

## Many big issues still to be settled

By RONALD BARTIZEK  
Post Staff

**KINGSTON TWP.** — During their January 5 reorganization meeting, the supervisors voted to postpone action on a number of issues.

Two key ones are a traffic study of Route 309 and funding for the Back Mountain Council of Governments (COG).

Last month, the supervisors voted to ask the state Department of Transportation to study the highway with an eye toward declaring that it runs through an urban district. That title would allow a 35 mile per hour speed limit, which is already in effect north of the intersection with Center Street.

Chris Yankovich wants to rescind that request, which he sees as incomplete. "I would like to see a complete study done," he said, from Harris Hill Road to Franklin Street.

Police Chief James Balavage said he has had conversations with PennDOT officials who have told him they want to address the Route 309 corridor in a comprehensive manner. Balavage said he believed the entire length of the highway in Kingston Township will meet the requirements for an urban district.

The need for interaction with PennDOT was illustrated in the township's desire to ban left turns from side streets onto Route 309. Balavage said while the township has the authority to do so, signs would rest in the PennDOT right-of-way, requiring that agency's approval before they could be erected.

In the long run, Balavage feels that if the township, PennDOT and businesses can't agree on a comprehensive plan to eliminate serious collisions that occur frequently, the only solution left will be a median barrier.

After a long discussion, Jeff Box suggested calling a special meeting of supervisors with PennDOT officials, which all supervisors agreed to.

Box wants the township to rescind a vote that authorized support of up to \$17,000 for a regional comprehensive plan through the COG.

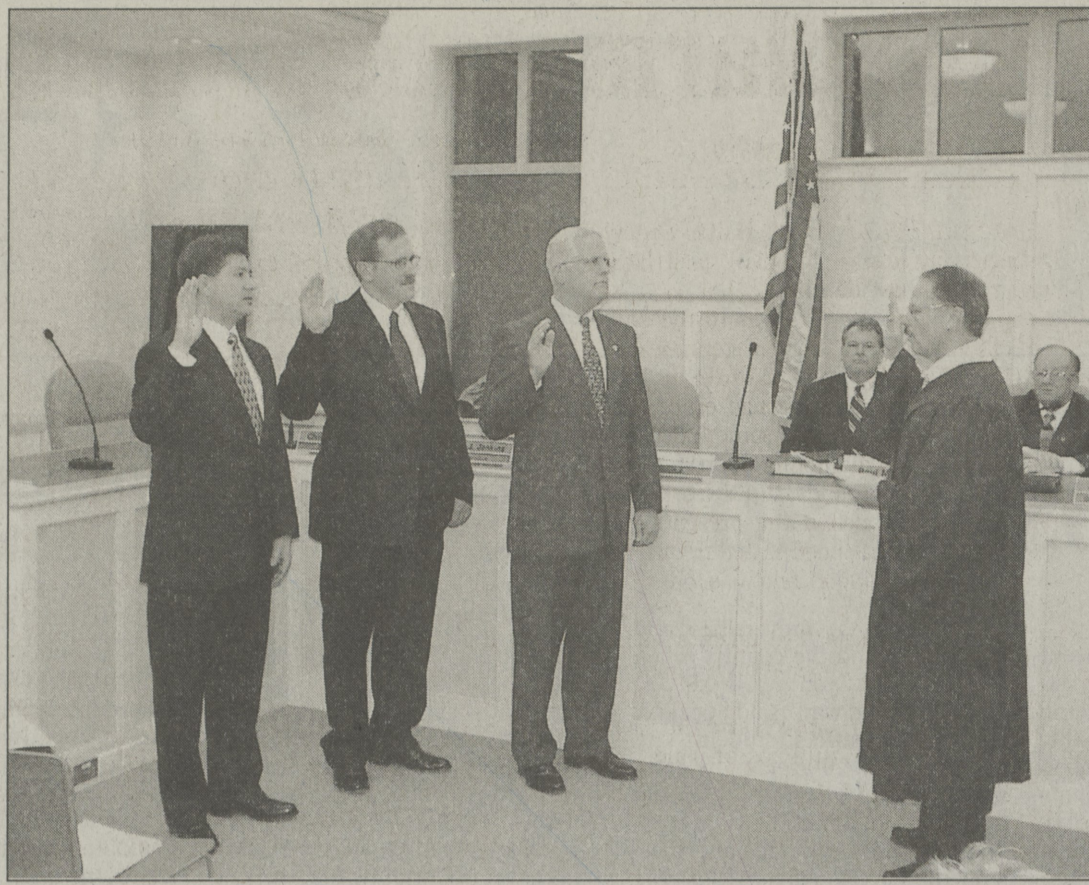
Carl Goodwin, who has championed COG membership, vehemently opposed the move, and insisted on reading into the record the full text of two letters addressing the issue. One, from Solicitor Ben Jones III, suggests the November, 2003 vote by the board has committed the township to the funding, with potential liability arising if the vote is now changed.

