

Boro's "Intention" To Tax Wages, But Termed Powerless To Stop W-B Levy In 1966

"Wage tax" was the talk of the Back Mountain this week, in the wake of passage of a one per cent levy in Wilkes-Barre, where many local residents work.

Dallas Borough does not think it can pass an effective wage tax in 1966; Dallas Township and Kingston Township think they can.

(Local wage taxes would take precedence over Wilkes-Barre wage taxes on Back Mountain residents, thus nullifying the city tax here.)

Dallas Borough Council decided to advertise its intention of passing one in 1966, which is not the same thing as taking action to pass an ordinance, but which gets the borough's foot in the door before such places as Kingston Borough start taxing their wage-earners from Dallas also.

Dallas tax itself might never actually be levied in 1966. There is division of opinion among lawyers for the Borough, Dallas Township, and Kingston Township as to

whether municipalities in the Back Mountain (and other areas surrounding Wilkes-Barre) can actually pass an effective tax this year. Borough solicitor maintains they cannot, that there is a 45-day time limit of notification of intention of taxing, applicable during first year of tax, in which only Wilkes-Barre can pass such a tax this year.

Borough's standpoint is that Wilkes-Barre is the only one who can tax wage-earners in Wilkes-Barre this year, and Borough Council's action Tuesday night is designed merely to protect the right to tax wage-earners from here who work in other valley municipalities such as Kingston, which is believed to be planning a one per cent wage tax to counteract the tax in Wilkes-Barre.

1967 will be another story, and it is expected that most or all of the Back Mountain will pass effective wage taxes in that year, rather than sitting back and watching the expected revenues go, as a local official noted, into the pockets of

Wilkes-Barre politicians. It is also expected that local school boards will demand half of these taxes, as is their legal right, by passing identical levy ordinances.

BOROUGH'S POSITION

Borough's position, as per solicitor Robert Fleming's understanding of the law, is the same as it was last meeting, in December, as put forth in an article in the Dallas Post. Townships' belief that they can tax wages in 1966, says Fleming, is based on the inherent right to tax and does not take cognizance of the effective date provisions.

Townships' letter of intent to Wilkes-Barre, Fleming explained to Council, states they "believe" their residents are entitled to credit a local tax against that of Wilkes-Barre. He said this position, to his belief, was "ineffective."

Councilman George Thomas questioned why the law was not more explicit on this matter—why there was no positive answer? He also asked if there were no other cities who had

experiences which would be in point? The attorney said that, as far as he knew, no such case has ever come to court.

Thomas also asked if there were no way to keep Dallas people from having to pay the Wilkes-Barre wage tax other than to enact one here in 1967?

Fleming said the only other way to do it would be to take an appeal on the legality of the Wilkes-Barre tax to court, which, if it were feasible, certainly all the protest groups—labor, unions, etc., would do.

With the Wilkes-Barre tax apparently free and clear of Dallas counter-action in 1966, Council decided to advertise its intention to pass a one per cent wage tax here in 1966 as a defense against other valley communities doing the same as the city. It was noted that this would keep the latter from taxing Dallas people even if the Dallas tax were not passed until December, 1966.

Intention is noted in this paper, with the nature of the tax being one per cent of income, purpose being to reduce long-term indebtedness, and estimated revenue derived expected to be around \$15,000.

There was no substantial discussion on possibility of reducing millage on property to compensate for extra financial burden to taxpayers, both in 1966, if any, and in 1967, although reduction in millage is unofficially known to be an idea favorable to a number of councilmen.

(Related Stories, This Issue)

Natona Is Sold, Yielding Taxes

Overpayment Accord Cuts Into Revenues

Natona Mills Inc., of Dallas, is about to be sold again, according to communication from company counsel to Dallas Borough.

Borough solicitor Robert Fleming advised Council that he has been informed that the deed will probably be filed shortly, and that the transfer value is supposed to be around \$300,000.

Buyer has not been revealed, although it is possible that the deal for transfer may be within the corporate complex of present ownership, it has been indicated to the Dallas Post.

Matter of transfer was brought up at Council meeting because the company's attorneys have been claiming an overpayment of \$1500 in realty transfer tax to the Borough when the plant was sold some years back. (This was the time that the \$4500 transfer tax was paid to Dallas Township, which was finally adjudicated an error.)

