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LEGAL NOTICE
The Lake-Lehman School District hereby gives notice that a tentative Budget in the amount of funds that will be required by the School District in its several departments for the 1986-87 fiscal year is available for public inspection at the Office of the Secretary in the Administration Offices, Lehman-Jackson Elementary School, Lehman, Pennsylvania, between the hours of LEGAL NOTICE

sylvania between the hours of 8:00 AM and 4:00 PM. Monday through Friday.

It is the intent of the Board of School Directors of the Lake-Lehman School District to adopt this tentative budget after making such revisions in it as are deemed advisable and levy the proposed taxes at a special meeting of the Lake-Lehman Board of School Directors to be announced at a later date, but not to be held prior to Saturday, June 21, 1986.

Notice is also given of the provisions of Act 138, approved June 16, 1972, requiring every resident or inhabitant of the District to notify the proper assessor of this fact within twelve months thereafter. Failure to comply with this requirement subjects the individual to a penalty equal to the tax for which he is liable.

The assessor's name and address for Jackson Township, Lake Township, Lehman Township, Ross Township, and Harveys Lake Borough is Luzerne County Assessors', Assessors' Office, Court House, Wilkes-Barre, Pennsylvania. The name and address for the Assessor of Noxen Township is Wyoming County Court House, Tunk-hannock, Pennsylvania. By Order of the Board of Directors.

hannock, Pennsylvania. By Order of the Board of Direc-LAKE-LEHMAN SCHOOL DIS-TRICT

United Pens Bark but the same without the same without colors. The same without colors. The same without colors are same without colors. The same without colors are same without colors. The said decedent are requested to make payment and those having claims or demands against the estate to present the same without delay to United Penn Bank, Administrator C.T.A., 8-18 West Market Street, Wilkes-Barre, Pennsylvania 18711.

vania 18711.
UNITED PENN BANK, TRUST
DEPT.
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Wilkes-Barre, PA 18711
19-3-P

19-3-P

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that Letters of Administration C.T.A. have been granted in the following Estate. All persons indebted to said Estate are required to make payment, and those having claims and demands to present the same without delay to the Administrator named:

Wilkes-Barre, Pa. 187011
9-3-P

LEGAL NOTICE
NOTICE IS HEREBY GIVEN
that Letters Testamentary in the
Estate of Arthur D. Landmesser.
late of the Municipality of Kingston, Luzerne County, Pennsylvania (died April 29, 1986) have
been issued to lowerth Jones.
All persons indebted to said
estate are requested to make
payment and those having
claims are directed to present
same without further delay to
the Executor, c-o:
COSLETT & COSLETT
ATTORNEYS-AT-LAW
312 Wyoming Ave.

LEGAL NOTICE

Part 1
Pave Cut
Section 101. Definitions. The following words, terms and phrases when used in this Part thell house the same meaning.

shall have the same meaning ascribed to them in this section, except where the context clearly indicates a different

mandatory and not merely directory.

Whenever in this Part, the words "directed". "required". "permitted". "ordered" "designated". "prescribed" or words of like import are used, it shall be understood that the direction, requirement, permission, order, designation, or prescription of the Municipal Engineer is intended, and similarly, the words "approved", "acceptable", "satisfactory" or words of like import shall mean approved by, acceptable to or approved by, acceptable to or satisfactory to the Municipal

satisfactory to the Municipal Engineer.
APPLICATION FOR A PAVE CUT PERMIT - a form provided the utility by the Borough noting pertinent data for the purposes of inspection and control by the Borough, and constituting a receipt of services performed by the city.
CAPITAL IMPROVEMENT - preplanned to improve or

ional service. CITY - shall mean the Borough of Dallas. EMERGENCY REPAIR - work necessitated by the rupture or sudden malfunction of existing underground facilities. FACILITIES - means all the plant and equipment of a public

utility including all tangible and intangible, real and personal property without limitations, and any and all means and instrumentalities in any manner property without limitations, and any and all means and instrumentalities in any manner owned, operated, leased, licensed, controlled, furnished or supplied for by, or in connection with the business of any public utility; provided, however, that no property owned by the Commonwealth of Pennsylvania, or the Borough at the date when this Part becomes effective shall be subject to any of the terms of this Part, except as elsewhere expressly provided herein.

