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| **Mayor**  Robert Mullen  **Solicitor**  Atty. Matthew G. Boyd  Ufberg & Associates  **Chief of Police**  David Homschek  **Secretary**  Sandra Van Luvender  **Treasurer**  Jennifer Davitt  **Engineer**  PennEastern Engineers, LLC  Paul Pasonick | Borough of Avoca  950 Main St.  Avoca, Pa 18641  [Secretary@AvocaBorough.com](mailto:Secretary@AvocaBorough.com)  Telephones  Secretary: 570-457-4947  Fax: 570-451-1750  Police Department: 570-457-4011 Street Department: 570-451-0625 | **Council**  **President**  Holly Homschek  **Vice President**  Dennis O’Brien  Michael Fuller  Kyler Kovaleski  Jim Emlaw  Jonathan Gedrich  Bob Dommermuth  Gary Halagarda  Alan Kiesinger |

**AVOCA BOROUGH**

**Thursday, September 12, 2024 – Council Meeting**

**Meeting Minutes**

The regular meeting of the Avoca Borough Council was held on Thursday, September 12, 2024, with Council President, Holly HOMSCHECK, presiding. The work session began at 1845HRS. The regular meeting was called to order at 1900HRS, and Pledge of Allegiance was said by Jonathan GEDRICH.

Council Members in attendance: Holly HOMSCHEK, Dennis O’BRIEN, Jonathan GEDRICH, Kyler KOVALESKI, Alan KIESINGER, Bob DOMMERMUTH, Jim EMLAW and Gary HALAGARDA. Mike FULLER was absent.

Also in attendance: Attorney Jordan DEMPSEY, Borough Engineer, Paul PASONICK, Police officer Jonathan ALAIMO and Secretary, Sandra VAN LUVENDER. Mayor Robert MULLEN and Police Chief Dave HOMSCHEK were absent.

Motion by Alan KIESINGER, second by Jim EMLAW to accept the minutes from last month’s meeting. Voice Vote: (8) Eight Yes

Motion by Dennis O’BRIEN second by Kyler KOVALESKI to pay all bills presented with monies available. Voice Vote: (8) Eight Yes

Motion by Kyler KOVALESKI, second by Alan KIESINGER to accept new correspondence as presented. Voice Vote: (8) Eight Yes

Motion by Jim EMLAW, second by Dennis O’BRIEN to accept police report prepared by Chief HOMSCHEK and read by Bob DOMMERMUTH. Voice Vote: (8) Eight Yes

Motionby Kyler KOVALESKI, second by Dennis O’BRIEN to accept and approve the 2024 MMO for the Police Pension Plan ($55,350). Roll Call Vote: (7) Seven Yes, Holly HOMSCHEK abstain

Motion by Gary HALAGARDA, second by Kyler KOVALESKI to accept and approve the 2024 MMO for the NUF Pension Plan ($3,867). Roll Call Vote: (8) Eight Yes

Motion by Alan KIESINGER, second by Kyler KOVALESKI **to** oppose Big Rocks LLC's request for a special exception to construct and operate a solid waste transfer station. Roll Call Vote: (8) Eight Yes

Motion by Jim EMLAW, second by Jonathan GEDRICH to approveResolution 4 of 2024 application for Luzerne County LSA Grant program to DCED for**:**

* 1. SV340B Skid Steer Loader and Attachments & Industrial Design IT-I Tilt Deck Equipment Trailer and Avoca Borough Administration - $165,496.00
  2. Wide Track Loader Backhoe with all attachments, warranties, and subscriptions and Avoca Borough Administration - $158,486.00

Roll Call Vote: (8) Eight Yes

Motion by Dennis O’BRIEN, second by Bob DOMMERMUTHto approveResolution 5 of 2024 application for Luzerne County LSA Grant program to DCED for**:** Street Improvements Project $307,000.00. Voice Vote: (8) Eight Yes

Motion by Alan KIESINGER, second by Jonathan GEDRICH to approve Resolution 6 of 2024 application for Luzerne County LSA Grant program to DCED for**:** Clark and South Street wall repairs $222,100.00. Voice Vote: (8) Eight Yes

Motion by Dennis O’BRIEN, second by Jim EMLAW to select the Mattioli Law Firm to provide professional services, Pro Bono, to the Borough against Big Rocks LLC's request for a special exception to construct and operate a solid waste transfer station. Roll Call Vote: (8) Eight Yes

