



Dallas Scouts trek the Appalachian Trail

Recently 20 members of Boy Scout Troop #281 from Dallas, completed, with full packs, a 15 mile section of the Appalachian Trail beginning in Wind Gap, Pa. and ending at the Delaware Water Gap. During their three day experience Scouts worked on their camping, cooking, and hiking skill awards. Shown, at the end of their hike are, from left, first row, Eric McTague, David Pet-

rikonis, Richard Sylvia, Craig Bowersox, and James Galliford. Second row, Charles Wasserott IV, Scoutmaster; Brian Achuff, Donald Hosey, Chris Pelton, Dean Evans, Chad Williams, Charles Wasserott V, and Randy Hozempa. Third row, Mark Chappell, David Seidel, Jeff Townsend, Webelos Leader; John Achuff, Assistant Scoutmaster; David Townsend, and Mark Hozempa Jr., Assistant Scoutmaster. Absent at time of photo was Jason Toluba.

Furlough

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the past, Kelly had assaulted three other police officers, one of them Dallas Township police chief Carl Miers.

When he entered the police station, it was believed Kelly was intent on killing police officers who had caused him personal problems. He threatened to kill the two police officers on duty and demanded that they call Miers and Dallas Township patrolman Elliot Ide to the station so he could kill both of them. Ide had arrested Kelly for driving under the influence and the probation imposed and suspension of his driving privileges caused him hardship, he claimed.

The officers whom he held at gun point, Dallas Borough Patrolman James Tupper and Township Patrolman Wayman Miers, refused the demand to call Miers and Ide. Their refusal angered Kelly; he cocked the gun and pointed it at Miers' head and demanded that he go into the other room with him. Patrolman Tupper knew that they could not be separated and asked Kelly if he should go as well. Kelly agreed and when Tupper stood up, he threw coffee toward the face of the gunman.

Kelly turned and fired, hitting Tupper in the right leg. Tupper continued to go toward Kelly along with Patrolman Miers. Both of them reached Kelly but Tupper fell to the floor. Wayman Miers continued to struggle with Kelly, who was able to get off a second round which hit Miers. Patrolman Miers drew his service revolver but rather than shoot Kelly he struck him on the head rendering him unconscious and held him down until other officers arrived.

The two officers still carry the scars from that night and also suffer emotional scars, as do their families who suffer with them.

Under the assumption that the criminal laws in this state would be upheld by the courts and the correctional system, the victims agreed to drop charges of attempted murder, terroristic threats and assault. On Jan. 12, 1987, Kelly entered a guilty plea to two counts of aggravated assault with a firearm, one count of reckless endangerment against the dispatcher, one count of violation of the uniform firearms act and one count of DUI.

Sentencing was left up to the

There is no requirement that victims be told of a furlough request

court with the Commonwealth seeking sentencing under the felony-gun statutes. On April 29, 1987, Kelly was sentenced to a total term of imprisonment which amounted to a minimum of five years and a maximum of 10 years. Two such terms of imprisonment of the same length were to run concurrently.

Chief Miers and his fellow law enforcement officers learned on Jan. 15, 1990 that Kelly was being considered for the furlough program of the State Correctional System. No notice was given to the victims of his serious crimes, and they apparently can have no influence on the decision. Neither was the arresting agency notified. Chief Miers learned of the situation only because the chief of police of the community to which Kelly was to be furloughed was concerned and inquired of the furlough investigator if he had contacted Dallas Township Police Department.

The investigator did come to see Chief Miers and told him it was not policy to notify the arresting agency nor the victims of the crime. To be considered for furlough program, the inmate had only to have a good record in prison and serve half of the minimum sentence. The only notice of being considered for the program is a letter sent to the judge who handed down the sentence and the district attorney who prosecuted the case. If no negative response is received in 30 days from either, an investigation would be done to implement the program.

Chief Miers has learned that such a letter was sent the judge, Gifford Cappellini, and the district attorney on Nov. 14, 1989. He has been told the district attorney did respond negatively, but he does not know whether or not the judge has responded.

Officials contacted at State Correctional Institution Retreat confirmed that Kelly has applied for the furlough. Superintendent Erhard said last week that Kelly has had a good record inside the prison, that he has had no miscon-

duct for nine months and is eligible for pre-release status. But he emphasized that no decision has been made.

