

## Compromise

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strip of evergreens, green hedge or dense planting of evergreen shrubs, not less than 15 ft. in width and five feet in height.

Kozick said there will actually be a 50 ft. total setback from the fields to the adjoining property. On a drawing of the fields provided by Quad Three Group, Kozick pointed out the 15 ft. barrier and an additional 35 ft. between people's property and the district's.

The school board voted to put evergreens around the field. People whose homes border the district's property also want a fence. "We believe the fields will cause a nuisance if they are not done right. If they are not fenced in, people will park on Westminster and walk over. It's human nature. People won't want to walk all the way from parking near the football field if they can park closer," said Lamoreaux, who at the very least wants a fence out of the appeal.

Steve Kopcho, who also lives on Westminster, said he did not know the district owned the land

*"If they are not fenced in, people will park on Westminster and walk over. It's human nature."*

**Sterling Lamoreaux**  
Westminster Drive

behind his house when he bought it. "I don't mind them building the fields, but they should be farther back," he said. Many oaks just beyond his yard are to be torn down to make room for one of the soccer fields. Kopcho lives right at the corner of one of the proposed fields.

Rita Kopcho said she also does not mind the fields, but thinks the district and township should be more considerate of the neighbors and move the setback to 100 ft.

"I bought this house with the intentions of having privacy. I don't want kids going through my yard," said Kopcho, who believes the township should have notified everyone of the variance.

The appeal also claims a hearing on the matter was not properly advertised, but that appears not to be the case. The township placed a legal notice in the Nov. 19 and Nov. 26 issues of *The Dallas Post* advertising a Zoning Hearing Board meeting concerning setbacks and parking. Kopcho said he only subscribes to daily papers, so he didn't see the notice.

The appeal also states the district did not file an application before the decision was handed down by the zoning board. The only date on the application is the same day the variance was granted, Dec. 8. Kozick said the application was submitted correctly and dated when it passed. "How could I advertise without an application?" he asked.

*"I don't mind them building the fields, but they should be farther back."*

**Steve Kopcho**  
Westminster Drive



## Trinity donates brick to library

Trinity Learning Center donated a brick to the Back Mountain Library: standing, 2-4 year olds are Corey Hohal, Travis DeBona, Chad Oswalt, George Giacobbi, Ryan Hogan, John Butchko. Sitting, Rachel Hohal, David Oswalt, Hanana Giacobbi, Karla Kahler.

## Free eye care available Jan. 22

Wyoming Valley Health Care System will offer a vision screening compliments of Pugliese Eye Specialists on Thurs., Jan. 22 from 9:30 a.m. to 11 a.m. in the Health Resource Center, 667 North River Street, Plains.

For more information, please call 552-8600.

## Fields

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building a fence around the property, to meet one of the neighbors' objections, but some of them have placed utility sheds and other structures on the property line.

At Monday night's school board meeting, Ben Jones III, board solicitor, discussed pending litigation concerning the proposed athletic fields behind the high school.

Residents of Westminster Dr. have appealed the Dallas Township Zoning Board's interpretation of the setback ordinance. The township opted for a 15 ft. barrier and setback from the adjoining property rather than the 100 ft. setback outlined in the zoning ordinance.

In the ordinance it states that the zoning officer may reduce the setback by 10 percent if "acceptable landscaping or screening...is provided." The district decided to use evergreens as their barrier.

The residents are being represented by attys. Bruce Phillips and Ted Krohn. The appeal states that the township did not properly advertise or post the property informing residents of the possible interpretation of the ordinance. Also, the appeal questions whether a variance on the setback was handled correctly.

Jones said Frank Townend, township solicitor, is seeking an agreement with the residents to start fresh with the next zoning meeting and all procedures will be done by the book. "If accomplished, the zoning board will hear this anew and rule again," he said.

Since Kozick made an interpretation of the ordinance, Jones said he can understand why he possibly did not see it as a necessity to post the property.

Jones told the board that he suspects the residents will appeal the decision a second time if the decision did not please them. "Any party can appeal on any ground, however frivolous. The district should prepare itself for delay," he said.