## Recovery fund for fire victims

A fire recovery fund has been established for the family of Gordon Witt. The Witt home on Main Street in Dallas was heavily damaged by fire on December 28. Gordon Witt is a volunteer with the Trucksville Fire Department, which has set up an account to accept donations to assist the family of five.

Contributions may be sent to:

The Gordon Witt Fire Victim Family Fund  
c/o First Liberty Bank  
165 S. Memorial Hwy.  
Trucksville, PA 18708



District Justice James Tupper swore in new Kingston Township Supervisors Jeff Box, Chris Yankovich and David Jenkins last week.

## Kingston

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called for "cooperation in a professional manner," and gave his fellow supervisors a vote of confidence. "I really think we can," he said, hopefully.

Jenkins and Box, who was elected vice chairman, are new to the board. Yankovich was appointed in the spring of 2003, then earned a seat by being the high vote-getter in November's election. It was clear as last week's meeting progressed that they form a loose majority with very different ideas than the supervisors they replaced.

Even the vote for chairman was tight, with Yankovich winning 3-2 over J. Carl Goodwin, the former vice chairman. The people who filled the meeting room showed their approval with a round of applause.

Immediately after Box was unanimously elected vice chairman, the changes, confusion and contentiousness began. Box moved to name Jenkins township secretary, taking one of the posts formerly held by O'Neill, who in addition to being manager was secretary and treasurer.

That move drew a rebuke from Paul Sabol, former chairman.

"It seems like we're getting into politics now," said Sabol, who listed accomplishments he attributed to O'Neill, most of them having to do with finances. "We shook hands and

*"You accomplish what you can, you move forward."*

Richard Hughes  
Acting solicitor

said we were going to work together and right away we have a problem."

J. Carl Goodwin, the former vice chairman, objected, questioning the need to break with past practice that assigned the other functions to the manager. But acting solicitor Richard Hughes, sitting in for the ailing Ben Jones III, read a portion of the township charter that specifically allows board members to serve as secretary or treasurer.

After Goodwin charged that the action bordered on "administrative interference," Jenkins was elected secretary on a 3-2 vote, with Sabol and Goodwin opposed.

During the reappointment of township employees, Goodwin and Yankovich abstained from voting on retaining Kathleen Sebastian as township clerk, each for a different reason.

Goodwin is named in a pending discrimination lawsuit Sebastian filed against the township as a result of her demotion from assistant township manager. Yankovich abstained be-

cause he voted against the demotion at the time.

Box cast a "no" vote, saying he thought Sebastian was inappropriately and illegally demoted. But the appointment carried when Sabol and Jenkins voted for it.

Goodwin again voiced objections when his motion to appoint John A. Bonita as outside auditor for 2004 failed. "This board has now engaged in an illegal act," he stated loudly, because the old board, of which he was a member, had already signed a contract with Bonita.

After more spirited debate, Yankovich suggested tabling the issue until this week's regular meeting, which Hughes supported. "You accomplish what you can, you move forward," Hughes said.

As disagreements continued, Hughes urged the supervisors to put off contentious issues until next week's regular meetings, when Jones is expected back after a bout with the flu and pneumonia.

With a number of actions subsequently tabled, next week's work session and regular meeting will likely continue the recent trend of pointed discussion before a packed house.

Monday's work session will be preceded by an executive session that Yankovich requested for discussion of personnel issues.

## Jackson Township recycles third Tuesdays

Jackson Township is now collecting recyclable materials. A recycling trailer with a divider separating two sections will be at the township municipal building the third Tuesday of each month, from 8 a.m. to 6 p.m. Each section will be clearly marked either co-mingled (co-mingled is plastic, glass and metallic bottles, jars and

cans) or newspaper/cardboard. Recyclable must be placed in the specified section. Residents are asked to bring their recycling materials in reusable containers to the Jackson Township Municipal Building, 2211 Huntsville Rd. Please take the container home with you. No recyclable can be in a plastic bag; they are not recyclable

For plastic bottles and jars, remove lids, rinse and flatten. For glass bottles and jars, remove lids and rinse. Do not break. For tin, aluminum and bi-metallic cans, rinse cans and flatten.

For paper, place newspapers and cardboard together.

Call the township at 675-8371 with questions.

## Kingston Township reminds residents to keep right-of-way clear

Kingston Township residents and property owners are reminded not to place encroachments, such as fences, landscaping timbers, trees, shrubs or any other item within the Township street right-of-way.

