

## Court decision due on CAP chairman

By JAMES ELLISON  
Staff Writer

A court decision will decide today whether the city's largest anti-poverty organization can meet while an internal dispute remains unresolved.

A hearing this morning in state Supreme Court in White Plains was brought by two members of the Yonkers Community Action Program who are seeking the ouster of board chairman John Zakian.

Zakian, an aide to Mayor Angelo Martinelli, said that he would seek an adjournment so that the action could be dismissed.

The hearing involves charges by board members Ethel Harmon and Garfield Dorsey that Zakian and six others have violated agency bylaws and are presiding illegally.

On Friday, state Supreme Court Judge George Burchell issued an order stopping Zakian from conducting any CAP business until he had shown that he has not violated agency bylaws.

Zakian said today that he will await the outcome of the hearing before he decides whether to hold a regularly scheduled CAP meeting Wednesday. Board members, who did not want to be identified, said that an executive session Zakian called Monday night was also in violation of the court order.

Zakian said the executive session, which did not meet because of a lack of quorum, was standard procedure before public meetings.

Mrs. Harmon refused to comment on the case this morning and Dorsey could not be reached.

Burchell's order issued Friday was a turnabout, according to board members. The judge first turned down an injunction request on the part of Mrs. Harmon and Dorsey to stop Zakian from conducting CAP business. But a second request by the board members convinced the judge to issue the order.

Zakian said he was served with "papers seeking a preliminary injunction" against him.

## Ballot booth check set

By JOSEPH KELLY  
Staff Writer

Two voting machines that may have malfunctioned on the Nov. 3 election in the 9th and 10th Wards will be inspected Wednesday by a voting machine expert.

The examination is being carried out because of complaints filed by Alexander Sikora, the unsuccessful Conservative-Independent candidate in the 10th Ward and Democratic Councilman Arnold Coppola, who lost his bid for re-election in the 9th Ward race.

The machines will be inspected at 10 a.m. in the South Command police station on Central Park Avenue where they have been impounded.

Woody Danielson, a representative from the Automatic Voting Machines Co. of Jamestown, N.Y. is being brought to the city.

Danielson charges \$14 per hour for his services and his bill is expected to be \$500-\$600. He will also do a cursory examination of the rest of the 268 machines that the city uses.

City Clerk Aloysius Moczydlowski said a machine used in the seventh district of the 9th Ward appears to have been tampered with. In the eleventh district of the 10th Ward, the machine in question recorded votes where there was no candidate.

## Readers ask HELP IGNORED

Q. Like many other people I am having trouble with the Parking Violation Bureau in Manhattan. After receiving my first notification of a parking violation, I immediately wrote requesting a copy of the summons. As of now this request has been completely ignored. However, I did receive a second notification, increasing the fine. Since I still have no idea where this is supposed to have happened or if it really applies to my car, will you please HELP me get a copy of this summons?

—MRS. D.B., BRONX

A. "Thanks to you I received a copy of the summons requested from the Parking Violation Bureau," Mrs. D.B. said. "It is amazing how fast you can get action."

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## No promises on Getty Square

By JOSEPH KELLY  
Staff Writer

One of the two developers behind the proposed Getty Square shopping mall said Monday they will be unable to honor their year-old contract with the city that calls for a "letter of intent" by January from a large department store willing to locate in the city's downtown area.

The developer, Jerome Ginsburg, said he and his partner in the Getty Square project, Alfred Taubman, will ask the city council to revise the contract.

In effect, they will be seeking a change and extension in the agreement which was slated to expire after January if no commitments from a store was obtained.

But Ginsburg maintained that this latest development does not represent a delay in the campaign to attract a store for the proposed shopping mall - a major component

of the city's downtown urban renewal program.

"The type of letter of intent referred to in the agreement is no longer available," said Ginsburg. He said the business policies of many stores and the attitude of the federal trade commission have made major retailers unwilling to provide that form of preliminary commitment.

He said stores will now only give that commitment at a later stage in negotiations.

"The point at which you issue a letter like that is much later in time," said Ginsburg, who was reluctant to give further details about the status of the talks with stores.

"We are aiming for a binding agreement," he said. "In that respect we are on schedule."

The shopping mall, proposed for an area just west of the square itself, has been in the planning stage for years.

Once the city's major commercial area, Getty Square has steadily lost stores in recent years. And uncertainty over its future has made many potential retailers reluctant to settle in the vacant stores that now dot the area.