Error of overpayment came about, says the company attorneys, as a result of a conflict of laws whereby the authority has it that when a plant property is transferred, tax is paid on all value EXCEPT machinery.

The \$4500 transfer tax paid on Natona was based on the whole property, machinery included, and therefore in error, says Natona attorneys.

Borough says, however, that it incurred an expense of \$1011.87 in getting the tax money back from Dallas Township. So borough says it owes Natona only \$488.13. With the new realty transfer contemplated, Natona attorneys say they will settle for a refund of \$650, and this can be applied against the expected tax.

Inspection Fee Issue Deferred

Utility Offers Boro Half Amount Levied

Borough solicitor Robert Fleming reported to Council that he had stipulated that Dallas would not attempt to enforce its utility "inspection fee" until a hearing has been held on the matter.

On query by Council, the attorney referred to the story in the Dallas Post last week, and added that a UGI official has indicated willingness to accept a 25-cent inspection fee (ordinance imposes 50-cent fee), although no such offer has been heard from Commonwealth Telephone Company, the other utility which is fighting the new ordinance.

Dallas Water Company has not contested the law, solicitor said, although they have until the end of this month to do so.

Councilman Wilbur Davis asked if there were any other community which had a similar situation, alluding to incident where a power line fell on a Borough traffic light and caused a fire in it? He also referred to cost to the borough of supervising restoration of road surfaces after new gas lines were put in.

In other business, it was reported that three municipalities were going to meet further on question of a common sewer line and system, and that Dallas Township had figured out that if costs were allocated among the participating municipalities, it would expect to pay about 25 1/2 per cent, based on percentage of connections.

Also minutes were amended to show that Frank Morgan was no longer a borough employee and that Andrew Peranto was a Special Police Officer.

Solicitor also reported that he had had no reply from letter sent to Harry Wesley on matter of wrecked cars on premises of his

(Continued to 6 A)

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VOL. 77, NO. 2, THURSDAY, JANUARY 13, 1966

LaBerge Asks 1% Wage Tax For Dallas District

Educational TV Available Soon For Local Pupils

Director John LaBerge proposed the Dallas School District, comprised of Kingston, Dallas and Franklin Townships and Dallas Borough levy a Wage Tax to circumvent that recently passed in Wilkes-Barre and another encompassing Crestwood Industrial Park due to the formation of School District 9.

Mr. LaBerge said it would be easier for the School District to pass such an ordinance than for the individual municipalities to do so. Revenue would not be forthcoming from such a move until 1967. Municipal governments would be eligible for half the amount.

No action was taken on his suggestion but Mrs. Ann Vernon, president, appointed Earl Fritzsche, chairman of the finance committee, to meet with supervisor or council representatives of each district to discuss the matter. Also attending will be the board president, secretary and any other members of the finance committee who so desires.

A meeting date was set for Monday evening at Dallas High School. It is hoped that by this procedure, if a wage tax is adopted, the millage may be reduced and revenue used in this area rather than for projects in other communities where benefits may be derived.

T-V PROGRAMS SOON

The plan to use Educational Television programs in our schools is proceeding with results expected in late spring. Dallas District is a member of the Northeastern Pennsylvania Educational Television Association which has received the gift of Station WNEP's (Channel 16) former transmitter building and tower, worth \$350,000 at Mountain Top. Additional grants from the State Department of Education, gifts of local business firms and donations from the school districts have raised all but \$12,053 of the goal.

In addition Back Mountain Telecable has laid lines to the schools but T-V sets and indoor equipment must be provided by the district. There will be no charge for service.

SPECIAL EDUCATION

William Austin, Supervisor of Elementary Education, announced the Dallas District had filed for six projects under the Elementary and Secondary Education Act. The program will be operated with part time personnel in providing special training for the educationally deprived. Ten to 15 teachers and the same number of aides would be needed. Mr. LaBerge asked if this aid could terminate suddenly, leaving the school district holding the bag. Amendment was proposed by Andrew Kozemchak that no cost be placed on the local school set-up. Board unanimously agreed. A letter notifying the Dallas District that their application for supplemental payments has been approved for the 1966-67 School year was received from Dr. Herbert E. Bryan, Acting Deputy Superintendent of the Pa. Dept. of Public Instruction, who recommended the local district for its continued efforts to exceed the minimum standards through the improvement of its program of instruction and its services to the teachers.

