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ASTON TOWNSHIP  
BOARD OF COMMISSIONERS  
SPECIAL MEETING  
FEBRUARY 23, 2017

Transcript of the ASTON TOWNSHIP BOARD OF  
COMMISSIONERS SPECIAL MEETING, taken before Lorraine  
Evans, Court Reporter-Notary Public, at the Township  
Building, 5021 Pennell Road, Aston, Pennsylvania  
19014, on Wednesday, February 23, 2017,  
commencing approximately at 7:00 p.m.

BOARD MEMBERS

JAMES M. STIGALE, PRESIDENT  
MICHAEL J. HIGGINS, VICE-PRESIDENT  
MICHAEL LINK  
JON FIRLEIN  
CAROL GRAHAM

BETH NAUGHTON-BECK, ESQUIRE, SOLICITOR  
WILLIAM McCONVILLE, TOWNSHIP MANAGER

LORRAINE EVANS  
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Media, Pennsylvania 19063  
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1 PRESIDENT STIGALE: Good evening everyone.  
2 I would like to call this Aston Township Board  
3 of Commissioners meeting for Thursday, February  
4 23, 2017 to order. Please rise for the Pledge  
5 of Allegiance.

6 (Pledge of Allegiance)

7 PRESIDENT STIGALE: Alright, I would like  
8 to call on Commissioner Higgins to place the  
9 meeting in sine die.

10 COMMISSIONER HIGGINS: I make a motion to  
11 place the meeting in sine die.

12 COMMISSIONER GRAHAM: Second.  
13 PRESIDENT STIGALE: Questions or comments?  
14 All in favor? Opposed? The "ayes" have it.  
15 (Whereupon, all Commissioners  
16 present vote "aye.")  
17 PRESIDENT STIGALE: Beth.  
18 MS. NAUGHTON-BECK: Thank you, President  
19 Stigale. Present for the conditional use  
20 application tonight is Ernest Angelos and  
21 Jennifer McKee on behalf of MedGarden, LLC. As  
22 just indicated, the application is to operate a  
23 medical marijuana growing and processing  
24 facility on the property located at 414

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1 Knowlton Road, Aston.  
2 This property is located in the limited  
3 industrial district. Public notice of  
4 tonight's hearing was advertised in the  
5 February 10 and 16 editions of the Delaware  
6 County Daily Times. Pursuant to the newly  
7 enacted ordinance in the township zoning code,  
8 in order for the applicant to proceed with the  
9 growing and processing facility of medical  
10 marijuana they're required to have a  
11 conditional use approval. Call on Mr. Angelos.  
12 MR. ANGELOS: Thank you, Beth. Before we  
13 start I have packets for everyone to make it  
14 easier to bring these up.  
15 For the record, my name is Ernest  
16 Angelos, as Beth indicated, and I have the

17 pleasure this evening of representing MedGarden  
18 LLC on its inaugural endeavor into the emerging  
19 medical field of medical marijuana. As I am  
20 sure everyone is aware on April 17, 2016 the  
21 Pennsylvania Medical Marijuana Act went into  
22 effect.

23 It establishes a comprehensive state  
24 licensing and regulatory framework for the

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1 growing, processing, testing, distribution,  
2 transportation, security and dispensing of  
3 medical marijuana products throughout the  
4 Commonwealth of Pennsylvania.

5 My client, MedGarden, is dedicated to  
6 cultivating and processing the highest  
7 qualities of cannabis based medical products,  
8 and is committed to employing best practices in  
9 cultivation, processing and manufacturing  
10 cannabis based medicines and is particularly  
11 committed to supporting scientific research in  
12 the effect of treatment of medical conditions  
13 unique to our Veterans and pediatrics.

14 With only two growing processor permits  
15 issued by the Department of Health per region,  
16 there's actually six regions throughout the  
17 Commonwealth, my client envisions that locating  
18 in Aston is not only means to establish new  
19 medical initiatives in Delaware County, but to  
20 establish a foundation upon which Delaware  
21 County and Aston can be considered leading in  
22 the advancement of medical treatment.

23 As Ms. Naughton-Beck indicated, with me  
24 this evening is the CEO of MedGarden LLC,

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6

1 Jennifer McKee. I also have other members, Joe  
2 Bagan and Kevin McLaughlin as well to answer  
3 questions when it's appropriate.

4 I did give you guys a large packet and I  
5 do not want to spend the time going through all  
6 of that, so we'll kind of do a quick rendition,  
7 if I may.

8 What I am going to suggest is I will speak  
9 on behalf of my witness, Ms. McKee and do a  
10 quick run down of what she would testify to if  
11 I called her as a witness, and then I will have  
12 her briefly sworn in to affirm that what I am  
13 stating is true and accurate in what she would  
14 otherwise testify to.

15 Getting into that, by way of background,  
16 my client and witness Ms. McKee, if she  
17 testified, would testify that the applicant is  
18 MedGarden LLC, the licensee of a certain  
19 industrial building located at 414A Knowles  
20 Road in Aston and it's obviously the subject of  
21 this application.

22 She would further testify that the  
23 equitable owner of the property is Tuck  
24 Property Management, LLC from whom my client

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1 would lease the property. There is currently

2 an agreement of sale under which Tuck  
3 Properties would purchase the property and then  
4 lease it to my client.

