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MS-920: Sy Syms Papers, 1944-2012.

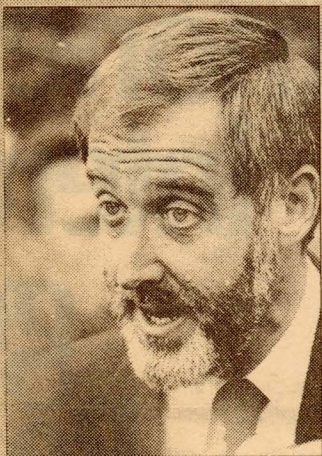
Series A: Newspaper and Magazine Clippings, 1949-2012, undated.

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General, 1991-2001.

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File Photo
Barry Slotnick

Hot-Shot Lawyer Likes Syms-plicity

Lawyer Barry Slotnick — you of the \$2,000-plus suits and the spread in GQ — what were you doing at Syms last Tuesday? Well, it seems the high-profile practitioner of criminal law was doing a little last-minute shopping before heading off to Paris with his wife, the divine Donna. "I needed one of those carry-on bags and I remembered that Syms carries luggage. Boy, has that store changed — they have everything," said Slotnick. He also spotted a running suit for \$29, identical to the designer suit that Donna had bought him for \$179. "When I got to the counter, they said today was a 'secret sale day,' and the suit would only cost me \$20. At that price, I could buy them for my clients," joked Slotnick, some of whose clients have been seen sporting such running suits to court or, yes, occasionally to prison. Guess the suit could be sort of a counsel-ation prize.

PEOPLE

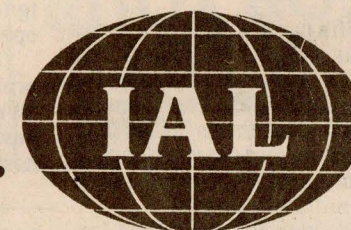


Reuter Photo
Yusuf Islam: Israel's No Fan

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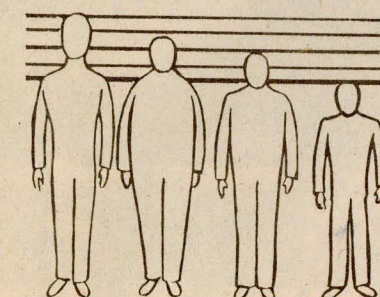
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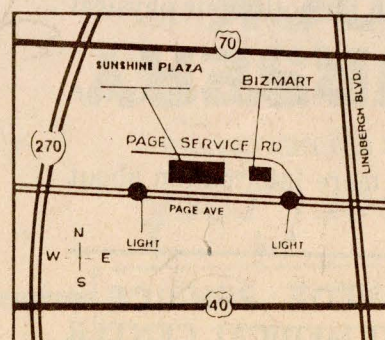
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Business First of Buffalo

week of Jan 7, 1991

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F-I

mm



Sy Syms has never met these people

Krupke wears one of those skinny ties. It measures about an inch and a half wide and it glistens in a decent light. Louella wears a miniskirt which does her no justice. More about both of them in a minute.

These are people I admire, not for their elegance and sophistication but for their independence and gumption. Are they aware that certain fashions have passed them by? Do they care? Are they waiting for a revival?

These are questions that we sometimes must ask ourselves as we study the latest fashion illustrations,



BFLO. TALES

Dick Hirsch

attempting to make an informed assessment of what impact, if any, such news will have upon our lives and the lives of our loved ones.

Sometimes it is tempting to be trendy. But it can be embarrassing when you look back from a historical perspective.

For example, I cherish a photo of myself which I study occasionally, especially when I need a laugh. I see myself with abundant sideburns, incredibly wide lapels on a double-knit houndstooth check suit and a monstrously wide tie. The sideburns went down to there, the lapels out to here and the tie ... well, words cannot possibly do justice to that particular tie. You just had to be there.

What could I have been thinking of? That was probably the one time in my life when I felt compelled to banish tradition and jump on the fashion bandwagon. I wasn't alone, to be sure, but looking back it seems so laughable. It qualifies as one of my indiscretions.

I remember how vulnerable I must have been when a business associate urgently advised me to get in step, to toss the gray flannel suit and blue blazer and move into something a little more exciting, colorful and fashionable. I probably should never have listened to his advice. He was wearing a beige leisure suit, the kind with short military jacket and bell-bottoms.

I derive no comfort from the knowledge that George Bush was caught in the same movement. Even then, he was conscious of trends and public opinion, and it is incongruous to see an old news clipping of Bush with sideburns

down to his earlobes, which seems to indicate that certain fashion statements can cut across party lines. He was then director of the CIA.

Who makes these decisions about sideburns? They're out. Or are they? Ask a barber. He doesn't know what you want. He just follows instructions. But, if permitted to exercise his artistic freedom, chances are today he will say they could be trimmed right off.

Yet there appears to be no clear consensus on sideburns. I've been checking and a determined minority is still cultivating them. This is just as true in New York or Nashville as it is in Buffalo or Santa Fe. But they don't seem to be a fashion or political statement the way they were in the '60s. They're more a reflection of personality.

Ties are another matter. Neckwear industry designers decide on width as well as fabric and pattern. Will this be the year they start making ties wide again? My friend Krupke is far from salvation because ties have moved through several dimensions since his was fashioned from the end of an obscure bolt of rayon. He is out of the loop. He apparently plans to continue happily wearing his limp swatches until they succumb to an errant gob of roquefort dressing or some other semi-fatal malady.

But back to the issue. Will they be getting wide again in 1991? Have you been worrying about this as you get your life in order and plan for the months ahead? Frankly, it never occurred to me, and I just threw away my last wide tie.

It wasn't really wide wide. It was definitely semi-wide, just semi-wide enough that from a distance it could have been perceived as a semi-regular tie. I once was extremely fond of that tie, with its conservative pattern and its compromising, semi-wide girth.

Although I hadn't worn it for years, I still saved it, waiting for the widths to change again, as I know they eventually will. But the other day I became implausibly impatient and abruptly threw that last semi-wide tie away. Only time will tell whether I'll ever regret such a sudden and unexpected act.

The really-wide wide ties were disposed of years ago. They were difficult to tie and when completed they resembled stylish floral print or striped bibs designed to protect shirts from chowder stains.

That brings us to Louella and skirt lengths. She has been insisting on short skirts with no fashion support. But now skirts seem to be moving up again, if fashion photos are to be believed. Could Louella have sensed change? Or is it a cosmic move related to the stock market? Remember, skirts always go up in a down market. Or is it the other way around?

Columnist Dick Hirsch never liked the way a leisure suit clashed with his mood ring.

A Letter From Berlin: Under the Shadow

Continued from Page 1

for the European Community and the Intelligence community, said: "We must accept the fact that history throws a shadow over us."

Defensive about not having dispatched troops to the Gulf, officials bragged instead about their financial contributions — 18 billion marks, about \$10.7 billion, and materiel and logistical support in helping U.S. troops leave Germany for the Gulf. The war was more popular with the public than with the political class — like American Democrats, the reaction caught them by surprise. But the debate about troops was cut off in the coalition when Foreign Minister Genscher insisted that a decision to send troops would require a constitutional amendment.

Not everyone agreed, but coalition politics being coalition politics, that was that. At the time, President Von Weizsacker explained that "the discussion of how far we want to or can effect a change in the common will and consciousness we share with our neighbors with respect to German military activities is a completely different matter. It will soon emerge that the world does not want at all to rediscover what good soldiers the Germans can be."

While insisting that there is still a role for NATO, that is for U.S. troops in Europe, Mr. Stavenhagen was candid about Europe's failure to take responsibility for its own fate. "America wants us to take more responsibility for our security," he said. "The time when America held the shield while we did business is over."

Over coffee in Bad Godesberg, Enno Von Lowenstern, an editor of the conservative *Die Welt*, told me he resented the use to which the Holocaust has been put. "You can't punish Germans forever," he said.

Killer at Auschwitz Commits Suicide

JEWISH TELEGRAPHIC AGENCY

BONN — Ernst August Koenig, sentenced in January to life in prison for killing Gypsies at Auschwitz-Birkenau, was found hanged in his jail cell last week, the German Press Agency reported. His death was ruled a suicide.

Koenig, who was 72, had been sentenced in January for murdering Gypsies at Auschwitz.

One result of the "punishment" has been that "Germans are conditioned for cowardice." They think it's "penance for Holocaust, but this brought us to point where we couldn't send troops to defend the Jews" in the Gulf war, he said. Mr. Von Lowenstern believes the EC dream is a mirage, arguing that the community "will never go beyond a trading market." Nor does he think it should. "If there was a collective political will of the Europeans, it would be to sell arms to Khadafi and Saddam and wait for the Americans to take care of them."

Talk about a pitiful, helpless giant: The German army will be cut to fewer than 400,000 troops from 550,000 after absorbing what it can from the former East German troops. Even that may be too large for comfort, a German colonel said. "Germany is the most powerful country in Europe, militarily and economically. Its neighbors won't want to see 370,000 Germans under arms." Nor will Germany seek its own permanent seat on the Security Council, despite its new demographic, geopolitical and continuing economic strengths.

"This would cause enormous irritation all around," Mr. Stavenhagen said. "We can play our own role without being a member."

If reunification could be seen as marking the end of the period of mourning and suffering German fascism brought upon the country, it has not led to a marked decline in sensitivity to Jews. Jews have been exempted from the deadline for filing property claims in the East. Despite the country's anti-immigration policy, Soviet Jews have been welcomed.

But the Holocaust was not discussed in the East, and the Germans living there were never made to confront their bloody legacy. That was due to the communist line, which portrayed Stalinism as the real alternative to Nazism, simultaneously justifying the German Democratic Republic and obviating the need to make amends. So Germany must help residents of the former GDR — and the millions returning from the Soviet East — not only to adapt to freedom but to confront the monstrous skeleton in their closet.

If respect and special sensitivity must still be given to Jews, attitudes toward Israel are more complicated. Josef Thesing of the Konrad Adenauer Institute explained that "good friendships are compli-



Heinz Galinski, leader of Germany's Jewish community, speaks at a January 1986 meeting of the U.S.-German Council of the U.S. Holocaust Committee. Elie Wiesel, the Holocaust writer, is at Mr. Galinski's right.

cated. For political and moral reasons, Germany has a special relationship with Israel. But the Israeli government is doing things that are not helpful for the peace-making process and public opinion in Germany is more critical of Israel than before." Still, he said, "there is a strong consensus of support."

In Berlin we stayed at a hotel off Alexanderplatz — nearby, the Nazis tested the Fahrenheit 451 theory, burning Jewish and other non-Aryan books. The hotel was a favorite of the Stasi, East Germany's feared secret police, who regularly reserved three floors. Alexanderplatz is also the site of the most famous novel of the Weimar period, "Berlin Alexanderplatz," which describes Berlin during its crazy, pre-Nazi free fall from imperial defeat through a fragile and rootless democracy with a vivid and progressive culture, to barbarism.

For my father, as for Christopher Isherwood — whose recollections in "I am a Camera" formed the basis for "Cabaret" — it was a place that, if you passed through it, marked you forever. My father lived in Berlin from 1922 through 1926 when he set sail for America. His landlord on Koenigsberg 61 in Charlottenberg was a monarchist. Within 20 years, communism was in Berlin. Now, 66 years later, like a fading science-fiction movie, commun-

ism is gone.

From Germany my father brought with him a disillusionment with the communist left — on his first Berlin May Day, he heard communist nurses sing "*Bloote mus fleecen*," "blood must flow" — and a box full of Weimar currency, inflated like the dreams of the hard left betrayed by the communists.

Reunification caught the politicians by surprise. Mr. Kohl was concentrating on the EC; the opposition SPD banked on the reform communist trend in the East, a historic miscalculation. In this country, too, we remain unsure about why communism failed and whether to credit Ronald Reagan's military buildup, the AFL-CIO's solidarity with Solidarity, the steadfastness of the "captive nations," the prophetic quality of the containment theory, or the appeal of the American example — our latter-day liberals could take credit for the last, in any event. We do know that those who were ready to call it quits and accept the communists as history's decree, those who thought it impolite, unhip, to think about a future without communists, don't deserve the credit. Not that it matters much. As we saw during and after the Gulf war, in America, a land with no shame, being wrong means never having to say you're sorry.

— DAVID TWERSKY

MASHA LEON



I've seen the Moiseyev every time it has come to America, from the eye-popping first visit in 1958, to the 1986 performance at the Met, which was accompanied by a bomb, to the 1989 event, which was picketed by Soviet-Jewry activists. This year's dancers, though, are the youngest, the most finely honed, and seemingly the most indefatigable. And now you can enjoy the Moiseyev without guilt: Instead of a diplomatically engineered cultural exchange, it is pure theater, no strings attached.

The troupe was founded 55 years ago by Igor Moiseyev, who has rehearsed generations of dancers and is still spry, looking younger than his 85 years as he took bows at Radio City (through Oct. 13, then off for a national tour).

My favorites: "The Road to Dance," in which balletic steps are transformed to folk-inspired movement, leading to astonishing gravity-defying leaps and segues into Russian and Ukrainian dances, ending in a spirited polka. The dancers are in black and white, no distraction from the razor-sharp definition of line and silhouette. Three others: the Moldavian-inspired "Zhok," which includes a vibrant hora, the amusing "Quadrille," and the audience-stunning "The Partisans," where the dancers seem to float on air and canter on horseback.

During intermission, Russian was everywhere; the emigres came to wax nostalgic, and they brought the children, many of whom may have been too young to see the Moiseyev in the USSR or were American-born. Bravo all the way.

The American Indian Dance Theatre at the Joyce is a journey to a people's soul. The costumes are elaborate, the lighting set a mood that added to the aura of mystery and spirit — and the unrelenting drumbeat and chanting invade

and Martha Graham (1894-1991) recipients. Guest speakers include Marilyn Sokol.

When I reviewed "Other People's Money" for the Feb. 24, 1989, *Forward*, Jerry Sterner wrote me: "To have my play get a rave from the *Forward* — my grandfather would have died! I almost fainted."

"I remember so vividly growing up in the Bronx and playing ball in the street, when my grandfather would stick his head out our fifth-floor window and shout, 'Jerry Sidney, hit a homer!' Sid Gordon was a wonderful second baseman during the 1950s for the N.Y. Giants and the only Jewish ball-player my grandfather was aware of. . . . And my grandfather would always add, 'You'll bring me up a 'Fovitz.' I grew up with the *Forward*."

"So while other playwrights eagerly await the New York Times and other major daily reviews, I kept asking my publicist, 'What did the *Forward* say?' He just sent me your review. Were he alive, you would have made my grandfather proud."

"Other People's Money" is about to open as a movie, starring Gregory Peck, and Danny DeVito as "Larry the Liquidator." During filming, the producers took over a Connecticut wire and cable factory that was built in the 1830s, closed, and then restored. Eighty extras hired for the film were former workers in the factory. "That's what the play is about," Jerry says. "Giving work back to the cable people. . . . It was poetic justice watching people drive forklift trucks (and) *shlepping*."

This week, Jerry told me a story. Alvin Sargeant, the screenwriter who adapted "Ordinary People" and "Julia," "a real *mensch*, called me up a year ago, introduces himself, and says he would rather I



T.L. BOSTON

Jerry Sterner

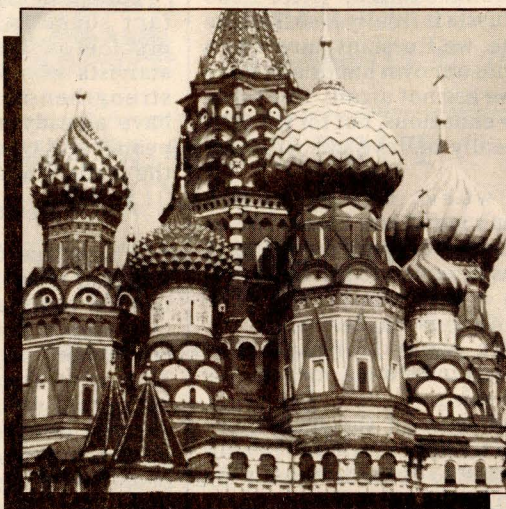
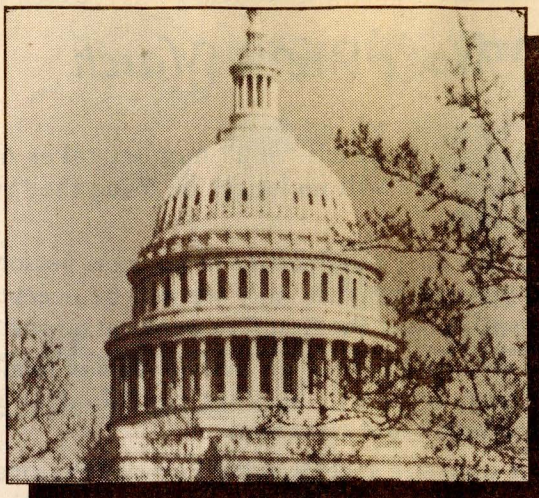


Igor Moiseyev

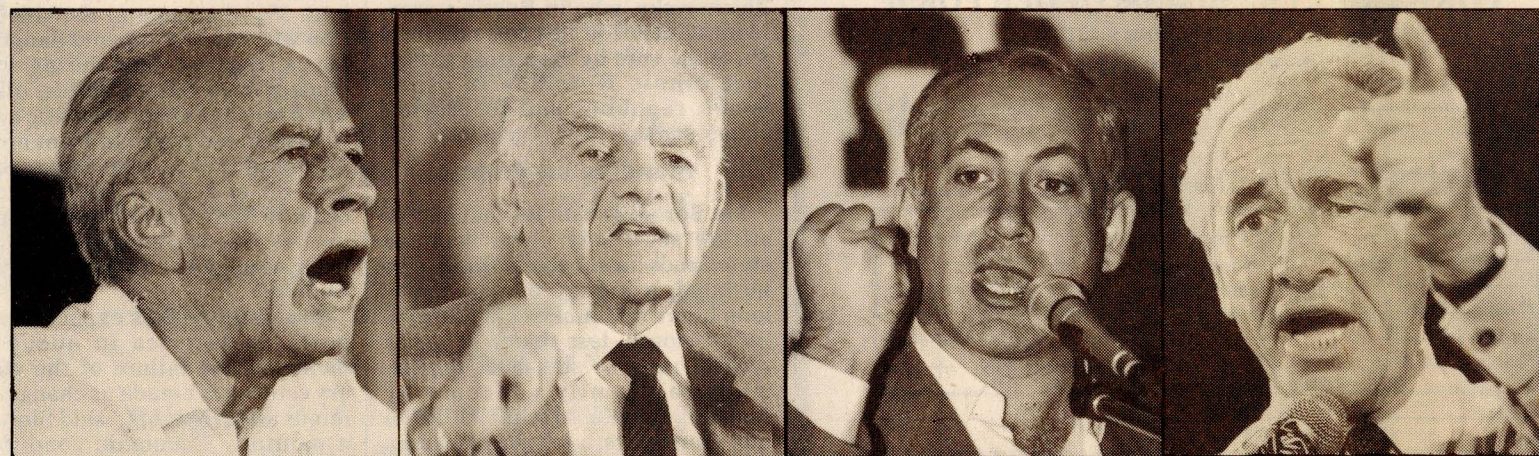
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The voices of the left. The voices of the right.
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a people's soul. The costumes are elaborate, the lighting set a mood that added to the aura of mystery and spirit — and the unrelenting drumbeat and chanting invade your consciousness. The show-stopper is the "Hoop Dance," a legend about a dying man who wants to leave something on Earth. The Creator gives him a hoop of wood and tells him that for each living thing he can create, one more hoop would be added. The dancer forms these hoops, 40 in all, into shapes including a butterfly, turtle and eagle, all the while dancing and intertwining with the hoops. A national treasure.

* * *

The International Committee for the Dance Library of Israel will hold its 14th annual "Documents of Dance Awards" Oct. 6 at Tavern on the Green, with Stephanie French

Alvin Sargeant, the screenwriter who adapted "Ordinary People" and "Julia," "a real *mensh*, called me up a year ago, introduces himself, and says he would rather I hear it from him than from somewhere else, but they are going to have to change Garfinkle's name. I hope you understand," says Alvin, and I reply that "yes, I understand, but I don't agree."

"I told him that I was really tormented and have the same doubts about his ethnicity, as you guys and I certainly understand. I told him I was toying with the idea of making him Irish, since his adversary in the play is Kate Sullivan. So he said it doesn't have to be Irish. So I said, good, then lets call him O'Garfinkle — and he hung up the phone on me. P.S., he's called Garfield." Like in *John Garfield*, whose *emeser* — real name — was Julius Garfinkle!

Syms Well-Suited Firm

Continued from Page 12

cal effects to the consumer are more important than the product you are selling," says Mr. Syms, smiling knowingly.

"Everything is off-price, not discount," he says of his marketing approach. "I buy under wholesale. Our guide is to sell at retail within 10% of true wholesale."

Trading in merchandise at terrifically low prices, Mr. Syms understands he has to encourage top-of-the-line relationship with his suppliers. It was in the effort to keep his manufacturers satisfied that Mr. Syms made a geographic jump in 1969 and opened a shop on West Flager Avenue in Miami. "I needed a store in Florida to ingratiate myself with manufacturers to sell summer merchandise during the winter season," he says. In short order, he constructed larger and larger facilities in the Bronx, Buffalo, Paramus, Roslyn, and Westchester.

When the Paramus store came aboard, the company added a line of women's clothes, since there were few male shoppers in the suburbs during the day. Simultaneously, Mr. Syms introduced another marketing innovation — the automatic-mark-down system — whereby each item of clothing is marked down in price every 10 days. He says that this concept "blew the competition out."

As the enterprise grew into a retailing giant, Sy Syms brought four of his six children into the corporate fold. "My father can talk about business all the time. It's his passion," says his daughter, Marcy Syms, who is president and chief operating officer. "We share two basic tenets," says Ms. Syms after working for her father for 13 years. "respect for the consumer and the supplier."

As international chairman of Israel Bonds and treasurer of Yeshiva University, Mr. Syms extends his

business acumen and zeal to the Jewish community. "My main thrust is to try and change an Israeli operation more to an American type of operation — rather than a socialist brotherhood," says Mr. Syms of his involvement with Israel Bonds. Sam Hartstein, Director of Public Relations for Yeshiva University, says of Mr. Syms early link with the university, "It took. It was a *shidduch* — a perfect match." Due largely to his hands-on involvement in raising large sums for the university, much of it coming from his own personal resources, Yeshiva University founded the Sy Syms School of Business in 1983 as part of its undergraduate college.

Though Mr. Syms has maintained a high public profile through his involvement in community affairs, he has avoided the political arena. "I never mix in politics. I'm a merchant. I sell suits and dresses to communists, anarchists, Bolsheviks, as well as Democrats and Republicans. If I back any candidate, if I lend my name, his opponent and his followers may be annoyed..." says Mr. Syms, "and they may stay out of my stores."

How to Be Devout And Look Divine

Continued from Page 13

more, considering the amount of time I put into each wig," says Mrs. Guttman, who often spends about an hour-and-a-half shaping a wig and charges 50% less for her custom-styled wigs than larger manufacturers. "I have two steps to cutting. I start off getting into the general shape, and then I cut closer, as my customers guide me. I tell them, I'm lending you my hands to help you create what it is you're imagining. It's very important that we communicate."

Beat Goes On With a Son At the Helm

THE LAST THING Mike Fallon wanted to do, and the first a parent desires of an offspring, was to go into the family business. There even was a time when he didn't set foot in his parents' music store. Now he owns it, runs it, loves it. But he still isn't much of a musician.

"I never came in here when I was in high school," says the 38-year-old Fallon, whose customers find that astounding, for they would love to have been in his sneakers. "After I've known them for years, I'll admit that to them."

Fallon is the son who strikes out on his own and then finds that Mom and Pop had a good thing going. He comes back, works at the store for a few bucks and lives at home, an apprentice who, down the road, blossoms the family's Music Land into a two-store enterprise approaching \$3 million a year in sales.

DOING BUSINESS



Paul
Schreiber

Music Land has done well in a tough market whose tune is called by a handful of large competitors, among them the powerful Sam Ash Music Corp., which dominates suppliers and customers with high volumes and discounted prices in its nine metro-area stores. It's impossible to discuss any local music store except in light of Sam Ash.

"They're very aggressive," Fallon says. "They can really put pressure on people, and they do. And they use every bit of leverage they can." That muscle gives Sam Ash first crack at hot product lines, which turns into customer traffic and sales and which means that smaller retailers of musical instruments need to be both creative and persistent to survive. In the past few years, a handful of Long Island music stores have folded.

"They want very much to dominate all of Long Island and I don't feel that they can do that," Fallon says. "There's room for another dealer here. I see a fantastic potential."

Music Land's sales are a sliver of Sam Ash's, but enough for it to be the largest of Long Island's second tier. In the tough economy of 1991, Fallon says, sales dipped to \$2.2 million and this year he projects he'll close in on \$3 million.

"I think especially in the New York area it's really tough to compete with big chains," says Jon Maye, editor of the trade magazine Music & Sound Retailer. "It comes down to service and salesmanship and building up a clientele that likes coming in and dealing with you, as opposed to just undercutting the other guy. That's what I think gives Music Land the competitive edge along with Sam Ash."

Pricing obviously also has to do with it. "We sell them at the same price as Sam Ash," Fallon says. "We never try to charge a nickel more, I kind of pride myself on it. I also don't want to charge less because we give a higher degree of service."

