

# Willmotts and Why-Nots

David J. Willmott, Editor

## Why Not Go All The Way

Controversy is raging about the concept of a modified flat tax. The way the scheme works is tax rates would be dropped between 14% and 30% from the current 14% to 70%. With the reduction in taxes would come elimination of many deductions that allow people to shelter income.

Several years ago we attempted to develop figures based around a much more ambitious proposal. Under the plan that we were thinking of there would be only one tax which would replace all local, county, state and federal taxes. It would be collected locally, i.e. towns or counties, and funds would be funneled upward to the state and federal government on a fixed percentage basis.

The tax would be on the gross national product as generated within an area. There would be no deductions. As products, services or labor was purchased, a tax would be imposed on the value and paid to the municipality.

The system probably is too fair and too simple to ever work. Too many lawyers, accountants and bureaucrats would be put out of business. Under our original

calculation, a flat tax of between 8% and 13% on the gross national product would have been imposed and used to nullify every other tax in America. Times and taxes, and government spending, have changed drastically over the past eight years. What the percentage would be today we do not know. But it might be an interesting project for schools or colleges to undertake. The answer might prove palatable for debate and consideration.

Think of it, living under a system with one and only one tax to be collected or paid, a tax that is universally applied, that no one can escape. A reversal of our system where the localities are feeding the state and federal government, rather than eating at their trough. A system by which localities would be encouraged to grow and prosper and be able to profit by this growth and development.

While our politicians are considering radical changes in the tax system, why not explore the possibility of going all the way.

And why not?

## Looking Back and Ahead

1984, that much heralded year of literary fame, has come to an end and although there have been some signs of the Big Brother attitude on the part of our governments, things were not as bad as the best seller of the same name had predicted.

There have been intrusions into private lives through legislation passed in 1984—we must buckle up in our cars, we can or can't smoke depending upon where we are, and anti-pornography legislation which will legislate what we can or can't see in certain publications has been proposed and just narrowly defeated.

While some of these "we know what's best for you" laws have occupied much time in our legislatures, a host of other bills that would address some very serious problems that confront us have been pushed aside. As our legislators prepare for the New Year's legislative sessions, we have a few suggestions and a couple of predictions that might come in handy.

The first prediction has to go with Shoreham. The Nuclear Regulatory Commission, in all its wisdom, will undoubtedly approve the LILCO evacuation plan and give Shoreham its low power license. Depending on how that goes, 1985 could well be the year that Shoreham could come alive. One of LILCO's newest twists is to propose that use of the Nassau Coliseum as a relocation center in the event of an evacuation. The coliseum will be available for such use only if the Islanders are away, and the circus or some other event is not scheduled. LILCO hasn't yet said what will

happen if the Islanders happen to be playing a home game, and the circus is in town. Perhaps the accident can be delayed until the coliseum is available.

Suffolk County Executive Peter F. Cohan has recommended in his annual message the creation of an environmental department to deal with problems of toxic waste and water pollution. While that proposed department is in the development stages, we would hope the county establishes methods that would make the new unit more cooperative with local governments, much more so than has the Department of Health which has handled environmental affairs.

Legislation is currently on the books that requires firms that deal with dangerous chemicals to register with the federal and county agencies. While they may well comply with these laws, the information as to what is stored where, and what it is used for, does not filter down to the local level.

A case in point: a recent television program indicated that dangerous chemicals were stored and used in Riverhead. That broadcast caused a flurry of concern in the area. But if the towns had been given information which the county had about that substance and where it was located, the town could compile its own inventory, which could be used by fire departments in the event of a fire where chemicals are stored, or in the tracking down of water pollution if dumping or a leak occurs.

Federal and local agencies which are empowered to require

permits for the storage and use of dangerous substances should be mandated by law to share that information with the towns. It would be simple enough with the county's computers, and a print-out could be sent to the towns to update the information.

The year 1985 could well be the year Suffolk residents will finally have an opportunity to pass judgment on our county Legislature. The move to place a proposition to abandon the legislature for a return to a county Board of Supervisors may well reach the polling booth this year with growing support from political leaders in several towns. Of course this political support could well be the death knell of the proposal. When politicians suddenly get religion and declare the public has a right to be heard, the political motives behind this new support will certainly be questioned. In any event, it should make for a spirited campaign, and the value and antics of the legislature, as it is currently conducted, will be targeted in the spotlight, as well it should.