5 She would further testify that the  
6 property is located within the township's  
7 limited industrial zoning district, and that  
8 the property is improved with a 15,171 square  
9 foot fully enclosed facility.

10 In addition, she would testify that  
11 MedGarden is seeking a conditional use permit  
12 pursuant to the MMA, Medical Marijuana Act, and  
13 the township's ordinances for purposes of  
14 operating a growing and processing medical  
15 marijuana facility within the property's  
16 existing structure.

17 She would additionally testify, and it's  
18 important here, that this is not a dispensary.  
19 This is a facility where we are processing and  
20 making the products. There will be no retail  
21 sales coming out of this building at all. As a  
22 matter of fact, Ms. McKee would testify that  
23 under the MMA's eligibility, MedGarden is not  
24 eligible for a dispensary license and does not

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1 have the desire to engage in that business.

2 Additionally she would testify that  
3 MedGarden is presently in the process of going  
4 through the extensive permitting process. The  
5 deadline for that submission is March 20. And  
6 in addition, testify that the conditional use  
7 approval of the township is a condition for

8 successful permit application with the state.

9 Turning next to the building itself, Ms.  
10 McKee would testify in your packet that Exhibit  
11 B collectively, are a set of plans of the  
12 building's interior layout, front and side  
13 elevations and aerial sketch plan and Google  
14 photo.

15 She would testify that the first photo,  
16 the interior layout, depicts the areas of  
17 operation within the building per the  
18 ordinances and the MMA requirements. She would  
19 testify that the building satisfies the  
20 physical requirements necessary to comply with  
21 the MMA's ordinances, and that you would see  
22 that the location of the processing is separate  
23 from the growing area.

24 Namely she would further testify that the

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1 building is not located within a thousand feet  
2 of a school or daycare. Again, that the  
3 growing facility is separate from the  
4 processing facility within the building, that  
5 the building is fully enclosed and will be  
6 inaccessible to minors. In addition she would  
7 testify that there are no visible exterior  
8 evidence of the nature of the facility from any  
9 public right-of-way.

10 Furthermore, she would testify that there  
11 is only going to be, if we were going to do it,  
12 a small sign indicating MedGarden LLC for

13 purposes of deliveries for people to find the  
14 building. Obviously that would comply with all  
15 of the township's ordinances.

16 Lastly, she would testify that there would  
17 be no harmful by-products emanating from this  
18 facility, including but not limited to dust,  
19 glare, heat, noise, smoke or other hazardous  
20 emissions.

21 Turning next to what I think is on  
22 everybody's mind, the security. Ms. McKee  
23 would testify that the MMA has very strict  
24 requirements, as I am sure all of you know,

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1 which MedGarden will have to comply with in  
2 order to obtain and maintain its permit to  
3 operate.

4 Further, she would testify that the  
5 property security plan will be in full  
6 compliance with the MMA and that this security  
7 plan has been summarized in the conditional use  
8 application and has been resubmitted as part of  
9 our exhibit packets here which I will ask to be  
10 made part of the record at the conclusion.

11 Just briefly as to the plan, Ms. McKee  
12 would testify that the facility will have  
13 on-site security and 24 hour video surveillance  
14 which would utilize state of the art commercial  
15 grade equipment and prevent unauthorized entry.  
16 In addition, the exterior perimeter will be  
17 fenced in, and the facility will have a full  
18 alarm system, including both silent and panic



19 alarms if needed.

20 Additionally she would testify that we'll  
21 also have, at least at the beginning, but we're  
22 not sure as we move forward, but at the  
23 beginning will have 24 hour personal security.  
24 Physical security will be provided by National

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11

1 cannabis services.

2 She will testify that Exhibit G to your  
3 packet is the bio of the company in addition to  
4 its founder Ted Daniels, and she would testify  
5 that Mr. Daniels is a retired police officer  
6 and decorated Veteran and has been providing  
7 security services for medical marijuana  
8 facilities since 2012.

9 In addition, she would testify that access  
10 to the security footage will be granted to the  
11 township and that commercial grade  
12 non-residential doors and locks will be  
13 installed on the facility.

14 In addition, she would testify that during  
15 all non-working hours the entrances and exits  
16 from the site of the facility will be securely  
17 locked and that access to a room containing the  
18 security and surveillance monitoring equipment  
19 shall be limited to only those personnel  
20 essential to maintaining security operations,  
21 that includes Federal, State and local law  
22 enforcement, security surveillance system  
23 service employees, the Department of Health

24 and/or its authorized agents or other

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1 individuals who have been authorized by the  
2 Department of Health.

3 In addition, a current list of all  
4 authorized employees and service employees or  
5 contractors will be maintained and provided to  
6 the Department of Health on authorization. So  
7 they will have access to all of the authorized  
8 individuals who are allowed to go in and out of  
9 this facility.

10 Turning next to transportation, Ms. McKee  
11 would testify that a printed or electronic  
12 manifest will accompany each transported  
13 vehicle and that the transport vehicles are  
14 armored, manned by two highly trained security  
15 officers and GPS monitored via electronic  
16 tracking system that's prescribed by the  
17 Department of Health.

