

ASTON TOWNSHIP  
BOARD OF COMMISSIONERS MEETING  
MARCH 21, 2012

Transcript of the Aston Township Board of  
Commissioners Meeting held in the Township  
Building, 5021 Pennell Road, Aston,  
Pennsylvania, 19014, commencing at 7:00 p.m.

BOARD OF COMMISSIONERS

JAMES M. STIGALE, PRESIDENT

MICHAEL J. HIGGINS, VICE-PRESIDENT

V. MICHAEL FULGINITI

CAROL GRAHAM

MARK T. OSBORN

GARY C. ROBINSON

JAMES W. MCGINN

RICHARD D. LEHR, Township Secretary/Manager

BETH NAUGHTON-BECK, Township Solicitor

JOSEPH J. VISCUSO, Township Engineer

LORRAINE EVANS Court Reporter/Notary Public  
28 S. New Middletown Road  
Media, Pennsylvania 19063

(610) 566-0394

7evanslorraine@comcast.net

♀

PRESIDENT STIGALE: Good evening  
everyone. I would like to call this Aston  
Township Board of Commissioners meeting for

3 aston 2112a  
Wednesday, March 21, 2012 to order. Please  
rise for the Pledge of Allegiance.

(Pledge of Allegiance)

COMMISSIONER MCGINN: Remain standing for  
a moment of silence for two Aston residents  
that did a lot in the town, Marge Dwyer and  
Duke Jurich, from the Jurich family.

(Moment of Silence)

PRESIDENT STIGALE: Moving on, need a  
motion for review and approval of the bills and  
payroll.

COMMISSIONER MCGINN: Make a motion to  
approve the bills and payroll.

COMMISSIONER FULGINITI: Second.

PRESIDENT STIGALE: Motion and a second.  
Any questions or comments? All in favor?  
Opposed? The "ayes" have it.

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

PRESIDENT STIGALE: Need a motion to  
review and approve the treasurer's report.

♀

3

COMMISSIONER MCGINN: Make a motion to  
review and approve the treasurer's report.

COMMISSIONER FULGINITI: Second.

PRESIDENT STIGALE: Motion and a second.  
Any questions or comments? All in favor?  
Opposed? The "ayes" have it.

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

PRESIDENT STIGALE: Need a motion for  
Page 2

approval of the minutes of the regular meeting of February 15, 2012.

COMMISSIONER MCGINN: Make a motion to review and approve the minutes from February 15, 2012.

COMMISSIONER OSBORN: Second.

PRESIDENT STIGALE: Motion and a second. Any questions or comments? All in favor? Opposed? The "ayes" have it.

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

PRESIDENT STIGALE: Committee reports. Mike, you have nothing?

COMMISSIONER FULGINITI: No.

PRESIDENT STIGALE: Commissioner Robinson.

‡

4

COMMISSIONER ROBINSON: Thank you, Commissioner Stigale. The Aston Township recycling report for the month of February, 2012. Single stream recycling collected curbside, 58.24 tons of co-mingled, 10.45 tons of newspaper dropped off at the container. Total collected for the month of February, 10.45 tons. Aluminum cans, 120 pounds collected by the Aston Lions Club for the month of February. Scrap metal collected, point five six tons, for a total of \$219.20.

Lorco of Maryland LLC, 275 gallons of used motor oil, \$280.00, Newman and Company, newspaper, \$104.50, Re-community Holdings, Inc.

3 Aston 2112a  
\$2,156.79. Total revenue for February 2012,  
\$2,760.49.

Road side cleaning scheduled for Saturday, March 24, 2012, time is 7:00 a.m. until 10:30 a.m., the Boy Scouts of St. Joseph's Church, Troop #225, Concord Road from Bridgewater Road to Venuti Drive. Drive slowly, signs will be posted at the intersections.

The Aston Township Offices and Public Works Departments will be closed on Friday,

♀

5

March 6, 2012. Friday's trash will be picked up on Thursday -- why do I have this?

MR. LEHR: Should be April 6.

COMMISSIONER ROBINSON: We're talking about April 6, 2012. Friday's trash will be picked up on Thursday, April 5th along with Thursday's regular trash. That all I have.

PRESIDENT STIGALE: Thank you, Commissioner Robinson. Commissioner Osborn.

COMMISSIONER OSBORN: Thank you, President Stigale. Save the date, Saturday, March 24, 2012, Representative Barrar is having a Spring Health and Safety Fair, Upper Chichester Municipal Building, Furey Road. This is a free, family-friendly event, your opportunity to take advantage of health screenings and gather information from area government and non-profit organizations. If you are interested in participating as a vendor, please contact Ann Iacono at eiacono at PA House

3 aston 2112a

GOP.com or 610-485-7606.

Financial report. March, 2012, cash on hand, \$1,295,465.34. Receipts, \$1,197,121.16. Expenditures, actual payments, \$1,750,287.11.

♀

6

Cash on hand, \$742,299.39. Break down of cash on hand is the TD general fund, \$630,264.16. TD liquid fuel, \$112,035.23 and TD T bills is \$1,050,912.58.

The quick summaries presented to the Board of Commissioners for approval for 2/21/12. Bills paid prior to the meeting, \$153,018.34, general fund bills list, \$283,647.19. Total general funds bills list, \$436,665.53. That covers it all.

PRESIDENT STIGALE: Thank you, Commissioner Osborn. Commissioner Higgins.

COMMISSIONER HIGGINS: Thank you, Mr. President. The permits and licenses report for the month of February. Report prepared March 21st, 2012. The following is the report of permits and licenses issued for the month of February, 2012. Beginning balance \$51,337.00, total income from building permits and general contractor licenses, \$11,169.00, licenses and permits, electrical permits, \$828.00, licenses \$300.00, plumbing and heating \$2,382.00. Income from other licenses and permits, Board of Health, \$3,250.00. Income from other

♀

7

licenses, rentals, inspections and permits, vendors, \$400.00. Certificates of Occupancy, total income from CO's, \$1,500.00. Total revenue collected, \$19,829.00. Total for 2012, \$71,166.00.

