

## Trial

(continued from page 1)

the dock to spray people, and that he could have dropped the tow rope at any time. Mack characterized Walter, who was a Dallas resident for 35 years and attended local schools, as a reckless man, who "lived on the edge."

"He was a guy who many people say they were surprised he lived this long," said Mack.

"This is not a boating accident like the Abromavage case a few years ago when one boat went over another," said Mack. "This is not a boating accident. It's a water skiing accident. It was the skier himself who caused the accident. Now his life is over. But we're talking about another life, Gregg Hanson."

Assistant Luzerne County District Attorney Sherwood Grabiec countered that it was Hanson's responsibility to protect Walter from himself.

"That was Mr. Walter's whole intention, to spray the dock. Mr. Walter had to be protected from himself. If he didn't perceive the danger, Mr. Hanson should have."

### The Witnesses

Grabiec called on seven witnesses to testify. Attorney Mack called on six, including an expert in waterskiing and the spotter on Hanson's boat.

Previously law enforcement officers believed there was no spotter, or person designated to watch for the safety of the water skier, on the boat.

"I could have shook hands with him," said Diane Burick, who has a residence three docks away from the dock at pole 109 in the Alderson section of Harveys Lake where Walter was killed. Burick said

*"Mr. Walter had to be protected from himself. If he didn't perceive the danger, Mr. Hanson should have."*

Sherwood Grabiec  
Luzerne County District Attorney

that Hanson's boat had circled in front of her dock seven or eight times earlier in the day.

George William, a Harveys Lake resident who saw Hanson towing Walter before accident, said "They were hot dogging it."

Gwilliam said that the boat came so close to the shore that he pulled his children out of the water at his mother's dock, which is next to the one where the accident occurred, and took them for a boat ride.

When Attorney Mack called on George Gwilliam's mother, Nancy Gwilliam, to testify, she said that she saw Walter fall on the single slalom waterski at about 6:15 p.m., and heard him holler to the people on the dock at pole 109 "Hey, I can get closer than that."

The spotter on the boat, Michael Scavone, 26, of Harveys Lake, said that after Walter had fallen he called out, "Richie, come on, you've had enough."

"He said he wanted to go one more time," Scavone testified. "Hanson yelled out, are you sure you want to again? He said one more time. Hanson said ok, whatever you want."

"The last pass we went into a whip," said Scavone, referring to a maneuver where the skier is next to, rather than behind the boat. "The boat was straightening out. He never turned. He never let go

of the rope. Richie was my friend for a long time. Richie did that to himself."

Attorney Mack called on Dr. Don Henderson, a physician at Wayne County Memorial Hospital in Honesdale as an expert witness on water skiing.

"The accident could have happened if the boat was farther than 100 feet away," said Henderson, who has skied in about 10 American Water Ski Association Tournaments each year for the past 18 years. "If the skier lets go of the rope and there's enough velocity to carry the skier to the dock."

Henderson also testified that an alcohol consumer would be less critical in operating a boat than in operating a car, because a boat relies on the friction of water to brake it, and doesn't have to confine itself to a narrow lane.

After the accident had happened, Harveys Lake Assistant Police Chief Ronald Spock testified that he found Gregg Hanson pounding on the dock as people tried to revive Walter, saying that he can't die.

"His demeanor was that Mr. Walter couldn't die because it was going to ruin his life," said Spock. "He appeared to be more concerned about his reputation."

*"This is not a boating accident. It's a water skiing accident. It was the skier himself who caused the accident."*

Mark Mack  
Defense attorney for Gregg Hanson

### The Possible Penalties

In deciding to send the homicide charges to court, Gregory reasoned that anything approaching the distance you can shake hands at is too close.

"One hundred feet is the general rule of the water and 100 feet is a lot different than 100 feet," said Gregory. "I don't think it's my duty to decide a landmark case. It's my duty to decide if there is minimal evidence."

The charge of homicide by watercraft while under the influence is a 3rd degree felony, punishable by a fine of \$2,500 to \$15,000, and up to 7 years in prison. Homicide by watercraft is punishable by a fine of \$2,500 to \$10,000 and up to 5 years in prison.

The prosecuting officer is Waterways Conservation Officer David Corl, assisted by Waterways Conservation Officer Sally Corl and Deputy Conservation Officers Paul and Diane Grimes, Clyde Warner, and Harveys Lake Assistant Police Chief Ronald Spock.

State Police from the Wyoming Barracks helped investigate the scene of the accident.

Hanson is presently free on \$50,000 bail.

## Changes

(continued from page 1)

have this meeting open to the public," said Larry Boyle, staff attorney for the Pennsylvania Newspaper Publishers Association.

Boyle listed two reasons. The first; there will be no quorum of representatives from any single municipality. The second is that the Sunshine Law has a provision allowing closed meetings for municipal officials to consult with attorneys or other professional advisors in connection with litigation or with issues on which identifiable complaints are expected to be filed.

A lawsuit was filed September 9 against the trash hauling plan.

