

THE TIMES

ONLY NEWSPAPER WITH COMPLETE SCOTCH PLAINS - FANWOOD NEWS

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SCOTCH PLAINS-FANWOOD, N.J., THURSDAY, JANUARY 27, 1972

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Lo Officials React To Botter Decision

The Botter decision -- it's relatively new in the vocabulary of today, but it's highly possible that it may well be one of the most outstanding legal decisions ever to affect the state of New Jersey. On Wednesday, January 19, Superior Court Judge Theodore I. Botter declared unconstitutional the present New Jersey approach to funding of public education -- via the property tax. He gave the state legislature until January 1, 1973 to formulate a new system of financing.

Botter's decision was not the first such decision in the nation. In both California and Texas, recent court decisions reached the same conclusion. Interestingly, however, in California and Texas the court cases were based upon a claim that such funding violated the federal constitution, while in the Botter case, the plea was made citing both the state and federal constitutions.

State Attorney General George Kugler plans to appeal the ruling with the Appellate Division of the Superior Court, and noted that eventually the state Supreme Court should review the case because of its implications.

The Superintendent of Schools, a local member of Governor Cahill's Tax Policy Commission, and the Mayors of Scotch Plains and Fanwood have offered a variety of reactions to the recent decision.

Superintendent of Schools Fred Laberge indicated that the court decision was not at all surprising to him, because of the precedents set in the two prior California and Texas court cases. However, Laberge noted, it is

now more important than ever that citizens and members of local Boards of Education watch very closely the recommendations made by the state Tax Policy Committee, whose report is due in early February.

Fanwood Councilman VanDyke Pollitt, a member of that policy committee, felt that the Botter decision would have almost no effect upon the work of the tax policy committee, since, as has been commonly guessed, that committee had already been working in the direction of a new approach to funding anyway.

Pollitt said that even before the Botter decision, it was evident that a great many people felt that funding education without local property taxes in the picture might represent a loss of home rule. Many fear that total state funding of education would be followed by state control of schools, Pollitt said.

He noted that during public hearings throughout the state, conducted by the tax policy committee, a surprising number of local municipal officials around

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Board of Ed. Adds \$54,637 To School Budget

Saturday Is Recycling Day!

Saturday's the day for monthly recycling. Pack up the old glass, newspapers, and cans and scurry over to Environmental Action's monthly collection.

The hours are 9 a.m. to 1 p.m. -- ONLY! Please do not deposit discards before or after regular hours.

The site is the parking lot of Willow Grove Swim Club, at the end of Evelyn Street, off South Martine Avenue.

Recycle your solid waste! It helps your environment.

SPFEA Votes To Declare Impasse

The Scotch Plains-Fanwood Education Association last Tuesday night sent a telegram to the Scotch Plains-Fanwood Board of Education, announcing a formal declaration of impasse in negotiations between the board and teachers' negotiating teams.

The telegram read: "We wish formally to advise you that as of Tuesday, January 25, 1972 the Scotch Plains-Fanwood Education Association has declared that teacher negotiations are at an impasse by a vote of 330-31. On January 26, 1972, the Association will file an application with PERC and will await their appointment of a mediator." The telegram was signed by John Feldman, head of the teachers' negotiating unit.

The impasse situation had formerly been announced by Richard Bard, head of the Board negotiators. At a monthly meeting of the Board of Education on Thursday, Bard had announced that the teachers were at impasse, but that the board had not joined in the impasse declaration and therefore remained open to continuation of discussions.

However, Bard was corrected on Thursday night by Mrs. Susan Davis, President of the SPFEA, who noted that the teachers had not formally voted on impasse, a move that took place this Tuesday.

A declaration of impasse means that two parties to the negotiations have been unable to reach contractual agreement. An impartial mediator is then requested from the state to attempt to bring the two sides together to reach an equitable agreement.