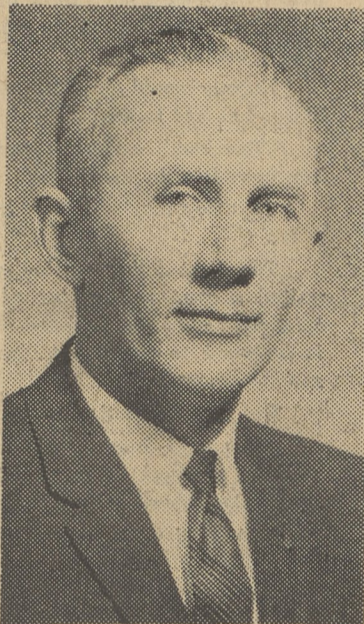
MUSICIANS HONORED

The following students, Elizabeth Otto, Cynthia Garman, Warren DeWitt and Robert Bayer were granted permission to attend the PMEA District Orchestra on February 24, 25 and 26 at Wyalusing, the group to be accompanied by instructor, Lester Lewis. This is an honor for Dallas.

The sick leave of Mrs. Thelma Lamoureux was extended until February 1 and Edward Tinklepaugh was approved as a custodian. Secretary was authorized to advertise for bids for boiler repairs to the Westmoreland building.

(Continued to 4 A)

Elected President



THOMAS P. GARRITY

Thomas P. Garrity, Harveys Lake rector, was elected president of the Rural Building and Loan Association of Dallas at the reorganization meeting this month.

L. L. Richardson of Dallas was elected vice president, Frederick J. Eck of Shavertown, treasurer, G. Wilbur Nichols, Trucksville, secretary, and B. B. Lewis, solicitor. J. F. Beseker, outgoing president, was elected to the Board of Directors. Other directors are: Howard Isaacs, F. Allen Nichols, Thomas G. Reese, W. B. Jeter, Dr. F. B. Schooley, Mr. Lewis, Sheldon T. Evans, and Herbert H. Hill.

Association added to its assets during 1965, despite heavy competition in the home mortgage market, while increasing total home financing. As of December 31, assets stood at \$194,406.59.

EAST DALLAS BRUSHFIRE

Dr. Henry M. Laing Fire Company, Dallas, responded to a call on a brushfire on the Hildebrand Road yesterday at 4 p.m.

Lehman Man Crashes Scout On Twp. Road

A Lehman man, Arthur Carichner, 33, was injured when he rolled his 4-wheel-drive International Scout on the Smith's Pond road, below Lehman Center, Monday night.

The Scout was badly damaged on left front and the right front wheel broke loose and travelled off into the woods. Carichner was reported trying to avoid hitting a deer on Twp. Route 700 when he crashed.

He was pinned under the car when it rolled about 11:10, but managed to crawl out from under it.

He was removed to Nesbitt Hospital in Lehman ambulance and admitted to the hospital after treatment in dispensary for multiple abrasions and lacerations of the face. The Scout was towed out, and the wheel was found the next morning.

Lake-Lehman Now Fully Accredited By Assoc. Of Secondary Schools

Official recognition was given to Lake-Lehman's admission to the ranks of high schools accredited by the Middle States Commission on Colleges and Secondary Schools at Tuesday night's school board meeting.

Foundation for this acceptance was laid three years ago, when the school board decided to seek evaluation. A year of intense self-evaluation followed. Included were these areas: organization, course offerings, staff, student activities, materials, attitudes of faculty and students, parents and counselors, members of the board, and the physical plant itself.

In the spring of last year, March 24, 25, and 26, a team of educators from other areas conducted an impartial study.

Dr. Ablett H. Flury, executive secretary, released the report.

He said, in part, that the chief purpose of evaluation is improvement in all aspects of a school program, and that because schools are evaluated on the basis of individual school philosophies, no comparison between schools can be made. Any good school, he continued, should become better, therefore recommendations as well as commendations are made.

Suggestions were that the curriculum needs continual study with electives expanded and remedial classes considered. Many of the recommendations, the directors were reminded by Supervising Principal Robert Z. Belles, has already been put into effect, including installation of an assistant high school principal, John Zaleskas, whose services have been of great value to High School Principal Anthony Marchakitus.