INSPECTION - a careful or critical investigation not necessarily confined to optical observation but is understood to embrace tests and examination for the purpose of ascertaining quality and compliance as prescribed in this Part and discovering and correcting errors.

MUNICIPAL CORPORATION means, all cities, boroughs, towns, townships or counties of this Commonwealth, and also any public corporation, authority, or body whatsoever created

any public corporation, authority, or body whatsoever created or organized under any law of this Commonwealth for the pur-

this Commonwealth for the purpose of rendering any service similar to that of a public utility. The term municipality shall be and mean the same as the Borough of Dallas.

PAVE CUT LOG - a chronological record of pave cuts as reported to the municipality containing permanent data as required by the municipality for the purposes of inspection and control.

control.

PAVEMENTS - riding surfaces of machine laid asphalt over a base of concrete, brick, belgiam block, crushed stone, bituminous concrete or oil and stone.

PERSON - means individuals, matherships or associations. partnerships or associations

pave cut. Emergency pave cuts shall be recorded in the pave cut log at the start of the next business day following th emergency.

Obtain a Permit - All work done without a permit shall be subject to a penalty plus regular fees.

7. Insurance Protection - The applicant shall protect, defend, indemnify, and save harmless the municipality, its officers, and or agents thereof from all claims, suits, actions and proceedings of every nature and description which may be thereof for, or on account of any injuries or damages to persons or public or private property, because of any materials or appliances used in the work, or by or on account of improper materials or workmanship, or for on account of any accident of any other acts, negligence or omissions of said applicant, or his agents, servants or employees, and the municipality shall not in any way be liable therefore, during the period of the work progress and the one and one half (1-½) year guarantee period following the completion of the work. Minimum insurance shall be:

A. \$500,000 liability per indi-

shall be:
A. \$500,000 liability per individual with \$500,000 limit for each occurrence for bodily

B. \$500,000 liability for property damage.
C. Evidence of insurance in the form of a certificate or letter executed by a duly authorized representative of the applicant's insurance carrier shall be submitted to the Borough Engineer each January 15th. Said evidence of insurance must include the provision that the municipality shall be given proper advance notice of at least thirty (30) days of cancellation or any (30) days of cancellation or any material alteration in the appli

material anteriation in the applicant's policy.

8. Safety Precautions - During the progress of work the applicant shall provide and maintain such barricades, warning signs and flagpersons as may be deemed necessary by the municipality to prevent accidents to the public and or adjoining tenants. Minimum precautions must include, but should not be limited to advance warning signs on all approaches to the work, safe crossing for pedestrians each three hundred feet (300'), barricades with flashers on each exposed side at fifty (50') foot intervals. All precautions shall be in accordance with the "Manual of Uniform Traffic Control Devices" as adopted by the U.S. Department of Transportation, Federal Highway Administration, 1971, Part IV, "Traffic Control To Street and Highway Controls for Street and Highway Controls for Street and Highway Construction and Maintenance Operations."

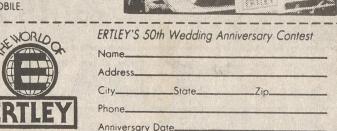
9. Road Closing - No street in the Borough of Dallas may be completely closed to traffic at any time. One lane of traffic must be able to pass unobstructed at all times. Flagpersons must be posted at the limits of work at all times to direct traffic through the work area, and all established traffic patterns must be maintained at all times if all other means of traffic control have been exhausted, the municipality may permit a road to be completely cant's policy.
8. Safety Precautions - During



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fied. An application form for a permit to close a street will be available from the Borough Office. The completed application bearing the signatures of the before mentioned officers shall be returned to the applicant and shall constitute a permit. A penalty shall be imposed for failure to notify the Police Chief and Fire Chief. (See Fee Schedule) Fee Schedule)

10. Time Periods - For small area pave cuts, the utility or contractor shall be required to

call 824-8857.

