

EDITORIALS

Common sense prevails at last in cell tower debate

Finally, someone has correctly interpreted the rules that apply to the construction of cellular telephone communication towers. Judge Thomas Burke, of the Luzerne County Court of Common Pleas, handed down a ruling last week that upholds an appeal filed against a decision by the Kingston Township supervisors that would have allowed building of a 150-foot tower behind the old municipal building. The appeal, by three families who live near the site, won approval because Judge Burke clearly understood the circumstances surrounding the proposed tower and its location.


In a nutshell, Judge Burke ruled that the Telecommunications Act of 1996, which cellular phone companies try to use as a sword over the neck of local officials, does not preclude a municipality from applying its normal zoning rules to these ugly and intrusive structures. In this case, Cellular One had facetiously argued that the Act — adopted by Congress ostensibly to increase competition and lower prices for telephone and other services — superseded local ordinances, a premise that is incorrect to even an untrained reader. A summary of the Act, freely available to anyone caring to read it, says the Act "preserves the authority of state and local governments over decisions regarding the placement, construction, and modification of personal wireless service facilities," except as specifically provided in another paragraph. The exceptions are that states and towns cannot discriminate among companies, and cannot entirely prohibit cell phone facilities.

Unfortunately, two local municipalities, Kingston Township and Dallas Township, chose instead to accept the obviously self-interested position of Cellular One and the poor advice of their solicitors when the company came to town. In Kingston Township's case, it was determined that the tower was a "semipublic" use, even though cell phone companies are not public utilities. Another lure was an \$800 monthly payment to the townships for as long as the towers remain standing. And in Dallas Township, there was the added bonus of having the township's radio transmitters hung on the tower at no cost.

Citizens protested the towers in both cases, and Cellular One chose to build the Dallas tower even though an appeal to its construction was — and is — active. Apparently the company thought better of it in Kingston Township, waiting until a decision was made. Now the company may appeal Judge Burke's ruling, which will mean another several months of waiting before a final resolution is reached.

It's unfortunate it had to come to this. Local governments should be in the position of supporting and protecting citizens, not selling taxpayer-owned space to the highest bidder. When all is said and done, even Cellular One and its customers may have been better off if the townships had stood up to the company's heavy-handed tactics, and forced Cellular One to seek alternatives to a couple of large towers, such as a series of smaller antennas placed unobtrusively on existing commercial structures.

