

ESSEX RADIUM EPA unveils remedial plan for homes

By CARYL R. LUCAS

The federal Environmental Protection Agency (EPA) last night announced a remedial plan to excavate the most highly radium-contaminated properties in three Essex County towns, streamlining four Montclair homes would be treated as priority cases, officials said.

William Muszynski, acting EPA regional administrator said the overall plan offers "a customized solution" for the 747 privately-owned properties affected by radium-contaminated soil in Montclair, West Orange and Glen Ridge.

"We plan to work closely with individual families to move this plan along as soon as possible," he said, estimating the comprehensive plan would get under way within a year.

EPA representatives last night introduced a number of solutions, including a slide presentation on the plan during public hearings in those towns. The agency today will begin mailing its latest plan of action to homeowners whose properties are designated within the superfund hazardous waste cleanup sites.

In Montclair, Muszynski met with some 75 officials and residents, outlining alternatives to clean up the core of the township's radium-tainted soil located in the vicinity of Nishuane Road.

Muszynski noted the state Department of Environmental Protection (DEP), during the last 5 years ran into problems in excavating soil beneath homes in the area. "Our plan takes in account experiences they had," he said. "We tried to learn from their experiences."

Of the 239 Montclair properties studied by the EPA, 172 contained radium contamination, according to a report issued last night. And, the contamination at 75 properties exceed the standard health guidelines.

Under the plan, the EPA has grouped properties in five categories based on the levels of radon and gamma radiation, and full excavation is planned at 23 sites—including the four Montclair homes where

residents have been displaced. These properties are grouped in category one.

Plans also call for partial excavation for properties in the other categories. The EPA will install a state-of-the-art control system to capture radon gas before it enters a house designated in those groups, officials said.

In addition to the engineering controls and ventilation techniques, remediation at properties in group three and four includes soil relocation and monitoring of radon and gamma radiation. Properties that meet health and cleanup standards are in group five.

While most of the officials were pleased with the full excavation for group one sites, the most seriously contaminated properties, some expressed concern about the EPA's plan to remove two feet of contaminated soil and burying it deeper on properties in groups two or three.

"Will the new topsoil act as a shield against the radon two years from now?" asked Councilman Arthur Thompson, as he questioned EPA representatives on health hazards.

Samuel Pinkard, chairman of the Montclair Radiation Task Force, said he, too, was concerned about long-term effects of the radium-contaminated soil.

"This plan is the first step in a long process," he said, in support of the EPA's plan to prioritize the four displaced Montclair families. "But we are already talking about 10 years of exposure."

Pinkard said he is concerned about ingestion and wants to see the EPA improve categories two, three and four. He also criticized the new ventilation techniques, saying the soil outside homes with these devices will still contain contaminated elements.

Mayor Clifford Lindholm, however, praised the EPA's new efforts.

"I think the EPA has come a long way in addressing concerns relative to our radon issue," said Lindholm, urging residents affected to take advantage of the EPA's plan.

Starting tomorrow, the EPA will hold public sessions on the plan at a trailer at the corner of Oak Street behind Nishuane Park in Montclair.

Room opened after asbestos work

By KEVIN DILWORTH

West Orange school officials yesterday reopened an elementary school classroom that was closed after some asbestos concerns surfaced Friday, when flaking ceiling material was discovered.

Asbestos and air quality tests taken Saturday at the Hazel Avenue School found negligible amounts of asbestos in the ceiling and air of a first floor art room and a separate "small instruction area," but not enough to pose a health threat to anyone, Schools Superintendent James F. Donovan said.

Donovan noted the questionable stuff—some ceiling material that dried after being wet from a roof leak, along with some unfurled insulating pipe covering in another location—was ordered removed anyway.

That removal action was taken, the superintendent emphasized, although the asbestos contents in those two areas was "well below" the maximum limits established by the federal Environmental Protection Agency.

"We assure everyone that everything is perfectly okay," affirmed Fred Eckhardt, principal of the K-6 school. "There's no health danger to any of our children or staff."

Eckhardt said he was conveying that message in a letter he yesterday asked all 270 pupils at his school to take home and give their parents and guardians.

"There was not enough asbestos present to require us to

do anything, but we decided to take it out anyway," said Karen Moore, a spokeswoman for the school district.

"There was never any danger at the school, but unfortunately, there was a misunderstanding and a lack of communication about the situation," she explained. "Children and parents did not understand what happened."

Donovan said Atlantic Environmental Inc. in Dover was contracted to take air samples in the art classroom, as well as in three other areas of the school, and the Air Clean Inc. firm in Carlstadt removed the material.

The air samples taken in the art classroom showed an asbestos level of .008, "way under" the federal government's limit of .01, Moore said.

After the ceiling material was removed, new air samples showed an asbestos reading level of .002, she added.