18 In addition, she would testify that the  
19 transport vehicles will also be equipped with  
20 real time video surveillance of the cargo area  
21 and passenger compartments and will also have a  
22 panic button.

23 Additionally, she would testify that the  
24 transport vehicles' manifest will contain the

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1 name, address and permit number of MedGarden  
2 LLC and a contact name and number for the  
3 individual who is aware and knowledgeable of

4 the transport that's in progress.

5 In addition, she would testify that all  
6 medical marijuana products packages leaving the  
7 facility will be final medical marijuana  
8 packages and labeled in accordance with all  
9 state and federal laws.

10 And I think it's important to understand a  
11 bit of the myth here. This does not get  
12 confused with the common cannabis smokable  
13 nature. These are -- the products that are  
14 coming out of this facility are pills, creams,  
15 oils, nebulizers. This is not something that  
16 would be common that you would just pick up and  
17 smoke.

18 Additionally, copies of the transcripts  
19 will be provided to the Department of Health or  
20 authorized agents. She would further testify  
21 that all expients used in the process,  
22 manufacturing are pharmaceutical grade and will  
23 be required to follow all of the FDA and EPA  
24 guidelines.

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1 Turning to the balance of the exhibits, my  
2 witness would testify as to Exhibits A,C,D,E  
3 and F. As to Exhibit A this is an  
4 acknowledgement of the equitable owner of the  
5 property, Tuck Property Management, LLC, which  
6 approves the proposed use of the facility in  
7 accordance with the requirements of your  
8 ordinance.

9 Exhibit C, for your reference and for the  
 10 solicitor's reference, is copy of 28PA Code  
 11 1141 entitled general provisions, that is of  
 12 the MMA itself. In addition, Exhibit D is a  
 13 copy of 28PA Code 1151, that's entitled The  
 14 Grower and Processor, and that again is also  
 15 part of the MMA. Exhibit E is a copy of the  
 16 Department of Health's instructions for medical  
 17 marijuana organizational permit application and  
 18 Exhibit F is the actual application itself.

19 My client, Ms. McKee, would testify that  
 20 the purpose of submitting these exhibits is to  
 21 show you that the extensive process the state  
 22 requires MedGarden to go through in order to  
 23 obtain an actual permit from the state to have  
 24 this facility operational.

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1 In conclusion, just briefly, in filing  
 2 this application MedGarden acknowledges its  
 3 responsibilities to the township, its residents  
 4 and Commonwealth and will strictly adhere to  
 5 all the rules, regulations set forth in the MMA  
 6 and Aston Township Zoning Code as amended.

7 The primary goals of my client, find the  
 8 maximum level of all inclusive security  
 9 protection for the facility, maintain a low  
 10 profile within the limited industrial district  
 11 and hopefully bolster the local economy by  
 12 providing employment opportunities and  
 13 broadening a tax base by enhancing an abandoned  
 14 building while also hopefully adding

15           advancements to medical treatment.

16                     At this point, if it so pleases the board,  
17           I would simply like to have Ms. McKee sworn in  
18           to verify briefly and we can turn this over to  
19           any questions you may have.

20                     JENNIFER MCKEE, having been  
21                     called as a witness and having  
22                     been duly sworn, was examined  
23                     and testified as follows:

24   BY MR. ANGELOS:

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1           Q     Please state your name for the record.

2           A     Jennifer McKee.

3           Q     You hold what position with MedGarden,  
4   LLC?

5           A     CEO.

6           Q     As CEO you're familiar with the conditions  
7   of the state licensing requirements of the MMA and  
8   requirements of Aston Township's ordinance and the  
9   general operation of MedGarden?

10          A     Yes.

11          Q     You were present here as I gave this brief  
12   summation of our application?

13          A     Yes.

14          Q     And was everything that I stated during  
15   that to the board true and accurate? If I were to  
16   call you as a witness that is what you would testify  
17   to?

18          A     One correction. The property is located  
19   at 414A Knowlton not Knowles.

20 Q My apologies.  
21 A Everything else is true and correct.  
22 Q Thank you.  
23 PRESIDENT STIGALE: Goes to show, you paid  
24 attention.

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17

1 BY MS. NAUGHTON-BECK:  
2 Q Ms. McKee, your training addressed a lot  
3 of my questions. I want to circle back on a couple  
4 things. In terms of documentation will you be able  
5 to provide the township with a copy of the agreement  
6 of sale between Tuck Property Management and the  
7 McGuire Group? McGuire Family Trust?  
8 A Yes.  
9 Q The structure that's located in the 414  
10 Knowlton Road, does the size and dimensions of that  
11 structure comply with the requirements of the  
12 Medical Marijuana Act?  
13 A Yes.  
14 Q And Mr. Angelos touched on the proposed  
15 sign. I just want to make sure you agree not to  
16 include any drug related symbols, products or goods  
17 on your proposed sign.  
18 A We agree.  
19 Q The growing and extraction procedures that  
20 are going to be employed in the building, am I  
21 correct these are monitored by the state?  
22 A Yes.  
23 Q And are they regularly inspected and  
24 tested?

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1           A     Yes, very regularly.

2           Q     Can you give the Board of Commissioners  
3 and the public just a general idea of what it is  
4 you're planning on manufacturing?

