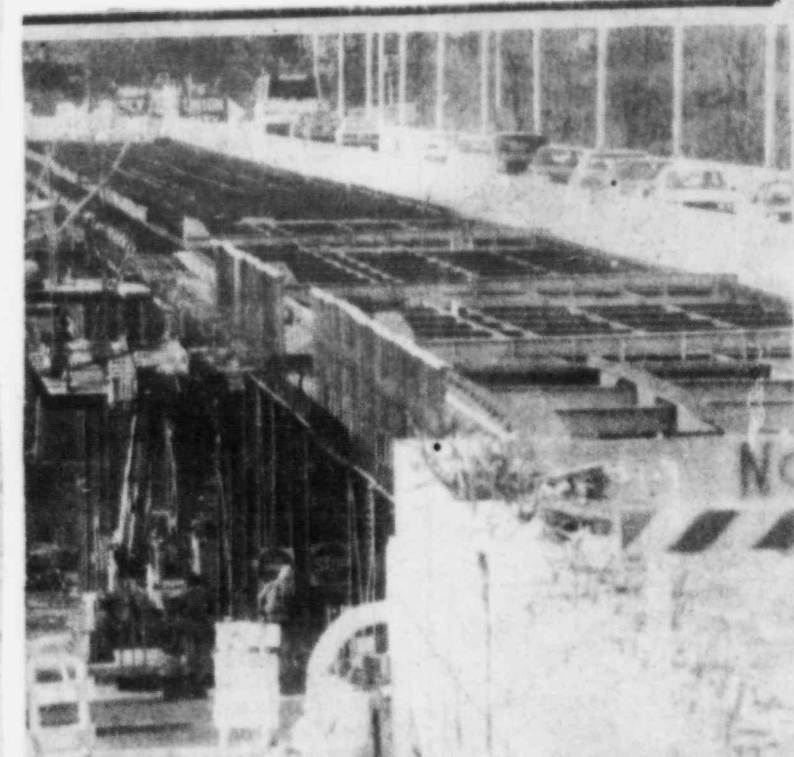
Court quashes Roberts case

Continued from Page 1
and Pasculli was only "physically present."

DePascale said he believes Hill acted properly in all his dealings with the grand jurors. "It comes down to simply a judgment call: the judge thinks Jack (Hill) influenced the jurors and I think he did not, but it's not a big deal. We just start over now," he said.

Roberts said: "This has been a horrible lingering thing for me and for my family. I thought a two-year-long ordeal was finally over. I can't stand to think that this will continue." McAlevy said there is no case against his client if the information is presented "in a fair and impartial way without all the tricks."

"Dave Roberts is a genuine, decent kid who's been through a ridiculous hassle," McAlevy said. "I'm so glad the judge vindicated our position. I never had a doubt the entire grand jury handling of Roberts was unfair."



Traffic moves along the 14th Street Viaduct yesterday despite construction on the second phase of the project. Work on the reconstruction project, estimated to cost \$8 million to \$10 million, has been behind schedule since it began in the spring of 1988. The viaduct links Union City, Hoboken and Jersey City.

DON SMITH THE HUDSON DISPATCH

Tests show asbestos non-hazardous

By James Efsthathiou
Journal staff writer

Three offices in the Hoboken Police Department remained closed yesterday following an asbestos alert. However, preliminary tests show that the material in question contains a non-hazardous form of asbestos.

According to a representative of Detail Associates, Inc., of Englewood, exposed heating pipes in the department are wrapped with a corrugated, cardboard-like material containing non-friable asbestos.

Friable or airborne asbestos can

Cleanup estimate is to be made today; little disruption of police services seen

cause lung cancer years after inhalation but the non-friable form does not pose an immediate health hazard unless it is disturbed.

An anonymous caller Tuesday reported a potential asbestos hazard in the police Bureau of Identification, prompting officials to seal off the area and call for testing. Personnel assigned to the bureau were either reassigned to street duty or

relocated to other offices, according to Capt. Carmen La Bruno.

Investigation and accident report files were moved out of the bureau and the closing presented only a minor disruption of service, La Bruno added.

The incident prompted officials to call for a survey of all offices in the department, located in the basement of City Hall. An unused office

at the north end of the building along with the Bureau of Juvenile Aid were also closed off.

The problem in the Bureau of Identification can be corrected in a relatively short period of time, according to Helen Macri, director of parks and public property. Macri said a firm will be called in today to give an estimate on a spot removal and cleanup in the bureau.

Since the preliminary results showed that only non-friable asbestos is present, it is expected that the entire cleanup can be accomplished with a minimal disruption of police services, Macri said.

Subscribers attack cable-scrambling

By Emily M. Smith
Journal staff writer

Some cable subscribers view Riverview Cablevision's plan to scramble its broadcast signal as theft.

Several hundred North Hudson subscribers last night at a West New York public hearing said having to pay for a security system to protect an already profitable business is thievery.

In order to have access to

freely broadcast commercial stations, cable subscribers will have to install a cable converter box — the key to Riverview's security plan. A quarter of the company's 37,000 subscribers don't have converters.

They say also they are being robbed when they are charged when the cable system fails — as it did yesterday morning for at least an hour.

The list of subscriber grievances went on for more than two hours, with the scramble

plan taking top billing over complaints about poor service, rude employees and incomplete programming.

Although in the end the decision to scramble as of April 1 was unchanged, viewers urged each other to fight the "crime" with a boycott of the service.

"Let's unite and stick together on this topic or we'll be bled through the nose," said Janet Passante of West New York.

"They're turning us into

desperate people," Len Farnola, of Jersey City, said. He suggested to his fellow subscribers that if they are billed for the scrambled signal, "we'll go back to broadcast TV."

Riverview provides service to Hoboken, Weehawken, Union City, North Bergen and West New York.

Scrambling, Riverview officials have said, is the best way to keep \$2 million worth of cable service from annually flowing into households that

don't pay for it.

Joseph Fischer, general manager of the Hoboken-based cable company, equated the scramble fee with stores' increasing retail prices to cover losses from shoplifting.

But customers offered several alternative money-saving options.

"Clean your own house first. Your house is dirty," said Paul Lanzick of North Bergen. The company is likely losing money through theft of its sup-

plies by employees, he said. Inventory of supplies when trucks return from service calls would prevent such theft.

"Let the sponsors and the sports programs pay for pilferage," said Bruce Kline of West New York.

But Fischer said the decision to scramble — and bill subscribers — was not reversible. Despite the substantial opposition, beginning April 1,

Cable subscribers air thievery gripe

Continued from Page 1
subscribers will need a \$120 converter box in order to watch anything on their television sets.

But that company cost saving measure may backfire on Riverview.

Politicians from West New York, Hoboken, Weehawken and North Bergen threatened to scrutinize the cable company and the municipalities and to push for nullification if Riverview comes up short on its service agreement.

Discussions on renewing the 10-year contract made with the five North Hudson municipalities will begin in 1991. In July, state codes governing the industry expire and lawmakers can consider changes.

See CABLE — Page 4

Officials wary of recycling

By EDWARD K. SHANAHAN
The Hudson Dispatch

HOBOKEN — As concern grows over a proposed hi-tech sludge incinerator here, local officials think they've found an alternative way to dispose of solid waste.

It's called "reclamation," and basically consists of recycling the waste. A report from financial and engineering experts says the reclamation would be cheaper, safer and quicker to complete than functions of a proposed incinerator, which uses unproven technology.

But before the reclamation plan can be forwarded to state and federal officials for their review, it needs the support of the Hudson County Utilities Authority, whose members are reluctant to endorse it.

"I'm not saying their scenario won't work," said authority Executive Director George W. Crimmins Jr. "I don't want people to think I'm trying to kill the idea, we just haven't seen enough in-

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RECYCLING

CONTINUED FROM PAGE 1

formation." The report which backs reclamation — commissioned by the Hoboken-Union City-Weehawken Sewerage Authority — is flawed, Crimmins said.

He has prepared a lengthy list of comments on the document, which he said he would release today.

According to a draft of the municipal authority's report, any one of three proven reclamation options could be used for solid waste disposal at the sewage treatment plant in Hoboken. All three would offer long-term savings for ratepayers and a reduced impact on the local environment, the report said.

The proposed gasification incinerator, which turns sludge into gas and then burns the gas, would be the largest of its kind nationwide. Furthermore, no other gasification plant operating in this country burns sludge exclusively.

Reclamation, on the other hand, is a common way to disposing sludge.

Unlike incineration, none of the reclamation options being considered here — pelletization, composting or stabilization of the sludge — would release particles into the air, the report said.

The report also said the initial cost of using reclamation would be about \$2.5 million dollars and the annual operating cost would be between \$300 and \$400 per dry ton treated.

By comparison, the gasification plant would cost \$35 million to build, and between \$500 and \$1,200 annually per dry ton to operate.

"I can't put any stock in those figures right now," Crimmins said. "There's not much there to back them up."

The gasification plant is now under review by the State Environmental Protection Department.

If the EPD approves the plans for the gasification plant, the municipal authority would have to build it, because the agency already has awarded the contract, officials said.

One of the other key points contained in the report is that adopting an alternative plan for sludge disposal would allow the authority to stick to the federal and state-imposed schedule for updating the treatment plant.

Court quashes indictment of Hoboken councilman

DePascale says case going back to grand jury

By Patricia Scott
Journal staff writer

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See COURT — Page 4

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Committee member. Opponents are hoping to repeat the success of environmentalists in Bayonne, who last week gathered more than 1,000 people at a hearing to protest a sludge incinerator there.

But for Manogue and her colleagues, time is of the essence. The state Environmental Protection Department is ready to approve the project unless it hears massive public opposition by Monday, the

end of the public-comment period. Graziella Heins of the Union City Residents Association lives on Mountain Road overlooking the site where the incinerator would be located.

