

1 ASTON TOWNSHIP
2 BOARD OF COMMISSIONERS
3 APRIL 18, 2012

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6 Transcript of the ASTON TOWNSHIP BOARD OF
7 COMMISSIONERS MEETING, taken before Lorraine Evans,
8 Court Reporter-Notary Public, at the Township
9 Building, 5021 Pennell Road, Aston, Pennsylvania
10 19014, on Tuesday, April 18, 2012,
11 commencing approximately at 7:00 p.m.

12

13 BOARD MEMBERS

14 JAMES M. STIGALE, PRESIDENT
15 MICHAEL J. HIGGINS, VICE-PRESIDENT
16 MARK T. OSBORN
17 CAROL GRAHAM
18 JAMES W. MCGINN

17

18 JOSEPH J. VISCUSO, ENGINEER
19 RICHARD D. LEHR, TOWNSHIP MANAGER
20 ELIZABETH NAUGHTON-BECK, TOWNSHIP SOLICITOR

20

21

22 LORRAINE EVANS
23 COURT REPORTER-NOTARY PUBLIC
24 28 S. New Middletown Road
25 Media, Pennsylvania 19063

24 (610) 566-0394

7evanslorraine@comcast.net

1 PRESIDENT STIGALE: Good evening everyone.

2 I would like to call this Aston Township Board
3 of Commissioners meeting for Wednesday,
4 April 18, 2012 to order. If we could all rise.

5 (Pledge of Allegiance)

6 PRESIDENT STIGALE: I ask you to please
7 continue to rise for a moment.

8 COMMISSIONER HIGGINS: Please bow your
9 head for a moment for a long-time Aston
10 resident Bob Scampton, lived on Bancroft Drive
11 in the Fourth Ward.

12 (Moment of Silence)

13 PRESIDENT STIGALE: Thank you. All right,
14 moving on, need a motion to review and approve
15 the bills and payroll.

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

18 COMMISSIONER OSBORN: Second.

19 PRESIDENT STIGALE: Motion and a second.

20 Any questions or comments? All in favor?

21 Opposed? The "ayes" have it.

22 (Whereupon, all Commissioner

23 present vote "aye.")

24

PRESIDENT STIGALE: Motion to review and

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1 approve the treasurer's report.

2 COMMISSIONER MCGINN: Motion to approve
3 the treasurer's report.

4 COMMISSIONER OSBORN: Second.

5 PRESIDENT STIGALE: Motion and a second.

6 Any questions or comments? All in favor?

7 Opposed? The "ayes" have it.

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

10 PRESIDENT STIGALE: Need a motion to
11 review and approve the minutes from the regular
12 meeting of March 21st, 2012.

13 COMMISSIONER MCGINN: Make a motion to
14 approve the minutes of the regular meeting of
15 March 21, 2012.

16 COMMISSIONER OSBORN: Second.

17 PRESIDENT STIGALE: Motion and a second.

18 Any questions or comments? All in favor?

19 Opposed? The "ayes" have it.

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

22 PRESIDENT STIGALE: Committee reports.

23 Commissioner Osborn.

24

COMMISSIONER OSBORN: I want to talk

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1 briefly about the Technology Committee. We
2 have a number of improvements. If you're going
3 out on the website, the Zoning Ordinances are
4 now out on the website. They are in PDF form,
5 so that you'll have to scroll through to get
6 what you want.

7 We are working on a method that will make
8 it better. A number of new improvements as far
9 as technology in the township building.

10 Off-site back-up, which was scaring all of us.

11 We had that taken care of. We are on it now
12 but we have proposals for a vendor. We have
13 connect e-mail for back to the garage e-mail,
14 and e-mail down to the Community Center and the
15 siren still works. So there's a number of
16 things going on in the Technology Committee.

17 We've got a great group, Joe DeVuono and Sam
18 Iannucci are helping us out with that. That's
19 all I have.

20 Financial report, April, 2012, 1/1/12 to
21 4/13/12, cash on hand as of 1/1/12,
22 \$1,295,465.34. Receipts, \$3,416,288.71.
23 Expenditures, \$2,613,511.68. Cash on hand as

24 of 4/16/12, \$2,098,242.37. The breakdown of

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1 cash on hand is \$1,665,349.77 and the TD Bank
2 general fund, TD liquid fuel fund, \$432,892.60
3 and the TD Bank T bill, \$1,051,015.24. There's
4 a lot more. I have been reading less than
5 normal, but I want to make it clear, at any
6 time any resident is welcome to see me
7 regarding any budget line item. I have it
8 here. You can come to me after the meeting.
9 You're welcome to see anything that's here. In
10 the interest of time it's about twenty pages.

