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| **Mayor**Robert Mullen**Solicitor**Atty. Matthew G. BoydUfberg & Associates**Chief of Police**David Homschek **Secretary**Sandra Van Luvender **Treasurer**Jennifer Davitt**Engineer** PennEastern Engineers, LLCPaul Pasonick | Borough of Avoca950 Main St.Avoca, Pa 18641Secretary@AvocaBorough.comTelephonesSecretary: 570-457-4947 Fax: 570-451-1750Police Department: 570-457-4011 Street Department: 570-451-0625 | **Council** **President**Holly Homschek **Vice President**Dennis O’Brien  Michael FullerKyler Kovaleski Jim Emlaw Jonathan Gedrich Bob DommermuthGary HalagardaAlan Kiesinger  |

 **AVOCA BOROUGH**

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

**Meeting Minutes**

The regular meeting of the Avoca Borough Council was held on Thursday, December 12, 2024, with Council President, Holly HOMSCHECK, presiding. The work session began at 1843HRS. The regular meeting was called to order at 1850HRS, and Pledge of Allegiance was said by Jonathan GEDRICH.

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

 Also in attendance: Mayor Robert MULLEN, Attorney Jordan DEMPSEY, Police Chief Dave HOMSCHEK, Police Officer Jonathan ALAIMO, Street Department, Michael VOLCH and Secretary, Sandra VAN LUVENDER. Borough Engineer Paul PASONICK was absent.

 Motion by Kyler KOVALESKI, second by Jim EMLAW to accept the minutes from last month’s meeting. Voice Vote: (7) Seven Yes

 Motion by Jim EMLAW, second by Mike FULLER to pay all bills presented with monies available. Voice Vote: (7) Seven Yes

Motion by Jonathan GEDRICH, second by Mike FULLER to accept new correspondence as presented. Voice Vote: (7) Seven Yes

 Motion by Bob DOMMERMUTH, second by Jim EMLAW to accept police report prepared by Chief HOMSCHEK and read by Mayor Robert MULLEN. Voice Vote: (7) Sevent Yes

Motion by Jim EMLAW, second by Jonathan GEDRICH to authorize PennEastern Engineers, LLC to provide professional services for the 2024 Statewide LSA Grant – Bennett Street Wall and Drainage Improvements. Services include providing surveying and engineering services and preparing contract documents and construction plans.  Services also include inspection, construction management and assisting with the grant administration. Voice Vote: (7) Seven Yes

Motion by Kyler KOVALESKI, second by Jonathan GEDRICH to adopt Resolution 9 of 2024 - Authorizing and directing the President of Council to sign the agreement for the Applicant’s Authorization for Agent to Apply for Highway Occupancy Permit. Voice Vote: (7) Seven Yes

Motion by Jim EMLAW, second by Kyler KOVALESKI to approve Payment Application # 1 for Panzitta Construction in the amount of $59,040 for work at the Community Center. There is a balance of $29,060 still pending on the project. Roll Call Vote: (7) Seven Yes

Motion by Jim EMLAW, second by Jonathan GEDRICH to approve Payment Application # 1 for Pennsy Supply Inc. in the amount of $130,760 for the Cavaleri Street Project. Roll Call Vote: (7) Seven Yes

Motion by Gary HALAGARDA, second by Kyler KOVALESKI to authorize PennEastern Engineers, LLC to provide grant administration services for the 2024 Statewide LSA Grant – Police Speed Enforcement Equipment. Voice Vote: (7) Seven Yes

Motion by Gary HALAGARDA, second by Jonathan GEDRICH to adopt an **Ordinance 1 of 2025** of the Borough of Avoca, Luzerne County, Pennsylvania Fixing the Tax Rate 3.1 Mils for the Calendar Year 2025. Voice Vote: (7) Seven Yes

Motion by Bob DOMMERMUTH, second by Jin EMLAW to adoptan **Ordinance 2 of 2025** Re-Enacting the Wage Tax Ordinance of the Borough of Avoca, Luzerne County, Pennsylvania, Without Substantial Change from the Original Wage Tax Ordinance Enacted June 29, 1962(1%), and Authorizing Publication and Registration of Said Ordinance. Voice Vote: (7) Seven Yes

Motion by Gary HALAGARDA, second by Mike FULLER to adopt **a**n **Ordinance 3 of 2025** of the Borough of Avoca, Luzerne County, Pennsylvania fixing the Tax Rate 1% for the Transfer of the Titles of Real Estate and the Taking Possession Thereof for Property Situate in the Borough of Avoca for the Calendar Year 2025. Voice Vote: (7) Seven Yes