5           A     To begin with, so actually the form of the  
6 medications, we will have, at the start, and all of  
7 this will have -- every product will have to be  
8 approved by the Department of Health, but should we  
9 be granted a permit and should the Department  
10 approve each of our products, we would begin with  
11 pills or capsules, just because it's a familiar way  
12 for people to take their medicine, something people  
13 are comfortable with.

14                         we will also have -- we will  
15 create -- we're creating oil that processes to  
16 extract and produce the oils, so they'll be put in  
17 the capsules and also be put into cartridges which  
18 can then be put into, it's called a vape pen. It's  
19 a small device that will heat electronically the  
20 oil. It's often used as a rescue medication because  
21 it's easy to control your dosages. We'll also  
22 likely begin with potentially a nasal spray, which  
23 is also a good rescue med, and then we'll have some  
24 properties just in a dropper.

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1           Q     So it would be a fair description this is  
2 basically a pharmaceutical operation you're going to  
3 be operating?

4           A     Yes, and it will look and feel like a

5 pharmaceutical operation.

6 Q The security plan that's outlined or  
7 summarized in the conditional use application, does  
8 this satisfy the requirements of the Medical  
9 Marijuana Act? The MMA has a pretty detailed  
10 security plan, is that correct?

11 A It does.

12 Q Do the regulations include security of the  
13 building as well as the products located inside the  
14 building?

15 A They're extensive regulations for the  
16 building, but also for transportation. So our  
17 security manager has experience in Colorado and in  
18 California, so he already has sort of standard  
19 operating procedures for our security and  
20 transportation and he will just modify that as  
21 needed for the Pennsylvania requirements.

22 Q And I believe you're familiar with the  
23 ordinance amendment we adopted few weeks back and we  
24 have required the applicants to provide a remote

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1 log-in information for our Aston Township Chief of  
2 Police. Is that something you're willing to comply  
3 with?

4 A Yes.

5 Q And will all the entrances and windows be  
6 illuminated during evening hours?

7 A Yes.

8 Q I know you've been to the property. In  
9 your opinion is the proposed use of this structure  
10 appropriate for the site in question?



11 A Absolutely.

12 Q Do you think it's compatible with the  
13 character of the neighborhood? Am I correct this  
14 building is near a quarry, correct?

15 A Yes.

16 Q Do you believe that your proposed use will  
17 adversely effect the police or fire protection in  
18 the area?

19 A I do not.

20 Q And do you think the proposed use will  
21 effect the highway safety or traffic circulation?

22 A I do not.

23 MS. NAUGHTON-BECK: Those are the  
24 questions I have. I will turn it over to the

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1 Board of Commissioners to see if they have  
2 questions.

3 PRESIDENT STIGALE: Thank you.

4 Commissioner Link.

5 COMMISSIONER LINK: I have nothing to add.

6 PRESIDENT STIGALE: Commissioner Firlein.

7 COMMISSIONER FIRLEIN: Yes, thank you.

8 Ted Daniels, is he going to be stationed local  
9 or in Colorado?

10 THE WITNESS: He's local. He's actually  
11 from Pennsylvania. He moved home.

12 COMMISSIONER FIRLEIN: Looking quickly  
13 what you provided, looks like most of his time  
14 is spent in Colorado to formulate all these  
15 programs. I just wanted to make sure he's not

16 going to maintain an office in Colorado. We  
17 are going to set up a program here, they have a  
18 problem they have to call him out there.

19 THE WITNESS: He's here now. He's moved  
20 back here, back home.

21 COMMISSIONER FIRLEIN: Thank you.

22 PRESIDENT STIGALE: Is that it? I have a  
23 couple questions. One comes off Commissioner  
24 Firlein mentioned, I understand the state

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1 regulates you as far as security. But if  
2 something were to happen, it's going to happen  
3 in our township first. So, I have not had an  
4 opportunity to speak with the Chief of Police,  
5 which I would like to get a report from him  
6 just stating does he have the equipment  
7 necessary to log in, to make sure we have that.  
8 And if that's needed, can we help provide that  
9 for them.

10 And I would also like him to meet with the  
11 security detail and level of priority of what  
12 needs to be done and are we equipped to handle  
13 the situation for the residents. So that's  
14 going to be part of my conditional use, that  
15 they comply with the report that the Chief of  
16 Police will provide once this establishment  
17 gets set up, so they can review the security  
18 measures for the safety of the residents as  
19 well as our fire marshal. Because I know  
20 growing the product, from rumors, that is going  
21 to be a lot of heat involved?

22 THE WITNESS: We will regulate the heat  
23 because there won't be too much heat.

24 PRESIDENT STIGALE: For the safety of our  
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1 volunteers, if we can have our fire marshal  
2 take a look at the facility, make sure we have  
3 everything if, God forbid, something were to  
4 happen, these guys are well protected to go in  
5 and do something.

6 MR. ANGELOS: I can add just briefly to  
7 that, the packet itself, both the application  
8 and the exhibits this evening, are summaries of  
9 the actual security plan in addition to the  
10 layout. The reason why they're not fully  
11 comprehensive is obviously for security  
12 purposes. So obviously we would submit that  
13 full plan to law enforcement so they have an  
14 understanding of the building's layout and what  
15 the full plan is.

