

New law will benefit airline passengers

By GERDA GALLOP
Staff Writer

Because of the increase in complaints by airline consumers over flight delays, cancellations, baggage losses and other airline mishaps, Congress is attempting to remedy the problems by passing the Airline Passenger Protection Act.

The act requires the Department of Transportation to publish a monthly report on airline performance.

Rep. Norman Mineta, D-Calif., chairman of the U.S. House of Representatives' aviation subcommittee, sponsored the bill, which is intended to keep watch over the ailing

airline industry. The House passed the bill on Oct. 5 by a voice vote.

Provisions of the bill require the Department of Transportation to provide information from airlines on the following: on-time performance, baggage loss and damage statistics, flight cancellations that exceed 5 percent of the total numbers of flights, voluntary and involuntary bumping, misconnections at airline hubs and total number of complaints filed with the DOT.

Airlines can also receive a \$10,000 fine for canceling flights within 72 hours of the scheduled departure time for reasons other than safety concerns. In addition, flights cancelled

for economic reasons such as under-bookings will result in a \$10,000 fine. Before the legislation, the fine was \$1,000.

The DOT is also directed to review the schedules of the 41 largest airlines to make certain they are not overloaded during peak hours.

Airline consumers will receive one-way, stand-by tickets to compensate for baggage lost or delayed for up to two hours and round-trip tickets to compensate for baggage lost or delayed for 24 hours.

Airlines are required to make their monthly reports available to the public through travel agents. The DOT will also have direct toll-free

telephone lines to field consumer complaints and to handle inquiries regarding the reports.

The Airline Passenger Protection Act followed last week's airport improvement bill, which reauthorized a \$29 billion trust fund for airport facility upgrading but is not directly linked with this legislation.

The newest act complements the improvement bill, although they are two separate pieces of legislation, said Jim Jordan, press secretary for Rep. David Price, D-N.C., who voted in favor of the bill.

The House public works committee also supported the bill.

Senate sets new standards for AIDS education materials

From Associated Press reports

WASHINGTON — Federally financed educational materials about AIDS would have to stress sexual abstinence and could not promote homosexuality or drug use, according to a measure overwhelmingly approved Wednesday by the Senate.

The 94-2 vote came after Sen. Jesse Helms, R-N.C., raised the specter of sexually explicit comic books distributed by the Gay Men's Health Crisis in New York. He said the group receives federal money and proposed restrictions on material paid for by taxpayers.

"If the American people saw these books, they would be on the verge of revolt," Helms said on the floor.

He said the books show "graphic detail of a sexual encounter between two men."

The \$129 billion Labor, Health and Human Resources and Education appropriations bill for fiscal 1988, pending in the Senate, contains \$310 million for AIDS education efforts to be overseen by the Centers for Disease Control.

Helms initially proposed that none of the CDC money be used for material or activities that promote, encourage or condone homosexuality, illegal drug use or any sexual activity outside marriage.

Duarte visits White House

WASHINGTON — President Reagan welcomed Salvadoran President Jose Napoleon Duarte to the White House on Wednesday, and they agreed there can be no lasting peace in Central America without Democratic rule throughout the region.

Duarte was offered an enthusiastic official reception as he began a state visit, and he showed his appreciation for U.S. support by kissing an American flag displayed on the White House lawn.

After a ceremony that featured full military honors, Reagan said peace prospects for Central America have been enhanced because of the agreement Duarte and four other Central American presidents signed two months ago.

"If peace is to prevail, so must democracy," the president said, adding that a successful outcome

News in Brief

of the Aug. 7 accord remains "far from certain."

Duarte, in a similar vein, said Central Americans "still have a long way to go" in implementing the peace plan.

He added, "I am convinced that there cannot be peace in Central America without freedom and democracy."

Reagan still supports Bork

WASHINGTON — President Reagan on Wednesday decried the battle over Robert Bork's Supreme Court nomination as an "ugly spectacle" of high-pressure politics and promised to keep fighting in the face of all but certain defeat for Bork.

"I am determined to fight right down to the last ballot on the Senate floor," Reagan said in a brief Oval Office address.

The speech was made available to the television networks, but only the Cable News Network carried it live, followed by a response in which Democratic Sen. Terry Sanford of North Carolina lashed back.

Senators opposing Bork "are tired of having our integrity impugned," Sanford said, adding that "it is time for that corrosive dialogue to stop."

Fifty-four senators are on record against Bork, all but ensuring he will lose when the vote is taken in the 100-member body.

Americans win Nobel Prize

STOCKHOLM, Sweden — Two Americans shared the Nobel Prize in chemistry with a French researcher Wednesday, and a West German and a Swiss scientist won the prize in physics for a breakthrough in superconductors.