She said she will be attending tonight's meeting, scheduled to be held at 7 in the main library at Stevens Institute of Technology.

"I'm sure a lot of people are going to be up in arms about this," she said. "A lot of

things like this are sneaking up on us, and it's very frustrating." Under federal and state pressure to upgrade its sewage-treatment plant, the Hoboken-Union City-Weehawken Sewerage Authority awarded two contracts totaling nearly \$97 million for the job.

Work has begun on the liquid-treatment portion of the plant under a \$62.6 million

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INCINERATOR

CONTINUED FROM PAGE 1

contract held by Taylor Woodrow Construction Corp. of Manhattan.

But work on the sludge-treatment portion of the plant is being delayed until the state department decides whether the facility will meet air quality standards.

The plant has been designed to use innovative gasification technology with which the sludge would be transformed to gas, which would then be burned to help power the facility.

Although gasification is used at smaller facilities, the plant here is supposed to handle 23 tons of dry sludge a day.

"There is no facility such as the proposed Hoboken facility currently used for sludge treatment in this country," said Robert Kotch, who works in the state department's Water Resources Division.

Gasification is different from incineration, but Kotch said his department applies the same air quality standards to both methods of sludge disposal.

"Gasification is an innovative process, not a proven technique," Kotch said. "There is some risk involved, but we think it will work."

Residents, however, have their doubts.

"The EPD has let down the residents in this area very badly in the last couple of years," Heins said.

Manogue said she does not know enough about gasification to convince her it will not be harmful to the local environment.

"We need to know how high the smokestacks are going to be, (and) what kind of emissions will be coming from that plant," she said.

Sewerage authority Chairman Richard Wolff said yesterday he is surprised nobody had voiced concerns previously about the project.

\$32M school budget expected in Hoboken

By MICHAEL MARKOWITZ
The Hudson Dispatch

HOBOKEN — The Board of Education's budget for the next school year will total almost \$32 million, but the spending plan will not become public until later this week because of lingering questions stemming from negotiations with the teachers' union.

Already past the state's deadline for completing its 1990-91 budget, the board again postponed introducing a spending proposal last night and scheduled a special meeting for Thursday at 4 p.m.

At that time, the school district will unveil a proposed budget that is about \$4 million higher

than this year's, Superintendent Walter J. Fine said.

Fine said the board has gotten an extension of the budget deadline from the Louis C. Accella, the state superintendent for Hudson County. The new budget will mean a relatively small rise in taxes, Fine said. He did not provide a figure for the tax increase.

The budget delay came after the board also decided to put off a spending freeze that was proposed for portions of the current budget.

According to a memo prepared for the board by Business Administrator Anthony Curko, \$279,400 is now allocated for increased salaries in the present

school year. Fine said no funds budgeted for educational programs would be included in the freeze.

All action on the freeze and the new budget was postponed after a one-hour executive session. The closed meeting was convened after Trustee Felix Rivera, an opposition member, divulged the contents of Curko's memo. Board members said Rivera's questions may have hurt their bargaining position.

Last June, five members of the board approved a three-year pact that already had been vetoed by the union membership. The contract later was set aside because of irregularities in the negotiations.

Belfiore added to Hoboken ed board

HOBOKEN — Perry Belfiore, a construction contractor who lives on 11th Street, has been named to fill the Board of Education seat vacated this month by Gerard Costa.

Belfiore said he was chosen after meeting recently with Mayor Patrick Pasculli. The board confirmed his appointment Monday night over the objections of two trustees.

Trustee Felix Rivera, a dissident member of the board, cast the only vote against Belfiore. Rivera complained that Belfiore was the only nominee, and no selection process had been set up.

Another trustee, Claire DePalma, put aside what she called "personal differences" with Belfiore and voted "yes." Belfiore previously served on the board briefly prior to the 1988 election, which he lost to DePalma.

Costa, one of the last of the board's reform bloc, quit Jan. 9, saying he was dissatisfied with the politicization of the school district.

Belfiore joins the board at a time when it is trying to complete a budget for 1990-91 and reach a new contract with the teachers union.

The board expects to introduce its new budget at a special meeting tomorrow at 4 p.m. At that time, the board also may freeze portions of its current budget so money will be available to pay for teacher salary increases.

—MICHAEL MARKOWITZ

Court quashes Roberts case

Continued from Page 1

and Pasculli was only "physically present."

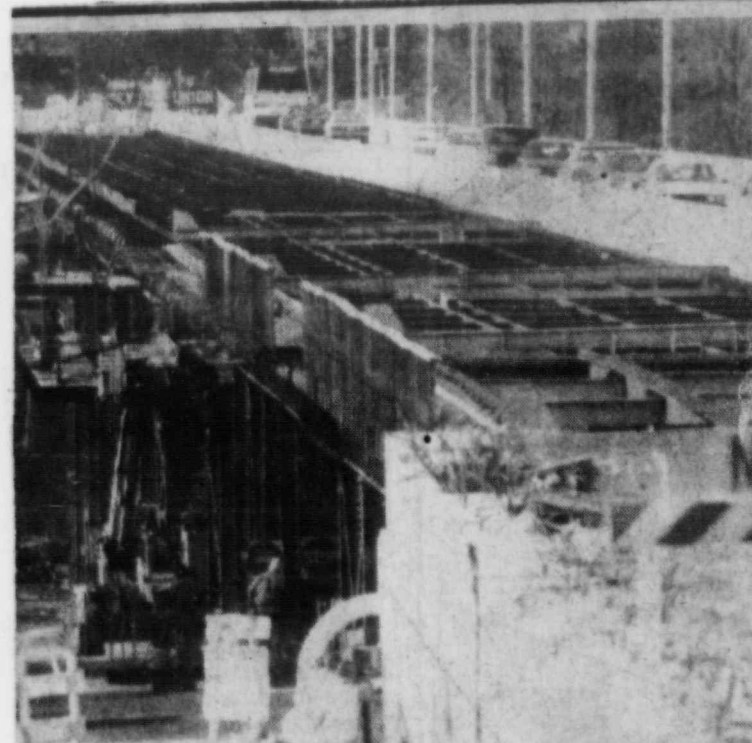
DePascale said he believes Hill acted properly in all his dealings with the grand jurors.

"It comes down to simply a judgment call: the judge thinks Jack (Hill) influenced the jurors and I think he did not, but it's not a big deal. We just start over now," he said.

Roberts said: "This has been a horrible lingering thing for me and for my family. I thought a two-year-long ordeal was finally over. I can't stand to think that this will continue."

McAlevy said there is no case against his client if the information is presented "in a fair and impartial way without all the tricks."

"Dave Roberts is a genuine, decent kid who's been through a ridiculous hassle," McAlevy said. "I'm so glad the judge vindicated our position. I never had a doubt the entire grand jury handling of Roberts was unfair."



Traffic moves along the 14th Street Viaduct yesterday despite construction on the second phase of the project. Work on the reconstruction project, estimated to cost \$8 million to \$10 million, has been behind schedule since it began in the spring of 1988. The viaduct links Union City, Hoboken and Jersey City.

DON SMITH THE HUDSON DISPATCH

Maxwell House may close Hoboken factory

By DONALD WARSHAW

Citing excess manufacturing capacity, the Maxwell House Coffee Co. yesterday indicated it will close either its landmark processing plant in Hoboken or one in Jacksonville, Fla.

The statement confirmed reports that Maxwell House President Raymond Visoli visited the long-established Hoboken plant on Tuesday to inform workers and union representatives of an impending decision on the plant's future.

The Hoboken plant is one of the largest coffee-processing operations in

the world. Its illuminated sign high above the Hudson River waterfront has been a landmark since its opening in 1938. The plant employs 600, including 500 union production workers and warehouse employees.

The Florida plant predates the purchase in 1928 by General Foods of the Cheek-Neal Coffee Co. in Jacksonville, and its subsequent merger with Maxwell House, which now is part of the Kraft-General Food conglomerate owned by Philip Morris.

"The management of Maxwell House is conducting an extensive review of its manufacturing function to

determine whether it can be carried out more efficiently," said company spokesman Cliff Sessions in Ryebrook, N.Y.

"Maxwell House has excess manufacturing capacity in its Eastern plants. There are two, one in Jacksonville and one in Hoboken, and it appears that one of these plants will be closed," Sessions said.

"Management will make a decision after completion of the review," Sessions added.

"The decision will be made this year, but the closure will not be carried out in this year," Sessions added, indi-

cating the shutdown in all likelihood will take place in 1991.

Shipments of coffee into the Port of New York and New Jersey have been on the decline. The Port Authority of New York and New Jersey reported that 179 million tons of coffee were shipped into the port in 1988, the latest year for which figures are available. This was down from the 232 million tons of coffee shipped in 1987.

In addition to its Eastern plants, Maxwell House also operates processing plants in Houston, San Leandro, Calif., and in Montreal.

"I'm optimistic that our plant will be the one that remains in operation," said Stephen C. Hornik Sr., president of United Food and Commercial Workers (UFCW) Local 56. The local represents 400 production workers at the Hoboken plant, which processes both regular and instant coffees from beans shipped to its dockside from throughout the world.

"I've heard the decision is to be made some time in the summer, and I'm optimistic we'll be okay, as we've been in the past," Hornik added.

"This is based on our being centrally located in the heart of the largest concentration of population in the United States and the quality of the workforce, among many other positive factors," the UFCW official added.

"We also hear that the Jacksonville operation has problems, located as it is in what has become the heart of a residential area."

Tests show asbestos non-hazardous

By James Efstathiou
Journal staff writer

Three offices in the Hoboken Police Department remained closed yesterday following an asbestos alert. However, preliminary tests show that the material in question contains a non-hazardous form of asbestos.

