Don Linky: It is September 22nd, 2006. My name is Don Linky. This is another in the series of interviews for the Brendan T. Byrne Archive Project, conducted by the Rutgers Program on the Governor. Today we'll be talking with Kenneth McPherson, who was a key policy and political advisor to Governor Byrne and played a significant role in many of the decisions that Governor Byrne made, both as a candidate and as governor. Ken, why don't we start with your larger thought about Brendan Byrne and his significance in New Jersey policy and politics?

Kenneth McPherson: Well, that's a good place to start. Looking back anticipating having this interview would be done, I did think about him, in particular, as it relates to his, I guess you could call it, history in relation to his being the governor for two terms in the state. I think that history will certainly show him as being very effective and very important to the interests of the state. When you look back at his achievements, he was a man of great integrity that had a lot of pressure on him, as most governors do, but with some very large issues as it relates to impacting the state. As I look at it, they were all good. They were all advances as it relates to the public interest and really set a tone for the state and the people involved with the politics of the state, if you will, back then, that was a good one.

Don Linky: Let's backtrack a little bit and go into your background. You're a product of Hudson County and its special political world.

Kenneth McPherson: Yeah.

Don Linky: Talk a little bit about the background of Hudson County.

Kenneth McPherson: Okay. I think that's a great advantage to people by way of learning some things as it relates to life in general and also about people and how to deal with them. I was born and raised in Jersey City. I’m one of five children. I’m married to a lady I met in high school, at Saint Aloysius High School in Jersey City. We have six grown children, all married happily, living close by. And I went to Saint Aiden’s Grammar School, Saint Aloysius High School, Saint Peter's College, and Fordham Law School. Basically that’s my background in Jersey City, and I became a lawyer. When I left the Army service in 1958, I guess it was, I was lucky enough to serve for six months on active duty, and then seven and a half year I was in the ROTC program at Saint Peter’s College.

Don Linky: Were your parents born in this country?

Kenneth McPherson: Yes. They were. My father was born in Perth Amboy. My mother was born in Jersey City.

Don Linky: And when did the family come to the U.S.?

Kenneth McPherson: Gee, I don’t even know that, to be honest. I guess it was for a couple of generations before my mother and father. My mother’s maiden name was McNeil, again, of Scotch ancestry, and my father was McPherson. So that was basically my family history.

Don Linky: What did your father do?

Kenneth McPherson: He was an electrician, and a very skilled mechanical person, could do plumbing and electrical work, and was very blessed with mechanical skills.

Don Linky: Were you the first in the family to attend college?

Kenneth McPherson: Yes, yes, yes, right. I was the youngest in the family. Yes.

Don Linky: Was that difficult at the time, in terms of finances?
Kenneth McPherson: Yes, it was, but again, you had then at least the help. That’s why I did, quite frankly. It wasn’t through any patriotic involvement. Well, I guess it was part of it, but basically you got a stipend, too, as it relates to some help with tuition. And back then the tuitions were at least more reasonable, perhaps, certainly than they are now. Yeah.

Don Linky: Was your father politically involved at all?

Kenneth McPherson: No, none of my family. I was the first one that had anything at all to do with politics.

Don Linky: And how did that happen?

Kenneth McPherson: Well, I guess the way that happened was when you’re born and raised in Jersey City, aware of the fact that you have a local committeeman, and there’s a Democratic leader, and there’s a Democratic organization, always Democratic, not very Republican like. And you had some famous mayors, right? You had Mayor Hague, whom I heard of when I was a child in grammar school. And then you had the progression of some famous mayors, some not so famous in Jersey City, so you had that kind of experience that at least gave you an interest in the political system that existed.

Don Linky: As a child, when you first heard of Mayor Hague, was the talk that he was a good man, a corrupt man, or just what?

Kenneth McPherson: Well, I don’t really remember. I was very young then. I was in grammar school. The one thing that I remember being told about him is that he always placed a hundred dollar bill in the collection basket at Saint Aiden’s mass every Sunday, so I guess that made him a good man in that sense. Yes. Yeah.

Don Linky: Talk a little bit about your first sort of tasks in politics.

Kenneth McPherson: I don’t have any tasks in politics. Basically after graduating from law school, from Fordham in 1961, I took the bar exam, and I passed the bar exam and was sworn in, and was struggling as a lawyer. And quite frankly, the way I became involved in politics was I had heard that there was a vacancy, or an opening in the Hudson County Prosecutor’s Office, and I thought that it would be a good place to begin a legal career as a prosecutor, and I pursued that particular job. You might ask how did I pursue that? Quite frankly I pursued that by talking to the then Monsignor McWilliams, who was the pastor of Saint Michael’s Church in Jersey City, who was the pastor of the then Mayor John V. Kenny’s parish. And I spoke to Monsignor McWilliams to ask him if he would talk to the mayor. Well, at that point he wasn’t the Mayor. I think he was the Democratic leader. And through that contact I did get a call, magically, from the Prosecutor’s Office and was offered a job as an assistant prosecutor in Hudson County, and that began my career. It wasn’t really politics. Well, I guess it is, to the extent that you get the position through political contacts, but it was just being an assistant prosecutor in Hudson County.

Don Linky: And by this time, Kenny had become mayor?

Kenneth McPherson: No. Kenny had been the mayor before then. I’ve forgotten when it was. I think ’49 was when he ousted the then-mayor who wasn’t Mayor Hague, but his nephew, or something. I’ve forgotten. Hague-- Eggers, I think his name was. But he was just a Democratic leader behind the scenes and, indeed, didn’t hold any public office at the time, but was the unquestioned political powerhouse in Hudson County, John V. Kenny was. Yes.

Don Linky: Did you have any personal contact with him?

Kenneth McPherson: Personal contact, no, but I did have an interesting, one interesting conversation with him, and that was-- I’ve forgotten the year, but I was then an assistant prosecutor in Hudson County. You had had the then-warden of the Hudson County Jail indicted by Robert Morgenthal from New York for transporting women to the Hudson County Jail. There was a big investigation and scandal as it relates to the conditions of the Hudson County Jail, and I do remember he called one, I think it was a
Sunday morning, and asked if I would agree to become the Acting Warden of the Hudson County Jail. I agreed to do that because he made it clear over the telephone that, quote, to quote him, "that you don’t have to do any favors, and I’ve got the support of the Freeholders that they would give you whatever funding you need to clean the jail up.” And I did agree to become the Acting Warden of the Hudson County Jail. I left the Prosecutor’s Office, and for really a period of one year ran the Hudson County Jail, which was the most exciting year of my life, I guess.

Don Linky: Why? Why is that?

Kenneth McPherson: Well, it was in a very bad state, quite frankly. It was tremendously overpopulated. There was a lack of discipline and integrity, quite frankly, through the whole system, and it was challenging to the extent that while you could get the funding to make physical improvements in the jail, you know, such basic things as improving the menus and adding more correction officers, and what not, it was difficult because it was a terrible situation that had to be corrected. I’m especially proud of having, I think, done a very good job for that one year in cleaning it up, you know, putting it on the right track, getting some of the prisoners out of there, reducing the population, increasing the staff. It was that kind of thing. For a young man, I was a little crazy, I guess, to do it, because of the obvious difficulty of it, but it was something I thought was in the public interest and, you know, served my career well to the extent that I was proud of that. Yeah.