Feldman was questioned as to who bears the cost of mediation. He said that, although he was not absolutely certain, he felt that a mediator would be sent by PERC without cost, but that if a mediator should find that fact-finding action is necessary, the cost of such fact-finding action would be borne jointly by the two negotiating parties.

According to Feldman, the Association believes that the Board

Funds Added For School Supplies And Secretarial-Administrative Salary Accounts

The Scotch Plains-Fanwood annual school budget for 1972-73 now stands at \$10,852,352, following a public hearing last Thursday night. Since introduction of a tentative budget earlier in January, the Board has added a total of \$54,637 to the original proposal. Of the additional monies, \$34,637 is earmarked for administrative and secretarial salaries. The Board of Education had originally anticipated a six percent salary increase in this area, but was notified by the Internal Revenue Service that raises could total nine percent, necessitating the increased funds. These salaries and raises have already been negotiated under a two-year contract, approved last year.

In addition, the Board added \$20,000 to the budget for educational equipment and supplies. During the public hearing, several high school students expressed concern over what they considered insufficient funds budgeted for this area.

Following the Thursday meeting, board member Meyer Freiman said that the \$20,000 had been added for instructional supplies and equipment because the board had had a continued concern over sufficient equipment for the instructional program in order to meet possible mandates by the state.

Following the initial budget introduction, Lynch announced that the Board had been informed that the state had been overpaying the district by \$53,000 for the cost of transportation. However, this \$53,000 total does not represent another addition to the original budget. Instead, it represents more money to be raised by local taxation rather than by state contribution.

The Board has also added a separate question to be placed on the February 1 ballot. Residents are asked to authorize \$40,000, one half the cost of eight tennis courts which would be built behind the high school. The other half of the court construction would be paid by the Township of Scotch Plains.

Approximately 500 people attended the public hearing, which was held at Terrill Junior High, immediately following the regular monthly Board of Education hearing. In contrast to past budgets, which brought out many opponents of high budget increases, last Thursday's meeting found several citizens expressing concern that the new budget was high enough.

Frederick Eyer, a board member, pointed out that the budget, which jumps by approximately seven percent, in his opinion reflects the wishes of the citizens. For the last four or five years, budgets have been defeated, Eyer

is unwilling to compromise any of its positions on many of the major areas of the contract. On some issues such as grievance, fair dismissal, teacher rights, reduction of staff, protection of teachers, students, and property, Feldman said the Board has refused to bargain at all. This refusal, coupled with the Board's intransigence on major money issues, has led the Association to declare that an impasse exists, Feldman concluded.

said, and therefore he felt it was time the board started listening. Therefore, the board cut what it considered least essential.

Several citizens questioned a cut of \$25,000 in auxiliary personnel, which account covers teacher aides. William Mason asked the Board whether a change is anticipated in the policy which now permits elementary students to lunch at school.

Lynch said that at the present time, the policy will not be changed. Mrs. Muriel Ramsden, another Board member, noted that the \$25,000 had been cut with the understanding that the children would go home for lunch. When a policy change was introduced, not all board members agreed, she said, so that now, in her view, either another \$25,000 would have to be found or the lunch program would have to go.

Eyer did not necessarily see it that way. He felt that there were other alternatives, such as possibly lunch-hour volunteers or operation with fewer aides.