Property owners need to be aware that they do not own up to the edge of the roadway. Street right-of-ways vary from

33 to 50 feet. Residents that are unsure of the width of their street may call the township office for further information.

It is very important that the right-of-way remain free of encroachments for snow removal, utility construction and street maintenance.

Residents are also reminded that this area is not their prop-

erty and that the township has the authority to order removal or to remove, the encroachments.

The Township is asking for cooperation from all residents in respecting the public right-of-way. Residents with questions may call the Township Administrative Office at 696-3809.

## Judge Olszewski chides Selenski prosecutors

By DAVID WEISS  
For The Post

**WILKES-BARRE** — Luzerne County Court of Common Pleas Judge Peter Paul Olszewski Jr. told prosecutors January 6 they are taking a "very slippery slope" by not giving Hugo Selenski's attorney all police reports about his client.

By law, prosecutors must give Selenski reports related to his two homicide charges to prepare for that trial, tentatively scheduled for Sept. 7.

But Assistant District Attorney Joseph Giovannini on Tuesday said prosecutors will instead review more than 2,000 pages of reports and give Selenski reports they believe are relevant to his double-homicide case — but not any reports related to other ongoing homicide, robbery, or missing persons investigations in which Selenski is the "target defendant."

That decision, attorneys say, creates a legal quandary for prosecutors and gives them no room for error.

If prosecutors give Selenski and his attorney, Demetrius Fannick, all reports of every investigation, it could seriously jeopardize the future cases, Giovannini said.

But if they omit a report with the slightest connection to the current case, there is a chance a conviction could be overturned, attorneys said.

"It may come back to haunt you in the future," said former District Attorney Robert Gillespie.

Selenski, 30, of Mount Olivet Road in Kingston Township, is awaiting trial on homicide and other charges. The charges stem from the May slayings of Frank James of New York City, and Adeiye Keiler, a legal alien from Guyana using a Kingston address.

The remains of the two men were found after police went to Selenski's home June 5 to investigate other homicides. Police found a total of five bodies at the home.

An informant had told authorities that Selenski could be responsible for at least "16 homicides," and police have investigated the additional deaths.

Fannick said prosecutors had previously agreed to give him all of the reports. He was "disgusted" by Tuesday's move, telling the judge the delay was done to prevent him from having time to build a solid defense.

During a scheduling conference Tuesday for Selenski's double-homicide trial, Giovannini told Olszewski he did not want to give Fannick all reports because he wanted to preserve the integrity of the ongoing investigations.

Olszewski said that decision could lead prosecutors down a "very slippery slope" that could lead to "errors that are not correctable."

Gillespie said he is familiar with the prosecution's dilemma and acknowledged that turning over information about a pending case could hurt the chance of successfully prosecuting future cases.

"There's two sides to the sword."

For example, if a report contains information about a homicide involving Selenski and a co-conspirator, Selenski could theoretically persuade the co-conspirator to lie or flee before the case is resolved.

But Gillespie also said an omitted report could lead to an overturned conviction.

"I could see the argument being made: 'Hey, if we find that the informant gave information about other homicides and it turns out ... the informant is untruthful, that could certainly be relevant in the current case,'" Gillespie said.

Plus, Gillespie said, prosecutors could consider taking extra steps — even in being liberal with the police reports — to ensure the ultimate conviction on Selenski's current case. That would ensure Selenski would serve life in prison and make any jeopardy of the additional cases less substantial.

## Homes robbed Tuesday

**ROSS TWP.** — A number of homes were robbed in Ross and Fairmount townships Tuesday morning, according to state police reports. The robberies took place on Booth Road, Henrico Road and Jackson Hill Road.

Police said items taken include a Sony PlayStation 2 and games, \$1,600 in cash, a handgun, three sets of baseball cards, 40 compact discs and a camera.

Anyone with information is asked to call state police at 542-4417.

## Jackson

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nia Department of Transportation. Supervisor Wilkes said that the agreement is a cost-effective way for the township and PennDOT to share services, materials, and labor.

The agreement, which is renewed every four years, runs like a barter system, allowing each side to borrow equipment at no cost, Wilkes said. For example, after a gasoline spill in Chase in 1999, PennDOT provided "road closed" signs and assistance to township police.

In exchange, PennDOT has borrowed the township's grader for various projects.

"It's a valuable service," Wilkes said.

Supervisor Wilkes announced that a holiday tree dropoff will take place January 20-24, from 7 a.m. to 7 p.m. in the rear of the township building. Trees must be live and can't exceed six inches at the base diameter. Wilkes also said no metal and plastic objects should remain on the trees.

## Meeting on Jackson Twp. plan

The Jackson Township Planning Commission will hold a public meeting on Tuesday, January 20, at 7:30 p.m. in the township building. The commission will be discussing a comprehensive plan for the township.

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