

Insanity plea entered in Penn Station slaying

By DIANE CURCIO

The Newark man who stunned a crowded waiting room at Penn Station last year when he pummeled a commuter to the ground and fatally stabbed her is asking a Superior Court judge to find him innocent of the crime by reason of insanity.

Albert Kapin, the deputy public defender representing Thomas Rouse, argued before Judge Betty Lester yesterday that his client "did not know the nature of actions" when he yanked Linda Acerra by the hair across the Greyhound Bus Terminal and stabbed her in the back on Feb. 4, 1988. The 21-year-old Acerra lived in Shrewsbury and she had bought a bus ticket to Wilkes-Barre to visit relatives that day.

Kapin expects to call a New York psychiatrist, Peter Schiffman, to the witness stand today to testify about Rouse's mental state. Kapin said Rouse, 30, suffers from paranoid schizophrenia and had been released from a hospital several weeks before the incident.

At the defense request, no jury was impeached for the trial. Lester, alone, will determine Rouse's fate.

Assistant Prosecutor Leslie Mann concedes Rouse may be suffering from a mental illness or defect. But Mann maintains Rouse "knew what he was doing was wrong."

Mann brought two eyewitnesses to court yesterday, Robert J. Parlman, another commuter who said he probably would have been on the same Pennsylvania-bound bus with Acerra, and Gerald Sadowsky, who runs the express package delivery service for Greyhound.

The commuter said when Rouse walked into the area "he was just looking around at people—everybody that came in. All of a sudden he grabbed the woman on the chair. He grabbed her by the hair and drove her to the floor."

The victim screamed "What are you doing to me. Don't hurt me. I don't know who you are," Parlman recalled, adding it was "hard to get a clear view" of the attack but "it looked to me like he was punching her. His fists kept going up and down."

Moments later, when Parlman collided with Rouse as he fled, the witness said he saw the assailant had been armed with a 12-inch butcher knife. "It was the first time I saw the knife. It was full of blood and he sort of gave me a dirty look," the witness testified.

Sadowsky said he heard a scream from the waiting room as he was talking with other workers in an adjoining area. He said he ran to a doorway of the waiting room and saw a woman on the floor. "He was pushing down on her shoulders and her head was going into the floor," the witness recalled. "I screamed 'Let her go. You're killing her,'" said Sadowsky.

He said Rouse "looked at me with a puzzled look" and bolted through the exit. Sadowsky chased him out of the building to the bus lanes and almost into a parking area across the street, where Rouse was arrested.

Patrolman Thomas Martin of the Wayne Police Department, who had been a New Jersey Transit police sergeant when the incident occurred, said he and his partner Carolyn Ryan confronted Rouse. Ryan shouted for Martin's assistance, according to testimony. Martin said he crept up from behind Rouse as he wielded the knife at Ryan and she pointed her gun at the assailant.

Martin said he repeatedly shouted at Rouse to drop his knife. "Finally, he dropped the weapon," said the officer, recalling that Rouse initially "didn't acknowledge my presence. He glanced over at me but he continued to stare at Officer Ryan."

When Rouse was handcuffed and led back to the NJ Transit office within Penn Station, Martin said, they walked through the waiting room as first aid was being given to the victim. The officer said he was holding Rouse by the collar and arm. "As we walked past I felt his muscles in his left arm tighten. For the first time I noticed he could be strong or overpowering if he wanted to," Martin added.

The officer said Rouse scuffled with police in the office. Testimony is expected to continue today.

TO SIT OR NOT TO SIT

Appointment to Orange school board spurs angry dispute

By KEVIN DILWORTH

Orange Mayor Robert L. Brown's attempt to install two members on the recently expanded board of education promptly, rather than wait until May, precipitated arguments and a disturbance at last night's board meeting.

Three members of the Essex County Sheriff's Department and several city police officers, including Police Director Charles Cobbert, responded to the incident at the board's Colgate Building offices at Central Avenue and Cleveland Street to quell the dispute involving both board officials and residents.

Brown last week appointed Judith Ann Gordan, an educator, and Thelma Smith, a past president of the Orange League of Women Voters, to new slots after the city council adopted his proposal to expand the board of education from five to seven members. However, a state law stipulates those appointments cannot take effect until May 16, according to such officials as Elena Scambio, the Essex County superintendent of schools, Barbara Peters, the Orange school board president, and Lawrence S. Schwartz, the school board attorney.