THE JIMMIE VAULT

To date, directors were informed, no progress had been made on cracking the jimmied vault lock in the high school. A concern in Philadelphia, reached by telephone by Mr. Marchakitus, said it might be able to offer concrete suggestions to Acme Locksmith Company, which spent three busy fruitless hours last Wednesday in an attempt to turn the tumblers after the broken dial had been removed.

If such suggestions do not help, the Philadelphia concern stands ready to send a safe-cracker. In view of recent break-ins, the board voted to contact Harveys Lake Light Company to arrange for installation of more outside lighting on a dusk to dawn basis.

Two lights were authorized for the Lake building; two each for Noxen and Ross Township elementary schools; three at Lehman elementary.

At least six lights were considered necessary for protection of the high school building.

The burglarious entry at the high school over the New Year weekend was put on teletype, along with

fingerprints, enlisting the aid of the State Police at request of Chief Joseph Ide.

MISCELLANEOUS

Mandatory increments for teachers, in compliance with recent legislation signed into law by Governor Scranton December 9, were voted.

At a meeting of the finance committee January 10, it was estimated that the mandated increases would cost the district an extra \$2,300 during the current year, making necessary a revision of the budget.

Frank Stoliarick accepted a three-year contract for bus-driving at the contract price set by the State as reimbursable, \$16.65 per day.

Dean Shaver moved that Jonathan R. Davis Volunteer Fire Company be granted use of the gymnasium for a basketball game with the WARM Dribblers February 23, at the usual rate for heat, light, custodian service and protection.

In February, it costs considerable to heat the gymnasium from 7 to 11 p.m. Revenue is for the new fire truck fund.

Bonus, based on certain specified subsidies or on the census count of 1960, whichever the individual district selects, amounted to \$28,151.87 in the case of Lake-Lehman. The Board passed up the census count proposal in favor of the other, because of the wide differential in amount.

One half the amount is due February 1.

The question of exoneration for taxes were raised again. Dean Shaver presenting the statistics. Many resident over the age for per capita tax are excused upon request. What is not generally understood is that each year the exoneration must be applied for again, it is not self-perpetuating.

Northeastern Pennsylvania Educational Television, under an agreement by which Lake-Lehman agreed to pay \$1 per pupil for services, stated that \$1,786 would be payable March 1.

Hits Gas Pump

Customers routinely drew up to the front double gas pump at Birth's Dallas Esso on Tuesday, drivers got out, looked around idly and then noticed something unusual—no pump.

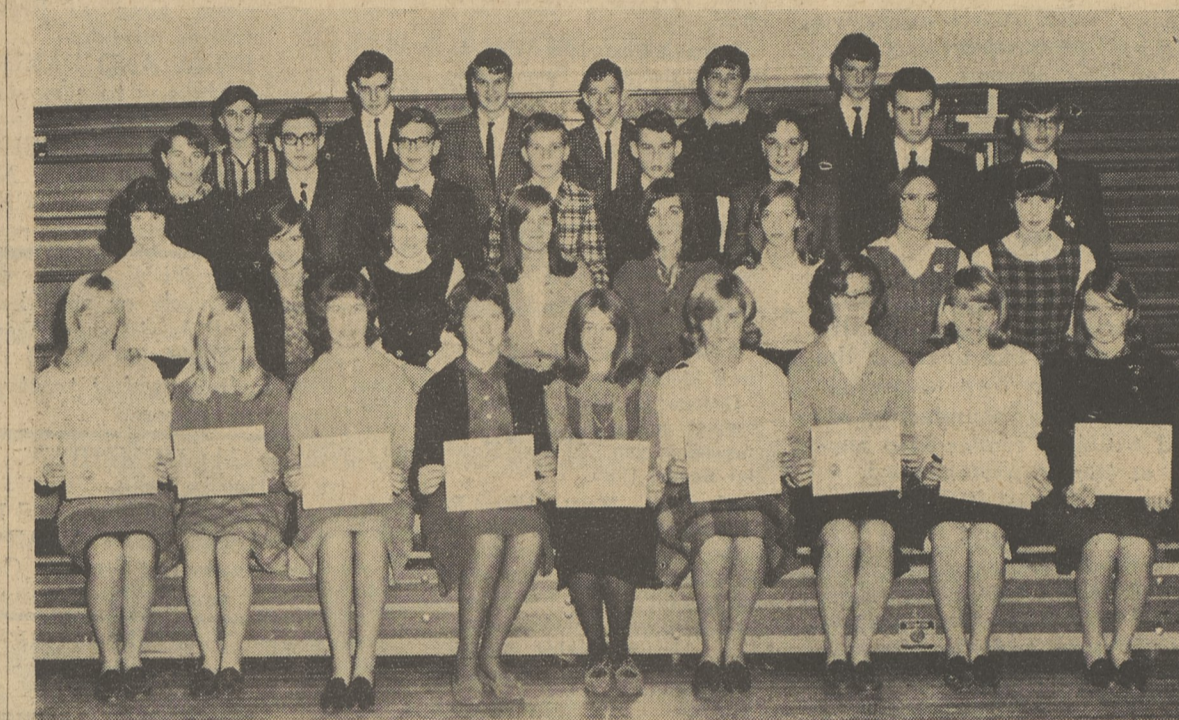
It had been trimmed cleanly off during the night.