"This group of people is holding students hostage in litigation. So (in the meantime) Dallas does not have sufficient playing fields in the district. This will have an adverse effect on the kids growing up in the Back Mountain. It creates an ongoing problem we will have to face," said Griffiths.

## Lake-Lehman

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cause a disturbance on the bus. According to Oliver, the students in question have become "a serious, disruptive problem that must be addressed quickly."

Allardyce pressed Oliver, asking if he parents of the unruly children had been called in to the school to speak to the principal about the matter. After assuring Allardyce the parents had been made aware of the problem, Oliver reported there was no change in the children's behavior. Oliver said he feels the district "has exhausted the various means of discipline available to these children," and that having a second adult on the bus would be "the most expeditious way to handle the problem."

But while several members of the public expressed their concerns at having to stand this expense, at least one parent agreed with Oliver that having an extra adult on the bus to keep order is a necessity.

Joann Wright said she was concerned for the safety of her children on the bus and hoped every bus in the district might have an aide to handle disciplinary problems.

When Allardyce insisted that it was up to the parents of the children to take responsibility for their children's action and not the school district, he was applauded by the small assembly of members of the public.

Board member Ronald Payne suggested that having a video camera on the bus to record unruly behavior might save the district money, but he was informed that the three district cameras had been either broken or lost.

A lively discussion followed among members of the audience and several board members concerning why the public had not been told about damage to cameras purchased only a few years ago to curtail the same type of problem with students on the buses.

Donna Chamberlain, a member of the audience, asked why the cameras had not been repaired. Finance Manager Kathleen Williams said the cameras had been purchased with a state grant and had already been repaired several times. She said the contractors who had done the repairs

*"Hiring the aide to ride the bus is the inexpensive way to solve this difficult problem."*

**Dr. William Price**  
Lake-Lehman superintendent

on the cameras told her they were "very delicate," and were easily broken.

When Allardyce responded to Williams by stating that "Grant money is still taxpayers money," the audience had another chance to voice its approval by applauding.

Finally, district solicitor Peter Savage offered his advice, saying the school could face litigation problems if the children were removed from the bus as Allardyce had suggested. Savage said courts have held other school districts liable for not reasonably accommodating students.

Allardyce responded to Savage by asking "What is reasonable accommodation?" And a member of the audience asked Savage to

state some court opinions to substantiate his reasoning. Another heated discussion took place with no apparent resolution of the question.

Oliver suggested that a possible solution could be reached by hiring the aide on a temporary basis so the board could take a further look at the situation. "If the presence of an adult sitting among these children does not curtail the problem," said Oliver, other steps will have to be taken.

In a subsequent interview, Price echoed Attorney Savage's concerns about the potential for the school district to become involved in a lawsuit not only by the parents of the children with objectionable behavior, but also by parents of children who may be harmed by this type of behavior.

"Hiring the aide to ride the bus is the inexpensive way to solve this difficult problem," reasoned Price. The cost of having to deal with the possibility of a child being harmed because the board neglected to take action is something the superintendent would prefer not to have to think about. "We have to think of more than

the money involved in solving this problem," said Price. "We need to think of the children."

On other matters, board member Lois Kopcha asked that something be done to save valuable sports equipment that she said had been "sitting out in the weather." When asked if the district had facilities for storing the equipment that had been refurbished within the past year at an expense of \$3,000, she was told by Williams that the district had no building for storage.

However, Oliver informed Kopcha that he would find a place to put the equipment by the following day.

Payne asked that he be shown all capital renovation costs from June 1996 to November 1997. He also asked that he be shown the proposed cost of all projects and the actual costs of those same projects so that he might be able to compare the budgeted to actual costs.

The annual financial report as of June 30, 1997 was passed as well as the schedule for upcoming conferences to be attended by Price and several members of the board.

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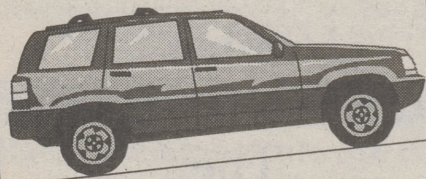
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