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Details on page 12

# The Dallas Post

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SERVING THE COMMUNITIES OF THE DALLAS & LAKE-LEHMAN SCHOOL DISTRICTS

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Dallas, Pennsylvania

Sept. 28 thru Oct. 4, 1994

## DA looks into complaint against HL cops

By GRACE R. DOVE  
Post Staff

Luzerne County District Attorney Peter Paul Olszewski, Jr., is investigating a complaint against the Harveys Lake police department.

Although Olszewski would neither confirm nor deny that the investigation concerns patrolman Scott Baker dropping a driving while under the influence (DUI) charge against Mark Klein June 17, Olszewski admitted that his office was investigating a complaint.

The matter came to public attention at the September 20 borough council meeting, when Worden Place resident William Mann asked council members what they knew about police dropping a DUI

charge.

According to records on file at District Magistrate James Tupper's office, Mark Klein, 37, of RD 2 Box 111, Harveys Lake, was stopped by Baker on June 17 and refused to take a breathalyzer test.

Baker also cited Klein for failing to keep his car on the right-hand side of the road, careless driving, driving a vehicle with an expired inspection sticker and having improper tire equipment on the vehicle, according to the magistrate's court records.

Klein pleaded guilty to the four citations; however Baker dropped the DUI charge, Tupper said.

Klein could still lose his operator's license, even with the DUI charge being dropped, Tupper said. "It's called the implied consent law," he said. "A

driver can lose his license for refusing a breathalyzer or blood alcohol test even if he isn't charged with DUI."

Tupper added that Klein had been arrested earlier the same day in Lake Township for driving while under the influence. The case is pending in Luzerne County Court.

"According to Rule 151 of the Pennsylvania Rules of Criminal Procedure, the written permission of the district attorney is required to withdraw any misdemeanor or felony charges. It's a statewide rule," Olszewski said. "DUI is a misdemeanor in Pennsylvania."

Klein was a witness in the February 1, 1993, trial of Harveys Lake assistant police chief Ronald Spock, who was accused of accepting the "donation" of a TV

set in exchange for dropping DUI charges against Wilkes-Barre resident Peter Achey, on or about December 16, 1991.

During the trial, Klein had testified that Achey had contacted him for help in "doing something" about the charge.

Spock had suggested to Klein that "the police department's TV set was on the blink and the police would appreciate the donation of a new one," Klein said.

A jury acquitted Spock of the charge February 3, 1993.

Klein's role in the Spock incident was confirmed by retired Pennsylvania State Police trooper Leonard Dorrance, who had investigated the case.

## College notes 70 good years

Luzerne County's first four-year college, College Misericordia on Lake Street in Dallas, opened its doors 70 years ago to its first class of 37 young women.

The college observed its 70th anniversary in a weekend-long celebration September 23-25, with activities ranging from a reception and formal ceremonies to a picnic for college faculty and staff - a contrast to its early days, when the Ku Klux Klan burned crosses on the college's lawn when the Sisters of Mercy first arrived on campus.

The college played a vital role in the 1972 Hurricane Angles flood, when it housed nearly 1,000 flood victims. Alumnae Hall became the temporary home of Nesbitt Memorial Hospital, closed due to flood waters, and the place where 54 "flood babies" were born between June 22 and August 15.

In addition to being the county's first four-year college.

See COLLEGE, pg 3



POST PHOTO/RON BARTIZEK

**CUT IT FOR THE FIRST 70** - Cutting the commemorative cake during ceremonies noting College Misericordia's 70th anniversary were, from left, Dr. Carol A. Jobe, president of the college; Sister Marianna Gildea, RSM, one on several honorees; and Louis T. Alesi, vice-chairman of the board of trustees.

## Yalick farm to be auctioned

By GRACE R. DOVE  
Post Staff

A well-known Back Mountain produce farm may soon be used for other purposes.

The 49-acre Yalick family farm at the corner of Routes 415 and 118 will be auctioned in two parcels October 4, with the site of the former farm market and 46 acres of prime farmland offered separately for bids. The farm also fronts on Reservoir Road and a creek and wetland which empty into the Huntsville Reservoir.

An advertisement for the auction said the smaller parcel has 700 feet of frontage on Route 415, while the larger section has 1,700 feet of frontage.

The auction will be held at the East Mountain Inn in Wilkes-Barre, starting at 11 a.m.

According to Dallas Township tax collector Len Kozick, the three-acre parcel and a 300-foot deep section of the land fronting on the two highways are zoned for highway business, while the rest of the land is zoned agricultural.

Auctioneer Douglas Clemens of Traiman Co. in Philadelphia, who will handle the sale, said his company has received many telephone calls, including inquiries from people located outside the

Back Mountain, about the land since it was advertised for sale.

"It's hard to know what people want to do with it," he said. "They don't tell us - they keep their ideas to themselves."

Traiman Co. specializes in selling prime real estate to the broadest possible market through auctions, Clemens said.

"It's a simple auction, with open bidding," he said.

Before the sale starts, bidders must deposit bank treasurer's checks for \$15,000 for the smaller parcel and \$50,000 for the larger one.

"It's like a good faith deposit," Clemens said.

The sale could take anywhere from 15 minutes to two hours, he said.

He refused to give an estimated value or minimum price for the land, saying, "The public tells us that - what it's willing to pay for it."

Architect Rob Lewis, a member of the Back Mountain Land Trust, would like to see the land developed with a balance between commerce and conservation.

"You can easily avoid the appearance of one continuous strip of asphalt along the highway by

See YALICK, pg 2

## Hasay has foe for first time in 8 years

### Incumbent targets tax reform

By GRACE R. DOVE  
Post Staff

Republican George Hasay, facing a challenge from Ray Whalen, is seeking his 12th term as representative of the 117th District.