This marks the second environmental concern the district this year has had at the Hazel Avenue school.

About a month ago, Donovan noted, the district, as part of its periodic testing for lead in the water fountains of all schools, ordered two of the Hazel Avenue School's eight drinking stations turned off after tests showed unsafe lead levels in the water.

Both fountains, he said, were new. Donovan said the fountains will remain turned off until officials can determine where the lead is coming from or if its source might be in the soldering plumbers used when they installed the fixtures.

Bloomfield tables downtown plan

An ordinance that would create a special improvement district in Bloomfield Center was tabled for more consideration by the municipal council last night.

The council elected to table a vote on the proposal that would involve the downtown shopping area on and off Bloomfield Avenue.

Still unsettled is the question of how much authority the council will have over the downtown management corporation, a committee that will oversee the proposed improvement district. The council seeks to improve the safety and attractiveness of the business district by stepping up litter cleanup and control, improving and increasing parking areas and facilities and installing recreation and rest areas.

Opponents of the plan, who include former Mayor John Kinder, said that funding still hasn't been secured for the plan and that the council is not proceeding logically.

"When you drafted this ordinance, you put the horse before the cart," Kinder told the council. "Do it right. Get a plan. Know what you're getting into—what debt you're getting into. Think before you adopt."

The management corporation would consist of seven members. One would be a council member, two would be owners of property in the business district, two would be proprietors or employees who work in the district and

two would be residents who do not reside or own property in the district. The council member would serve a one-year term, while the other members of the council-appointed committee would serve three-year terms.

The ordinance will come up again at the council's April 17 meeting.

In other business, Police Sgt. John P. Zaorski, a 22-year veteran of the force, and Fireman Stevan L. Cooper, who has been with the fire department for five years, were promoted.

Zaorski, who has been a sergeant for five years, was elevated to the rank of lieutenant and will earn an annual salary of \$47,000. He is one of seven lieutenants on a force of 105. He replaces Lt. Warren Shorter, who took a special assignment heading the police department's communications division.

Cooper became a captain in the fire department. He will earn an annual salary of \$40,000.

Another ordinance would eliminate the township position of public safety director, which was created in January 1988 when Fire Chief Robert Robert Mellillo retired. Police Chief John McNiss was serving in the position until Robert Bashall was hired as the new chief in January. The ordinance will get a second hearing at the April 17 meeting.

Cedar Grove rejects meeting on contract

The Cedar Grove Township Council last night rejected a request by Thomas P. Havriluk, a representative of the Office Professional Employees International Union, for a private meeting on a new contract.

Havriluk is the union representative negotiating a new contract for the 42 municipal workers in the township, excluding police, fire and management supervisory officials, who have been working without a contract since Jan. 1.

Mayor Ann Mega's refusal was based on a letter of mediation the township was served and the advice of the township attorney, Stuart Koenig, who advised the mayor to wait for the still-undetermined mediation date to begin negotiating. Havriluk has said the union would prefer to conduct the negotiations without a mediator.

Havriluk said he and Attorney Bruce Linder have 15 proposals they will not make public yet. The proposals address what the union feels is an unstable previous contract, which Cedar Grove council wants to reinstate, as well as an unsatisfactory salary structure, the lack of tenure benefits and a resultant high turnover rate, Havriluk said. He said there has been a 50 percent turnover rate among township employees over the last two years.

The union is also seeking an increase in sick benefits and vacation time, improved holidays and better overtime pay.

The union declined the township's offer of a 4 percent overall salary increase. When a date is set, the Public Employees Relations Commission will mediate the negotiations.

Attorney calls girl's scalding an accident

A North Plainfield man accused of pouring scalding water on his 8-year-old daughter's chest did not intentionally try to hurt the girl, his attorney said yesterday at the start of his trial in Somerville.

Michael Demarest, 38, is charged with aggravated assault and endangering the welfare of a child in connection with the incident, which occurred Sept. 30 in the family's Pearl Street home, police said.

"This was an accident, pure and simple," said Demarest's attorney, Anthony Migonella of the Public Defender's Office. "Child abuse is a terrible thing... but let's make sure that every little accident that happens around the

home doesn't turn into a case of child abuse."

Somerset County Assistant Prosecutor A. Peter DeMarco countered that Demarest purposely scalded his daughter because he wanted to "teach her a lesson" about "horsing around" in the kitchen.

DeMarco stressed that in a tape-recorded statement Demarest gave to investigators, he admitted that he held the hot water in front of his daughter and "lilted it a bit."

According to the police report, Demarest's 6-year-old daughter also suffered "splash burns" on her shoulder.

The trial is being heard before Superior Court Judge Paul T. Murphy.

Orange police cracking down on plague of abandoned cars

By KEVIN DILWORTH

Before you abandon your car in Orange, take notice, warned Police Director Charles Cobbert yesterday.