Chemists Donald J. Cram of the University of California at Los Angeles, Charles J. Pedersen, retired from the Massachusetts Institute of Technology, and Jean-Marie Lehn of the Universite Louis Pasteur in Strasbourg, France, won the chemistry prize.

They developed molecules that can link up with particular other molecules, a principle now used in medical testing.

Group, officials agree on pool policy

By HUNTER LAMBETH
Staff Writer

Chapel Hill officials and Concerned Black Citizens are satisfied with policy changes proposed for town pools in the wake of the Aug. 3 drowning of 5-year-old David Williams of Hillsborough in the A.D. Clark pool.

"The concerned citizens and the staff have come to a mutual agreement about the steps, and they will indeed be implemented," said Ron Secrist, assistant town manager. "Both parties have a mutual agreement."

Williams died while playing an underwater game with other children in the pool. Members of the Con-

cerned Black Citizens said the lifeguards at the pool were negligent and insensitive to the needs of minority children swimming there.

Group representatives wrote a letter to Town Manager David Taylor suggesting four steps to improve pool safety conditions: diversifying the pool staff to include blacks, making courses available that would qualify blacks to become certified lifeguards, offering lifeguard salaries and work hours that would entice blacks, and putting four lifeguards on duty when 50 or more swimmers are in the pool.

"If all of our suggestions are implemented, then (a drowning) will

never happen again," said Esphur Foster, one of the 12 members of the Concerned Black Citizens.

Foster met with Secrist and other town officials Sept. 22 to discuss the group's requests.

"Mr. Secrist was very receptive," Foster said. "Everybody wants the group to be political, but it is not. We are simply concerned about what is going on at the pools."

Secrist said the policy changes would be implemented by early June, before the next summer season begins.

In the past, four lifeguards have been present at the pool, rotating on-duty shifts two at a time. But the new staffing proposal would work four

lifeguards at all times instead of the rotation procedure, Secrist said.

He also said the town would consider increasing the salaries of the lifeguards. "There is a strong possibility that they will be raised," he said.

Charlotte Horton, a member of the Concerned Black Citizens, said the pool would be unsafe if the town did not make policy changes. "When summer day camps come in, all the kids get in the pool at the same time and they don't have enough lifeguards," she said.

Chapel Hill operates two public pools, and both will adopt the changes for the next summer season, Secrist said.

Amberly lawsuit may be dismissed

By NICKI WEISENSE
Staff Writer

Carrboro will hold a hearing in the Orange County Superior Court the week of Oct. 26 to determine whether a lawsuit against the proposed Amberly project will get a summary judgment.

The request for a summary judgment asks the judge to dismiss the case without a trial. James Tatum, lawyer for Philip Szostak, co-defendant and builder of Amberly, filed the request.

Amberly is a 158-unit development proposed for 30 acres of land on the University Lake watershed, Orange County's main water supply. The housing project has alarmed county residents concerned about its effect on the water supply.

Nine concerned citizens and adjacent property owners filed a suit against the town of Carrboro on Aug. 27. The suit is based on three objections, said Allen Spalt, one of the plaintiffs.

"First, we say the procedure by which (the Carrboro Board of Aldermen) claimed to annex, zone and issue permits for the project was flawed and never took place because of the sequence in which they did it," he said.

"Second, even if they got the process right, then what they did constitutes contract zoning, which is illegal in North Carolina," he said.

Contract zoning is zoning an area of land without taking into consideration its effect on the town.

"The third reason is environmen-

tal," Spalt said. "That's the main reason we brought this suit. We think Amberly is not in the interest of the health or welfare of the town."

Mike Brough, Carrboro town attorney, has filed a response to the lawsuit. It includes three defenses of the town's action regarding the Amberly project. The defenses state that:

- the annexation and zoning were effective the same day, July 31, so the annexed land was legitimately zoned into the town;

- the land was not zoned specifically for Amberly because the aldermen were specifically told not to consider Amberly while deciding to zone the land;

- the plaintiffs don't have standing to challenge the annexed land because

they don't own any of the property that Amberly will be built on.

Brough said he thinks the chances of case dismissal without a trial are good.

"I think we're on solid ground," he said. "I feel our position is legitimate, and we should prevail."

Spalt said he doesn't think the case will be dismissed but if it is, the plaintiffs will plan their next step, which could be an appeal.

"We made our claim because we believe we have a strong case — not to harass the town," he said.

The other eight plaintiffs are Melva Okun, Martha Mandell, Jeannie Allen, Sheila Pell, M.T. Wood, Ben Barker, Henry Murray and John Sowder.

Carrboro apartment complex is too noisy, resident says

By SANDY DIMSDALE
Staff Writer

A neighbor of the Highland Hills apartment complex complained to the Carrboro Board of Aldermen Tuesday that the managers of the complex have been negligent in clearing construction debris, ignoring excessive noise made by the tenants and failing to take erosion control measures for nearby creeks.

