



THE DALLAS POST

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Legends of Harveys Lake

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SPORTS



Dodgers take Minor League title

Sports page.

Fieldhouse, Lions move up in rec ball

Sports page.

COMMUNITY

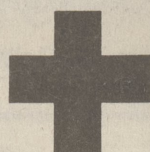


Terri Besecker leads Mothers of Twins group

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Meadows Ctr. honors volunteers

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Red Cross Blood drive

Wednesday, August 5 from 1 p.m. to 6 p.m. Meadows Nursing Center, Dallas.

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Fixing a harp
 Shavertown guitarmaker Paul Mehl works on a harp in his basement shop. See page 3 for a story about this musical craftsman. (Post Photo/Eric Foster)

Decision in DAMA suit coming soon

By ERIC FOSTER
 Post Staff

A decision may come soon in the lawsuit filed against the Dallas Area Municipal Authority's garbage hauling plan. Luzerne County President Judge Patrick Toole is in the process of writing the decision now, according to his secretary, who couldn't be more specific. Toole's decision on the suit, filed by haulers, may also decide whether or not a second suit is ever filed on behalf of residents who feel that their right to keep

contracts has been interfered with. Attorney Gifford Cappellini Jr., who in 1991 discussed a class action lawsuit against DAMA on behalf of residents, said that if the hauler's suit fails, there won't be any point in suing on behalf of the residents. "We will definitely not get involved if the other suit is a loser," said Cappellini. If Toole decides to the haulers' suit should go to a jury trial, Cappellini said that he is still interested in filing a class action suit. "Nobody has gotten in touch with me," said Cappellini. "There's

a group of people who expressed interest. Whether or not they still are, I can't answer for that." Cappellini said that if there is a class action suit, the legal fees would be on the house, but those interested in suing would have to pay expenses. "Regardless of the outcome, I think what they did politically stunk," said Cappellini. "I don't have a problem with the recycling program. The problem I have is the interference with people's right to make contracts." The hauler's suit, filed in September of 1991 by Searles Sanita-

tion, C&K Sanitation and Dave's Sanitation, names Dallas Borough, Dallas Township, and Kingston Township as defendants. Dave's Sanitation withdrew in December of 1991. The suit alleges that the contract the three municipalities and DAMA made with one hauler, Danella Environmental Technologies, is unconstitutional because it interferes with their right to make and keep contracts, effectively taking property from them, in the form of business, without the due process of law. The lawsuit has five counts, each

asking for compensatory damages in excess of \$20,000. Suits which ask for less than \$20,000 are not eligible to go to trial, but go through arbitration instead. If the suit makes it to a jury, the jury will decide any actual damages. Originally, Cappellini's father, Judge Gifford Cappellini was supposed to decide whether or not the haulers' suit would continue to a trial. Judge Cappellini withdrew himself from the case in June when he learned his son was involved in protesting the garbage plan.

Jackson Twp. farm raises exotic conifers

By GRACE R. DOVE
 Post Staff

When Mrs. Beatrice Ray of Jackson Township began to admire the evergreen trees lining the road on her way back and forth to work in White Haven 30 years ago, she never dreamed that her curiosity would develop into a lifelong avocation — and a tree named for her hometown, Chase. Familiar only with pine, spruce and hemlock, she stopped at a nursery outside of White Haven, where she acquired her first trees and enough information to make her want to learn as much as she could about conifers (trees with needles.) "I love conifers because their beauty lasts all year," she said. "The gold of an Oriental spruce 'Skylands,' and the hazy blue-gray of a Colorado blue spruce 'Montgomery' contrasting against a snowy garden are breathtaking in the winter." Mrs. Ray soon became fascinated with variants, offshoots of the main species which for some reason develop strange growth

patterns or features. She explained that variants are produced from sprouts whose hormones have been altered when the parent trees are struck by lightning. Many variants also have extremely stunted growth. Mrs. Ray's ten-year-old Obtusa Nana Gracilis, is less than 10 inches tall, for example. Other changes can produce long, curly needles instead of straight ones, or needles with bands of two different colors instead of one solid color. Variants are propagated by grafting rather than from seeds from the parent tree, which seldom reproduce the parent, if they grow at all. "The best way to learn a tree is to grow it," is Mrs. Ray's philosophy. Her farm, Windy Hill in Jackson Township, is populated with hundreds of different varieties of variants from diverse locations. And Mrs. Ray knows all their names — even the Latin ones. Purchased in 1897 by her late husband's grandfather, Windy Hill



A HYBRID TREE — This Japanese cut-leaf maple, with its slender, lacy, brownish-green leaves, is one of many species of dwarf hybrid trees grown by Mrs. Beatrice Ray at Windy Hill Farm in Jackson Twp. (Post Photo/Grace R. Dove)

Jackson Township will restrict burning

By ERIC FOSTER
 Post Staff

The Jackson Township Supervisors discussed ordinances regulating open fires, junked cars, and pave cuts at their meeting August 3. The supervisors voted to advertise the ordinances regulating open fires and pave cuts, and table the ordinance on junked cars for more discussion. In residential zones, the burning ordinance will prohibit open fires and outlaw burning tires and left-over food or moist plant matter, such as grass, which will smolder. People will be allowed to burn things such as paper, wood, and tree branches in an attended container. In agricultural and conservation zones, open burning will be

Local water rate hearings August 25

By ERIC FOSTER
 Post Staff

Public hearings on the proposed rate increase for customers of the Dallas, Shavertown, Harveys Lake and Noxen water companies will be held August 25 in Scranton and in Dallas. The hearings will be at 3:30 p.m. at the Scranton State Office Building, and at 7 p.m. in the Dallas High School. According to Sharon Wilmarth, of the Public Utilities Commission (PUC), after the hearings are held, the company may agree to a settlement with the PUC and the parties who have filed formal complaints against the proposed increase, which in this case includes the state's Office of the Consumer Advocate. When a settlement on the rate hike is arrived at, the rates will not be retroactive, Wilmarth said.

If the requests were approved, typical customers of the four companies can expect to see their quarterly bills jump by the following amounts:
 • Shavertown: from \$99.27 to \$127.02 for 13,000 gallons, or 27.93%
 • Noxen: from \$59.19 to \$95.82 for 9,000 gallons, or 61.74%
 • Dallas: from \$68.93 to \$136.04 for 14,000 gallons, or 98.90%
 • Harveys Lake: a flat rate of \$32.74 to \$118.70 or 338.94%
 The new rates would mean that customers of each company would pay approximately the same amount for a given gallon of water. The manager of the water companies, Michael Coyle, has maintained that one of the reasons the rate hike is necessary is that improvements have been made to the water system since General Waterworks purchased the companies in 1990.

Water aerator creates stink with neighbors

By ERIC FOSTER
 Post Staff

When the Shavertown Water Company installed an aerator at its well near Main and Franklin streets the idea was to get the sulfur smell out of the water. Now, with the aerator operating, some residents who live near the well are complaining of sulfur smell in the air they breathe. The aerator, a metal device with a 30-foot tall stack on it, removes hydrogen sulfide from the water, which causes the smell, similar to rotten eggs. In mining circles, hydrogen sulfide is known as stink

damp, and in high concentrations it can deaden a person's ability to smell and kill them. "It was a standard complaint," said company manager Michael Coyle of the sulfur smell in the water. "The former owners were ordered by the Public Utilities Commission to investigate the odor in 1987." Coyle said that General Waterworks, which purchased the company in 1990 has been working with the PUC, and the result was the aerator was installed at a cost of \$43,000.

See SULFUR SMELL, pg 12