According to a representative of Detail Associates, Inc., of Englewood, exposed heating pipes in the department are wrapped with a corrugated, cardboard-like material containing non-friable asbestos.

Friable or airborne asbestos can

Cause lung cancer years after inhalation but the non-friable form does not pose an immediate health hazard unless it is disturbed.

An anonymous caller Tuesday reported a potential asbestos hazard in the police Bureau of Identification, prompting officials to seal off the area and call for testing. Personnel assigned to the bureau were either reassigned to street duty or

relocated to other offices, according to Capt. Carmen La Bruno.

Investigation and accident report files were moved out of the bureau and the closing presented only a minor disruption of service, La Bruno added.

The incident prompted officials to call for a survey of all offices in the department, located in the basement of City Hall. An unused office

at the north end of the building along with the Bureau of Juvenile Aid were also closed off.

The problem in the Bureau of Identification can be corrected in a relatively short period of time, according to Helen Macri, director of parks and public property. Macri said a firm will be called in today to give an estimate on a spot removal and cleanup in the bureau.

Since the preliminary results showed that only non-friable asbestos is present, it is expected that the entire cleanup can be accomplished with a minimal disruption of police services, Macri said.

Subscribers attack cable-scrambling

By Emily M. Smith
Journal staff writer

Some cable subscribers view Riverview Cablevision's plan to scramble its broadcast signal as theft.

Several hundred North Hudson subscribers last night at a West New York public hearing said having to pay for a security system to protect an already profitable business is

theft.

freely broadcast commercial stations, cable subscribers will have to install a cable converter box — the key to Riverview's security plan. A quarter of the company's 37,000 subscribers don't have converters.

They say also they are being robbed when they are charged when the cable system fails — as it did yesterday morning for at least an hour.

The list of subscriber grievances went on for more than two hours, with the scramble

plan taking top billing over complaints about poor service, rude employees and incomplete programming.

Although in the end the decision to scramble as of April 1 was unchanged, viewers urged each other to fight the "crime" with a boycott of the service.

"Let's unite and stick together on this topic or we'll be bled through the nose," said Janet Passante of West New York.

"They're turning us into

desperate people," Len Fariola, of Union City, said. He suggested to his fellow subscribers that if they are billed for the scrambled signal, "we'll go back to broadcast TV."

Riverview provides service to Hoboken, Weehawken, Union City, North Bergen and West New York.

Scrambling, Riverview officials have said, is the best way to keep \$2 million worth of cable service from annually flowing into households that

don't pay for it.

Joseph Fischer, general manager of the Hoboken-based cable company, equated the scramble fee with stores' increasing retail prices to cover losses from shoplifting.

But customers offered several alternative money-saving options.

"Clean your own house first. Your house is dirty," said Paul Lanzick of North Bergen. The company is likely losing money through theft of its sup-

plies by employees, he said. Inventory of supplies when trucks return from service calls would prevent such theft.

"Let the sponsors and the sports programs pay for pilferage," said Bruce Kline of West New York.

But Fischer said the decision to scramble — and bill subscribers — was not reversible. Despite the substantial opposition, beginning April 1,

Cable subscribers air thievery gripe

Continued from Page 1

subscribers will need a \$120 converter box in order to watch anything on their television sets.

But that company cost saving measure may backfire on Riverview.

Politicians from West New York, Hoboken, Weehawken and North Bergen threatened to scrutinize the original contract between the cable company and the municipalities and to push for nullification if Riverview comes up short on its service agreement.

Discussions on renewing the 10-year contract made with the five North Hudson municipalities will begin in 1991. In July, state codes governing the industry expire and lawmakers can consider changes.

See CABLE — Page 4

Officials wary of recycling

By EDWARD K. SHANAHAN
The Hudson Dispatch

HOBOKEN — As concern grows over a proposed hi-tech sludge incinerator here, local officials think they've found an alternative way to dispose of solid waste.

It's called "reclamation," and basically consists of recycling the waste. A report from financial and engineering experts says the reclamation would be cheaper, safer and quicker to complete than functions of a proposed incinerator, which uses unproven technology.

But before the reclamation plan can be forwarded to state and federal officials for their review, it needs the support of the Hudson County Utilities Authority, whose members are reluctant to endorse it.

"I'm not saying their scenario won't work," said authority Executive Director George W. Crimmins Jr. "I don't want people to think I'm trying to kill the idea, we just haven't seen enough in-

Please see RECYCLING Page 6

RECYCLING

CONTINUED FROM PAGE 1

formation."

The report which backs reclamation — commissioned by the Hoboken-Union City-Weehawken Sewerage Authority — is flawed, Crimmins said.

He has prepared a lengthy list of comments on the document, which he said he would release today.

According to a draft of the municipal authority's report, any one of three proven reclamation options could be used for solid waste disposal at the sewage treatment plant in Hoboken. All three would offer long-term savings for ratepayers and a reduced impact on the local environment, the report said.

The proposed gasification incinerator, which turns sludge into gas and then burns the gas, would be the largest of its kind nationwide. Furthermore, no other gasification plant operating in this country burns sludge exclusively.

Reclamation, on the other hand, is a common way to disposing sludge.

Unlike incineration, none of the reclamation options being considered here — pelletization, composting or stabilization of the sludge — would release particles into the air, the report said.

The report also said the initial cost of using reclamation would be about \$2.5 million dollars and the annual operating cost would be between \$300 and \$400 per dry ton treated.

By comparison, the gasification plant would cost \$35 million to build and between \$500 and \$1,200 annually per dry ton to operate.

"I can't put any stock in those figures right now," Crimmins said. "There's not much there to back them up."

The gasification plant is now under review by the state Environmental Protection Department.

If the EPD approves the plans for the gasification plant, the municipal authority would have to build it, because the agency already has awarded the contract, officials said.

One of the other key points contained in the report is that adopting an alternative plan for sludge disposal would allow the authority to stick to the federal and state-imposed schedule for updating the treatment plant.

Last drop imminent for Maxwell House?

By Jim DeRogatis
Journal staff writer

For more than 50 years, the only Hudson County landmarks visible from the New York side of the Hudson River were the huge Colgate clock and Maxwell House Coffee's giant dripping neon cup.

Maxwell House is the last major manufacturer on the Hudson County waterfront. The other plants, including Colgate, abandoned their valuable Hudson River real estate in the late '70s and early '80s to relocate in other states where utilities, taxes and labor were cheaper. Rumors of a Hoboken plant shutdown aren't new.

Coffee consumption has been steadily declining nationally for years, and Maxwell House first began hinting that the plant might close in 1978. Several large layoffs in recent years renewed talk of a plant shutdown.

Company officials are in the process of deciding whether to close the Hoboken factory or one in Jacksonville, Fla., a spokesman said yesterday. Maxwell House was founded in the years after the Civil War by a traveling grocery salesman named Joel Cheek, who developed his unique blend at the plush Maxwell House Hotel in Nashville.

Legend has it President Teddy Roosevelt tasted the coffee at the hotel and gave the company its famous slogan: "Good to the last drop."

The General Foods Corp. purchased the original Jacksonville factory and the Maxwell House name in 1928. The company manufactured Maxwell House coffee in Brooklyn until 1938.

Last drop now appears imminent

Continued from Page 1
pounds of coffee beans a day—the equivalent of 50,000 cups of coffee a minute.

The green coffee beans were once shipped directly from South America to Maxwell House's Hudson River piers, but now freighters carry the beans to Port Elizabeth. They are then carried to Hoboken by truck.

Sanka, Maxim, Yuban, Brim and Master Blend are all made in the factory. The beans are processed depending on the brand, then packaged and shipped out to distribution centers and supermarkets.

Sixty percent of all Maxwell House coffee is sold in the northeast, according to the company.

General Foods ascribes the taste of Maxwell House to a special secret ingredient blended into the coffee. The company is so sensitive about its secret that reporters are rarely allowed into the plant.

As the beans make their way through the factory, they are sorted, roasted in huge cylinders, blended and ground. A taster's panel samples every day's production to guarantee quality and uniformity.

Company employees say it's the roasters and giant percolators that produce the coffee smell that often lingers over the Mile Square City.

Long-time Hoboken residents say rain is imminent on the days when the coffee smell is strongest.

Maxwell House may cut back

Continued from Page 1
projects like coffee burners.

The source also said the plant's decaffeination unit has been inactive for more than a year. "There has been a pressure resulting from the merger with Philip Morris to eliminate duplication of plants, but to think that Hoboken will close sounds absurd," the source said.

The Jacksonville plant is about two-thirds the size of the Hoboken facility, Sessions said. Last June, General Foods executives shut down its instant coffee operations there, resulting in 100 layoffs.

The Jacksonville facility was constructed in 1928 by the Cheek-Neal Coffee Co., which was purchased by General Foods. General Foods now is a unit of Kraft-General Foods which is owned by the Philip Morris Co.

Sessions said the review of the two facilities, which started several months ago, would be "widespread and comprehensive." He would not elaborate on various factors like cheaper labor and housing costs in the South. He said the company would listen to governmental lobbying efforts to keep the plants open.

Joseph Filc, vice president of the Hudson County Chamber of Commerce and Industry, said he would like to see Maxwell House remain in Hoboken, "but we've seen just about every other large industrial employer move to the Sunbelt over the past decade."

Old rumor of closing surfaces again

By James Efstathiou
Journal staff writer

Workers at Hoboken's Maxwell House Coffee plant have heard the rumors before, but that doesn't make the prospect of losing a job any easier to swallow, they said.

