

# Guardian angler drowns when checking ice on lake

By Scott Scanlon  
Staff Writer

CONSTANTIA — A former Constantia marina owner who spent his winters keeping watch over fishing conditions on Oneida Lake drowned Thursday morning when his snowmobile plunged through inch-thick ice off the village shore.

Frank Tripp, 64, was doing what he'd done for years when he left the diner at the Spruce Grove Marina about 10:30 a.m. to check whether the ice was thick enough for fishing.

Tripp owned the marina on state Route 49 for 28 years before he sold it in early 1983. He stayed on the property in a trailer with his wife, Donna.

"He kind of tried to take care of every fisherman by making extra sure the ice was safe," said Garrett Kellison, a mechanic at the marina. "It kind of backfired."

Two hours after Tripp left the diner, Kellison and marina owner Mark Barney became worried because he hadn't returned, and headed off together on a snowmobile to find him.

The men followed Tripp's snowmobile tracks for about a quarter mile until they saw a wet spot on the ice about 200 yards off shore. A parka was floating in the water, and a boot rested on the inch-thick ice nearby.

"We started toward him, but we could hear the ice cracking when we got about 100 feet away," Kellison said. They returned to shore for help.

Two members of the Constantia volunteer fire department wearing thermal diving suits retrieved Tripp's body shortly after 1 p.m. from a small hole in the ice in water that was about 6 feet deep. They did not retrieve his snowmobile.

Tripp was taken by North Shore Ambu-

lance to St. Joseph's Hospital in Syracuse, where he was pronounced dead in the emergency room by Dr. Robert Felter.

Oswego County sheriff's deputies said they believe he had been in the water about two hours.

His death came almost exactly a year after a snowmobiler from Liverpool drowned on the partially ice-covered lake heading to Constantia from Bridgeport. Twenty-eight-old Michael Croteau was following his friend, Patrick Case of Central Square, shortly after midnight on Jan. 14, 1991, when Croteau plunged through thin ice near Long Island.

"Unless it's been cold and you have a good foot of ice, it's not safe to go out on Oneida Lake with a snowmobile," Constantia Fire Chief Russell Raymond said. Ice should be at least four inches thick just to walk on, he said.

"The whole lake was almost wide open

two days ago," he said. "I'd suggest people stay off it until we get a good week of cold weather."

The irony that Tripp became a victim of a lake he knew so well was hard to accept for Barney, who bought the marina complex from his "best friend" and father figure nine years ago. He recalled how often the two warned other anglers to stay off the ice because they were being careless.

"He was too smart for something like this to catch up with him," Barney said.

Rarely did Tripp go onto the ice on Sunset Bay off the village without him, Barney said, although the Army veteran of the Korean War "did have his own intentions at times."

Barney said he was not at the diner when Tripp left. He said Tripp was using a spud to cut holes every 300 yards or so in the bay to gauge depth.

**Liverpool Sportcenter**  
Our 47th Year

**Columbia**

**BUGABOO**  
\$119.95  
Regularly \$147.95

**ATOMIC SKI PACKAGE**  
NOW \$299.95  
SAVE \$326.00

457-2290 Value \$625.00  
125 First Street, Liverpool, New York

Go first class with Herald-Journal, Herald American classified advertising.

## Official pleads guilty to DWAI

► Assemblyman O'Neill must pass drinking-driver class as part of sentence.

By Barbara Stith  
Staff Writer

North Country Assemblyman John G.A. O'Neill pleaded guilty Thursday night to driving while ability impaired and was ordered to pay a \$250 fine and attend a drinking-driver course.

O'Neill, a St. Lawrence County Republican serving his sixth term in the state Legislature, originally was charged with driving while intoxicated on Sept. 17 after his car crossed a double-solid line on State Route 20 in the town of Guiderland, about eight miles northwest of Albany, according to the Albany County Sheriff's Department.

He registered an alcohol reading of .11 at the time of his arrest,

according to records in Guiderland Town Court. A person who registers an alcohol level of .10 or higher is considered legally intoxicated.

O'Neill will be permitted to drive for the next 20 days, during which time the legislator must enroll in the drinking-driver course, according to a spokeswoman for Guiderland Town Judge Steven Simon.

Once he enrolls in the course, O'Neill will have limited driving privileges, said George Filieau, a spokesman for the state Department of Motor Vehicles.

O'Neill had not yet arrived in his Albany office this morning and was not available for comment. He previously acknowledged that he had been drinking earlier at a golf tournament at the Albany Country Club on the day of his arrest, but blamed his impaired driving on a combination of alcohol and the allergy medication he had been taking.

He said he had been careful to space out his drinks over a period of time.

The drinking-driver course is

"very intensive," Filieau said, and drivers are required to take part in discussions.

"You cannot go and sit in the back of the classroom and twiddle your thumbs for seven weeks," Filieau said. "It's no free ride."

The drinking-driver program typically is a 16-hour course over seven weeks designed to educate drivers on the risks they pose to themselves and others when they drink and drive, Filieau said. Drivers who attend are evaluated to see if they have a substance-abuse problem and may be ordered to undergo further treatment, he said.