16 PRESIDENT STIGALE: We like to establish  
17 contacts, command levels. In other words, if  
18 our men show up and Ted shows up, who's in  
19 charge. I like to work out all those details  
20 for the safety of the residents so once this  
21 process moves along, before you get in there  
22 and actually start producing it, if we can have  
23 that report and communication between the  
24 township fire marshal and the Police Chief, I

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would appreciate it.

THE WITNESS: Absolutely.

COMMISSIONER HIGGINS: Ms. McKee, it's my understanding that there will be no out-of-state sales from your facility.

THE WITNESS: Correct.

COMMISSIONER HIGGINS: So the assumption is then that you're shipping to all five of the other regions including the region that you're in?

THE WITNESS: Correct.

COMMISSIONER HIGGINS: So, in doing your shipping, who in your facility will know when shipments of plants are coming in or who will know when shipments are going out? Will it be broadly known, or narrowly known by your staff?

THE WITNESS: Narrowly known. That will be our security manager and the plant operations manager, and our inventory manager.

COMMISSIONER HIGGINS: I don't want anybody inside passing information to anyone on the outside. That's the reason for my question. What are your proposed shipping and receiving hours in the plant?

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THE WITNESS: I think the hours are in the Act, but seven --

MR. ANGELOS: The hours in the Act are between seven a.m. and nine o'clock p.m.

COMMISSIONER HIGGINS: And does that cover the hours for the facility itself for the

7 workers, office folks and so forth or are their  
8 hours different?

9 THE WITNESS: I expect their hours will be  
10 more regular working hours, nine to five.

11 COMMISSIONER HIGGINS: For the facility in  
12 general, you don't see around the clock after  
13 you're rolling along?

14 THE WITNESS: No. There will be security  
15 there, but minimal.

16 COMMISSIONER HIGGINS: I'll come back to  
17 security in a little bit. As a principal for  
18 the LLC, what's going to be your level of  
19 participation?

20 THE WITNESS: I am the CEO. I will be  
21 running daily operations.

22 COMMISSIONER HIGGINS: You'll be there?

23 THE WITNESS: I will be there. I have  
24 another office as well. We'll see. At first

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1 we're just building a lot of -- there will be  
2 some administrative space.

3 COMMISSIONER HIGGINS: You're not going to  
4 be an absentee landlord though?

5 THE WITNESS: No. No. We will be there.

6 COMMISSIONER HIGGINS: The Act is pretty  
7 specific, or the regulations, I should say,  
8 pretty specific as to the type of security that  
9 is there; anywhere from motion detectors to  
10 visuals to everything you can imagine, so  
11 you're going to be following that stuff to the

12 letter, right?

13 THE WITNESS: Yes.

14 COMMISSIONER HIGGINS: This might seem  
15 like a strange question. Federal government  
16 has, in effect, approved medical marijuana so  
17 is there any involvement of the FDA? As you  
18 know they do pharmaceuticals. Are they  
19 involved at all in controlling anything you do,  
20 even though the government themselves don't  
21 approve medical marijuana?

22 THE WITNESS: At this point we'll go to  
23 the Department of Health for our approvals and  
24 our regulations.

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1 COMMISSIONER HIGGINS: which is the  
2 Commonwealth.

3 THE WITNESS: Yes. Certainly there are --  
4 Joe, you may be able to answer this better than  
5 me. There are still a lot of parts of what we  
6 are doing that are regulated strictly by the  
7 FDA. If you want more detail --

8 COMMISSIONER HIGGINS: No.

9 PRESIDENT STIGALE: I think he's  
10 satisfied.

11 COMMISSIONER HIGGINS: I want to know what  
12 their involvement is going to be. You talked  
13 about seems like you already have folks lined  
14 up to handle things like security and the  
15 growing. I know that the requirement of the  
16 state is very strict about the security checks  
17 on the people and backgrounds and so forth as

18 they are for you. Are there any plans for the  
19 hiring of local people as you, not to use  
20 the -- as you grow? No pun intended.

21 THE WITNESS: It's hard not to. Yes, so  
22 that's absolutely part of our plan. We'll  
23 have -- we partnered with MJardin, our  
24 operator. They have very extensive training

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1 materials to make sure that we not only hire  
2 locally, but that we add to the skill sets  
3 locally.

4 COMMISSIONER HIGGINS: Number of people  
5 have asked me. I said I really don't know.  
6 What's interesting to hear you say you have no  
7 plans for dispensing. So, and that's good  
8 because in the questions I received from  
9 residents, most of it positive, but the  
10 negative ones have been how can you allow  
11 people to go there and buy marijuana. So, I  
12 think it's great that you're only going to be  
13 growing and processing. It settles a lot of  
14 people's feelings about it. As it is for now  
15 you have no plans to do dispensing or get into  
16 that business.

17 THE WITNESS: No.

18 COMMISSIONER HIGGINS: That's all I have.  
19 Thank you.

20 PRESIDENT STIGALE: Thank you,  
21 Commissioner Higgins. Commissioner Graham.

22 COMMISSIONER GRAHAM: I have also been

23 asked a couple questions and one of them is  
24 what is the banking procedure that you would be

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1 using?