Sewer Authority report. I see Mr. Cozza. Do you have a report tonight?

PRESIDENT STIGALE: Microphones aren't working. Just look into that camera and speak loudly.

MR. COZZA: Okay. Cash receipts from our accounts turned over for collections and payment plans for the month of January, \$90,625.00. We have collected \$1,166,000 in delinquent accounts, turning them over to the collection agency in late 2009. The delinquencies have been reduced by \$921,000 from the fourth billing cycle in 2010 through January of 2012.

We have posted 187 properties with balances totaling \$775,000 for water disconnection and to date we have entered into agreements with 134 accounts for installment plans totaling \$554,000.00.

♀

There were two sewer main blockages cleared in February. The plant treated an average of 4.7 million gallons of flow daily. The maintenance department completed 194 work orders and responded to 25 trouble calls in the

month of February.

Finally I would like to address an opinion that appeared in the Daily Times last week written by Mr. Harry Seth of Brookhaven. Mr. Seth accused the Authority's Board of Directors with mismanagement and poor planning. I refer to my earlier comments to show the progress we have been making. The Board has made many changes. We believe it's headed in the right direction.

He talks about a rate increase, and he says there will be a rate increase this year of \$87.00. I am here to say that, while there will likely be an increase, we are looking at some last minute adjustments that may allow us to reduce the increase somewhat.

But as it stands right now, the increase will be more in the range of \$15.00 a quarter or five dollars a week for the average

♀

9

residential customer and about \$20.00 a quarter.

COMMISSIONER FULGINITI: Five dollars a month.

MR. COZZA: I'm sorry, \$5.00 a month, and the flat rate charge to commercial customers will go up by twenty bucks or \$6.67 a month. Increases are needed to complete capital improvements to the plant to keep it operating and safe. Some of these expenditures are

3 aston 2112a  
mandated by DEP, while most of them are for deferred maintenance, deferred projects over a number of years to keep rates down.

We are still handcuffed by a contract with Middletown that doesn't allow us to increase their rates. When we try to negotiate with Middletown to do the right and fair thing by sharing the expenses of the plant, they hide behind the contract. We subsidize Middletown to the tune of 2.2 million dollars a year. With some contribution from them we might be able to avoid the need for the increases.

As for the move to Delcora, we believe based on our analysis, that it is the best move

†

10

for everyone and in the long run will save money for all of our rate payers.

The work sessions and Board meetings are open to the public. They are advertised and they are listed on the website. Anyone can attend and provide comments and concerns and suggestions and we invite it. That's all I have.

COMMISSIONER HIGGINS: What was your second number on collections?

MR. COZZA: One million one hundred and sixty-six thousand dollars.

COMMISSIONER HIGGINS: Thank you.

PRESIDENT STIGALE: Any other questions?  
Thank you, Mr. Cozza.

COMMISSIONER HIGGINS: That's all I have.  
Page 8

Thank you.

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

COMMISSIONER GRAHAM: Thank you, President  
Stigale. The Aston Beechwood Volunteer Fire  
Company fire report, February 2012. Fire calls  
for February 27, ambulance calls 128.

The Green Ridge Annual Carnival will be

♀

11

held April 4 through the 13th. Family nights  
\$20.00 unlimited rides, April 9, 10 and 11,  
mega pass, \$40.00, unlimited rides for the  
duration of the carnival. Location, Green  
Ridge Firehouse grounds. Please come out and  
support the Green Ridge Volunteer Fire Company.

Also I have, this year the Township is  
hosting a Bunny Brunch. It is a breakfast right  
before our annual Easter egg hunt, Saturday  
March 31st from nine to ten, and you have  
brunch with the bunny. There will be cereal  
and a little continental breakfast. You have  
to register. It's limited to 200 children and  
the different registrations, you can register  
here at the township building, pick up a  
registration form, or if you go on to the Aston  
Township dot net it will show you what to do,  
and our Easter Egg hunt is at 10:30 a.m. at the  
Community Center. All this will be at the  
Community Center on Saturday, March 31st. And  
that's all I have right now.

3 aston 2112a  
PRESIDENT STIGALE: Thank you,

Commissioner Graham. Commissioner McGinn.

COMMISSIONER MCGINN: Police report.

12

Incidents handled 1048, accident investigations 37, criminal investigations 71. Clearance Rate Part I Crimes 42 percent, Clearance Rate Part II Crimes, 62 percent.

From the Aston Senior Citizens. The monthly meeting will be March 22nd at the Aston Township Community Center, 10:45 a.m. The menu at the meeting will be baked ham, pineapple, vegetables -- mixed vegetables, coleslaw and strawberry shortcake. The entertainment will be Mark Desi. Vocal includes several hours of melodies. That's all I have.

PRESIDENT STIGALE: Thank you, Commissioner McGinn. Moving on to Proclamations. I'd like to call on Commissioner Robinson first please.

COMMISSIONER ROBINSON: Thank you, Commissioner Stigale. Members of the Aston Valley Baseball League that are here come forward please. It gives me great pleasure to read this Proclamation.

Township of Aston, Delaware County,  
Pennsylvania Proclamation.

Whereas, the Board of Commissioners,

13

3 aston 2112a

Pennsylvania desires to recognize the Aston Valley Baseball League on their 50th Anniversary; and

Whereas, the Aston Valley Baseball League was formed in 1962 by Mr. Sam Erb. People from Aston Manor and Valley View financed the team from each area and constructed a baseball diamond on the Valleyview Playground. Funding was provided by the respective civic associations and thus the Aston Baseball League for children was born.

And whereas, the League continued to grow as the population and new developments were raised.

In 1978 an eight team teener division was born and in 1982 a tee-ball division was born. Over the years there have been many dedicated volunteers that have given their time and talent to building and developing the character of all the children that have been a part of this wonderful organization.