"Basically I'm a blue-collar worker. There's nothing else around for blue-collar workers. I'm going to have to travel." Although Kosbab, a life-long resident of Hoboken, has worked at the plant for only 18 months, he is no stranger to blue-collar work on the Hudson River waterfront. For 14 years, he was a tugboat deck hand before losing that job in

1988 following a strike. Years ago, when factories, shipping lines and railroads thrived in the county, losing a job was merely an inconvenience. There was always work, according to Kosbab, if you were willing to go look for it. But today, good paying blue-collar jobs like the 500

See CLOSING — Page 6

Maxwell House gearing down

A decline in coffee drinking leaves facility over-staffed

By Bill Campbell
Journal staff writer

A 27-year national decline in coffee consumption coupled with excessive manufacturing capacity may force General Foods to close its Maxwell House coffee plant in Hoboken, resulting in the loss of some 600 jobs.

Executives at General Foods headquarters in White Plains, N.Y., said yesterday they will decide by the end of the year which one of its two East Coast coffee manufacturing plants will close.

The move pits Hoboken against Jacksonville, Fla., where General Foods also operates a Maxwell House plant. The Jacksonville plant employs about 350 workers.

"There is a situation where we have two plants doing essentially the same thing," said Cliff Sessions, a company spokesman. "After a thorough review of the two operations there will likely be a decision to close one of the two plants by the end of the year."

Maxwell House President Raymond Viallet toured the Hoboken facility, one of the world's largest coffee processing operations, to inform managers and union representatives of the impending decision.

Sessions said he did not know how much money the company would save by closing either the Hoboken or Jacksonville facility. He also said he did not know the amount of excess capacity at the two plants, "but very likely, one East Coast plant will do."

The move is necessitated by a sharp drop in coffee consumption, company officials said. In 1962, coffee consumption

hit an all-time high nationally, of 3.12 cups per day, according to Bob DeChillo of the National Coffee Association, a trade association based in Manhattan. Last year, Americans drank 1.75 cups per day, he said.

In 1962, nearly 75 percent of the population were coffee drinkers, compared to 52.5 percent last year, DeChillo said.

"The decline in coffee drinking is a trend we have seen for years," he said. "There have been some marketing efforts by generic groups like the Colombian Coffee Growers, but there has still been a gradual decline in coffee consumption over the years."

The shipments of coffee imported into the New York region has also declined, according to John Hughes of the Port

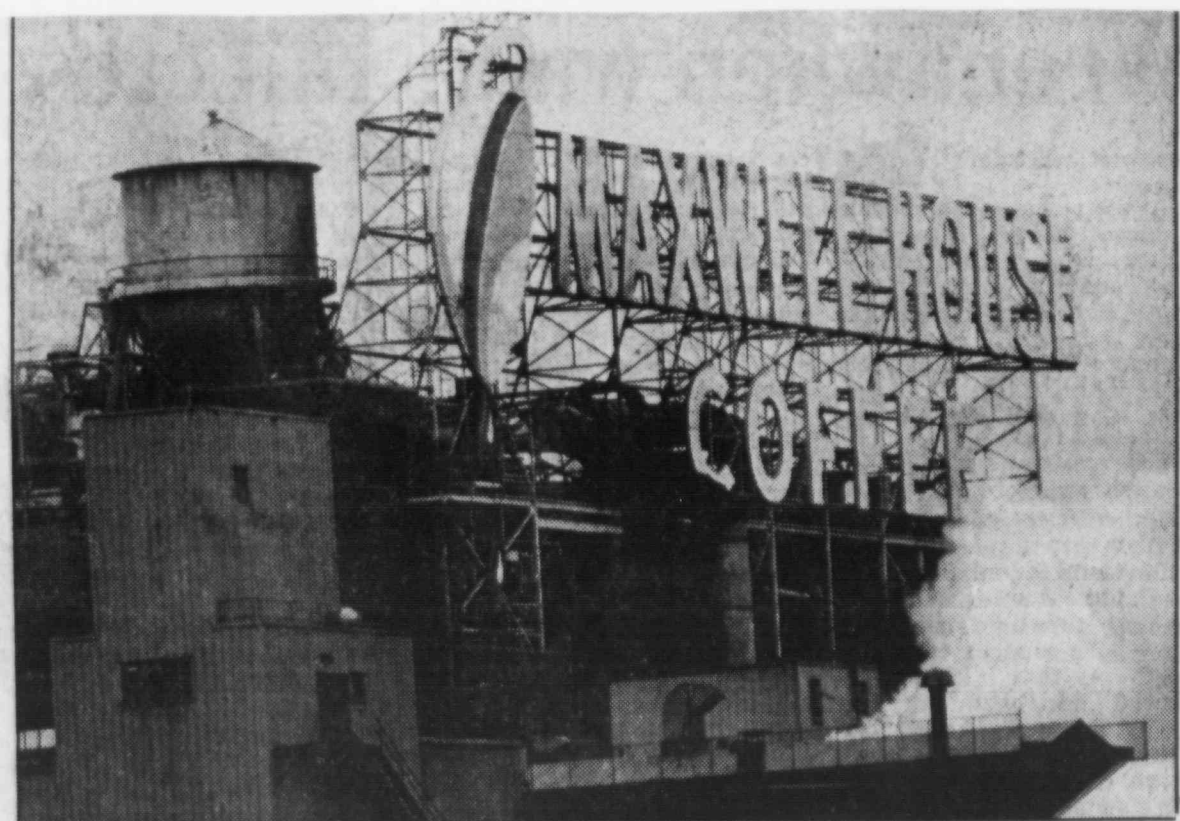
Authority of New York and New Jersey. In 1988, the last year for which statistics were tabulated, imports of green and roasted coffee beans were 179,000 tons. In 1987, 295,000 tons of beans were imported, he said.

The Hoboken plant, which opened in 1938, is the city's largest industrial employer. About 600 people work at the plant today, down from a high of more than 2,000 in the early 1950s.

Still, General Foods has made substantial capital improvements in the Hoboken plant. In December the company installed new roasters and completed an extensive asbestos removal project. The plant manufactures the Sanka, Yuban, Brim and Master Blend brands.

A source close to the Hoboken facility's operations said General Foods has earmarked \$12 million in capital improvements over the next four years, \$3 million alone this year for

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The landmark Maxwell House plant in Hoboken could close in 2 years.

Closing rumor's resurfacing leaves staff fearing it's real

Continued from Page 1

union jobs at Maxwell House are hard to come by. If the Hoboken plant closes, the already tight local market for industrial jobs will become even tighter.

"I'm here on the waterfront, a long time," said Kosbab. "They don't want industry on the waterfront no more. They want condominiums and sailboats."

Kosbab is a member of the United Food and Commercial Workers Local 56 which represents approximately 400 production employees at the plant. The remaining 100 union workers are represented by the International Longshoremen's Association Local 1587.

If the plant closes, Kosbab will be one of approximately 140 new UFCW employees not protected by a three-year labor contract signed in 1989 that guarantees workers with more than five years experience a paycheck for the duration of the pact.

Union employees at the plant have heard nothing concerning the future plans of parent company Kraft-General Foods from management or union officials. Workers said they learned of the proposal

through newspaper reports or from a flyer distributed yesterday in the factory cafeteria.

When Maxwell House President Raymond Viallet visited the Hoboken plant Tuesday, he spoke only to salaried employees or "white shirts," as Leo Buonsanto, a driver and 23-year veteran of the factory, refers to management personnel.

"For me, it would be very hard to find another job because I'm 50 years old," said Hoboken resident Buonsanto, a father of three children. "We lost all the plants in Hoboken. This is the one we've got."

Rumors that the plant would close its gates have sprung up as often as flowers in the spring over the past 12 years, workers said. But according to Buonsanto, word from the "white shirts" is that this time it's real. Either the Hoboken plant or one in Jacksonville, Fla. is closing in 1991.

"They said that it's real," said Buonsanto. "But I hope by the summer that it's a rumor."

UFCW Vice President Stephen Hornick said he is optimistic that Kraft-General will close the Florida plant ahead of Hoboken and has refrained from taking any action for fear of unnecessarily "upsetting" members and their families.

Joseph Blount, an ILA forklift operator at the plant for nine years, agreed that it was too early to react, given the past record of false rumors.

"All I know is that it's still here and this is how I'm treating this," said Blount who is also a minister in his home town of Irvington. "Unless I have something more concrete, I don't want to even speculate about it."

But Doug Matthews, a research engineer from Bergen County, said he was not surprised by Viallet's announcement, which only confirmed growing rumors of a possible closing.

"I think he (Viallet) really didn't say anything that people hadn't already heard," said Matthews, who has been in the research department for two-and-a-half years. "I don't think he surprised anyone."

Salaried employees like Matthews or Kevin Kelton, a Jersey City resident who has been an electrical engineer at the plant since 1986, said Kraft-General has been good to its management-level personnel. Kelton said he'd like to stay in Hoboken close to home, but that if the plant closed, he would probably get a buyout offer or be relocated.

Will jobs stay?

At Maxwell House, they wait, wonder

By EDWARD K. SHANAHAN
The Hudson Dispatch

HOBOKEN — Filtering out of work on a chilly, gray afternoon yesterday, employees at the Maxwell House Factory tried to remain sunny.

They said they have heard the plant-closing talk for years — but nothing has happened.

Yet, Hoboken resident Ralph Rufino, who has worked in shipping for the last two years, said his uncle heard the same talk when he started at the plant 38 years ago.

"They told him he would only be here temporarily," said Rufino, "and he lasted close to 40 years."

One man hustling through the light rain to his car as the day-shift ended yelled: "We're not going anywhere."

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MAXWELL HOUSE

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Others were not so sure. "I feel depressed," said Vincent Calamito, a 15-year veteran of the plant's shipping department.

"This is more than a job to me," said Calamito, who lives in Jersey City. He said he has developed many close friendships with longtime co-workers.

Calamito said rumors the plant may close are nothing new, but that did not appear to lift his spirits.

On Tuesday, a General Foods USA spokesman said the company is considering closing down either the plant here or one in Jacksonville, Fla.