2 THE WITNESS: We expect Pennsylvania will  
3 follow the same kind of process like they have  
4 in Colorado and California where the state run  
5 credit unions have really taken over the  
6 banking and the cannabis industry. We expect  
7 by 2018 that Pennsylvania will have the same  
8 system set up and we have already heard of two  
9 credit unions that are willing to do that.

10 COMMISSIONER GRAHAM: Thank you. That's  
11 all I have.

12 PRESIDENT STIGALE: One more question,  
13 what do you think your time line would be once  
14 approved to become operational or start the  
15 process of trying to get the facility ready?

16 THE WITNESS: Should we be granted our  
17 permit from the state, our applications are due  
18 March 20 and they have said to expect a 90 day  
19 timeline for when they would let applicants  
20 know. As part of our regulations, we have to  
21 be operational within six months. And we have  
22 to even prove that we can be in our  
23 application.

24 PRESIDENT STIGALE: That's why you're

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1 here.

2 THE WITNESS: We are working very



3 diligently.

4 PRESIDENT STIGALE: Thank you. Mr.  
5 McConville, any questions?

6 MR. McCONVILLE: Actually I want to  
7 applaud MedGarden for taking the lead on the  
8 medical marijuana issue. Because the various  
9 medical problems and especially cancer, there's  
10 people that really need this that want to stay  
11 coherent and don't want to be subject to  
12 Opioids or morphine. This will help them  
13 immensely. And I think that's the whole idea  
14 here is we want to help the sick people that  
15 really need it, the children, the adults,  
16 whoever, that want to have another choice  
17 besides the bad choices that they have now. So  
18 I applaud you guys on taking the big step of  
19 going through this intense process to get the  
20 application. Thank you.

21 PRESIDENT STIGALE: All right. At this  
22 time I'd like to open the floor to the public.  
23 I would like to keep the applicants at the  
24 microphone so that everyone can hear, so if

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1 someone has a question please just stand up. I  
2 need your name, address and you may ask your  
3 question.

4 MR. ANGELOS: Before we do that, may I  
5 just ask that the exhibits as presented be made  
6 part of the record and admitted as evidence?

7 PRESIDENT STIGALE: Yes.

8 MR. ANGELOS: Thank you.  
9 PRESIDENT STIGALE: Anyone? Raise your  
10 hand. Name and address.  
11 A VOICE: Phillip Ewaka, 239 West Knowlton  
12 Road. My question would be you mentioned the  
13 Board of Health earlier. My question is, is  
14 there or do you see any responsibility from our  
15 Board of Health to this plan?  
16 MR. ANGELOS: Besides the Department of  
17 Health?  
18 PRESIDENT STIGALE: We have a local  
19 Department of Health.  
20 MR. ANGELOS: We were referencing the  
21 state's Department of Health.  
22 MR. EWAKA: No, Aston Board of Health.  
23 PRESIDENT STIGALE: I think that's a new  
24 one.

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1 THE WITNESS: I don't know at this time.  
2 PRESIDENT STIGALE: We have a Board of  
3 Health here in Aston Township that looks out  
4 for restaurants and things like that. I think  
5 the state's a little more on a higher level.  
6 That might be a question, same as I had asked  
7 whether our police and fire need to be  
8 accessible or more knowledgeable. This will  
9 require with the Board of Health if you can do  
10 some research on that to see.  
11 MS. NAUGHTON-BECK: If I can just jump in  
12 here because during the ordinance meeting this  
13 was an issue that came up where someone from

14 the Board of Health questioned what  
15 responsibility, if any, they would have. And  
16 my thought at the time was that the  
17 Pennsylvania Department of Health really would  
18 pre-empt any local regulations.

19 So what we put in our ordinance is an  
20 annual inspection by the BCO who has sufficient  
21 abilities and certifications to at least  
22 recognize if there's an issue, so that he can  
23 go in on an annual basis and perform fire  
24 ingress egress inspections, any obvious safety

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1 structural issues and any Board of Health  
2 issues.

3 So to the extent during his annual  
4 inspections, anything should come up, then he  
5 can turn around and call in our own fire  
6 marshal, police department or Board of Health.  
7 My suspicion is that the state Board of Health  
8 would be stepping along before that would  
9 happen, but we did put into our ordinance a one  
10 year inspection requirement by a certified  
11 township person, individual so that is already  
12 going to be a process.

13 MR. ANGELOS: I would add, we certainly  
14 don't want to usurp any of the township's  
15 ordinances. We want to make sure that the  
16 facility is up to your standards, up to the  
17 state's standards. So anything we need to do,  
18 we'll do.

19 PRESIDENT STIGALE: Does that answer your  
20 question?

21 MR. EWAKA: Yes, it does.

22 COMMISSIONER HIGGINS: Counselor, I think  
23 the simple thing would be one of the things our  
24 Board of Health would do is to check the

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1 restrooms, that might be an example of what  
2 they would do when they come in.

3 PRESIDENT STIGALE: Anyone else have a  
4 question? State your name and address.

5 A VOICE: Gerard DuPuis, 115 West Knowlton.  
6 I have a few questions. How many people will  
7 the facility employ?

8 MR. BAGAN: About 50.

9 MR. DUPUIS: Parking for 50 in that area.  
10 Another question with regards to the employees,  
11 will they be drug tested?