On the state level, those senators who represent Long Island have better come to grips with the stalling tactics applied by the Senate leadership which have bottled up some important bills for Suffolk residents. Energy proposals advanced by the governor, and the used and useful clarification Governor Cuomo has proposed, need to be acted upon. This year, with the redistribution of PASNY low cost power slated to be in the spotlight, our senators

are going to have to show some fighting spirit, or face the public's wrath when their terms expire in 1986.

It would be nice, but we're not optimistic, if the representatives of all levels of local government—state, county and towns—would realize in 1985 that they represent people of their respective areas and begin to work together a lot more than they have in the past. State legislators have a habit of adopting laws—for exemptions, waste requirements, landfill closings, and the like—without regard for the impact on the local levels. They seem to forget the financial impact of such actions goes right back to the people, in many cases the very same people they represent. They aren't sent to Albany to become "the state" but rather to represent the local people on the state level. It's time they did a better job of representing their constituents. And county officials should heed that advice as well.

This is just scratching the surface of the important items that should be placed on governmental agendas. There are many more and we will be offering them in future editorial comments. Hopefully, 1985 will be the year that good government will begin to rear its head.

To our readers we offer the pledge that we will continue to fight for their interests in the New Year. To all we wish a safe, healthy and prosperous 1985.

And why not?

## Perverse Law and Order

Last week in a New York City subway, an armed citizen who was allegedly being accosted by four punks bearing sharpened screwdrivers, pulled out his gun and shot the four of them.

The next night on television, I could not believe my ears. Mayor Koch was announcing that he was assigning 1,300 cops to find the citizen who fought back.

Our system of justice is sick. Men, women and children, law abiding citizens, are murdered, mugged, beaten and robbed on the subways every day, yet the Mayor of New York can't find it in his budget to put 1,300 cops on duty to better protect them. But he can find the funds to look for a citizen who was about to be assaulted and protected himself.

One of our basic rights is self protection. Protection against punks who not only roam the sub-

ways, but are prevalent in almost every community in America.

Law abiding citizens look to their government for protection through the justice system. When the justice system fails to provide this protection, we owe it to ourselves to protect ourselves. Self preservation is one of the strongest instincts we are born with.

Our society and our politicians stink when they feel that the criminals must be protected from honest citizens at the taxpayers' expense. The man, whoever he is, deserves a medal, not a posse chasing him down. If ever caught, the city is going to be hard put to find a jury that will convict him.

It's time we started to rethink our laws, or at least rethink the politicians that have created them.

And why not?

## SUFFOLK LIFE

Vol. 24 No. 18

NEWSPAPERS and Suffolk County Life

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## Victims Bill of Rights

We congratulate Suffolk County Legislator Joseph Rizzo for proposing a Suffolk County Victims Bill of Rights.

Under our current system, victims of crimes rarely are given information pertaining to the disposition of the charges against those who have committed offenses against them. They are not consulted as to the punishment or the terms and conditions the accused is sentenced to.

Rizzo believes that his law will short-circuit some of the plea bargaining that allows repetitive

criminals to escape with a slap on the wrist for the offenses that they have committed against their fellow man.

We agree with Rizzo that if the police and the courts are mandated to keep the victims informed, and the victims have an opportunity to have input into the sentencing, justice will be better served.

We hope the other legislators see the wisdom of this measure and join in supporting Rizzo.

And why not?

## The Choice Is Yours

Would you like to choose whether you should be governed by a weighted Board of Supervisors or a County Legislature? The dream of this choice through referendum is close to becoming a reality.

Sponsors of the movement are in the second phase of gathering the signatures needed to force this issue on the ballot.

During the first phase the sponsors secured more than the required signatures and the issue was put to the Legislature, which had the option of giving the voters the opportunity to decide for themselves.

Our current sitting legislators, fearful of letting the people decide this issue, refused to be cooperative. Sponsors then were forced to go back to the people and secure the signatures of at least 5 per cent of the people who had voted in the past gubernatorial election. Time ran out before they could do so in time to have the proposal on last year's ballot.

