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DAILY NEWS, SATURDAY, DECEMBER 15, 2001

Beeps on board? Sure, says Rudy

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Contradicting his own legal department, Mayor Giuliani said yesterday that he backs three borough presidents who plan to appoint themselves to the central school board.

"I think it's better if they are on the Board of Education," Giuliani said in a rare disagreement with his corporation counsel's office, which says the appointments would pose a conflict of interest.

The mayor appoints two of the board's seven members, and the five borough presidents appoint one member each.

Three borough presidents have said that when the next vacancy presents itself, they will name themselves to the board, contending that as members they would have greater opportunity to improve schools.

They are Virginia Fields of Manhattan, who begins her second term Jan. 1, Helen Marshall of Queens, and Adolfo Carrion of the Bronx. Marshall and Queens are newly elected.

Giuliani said he was surprised by a published report that his corporation counsel opposed the planned move.

"It makes more sense for them to be on the Board of Education," the mayor said. "It would remove the middle man, in essence."

Giuliani added that the plan would prevent board members from turning against the borough president who originally selected them.

Ninfa Segarra broke with Bronx Borough President Fernando Ferrer during the early 1990s over condom distribution and other issues. Giuliani then named her a deputy mayor in 1994 and also granted her a waiver so she could serve at the same time as one of his Board of Education appointees.

Segarra is no longer a deputy mayor, but is now president of the school board.

Giuliani said the borough presidents also might require mayoral waivers to serve on the board. That decision would be up to Mayor-elect Michael Bloomberg when he takes office, Giuliani said.

"But if I were in his position, I would give them a waiver," he added. There was no immediate comment from Bloomberg.

Lorna Goodman, a spokeswoman for Corporation Counsel Michael Hess, said her department's "legal opinion stands."

Borough presidents control some education funding and have oversight roles on land-use decisions, both of which could conflict with their school board roles, she argued.

She warned that the borough presidents would get themselves into a "terrible [legal] mess" if they went ahead with their plan.

Fields, Marshall and Carrion said they are reviewing the opinion. But Carrion added that Giuliani's unexpected support "opens the window a little more."

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