

al of all charges against him

in Washington, said it would have no comment until then. U.S. District Judge Norma Holloway Johnson has said she will hear oral arguments on the motions later in September.

Rostenkowski was chairman of the House Ways and Means Committee when he was indicted on 17 counts in May. He is charged with converting \$636,600 in federal funds and \$56,267 in campaign

funds to his personal use.

The indictment accused the lawmaker of hiring ghost employees, using his official account to buy personal gifts from the House Stationery Store, trading stamps for personal cash at the House Post Office, and converting official vehicles to personal use.

"The interpretation of House rules and the decision whether to discipline a member for a violation

of them is a matter constitutionally committed exclusively to the House," the defense said.

"These rules, which have changed dramatically and repeatedly over the past 20 years vest members with broad discretion in determining whether a particular transaction is properly chargeable to congressional expense allowances."

ARIES

Attorney Walter Wittman, championed liberal causes

By CHRISTOPHER MUMMA
Staff Writer

Walter T. Wittman of Paramus, a prominent attorney whose dedication to liberal causes included work on affordable housing, exclusionary zoning practices, and civil rights, died Monday after a long illness. He was 80.

Mr. Wittman, a lifelong Paramus resident, was the lawyer for many town councils, as well as a variety of planning, zoning, and school boards. His longest-running tenures included stints as the school board attorney in Paramus from 1939 to 1971, as Paramus municipal attorney from 1940 to 1954, and as the borough attorney in Hillsdale from 1956 to 1979.

But his reputation extended well beyond Bergen County. His resolute stands on a variety of liberal causes were, in many cases, far ahead of their time.

"He was a man of just enormous character and dignity," said Michael Lubin, who practiced with Wittman from 1974 to 1984. "No matter what, he always stood up for what he believed in."

For most of his career — and long before the courts stepped in — Mr. Wittman was a prominent critic of state zoning laws. He maintained that the combination of exclusionary zoning practices combined with the state's inequitable property tax system caused de facto segregation.

One of Mr. Wittman's highest-profile cases in that capacity was *Robinson vs. Cahill*, which he argued as the Englewood school board attorney. That case — in which Wittman challenged the state tax system as the cause of inequitable school funding — led to the 1973 ruling throwing out the New Jersey school funding system on the grounds that it led to greater spending on wealthy children than on poor children.

In 1963, long before the Open Public Meetings Act was established, Mr. Wittman prompted case law that led to the principle that municipal bodies may take formal actions only at public, open meetings. He went on to counsel the sponsors of the Open Public Meetings Act a decade later.

As a result, Mr. Wittman became a recognized expert on municipal and school law. He served on many state boards, and was for many years co-chairman of the legislative committee of the state League of Municipalities.

"He was a mild, quiet-spoken kind of guy, but when he opened his mouth, everybody took him very seriously," said William Dresel, the executive director of the League of Municipalities.

Mr. Wittman also was firmly opposed to racial discrimination. In 1944, as an attorney for the Bergen County chapter of the Na-

tional Association for the Advancement of Colored People, he brought a lawsuit against a Hackensack restaurant for refusing to serve a black woman. In 1948, he was instrumental in the first challenge to the systematic exclusion of blacks from grand juries.

In 1964, Mr. Wittman took a small role in the civil rights movement when he spent 40 days in Mississippi investigating voting-rights complaints made by local blacks.

Mr. Wittman also was an early opponent of the Vietnam War, and spent much time counseling would-be draftees about their rights. In 1968, he taught a draft-counseling class at Fairleigh Dickinson University.

Mr. Wittman's wife, Jeannette, to whom he was married for 61 years, died in April. Surviving is a daughter, Jane Van De Bogart of Woodstock, N.Y.

Interment arrangements are private, but a memorial service will be held Aug 20 at 1 p.m. at the Central Unitarian Church in Paramus. In lieu of flowers, the family is requesting that gifts be sent to the Paramus Rotary Club Foundation, c/o Thomas Wells, P.O. Box 1827, Paramus, N.J. 07653, or to the Southern Poverty Law Center, 400 Washington Ave., P.O. Box 548, Montgomery, Ala., 36101.

