



The cellular phone tower in Dallas Twp. may be jeopardized by a recent court ruling.

Tower

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hearing in March, 1998. After the supervisors approved the tower at a meeting March 25, 1998, only the three families remained willing to press on.

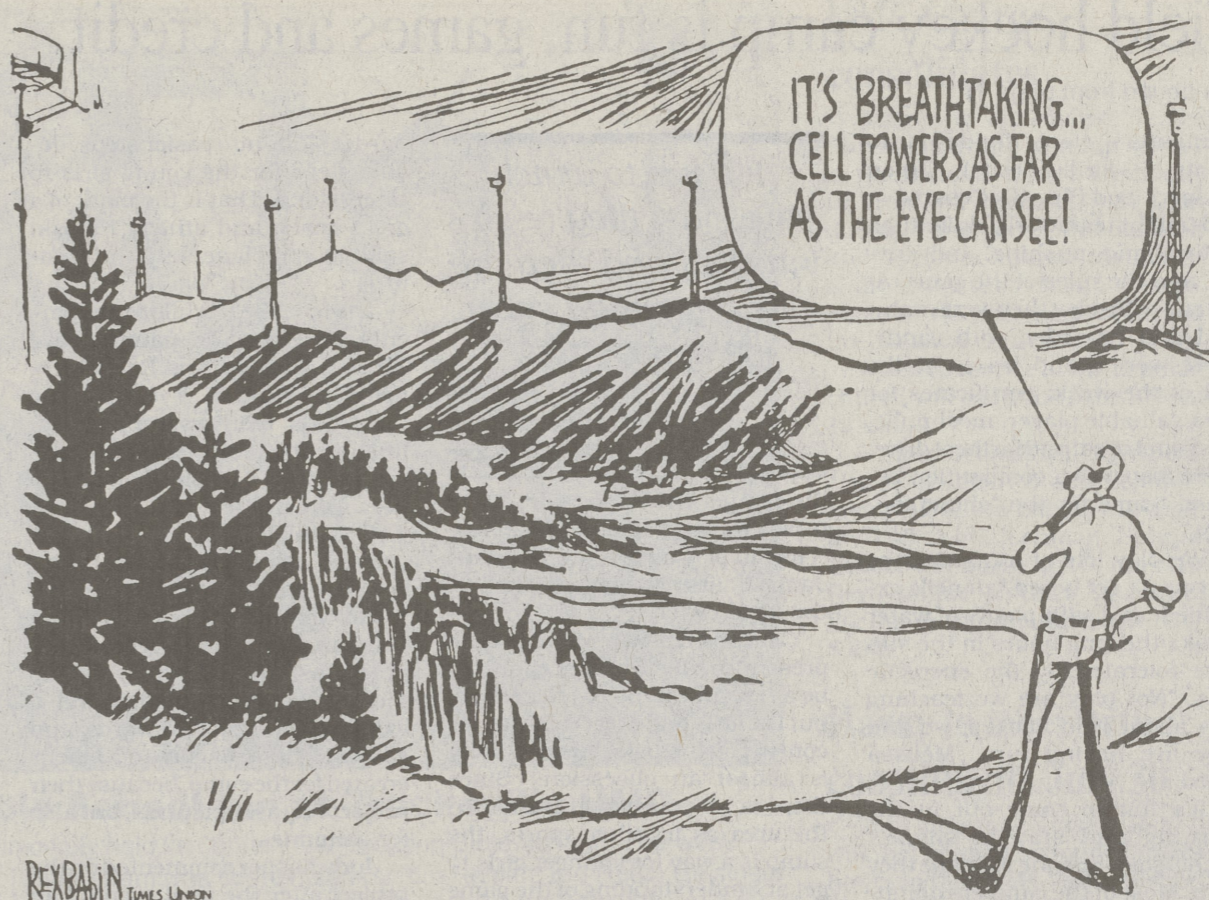
"A lot of people were against it," McMahon said, "but when it came down to money no one wanted to stay the fight." She praised the Sabols and Koziels for the decision to continue. "They're the essence of community service," she said of her neighbors.

Landry is encouraged by Judge Burke's ruling, and will consider pursuing his appeal further. "I haven't killed it," he said, referring to his appeal. "I just haven't paid attention to it." Unlike the McMahons, Landry has received no outside financial support for his case. "I'm not ready to throw in the towel."

The cost to complete the appeal may be modest, but Landry is concerned that Cellular One will take the case to a higher court, which could involve significant outlays, and the company would have a huge advantage in funds. He remains hopeful that other people or an environmental organization will become involved. "I would love to carry it on until they take it down," he said.