Workers throughout the county are now circulating petitions in each of the ten towns. Their goal

is to get at least 10 per cent of the registered voters' names on the petitions. If successful, we, as voters, next November will be given an opportunity to choose in a democratic fashion which form of government will give us the best representation, a Board of Supervisors which will vote according to the population within their towns, or elect to keep the current County Legislature, which numbers 18 and represents irregular, gerrymandered districts.

We encourage everyone to sign these petitions. If you would like to help in the movement by circulating petitions, please call Ann Fegley at 924-6403, or contact your town supervisor who has additional petitions available for both signatures and circulation.

Don't be apathetic and let self-serving politicians decide for you the type of government you deserve and desire.

Time is of the essence, petitions must be returned to the Legislature before the end of the month. Let the people decide!

And why not?

## Point of View:

# The Bhopal disaster: a frequent happening

By MAURICE D. HINCHEY

You watched it on TV with grim disbelief—the tormented victims lining the roadside, gasping wildly for air as the life is slowly being sucked out of them, the distraught parents, carrying the limp forms of their dead infants, the shrouded bodies of the dead, row on row, being fed methodically to the funeral pyres. Such scenes have instilled in millions of Americans a new sense of the minefield of disasters our modern technology is capable of delivering without warning.

That one-chance-in-a-million catastrophe is happening much more frequently these days. In Bhopal, India, Union Carbide was responsible for the worst industrial accident in history. Beyond the 2,000 who died immediately, another 100,000 have been subjected to a variety of disabilities, including blindness, sterility and brain damage, which they may carry with them to the grave.

Last month a liquefied petroleum explosion in Mexico City killed 500 people and injured nearly 5,000. In 1976 in Italy a poisonous cloud of dioxin escaped from a plant in Seveso, contaminating the entire countryside. In 1970 in Germany, a fire at a chemical plant released 400 tons of deadly phosgene gas.

Don't assume similar incidents don't occur in this country. Just this past October leakage from an American Cyanamid tank in Linden, N.J., sent 100 people within a 20-mile area to the

hospitals. There were additional, less dangerous releases from the same plant a month later. In 1983 the inhabitants of the town of Times Beach, Mo., had to be removed because of dangerously high levels of dioxin in the soil. In 1980 the Chemical Control Corporation warehouse in Elizabeth, N.J., blew up, creating an extreme emergency for all of Staten Island.

A Union Carbide plant in Institute, W.Va., manufactures the same chemical, methyl isocyanate, which caused the Bhopal disaster. The cancer rate is reported to be 25 per cent higher than normal in the vicinity of the West Virginia plant. On David Brinkley's "This Week" recently, it was disclosed that small quantities of methyl isocyanate (MIC) are constantly being released into the atmosphere.

Most people would probably think it inconceivable that the federal government had not yet got around to classifying as hazardous the group of poisons to which MIC belongs, but such is the case. The federal Environmental Protection Agency (EPA) has a deplorable record, and only 20 per cent of the some 60,000 chemical substances in use have been tested to determine the extent to which they may pose a threat to the health and safety of the population.

Responding to the Bhopal disaster, Geraldine Cox, a vice president and representative of the Chemical Manufacturers Association, has gone on record as saying

that the industry is "obsessed with safety, because of the nature of the product." And she argues that the chemical companies monitor themselves much more strenuously than ever could be done under federal regulations. This is utter nonsense. The chemicals used in modern industry are sometimes of so deadly a nature, that it is absolutely essential that they be subject to rigorous control by agencies other than the industry itself.

I once had the unpleasant task of publicly censuring Geraldine Cox after she had appeared before a joint hearing of the New York State Assembly Environmental Conservation Committee and the Senate Committee on Conservation and Recreation in 1981. At that time she was attempting to dismiss as frivolous claims that chemical pollution was frequently associated with the increased incidence of cancer and other diseases.

When the Chemical Manufacturers Association indulges in such nonsense it does a great disservice, not only to the general public but to the chemical industry it claims to represent. It is interesting to note that, in comparison, Union Carbide's response to the Bhopal disaster has been cautiously worded and free of hastily contrived alibis.

(The author is chairman of the New York State Assembly Environmental Conservation Committee.)

## Readers' Opinion

### To the Editor:

I want to thank the three good Samaritans who stopped to help me when I broke down on the Long Island Expressway the other Saturday. With their help I managed to get home.