City officials are hoping to attract at least one major retailer and establish at least 350,000 sq. ft. of shopping space in a mall located in the area bounded by New Main Street, Elm Street, Palisade Avenue and Nepperhan Avenue.

The city council is expected to commit at least \$20 million in funds toward the project if it comes to fruition.

Speculation about the future of the proposed mall heightened after Mayor Angelo R. Martinelli and several other Yonkers officials and business leaders met with Ginsburg and Taubman in New York on Sunday, Nov. 20.

Martinelli, who declined to divulge what was said at the meeting said after the ses-

sion that he was "encouraged" by what the two developers told the group. But Councilman Nicholas Longo, R-12, a political opponent of Martinelli, questioned the mayor's characterization of the meeting.

"I am asking for the minutes of that meeting," said Longo who was angry that he was not invited to the session. "I would like to see the mayor and Mr. Cronin (Richard Cronin, president of the Chamber of Commerce) say how they are 'encouraged!'"

Martinelli said today he does not want to "get into a dialogue" with Longo.

Longo said officials in the city administration have told him that stores still provide letters of intent.

"I want to hear what Ginsburg has to say and what the administration has to say," the councilman said.

No date has been set for the meeting between the council and the two developers.

## CITY OF NEW ROCHELLE, N. Y.

(914) 632-5525

### Wanted

Police in New Rochelle have issued this sketch of a person who may know about the murder of a 13-year-old girl there Nov. 21. The girl was killed and a 38-year-old woman wounded by someone who shot them through an apartment window. The composite sketch was prepared after neighbors were hypnotized to foster recollection of anyone in the area at the time of the shootings.



### DESCRIPTION:

- Caucasian male
- possibly wearing a wig
- possible mole on left cheek
- dark clothing
- observed in a late model light blue or light green vehicle in the parking lot of 2274 Palmer Avenue, New Rochelle, N.Y.

### HOMICIDE INVESTIGATION

This police artist sketch is that of a person who may have information about the homicide of a thirteen (13) year old girl and the wounding of a thirty-eight (38) year old woman in an apartment on Palmer Avenue in New Rochelle, Monday night, November 21, 1977 at about 10:15 p.m.

Anyone with any information about this person should call the New Rochelle Police Department, General Investigation Unit, at (914) 632-5525.

## Garbage memo sparks controversy

By DONNA GREENE  
Staff Writer

In a memo he claims was not a recommendation, Westchester County Executive Alfred DelBello says his office has concluded that a New York City firm has the best garbage disposal process to use for a planned county-owned garbage plant in Yonkers.

The conclusion comes in a Nov. 15 unsigned letter from DelBello to the County Board of Legislators' Public Works Committee. A copy of this letter, which has not been made public, has been obtained by this newspaper.

According to the letter, DelBello's solid waste task force, working with the county's garbage consultants, Malcolm Pirnie, Inc., has "concluded" that CEA-OXY Resource Recovery Associates (a partnership of Combustion Equipment Associates, Inc., and Occidental Petroleum Corp.) has the best system for the Yonkers-Sprain Ridge site. The firm has a demonstration plant in East Bridgewater, Mass. and a plant under construction in Bridgeport, Conn. scheduled to begin operations this spring.

"THE THRUWAY site strongly favors a refuse derived fuel process which is basically a manufacturing process," DelBello

*The existence of the memo was the subject of a confrontation between DelBello and some members of the county board.*

says in the letter, which ranks the proposal of Wheelabrator-Frye, Inc., of New Hampshire second, and that of Tital Environmental Services of New Jersey, third.

According to a second "draft memo," written by the board's Committee on Public Works - the board's consultant, "independently" also has recommended the CEA-OXY proposal.

The existence of the DelBello memo first came to light last week and was the subject Monday of a one-hour confrontation between DelBello, who denies it was a recommendation, and some members of the county board, who insist it was. The actual content of the letter was not revealed during the session, which was a joint meeting between the board's Budget and Appropriations and Public Works committees.

During this meeting, it also was pointed

out by DelBello that because of reduced expectations of the county garbage tonnage, the county's two proposed garbage plants at Yonkers and Grasslands will be "phased-in" one at a time. This led legislators, mainly majority leader Edward Brady of Mount Pleasant, to raise again the possibility that just one garbage plant should and would be built. Brady is hoping the one plant will be in Yonkers.

