

Director of Security and Safety opts for an 'early retirement'

By PAULETTE PEIROL

Today is Jack Santarelli's final day as Director of York's Security and Safety Services department, as he has opted for an "early retirement."

"Santarelli and I have been discussing early retirement for some time now," Farr said, "and have agreed to step it up." Starting this Friday, Farr said, "the (Security and Safety) department will be reporting to Peter Struk, the Assistant Vice-President of Physical Resources."

Concern about York security management began last summer following a rash of break-ins on campus. Since September, employee morale within the department plummeted "to an all time low," according to Chief Steward Claude Williams, and officers have complained of strained management/employee relations.

Over 50 grievances have been filed against the department in the past six months, and twice, an entire security squad has taken their optional day off (sacrificing \$125 of their pay), in protest of their work schedule. Since security officers learned of Santarelli's retirement, "morale has gone up 10 degrees," according to security officer Terry Wright.

In last week's interview, Santarelli said he was opposed to officers being armed with night-sticks because "... we have officers here who come from different social cultures who don't think the way you and I might do as North Americans." He also said that because "some of my officers don't speak English as well as you or I... their thinking isn't quite the same." Santarelli suggested that these officers might get "so emotionally involved" in a situation that they would use the weapon when they shouldn't.

Last Friday, Farr sent a memorandum to all Security and Safety Service personnel stating that although he personally is opposed to the use of night-sticks, "Mr. Santarelli's apparent opinion that some members of Security would be culturally less able to handle the responsibilities involved in being armed with night-sticks is one which I do not share."

Farr also wrote "... the remark in no way represents an attitude of the University; I believe that it displays bad judgement and represents a disservice to all of the members of the Department of Security and Safety." Santarelli was on vacation

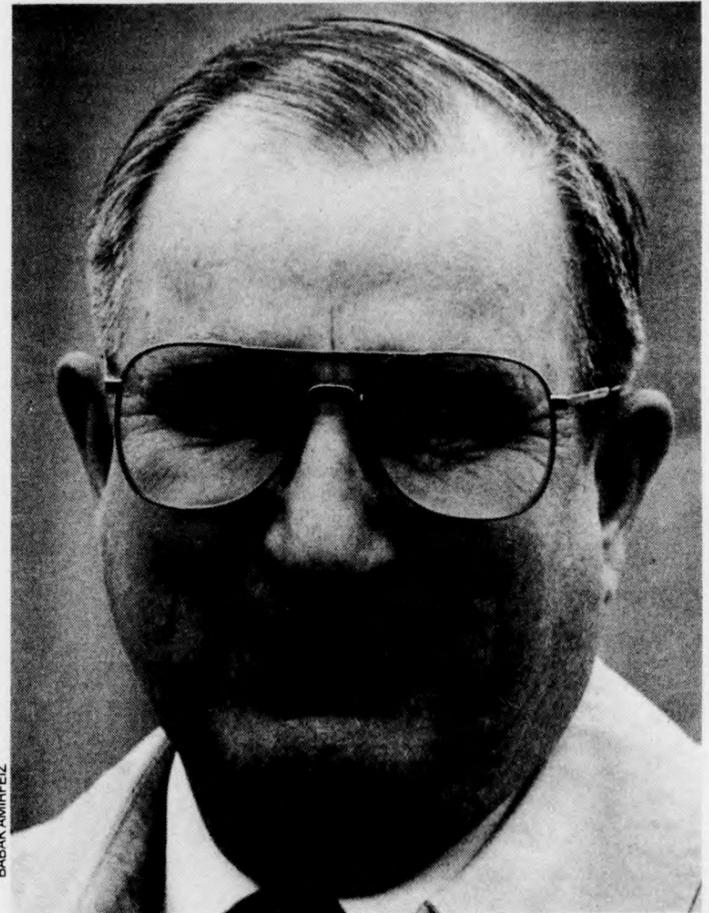
at the time that the memo was distributed.

When asked if there was a direct correlation between Santarelli's "early retirement" and *Excalibur's* interview plus Farr's letter of apology, Farr said "I have no other comment than to draw your own conclusions." Santarelli was unavailable for comment at presstime.

The selection process to hire a new Director for Security and Safety Services "will be started immediately," Farr noted. As well, the question of whether security and safety should be separate departments (since the safety section has greatly expanded in the past year), is "on the table, but in a routine way," Farr said.

Regarding his new post, Struk said "I welcome the opportunity... and will be meeting with staff soon. I am open to opinions and suggestions from them." Struk has already met with department supervisors and has discussed with them posting advertisements for the position of Director of Security and Safety Services.

"A new Director will be sought and appointed as soon as possible," Struk said, adding that "we have a lot of competent people in this department."



UNDER FIRE HE RETIRES: Jack Santarelli, ex-Director of Security and Safety took his early retirement this week.

Osgoode students sued for copying Beaver Canoe logo

By JAMES FLAGAL

Osgoode Hall law students faced a lawsuit of trademark infringement after selling sweatshirts which were similar in design to the Beaver Canoe Corporation logo. The defending students, however, were forced to establish an early settlement with the plaintiff in order to avoid a court hearing because of financial restraints.

The lawsuit was initiated on Wednesday November 19 when Beaver Canoe served a statement of claim to the Legal and Literary Society (Legal and Lit), Osgoode's student union. The statement concerned sweatshirts being sold by Osgoode Athletic Committee bearing a similar logo to Beaver Canoe's, which read "Osgoode Hall—built on tradition." The committee was selling the shirts to raise enough money to send its athletic group to the Canada-wide Law Games in early February.

