

Court ruling disappoints Comm Center officials

By KYLIE SHAFFERKOETTER
Post Staff

BACK MOUNTAIN - The Back Mountain Communication Center (BMCC) is back to square one after the Commonwealth Court ruled against them last week.

The Comm Center had filed a lawsuit in 1994 in response to the countywide 911 system. The goal of the BMCC was to get "grandfathered" in under the Public Safety Emergency Telephone Act of 1990 (PSETA). The lawsuit asked that the current \$1.25 monthly charge per telephone line, now collected by the county, go instead to the Comm Center.

"We don't want to go backwards. We have the best service in the county," said Frank Wagner, chairman of BMCC board, in August.

Paul Sabol, executive director of BMCC board, said no one was sure what would happen. "We were hoping to win, but what can you do?" he asked grimly Monday. The center's board was to meet Tuesday night to discuss appealing the decision.

Jeff Box, board treasurer, said the board is disappointed with the verdict. "We thought we had a much better case than the judge felt we had," said Box. "The act is superficially vague. We thought we had a chance."

The PSETA authorizes "counties" to establish and maintain emergency telephone systems, it

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Jeff Box
BMCC treasurer

also makes provisions for "regional" and "multi-jurisdictional" emergency systems. With the lawsuit, the BMCC requested that the Back Mountain area be classified under "region" or "multi-jurisdictional." The county contends that the PSETA requires that there be only one county-wide system.

The BMCC has served the Back Mountain since 1986. Currently it serves Dallas, Kingston, Jackson and Lehman Townships and Dallas Borough. It also serves the surrounding fire and ambulance organizations.

In a written statement sent to the BMCC from Judge Warren G. Morgan, he states that the Comm Center's lawsuit "relies solely on the language of the section which is entitled 'county plan.' Moreover, the act grants the county the powers and duties to establish a 911 system and to develop a plan and further provides that where 'technologically is feasible,' the county plan 'shall be adequate to provide service for the entire county.'"



POST PHOTO/CHARLOTTE BARTIZEK

Legion Post installs officers

The Daddow-Isaacs Post 672 of the American Legion held installation for new officers at the Post home in Dallas. Tom Sigilia, Installing Officer, welcomed, from left; Walter Galka, 1st Vice Commander; Chet Kunigonis, 2nd Vice Commander; Tom Reese, Adjutant; Herb Dreher, standing in for Ed Buckley, finance officer; Bob Hislop, standing in for Charles Glasser, Chaplain; State Sen. Charles Lemmond, Judge Advocate; Jerry Machell, Historian; John George, Service Officer; Ed Rish, Sgt. at Arms. Absent from photo, Charles Kurtinitis, Sgt. at Arms.

DISTRICT COURT BRIEFS

D.U.I. CHARGES

Dallas resident Michael Brader, 41, was arrested Sept. 12 after Harveys Lake patrolman Jeff Butler saw his vehicle weaving between lanes on Rt. 415. After failing field sobriety tests, Brader was taken to Wilkes-Barre General Hospital where his blood alcohol level was determined to be .106.

He was charged with driving under the influence of alcohol, careless driving and failing to keep right. A related charge of reckless driving was dismissed.

Kingston resident Cherise L. Valanski, 24, was arrested July 26 by Harveys Lake patrolman John Young after police observed her driving erratically on Rt. 415.

After failing field sobriety tests, Valanski was taken to Wilkes-Barre General Hospital where her blood alcohol level was determined to be .162.

She was charged with driving under the influence of alcohol. Related charges of careless driving, not stopping at sign and fail-

ure to keep right were dismissed.

Valanski waived her right to a preliminary hearing before District Justice James Tupper.

Nanticoke resident Theresa M. Faux, 35, was arrested July 26 by Lehman Township patrolman Scott Davis after she was observed driving erratically on Rt. 29.

She was charged with driving under the influence of alcohol and failing to yield for an emergency signal. A related charge of disorderly conduct was dismissed.

Faux waived her right to a preliminary hearing before District Justice James Tupper.

HARASSMENT

Wilkes-Barre resident James Patts, 30, was arrested Aug. 13 by State Trooper Jason Cesari after Robert Mark Patts called police. James Patts allegedly kicked and punched Robert Patts during an argument at a home on Old Mill Rd. in Franklin Twp.

James Patts was fined \$150 plus court costs.

Challenger focuses on zoning, growth concerns

By KYLIE SHAFFERKOETTER
Post Staff

FRANKLIN TWP. - Jay Futch wants to make a difference in Franklin Township. The owner of Jay Futch Master Construction and current planning commission

Futch wants to create more coordination between the board of supervisors and the planning commission. "I want to build a better line of communication between the two of them," he said last week.

Another objective is to bring as many state and federal grants into the township as possible, said Futch. "We have a lot of roads that need to be paved. But, a limited budget prevents us from doing as many projects as we'd like to."

Futch wants to build up a financially stable township and use his business experience to help balance the budget.

Also, he would like to encourage public attendance and participation in township meetings. "Most important, no matter who you vote for, get out and vote," he said.

Futch has lived in Franklin Township for 34 years. Redmond did not respond to several requests for an interview.



JAY FUTCH

Some issues Futch has concerns about include, controlled growth, zoning regulations and stamping out favoritism to special groups in the local municipality.

"I care about what's going on here. Rather than let someone else make the decisions I figured I should have more to say about issues," he told the Post in March.

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Land owner says no plan in mind if he gets rezoning

DALLAS TWP. - Lee Sweinberg says there is no reason his six acre triangle of land shouldn't be changed to commercial. The land sits between Rt. 415, Briarcrest Drive and 42nd St.

"It should all be commercial along a highway," said Sweinberg, a surveyor. He currently has no plans to build anything. "One person has already approached me, but I said 'no,'" he said.

The land was originally zoned residential when the township zoning map was drawn up in the 1960's. Although, Sweinberg was the surveyor who drew up the map, he said he had no say in the zoning designation. "I just made

up the map. I had no opinions as to what it should be," he said.

Len Kozyck, zoning officer, agrees that the six acres should be commercial along the highway.

Sweinberg owns the Meadows development off 42nd St. and said he might develop one acre lots off Briarcrest someday. He mentioned the possibility of a storage garage being built on the triangle across the street from the old driving range.

The rezoning request is expected to be discussed at the next Dallas Twp. supervisors meeting, which will be held Mon., Nov. 3, starting at 7:30 p.m.

SNOW JOBS.

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