11 Next item is the National Take-Back
12 Initiative, 28 April, 2012, 10:00 a.m. to 2:00
13 p.m. The National Take-Back Initiative
14 provides an opportunity for the public to
15 surrender expired, unwanted or unused
16 pharmaceutical controlled substances and other
17 medications for destruction.

18 The Delaware County drop-off locations are
19 the Brookhaven Municipal Center, Marcus Hook
20 Community Center, Media Police Department,
21 Nether Providence Police Department, Ridley
22 Park Police Department, Ridley Township Police
23 Department, Springfield Township Building. For

24 more information and updated collection

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1 location information please visit [www dot](http://www.deadiversion.usdoj.gov/backslash/drugdisposal/backslash/takeback)
2 [deadiversion dot usdoj dot gov back slash](http://www.deadiversion.usdoj.gov/backslash/drugdisposal/backslash/takeback)
3 [drugdisposal back slash takeback](http://www.deadiversion.usdoj.gov/backslash/drugdisposal/backslash/takeback). If anyone
4 needs this afterwards, come up and you can get
5 it.

6 Next we have the rabies clinic, May 15,
7 2012, 6:00 p.m. to 7:30 p.m. The cost is ten
8 dollars per shot, Aston residents only, held in
9 the Aston Township Public Works Garage. I
10 believe that's all I have, President Stigale.

11 PRESIDENT STIGALE: Thank you,
12 Commissioner Osborn. Commissioner Higgins,
13 please.

14 COMMISSIONER HIGGINS: Thank you. First
15 the permits and licenses report. The following
16 is the report for permits and licenses issued
17 for the month of March, 2012. Beginning
18 balance, \$71,166.00, total income from building
19 permits and contractor licenses, \$18,762.00,
20 electrical permits and licenses, \$2,479.00,
21 plumbing and heating permits, licenses,
22 \$2,521.00, income from other licenses, Board of
23 Health, \$1,950.00, income from other licenses,

24 rentals, inspections and permits, \$375.00,

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1 Certificates of Occupancy or CO's, \$18,495.00,
2 total revenue collected, \$44,582.00. Total for
3 2012, \$115,748.00. Total collected this time
4 last year, \$93,006.00. That's a plus that we
5 are up.

6 Also I am going to do the recycling report
7 for Public Works for Commissioner Robinson,
8 who's not here tonight. Single stream
9 recycling collected in curbside in March, 2012,
10 58.20 tons of co-mingled recycling including
11 newspaper, newspapers dropped off at the
12 container, 7.99 tons, glass collected by the
13 Delaware County Solid Waste Authority, 2012,
14 aluminum cans, 135 pounds, scrap metal
15 collected month of March point one nine tons,
16 \$38.00, and point twenty-six tons for \$52.00,
17 total \$90.00 for point four five tons. Spring
18 leaf collection, 2.96 tons collected,
19 \$1,148.82.

20 Also there's going to be a recycling day
21 for Anything with a Plug. It will be held
22 Saturday, April 21st, 2012, 9:00 a.m. to 1:00
23 p.m., at the Aston Community Center, Concord

24 Road, and we are proud to offer this to our

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1 residents. It's an opportunity to recycle
2 electronics, and it's free. Accepted items,
3 t.v.'s, computers, laptops, small appliances,
4 microwaves, cameras, cell phones, calculators,
5 typewriters, telephones, fax machines,
6 monitors, keyboards and computer mice, and all
7 data will be destroyed or wiped. Again,
8 recycling day, Anything with a Plug, nine a.m.
9 to one p.m., Saturday, April 21st. Coming up.

10 Also Aston Township double trash pick up
11 will begin the week of April 30 through the
12 month of September. April 30th and will
13 continue throughout September, double trash.