Don Linky: You mentioned that you got the prosecutor’s job primarily through the Church, the Monsignor’s call.

Kenneth McPherson: Yes, yes, yes.

Don Linky: Did you develop any other sort of political affiliations or have any political mentors who helped you as you go further?

Kenneth McPherson: Well, not really, because, again, I was lucky as it relates to my political involvement, if you want to call that, because it was always in the context of that history; namely, having, I think, done a pretty good job as an assistant prosecutor, I thought doing a very good job with the jail situation, and then I was lucky enough, too, to be appointed from the jail job, to be appointed the Secretary of the Division of Tax appeals in Trenton, which was, I guess, my only state employment and, at that time, the Division of Tax Appeals handled all real estate property tax appeals to State, and that was very helpful to my legal career, knowing a little bit about real estate taxes and real estate.

Don Linky: Did someone suggest that position to you, or did you seek it out?

Kenneth McPherson: No. That was suggested by the then Chairman of the Freeholder Board. I think the Freeholders at that point in Hudson County were grateful, were, what should I say, were probably happy that the jail thing was corrected. It was on the right track, and recognized, too, that that wasn’t a career for me, you know. It was just a temporary assignment, so to speak.

Don Linky: So because you had done a good job at the jail, they thought that they would sort of suggest this as another career move.

Kenneth McPherson: Yes, yes, yes. And at the time, too, they were generous enough at the time to recommend my now-deceased partner, David Waters, to become the Secretary of the Board-- I think it was the PUC at the time. It’s now the Board of Public Utilities.

Don Linky: Yeah, the former Public Utilities Commission.

Kenneth McPherson: Yes. And at the time, too, the then president of the Board was Brendan Byrne.

Don Linky: Okay. Well, let’s move a little forward. You still haven’t met Brendan Byrne.

Kenneth McPherson: Correct.
Don Linky: Let’s talk.

Kenneth McPherson: Yes. At that point, I may have seen him at a prosecutor’s convention, or something like that, but I really didn’t know him, but I had, as I think most people did back then, an admiration for his image as it was projected through his activities and the publicity surrounding all the good work he did as a prosecutor of Essex County. He was sort of like the model prosecutor in the State of New Jersey at the time.

Don Linky: Had you heard of him before he went up to Essex County from Trenton?

Kenneth McPherson: Not really, no, because, again, I wasn’t that deeply enmeshed in politics when he- -you’re talking about when he was down with Governor Meyner, serving as Executive Secretary, or whatever he was? No. I really didn’t pay attention to him then, although if you look back, that part of his career was probably well noted and well done. You could tell I’m a fan, yes.

Don Linky: Okay. At some point you’re nominated as Prosecutor. Talk about the background of that nomination.

Kenneth McPherson: Well, that was interesting. To the extent that this-- I was nominated by then Governor Hughes in 1969 to be the Prosecutor of Hudson County, and I guess at that point it was an honor to the extent that every assistant prosecutor probably thinks that he or she would be the Prosecutor. And it was a process of elimination, I think, as it relates to the then Hudson County powers that be, because you had then, in ’69, you had the U.S. Attorney, Fred Lacey, and Herb Stern, doing that wonderful job of investigating corruption in Hudson County, and you had the involvement of John V. Kenny, and Tom Whalen, and a whole group of Hudson County politicians that were, I think, properly prosecuted as it relates to the corrupt atmosphere that was still present but waning at the time. And you had then, too, a takeover in the good sense of the Hudson County Democratic organization by a group of reformers, young Paul Jordan, a doctor who became mayor, Bernie Hartness, who went on to other great things as it relates to his chief advisor. You had then, too, the takeover of the organization, the Hudson County organization, by the then maverick, by way of the history of the perhaps corrupt Hudson County Democratic organization allegedly, anyway, of Francis Fitzpatrick, who was the Mayor of Bayonne, and a man of unquestioned integrity, and quite a personality. And it was a good thing to the extent that you had, like, this breath of fresh air. And more than that, you had actual control of the Hudson County organization at that point by a group of people that were of great integrity and intelligence, and publically interested.

Don Linky: Why don’t you talk more about Mayor Fitzpatrick, because he’s a key player in the story.

Kenneth McPherson: Well, he was a very-- I chuckle when I think of him, and I think of him fondly, because he was an imposing figure with a big voice, and was very, very outspoken as it relates to his resistance to the then Hudson County Democratic politicians, quite frankly, and was a voice of rebellion, if you will, by way of going his own way, having a good reputation, running the City of Bayonne, building, which was something unique back then, a modern, up-to-date municipal facility in Bayonne. He was quite a figure. I think fondly of him.

Don Linky: At this time, we always still think of Jersey City as sort of the dominant player in Hudson County. How did he sort of escape the organization?

Kenneth McPherson: Well, he was always, again, his own man, as it relates to running Bayonne, and when you had the 1969-- I’ve forgotten what the name was, the Hudson County Nine investigated and prosecuted in the Federal District Court, you had the ability then to come in and elect a Paul Jordan in Jersey City as the mayor. You had then a more outgoing, inclusive Democratic leadership, and it probably made sense. And I wasn’t involved with those people because, again, I was busy being a lawyer and doing the things that I was doing, but you had the sense then of having to share the wealth, to have a Democratic leader that was beyond Jersey City, quite frankly, including the whole county. So it was that context in which you have to place, I guess, ultimately my involvement going on with Governor Byrne.
Don Linky: With your nomination as Prosecutor, were there other sort of candidates, or were you the sole selection?

Kenneth McPherson: Well, I’m sure there were a lot of candidates beyond me. But any rate, I was the one that Hughes accepted.

Don Linky: Why do you think he did?

Kenneth McPherson: Well, first of all, as you know, they do a serious background check on you. I guess I had a good repute -- I hope, anyway, I had a good reputation as an assistant prosecutor. I did clean up the Hudson County Jail, and, you know, I wasn’t deeply enmeshed in the political system. You know, I was just a lawyer.

Don Linky: Were there political opponents within Hudson County opposing your nomination?

Kenneth McPherson: Back then, I’m sure. Yeah. Yes.

Don Linky: But you don’t recall who?

Kenneth McPherson: They’re probably all dead. Yeah, yeah.

Don Linky: Okay.

Kenneth McPherson: I do recall, but yeah, yeah. Yes, there was some opposition to that.

Don Linky: You were nominated as Prosecutor in what year?

Kenneth McPherson: I think it was in February of 1969. It languished before the Senate. You had then the race for governor between Meyner, again, and Bill Cahill. Bill Cahill got a lot of supporters from the Hudson County Democratic organization, and was successful in being elected governor over Meyner, and the nomination before the then senate died because every governor wants to appoint, I would think anyway, someone whom he would choose as prosecutor of Hudson County, certainly.

Don Linky: Let’s backtrack a bit.

Kenneth McPherson: Yeah.

Don Linky: I assume that you met with Governor Hughes before he-- the nomination.

Kenneth McPherson: Oh, yeah, yeah, yeah.

Don Linky: What was that meeting like?