Kate Naughton, an attorney with a firm that represents Cellular One in the region, said no decision had been made whether or not to contest Judge Burke's ruling. "The majority of the cases I've been involved in were settled in one way or another," she said. She said the semipublic designation causes confusion, because each municipality interprets the description differently, or not at all, as in Kingston Township.

Susie Koziel didn't expect the battle over the Kingston Township tower to take this long or cost as much as it has, but she's still pleased with the result. "We felt it was worth standing up for," she said. "It really didn't belong there."



This editorial cartoon satirizes the proliferation of cellular phone towers.

Aside from being "this ugly eyesore," Koziel worried that the tower would attract lightning.

During public hearings in the townships, Cellular One had argued the tower was necessary to carry signals through the rock cut. A tower had been built earlier behind Rider's World, but the signal could not "see" the tower in Dallas Township, so an intermediate location was needed. But McMahon questions that argument, since it is illegal to use a car phone while driving and there is no place to pull off the roadway most of the way through the cut.

"That rock cut is dangerous enough," she said, without having people talking on the phone while they drive through it.

Naughton said the Dallas tower is still useful. "As far as I know, it's

"We felt it was worth standing up for. It really didn't belong there."

Susie Koziel
Joined in appeal

operational," she said.

McMahon does not have a cellular phone. "But I have nothing against someone having them," she said. "Just don't put a tower next to houses." Her main focus in opposing the tower was a concern about health dangers. She spent "hours and hours" getting information about the effect of phone signals, and says the government has never ruled exposure to them

safe, while studies in other countries point to problems.

The Telecommunications Act of 1996 specifically forbids consideration of health effects in decisions about tower locations, and Judge Burke closed his decision by stating that was not a factor in the outcome.

While she is pleased with the outcome, McMahon, who grew up on Trucksville, is disappointed the township forced the action. "They should have been fighting with the community," she said.

Arguments on the appeal were heard in January, and McNealis thinks the decision took this long because it could have far-reaching consequences. "I think he realized this was a potential precedent-setting case and took the time it deserved," he said.

Water

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cumstances, priority users would continue to have adequate supplies," said Obleski. "Priority users include businesses, public utilities and farmers."

Governor Ridge's drought emergency declaration also extends authority to local municipalities to issue citations to residents who fail to observe guidelines on non-essential water usage. "I cruise the area periodically and I am keeping my eyes open for violations," said James DeGeorge, Harveys Lake Zoning Officer. "So far, it seems everyone has been pretty good about it."

Police officers in Dallas Borough are also cooperating in the effort to reduce unnecessary water consumption. "We're not putting extra patrols out there to catch people washing cars but if we hear about a problem were are going to follow up on that," said Officer William Norris.

Stiff fines, in the amount of \$200 to \$500, are in place for

"I cruise the area periodically and I am keeping my eyes open for violations."

Jim DeGeorge
Harveys Lake Zoning Officer

those who do not obey the mandatory limits. "These are statewide

restrictions and we have the authority to cite those who violate them," said Norris. "First we are issuing verbal warnings but those will be followed with citations if the problem is not solved."

Compliance with these restrictions is critical to reducing the strain on the region's public water supply. "Normally drought conditions occur later in the season when we are closer to the rainy

months," said Obleski. "We still have several months of summer weather to contend with which makes the situation that much more alarming."

Those monitoring the situation warn that cutting back on non-essential water usage may not go far enough and water companies may restrict household consumption if the rainfall deficit continues and high temperatures per-

sist. "Hopefully, we're heading toward some kind of recovery and we will stave off rationing," said Obleski. "But we never say never."

United Water has contingency plans are in the works should rationing become necessary. "If we get into a rationing situation rate penalties would go into effect," said Bradley. "Of course, that's something we all hope to avoid."

Correction

An article in last week's issue about Eagle Scout Brent Mayernick's landscaping project at the Back Mountain Memorial Library said incorrectly that materials had been purchased from Hilbert's, Agway and Penn State Seed. The materials were donated by the businesses, not purchased from them.