My faith in people has been restored. May God bless them.

B.P.M.  
Manorville

### An open letter to Nunzio Palladino, Commissioner, Nuclear Regulatory Agency:

Following the dictates of your office, the residents of Suffolk County were allowed no input regarding the granting of a license to LILCO to build a nuclear facility in Shoreham.

Following the application for an operating license, Energy Chief Hodell attempted to render any and all resident input academic by his assertion that it would be ridiculous to deny an operating license to a virtually complete nuclear facility.

You have modified your agency's requirement for adequate back-up diesel generators by allowing and approving testing at less than rated levels.

You are now circumventing your own agency's dictates by approving low power testing without an approved evacuation plan. You are again attempting to render us mute by refusing to hear county and state oral arguments against the low power testing.

I am under the impression that the role of your agency is the regulation of nuclear facilities, not the foisting of them on an unwilling and muted populace.

Does the Democratic process still survive in Suffolk County? Do we still have a say in our own destinies, or are we beginning to realize that George Orwell's 1984 is the wave of the future?

Steven Shapiro  
East Setauket

### Dear David Willmott:

I'd like to thank you for the coverage Suffolk Life Newspapers extended me during my wildlife exhibition at the Woodland Wings Gallery in East Hampton November 17 to 25.

Happy holidays.  
Sincerely,  
Joan C. Richards  
Stony Brook

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## A Report To Our Readers

1984 was a year of massive changes for Suffolk Life. We have been involved in a total upgrading of our publishing plant and equipment.

Eighteen months ago we acquired the former Great Eastern complex, a 110,000 square foot building located on Route 58 in Riverhead.

During the past year we totally renovated half of this building. Today we are housed in one of the most modern, functional and beautiful newspaper plants in the country. We kept much of our equipment from our former operation as we deemed feasible. We added to this equipment two new presses, one an eight unit News King and the other a six with large KJ8 folders that now allow us to print up to 64 tabloid pages collect. When our papers run over 64 pages they are printed in separate sections and collated on a series of four insert labelers.

We have installed the latest in technology in the front end of our operation. Our news, classified and advertising input and composition will be based around a sophisticated Unitex system. Copy can be transmitted via telephone through the computers directly into the typesetters. This will allow us faster reporting of the news and to take advantage of many situations we were not able to in the past.

Bookkeeping and circulation functions will be handled on the IBM 36 system. Our new facility gives us room to breathe and grow. Large, spacious open areas and offices have made for a much more relaxed and creative environment. We have made this commitment because of the faith that we have in our staff and the people we serve.

The demand for Suffolk Life has substantially increased each year. More and more readers have asked us to become more heavily involved in their lives, not only as a watchdog, but as a reporter and a recorder. On any given day over 1,000 calls can come into our operation. People bringing to our attention situations that cry out for aid. They may be as incidental as the publishing of a birth announcement,

as serious as a major crime or scandal, help with writing a Singles Only ad or the development of a large advertising campaign.

Suffolk Life over the years has attracted bright, talented, ambitious people. We have been a first-class training ground. Many people who have come through Suffolk Life's doors, upon completion of their apprenticeship here have moved on to well paying positions. With the development of the new Suffolk Life, we hope to be able to create the environment that will be conducive not only for training good young people, but providing them with an opportunity and reasons to stay so that at all times we may have the very finest staff throughout our operation.

We have been persistently asked how we are able to do all that we have done. It has been difficult as we must depend almost entirely upon our advertising revenues, which are extremely competitive, to succeed.

Annually we ask our readers to voluntarily pay for their subscription to Suffolk Life. We charge \$5 per year within our circulation area. For this payment of \$5 you receive Suffolk Life mailed to your home 51 weeks of the year. The \$5 doesn't even cover the cost of postage in most cases. But it does tell us that you are reading Suffolk Life and that you appreciate the efforts that we have put forth for you.

These subscription fees are used to improve the quality and quantity of news that we can publish. Many times we must make the painful decision not to publish a story because our budget has been depleted.

We know our system of collecting subscriptions is not the most effective, nor even the most logical. Some people say, "Why should I pay for this paper when I am getting it free anyway?"