14 I don't see anyone here for the Sewer
15 Authority. No report tonight. Thank you.

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

18 COMMISSIONER GRAHAM: Thank you, President
19 Stigale. The Aston Beechwood Volunteer Fire
20 Company fire report for March, 2012, submitted
21 by Chief John Lloyd, fire calls for March, 24,
22 ambulance calls 114. Green Ridge Volunteer
23 Fire Company, dispatches 50, responses 43,

24 Truck 63, zero. There were total for the year

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1 209 fire calls, average number of responders

2 14.

3 The 2012 fund drive mailing has been
4 mailed out. Please support your local All
5 Volunteer Fire and EMS responders by donating
6 during this tough economical time. Come out on
7 April 26 from 5 to 8 p.m. and join the
8 volunteers of Green Ridge Fire Company and
9 their families at Green Ridge Family fun night
10 at Oasis. Bring the whole family. This event
11 is open to the public. A portion of the
12 admission monies made will be donated to Green
13 Ridge Fire Company.

14 The next Dining to Donate fundraiser for
15 the library will be held on April 25 at
16 Applebee's on Pennell Road. The patron must
17 present a coupon flyer to their waiter/waitress
18 when being served. There are flyers available
19 at the Community Center in the library, at the
20 township building and at Fulginiti Insurance at
21 5-Points.

22 On Saturday, May 5, myself and the Second
23 Ward along with the CRC, Crum, Ridley Creek

24 Association will be hosting our Third Annual

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1 Park and Stream Clean-up. The clean-up will
2 start at Fisher Memorial Park on Mount Road and
3 volunteers will work their way up and down the
4 west branch of Chester Creek. This has been a
5 great success in the past few years with 55
6 volunteers last year and several tons of trash
7 and debris collected.

8 Anyone interested contact myself or let
9 the township know you're interested and we
10 would be sure to sign you up. There will be
11 T-shirts and a picnic held at Ridley Creek Park
12 after the clean up that all volunteers are
13 welcome to attend.

14 I wanted to mention this, and earlier
15 today the Delaware County Office of Behavioral
16 Health awarded the winners of its annual Drug
17 Awareness Poster Contest. This is an annual
18 contest open to all schools in Delaware County,
19 children in grades Kindergarten to 8th grade to
20 submit posters with the positive messages on
21 drug and alcohol awareness.

22 This year there were two winners from
23 Aston Township, Justin Mariani, first grader at

24 Pennell Elementary came in fourth place in the

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1 K to second grade category, Olivia Nickerson,
2 fourth grader, Pennell Elementary came in third
3 place in the grade three to five category.
4 That's all I have.

5 PRESIDENT STIGALE: Thank you.

6 Commissioner McGinn.

7 COMMISSIONER MCGINN: Yes, police report
8 for March, 2012. Incidents handled 859,
9 accident investigations 34, Criminal
10 Investigations, 78, Clearance Rate Part I
11 Crimes 40 percent, Clearance Rate Part II
12 Crimes 73 percent.

13 From the Aston Senior Citizens. The Aston
14 Senior Citizens' monthly meeting is scheduled
15 for April 26, 2012 at the Aston Community
16 Center at 10:45 a.m. The menu is roast beef,
17 gravy, mashed potatoes, peas and onions and
18 tossed salad with French dressing, and rice
19 pudding with whipped cream. Entertainment, Tom
20 Wood, aka Mr. Slim, vocalist and guitarist.
21 Submitted by the Aston Senior Citizens, Gloria
22 Brazunas. That's all I have. Thank you.

23 PRESIDENT STIGALE: Thank you,

24 Commissioner McGinn. At this time I would like

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1 to open the floor to the public for agenda
2 items only for one half hour.

3 THE WITNESS: Carol Cannon, 804A Birney
4 Highway. I have a question about the intent to
5 consider amending the flood plain ordinance.
6 And I know who can speak on that. Can you tell
7 me specifically what this is related to?

8 PRESIDENT STIGALE: He can speak to it.

9 MR. VISCUSO: Carol, it's got to do with
10 making sure we are in compliance with FEMA.
11 They always come up with new regs, and we have
12 to make sure we are in compliance with the
13 federal regulations.