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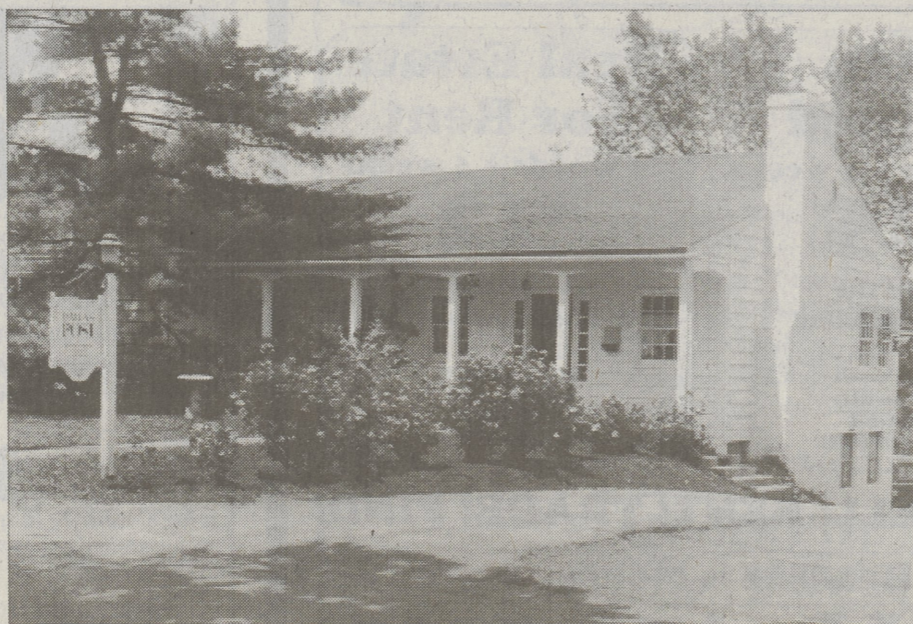
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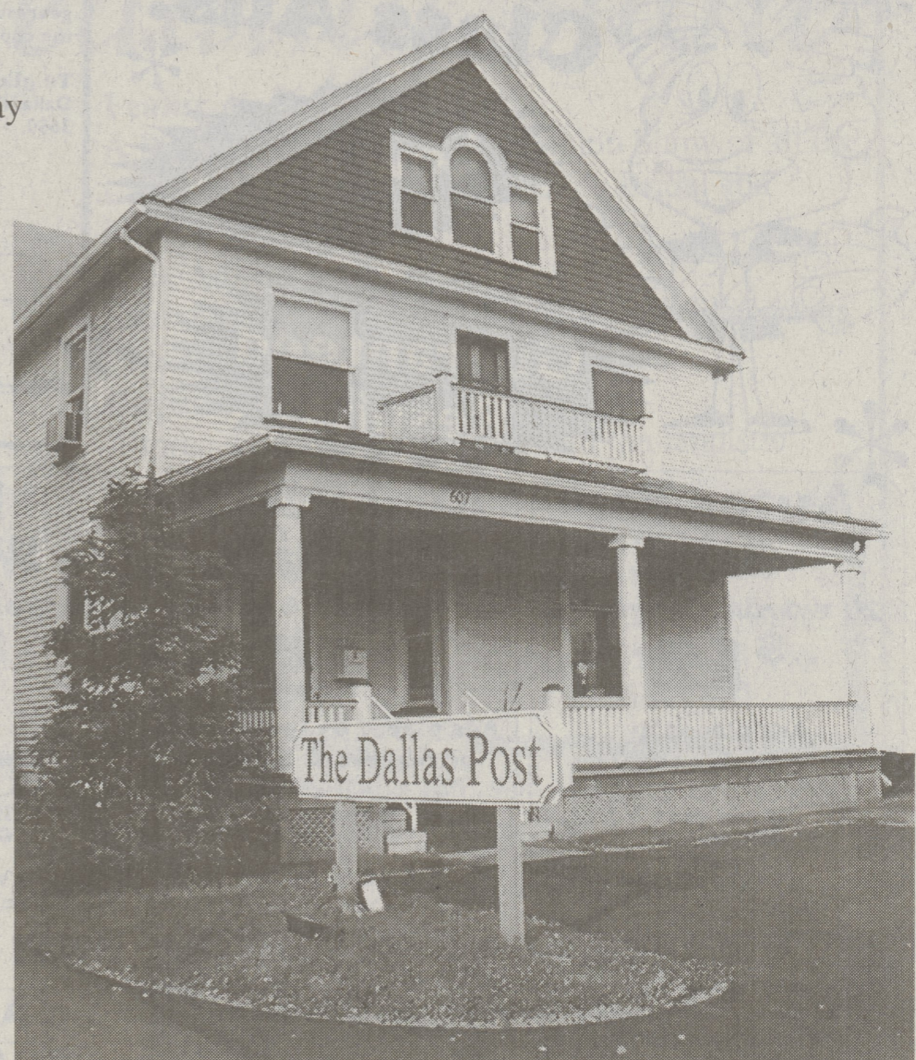
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