"It is a long process," explained Erhard. "There is a criteria to follow, a misconduct clause to be evaluated, consideration of the support staff, then a letter to be

written to the judge. There must also be an investigation of the home where an inmate is to be furloughed. Then a staff of five considers the approval and this is where the judge's opinion carries weight. If he replies negatively about the furlough, the inmate's request is denied."

Lehman Twp. planners appoint new chairman

By SCOTT A. DAVIS Post Staff

The Lehman Township Planning Commission appointed a new chairman at Monday night's meeting following the unexpected resignation of Paul Goodwin. Goodwin was re-appointed to the chair earlier this month.

Goodwin has served as planning commission chairman for one year and was re-appointed during the township's re-organizational meeting held on January 2.

But Goodwin's first official act as chairman this year was to resign his position. "We have a much more knowledgeable person on the board now," was the only comment Goodwin made to

explain his resignation.

After his resignation was accepted by the commission, Goodwin made a motion to appoint David Sutton the new chairman. Sutton joined the commission this month.

Sutton has been a zoning board member for two years prior to resigning the position to accept a seat as a township supervisor. In Lehman Township, a supervisor cannot serve on the planning commission simultaneously.

Immediately following the appointment of Sutton as chairman, Goodwin turned the planning commission over to Sutton. Goodwin will remain a member of the commission, vacating only the chairmanship.

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Townhouses

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called for in the preliminary plans.

The letter also pointed out that drainage and utility units should be on the plan. Also missing from the plans according to the letter was the results of a wetlands investigation. The county stated the developers' erosion plans must be reviewed and approved by the Luzerne County Conservation District.

Lastly, the letter pointed out the subdivision is required to implement a closed drainage system for some areas, and the plans submitted called for open gutters.

Adding to the list of complaints made by the various letters, Sutton noted several other problems with the plans. "Lot lines are hard to distinguish," he told the developers. "Lot lines should be dark." Sutton also pointed out the plans did not indicate any existing structures or natural features.

"What we are talking about is a revision of plans, not a major problem," stated Jim Palumbo, Home World's utility engineer. "The key is drainage. If we make the changes requested here, we are looking to start construction in March. Is there any major impediment?"

Sutton answered, "I see this plan as lacking a lot." he asked the developers how Dallas Township was considering the plans. "We heard nothing was going to happen in Dallas Township," Sutton said. He explained his concern was a roadway in the plans that crossed over the border with Dallas Township. If Dallas Township rules against the subdivision in their area "then we are looking at a dead-end road?" Sutton asked the developers.

Palumbo said the plans could be changed to include only the Lehman Township portion, and the road could be ended as a cul-de-sac for a temporary solution until Dallas Township approves their portion of the subdivision. "Eventually the road will be taken all the way through," Palumbo assured the commission.

Commission member Allen Major supported the idea to draw plans showing only the Lehman Township section. "We need to act as if Dallas Township wasn't even there," he said.

The Planning Commission de-

cided to require an impact study be done prior to the approval of the preliminary plans as well. The study would estimate the burden on schools, water supply, emergency personnel, and other services.

Home World, Inc. adopted a letter for the commission requesting an extension to the time period needed for approval until March. The extension would allow the commission two more monthly meetings prior to a decision deadline.

"In all fairness to the developers," Sutton moved, "we should table this." The commission unanimously voted to table the decision until after further investigation and the submission of a new preliminary plan.

"We have covered a whole lot of items for changes tonight... I do not want the developers to come back later and say 'well, you did not say that before.' We want to keep this thing open in case we see something else," Sutton warned the developers.

The Maplewood Glen subdivision is an 80 acre project, with 57 acres in Dallas Township. In the Lehman Township section, 48 apartment units are planned. Each would cover about 1,200 square feet and include a garage. The buildings are planned to be two-stories high and cost an estimated \$100,000 plus. Water will be supplied through various community wells.

Sign up for Back Mt. baseball Sat.

Back Mountain Baseball will hold its registration of players on Saturday, Jan. 27 from 9 a.m. until 1 p.m. at the Shavertown United Methodist Church, Pioneer Avenue.

Children are eligible to register for Little League, ages 6-12; girls softball, ages 9-15; Teeners League, 13-15. First time players must bring birth certificates and all players must be accompanied by an adult.

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