On November 21, Atul Tiwari, president of Legal and Lit, and a representative from the Athletics Committee visited Ian Tod, Beaver Canoe's lawyer, in an attempt to establish an early settlement and avoid a court hearing. After a three-hour meeting in Tod's office a settlement was reached which basically consisted of the demands within the statement of claim. Legal and Lit have agreed to the following conditions:

- The Athletics Committee must stop selling the sweatshirts immediately.
- The Athletics Committee must hand over all existing inventory of sweatshirts to Beaver Canoe.
- The Athletics Committee must disclose to Beaver Canoe the manufacturer where the sweatshirts were produced.
- The Athletics Committee will be forced to turn over all profits made from sweatshirt sales (approximately \$800) to Beaver Canoe. In the case of dispute over this matter, the Master of the Supreme Court will determine a sum to be awarded to Beaver Canoe.

□ Legal and Lit will be forced to pay for all legal fees incurred by Beaver Canoe. Any disputes over this sum will once again be resolved by the Master of the Supreme Court.

On Monday, November 24, Mr. Justice Hollingworth of the Supreme Court of Ontario brought these conditions under final judgement status, binding Legal and Lit to the stipulations within the settlement.

According to Tod, there is no explicit legislation which specifies when trademark infringement occurs. In most cases, it is a matter of first glance, said Tod. If the person has to look twice to see the distinction between the two logos, then

grounds for infringement exist. Tod says that the two logos are definitely confusing and that replications cannot be tolerated by his client. "Whenever you (a designer) become popular certain people want a free ride. Our client invested a lot of time and money in creating this design," Tod added.

Tiwari claims that even though Legal and Lit had to opt for an early settlement, they had a good defense and possibly could have won in a trial situation. "Many professors told me that I had a reasonable defense," said Tiwari, "but even with a 10 percent chance of winning, legal costs would have been too great

for our union if we happen to lose."

According to Tiwari, the entire sweatshirt ordeal began back in September when the Athletics Committee decided to sell sweatshirts as part of a plan to subsidize their lost revenue from last year. "Since we had less money to operate with this year than last year," said Tiwari, "our contribution to the clubs was reduced. So we encouraged clubs to go out and make up this lost money in order to keep up the standard of activities."

Tiwari explained that the Athletics Committee produced the symbols and acquired the sweatshirts "on their own wisdom. They printed

without prior consent from Legal and Lit and they're allowed to. We as council found out about the shirts as they were being distributed," he added.

Tiwari pointed out that council did have concern about the sweatshirts after finding out about their distribution. "Two weeks ago," said Tiwari, "a council member did bring up the fact that Western University had just settled a similar case." Western's Saugeen-Maitland residence was copying the same Beaver Canoe logo for last year's residence sweatshirts and was also forced to

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Student centre financially feasible: Study

By LAURA LUSH

The proposed York student centre could be financially self-sufficient, according to the preliminary findings of an MBA feasibility study released last Wednesday.

"I believe we can get this student centre built," said Council of York Student Federation (CYSF) President Gerard Blink after hearing the results of the eight week study which was initiated by five students of Professor Tillo Kuhn's Microeconomics for Management course. "I'm glad the figures from the study show that the student centre can be self-sufficient."

The MBA consulting group, consisting of Wendy Lau, Wayne Shantz, Peter VanderVelden, Michael West and Mark Willis, reported their findings to clients Blink and Rob Castle, executive assistant for the student centre initiative, in an extensive 90 minute presentation in the Senate Chamber.

While the study concentrated on the feasibility of a student centre rather than the need for one, Lau pointed out in her analysis of York's current situation that York is the only major university in Canada without a student centre. Lau also

added that York's high population of 40,000 full and part-time students coupled with the chronic space shortage meant that the majority of students' needs at York, especially commuter students who comprise 80 percent of the total population, weren't being met.

In order to meet these needs, VanderVelden said that the proposed centre should create greater student interaction and a homogeneous feeling at York, offer a good location and facilities, and be financially viable. "As long as the centre provides revenue generating operating facilities, then it's feasible."

In his site location analysis, Willis said that the factors that he looked for when choosing the optimum site were: a link-up with central square to deviate the heavy traffic flow; a central location; a geologically sound site; accessibility for service and emergency vehicles; easy access to parking; the potential for expansion; an aesthetically pleasing location, and cost factors.

Considering the above factors, Willis said the best site location would be between the Steacie Science Library and the Farquharson Life Sciences building with a direct

link-up to the north end of the Ross building.

West, who addressed financing, said the most important criterion of the student financed centre is that it must be self-sufficient. Out of the five possible funding options consisting of the Administration, alumni, the corporate sector, provincial government, and students, West said that only student funding could be arranged by February, 1987.

Although West said that the Administration is expected to provide the initial \$8,000,000 capital for the centre, they are not in a financially viable position to commit any extra funds at this time. West said that because York is only 26 years old, the University alumni is too young to be counted as a core funding source. Corporate sponsorship was ruled out at this time because West said he felt it was a threat to student integrity.

Using a financing option matrix, West deduced that the most reasonable student levy fee would be \$7.00 per course credit or \$35.00 for a full course load. While West pointed out that a \$6.00 levy fee was more financially favourable to the student, it would bring down the allowable net

attainable square footage (NASF) of the centre from 57,800 to 49,000. (NASF is the actual usable square footage of a building after footage for common space like washrooms and elevators has been subtracted.) West also suggested that the amorti-

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