Publisher's notebook

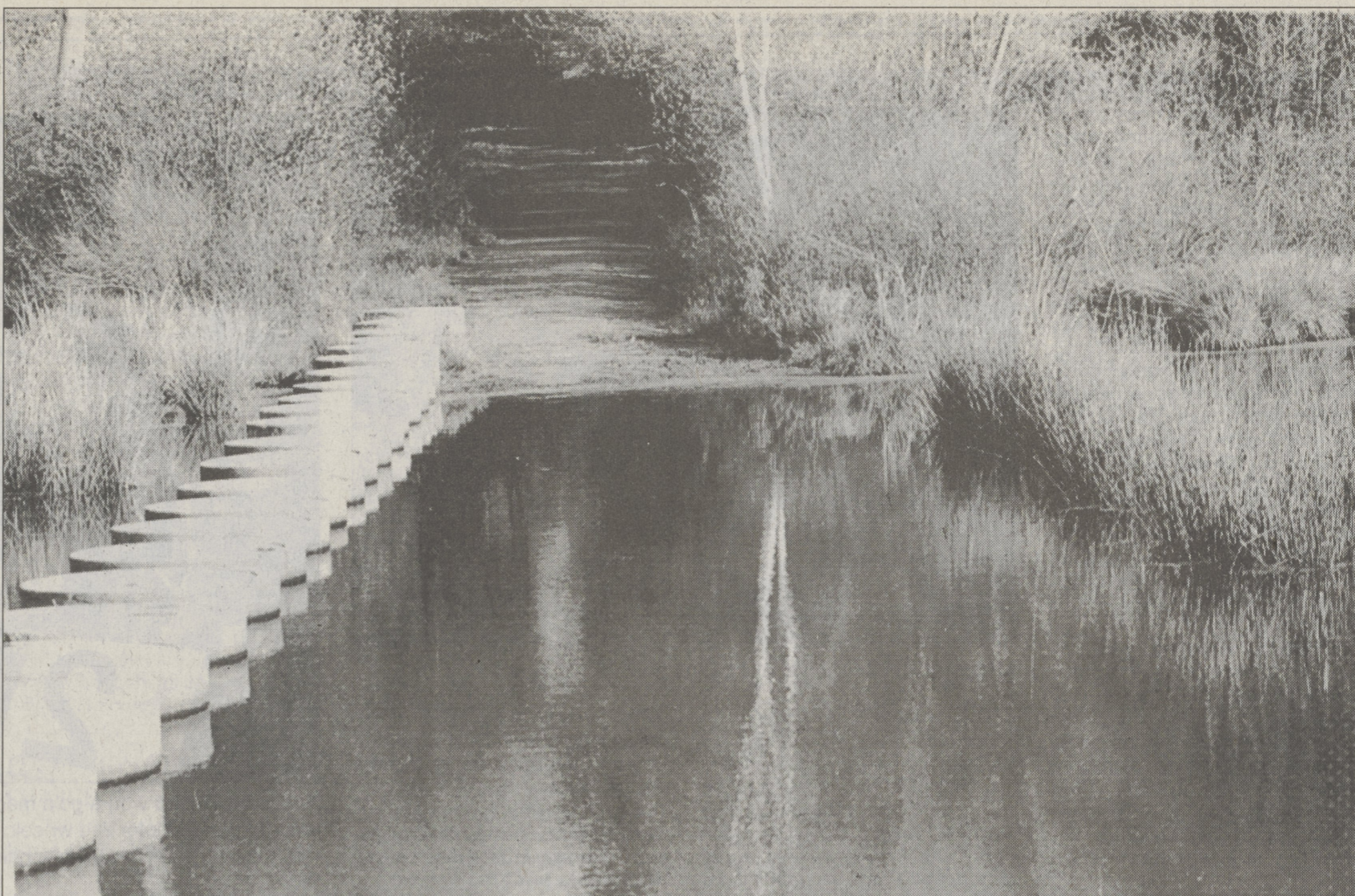


Ron Bartizek

The original "Woodstock Generation" was known for peace and love, as well as music. Even in the years of the flower children, this wasn't an entirely accurate characterization, since it's not possible for such a large group of people to escape hatred, avarice or worse human traits. Rest assured there were plenty of people taking advantage in those days, whether selling drugs or using the cover of the times to sleep around out of lust rather than love. Even so, I remember the era for the live-and-let-live attitude most people exhibited, which was best displayed at the original Woodstock, when 400,000 people gathered in the rain and mud for several days of music and reverie, and then went home, leaving a mess but not destruction.

Contrast that with the latest "Woodstock," which was held last weekend at, of all places, a former Air Force base. A crowd about half the size of the original ponied up \$150 or more each for tickets, then found a drink of water cost \$5 once they were inside the chain-link fence installed to keep gate crashers out and their dollars in. Still, it was mostly all in good fun until Sunday night, when the music ended, and crowds of fans ripped up the stage and other structures, built bonfires, tried to break into an ATM machine and torched a dozen large trucks in a rampage someone tried to blame on the high prices. Say again, the prices made me do it? Gee, I guess all those people thought it was a love-in, not a profit-grabbing venture, but they must have misplaced the love on the way to the concert.

While I can't accept that kind of rationalization (a real '60s word, that one), I'm not shocked at the violence, given what we see all around us today. Popular culture, at least as dictated by the entertainment industry, is rife with murder and mayhem, coarse language and disrespect for others. Is it any wonder that a large crowd of mostly young people, who have been watching professional wrestling and *Die Hard* movies, would think it inappropriate to smash something once they're finished with it? The message today is not "question authority," it's take what you want — you deserve it — and destroy what's left. And it's certainly not "buyer beware," which would mean denying yourself the opportunity to have your wallet lightened by a pale imitation of a real gathering of peace, love and music.



You can almost walk on water if you use these stepping stones at Frances Slocum State Park. Photo by Charlotte Bartizek.

Library news



Although the days are getting shorter (and hotter and drier) and the season is winding down, there are several summer activities still to come at, or in behalf of, the library.

Brian Freeman of the Par 4 Cafe announces that the third annual golf tournament sponsored by the restaurant to benefit the library will be held Monday, August 2, at the Mill Race Golf Club in Benton, with a 12 noon shotgun start. The entry fee is \$70 per person and covers a cart, greens fees, refreshments and dinner, and a chance to win any of a number of prizes. What an opportunity to play golf not only for fun, but for a good cause besides! There's a limit of 30 foursomes, so, if yours

Shorter days, no shortage of activities

isn't already registered, stop by the library right away to pick up an entry form.

The last party for young readers at the library, "Walk on the Wild Side," will be held in the library Friday, August 6, from 1:30 to 3 p.m. If your young reader plans to attend, please RSVP as soon as possible. "Route for Reading" participants should come to the library and fill in their game cards by August 4, in order that certificates will be ready for distribution at the party.

The Bookstore will reopen August 2. Ruth Tetschner promises special prices on books by Danielle Steele and Sidney Sheldon.