Music Land's output sometimes surprises even Fallon, who spent a year in flight school and then time as a land-

Please see MUSIC on Page 31

LI BUSINESS

A weekly report on the local economy

THE Off-Price Stampede



Newsday / George Argeropolos

Shoppers hunt for bargains in the Marshalls store in Stony Brook.

It's D (for discount) Day on Long Island as off-price clothing chains invade to battle each other and the traditional department stores

By Suzanne Bilello

STAFF WRITER

IN THE MIDST of a recession that has humbled the department store giants that once dominated Long Island, off-price apparel stores from New Hyde Park to Stony Brook are mounting an aggressive bid for the region's retail market which, despite hard times, remains one of the most lucrative in the country.

In the past year Filene's Basement has added a fifth store on Long Island and is expanding its Huntington store; Marshalls has strengthened its presence with two 50,000-square-foot superstores among its 15 Long Island outlets; Syms has plans to open a second store here in coming months, and T.J. Maxx, new to the region, has opened seven stores, including five in one day, a record for the 452-store megachain.

"The words that are making T.J. Maxx happy these days are 'Long Island,'" said Dawn Griffin, a spokeswoman for the Framingham, Mass., chain that sells family apparel as well as giftware and jewelry.

"Everybody is here," said Gene Kosack, chief executive of NBO Stores Inc., a men's off-price chain that has five of its 28 stores on Long Island.

Off-price retailing — essentially the sale of name-brand or private-label clothing at discounts — has bucked the recession, increasing its sales volume and market share even while overall retail sales have faltered.

"There's been an explosion of off-price stores all over the country," said Rosalind Wells of NPD Group, a market research firm in Port Washington. "People are look-

Please see STAMPEDE on Next Page

THE Off-Price Stampede

A Magnet For Retailers

When retailers decide what regions to expand in, Long Island's numbers tend to stand out.

		Rank
Median household buying income	\$49,494	1
Retail sales per household	\$30,347	4
Total retail sales	\$26.1 billion	8
Women's and girls' apparel sales	\$1.6 billion	8
Men's and boys' apparel sales	\$823 million	8

SOURCES: U.S. Census Bureau;
Sales & Marketing Management

Newsday / Linda McKenney



Newsday / Ozier Muhammad

Marcy Syms and her father Sy in Manhattan. They run one Long Island store in Westbury near Roosevelt Field, and are planning another in Smithtown.

STAMPEDE from First Business Page

ing for the best deal they can get."

The growing demand for discount retailers in a weak economy was perhaps most dramatically reflected in the turnabout at Alan Fortunoff's Galleria mall project in Westbury. Original plans to have Neiman-Marcus and Nordstrom as anchors gave way to a decision to bring in a Price Club warehouse-style store. NBO's Kosack called the down-scaling "an excellent reflection on what will be the future."

"With the economy, people are more astute with their cash and are shopping smarter than ever before," said Peggy Nickerson, director of public relations for Filene's Basement, a 40-store chain based in Wellesley, Mass., that started literally in the basement of Filene's department store in Boston as a place to sell overstocked merchandise at discount prices.

Traditionally, off-price apparel chains have bought manufacturers' overstocks, closeouts, canceled orders and a small percentage of irregular apparel, all at much lower prices than department and specialty stores paid, and then sold the goods at discounts ranging from 20 to 60 percent.

That practice has been part of the allure of these chains: finding the same designer or name-brand apparel carried in major department stores but at a discount.

"That was the original practice," said veteran retail analyst Walter Loeb. "It doesn't apply anymore."

As off-price chains have grown, they have turned increasingly to other supplies. A chain, for example, can ask a manufacturer to produce a line of clothing just for the chain and attach a private label. By doing this, the chain can fill in gaps left by the uncertainty of buying leftovers, and can offer seasonal standards, such as T-shirts in several colors during the summer, that might not be available from overstocks.

Filene's, New York-based Loehmann's and New Jersey-based Syms are the grandparents of off-price retail stores. But with Marshalls, T.J. Maxx and such off-price women's chains as Bolton's and Annie Sez expanding aggressively, the competition is stiffening. Department stores, too, have joined the fray, deeply discounting their apparel.

In addition, Long Island's first manufacturers' outlet center, where name-brand products ranging from Nike to Maidenform will be sold directly to the public, opened recently in Bellport.

"It's getting heated and competitive," said Steven Greenberg, president of Greenberg Group, a real estate adviser to national retailers. Greenberg, whose Hewlett company found Long Island sites for T.J. Maxx, including four former Rickel locations, also sees that chain's inroads on Long Island as a sort of recycling of retail real estate.

Greenberg and others expect weaker players in the retail battle to be weeded out. "Where I see the impact falling is on department stores," he said. "You only have to look at Macy's," the latest department store chain to seek bankruptcy court protection.

More recently, Alexander's announced it was going out of business. "The companies with the best merchandise and management will survive," said Edward Johnson, a retail analyst with Johnson Redbook Service who follows Syms and Marshalls.

"I don't think there is room for everybody," said NBO's Kosack. "Those that are well-managed will survive."

The competition clearly goes beyond intramural squabbling among the off-price chains. When department stores such as Macy's and Abraham & Straus hold their heavily advertised one-day sales, "You can count on it that any [off-price] retailer is not doing good business that day," said Kathy Schramm, director of stores for Bolton's, which has three stores on Long Island.

"I think what's going to happen is the market will

**'The words
that are
making T.J.
Maxx happy
these days are
'Long Island.''**

— Dawn Griffin,
T.J. Maxx spokeswoman

**'There's been
an explosion
of off-price
stores
all over
the country.'**

— Rosalind Wells,
market researcher

absorb" the competitors, said Joel Evans, co-director of Hofstra University's Retail Management Institute. But, he added, "The newer ones will make a significant impact on the ones that are here."

One of the older off-price chains facing a major challenge is Loehmann's, which built a reputation selling top-notch designer apparel at discount and once was the off-price leader on Long Island.

Acquired in a 1988 leveraged buyout by DLJ Securities Corp. and the Spanish investment company Entrecanales y Tavora S.Z., Loehmann's expanded rapidly across the country. But sales have been lackluster.

"Loehmann's today has a problem because it can't get all the designer labels it used to get in the past," Loeb said. The chain is going through some soul-searching and redirection under former Macy's executive Robert Friedman, who was named president and chief executive in March.

The competition also has seen an easing of some of the unwritten rules of off-price apparel retailing. One rule — still respected — is that the names of designer brands are never mentioned in advertisements. "They are protecting the manufacturer and the traditional [department] store, which would go absolutely nuts," Evans said. "It will be interesting to see how unwritten it stays. All these firms are looking for an advantage."

One rule has changed. Once all labels were routinely cut out of clothing and, in stores like Loehmann's, a cult grew among shoppers who managed to crack the coding system. Many stores now leave the labels on and some, like Marshalls and Annie Sez, prominently display name brands such as Liz Claiborne and Jones New York in the front of their stores. Most stores also print comparable department-store prices for well-known brands next to their discounted price.

More controversial than the rule changes is the increasing reliance on private labels to supplement the name-brand overstocks. At least one off-price retailer believes that private labels hurt the mystique of these chains.

'I don't think there is room for everybody. Those that are well-managed will survive.'

— Gene Kosack,
NBO Stores

"A true off-price store doesn't use private labels," said Sy Syms, the founder of Syms, which sells men's and women's apparel and has 28 stores in the metropolitan area. Syms has a Westbury store and plans for a second Long Island outlet, in Smithtown. Syms said his buyers have occasionally bought private labels, but it is not his regular

practice. He suggests that overexpansion may be the problem.

"When you have oodles of stores, you have to feed them," said Syms, whose philosophy has been to maintain fewer stores in a region. "We don't believe in saturation."

But Syms' competitor, NBO's Kosack, said private labels are necessary to fill out a store's stock. "We were the first off-price store to do private labels in the '70s," Kosack said. "It was difficult when someone came to buy a suit and then wanted a white shirt. If we can't find it from branded manufacturers, we put our own labels." He said apparel makers also have welcomed the private-label business.

There was also a time when off-price stores shunned all frills to keep costs down. Most were located away from shopping centers, accepted only cash or checks and had a no-return policy.

Now most stores are adjacent or near major shopping centers and offer a variety of customer services, including private dressing rooms. T.J. Maxx has a toll-free customer service number as well as gift certificates.

"There are services the customer wants," said T.J. Maxx' Griffin. "We want to keep the stores pleasant."

Syms, for one, still believes in the orthodox approach. "We don't believe in any of those gimmicks," he said. A caller to Syms' Passaic, N.J., office is greeted with the chain's long-running slogan: "An educated consumer is our best customer."

"He thinks people have to suffer to get a bargain," Kosack said of Syms.

And so the competition goes. Benefiting are Long Island shoppers, who have an increasing array of retailers from which to choose.

"Off-price shoppers shop around because they are in search of great value," said Michelle Healy, a spokeswoman for Marshalls, owned by Westchester-based Melville Corp. "They definitely take a look at all their options. Eventually, consumers will find the one they are comfortable with."



Newsday / Dick Kraus

Gerrie Logan, district manager for T.J. Maxx, inside the chain's new store in Levittown.



Newsday / Cliff De Ber

Doug Kimelman, general manager of Filene's Basement in Huntington, at construction site where escalators at right await installation.

Discount Gains

Off-price clothing, a mix of name brands and private labels sold at discount, is gaining a bigger share of the apparel market, even as overall sales have been hurt by the recession.

Year	Total apparel sales	Off-price sales	Off-price market share
1989	\$109.4 billion	\$8.2 billion	7.5%
1990	103.9 billion	8.3 billion	8
1991	105.8 billion	9 billion	8.5

SOURCE: MRCA Information Services, Stamford, Conn.

Newsday / Richard Cornett

actor at the party after the "Philadelphia" premiere. "I had no reservations, none whatever, about taking the role," he said of his portrayal of an AIDS-stricken lawyer. "It's a

year of good health or season tickets to their favorite sports team. And when asked if they'd give up their holiday gifts and celebrations in exchange for a job offer, 53 percent said yes.

dent. Martin G. Englisher, been working at the "Y" years, is in the running for post of commissioner on in the Giuliani administra "I want the best for Mart I'll be very sorry if he says the good doctor. "I'm ready experiencing separ anxiety."

Never(land) say

THIS is Summit Wee Michael Jackson's Never Ranch.

The embattled pop star agreed to get serious and his undivided attention to expensive and ever-growing team of lawyers.

They, in turn, have canceled all other engagements and hunker down at the ranch map out their strategy.

And if things get tense, can always unwind on the ope.

Mascara man shi

GUYS in the beauty bus are getting to be better k than their celebrity clien Like Kevin Aucoin, the h makeup artist around now.

He was sitting next to Ch Durning on a flight from when the attendant stoppe and asked the actor if he l whom he was sitting next t

She then got Aucoin's graph while the bemused I ing looked on.

Aucoin took her name a Polaroid, and now Laura l is to feature her in a sp makeover issue of A magazine.



LEONA & HARRY: Doing their bit in fight vs. Alzheimer's.

Let's give closet-altruist Helmsleys a hand

MAYBE Leona Helmsley won't have to forever live with "The Queen of Mean" tacked onto her name. Maybe people are a bit more forgiving than we thought.

The other night there was a 500-person dinner at the Hotel Pierre sponsored by Raouth, a voluntary Jewish group that looks after old people in Israel.

During dinner, Sy Sims, the MC, praised "two elderly people, Leona and Harry Helmsley, who have done so much to help Alzheimer's, they really deserve our support and encouragement. They've done so much for New York."

The applause was overwhelming and the Helmsleys weren't even at the dinner.

MONDAY, DECEMBER 20, 1993

Syms looks for 'educated customers'

Even a successful businessman has to adapt his philosophy sometimes, retailer **Sy Syms** tells **Allison Kaplan Sommer**

"I hate shopping," admits Sy Syms, the chairman and chief executive of Syms, a 34-store chain that represents a major American retailing success story.

Syms, 66, a pleasant, white-haired man with gold-rimmed glasses, makes his confession in explaining why it can take years for his Syms clothing stores to take hold in a new market.

A substantial portion of the 33-year old company's sales are men's suits, he explains. And most men — just like him — dislike buying new clothes so much that they actively resist trying out a new store.

"Men hate going shopping, especially for a suit, but they know that they have to," Syms says. "So they love going where it's familiar. In a new market it's difficult for us to do a decent tailored clothing business. Breaking the men out of their routine and getting them to a new store has always been a challenge. Syms does it with prices, offering designer labels at cut rates."

The Syms guarantee of a bargain is a familiar message to anyone who has watched television in the Greater New York area and other major East Coast markets in the US.

In the company's TV commercials, Syms stands side-by-side with his daughter Marcy, the chief operating officer of the company. The pair declare, with their New York twangs, that "an educated consumer is our best customer" and promise that — with its day-to-day bargain prices — "you'll never see the word 'sale' at Syms."

Syms is proud that he personally penned both these slogans, a talent born of years of experience in

wear store in lower Manhattan, the chain has grown to encompass 34 stores around the US.

The chain — which carries discounted designer clothing, shoes and accessories for men, women and children — recently unveiled an ambitious expansion plan for the next five years, during which it hopes to grow to 50 or 60 stores.

The expansion plan comes on the heels of the economic slump in North America, which was particularly cruel to retailing. Discounters like Syms generally suffered less and bounced back more quickly than full-price stores.

Sales continue to climb — last year sales rose to \$319 million from \$317m. in 1992 — but management wants to see the number climb higher. The company was taken public in 1983, bringing in \$45m., but 80 percent of the stock continues to be held by Syms family members.

The company has been conservative about racking up debt, and is therefore in a good position to start major expansion now.

To boost sales, Syms has agreed to alter his stores' strictly no-frills philosophy. The company's plan involves not only opening new stores, but making the old ones more user-friendly.

In the fierce battle for customers, Syms has been willing to give up elements in his store that had become his trademarks.

"I used to live with the theory that I know I've given a bargain on anything I sell, but that I can't tell you it's a bargain. Why? Because everybody says they give bargains and you wouldn't believe me if I told you. So I have to find ways to make you feel it's a bargain."

That meant stark-looking stores with black walls and magic mar-



Marcy Syms, the chain's chief operating officer, is one of the highest-profile businesswomen in New York City.

should begin accepting major credit cards. Now he admits that refusing to take them "was an archaic way of doing business."

The new Syms stores will not stand by themselves, but will be attached to major malls and shopping centers.

His previous stores stood alone not out of choice but because of the strict rules that once operated in the retail world.

His suppliers — companies like Calvin Klein, Geoffrey Beene and Yves St. Laurent — forbade him from selling a shirt for \$12 too close to a store that might have been selling it for \$25.

These rules have changed. Not only are department stores selling designer-wear at discount prices, but the designers themselves are doing so at so-called "factory outlet" stores — which are not necessarily located near a factory.

Sy Syms's spacious but modest offices are decorated with old photographs and mementos from his days in broadcasting and his early days in retail.

One picture shows his old Manhattan store with the sign "We Lost" on it.

The sign refers to the battle Syms and other businessmen waged against the construction of

train where commuters headed from their New Jersey homes to their jobs in the city.

Since 90 percent of his customers were those New Jersey commuters, it was a natural destination for Syms when he lost his Manhattan base.

In 1971, he made a major move, opening a store in Paramus, New Jersey, that was six times bigger than any store he had ever operated.

At the same time, he added women's wear to his stock, since the suburbs were almost barren of males during daytime hours.

Despite all the changes, Syms says the underlying philosophy of the company remains intact — offer quality at low prices and the "educated customers" will head your way.

"That concept that has remained the same — respect the customer," he says. "Once you walk in the door, I will tell you everything you wanted to know about that product and you are the one to decide whether you want to buy it. To this day, that's the promise that we operate on."

Syms has three sons and three daughters. His eldest child, Marcy, 41, the heir apparent to the business, is one of the highest-



Sy Syms: To boost sales, he has agreed to alter the strictly no-frills philosophy at his stores.

the Jewish community.

He is involved with Yeshiva University and backed the creation of the Sy Syms School of Business. Since 1976, Syms has been involved with Israel Bonds, which he chose because "I was never very good at charity and Bonds is an investment in the state of Israel."

He is a firm believer that Diaspora Jews should help Israel toward financial self-sufficiency rather than encouraging dependency by offering handouts.

"Do you want [Israelis] to come with their hands hanging out to the Jews of the Diaspora all the time, or do you want them to be the ones who take care of Shaare Zedek Hospital and other institutions?"

His pro-Israel and free-market sentiments moved him to take a leading role in supporting the Free Export Processing Zone, serving a term as president of the organization promoting it — the Israel Export Corporation.

"I just thought the export zone was fantastic, because it was a way to get the government off of business's back," he says. He is convinced that if the zone is implemented, it would create jobs that would encourage more Jews in the

ment to decide that the minimum wage and the right to organize would be applicable in the zone.

"I wanted no government involvement, no minimum wage; I saw an easy 20,000 jobs there," Syms says. "Once we agreed to the minimum wage, it knocked the textiles out of the zone. The zone should have textiles, it is an industry that's great to start up in. Sewing machines are a great labor-intensive industry, especially for immigrants."

Following the decision, Syms stepped down as Israel Export Corporation president, but continues his affiliation with the organization and follows the proposal's progress in Israel.

He is proud his Washington store is a favorite for the bargain-conscious staff of the Israel Embassy in Washington.

Until this interview, he was unaware that a Syms credit card was one of those that got Jewish Agency chairman Simcha Dinitz in trouble with the law for allegedly charging personal purchases to the agency.

At the suggestion that maybe Dinitz likes Syms because they have "big men's sizes," Syms shakes his head.

Like the veteran menswear

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Syms is proud that he personally penned both these slogans, a talent born of years of experience in radio broadcasting, where he worked before he turned to the family retailing business.

Syms's climb to the top of the discount clothing heap is a classic American Jewish journey.

Starting with one small men's-

wear store in lower Manhattan, the chain has grown to encompass 34 stores around the US.

The chain — which carries discounted designer clothing, shoes and accessories for men, women and children — recently unveiled an ambitious expansion plan for the next five years, during which it hopes to grow to 50 or 60 stores.

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That meant stark-looking stores with black walls and magic marked labels on the racks, group dressing rooms and perhaps most inconvenient — the store did not take national credit cards.

It took much persuasion, but Syms was finally convinced not only to redesign, but that the store



Marcy Syms, the chain's chief operating officer, is one of the highest-profile businesswomen in New York City.

should begin accepting major credit cards. Now he admits that refusing to take them "was an archaic way of doing business."

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The sign refers to the battle Syms and other businessmen waged against the construction of the World Trade Center project in 1970, a building which cost them valuable real estate.

Four of six Syms' menswear stores were located on the site that became the World Trade Center.

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However, his support for the plan has diminished somewhat since large-scale resistance from the Histadrut forced the govern-

ment to decide that the minimum wage and the right to organize would be applicable in the zone.

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At the suggestion that maybe Dinitz likes Syms because they have "big men's sizes," Syms shakes his head.

Like the veteran menswear salesman he is, he squints, conjures up Dinitz's figure in his mind and says, "I'm pretty sure — unless he's gained a lot of weight recently — he looks like maybe a 44 regular to me."

FASHION SHOW

The American Cancer Society will host its Fourth Annual Spring Extravaganza on Saturday at 11 a.m. at The Sheraton Premiere, Tysons Corner, 8661 Leesburg Pike, Vienna, Va.

The show features fashions by Saks Fifth Avenue, as well as a silent auction and a luncheon. Tickets are \$50, by reservation only.

Call (703) 938-5550, Monday through Friday, 8:30 a.m. to 4:30 p.m.

TEMPO

FASHION

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Molly of 3 West models suits from Casual Corner. Hair and makeup by Matthew Van Leeuwen.



STORY BY CHRISTINA Z. BORDEAUX

PHOTOS BY DAVID COLWELL

With graduation just around the corner, many university graduates are focusing their attention on landing a job.

Sweatshirts, T-shirts and backpacks are being abandoned and replaced by more professional attire. Like chameleons, these once happy-go-lucky college students turn into driven competitors as they rush to interview. And as these soon-to-be rising executives dress for battle, many resort to the traditional suit.

According to George Brown at the U.S. Department of Education, it is estimated that approximately 1.17 million adults will be earning bachelor's degrees nationwide this year. And while certainly not all are career-bound, a staggering number will be job hunters, as well as first-time suit buyers.

At George Mason University in Fairfax, career counselors report that appropriate dress is vital for making a good first impression. Although for some students the interview process began back in January, many are continuing to interview or just joining the hunt. "We suggest to students that they wear suits instead of dresses," said one George Mason University counselor. "It sends a message that you are showing respect for the position and taking the job interview seriously. We also suggest to them to dress more conservatively." She said they also recommend that applicants go low-key on jewelry and keep hair styles neat.

So for students this spring, the search is on for a suit to wear on those first interviews. And for many, cost is the primary consideration in making buying decisions. "If you are going to make an investment, why pay more than you have to?" said Elliott Kleinman, store manager

of Syms in Falls Church. The motto of that store, "where an educated consumer is our best customer," ironically might appeal to new graduates.

For job interviews, Kleinman said, the single-breasted suit is a more popular style than the double-breasted suit. "Customers' perceptions seem to be that a low-key approach is safer," he said. "But it also depends on the industry. If you are interviewing for a job in advertising you might want to punch it up, but if you are interviewing in a bank, it would seem wise to take a conservative approach."

Kleinman added that when customers at his store are buying for job interviews, they tend to shy away from dresses. "The customers seem to believe that a suit is a more professional look than a dress. It's more suited to the executive market that they are trying to enter," he said. "The goal is to achieve a tailored look." Although he noted that while customers prefer the traditional suit, a blazer or jacket worn over a dress can also give the appearance of a suit.

But Kleinman is the first to admit that buying a suit can be a costly investment. "A first suit is an investment and customers should focus on quality as well as style. A suit made of lesser fabrics and construction may show its wear after four or five dry cleanings. After all, you get what you pay for and a good suit will last for years," Kleinman said. He added that "fabric technology has come a long way over the past 12 years. A suit made of 10

percent worsted wool is great for this time of year. It's real light, the fabric breathes and it is a quality fabric. Think of this as a long-term purchase."

The New Jersey-based company entered the Washington-area retail arena in 1978 with its first Syms store in Falls Church. Today, it has locations in Rockville, Glen Burnie and Potomac Mills. It may be a no-frills store, but the company's philosophy keeps customers coming back for more. "We have name and designer brands selling off price, and we sell no private label." Top-name designers available at Syms include Anne Klein and Liz Claiborne.

And for many college students whose purse strings don't match their taste, such a store has a lot of attraction. "It really pays to shop around. We might not have it — but somebody will and there's no reason today to pay full price."

But if community dressing rooms and limited hold racks are unappealing, there are alternative stores offering moderately priced suits. In fact, shopping the sales is always an option. "We're known for our suits," said Carol Hinkle, manager of Casual Corner at Ballston Common in Arlington. "And we sell a lot of first interview suits." This spring, prices for suits retail here from \$150 to \$299. But she added that currently many are on sale for \$119.99 to \$225.

Like Kleinman, Hinkle believes that first-time suit buyers are making an investment in their future, and that customers should focus

on quality along with fashion. And for the Washington area, a suit that can be worn for more than one season is essential. "Our suits are transitional so customers are not limited to just one season of wear," Hinkle said. "They are also fully lined so they keep their shape. And because they are made from fabrics [that] breathe, they are very comfortable."

This spring, Casual Corner remains dedicated to traditional suiting, but also shows newer fabrications for an updated look. "We continue to carry the basics including the navy suits, but we are also providing our customers with some trendy alternatives," Hinkle said. Along with the familiar rayon/gabardine blend, crepe is a popular fabric this season. "We have a variety of skirt lengths now," she said. "Some skirts are a bit shorter, about two to three inches above the knee. But generally they skim the knee or just above — but that is as short as we go," she said.

In an effort to vary the traditional interview suit, necklines have generated a lot of attention and Casual Corner offers its customers a variety from which to choose. "We have V-neck, scalloped and round necklines," Hinkle said.

Although suit silhouettes favor traditional lines, spring and summer color palettes do provide customers some options. Colors run the gamut from the primary navy and reds to include white and purple. However, the store has not invested in the pastels this season. "Our customers are more conservative and pastel colors just wouldn't appeal to them," she said. And for underneath the jacket, silk shells are popular for their diversity and low-key look, but Hinkle reported that short-sleeved, fine-gauge sweaters are not uncommon.

THURSDAY
DEC 14 1995

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NEAL TRAVIS' NEW YORK

Hollywood holds its breath

THESE are particularly nervous times in Hollywood, with studio heads getting to roll the dice for the last time in what has been a generally disappointing year.

No one will be watching the weekend grosses more closely than Paramount Pictures chief Sherry Lansing, whose big shot (with a rumored \$70 million budget) is "Sabrina," opening tomorrow.

Some in the industry say that if this remake flops, Lansing will sink with it. But she survived

the takeover of Paramount by Viacom, so never count her out.

Then there's the big budget "Heat," with Al Pacino and Robert De Niro, also opening tomorrow. They say they tinkered with this one right up to the last moment, although that's not always a bad thing.

This movie is from Warner Bros., where Bob Daly and Terry Semel reign unchallenged. So even if "Heat" comes up cold, there'll be no changing of that studio's guard.

Is Mario TV-bound?

MARIO CUOMO may soon get one more chance to make his presence felt in Washington. He didn't want to run for president or sit on the Supreme Court, but television's another matter.