14 THE WITNESS: So we have gotten our latest
15 ones from the state and federal?

16 MR. VISCUSO: That's right.

17 THE WITNESS: Thank you very much.

18 PRESIDENT STIGALE: Any other questions or
19 comments on agenda items? Seeing none, move
20 onto Old Business. Announce intent to consider
21 amending the Aston Township Flood Plain
22 Ordinance, Section 1286 of the Aston Township
23 Codified Zoning Code. Commissioner Osborn.

24

COMMISSIONER OSBORN: I would like to

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1 announce the intent to consider amending the
2 Aston Township Flood Plain Ordinance, Section
3 1286 of the Aston Township Codified Zoning
4 Code.

5 PRESIDENT STIGALE: Thank you. Moving on,
6 consider repealing of Ordinance Number 834
7 which establishes residency restrictions for
8 convicted sex offenders. Commissioner Osborn.

9 COMMISSIONER OSBORN: Thank you, President
10 Stigale. Township of Aston, Delaware County,
11 Pennsylvania. An ordinance of the Township of
12 Aston, Delaware County, Pennsylvania, to repeal
13 Ordinance 834 establishing sex offender
14 residency restrictions and penalties for
15 violations.

16 Whereas, the Board of Commissioners of the
17 Township of Aston, Delaware County,
18 Pennsylvania previously adopted Ordinance 834
19 which set residency restrictions and penalties
20 for violations for persons convicted of crimes
21 identified in Megan's Law II and adjudicated as
22 a sexually violent predator; and

23 Whereas, the Pennsylvania Supreme Court

24 has recently entered a ruling that prohibits

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1 municipalities from setting residency
2 restrictions for individuals convicted of
3 crimes identified by Megan's Law;

4 It is therefore ordained and enacted this
5 18th day of April, 2012, by the Aston Township
6 Board of Commissioners, Delaware County,
7 Pennsylvania, that Ordinance 834 of the Aston
8 Township Codified Ordinances is hereby
9 repealed.

10 Effective date, this ordinance shall be
11 effective immediately.

12 Repealer, any prior ordinance or parts
13 thereof inconsistent with this ordinance are
14 hereby repealed.

15 Severability, the provisions of this
16 ordinance and code sections adopted hereby are
17 severable, and if any clause, sentence or
18 section thereof shall be adjudged invalid or
19 unconstitutional, such decision shall not
20 affect the validity of the remaining
21 provisions. James M. Stigale, President, Board
22 of Commissioners, attested to by Richard D.
23 Lehr, township secretary manager, in the form

24 of a motion.

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1 COMMISSIONER MCGINN: Second.

2 PRESIDENT STIGALE: Motion and a second.

3 Questions or comments? At this time I would

4 like to call on our solicitor, Ms.

5 Naughton-Beck for her comments.

6 MS. NAUGHTON-BECK: As the board will

7 recall, last month you announced notice of

8 intent to repeal this ordinance and tonight

9 you're taking that action. This goes back to

10 2006 when you adopted Ordinance 834 setting

11 residency restrictions for individuals

12 convicted under Megan's Law and who fit certain

13 criteria. The Township set residency

14 restrictions, as did many other municipalities

15 in the area.

16 Unfortunately, Aston Township Ordinance

17 has been challenged as have others, most

18 recently 2011 Allegheny County Sex Offenders

19 was challenged to the Supreme Court. Supreme

20 Court responded by saying that individual

21 municipalities are prohibited from setting

22 residency restrictions for individuals

23 convicted under Megan's Law.

24

For that reason, we are incapable of

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1 enforcing the ordinance in Aston Township. For
2 that reason it's being repealed.

3 PRESIDENT STIGALE: Thank you very much
4 for that comment. Any other comments? All in
5 favor? Opposed? The "ayes" have it.

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

8 PRESIDENT STIGALE: Moving on, consider a
9 resolution amending the fee schedules for Aston
10 Township, 2012. Commissioner Graham.