Kenneth McPherson: I don’t remember it other than being very pleasant. If you know the governor, or if you’ve read of him, he was a unique man. He had an ability to relate to people and put people at ease very, very quickly. He was, what shall I say, always positive and enthusiastic. He was a pleasure to be with, and he’s a fellow, too, that with him being the governor, he would talk to you as if you, too, were a governor almost. He had great skills.

Don Linky: And your nomination got held up because of the politics and the election.

Kenneth McPherson: It was in the middle of the election. Therefore, you’re not going to get a nomination like that back then, anyway, maybe still, out of the senate as it relates to that type of an important position to the state and the county.
Don Linky: And what was the partisan division of the Senate at that time?
Kenneth McPherson: I don’t remember. I’m trying to think back.

Don Linky: Was it a Republican majority?
Kenneth McPherson: I think it was. I think it was, because-- yes, it was, because it couldn’t even get out of committee.

Don Linky: Okay. Now, were there any efforts by the governor’s staff or others to try to work something out?
Kenneth McPherson: Oh, yeah, sure. You had that play, but, you know, they-- it didn’t work. Right.

Don Linky: Okay.

Kenneth McPherson: Any rate, that was fine by me. It was quite an honor having been nominated, and it was in that context that I really did become at least familiar with Brendan Byrne and helped by him, helped to the extent that with the nomination, not knowing what the hell to do from then on in, you know, as it relates to being the Prosecutor, which is different than an assistant prosecutor, through Dave Waters, who was working with him at the BPU, or the piece-- Public Utilities Commission, I did meet with the governor and chatted with him as it relates to that process, and he was fun to be with, and certainly generous with his advice as it relates to that.

Don Linky: ‘Course, he had had his own problems in getting full confirmation as Prosecutor in Essex County.

Kenneth McPherson: Yes, yes, yes, yes. It was a similar situation, if you go back then, you know, if you go back to the history of the then Essex County organization.

Don Linky: And what was your conversation like with Governor Byrne?

Kenneth McPherson: I don’t really remember, other than, you know, treating it lightly, but yet being serious enough to realize that here’s a guy who has gone through the same thing, done a very good job, and has moved on. And there was a, what shall I say, rapport between us that was nice, nice. But, again, you got to remember, then, Don, too, you had these great articles being written by a then very respected reporter for the New York Times. His name was Ron Sullivan, Ronald Sullivan, and he had, like, an ongoing series of plugs or articles promoting Brendan Byrne for the governorship, because of his track record in having been the successful prosecutor and doing a good job with the Public Utilities Commission, and indeed being, at that point in time, as it relates to now you’re getting into these early ’70s, he became the assignment judge of Morris County and had a good reputation as an assignment judge. So you had this wonderful, what should I-- resume, or whatever you want to call it, of achievement by the way of his work, Brendan’s-- Byrne’s work. Yeah.

Don Linky: Did you go back to private practice?

Don Linky: Did you ever appear before Judge Byrne?
Kenneth McPherson: No, no, no, no.

Don Linky: What was your next contact with him?

Kenneth McPherson: Well, that was funny, too, to the extent that with the election of Cahill, I didn’t see him, or really have any interaction with him until April of 1973. It was during the recess of the court for the holiday for Easter and Passover that I got a call from him, or David Waters may have gotten the call, wanting to stop by to chat. At this point, he’s the assignment judge of Morris County, and he stopped by
our office on Journal Square over the shoe store, and it was kind of funny to the extent that he kind of came into my office, sat in my chair, kind of took over the office with his great presence and sense of humor, and began to discuss potentially running for governor. And you got to put this in the context of at that point Cahill, God rest his soul, some of his close advisors, and it may have been even cabinet level members, were indicted and had criminal corruption charges, so it was apparent to a lot of people that given that baggage, if you will, that Cahill was vulnerable by way of a second term election. And walking into the office, I think, on that day, Brendan Byrne had also spoken with the then County Chairman of Union County, a fellow by the name of Chris Deets, and his Deputy Director, Donald Lan, and I guess both Deets and Lan were also enamored with the fact that this would be a great candidate for governor, namely Brendan Byrne, and had indicated that if he did choose to run that they would support him, which meant giving him the Union County line.

And back then, you got to remember that the county chair people were very powerful. They are now, too, but I don’t think as powerful as they were back then in ’73 even, and you had him, meaning Byrne, coming– the scenario would be coming off the bench, so to speak, with absolutely no political organization, nothing other than his reputation, running for governor. You know, a great story, but still the practicality of it was he had no troops, no political– what’s the word, organization, if you will, in place. So at any rate, I guess he was talking to me because of the fact that he had the experience with me with the prosecutor nomination back in ’69. I thought he must have gotten a good feel as it relates to that, and thought that I could give him some advice and help with, you guessed it, getting the support for the Hudson County– from the Hudson County then Democratic organization, which as, again, headed by the then Mayor Fitzpatrick. Now you want to ask me how? Okay. Evidently the reason why I think Byrne was sensitive to Hudson County was obviously he wanted to be comfortable with the people involved with the Democratic organization then, and I thought he trusted and had some respect for my judgment as to the ability. And the big issue here was integrity basically. And yet he did have a concern with the then Mayor Fitzpatrick, because I guess he had heard, too, that, God rest his soul, Mayor Fitzpatrick had difficulties with not Brendan Byrne, but Governor Meyner. To this day I don’t know what that difficulty was. He may have told me and I’ve forgotten about it, but the talk on the street was that he didn’t want anything to do with, meaning Mayor Fitzpatrick, with anybody who any had anything to do with Governor Meyner. I don’t know what that story is. It probably is some political involvement, I’m sure involving some benefit to Bayonne that was absent, or something, but recognizing that Brendan asked if I would help, not help him, but asked my judgment as to how to deal with that issue. So we, you know, and, again, the time was compressed here, because you had the filing deadline. He had nobody, even signed petitions to get on the ballot. So it was kind of, what shall I say, intense, the time pressures. So we concluded that I would go on my own and sit down with Mayor Fitzpatrick, which I did on a couple of occasions, I think two, maybe three visits. And, you know, I went through the, “Oh, yes”– the usual. “Oh, he’s got to be like Meyner. Matter of fact, the comical thing I thought he must have seen a picture in one of the papers of Brendan Byrne playing tennis with Bob Meyner. He showed me that picture, which I thought back then, you know, of course, I didn’t laugh, but when you think about it, to connect someone from a picture playing tennis shows, like, the human aspect of the relationship to be and the craziness of it. But any rate, I assured him that, “No, no, no.” And at the time it’s funny. I never met Meyner at the time. But I was assuring him just from my feeling for Brendan Byrne, that he couldn’t have been like Meyner, because he was such a great candidate, such a good guy, sense of humor, integrity, smart as hell, that kind of thing. So anyway, I finally got the mayor to agree to meet with him one on one. And, again, you had the compression of the time with the filing. So it was a rainy night, and then Don Lan, who was the, I forgot what his title was, the indication of the Union County support for Byrne, myself, and Brendan, Governor Byrne, Brendan Byrne then, Judge Byrne, went to the mayor’s office, and the way I structured it is that they would meet one on one and talk through whatever difficulties the Mayor had with Byrne as it relates to Meyner, I guess. And I waited in the waiting room with Don, Byrne and Fitzpatrick, and Fitzpatrick insisted at the time having Jim Dugan present in that conference, too, who was a Senator from Bayonne, and a confidant of Mayor Fitzpatrick, and one of the, back then, young, new faces in politics, by way of controlling the Hudson County Democratic Party in a good sense. And they had a conversation, and maybe twenty minutes later Byrne came out of the office, and was, what shall I say, frustrated. I would use the word, with that conversation. We laughed. Mayor Fitzpatrick comes out and said, “He’s just like Meyner.” I don’t know what the hell– what that meant, but obviously it was some crazy, past political, Governor Meyner-Bayonne controversy, or some lack of follow through for Bayonne a benefit, something like that. But at any rate, you could imagine how frustrated, or excited, or nervous at that point.
I am, because I thought that this was a perfect combination, namely you had two people of great integrity. They were very smart, and it was, you know, something that would work and be good for the state. So anyway, we left the office, and we ducked into a restaurant, and Lan and Byrne and myself spoke. I’ll never forget it, because I ordered a Jack Daniels. At that point I needed a drink, and they brought me a Jack Rose. If you drink, you know that there’s a big difference. But any rate, I banged down the Jack Rose, and we had a conversation about that, and I don’t even remember what it was, but it was that kind of silly, human thing that ought not prevent the combination that would lead to his being the governor.