area pave cuts, the utility or contractor shall be required to complete the temporary restoration within forty-eight (48) consecutive hours of the initial cut during the normal working week excluding holidays and weekends. Extension time may be allowed upon appeal to the Borough Road Superintendent, provided the contractor substantiates sufficient reasons for the extension required. Work on long cuts, those over twenty-five feet (25°) in length, shall proceed in a continuous manner. Permits for long cuts or capital improvements will not be granted during the months of November through March except by written permission from the Borough Road Superintendent. The utility or contractor shall coordinate planned cuts in the municipal streets with the paving program of the Borough. A construction schedule comprising planned cuts shall be submitted to the Borough Road Superintendent as they become available. The municipality will provide a paving program for a one (1) year period to the utilities prior to April 1st. Changes in the utilities schedule of planned cuts shall require confirmation from the Borough Road Superintendent. Changes in the unincipal paving program shall be submitted to all utilities at the earliest possible date to permit the utilities to adjust their respective schedule.

11. Scheduling - All excavations shall be commenced and completed by the use of reasonable work force. In congested areas and the central business district, the municipality may limit work to other than normal daytime working hours. At the cessation of work adequate complete the temporary restora-

limit work to other than normal daytime working hours. At the cessation of work adequate steel plates or wooden planking shall be placed over the excavation while it isnot being worked to ensure full traffic flow. The maximum length mf any opening in the roadway shall be two hundred feet (200"), unless otherwise permitted, in writing, by the Borough Road Superintendent.

erwise permitted, in writing, by the Borough Road Superintendent.

12. Excavated Materials - In peak traffic areas all excavated material shall be removed daily at the cessation of work. All gutters and drainage devices shall be kept clean of all debris and excavated material. Fire hydrants adjacent to the work shall at all times be readily accessible to fire apparatus, and no material or obstruction shall be placed within fifteen feet (15') of any hydrant.

13. Suitability of Materials - The suitability of material to be used as backfill shall be determined by the Borough Road Superintendent. All materials not conforming to the requirements of this Part whether in place or not, shall be rejected. Such materials shall be removed promptly from the work site.

14. Waste Material - Material shall be considered waste and any surplus of excavated material shall be considered waste and shall be disposed of by the utility or contractor beyond the project limits. In no case shall waste material be left at the work site.

15. Wet Material - Material

waste material be left at the work site.

15. Wet Material - Material containing moisture in excess of that percentage which will ensure satisfactory compaction shall not be used as backfill materials.

16. Dry Material - Material containing insufficient moisture to obtain satisfactory compaction shall be moistened before compaction.

tion shall be moistened before compaction.

17. Opening of a Street - Power driven concrete saws or air hammers shall be used on all cuts. The cuts must be of sufficient depth to provide a smooth edge. Opening in brick or belgiam block based streets shall be of sufficient width to expose one-half ros of undisturbed interlocking stone. No pavement busters, such as drop hammers, hoe rams and the like shall be used without the written.

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damage to another utility's underground facilities is discovered, it shall be the responsibility of the party making the cut to contact the Borough Road Superintendent, and all concerned pertinent utilities to instruct them (it) to have representatives inspect the condition before any backfilling is begun. Section 103. Preparation of Streets for Paving, Repair or Reconstruction.

The Dallas Borough Council provides by this Part, for the laying, renewing, and repairing of all gas, water, steam, or other pipes or conduits, in any street, before the paving, repaving or repairing of the same, and for making the necessary house connections with said pipes, and also for the necessary house connections with and leading into main or lateral sewers; provided, that in no case, except as a sanitary measure of which the Council shall be the judge, shall the Council require such house connections to be extended further from such sewers, or from such gas, water, or other pipes, or conduits, than to the inner line of the curbstone of such street. The Council may, after notice to all companies, corporations, persons, and owners affected, and sid connections made, and collect the cost of paving, and repairing all pipes and pipe connections, from the companies, corporations, or persons owning or operating the said gas, water, and other pipes of conduits, with interest; and the cost of the sewer connections shall be a first lien against the land for whose benefit such connections are made. A seperate lien may be filled therefore. the land for whose benefit such connections are made. A seper-ate lien may be filed therefore,

ate lien may be filed therefore, or such sewer connection costs may be included in any lien filed for the costs of such street improvement, and the lien and the proceedings thereon shall be as in the case of other municipal liens.