According to Mr. Birth, the driver, Ronald Ferrance, 36 Main Street, had backed his Chrysler sedan over the pump about 5 a.m., and the car got hung up on the remains.

Fortunately no fire broke out, although a rear tire burned up from friction. Night attendant was unaware of the car's presence until he heard the noise.

Pumps are owned by the Esso company and were to be replaced yesterday.

Thirty-one Ninth Graders Awarded NEDT Certificates



Thirty-one 9th grade students of Dallas Junior High School have been awarded Certificates of Educational Development based on the scores they achieved in the National Education Development Tests. The skills measured by NEDT are basic intellectual skills.

In order to qualify for a certificate a student must score in the top ten percent of his grade, nationally. Fifty percent of the Dallas Junior High School students who took this test scored in the top 15 percent, nationally.

Intruders With Key Enter Main Library

Unlawful entry was made Sunday and Monday nights into Back Mountain Memorial Library, by use of an unauthorized key.

Stefan Hellersperk, chairman of Building and Grounds, was informed of the entry by custodian Layou, who had noted cigarette butts on the floor.

No apparent loss was sustained, except for small change from the fine-box.

Chief Russell Honeywell investigated. Mrs. Richard Dale, Librarian, states that no money is kept in the Library except the few pennies collected each day in fines for overdue books, amounting to something like thirty cents when times are flush.

"Addition" Retards New P.O. Dedication

Dedication of the new Dallas postoffice is slated for an undetermined time in Spring, after "additional work" is completed, according to announcement this week from Washington. Announcement did not state if the bulk of work to be completed was included in the original contract or some of the well-known "deleted items," such as plaster and pavement, removed from original contract by the General Services Administration, apparently to hold down initial cost estimate.

Sheehan, Linda Finn, Suzanne Kozich, Michele Witek, Diane Thier, Sally Elston, Alicia Bauman.

Third row: Edward Rutkin, Daniel Thomas, Vincent Roman, Robert Bowen, Calvin Wettstein, John Welker, Richard Letts, Jeffrey Eyet.

Fourth row: Gary Dymond, Carl Goeringer, Richard Morgan, James Evans, Timothy Bauman, Charles Baker.

Second row: Paula Richards, Beth

Lehman Official Presses To Adopt Complete New Ordinance On Zoning

Smith Says Changes Could Be Made Later

Lehman Township zoning now lies somewhere between an unneeded backlog of subdivision and health ordinances and a complete new Zoning Ordinance, as yet unpassed.

With the situation aggravated by recent pressure against trailer installations across from Oak Hill, and marginally by the Lake borough movement, Lehman Township Board of Supervisors moved last week-end to expedite the new Ordinance.

Supervisor from Oak Hill, Clinton D. Smith, said frankly he wanted very much to get this proposed new code on the books, even if it meant passing it now and amending it later. He cited the difficulty of getting the Zoning Board to meet with the Supervisors.

He declared, at the same time, the immediate necessity of getting a zoning law with "teeth in it."