Now, therefore be it proclaimed that Aston Township Board of Commissioners congratulates

♀

14

and honors the Aston Valley Baseball League on their 50th Anniversary.

Hereby proclaimed this 21st day of March, 2012, Aston Township Board of Commissioners, James M. Stigale, President, Board of Commissioners, Commissioner Sixth Ward, Michael

J. Higgins, Vice-President, Commissioner  
Seventh Ward, V. Michael Fulginiti,  
Commissioner First Ward, Carol Graham,  
Commissioner Second Ward, Mark T. Osborn,  
Commissioner Third Ward, myself, Commissioner  
Fourth Ward, James W. McGinn, Commissioner  
Fifth Ward and attested to by Richard D. Lehr,  
township secretary manager.

I want to add that I'd like to  
congratulate the present officers, coaches, all  
the people that serve the snack bar, that raise  
the funds for these kids, and all the other  
people that have served and dedicated their  
time over the years since 1962 to keep this  
organization alive for the youth in our  
community. Congratulations guys.

(Applause)

PRESIDENT STIGALE: Thank you,

♀

Commissioner Robinson. Moving on, Commissioner  
Higgins please.

COMMISSIONER HIGGINS: Thank you, Mr.  
President. I have a proclamation to read. It  
gives me great pleasure to read this. The  
gentleman who I am going to read about is a  
respected gentleman in Delaware County and in  
Aston Township and happens to be my neighbor,  
lives right around the corner.

Township of Aston, Delaware County,  
Pennsylvania Proclamation.

Whereas, the Board of Commissioners,  
Page 12

3 Aston 2112a

Township of Aston, Delaware County,  
Pennsylvania, desires to recognize Captain John  
McKenna for his longtime service in law  
enforcement; and

Whereas, the Board of Commissioners  
recognizes the dedication of John McKenna,  
Chief of the Delaware County Criminal  
Investigation Unit, upon his retirement after  
30 years; and

Whereas, John McKenna also served 28 years  
with the Pennsylvania State Police where he  
achieved the rank of Captain. To this day,

†

16

he's still addressed as Captain McKenna; and

Whereas, the Aston Township Board of  
Commissioners wishes him a long and healthy  
retirement and good luck in his future  
endeavors; and

Now, therefore, be it proclaimed that the  
Aston Township Board of Commissioners  
congratulates and proclaims that Captain John  
McKenna be recognized for his 58 years of  
service in law enforcement; and

Hereby proclaimed this 21st day of March,  
2012, Aston Township Board of Commissioners, by  
James M. Stigale, President, Board of  
Commissioners, Commissioner Sixth Ward, Michael  
J. Higgins, Vice President, Commissioner Seventh  
Ward, V, Michael Fulginiti, Commissioner First  
Ward, Carol Graham, Commissioner Second Ward,

3 aston 2112a

Mark T. Osborn, Commissioner Third Ward, Gary  
C. Robinson, Commissioner Fourth Ward, James W.  
McGinn, Commissioner Fifth Ward, attested to by  
Richard D. Lehr, township secretary manager.

I would like to now invite Chief Dan  
Ruggieri to come up. He has a few words also.

CHIEF RUGGIERI: Good evening. I too

♀

17

would like to recognize Captain McKenna for his  
long distinguished career. Every so often you  
have the privilege of knowing a special person  
who has had such profound impact on so many.

Honor, integrity, professionalism, loyalty  
and dedication are just a few words to describe  
Captain McKenna, Chief of Detectives who  
recently retired in February of this year after  
serving 30 years with the Delaware County  
Criminal Investigations Division, and having a  
career in law enforcement which lasted 58  
years. That was quite an accomplishment.

Captain McKenna has served as a leader,  
mentor and role model for many of us in the law  
enforcement community. On more than one  
occasion he's given us encouragement, guidance  
and his ear. I know this firsthand. No matter  
how busy his schedule was, he always, and I  
mean always, made time for me.

Captain McKenna embodies the image of law  
enforcement officers here in Delaware County  
and we, the law enforcement community, are  
truly fortunate to have a person of his caliber

3 aston 2112a

and character lead the way for so many years.

18

Captain, in closing I would like to personally thank you for serving this profession with dignity and honor for the last 58 years.

If there's one person who truly deserves to enjoy their retirement, it is you, sir. Congratulations on your retirement.

(Applause)

CHIEF RUGGERI: Please accept this small token of our appreciation on behalf of Aston Township Police Department for your 30 years of distinguished service and in retirement from the Delaware County Criminal Investigation Division.

CAPTAIN MCKENNA: I thank the Commissioners for this honor. I accept it. I am very humbled. I didn't expect this. I have been a resident of Aston Township now for 49 years. In my early career when I came here as a State policeman I had opportunities to get promoted but I would have to move to the western part of the state where I just came from. My wife and I loved Aston Township. We called it the garden spot of Delaware County,

19

and I refused promotions 14 times of my career not to move out of Delaware County, and it is

3 aston 2112a  
speci fi cally Aston Townshi p.

I was promoted to Captain, had to go to Hazel ton. We decided not to move. We stayed here and I came back, transferred back to Belmont Barracks where I fi ni shed my career.

My chi ldren went to St. Joe's and Sun Valley and my grandchi ldren went to St. Joe's and Sun Valley and I had a very big i nvestment i n Aston Townshi p.

I served on the Ci vi l Service Board and I also had the honor of bei ng on the Borough Boards and pi cki ng poli cemen, whi ch I mi ght add, that Del aware County has recognized Aston Township Poli ce as extremely second to none and i t's certainly kept that way under the tudorshi p of Chi ef Dan Ruggi eri .

I am very proud to be a member of Aston. I probably wi ll -- I already bought a cemetary plot i n Mt. Hope so I' ll probably be here a lot after 58 years. I' ll probably spend more time up there than I di d on the other side.

I thank you very much. I wou ld l i ke to

♀

20

poi nt out my daughter, Maureen Di l l on and her husband Don Di l l on are i n the audi ence.