11 COMMISSIONER GRAHAM: Thank you, President
12 Stigale. Aston Township, Delaware County,
13 Pennsylvania Resolution Number 2012. Whereas,
14 the Board of Commissioners, Aston Township,
15 Delaware County, Pennsylvania desires to amend
16 the fee schedules established in Chapters
17 866,1252,1254,1290,1610 of the Aston Township
18 Codified Ordinances, which chapters govern the
19 issuance of certain permits, administration
20 fees, application fees and escrow fees, zoning
21 applications, conditional use hearing fees,
22 Board of Health fees, fire inspection fees, all
23 license fees and contractors license; and

24

Whereas, the Board of Commissioners,

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1 Township of Aston, Delaware County,
2 Pennsylvania, has previously decided that these
3 fees may be amended at the discretion of the
4 Board of Commissioners by way of Resolution;
5 and

6 Whereas, the Board of Commissioners,
7 Township of Aston, Delaware County,
8 Pennsylvania believes that amending the said
9 schedules to more accurately reflect the costs
10 incurred by the township for the administration
11 of these matters is in the best interest of the
12 health, safety and welfare of the residents of
13 Aston Township; and

14 Whereas, the Board of Commissioners,
15 Township of Aston, Delaware County,
16 Pennsylvania hereby resolves that the fee
17 schedules attached hereto and incorporated
18 herein by reference as though the same were
19 more fully set forth herein at length, are
20 hereby adopted by Resolution and incorporated
21 into any subsequent Resolutions, as part hereof
22 effective May 1, 2012.

23 Resolved this 18th day of April, 2012,

24 Board of Commissioners, Township of Aston,

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1 James M. Stigale, President, Board of
2 Commissioners, attested to by Richard D. Lehr,
3 township secretary manager, in the form of a
4 motion.

5 COMMISSIONER MCGINN: Second.

6 PRESIDENT STIGALE: Motion and second.

7 Any questions or comments? All in favor?

8 Opposed? The "ayes" have it.

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

11 PRESIDENT STIGALE: Moving on, consider
12 extension request by Mulch Works, Albert
13 Quercetti, final land development, 22 Mount
14 Pleasant Drive. Commissioner Higgins.

15 COMMISSIONER HIGGINS: I make a motion to
16 approve the attached extension requested by
17 Mulch Works, Albert Quercetti, for final land
18 development, 22 Mount Pleasant Drive, through
19 June 21, 2012, in the form of a motion.

20 COMMISSIONER MCGINN: Second.

21 PRESIDENT STIGALE: Motion and a second.

22 Any questions or comments? All in favor?

23 Opposed? The "ayes" have it.

24

(Whereupon, all Commissioners

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1 present vote "aye.")

2 PRESIDENT STIGALE: Moving on to new
3 business, consider approving the attached
4 proposal from CM3 Building Solutions, Inc. for
5 library rooftop HVAC unit compressor
6 replacement, not to exceed the amount of
7 \$12,000. Commissioner Higgins.

8 COMMISSIONER HIGGINS: Thank you. I make
9 a motion to approve the attached proposal from
10 CM3 Building Solutions, Inc. for the library
11 rooftop HVAC unit compressor replacement not to
12 exceed the amount of \$12,000.00, in the form of
13 a motion.

14 COMMISSIONER MCGINN: Second.

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

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

20 PRESIDENT STIGALE: Moving on, consider
21 approving purchasing a 2012 F650 Ford dump
22 truck with dump body, salt spreader and snow
23 plow from Bayshore Ford through the

24 Pennsylvania Co-Stars program. Commissioner

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1 Osborn, please.

2 COMMISSIONER OSBORN: Thank you, President
3 Stigale. I make a motion to approve the
4 purchase of a 2012 Ford F650 with dump body,
5 salt spreader and snow plow from Bayshore Ford
6 through the Pennsylvania Co-Stars Program for
7 the total purchase price of \$90,552.96, form of
8 a motion.

9 COMMISSIONER MCGINN: Second.

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

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

15 PRESIDENT STIGALE: Moving on, consider
16 appointing full-time administrative assistant
17 to the township secretary manager.
18 Commissioner Osborn.

19 COMMISSIONER OSBORN: Thank you. I make a
20 motion to appoint George Needles, III to the
21 position of full-time administrative assistant
22 to the township secretary manager effective
23 Monday, May 14, 2012, form of a motion.

24

COMMISSIONER MCGINN: Second.

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1 PRESIDENT STIGALE: Motion and a second.

2 Any questions or comments? All in favor?

3 Opposed? The "ayes" have it.

4 (Whereupon, all Commissioners

5 present vote "aye.")