He was corroborated by Police Chief Joseph Ide, who presently acts as zoning officer as well. Ide said that Lehman needed a Zoning Administrative Officer to issue permits for him to serve, since presently no one was willing to take this responsibility.

Smith said this was so, and gave as a reason that there was no complete law to base the permits on. He felt the new complete ordinance will fill this need.

The Supervisor moved that the

Board expedite a joint meeting with the Zoning Board (several members of which are either sick or often unavailable). Target date was today, January 13.

Smith also presented Ide with a copy of the law applicable to trailers on land formerly owned by the police chief, now owned by his son, which brought on considerable controversy at the December meeting when Smith branded them as "illegal" without proper permits or plot plans. Ide has taken care of the trailer scores as too close to the road, but question remains on the matter of two other trailers.

Smith contends, because of subdivision of the Ide acreage that, before a permit can be issued for one of two trailers there, the law must be conformed to.

Tax collector Robert Disque said that there were other trailers in violation of township law, and not just those mentioned. Question of whether he himself needed a permit for building a silo in an agricultural area so zoned brought about discussion of the zoning situation in the township.

Disque, in answer to question from Supervisor from Lake Silkworth, William Samuel, said there was a street at the lake that flatly refused to pay its streetlight assessment because of long-standing complaint against certain previous action by the township. Some of the people assessed, he said, were even unable to get into their own property this past year because there was no public right of way to them.

Supervisor Alan Major asked, if there were no front-footage to public right-of-way, what then was their light assessment based on? Samuel said that there was a road to their property designated on the township map and that they paid property tax.

Pertaining to the police report, Chief Ide said that the state police had found several fingerprints in the Lake-Lehman school burglary, but had not identified them.

Question arose as to just where the new dump was located. It is a private landfill operation, conforming to state regulations about backfilling every night, and is operated on Hoover land on what is known as "the Hoover road". It is open Wednesday and Saturdays, and access is gained by stopping at the chain and blowing the horn for service.

SCHOOL-BUS BRUSH

Turning onto Church Street toward school, a school bus driven by Michael Polachek brushed left front of car driven by Thomas Ford, 202 Lake Street, which was waiting for Dallas light to change, around 8:40 a.m. yesterday. Car was driveable; bus damage negligible.

—photo by Kozemchak

Shavertown Firemen Install Officers At Annual Dinner Meeting



At their annual dinner meeting held at Havir's, Trucksville, Shavertown Volunteer Fire Company installed officers for the coming year.

Martin Porter, president of Kingston Township Ambulance Association gave the oath of office to President Andrew Roan, Vice President Harold Darrow, Secretary, James Kemmerer, Treasurer, Lauren Dymond.

Also installed were Bert Miller,

trustee, and William Roberts, Sergeant at Arms.

William Frederick again took office as Fire Chief with assistants, Andrew Roan, Joseph Youngblood and Walter Davis.

Following dinner, Edward Jacobson, Administrative Chief of Wilkes-Barre Fire Department, showed exceptional films of the South Main Street fire which inflicted a tremendous loss on merchants in that

area last spring. He explained methods of curtailing and preventing such holocausts.

After the program, a social hour was enjoyed.

Present were the following volunteers and friends, Edward Friar, Fred E. Dodson, Charles Dodson, Al Williams, Vern Pritchard, Joseph Allen, John Chapple, John Funke, Bob Considine, Malcolm Kitchen,

Lawton Culver, Daniel Shaver, Harold Heidel, Lauren Dymond, Sr., Harold Darrow, Andrew Roan, Edward Jacobson, William Frederick, Joseph Youngblood, Martin Porter, James Kemmerer, William Roberts, Ted Woolbert, Fred Malkemes, Joseph Balavage, Lauren Dymond, Jr., Marvin Dymond, John Parrish, Robert McAllister, Willard Doran, Ben Kleppinger, Howard Sprau, William

Kreischer, Harry Smith, Red Kern, Zscheider, Robert Kibbler, Leon Kern, George Bunn, Owen Thomas, Edward Dungey, Obed Hontz, Drew Fischer, John Czarnecki, Robert Cooper, Ted Newcomb, Robert Morgan, Bert Miller and John Havir.

Shavertown Fire Company will hold its regular monthly meeting this evening at 8 at the fire hall.