

# Willmotts and Why-Not's

David J. Willmott, Editor

## Cuomo Appoints Campo

Governor Cuomo last week spontaneously appointed Leon Campo, an outspoken opponent of the Shoreham Nuclear Power plant, to his task force studying this matter. Campo has not only been outspoken, but is extremely knowledgeable about the issue.

His concerns are as basic as you can get, for he and his family live in Mount Sinai, just a couple of miles from the nuclear power facility. A coalition demonstrating at an affair the Governor was attending in Nassau voiced their concern that the panel was not balanced. Outside of my own presence, they charged there is no one who lives near the plant represented on the commission. The Governor's choice of Campo was an excellent one and I, personally, welcome him aboard the panel.

The present composition of the panel should make everyone a little nervous. The majority of those who are serving are from state and federal agencies with little connection with the real world. Alfred Kahn is the former head of the P.S.C. He was chairman during the time the P.S.C. made many controversial and important rulings concerning the Shoreham Nuclear Power Plant. He currently is a consultant to utilities on rates and regulations. His inclination in the past has been to show concern for the stock and bondholders.

Karen Burstein is currently the executive director of the Consumer Protection Board. She, like Kahn, was a member of the P.S.C. and played a part in approving different aspects of Shoreham.

William Dirks is executive director of the nuclear Operations for the Federal Nuclear Regulatory Commission. His job and existence is dependent upon the continuation, proliferation and development of nuclear energy.

Dr. Paul Allen Marks, served on President Carter's Commission which investigated the Three Mile Island accident. He speaks in glowing terms of the report the commission presented. In reading the report, the dissenting members were highly critical of the report and questioned its validity. Objective reporters felt that it was a white-wash.

William J. Ronan, former head of the M.T.A., a member of the L.I.A. and the Howard Panel which is strongly in support of opening the plant at any cost, is Nassau County's representative.

Dr. David Axelrod is the commissioner of the New York State Department of Health and serves on the state agency which, in December,

nearly approved LILCO's own evacuation plan.

From statements he has made on the commission, I can only assume he is pro-nuclear. I have hopes that he and his staff will read the various reports which are being circulated in addition to the propaganda being distributed by LILCO. Anybody exploring this material in good conscience would be left with some grave questions about the safety of the plant, and the impossibility of an evacuation plan.

Marge Harrison, a member of the Long Island Coalition and co-chairperson of the New York State Democratic Party has a long history as an intervenor and an activist in opposition to Shoreham. For a civilian, she is one of the most knowledgeable people on the commission both in technical and financial matters.

Hugh Wilson is a professor and the head of the Institute of Suburban Studies at Adelphi University. We hope he is at least neutral and will form an opinion based upon the facts, rather than pressure that undoubtedly will be put on him.

John Marburger is president of S.U.N.Y. at Stony Brook. We believe he will attempt to run the meetings evenly, but he has already placed himself in a position of suspicion by allowing the first set of materials for the commission members to be presented without identifying the source of the information. The information was pro-LILCO, pro-nuclear energy, and in fact, outright public relations pieces from LILCO. No wonder! LILCO was the source of the literature.

Further, at last Tuesday's meeting, he allowed side conversations to go on that disturbed Suffolk's presentation. We hope this was an error in judgement, and not a trend that will continue.

I make no bones about it, I am opposed to LILCO going on line because I fear not only for the lives of my own family, but the lives of my readers and all other Suffolk County residents.

I am willing to listen. But for my mind to be changed, I need to hear substance, not assumptions that can't be backed up by fact.

An analysis of the Commission does indicate that it is overwhelming pro-nuclear, pro-Shoreham, pro-LILCO. The addition of Campo will help balance the scale, but in no way will it tip the majority in favor of Suffolk County.

And why not?

## The Public Be Damned

"The public be damned!" That message was delivered to the people of Suffolk County by two regulatory agencies last week.