6 COMMISSIONER OSBORN: Just a quick comment

7 on this, George has been working part-time in

8 this position since November 7, 2011 while

9 attending Neumann University. He will graduate

10 on May 12, 2012. George has been doing a great

11 job. The intent has always been to bring him

12 along. This is just moving along according to

13 plan.

14 PRESIDENT STIGALE: Thank you,

15 Commissioner Osborn. Moving on, announce the

16 intent to amend Chapter 1234.10(A)(2)

17 miscellaneous provisions, sidewalks and curbs,

18 to require the installation of sidewalks and

19 curbs under certain circumstances.

20 Commissioner Osborn.

21 COMMISSIONER OSBORN: I would like to

22 announce the intent to amend Chapter

23 1234.10(A)(2) miscellaneous provisions,

24 sidewalks and curbs, to require the

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1 installation of sidewalks and curbs under
2 certain circumstances. It's just an
3 announcement.

4 PRESIDENT STIGALE: Thank you. Moving on,
5 Line Item E, consider approving authorization
6 to sign agreement for back up for the township
7 computers, not to exceed \$900.00 annually.
8 Commissioner Osborn, please.

9 COMMISSIONER OSBORN: I make a motion to
10 authorize the President, Board of Commissioners
11 and the township secretary manager to sign an
12 agreement with the company selected by the
13 Technology Committee.

14 COMMISSIONER MCGINN: Second.

15 PRESIDENT STIGALE: Motion and a second.

16 Any questions or comments?

17 COMMISSIONER OSBORN: I have a comment. I
18 had said something about this earlier, the back
19 up, this is a high end price, likely to be much
20 cheaper. This is backing up all the township's
21 information from escrows to salaries to you
22 name it, anything on the computer is backed up
23 off-site, so God forbid we have a fire or

24 something happens, everything crashes, we will

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1 not lose our data. It is necessary. It will
2 likely be much cheaper than that. I wanted to
3 explain that again. Thank you.

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

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

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

11 COMMISSIONER HIGGINS: Thank you. Aston
12 Township, Delaware County, Pennsylvania
13 resolution 2012. Whereas, Ordinance 240 and
14 Ordinance 360 provide for escrow funds for
15 completion of improvements, and

16 Whereas, the township engineer and the New
17 Construction Committee has approved the request
18 for escrow funds released for Student Housing,
19 Concord and Convent Roads.

20 Now, therefore be it resolved that Aston
21 Township execute such action as required by the
22 township secretary and the President of the
23 Board of Commissioners to release the sum of

24 \$5,308.30 to the West Cork Company, LLC.

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1 Duly adopted this 18th day of April, 2012,
2 Township of Aston, James M. Stigale, President,
3 Board of Commissioners and attested to by
4 Richard D. Lehr, township secretary manager, in
5 the form of a motion.

6 COMMISSIONER MCGINN: Second.

7 PRESIDENT STIGALE: Motion and a second.

8 Any questions or comments? All in favor?

9 Opposed? The "ayes" have it.

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

12 COMMISSIONER HIGGINS: We have another,
13 same thing. It's for 805 Crystal Road,
14 sidewalk repairs, in the amount of \$3,995.85 to
15 Brookside, form of a motion.

16 COMMISSIONER OSBORN: Second.

17 PRESIDENT STIGALE: Motion and a second.

18 Any questions or comments? All in favor?

19 Opposed? The "ayes" have it.

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

22 COMMISSIONER HIGGINS: Another escrow
23 release for Sunoco Project, Old Pennell Road,

24 2011-42, \$901.00 to GES Environmental Services,

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1 Inc. in the form of a motion.

2 COMMISSIONER OSBORN: Second.

3 PRESIDENT STIGALE: Motion and a second.

4 Any questions or comments? All in favor?

5 Opposed? The "ayes" have it.

6 (Whereupon, all Commissioners

7 present vote "aye.")

8 COMMISSIONER HIGGINS: The following

9 escrows are for engineering fees to be paid to

10 Aston Township for the month of March. There's

11 a number of them here, Neumann University,

12 library project, \$3,895.50, cell tower, 4500

13 Concord Road, \$1,842.50, cell tower, 5611

14 Pennell Road, \$1,667.50, Conoco tank farm,

15 Cherry Tree Road, \$1,325.00, cell tower, 5021

16 Pennell Road, \$800.00, Second Thoughts, 4908

17 Pennell Road, \$512.00, Nature Calls, 41

18 Blackthorne Lane, \$495.00, Giant gas pumps,

19 \$409.00, J&V Developers, Spring Valley IV,

20 \$385.00, Grassman, Pennell Road, \$165.00, Wawa

21 diesel, \$165.00, Neumann University athletic

22 fields, \$135.00, Knight Brothers, \$94.50, Aston

23 Land Corporation, \$27.50 all in the form of a

24 motion.