Motion by Gary HALAGARDA, second by Mike FULLER to adopt an **Ordinance 4 of 2025** Re-Enacting the Local Services Tax (LST Tax) of the Borough of Avoca, Luzerne County, Pennsylvania, Without Substantial Change from the Original Local Services Tax (LST Tax) Ordinance Enacted November 2007 and Authorizing Publication and Registration of Said Ordinance. Voice Vote: (7) Seven Yes

Motion by Gary HALAGARDA,second by Bob Dommermuth to adopt **Resolution 1 of 2025** imposing an annual tax in the amount of $75.00 on each amusement device located within the Borough of Avoca. Voice Vote (7) Seven Yes

Motion by Jim EMLAW, second by Bob DOMMERMUTH **Resolution 2 of 2025,** reenacting no member/employee contribution to the police pension fund for the 2025 calendar year. Voice Vote: (6) Six Yes – President HOMSCHEK abstain

Motion by Kyler KOVALESKI, second by Bob DOMMERMUTH to set the regular Council meeting dates for the 2025 calendar year. Meetings will be the 2nd Thursday of each month with the work session beginning at 6:30p.m. Voice Vote: (7) Seven Yes

Motion By Mike FULLER, second by Jonathan GEDRICH to accept second reading of 2025 Budget. Roll Call Vote (7) Seven Yes

Motion by Jonathan GEDRICH, second by Bob Dommermuth toaccept Insurance quote through **Trident/Arch/Ascot/Hartford** from Joyce Insurance Group (Risk Strategies) for: package price $46,316 includes: Commercial Property, Equipment Breakdown, Inland Marine, Crime, General Liability, Employee Benefits Liability, Business Auto, Public Officials/EPLI, Police Professional and Umbrella Policy - Cyber Policy $2679 New Renewal Premium $48,995 – expiring cost $63,998 – savings of just over $15,000. Voice Vote: (7) Seven Yes

Motion by Jonanthan GEDRICH, second by Mike FULLER to set 2025 refuse fee schedule as follows: Postcards to residents during week of December 30, 2024.

**-Pay in Full**

 $250 per unit from January 1 – February 28th, 2025

 $275 per unit from March 1 – April 30th, 2025

 $300 per unit from May 1 – June 30th, 2025

**-Pay in Installments**

 Your total owed may be split into two payments during each period.

Voice Vote: (7) Seven Yes

Motion by Bob DOMMERMUTH, second by Kyler KOVALESKI to authorize the Borough of Avoca to intervene in the matter of Big Rocks LLC v. Luzerne County Zoning Hearing Board, which was filed in the Luzerne County Court of Common Pleas. Voice Vote: (7) Seven Yes

Motion by Kyler KOVALESKI, second by Mike FULLER to work with BHW to modify current contract regarding code enforcement and inspection services. Voice Vote: (7) Seven Yes

Motion by Bob DOMMERMUTH, second by Kyler KOVALESKI to table Contracts #1 General, #2 Electric, #3 Plumbing for the Avoca Little league Club House project. Voice Vote: (7) Seven Yes

**Audience:**

**Fire Chief Tom MATTHEWS**

Chief MATTHEWS reported that Pittston City has taken over with ambulance calls, but no one has asked how things are going. There has been an increased delay in response times, and they are short staffed. Pittston City is working on putting another truck on and they hope to put one in Avoca’s Station. The goal is to have the truck manned 12 to 16 hours per day and to have it up and running by mid to late January 2025. Both Moosic and Old Forge Boroughs have agreed to dispatch Pittston City as their second due ambulance to help with call volume to justify a truck at the Avoca Station.

Chief MATTHEWS stated that there are still budget concerns. The fire department does appreciate the additional $5,000 in the allotment, but we are still $5,000 short from where we were with the ambulance assistance.

Councilman EMLAW asked what the ambulance is doing with the old ambulance vehicle. Chief MATTHEWS advised that Colleen EVANS was working on all of the ambulance matters. They could either sell the old ambulance or donate it to a 501(c)(3) organization. The Hose Company has applied for 501(c)(3) status, but application reviews are a year back logged with the IRS. President HOMSCHECK advised that she dd speak with Colleen and they are trying to liquidate things. Chief MATTHEWS advised that any questions regarding the ambulance have been differed to Colleen EVANS. Matters with the ambulance could be tied up for a significant amount of time and in the meantime, bills are still coming due.

Chief MATTHEWS explained that people in this town think that the fire department is 100% funded by the Borough to buy equipment. We just don’t want to be the next to go under. President HOMSCHECK stated that the Borough does give $35,000 to help. Chief MATTHEWS related all of the budgets from town to town vary and the dollar amounts can’t be compared equally. Hughestown runs an EMS service, Dupont has social members that run their hall events and Duryea was meeting with their council to work on getting (2) two paid firemen starting in June. President HOMSCHEK advised that she did make calls about putting something on the ballot this year.