Attorneys Philip Medico and Al Flora filed the suit in Luzerne County Court on behalf of private haulers who lost business when DAMA awarded an exclusive contract to Danella Environmental Technologies to collect waste in the three municipalities.

Medico is representing C&K Sanitation and Searles Sanitation, while Flora is representing Dave Wojciechowicz, trading as Dave's

Sanitation.

The suit, naming DAMA directors and municipal officials as defendants, claims that the exclusive contract interferes with the other hauler's right to keep contracts with their customers and engage in their occupation.

The suit asks for compensatory damages in excess of \$20,000, for punitive damages against the individual officials and not the municipalities, and for court costs and attorney fees. A total of 27 defendants are listed.

Attorney Gifford Cappellini has announced that he will file a class action suit against DAMA and the municipalities on behalf of area residents.

Boyle felt that it would be tricky to defend having the meeting closed for the sole reason of the lawsuits because the meeting is not directly concerned with the lawsuits, but with resident's complaints. But the lack of a quorum of municipal officials makes the decision more secure, according to Boyle.

## Police report

### LEHMAN TWP. \$13,000 OF LAWN EQUIPMENT STOLEN

On August 19, it was reported that \$13,646 worth of new John Deere lawn tractors were stolen from Lehman Power Equipment.

A wire rope guide rail near the store was removed so access could be gained to the back lot of the business where the tractors were stored outside.

The following were reported stolen:

Riding mower, \$1,406; lawn tractor, \$2,433; lawn tractor, \$2,956; two riding mowers at \$1,775 each; lawn tractor \$1,989; snow blower, \$887; Power Flow

Material Collection System, \$421. Ptl. Brian Feeney investigated.

### TOMBSTONES TOPPLED

On September 9 two tombstones were found toppled over in St. Ann's Cemetery. The approximate damage caused by the vandalism was \$200. Ptl. Jeff Onkay investigated.

### TACKLE TAKEN

On August 23, Warren Gensel of Outlet Road reported that a tackle pack full of fishing tackle was stolen from a covered bass boat parked in his driveway sometime between August 17 and 19. Gensel listed the value of the items at approximately \$1,000. Sgt. William Borkus Jr. investigated.

## Trash

(continued from page 1)

said Nancy Kemp, president of the Luzerne County Public Forum. "Our legislators, they think we're stupid and they've said so. Even if it isn't all of us. As many of you as can, go to those meetings and report back to us."

The group is planning on presenting a letter protesting the

Dallas Area Municipal Authority's garbage hauling plan at the authority's meeting on September 12.

They are also working on finding people to run as write-in candidates for supervisor positions in Kingston Township, Dallas Township and Dallas Borough.

## DAMA revises collection schedule starting Sept. 19

Starting September 19, it will be same day collection of trash and recyclables for residents of Kingston Township and parts of Dallas Township. According to the Dallas Area Municipal Authority, (DAMA), affected residents had previously been on a schedule that required placement of trash and recyclables on Thursdays and Fridays.

DAMA Executive Director, Tom Bagley, says the single schedule pick-up is designed to make curbside collections easier for affected residents by only requiring

that trash and recyclables be put out once a week instead of twice.

Residents currently on a Monday, Tuesday and Wednesday schedule will have no change since these areas currently have both trash and recyclables collected the same day. Affected areas will be those that now have Thursday and Friday pick-up. For example under the revised schedule Thursday, Sept. 19 pick-up will now be trash and recyclables. Friday, Sept. 20, pick-up now will be trash and recyclables.



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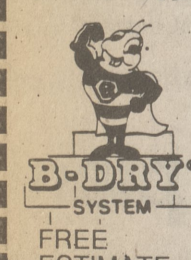
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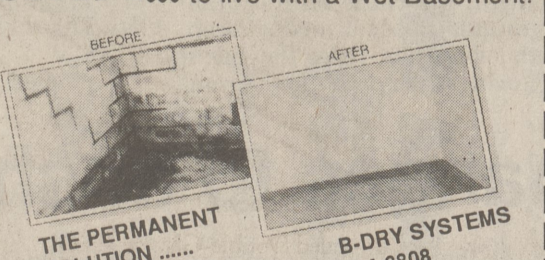


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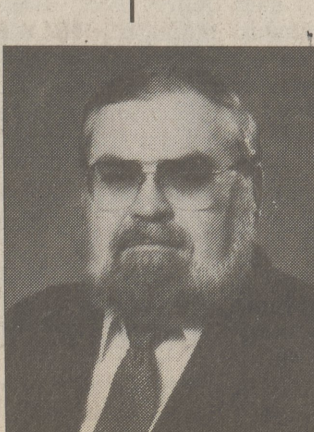
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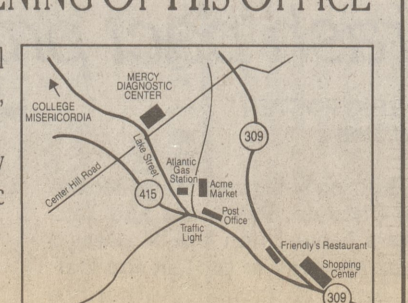
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