So I left, and went, and sat in the back of the car, and spoke with Mayor Fitzpatrick and Jim Dugan, at the time, and the basic sales pitch, and it was sort of like that to the extent that both of them recognized, both interests, that it was good for both of them and good for the State of New Jersey, emphasizing the fact that with one dramatic involvement you could have, number one, a governor, okay, that everybody would be proud of. And number two, you’d have Hudson County, you know, with the history of corruption all of a sudden lifted into the good guy category, if you will, by backing this man of great integrity, and they both recognized that that was a good thing. We agreed to meet again same night. Now you’re getting maybe ten o’clock. So, again, you have the time compression. So we went over to Mayor Fitzpatrick’s house, quite frankly. His lovely wife was there, and the Governor, and Francis Fitzpatrick, the mayor, sat on his porch. And at that point, whatever that controversy was, or that argument over something Governor Meyner did, really was insignificant. They both recognized the fact that this would be a good thing for the state and for Hudson County to endorse him. Mayor Fitzpatrick agreed to do that. The, and again, it’s what, ten, eleven o’clock at this point. Then Jim Dugan was astute enough to recognize that, and to choreograph, if you will-- that was his doing, not mine-- a dramatic announcement of the candidacy, and we were going to do that the next day, and also Jim was astute enough to also recognize, you know, you have Union County. You have the big Hudson County, and our friend Jerry Breslin, was then the Democratic Chairman, I believe, of Bergen County. At the time, Bergen, the Democratic Party in Bergen County wasn’t very powerful, to say the least, quite frankly, but Jerry recognizing, again, the benefit, if you will, to the state and Bergen County, too, of having him as a candidate, agreed also to be part of that announcement down in Trenton. The next day, and again, I would-- at the time he lived in West Orange on, I’ll never forget it, Nymph Place, and I picked him up in my old Buick, and we drove down to Trenton. He went into Cahill’s office, announced that he was resigning from the bench. By that time everybody alerted the Trenton Press Corps, if you will. One picture I kept of him and myself, is him and myself coming out of Governor Cahill’s office after that announcement, and thereafter, I mean, the public reaction to it was very, very good. It was on all the radio stations. All the newspapers carried it, and he had a terrific leg up. And, again, now you have the problem of the basic political organization that he’s still lacking, but he had now to the extent that certainly the Hudson County people could certainly get petitions signed, etc., Bergen County, too, and Union County. And that was an exciting day. I think we all walked down the block to the then hotel. I’ve forgotten the name of it, on State Street, chatted a bit. We concluded that we would, he would-- wasn’t me. It was basically him, use his old law office in West Orange, with Marty Greenberg and Harold Teltser at the time were running it, as a base of operation to begin the process of running for governor.

Don Linky: Do you remember who else was there in the Statehouse at that announcement on his team?

Kenneth McPherson: Well, I know he and I were there, but I’m sure there were others at that point. Got to remember, too, now you had multiplicity of candidates in the Democratic primary. You had Ralph DeRose, senator, that had Essex County.

Don Linky: Brendan Byrne’s home county.

Kenneth McPherson: Home county, right. And he was the vigorous anti-income tax candidate. You had Dick Coffee, who was senator from Mercer County. You had Ed Craybil, who was, I think he was a senator Middlesex County. You had, I think, Ann Klein, was a famous-- well, you know, I’ve forgotten what her involvement was, but she was running for Governor, also, in the primary. And you probably had, maybe, somebody from Passaic. I’ve forgotten who. But anyway, you had a multiplicity of candidates, and obviously with the great publicity from the announcement he was the hot candidate.
Don Linky: One candidate who did not enter the race, but was talked about as a potential candidate, was Congressman Helstockial. How would that have affected Brendan Byrne’s decision to enter?

Kenneth McPherson: It wouldn’t have.

Don Linky: You don’t think so.

Kenneth McPherson: Nah. No. He’s very bright, I mean, obviously, and he was—well, he’s probably wiser now, too, but I was just going to say he was equally bright back then. But he had a good sense of the politics of it. He didn’t need too much advice as it relates to being able to deal with the political issues and the personalities.

Don Linky: From your view in Hudson County, talk a little more about the background of the Essex County political situation at the time, and who the key players were.

Kenneth McPherson: Well, the key player then was probably Harry. He was, Harry Lerner, who over the years I became friendly with, too, like especially with the second election. But he was a strong Democratic leader of Essex County. Essex County, way back then, too, didn’t have a sterling reputation as relates to its position in the state. And as I remember, Max Derose [ph?] was a handsome senator who had the support of his county, and that meant a lot of votes, and his platform was “no income tax, no income tax,” because you had the usual budget crises and school funding way back then. I think they were the main opponents in the primary. You want to know how we got them out?

Don Linky: Um hm.

Kenneth McPherson: He got them out basically. The first meeting that we had was with other candidates, was with the then candidate, Senator Coffee, who was, again, a very astute politician, a man of integrity, and had already positioned himself with a top flight, sophisticated, fairly well funded, too, I think, organization, political organization. He had, I think, on board then a guy by the name of John Martella, who was very—he may still be in business. I don’t know. He was very well regarded in the direct mail business. And the whole sophistication of political campaigning was just kind of mushrooming, but Dick Coffee had that organization in place, and he had a couple of very bright young men around him, one of whom was my friend, Dick Leone, who was and is as bright as hell, a wonderful man, and Lou Kaden, I think, was—no. I think Lou Kaden was from Middlesex County. But any rate, we met one night at the then offices of the Coffee campaign. I remember it because they ordered from the then famous Lorenzo’s Restaurant, steak dinners for everyone, which was kind of amusing to me, but also a nice gesture. And they put on a show for us, not a show in the bad sense, but they went through, and Dick Leone, principally, his plan for advancing the candidacy of Dick Coffee. And indeed, it was well organized, well managed, and well thought out, and I guess the point there was to see if you couldn’t reach an accommodation so that— I guess their desire, but I don’t think they obviously went into it, to hope that maybe Brendan would support him and not run. Again, that was another situation whereby I think Brendan spoke with Coffee, one-on-one, shook hands, and we walked out of there with Coffee dropping out and supporting Byrne; and picking up the real invaluable asset of the background of an intelligence and ability of Dick Leone, and their in place political organization. So that was a big, big help towards electing him.