In addition to the fine, O'Neill also will have to pay a \$75 administrative fee to enroll in the class as well as the costs of the class and any evaluation or treatment that may be ordered.

Filieau said it was fairly common for first-time offenders to be allowed to plead to driving while ability impaired, which is considered a traffic infraction, instead of driving while intoxicated, which is a misdemeanor.

## Puppy breeder avoids \$220,000 fine

► Employees ordered to take course on shipping dogs on airplanes.

By Gene Palmer  
Staff Writer

NORTH ROSE — A Wayne County animal dealer charged with animal cruelty will avoid a \$220,000 fine if his employees take a course on how to ship dogs safely on airplanes.

The American Society for the Prevention of Cruelty to Animals agreed Thursday to waive cruelty charges against Marshall Farms of North Rose if the employees take the classes before the end of February.

In Queens Criminal Court, Judge Ernest Bianchi adjourned in contemplation of dismissal 74 counts of cruelty, inhumane transport and failure to provide proper food and drink. The ASPCA had filed the

charges against Gary Marshall, owner of the company.

If Marshall Farms does not violate animal-transportation codes for six months, the charges will be erased from the record, according to the Queens district attorney's office.

A shipment of 74 beagle puppies en route to toxicology-testing laboratories in Switzerland was seized at Kennedy Airport ASPCA Animalport on Sept. 4.

Kathy Travers, director of the Kennedy Airport Animalport who brought the charges against Marshall Farms, said Thursday she would teach the class.

Gilman Marshall, a vice president of the North Rose company, said Thursday the cages are not flimsy. He said three men can stand on the cages Travers seized without causing them to collapse.

"They don't look as fancy as the plastic jobs," he said. "But we weren't guilty of anything."

Owner Gary Marshall was returning from a trip to New Zealand and could not be reached for comment.

ASPCA Executive Vice President Herman Cohen of New York City maintained Thursday that the cages were too "flimsy and small" and had sharp metal edges inside that could have hurt the puppies.

"The result of teaching them is, of course, that they will treat animals more humanely," Cohen said. "If they do not learn, we may have to go out and summons them again."

"The negotiations were worked out to everyone's satisfaction and the matter was disposed of," said Marshall's attorney, Charles Dobkin of Brooklyn. "We are eager to cooperate with the ASPCA, and to now resume shipment out of JFK."

The pending dismissal of charges upset animal-rights activists, some of whom protested at the Animalport when news of the puppy shipment leaked out.

"I'm speechless," said Friends of Animals Director Sandra Lewis in New York City. "I'm not out for revenge against the Marshalls, I just wish it wasn't legal to raise animals for this purpose."

**RESOLUTIONS:**

1. DIET
2. SAVE
3. EXERCISE
4. CLEAN

**50% OFF ALL FRAMES**

WHEN YOU PURCHASE COMPLETE EYEGLASSES

SEE CLEARLY... A 1992 RESOLUTION YOU CAN KEEP

Resolutions, they're never as easy to keep as they are to make. Oh, your intentions are good, but something happens, and well let's face it - you blow it. But not at Sterling Optical where you can keep your resolution to see clearly in 1992. Take advantage of this special 50% off all frames when you purchase complete eyeglasses. This sale ends February 1, but come in today and this will be one resolution you won't blow.

**Sterling OPTICAL**

116 E. Washington St Syracuse, NY 474-3388	Northern Lights Shopping Center N. Syracuse, NY 455-7001	Great Northern Mall Clay, NY 622-4607	Canillus Mall Camillus, NY 487-0327	Fayetteville Mall Fayetteville, NY 637-5186	Fingerlakes Mall Auburn, NY 255-2279
--	--	---	---	---	--

ASK ABOUT... OPEN DAILY TIL 8:30, SAT. 10-4

**NO PAYMENT 'TIL JULY!**

on famous SEALY, SERTA, KING KOIL and SIMMONS

**BEDDING**

**\$1** with any bedding set!

**FREE! Steel Frame**

**BUYS THE BOX SPRING WHEN YOU BUY THE MATCHING MATTRESS**

• Many Styles • Every Comfort • Every Firmness

Sealy Serta King Koil SIMMONS

FREE Frame with ANY set!  
FREE Set-Up! FREE Delivery!  
FREE Removal of old bedding!

DISCOVER MasterCard VISA AMERICAN EXPRESS CONVENIENT PAYMENT PLAN

**METRO MATTRESS**  
the dream doctors

• LIVERPOOL - Bayberry Shopping Plaza-Route 57- next to Post Office  
• FAIRMOUNT - 3528 W. Genesee St., across from Fairmount Fair (between Kenny Carpets and Tj's)  
• DEWITT - 3245 Erie Boulevard East, near Bridge St. next to Friendly's  
• NO. SYRACUSE - 7905 Route 11, Mini Plaza, across from Sam Dell Dodge, north of A&W  
• WAREHOUSE STORE - 1920 Park Street, between Wolf St. & Hlawatha Blvd.

622-4999  
488-9989  
446-6606  
699-2230  
479-5551