1. Restoration - Prior to the placement of the base course, the existing base and surface must be exposed six inches (6") on each side on any failures that may have developed. Restoration of flexible base pavements shall consist of binder for the full depth of four inches (4"). The wearing course ID2 shall be placed at a minimum depth of two inches (2") and rolled to conform with the existing road, and the edges sealed. oepin of two inches (2) and orolled to conform with the existing road, and the edges sealed. Surface treatments such as sand or chip seals are prohibited. On long cuts surface finishing must be rolled with not less than a six (6) ton roller. Small cuts may be finished with a mechanical tamper or vibrator. All openings regardless of size must be permanently restored. 2. Restoration-Special - The permanent restoration of special type pavements, such as concrete, brick, belgiam block, cobblestone gutters, or tiles, shall consist of relaying the original wearing course in accordance with the original installation specifications in such a manner as to prevent settlement or

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outside the highway right-of-way lines.

19. Responsibility for Damages - In the event a cut is made, and upon inspection, damage to another utility's underground facilities is discovered, it shall be the responsibility of the party making the cut

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other deterioration.

3. Testing and Inspection
The Borough Road Superintendent may inspect all cuts having
an area of five (5) square yards
or more, and an inspection fee
shall be charged. Such inspection fees shall constitute
acceptance and approval of
work performed by the utility or
its contractor, but is is understood that such acceptance and
approval does not relieve the
utility of any responsibility under
this Part throughout the guarantee period.

Inspection of small cuts
having an area of five (5) square
yards or less shall not require
visual observation when the
work is in progress, but may be
approved or rejected thorugh
subsequent examinations and or
testing.

4. Repaving and Reconstruction - Upon notification from the
Office of the Dallas Borough
Road Superintendent, of a
planned street resurfacing or
reconstruction, all utilities will be
required to test their lines and
services and to schedule necessary capital improvements and
service connections prior to
resurfacing or reconstruction.
Thereafter cuts will be permitted
in the new pavement only in an
emergency. Pave cuts made in

in the new pavement only in an emergency. Pave cuts made in new pavement shall be subject to a penalty (See Fee Schedule). Essential services for a pew building construction shall

five (5) years, from the date of placement.
5. Linestone and Monuments. No linestone or monument in the Borough of Dallas may be removed, altered or buried at any time. When pave cuts or road construction require the temporary removal of a linestone or monument it must be preserved at the site and reset at the direction of the Borough Engineer. All costs incident thereto, including surveys, shall be charged to the utility or contractor. A penalty shall be imposed for failure to report the removal or alteration of a linestone or monument. Burial or paving over a linestone or monument shall carry a penalty for each stone or monument covered. In addition, all costs incidental to exposing and or resetting a linestone or monument shall be charged to the utility or contrac-

for the following of the following shall require restoration. Restoration of bore holes shall follow immediately after utility.
11. Replacement of Electronic

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testing with the application of asphalt or other water resistant plugs. A penalty will be charged for each test hole found unplugged. (See Fee Schedule).

7. Replacement of Pavement Markings - The utility and or its contractor must replace in kind all pavement markings damaged or removed by pave cuts and work incident thereto. All markings must be replaced within five (5) days after permanent restoration. The Borough shall contract to have the necessary repairs made and bill the utility.

8. Backfilling - The Borough Road Superintendent's Office must be notified in advance of all backfilling, Backfilling will be done in such manner as to obtain compaction throughout the entire length of backfill not less than that which exists adjacent to the excavation. Type 2A modified sub-base material shall be used in all excavations. The method of backfill shall be consistent with good engineering practice, i.e. the material shall be placed in layers not to exceed six inches (6') properly tamped using a mechanical the pavement structure.

9. Temporary Restorations

the pavement structure.

9. Temporary Restorations - All restoration made with cold patch shall be considered temporary. The permittee is responsible for all costs and expenses of making and maintaine for

porary. The permittee is responsible for all costs and expenses of making and maintaining temporary and permanent restorations of disturbed areas. Temporary restoration consists of a minimum of three inches (3") of bituminous material and is maintained in place until permanent restoration can be made.

10. Permanent Restoration Only utilities or their contractors will be permitted to make permanent restorations of openings in pavements. The restored pavements shall be guaranted from failure from the date of completion through two (2) winters. Permanent restoration must be completed within thirty (30) days of the initial cut. Any cuts made in the months of November through March shall be permanently restored within thirty (30) days after hot asphalt becomes available. Any failure of restoration will be reported to the pertinent utility and repairs by the utility or repair the cut in a satisfactory manner, the Borough shall have the option to do the work or to complete the work and bill the utility.