(Appl ause)

PRESIDENT STIGALE: Movi ng on,  
Commi ssi oner Graham, pl ease.

COMMI SSI ONER GRAHAM: At thi s ti me I am really honored to i ntroduce several of our fi refi ghters who received awards from the

3 aston 2112a

Delaware County Fireman's Association and when I call your name if you can come up and I will come down.

First, I would like to recognize a Certificate of Recommendation presented by the Aston Township Board of Commissioners to John Lloyd of Aston Beechwood Fire Company, recipient of Robert F. Baxter Junior, award Firefighter of the Year award, March 21st, 2012. Congratulations, John.

(Applause)

COMMISSIONER GRAHAM: Next I would like to introduce -- I am going to stand up so you guys can hear me, James F. Brees of Green Ridge Fire company, recipient of Christopher Kangas Junior Firefighter of the Year award, March 21st,

2012. Congratulations.

(Applause)

COMMISSIONER GRAHAM: Next, Lieutenant Chris Repine of Green Ridge Fire Company, recipient of the Theodore Epright Valor Award, today, March 21st, 2012.

(Applause)

COMMISSIONER GRAHAM: And firefighter Andrew Plotts, recipient of the Theodore Epright Valor Award, today, March 21st, 2012. Congratulations.

(Applause)

PRESIDENT STIGALE: Between Captain

3 aston 2112a

McKenna's comments and the awards that the firefighters received, we're fortunate in Aston Township to have qualified people that serve our residents. We can never say thank you enough. Thank you everyone for volunteering your time to come out and protecting lives. We really appreciate it. Thank you.

(Applause)

PRESIDENT STIGALE: Moving on,  
Commissioner Graham.

COMMISSIONER GRAHAM: Proclamation.

†

22

Township of Aston, Delaware County,  
Pennsylvania Proclamation. Whereas, the Board of Commissioners, Township of Aston, Delaware County, Pennsylvania desires to recognize the week of April 8 to the 14th, 2012, as National Library Week; and

Whereas, the week is celebrated to salute the Aston Library for its contribution to our community; and

Whereas, the Aston Library does provide valuable educational services as well as the latest technology to the Community; and

Now, therefore, be it proclaimed by the Aston Township Board of Commissioners to proclaim April 8 to 14th, 2012 National Library Week in Aston Township, Delaware County, Pennsylvania, and celebrate the Aston Library; and

Hereby proclaimed this 21st day of March,  
Page 18

2012. Aston Township Board of Commissioners, James Stigale, President, Michael J. Higgins, Vice President, First Ward, Michael Fulginiti, Second Ward Carol Graham, Third Ward Mark Osborn, Fourth Ward Gary C. Robinson, Fifth

Ward James McGinn, attested to by our township secretary, Richard D. Lehr. Steven, come up please.

(Applause)

PRESIDENT STIGALE: Moving on, Commissioner Osborn.

COMMISSIONER OSBORN: Thank you, President Stigale. Township of Aston, Delaware County, Pennsylvania Proclamation.

Whereas, the Board of Commissioners, Aston Township, Delaware County, Pennsylvania desires to recognize the month of March as Colorectal Cancer Awareness Month; and

Whereas, this cancer is the third most commonly diagnosed cancer and the second most common cause of cancer deaths for men and women in the United States. It affects men and women equally. The incidence of colorectal cancer in Delaware County is higher than the rates of the nation. Both the incidence and mortality rates of this cancer among Delaware County residents is the 4th highest in the state; and

Whereas, early detection could save more than half of the 51,690 people expected to die

of colorectal cancers this year. Every three minutes, someone is diagnosed and every 10 minutes someone dies from colorectal cancer. The survival rate of individuals who have this cancer is 90 percent when detected in the early stages versus only a 10 percent survival rate when it is diagnosed after it has spread to other organs; and

Whereas, this cancer is preventable, treatable and beatable in most cases. During the month of March we observe Colorectal Cancer Awareness which provides a special opportunity for education on the importance of early detection and screening; and

Now, therefore, be it proclaimed that the Aston Township Board of Commissioners does proclaim the month of March as Colorectal Cancer Awareness Month in Aston Township, Delaware County, Pennsylvania, and

Hereby proclaimed this 21st day of March, 2012. Aston Township Board of Commissioners, by James M. Stigale, President, Board of Commissioners, Commissioner Sixth Ward, Michael J. Higgins, Vice President, Commissioner

Seventh Ward, V. Michael Fulginiti, Commissioner First Ward, Carol Graham, Commissioner Second Ward, myself, Commissioner Third Ward, Gary C. Robinson, Commissioner

♀

3 aston 2112a

Fourth Ward, James W. McGinn, Commissioner  
Fifth Ward, attested to by Richard D. Lehr,  
township secretary manager. Anyone present to  
accept this?

(Whereupon, someone from the  
public steps forward.)

(Applause)

A VOICE: Thank you so much for doing  
this. It brings some attention to this.

PRESIDENT STIGALE: Thank you,  
Commissioner Osborn. At this time I would like  
to open the floor to the public for agenda  
items only for one half hour. Seeing none,  
we'll move on to Old Business.

Line item A, consider a resolution  
releasing the maintenance bond for Spring  
Valley Phases II and III. Commissioner  
Higgins.

COMMISSIONER HIGGINS: Thank you.  
Whereas, the Township of Aston, Delaware

♀

26

County, Pennsylvania has previously approved  
the land development plan for Spring Valley  
Phase II and III, and

Whereas, the Township has secured a letter  
of credit from the developer to ensure that all  
public improvements are completed in a  
satisfactory manner; and

Whereas, the Homeowners Association has  
accepted the completion of the public

3 aston 2112a  
improvements and agreed to assume  
responsibility for maintenance of the sidewalks  
and the curbing; and

Whereas, the township has provided the  
developer with a list of street repairs  
required before the letter of credit is  
released.