The first message came from the Public Service Commission in scheduling hearings on the request by the Long Island Lighting Company for a rate increase which will escalate electric costs by at least - and probably much more - 56.5 per cent over the next three years. That

hearing was scheduled despite the fact the PSC is currently investigating charges of mismanagement and related cost overruns in the construction of the Shoreham nuclear power plant. PSC staff members have charged that LILCO has withheld requested information, raised the possibility that files have been purged of important information, and has, in fact, threatened the completion of the

investigation by harassment tactics. With that background, the holding of a hearing on a rate increase before determination of how much of Shoreham's costs should be borne by the ratepayers is the same as a jury in an accident trial granting damages before finding out whose fault the accident was.

Assemblyman Joseph Sawicki Jr. and John Behan introduced legislation in Albany recently that requested the PSC to delay consideration of the rate hike request until all the facts are in, but that bill is bottled up by the Democratic leadership in the Assembly for whatever their reason. That's tragic, because the people are going to bear the brunt of the staggering financial impact of the proposed rate increase which is, at best, based on questionable figures.

But the PSC went one step further in its arrogance and disregard for the public. The first hearings are to be held July 21, at 2 and 6:45 p.m. in the courtroom of the Patchogue Village Hall. That courtroom has a capacity of 50 people, according to a village spokesman. We can only assume the PSC is attempting to cut down on the number of people who will be involved in the hearings by finding the smallest place to hold them, forcing many who may wish to speak to spill out into the hallway and onto the sidewalk. If the PSC is really lucky, it will rain like crazy and drive a lot of people away.

With area schools now in their summer recess, it is hard to believe a larger facility could not be found to accommodate everyone who may wish to speak out against the rate hike proposal in order to protect their financial futures. The public be damned!

The second such message came from the Nuclear Regulatory Commission which, by the slim margin of one vote - 3 to 2 - ruled that LILCO should be able to apply for a low power license even though there is no adequate evacuation plan in place, and strong contention by county officials and Suffolk residents that evacuation is not possible.

The commission majority - by one slim vote - said: "We believe the better procedure is to reserve full-power issues, like off-site emergency planning, for the full-power authorization decision." Here we go again! When the utility applied for its construction permit, and the question of evacuation was brought up, the NRC and LILCO said, "No, not now, we'll talk about that when the plant is built." Then, when the issue came to a head after the plant was built, the cry was: "Now that we have spent all this money on building the plant we must use it rather than waste that money."

If low power permission is granted, the cry will be "Now that we have

activated the fuel we will have to spend millions - and perhaps much, much more - for decommissioning, so we have to use the plant now."

Even LILCO, in its most recent propaganda about the Shoreham fiasco, is beginning to concede evacuation is not possible. They talk now of an "emergency plan", rather than evacuation, and insist an "emergency plan" can "reduce the risks" to the public. LILCO insists sheltering - staying inside a building - is safer than evacuation, but county experts contend sheltering will only reduce the risk of radioactive contamination by 10 per cent.

In a recent presentation to the Governor's Task Force on Shoreham, Matthew C. Cordaro, vice president of engineering for LILCO, offered these gems: "It is not a federal requirement that evacuation be carried out in a particular length of time, nor is it a requirement that the public must be able to completely avoid the plume under all conceivable circumstances."

In another portion of his presentation he noted: "The wind on Long Island blows 65 per cent of the time towards unpopulated populated areas (30 per cent of the time the wind is offshore). A footnote adds: "This means that 65 per cent of the time a radioactive plume would move in a direction that would affect only 27 per cent of the public (that is, only 43,200 of the 160,000 summer residents expected in 1985) in the NRC-mandated ten-mile emergency planning zone."

How many of you out there are comforted by the fact that "only 27 per cent" of the public would be affected by a radioactive plume? Or by the fact there are no federal requirements setting an evacuation time limit, "nor is it a requirement that the public must be able to completely avoid the plume under all conceivable circumstances"?