Paramus' Wittman dies at 80

Attorney served boro

PARAMUS — Walter T. Wittman of the borough, a prominent Bergen County municipal attorney and civil rights advocate, died on Aug. 1 at the age of 80.

Born in Dresden, Germany, the son of Carl Wittman and Mary Thalmayr Wittman, he was graduated from Columbia College in 1935 and from Columbia Law School in 1938.

He was admitted to the New Jersey Bar in 1938 and, at the time of his death, served as counsel to the Montvale firm of Beattie Padovano.

A lifelong resident of Paramus, Wittman began his service to that community in 1939 as the judge of the Recorder's Court. In the same year, he was appointed as the attorney for the Paramus Board of Education, a post he held for 32 years. In 1940 he became the borough attorney of Paramus and served in that position until 1954.

He was active, both as attorney and participant, in many community organizations in Paramus including charter membership in the Paramus Rotary Club, founding counsel of the Paramus Volunteer Ambulance Corps, a member of the Paramus School Service Association and a Friend of the Paramus Library.

Tom Wells, an attorney in Paramus and a past president of the Paramus

Rotary Club, said that Wittman "was a dedicated member of the Paramus Rotary Club. He was a trustee of the (club's) Foundation which provides scholarships to Paramus High School students which total about \$15,000 per year. He was a great man."

Wittman was also the borough attorney of Hillsdale from 1956 to 1979 and the attorney for many other planning boards, zoning boards and boards of education in Bergen County.

Recognized throughout New Jersey as an expert in municipal and school law he was, at the time of his death, the co-chair of the New Jersey League of Municipalities, legislative committee. He was a founding member of the New Jersey Association of School Attorneys and the New Jersey Institute of Municipal Attorneys.

According to Wells, Wittman was "absolute gentleman and one of the most distinguished members of the bar in New Jersey. I considered him a mentor. Whenever I'd get stuck with a municipal law problem I'd call him."

As early as 1944, Wittman began publicly attacking racial discrimination. As the attorney for the Bergen County Chapter of the National Association for the Advancement of Colored People, he brought a successful action against the Esquire Restaurant in Hackensack for refusing to serve a black woman.

In 1948, Wittman was instrumental in the first challenge to the systematic exclusion of blacks from the grand jury in Bergen County and was involved in a second challenge in 1969 which resulted in a modification of the grand jury selection process. He frequently served, pro bono, as the attorney for many members of minority communities in Bergen County and for the Bergen County Fair Housing Council.

(See WITTMAN, page 16)

The Post Review

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Aug. 5, 1994

Wittman

(From page 1)

Early on, as a member of Governor William T. Cahill's Housing Task Force in 1971-72, he recognized the inequities of suburban exclusionary zoning and its impact on the ability of people to obtain affordable housing. He challenged his municipal clients to attack the real property tax system in New Jersey as one of the root causes of the state's housing shortage.

Before the adoption of the Open Public Meetings Act, Wittman in 1963 established, in the case of Wolf v. Zoning Board of Adjustment of Park Ridge, the principle that municipal bodies were required to take formal actions only at open, public

meetings.

He was an early opponent of the Vietnam War and, in his professional capacity, counseled many young men as to their rights under the draft law. He was a founding member of the Lawyers Alliance for Nuclear Arms Control.

Ed Brodken, a Paramus resident and an artist, was a friend of Wittman for over 40 years. "He was the most extraordinary individual. We would have long discussions on philosophy, history, sailing and art. As an artist, I don't think I've ever known anyone, from outside the art world, who could probe so deeply into what was going on in the art world."

Wittman's wife, Jeannette, died in April. A son, Carl and his brother, Robert also predeceased him. He is survived by his daughter, Jane Van De Bogart of Woodstock, N.Y.

Interment arrangements are private. A memorial service will be held on Aug. 20 at 1 p.m. at the Central Unitarian Church, Forest Avenue, Paramus.

In lieu of flowers, gifts to the Paramus Rotary Club Foundation, c/o Thomas Wells, P.O. Box 1927, Paramus 07653 or to the Southern Poverty Law Center, 400 Washington Ave., P.O. Box 548, Montgomery, AL 36101, would be appreciated.

