

CAYUGA / SENECA

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Rosemary Robinson, Regional Editor (315) 470-2200

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Settlement struck to clean Onondaga Lake

By Don Cazentre
Staff Writer

Onondaga County has reached a tentative settlement in a \$50 million lawsuit filed by an environmental group seeking the clean-up of Onondaga Lake.

The proposed settlement with the Atlantic States Legal Foundation would require a random inspection of houses and businesses in parts of Syracuse and some adjacent suburbs for storm water drains illegally connected to sanitary sewers.

The agreement would also require the county to perform outdoor property-to-property inspections for illegally connected downspouts and it would require all illegal sewer hook-ups to be disconnected any time a property is sold.

The settlement also orders the county to begin a public education program, alerting residents to the harm caused by illegally connected sewers and drains and warning that failure to comply could cost the county millions of dollars to build a new sewage treatment plant.

County Executive Nicholas Pirro presented copies of the settlement Monday to county legislators, who were scheduled to consider adopting it today.

The lawsuit was filed in January by Atlantic States, a non-profit environmental group. The state Department of Environmental Conservation joined the suit during the summer.

Atlantic States and the state contend illegal sewer connections contribute to the overflow at county sewage treatment plants, forcing raw sewage to be diverted to Onondaga Lake. Clean storm water flowing through the county sewage treatment plants also drives up sewer costs.

Pirro's reluctance to have the county conduct house-to-house inspections created a last-minute snag in a proposed settlement of the lawsuit in August.

Pirro said Monday he is pleased the county, the state and Atlantic States were able to agree on the random inspections.

"The house-to-house inspections were probably the most objectionable demand in the lawsuit," Pirro said. "We felt the random surveys would serve the same purpose."

The proposed settlement — written in the form of a court consent order — would allow the county to order property owners to disconnect downspouts and sump pumps illegally connected to sanitary sewers. Property owners could be fined for failure to comply.

■ RANDOM, Page B2



File photo
Melissa Detsel, a fourth-grade student at Seward Elementary School in Auburn, will be allowed to stay in her class for the remainder of the school year thanks to a ruling Monday night by the Auburn school board.

Board agrees to pay nurse for Melissa

By David L. Shaw
Staff Writer

AUBURN — The Auburn school board voted unanimously Monday to continue paying for a nurse to accompany disabled Melissa Detsel to her fourth-grade class at Seward Elementary School for the remainder of the academic year.

The board's action follows a ruling Friday by U.S. District Judge Thomas J. McAvoy, who denied the Detsels' motion to have Medicaid pay the nurse.

That decision is being appealed, said attorney Lewis A. Golinker, but he asked the board to continue allowing Melissa to attend school by paying for nurse Sandy Church. It will cost the district about \$10,000 a year.

The vote to continue the payments for the rest of the year followed a proposed amendment from board member Sheila S. Tucker to limit the board's involvement until a decision is made on the appeal.

The proposed amendment did not receive a second.

"I want it this way so that, if the appeal is denied, she won't have to be taken out of school," said board member Robert Napoli, sponsor of the motion.

"I agree. I want her to be secure knowing she can go to school the entire year," said board member Kathryn B. McLane.