If you have a problem with those statements, and you want to insure that your family will not be among that 27 per cent who are apparently expendable in LILCO's view, send a strongly worded message to your congressman, your senator, and the Governor now, or suffer the consequences later.

The addresses are: Senator Alfonse D'Amato, One Penn Plaza, Suite 1635, New York, N.Y. 10001; Congressman William Carney, 2400 North Ocean Avenue, Farmingville, N.Y., 11738; Gov. Mario Cuomo, Two World Trade Center, 57th Floor, New York, N.Y., 10047.

The Shoreham controversy is coming down to the final hours. The time for sitting back is over. The time for action is now. Speak out. Be heard. Demand these public officials do all in their power to insure the safety of Suffolk's residents.

And why not?

## SUFFOLK LIFE

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## Losers Must Pay

For the legal system to work, it must be based upon a premise of being fair and equitable for all. The system here in New York is not. In fact, it's an outright disgrace. It is totally unfair to innocent parties and is causing substantial waste of citizens' income and time. As the system is now structured it benefits lawyers and only lawyers.

This past Tuesday, a representative of the Hands Aldrich Post in Hampton Bays came to our office with a desperate plea for help. The post sponsors a volunteer ambulance service which has been credited with saving hundreds of lives.

A couple of years back, the ambulance corps responded to a police call involving an accident at Mimosa Beach. The victim had allegedly been thrown by a wave and it appeared he might have neck or back injuries, and was in need of transportation to the hospital. The ambulance volunteers arrived, confirmed the observation of police officer, carefully placed the victim on a stretcher and transported him to Central Suffolk Hospital. The victim was subsequently taken from Central Suffolk to another Long Island hospital and then to still another. It is alleged that the victim is now paralyzed.

The Hands Aldrich Post was named as a defendant in a multi-million dollar suit, along with every person and municipality or service agency that came to this person's aid. The lawyer who is handling the victim's case, is blatantly suing everyone who had anything remotely to do with the case. This is ludicrous and, we believe, a travesty of our justice system.

The post is in double jeopardy because they, very naively, did not have liability insurance to cover them for this kind of law suit. The post volunteers who served our country in war, and who are now serving their community as ambulance drivers and technicians without compensation, find themselves with a possible \$10 million loss and no funds for legal defense.

An attorney who had been the beneficiary of some town legal work had agreed to take the case on a cost basis. Subsequently, he joined another firm and the post received a

letter from this firm that they would no longer provide legal service on a cost basis. They demanded \$1,500 up front plus a fee of \$125 per hour to defend the post. Fortunately, Tony Prudenti, Suffolk County Republican leader, hearing of the post's plight, was able to put them in touch with the firm of Vincent Mileto, who has agreed to at least answer the charges gratuitously and hopefully, inexpensively, get the post out of the jam.

Why the post was even named in this law suit, why the suit has ever been allowed to be brought is beyond common sense. The 18 defendants in this suit have to engage legal help to answer the charges. Each will face legal costs which we presume will run into the thousands. The defendant, in his papers, did not offer even allegations of specific wrongdoings on the part of the parties being sued, who, it should be noted, came to his aid in an attempt to save his life.

It's a sick society we live in, being made sicker by greedy lawyers who are drumming up business for their partners in greed.

Two weeks ago, the 28 members of the Riverhead Police force and the Town of Riverhead won their case against a man who had charged them with police brutality. The police had been summoned to this man's home and upon arriving at the scene charged that they found a man choking a woman to death. They ordered him to release her. He refused to acknowledge the police orders. The officers, to save the woman's life, had to use force which resulted in the perpetrator receiving head injuries. The perpetrator was subsequently hospitalized and the hospital requested round the clock guards and that he be restrained because they considered the man to be a danger.

The perpetrator turned around and sued the town, the hospital, and the 28 police officers involved in either the actual arrest, or of guarding him, with police brutality.