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Then as you progress, another interesting part-- and again, you got to put it in the context of the just emerging-- not to demean-- sophisticated campaigning; it wasn't as nasty as it can get now, but it was I guess moving to that direction. The next thing, Leone came up with engaging a media advisor, and that was the now famous Dave Garth, who was himself quite a personality, if you've ever met him; and he still is, and he's still a friend of mine. I haven't seen him in a couple of years but occasionally we would talk. And he's helped me in the past with some help in New York, with the Giuliani administration. And by the way, Dave Garth had as his second in command the famous Jeff Greenfield, whom you see on CNN as the political analyst; or I think they call him a 'senior analyst' now. I don't know what the heck that means, but it's some sort of honor. But the meeting with Byrne and Leone and myself and Garth and Greenfield was quite interesting because Garth had just had a couple of spectacular political victories throughout the country, and right away came up with the slogan for Byrne, "The man who couldn't be bought"; as it relates to the fact that at the time you had a book written about an investigation of mob figures in New York, and it was a book called "The Man Who Couldn't Be Bought," which was written by John Martella.
Interview with Kenneth McPherson; September 22, 2006

Jersey wherein they were audio-taped discussing-- the mob figures-- discussing corrupt politicians. And the famous line was, I guess by the then Gyp DeCarlo, who's mentioned in the Broadway play "Jersey Boys," if you've seen it, as one of the back then corrupt, not politicians but gangster-type. Matter of fact, I think the Four Seasons played at the first Inauguration Ball for Brendan Byrne. There was no connection, but it's funny the way things evolve. But anyway, Gyp DeCarlo had a famous quote wherein he said, "You can't buy him." So that was the motto for Byrne. And my role with him then was just kind of-- first, for the first week, it was taxing to the extent that we didn't even have a car or anything like that. So I would wind up driving him. He'd be sleeping in the backseat, after making a couple of stops, and neither one of us-- he did, I shouldn't say that; I was just going to say neither one of us knew quite what the hell we were doing I guess. But it was all good, and people sensed that here you had a unique individual in him that would be good for everybody.

Don Linky: How much time during the day did you spend campaigning with him?

Kenneth McPherson: Oh man, the first couple of weeks, all day. It was like-- it was so much that it was difficult just sleeping, taking care of your family and running your law practice. Tell you the truth, that probably suffered a bit back then. But it was great; well beyond fun. It was great fun. But also there was a sense of purpose, there was a sense of success. You knew- you got a feeling that you're going to win. So it was a great, great, great time. And we did get the other people out too. When I say 'we', he did basically, by the strength of his position and the public reaction to him. I think it wound up that the real opponent turned out to be DeRose, and if you recall, he beat him overwhelmingly in the primary. And then he got lucky too because you got to remember Sandman then was the candidate for the Republicans, with the conservative vote reacting to, I guess, the difficulties that Cahill had.

Don Linky: Well let's go back to those early days of the campaign.


Don Linky: How was he as a candidate?

Kenneth McPherson: Well hesitant to begin with. I'll never forget the first speech I heard him give in a political context as a candidate, and that was at a dinner in Passaic County-- Paterson or Passaic, I can't remember-- where the then leader was-- what's?-- I've forgotten his name. You may remember it. It'll come to me. Basically-- Tony Grossi. He was also a commissioner at the BPU at the time, and naturally supported Byrne. And it was a group at a dinner, and we got there late, and he introduced Byrne; and it was just Byrne and myself, and he gave a speech. And again, what always saved him was his self-deprecating sense of humor, and he struggled-- and he'll probably admit that-- through that first speech. And it was the beginning of the process; and certainly as it evolved with that same, to this day, engaging, self-deprecating sense of humor that serves him well, and can deliver a message and instill confidence in his decision making.

Don Linky: What did he like and not like about the day-to-day campaign?

Kenneth McPherson: Well you probably know. What did he not like? Well I guess he didn't like the intensity of it and the constancy of it. And also, it was totally consuming, so that you had little family life and little time to play tennis, for instance. And he was always a good athlete; to this day, I'm sure he plays tennis. I never played tennis with him, I couldn't. I only played basketball with him, and I always beat him.

Don Linky: Yeah? Well let's move into the campaign. You were fairly confident he was going to win?

Kenneth McPherson: Oh yeah, yeah. He was too. It was working; you could sense the reaction of the people. And he's very good one-on-one. He was very good working a room, so to speak, with his warmth and his whole presence. He wouldn't say it, but I'd say it was almost easy; back then. Now the second time around it was a little different.
Don Linky: Were you surprised, as many people were, that Congressman Sandman defeated Governor Cahill in the primary?

Kenneth McPherson: I didn't think of it that much then because we were so busy doing what we were doing. I don't know surprised; we were happy. Because it was such a contrast between the two positions on the issues, that it was, as they say now, a clear choice; that made it a clear choice. He would've beaten, in my judgment, Cahill anyway though; 'cause it was there. And also another way is the response to him by way of political contributions. You had people wanting to contribute to him, to his campaign. And the money helped back then too.

Don Linky: Now you've talked about a few of the people in the campaign, and as the campaign progressed, as more come into the fold, who are the ones that you remember?

Kenneth McPherson: Well I certainly remember the Leone entrance, because he ran it; he was the brains, he was the heart, he was the glue of that whole campaign. And while looking back now, and from my point of view, dealing with the constancy of being with him early on, it was very comforting to know that you had this very bright guy, loyal to him, with unquestioned integrity, Dick Leone, managing it. And you had also-- at that point Kaden was a big part of it; a very bright guy. He had run for Congressman, I think, against-- I've forgotten his name-- Patton or something, in Middlesex County; had lost. So he had the political involvement, and base too, and was very instrumental in articulating the positions that we- he took-- I was going to say we-- he took throughout the race, the first race against Sandman. Others; I'm sure there was a lot that I've forgotten. Ultimately we got Harry Lerner-- he got Harry Lerner over to support him, obviously, after the primary. That was a big help because you had then too the Democratic organization in Essex County supporting its favorite son, at that point; second favorite son. But it was a nice thing. It worked very, very well.

Don Linky: And of course you mentioned Essex County again, and Marty Greenberg, who you mentioned before, had a fairly…

Kenneth McPherson: Big role.

Don Linky: …big role.

Kenneth McPherson: Yes, he did. And as did Charlie Carello and as did--

Don Linky: And a confusing role in that election.

Kenneth McPherson: Pardon me?

Don Linky: And a somewhat confusing political position in that election, didn't he?

Kenneth McPherson: Yes, he was running for Senator on the DeRose-- we finished? Oh.

Don Linky: Okay.

Kenneth McPherson: He was running for Senator on the DeRose ticket-- I forgot that-- which was cute too.

Don Linky: Because he was so close to Brendan Byrne.

Kenneth McPherson: Well they had been partners.

Don Linky: But his home county is--

Kenneth McPherson: There were partners; they were partners, yeah.