The Hoboken plant — a Hudson County landmark since 1939 — employs 600 people. It is located

on the city's northern waterfront. Both of the plants have manufacturing capacity that the company needs because the demand for coffee continues to drop in this country, the spokesman said.

"It's too premature to worry about this," said Steven Hornik, vice president of the United Food and Commercial Workers Local 56. The union represents about 400 workers at the plant.

Rufino said he is not ready to believe the plant will close, but if it does, the impact will be great. "It would hurt a lot of people in this city," he said. "A lot of people have built their lives around this plant."

Mayor Patrick Pasculli echoed

Rufino's thoughts. "I don't think we should jump to conclusions that the plant will close," Pasculli said. "But if it does, it would be a deep economic loss to this community."

Pasculli said 100 city residents work at the plant. The loss of these jobs and the tax revenues, water and sewage fees the city receives from Maxwell House would be very damaging to the local economy, he said.

Pasculli met yesterday with company officials.

He said the meeting was set up to "so we could find out about the status of Philip Morris's study of which plant will be closed and to renew the city's support for Maxwell House."

Plant's loss would be a sad day for Hudson

Continued from Page 1

boken. It helps diversify our tax base, provides jobs and is still one of our best taxpayers."

The firm paid \$394,000 in taxes to Hoboken in 1988 in addition to sewer and water user fees. Its property, from Elysian Park to 12th Street along the waterfront, was assessed at \$21.9 million, according to the city tax collector.

"City finances would suffer a loss," said business administrator Edwin Chius. "However, the biggest loss would be in terms of blue collar jobs and the spinoff economy the plant gives to the neighborhood."

Steve Hornick, vice president of United Food and Commercial Workers Local 56, represents 400 production workers at the plant said he was concerned about the developments but was optimistic that the Florida plant would be the first choice if the firm indeed closed a facility.

The union is working under a three-year labor contract signed last March which guarantees workers with more than five years of experience a paycheck throughout the term of the agreement, Hornick said.

Workers in Jacksonville have not such guarantee, he added.

That fact, along with the high visibility of the Hoboken plant and perceived operational problems in Jacksonville give the Hoboken plant a definite edge, Hornick said.

Meanwhile, Guarini said his "immediate concern is the welfare of the 600 employees," but if that aspect can be resolved to the satisfaction of the unions, plant closing may be a viable option.

"Considering the value of waterfront property in Hoboken, if there is no hardship to the employees, I think there may be a higher and better use than a plant built in 1932," he said.

Janiszewski said he learned of Maxwell House's possible closure just after he arrived in Washington, also for the commerce reception. He said it was ironic that he heard the news while attending a dinner to promote Hudson County because the closure would further erode the county's economic base.

Journal staff writers Wendell Jamieson and Terence J. Kivlan contributed to this article.

MAXWELL

CONTINUED FROM PAGE 1

"The effect on the blue-collar community will be difficult because they're the best blue-collar jobs in town," Chius said. "They're head of household jobs."

The 22-acre Hoboken plant is one of the largest coffee-processing operations in the world. The Jacksonville plant is one of the oldest; it was built in 1928.

At the height of its success, in 1973, the Hoboken plant employed 2,000 people. But coffee consumption has fallen since then, and Sessions said General Foods had hired a management consultant to determine whether it should close one of its Eastern plants.

"Young people don't drink (coffee)," Sessions said. "It increased a little last year, but in the last 20 years, we've experienced an over-

all decline. It is clear we have too much manufacturing capacity."

Mayor Patrick Pasculli said he planned to meet with Maxwell House officials this afternoon, and pledged to do what he could to keep the plant in Hoboken.

"Maxwell House is very important to Hoboken," Pasculli said. "We have encouraged their existence here. We're going to continue to encourage their existence here."

Janiszewski — who was in Washington with the state Chamber of Commerce to promote economic development in the county — said that he, too, would meet with Maxwell House leaders as soon as he returned.

The Hoboken plant processes raw beans into coffee, Sessions said.



Maxwell House coffee plant on the Hoboken waterfront.

Hudson would lose \$15 million

Maxwell House may shut Hoboken plant, idling 600

By ROBERT HENNELLY
The Hudson Dispatch

HOBOKEN — The Maxwell House coffee plant — which employs 600 people and contributes millions of dollars to the local economy — may close next year, a company spokesman confirmed yesterday.

Cliff Sessions, a General Foods USA spokesman, said the Hoboken processing facility — a Hudson County landmark since 1939 — is one of the company's two Eastern plants it is considering shutting down. The other plant is in Jacksonville, Fla.

General Foods will decide "in the next couple of months" which of the two plants to close, Sessions said.

"Coffee demand has decreased over the years, and both plants have excessive manufacturing capacities, much more than Maxwell House needs," Sessions said.

Local officials said losing the plant would be an economic catastrophe. "It presents a real economic concern, if not an emergency," said County Executive Robert C. Janiszewski. "This would be a substantial loss."

Janiszewski estimated that Maxwell House workers contribute as much as \$15 million to the local economy.

Hoboken Business Administrator Edwin J. Chius said the plant pays \$500,000 in property taxes a year — nearly one-eighth of the property tax revenue that the city collects.

The plant also, in effect, subsidizes residents' water rates, because it buys water in vast quantities, Chius said. And, of course, losing the plant would deprive residents of hundreds of jobs.

Please see MAXWELL Page 11

\$32M backed for education

Hoboken trustees approve budget

By EDWARD K. SHANAHAN
The Hudson Dispatch

HOBOKEN — The Board of Education, trying hard to hold the line on spending, last night approved a preliminary budget of \$32.4 million for the 1990-91 school year.

The budget was forwarded to the Hudson County schools superintendent, Louis C. Accolla.

Although the \$32.4 million is a jump of less than \$2 million over the 1989-90 budget, local taxpayers will have to kick in more than \$2 million more to fund the spending plan.

The board approved the tentative budget by a 5-2 vote. Board members Otto Hottendorf and

Felix Rivera, each with his own reasons, dissented.

"This package is based on too many variables," Rivera said. "Most importantly, I think we're overestimating the amount of federal and state aid we'll be receiving next year."

Board Secretary Anthony Curko said he included only 85 percent of anticipated federal and state money for the 1990-91 budget, because neither government has indicated how much it will give to the district.

Curko said Rivera must not have reviewed the budget worksheet before making his statement.

Hottendorf said the board should trim the amount budgeted for teachers' salary increases by

\$400,000. The board is negotiating a new three-year pact with the teachers' union.

"Since salaries make up 80 percent of the budget, that's the obvious place to cut," Hottendorf said.

Rivera also maintained that Schools Superintendent Walter J. Fine and Curko had performed an "irresponsible" job of preparing the budget.

Fine became livid and criticized Rivera, saying the board member had taken little interest in the budget process.

"When have you ever spoken to me about this budget?" Fine asked. "I was here Saturday working on this. Where were you?"



WALTER J. FINE
Bristles at criticism

School budget to mean \$2.07 tax rise

By James Efstathiou
Journal staff writer

The Hoboken Board of Education has introduced a preliminary 1990-91 school budget calling for a \$2 million increase in the local school tax levy.

That jump would raise the school portion of local taxpayers' bills from \$8.93 per \$1,000 of assessed property value to approximately \$11 per \$1,000, according to city Business Administrator Edwin Chius.

The \$32.4 million spending plan, up by \$1.6 million over the current year, was approved by the board Thursday by a vote of 5-2. Voting against the package were trustees Otto Hottendorf and Felix Rivera.

The budget anticipates \$12 million in state and federal aid or 85 percent of the aid package in the current budget. The budget has been referred to Hudson County Superintendent of Schools Louis Accolla for review.

A public hearing will follow, prior to

which the board will have the opportunity to amend the plan.

The largest line item increase in the budget is in salaries, which make up 80 percent of the entire budget. Teachers' salaries make up \$10.3 million of the package, up by \$1.2 million over the current year.

The Hoboken Teachers Association is negotiating with the board for a new three-year labor agreement. Teachers, clerks, attendance officers and drivers have been on the job without a contract since June.

Hottendorf, who unsuccessfully tried to cut \$400,000 from salaries at the meeting, said the district look at ways to reduce staff and overall spending instead of handing teachers what he figures will amount to a 34 percent increase over three years.

In past years, according to Hottendorf, the district's seven elementary schools enrolled over 1,000 students each. Now, he said, that figure is down to 2,441 students in all seven schools. The district is antici-

pating an overall enrollment of 3,297 students in September, down by 425 students from last fall.

"We should reduce staff and renegotiate the contract," said Hottendorf, who advocates selling two school buildings to cut administrative and clerical staff.

The contract negotiations with the HTA have apparently stalled over terms designed to improve teacher attendance and keep teachers in school for longer hours.

Those concessions, according to trustee Claire DePalma, were written into an original agreement knocked down by the association over the summer to justify the pay increase.

"The teachers were offered certain things so that the children would get certain things," said DePalma. The goal, according to DePalma, was "to have the teachers in school more often and to raise the attendance rate for children and teachers."

Cable scrambling cost may be eased

Pasculli to fight any plan for extra charges

By James Efstathiou
Journal staff writer

Public reaction to a local cable carrier's plan to scramble its broadcast signal has prompted the firm to reconsider parts of the proposal that would increase monthly bills for some subscribers.

In a letter to elected officials in the five North Hudson towns served by Riverview Cablevision, general manager Joseph Fischer said his firm was "reviewing a number of alternatives by which we might soften the financial impact of cable signal scrambling."

The letter was a response to questions submitted in writing to West New York mayor Anthony DeFino. Fischer said he answered the same questions at a public hearing in West New York earlier in the week attended by several hundred residents.