**Audience:**

**Kevin O’BRIEN Sr.** thanked the council for hosting the Special Meeting regarding the Waste Transfer Station. O’BRIEN asked/commented on the following regarding the transfer station:

* Has the Borough Engineer reviewed any of the plans for the transfer station and he was advised that the project was not at that point yet.
* Building Codes – who controls them, and he was advised that BHW Construction handles building codes
* If zoning does pass for station, suggested a tipping fee of a $1 for each vehicle entering
* Garbage transfer station could be the 2nd phase of this project
* How long does it take to pass an ordinance – needs to be advertised (7) seven days before Borough can pass
* Borough can request water lines run to facility
* Highway Occupancy Permit to limit trucks
* Remember that STELL might start mining/ stone quarry in the area if Waste Transfer Station doesn’t pass should have ordinances in place before

**Linda LONGO** reported that she had been here (1) one year and (9) nine months ago and she brought her garbage can in to show the damage caused by Mascaro. To date, they have not replaced her can.

Linda explained that a pave cut in front of her residence is sinking and asked that it be filled again. She also asked if the cracks in the street can be filled with tar, as the crack is coming into her driveway. It has been filled in the past and seemed to slow the progression of the crack. Linda also commented about the road conditions on Dawson Street near Campbell Street. She reported that the road is a mess and pot holes cause you to drive off road. President HOMSCHEK reported that she has been working with a grant writer to find grants available to assist with road repairs.

Linda also asked if there were any grants available for trap and release programs for stray cats. She has been trapping and taking them to be spay/neutered on her own, but it is costly. She believed that other local communities have funding available to assist. Linda related that she was going to check with other municipalities and see what was available and pass the information on to the Borough.

Resident, **Mary Ann WHITE** reported that she didn’t believe that Big Rocks LLC has not been forth coming with information on the Waste Transfer Station. She asked once garbage was in and sorted, how would it be hauled out? Most likely with 18-wheeler trucks – a check of Penn Dot showed that Stell/ Big Rocks has not filed for any permits. Mary Ann related that she is worried about accidents and trucks coming and going at school times. Mary Ann suggested that Penn Dot Transportation Secretary, Mike CARROLL be contacted for assistance.

Mary Ann also mentioned that she recently sold (2) two homes in Luzerne Borough. The tenants were required to register with the Borough there.

Resident, **Mike LAMPMAN** reiterated what Kevin O’BRIEN stated about STELL using land for mining/ stone quarry if doesn’t get Waste Transfer Station approved. Need ordinances in place to control what happens there – hours of operation and blasting. Blasting is getting closer to homes and the Borough has the power to control it. DEP did nothing for the residents around the Keystone Alliance.

Fire Chief, **Tom MATTHEWS** asked about the apartments in town. President HOMSCHEK reported that they did meet with Mr. JONES and have spoken with BHW about the issues regarding code enforcement. The new ordinance will require registration of all apartments.

Resident, **Mark MULLEN,** asked about the water safety gear that had been mentioned a few meetings back. President HOMSCHEK related that we would check with the grant writer to see what might be available.

**Street Department**: Michael VOLCH and Stan SPAGNUOLO present.

**Council Members:** Bob DOMMERMUTH asked for a moment of silence in remembrance of the victims of 911.

Kyler KOVALESKI offered his condolences to the family and friends of Robert MATTHEWS, as well as his gratitude for Robert’s many years of service to the Borough.

Holly HOMSCHEK made mention of a Noise Ordinance being passed next month. Holly also commented that today’s fire at the Hanover Trash Facility should be an eye opener to all. Holly mentioned if there would be a possibility of railcars being used for any of the projects STELL might plan.

**Engineer:** Avoca Borough Engineer’s Report (dated September 12, 2024) prepared by Paul PASONICK. (See attached)

Paul PASONICK also mentioned that he did look at the paving job completed at 747 Spring Street, Avoca. They should not have paved over the curb like they did, and he did provide them with drawings and information about the curb. PASONICKI reported that he can call the applicant about the issue. FORTINI Blacktopping did the work.

President, Holly HOMSCHEK asked Paul PASONICK about the work at the Little league Club House. If work could be started and completed in the off season so that everything is ready to go before the start of the 2025 baseball season in the spring.

**Police:**

The Police Report was prepared by Chief David HOMSCHEK and read by Councilman Bob DOMMERMUTH. (See attached).

Motion by Jonathan GEDRICH, second by Dennis O’BRIEN to adjourn the meeting at 1952HRS.