Our only answer is that you don't have to if you do not want to, but when you do we can and we will publish a bigger and better paper for you. Most people do not want something for nothing; they want to pay their way, their fair share. We hope you are one of

these people and request that you fill out the form below and send it in with your \$5 for your 1985 subscription.

We enjoy being of service to you. With the expansion and the investment we have made in the plant, equipment and personnel

we are going to publish a bigger and better paper for you. We are looking forward to this challenge, this opportunity, and thank you for your support and loyalty in the past.

And why not?

## You May Be Due A Refund

The Long Island Lighting Company may have overcharged you on your September-October bill and may well owe you a refund.

State Public Service Commissioner Paul Gioia announced that the conclusion of the PSC's investigation into allegations of overcharges by LILCO had indicated that in a number of situations examined, LILCO had taken advantage of some of its customers.

During the billing period when it was on strike, it was charged that LILCO had estimated its customers' usage at less than what it normally was, then, when it had a large rate increase, did an actual reading and billed the customers at the higher rates.

Assemblyman Paul Harenberg, in a letter to Chairman Gioia, stated, "This act of theft by a regulated utility has reached new levels of perfection." In settle-

ment of these charges, LILCO has agreed to examine the bill of anyone who requests their bill be looked at. If they were overcharged, LILCO must issue a refund and if, by some miracle, the examination shows that LILCO did not get all that it was entitled to, it cannot retroactively demand payment for it.

To have your bill examined you must notify the Long Island Lighting Company that you think there may be an error. LILCO will not automatically check your bill unless it is notified.

We recommend that you have your bill checked. To make it convenient we have printed a form below which you need only fill out and send to LILCO. There is no reason why you should pay LILCO more than you have to because of its errors. Send in the form today.

And why not?

### Long Island Lighting Company

Street \_\_\_\_\_

Town \_\_\_\_\_

Zip \_\_\_\_\_

To whom it may concern:

I have reason to believe that I may have been overcharged for electricity used prior to the last rate increase but billed at the higher rates when the rate increase went into effect.

Please check my bills and if I have been overbilled, issue me a refund with interest for the time that you have had use of my money illegally.

Signature \_\_\_\_\_

Print Name \_\_\_\_\_

Address \_\_\_\_\_

Town \_\_\_\_\_

Account Number \_\_\_\_\_

Date \_\_\_\_\_

### Subscription Form

Yes! I would like to renew my subscription to Suffolk Life for 1985. Enclosed is a check for \$5.

Name \_\_\_\_\_

Street or Box \_\_\_\_\_

Town \_\_\_\_\_

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Suffolk Life Newspapers  
c/o Subscription Department  
P.O. Box 167  
Riverhead, N.Y. 11901.

Please enclose mailing label from front of paper. Send to:

## Gruccis Seek Fairness

In the last two years, the first family of fireworks, the Gruccis, have traveled from the height of world-wide recognition for their artistry to the depths of depression in losing two of their family members and having their physical facility destroyed by an accident.

The Gruccis have attempted to keep their organization alive and to rebuild their lost facility. To do so, the entire family has given up what has been comfortable security. They have pledged everything they own, including the family members' own homes, to stay alive.

There has been tremendous concern about the rebuilding of the fireworks plant, some justified, some not. The memories of the accident are still vivid—an accident that should not have happened, but did.

The Gruccis' operation in Bellport grew up in a hodgepodge fashion over a 40-year period. The Gruccis operated the facility with care and concern. It was a family-run operation and the family had faith in one another. They knew there were risks, but had belief in each other and so they felt the risk was minimized.

Prior to the tragic accident, the Gruccis had made application to modernize their buildings and to expand with modern building on the property they owned in Bellport. Neighbors voiced concern about the possibility of an accident. The Brookhaven Town Board held off on their request. The town board at that time should have offered to aid the Gruccis in finding a more suitable location, one that provided adequate safeguards. It didn't.

After the tragic accident, public fear, furor and opinion built up, surrounding the Gruccis. No one wanted a fireworks factory in their backyard. The Gruccis searched out a number of sites for their facility that might be compatible with the surrounding environment and development.

Recently they announced that they had found a site in Manorville in the heart of some scrub oak, partially bordered by the Grumman flight path buffer area. The Gruccis have asked the

Brookhaven Zoning Board of Appeals for a change of zone to allow them to construct a modern, technically safe facility on this land.