BUT IT was the DelBello memo, labeled a "draft" which was the focus of the meeting's controversy.

Prior to the session, DelBello, supported by Legislators Richard Brodsky, D-Greenburgh, and Wilfred Manzo, D-Mount Vernon, both members of the Public Works Committee, said that the letter was inspired by committee chairman John DeRario, D-New Rochelle, not by DelBello.

At the meeting, DelBello, denied again, that the memo was a recommendation. He said Malcolm Pirnie has evaluated the three proposals for the Yonkers plant and is in the process of evaluating 14 proposals for the plant at Grasslands, but that these are "raw evaluations." "The memo in question, he said, "was a statement prepared pursuant to (DeRario's request)," embodying what DeRario had asked him to include.

### Cost of security cited

## Sullivan County asks out in 'Son of Sam' trial

By STEVEN CLARK  
Staff Writer

Thanks, but no thanks is the reaction of Sullivan County to the prospect of the David Berkowitz trial moving into its jurisdiction.

The county's board of supervisors voted unanimously Monday to direct County Attorney William Rosen to draw up papers to counter the change of venue motion made last week by Berkowitz's attorneys.

In a 15-page affidavit filed Wednesday in the Appellate Division of state Supreme Court in Brooklyn, defense attorneys Leon Stern and Ira Jultak stated that the media coverage and widespread publicity given to the Son of Sam case would make a fair trial impossible in New York City.

"The chances of at least some modicum of fairness and impartiality can more reasonably be hoped for in Sullivan county," wrote the lawyers in the court papers.

State Supreme Court Justice Joseph Corso will hear change of venue motions on Friday and will decide shortly thereafter. Brooklyn Dist. Atty. Eugene Gold will contest the change of venue for Berkowitz, who is being tried for the July 31 murder of Stacy Moskowitz.

"We're not interested," said Paul Ruis, county administrator, of the trial. "The cost of security for Berkowitz and for the jurors would be too much."

While New York City would be responsible for the costs accrued by Sullivan County should the trial be moved, Ruis is fearful that administrative costs might never

be repaid. "We're a small county, but big geographically," said Ruis. "If we have the trial, what are we going to do about protec-

tion for the rest of the county? We just don't have the manpower. We only have 70 men in our sheriff's department."

In addition, Ruis said renovation of the Monticello courthouse is scheduled to begin within the next two weeks and is expected to take three to four months for completion. According to one of Berkowitz's attorneys, it is unlikely the trial could begin before Jan. 1.

There has been some speculation that either Grossinger's in Liberty or the Concord Hotel in Kiamesha Lake, two large resorts in the county, might be used for the trial.

Ruis did not see how the Son of Sam trial could possibly help the county's resort areas.

"I think it would hurt business at the hotels," said the county administrator. "I know I couldn't get my wife to go if she knew Berkowitz was there."

Mark Etes, vice president and resident manager of Grossinger's thought it was unlikely that the trial could take place in a hotel. He said he had not been advised of such a possibility. Etes was also surprised that defense counsel would choose Sullivan County.

"We get the same television stations as New York City and I read newspapers," he said. "The New York media affects us. If they think people up here live in a hole, then they're mistaken."

## Letter linked to Berkowitz

By STEVEN CLARK  
Staff Writer

Sam Carr has received another letter that police believe is from David Berkowitz.

A one-page letter postmarked Nov. 4 and lacking a return address was received several days later by Carr at his 316 Warburton Ave. home. It is believed to be the first letter received by Carr from Berkowitz since the week of Sept. 11, when the Son of Sam suspect sent out a flurry of letters from his Kings County Hospital cell in Brooklyn.

Carr and his daughter Wheat received mail that week, as did Craig Glassman, Berkowitz' former downstairs neighbor at 35 Pine St., and a reporter from the New York Post.

Yonkers police said the letter is being examined at a "document lab" to determine the author. One detective, however, said that it contents and style suggest that the letter was written by Berkowitz.

Although the police would not divulge the contents of the letter, one source said the note was signed by "A Concerned Citizen."

According to the source, the note said in effect that Carr "was not off the hook yet and we're still after you." It went on to say, "if Mr. B. Doesn't get off, you've had it."

The letter was printed in a style similar to several of the notes already attributed to Berkowitz. Carr, when contacted at his home, refused to comment about the letter or of its existence.