The first trial was held last year. All 28 police officers were required to be in attendance for several days. After several warnings to the plaintiff's attorney about his actions and antics, the judge declared the action a mistrial.

The perpetrator then came back, securing a new attorney and launched a new suit. He lost. The police, the town and the hospital were exonerated, but the taxpayers are left holding the bag for thousands of dollars in legal fees, loss of protection and huge amounts of overtime for the police department.

Suffolk County was successful in defending itself recently in two cases relating to police brutality suits. Not only were the Suffolk County Police vindicated, but County Attorney David Gilmartin sued the instigators of the suit for all costs incurred and won. Riverhead Town should follow the same course.

Municipalities have the money and the resources to follow this course but, needless to say, the average person, business or service organization does not. Our legal system must be changed so that a person who brings an action which is found deficient becomes automatically responsible for all costs and expenses of the defendants. An instigator of a suit should be

required, as a matter of course, to post a bond insuring that they have the funds to cover the cost of paying the defendant's expenses if they are not successful in the action.

If this was made law, two things would happen: there would be a heck of a lot less law suits and because there are less, those that have merit and are just will receive an expedient execution of justice.

Lawyers will, no doubt, fight this proposal tooth and nail, as they stand to lose legal fees if such suits are reduced in number. Insurance companies would undoubtedly fight just as hard because the longer they can drag out a suit, investing their money to earn interest, the longer they can keep their money working for them before having to pay it out.

The practice of law suits filed against everyone in sight in hopes of nailing someone must be brought to a screaming halt. It's good for no one but the lawyers, and what's good for lawyers is rarely good for the public. And why not?

## As A Partner, Do Your Job

The volunteer fire and ambulance corps serving our towns and hamlets are our partners as community volunteers. The men and women who make up these volunteer departments are those who serve you 24-hours a day, seven days a week. Whether it be ambulance or fire service, they go through countless hours of training and discipline, readying themselves for that emergency you may one day have, but one they all pray you won't.

When your call comes in, they respond immediately, putting into action their training and experience because your life may be saved, or your property kept from total destruction. They are your partners in life. In the real world they are like you and I, most have jobs, families and other activities.

Each year our partners ask us to help them by contributing to their

fund-raising efforts. During the summer you will receive a knock on your door, or through direct mail solicitation be asked to attend a barbecue or a carnival in their support. We ask you to respond by contributing as generously as you can.

Your support of these volunteer organizations is a measure of your appreciation of the hundreds of hours of training they endure, and their immediate availability when needed. It might hurt to give a little extra. It is well worth it when you consider what they give and do on a daily basis for your protection.

A check, no matter how small, will be greatly appreciated. Why not send along a note with it, expressing your own feelings and appreciation of their dedication.

And why not?

## Unemployment Compensation Up

The State Legislature recently passed, and the Governor signed into law, a bill that will grant substantial increases in compensation for unemployment and disability. The maximum grant for unemployment will go from a tax free \$125 per week to a tax free \$180 over the next two years.

The passage of this legislation was a payback from Cuomo for the union support he had during his last election. There have been no increases for several years either in disability payments of unemployment compensation, so one might say that, in all fairness, where these funds are paid legitimately the increases were long overdue.

The key, of course, is the word legitimate. We doubt there is a person who reads this paper who does not know of someone currently, or in the past, who has received unemployment compensation or disability

payments when they were perfectly capable and able to work and, in fact, in many cases were working off the books. Individuals who were collecting these benefits paid by the taxpayers while at the same time, working off the books, paying no taxes to help fund these benefits.

If Cuomo wants to be known as a good, fair Governor, he must institute a much more effective enforcement program to stop this willful cheating. He must order full enforcement and prosecution of those caught cheating the system. If the thieves can be eliminated, and those who are offered work but refuse to take it, can be eliminated, then those who deserve these benefits can have the increases without bankrupting the economy.

Cuomo can't have it both ways. If he is going to be a Santa Claus, he is going to have to be a tough one. Time will tell.

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