11. Replacement of Electronic

agent. 15. Determination of Reim-

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Traffic Control Devices and Ancillary Equipment - Electronic traffic control devices and ancillary equipment damaged or removed because of pavement excavations or work incident thereto mus be replaced by the utility or its contractor, in kind, in whole or in part as rquired by the Borough Road Superintendent. The municipality shall contract to have the necessary repairs made and bill the utility.

12. Determination of Lines and Grades by the Engineer - The Borough Engineer shall have the final decision for the determination of lines and grades for street construction. This decision shall be based on good engineering practice and municipal standards.

13. Utility Corridor-Vertical Assignments for New Street Construction - The following depths for pipes and conduits are assigned to the utilities operating under this Part:

A. Gas lines shall be a minimum of thirty inches (30") below subgrade.

B. Water lines shall be a minimum of thirty-six (36") inches below subgrade - a water man shall be a minimum of five feet (5") below subgrade - C. Electric lines and conduits bursement - The Borough may participate in the actual costs less betterments of utility relocation when: An existing utility right of way is owned by the utility and interferes with a municipal construction project.

16. Commencement of Utility Relocation Activities - Upon receipt of a letter from the Borough Engineer authorizing the start of physical work, the utility shall commence work within thirty (30) days unless otherwise stated by the Borough Engineer with reasonable cause

main shall be a minimum of the feet (5') below subgrade.
C. Electric lines and conduits shall be a minimum of twenty-four inches (24'') below subgrade.
D. Telecommunication lines and conduits shall be a minimum of thirty-six (36'') inches below subgrade. the contractor.

It is acknowledged that field conditions occasionally necessitate revision of the utility relocation plan. It shall be the responsibility of the utility to report and justify such revisions, to correct any data on file with the Borough Engineer. The utilities are required to obtain the contractors concurrence prior to such revisions within the right of way of the project under construction. Minor modifications of the relocation plan may be made without prior approval of the Borough Engineer. All such changes shall be brought to the attention of the project engineer and shall be noted in the daily inspection report.

Section 104. Enforcement.

1. Delegation of Authority to the Dallas Borough Road Superintendent. The Dallas Borough Council by this Part establish that the responsibility and authority for the administration and enforcement of the Part shall rest in the office of the Dallas Borough Road Superintendent.

2. Street Inspectors - The Borough Road Superintendent.

2. Street Inspectors - The Borough Road Superintendent as his representatives persons to enforce this Part as vested in the Dallas Borough Road Superintendent may appoint as his representatives persons to enforce this Part as vested in the Dallas Borough Road Superintendent.

3. Non-Compliance - When and conduits shall be a minimum of thirty-six (36") inches below subgrade.

14. Horizontal and Aerial Utility Corridors - Aerial installations of electric power transmissions and telecommunications lines suspended from supporting poles having their base and or support wires within the public right of way and interferring with a roadway construction, reconstruction or repair project shall be relocated upon written order from the Borough Road Superintendent to a point specified therein. The Borough Engineer may require the utility to place its aerial facilities underground where it is deemed necessary or desirable. Hereafter, aerial installations shall be placed subject to approval by the Borough Engineer shall assign horizontal corridors on a case by case basis for all new construction. All gate boxes shut-off valves and other regulating devices underground for individual customers for gas. water, steam, electric curbstone, or, in the case where no curbing exists, to a point specified by the Engineer or his agent.

15. Determination of Reim-

by the Borough the contractor. It is acknowledged that field the occasionally necessi-

partnerships or associations other than corporations and includes their lessees, assignees, trustees, receivers, executors, administrators or other successors in interest.

PUBLIC UTILITY - means persons or corporations now or hereafter owning or operating in this Commonwealth equipment or facilities for.

1. Producing, generating, transmitting, distributing or furnishing natural or artificial gas, electricity, or steam for the production of light, heat or power to or for the public for compensation.

2. Diverting, developing, pumping, impounding, distributing, or furnishing water to or for the public for compensation.

3. Transporting, or conveying natural or artificial gas, crude oil, gasoline, or petroleum products, by pipe lines or conduit for the public for compensation.