We want to congratulate the collector whose materials are now on display at the library. He is 8-year-old Brandon Reichart, who is, to put it mildly, wild about fishing! Here's what he has to say about his favorite pastime: "My Pop-Pop and Uncle started taking me fishing when I was 2 years old. I love to catch big fish! The one on display I caught on a deep sea fishing trip. It was really awesome when I caught it! My favorite lure

is the Rapala. I learn lots of things about fishing from books I borrow from the Library also."

Come in to see Brandon's interesting display before the middle of August, and to visualize how your treasures might fit in if you loan them to the library. Call or come in to talk with Martha Butler about your collection. Incidentally, the display case is kept locked at all times.

The first Fall meeting of the Monday evening Book Discussion Group will be held September 9 at 7 p.m. in the Community Room at the library. The size of the group is limited to 20. There are a few openings for new members; apply soon to assure yourself of a place. Dr. Pat Hinchey is the discussion leader.

There will be more news as the year goes on about this group and about the one that is held on Monday morning. The

latter group was formed in 1996, at the time of the celebration of the library's 50th anniversary, and now has a waiting list. Please call the library to inquire about either group.



Brandon Reichart held a string of fish, caught while out with "Pop-Pop."

ONLY YESTERDAY

70 Years Ago - July 27, 1929

LAND BUY COULD MEAN \$100,000 BUSINESS IN NOXEN

With the purchase this week of the Hetteshheimer plot of land at Noxen, which contains valuable deposits of clay, it is expected that Noxen will soon have a new \$100,000 industry employing 50-100 men. Purchase was made by Max Dattner and associates of Wilkes-Barre. On reliable information The Post is informed that machinery will be moved on that plot in the very near future.

60 Years Ago - July 28, 1939

NATIONAL SWIMMING RACE HELD AT HARVEYS LAKE

The attention of the aquatic

fans throughout the nation will be focused on Harveys Lake, Saturday when 28 of the country's flashiest long-distance swimmers shove off from Hanson's dock at 12 noon in a 5-mile race for the U.S. championship. The race is the high spot of the swimming season for the A.A.U. and is the first event of such magnitude ever staged at Harveys Lake.

Most of the stores in Dallas have agreed to close every Wednesday afternoon to give employees a weekly half holiday. The new plan went into effect on Wednesday this week.

50 Years Ago - July 29, 1949

NEW DRY CLEANING BUSINESS FOR TRUCKSVILLE

Contracts amounting to \$16,197.20 for cafeteria and home economic equipment and renovations were awarded to low bidders by Kingston Township School Board at its meeting Monday. The board hopes to have contracts signed and work started within

10 days so that the cafeteria will be ready shortly after the opening of school.

Announcement was made this week that Ben Davis, Rice St., has purchased the plot of land north of Trucksville Mill from Stanley Moore and will establish there shortly a dry cleaning business.

40 Years Ago - July 30, 1959

PAIR OF POST OFFICES MAY MERGE

An extensive survey of postal facilities in Trucksville and Shavertown is being made this week by Postal Inspector Walter Popejay with a view to determine the feasibility of city delivery of mail and possible consolidation of the two offices. When interviewed concerning the project Richard Griffith, Trucksville Postmaster said the survey includes interviews with patrons, a determination of population densities and the need for improved postal service.

You could get - Boneless chuck,

69¢ lb.; smoked picnics, 33¢ lb.; honeydews, 49¢ ea.; nectarines, 2 lbs., 39¢; Cracked wheat bread, 17¢ loaf; Kraft sharp cheese, bulk lb.: 65¢.

20 Years Ago - July 26, 1979

PETITION ASKS FOR LIGHTS, LOWER SPEED ON RT. 309

A meeting of Kingston Township supervisors and residents concerning the hazardous traffic conditions along the business section of Rte. 309 will be held Aug. 8 at the Kingston Township Municipal Bldg. Mrs. Carolyn Bulford in charge of circulating petitions requesting a traffic light at the intersection of Franklin St. & Rte. 309 and a reduced speed limit along the section of Franklin St. and Rte. 309 urges all residents to attend. Frank Finn, PennDOT engineer district and Michael Czar, traffic engineer were invited to attend the meeting. Sen. Frank O'Connell will attend and will support whatever solution is recommended by PennDOT officials.

Only Yesterday is taken from the back-issue files of The Dallas Post.

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144 North Mountain Boulevard, Mountaintop PA 18707

Hasay's district encompasses: Harveys Lake, Lehman Township, Jackson Township, Lake Township, Franklin Township, Ross Township, and Dallas Township's north voting district.

State Representative Phyllis Mundy (Democrat)
283-9622 or 655-3375
Suite 113, 400 Third Avenue, Kingston PA 18704
Mundy's district encompasses: Dallas Borough, Dallas Township except for the north voting district, and Kingston Township.

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