I understand the former governor is the front-runner to represent the liberal point of view in a Sunday political talk show being considered by the Fox network. The proposed program, one insider says, will be "like 'The McLaughlin Group,' but with more pizzazz."

If it gets the green light, the show will join a crowded Sunday-morning field. Apart from "McLaughlin," there's "Face the Nation," "Meet the Press" and "This Week With David Brinkley."

Another name mentioned for the show is that of John Hockenberry, whose contract is up at ABC. Hockenberry confirmed to us yesterday that he's in discussions with a number of broadcasters, including Fox.

Some in Washington believe that Forrest Sawyer could be the show's moderator, although his reported talks with Fox are said to be about a more wide-ranging role in the network's planned nightly news.

Bill Kristol, editor-in-chief of the new D.C. weekly The Standard (funded by News Corp., owner of Fox and The Post), has been talked about as the proposed show's neo-con voice.

But Kristol is under contract to ABC, where he appears on "Good Morning America" and the Brinkley show, so they may have to look further down The Standard's masthead for the counter to Cuomo.

Lots of Bronx cheer

NOT all holiday parties are in Manhattan. The other night, Nancy Curry and Bill O'Shaughnessy took over the legendary Mario's restaurant in the Belmont section of The Bronx.

It was their annual Whitney Broadcasting bash, and attracted people like Mario and Matilda Cuomo, Jonathan and Jody Bush — with their sportscaster son, Billy — Mario Biaggi, MTA chief Virgil Conway and Supreme Court Justice Sam Fredman.

Sy Syms was there talking about starting his own radio show, as if he doesn't get enough air time via all those clothing commercials. David O'Shaughnessy, Bill's son, was celebrating his appointment as production coordinator for "New York Undercover."

At one point, Mario Cuomo was called on to present Radio WVOX's man-of-the-year award to Bill Plunkett. He did it with aplomb, despite the fact that Plunkett was a principal architect of George Pataki's successful gubernatorial campaign.

Lending a (stage) hand

THE Suitcase Theater, the stage-for-children branch of Circle in the Square, just got a nice holiday gift from impresario Martin Kaufman, who's lending them his Kaufman Theater for their first production.

Kaufman fondly remembers coming to New York as a kid and seeing the classics at Circle in the Square. So he's happy to donate his Off-Broadway showcase for this weekend's production of "Aesop's Fabulous Fables."

A premiere star



Mirek Towski / DMI

Screen siren Sharon Stone arrives with her goddaughter in tow the other night for the L.A. premiere of Robin Williams' new adventure-fantasy film, "Jumanji."

Koch takes the cake

IT WAS, naturally, a heavily Republican crowd at the Christmas party Sen. Al D'Amato gave Tuesday night at Morton's of Chicago, the East Side steakhouse.

Apart from D'Amato and his great love, Claudia Cohen, the revelers included Gov. Pataki, Attorney General Dennis Vacco, state economic czar Charles Gargano and the mayor.

No, not Mayor Rudy, but Hizzoner Ed Koch, who got the shock of his life when The Fonz had them wheel out a big birthday cake. Koch never makes a thing of his birthdays, but D'Amato wasn't going to let his pal's 71st go by without a fuss.

Many Discounters Will Seek Immediate Goods at MAGIC

Stores will also be seeking direction for fall

By **DON KAPLAN**

NEW YORK — This week's MAGIC is billed as a fall show, but for most discounters and off-pricers, the Las Vegas event will really be a case of "once more with feeling" for the second quarter.

And the large number of discounters and off-price spe-

cialists going to the giant show will also be looking for direction for fall.

Here's how.

Discounters with sportswear high on their agendas are keeping an open mind — and wallet — for MAGIC. Their top priority will be on immediate spring/summer items to spark current inventories, and also to get a strong

fix on fall.

The tailored clothing crowd, which buys early and big, will use MAGIC for one more shot at the fall market. They also expect to take an overview of the lines and focus on items they might have missed or underplayed for immediate.

Typical of the growing number of discounters who now consider MAGIC a must

along the show circuit, Matt Sudhalter, men's divisional merchandise manager, Stuarts, the Franklin, Mass.-based regional, comments, "We'll mostly be looking for immediates, special buys and closeouts." And he adds, "Since it's a fall show, we'll naturally be checking out these new looks.

"MAGIC has become a real

national show. It's the biggest event [for us] next to the Super Show in Atlanta."

The discounter reports the store is sending three people to MAGIC.

Explaining that his buyers will "act if a good deal pops up," he points out, "It's all going to depend on what's out there at the time and the availability of the product."

Sudhalter adds the Stuarts' team is going to approach MAGIC as both a working show for the buyers and a management show for the executives. "You have the real decision makers from both the vendors and the stores on hand."

For this reason, he feels MAGIC's atmosphere allows for more top-level input and decisions on which lines stores will carry and how they will merchandise them.

"We expect to work the lines also," he notes. "We'll want to see some new vendors as well as continue to talk to our regulars."

Regarding the size and quality of the show, he indicates, "This MAGIC is going to be both interesting and difficult to cover, but we'll definitely see some of our bigger vendors. We've already scheduled meetings with Wrangler, Riders and Fruit of the Loom."

Jamesway, the 90-store regional discounter based in Secaucus, N.J., will be sending about seven of its management and buyers to MAGIC, according to John Dineen, divisional merchandise manager of men's wear. He explains the team will be checking the market for fashion direction and upcoming trends.

"It's a fall show, but we'll mostly be shopping for second quarter," he asserts, "and we have a lot of dollars open-to-buy."

According to the retailer, the company uses the show to firm up its current buying patterns. "We also look to round out our assortments and pick up new direction, especially in the tops area."

Dineen said MAGIC is unique in the sense that it offers management a chance to get a fashion overview for the coming season. "There's no way you can walk this show and not figure out which direction the market is going in.

"It's really one-stop shopping all under one roof, but overall, the show helps confirm and direct our business."

Joe Alexandre, the men's wear divisional merchandise manager, Venture Stores, reports at least four men's wear buyers will be attending MAGIC. Commenting on the Vegas event's extensive sportswear presentations, he reports the team will be

Continued on Page 66

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Discounters

Continued from Page 64

looking for late-breaking trends for immediate and next season.

Much the same thinking is expressed by Les Schwartzberg, director of tailored clothing, Today's Man, the 28-unit chain based in New Jersey. The off-pricer is sending a contingent of some 14 executives to MAGIC, he notes, "to concentrate on finding any freshness and newness that we may have overlooked the first time around."

Explaining that the store's

buyers would be on the lookout for immediate goods, he adds, "We'll also be looking for opportunistic situations that are in line with trends

young men's resources to try and pick out ways the category relates to men's. We also try to spot trends that will stand out two or three years

can see more at this one show than at all the others put together.

"And MAGIC continues to grow every year."

"MAGIC helps establish ongoing relationships and brand loyalty — something that I think is almost nonexistent now."

—Sy Syms, Syms

occurring at the time.

"You have to understand that by the time MAGIC happens, we will have already committed to most of our fall clothing. But we will shop

down the road."

Schwartzberg feels Vegas offers "unmatched opportunities because of the breadth and scope of the show. The offerings are so great you

While Men's Wearhouse buyers aren't going to MAGIC for immediate clothing, Rich Goldman, executive vice-president and GMM at the California-based chain,

declares, "We never close our eyes to a good deal. But we're not like the smaller retailer who can pick up lots of at-once goods. You can't feed 232 stores this way."

According to the executive, the company is planning on sending seven buyers to MAGIC. "I like the idea of a show where all of our buyers can shop, rather than sending separate buyers to separate shows."

He continues that at a show like MAGIC, his buyers are told not to limit themselves. "I always tell my staff that the further into a season we get, the smarter we become. So we might need to look for some at-once sport coats or suit classifications."

Goldman mentions that his sportswear buyers will be looking mostly for fall, while the tailored clothing team will be at the show out to "fill in things we might have been missing for the past few months."

He stresses that his buyers will be shopping with an open mind. "Since we live in a very dynamic world, we're always open to buy. When there's change, it happens quickly, so we need to be able to turn on a dime."

Sy Syms, chairman and founder of Syms, the New Jersey-based off-pricer, reports the store usually sends three or four buyers out to MAGIC. "However, since a separate women's wear show has been added this year, there is a possibility that we may double the number of buyers going to Las Vegas."

He explains his merchandisers will be at the show "looking to establish new contacts, reestablish the old ones and look for brands we don't have as yet — especially West Coast manufacturers." He adds the store also looks for "vendors we may have overlooked or not thought of during the year."

Syms credits MAGIC's success to its location, size and ability to draw a national roster of vendors. "Also, the show promotes a lot of eye-to-eye contacts and socializing. MAGIC helps establish ongoing relationships and brand loyalty — something that I think is almost nonexistent now."

As for shopping the show, Syms's team will be looking mostly for at-once merchandise with some fall in mind. The retailer explains that because men's clothing continues to dominate his business, "We don't buy that far in advance, except for men's clothing."

His thinking is typical of the many off-pricers and discounters getting ready for the industry's main event, where buying will be the order of the day. ■

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Gingrich's Wife's Job Questioned

Firm That Hired Her Is Seeking Trade Deal

Compiled From News Services

WASHINGTON — The wife of House Speaker Newt Gingrich is earning \$2,500 a month plus commissions while working for an American company pushing for a free trade zone in Israel, the speaker's spokesman said Monday.

Marianne Gingrich's job is "to seek commercial tenants" for the business park in Israel, spokesman Tony Blankley said. "It's essentially a real estate job in a free trade zone" — a business area that would operate free of most taxes.

"There's no relationship to U.S. government activity," Blankley said, adding that he felt there was no conflict of interest for the speaker.

Marianne Gingrich was hired by the Israel Export Development Co. because she had experience in city planning and in architecture, Blankley said.

On Monday, the Wall Street Journal reported that Marianne Gingrich was hired after her husband told Israeli officials he supported the free trade zone.

The company's investors include prominent business executives such as CBS President Laurence Tisch, clothing magnate Sy Syms and real estate developer Robert V. Tishman, according to The Sun in Baltimore.

Marianne Gingrich got the job last September, when her husband was Republican whip and Democrats controlled the House.

Blankley said the hiring "has been checked out by an attorney and there's no remote conflict with any American laws or congressional ethical rules."

But Charles Lewis of the Center for Public Integrity said there is a very real ethical question involving "linkage between public policy and private gain."

"It sounds as though she got the job because she is (Gingrich's) wife. She has no apparent background in trade or the Mideast," said Lewis. "It gives the appearance that Gingrich does a favor for this company and his wife gets a job."

Gingrich's spokesman said the speaker has been "in favor of free trade wherever he can find it. He'd like to see a world of free trade. The advice he's given to the Israeli gov-



AP

Vietnam New Year

A Vietnamese woman and several children ride in a pedicab in Hanoi Monday during the Tet Lunar New Year celebration. The weeklong event is the longest holiday of the year in Vietnam, and parents and children crowd the city's parks to enjoy their days off.

Congressional Panel Probing Brown's Telephone Connections

Compiled From News Services

WASHINGTON — Congressional investigators studying the personal finances of Commerce Secretary Ron Brown have turned their attention to his investment in a small pay telephone company headed by James Kelly III, the husband of former Washington Mayor Sharon Pratt Kelly.

When Brown became commerce secretary, he was a director and part owner of Kellee Communications Inc., a pay telephone company based in Jersey City, N.J., founded by Kelly and Bertram Lee, a Boston broadcasting executive. Kelly and Lee also are investors with Brown in Washington radio station WKYS-FM.

Since then, Brown has given his son Michael, a Washington lobbyist, his stake in Kellee, which provides pay telephone service at Washington National Airport, Los Angeles International Airport and Atlanta's Hartsfield International Airport.

Brown's involvement in Kellee, a private company, could present a conflict of interest with his official duties as commerce secretary, which include helping set national communications policy, contends House Government Reform and Oversight Committee Chairman William F. Clinger Jr., R-Pa.

More than a year ago Clinger asked Brown to disclose the names of Kellee's stockholders and clients so investigators could review them.

Brown did not make public any information about his investment in Kellee beyond the valuation of \$15,000 to \$50,000 listed on his fi-



AP

U.S. Secretary of Commerce Ron Brown (center) and Israeli Trade Minister Micha Harish (right) at a press conference Monday in Jerusalem. At left is an unidentified translator.

nancial disclosure form. Brown said Commerce Department ethics officials already had looked into the company's operations and given their approval.

The Commerce Department's ethics office said the commerce secretary disqualified himself from dealing with any issues that might have affected Kellee until after he sold the stock.

The House Government Reform

and Oversight Committee staff members said that as long as Brown refuses to answer questions about his personal finances, the congressional investigations would continue.

Brown responded for the first time to Republicans in an interview published Monday in The Wall Street Journal. "My business dealings have been made to sound sinister, and there's nothing sinister about it," Brown said.

Drug Search In Panama Triggers Arms Blast

PANAMA CITY, Panama (AP) — Anti-narcotics agents using a blowtorch to cut into a steamroller suspected of containing drugs set off a powerful explosion Monday. At least two people were killed and 23 injured.

The steamroller was found to be stuffed not with drugs but with assault rifles and ammunition.

The explosion rocked a dock at Cristobal, the Atlantic entrance of the Panama Canal.

The steamroller was part of a shipment of road-building machinery

headed for Ecuador. That country is in the midst of a 2-week-old border war with Peru.

Drug agents suspected the steamroller had drugs concealed in a wheel and were drilling into it with the blowtorch when the explosion occurred, the National Port Authority spokesman said.

Witnesses said there was at first one small explosion, followed by smoke, then a second huge blast.

Charles Ferrer, the fire chief in Colon province, said witnesses reported bullet casings "spewed by the

explosion all over the place."

Two vehicles parked nearby were destroyed, as well as a small office building and a concrete wall a few yards away.

The spokesman said the two people killed, a man and a woman, worked at the port. The wounded included police officers, drug agents and office workers.

Officials said firefighters found 90 Soviet-style AK47 assault rifles and ammunition when they opened a second wheel.

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"It sounds as though she got the job because she is (Gingrich's) wife. She has no apparent background in trade or the Mideast," said Lewis. "It gives the appearance that Gingrich does a favor for this company and his wife gets a job."

Gingrich's spokesman said the speaker has been "in favor of free trade wherever he can find it. He'd like to see a world of free trade. The advice he's given to the Israeli government is consistent with his policies of free trade."

Gingrich, turning to that subject Monday, said the best way to combat terrorist attacks and help the Middle East peace process is by spurring rapid economic growth in Palestinian-ruled Gaza Strip and Jericho.

"I think we need to be prepared to support such actions as are necessary in those cases," Gingrich told reporters ahead of a meeting with Benjamin Netanyahu, leader of Israel's opposition Likud Party.

David Yerushalmi, head of the Israel Export Development Co., said he hired Marianne Gingrich last September and promoted her this month to vice president of business development.

"She brings to the project an enormous understanding of urban planning and design," said Yerushalmi. "We hired Marianne on her ability (and) enthusiasm about Israel."

Yerushalmi will visit Israel beginning Thursday to meet with businessmen and tour the site of the planned zone — a private, high-tech business park near Beersheva, where companies would operate free of most taxes.

The Israel Export Development Co. has spent \$7 million preparing plans for the zone over the past 30 months and is confident that it is a good business venture, Yerushalmi said.

Bidding is scheduled for next month and if Yerushalmi's company wins, it plans to start building this summer.

Meanwhile, Ralph Nader and a private group, the Congressional Accountability Project, filed a complaint with the House ethics committee against Gingrich.

They sought an investigation of whether Gingrich was violating House rules by using a consultant paid by his political action committee, Joseph Gaylord, to do official work. They cited news accounts that Gaylord, one of Gingrich's most trusted advisers, appears to be working out of the speaker's office.

Blankley said that Gaylord has no congressional role but is "an outside consultant, who provides political advice — which the rules of the House permit. He comes here (to Gingrich's office) from time-to-time to give consultative advice."

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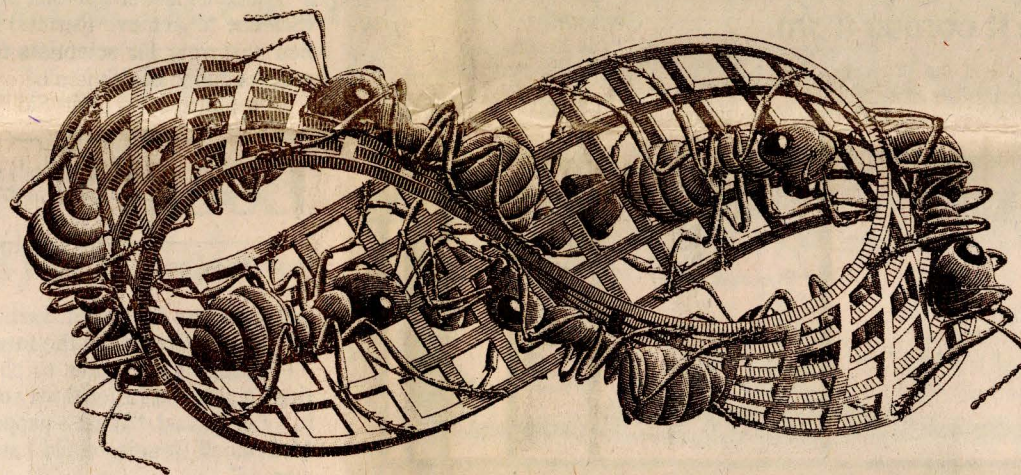
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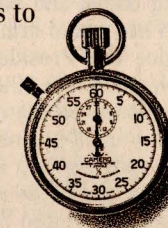


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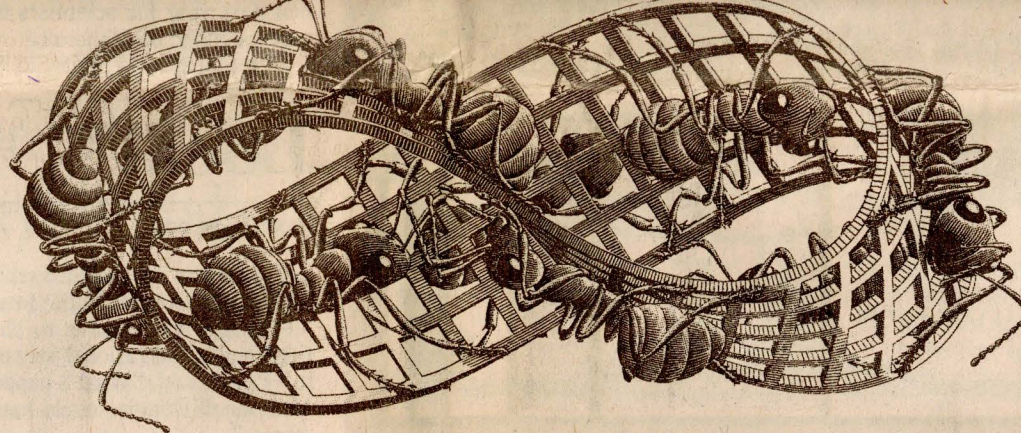
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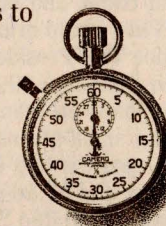


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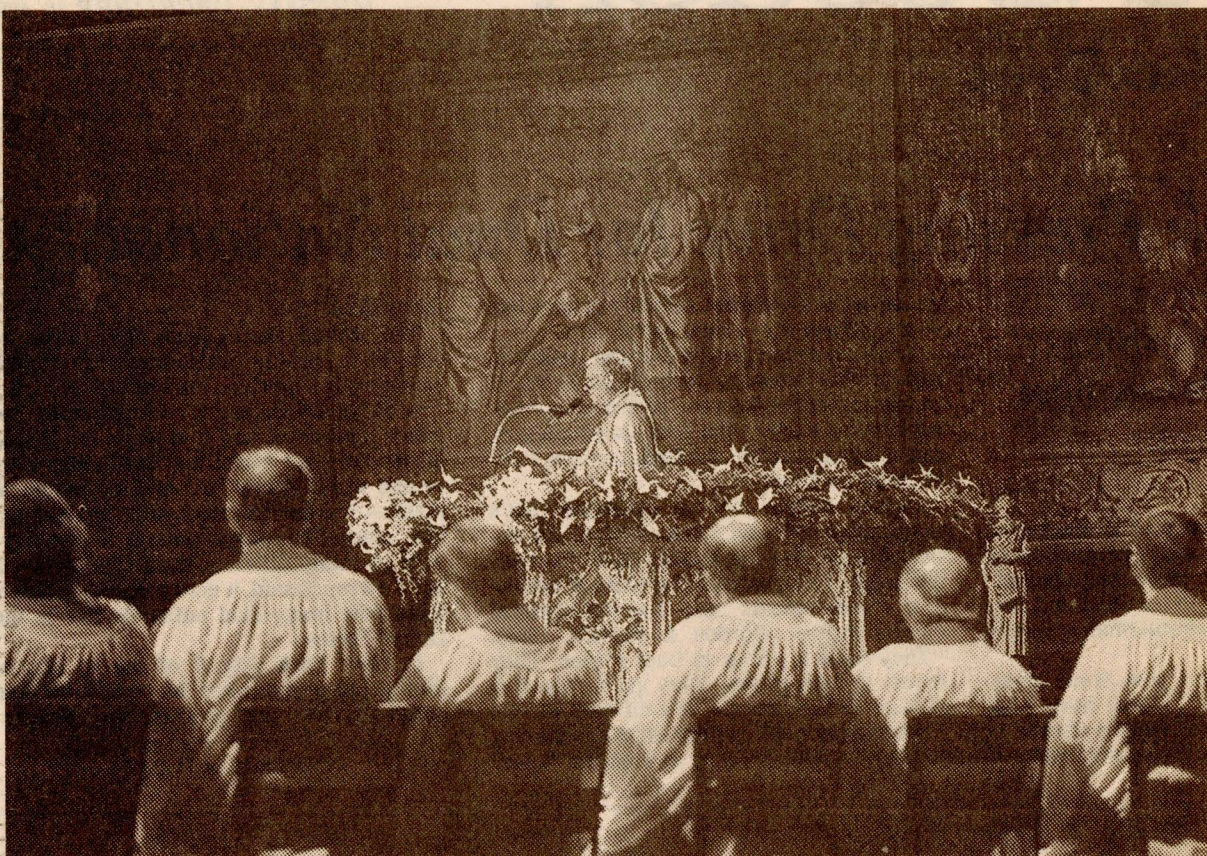
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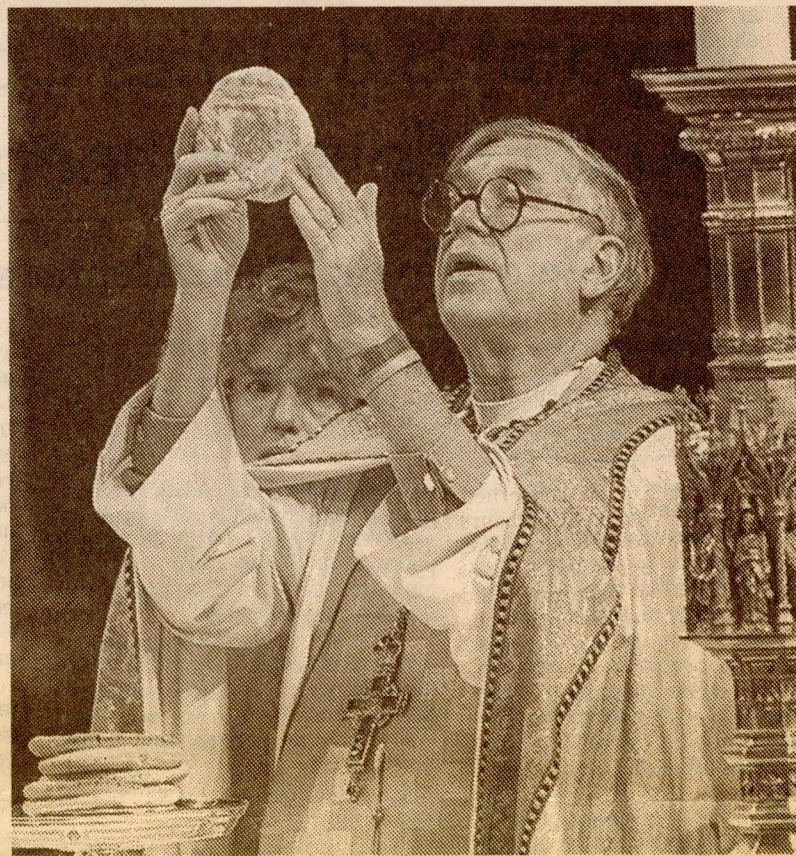
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Photographs by Chester Higgins Jr./The New York Times

After 25 Years, A Final Celebration

The Very Rev. James Parks Morton yesterday delivered his final sermon as Dean of the Cathedral of St. John the Divine. Dean Morton, who will retire in January after 25 years of service, will be succeeded by the Rev. Dr. Harry Pritchett. Dean Morton, a politically progressive clergyman, is widely credited with making the cathedral one of New York City's most significant gathering places, an advocate for the poor and both a political and religious forum.



LONG ISLAND

Woman Charged With Trying to Kill Her Children

By The New York Times
WEST ISLIP, L.I., Dec. 29 — A 37-

Mrs. Vassallo would be arraigned when she left the hospital. He was not home during the fire. He would not discuss the charges.