"I would say the public reaction is a major factor in our decision to reconsider the pricing impact of our scrambling plan," said Fischer, whose firm serves 37,000 subscribers in Hoboken, Weehawken, Union City, North Bergen and West New York.

Riverview announced that it will scramble its broadcast signal April 1, a move Fischer said is necessary to stop between 10 and 20 percent of all non-subscribing households in North Hudson from tapping into cable lines and stealing the service.

But the move will mean added costs for some viewers who will be required to have Riverview converter boxes installed to receive the signal. The firm planned to charge \$5 for extra converters and between \$2 and \$3 for remote control converters.

A source at Riverview said the company is considering dropping the charge for the remote control.

When it was revealed that cable bills would go up with no additional services, area politicians attacked the plan and a public hearing on Riverview was held in Hoboken last month.

Hoboken Mayor Patrick Pasculli was not impressed with Fischer's pledge to reconsider pricing options and said he would not support any proposal that carries with it an extra charge or the necessity of a converter box.

"There must be other ways to approach the problem, but that's not the solution," said Pasculli.

Despite the widespread opposition to cable scrambling, Fischer said Riverview was not considering backing off on plans to scramble.

He said the public hearings

See CABLE — Page 8

New sludge gasifier considered

By John A. Oswald
Journal staff writer

An imminent ban on ocean dumping and Bayonne's decision to kill plans for a new sludge incinerator have prompted Jersey City officials to consider constructing a sludge processing facility.

One of the options Jersey City is considering is building a gasification plant, similar to a plan now being eyed in Hoboken to handle the sludge produced there and in some North Hudson communities.

Under gasification, sludge — the solid by-product of the sewage treatment process —

See SLUDGE — Page 4

Cable firm set to ease scramble costs

Continued from Page 1

have uncovered three sensitive pricing issues, the remote charge, the additional outlet charge to be able to watch one program and record another and the additional outlet charge for subscribers with

more than one television on the cable, that are being reconsidered.

"We firmly believe that the decision in terms of scrambling to stop cable theft is an absolutely correct decision," said Fischer.

Hoboken Fire Department swears in 2 deputy chiefs, 2 captains

Four Hoboken firefighters were sworn into higher ranks at a ceremony yesterday in City Hall.

City Fire Chief James Houn and Public Safety Director Thomas Kennedy presided over the ceremony.

Fire captains Robert Moore and John Lewis were promoted to deputy chiefs.

Firefighters Kenneth Metcalf and Richard Ladage were promoted to captains.

Waterfront advisory panel named

By James Efstathiou
Journal staff writer

Hoboken Mayor Patrick Pasculli has named a 12-member advisory committee that will review developer proposals for the city's 3.2 million square foot joint waterfront project with the Port Authority of New York and New Jersey.

The Hoboken Waterfront Development Corporation, an advisory body called for in the city's lease agreement with the Port Authority, has no formal power other than to make recommendations.

Still, Pasculli said that because of the experience of his appointees, the HWDC will wield some influence with the Port Authority, which will eventually choose project developers.

"I see them with a good deal of influence," said Pasculli. "The makeup of the board is representative of a number of respective members

of our community and I think because of the nature of their makeup, city councils will, of course, respect and be influenced by their recommendations."

But Pasculli's chief rival in City Hall, Councilman Joseph Della Fave, called the group a "passive agency" and one that, by its design, will have little real input in making final decisions.

"It's a passive agency which is what the PA wanted it to be," said Della Fave who voted against the lease agreement with the Port Authority.

According to the lease agreement, the Port Authority is responsible for executing developer agreements to build on the city-owned waterfront parcel stretching from Hoboken Terminal to Stevens Institute of Technology. Developers who bid on parcels within the site must plan in accordance with a redevelopment plan approved by the City Council.

The HWDC will review developer solicitations before they are sent out, and proposals submitted with major property holdings in Hoboken and Brenda Hopper, director of the division of Small Business Services of the Jersey City Economic Development

Appointed to three-year terms are Barbara Russo, a manager with Rand Associates, a career placement agency; Deepak Gandhi, a civil engineer with the New York City Transit Authority and Ray Fiore, owner of R. Fiore Real Estate and a former Hoboken public school teacher.

The three remaining four-year terms will be filled by Suzanne Warren, New York sales manager for Accent Publishing, James Perry, assets manager with Equitable Real Estate Investment of New York and George Gaspar, an electrical corporation marketing executive.

Appointed to two-year terms are Edwin Nieves, executive director Caparra Inc., a non-profit outreach organization; Morgan Cline, an advertising executive with major property holdings in Hoboken and Brenda Hopper, director of the division of Small Business Services of the Jersey City Economic Development

Appointed to two-year terms are Edwin Nieves, executive

Sludge gasifier mulled for Jersey City plant

Continued from Page 1

is floated over heated sand in an enclosed chamber. The gas created from the process is used to generate electricity in the plant and the exhaust is released through smokestacks equipped with "scrubbers" to remove pollutants.

The likely location for the plant would be the now-abandoned incinerator site on city Public Works Department property on Route 440, just south of the Hudson Mall, according to Mayor Gerald McCann.

That site is across Newark Bay from the Passaic Valley Sewerage Authority treatment plant, which will treat sewage from Jersey City, Bayonne, Kearny and numerous non-Hudson communities.

The remaining sludge is currently dumped in the Atlantic Ocean, but strict new environmental laws will ban the procedure in 1991. Until two weeks ago, the PVSA was planning to construct a sludge incineration plant in Bayonne but public opposition resulted in a Bayonne Municipal Council vote ending those plans.

McCann and Sewerage Authority Director Chuck Davis cautioned that any facility built in Jersey City would not be an incinerator. Despite assurances from local officials to the contrary, Bayonne environmental groups were strongly opposed to that city's proposed incinerator because of fears of toxic emissions.

"We are still in the infancy stages of interviewing different companies to make sure we are not getting incineration," Davis said.

Jersey City has organized a Waste Disposal Advisory Committee, coordinated by Housing and Economic Development Project Manager Mary Alice Fitzgerald, to study several sludge processing plans.

The gasification option is the subject of controversy in Hoboken, where officials from the Hoboken/Weehawken/Union City Tri-Cities Sewerage Authority say the process is unproven, costly, and environmentally suspect.

"The DEP (state Department of Environmental Protection) says this facility will release an acceptable level of pollutants into the air," said Tri-Cities Sewerage Authority Director Richard Wolff. "With the air quality of Hudson County, I'm not sure any level is acceptable."

Other options the city will consider include sever-

al resource recovery processes, such as composting, and another system using chemicals to combine sludge with clay, heat it, and produce material for landfill and construction.

Several city agencies are participating in the sludge processing study, including engineering, HED, the Incinerator Authority and the Sewerage Authority.

Officials declined to place estimates on the cost of a sludge facility to taxpayers. McCann said the city could expect cheaper sludge disposal costs if the plant is located in Jersey City.

"The city would like to host this process on acceptable terms to the citizens of Jersey City," Davis said. Dates and times for public hearings about the possible sludge processor will be announced in the coming weeks, he said.

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Four seats, including an abbreviated one-year term created following the resignation

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Opposes gasification

Authority backs recycling

By EDWARD K. SHANAHAN
The Hudson Dispatch

HOBOKEN — The Hoboken-Union City-Weehawken Sewerage Authority is confident that recycling sludge would be cheaper, cleaner and more reliable than burning it in a controversial hi-tech incinerator.

And members of the authority — which voted unanimously Monday night to support recycling — are hoping to persuade others to back their position.

"For starters, they are aiming at swaying the Hudson County Utilities Authority."

"If the HCUA does not join us in recommending the state look at these options, I personally would like to see us go to Trenton with this ourselves," said municipal authority Chairman Richard Wolff.

Before approving a pro-recycling report, the municipal authority listened to several local residents who opposed the incinerator.

"No matter what you do in the back of Hoboken, there's thousands of people living up on that cliff," said Anne Hart, a Jersey City Heights resident and Riverview Neighborhood Association member.

"Don't forget about us."

A contract already has been awarded for construction of a sludge treatment facility that would use innovative gasification technology.

In gasification, sludge is transformed into gas, and the gas is burned.

The Hoboken facility, if built, would be the largest of its kind in the country. There are several smaller gasification plants, but they use mostly wood waste and not sludge in their operations.

The state Environmental Protection Department, reacting to questions from local environmentalists and elected officials, has temporarily held up granting an air quality permit for the plant.

Authority Commissioner Abraham Antun of Union City said he was glad to see the public was taking an interest in the project.

"I voted against the awarding the gasification contract for a lot of the same reasons you people are talking about," Antun said. "We all had concerns about this plant, but we had to act because we didn't want to be in the position of being fined."

HCUA Executive Director George W. Crimmins Jr. has said he is skeptical about whether other options can be pursued at this late date.

Pasculli offers nominees to planning, zoning boards

By James Efstathiou
Journal staff writer

The administration of Hoboken Mayor Patrick Pasculli will continue to spread its influence throughout municipal government tonight with a vote on five key appointments to openings on the planning and zoning boards.

At the City Council meeting tonight, one of the Planning Board nominees is expected to replace James Starrett, plant manager for Stevens Institute of Technology, meaning that board would be without a representative from Stevens for the first time in 50 years.

Pasculli said his nominees have and will continue to enhance the effectiveness of city government and open the doors of City Hall to women, minorities and newcomers.

This week, Pasculli nominated a new Planning Board member and announced his support for four Board of Adjustment appointments recommended by his close political ally, Councilman Richard Del Boccio.

But administration critics say Pasculli is weakening government by replacing competent board members solely on the basis of political allegiance.

Councilman Thomas Newman, who sponsored several zoning board appointments under the administration of former Mayor Thomas E. Vezzetti, said that while it was Pasculli's prerogative to bring his people on board, replacements should not be made at the expense of competence.