12 THE WITNESS: They will have FBI  
13 clearances.

14 MR. DUPUIS: That's not -- a lot of  
15 employment conditions for air traffic  
16 controllers, certain jobs you hold in the  
17 Federal Government you get drug tested  
18 randomly. That's a question, if it's not a  
19 condition, it should be.

20 Quantity of production, how much are you  
21 producing? Do you know? Do you have another  
22 facility in Pennsylvania?

23 A VOICE: I'm Joe Bagan. I run a  
24 company --

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1 JOSEPH BAGAN, having been duly  
2 sworn, was examined and  
3 testified as follows:

4 THE WITNESS: I am Joe Bagan. I'm the  
5 Chief Executive Officer of a company called  
6 MJardin. It's the Spanish and French word for  
7 garden. We operate in 13 of the United States  
8 today and we run cannabis based facilities for  
9 customers. We also operate in Canada and  
10 Australia today.

11 So, the question, we'll eventually get to  
12 50 people. That will take us I think about  
13 four or five years to get there and at that  
14 point in time we would be producing about  
15 30,000 doses of medical marijuana a month.  
16 Now, that's provided things happen the way we  
17 think they'll happen, and the way things have  
18 happened in other states with card holders  
19 getting cards, doctors recommending the use of  
20 medical marijuana and all of that happening in  
21 our timeline.

22 MR. DUPUIS: Just a follow up question,  
23 there will be no testing at the facility? You  
24 won't be giving dosage to people working at the

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1 facility?

2 MS. MCKEE: No.

3 MR. DUPUIS: In other words, I don't want

4 to hear someone is smoking in the back room.  
5 MS. MCKEE: No.  
6 MR. DUPUIS: Strictly not smokable. It's  
7 liquid?  
8 MR. BAGAN: Correct.  
9 MR. DUPUIS: Security, you mentioned in  
10 your security brief that you may have 24 hour a  
11 day surveillance at the beginning.  
12 MR. ANGELOS: We will have 24 hour video  
13 surveillance at all times.  
14 MR. DUPUIS: During the hours of operation  
15 will there be security presence at the facility  
16 while you're open?  
17 MS. MCKEE: Yes.  
18 MR. DUPUIS: You expect the township to  
19 fill in on any alarm going off, anything going  
20 off at that facility, any break-ins?  
21 MS. MCKEE: So in the beginning we'll have  
22 physical security present round the clock.  
23 MR. ANGELOS: Twenty-four seven.  
24 PRESIDENT STIGALE: That's kind of what I

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1 asked earlier, that I would like our Police  
2 Chief to get in communication with their  
3 security personnel in the event of a situation  
4 like that. We are going to address that issue.  
5 MR. DUPUIS: So just a couple more  
6 questions and follow-up. Historically the  
7 gentleman that you have that's going to head up  
8 your security, he was in California and  
9 Colorado setting up the security plan for the

10 facility. Historically what has been the  
11 breach for where those plants are located? I  
12 don't know where they are at, but Colorado  
13 marijuana is legal by the state. California I  
14 think it is too, Washington, Oregon, so there's  
15 going to be a whole bunch of other states that  
16 probably jump on the band wagon. This is not  
17 going to be a distribution growing facility.  
18 It is strictly medical. Will there be plans to  
19 further that along the lines at that facility?

20 MS. MCKEE: No.

21 MR. DUPUIS: If it were to be legalized by  
22 the state of Pennsylvania?

23 MS. MCKEE: I am sorry, it is legalized by  
24 the state of Pennsylvania for medical

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1 marijuana.

2 MR. DUPUIS: But if marijuana becomes  
3 legal --

4 MR. ANGELOS: I think the question is if  
5 marijuana becomes recreationally legal.

6 MR. DUPUIS: Will that be a distribution  
7 center?

8 MS. MCKEE: We will not be a dispensary.

9 MR. DUPUIS: But that's a good question  
10 that I brought up.

11 MS. MCKEE: We would never be a dispensary  
12 at that location. It's not appropriate for  
13 that and our zoning isn't for that.

14 MR. DUPUIS: The reason I brought up

15 historically with regards to where other  
16 dispensaries have been set up, maybe contacting  
17 police there in the local community, see what  
18 type of crime or no crime has this facility  
19 seen. It may help out.

20 PRESIDENT STIGALE: Just to reiterate  
21 that, we had a gentleman give us some  
22 background information on some issues, and  
23 again that's why we would like our police chief  
24 to speak with their security just to get

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1 updated on things like that. Yes, we are quite  
2 aware and try to keep you safe.

3 MR. DUPUIS: You said you also have another  
4 region, a plant in another region?

5 MS. MCKEE: No, just this facility.

6 MR. DUPUIS: I am curious as to what other  
7 regions have adopted it and where and what  
8 their records will show with local law  
9 enforcement.

10 PRESIDENT STIGALE: This is all new.

11 COMMISSIONER HIGGINS: Nobody has adopted  
12 anything yet. There's been no issue of  
13 licenses yet. The license period is from the  
14 20th of this month, 20th of March, and so  
15 nothing. That's why they're here tonight, to  
16 get our approval and then the state will look  
17 at it if we approve it. If we don't approve  
18 it, then the state won't look at it. This is  
19 brand new. No one has approved anything yet.