His district covers approximately 28 municipalities or 500 square miles of western and northern Luzerne County. He has offices in Sweet Valley and Mountaintop, the latter added after redistricting in 1990 added communities in that area to the district.

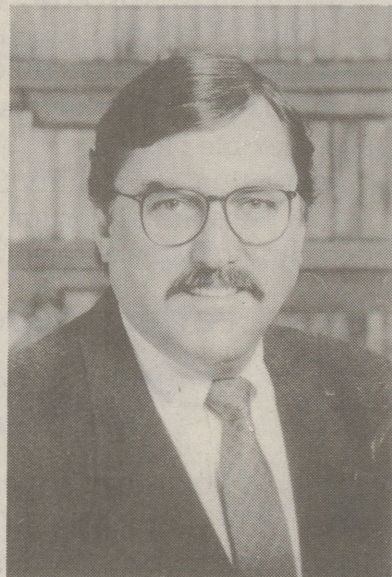
Hasay, a 22-year member of the state house of representatives, sees five main issues in this year's election.

- School district funding.
- State subsidies to school districts increased between three and five percent each year until Governor Casey took office," Hasay said. "While Casey has been in office, school subsidies haven't increased nearly that much, creating problems for local school districts."

Linked to school funding is reform of the present property tax system, which Hasay says places an undue burden on elderly homeowners and those living on fixed incomes.

He favors lowering and freezing the property tax rate while raising the earned income tax rate to two percent.

In addition, he says that voters should have the final approval, through initiative and referendum,



GEORGE HASAY

of construction of new schools, increases in school budgets exceeding the cost of living index and any time that the district wants to go into debt.

- The state auto emissions program.

"It's a ludicrous idea. I never voted for it," he said. "It's unnecessary for Luzerne County and could place a hardship on elderly and fixed-income residents."

Hasay, who has been a member of the House Conservation Committee for the past 10 years, said that the Wilkes-Barre/Scranton air basin is much cleaner than it was 10 years ago, according to federal Environmental Protection Agency studies.

The federal law setting up the emissions program is based arbitrarily on population, mandating emissions testing for any metropolitan areas with a population of more than 350,000 people.

See HASAY, pg 16

### Crime, jobs Whalen's interest

By GRACE R. DOVE  
Post Staff

Democrat Ray Whalen, a resident of Mountaintop, is challenging incumbent George Hasay for the representative's seat in the 117th District.

"I'm the first challenger that he has had in the past eight years," Whalen said. "Hasay has been in office for 22 years, but he just hasn't been getting the job done. He hasn't been using his influence to bring jobs to the area."

He added that he has been endorsed by the Teamsters' Union and the National Association of Social Workers.

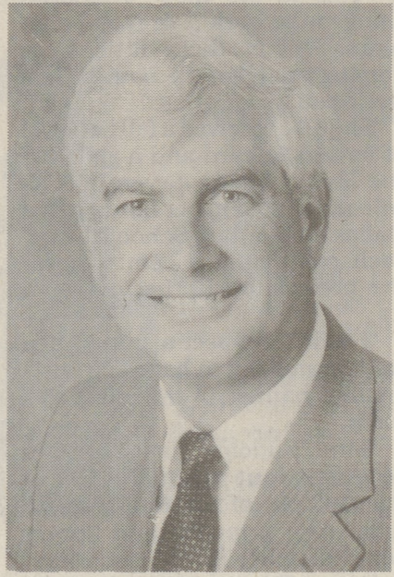
Whalen plans to use his experience in the corrections system and education and his two master's degrees, in public administration and psychology, to work on crime prevention and job security.

"Major issues are dictated by society and what people are nervous about," he said.

- Crime and punishment
- "Pennsylvania just built seven new prisons, each of which will cost \$30 million a year to staff," he said. "Nearly 90 percent of our state's budget is dedicated to corrections, welfare and education."

Crime prevention, rather than punishment, will go a long way in solving our crime problems, he believes.

"We must target school and neighborhood activities at the



RAY WHALEN

youth, the 11-year-olds who are joining gangs and learning to make \$100,000 a day selling drugs," he said.

"We also must educate the public about what works best and what doesn't. Crime prevention isn't being soft on criminals - it's preventing them from getting started."

- Jobs
- Whalen wants to attract industry and secure employment to the region, which will also help the local tax base.

"To get anything done, you have to talk to the right people in Harrisburg, to make deals and trade deals," he said. "The more political seniority you have, the more influence you have."

- Walking Around Money (WAM's)

Whalen wants to reform the system of WAM's, also known as Legislative Initiative Grants, to

See WHALEN, pg 16

## The Dallas Post wins national award

The Dallas Post has received a second-place award in the 1994 Better Newspaper Contest sponsored by the National Newspaper Association. This is the second consecutive year The Post has won national honors.

Sports writer Dave Konopki won the second-place award in Best Sports Column for newspapers in The Post's circulation category. Last year, the newspaper was

awarded first place for best editorial cartoon and third place for general excellence.

The National Newspaper Association is the nation's oldest and largest newspaper trade association, with more than 4,000 member newspapers, of which more than 3,500 are weeklies.

Earlier this year, The Post won three awards in the Pennsylvania Newspaper Publishers' Ass'n.

■ Cheers! Dallas cheerleaders Jennifer Cutter and Joan Bednar earned a spot London with their skills. Now they need the funds to get there. Page 3.

■ Winning ways. Dallas and Lehman are both 4-0 in football. Page 11.

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