Mayoral Bid That Defies Convention And Ferrer's Fellow Democrats, Too

Continued From Page B1

This is the first in a series of occasional articles examining the early campaign strategies of individual candidates in the New York City mayoral race.

eral to win a citywide race. "I don't know whether she can win a general election against Giuliani," Representative Thomas J. Manton, the Queens Democratic leader, said as he compared Ms. Messinger with Mr. Ferrer. (The two other likely candidates for the Democratic nomination are the Rev. Al Sharpton and Councilman Sal F. Albanese of Brooklyn.)

But for all that, Mr. Ferrer's initial support appears tepid and tentative, and Democrats who in public describe him as a strong and viable candidate express private doubts about his political fortitude. There remains persistent concern that he has neither the political experience (Mr. Ferrer says this is the toughest race he has faced since he won a district leader post in 1982) or campaign graces (he likes to use words like "crummy" to describe municipal shortcomings) to match the politically resourceful Mr. Giuliani.

Mr. Ferrer himself identified — with little prompting — what is the most often-heard reservation about his abilities as both a campaigner and potential mayor.

"Not heavy enough," Mr. Ferrer, a slight, balding and mustachioed 46-year-old, said over a banana muffin and fresh-squeezed orange juice. "Not enough stature." At that, Mr. Ferrer shifted in his chair, tensed his face and raised his eyebrows.

"Huh?" he continued, sarcastically. "Look, I don't project the classic Roman quality of gravitas because I think it's silly. But I am probably one of the more effective government executives in the city. I don't have wordsmiths writing what I say. I will sometimes come out with a wise-crack one-liner, because that's my nature. Do not confuse that with a lack of gravity. I get real serious about things."

Some of the concerns about Mr. Ferrer have been stirred as much by what he has said as by how he has said it. His endorsement of the death penalty came in the midst of a furor over the murder of a police officer, Kevin Gillespie, in March. It was a change for Mr. Ferrer, who had made a career out of holding the

opposite position. Mr. Ferrer says the switch, which came as he was preparing his mayoral bid, was genuine, but many Democrats, including some of Mr. Ferrer's supporters, worry that it undercut his credibility with voters.

Similarly, his effort to woo Hispanic voters has been criticized as lacking subtlety. "Este es nuestro momento," Mr. Ferrer wrote in the nation's largest Spanish-language daily, *El Diario-La Prensa*. The phrase means, "This is our moment." Such an appeal is a subject of some political debate, since the city's Hispanic voters are politically diverse, as Mr. Giuliani demonstrated in winning 34 percent of their votes in 1993.

And after writing that, Mr. Ferrer found himself under attack in some quarters for what was seen as a heavy-handed ethnic appeal. "Oh my gosh," he said with exasperation when asked about that. "Please don't tell me that all of a sudden we're getting naive about ethnicity. There were a couple of people who seized upon 'This is our moment' to say this is a raw ethnic appeal. That's stupid. Does anybody mind if I talk to my constituents? In fact, nobody would take me so seriously if I did not have the support of my own community."

"And, by the way," Mr. Ferrer continued, "let's talk about ethnic politics — shall we? I'd like to take a little credit for every Hispanic appointment that Giuliani has made. Why do you think he's made them, in the numbers that he has?"

Mr. Ferrer these days is in the early stage of a campaign where candidates, before generally small audiences, test themes that might work in the contest ahead. Thus, on one day Mr. Ferrer will talk about what he sees as his successes in the Bronx; on another, about his fight with the principal owner of the Yankees, George M. Steinbrenner 3d, over his threat to move the team out

of the Bronx; on another, about what he sees as Mayor Giuliani's failures.

But most of all, Mr. Ferrer is making a distinct effort to identify himself with moderate and conservative positions. For example, Mr. Ferrer said he was in favor of abortion rights, but added: "I have problems with unlimited abortions. You know? Every time a mother hiccups, that's no reason to abort a child."

Similarly, he has made a point of distancing himself from other issues identified with liberal thought over the last four years. He supports phasing out the unincorporated business tax and cutting the sales tax. And he raised and dismissed the debate over the "Rainbow Curriculum" proposed by the former schools Chancellor, Joseph A. Fernandez, which, among other things, taught tolerance of homosexuality.

"I don't go crazy over some of the boutique issues that tear this city apart," Mr. Ferrer said of that fight.

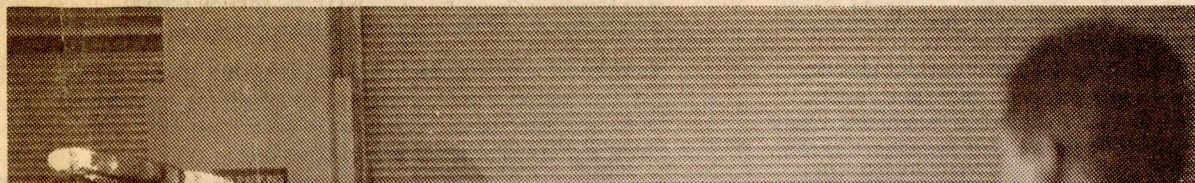
Mr. Ferrer likes to say that he is not discouraged by early reviews of the campaign that portray his chances — or any Democrat's — as slight. He has raised \$1.7 million, according to his latest campaign filings, or \$400,000 more than Ms. Messinger. And he compares Mayor Giuliani's political standing with that of President Bush in 1991, after the quick American victory in the Persian Gulf war, when Mr. Bush seemed entrenched.

Drawing the analogy from Iraq and Mr. Bush and back to New York and Mr. Giuliani, Mr. Ferrer said: "Everybody likes the fact that we bombed those squeegee guys into oblivion. And those aggressive panhandlers. We feel safer. Homicides are down by 50 percent. And we thought that that was the fundamental problem of the city."

"Well, once the blush came off that rose, we found out it's jobs and education, stupid," Mr. Ferrer said.

But has the blush come off the rose? Have concerns about crime and quality of life been replaced by concerns about education and jobs, as Mr. Ferrer suggested?

At that, Mr. Ferrer paused to consider his position. "It's coming off," he said. "It's coming off because people are not stupid."



Woman Charged With Trying to Kill Her Children

By The New York Times

WEST ISLIP, L.I., Dec. 29 — A 37-year-old woman was charged on Saturday with trying to kill her two young children by setting fire to their bedroom while they lay sleeping, the Suffolk County police said.

The woman, Jean M. Vassallo, was charged with arson and attempted murder after the Saturday night fire, which injured her and her two children, ages 7 and 9, the police said. The three were taken to Good Samaritan Hospital in West Islip, where they were treated for smoke inhalation, cuts and burns.

A hospital spokeswoman, Margie Maloney, said that the children had been released this morning, and that their mother remained hospitalized in stable condition. The police said

Mrs. Vassallo would be arraigned when she left the hospital.

According to the police, the children were asleep in a first-floor bedroom of their wood-shingled house on Higbie Lane about 6 P.M. on Saturday when their mother entered the room, poured a flammable liquid on the floor and lighted it.

One police official, speaking only on condition of anonymity, told The Associated Press that Mrs. Vassallo had been trying to kill her children while committing suicide.

But Mrs. Vassallo's husband, Frank, who was at the house today with his father, salvaging items from the rubble, said his wife had saved the children's lives.

Mr. Vassallo, a worker for a company that restores houses, said he

was not home during the fire. He would not discuss the charges against his wife, but he said that he had visited the hospital and that she and the children were doing well.

Mr. Vassallo said he was staying with friends but would not say where the children were, adding only that they "were being taken care of."

"They weren't harmed," he said. "They didn't have smoke inhalation and they were not hurt."

Standing on his stoop, next to a basket of videotapes he had salvaged and beside the fire-blackened front door that lay on some bushes, Mr. Vassallo said his children "wouldn't be here if she didn't save them."

"Everyone is O.K. physically," he said, "and the emotional scars will be worked on later."

Chronicle

A chef marries one of his customers ■ Syms, the radio show, comes to New York ■ A royal contribution to a charity coat drive.

EBERHARD MÜLLER, executive chef and part owner of Lutèce, walked into the restaurant with PAULETTE SATUR last week and said to the staff, "Let me introduce you to the new Mrs. Müller."

"Everyone's jaw dropped," he said. "Only three days earlier customers and friends had been asking us, 'When are you getting married?'"

and I had been saying, 'Oh, you'll find out soon.'"

Mr. Müller met Ms. Satur, an account executive with a wine company, in January when she dined at Lutèce with a friend. "We always take customers' phone numbers in case they forget something or there is a problem," he said. "But it is not correct to use those phone numbers for private affairs. I did it for Paulette though, and the next day I invited her to dinner" (not at Lutèce, but at Trois Jean, another restaurant).

The couple became engaged in October and were considering having a large wedding in the summer. But instead, Mr. Müller said, "We really wanted something very low key with just her family. Mine couldn't come because they are in Germany and I didn't give them a lot of notice."

On Christmas day they were married in Black Moshannon Chapel in Moshannon State Park near State College, Pa. The wedding was followed by a dinner at the home of Ms. Satur's mother, Mary, in Beccaria, Pa. "We're really in love and wanted a very romantic wedding," he said. "I think we achieved that."

SY SYMS, whose name is associated with discount shopping — he is the founder and chief executive of the Syms chain of stores — has always had a yen for radio broadcasting.

On Thursday he and his wife, LYNN SYMS, a sculptor, will inaugurate a new talk show on WEVD-AM

(1050), on which they will interview New Yorkers.

"We want to create an aura of non-invasive radio, talking about New York and the metropolitan area and having on guests from the famous to the unheralded who pertain to New York," Mr. Syms said.

This will not be his first foray into radio. As a student at New York University in the 1940's, he majored in radio production and broadcasting.

"I studied and practiced hard to give rid of my Brooklyn accent and my liquid L's," he said. "I did play-by-play sports events for two years after college in Maryland and West Virginia, but then I gave it up for clothing, and joined Merns, my family business."

What does he hope to bring to the airwaves? "Something for people who just want to relax for a half hour," he said.

Now SARAH FERGUSON, the divorced Duchess of York, is giving the coat off her back. It will go to an anonymous beneficiary of the New York Cares Coat Drive. Donors to the drive take the coats to 500 collection sites in New York and New Jersey, and the garments are then distributed through 300 agencies to needy children and adults in New York and New Jersey.

"We always try to get a few celebrities to donate to draw attention to the drive," KATHY BEHRENS, executive director of New York Cares, said. "We wrote to her and she gave us three children's coats and one of hers."

But there's no use trying to find the once-royal coats. The Duchess's contributions are going into the common stockpile and will be distributed at random. NADINE BROZAN



Thomas Dallal for The New York Times

Checking for Drunken Drivers

New York City police officers set up a checkpoint last night at West Houston and Washington streets in lower Manhattan to look for signs that any drivers

were intoxicated. The police said they often run such checkpoints during the holidays. Mayor Rudolph W. Giuliani stood behind one of the officers.

Police to Track Cabs Overcharging at New Year's

By MICHAEL COOPER

As revelers stumbled around the East Village last New Year's Eve, wearing garish party hats and blowing long red plastic horns, empty yellow cabs cruised up First Avenue with their off-duty lights turned on. As they approached St. Marks Place they stopped, rolled down their windows and haggled with pedestrians in a hurry to get home or hop to the next party.

Cabbies offered \$5 rides for \$10 and \$10 rides for \$20. Some of their would-be fares stormed off in a huff, but the desperate ones climbed in and were taken for a ride.

It is a New Year's tradition that occurs all over New York City, but this year the city's Taxi and Limousine Commission and the Police Department are teaming up to stop it.

Commission employees will spend New Year's Eve sitting by a bank of telephones and waiting for irate passengers to call, so they can radio officers in the Police Department's taxi enforcement division, who will be out in force both in uniform and undercover. That number, by the way, is (212) NYC-TAXI or (212) 692-

8294.

The penalties for cabbies who are caught will range from \$200 fines to losing their licenses.

"They have their off-duty lights on, and then they try to negotiate some kind of rate that's two or three or four times what it should be," said

Mayor Rudolph W. Giuliani, who announced the effort yesterday.

The Mayor was quick to add that there were only a few rotten apples in the taxi industry. "Like police officers, lawyers, doctors, very often the good ones are hurt by the conduct of the bad ones," he said.

Trooper Fatally Shoots Man After Chase

LEEDS, N.Y., Dec. 29 (AP) — An unidentified man, originally believed to have killed himself in a scuffle with state police today, was actually shot and killed by a trooper.

The state police pulled over the unidentified man just before 9 A.M. today on the Gov. Thomas E. Dewey Thruway in Selkirk for an undisclosed traffic violation, but the man drove off as the trooper approached the car, said Maj. William DeBlock of the state police.

Trooper Tim Parry was dragged a short distance, injuring a knee and shoulder, Major DeBlock said, as the man escaped. The police chased the

driver, who exited the Thruway in Catskill, and caught up with him on Route 23B in Leeds, about 30 miles south of Albany.

As the police approached the car, the driver ran to the patrol car and tried to steal it, Major DeBlock said. Troopers got in with him as he drew a pistol, the major said, and a trooper apparently shot the man in the scuffle. Major DeBlock said the trooper felt his life was in danger.

The major said the man, from Columbus, Ohio, died at an area hospital. According to Major DeBlock, the man may have also shot himself during the struggle.

Will Betsy's Ross use his papers to wave her flag?

By PAUL THARP

Having a rich husband with a chain of newspapers may just end up help boost the political career of Lt. Gov. Betsy McCaughey Ross — but politicians aren't venturing any public comments about it yet.

Wall Street financier Wilbur Ross, the husband of the Republican lieutenant governor, is buying a 22 percent stake in News Communications Inc. reportedly giving his control. The company owns 23 weekly papers, including a batch of eight in the Nassau County backyard of Sen. Al D'Amato — who McCaughey Ross wants to unseat in 1998.

D'Amato and McCaughey Ross have feuded publicly all year, and her party's bosses have snubbed and shut her out of the political process.

Sen. D'Amato couldn't be reached and Gov. Pataki had no comment on his lieutenant governor.



AL D'AMATO
Bete-sy's noir.

Ross says he's buying the stake in News Communications as a financial investment, not to boost the political career of his wife, according to a report in The New York Times.

The chain of papers reaches nearly 700,000 read-

ers, and includes Dan's Papers in Long Island, The Manhattan Spirit, Our Town and The Hill, which covers Congress.

Ross and other investors will spend \$2 million for control of the chain. Its stock fell nearly 17 percent yesterday to 17 1/8, off 3/8.

Revenue of the company rose sharply by 33 percent in its latest fiscal year to \$18.1 million, with a loss of \$1.7 million due to rising newsprint costs.

Other investors with Ross include Sy Syms, who heads the clothing chain, and Robert Nederlander, of the Broadway theater family.

The move came as a surprise in some GOP circles, and revived speculation about McCaughey Ross challenging D'Amato for the Senate seat.

In a poll released in June, voters preferred McCaughey Ross over D'Amato. Voters of both political parties ques-



OH, BETSY! The lieutenant governor gets a buss from hubby Wilbur Ross. Now, he's also given her a chain of newspapers.

New York Post: Steve Hirsch

tioned in the poll favored McCaughey over D'Amato by a wide margin of 42 percent to 25 percent.

Political analysts say the chain of newspapers could help change that, by making her more visible to voters.

The chain was created by Jerry Finkelstein, publisher of The New York Law Journal. Finkelstein will remain as chairman of News Communications.

His son, Andrew Stein, also had political ambitions. He got elected to the City Council and state assembly and was long seen as a potential candidate for mayor.

Stein finally ran in the 1989 mayoral race but dropped out. One of his opponents, Rudolph Giuliani, who lost his first bid for mayor that year, accused Finkelstein of using the chain to attack his son's political enemies. Stein has since dropped out of politics altogether.

Political analysts say that

Gov. Pataki intends to drop McCaughey Ross from the ticket for his re-election effort two years from now.

But if McCaughey Ross challenges D'Amato in 1998, her husband will control the hometown paper of D'Amato, The Independent Voice in Island Park.

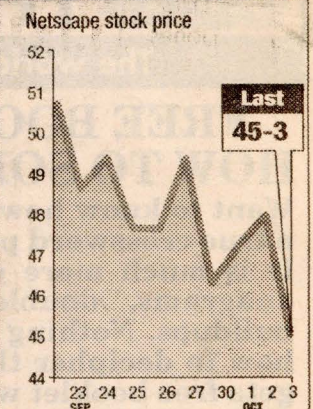
During the summer GOP convention in San Diego, McCaughey Ross was almost disinclined. She attended but was the only top GOP official who didn't get to address the New York delegation.

D'Amato had campaigned to put McCaughey Ross on the Pataki ticket when he was elected two years ago.

She wrote a razor-sharp magazine expose that helped sink President Clinton's health plan and won her a coveted national magazine award.

But since her election to office, the party has turned on her, saying she wasn't a team player and had her own ambitions.

Another blow



Source: Bloomberg

Microsoft wins latest battle in web wars

By JOHN MOTAVALLI

Netscape Communications stock nosedived yesterday, after AT&T Corp. said it would use arch-rival Microsoft Corp.'s web browser software as the "product of choice" in its Internet access service.

Netscape's chief product is its Navigator 3.0 web browser, which had been the

Microsoft vs. NETSCAPE Battle of the Browsers

sole product used by AT&T for its WorldNet Internet access service. With around 425,000 subscribers, AT&T says it's now the No.2 access provider in the country, behind America Online.

AT&T first agreed to offer Microsoft's browser in July. But yesterday, it made the product its preferred browser, meaning that customers will automatically be offered it and would have to specifically ask for an alternative.

Netscape's stock closed at 45, down 3 from Wednesday's close of 48. Microsoft also closed down, at 134, off 3/4. And AT&T closed at 38 7/8, down 1/2.

Microsoft is in the midst of a huge marketing push behind its drastically enhanced web browser, Internet Explorer 3.0.

Jennifer O'Mahony, a spokeswoman for Netscape, dismissed the WorldNet announcement as old news. "On the 25th of July, we told [stock] analysts that AT&T would offer a choice of browsers," O'Mahony said. She added that the information caused barely a ripple in the market at that time.

The sharp rivalry between Microsoft and Netscape is continuing on just about every front the two companies operate, with accusations about illegal tactics exchanged between the two. Microsoft's Chase said he had no information on a continuing Justice Department probe into some of Microsoft's marketing efforts with Internet Service Providers (ISPs), after a reporter asked him about the status of the probe.



BETSY'S BANNERS? Three of the weekly newspapers in the 23-paper chain in which Wilbur Ross recently bought a 22 percent interest.

Authentic getting out of swim and ski wear

By RICHARD WILNER

Authentic Fitness Corp. revealed yesterday that its troubled 1996 extended beyond its unit's sales to Speedo swimwear to the now-defunct Herman's Sporting Goods chain.

The Los Angeles-based company, which runs the chain of Authentic Fitness stores in addition to making the highly-visible brand of swimwear, said it was getting out of the ski wear and outlet store businesses.

It took a charge of roughly \$28 million to withdraw from those businesses.

The company also reported yesterday it lost \$13.2 million from operations in the fourth quarter ended July 6, more red ink than Wall Street had expected.

Its stock sunk 7/8 to 11.

Moreover, the company said its financial woes extended into the first quarter.

Regardless, Linda Wachner, chairman and chief executive, said Authentic Fitness would be profitable in the current fiscal year.

"All of the market dislocations that happened because of Herman's are behind us," Wachner said. "We're coming back strong."

The loss in the fourth quarter compares to a profit of \$7 million, or 32 cents a share, a year earlier. Revenue fell 7 percent to \$90.5 million from \$97.4 million.

In the latest quarter, the company also noted \$2 million in expenses for the aborted acquisition by Warnaco Inc., partially offset by an income tax benefit of \$8.9

million, resulted in a final loss of \$36.1 million.

Authentic Fitness will restate its 1996 second- and third-quarter results to include reserves of \$18.8 million, following an extensive review of accounts receivable and inventory, it said.

Earlier this year, the company said it would take sizable charges related to the sale of Speedo swimwear to Herman's, for which it was not paid.

On July 26, Warnaco dropped plans to acquire Authentic Fitness after the company revealed that its fourth-quarter results would be far short of estimates. Wachner heads both companies.

Wachner said she expects Authentic Fitness to have a loss of about 30 cents a share

in the first quarter, with profits over the last three periods expected to come in at 10 cents, 54 cents and 56 cents.

In getting out of the ski wear and outlet-store business, the company said it would concentrate on its Speedo design and Speedo Authentic Fitness retail businesses.

It has about 114 stores. Its aggressive expansion plans call for 30 additional stores before Christmas.

Ski wear had sales of \$18 million to \$22 million a year, Wachner said, and the outlets had annual revenue of \$10 million to \$12 million a year. For the year, the company reported a net loss of \$40.9 million as sales increased 16.3 percent to \$309.6 million.

The loss includes an \$11.6

Company profile

Name:	Authentic Fitness
HQ:	City of Commerce, Calif.
Chairman:	Linda Wachner
Sales:	\$309.6M (1996)
Net income:	\$40.85M loss
Business:	Makes sports apparel.

Source: Bloomberg

million write-off for Herman's bad debt, the ski wear and outlet store charge, and merger costs of \$2 million.

NEAL TRAVIS' NEW YORK

CBS aims to get Cos on board

BILL COSBY has always had strong opinions about what's wrong with network television. I understand the comedian may soon have the chance to put those opinions into action as a board member of the company running CBS.

Michael Jordan, chief executive of CBS owner Westinghouse, will shortly announce that his company is dividing itself into two stand-alone operations — a media group consisting of CBS and the soon-to-be-acquired Infinity Broadcasting radio, and an industrial/technology unit running Westinghouse's traditional businesses.

Cosby, who three years ago supposedly tried to buy a piece of NBC, will be invited to sit on the board of the media company, according to my sources. "He will play a major role," says one insider. "This is not just a vanity appointment — Jordan and everyone at CBS are very high on Cos."

Indeed, the network has made a huge financial commitment to his new show, "Cosby," which debuted last month to great ratings and looks like setting in the Top Ten. "It's just the kind of hit CBS needed and it makes their decision to give him a 44-week deal all the more sensible," says another source.

"You can see why they would want to tap his abilities for the boardroom," adds this source. "He's a very intelligent man who knows at least as much as anyone else about this business. And he's black, which would add some welcome diversity to the board."

Cosby is an executive producer on his new comedy, which is taped here at the Kaufman Astoria Studios. To accommodate the show, the space where the Marx Brothers made "Animal Crackers" has been expanded into the largest TV set on the East Coast.

He's got designs on Yanks

IF Sy Syms has his way, he'll be suiting up the Yankees next season. I understand the clothing tycoon has put a group together and plans to offer to buy the Bombers from George Steinbrenner and keep the team in The Bronx.

Syms tells friends he's passionate about the team and believes it must remain in The House That Ruth Built. I hear he will be seeking a meeting with The Boss right after the World Series.

Syms could be relied on to convince the fans of the merits of staying in the Stadium. As his slogan says, "An educated consumer is our best customer."

Syms has always wanted to be involved in professional sports and had ambitions to become a sports announcer. These days, he and his wife, Lynn, indulge their passion for radio with a weekly talk show on Bill O'Shaughnessy's Westchester County stations WVOX and WRTN.

It's a busy time for Syms. Next month he opens a flagship store in Manhattan, just a block away from the Park Avenue site of Sulka, the luxury clothing company he once owned.

Joe's political party

THE provocatively titled movie "What Every Woman Wants" has been lost for some 70 years. Film buff and record-setting TV talk-show host Joe Franklin has finally tracked down a copy and will show it at the Cinema Cafe on the Upper East Side on Election Day eve. That's because "What Every Woman Wants" refers to the right to vote.

Sayonara to New Jersey

FLAMBOYANT restaurateur Rocky Aoki is putting his three-story Georgian mansion in Tenafly, N.J., up for auction and is moving into Manhattan. He'll be looking for a townhouse not too far off Fifth Avenue.

The Bonhams founder's country place — which was featured in Al Pacino's "City

Funny business expert



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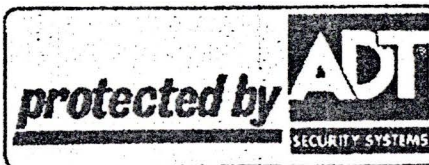
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Off-Pricers to Beef Up Sportswear at MAGIC

Discounters to weekend warriors plan big buys

By **DON KAPLAN**

NEW YORK — In order to get an edge on the competition in the ruthless arena of discount retailing, off-pricers are heading to MAGIC with

fashion sportswear on their minds and open-to-buy dollars in hand.

Rather than practicing sporadic purchasing at the show, which opens its four-day run at the Las Vegas Convention Center Tuesday, discounters say they plan to build their inventory on solid merchandising groundwork already in place.

Jim Sparks, vice-president/men's GMM at the 137-unit Northeastern regional discounter Bradlees, said he and his buyers will be at MAGIC looking for fashion-forward sportswear.

"What we're looking for is some excitement in sportswear, mostly in tops," he said. "We've been in the market a lot the last month, and fashion-forward retro-type looks are what we're looking to expand on."

The executive said basic flat knits and piques are not exactly strong sellers anymore for the Braintree, Mass.-based discounter, so the men's buyers are gunning for fresh sportswear. "Right now, zip-pers seem hot as a pistol," he noted.

Hills, a 164-unit discounter based in Canton, Mass., is sending

See OFF-PRICE, Page 22

CORRECTIONS

NEW YORK — Mel Weiss is the owner of Fashion Avenue Knits and its 33 Degrees men's division. He was incorrectly identified in an article that appeared in DNR, Wednesday, Jan. 24, Page 12.