Now, therefore, be it resolved this 21st  
day of March, 2012, that the Aston Township  
Board of Commissioners agree to release the  
letter of credit for the Spring Valley Phase II  
and III subject to the final approval of the  
necessary street repairs by the township  
engineer and manager. Aston Township Board of  
Commissioners, by James M. Stigale, President,

♀

27

Board of Commissioners, in the form of a  
motion.

COMMISSIONER MCGINN: Second.

PRESIDENT STIGALE: Motion and a second.

Any questions or comments? All in favor?

Opposed? The "ayes" have it.

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

PRESIDENT STIGALE: Line item B, consider  
approving a resolution approving the hazard  
mitigation plan of 2011 for Delaware County.  
Commissioner Higgins.

COMMISSIONER HIGGINS: Thank you.

Delaware County 2011 Hazard Mitigation Plan,  
Aston Township Delaware County, Pennsylvania,  
Page 22

Resol ution.

Whereas, the Township of Aston, Delaware County, Pennsylvania is most vulnerable to natural and human-made hazards which may result in loss of life and property, economic hardship and threats to public health and safety, and

Whereas, Section 322 of the Disaster Mitigation Act of 2000, DMA 2000, requires state and local governments to develop and

submit for approval to the President a mitigation plan that outlines processes for identifying their respective natural hazards, risks and vulnerabilities; and

Whereas, the Township of Aston acknowledges the requirements of Section 322 of DMA 2000 to have an approved Hazard Mitigation Plan as a prerequisite to receive post-disaster Hazard Mitigation Grant Program funds, and

Whereas, the Delaware County 2011 Hazard Mitigation Plan has been developed by the Delaware County Planning Department and the Delaware County Department of Emergency Services in cooperation with other County Departments, and officials and citizens of Aston Township, and

Whereas, a public involvement process consistent with the requirements of DMA 2000 was conducted to develop the Delaware County 2011 Hazard Mitigation Plan; and

†

Whereas, the Delaware County 2011 Hazard Mitigation Plan recommends mitigation activities that will reduce losses to life and property affected by both natural and

♀

human-made hazards that face the County and its municipal governments.

Now, therefore, be it resolved by the governing body for the Township of Aston, the Delaware County 2011 Hazard Mitigation Plan is hereby adopted as the official Hazard Mitigation Plan of the Township of Aston, and the respective officials and agencies identified in the implementation strategy of the Delaware County 2011 Hazard Mitigation Plan are hereby directed to implement the recommended activities assigned to them.

Adopted this 21st day of March, 2012.

Aston Township Board of Commissioners, by James M. Stigale, President, Board of Commissioners, Richard D. Lehr, secretary manager, Michael J. Higgins, Vice-President, V. Michael Fulginiti, First Ward Commissioner, Carol A. Graham, Second Ward Commissioner, Mark T. Osborn, Third Ward Commissioner, Gary C. Robinson, Fourth Ward Commissioner, James W. McGinn, Fifth Ward Commissioner, as a resolution, form of a motion.

COMMISSIONER MCGINN: Second.

♀

3 aston 2112a

PRESIDENT STIGALE: Motion and a second.  
Any questions or comments? All in favor?  
Opposed? The "ayes" have it.

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

PRESIDENT STIGALE: Moving on to New  
Business, announce the intent to consider  
amending the Aston Township Flood Plain  
Ordinance, Section 1286 of the Aston Township  
Zoning Code. Commissioner Fulginiti.

COMMISSIONER FULGINITI: Thank you. Good  
evening everyone. I would like to announce the  
intent to consider amending the Aston Township  
Flood Plain Ordinance Section 1286 of the Aston  
Township Zoning Code.

PRESIDENT STIGALE: Thank you. Moving on,  
Line item B, consider adopting an ordinance  
amending Chapter 816 of the Aston Township  
Codi fied Ord nances to waive the mechanical  
device fee for regi stered non-profi t  
organi zati ons. Commi ssi oner Ful gi ni ti .

COMMISSIONER FULGINITI: Thank you.  
Township of Aston, Delaware County  
Pennsyl vani a, Ordinance Number -- pi ck one.

♀

31

MR. LEHR: 897.

MS. NAUGHTON-BECK: We fill it in later.

COMMISSIONER FULGINITI: Ordinance of the  
Township of Aston, Delaware County,  
Pennsyl vani a, to amend the provi si ons of the

Aston Township codified ordinance Chapter 816.04, to grant a waiver of the license fee for registered non-profit organizations.

Whereas, the Aston Township Board of Commissioners previously adopted an Ordinance which sets forth the regulations governing the display or maintenance of mechanical or electronic amusement devices, pool tables or other similar machines, as set forth in Codified Ordinance Section 816, et seq; and

Whereas, Section 816 requires that operators of establishments where such devices are located shall annually register and obtain a license from the Aston Township Code Enforcement Office; and

Whereas, prior to the issuance of a license, each operator is required to pay a fee for each device in its establishment; and

Whereas, the Aston Township Board of

♀

Commissioners seek to grant a waiver of the associated fees involved in the annual registration process to those organizations which are registered as a Non-Profit, either with the Commonwealth of Pennsylvania or other jurisdiction where the organization is properly registered.

Now, therefore, be it resolved and adopted this 21st day of March, 2012 by the Aston Township Board of Commissioners Section 816.04(d) shall read as follows:

3 aston 2112a

816.04(d) Exceptions: D, the fees identified in this section shall be waived for any organization that is a registered non-profit organization either with the Commonwealth of Pennsylvania, Internal Revenue Service or other verifiable jurisdiction. This waiver does not relieve the establishment from registering with the Aston Township Code Enforcement Office and obtaining an annual license. Proof of the organization's current non-profit status shall be submitted with the application annually. Failure to provide annual verification of an organization's

current non-profit status will render this waiver null and void.

Effective date: This ordinance shall be effective 10 days from the date of adoption.

Repealer: Any prior ordinance or parts thereof inconsistent with this ordinance are hereby repealed.

Severability: The provisions of this ordinance and code sections adopted hereby are severable, and if any clause, sentence or section thereof shall be adjudged invalid or unconstitutional, such decision or judgment shall not affect the validity of the remaining provisions.