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1 COMMISSIONER OSBORN: Second.

2 PRESIDENT STIGALE: Motion and a second.

3 Any questions or comments? All in favor?

4 Opposed? The "ayes" have it.

5 (Whereupon, all Commissioners

6 present vote "aye.")

7 COMMISSIONER HIGGINS: That's all. Thank

8 you.

9 PRESIDENT STIGALE: At this time I would

10 like to open up the floor to the public for one

11 half hour. Please, any questions, step to the

12 podium.

13 THE WITNESS: Vic Kushto, 900 Ford Avenue,

14 Aston. Can I get an idea of where we are at

15 with this leaf program that was stopped and

16 what we are going to do and where we are headed

17 and why?

18 PRESIDENT STIGALE: Yes, we have been

19 working at our workshop going over the leaf

20 program, analyzing the financial data. We have

21 come up with a solution, or an agreement that

22 the Board has agreed to, but unfortunately

23 Commissioner Robinson is not here tonite. He

24 was to present an official statement which will

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1 be done next month, but I can tell you now, as
2 a Board of Commissioners, we are going with the
3 bagging system again.

4 THE WITNESS: Back to the bag?

5 PRESIDENT STIGALE: Same as last year, due
6 to the financial savings that the township is
7 going to incur. There will be a formal
8 statement next month.

9 THE WITNESS: Very good. I want to take a
10 moment to thank the township for acquiring the
11 mulch. I have already used some of it myself.
12 I appreciate it. Makes it better than trying
13 to go all the way to the other side of the
14 county to get it. I appreciate it.

15 PRESIDENT STIGALE: No problem. Thank you
16 very much. Any other comments?

17 THE WITNESS: Karen Elliott, 102 Pancoast.
18 I am trying to find out what the status is of
19 the drainage issue that's going on between 102
20 Pancoast and 106 Pancoast. I've had a gaping
21 hole in my yard for two weeks now and I can't
22 seem to get any kind of answer on what's going
23 on.

24

COMMISSIONER HIGGINS: I'll address that.

LORRAINE EVANS

1 I want you to know that I am not ignoring your
2 calls.

3 THE WITNESS: All six of them?

4 COMMISSIONER HIGGINS: I told you last
5 time we spoke that as soon as I had some
6 information I would convey it to you. I have
7 had no information until today. I have a
8 letter from the engineer, I will give it to you
9 after the meeting. I had no idea you were
10 going to come to the meeting.

11 There's a number of problems over there
12 which I understand, and I think this is only
13 going to answer some of your questions.

14 There's several issues over there. There's the
15 storm sewer line on both properties, neither of
16 which are shown on any of the township maps,
17 and both of those lines are responsibility of
18 the resident. They're on your property. They
19 were never filed anywhere to be for the
20 township to have an easement. So the lines are
21 the responsibility of the folks at 106 and
22 where you are, 102.

23 The other issue is the damage to your

24 storm line, and the line runs under the, l

LORRAINE EVANS

1 think you said Cherry Tree, and the roots are
2 into the lines, they're terra cotta pipes.
3 They have been there 50 years in the ground.
4 The roots are, if I understand it properly, are
5 --

6 THE WITNESS: Again, there's some
7 discrepancy there. 106 Pancoast had a stump
8 grinder in there. Now we have damage to the
9 pipes. Whether it was the trees or the
10 grinder, why I am standing here asking these
11 questions, because I don't know what's going
12 on. What I do know, I have a huge hole and I
13 need it addressed one way or another.

14 COMMISSIONER HIGGINS: I am going to give
15 you this after the meeting. That will cover
16 the one piece of it. Any other questions that
17 there's going to be to get an answer from the
18 engineer on this or from the township, I will
19 need them to be in writing. You can e-mail me
20 and I will pass them on directly when I get
21 them.

