

DAMA again sues HL Municipal Authority

By **TERRIE MORGAN-BESECKER**
Special to The Dallas Post

WILKES-BARRE — The Dallas Area Municipal Authority has renewed its legal battle with Harveys Lake over sewer fees, filing a lawsuit that seeks more than \$260,000 the authority says is owed for services provided since January 2000.

The suit, filed Friday in Luzerne County Court of Common Pleas, claims the borough and its general municipal authority have failed to pay DAMA for pumping the borough's sewage to the Wyoming Valley Sanitary Authority.

The court action is the latest in a contentious legal battle that has stretched 10 years. The dispute has centered on the amount DAMA charged the borough.

In 2001, an arbitrator rejected DAMA's contention that it was owed more than \$500,000 for services provided from 1993 to 1999, ruling the General Municipal Authority of Harveys Lake owed \$13,922. The latest lawsuit covers the period of Jan. 1, 2000 to the present.

The Dallas authority pumps sewage for several Back Mountain communities to the Sanitary Authority for treatment. DAMA maintains other municipalities have been forced to subsidize Harveys Lake's share of the costs due to the borough's refusal to pay.

The suit notes the the Harveys Lake authority paid DAMA \$15,000 on March 26 this year, but DAMA maintains it is owed an additional \$261,944.

Michael J. Wilson of Camp Hill,

attorney for the Harveys Lake authority, said the authority maintains it is being overcharged by DAMA.

"DAMA has arbitrarily picked three different prices over the past three years," Wilson said. "We don't agree with any one of them for various reasons."

Wilson said a key issue for the Harveys Lake authority is getting information on exactly what they're paying for.

"We don't know enough about the background. What limited information we understand about the background leads us to believe the prices are still too high."

Attorneys for the Dallas Area Municipal Authority, George Reihner and Ben Jones did not return phone messages Tuesday.

This article appeared in original form in the Times Leader.

Dallas Middle School in science fair

Students in eighth grade and the gifted science classes participated in the fair. They competed in the areas of life, physical and behavioral sciences. There were over 200 projects entered into the Science Fair. The projects were judged on many aspects - creativity, originality, data collection, conclusion, written, oral, and visual presentation. The projects were evaluated by 30 judges. The volunteer judges were Dallas Senior High School science faculty members and administrators and professors from local colleges.



Life Science winners were Josh Bowman first place, Amy Vodzak second place, Keysha Hennings third place and honorable mention went to Stephanie Pace. In the Physical Science category the winners were Michael Glinici first, Dan Jacobs second, Megan McDonald third and Josh Perry, honorable mention. The Behavioral Sciences winners were Skylar Braun first, Megan Youlles second, Jackie O'Brien third and honorable mention went to Abby Bomboy.

Overflow

(continued from page 1)

Carmon, spokesperson for DEP.

"At this point it's a state matter under DEP, under clean streams law," he said.

The law provides an enforcement hierarchy to follow. Carmon said at this stage, the Harveys Lake Municipal Authority will not be fined, but if it fails to be cooperative or lags behind in making prescribed changes, fines will come into play.

"If it takes too long, we could escalate the hierarchy. We don't anticipate that to be the case here," said Carmon.

In his letter to DEP, Jay Niskey, who owns property next to the authority, said sewage pours out of four manholes in the area of pole 252 often with such vigor that at times it "pops" the manhole covers off, leaving gaping holes three feet wide in the roadway. The holes have to be barricaded by police to prevent cars from falling in. He said streams of sewage pouring out of the holes can reach up to two feet tall.

"Dealing with these kinds of problems may entail a large capital outlay. It doesn't happen overnight."

Mark Carmon
Spokesperson, DEP

Carmon said details about the other complaints were not readily available, but that they would have been treated in the same manner as the newest one.

"Normally what would happen is we'd do an inspection, talk to the complainant and the respon-

sible party."

He said he pulled records back to 1992 and found two complaints from 1994, one in 1996 and the recent one last month.

He said he didn't know if the earlier complaints were related to the current problem.

"One (of the complaints) may have been associated with equipment malfunctioning or a break in the sewer line. I really don't know," Carmon said.

He said he didn't think the number of complaints was excessive.

The next step in the process is to come up with a solution, which could come from DEP or the authority.

Carmon said he couldn't confirm any time line for solutions to be planned or completed.

"Dealing with these kinds of problems may entail a large capital outlay. It doesn't happen overnight," he said.

Paving work scheduled on Rt. 415 around Harveys Lake

The state Department of Transportation (PENNDOT) advises drivers that paving work is scheduled over the next few weeks on PA Route 415 and Lake Avenue (State Route 1415) around Harveys Lake.

Crews will be doing shoulder work, paving prep work and paving weekdays between 6:30 a.m. and 6:30 p.m. each day. The work was scheduled to begin this week and continue through most of the month of May. There will be alternating lane restrictions in the work areas around the lake.

Drivers are asked to use extreme caution when traveling through all work zones, and are reminded that it is now state law to turn on headlights in work zones.

Drivers can get updates on PENNDOT roadwork in Northeastern Pennsylvania by checking out PENNDOT's Northeastern Pennsylvania transportation website at www.neparoads.com

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RESEARCH MATTERS

by Dr. David Madeira

Inflammation and Type II Diabetes

Most diseases are driven by inflammation, such as heart disease, cancer, Alzheimer's disease, osteoporosis, arthritis, endometriosis and most other chronic conditions.

For years there has been a clear association between inflammation and insulin resistance, but no clear connection could be made by experts regarding inflammation as a driver of insulin resistance, and therefore, a driver of type II diabetes. Well, this has recently changed.

Dr. Robert Grimble, a well-known nutrition researcher from the United Kingdom recently published a paper, offering the following conclusion: "Evidence at present favors chronic inflammation as a trigger for chronic insulin insensitivity, rather than the reverse situation."

Tumor necrosis factor (TNF) was inflammatory mediator found to have a particularly strong association. However, interleukin-6 (IL-6) and C-reactive protein (C-RP) are associated with an increase in insulin resistance. Exercise and nutrition are known to reduce inflammation. Exercise has been shown to reduce C-RP (2).

Several nutritional factors are known to reduce inflammation. Omega-3 fatty acids, adequate micro-nutrients (a multivitamin), magnesium, antioxidants, proteolytic enzymes and bioflavonoids all have been shown to dramatically reduce inflammation.

What does this all mean?
You should be exercising, eating an anti-inflammatory diet, and taking appropriate supplements.

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