Don Linky: And his home county was backing another candidate against Brendan Byrne.
Kenneth McPherson: Yes, yes, yes, yes. That's a great story too, when you think about it. And he was elected too, yeah. <Crew talk>

Don Linky: Ken, now that Brendan Byrne has won the 1973 primary, you were extremely confident that he could beat Congressman Sandman in November?

Kenneth McPherson: Yes.

Don Linky: Because you saw that the contrasts in their positions were so stark.

Kenneth McPherson: It was stark; yes, stark is a good word.

Don Linky: Well what was the mood in the campaign like? Were there pessimists who said that they were--

Kenneth McPherson: Never, no. There was always a positive thrust of the campaign. Again, you got to credit-- if anyone was cautiously optimistic and cautious in the judgment making, I'd have to attribute that to Leone. He was always moderating and cautious about how he dealt with the issues and how they positioned the whole effort during the campaign.

Don Linky: And how about Brendan Byrne's confidence in victory?

Kenneth McPherson: We never spoke when we were traveling around together about whether we were confident or not. Number one, it was again too intense, too fast moving; and also it was just natural. I don't think we ever had a discussion about whether or not he was going to win; I don't think. But it was always there. We always-- I would think he thought he was going to win; but maybe not. I don't know. But I certainly thought he was going to win. And when I say that too, again you don't stop to discuss that, when you're in that mode of trying to get elected; at least we didn't.

Don Linky: Did you make suggestions to him as to how he could improve his campaign style?

Kenneth McPherson: Oh, that was more like a Leone type suggestion; maybe around the edges, occasionally.

Don Linky: Was it more in speaking or--

Kenneth McPherson: Well sometimes; sometimes having some sense of what issue or what person we were dealing with, I might give him my take or judgment on that person. I remember the first television interview he had. He and I went over to-- it was-- he's still around-- Gabe Pressman. I think that was the first television appearance of Byrne; again, in the primary. And the big concern driving over was, "You know they're going to ask you the tax- the income tax question." And I think-- I don't know who takes credit for that-- but I think we discussed how to deal with that. Because in truth, he thought that you didn't have to enact an income tax right then. But he was cautious of the fact that you may have had to do that, recognizing-- not fully, because he probably didn't have a chance to study the intricacies of the budget requirements, etcetera to be-- and I think the famous line that came up on that is "not in the foreseeable future." I think somebody came up with that line; when asked whether or not you would enact an income tax. Because that was the issue; the contrast between him and DeRose. DeRose's platform was he will not enact an income tax. At the time New Jersey did not-- n-o-t-- have an income tax.

Don Linky: Can you remember who came up with the "foreseeable future" phrase?

Kenneth McPherson: I don't know, he did, I did. I don't know. But it was valid at that point. I wouldn't want to put it in the position whereby you knew going in there you had to do it, and you wouldn't admit that. Because indeed you didn't. You got to put it in the context. He's a judge; he's running for governor; recognizes broadly the economic state of certainly the school funding and the budget. And you don't
know how you're going to be able to deal with the budget concerns once you're in office. So from that standpoint it was a legitimate thing to say.

**Don Linky:** Well was there anyone in the campaign arguing that since Brendan Byrne was so far ahead of Congressman Sandman that he should've dealt more forthrightly with the state's fiscal situation and suggested the need for some major reform of public finance?

**Kenneth McPherson:** I think he did deal forthrightly with it. Honestly Don, to the extent that you knew it was out there, but you didn't want to say now that you had to do that; and with the language that you choose to articulate your position, I thought it was a fair articulation of it, quite frankly.

**Don Linky:** Well let's go to Election Day. What was Election Day and Election Night like?

**Kenneth McPherson:** Well very exciting, very exciting. Well which-- the primary? The primary, dealing with that, I remember riding down to the headquarters with him in the back of the car, and on the radio they were announcing he was the winner already, before he even got there. So that was like just a lot of fun and satisfaction. And then with the ultimate victory, it was-- I think it was someplace in West Orange, I've forgotten the place. I think Sheila, my wife, came to that and all. And it was like a wonderful celebration of great victory. And you got to remember too through this you got a guy who's special; special to the extent that you had unquestioned ability, unquestioned integrity. You had the whole package so to speak. And he looked good, he photographed well. It was like out of a movie. Here's a great candidate. And he was especially gracious when he made his acceptance speech. He went out of his way to mention my name, along with Leone and Don Lan and Jim Dugan. And he went through that ritual of distinguishing to the public. And I remember people hearing it on television and calling me about it; and being proudful, as it relates to having that special recognition.

**Don Linky:** Even before he gets inaugurated as governor, he has to deal with an issue close to where we are sitting right now.

**Kenneth McPherson:** Yes, yes, yes.

**Don Linky:** Talk about that.

**Kenneth McPherson:** Well that was a-- you got to look at that too. That achievement was partly Bill Cahill's, having the vision to put in place the sports complex, if you will, with a racetrack and giant stadium, and the benefits to New Jersey. That was a great accomplishment initially on the part of the Cahill administration, and Cahill. But you had intense pressure from other interests on him, as the governor-elect, to abort or to abandon-- maybe is a better word-- that whole effort. And you had-- also if you recall reading the newspapers-- the threat of a lack of financing for the project as it relates to the New York banks at that point taking the position that it would be in such competition with the New York interests that they really didn't want to fund it; and there was questions about whether or not it would be successful. You had then him, having all that pressure, Brendan Byrne. And he stood up to that and went forward with the project. And God rest his soul, I remember Tom Stanton, who was then the president and chairman of the board of I think it was the First Jersey National Bank, who was the first man at a banking institution to step up and support the bonds necessary to go forward with that project. But that was typically Brendan Byrne looking back, listening to the pros and cons; especially listening to the cons, and the pressures that that produced, and having the integrity and the strength to go forward with that. Because there was a question; that was a big pressure as to whether or not it would be successful. And indeed, once you stepped over the line and made that commitment, it was an important thing to the state. Had it failed, it would've been not good.

**Don Linky:** And what was your role?

**Kenneth McPherson:** Nothing, other than talking about it and supporting it, and thinking too that it was a good thing for New Jersey. Why shouldn't you do it? It made a lot of sense. It was in place; at least the concepts, etcetera. And the only question at that point was could you get the financial support for it?

**Don Linky:** Were you at all part of the negotiations with the New Jersey financial community?
Kenneth McPherson: No, no, no, no, no.

Don Linky: Well let's move to the inaugural. What was that like?

Kenneth McPherson: That was fun too. Let's see. I remember the Four Seasons at the ball. The reason why I remember that is my daughters- my kids went to the inauguration too, and they reminded me of the fact that they played at the Inaugural Ball. What was that like? It was a great day. What do I remember of it? I remember his speech at the War Memorial Building. I remember being happy at that- at the beginning of the administration; that kind of thing. The next day I think- was it the next day? Again, he was always assuming I was going to go down and work there with him as a lawyer. But I wouldn't do that.

Don Linky: When did you tell him that you didn't want to come to Trenton?

Kenneth McPherson: I told him that, whenever he mentioned it, I wouldn't be ungrateful, but I had-- I liked being a lawyer as opposed to having- being that deeply enmeshed in public service. All due respect to it; I respect people who do it because it is a big sacrifice. I guess I wasn't willing to make that sacrifice at that point.

Don Linky: When did you tell him that you didn't want to come to Trenton?