"The mayor doesn't want him," said Newman of zoning board member David Gal-

agher whose term expired in December. "The mayor just wants to have his own guys on there. He doesn't see Gallagher as his own guy."

Gallagher, backed by Newman in 1987, is likely to be replaced tonight by Anna Ortiz. Earlier in the week, Pasculli nominated Planning Board alternate Leon Critedes to replace Starrett, whose term also ended in December. Pasculli proposed Scott Pollack, a newcomer to Hoboken, to replace Critedes.

"It's time we have some new blood on the Planning Board," said Pasculli. "It's time for new approaches and new thinking. We want to open up the boards to newcomers."

Since taking office, Pasculli has boasted of bringing in newcomers, women and minorities to city government and has done so on the City Council, Board of Education and several municipal agencies. Pasculli said he wants to correct an imbalance which he said has led to a lack of female and minority representation in city government.

But both Gallagher and Starrett, along with Newman, believe they are being replaced, not for lacking expertise or to yield to affirmative action, but because they are not perceived as being part of the "Pasculli team."

"In the ideal world, these boards would be completely non-partisan and you'd just appoint people on the basis of interest or expertise on the subject matter at hand," said Gallagher, whose credentials include a Cornell University planning degree and a recent promotion to executive director of a New York public policy

think tank.

"To be straight with you, I've been expecting it. (Pasculli) and those who are his supporters on the council have pursued a policy of replacing people appointed by a prior administration with people who are supporters of the current administration."

Pasculli said he had "no problem" with Starrett's performance on the board and denied a charge that replacing him was related to Stevens' lawsuit challenging the city's waterfront development agreement with the Port Authority of New York and New Jersey.

Starrett also denied the lawsuit connection, and attributed his departure to his standing as an independent on the board.

"They (the administration) were exasperated by the fact that questions were asked" (concerning the city's redevelopment plan for the southern waterfront), said Starrett. "I think generally the mayor just did not have the confidence that I would always vote (for) things that he had a strong interest in, unless the application were able to prove his case independently."

Newman also charged that naming Ortiz, a licensed real estate broker, to the zoning board presented a borderline conflict of interest since the board often decides the parameters for development that could mean major losses or gains for builders.

"It's like the Department of Environmental Protection putting somebody from Exxon on their board," said Newman. "It shows poor judgment and a lack of understanding of the task of the zoning board."

City cabbies and livery facing strict regulation

Proposed changes would increase fares, improve quality, put more taxis on street

By James Efstathiou
Journal staff writer

The next time you get into a cab in Hoboken, take a good look around.

Is your driver wearing tattered or soiled clothing? Is he or she smoking or playing the radio too loud? Is the car dirty or in need of repair? Does the driver seem overworked or under the influence of alcohol or drugs? Did a non-licensed driver pick you up?

If the answer to any of these questions is yes, the driver or owner of the cab could be subject to a series of fines and possible suspensions according to proposed new regulations covering city taxis, liveries and limousines.

Besides raising the quality of service, the changes — expected to be offered to the City Council tomorrow night — would raise the standard cab fare from \$1.75 to \$2.50 for service within city limits and put more cabs on the street.

And, in response to numerous complaints from licensed cabbies, the new rules would protect hack drivers from livery services they claim operate illegally as cabs, undercutting their business.

"Our concern is the public right now," said city licensing clerk Leonard Serrano. "There's no control over these cars (liveries). We have 43 cabs that are running around and an additional 30 liveries. We have to have some controls."

"They're cutting my throat," said one independent hack driver who requested anonymity of the effect of liveries on his business.

But the possibility of restricting liveries has already drawn fire from one councilman who said the move would place a hardship on his constituents. According to Fourth Ward Councilman Edwin Duroy, cabbies are often reluctant to forgo potentially higher

City's cabbies, livery face strict regulation

Continued from Page 1

must also provide proof of insurance. But they must also undergo background checks, adhere to a strict fare schedule and pay a \$50 annual license-renewal fee.

Since 1959, when the city last revised its taxi ordinance, Hoboken has issued 43 hack licenses. Because the supply is limited, licenses fetch a high price on the open market — up to \$30,000, according to Serrano.

Licensed cabbies who often work 12-hour shifts to make ends meet say it is unfair for unregulated liveries to operate as taxis and not be subject to the same rules they are bound by.

"Liveries can't run by dispatch, only taxis can," said city attorney Thomas Calligy. "They're using other designations to avoid the taxi law."

But according to Duroy, restricting the role of liveries would decrease the availability of car service in low-income neighborhoods. Licensed cabbies, he said, avoid inner-city pickups while waiting on cue at PATH. During rush hour, dispatchers don't even answer the phones, he added.

"If they lose their place in line at the PATH station to come down here for a \$1.75 fare, when they get back, they may be back on the bottom of the list again," Duroy said.

The largest car service in the city, Mojica Livery Service, has six licensed cabs and about 20 liveries, said Serrano. When all cabs are tied up, the company often sends liveries out in their place, according to complaints Serrano has received.

One driver for Mojica who requested anonymity said he is instructed not to cruise for fares or make pickups at the PATH station, but is often dispatched on calls even though he doesn't have a hack license. A representative from Mojica could not be reached for comment.

The new rules post a fine of up to \$500 and a possible 20-day suspension for owners who dispatch for-hire vehicles with drivers who don't have hack licenses. The proposal would also raise the amount of liability insurance operators must carry and the annual fee for

fares originating from the PATH station to make pickups in his neighborhood.

"It would have an impact on residents of the town, particularly down in this sector," said Duroy. "People are left on corners waiting for cabs."

The distinction between a cab and a livery service is fuzzy under existing rules, according to Serrano. In effect, he said, some of the 30-odd livery services in town have exploited the legal gray area and operate essentially as taxis, but without being subject to the rules and

fees licensed cabbies are bound by.

To run a livery service, an operator need only show the city proof of insurance to gain the certificate of compliance used to get livery plates from the state.

Liveries must be stationed prior to a call and cannot cruise city streets for fares. They are permitted to pick up only prearranged fares for a set fee.

Like liveries, hack drivers

See CITY'S — Page 4

Hoboken driving toward more cabs, higher fares

By EDWARD K. SHANAHAN
The Hudson Dispatch

HOBOKEN — There could soon be more taxicabs on the streets, but it also will cost more to ride them. That would be the result of sweeping changes the city is considering in its taxi regulations. A proposal that could be ready for the City Council as

CABS
CONTINUED FROM PAGE 1

taxi drivers that their business is being undercut by livery, or car service, vehicles.

With taxis and livery cars competing for business on increasingly crowded thoroughfares, city officials said they see chaos ahead if they don't start tightening the rules. At the same time, the city decided to look at all of its taxi regulations.

"The situation with liveries could get out of order," Councilman Steve Cappiello said. "We have an obligation to protect the citizens of this community."

While local riders, who now pay \$1.75 for a trip, may not like the proposed fare increase, taxi drivers said they need the extra cash. Paul Lisboa, who has owned

and operated a taxi in the city for five years, said he made \$450 last month, working 15 hours a day, six days a week.

"Out of that, I've got to pay my rent and feed my family," he said. "There's not much left over."

But even with a higher fare, the city's proposal might not be a boon to the cab drivers.

The city is also seeking to increase the amount of liability insurance taxi and livery owners must hold — from \$50,000 to \$100,000 — and plans to raise the annual license fee from \$50 to \$500.

Lisboa said paying \$200 might be more appropriate. "If they will raise the fare, then we can pay more to operate, but not \$500," he

said. Cappiello said complaints from the Hoboken Taxi Owners Association about liveries undercutting the licensed cabs led the city to consider tighter controls.

"What I'm worried about is there are too many liveries out there," Cappiello said. "In addition, liveries are not held to the same safety requirements as taxicabs."

Lt. John Aiello, head of the Police Department's Traffic and Transportation Division, said the city's taxi ordinance was last revised in 1959.

"Back then, a cab was a cab," Aiello said. "Liveries are regulated by state statute, but the city has no legal way of controlling them. We have found there is a need and demand for this service, but we want to be able to provide for the safety of those who use liveries."

Aiello also said liveries are only supposed to make pre-arranged pickups and not cruise the streets seeking fares.

"They don't have the right to street hails," Aiello said. "And there is some of that going on."

Aiello, who studied other cities' taxi laws in piecing together the new ordinance with city attorneys, said the number of available taxi licenses would grow from 43 to as many as 60.

Cab drivers, however, say that may pose more of a problem than the livery cars.

Hoboken asks court to dismiss challenges to waterfront pact

By James Efstathiou
Journal staff writer

The City of Hoboken has asked the state Superior Court to dismiss a complaint by Stevens Institute of Technology challenging its waterfront development agreement with the Port Authority of New York and New Jersey.

In court papers filed yesterday, city attorneys characterized the Stevens complaint as being without substance and designed to further the college's own long-term development goals.

Stevens filed the suit Dec. 15, eight days after the City Council approved a joint development pact with the Port Authority.

The suit infuriated Mayor

Patrick Pasculli and members of his administration who immediately broke off talks with the college on its plans for a one million square foot technology center. Pasculli vowed not to resume discussions with the college until the suit was withdrawn.

"They want certain assurances from the city," said Pasculli. "The city won't give them until they drop the lawsuit."

College officials have stated for the record that they are not opposed to the city's development plans with the Port Authority. Instead, they object to an overall redevelopment plan for the southern waterfront that would limit building heights for Stevens property to 35 feet.

That restriction, accordi

to college officials, would prevent the technology center from being built on Stevens property. When the suit was filed, Hoboken and Stevens were engaged in discussions aimed at accommodating the technology center somewhere in the city.

Stevens officials would not return calls for comment. A college spokesman said Stevens attorneys have met with city attorneys to try and resolve the dispute.