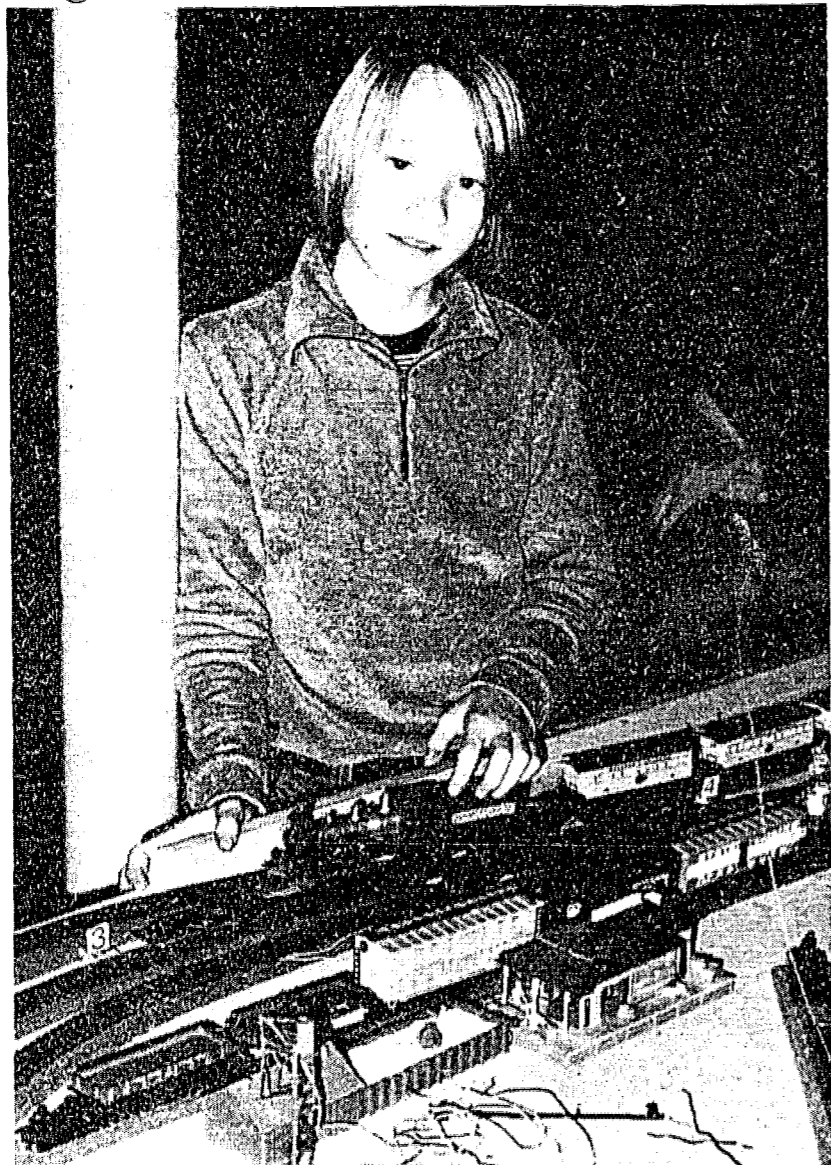
Mr. Albert Shaines stated that, if the board is asking the public to approve a budget, it should explain where the \$25,000 for noon hour teacher aides will come from, in light of the absence of a policy decision which would send children home. Joseph Parry, a board member, said that the superintendent has the prerogative of assigning budget funds.

The board was asked where funds would come from if impasse in teacher negotiations is declared and a mediator should find that more money than budgeted is desirable for teacher raises. Lynch said that mediation by a PERC representative would not necessarily be binding upon the Board of Education. Should a mediator find that higher raises than budgeted are in order, the Board would not have to agree, Lynch said. If higher raises were to be granted, finding the funds would be a problem, he noted. The budget presently includes provision for an average of six percent in raises, including stepups.

When high school students questioned the lack of provision for new equipment at the high school, board member Joseph Parry said it was a question of priorities. Large amounts of money have been spent at the high school level in recent years, and the need is much

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Urgent Need For Blood Donors



Response to previous appeals for blood donors for John Dzuback has been very disappointing. Please call 232-1718 any time of night or day for an appointment to donate a pint of blood. If no answer call 232-3320. Two blood banks will be held next Tuesday and Wednesday (February 1st and 2nd) from 2:30 p.m. through 7:30 p.m. at St. Paul's Episcopal Church (414 East Broad Street, Westfield, N.J.) A child is in need! Please help to supply a young hemophiliac with the blood he desperately needs in order to live.