Kenneth McPherson: Yes, because it did become evident that you had to do something to deal with the crisis as it relates to the school funding. And it was one of the last states holding out for resisting the income tax. You had the history of it, as it relates to the primary, as being a position; and in the general election. And finally, typically of him, as he studied the issues and got-- interestingly now too Leone comes in the picture. Because he was the treasurer. And again, a great mind, and again, a guy who gave good advice to the governor by way of these types of positions. And that was tense, to the extent that you knew it was going to be a heavy lift politically. You knew you were going to have people saying that he's a tax-and-spend Democrat, that kind of thing, even back then. But he had the courage and the strength to go forward with that position, and move for the enactment of the income tax.

Don Linky: In retrospect, at this stage did you think the 'foreseeable future' line was a mistake?

Kenneth McPherson: No, I thought it was fair, back then. Because again, you got to put it in the context of the 1973 primary campaign and the campaign. In him; he was a judge, he was not a-- what shall I say?-- an investment banker. He had knowledge of, in a general way, of the budgetary process and what was available and what not; what cuts you could make, etcetera. Because indeed there was always that possibility that somehow you could come in and manage the budget so well and deal with the issues and move forward. But as they made those tough decisions-- and I wasn't really part of that process, quite frankly-- you had the realization that this is-- this should be done for the benefit of the state. He could've not done that. He could've used other gimmicks, etcetera, I suppose, back then. But he chose to bite the bullet and go forward.

Don Linky: From your position on the outside, how did you perceive the politics of his position? You said that it was going to be very difficult.

Kenneth McPherson: Yeah, it was obvious that it would be difficult because you had resistance among all the people who had to vote on it; the Assembly people and the Senate people. The representatives, they knew that the next time they were running for election you'd have opponents saying that they enacted the income tax; throw them out and vote for me. So you had that there.

Don Linky: Now were you asked for either political advice or to contact some people during the fight?

Kenneth McPherson: Yeah, the one thing that I did do for-- well he asked if I would come down and work for the Senate for a short period of time during that controversy; that effort I should call it. And I did-
and now I've forgotten how long it was; maybe for a month or two months-- did work with him and Dugan and Leone on the political effort to get support for the income tax that finally was enacted.

Don Linky: After failing the first time.

Kenneth McPherson: Yeah.

Don Linky: Do you think that the court's decision was the critical piece of that; that the legislature would not have acted without that deadline that the court had set for closing the schools?

Kenneth McPherson: They probably wouldn't have; they probably wouldn't have. That was an important help to it; again, under the theory of doing the right thing, to respond to it. Yeah.

Don Linky: Well Governor's Byrne's political standing takes a fairly significant hit as a result of the income tax fight.

Kenneth McPherson: One-term Byrne.

Don Linky: How did you see it? Did you see-- as he is moving further into his term and people are talking about one-term Byrne, and the next election's coming up, did you--

Kenneth McPherson: Well what happened Don was you saw people-- now they'd say distancing themselves from him a bit. You saw other Democratic politicians sensing a vulnerability on his part now, as it relates to his electability again for a second term. And my memory fades-- and at this point too, I'm practicing law. I'm not down there every day; although I probably got down to see maybe once every two weeks or so, just stop in and talk to him. And we spoke on the phone, and I would travel with him still a little bit. But you had others coming up wanting to be governor, and challenging him prospectively in the Democratic primary. And I think one of those people-- correct me if I'm wrong-- was Paul Jordan, the then mayor, who had helped-- blah-blah-blah-- way back then. And there were other candidates. I think Congressman-- what was that county?

Don Linky: Roe.

Kenneth McPherson: Pardon me?

Don Linky: Bob Roe.

Kenneth McPherson: Bob Roe I think ran, right? There were others too. Help me with it; I've forgotten.

Don Linky: Joe Hoffman, one of his cabinet--

Kenneth McPherson: Joe Hoffman, yes, yes, yes; the Department of Labor. So that was a trying time for him. And then you had some people around him, I thought, suggesting that perhaps he ought not run. By this time he had changed his staffing at the State House. You had then my friend John Degnan, I think, serving as his chief of staff or counsel to the governor. You had him being a staunch supporter of Byrne. And we probably had a couple of meetings-- I can't remember exactly when-- where people were- - his inner circle-- were discussing the viability of his candidacy. I laugh because it's funny how things change and people's reaction, and sometimes loyalties, if not change, waver or dissipate. But he knew he wanted to run again, with all the obvious pressure or nay-saying that he probably heard or read about, and agreed to again be a candidate. And we became involved with that process too. By "we" I mean myself and my law firm at that point. Because at that point you had Paul Jordan, who was the Hudson County Democratic candidate, and you had to have a full slate of candidates to get a position on the ballot in Hudson County. So I got my dear departed law partner, Dave Waters, to run for sheriff of Hudson County, because that was a key position on the ballot that year. And we got the petition signed and actually ran a slate of candidates; lost dramatically, of course, against the Hudson County powerhouse, but did sufficiently well for Brendan Byrne to help him win that primary. And a funny part about that was too, as I believe my memory, we got the 1A line by the then county clerk, Jim Quinn,
selecting our line for the number one position; that helped us also. And we ran that primary from my law office—again, at that point it was still over the shoe store in Journal Square—and had some fun with it. And it's always fun when you win too. So we won. So it was kind of an extra good result. It was fun.

Don Linky: What was Mayor Fitzpatrick's position in that election?
Kenneth McPherson: Certainly he had to be hoping, if not being out front, with Brendan Byrne. I don't recall Don, I don't recall.

Don Linky: Okay. What advice were you giving Brendan Byrne about the decision to run or not?
Kenneth McPherson: Oh well I thought he should run. It would be like— it would be. I wouldn't say crazy. But having what he— having known the effort that he put into it, having known what he accomplished in that first term, having known the man, he almost had a responsibility to run I think. It would've been very disappointing if he chose not to run.

Don Linky: Of course the candidates against him split the vote so much that it obviously helped win the primary for Brendan Byrne.

Kenneth McPherson: Yes.

Don Linky: Why don't you think they got together to just try to push a few of them out?
Kenneth McPherson: Maybe they weren't smart enough to do that. I don't know. But that's the way it evolved. And he won, and went on to victory, against Bateman I think. Right? And that too showed that maybe the people of New Jersey are better than back then people thought they were. You look at the recent elections, I think that that's still there. It's a great state, and the people are, I think, very intelligent; by and large certainly.

Don Linky: And that election, according to most analysts, turned when the Bateman-Simon plan was unveiled in terms of an alternative to the income tax.

Kenneth McPherson: Yeah, yeah.

Don Linky: What was your reaction?
Kenneth McPherson: Well you had hope that that would be the case. But we were— our position was what it was; you couldn't change it. We had done it, so to speak. And people, I guess, appreciated the fact that it was the right thing; ultimately. Because he did win.

Don Linky: Yeah. At what point in the campaign were you confident that he would win?
Kenneth McPherson: The second time?

Don Linky: Second.

Kenneth McPherson: I don't think I was ever confident that he would win the second time around, quite frankly.

Don Linky: Not until Election Day.

Kenneth McPherson: Oh yeah, when you saw the polling, I guess at that point, back then too, you'd have more a degree of confidence. But it wasn't the same. The first time around it was like so obvious that he was going to win. It was never-- it never entered my mind that he would lose.