Chief MATTHEWS related that the ambulance had been in service for (50) fifty years. If the town loses the fire department resident taxes will go up. The fire department has done what they could with fund raising this year and we still just got by. Chief MATTHEWS reported that the fire department asked for $10,000 to make up for loss of ambulance assistance. We were given $5,000 and we are grateful for that, but it will be a struggle with the rising cost of utilities and apparatus. Mike LAMPMAN also added that the ambulance shared the cost of any major building issues as well. President HOMSCHEK stated that no one said you needed $10,000, they said $5,000 and the roof will be paid off. Why didn’t you ask for $10,000 before the budget.

Chief MATTHEWS related that he did not want drama, and he was not here to criticize. He just wanted the Borough leaders to know that the fire department is struggling, and he didn’t want that to be the next organization that goes under. The fire department has done everything that they were ever asked to do. Jim EMLAW asked if any of the money saved on insurance this year could be used to assist the fire department. President HOMSCHEK related that she had no problem circling back to that for discussion.

Chief MATTHEWS explained that we are asking the residents of this town to fully support the fire department, yet less than half of council has donated. He was not picking on anyone but those are the facts.

Mike LAMPMAN then added that the numbers are fair, like it or not. There were no amounts given out or no names but only 3 of the 10 elected officials donate to the fire department. The fire department receives 2.6% of the 1.3-million-dollar budget of the Borough. The budget for the Borough has increased by $267,000 dollars, yet the fire department has not received an increase since 2012. President HOMSCHEK stated the Borough does support the fire department. LAMPMAN stated that his definition of support is different from the Boroughs.

LAMPMAN stated that the council watched the ambulance die and did nothing about it. The ambulance might not mean anything to you, but it does to the person in cardiac arrest when minutes matter. President HOMSCHEK said she did talk to Colleen about the ambulance issues, and it does matter to her. LAMPMAN explained that if it wasn’t for Chief MATTHEWS and Jim McMAHON trying to maintain a good ambulance service in town, we wouldn’t have anything.

Bob DOMMERMUTH commented that Mike LAMPMAN should run for council. LAMPMAN responded that the faces of council will be changing. President HOMSCHEK said that council has supported LSA grants, given COVID money, paid engineer fees, looked into putting something on ballot for fire tax. What does the fire department want? She asked about bills and was told $9,000 and then she gets told she does nothing. LAMPMAN commented that it is the value of the service. President HOMSCHEK asked do you want $100, $200, $300, you never actually gave a proposal, what do you want.

LAMPMAN responded you never asked what we wanted. We had a conversation last year and nothing has been done. President HOMSCHEK related that she met with the ambulance, and they plan to liquidate, I hear slander from other towns, what do you want? LAMPMAN responded he would have something to present before the next meeting.

President HOMSCHEK said looking at those who don’t donate is awful. It would be the same as Kathy from the church posting what people have donated. She related that she was very upset.

LAMPMAN related that council can’t let the fire department die, like the ambulance did. Lack of action can’t be the answer. President HOMSCHEK said the ambulance needed $200,000 to be saved. LAMPMAN asked was the ambulance service not worth that? President HOMSCHEK asked did you want council to micromanage and ask to be shown every bill, we can’t make the ambulance share the information. LAMPMAN responded that you could have, but you didn’t.

LAMPMAN stated that not one of council knows what goes on at the fire house because most have not stepped foot into our building. President HOMSCHEK again state you needed $5000, and we gave it.

LAMPMAN stated that we needed to put the future of the fire service out there. The fire department wasn’t given a seat at the table for budget talks. The 2nd reading of the budget will happen tonight and it will be passed.

President HOMSCHEK said there was talk of the (4) four towns coming together and she did reach out to Duryea about it. LAMPMAN responded that there was never any follow up by the elected officials of the town. All said they made calls, but nothing was ever done. Again the $5000 increase came up and LAMPMAN responded that the issue was much bigger than the $5000. It was about the future of the fire service.

President HOMSCHEK related that she was upset and the rumors about slandering her must be true. LAMPMAN related that all of the current council in his ward came to him for signatures when they first ran. He did support all of them and they have been nothing but a disappointment. President HOMSCHEK stated that she fought to keep the garbage dump out LAMPMAN’s backyard, yet she does nothing for this town. LAMPMAN responded that he thought she did that for the entire community, not just him. Councilman DOMMERMUTH stated that meeting needed to move on.

**Street Department**: Michael VOLCH nothing to report.

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

**Police:**

The Police Report was prepared by Chief David HOMSCHEK and read by Mayor Robert MULLEN. (See attached).

Motion by Jonathan GEDRICH, second by Mike FULLER to adjourn the meeting at 1932HRS.