4. Conveying or transmitting messages or communications by telephone or telegraph to the public for compensation.

The term "public utility" shall not include:

1. Any person or corporation, not otherwise a public utility, who or which furnishes services only to himself or itself; or 2. Any bona fide cooperative association which furnishes services only to its stockholders or members on a non-profit basis; or

3. Any producer of natural gas Estate of JOSEPH SAM KOREY, late of Wilkes-Barre City, Luzerne County, Pennsyl-vania (died April 23, 1986). Tamineh Korey, also known as Sister Ernestine Korey, c-o ANTHONY P. MOSES, Attorney 960 United Penn Bank Bldg. Wilkes-Barre, Pa. 187011 9-3-P 3. Any producer of natural gas not engaged in distributing such has directly to the public for

not engaged in distributing such has directly to the public for compensation.

SERVICE - is used in this Part in its broadest and most inclusive sense, and includes any and all acts done, rendered or performed, and any and all things furnished or supplied, and any and all facilities used, furnished, or supplied by public utilities, in the performance of their duties under this Part to their patrons, employees, or other public utilities, and the public, as well as the interchange of facilities between two or more of them.

SPECIAL PAVEMENT - riding surfaces of concrete, brick, belgiam block or cobblestone.

STREET - shall mean and include any street, highway, road, land, court, alley, public square, or place of whatever nature, whether dedicated or not, open to the use of the public as a matter or right for purposes of vehicular travel.

UTILITY CORRIDOR - an area within any public right of way, usually underground but not limited to same, reserved for and assigned to a specified utility by the Borough. The area to be used by the specified utility for placing and operating its facilities for transmitting and distributing tabult and the public short commodity or service.

uting its particular commodity or service.

UTILITY RELOCATION - utility relocation shall mean and include the adjustment, replacements or relocation of utility facilities as required by street construction or repaving project, such as: removing or reinstalling the tacility, acquiring the necessary right of way, moving or rearranging existing facilities, changing the type of facility, and any necessary safety and protective measures. It shall also mean the construction of a replacement facility functionally equal to the existing facility, where necessary for the continuous operation of the utility service, the project economy, or sequence of street construction.

WORK - the furnishing of all materials, labor, equipment, and other incidentals necessary or convenient to the successful completion of the project and the fulfillment of all duties and obligations imposed by this Part.

municipality.

2. Normal Permit Procedures - Applications for a pave cut permit shall be available from the Borough of Dallas. Borough Road Superintendent, at the Borough Building. An authorized agent of a utility or contractor may complete said application at the Borough Building. This shall be done a minimum of twenty-four (24) hours in advance of a planned excavation. A copy of the completed application signed by the Engineer or his agent shall be in the hands of a competent person at the worksite described in said application and shall constitute a permit.

3. Alternate Permit Procedure.

a permit 3. Alternate Permit Procedure 4. Notification by telephone to the Borough Office must be made a minimum of fifteen (15) minutes in advance of excavation, but not more than twenty-four (24 hours) in advance of excavation. An entry in the pave cut log (the record of notification of the municipality) together with a completed application for

ctri log (title record or institute a permit. The completion of an application for pave cut permit shall constitute a permit. The completion of an application form alone shall not constitute a permit.

An application form, properly completed and including a location sketch shall be collected from the utility on a monthly basis by the municipality. Permit fees shall be billed on a monthly basis by the Borough of Dallas and shall be payable to the Treasurer of the Borough. Application forms shall be provided by the Borough.

4. Emergency Permit Procedures - In the case where an emergency repair, as hereinbefore defined, is found, the utility shall notify the Borough Road Superintendent, and inform him that an emergency existed and the day time and textured the

business day following th emergency.

5. Non-Fee Permits - Pave cuts necessitated by municipal sponsored public improvements will be on a non-fee basis but limited to a specific contract area. A list noting exact locations and dimensions of all such cuts shall be submitted to the Borough Offlice at the completion of work. Notification will be required for any pave cuts made in State highways located within the municipality for which a Highway Occupancy Permit has been issued.

been issued.

6. Penalty for Failure to Obtain a Permit - All work done without a permit shall be subject

injury. B. \$500,000 liability for prop-