These charges were denied Wednesday by Linda Branson, property manager of Highland Hills, a 47-acre complex that opened this fall. Located west of Carrboro, Highland Hills is near the Villages and Woodbridge apartments.

Mary Jane Baker of Ray Road wrote a letter last week to the aldermen and Mayor Jim Porto about post-construction conditions at Highland Hills.

For the Record

In the Oct. 8 story, "Ackland museum is tribute to owner," the number of art objects contained in the museum was not fully represented. In addition to the 6,000 art prints mentioned by the writer, the museum has more than 5,000 other art objects on display. The Daily Tar Heel regrets the error.

"You ought to drive out there," Baker said. "It looks like a slum. It just looks plain trashy."

Milton Davis, head of maintenance at the complex, said construction debris was left behind until about a week and a half ago, when someone was hired to mow the grass and clean up.

"As far as debris, it was mostly beer cans recently, and that's been cleaned up now," Davis said. "It was terrible-looking, but it has been cleaned up, and she couldn't say that about the place now."

Baker also complained of loud parties and excessive noise that she said wakes her two or three times weekly. She said she has called the police and the apartment manager many times and has even resorted to driving to the complex and knocking on doors, to no avail.

"The noise is incredible, but the management is not interested in doing anything about it," she said. "It's mostly students — and young students at that — living there, and they just party and scream a lot and do the kinds of things that students do."

Captain N.E. Miller of the Carrboro Police Department said, "We do not get an abnormal number of complaints about Highland Hills — no more than anywhere else."

Branson said the landscape sur-

rounding the complex amplifies the noise. "It's the way the valleys and hills echo. We can hear talking in the Villages' parking lot, and that's a mile away. All I can say is, 'I'm sorry.'"

Baker also complained that the managers of the complex have not built a permanent erosion control barrier for Morgan Creek or the adjoining Mount Carmel Spring branch, which separate the Baker

Resolution

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Frederic Schroeder, dean of students, echoed that view.

"I think it was a well-intentioned effort to increase communications," Schroeder said. "But I think we're better off dealing with specific issues instead of taking them all at once."

While agreeing that the resolution may not be the answer to the problem, Student Body President Brian Bailey said Wednesday that the proposal shouldn't be considered meaningless.

"A piece of paper won't solve the problem," Bailey said. "But it's a good starting point."

Both Friedman and Bailey said chancellor's committees are often ineffective for various reasons. Student, faculty and administrative appointees serve on chancellor's committees, which make recommen-

dations about campus issues and projects.

Because Bailey makes recommendations for student appointments but the chancellor makes the final decision, the appointees may feel more responsibility to the chancellor than to student government, he said.

To make the appointees more accountable to student government, Bailey would like to have direct control over the appointments. Now, he must give the chancellor a choice of committee nominations.

For example, if four positions are available on a committee, Bailey must nominate six students. The chancellor chooses the four students who will serve on the committee, although Bailey may indicate his preferences.

The chancellor usually chooses the preferred appointees, Bailey said.

covered with tar paper.

But, Davis said, "There's not anything there to keep the land from washing down into the creek. And they haven't replaced any trees, although they have had two landscapers in here."

In other business, the aldermen instructed Porto to inform the Chapel Hill Town Council that they support

Center

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"Alumni probably care even more deeply about trees in Chapel Hill than students," he said. "It was made clear to our architects to bring back a design that would not require taking down one more tree than necessary."

Petitions against the site were signed at the meeting, and Sipe said plans for a full campaign are underway.

He also mentioned the possibility of renovating an existing building for the center's use, such as Miller Hall behind Whitehead Residence Hall.

But Dibbert rejected the possibility of changing the center's site for a second time.

"We've relocated once," he said, and officials would like the building finished for the University's Bicentennial celebration.

the council's recent decision to regulate future development in the University and Cane Creek watershed areas. The resolution will require developers applying for a development permit in the watershed to hold a public hearing first.

The board also set a Dec. 8 date for a public hearing on solutions to traffic problems, including one-way thoroughfares.

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instructed Porto to inform the Chapel Hill Town Council that they support

Speaker

Solis said Costa Rican foreign policy objectives since Arias became president in 1986 included instilling some degree of order in the negotiation process.

The Arias administration has always tried to promote human rights, he said, but not only in Central America.

"What we're doing is nothing new," he said. "What we're doing is updating Costa Rican foreign policy."

Both President Reagan and Arias proposed peace plans for Central America, but many Reagan opponents saw his proposal as a tactic to extend more aid to the Nicaraguan rebels, or contras.

The Arias plan included a schedule for a ceasefire by the five nations and the creation of a commission to verify the observation of the ceasefire.

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