

Westchester week in review

Berkowitz case still remains unresolved

This was supposed to have been the week when the world was to learn whether David Berkowitz of Yonkers was mentally capable of standing trial as the alleged .44 caliber killer of six and the wounding of seven. But the matter remained unresolved by the end of the week despite actions in Brooklyn and Queens.

Berkowitz was arrested on Aug. 10 and sent to the Kings County Hospital for mental observation. On Tuesday in court in Brooklyn, the report of the psychiatrists who observed him contended he was incompetent to stand trial. The report labeled him as a "paranoid."

The psychiatrists based their findings not only on their observations of Berkowitz but on such items as letters he wrote, including his Army letters to his father. They concluded that he lacks the capacity to understand charges against him and the ability to assist in his own defense.

Kings County (Brooklyn) Dist. Atty. Eugene Gold indicated he would oppose that report and was granted the right to appoint his own psychiatrists to examine Berkowitz pending a new hearing scheduled for Oct. 4.

The public reaction to the views of the psychiatrists was generally mixed, but former co-workers of Berkowitz and families of the victims strongly contended he was capable of standing trial and should.

The scene later moved to Queens County where Dist. Atty. John Santucci, who had obtained other indictments against Berkowitz, also requested and was granted the right to appoint psychiatrists to examine Berkowitz. Santucci revealed that the Kings County Hospital doctors had said in their report that Berkowitz was "well aware of the charges against him (and) understands that by society's standards his acts were criminal."

The fact that Berkowitz was indicted in three counties where individual judges would rule on the competency issue raised the possibility that Berkowitz



AP PHOTO
David Berkowitz (center)...will he stand trial?

might stand trial in one county and be declared incompetent in another.

In a sidelight to the main story, the landlord of 35 Pine St., Yonkers, indicated he would seek to change the address of the apartment building where Berkowitz lived, but residents opposed the idea on the

ground they would have to change their addresses on licenses and other official papers.

2 die in air crash

A single-engine plane took off Wednesday at 1:20 a.m. from Westchester County Airport, Rye Lake.

Moments later it disappeared from the radar screen, and a wide ground search was begun within a one-mile radius of the airport, utilizing helicopters with spotlights.

Six hours later, the plane was found on the Greenwich estate of Andrew Frankel, board chairman of the National Kinney Corp. In the debris, the rescue workers found the bodies of two victims, noted harness racing driver James Tallman, 36 of Nicholson, Pa., and the pilot who had ferried him from Batavia race track, Oswald Johnson, 58, of Clifford, Pa. The plane had discharged two others at Westchester County Airport before the crash. Federal investigators launched a probe to find the cause.

Action seen by Nestle

Last spring, the Nestle Co. sought to move their headquarters in Westchester from White Plains to a 52 acre site in the Purchase section, if the firm could get a zoning change for a multi-million new building. Although faced with the possibility that Nestle would leave the state unless it got the request, the Harrison Town Council failed to approve the zoning change because it conflicted with the master plan.

Soon after, the firm began to receive other offers of property in Harrison. On Thursday, Nestle Vice President David Lynch confirmed that the company plans to submit a firm money offer to Manhattanville College in Purchase for surplus land soon after Labor Day.

Harrison Supervisor John Passidomo has said that the town board would consider rezoning the 135 excess acres on the Manhattanville campus for office buildings on parcels of as little as 35 acres with up to 10 per cent building coverage. An earlier rezoning proposal would have permitted parcels of no less than 50 acres with 5 per cent building coverage.

Other major news

Democrats off ballot line

The hopes of the Mount Vernon Democrats of capturing control of the city government in this year's elections were dealt a blow when the State Court of Appeals, the highest in the state, ruled the four "regular" candidates off the ballot because of technical mistakes on their nominating petitions. This left the Democratic Party with no candidate for comptroller and meant that two "insurgent" Democrats would appear on the party line for councilmen.

The group which was knocked off the ballot had been supported by the majority of the district leaders. That group, anticipating the possibility it would be tossed off the ballot, filed independent petitions and will appear on the ballot on the independent line, opposing not only the Republicans but the official Democratic line.

Such a situation could affect the candidacy of County Executive Alfred DelBello, a Democrat, who had been depending on a strong turnout in Mount Vernon.

With some Democrats running on the same Row A with him, and other Democrats running on Row E, some votes for DelBello might be lost.

Phone Cutter suspect dies

Gilbert Phillips, the 39-year-old New Rochelle man arrested two weeks ago as the suspected burglar known for cutting phone lines in the homes of victims, died at New Rochelle Hospital.

Phillips had been shot by police when they tried to arrest him in Mamaroneck Town at 4:30 a.m. Aug. 20 in a residential neighborhood. Police said the suspect had lunged at one of their officers prior to the shooting.

Westchester Dist. Atty. Carl Vergari launched an investigation to determine the circumstances of the shooting.

Yonkers to sue banks

In late 1975, the city of Yonkers was faced with the possibility of default when the banks refused to buy any of the city's bonds and notes. The state government stepped in and helped the city negotiate the loans and reorganize the city's financial structure.

This week, the Yonkers City Council voted to take legal action against New York City and several major banks, blaming them for the two-year fiscal crisis in Yonkers. The action was taken in the wake of a report from the Federal Securities and Exchange Commission alleging that top New York City officials and six banks deceived the public by withholding critical information about New York City's shaky finances.

Yonkers city officials contend the city's financial problems grew worse from the "ripple" effect of New York City's, creating problems for Yonkers when it sought to borrow for short-term debt. However, at the time of the near default of Yonkers, it was learned that massive accounting foul-ups and poor fiscal practices also contributed to the Yonkers crisis.

Of rats and bats

When the city of Yonkers closed its incinerator in July and began carting the garbage to various landfills, a new crisis was created. The rats which had fed off the garbage began getting hungry and began going farther afield to forage for food, including the invasion of residential neighborhoods. So far, the city has responded somewhat to the problem by killing off some of the rats. By midweek, the city claimed that about 75 per cent of the rats have been cleaned out and that the goal is 90 per cent. The chief method of killing the rats has been the baiting of food with highly toxic material.

Meanwhile, the County Health Department revealed that three persons were bitten by bats in Westchester during the first part of August, the first such report in the county this year. All are undergoing injections to prevent rabies. Health officials do not envision a major problem.

More welfare arrests

The county's continuing crackdown on alleged welfare cheaters resulted in the arrest this week of five more county residents — in Yonkers and Mount Vernon — on charges of welfare fraud. Three Yonkers residents were charged with concealing employment while collecting welfare. Two Mount Vernon residents were charged with falsely reporting the amount of their rent to the Social Services Department. The allegedly fraudulent charges cost the county about \$7,500 for a total of the five cases.

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