Dr. Francis Xavier Newark, following from the Zarro home, 145 Harrison field.

Casale, who died in Passaic General was a checker for Motors in Engle-10 years, retiring in

in Newark, he lived held before moving le 10 years ago.

ing are his wife, ughter, Mrs. Diane a son, Joseph; a s. Rose Mangiero; ers, Vincent and three grandchil-

Treacy

ma C. Treacy, 79, g Lake Heights day in her home.

s will be held at omorrow in the neral Home, New ad, Wall.

Montclair, Mrs. d in Summit be- g to Spring Lake 1962. She had ained a winter n Del Ray Beach, y years.

g are two sons, and Brian W.; hters, Mrs. Pat- ar, Mrs. Pamela nd Sharon A.; 10 ren and four children.

Glinchy

ary McGlinchy, k died yesterday is Hospital, Jer-

will be offered at turday in Our orrow's Church, ge, after the fu- the Jacob A. al Home, 2122 e., Maplewood.

Glinchy was a the Rosary So- St. Michael's wark. Born in negal, Ireland, Newark in 1930.

are her hus- ll; three daugh- ncy Sanok, Mrs. ahan and Mrs. a son, John; a ie Harkin; a es Harkin; 14 n and nine children.

Walter T. Wittman, municipal attorney

Memorial services for Walter T. Wittman, 80, of Paramus, an attorney for the past 55 years and a noted civil rights advocate, will be held at 1 p.m. Saturday, Aug. 20, in the Central Unitarian Church in Paramus.

Mr. Wittman died Monday in Mt. Sinai Hospital in New York.

He was the counsel for the Montvale law firm of Beattie Padovano for the past 10 years. Before that he maintained a private practice, the Wittman, Bernstein, Anzalone, Dunn and Lubin Law Firm, in Hackensack. At the time of his death, Mr. Wittman was the co-chairman of the New Jersey League of Municipalities Legislative Committee.

He began his career in 1939 as a judge in the Recorder's Court in Paramus. The same year, Mr. Wittman was appointed as the attorney for the Paramus Board of Education and served them for 32 years. Mr. Wittman also became the borough attorney for Paramus and served them until 1954. From 1956 to 1979, he was the borough attorney for Hillsdale and for other planning boards, zoning boards and boards of education in Bergen County.

Mr. Wittman was a member of the Governor's subcommittee on drafting the Municipal Planning Act of 1953. He helped establish the principle behind the Open Public Meeting Act in 1963, was a member of Gov. William T. Cahill's Housing Task Force in 1971-1972, a consultant to the State, County and Municipal Government Commission for Drafting the County Optional Charter Laws in 1972-1973, was elected to the Bergen County Optional Charter commission in 1973, and was a member of the subcommittee to assist the Law Revision Commission to redraft Title 40, Zoning and Planning Laws in 1975.

Throughout his career, he aided many minority groups. As the attorney for

G.R. Clark Jr.

the Bergen County Chapter of the National Association for the Advancement of Colored People, he brought successful action against the Esquire Restaurant in Hackensack for refusing to serve a black woman.

In 1948, Mr. Wittman was instrumental in the first challenge to the systematic exclusion of blacks from the grand jury in Bergen County and was involved in the second challenge in 1969 which resulted in a modification of the grand jury selection process.

He frequently served pro bono for many members of the minority communities in Bergen County and for the Bergen County Fair Housing Counsel. In 1964, Mr. Wittman spent a summer in Mississippi to gather evidence for local lawyers challenging the arbitrary and racially discriminatory actions of local election officials.

He also counseled many of his board of education clients to maintain the wall of separation between church and state. Mr. Wittman had been a founding member of the New Jersey Association of School Attorneys, the New Jersey Institute of Municipal Attorneys and the Lawyers Alliance for Nuclear Arms Control and the founding counsel of the Paramus Volunteer Ambulance Corps.

He belonged to the Paramus School Service Association, Friends of the Paramus Library, and the Paramus Rotary Club.