The Gruccis have had an environmental impact study done that indicates that the facility will not, in any way, pollute the groundwater or endanger the land on or surrounding the facility. There will be no discharge of effluent—not even toilet waste—into the ground. They will provide their own fire fighting equipment, and will train personnel to man this equipment.

An emotional furor has been created by a small group that is hell bent and determined that no development will take place, whatsoever, on what it calls the Pine Barrens. This group has classified thousands upon thousands of acres in Suffolk County as Pine Barrens. The area runs from mid-Brookhaven to the center of Southampton Town.

This is land that is owned by individuals and speculators, land that people bought to use in the future, to have, to hold and to profit from. Our governments do not have the funds available to condemn these parcels of land, therefore they will be developed as the need arises in the future. The type of development would be homes, commercial or recreational use. Almost all will cause some discharge into the aquifer. Land, even the Pine Barrens, can absorb a certain amount of effluence without causing pollution of the groundwater.

If the Gruccis' environmental impact statement is beyond reasonable challenge, then there should be no furor from the environmentalists. The location the Gruccis have settled upon is not currently developed. The closest house reportedly is two miles away. The plan they have outlined appears to be reasonable, with tremendous forethought for safety in the worst case scenario.

The buildings would be constructed using the latest methods used for military arsenals, and would be surrounded by berms to direct the force of an explosion upward rather than outward, as was the case in Bellport.

The major argument against

the Grucci plan at this time would appear to be the environmental impact upon the proposed site and the threat of pollution to the precious water of the Pine Barrens. And yet there is an environmental impact statement prepared by a reputable firm that declares there would be no impact, in fact, less of an impact than if homes were built on the land. Fairness would dictate that the matter be decided on the truth of potential damage to the environment and the water, not on hysterical outbursts against any use of Pine Barrens land. Unless the government opts to buy all of the declared environmentally-delicate lands within the Pine Barrens, our guess is we are going to have to deal rationally with the future use of these lands, based on environmental reasons rather than hysteria.

There are other concerns that must be addressed as well, including financial impact on surrounding land, and the ever-constant threat of a fire in the heavily wooded areas surrounding the proposed site. If these matters can be resolved, and the environmental impact statement prepared for the Gruccis proves to be accurate, the plan should be given

a fair and honest decision based on fact rather than emotion.

If there are other sites more suitable, let them be explored. We've said before, and still think, that the former missile site at the County Airport in Westhampton, with its underground bunkers, might make a suitable location, but Southampton Town officials nixed that idea without any study, unfortunately, in a burst of post-accident emotion and fear.

We believe the Gruccis have been victims of their own success. The accident may not have happened if they had not grown as fast as they did. We believe they were victims of wanting to develop better and safer conditions, but were denied the opportunity by the Brookhaven Town government.

We have looked over the Gruccis' plans for the Manorville site and they appear to us to be reasonable. We hope Brookhaven Town government leaders can put aside the emotionalism of this issue, explore the proposition on its merits, and make a swift decision that is fair and honest to the Gruccis and the residents of Brookhaven Town.

And why not?

## A Better Way

The State Insurance Department this past week approved an increase in malpractice insurance premiums averaging between 50 and 60 per cent.

Malpractice insurance for many doctors is the biggest overhead factor they have to contend with. No doctor can afford to be without malpractice insurance. Recent court awards have run into the millions of dollars. These awards, and the frequency of the juries voting in favor of the complainant, have led to these exorbitant increases in premiums.

Doctors, being businessmen, add the cost of these premiums to the fees they charge their patients. This results not only in high medical bills, but substantially higher medical insurance premiums that are paid both by individuals and employers.

Malpractice suits are brought about when people feel they have been wronged by the doctor because his judgement was impaired, he recommended the wrong prescription, or negligently responded to the needs of the patient. When people are harmed by a doctor, whom they look to and are dependent upon for careful, professional care, they are entitled to compensation for their agony and grief and complications they have suffered.

Doctors and health care facilities are licensed by the state. To obtain this license they must meet certain criteria. For a doctor it is education, then a residency in a hospital under the watchful eye of proven professionals. The health care facility, likewise, is licensed and under the watchful eye of the Health Department.