20 MR. DUPUIS: I am just making a statement



21 myself. I don't want to see a burden on the  
22 township police department where you have to  
23 hire two or three more officers because of  
24 incidents that may happen at that location or

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1 not.

2 PRESIDENT STIGALE: I totally agree.

3 Thank you. Anyone else?

4 COMMISSIONER HIGGINS: In answer to one  
5 question on the drug screening, unless I missed  
6 it, how will the drug screening -- will there  
7 be drug screening?

8 MS. MCKEE: I don't know yet if there will  
9 be. It isn't required by the state and I don't  
10 know yet. We just haven't gotten that far in  
11 our employment plan.

12 MR. DUPUIS: That would be a good question  
13 to ask the state.

14 PRESIDENT STIGALE: Anyone else? Seeing  
15 none --

16 A VOICE: Yes, I'm sorry, my name is Terry  
17 Franklin, I live at 15 Gordonville, and I work  
18 at the University of Pennsylvania and my  
19 expertise is in addiction. I am very excited  
20 to have medical marijuana here in Aston.

21 But I was here at the ordinance meeting  
22 and I just want to read something from the  
23 ordinance. You said you're going to strictly  
24 follow the ordinance, but the ordinance says no

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1 marijuana growing shall be established,  
2 developed or operated within 1,000 feet of a  
3 school, public playground, park, child care or  
4 daycare facility or youth care or church. You  
5 mentioned it's not near a day care or school.  
6 You didn't say anything about a park. There's  
7 a park very very close by to that building.

8 MS. NAUGHTON-BECK: That's not the  
9 ordinance that was adopted. The ordinance that  
10 was adopted only limits the thousand feet to  
11 public, private, Parochial schools and day  
12 cares. There is no language that refers to  
13 parks.

14 MS. FRANKLIN: How about residence? There  
15 is Pennell Manor behind that facility and  
16 there's a lot of residents on Knowlton Road,  
17 the homes sit right at that industrial center.

18 MS. NAUGHTON-BECK: There is no setback  
19 requirement for -- if it abuts a residential  
20 district, no.

21 PRESIDENT STIGALE: Anyone else? Seeing  
22 none --

23 MS. NAUGHTON-BECK: Do you have anything  
24 further, Mr. Angelos?

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1 MR. ANGELOS: I do not. I would rest.

2 PRESIDENT STIGALE: Thank you. I would  
3 like to call on Commissioner Higgins.

4 COMMISSIONER HIGGINS: I make a motion to  
5 take the meeting out of sine die.

6 COMMISSIONER GRAHAM: Second.

7 PRESIDENT STIGALE: All in favor?

8 Opposed? The "ayes" have it.

9 (Whereupon, all Commissioners  
10 present vote "aye.")

11 PRESIDENT STIGALE: Line Item 5, consider  
12 conditional use application of MedGarden, LLC.  
13 Call on Commissioner Higgins.

14 COMMISSIONER HIGGINS: Thank you. I make  
15 a motion to approve the conditional use  
16 application of MedGarden, LLC, to operate a  
17 medical marijuana growing and processing  
18 facility in the property located at 414  
19 Knowlton Road, Aston, PA, 19014, subject to the  
20 testimony and agreements provided during the  
21 public hearing on the application and  
22 conditioned upon MedGarden, LLC strict  
23 compliance with all of the Medical Marijuana  
24 Act rules and regulations as may be amended

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1 from time to time, in the form of a motion.

2 COMMISSIONER GRAHAM: Second.

3 PRESIDENT STIGALE: Questions or comments?

4 All in favor? Opposed? The "ayes" have it.

5 (Whereupon, all Commissioners  
6 present vote "aye.")

7 PRESIDENT STIGALE: Congratulations. With  
8 that, nothing else on the agenda, do you have  
9 anything?

10 COMMISSIONER LINK: Nothing.

11 PRESIDENT STIGALE: Commissioner Firlein.  
12 COMMISSIONER FIRLEIN: Nothing.  
13 PRESIDENT STIGALE: Commissioner Higgins.  
14 COMMISSIONER HIGGINS: Nothing.  
15 PRESIDENT STIGALE: Commissioner Graham.  
16 COMMISSIONER GRAHAM: No.  
17 PRESIDENT STIGALE: Seeing that, need a  
18 motion to adjourn.  
19 COMMISSIONER HIGGINS: So move.  
20 COMMISSIONER FIRLEIN: Second.  
21 (Whereupon, all Commissioners  
22 present vote "aye.")  
23 (Whereupon, the meeting is  
24 concluded at 7:45 p.m.)  
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1 REPORTER'S CERTIFICATION  
2 I HEREBY CERTIFY that I was present upon the  
3 hearing of the above-entitled matter and there  
4 reported stenographically the proceedings had and the  
5 testimony produced; and I further certify that the  
6 foregoing is a true and correct transcript of my said  
7 stenographic notes.

8  
9

10 Lorraine Evans  
11 Reporter-Notary Public  
12 My Commission Expires  
13 October 25, 2018

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