Don Linky: And again, what was Election Day and Election Night like?
Kenneth McPherson: That was different. I remember then-- it's funny how things stick out in your mind. I remember that then you had the Rocky movie, and you had that great soundtrack of the Rocky movies. I've forgotten what it sounds like, but it was something like-- not a comeback but-- whatever that theme song is, that was the theme song. It was very invigorating, certainly. And it was different then because-- why? It was different. I guess you knew that that was it, he was going to go forward. And it was fine.

Don Linky: Now in the second term you took on a couple of assignments from Brendan Byrne.

Kenneth McPherson: Yeah, he talked me into becoming the chairman of the Hudson County Study Commission-- not the Hudson County-- the Hudson River Walk-- the Hudson River Study Commission. I've forgotten the name of it. [Hudson Waterfront Planning and Study Commission]. But at any rate, it was a commission that he put in place. Luckily for me, I did say I'd be the chairman of it. It had such a vast involvement of all the politicians and the public interest groups. It was a committee of about 1000 I think. [39 members] It was really almost humorous, to the extent that you had so many people participating in it, it was a challenge to try to get them together to ever render a report ultimately. Because we had hearings. And I was blessed with the help of the then employee at the DEP, John Weingart, who is now the chairman of the…

Don Linky: Highlands.

Kenneth McPherson: …Highlands Study- the Highland Commission-- Highlands Preservation Commission. And he was again so bright and so smart. He really actually wrote the report ultimately, and was very helpful in that whole process. And the process was-- it's sometimes humorous because you had all these politicians who would get up at the public hearings that we had and make speeches about what to do with coordinating the development of the Hudson River. The one thing that we did come out of that with-- and right now I think it's a permanent improvement to the state-- was the enactment-- not an enactment but the recommendation that there be a Hudson River walkway that would connect along the Hudson River, among all the towns and the county as it relates to making that public space and making it available to the public. And as we speak now, it's a development along the Hudson River. That commission set that standard and that recommendation. And there is a report someplace. I don't have it handy.

Don Linky: And of course another initiative of the Byrne administration was the development of Liberty State Park.

Kenneth McPherson: Yes.

Don Linky: At Jersey City, which helped revive the waterfront and the—

Kenneth McPherson: Yes, yes, that was all part of it. That process began with him having the foresight or the vision, as they say nowadays, of having a commission to study what ought to be done.

Don Linky: And then the governor appointed you to a very prestigious board. Discuss that appointment, and your discussions.

Kenneth McPherson: Well that was I think around the early '80s. He said, "Why don't you go on the Port Authority?" And usually I would say, "No, I don't think so." But he said, "Well why don't you do it?" And I did agree to do that, because he thought that maybe that would be a help to him, quite frankly, and a good experience for myself. And I did that for a couple of years. It was interesting to the extent, as I think about 9/11 now, of making the meetings over there at the World Trade Center, and I think about back then we were thinking about privatizing the World Trade Center. The big issue then was again budgetary concerns for both states; whether or not we ought-- back then-- privatize the ownership of the World Trade Center. That failed; it never got final the support of both governors. Interestingly though, while I was a commissioner one of my daughters, Janet, was married, and we had her reception at the Windows on the World; which is memorable to the family, especially given the 9/11 event. But that was another interesting experience I had, thanks to him. It was only for a couple of years, and I think he-- I left and let someone else take that position. But it was fun too. A lot of work. The commissioners do a
lot of work. It's a very well run organization. And if you look at the quality-- I think anyway-- of the public employee over there, they're exceptional. Yeah.

**Don Linky:** Good. Governor Byrne occasionally had battles with the Port Authority didn't he?

**Kenneth McPherson:** Yes, yes. For instance, he wouldn't let them raise the PATH Fare. I was there during that battle. And that was a good thing too. He was firmly committed to keeping that-- not raising the PATH Fare.

**Don Linky:** Now you were sort of in the middle there. I assume that were lobbied by the rest of the commissioners to try to change his mind on that, weren't you?

**Kenneth McPherson:** Yes. But that wouldn't have occurred. I agreed with that, at that time, yeah.

**Don Linky:** You agreed with…

**Kenneth McPherson:** Byrne.

**Don Linky:** …his position?

**Kenneth McPherson:** Oh yes, yeah; yes, right, right. I thought it was fair, quite frankly. With all the complexity of the two-state involvement, I thought that that wasn't a bad, hard position to take, at the time.

**Don Linky:** Okay. What were your contacts with him in the second term? Were they social or mostly through the—

**Kenneth McPherson:** They changed; they changed to the extent that-- he knew what he was doing, obviously. And I was-- quite frankly. And again I think because of my connection and involvement with him, the law practice flourished, quite frankly. We did well. The law practice grew. We moved out here. We really did an awful lot of real estate development work, as a law firm. The one thing that was interesting-- and that was fun too-- the enactment of the casino legislation in Atlantic City, when that was enacted, and you had that excitement. When was that? I guess 19-- what-- 80?

**Don Linky:** No earlier, '78 I think.

**Kenneth McPherson:** Yeah, yeah but they started to build them I think in '80. And I remember being engaged by Bally to represent their interest in that licensing process procedure. That was a fun thing too; fun to the extent-- again serious and important to the state, but also intellectually stimulating and interesting because of the new business and the whole excitement about it. That was good.

**Don Linky:** Looking back at some of those major initiatives during those years-- Atlantic City, the Meadowlands; we didn't talk about the Pinelands, that's somewhat different. But—

**Kenneth McPherson:** Well he did that too, he did that too.

**Don Linky:** Any sort of regrets? Like in the Meadowlands, do you think the Meadowlands development has…

**Kenneth McPherson:** No.

**Don Linky:** …fulfilled its promise?

**Kenneth McPherson:** Yes, I do. I think that was a very, very wise thing. I think what you see around you here, and what it's meant to me because I practice in the Meadowlands, is very important. It made the quality of life, for people like me at the time living in Jersey City, better, as it relates to the development that took place in the district. If there is a regret-- and I think we had that conversation, both him and myself-- he should have-- and we did talk about it-- enacted a similar thing in Atlantic City, for the development- the build out of Atlantic City. It would've been I thought-- well you can't knock it to the
extent that it's had a lot of positive, obviously, benefit to the state. But you probably could've done that better by way of a land-use regulation system; similar to this, back then.

**Don Linky:** Similar to the Meadowlands Commission?
**Kenneth McPherson:** Yes right, that would've-- again, maybe you couldn't have done it politically. You know? But it would've been better. I think he'd tell you that.

**Don Linky:** Uh-hum.

**Kenneth McPherson:** Yeah.

**Don Linky:** And talk briefly Ken, before we close, about your contacts with Brendan Byrne since he left office.

**Kenneth McPherson:** Well they're few; always very pleasant; always reminiscing about... our involvement.

**Don Linky:** Any other final thoughts or comments or—

**Kenneth McPherson:** No. I think you got—

<Crew talk>

**Kenneth McPherson:** You got to look at what he's accomplished.

**Don Linky:** Okay, why don't we end here? Thank you.

### End of McPherson_Kenneth_Interview_9.22.2006_AUDIO.mp3