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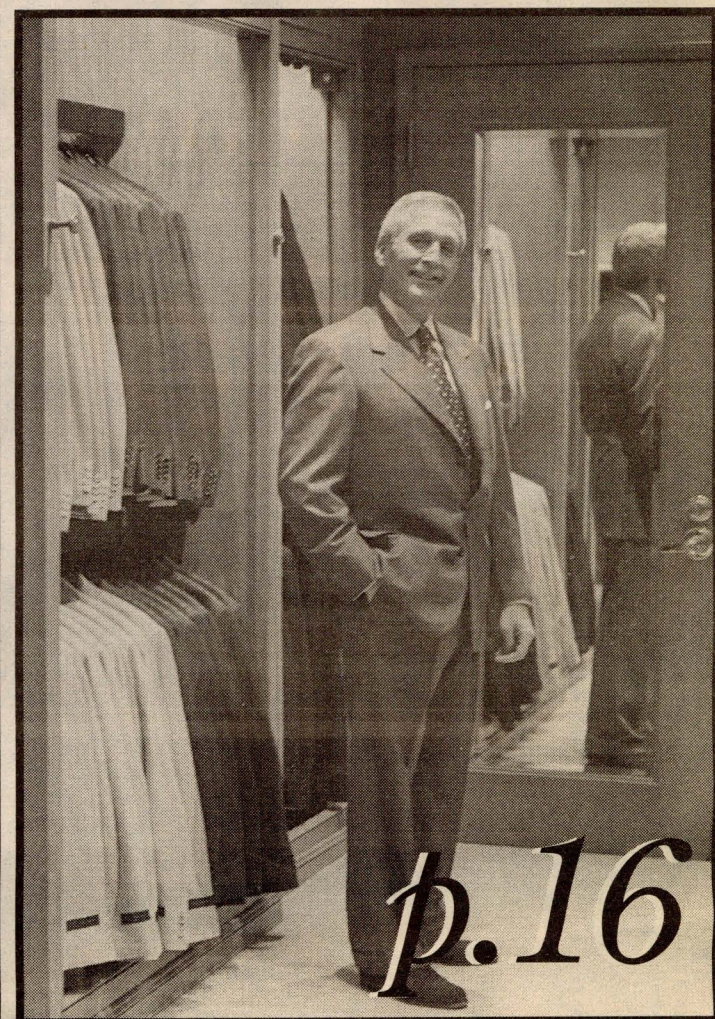
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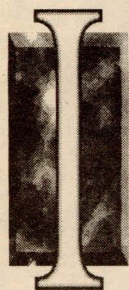
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Off-Price Stores Looking for Fashion Sportswear in Vegas

Continued from Page 2

its team to MAGIC looking for ways to improve the company's better sportswear and sniff out future hot-selling novelty T-Shirts.

According to Bill Weikert, men's wear merchandise manager, the company hopes items found at MAGIC will aid in helping reposition the men's area. "We go out there to get confirmation of direction and make adjustments to our mix," he said. "Right now we need a lot of newness in our business. We've been very conservative for about two to three years and the conservative approach is just not 'getting it' for our business."

Weikert said that in the past Hills has not paid as much attention to the better side of the store's casual business and he hopes this year's MAGIC will offer new opportunities. "We're going to work at building the top half of our better casual business. We'll probably add more banded-collar shirts and fine-gauge knits," he explained.

"At MAGIC we're going to try to find out where the better casual business has gone so far, and which new fabrics we need to maneuver into," Weikert noted. "Since banded [collar] seems to be the way the trend is going right now, we need to find out what fabrics we

need to put it in."

Syms, the Secaucus, N.J.-based apparel off-pricer, will be sending seven buyers to MAGIC, three of which are from the men's department.

According to Sy Syms, chairman of the 37-unit retailer, his buyers will be at MAGIC looking to get a nationally known label added to Syms' brand-heavy mix. "A new trademark can be an asset to our business," he said. "When we become important to a certain label, they don't have to open their own factory outlet stores."

The executive also said Syms will be concentrating on growing its sportswear business, which, he noted, has become increasingly important. Currently, tailored clothing accounts for about 35 percent of Syms' men's wear mix, with sportswear and furnishings making up the remainder. "Men's sportswear will be one of the areas where our buyers will be focusing," Syms said.

Syms used short-sleeved piqued shirts as an example of what his buyers will be looking for: "It's a basic and since we don't have private label, we have to go to MAGIC, where we can receive the item in all colors and sizes without manufacturing it ourselves."

Jay Plotkin, a partner in the Houston-based two-unit weekend-warrior operation SuitMart, said his organization will be heading to MAGIC looking to smoke out oncoming trends and beef up on sportswear.

"We try to stay a step ahead,"



Plotkin explained. "We had a nice reaction to casual clothing last fall, and we've found that the average guy is looking for more fashion." Although the two-unit retailer is mostly tailored clothing-oriented, Plotkin said the company is gradually laying greater emphasis on the casual category.

"We go to MAGIC to see trends

and eyeball what's being shown and see what kind of opportunistic buys are out there," Plotkin said. "The show is like Pandora's box, you may get out there looking for one thing and find another."

Winter business for SuitMart has been very good," he said. "We had a nice December, and for the year ended this month we're up double digits."

Plotkin added that during the holiday season, leading up to Christmas, the retailer broke with its traditional weekend-warrior format and stayed open all week long.

Getting back to plans for the MAGIC Show, Bradlees' Sparks said the chain will be sending three men's buyers, one boys' wear

Syms' Sy Syms says his buyers will be looking for sportswear at MAGIC.

buyer and two apparel divisionals to Las Vegas. "We're also bringing in a two-person product development team from the Orient," he added. Going forward, the executive continued to praise a fashion-oriented approach to business: "You've got to have fashion. Merchandise has got to be very fashion-forward and quick." Sparks said in recent times he's watched fashion pieces selling better than basics. "Anything ribbed or textured has been selling. Price is not going to do it anymore. So for '96 we're looking for fashion-forward goods with great quality."

He said right now Bradlees is trying to differentiate itself from the competition by carrying brands that its larger competitors don't carry. This tactic reveals a highly competitive private-label strategy in the works. "If we can't get what we want out of a brand, then we're just going to make it ourselves."

Bradlees, which has been operating under Chapter 11 protection since last June, is currently undergoing a repositioning. "We're trying to separate ourselves from the mass market right now," Sparks said. "We're trying to be more of a step up from that, and in order to do that we have to be much more of a

fashion-forward company. If zip-pers are in, we have to have them on the floor, and if retro is hot, we have to own it and reflect that in our store presentation."

Hills' Weikert noted his company has found strong sales in its Big Man areas and will use the show to help grow the business by adding fashionable items to it. "We're looking to maximize our Big Man opportunities, which has shown to be a good growth area of our business. We've also seen growth in boys' husky sizes," he said. "So far we've tended to be very basic in our approach to those areas, so we're looking to maybe get a little more styling into that end of the business."

Another strong category for Hills, Weikert said, has been its novelty T-shirts. According to the executive, Hills buyers might be focusing their open-to-buy dollars into that area.

"In a store like ourselves, we have a large novelty business. So at MAGIC we'll also be looking to add more newness to that area." The executive noted popular designs such as the Red Dog Beer, Budweiser frogs and the Coke bear have been strong sellers at Hills this year. "But something more has to be down the road. We really have to get our novelty business freshened up."

Syms feels that sportswear will be increasingly important to his business over the course of the next year because suits sales are contributing less and less to overall business, due to the fact that consumers are wearing the same kinds of suits the entire year rather than changing their wardrobes seasonally.

At SuitMart, Plotkin feels sport coats, slacks and other casualwear are going to be important parts of the retailer's strategy as add-on businesses. He noted that the vast percentage of the company's sales still come from tailored clothing. "Sportswear is still only 25 percent of our business, but we see it as a growth category," he said.

Avondale Bids to Buy Graniteville

Continued from Page 1

issuance of about 6.4 million shares, or 34.5 percent, of G&L's outstanding shares to Triarc.

G&L reported Thursday that it will take a \$1.6 million write-off for the costs of the failed merger with Graniteville. After the charge, G&L reported a loss in the first quarter ended Dec. 30 of \$753,000 against a profit of \$4.8 million, or 40 cents a share, a year ago.

Excluding the charge, net income in the latest quarter would have been \$228,000, or 2 cents.

Graniteville, whose 1994 sales totaled \$536.9 million, manufactures high-end denim fabrics and dyes and finishes 100 percent synthetic and cotton/polyester blended apparel fabrics.

Under the September agreement, G&L, maker of 100 percent cotton wrinkle-resistant fabrics and solid-dyed synthetic fabrics, was set to assume \$174 million of Graniteville's debt. The proposed merger between Graniteville and G&L would also have created a \$1 billion textile firm.

G&L, which posted sales of \$502.2 million in 1995, is the only vertical producer of corduroy in the U.S.

Avondale, based in Monroe, Ga., is a major producer of sales yarns, denim fabrics and gray fabrics for apparel, home furnishings and industrial applications.

Jay Meltzer, managing director of Johnson Redbook, said the two companies make a good fit. Avondale has expertise in yarn and other areas that Graniteville lacks and there are some areas in which Graniteville can help Avondale. "The merger would be a step forward in the general consolidation in the textile industry, if indeed it materializes," Meltzer said, after

noting that there was a similar letter of intent with Galey & Lord, and that fell through.

Stephen Felker, chairman and CEO of Avondale, said in a statement, "The acquisition of Graniteville has been a long-term goal of Avondale; this transaction will strategically position Avondale to provide its customers with improved service selection and volume."

Avondale said it intends to "dedicate significant corporate resources to the continuing modernization" of the Graniteville plants.

In a statement from Galey & Lord, the company said Triarc and G&L mutually agreed not to go forward with plans to merge G&L with Graniteville due to economic conditions in the retail, textile and apparel industries.

Arthur C. Wiener, G&L chairman and CEO, said these conditions "created an environment that made merging the two companies not practical."

Triarc said in its statement that part of the proceeds from the Avondale deal will be used by Triarc to repay Graniteville's existing debt.

C.H. Patrick Inc., Graniteville's specialty chemical subsidiary, which is not being sold, will have a long-term contract to supply chemicals and dyes to the combined Avondale-Graniteville business.

Consummation of the transaction, which is expected to be completed in April, is subject to a definitive agreement, antitrust clearance and other regulatory approval.

In its earnings report Thursday, G&L said operating income sank 70.2 percent to \$3.2 million from \$10.9 million.

G&L said net income was knocked down by a drop in gross

margins due to the impact of lower sales on manufacturing costs. Gross margins as a percentage of sales slumped to 7.6 percent of sales from 12 percent.

Reflecting a 33 percent drop in apparel fabric sales and a 37 percent decline in home furnishings fabrics, revenues for the quarter tumbled 33.1 percent to \$85.1 million from \$127.2 million. G&L attributed the lower sales to "customers adjusting their inventories due to a slow retail environment."

G&L also noted that apparel fabrics sales were hurt by the elimination of sales from the company's printed apparel operations, which were closed in the September quarter. In the December quarter 1994, the unit had net sales of \$7.6 million.

Order backlog at Dec. 30 was \$90.7 million, down significantly from \$139.9 million in 1994. Backlog was down 28 percent in apparel fabrics and 56 percent in home fabrics. Wiener noted that although order backlog was behind the year-ago period, it is up 18 percent from September.

"We believe that this is an indication that the inventory pipeline is improving and orders are beginning to return to more normal levels," Wiener said. From Sept. 30, the apparel fabrics order backlog was up 33 percent while home fabrics backlog was down 24 percent.

G&L noted that it plans to buy back up to 1.2 million, or 10.2 percent, of its outstanding stock over the next 12 months. It also stated that it had entered into interest-rate swaps that had the effect of fixing the rate on a \$25-million bank debt at 6.25 percent for a two-year period and the rate on another \$25-million debt at 6.53 percent over a five-year period.

January Dates No Roadblock

Continued from Page 18

started a new knit shirt division, and we'll be able to chase that business because of the early MAGIC too," he said.

"Spring is not a big season for us," said Rich Dubin, vice-president, sales, at Tony Lambert Designs, "although we do have a little spring-type package to offer there, but it's still a fall show." He added, "Even though it's earlier, we will still be showing the full fall '96 line as usual."

Echoing the others, Dubin said the biggest drawback of the earlier MAGIC is "it's just a little hard to get it all together in time."

Regarding the time it takes to develop new product, 525's Bock explained that the earlier schedule has left him bullish. "Rather than when you buy piece goods," Bock said, "in the sweater business, you're actually creating your own

fabric, so it's a little bit of a longer period from the start to the end result."

He added, "In that light, I'm just a little disappointed that they pushed it up, because I think that retailers might miss out on some possible great products that take more time to develop."

Lambert's Dubin added that while at MAGIC, his company will take advantage of the current upswing in business with hopes of continuing strong sweater sales into next year.

"Since men take more time to adjust to newness, and they are finally responding so well to what is being offered, I the next few seasons will be strong. So, at MAGIC, we're going to push things that are happening now. The things that are working well now, like henleys and tweeds, are what we are nurturing for next fall."

TUESDAY
APR 16 1996

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Ex-leader of Jewish Agency found guilty on fraud charge

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THE ASSOCIATED PRESS

JERUSALEM — The former head of Israel's Jewish Agency was convicted of fraud yesterday for charging personal purchases to an agency credit card during trips to the United States.

The quasi-governmental agency serves as a link with Jewish communities around the world and helps bring immigrants to Israel.

Simcha Dinitz became director-general of the agency in 1987 and resigned in January 1995 amid alle-

gations he had charged thousands of dollars in personal purchases to agency credit cards.

Dinitz had pleaded not guilty.

The Jerusalem District Court convicted Dinitz of fraud yesterday for using a credit card issued to the agency by the New York clothing store Syms, said Justice Ministry spokeswoman Orit Shemesh.

Dinitz, a former Israeli ambassador to the United States, was acquitted of a second fraud charge involving purchases he made on the agency's American Express card. □

APR 19 1996

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Ex-chief of Jewish Agency is guilty of credit card fraud

8451
MICHELE CHABIN

Jewish Telegraphic Agency

JERUSALEM — Former Jewish Agency chairman Simcha Dinitz has been convicted of committing fraud and abusing the public trust for purchasing personal items at the agency's expense.

The Jerusalem District Court found Dinitz guilty Monday of charging \$6,700 worth of personal merchandise on his own charge card at Syms, a New York clothing store, and then allowing the agency to pay for it.

But the court cleared Dinitz of any wrongdoing related to per-

sonal charges he made on his agency-issued American Express card.

Although the court found that Dinitz did charge \$15,400 worth of personal items with the card, it accepted his claim that agency bookkeepers should have deducted these fees from his paycheck.

The agency is the principal Israeli recipient of funds raised by diaspora local federations and the United Jewish Appeal and is a symbol of the Israeli-diaspora partnership.

A former Israeli ambassador to the United States, Dinitz assumed his agency post in December

1987.

He was forced to take a leave of absence from the agency in February 1994 amid allegations that he had charged thousands of dollars of personal expenses to agency charge cards.

He resigned in January 1995.

When his trial opened in October 1994, Dinitz pleaded innocent to all the charges against him.

Although Dinitz called his actions an oversight, Judge Shalom Brenner described them as "criminal."



Simcha Dinitz

In a 152-page decision, Brenner wrote: "The behavior of the accused in the Syms case was shown to be an extreme case of closing one's eyes that constitutes criminal action."

Upon leaving the courtroom, Dinitz declined to comment, saying only that he needed time to study the decision.

He will be sentenced next month.

During a news briefing Tuesday, current agency chairman Avraham Burg termed Dinitz's conviction "a very sad moment both on an individual and organizational level."

Burg promised "to read every word, every line, every page [of the District Court ruling] and to implement whatever needs to be implemented."



Avraham Burg

Burg added that the agency had already "reached conclusions necessitated by this case and implemented new procedures and regulations accordingly."

To prevent the misuse of funds, Burg said, the agency has canceled all organizational charge cards as well as individual "frequent flier" benefits.

The agency, he said, has also created "a strict monitoring system" for travel and expenditures by employees and emissaries, including members of the agency's board and its senior staff.

The trial of former Jewish Agency treasurer Meir Sheetrit, a Likud Knesset member who is charged with using agency funds for personal expenses, began Monday, after the close of the Dinitz case.

Syms Schools Consumers on Better Suits

Casual Friday spurs strong \$99-and-under sport coat sales

BY STAN GELLERS

NEW YORK — An educated consumer is still Syms' best customer and now the 40-unit chain in 16 states has added a greater number of better suits to its core curriculum.

The granddaddy of selling designer labels and top brands at everyday sale prices has successfully captured more high ground in suits. According to Steve Syms, vice-president, merchandise manager, men's tailored clothing, suits over \$300 will be more than 15 percent of Syms' inventory next fall — and this is up from a current 12 percent.

A younger version of his father, chairman Sy Syms, the junior Syms, contends, "We're trading up and carrying a higher percentage of better suits because this is what the customer is requesting."

"In this category, we're now going up to \$595 with some of the top labels in the market. This is new territory for us."

Alan Millstein, retail consultant and publisher of The Fashion Network, claims, "Men are trading up not only in quality but also in price. They still primarily want value and fashion. This is not only true for Syms but it's also the salvation of Today's Man."

"Syms now carries \$600 suits, and on Park Avenue it's like playing grand opera at a neighborhood movie house. They have the best labels at rock-bottom prices and in a store without much ambience. But the suits apparently fly out."

The store's bottom line reflects it. Total sales of \$334.7 million were reported for the year ended March '96 with a net-income increase of 25.3 percent. And for the first nine months of the '96 fiscal year, the company earned 76 cents per share versus 59 cents for the previous year in its entirety.

Says Syms, "Without the final quarter, we're already considerably ahead for the year with this substantial increase in earnings."

Overall, men's wear generates 54 percent of the retailer's business and, according to Syms, the tailored clothing classification generates a third of total sales. Of this, 50 percent is suits; 30 percent sport coats and slacks; and the remainder, tuxedos, overcoats and raincoats.

But the hot story is the store's growing commitment to better clothing.

It really comes to life at Syms' second New York store, which opened late last

November on Park Avenue and 54th Street. The location, with four upper floors of former office space, carries over 7,000 suits, 6,000 slacks units and an equally hefty inventory of sport coats and formalwear along with in-season rainwear and topcoats.

"This is typical for us," comments Syms. He adds that since the opening bell five months ago, better suits and some of the best clothing names in the market have found a ready home on Park Avenue with its mix of businessmen and international tourists.

Getting down to the nuts and bolts of the retailer's clothing business, he states, "The ratio of suits to sport coats in our stores used to be two suits to one sport coat. Today, it's three suits to two sport coats. For a while, suits had leveled off, but they seem to be going up again."

And even with flat unit sales, suit figures are ahead of last year, thanks to the better price points. Running a close second in posting higher retail price points is the dress slacks classification where unit sales are showing fat gains.

What's doing it in suits, insists Syms, is a combination of top labels and fashion.

Suits continue to dominate the clothing business throughout the chain but, as can be expected, the number-one market is New York and New Jersey with Washington, D.C., taking second place. Says Syms, "We also sell a lot of clothing in Florida and Texas, plus, of course, the major metro areas throughout the country."

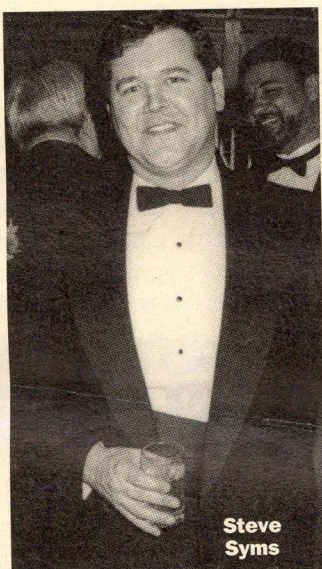
The store is a men's wear pioneer in playing the name game and Syms enjoys repeating the store's strategy: "We feel the label is imperative because we sell names and not suits. And that's our slogan. The names we carry stand for quality — this is what our customer recognizes."

For a fast readout on the fashions carried, he describes the suit and sport coat inventories as "in season. And they're pretty much the same as you'd find at any regular-price specialty store."

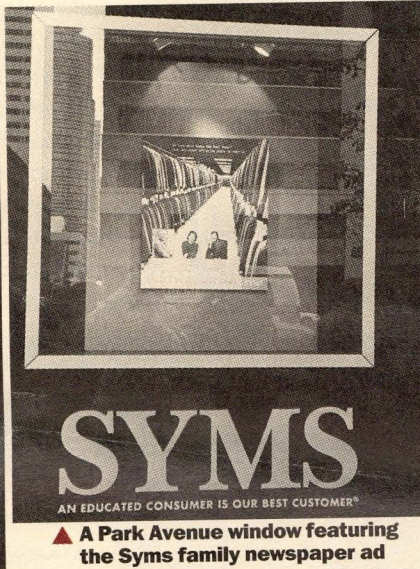
For example, the best-selling suits at Syms are dark and dressy worsteds and business is spread between black, navy and gray. Three-button single-breasteds are the fast seller nationally.

Syms claims the suit turnaround is already at hand and cites the leveling-off

Continued on Page 14



Steve Syms



Part of the huge suit floor at the Park Avenue store

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CLOTHES

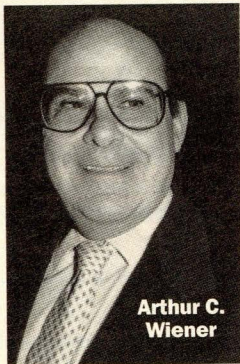
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Galey & Lord Profits Soar 45.5% in Quarter

Total sales leap 29%; apparel fabrics jump 34%

GREENSBORO, N.C. — Aided by healthy sales gains in its apparel fabrics segment, Galey & Lord Inc.'s second-quarter earnings jumped 45.5 percent to \$3.8 million, or 32 cents a share, from \$2.6 million, or 22 cents, a year earlier. Sales for the three months ended March 29 gained 28.9 percent to \$129.4 million from \$100.4 million.



Arthur C. Wiener

Apparel fabrics sales were up 34.2 percent to \$120.5 million from \$89.8 million. Operating income for apparel fabrics rose 27.8 percent to \$9.2 million, representing 7.6 percent of net sales, from \$7.2 million, or 8.1 percent of net sales.

Order backlog at the end of the quarter was up 66 percent to \$166 million, with the apparel fabrics backlog up 82 percent.

The company guided Wall Street's estimates downward in March when chairman and CEO Arthur C. Wiener said in a statement that earnings per share were "likely" to be near the lower end of the range of 32 to 40 cents estimated by analysts. He attributed the decrease in projected earnings to manufacturing "inefficiencies caused by increasing production rates to maximum levels to meet higher customer demand." The company did not comment on these inefficiencies in its upbeat second-quarter release.

However, Wall Street's consensus estimate remained at 34 cents.

Jay Meltzer, managing director at LJR Redbook Research, said he had his estimate at 32 cents. He added that "we seem to be in a positive cycle," and "unless there is something we can't think of, they'll do fine for a while."

For the six months, earnings soared to \$7.34 mil-

lion, or 61 cents a share, from \$1.9 million, or 16 cents. The year-ago six months included a \$1 million charge for the write-off of fees related the cancellation of a proposed merger with Graniteville Co., a subsidiary of Triarc Cos. Inc. Graniteville was acquired by Avondale Mills.

G&L sales grew 29.6 percent to \$240.4 million from \$185.5 million.

Apparel fabrics sales increased 36.2 percent to \$223.7 million from \$164.2 million. Operating income for apparel fabrics skyrocketed 82.8 percent to \$18.1 million, representing 8.1 percent of net sales, from \$9.9

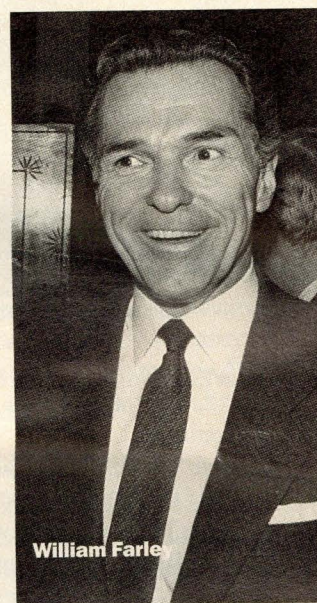
million, or 6 percent, a year earlier.

Wiener commented in a statement that business for the June quarter of 1997 "is stronger in all areas and orders remain at record levels." He added that "the continued strength in Galey's products is due to an improved environment at retail" as well as to the production shift to the Western Hemisphere from the Pacific Rim.

Looking ahead, Galey has announced an expansion in fabric-forming capacity and is planning an expansion in dyeing and finishing, which will enable the company "to supply cloth to meet the greater demand."

FTL's Farley Gets Hefty Paycheck in '96

NEW YORK — William Farley, chairman and CEO of Fruit of the Loom Inc., saw his total pay package skyrocket to \$11.1 million from \$1.1 million a year ago, according to FTL's just-released proxy statement. The largest part of his pay hike consisted of \$5.8 million in restricted stock awards. He also received \$2.3 million in long-term incentive payouts under FTL's 1994 executive-incentive compensation plan for the four years ended Dec. 31, 1997. Although Farley's annual base salary has remained at \$950,000, he received a \$1.9 million annual bonus in 1996 against no bonus in 1995. Finally, Farley received other annual compensation of \$182,843 to cover tax reimbursements, insurance premiums and \$51,808 in club expenses. In 1995, Farley received other compensation of \$166,093. All FTL executives received annual incentive bonuses at their maximum levels because of FTL's turnaround last year. FTL earned \$151.2 million, or \$1.98 a share, rebounding from a loss of \$232.5 million in 1995. The prior-year period included restructuring charges of \$287 million. Farley also received options for 605,800 FTL shares, exercisable at 25 7/8 each. Among other executives, Richard C. Lappin, president and chief operating officer, earned \$6.1 million versus \$681,503 in 1995. Total compensation for Larry K. Switzer, senior vice-president and chief financial officer, jumped to \$3.7 million from \$536,983.