Brown maintained his appointments can sit immediately and partake in all official board business.

The dispute ended last night with the "old" five-member board voting 4-1 to authorize Schwartz to take the matter before a Superior Court judge for resolution.

Board members Peters, Waverly Baskerville, Nereida Rivera and Calvin D. West supported the measure. Alice Z. Dunston, who Brown appointed Nov. 16 to fill an unexpired term, was the lone dissenter.

Prior to the vote, Smith said Schwartz asked her and Gordan to either voluntarily leave the closed session or face being physically removed by members of the sheriff's department.

Smith said she and Gordan refused to leave and challenged the law enforcement officers to remove them.

"They don't want to run a school district," Brown declared after the five-member board voted to take the matter to court and to postpone the rest of the meeting. "They'd rather create lawsuits" and financially drain the district's and the city's "human resources and support services in a court fight," he charged.

However, Scambio, in a letter to the municipality, cited a different rationale.

State law requires that in districts such as Orange, members of a school board "shall be appointed between April 1 and April 15, and their terms of office shall begin" on May 16," noted Scambio, who represents the state Department of Education.

"These statutory dates were deliberately established so that the appointments of new school board members do not occur at sensitive or critical times

during the school year, such as the time during which adoption of the school district's budget occurs," Scambio wrote Brown in a letter dated Monday.

"Consequently, I would expect Ms. Gordan and Ms. Smith to begin their terms on/about May 16, 1989. I trust this information will be helpful to you."

Smith said the mayor swore in she and Gordan right after Christmas, on two different days.

Scambio promised the mayor, "If these appointments are pursued at this time, I will refer the matter to the Office of the Attorney General for an order to restrain you from so acting."

The mayor last evening charged Schwartz and Schools Superintendent Patrick J. Pelosi of treating Orange like "a plantation and not a school district."

Brown vowed to counter the school district over the legality of making his appointments effective immediately.

Council President James J. Brown, no relation to the mayor, last night challenged the school board's right to usurp the council's unanimously approved law.

Schwartz argued, "It's a matter that should be resolved by the courts. We'll seek relief, probably an order to show cause and get someone in authority to make a decision as to when they can sit."

The board attorney said he plans to go before a Superior Court judge in Newark "sometime this week."

East Orange Council clears board nominees

By KEVIN DILWORTH

The East Orange City Council has approved a host of Mayor John C. Hatcher Jr.'s reappointments to municipal boards and commissions.

The nominations, confirmed Monday night, were to the police and fire boards of commissioners; the boards of adjustment, health and water; and the local assistance and rent-leveling boards.

Bruce Harmon, a resident with a law enforcement background, was reappointed to a three-year term on the board of police commissioners. He rejoins police commissioners Walter Bell, Louis O'Donnell, Oran Hollis and John Tadmadge. The panel meets biweekly to set law enforcement policies, recom-

mend programs and oversee police personnel matters.

Hatcher reappointed to the board of fire commissioners Alberta Daniels, a jail guard; Corrina Kay-Williams, a high school vice principal and former Essex County freeholder, and Joseph Pierce, a New Jersey Bell employee.

They rejoin fire commissioners Henry Darden and George B. Otley on the panel that meets monthly to set firefighting policies and to supervise the department's personnel concerns.

On the city's board of adjustment, Richard Conway will rejoin Howard Bailey, Stephanie Bush, Elsie Caldwell, Phillip Campbell, Charles Daniels and Charles Mitchell.

The seven-member panel reviews

building and zoning proposals for properties around the city, holds hearings on those requests, and considers applications for zoning variances.

Raymond Bell, Michael Fano, Hilda Lutzke, Doretha Mollett, Alan Motley and Lena Slaughter were reappointed to the rent-leveling board.

The six rejoin board member Charles Jones. The panel, which reviews and makes decisions on rent-leveling complaints, is comprised of three tenants, three landlords and one homeowner.