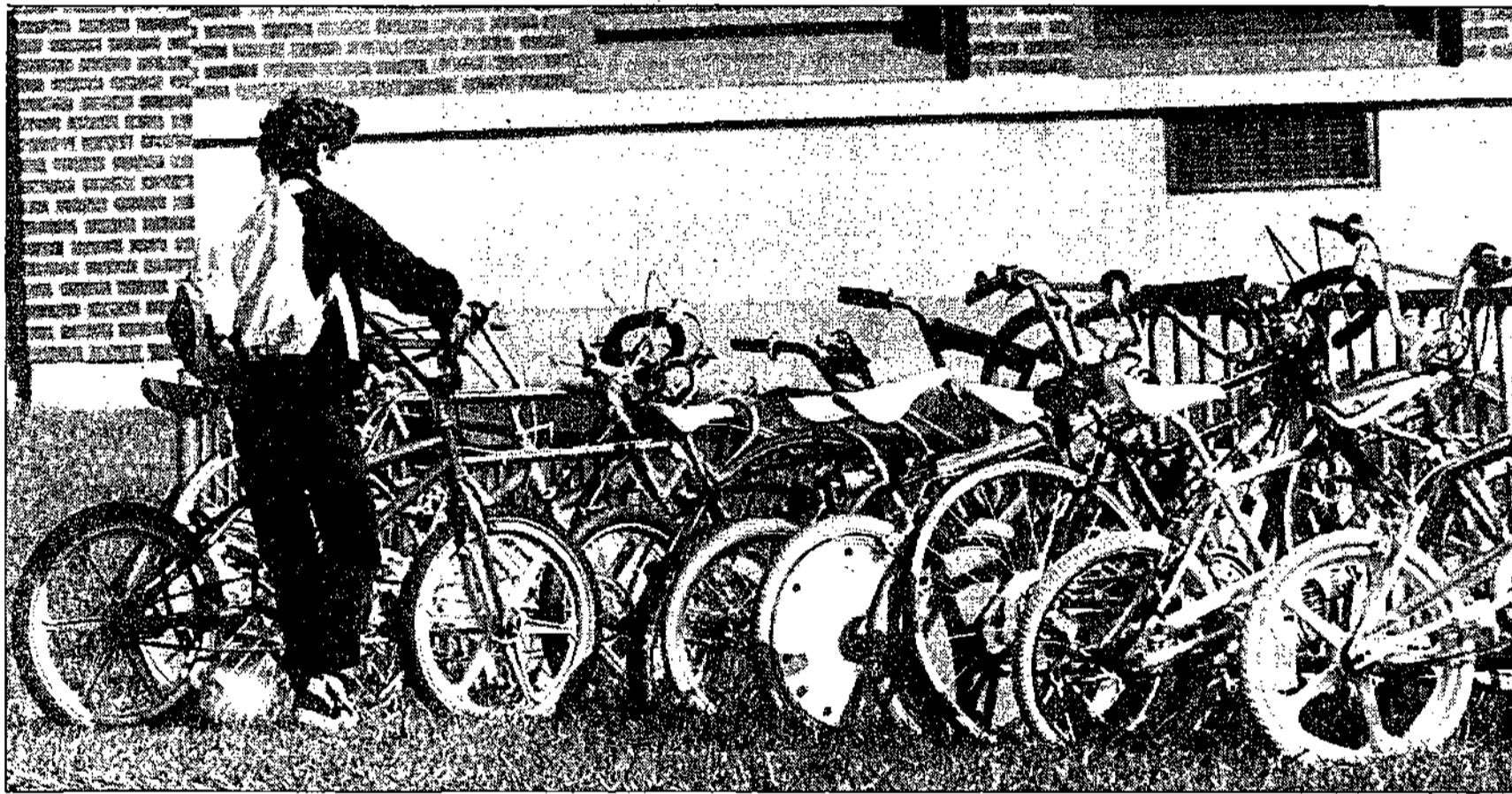
The 10-year-old Detsel is ambulatory, but has a serious lung disorder that requires constant oxygen from a portable tank, constant monitoring and use of suctioning equipment on a regular basis.

The board also directed administrators to draft letters urging amendments to the Medicaid regulations to allow use of funds for nursing services in schools, not just at home, in a hospital or in a nursing home.

The letters will be sent to federal and state representatives, a move that pleased Melissa's mother, Mary Jo Detsel.

"I'm amazed and pleased they are willing to help change the legislation. I think it's great they

■ DETSELS, Page B2



SQUEEZED. Richard Sheffey, 10, a fifth-grade student at Herman Avenue Elementary School in Auburn, carefully removes his bicycle

from an overloaded bike rack at the school. Sheffey was en route to an after-school intramural sports program.

Duane Hill sentenced in trailer fire

By Lori Duffy
Staff Writer

WAMPSVILLE — An Oneida man who was charged with setting fire to his trailer in February was ordered to repay an insurance settlement and fined \$1,000 at his sentencing Monday in Madison County Court.

Duane Hill, 43, formerly of the Oneida Indian Territory, West Road, Oneida, was allowed to plead guilty this spring to fourth-degree attempted arson, according to Madison County District Attorney Neal Rose.



DUANE HILL

In accordance with his plea bargain agreement, Hill was sentenced Monday to three years probation, fined \$1,000 and ordered to pay his insurance company the \$14,900 it paid his wife, Linda, for her half of the losses, Rose said.

The Hills' 60-foot trailer was destroyed by fire on the morning of Feb. 15. Police and fire investigators suspected arson, but because they were ordered off the territory, they were unable to determine the cause, Rose said.

Oneida City Police Chief John McClellan said the fire was apparently tied to marital problems between Hill and his wife, as well as tension over the territory's bingo business. The bingo hall, which was a primary source of income for the Oneida Nation of New York, was destroyed by fire Feb. 21.

A million-dollar lawsuit filed in February, names Hill and 21 others as defendants accused of stealing up to \$135,000 from the hall when they ousted the management and took over the operation in December 1987, according to Christine Nicholson, a Washington attorney for a group of Oneidas who filed the suit.

Hill, who was forced off of the territory along with the other defendants by an injunction issued by U.S. District Judge Thomas J. McAvoy, pleaded guilty to a harassment charge related to the takeover earlier this year, Rose said.

The injunction was upheld recently in federal court after it was challenged by the defendants. The suit itself is now in the process of discovery, Nicholson said, and probably won't come to trial until spring.

■ VICTIM, Page B2

Flaherty opposes Turkett for Seneca Falls board

By David L. Shaw
Staff Writer

SENECA FALLS — Democrat Thomas E. Flaherty will oppose Republican Steven J. Turkett on Nov. 8 for the unexpired town board seat of the late Maureen A. Pysnack.

The two candidates were chosen by town Democratic and Republican committees over the weekend. The Republicans met Friday, the Democrats on Sunday.

Turkett will also be on the Right to Life line.