William Farley

Syms Schools Consumers

Continued from Page 2

of units after a decline of a few years. He also mentions the shift to better clothing and says, "We're getting regional increases across the country."

Turning to specifics, he observes, "Surface-interest worsteds continue to out-sell hard-finish for us and the winner this spring has been crepe in three-button single-breasteds. We naturally carry many more two-button suits, but our customers are buying more fashion and more three-buttons."

And this is just for openers.

Syms relates, "Today we carry such a great variety of styles in suits that they range from one-, two-, three- and four-button single-breasteds to four-button, one-to-button double-breasteds as well as 6/1 and 6/2 models. And for fall we're trying some 6/3's, which make more sense for that time of the year."

On the subject of sport coats, he states the corporate casual trend is playing right into the store's hand, but with some interesting twists.

While higher prices are the ongoing story in suits, sport coats are trending the other way. Still, Syms doesn't seem overly concerned. He says sport coat unit sales are jumping, although retail prices have plateaued at a lower level.

"What seems to be selling well are lower-price goods — \$99-and-under sport coats. We can't keep them in stock. And there's a reason for it."

"With this whole casual Friday thing, sport coats have become an integral part of the work scene. Men at many levels are wearing sport coats to business but they've gotten more casual." He adds the strong increases in units is offsetting the lower retail price points and the category's dollars are significantly

ahead of a year ago.

Mentioning corporate casual's whopping effect on the sport coat business, Syms feels the demand for lower prices is part of it and a sign of the times.

In his opinion, many men now regard "sport coats more as sportswear than clothing and an alternative to sweaters to wear to work."

He also contends that sport coats have gotten more casual "not in the make but in the fabrications. And even though price points are lower, labels are still very important."

Interestingly, he notes that as the store traded up in suits, the same was actually done in coats, especially in the \$100-to-\$250 price range. He points out, "But we also beefed up our \$99-and-under sport coats in a big way."

The strength in sport coats is sweeping along dress slacks. Syms comments, "And in terms of selling a higher percentage of better goods, dress slacks have shown the strongest increase."

"The category has been identical to suits in terms of selling higher-quality, higher-priced merchandise. Our major price two years ago was \$39.99 and we still do a big business at this price. But we're up to \$59 and we've even gone beyond to \$100 at retail."

"Each store carries an average of 6,000 pairs of slacks in such a wide assortment of solids and fancies so that the customer can easily find some to match up with a sport coat."

Talking about prospects for the year, Syms claims the new Park Avenue store is on plan and he's especially bullish about better clothing at the chain. One look at the clothing floor with its thousands of suits and sport coats from the top makers confirms this. ■

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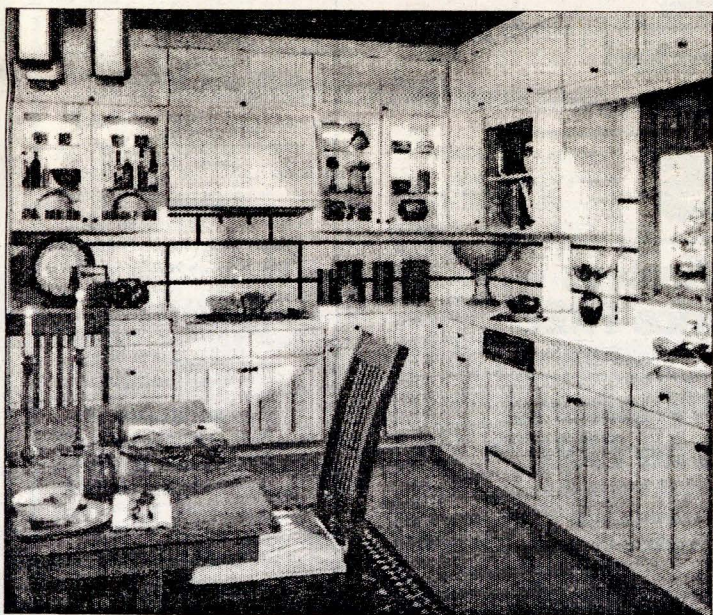
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Clothes call will let Lionel go in style to White House

By MARIA ALVAREZ
and DAN JANISON

Jazz legend Lionel Hampton goes to Washington today — outfitted from head to toe in spiffy new threads to replace those he lost in the blaze that gutted his high-rise apartment.

"The show must go on!" he announced yesterday in a hotel across the street from his burned-out apartment in the Lincoln Center area.

Equipped with a new tuxedo, fedora, shoes and wheelchair, Hampton heads to Washington to receive a National Medal of the Arts from President Clinton and dine with the president at the White House.

After Hampton lost everything in the fire Tuesday, Rep. Charles Rangel made sure the jazzman would visit the president in style — with a little help from clothier Sy Syms.

Tailors arrived at Hampton's hotel with six suits, two tuxedos, cuff links, silk pajamas, silk robes, shoes and a Pierre Cardin cashmere overcoat.

"Mr. Hampton will make the selections to see what suits him best," said Taylor Michaelson, who carted in the six shopping bags of fine haberdashery.

"Oh, yeah!" the vibraphone master said, donning a snappy, black felt fedora.

Rangel got Men's Walkers Inc. of Harlem to donate footwear and Harlem Hospital Center to supply a wheelchair.

"We want Mr. Hampton to go to Washington — get his award and make certain that he is looking good from his shoes up to his hat," Rangel said.

"He's a real trouper, a real ambassador of good will for this country."

Hampton was upbeat, despite his losses.

"Everything that happens is for the best," he said with a smile. "My apartment is completely destroyed — personal pictures, certificates, my vibraphone, my baby-grand piano. I would like to have all those things, but everything happens for the best."



THREADS THAT BIND: Lionel Hampton (left), who lost everything when his apartment went up in smoke, checks out his dapper new duds with a little help from Rep. Charles Rangel. Elizabeth Lippman

Hampton said he was in the living room when the fire broke out in his bedroom.

"I first smelled smoke. The lamp fell over on the bed. There was a big blaze in my bedroom. The smoke was nauseating," Hampton said.

Fire Commissioner Tom Von Essen said on WNYW/Channel 5's "Good Day, New York" that Hampton's staff failed to shut the apartment's steel door when the fire erupted, allowing the flames to spread rapidly.

"There would have been a lot less smoke throughout the building, a lot less fire damage, and we would have had an easier time

getting down the hallway to put the fire out," he said.

Another fire official said temperatures reached more than 1,000 degrees, causing apartment windows to explode.

Hampton's administrative assistant, Caprice Titone, said she dragged him out of the apartment into the hallway.

"I pushed the elevator button — it felt like we waited four days," Titone said. "We must of had the last elevator. We jumped in the elevator and got to the lobby after the elevator bounced up a couple of times — we were lucky."

Shedding light on halogen danger

Halogen lamps, like the one blamed for starting the fire that gutted Lionel Hampton's apartment, can be very dangerous, city fire officials and consumer watchdogs say.

The halogen torchieres — free-standing lamps equipped with a dimmer switch and halogen bulbs — can reach temperatures as high as 1,200 degrees and spark fires, according to the federal Consumer Product Safety Commission.

The lamps have been linked to more than 100 fires and 10 deaths.

The commission and fire officials warn that the lamps should be kept away from curtains and raised beds, and should not be left on in an empty room.

"Halogen lamps are very dangerous," Assistant Chief Fire Marshall Louis Garcia said after

The 300-watt bulbs used in torchiere lamps can burn as hot as 970 degrees.

Tuesday's Lincoln Center blaze. "Halogen lamps do cause fires when they come into contact with combustible materials."

To protect students, some colleges have banned the lamps from dorm rooms. Brown University offered students \$10 to turn in their lamps. So far, there have been 75 takers.

Underwriters Laboratories has grown so concerned about the lamps that the testing group next month will toughen standards be-

fore giving halogen bulbs the UL seal of approval.

U.S. consumers own about 35 million to 40 million of the lamps, which can sell for up to \$1,000, officials say.

The 300-watt bulbs used in torchiere lamps can burn as hot as 970 degrees, and other halogen bulbs can reach 1,200 degrees. In contrast, a 150-watt incandescent bulb reaches about 340 degrees.

New-style bulbs produce brighter light with less energy thanks to what is known as halogen technology, which uses a more expensive krypton gas inside the bulb instead of the argon gas used in standard bulbs.

General Electric Co., which makes a range of halogen replacement bulbs, said all of its bulbs come with appropriate warnings.

Maggie Haberman and Yigal Schleiffer



IN CHINATOWN, Jimmy Feng, 13, plays in Columbus Park at Mulberry and Bayard Sts.

IMMIGRANTS FROM PAGE FIVE

grants from the former Soviet Union, it was 35%.

Not since the first decades of the century has immigration been so high, but it's still lower than the great wave of European and Asian immigrants who poured into Ellis Island from 1900 to 1910.

In that decade, 260,000 immigrants entered New York State each year (city statistics weren't available), compared with 170,000 a year in 1990.

The flow stopped in 1924, when the U.S. government drastically restricted the numbers of newcomers. It picked up after 1965, when a new law eased quotas.

Since the 1980s, there has been a 52% increase in immigration from the Dominican Republic — from 14,500 to 22,000 per year.

Dominicans are expected to replace Puerto Ricans as the city's largest Hispanic group by the year 2000.

Immigration from the former Soviet Union swelled by 900% — from 1,300 to 13,400. More than 70% of the city's Russian immigrant population moved here from 1990-94.

Ireland and Bangladesh moved onto the list of top 20 sender countries for the first time, the result of a U.S. government diversity lottery that offers visas to people from nations that sent fewer than 50,000 immigrants here in the preceding five years.

And Poland, which ranked 18th on the top sender list during the 1980s, now ranks sixth.

Demographers said Polish immigrants who received visas as a result of the 1986 am-

nesty law that legalized many undocumented immigrants are bringing over close relatives — a trend that cut across many of the immigrant groups.

Immigration from the West Indies declined, especially from Jamaica. "West Indians are still immigrating, but to other parts of the country," said Joseph Salvo, the Planning Department's chief demographer.

The early 1990s also saw female immigrants increasingly outnumber males. Demographers said some are joining spouses who preceded them, but many come alone to work as nurses, garment factory workers or domestic help.

The survey predicts that based on current trends, whites will account for 35% of the city's population in the year 2000, compared with 63% in 1970.

During this same period, the Hispanic population will grow from 16% to 49%, blacks from 19% to 26% and Asians from 2% to 10%.

But an independent expert called those projections misleading. "Those racial categories are based on U.S. census definitions so rigid that they encourage fearmongering," said Ari Zolberg, director of the International Center for Migration, Ethnicity and Citizenship.

"For example, the rate of intermarriage between whites and Hispanics and Asians is very high, and the couples often list their offspring as white.

"Moreover, many Hispanics categorize themselves as white," he said.

Grateful Hampton doesn't miss beat

By VIRGINIA BREEN

Daily News Staff Writer

The show goes on tonight for jazz great Lionel Hampton, who after losing everything in a fire at his West Side high-rise apartment will be in a new tuxedo when he is honored at the White House.

Hampton, 83, was all smiles as fans provided him with the tux, other clothing and emotional support after the blaze that ignited when a halogen reading lamp fell onto a bed Tuesday in his 28th-floor apartment near Lincoln Center.

And, in the tradition of show business, Hampton said, "The show will definitely go on."

"Baby, I'll be writing and playing 'Fire in E Flat,'" Hampton said, wearing a robe in his temporary home at the Radisson Empire Hotel. "I lost some wonderful things, but the Father above must've been looking out for me, because I got out."

When the legendary jazz vibraphonist gets his National Medal of Arts he will be positively elegant in his formalwear.

He was clearly moved by the outpouring. "I appreciate all of this," Hampton said.

A long-time friend, Rep. Charles Rangel (D-Harlem), said, "Hamp wasn't going to let a fire keep him from his gig with the President."

The five-alarm fire at 1 Lincoln Plaza injured 27 people, forced hundreds of tenants to flee and led to dramatic rope rescues by firefighters. Hampton was brought to safety by two aides.

But the fire destroyed most of Hampton's treasures, including autographed photos and personal notes from Presidents, and a special arrangement of the "Missouri Waltz" he played at the White House.

"I was the first black man to play at the White House for President [Harry] Truman," he recalled. "And now, gee whiz, that arrangement is gone."



SUSAN WATTS DAILY NEWS

THAT JAZZY LOOK: Lionel Hampton thankfully accepts duds at Radisson Empire Hotel yesterday, under the eyes of long-time pal Rep. Charles Rangel. Fire gutted Hampton's West Side pad Tuesday.

The flames also destroyed his Yamaha grand piano, a set of drums "and, of course, my vibes."

But Hampton said he had much to be thankful for.

Taylor Michaelson, a Syms tailor, brought two black wool tuxes, size 42, a charcoal overcoat and a black felt fedora. Kevin McGill, a Harlem shoe salesman from Men's Walker Inc., brought size 10 black penny loafers with gold trim. Dr. Herbert Thornhill of Harlem Hospital came with a physical therapist and a collapsible wheelchair.

"I have been following Mr. Hampton for years," said Thornhill. "I'll never forget him at the Stanley Theater in Pittsburgh, must have been the 1940s, playing 'Flying Home.' This is an honor."

Fire officials said the blaze was accidental, and the Buildings Department said it had no related outstanding violations.

Hampton's manager, Bill Titone, said he spoke to 1 Lincoln Plaza management about obtaining another apartment for the artist in the building.

With Russ Buettner

Course cuts force kids to wait

By LAWRENCE GOODMAN and RUSS BUETTNER

Daily News Staff Writers

School budget cuts have reduced course offerings in high schools and made it harder for students to succeed, city school officials said yesterday.

Reacting to a report in the Daily News on Monday, Margaret Harrington, superintendent of Queens high schools, acknowledged that some students who fail tough Regents-level courses can't retake the course because the classes are no longer offered every semester.

That means that students either have to wait a year to retake the course or go to night school or summer school. Sometimes they are promoted to the next level — despite their failure, she said.

Harrington's admission came during a presentation to the central Board of Education of a report on the dropping percentage of students passing Regents exams.

"We had to choose one horror or another," Harrington said. "We don't have the budget to offer multiple courses for a small number of students."

Not offering the course "is a way to save money," she said.

But as the cuts in classes have been made, more students are taking Regents classes — and fewer are passing, the report shows.

The percentage of freshmen taking Regents math increased from 62% in the spring of 1994 to 87% in the spring of 1996. But passing percentages fell from 64% to 59%.

Askia Davis, a top aide to Chancellor Rudy Crew and author of the report, said a new emphasis on tougher Regents courses — part of an overall effort to raise school standards — helped boost student enrollment. But teachers had not yet adapted.

"We just started this two years ago," Davis said. "Overnight, teachers had to switch and teach the more rigorous course. We are on the road to more significant progress. The challenge is still there for us."

Queens Board of Education member Carol Gresser said the passing rates must increase.

"We've all seen children fail; it's a devastating experience," she said.

CITY

To Lionel Hampton, Help After Blaze Is 'Amazing'

By LYNETTE HOLLOWAY

Lionel Hampton could hardly speak yesterday about the outpouring of generosity he had experienced after he lost all his belongings in a fire at his apartment on Tuesday.

He even received a tuxedo just so that he could keep an appointment with President Clinton.

"It just shocks me," the jazz vibraphonist said. "I got a sharp tuxedo and a blue walking suit."

He will arrive in Washington today to receive a National Medal of Arts from the President and is to dine with him at the White House.

"I tell you, it's something else," Mr. Hampton said last night from his room at the Radisson Empire Hotel across the street from his high-rise apartment building. "I'm going to meet the President. I'm kind of excited about that, even though I've been there before."

The fire, which started in Mr. Hampton's 28th-floor apartment, forced residents to evacuate the 43-story tower and injured 27 people.

Mr. Hampton, 82, said he was insured but lost everything in the fire that destroyed his only home.

The fire apparently erupted when a halogen lamp tipped over and ignited a bed, officials said. Mr.

Hampton and an aide were in the dining room working on some bills when they smelled smoke.

The aide, Caprice Titone, said she ran into the bedroom, saw the bed was on fire and began screaming for Mr. Hampton to leave.

Mr. Hampton, who had a stroke in 1992, did not want to leave the apartment. Among the items destroyed were a vibraphone and other instruments as well as sheet music. Officials said that they did not know how the lamp toppled over but that halogen lights can pose a fire danger because of their intense heat.

Representative Charles B. Rangel, a close friend of Mr. Hampton, rallied friends and acquaintances to donate clothes for him so he could get to Washington on time.

Mr. Rangel contacted the Syms store chain and asked for a tuxedo, suit and other items. Men's Walkers, a Harlem shoe store, donated shoes. And Harlem Hospital Center donated a wheelchair.

"Mr. Rangel is a great politician but also a great humanitarian," Mr. Hampton said. "Everything has been just wonderful. I got calls from as far as Hawaii with people inviting me to be their guest. It's just amazing."



Representative Charles B. Rangel, right, met at a hotel yesterday with Lionel Hampton, the jazz star, whose apartment burned on Tuesday.

Associated Press

Police Told to Promote Hundreds of Officers to Detective

By NICK RAVO

A State Supreme Court judge yesterday ordered the New York Police Department to promote hundreds of police officers to the rank of detective after 18 months of plainclothes work, throwing a wrench into a city antidrug initiative that had called for almost 900 officers to work temporarily as detectives.

In his decision, a Manhattan State Supreme Court Justice, Harold Tompkins, cited a seven-year old state law that says that plainclothes officers must be promoted after 18 months of investigative work or be sent back to uniformed detail.

The case arose from a plan to have 888 police officers work for 18

months as detectives in special anti-drug initiatives. The plan also sought to improve communications between officers and detectives and build a foundation for the recruitment of future detectives.

It quickly became clear, however, that it was not easy to detach officers who had been assigned to detective work for just 18 months because the officers were often involved in lengthy investigations or court cases.

In his ruling, Judge Tompkins wrote, "The Police Department wanted the benefit of the crime reduction associated with the special initiatives but also wanted to avoid the cost of additional salaries for detective designation."

As part of the assignment, officers were asked to sign a waiver in which they would agree to relinquish the right to be promoted to detective after 18 months working as one.

Of 888 officers who were given the waiver document last October, 672 signed the form, 169 refused to sign and were transferred to nondetective work, and 47 did not sign and are still on temporary special assignment.

In his ruling, Judge Tompkins also told the Police Department to stop asking officers to waive their rights to promotion to detective, to void waivers that have been signed and to restore to the detective career paths officers who were transferred because they refused to sign a waiver.

Thomas Scotto, president of the Detectives Endowment Association, applauded the ruling. "We think it is fair, appropriate and there is no other decision he could have rendered," he said.

Lorna B. Goodman, a spokeswoman for the city Corporation Counsel, said, "We are very disappointed and we intend to appeal."

In developing the plan, the city said that it could not afford to pay the extra \$2,300 a year a detective earns, so it asked the officers to sign the waivers. The city then paid the officers at their regular salaries even though they performed the detective work.

Specifically, the waiver form, which was given to officers last October, says the officer gives up the right to be promoted to detective after 18 months and will get credit for working as a detective in the first

Giuliani Asks U.S. Help On Deadbeat Diplomats

New York City Seeks Unpaid Parking Fines

By RANDY KENNEDY

The Giuliani administration asked the State Department yesterday to revive a plan worked out three years ago, but never put into place, to help the city collect millions of dollars in parking tickets from diplomats, State Department officials said.

Under the plan, used successfully in Washington during the last three and a half years, diplomats with tickets that have gone unpaid for more than a year are denied registration for their diplomatic license plates by the State Department, preventing them from driving until the fines are paid.

After years of mounting unpaid fines, the Dinkins administration had negotiated such an agreement with the State Department in November 1993. But for reasons that officials disputed yesterday, the plan died when the Giuliani administration took over two months later, and dozens of diplomatic missions continued to receive, and ignore, thousands of tickets.

The parking-ticket issue came to the fore again last month when police officers scuffled with two envoys, one from Russia and one from Belarus, after ticketing the car they were in and trying to prevent one from driving, saying they suspected he was drunk.

The diplomats, one of whom suffered a dislocated elbow, have said they were not drunk, and their missions to the United Nations have demanded an apology. City officials have accused the diplomats of lying and have reminded the Republic of Belarus that it owes more than \$41,000 in fines on its 15 cars for the first six months of last year alone.

It was unclear why the plan for a State Department crackdown was never put into effect. Dinkins administration officials said yesterday that the effort was ready to go when the new Mayor took over, and an American diplomat told United Nations officials in March 1994 that the Giuliani administration was giving it a final review.

But Mayor Rudolph W. Giuliani and other administration officials said yesterday that no such plan had

ever been presented to them.

"There never was an agreement," Mr. Giuliani said. "I don't know who made that up."

But a Dinkins administration official who was at the meetings in late 1993 between the city's Department of Transportation and the State Department's Office of Foreign Mission in Washington said, "There certainly was a plan put together and signed off on and ready to go."

The former city official, who spoke on condition of anonymity, said the agreement "just got lost in the transition after everybody with the knowledge base on it left."

A Clinton Administration official said yesterday that the State Department did not know why the city let the plan languish. The official, who also insisted on anonymity, said he thought that one reason was that despite their protestations about unpaid tickets, city officials were unwilling to anger the diplomatic community, which contributes millions of dollars a year to the economy.

As recently as February 1996, the official said, Livia S. Sylva, head of the city's liaison to diplomatic agencies, sent a letter to a United Nations committee asking it to assure diplomats that they would not be held accountable for parking tickets. Ms. Sylva did not return calls yesterday.

In any case, Thomas E. Burns Jr., the deputy director of the Office of Foreign Mission in Washington, said that the city had revived discussions with his office several months ago and that an administration official had called yesterday to ask the State Department to proceed with the plan.

"I think for our mutual benefit, we have a plan in place that will satisfy the city's needs," said Mr. Burns, who received the call yesterday from the office of Randy M. Mastro, the Deputy Mayor for Operations.

"The city will be providing the State Department with the information about outstanding tickets, and the State Department will use that when it reviews registrations," Mr. Burns said. "In our experience here, there's usually a fairly quick turnaround on the part of the embassies when they know the registration is in question."

Lawyer Scolded at Hearing on Bronx Death

Metro Digest

By MICHAEL COOPER

The New York City Police Department's internal trial to determine whether Officer Francis X. Livoti used an illegal choke hold while arresting a man who died in custody was interrupted yesterday when the administrative trial judge called the conduct of the department's lawyer "unprofessional and ridiculous."

The hearing in the death of Anthony Baez is seen as a test of how well the department polices itself. He died on Dec. 21, 1994, while being arrested for accidentally hitting a police car with a football outside his family's Bronx home.

The judge, Rae D. Koshetz, the Deputy Commissioner of Trials, stopped the proceedings yesterday to reprimand Allen Fitzer, who is presenting the case against Officer Livoti, for failing to correct or notify the court of errors in tran-

scripts of key police interviews.

"What you're saying right now, I have to say, with all due restraint, is unprofessional and ridiculous," the judge said. She ordered Mr. Fitzer and the officer's lawyer, Stuart London, to compare the transcript with the interrogation tape and clear up inconsistencies.

The transcripts are crucial since Mr. London is using them to cite inconsistencies between what relatives of Mr. Baez, 29, will testify at the hearing and what they have said in the last two years to police investigators, assistant district attorneys and grand juries and in the trial, where Officer Livoti was acquitted of homicide charges.

Mr. Baez's three brothers and father all testified in the hearing that a late-night family game of touch football turned into a deadly confrontation after a stray football pass hit Officer Livoti's car and he responded by arresting one broth-

er and then choking Anthony Baez.

Mr. London has suggested that Mr. Baez's death was caused by his asthma and asked why no family members mentioned the choking to investigators and assistant district attorneys the night he died.

Family members replied that they told investigators Officer Livoti had choked Anthony Baez, and Mr. Baez's father, Ramon Baez Sr., said he had demonstrated the choke hold to them with his hands.

The city's Chief Medical Examiner, Dr. Charles S. Hirsch, testified yesterday that "it is my opinion that the dominant cause of death of Anthony Baez was asphyxiation due to compression of the neck and chest, and asthma was a contributing, or minor, factor." He added: "A force of that nature could be applied by compressing Mr. Baez's neck between the biceps and forearm of a bent arm, in other words, a choke hold."

36-month period.

"The waivers were signed under duress," said Mr. Scotto, adding that in the past in similar situations some officers would work for years before receiving formal promotions and higher salaries.

Alan Schlesinger, an assistant corporation counsel, said the waivers benefited the plainclothes officers working as detectives by providing the department with flexibility so the officers would not be rotated back to street beats after 18 months as originally planned.

"We intended to rotate the police in and out in 18 months, and what we said was we would like to continue that and if not then we could use the waiver," he said.

Mr. Scotto, however, contended that there was an informal agreement between the Detectives Endowment Association and the Police Department to keep 10 to 20 percent of the officers on as detectives.

"The city's argument is totally fallacious," he said.

NEW YORK

Charting Immigration Trends

European immigration to New York City surged in the 1990's to levels unseen since the 1960's. The Dominican Republic became more entrenched as the city's largest source of immigrants. And more than 4 in every 10 births were to immigrants. These are among the trends to emerge from a portrait of the 563,000 legal immigrants who poured into the city from 1990 to 1994. [Page A1.]