Board of Commissioners, Township of Aston,  
James M. Stigale, President, Board of

3 aston 2112a

Commi ssi oners, attested to by Ri chard D. Lehr,  
township secretary manager, form of a moti on.

COMMI SSI ONER ROBI NSON: Second.

PRESI DENT STI GALE: Moti on and a second.

Any questi ons or comments? All in favor?

Opposed? The "ayes" have it.

(Whereupon, all Commi ssi oners  
present vote "aye.")

†

34

PRESI DENT STI GALE: Movi ng on, Li ne item  
C, consider approving a refund of a duplicate  
fee for electrical contractor license in the  
amount of \$100.00. Commi ssi oner Osborn.

COMMI SSI ONER OSBORN: Thank you, Presi dent  
Stigale. I make a moti on to approve the refund  
of a duplicate fee for electrical contractor  
license in the amount of \$100.00 to Monridge  
Construction, in the form of a moti on.

COMMI SSI ONER McGI NN: Second.

PRESI DENT STI GALE: Moti on and a second.

Any questi ons or comments? All in favor?

Opposed? The "ayes" have it.

(Whereupon, all Commi ssi oners  
present vote "aye.")

PRESI DENT STI GALE: Li ne item D, announce  
the intent to repeal Ordinance No. 834 which  
establ ished residency restri cti ons for  
convicted sex offenders. Commi ssi oner  
Ful gi ni ti .

COMMI SSI ONER FULGI NITI: Thank you,  
Presi dent Stigale. I would like to announce

notice of intent to repeal Ordinance No. 834  
which established residency restrictions for

35

convicted sex offenders.

PRESIDENT STIGALE: At this time I would like to call on our township solicitor to clarify that.

MS. NAUGHTON-BECK: Thank you, President Stigale. In 2006 Aston township adopted an ordinance setting restrictions on where registered sex offenders may reside. It was recognized that Megan's Law requires that persons convicted of certain offenses and a person adjudicated as a sexually violent predator, must register with the Pennsylvania State Police for a period of 10 years, however, it did not contain any restrictions with respect to where persons convicted of the crimes may reside. It was the opinion of the Board that the danger of recidivism by persons convicted of the crimes identified in Megan's Law was of paramount concern to the Township and for this reason, the Board sought to set residency restrictions on where these individuals may live, to provide additional protection for our children and places where children congregate.

36

The township was not alone in this

decision. Many municipalities throughout the state and country enacted similar ordinances. Unfortunately some of those ordinances were too restrictive and came under challenge by the interest groups representing these individuals.

In 2011, Allegheny County's residency restriction ordinance was challenged and the Pennsylvania Supreme Court entered a ruling that prohibits municipalities from setting restrictions for individuals convicted of crimes identified by Megan's Law, arguing that individual Townships could not intervene in the rehabilitation of these individuals.

It is because of the decision of the Pennsylvania Supreme Court that I have recommended to the Board of Commissioners that they repeal the residency restriction ordinance for convicted sex offenders.

PRESIDENT STIGALE: Thank you very much. Moving on, Line item E, consider approving maintenance agreement for the new emergency generator at the Aston Township Community Center. Commissioner Robinson.

♀

COMMISSIONER ROBINSON: I make a motion to approve a one year maintenance agreement for the new emergency generator at the Aston Township Community Center in the amount of \$3,988.00 in the form of a motion.

COMMISSIONER FULGINITI: Second.

PRESIDENT STIGALE: Motion and a second.

3 aston 2112a

Any questions or comments? All in favor?  
Opposed? The "ayes" have it.

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

PRESIDENT STIGALE: Line item F, consider an ordinance to authorize the issuance of non-electoral debt pursuant to the issuance of the general obligation notes, 2012 series, in the aggregate principal amount of \$1,826,000 to approve a certain refunding project, to approve the negotiated sale of the participant notes to the Delaware Valley Regional Finance Authority and to enter into a qualified interest rate management agreement with the Delaware Valley Regional Finance Authority. Commissioner Osborn.

COMMISSIONER OSBORN: I make a motion to

38

adopt an ordinance to authorize the issuance of non-electoral debt pursuant to the issuance of the general obligation notes, 2012 series, in the aggregate principal amount of \$1,826,000 to approve a certain refunding project, to approve the negotiated sale of the participant notes to the Delaware Valley Regional Finance Authority and to enter into a qualified interest rate management agreement with the Delaware Valley Regional Finance Authority.

COMMISSIONER MCGINN: Second.

PRESIDENT STIGALE: Motion and a second.

Any questions or comments?

COMMISSIONER OSBORN: I have a comment.

In English, this simply means we're retiring a current bond issued, re-issuing bonds, taking advantage of the interest rates. Not extending the term. The township benefits from this in a better interest rate and not extended on the terms of the bond. It's a very good deal.

PRESIDENT STIGALE: Any other questions or comments? All in favor? Opposed? The "ayes" have it.

(Whereupon, all Commissioners

present vote "aye.")

PRESIDENT STIGALE: Moving on, escrow releases. Commissioner Higgins.

COMMISSIONER HIGGINS: Aston Township, Delaware County, Pennsylvania Resolution. Whereas, Ordinance 240 and Ordinance 360 provide for escrow funds for completion of improvements, and

Whereas, the township engineer and the New Construction Committee has approved the request for escrow funds released for Nolen Incorporated, Courts at Springbrook.

Now, therefore, be it resolved that Aston Township execute such action as required by the township secretary and the President of the Board of Commissioners to release the sum of \$5,155.00 to Nolen Investment LLC.

Duly adopted this 21st day of March, 2012,  
Page 32

3 Aston 2112a

Township of Aston, James M. Stigale, President,  
Board of Commissioners, attested to by Richard  
D. Lehr, township secretary manager, form of a  
motion.

COMMISSIONER MCGINN: Second.

PRESIDENT STIGALE: Motion and a second.