Bad medical care must be stopped. Not only to avoid human suffering, but to eliminate the needless cost brought about by successful malpractice suits and the insurance premiums that must be paid by all doctors to make up for the incompetency in their field.

When a successful suit occurs, evidence has been presented that

proved the doctor's negligence or unprofessional conduct.

Currently, there are no meaningful ramifications for the doctor or the hospital failing to provide the care contracted for. Doctors and hospitals walk away from malpractice suits virtually unscathed. The insurance companies pay the settlement and the awards, they then charge the doctors higher insurance premiums that are paid for by the public in need of medical service. The public is the only loser. Bad doctors continue to practice unabated.

In the trial, when the doctor or the hospital has been found guilty by a judge or jury, would it not make sense at this time to automatically suspend the license of the doctor until he can prove that he is competent to serve without making another mistake? If a health care facility, be it a nursing home or a hospital, has a record of more negligent suits than average, why not suspend its operating license until it can correct the situation that has led to these suits.

Undoubtedly, some negligent suits are brought for frivolous reasons, some are without merit, some of those are even successful when the doctor or his attorneys fail to provide a correct defense. There are also numerous instances where people can bring legitimate malpractice suits and don't, for they know the doctor or the hospital will not suffer any damage and a successful suit will only end up increasing the insurance premiums of other patients.

We strongly recommend our legislators look into enacting laws that would require a doctor to go through a re-examination and a justification for his license once he becomes involved in or loses a malpractice suit. The same should be done for the health-related facility that has an abnormal record of suits against it.

And why not?

# SUFFOLK LIFE

Vol. 24 No. 21

NEWSPAPERS and Suffolk County Life

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Westhampton Oakdale  
Monches Ronkonkoma



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## Fish Or Cut Bait

The 1985 legislative session in Albany could well be the most challenging for those legislators who represent the Long Island region. Now that they have sneaked their raises in the back door, after the November election, perhaps they will now have the time to seriously deal with what could be the most important local issue of the time—methods to prevent our electricity rates from bankrupting the region and its citizens.

We're off to a dismal start, however. The head of the Power Authority of New York State, John Dyson, who recently announced his intent to resign in April, came up with a reallocation plan for low cost hydro-power because, he said, the legislators have been dragging their heels on this issue. Dyson's parting shot for our area is a plan whereby the vast majority of power would be kept upstate, with a mere 50 megawatts to be directed downstate, and that amount reserved for industry rather than the public. We're happy to see Dyson leaving the PASNY spot for it has been this kind of thinking that has short-changed our local residents for far too long.

By the same token, however, it has been the lack of action by legislators that has permitted this condition to exist. The responsibility is in the laps of the legislators, and they have done nothing. When Suffolk Life launched its Power to the People suit against Dyson and others because of the lack of hydro-power allocated for the people rather than industry, the presiding judge dismissed that suit, but voiced sympathy for our cause. We were in the wrong arena, the court decided. The solution must come from the legislators rather than the courts because it is the legislature which adopted the public service laws which created PASNY.

We are less than confident, however, that our legislators will prevail in this vital issue. Too many who serve the constituents here

who will be overburdened by electric bills double that which we now pay have failed to show any kind of leadership on this issue in the past.

We were highly critical of our state senators last November for what we viewed was their lack of leadership in overcoming the stalling actions of the leader of their body. The kingpin in the Senate is Majority Leader Warren Anderson, an avid fan of utilities. He has successfully bottled up any action on the "used and useful" clarification of law that was proposed by Governor Cuomo. This clarification would prevent the Long Island Lighting Company from placing the imprudent costs of Shoreham upon the backs of ratepayers. He has successfully stalled any action on the energy measures presented by the Governor. He has stood shoulder to shoulder with LILCO in its efforts to put its controversial power plant on line, and has successfully kept the majority of low cost power upstate, in the region he represents. Although downstate makes up almost 30 per cent of the population of the state and produces close to half the wealth in taxes to support the state, we continue to be shortchanged when it comes to low cost hydro-power and power from the nuclear power plant PASNY operates.

We are not going to get our fair share as long as our state senators, who, by the way, are Republicans, as is Anderson, continue to roll over and play dead for their leader. In politics there is a time to go along to get along. There is a time to compromise. And there is a time to stand up and fight like a man, even if it means breaking with your own party to get what is necessary for your constituents. That's what representation is all about.