Pataki Vows to Cut Taxes

Promising to send the state "roaring into the next century," Governor Pataki vowed to cut property taxes while increasing the amount of money spent on school textbooks and computers. He made the comments in his third annual address to the Legislature. [B1.]

With many legislators hostile to the Governor's announcement, he faces a tough battle in a pivotal year. News analysis. [B7.]

All eyes were on Betsy McCaughey Ross: Would she stand or sit? [B7.]

If former Governor Mario M. Cuomo was Hamlet on the Hudson, Governor Pataki is more Polonius from Peekskill. Metro Matters by Elizabeth Kolbert. [B7.]

A Gay Magazine Shuts Down

The New York Native, a gay news magazine that was credited in the early 1980's with pioneering AIDS coverage but more recently has been criticized as a forum for conspiracy theories, folded this week after 16 years of publication. [B2.]

Police Promotions Ordered

A State Supreme Court judge ordered the police department to promote hundreds of officers to the rank of detective after 18 months of plainclothes work, throwing a wrench into a city anti-drug initiative that had called for almost 900 officers to work temporarily as detectives. [B3.]

9th Graders Improve in Math

Nearly 25 percent more ninth graders passed the state's college-prep math exam last June compared with the year before, but their achievement still lags behind the rest of the state. [B4.]

4 Wounded in School Shooting

Four teen-agers were wounded, two of them critically, when gunfire erupted on a basketball court outside a high school in the Crown Heights section of Brooklyn, disrupting classes and sending students fleeing and ducking for cover. [B1.]

Lox, Labor and Liberalism

In typical, Upper West Side fashion, some residents have raised their

voices and called for a community boycott of Citarella, an upscale gourmet and seafood store that has been accused of unfair labor practices. But in an untypical response, most of the self-described liberals are ignoring protesters at the store, apparently unable to do without the fancy cheeses and crustaceans. [B1.]

Vacco Plea on Assisted Suicide

The New York Attorney General, Dennis Vacco, joined his counterpart from Washington State in appearing before the United States Supreme Court to defend their opposition to physician-assisted suicide. National report. [B9.]

50 Brokers Charged in Fraud

In what prosecutors say is the first case of widespread fraud in testing for stockbrokers' licenses, 50 brokers were charged in New York Supreme Court with having paid stand-ins to take their exams. Business Day. [D6.]

Some contributors to The New York Times Neediest Cases Fund have increased their donations, accelerating the fund to its best pace in five years. The Neediest Cases. [B2.]

Two investigators for the state police retired after receiving an unusual warning that they could face disciplinary action. [B6.]

NEW JERSEY

Renting in Hoboken? Good Luck

How hot is the rental market in Hoboken? How about so hot that there are about 10 apartment seekers for every available one- or two-bedroom walk-up near the PATH station? It's so hot that one agency warns readers of its listings that "due to the overwhelming demand for apartments... availability changes every day." Our Towns by Evelyn Nieves. [B1.]

Move to Try Youths as Adults

Law-enforcement officials said that they would ask a judge to order that three teen-agers charged with sexually assaulting a 14-year-old girl be tried in adult criminal court. If the petition is granted, the three would face considerably more severe prison sentences if convicted. [B4.]

CONNECTICUT

Rowland Urges Staying Course

In a State of the State Address, Gov. John G. Rowland said Connecticut was in the midst of an economic recovery and urged lawmakers to stay the course he set in his two years in office. [B6.]



Ruby Washington/The New York Times

Honoring a Fallen Comrade

Firefighters attended a memorial service yesterday at the Church of the Virgin Mary in Jamaica, Queens, for Lieut. John M. Clancy, who died in December 1995 of injuries received fighting a fire in an abandoned building. In November, a man received 17 years to life in prison for setting the fire.

CITY

An Ear for Voices In a Diverse Diocese

Consecration for Episcopal Bishop

By NADINE BROZAN

When the Very Rev. Mark Sean Sisk, elected to be the 15th Bishop of the Episcopal Diocese of New York, is consecrated tomorrow as Bishop Coadjutor at the Cathedral of St. John the Divine, the service will be recited in 12 languages, among them Tagalog, Igbo and Malayalam, along with the more familiar French, Spanish, Japanese and English.

"Those languages were picked for the service because we have congregations that worship in them," Father Sisk said the other day during an interview in the cathedral. "But that doesn't mean I know them all."

The service will be one of pageantry, with more than 600 people marching in procession under 150 banners. Dressed in a simple robe, Father Sisk will kneel before

**A goal of bringing
the rich and poor
'into the same
conversation.'**

the congregation of 5,000. The bishops in attendance will place their hands on him and recite the prayer of consecration.

Father Sisk, who is 55, married and the father of three grown children, was one of seven candidates at the election in October for the post of bishop coadjutor. He is to succeed the current Bishop, Richard F. Grein, when he steps down in a few years.

For at least the next two years, Father Sisk will serve as Bishop for the mid-Hudson region and divide his time among his offices in Kingston, N.Y., at his home in nearby Poughquag, and at the cathedral.

Though he had been the dean and president of the Seabury-Western Theological Seminary in Evanston, Ill., for the last 15 years, Father Sisk is a familiar figure in New York church circles.

He was trained at the General Theological Seminary in Manhattan and from 1977 through 1984 served as archdeacon of Westchester, Putnam and Rockland Counties. He was also an assistant to the 13th Diocesan Bishop, Paul Moore Jr.

Now he is ascending to leadership of what is undoubtedly the country's most varied diocese, whose 4,739 square miles encompass Park Avenue and the South Bronx in addition to rural Sullivan, Dutchess and Ulster Counties.

Observing that the erroneous image of the Episcopal Church as a bastion of white upper-class privilege and tradition persists, he said, "Of all the mainstream Protestant groups that are predominantly white, the Episcopal Church has the large percentage of nonwhite members."

Consequently, he continued: "To be the bishop, you really have to be a bridge person, someone who can set their feet on both plots of land. The bishop has direct access to the poorest of the poor and entree to the wealthiest of the wealthy. I hope to bring them increasingly into the same conversation."

Describing himself as diplomatic, Father Sisk seemed reluctant to describe specific courses of action he would pursue as Bishop.

But it was clear that attracting young parishioners and improving religious education would be priorities.

"One of the great assumptions about young people is that they fall away from their church and then they all come back," he said. "That is false. They don't all fall away. The Episcopal Church does very well with people joining the church when they are older. We have a strong inflow of people 35 and up



Don Charles Hogan/The New York Times

The Very Rev. Mark Sean Sisk at the Cathedral of St. John the Divine, where he is to be consecrated as Bishop Coadjutor tomorrow.

and a very strong outflow of people under 35. If we could reverse that, we would do fine."

In addition, he is concerned about children's religious education. "I don't think the church has done very well with that for some years," he said, "and it has not put the resources behind it. We need to be refocused."

His continuing efforts to spread the church's umbrella wide to shelter rich and poor, innovative and traditional, and to absorb numerous cultures and ethnic groups have led him, he said, "to be more cautious than some people will like."

"I really do believe in diversity,

which means to take very seriously various points of view," Father Sisk said. "Obviously, I have personal convictions, but I am not prepared to throw my weight in one camp or another. I sort of envy the person who can do that."

According to a longtime friend, the Venerable Michael S. Kendall, the diocese's archdeacon for mission, the prospective Bishop is anything but indecisive.

"He is not afraid to take a stand or speak out on issues of social justice," Mr. Kendall said. "If something is serious and needs decisive action, he is capable and courageous. He is also a real friend."

Taxi Agency Alters Exam After Charges of Cheating

Drivers Are Said to Purchase Passing Marks

By NICHOLE M. CHRISTIAN

After uncovering a scheme in which officials said a test proctor sold answers to prospective cabbies, the city said yesterday that it would introduce a new exam that would expand and rotate questions to guard against cheating.

The new exam was prompted by a five-month probe by the city's Department of Investigation that ended earlier this week with the arrests of a taxi-license exam proctor and a taxi driver. Both are accused of accepting payments of up to \$1,500 from drivers to help them cheat on the test at one of two schools that administer the exam.

City investigators said that the driver, Saleem Akhtar, would give the proctor, Felicia Taylor, the names of applicants willing to cheat. She would then give the applicants the answers, the investigators said.

Investigators said yesterday that they were still trying to determine how much cash the two pocketed and how many drivers received answers to the test. They said they anticipated further arrests in the matter.

"We believe there are 25 other people involved, either as test applicants or as middlemen," said Kevin Ryan, a spokesman for the Department of Investigation.

Ms. Taylor, 34, of Brooklyn, was arrested on Tuesday at the Master Cabbies New York Taxi Academy, a Long Island City school authorized by the Taxi and Limousine Commission to administer courses and exams for prospective taxi drivers. Mr. Akhtar, also of Brooklyn, was arrested on Monday as he accepted \$1,500 in cash from an undercover agent posing as a exam applicant, the investigators said.

"If you think there is another way to do business with the T.L.C., you're wrong," the commission's chairwoman, Diane McGrath-McKechnie, said. "We're cracking down no matter how long it takes because we don't want you in the business."

Allan J. Fromberg, a spokesman for the commission, said it had never had a case of test fraud before. But in 1992, the agency was rocked by a scandal in which more than half of its 50 vehicle inspectors were charged with taking bribes from

taxi-leasing companies to ignore safety and emissions violations.

For the new exam, 100 additional questions have been added to a pool of 500, which have been altered in content. Prospective drivers will still be required to answer correctly 35 of 50 questions on the new exam, which will be instituted beginning today. The exam takes two and a half hours and tests map-reading skills, customer service, driving regulations and knowledge of English.

Investigators said they uncovered the fraud through an anonymous tip to the commission in November.

They said it worked this way: Mr. Akhtar would meet with a taxi-exam applicant and then notify Ms. Taylor to make sure the person received a passing score in exchange for \$1,300 to \$1,500. Ms. Taylor would either whisper the answers to the applicant, fill in the answers using blank test forms or correct the answers while she graded the exam, the investigators said. Sometimes, they said, she even pointed to answers as she strolled by the applicant's desk.

Ms. McGrath-McKechnie said the agency was in the process of sus-

**Accusations that a
test proctor would
whisper the answers.**

pending and revoking the licenses of several drivers believed to have been involved in the scheme. Early on in the investigation, the commission postponed issuing licenses to several drivers who it believed had passed the exam fraudulently.

The Department of Investigation, along with Queens District Attorney Richard A. Brown, began zeroing in on allegations about the licensing test in March, when the police said, an undercover officer paid Mr. Akhtar \$1,300 to have his scores changed.

A few days after the meeting, investigators said, the officer arrived at the Long Island City testing center where Ms. Taylor was overseeing the exam and helped him with 40 of the 50 answers. In a second meeting with Mr. Akhtar on Monday, investigators said, the officer paid \$1,500 in cash for a friend taking the test.

Ms. Taylor, who was paid \$20,134 a year as a proctor, has been charged with one count of third-degree bribe receiving, four counts of first-degree

Mets Unveil Model \$500 Million Stadium: Roof Moves, as Does the Grass

Continued From Page A1

ball parks like Tiger Stadium. An elaborate steel bridgework design

The idea came from a Toronto company. "It was a little bit of 'Eure-

Mets Unveil Model \$500 Million Stadium: Roof Moves, as Does the Grass

Continued From Page A1

from Mr. Giuliani's office described it as "a very exciting and promising plan."

Designing the stadium to evoke Ebbets Field has been Mr. Wilpon's driving passion for five years. Mr. Wilpon grew up in Brooklyn, attended Lafayette High School and occasionally pitching batting practice for the Brooklyn Dodgers.

Ebbets Field was the Dodgers' home from 1913 to 1957, until the team moved to Los Angeles. And 38 years after the stadium was felled by a wrecker's ball, memories of the stadium and its features have endured: the Romanesque arches, the rotunda enclosed in Italian marble, the quirky dimensions and the 3-foot-by-30-foot Ape Stark outfield sign that promised a free suit to batters who hit it.

The proposal, designed by Hellmuth, Obata & Kassabaum and Jack Gordon, a local architect, echoes Mr. Wilpon's reverie: the exterior is brick and limestone combined with exposed steel trusses that are commonly used in new ball parks that seek to invoke the style of old stadiums. It has a rotunda at the entrance that looks much like the one at Ebbets. The outfield fences have peculiar nooks and crannies but do not copy Ebbets' slanted right field wall.

The right field upper deck sports pillars that allow it to be cantilevered over the field, evocative of old

ball parks like Tiger Stadium. An elaborate steel bridgework design across the outfield evokes the Triborough Bridge.

A few outfield dimensions were painted on the miniature walls. Jeff Wilpon, Mr. Wilpon's 36-year-old son and partner in Sterling Equities, which Mr. Wilpon said would be the developer for the stadium, said, "Fred is still playing with them."

More practically, the new stadium includes many of the money-making features of modern stadiums, including 78 luxury suites, some no more than 20 rows from the field, and more than 5,000 high-priced club seats. The retractable roof would guarantee against rainouts.

"You think of bringing a wife and two kids from Suffolk County," Mr. Wilpon said. "If they think it's going to rain, they might not come. If they knew there was a retractable dome, they'd come."

The most unusual feature of the design is the "roll-in, roll-out" grass. The portable grass platform not only provided a way for the stadium to accommodate other events without harming the natural grass but also resolved the problem of how to grow grass under a roof that will be closed during cold, inclement weather and when the stadium is utilized for other events.

With a flick of a switch, stadium workers can move the grass platform within 15 minutes from inside the stadium to an outdoor parking lot.

The idea came from a Toronto company. "It was a little bit of 'Eureka!'" Jeff Wilpon said. "And it was simple. Fred likes simple."

Mark Bingham, the team's senior vice president for business affairs, added: "The grass is essentially in a bathtub. At certain places, you detach the irrigation system from the root system and slide the platform out." He said a stadium in Amsterdam has a similar system.

The retractable roof transforms it from a single-use stadium to a facility capable of hosting concerts, track and field meets, tennis matches and the National Collegiate Athletic Association's men's and women's basketball tournaments. Under the design, it could scaled down to 30,000 seats or expanded to 60,000.

Mr. Wilpon, who acquired the Mets with Nelson Doubleday in 1980, said he and Mr. Giuliani had also discussed the possibility of expanding the stadium to 80,000 seats if the city can lure a pro football team to Flushing. The Jets' lease in New Jersey expires in 2008.

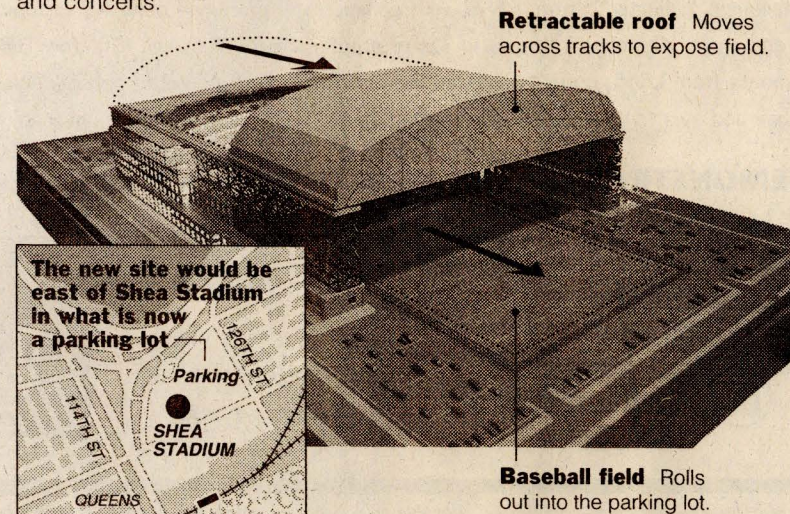
Mr. Wilpon said he hoped the stadium would be ready by the year 2002. But before the team can proceed much further, the financial arrangements must be worked out.

Most stadiums being built in the United States have a major public investment. According to a study by David Swindell, a professor of urban affairs at Wright State University in Dayton, Ohio, 78.8 percent of the cost of football and baseball stadiums

A CLOSER LOOK

A Ball Park With Many Uses

The Mets plan to build a new stadium adaptable for other events in addition to baseball. The baseball field would roll out from under the building and expose a concrete deck usable for basketball, hockey and concerts.



The New York Times

built between 1990 and 1998 was borne by state and city governments.

In an interview earlier this year, David Howard, the Mets' general counsel, said the team would like the city to pay a similar share of the new ball park.

Mr. Wilpon said, "We're hoping to

get approval on the city saying, 'Here's the deal,' in the next few months."

Although economists have long cast doubt on the economic impact of public investment in new stadiums, Mr. Wilpon said, "The reason to do it is, empirically, the data will show it's good business."

He also said that his search for a site for a new stadium had taken him to Mitchel Field and Belmont Park, on Long Island, the Sunnyside Yards in Queens, a commercial space in Manhattan that he would not identify and the rail yards on the West Side of Manhattan that have been mentioned as a future home for the Yankees.

"We didn't seriously consider going outside New York," he said.

"It wasn't a question of a downside on the West Side, but it was timing and what you think you can get done," he said.

He said that building next to Shea Stadium "is fortunate," adding: "I'm not degrading the West Side. Under certain circumstances, we'd have liked it."

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Retailer Offers to Buy Yankees or Start New Team in Bronx

By CHARLES V. BAGLI

Sy Syms, the multimillionaire who built a clothing store empire on the slogan "an educated consumer is our best customer," offered to buy the New York Yankees yesterday and keep the team at its landmark home in the Bronx.

Mr. Syms said that if he fails in his effort, and the principal owner of the Yankees, George M. Steinbrenner 3d, decides to move the ball club to New Jersey, "I'll apply for an expansion team to play in the Bronx."

"All I want to do is have the Yankees stay in the Bronx," Mr. Syms, who is 71, said. "If Steinbrenner wants out, I'd be capable of creating a combine that could buy the team."

Mr. Syms is chairman of Syms Corporation, of Secaucus, N.J., a publicly traded company with 41 off-price clothing stores and annual sales of \$345 million. A onetime radio

sportscaster, Mr. Syms tried to establish an expansion team in New Jersey in 1986.

But Mr. Syms's plans may have as much chance as a Little Leaguer would trying to hit a homer over the stadium's notorious Death Valley. Experts say anyone wanting to buy the Yankees — the most profitable team in baseball — would have to pay at least \$500 million, the amount Cablevision Systems Corporation reportedly offered for the team in March.

Mr. Steinbrenner has shown little interest in selling.

The debate about the team's future has intensified since April 13, when a chunk of steel fell at the stadium, adding new urgency to resolving the future of the team's home. Mr. Steinbrenner has complained about the Bronx stadium for a dozen years and signaled his desire to relocate to a heavily subsidized new stadium in

Manhattan or New Jersey.

"I think Sy has a terrific idea," Fernando Ferrer, the Bronx Borough President, said yesterday. "If the Yankees decide to move, the stadium should not be turned into a dusty monument. It's a home for baseball."

On the steps of City Hall yesterday, Assemblymen Richard L. Brodsky of Westchester County and Richard N. Gottfried of Manhattan, both Democrats, and a number of other public officials vowed to reintroduce the Sports Fan Protection Act, a bill that would enable the state to seize control of the Yankees if Mr. Steinbrenner tried to move the team.

"This has been a runaway train," Mr. Brodsky said yesterday. "But what is the public getting for a billion dollar public investment?"

Mr. Brodsky's legislation could dovetail with the efforts of Mr. Syms. But the clothing retailer said he

doubted that the state would ever condemn the team and take control of the Yankees.

Mr. Syms also conceded that it was unlikely that Mr. Steinbrenner would sell the team. And either the Yankees or the Mets could invoke territorial rights to block an expansion team from going to the Bronx.

Mr. Syms, a former bullpen catcher for a semiprofessional team in Brooklyn, said that if he put an expansion team in the Bronx, he would name the team the Bronx Bombers and clothe the players in pinstripes of a different color.

Mr. Syms said that he loved the Yankees, but added that something had to be done about Mr. Steinbrenner.

"He has a business that is abnormally profitable," Mr. Syms said. "He should be sharing with the city, not taking from it."

scandal in which more than half of its 50 vehicle inspectors were charged with taking bribes from

at the Long Island City testing center where Ms. Taylor was overseeing the exam and helped him with 40 of the 50 answers. In a second meeting with Mr. Akhtar on Monday, investigators said, the officer paid \$1,500 in cash for a friend taking the test.

Ms. Taylor, who was paid \$20,134 a year as a proctor, has been charged with one count of third-degree bribe receiving, four counts of first-degree tampering with public records and four counts of third-degree official misconduct. She has been suspended without pay and, if convicted, could face seven years in prison. Mr. Akhtar, who received his license in July, was charged with conspiracy. He faces up to a year in prison.

Workfare Official Refuses Questions From Council, Again

By RACHEL L. SWARNS

Two weeks after he stalked out of a New York City Council hearing about workfare, Jason A. Turner, the newly appointed Commissioner of the city's Human Resources Administration, failed to show up yesterday for another hearing on the same topic. And Council members say they may issue a subpoena to force him to appear.

It was the second time that Mr. Turner refused to answer questions from the Council. On April 7, he walked out of a City Council hearing after complaining about the loud tone of voice used by Councilman Stephen DiBrienza of Brooklyn. The Council rescheduled the hearing for yesterday. But while Mr. Turner sent several senior members of his staff to answer questions yesterday, he did not show up himself.

"The last time the Commissioner appeared before Steve DiBrienza, he was shouted at and berated and left the chamber," said Randy M. Mastro, the Deputy Mayor for operations, who responded on Mr. Turner's behalf. He added that Mr. Turner had already appeared three times before the Council. "The Commissioner doesn't have to be subjected to that kind of abuse," Mr. Mastro said.

But Mr. DiBrienza, who often speaks loudly, and several other Council members speculated that Mr. Turner was trying to avoid questions about the city's workfare program, which has been criticized for failing to move welfare recipients into permanent jobs.

"He is obstructing our ability to conduct the business of government," Mr. DiBrienza said. "It doesn't matter whether we agree or disagree. It is our job to elicit this exchange so the public is informed."

Mr. DiBrienza said he and other Council members planned to explore "all options" — including issuing a subpoena — to compel Mr. Turner to appear before them.

Living

Just for kicks

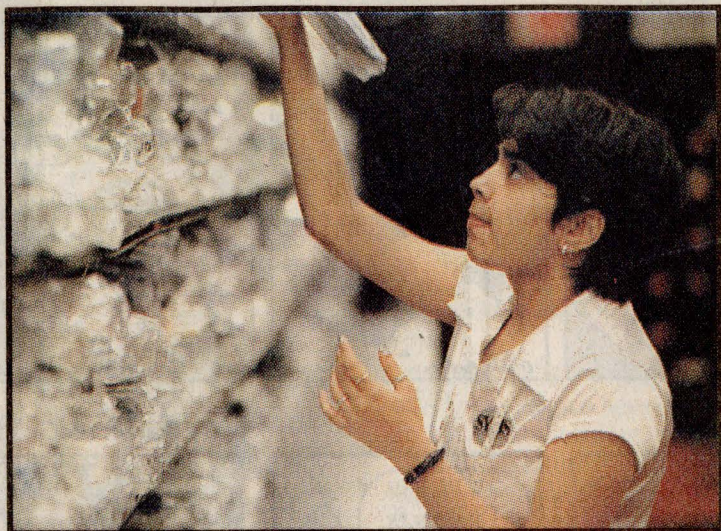
Meet three Georgia girls who play on national soccer teams, and learn how to join a team yourself. Plus: An update on Wednesday's All That Music and More Festival. C6-C7



'Pie' wins at box office

Raunchy teen comedy knocks "Wild Wild West" out of the top spot with \$18.1 million. C2

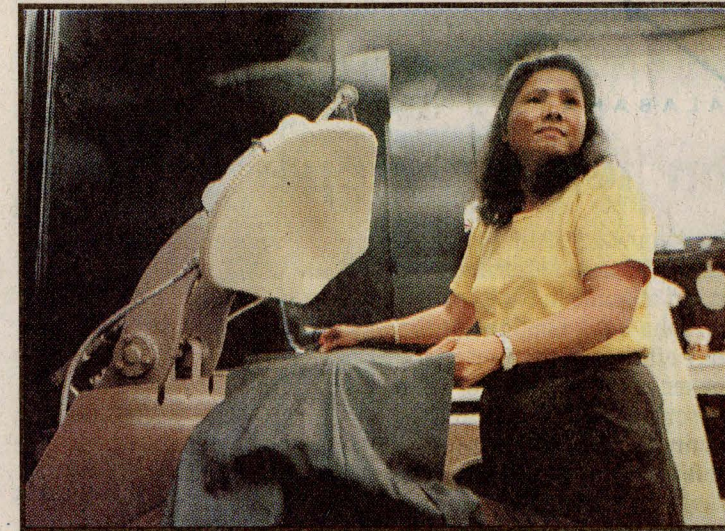
- Television, C8
- John Gray, C9
- Diversions, C9
- Comics, C10



FROM INDIA: Noureen Jivani checks shirts on the showroom floor at the Syms store in Norcross.



FROM NICARAGUA, INDIA, ETHIOPIA: Gioconda Mairena, Jalal Alyshah and Selome Tsegaye share a laugh.



Photos by LOUIE FAVORITE / Staff

FROM THAILAND: Anant Mills presses pants at the store, where 14 of 35 employees are immigrants.