40

Any questions or comments? All in favor?  
Opposed? The "ayes" have it.

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

COMMISSIONER HIGGINS: Another one, this  
one is for Nolen Investment Land Development  
Lot #1, Baldwin Run and it's to release the sum  
of \$3,197.50 to Nolen Investment LLC in the  
form of a motion.

COMMISSIONER MCGINN: Second.

PRESIDENT STIGALE: Motion and a second.

Any questions or comments? All in favor?  
Opposed? The "ayes" have it.

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

COMMISSIONER HIGGINS: Request for escrow  
funds released for AppleBees BRBCI LLC, in the  
sum of \$1,024.40 to BRBCI, LLC, form of a  
motion.

COMMISSIONER MCGINN: Second.

PRESIDENT STIGALE: Any questions or  
comments? All in favor? Opposed? The "ayes"  
have it.

present vote "aye.")

COMMISSIONER HIGGINS: Release of escrow funds for Robert E. MacCready, Dutton's Mill Road, in the sum of \$3,000.00 to Robert E. MacCready, form of a motion.

COMMISSIONER MCGINN: Second.

PRESIDENT STIGALE: Motion and a second. Any questions or comments? All in favor? Opposed? The "ayes" have it.

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

COMMISSIONER HIGGINS: Release for Wawa Coffee Island/2011-51, in the sum of \$55.00 to Aston Township for engineering fees, and the sum of \$835.00 to Wawa, form of a motion.

COMMISSIONER MCGINN: Second.

PRESIDENT STIGALE: Any questions or comments? All in favor? Opposed? The "ayes" have it.

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

COMMISSIONER HIGGINS: Escrow funds released for 200 Norman Street for a C.O. and released in the sum of \$1,000.00 to Enrico

Giancroce, in the form of a motion.

COMMISSIONER MCGINN: Second.

PRESIDENT STIGALE: Any questions or

3 Aston 2112a

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

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

COMMISSIONER HIGGINS: Escrow funds released for JLQ Incorporated, Dairy Queen 2011-45 in the sum of \$780.00 to Joann and Albert Quercetti, form of a motion.

COMMISSIONER MCGINN: Second.

PRESIDENT STIGALE: Any questions or comments? All in favor? Opposed? The "ayes" have it.

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

COMMISSIONER HIGGINS: Following escrows are for engineering fees to be paid to Aston Township for the month of February. Neumann University, library project, \$3,575.00, Donald Culp, 700 Birney Highway, \$1,169.50, Neumann University, athletic fields, \$730.00, Grassman, \$558.50, Clearwire, 2947 Dutton's Mill road,

\$495.00, Arbor Con, 102 Wellington Road, \$440.00, Giant Gas Pumps, \$400.00, J&V Developer, SpringValley Phase IV, \$385.00, AT&T, 12 Kent Road, \$355.00, AT&T, 5021 Pennell Road, \$355.00, Church of Christ, Bridgewater Road, \$351.75, Dollar Tree, Five Points, \$330.00, St. Francis, Neumann University, \$324.00, Knight Brothers, 22 Mt. Pleasant

♀

43

3 aston 2112a  
Drive, \$110.00 all in the form of a motion.

COMMISSIONER McGINN: Second.

PRESIDENT STIGALE: I have a motion and a second. Any questions or comments? All in favor? Opposed? The "ayes" have it.

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

PRESIDENT STIGALE: Thank you, Commissioner Higgins. I would like to open up the floor to the public for one half hour. Anybody, step forward. You have to step up here.

THE WITNESS: Anna Cashato, 27 Neeld Lane. We can't hear anything at home at all. We have not been able to hear anything at home at all for a really long time. That is why I ran up

♀

44

here. And I came up because I found out last minute that there was going to be a repeal on the Megan's Law Ordinance, which really upsets me. I will look that up and see what's going on.

PRESIDENT STIGALE: Apparently our amplifier just blew out.

THE WITNESS: This has been going on for like a year.

PRESIDENT STIGALE: That's probably why. But this camera we are using has audio and when we replay it, it will have audio.

THE WITNESS: Wonderful. Because we cannot hear anything at all, not even on 60.

You turn the speakers on, nothing.

PRESIDENT STIGALE: Now we have an opportunity to correct it and we will. But there's going to be a replay of the Commissioner's meeting. You'll be able to see it and we'll try to, because of the lack of volume tonight, might try to play it on a more consistent basis. We might make an announcement on that.

THE WITNESS: That would be great. The

45

agenda was not on line. We had no idea what was going to happen and we can't hear anything, so there's a lot of stuff --

PRESIDENT STIGALE: We promised to try to be open and we're working on it. I appreciate you running up here. Anyone else?

THE WITNESS: Steven Sarazin, 730 14th Avenue, Prospect Park. I am the Director of the Aston Library. I have a short monthly report. Story teller Mr. Malcolm will be returning to the library on next Tuesday, March 27th at 6:30 p.m to tell Dr. Seuss stories for the kids. It's primarily for kids ages three to seven, but all ages are welcome. Go to Aston Library dot org to register.

Need Federal or State tax forms for the last minute filing? Most forms are available in the reference area of the library.

Deadline for the coloring contest is this

3 aston 2112a  
Saturday. Get the entries in. You can still pick up the coloring sheet at our service desk.

There will be a Dining to Donate event tomorrow at Chick Fil-A, Granite Run Mall, five to eight p.m. If you let the cashier know

46

you're there to support the Aston Public Library, a portion of your night's proceeds will be donated to the library.

Registration for the April session of our free Chair Yoga class will be opening on the 27th. Go to Aston Library dot org to register.

Last month was our busiest February yet for book check-out. Any questions for me?

PRESIDENT STIGALE: Once again, thank you for coming out, keeping us updated. Anybody else questions or comments? Seeing none, under other, Commissioner Fulginiti.

COMMISSIONER FULGINITI: I have nothing.

PRESIDENT STIGALE: Commissioner Robinson.

COMMISSIONER ROBINSON: Nothing.