If the Republicans can't deliver in the Senate with a Republican leader and a Republican majority, our senators are not worth their salt. The Democratically-controlled Assembly has been far

more responsive to the needs of our citizens, but now the ball is in the senators' court. If they can't produce for their constituents, it doesn't matter what happens elsewhere, the full blame will rest on their shoulders. And we will cer-

tainly have a clear cut indication of the quality of their representation.

Senators Ken LaValle, Jim Lack, Caesar Trunzo, it's time to fish or cut bait.

And why not?

## Concern For Victims

A public hearing on a proposed "victim's rights" bill offered by Suffolk County Legislator Joseph Rizzo drew opposition last week from the District Attorney's office, the Sheriff and from judicial quarters as well. The proposed legislation would, according to the opposition, involve more work for the courts and hamper the efforts of the district attorney in the plea bargaining process. This opposition appears to be a classic case of tunnel vision.

Ironically, only several days after this opposition was raised by our law enforcement officials and judges, a New York City Grand Jury failed to indict Bernhard Goetz, the now famous "Subway Vigilante" who shot four men aboard a subway train when they pressured him for money, for the actual shootings. He was indicted only on illegal possession of weapons charges.

Goetz has become somewhat of a hero in the minds of much of the public, which views the current criminal justice system as a failure, one that protects the criminal without regard for the rights of the victim. "I think what we're hearing ordinary men and women say is that we want a criminal justice system that protects us, not one that young thugs and hoodlums laugh at because it doesn't work," Senator Alfonse D'Amato declared after the grand jury's action. Those sentiments were echoed by a host of others, including a large group of citizens throughout the country who have been donating funds to help Goetz defend himself.

The public's mood is understandable. There have been far too many instances of turnstile justice in which those responsible for crimes escape with little or no punishment. "Let 'em loose" judges have been the target of much publicity and criticism. Plea bargaining deals which have favored those who have committed a host of criminal acts—including those of a violent nature—have been far too frequent.

The stock excuse for plea bargaining is that it helps keep the court calendars from becoming too cluttered. In our view, that's little more than a cop out. There has to be a better way! One that offers more concern for the suf-

fering of the victim and a determination that those responsible for crime must be punished for their actions.

Rizzo's bill would give the victims of crime a say in the proceedings against the person responsible for the criminal act. At the very least, the victim would be kept informed as to the disposition of the case. We fail to see how that simple act of concern for the rights of the victim will create the kind of problems voiced by our law enforcement officials.

There's a lesson to be learned about the public mood that surrounds the Goetz case. The public is fed up. The widespread applause for the violent action by Goetz is the public's way of saying, "We've had enough, we're not going to take it anymore." It offers a clear cut warning that more and more such incidents will be recorded in the future. The only way to prevent that from happening is an immediate, meaningful change in our criminal justice system. A change that calls for harsher treatment for the criminal, an end to the slap-on-the-wrist justice that helps clear court calendars but does nothing to discourage criminal acts.

Rizzo's proposed legislation may not be the total answer, but it is, at the very least, a start in the right direction. It would be a mistake for our law enforcement officials and the judicial system to oppose such legislation simply for the sake of maintaining "business as usual."

If there are flaws in the legislation, then a cooperative effort should be made to correct them. If more clerical help will be needed to handle added work, so be it. If more prisons are needed to house the criminals who will no longer be plea bargained out onto the streets, they must be built.

The current criminal justice system too often makes a mockery out of the thought that "crime doesn't pay." Too often it does under the current system, and far too often those who commit the crimes walk away laughing.

If there is to be any laughter in all of this, the last laugh must belong to the victim, the one who has suffered.

And why not?

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## An Opposing View

The Suffolk County Legislature has, from time to time, raised its voice in a variety of "sense of the legislature" resolutions that serve no actual purpose but to express a view, or get something off the chest of the sponsoring legislator. Some have limited value, others don't, and others, such as

one voted on last week, are just downright silly!

The legislature, by a vote of 14 to 0, with four abstentions, adopted a sense of the legislature resolution offered by Legislator Patrick Heaney that requests "local papers to provide equal

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