You could be issued a motor vehicle summons, ordered to appear in municipal court, fined \$100 to \$500, jailed up to 90 days and have your driver's license revoked, he noted.

Armed with arrest warrants, municipal police yesterday were searching for residents Victor Baroletto of Taylor Street; Susan McCree of Christopher Street; Clayton Moore of North Essex Avenue and Dory Morton of Wilson Place. Also being sought were Albert Malette Jr. of Webster Place in East Orange; Jeanette Thomas of South 16th Street in Newark; Eugene S. Royster of Summer Street in Passaic and Deborah Talley of Stasia Street in Teaneck.

The eight abandoned car owners are sadly mistaken if they think they can leave their problem autos in the 2.2-square-mile city and just forget about them, Cobbert insisted.

The individuals failed to show up in court last week and they now face being jailed, he said.

Additionally, Cobbert noted, they will not be eligible to drive a week from tomorrow because police have requested the state Department of Motor Vehicles to take away their driving privileges.

"There are more than 100 abandoned cars in the city and it is becoming a serious problem," Cobbert said in explaining the crackdown.

He noted the city pounds filled to capacity with vehi-

cles the municipality has towed off streets.

Cobbert said he is bewildered why people don't avoid court, fines and perhaps jail by simply paying a towing firm \$10 to \$40 to haul their broken-down hulks to a junkyard.

"Abandoned car owners are going to find it very, very embarrassing when police come knocking on the door of their homes, bringing them out in handcuffs and place them in jail," he continued.

If that is what people who flaunt the law want, that's exactly what the Orange Police Department and municipal court will give them, Cobbert said. "It's going to cause them a lot of grief."

Although the eight persons being sought ignored recent summonses to appear in municipal court, six other abandoned car owners did show up. They were each slapped with fines.

Cobbert said Orange residents Jerrilyn Freeman of Highland Avenue and Ammie Sims of Tremont Avenue were fined \$115 and \$405, respectively; Roderick Golsby of Shepherd Street in East Orange paid \$155; Louis LaFrances of Washington Court in Livingston, \$115; Pamela Lang of River Avenue in Union, \$175; and Thomas Lang of Murray Street in Avenel, \$115.

According to Cobbert, the city must auction off most of the abandoned cars that it is forced to tow.

The abandoned vehicles are mostly late 1960s to mid 1980s model cars, he said. Usually, the vehicles are sold for a minimum of \$500 to offset towing or storage costs.

Adult trial asked in mom killing

By DIANE CURCIO

Essex County Prosecutor Herbert Tate Jr. said yesterday his office is asking to have 16-year-old Jaime Loftus tried as an adult for the murder of his mother.

Tate said a hearing on the issue is scheduled for Thursday in the Family Part division of Superior Court in Newark. Due to the serious nature of the crime and the state's belief that Loftus cannot be rehabilitated before he is 19, Tate said he instructed the chief of his juvenile section, Assistant Prosecutor Patrice Davis to file a motion to have the West Orange teenager waived up for trial.

Loftus, a Seton Hall Prep student, was arrested in Pennsylvania on March 7, where he had fled after, authorities contend, he strangled his 39-year-old mother, Barbara. Her body was discovered by her husband, James, in their bedroom.

The teenager's attorney, John J. Bruno of Rutherford, said yesterday, however, he was "confident we'll keep the case in juvenile court where it belongs."

He said there is "not one valid reason" to waive up the boy. "He has no prior record. He has no history of violence. It was an intrafamily tragedy and we have a great deal of hope for rehabilitation."

Since the youth's arrest, Bruno has sought to have him released from the Essex County Juvenile Detention Center in Newark. Bruno said the courts are willing to release his client into the care of a hospital but the prosecutor's office has objected to prospective facilities.

Tate said the psychological evaluations requested by the defense and the prosecution have been completed and will be submitted to Judge B. Thomas Leahy for a hearing this morning. Tate said based on the test results Davis will argue that Loftus "presents a danger to both himself and the community and should remain in custody."

The prosecutor said the only alternative to incarceration at the youth house would be Loftus' admission to a fully-secured unit at Elizabeth General Hospital.

Bruno said his client's incarceration has "caused him irreparable damage." He needs to be in a hospital. He's not a threat to himself or society. The state is being unreasonable in choosing a proper facility. The defense attorney would have preferred to send Loftus to St. Clare's Hospital in Denville. But Davis said St. Clare's does not have a locked facility.

Tate said his office has also received the autopsy results from the medical examiner. The autopsy showed the mother was strangled.

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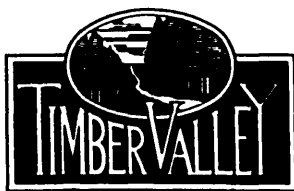
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