

Intersection

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"It would take the green time that would have been allocated to the southern travelers and allocate it back to the main streets. It would help traffic flow — it would actually improve service by a full level," said Paulette.

The engineers explained that this option would actually change the level of service to a C designation — leaving the intersection better than it is currently.

Council members expressed many concerns about that alternative.

"There are a number of issues that we're going to need to discuss," said board president John Oliver. "One of which is how it's going to affect the school district's transportation and the students that commute to College Misericordia."

Another council member questioned how making Lake Street one-way would affect businesses on the street.

Oliver questioned how the change might affect traffic on Church Street. "By making Lake one-way, you're going to force more traffic onto Church, which will make a bigger problem of people trying to exit the

post office," he said.

Before making a decision, the council members decided they would meet with Chuck Mattei, Chief Engineer for District 4 of the state Department of Transportation (PennDOT), and Penoni to make sure they have exhausted all of their options.

"We don't want to stand in anyone's way, but at the same time we have concerns about the nature of our community and people's perceptions," said Oliver.

"The real issue is it's probably the number one issue in the borough. Your development is going to impact probably the number one challenge we have here," said Joe Moskovitz, Borough Manager.

J. Naparło, developer of the township property, explained to board members that currently he has no agreement with Wal-Mart, the rumored large store for the site. "My project goal is to get something approved and then approach one of these companies and say, 'hey I've got something here,'" said Naparło.

He said Wal-Mart looked at the property and determined it wasn't a prime site. "Just as these intersections are marked

A-F so are locations and unfortunately Dallas isn't a top location for one of these places," said Naparło.

Naparło then seemed to imply that the borough was asking for too much from him. "If you're over in Wilkes-Barre, you can demand a lot from a developer coming in, but if you don't have an A site, there isn't room for that."

Paulette explained that the developer could sidestep a council decision. "If the borough's position is we're not ready to deal with this right now or there are other issues going on that we're not comfortable with the one-way scenario, then maybe PennDOT will grant a waiver," explained Paulette.

Naparło could apply for a waiver from PennDOT that would allow him to break ground without the cooperation of the borough at this time.

Naparło responded. "We're willing to do something, but if I go get a waiver, then whatever you want to accomplish is gone. Here I think there is some benefit to working together, but I don't know what you want," said Naparło.



POST FILE PHOTO

This land at the intersection of Routes 415 and 118 in Dallas Township could become the site of a major retail development.

Dispute

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Fowler have cost the borough \$15,000 in the last year that wasn't allotted for in the budget. He said if things stay as they are, the borough could spend another \$10,000 before the year is out.

"The chief has been unwilling to negotiate agreement on this. The chief has fought everything we've done," said Moskovitz.

Mayor Tim Carroll said the problem started when he created the 2002 police work schedule. He said the schedule had changes in it that Fowler objected to.

Carroll said he found a way to streamline the police department budget and save the borough \$7,000 annually. He said during 10 weeks out of the year, in place of Fowler's normal 6 a.m. to 2 p.m. shift, he had scheduled him to cover shifts for officers who were on vacation. The shifts could be second or third shift.

"It's 10 weeks out of the year; in doing so we don't have to pay a part-timer," said Carroll.

Dennis Garvey, a member of the borough council, responded to Carroll's comments. He said Fowler over the last year has been the recipient of harassment, intimidation and retaliation by Carroll. "In an attempt to harass the chief and cause disruption to the schedule, he (Carroll) started bouncing Jack back and forth when clearly Jack is the administrator and should be there during the day," said Garvey.

But Carroll defends his actions as having minimal impact on Fowler's work schedule.

"All he has to do is adjust his schedule nine or 10 weeks out of the year," said Carroll. Carroll said Fowler worked some of the shifts, "but he didn't work very many of them."

Fowler filed a grievance in early 2002, objecting to the schedule. In late October, both parties went into arbitration.

"The bottom line is we've asked him to do certain things; we believe he hasn't followed orders," said Moskovitz.

Garvey contends the things Carroll has asked the chief to do are unreasonable. He agreed the problem began when Carroll requested the chief work hours that are not conducive to his administrative duties. "How is Jack going to handle investigations and take his cases to the magistrate?" asked Garvey.

He said the next incident was in May when the mayor requested a key to the police department. Garvey said the chief objected to giving the mayor a key for security reasons. According to Garvey, Carroll wrote Fowler a letter of reprimand.

"You have a man who is in his 50s, served his borough for 15, 16 years, is a Vietnam veteran has many friends in the borough — I feel the treatment of Fowler is unjust," said Garvey.

At the November borough council meeting, it was learned the Mayor had suspended Fowler for removing a schedule

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from the department to give to his arbitration lawyer. At the time, the mayor stood behind his decision saying that "it is against the law" to remove the schedule.

Garvey brought a motion to rescind the suspension, but the suspension was upheld by a vote of 4-2. Garvey and Ed Donahue, who has since resigned from the board, voted for the motion.

The mayor, Moskovitz and Garvey all agree they are frustrated that the issue has taken such a central role. Carroll said the borough has recently had the largest paving and watershed projects to date, they are active in the Dallas visioning process, an umbrella for addressing downtown revitalization, traffic concerns and regional planning, all of which, they say, are being lost in the shuffle.

"It takes a lot of the borough manager's time, certainly it seems like you don't have time to focus on things that would be good for the borough," said Carroll.

"It's taking time, money, conflict, heated arguments. My concern is we've already spent \$15,000 and there will probably be another \$10,000," said Garvey. "It's the mayor's doing."

Carroll said he believes he is

acting in the best interest of Dallas Borough. "It's all about saving money for the town. Everybody's got to work together to keep it afloat. You (Fowler) can't adjust your schedule to help a little town?" Carroll asked rhetorically.

"I'll say it on the record, the agenda of this council and this mayor is to get rid of the chief of police," asserted Garvey. "And I want the taxpayers of Dallas to wake up and see what's going on."

Final arguments in the arbitration case will be submitted by March 1, at which point the arbitrator will have 30 days to provide a decision. A hearing date for Fowler's suspension appeal has not yet been set.

Chief Fowler was asked to respond to comments in this article, but neither he nor his attorney did so.

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