Mr. Wittman was a 1935 graduate of Columbia University. Three years later, he received his law degree from Columbia Law School and was admitted to the New Jersey Bar the same year.

Born in Dresden, Germany, he lived in Paramus for many years. Surviving is his daughter, Jane Van De Bogart, and a friend, Mrs. Josephine Komow.

Mafalda LoBue

A Mass for Mrs. Mafalda LoBue, 65, of West Orange

Alan Failing

Services for Alan of Gladstone will be 10 a.m. today in the Presbyterian Church Whippany. Arrangements are by the Braviak Funeral Home, Whippany.

Mr. Failing, who Monday in his home, computer analyst for years with Kelly Professional Services in Morristown

Born in Orange, he in Whippany before in Gladstone last year.

Surviving are his ents, Byron and Jean, and a sister, Mrs. Ch Golden.

Mrs. Siciliano

A Mass for Mrs. M. Siciliano, 70, of Lodi be offered at 9 a.m. Saturday in St. Joseph's Church, after the funeral from Santangelo Funeral Home, 300 Main St., Lodi.

Mrs. Siciliano, who Tuesday in the Bri Manor Nursing Home, chelle Park, was a volunteer for Felician College in Lodi.

Born in East Orange, Mrs. Siciliano lived in for 15 years.

Surviving are a daughter, Mrs. Joyce Moskason, Edward Jr.; two brothers, Peter and Gus Cort two sisters, Mrs. Es DeNicola and Violet tese, and six grandchildren.

Bessie Gallo

Mrs. Bessie Gallo, 69, Berkeley Township died yesterday in her home.

A Mass will be offered 9:30 a.m. Monday in St. Michael's Church, Toms River. The funeral will be from the Quinn-Hopp Funeral Home, Toms River.

Mrs. Gallo was a member of the Holiday Southern Stars Bowling League.

Born in Newark, he lived in Union before moving to Holiday City South, Berkeley Township seven years ago.

Surviving are her husband, Bart; two daughters, Mrs. Mary Ann Harter and Mrs. Elaine Gallo-Nebezahl; a brother, Vito Cipolletti; a sister, Mrs. Ann Caputo; and two grandchildren.

8/4/94

); **W. T. Wittman, 80,
Lawyer Specializing
In Municipal Law**

By WOLFGANG SAXON

Walter T. Wittman, a Bergen County lawyer specializing in municipal law and an equal-rights advocate since the 1940's, died on Monday at Mount Sinai Hospital in Manhattan. He was 80 and lived in Paramus, N.J.

The cause was respiratory failure, according to the firm of Beattie Padovano in Montvale, N.J., to which Mr. Wittman was counsel.

A native of Dresden, Germany, Mr. Wittman graduated from Columbia College in 1935 and Columbia University Law School three years later.

He began his public service in Paramus in 1939 as judge of the Recorder's Court. The same year he was appointed attorney for the Paramus Board of Education, a post he held for 32 years. He was the borough attorney of Paramus from 1940 to 1954 and the borough attorney of Hillsdale from 1956 to 1979.

As a lawyer and a member, he played a role in community organizations in Paramus, including the Volunteer Ambulance Corps, the School Service Association and the Paramus Library.

On Governor's Panels

Over the years, he represented many planning boards, zoning boards and boards of education in Bergen County. He was a member of the Governor's Subcommittee on Drafting the Municipal Planning Act of 1953. He also sat on Gov. William T. Cahill's Housing Task Force in 1971-72 that sought to remedy inequities in exclusionary suburban zoning and help people to obtain affordable housing.

In the 1940's, as the attorney for the National Association for the Advancement of Colored People in Bergen, Mr. Wittman brought a successful action against a Hackensack restaurant accused of refusing service to a black woman. He also helped bring an end to the systematic exclusion of blacks from the county grand jury.

In 1964, he spent the summer in Mississippi to support the voting-rights campaign there. He assisted local lawyers in gathering evidence to challenge arbitrary and racially discriminatory actions by election officials.

He is survived by his daughter, Jane Van De Bogart of Woodstock, N.Y.

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