The winner will fill the remainder of the two-year term won by Pysnack in November 1987. The term ends Dec. 31, 1989. Pysnack, a Republican, died Sept. 11.

Turkett, 31, resides at 64 Garden St. He is a systems analyst for Goulds Pumps Inc. and is the son of former Town Board member Francis P. Turkett, he is making his first run for public office.

A native of Seneca Falls, he is a mem-

ber of the village Planning Board and has been proposed as a member of the Seneca County Planning Board. He earned an associate's degree from State University Agricultural and Technical College at Morrisville in 1977.

Flaherty, a resident of 2697 Lower Lake Road, is also making his first try for public office. He is a native of Rochester and came here in 1982 to be a physician's assistant at the former Seneca Falls Hospital.

Since the hospital closed, the 35-year-

old Flaherty has been a physician's assistant at Willard Psychiatric Center and for Dr. Joseph A. Lorenzetti in Seneca Falls.

He received his undergraduate degree from State University College at Brockport and has done graduate work at Northeastern University.

The current board has two Democrats and two Republicans. It is possible the winner will be seated immediately after the election, rather than having to wait until Jan. 1, officials said.

Erie County man drowns while fishing on Oneida Lake

By Peter Schaffer
Staff Writer

WEST MONROE — An autopsy is scheduled today to determine an official cause of death for a 68-year-old Erie County man who apparently drowned Monday evening while fishing alone on Oneida Lake.

The autopsy will be conducted by the

Onondaga County Medical Examiner's Office, an official from the office said.

Wallace C. Curphey apparently fell into the lake while fishing off McCloud Drive in the Toad Harbor area on the north shore of the lake.

Oswego County sheriff's deputies said the accident occurred shortly before 6 p.m.

Curphey, of Akron, which is located 18

miles northeast of Buffalo, was pulled from the water by family members who were nearby. Rescue workers from the West Monroe Fire and Rescue Squad and the Southern Oswego Volunteer Ambulance Corps tried to revive him, deputies said.

A sister, Marion Curphey, also of Akron, said her brother was vacationing in the Oneida Lake area with his wife,

daughter and son-in-law.

"It was one of their favorite vacation spots," she said.

The family had been visiting the Oneida Lake area for the last five or six years, she said.

West Monroe Fire Chief John Demong said Curphey was fishing from a small boat.

■ VICTIM, Page B2

Despite mayor's protest, Mayflower Madam keeps Potsdam date



SYDNEY BIDDLE BARROWS

By Janis Barth
Staff Writer

POTSDAM — The crimes of Sydney Biddle Barrows, who is known as the Mayflower Madam, do not override her right to free speech, Potsdam College President Humphrey Tonkin said Monday in refusing to cancel Barrows' appearance today at the state university campus.

"It is sad indeed that in our society convicted criminals can make a career out of writing and speaking about their own criminal careers," Dr. Tonkin said, comparing Barrows' visit to an earlier appearance by convicted Watergate conspirator G. Gordon Liddy.

"It is, however, a price that we must pay for the freedoms we enjoy."

Potsdam Village Mayor Paul Claffey said Monday he asked Tonkin to cancel Barrows' talk for fear she would incite students to break the law. Barrows, a socialite who was dubbed the Mayflower Madam when police broke up her call girl operation, will speak at 8 p.m. in Hosmer Hall.

Claffey said he became concerned when advance publicity about Barrows' appearance trumpeted her belief that the only harmful action is one that hurts someone else. In a village of 7,000 students, Claffey felt that message would be the equivalent of sanc-

tioning all-night beer blasts and loud music at 3 a.m.

"We cannot encourage people to go ahead and do anything they want as long as they think it won't hurt anyone else," the mayor said. "The determination of whether it hurts anyone is made by the law. We have to follow the law."

Claffey said the village has several regulations, including a noise ordinance and a prohibition against parking on front lawns, that are already extremely difficult to enforce. Potsdam taxpayers also must pay to replace several hundred dollars worth of street and traffic signs taken each year by students who view them as a free dormitory decoration and

fail to see their actions as theft.

"It's wrong for the schools to allow someone to come in and give them a forum on a tax-exempt campus, where they don't share any of the burden of paying for our police department, to promulgate the idea that the students can do anything they wish as long as they themselves don't think that it hurts anyone," Claffey said. "We want people to be encouraged to obey our local laws, not to do as they please."

Tonkin said he shared some of the mayor's concerns but does not agree that banning Barrows from campus was the proper response. In fact, he suggested, her appearance would encourage con-

siderable debate and discussion among students and faculty.

"The worst lesson that we could teach our students is that it is legitimate to silence somebody just because we do not approve of what she has to say," Tonkin said. "It is freedom, and an awareness of its concomitant responsibilities, that we must inculcate in our students, not totalitarianism. That includes the freedom to invite people to campus whose views we do not like."

Mayor Claffey said he would not pursue the matter and had no plans to protest Barrows' appearance. "I asked Dr. Tonkin to cancel and he declined," Claffey said. "This is all I can do."