The college's plans were thwarted in November when the city Planning Board rejected a joint proposal by the college and Hartz Mountain Industries Inc. of Secaucus to build the technology center on

See HOBOKEN — Page 4

Hoboken seeks end to waterfront fight

Continued from Page 1

Stevens property at the foot of Castle Point.

The Stevens suit alleges the redevelopment plan for the southern waterfront, a blight declaration for the parcel and the lease agreement with the Port Authority are all defective because inadequate notice was given to the public of meetings of both the City Council and Planning Board where the measures were approved.

But the city claims in its response that proper notice was offered and that the entire process leading up to the agreement with the Port Authority was conducted in full view of the public and in accordance with state statutes.

"Plainly, they appear to be grasping for some procedural irregularity to give them leverage for their true substantive objective — to obtain higher density zoning for their tract," according to the city's response.

The thrust of Stevens' claim centers on state statutes which require municipal bodies to give adequate notice of their meetings to the public. In

one instance, the city admits that it was technically outside the letter of the law when notice for a Planning Board hearing on the blight declaration was published in a local newspaper nine days prior to the hearing instead of 10, as required by statute.

The city blighted its property, between Hoboken Terminal and Stevens, to obtain certain powers over the parcel should negotiations between the city and the Port Authority break down. The city alleges the error in publication was made by the newspaper and that in any event, the city "substantially complied" with the notice requirements.

Hoboken and the Port Authority have agreed to build a 3.2 million square foot mixed-use development on the 31-acre site. The agreement has also been challenged by a citizens group which has mounted a petition drive to bring the measure to a public vote.

Citizens Collective has appealed a Superior Court ruling barring them from submitting the petitions to the city clerk. That case is on appeal.

Board appointments draw criticism from Pasculli opponents

By Emily M. Smith
Journal staff writer

Hoboken's planning board is without a representative from Stevens Institute of Technology — for the first time in 50 years — and the zoning board of adjustment now lacks a commissioner with any professional background.

Five openings on the two boards were filled last night with nominees of Mayor Patrick Pasculli who has said that all members would not be reappointed in order to bring new blood to the workings of municipal government.

Councilman Thomas Newman and Joseph Della Fave questioned the appointments of the Pasculli nominees and asked what the goal of the boards would be and what direction they were headed in.

Both men voted against a resolution appointing of Anna Ortiz to the Zoning Board over former member David Gallagher, who they called the only member with a professional background that was needed for the board to make educated decisions.

During the city council meeting, they also spoke against the replacement of James Starret, plant manager for Stevens, with Leon Critedes to the planning board.

Critedes had served on the board as a second alternate. Scott Pollack was appointed to take Critedes place.

Della Fave lamented Starret's departure, saying that the board would suffer the loss of his knowledge. He called Starret an anchor on the board who knew the process and the city.

"He was always a very inquisitive and independent member of that board," Della Fave said. "He represents the type of individual that we like to see on the board, as important as the planning board is."

Gallagher's experience includes a planning degree from Cornell University and a recent promotion to executive director of a New York public policy think tank. Ortiz teaches city children in grades five through eight at the Kealey School and is a licensed realtor for Schlott Realtors in Jersey City.

Gallagher and Starret have both said that they are being

replaced because they are viewed as being outside the Pasculli team.

Pasculli's close political ally, Councilman Richard Del Boccio, said that board members principally are required to be "honest, hardworking and possess common sense."

Richard England, a councilman who also voted for Ortiz, said, "I don't think it behooves us to question the validity of a volunteer." He said that if volunteers are subjected to difficult questioning about their background and motives "we will have no one interested in helping."

Newman said he did not object to the call to attract new blood, women and minorities to government bodies, but said the experience of anyone volunteering should be considered.

In order to be effective, the board should have a mix of members, Newman said.

"If we decided we needed a Hispanic representative, we should consider people with a professional background," said Newman, who backed Gallagher in 1987.

The council voted to reappoint Mary Perry to a four-year term on the zoning board 7-1, with Della Fave opposing and Newman abstaining.

The councilmen voted similarly on a resolution to appoint Vicent D'Agostino to the zoning board as a second alternate for two years.

The council also voted to place Ivy Cutler, a gemologist who also has a real estate license, on the zoning board as a first alternate until Dec. 31.

City's housing law invalidated by court ruling

Builders now feel optimistic about construction projects

By James Efstathiou
Journal staff writer

A state Superior Court has struck down Hoboken's affordable housing ordinance, a decision local builders say will clear the way for the construction of several new residential projects.

In the ruling handed down by Superior Court Judge Seymour Margulies, the court upheld a challenge to the law by the New Jersey Builders Association. The builders oppose provisions of the law which require them to set aside a percentage of new units for low-income housing or contribute to a housing trust fund.

The case was decided last week solely on the basis of a prior Appellate Division ruling which struck down a similar ordinance in Holmdel, an acal ordinance in Holmdel, according to attorneys for both parties. In the Holmdel ruling, the court said that set-asides must be accompanied by other compensatory benefits to the builders and cash contributions to a housing trust fund constitute an illegal tax on developers.

"It's our position that in order to require either the set asides or a dollar contribution, you must give a corresponding benefit," said Ronald Shimanowitz, attorney for the builders. "The ordinance contains no corresponding benefits."

But the battle over who will build affordable housing does not end with the decision, said Corinne Mullen, who defended the case for Hoboken. The Holmdel decision is on appeal to the state Supreme Court which is expected to hear oral arguments in the case Tuesday.

It was the Supreme Court in its Mount Laurel rulings that established set-asides as a legitimate way to create affordable housing in the first place. Proponents of the ordinance say it is unlikely that the high court will reverse itself on the issue and that the future of such laws, including Hoboken's, depends largely on the appeal before them.

"The judge felt bound by the appellate decision in that case," said Mullen. "We expect everything to be changed when the Supreme Court case comes out."

Although the Hoboken City Council passed the ordinance in May of 1988, not a single affordable unit has been created as a result. However, according to Peggy Thomas, director of the Hoboken Community Development Agency, several developers have moved ahead with proposals and have submitted affordable housing compliance plans.

But some, including the West Bank Construction Co., have suspended projects they say are economically unfeasible under the requirements of the ordinance.

"It's what I expected," said George Vallone Jr. of West Bank who says his firm has delayed two major residential projects because of the ordinance. "It's one battle. The war for private property rights is not over by any means."

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'Time for new blood'

Hoboken names five to major city boards

By EDWARD K. SHANAHAN
The Hudson Dispatch

HOBOKEN — Five slots on two key city boards were filled last night, with Mayor Patrick Pasculli and his City Council allies saying they want to involve "new faces" in the Hoboken's decision-making process.

Two of the appointments were questioned by Pasculli's two frequent foes on the council, Thomas Newman and Joseph Della Fave, who said the mayor was putting politics ahead of professionalism.

"(Pasculli) is backing these nominations more to enhance his own political position than to serve the city," Newman said.

"I think the administration should have the opportunity to put these appointments in place," Pasculli said. "I feel it's time for some new blood."

"We are committed to bringing more women, minorities and newcomers into these positions,"

Pasculli said.

The council approved the reappointment of Mary Perry to the Zoning Board of Adjustment. Also named to a regular seat on the board was Anna Ortiz, a Kealey School teacher. She replaces David Gallagher.

Gallagher said yesterday he was "disappointed, but not surprised" he was not being reappointed. "I've been educated to do this kind of work," said Gallagher, who holds a master's degree in urban planning. "You would like to think politics won't effect these bodies, but I guess it does."

Newman said he had no problem with appointing a Hispanic woman to the board, but said the city was losing important experience by casting aside Gallagher.

"He (Pasculli) is weakening the board," Newman said.

Named to the board as alternates were Ivy Cutler

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Hoboken housing law struck down in court

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Another local builder, Ray Lemme of the East Coast Restoration Corp., said the ordinance has made it difficult for builders to secure financing in an already tight real estate market.

"I can't get financing based on that ordinance," said Lemme who has also delayed plans for a 30-unit project on Grand Street. "The market just won't sustain it. Instead of building, we're not building."

Whether or not new construction can proceed outside of the requirements of the ordinance remains unclear. The city is likely to request a stay of the Margulies decision pending a review by the Supreme Court.

A task force appointed by Mayor Patrick Pasculli to review the ordinance is expected to issue its report shortly. Pasculli, who supported the ordinance and has maintained that builders must shoulder some of the respon-

sibility for creating moderate-income housing, said one option was to rewrite the law to include zoning bonuses for builders.

Pasculli, who was criticized for negotiating a major waterfront development agreement with the Port Authority of New York and New Jersey with no affordable housing component, said the latest decision justifies the pact. The city will commit \$30 million of the profits from the development to the creation of affordable housing, regardless of how the courts decide the issue.

"We decided in the beginning that because this whole issue was in the courts, developers would bypass their requirements by continuing to challenge the law in the courts," said Pasculli. "In a very direct way, they are meeting their requirement through the revenue stream because it is through development that that revenue stream is produced."

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and Vincent D'Agostino. Pointing out that both Cutler and Ortiz are licensed real estate agents, Newman said the city could be creating possible conflicts of interest.

"You've done a pretty good job of putting these two people under a cloud where none exists," said council President E. Norman Wilson. "I don't think that's fair."

In another move, Pasculli recommended Leon Critedes, formerly a Planning Board alternate to replace James Starret, whose board term has expired. Scott Pollack was named to re-

place Critedes as an alternate.

Both Newman and Della Fave referred to Starret as one of the hardest working members of the board, and said he was being penalized because he works for Stevens Institute of Technology here.

Stevens recently filed suit against the city to block the proposed Port Authority of New York and New Jersey waterfront deal, and Pasculli has taken a tough stance against the school.

Pasculli denied Starret was not asked to continue on the board because of his association with Stevens.