ONE STORE, MANY NATIONS

WHERE CULTURES CONVERGE

FIRST IN A SERIES

Atlanta, a city whose concept of diversity was once neatly defined by American-born whites and blacks, has become a gateway for people of all cultures, faiths, colors and creeds. The change is happening so fast that even population experts are having a hard time keeping up.

"I don't know exactly why they are coming here," says Carolyn White, a planner with the Atlanta Regional Commission, which has been compiling profiles of 19 ethnic com-

Norcross clothing retailer a mini U.N. as immigrants find work and friendship waiting in the aisles

By Lyle V. Harris
STAFF WRITER

If Marie Steinsberger wants to catch up on foreign affairs she can spend the day watching CNN. Or she can just go to work.

Steinsberger is an office manager at Syms clothing store in Norcross where 14 of the 35 employees are immigrants hailing from some other spot on the globe. The man behind the cash register is



guage. It took a little getting used to; now it seems natural."

For Selome Tsegaye, it was never any big whoop. For several years she worked at the Marriott Hotel where the staff and guests reflected Atlanta's international cachet.

Like many of her co-workers, Tsegaye, 37, from Ethiopia, came to Atlanta on the recommendation of relatives who had resettled here years earlier and immersed themselves in rapidly growing ethnic communities in the area.

About half of Syms employees from other countries have become U.S. citizens. Some others are planning to do so once they have lived in the country long enough.

Although she planned to attend business school full-time, Tsegaye said she started working to help support her family. While shopping at Syms last year, she heard they had openings and decided to apply.

She also discovered that the New Jersey-

and creeds. The change is happening so fast that even population experts are having a hard time keeping up.

"I don't know exactly why they are coming here," says Carolyn White, a planner with the Atlanta Regional Commission, which has been compiling profiles of 19 ethnic communities that have put down roots here. "But they're coming."

Between 1990 and 1997, the number of Hispanics in the area doubled, and the number of Asians grew by 83 percent. Now Atlanta's diversity includes Cambodians, Mexicans, Nigerians, Afghans, Koreans, Somalians, Bosnians, Vietnamese, Caribbeans and many others.

Just look around on MARTA trains, in suburban strip malls, in schoolyards and neighborhoods, and it's clear that Atlanta has become a multicultural melange of people.

In this occasional series, we'll take a look at places in metro Atlanta where cultures converge.

If Marie Steinsberger wants to catch up on foreign affairs she can spend the day watching CNN. Or she can just go to work.

Steinsberger is an office manager at Syms clothing store in Norcross where 14 of the 35 employees are immigrants hailing from some other spot on the globe.

The man behind the cash register is from India. A seamstress is a Vietnam refugee. Two salespeople — Syms calls them clothing "educators" — are from Ethiopia, and another store manager is from Nicaragua. Other Syms staffers were born in Eritrea, Kenya, Thailand, Guyana and Liberia.

It's a small store, after all.

Most of the Syms workers speak fluent English, unless you ask them not to. If necessary they can extol the virtues of Perry Ellis dress shirts in Hindi, or help pick out the perfect Versace evening gown in Arabic. Shoppers looking for a sundress with a cool Caribbean print can consult a salesperson from Jamaica.

At first Steinsberger, 53, who grew up in central Georgia, was unaccustomed to working alongside others who didn't share her culture, her faith, or her taste in food. But as the community changed, Steinsberger found herself changing as well.

"When I came to Atlanta, I never knew I was going to be talking to a Hindu or an African or a Jewish person," says Steinsberger. "A lot of times I wondered if they were talking about me in their own lan-



PHIL SKINNER / Staff

Making a way: Syms office manager Marie Steinsberger works with Jalal Alyshah. According to Alyshah, "Wherever I am, that's where I belong."

About half of Syms employees from other countries have become U.S. citizens. Some others are planning to do so once they have lived in the country long enough.

Although she planned to attend business school full-time, Tsegaye said she started working to help support her family. While shopping at Syms last year, she heard they had openings and decided to apply.

She also discovered that the New Jersey-based company is open-minded about accommodating employees who may need to observe religious holidays or cultural customs not recognized by other employers — a policy that has helped Syms attract a more internationally diverse work force.

"I think it's good for us to know people from other cultures, other countries," Tsegaye said. "You can exchange how you do things, where you're from. And you also learn teamwork."

One of the lessons Tsegaye has learned is how to greet her Nicaraguan boss, Gioconda Mairena, 36, in Spanish. But Mairena's Amharic, one of the languages spoken in Ethiopia, needs some work.

"Hey, I'm trying," says Mairena. "'HOLA' is easy. How do you say it in Ethiopian?"

"En-dem-nsh," Tsegaye says, instructing her phonetically. Then, as if tickled by some inside joke, they burst out laughing.

With so many people from so many places, the store might seem a difficult place to work. But instead of exaggerating

► Please see **STORE, C3**

Dilbert's fast food too good to be true?

By Marian Burros
NEW YORK TIMES

At last we know what Dilbert's nameless corporation produces: burritos. But not just ordinary burritos.

Dilberitos can lay claim to the title of the first fast-food nutraceutical. Nutraceuticals, foods that have been fortified with healthful ingredients, are among the hottest marketing segments of the food and drug industries.

Dilberitos, vegetarian burritos that will show up in stores in a few weeks, have been sprayed with 23 vitamins and minerals, the same ones listed on bottles of vitamins. Each Dilberito carries the government's entire Recommended Daily Allowance. That makes it a vitamin pill wrapped in a tortilla — or the Total of the burrito bunch.

Named after Scott Adams' cartoon character, a put-upon engineer with an upturned red and black striped tie, Dilberitos are, in the words of manufacturer Scott Adams Foods of Newton, N.J., "cubicle cuisine," or "dashboard dining." They can be put in a microwave oven for three minutes, then eaten with one hand while sitting in front of a computer — though the sauce that accompanies

each of the four varieties (barbecue, Mexican, Indian and garlic and herb) might dribble on the keyboard.

"If I don't remember in the morning to take a multivitamin, by eating one of these I've gotten all the vitamins and minerals I need for the day," said Jack Parker, the company's president.

But is this the best way to eat? Do you need 100 percent of the RDA in one sitting? And, by the way, does it taste good?

The answers are: it depends on what you would otherwise eat for lunch, on what else you eat during the rest of the day, and on the level of your culinary sensitivity.

"I wonder how we got to the point where everyone thinks we have to get 100 percent of the Recommended Daily Allowance in every food we eat," said Marion Nestle, chairwoman of the nutrition and food studies department at New York University. "I don't know any evidence that having multiples of the Recommended Daily Allowance is better for you than having your RDA once. At some point, you have to start worrying about how many foods are being supplemented."

One of the biggest worries, she added, is that people might eat too much iron, which

can lead to a host of problems, including heart disease. If, for example, you were to eat two Dilberitos for lunch, or one Dilberito for lunch and one ounce of Total for breakfast (and almost everyone eats more than one ounce), you would immediately have at least 200 percent of your daily iron needs.

Each Dilberito has only 300 to 350 calories, making it better than a lunch of a burger and fries. One 7-ounce Dilberito contains only 3 grams of fat, no cholesterol and 3 to 7 grams of fiber. But it has large amounts of sodium and, in fact, the ratio of sodium to potassium is the reverse of what the body needs for a healthful diet.

Taste? Texture? Dilberitos, which are \$2.29 to \$2.69 each, could have been designed only by a food technologist or by someone who eats lunch without much thought to taste. But that makes them pretty much like every other microwaved frozen burrito.

Still, what's the alternative? Burger and fries?

Celestine Sibley's column
will resume shortly.



TONY CENICOLA / New York Times

Syms literate, and proud of it



JOAN
VERDON
SHOP TALK

Last week, I finally became an educated consumer. And I have the shopping bag to prove it.

When you buy something at the Syms store on Route 17 in Paramus, as I did, or at any Syms stores, your purchases are placed in a plain black paper bag printed with the words "An educated consumer." I left the store feeling as if I'd been stamped with Sy

Syms' personal seal of approval.

Sy Syms is the founder of Syms, and his daughter Marcy is the company's CEO. Even if you've never shopped at Syms, odds are you know their favorite advertising slogan — "An educated consumer is our best customer."

When it came to Syms, I used to be the ultimate uneducated consumer.

I lived and worked in North Jersey for nearly 20 years without ever setting foot in a Syms store.

What was keeping me from Syms? The Route 17 store confused me, for one. I drove by the Syms sign on Route 17 north almost daily, but couldn't tell if that white, windowless building was a store or the Syms corporate headquarters. I also wasn't sure exactly what Syms sold. Was it mostly men's suits? Women's clothing? A mix of everything?

But the real reason I stayed away was that slogan. It's intimidating. "An educated consumer is our best customer" sounded like it's work to shop there. I would have responded better to something like "Even if you're an idiot, you'll find real bargains here."

In April, I had my first Syms shopping experience, when I made a desperate, just-before-closing dash there to buy a navy blue suit for my 8-year-old son. It was late on a Saturday night and I had to pick out the suit without any sales help. There was no children's changing room, so my son had to try on the suit in a secluded section of the store. The men's fitting and tailoring specialists were busy with adult customers so we bought the suit unaltered and had it hemmed at our local dry cleaner. However, the price was right, the quality good, the selection large, and I wasn't complaining.

But I still didn't feel like an educated Syms consumer.

It took the gentle persuasion of Steve Lubalin to get me to take a crash course in Shopping Syms 101. Lubalin is the manager of the Paramus store and has worked for Syms in various locations, including at the Syms store in Manhattan, since 1985. Lubalin — with the green light from Sy Syms — was willing to educate me on the secrets of successful Syms shopping and to give me a tour of the store. Last week seemed like the perfect time to start my Syms education. It was the start of the annual Syms pre-Labor Day "Bash" — the Syms name for a blowout clearance sale. Syms throws a bash twice a year — during the two or three weeks before Labor Day and in February, in connection with Presidents Day.

Lubalin first explained the bash charts posted on each clothing rack. The large charts list five or six standard Syms prices, with the corresponding bash markdown price. The bash markdowns are usually 25 percent to 50 percent off the lowest ticketed price, Lubalin said.

He then showed me what he called "the whole key to shopping here and not going crazy" — the color-coded tags for each size. Syms has a shopper-friendly system of color-coding the garments with tags that make it easy to spot the size you're looking for. The clothing racks are also labeled with signs reading: "Green means 9/10," "Yellow means 7/8," "Blue means 13/14," and so on.

He also pointed out that about three months ago, Syms stores adopted a system that uses white stickers to mark down clothes that the store wants to move out.

Lubalin gave me the quick tour downstairs, where the women's, children's, and men's casual wear departments are located, which answered my question above: The store sells a mix of merchandise. Men's wear accounts for slightly more than half of the stores sales, women's wear about a third, and children's and other items — like bedding and luggage — make up the rest.

Then it was upstairs to the men's business and formalwear section, the pride and profit center. The Paramus store has some 9,000 suits in stock, including an impressive selection of designer tux-

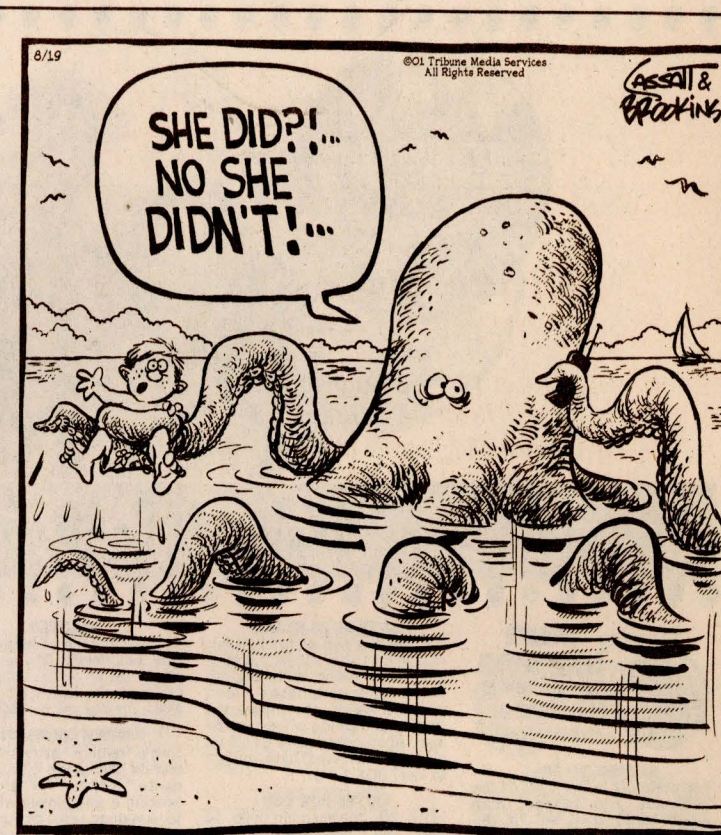
edos, ranging from a basic all-wool model for \$155 to a Hugo Boss model, priced at \$480 during the bash. At those prices, entire wedding parties are coming to Syms to buy rather than rent tuxes. "I have a wedding party coming in tonight, in fact," Lubalin said.

Because of the deals it makes with suppliers, Syms can't advertise (and Lubalin can't brag about) name brand bargains, but while browsing the store on my own I spotted quite a few — a Kenneth Cole leather blazer for \$200; Kenneth Cole cuff links for \$10; a large supply of factory-fresh Timberland boots for \$46; DKNY jeans for \$24; Cole Haan sandals for \$40; Tommy Hilfiger slip-ons for women for \$15; Jones New York, Larry Levine, and Kaspar women's suits for under \$100. There also were a number of nice bargains, though not necessarily bearing brand names: children's videos for \$2.75, computer cases and messenger bags for \$15, a long cashmere woman's coat in black for \$300, a woman's cashmere blazer for \$155.

There are good bargains here, so why aren't any of my super-shopper friends urging me to shop here? I did a quick super-shopper survey and found most of my super-shopper contacts were uneducated about Syms. Brenda said she's never been there. Why? "I don't know," she said. "One thing that bothers me is that you go in the back," referring to the fact that the rear of the store faces Route 17. Abby said she doesn't go there because "It's not a pleasant shopping experience," although Syms did save her life once when she was in a desperate search for a bar mitzvah suit. Barb, who swears there's a Loehmann's on Long Island with a dressing room named after her and her mother, said she's never shopped Syms "because I'm so turned off by their ads." (See, it's that slogan problem again.)

But super shoppers, even if you've bashed Syms in the past, the "Bash" is the perfect time to give the store another look. The bargains are so good, even an uneducated shopper can spot them.

Joan Verdon can be reached by phone at (201) 646-4419, by fax at (201) 646-4047, by e-mail at verdon@northjersey.com or by mail at The Record, 150 River St., Hackensack, N.J. 07601.



The dids and didn'ts of cellphone etiquette



DAVE
BARRY

It was a beautiful day at the beach — blue sky, gentle breeze, calm sea. I knew these things because a man sitting five feet from me was shouting them into his cellular telephone, like a play-by-play announcer.

"IT'S A BEAUTIFUL DAY," he shouted. "THE SKY IS BLUE, AND THERE'S A BREEZE, AND THE WATER IS CALM, AND ..."

Behind me, a woman, her cellphone pressed to her ear, was pacing back and forth.

"She DIDN'T," she was saying. "No. She DIDN'T. She DID? Really? Are you SERIOUS? She did NOT. She DID? No she DIDN'T. She DID? NO she ..."

And so on. This woman had two children, who were frolicking in the surf. I found myself watching them, because the woman surely was not. A giant squid could have surfaced and snatched the children, and this woman would not have noticed. Or, if she had noticed, she'd have said, "Listen, I have to go, because a giant squid just ... No! She didn't! She DID? No! She ..."

And next to me, the play-by-play man would have said: "... AND A GIANT SQUID JUST ATE TWO CHILDREN, AND I'M GETTING A LITTLE SUNBURNED, AND ..."

It used to be that the major annoyance at the beach was the jerk who brought a boombox and cranked it up so loud that the bass notes caused sea gulls to explode. But at least you knew where these jerks were; you never know which beachgoers have cellphones. You'll settle next to what appears to be a sleeping sunbather, or even (you hope) a corpse, and you'll sprawl happily on your towel, and you'll get all the way to the second sentence of your 467-page book before you doze off to the hypnotic surge of the surf, and ...

BREEP! BREEP! The corpse sits up, gropes urgently for its cellphone, and shouts, "Hello! Oh hi! I'm at the beach! Yes! The beach! Yes! It's nice! Very peaceful! Very relaxing! What? She did? No she didn't! She DID? No she ..."

Loud cellphoners never seem to get urgent calls. Just once, I'd like

Teenagers add new angles to the trip



MARY
AMOROSO
THE PRESSURED
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I have a good block of time off this month from my daily television show because we are building a new set.

I decided to head to our summer house in upper New York State, where I always

have an idyllic vision of spending lots of quality downtime. The reality is, we have little time for downtime.

My husband, Jim, had business trips to Washington and Houston this week. My oldest son, Matt, was on a cross-country trip with his college

My husband calls Mike's friends the "Heck's Angels" because most of them have mopeds. We've known Kenny and Nick since we moved to Mahwah when Mike was in the second grade.

There's nothing that compares to taking a five-hour road trip with three 15- to 16-year-olds. Every time I stopped to take the little ones to the bathroom, the big boys loaded their CDs into the car CD player.

Every time we passed a car or a car passed us on the New York State Thruway, one or another of the teenagers would roll down the window, bulge out his eyes, and give a double thumbs-up signal. If they passed a trucker, they signaled him to beep his horn.

"There's nothing else to do, Mom," Mike says.

When they come home from the movies, they play football in the dark. They intend to go to two paint-ball fields this weekend. They've booked white-water rafting on the Black River for Monday.

And I'm sure when they get home, they'll reminisce about how boring it all was.

* * *

The PAX anti-gun violence group wants you to ask whether your neighbors and your children's friends have guns in the home before you send your kids on play dates and sleepovers.

To raise consciousness on this issue, the group has designated Monday as the first national "ASK Day."

was accidentally shot and killed while visiting a friend.

More than 40 percent of American homes with children have guns, and most of those guns are left loaded and unlocked, according to the group. The "ASK Day" campaign has been endorsed by the American Academy of Pediatrics.

For free materials on this campaign, e-mail aap@paxusa.org or call (212) 983-8705. For more information, go to www.paxusa.org or www.asksaveskids.com.

The Pressured Parent runs on Sundays and Thursdays. You can reach Mary Amoroso in care of The Record, 150 River St., Hackensack, N.J. 07601, by fax at (201) 646-4047, or by e-mail at amoroso@northjersey.com. Please sign your name and number on the

PARENT State, where I always have an idyllic vision of spending lots of quality downtime. The reality is, we have little time for downtime. My husband, Jim, had business trips to Washington and Houston this week. My oldest son, Matt, was on a cross-country trip with his college roommate Sean.

And so the horrible truth was that my second son, 15-year-old Michael, was going to have to come with me and the little ones to the summer house because there would be no one in New Jersey to supervise him.

"Mom, they're all hicks up there," he said, moaning.

"There's no other solution, Mike," I said. "But, if you want, you can invite some friends up with you."

"Why would I do that, Mom?" he asked rhetorically. "Why would I torture them with that boredom?"

Still, a few days later, Mike announced that two of his three close friends would be coming with us.

The Record

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Every time we passed a car or a car passed us on the New York State Thruway, one or another of the teenagers would roll down the window, bulge out his eyes, and give a double thumbs-up signal. If they passed a trucker, they signaled him to beep his horn.

Then, 8-year-old Tom — who had been smiling broadly at the antics of the "Heck's Angels" — threw up in the back seat, and the teenagers kept their windows rolled down to clear the air so they wouldn't "hurl."

Once we were off the Thruway, 16-year-old Nick seemed fascinated by the cows we passed.

"Why is one field of cows sitting down, and the next field of cows standing up?" he asked.

Of course, when we passed manure-fertilized fields of corn, they had to roll their windows up so they wouldn't "hurl."

And they kept up a running commentary on teachers and nerds in their school, movies they had seen, their habit of turning to the dregs of TV (namely, MTV and VH1 videos) when there was nothing else to watch.

Now that we're at the summer house, they are on their very particular teenage schedule. This means they sleep until about 2 p.m. and go down to Jreck Subs for their first food of the day.

I keep asking the Heck's Angels what they want for dinner. But what they seem to want is dinner from the food court at the only mall up here (in Watertown, about a half-hour from our house). They aim to see every movie at the mall multiplex.

The PAX anti-gun violence group wants you to ask whether your neighbors and your children's friends have guns in the home before you send your kids on play dates and sleepovers.

To raise consciousness on this issue, the group has designated Monday as the first national "ASK Day" ("Asking Saves Kids"), in honor of 13-year-old John Joseph Price, who

(212) 983-8705. For more information, go to www.paxusa.org or www.askingsaveskids.com.

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Annoying little rings that will go unanswered

By TERESA GUBBINS

Special from The Dallas Morning News

For those keeping score on cellphone etiquette, there's a new power play under way: Screening your calls.

That guy in the restaurant talking ostentatiously on his cellphone? Sooo yesterday. Tip him off that the current cellphone trend is to not talk on them.

More specifically, you carry your cellphone around with you, but when it rings, you don't answer it. Instead, you look at it, see who it is — and let it ring.

A scorecard for such behavior is essential because the code for cellphone use evolves constantly. The minute you figure out what's cutting-edge, the rules change.

Way back in '96, merely having one brought prestige. Remember how people carried around their bulky cellphone proudly? These days, any cellphone bigger than a credit card is excruciatingly passe.

Cellphone usage has progressed just as rapidly. When not everyone had a cellphone, talking on one in public was the ranking power move.

Then the tiny cord microphone arrived, and talking into a cellphone became obsolete. The new vogue was to be standing in line at the supermarket, cord dangling from ear, engaged in a conversation that was virtually invisible.

Ah, but not answering the phone altogether conveys an even higher social rank. It tells everyone else who is present that the cellphone user is too busy and important to respond to some outside entreaty.

Couldn't cellphone users just shut the phone off? No way — the ring is essential. It telegraphs the fact that they are wanted, perhaps by many people. It gives them a chance to ascertain the identity of the caller, and then lets everyone see that they are passing judgment. Shutting someone else out. "Oh, her? I don't think so."

next to what appears to be a sleeping sunbather, or even (you hope) a corpse, and you'll sprawl happily on your towel, and you'll get all the way to the second sentence of your 467-page book before you doze off to the hypnotic surge of the surf, and ...

BREEP! BREEP! The corpse sits up, gropes urgently for its cellphone, and shouts, "Hello! Oh hi! I'm at the beach! Yes! The beach! Yes! It's nice! Very peaceful! Very relaxing! What? She did? No she didn't! She DID? No she ..."

Loud cellphoners never seem to get urgent calls. Just once, I'd like to hear one of them say: "Hello? Yes, this is Dr. Johnson. Oh, hello, Dr. Smith. You've opened the abdominal cavity? Good! Now the appendix should be right under the ... What? No, that's the liver. Don't take THAT out, ha-ha! Oh, you did? Whoops! OK, now listen very, very carefully ..."

The good news is, some politicians want to ban cellphone use. The bad news is, they want to ban it in cars, which is the one place where innocent bystanders don't have to listen to it. Granted, drivers using cellphones may cause accidents ("I gotta go, because I just ran over a man, and he's bleeding from the ... What? She DID? NO she didn't. She DID? No she ..."). But I frankly don't believe that drivers yacking on cellphones are nearly as dangerous as drivers with babies in the back seat. I'm one of those drivers, and we're definitely a menace, especially when our baby has dropped her Elmo doll and is screaming to get it back, and we're steering with one hand while groping under the back seat with the other. ("Groping for Elmo" would be a good name for a rock band.)

So we should, as a long-overdue safety measure, ban babies. But that is not my point. My point is that there is good news on the cellphone front, which is that several companies — including Image Sensing Systems and Netline — are selling devices that jam cellphone signals. Yes! These devices broadcast a signal that causes every cellphone in the immediate vicinity to play the 1974 hit song "Kung Fu Fighting."

No, that would be too wonderful. But, really, these devices, which start at around \$900, cause all nearby cellular phones to register NO SERVICE.

Unfortunately, there's a catch. Because of some outfit calling itself the "Federal Communications Commission," the cellphone jamming devices are illegal in the United States. I say this stinks. I say we should all contact our congresspersons and tell them that if they want to make it up to us consumers for foisting those lousy low-flow toilets on us, they should put down their interns for a minute and pass a law legalizing these devices, at least for beach use.

I realize some of you disagree with me. I realize you have solid reasons — perhaps life-and-death reasons — why you MUST have your cellular phone working at all times, everywhere. If you're one of those people, please believe me when I say this: I can't hear you.

Dave Barry is a humor columnist for The Miami Herald. Write to him at The Herald, 1 Herald Plaza, Miami, Fla. 33132.

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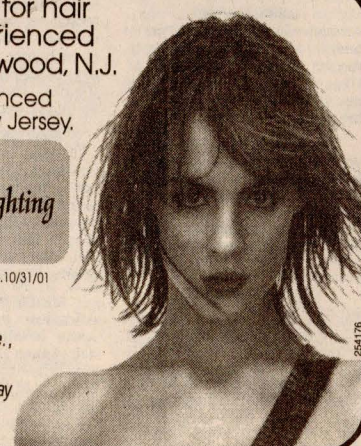
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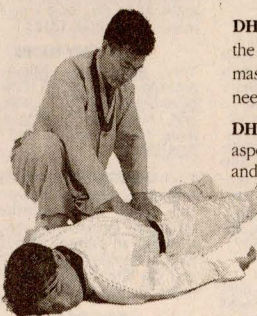
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