PRESIDENT STIGALE: Commissioner Osborn.

COMMISSIONER OSBORN: I have nothing.

PRESIDENT STIGALE: Commissioner Higgins.

COMMISSIONER HIGGINS: Thank you. I have a statement that I would like to read. On February 1st, 2012 the Commissioners were advised that a pawn shop and check cashing business was planning to lease store space in the Broadway Plaza Shopping Center on Pennell

47

Road. Shortly thereafter I verified this with the owner of Broadway Plaza that a lease had been signed. Broadway Plaza is located in the Seventh Ward.

From a zoning standpoint Broadway Plaza is located in the shopping center district. As such, pawn shops and check cashing businesses are a permitted use under Zoning Ordinance Section 1274.02 sub a, general merchandise, and sub e, bank or other financial institutions.

Based on this business being a permitted use, the township's hands are tied and we cannot prohibit the establishment from doing business in the shopping center district. Assuming the build-out plans are Aston Township and ADA compliant and required state license and Pennsylvania Department of Banking approval is provided, a Certificate of Occupancy will be issued and the owner will be permitted to transact business.

To date there's been no formal application with the township nor have any plans been filed for the business. Speaking with the plaza owner this past Monday, be advised that they

are at least a month away from filing plans and receiving the required state approvals. Therefore, I have little information available in the way of business details.

3 aston 2112a

I have been told that the perspective business owner has three or four similar locations in Delaware and Montgomery County municipalities, and has references from the local police departments.

Nevertheless, as a Commissioner and resident I am not happy at all with the prospect of having this type of business in the Seventh Ward or in Aston Township for that matter.

I have already received less than positive feedback from a number of residents and business owners alike. Please know I understand and share your concerns regarding the effect this business may have in the township.

The Board of Commissioners recently formed a new committee, Business and Commercial Communications. This committee is charged with attracting new businesses and helping to

sustain existing businesses with the goal of moving Aston to the next level. We need to work with our property owners and business owners alike, to move Aston forward. With success we are confident that existing businesses will be retained and attract new quality businesses at the same time, helping to eliminate vacant store fronts and properties, sustain the tax base, continue to make Aston Township a suitable place for residents and

others to shop and do business. That's all I have.

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

COMMISSIONER GRAHAM: I would like to first offer my congratulations to Captain McKenna and his family, and thank you for all your years of service, and also congratulations to the Aston AA for all their years. We just have such dedicated people in this community.

And I wanted to mention with the firefighters, Delaware County Fireman's Association, all of the volunteer fire companies in Delaware County. Four of our

volunteers won the top awards, Firefighter of the Year and Jr. Firefighter of the Year and that's commendable to our township and these fire companies.

Steven, congratulations and I just wanted to remind everyone about the township Easter Egg Hunt that I mentioned earlier. And for my second ward residents, we're having our Easter Egg Hunt two p.m. on March 31st, like we usually do, at the Aston Vo-Tech, Delaware County Vo-Technical School. Happy Easter. Thank you.

PRESIDENT STIGALE: Thank you. Commissioner McGinn.

COMMISSIONER MCGINN: I have a couple of

items. I would like to offer the family of Marge Dwyer condolences, she passed away a couple weeks ago. I had many dealings with Marge over the years. I remember growing up she was a crossing guard. As I became a Commissioner she was involved with many civic associations, Aston Senior Citizens. She was always out there hustling, trying to make things right for the community. I just want to

♀

51

send out my condolences to her family.

Also I'd like to offer my condolences to Duke Jurick. Duke and I went to school together, grew up in this territory, very dear friend, and himself and his family have done many many things in this community that a lot of people don't know about. We lost a great individual, great asset to this community. That's all I have.

PRESIDENT STIGALE: Mr. Viscuso.

MR. VISCUSO: Nothing.

PRESIDENT STIGALE: Ms. Naughton-Beck?

MS. NAUGHTON-BECK: I am done.

PRESIDENT STIGALE: Mr. Lehr.

MR. LEHR: Nothing.

PRESIDENT STIGALE: I have a couple of things. It's that time of the year for Aston Business Association's Annual Night Out in Aston, which will benefit the Sun Valley Post Prom 2012, which will be held tomorrow night. We're asking that you please visit Bruster's,

3 aston 2112a

Casa Prego, Cocco's, Dairy Queen, Seasons  
Pizza, Hennessy's, Memories Grill, Pretzel  
Boys, Primos, Zac's, any of these

52

establishments tomorrow night, if you need a  
reason to get out so you don't have to cook  
we'll give you one, anything to help support  
the Aston Business Association, and of course  
the students over at Sun Valley.

And if you don't want to go out to dinner,  
March 25th you can come out to breakfast.  
Aston Lions Club will be holding the annual  
pancake breakfast from 7:30 to 12 noon at the  
Aston Township Community Center. Adults seven  
dollars, senior citizens six, children under 12  
are four dollars and under two are free. And  
they do a lot of great things for our  
community. If you could go out and support  
these two events we would appreciate it.

On behalf of all the Commissioners and Mr.  
Lehr, we're honored that Captain McKenna is in  
our township and grateful that you're proud to  
be here. We're proud to have you here. Once  
again, congratulations. Enjoy your retirement.  
That's all I have. Motion to adjourn.

COMMISSIONER MCGINN: Make a motion to  
adjourn.

COMMISSIONER OSBORN: Second.

53

3 Aston 2112a  
(Whereupon, the hearing is  
concluded at 8:05 p.m.)

♀

54

REPORTER'S CERTIFICATION

I HEREBY CERTIFY that I was present upon the hearing of the above-entitled matter and there reported stenographically the proceedings had and the testimony produced; and I further certify that the foregoing is a true  
Page 44

3 aston 2112a

and correct transcript of my said stenographic notes.

---

Lorraine Evans  
Reporter-Notary Public  
My Commission Expires  
October 25, 2014

Respectfully submitted:

---

Richard D. Lehr,  
Township Secretary/Manager

†