There also were three reappointments to the seven-member board of health. Jessie Banks, Edythe Jones and Bernice Mays rejoin fellow members Isabella Gilliam, Cheryl Hamilton, Audrey Jackson and Catherine Willis. The

health board sets policies for the city's health department, recommends programs and oversees personnel matters.

Marion Houston was reappointed to the local assistance board, the panel that sets policies for the welfare department, approves its programs and oversees personnel matters.

Houston rejoins Sadie Jackson, Alan Peterson, Esther Williams and Councilwoman Beverly K. Williams on the five-member panel.

Franklin Banks was reappointed to the three-member board of water commissioners. He rejoins members Jack Kidd and Shirley Rogers on the panel that sets policies for water fees and oversees water department personnel matters.

Inmates indicted in hostage taking

By DIANE CURCIO

An Essex County grand jury indictment was returned yesterday against two state inmates, who had held two women hostage at Northern State Prison in Newark for seven hours in October before surrendering to authorities.

The seven-count indictment against convicted murderers Angel Guzman, 27, and Edward Robinson, 27, charged them with two counts of kidnapping, two counts of making terroristic threats and weapons charges relating to the homemade knives, known as "shanks," which they wielded.

The incident occurred on Oct. 27, in the library of the prison, where the two hostages had conducted a cooking demonstration before the inmates gained control. The hostages had been identified as Joan Mason, 37, a vocational counselor, and Annette Martin, 45, a teaching assistant. Both women were released unharmed.

Guzman and Robinson were armed with two sharpened rods, each about 14 inches long and slightly thicker than bicycle spokes, officials had reported. During the siege the inmates had demanded to be moved to a federal prison out of state. They also wanted to be in the same cell and

they wanted no reprisals.

Officials from the state Department of Corrections negotiated the release of the hostages. Deputy Attorney General Larry Monaco, a former Essex County assistant prosecutor, took part in the negotiations.

A spokesman for the state corrections department said yesterday that Guzman is now being held in Trenton State Prison and Robinson is confined to the state's Vroom Readjustment Unit.

Guzman, from Woodbine in Cape May County, was convicted of murdering his uncle, Louis Toro, during an argument over \$70. He shot his uncle six times as they sat in the front seat of Toro's car. He was sentenced in 1982 to serve 17 years in prison and would have been eligible for parole in 1990.

Robinson was sentenced to life in prison in 1979 for a murder in Camden County. He shot his victim in the back of the head with a .38-caliber revolver; but prison records did not give details of the case.

Assistant Prosecutor H. Rutherford Livengood presented the facts of the hostage investigation to an Essex County grand jury.

Irvington balks at plan to hike waste disposal fees

A proposal by the state Department of Environmental Protection (DEP) to establish new fees for solid waste disposal is being opposed by the Irvington Town Council.

The current registration fee for each garbage truck at a DEP receiv-

ing station is \$35. The DEP has proposed raising the cost to \$120 per truck. There is currently no charge for solid waste containers; the DEP seeks to establish a \$25 fee for containers.

Sara Bost introduced a resolution opposing the fees and was supported by

the entire council.

Councilman Patrick McNally echoed Bost's opposition, saying, "This proposal was made by unelected bureaucrats."

McNally maintained that, unlike council members, DEP members are not elected officials who must take a municipal budget into consideration.

Recycling gains in N. Caldwell

North Caldwell's recycling program handled approximately 330 tons of material, and almost doubled its volume each month, during the first six months of operation, it was reported at last night's council meeting.

Councilman Richard Hampson told colleagues that since the program was initiated last June and through December, about 151 tons of newspapers, 43 tons of glass and aluminum containers and 135 tons of leaves had been collected. In December alone, 38 tons of newspapers and almost seven tons of cans and glass bottles were handled, he said.

Hampson said that while the sale of recyclable material generated \$2,984 in revenue, the principal gain was the elimination of the estimated pickup and disposal cost of \$102 per ton.

North Caldwell clears school repair funds

The North Caldwell Board of Education last night approved the expenditure of \$7,280 for emergency repairs to the Gould Elementary School.

The plans call for \$3,600 to be used to replace doors and hardware in the gym, \$1,150 to replace an emergency exit window with a thermo window and panic bar that pushes outward, and \$2,530 to fabricate and install two metal platforms leading to emergency exits in the music and art rooms.



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