22 If your neighbor has a stump grinder in
23 there and was doing work on his property I

24 don't think that's the township responsibility.

LORRAINE EVANS

1 THE WITNESS: Again, I need to have my
2 property surveyed. I am under the belief he
3 came onto my property, which is where the pipes
4 are, and a portion of the sump -- I have a few
5 items going on here. I am trying to figure out
6 who is responsible for what. I'm anxious. I
7 can't get anything done until I know which
8 direction to go.

9 COMMISSIONER HIGGINS: The county plans,
10 the pipe starts on the back of your property.
11 It was probably put in there before your
12 in-laws moved into that house, second owner in
13 there, I am not sure. He started in the back
14 of the property and come up on your side of the
15 line, if I understand correctly, and down near
16 the sidewalk they go over onto his property.

17 THE WITNESS: Maybe closer to the
18 sidewalk, yeah. The sidewalk is his property.

19 COMMISSIONER HIGGINS: And finally, if I
20 remember the plan, I don't have it here, they
21 hook in with the Inlet that's out on the
22 cartway on Pancoast.

23 THE WITNESS: Correct. Now, that Inlet,

24 is that a township Inlet?

LORRAINE EVANS

1 MR. VISCUSO: The one in Pancoast is a
2 township Inlet.

3 THE WITNESS: The one that the pipes drain
4 into are township?

5 MR. VISCUSO: Yes.

6 THE WITNESS: The residents are
7 responsible for the pipes that lead into that?

8 MR. VISCUSO: That's right. The biggest
9 concern, as Commissioner Higgins indicated, we
10 wanted to make sure we pulled the deeds for
11 both properties, which we did. When the
12 township had a storm sewer through properties
13 it is so indicated on deeds and a lot of
14 township residents do. There's nothing on
15 either deed that indicates any township
16 maintenance responsibility there for a pipe
17 that goes through the property. We wanted to
18 make sure of that before we gave Commissioner
19 Higgins an answer.

20 THE WITNESS: Clearly I have several
21 issues going on. I am trying to find out what
22 I need to do to get them corrected.

23 Secondary to this, it's my understanding

24 that 102 has four drains that they actually own

LORRAINE EVANS

1 and are required to maintain and keep
2 functioning. That was the last conversation
3 you and I had. I wanted to clarify that.

4 COMMISSIONER HIGGINS: 106, the drains go
5 around the building kind of like a U and those
6 drains, not only does his house go into the
7 drain, his down spouts --

8 THE WITNESS: 104 Pancoast and then the
9 house next to that.

10 COMMISSIONER HIGGINS: 104 Pancoast is a
11 way down the block. On the corner is Christy
12 Palumbo. Her lines, her lines go into the
13 storm sewer. I think the next neighbor up,
14 Curlett --

15 MR. VISCUSO: On Roberts.

16 COMMISSIONER HIGGINS: Both Palumbo's and
17 their line go into that, as does his, at least
18 three, and I don't know about the others. They
19 do tap into his line. His line was part of his
20 property agreement when it was developed and
21 the township has no easement there. He already
22 knows that he's responsible for those lines and
23 he has got to -- he was told what he had to do

24 to correct them.

LORRAINE EVANS

1 THE WITNESS: Was there any kind of letter
2 sent? I did speak to the neighbor since you
3 have been there. He has a completely different
4 understanding than I do of what he needs to do.

5 COMMISSIONER HIGGINS: Mr. Lehr, I
6 believe, was there on site and spoke to him.
7 He can tell you what he was told in some
8 summary fashion. If he's pleading ignorance it
9 surprises me.

10 THE WITNESS: It's also my understanding
11 he was told, per our conversation, he had to
12 regrade his entire property.

13 COMMISSIONER HIGGINS: I don't know about
14 the property. Some regrading is required, I
15 know that.

16 THE WITNESS: I definitely need to get
17 clarification. Clearly I have a serious water
18 issue due to this house being built, which is a
19 conversation from 15 years ago.

20 The next question I have is the fireworks.
21 I know it's early. You guys are only going to
22 meet two more times before this happens. I
23 wanted to say the conversation we had two weeks

24 ago, what is going to be done to protect the

LORRAINE EVANS

1 other residents a little bit further down on
2 Pancoast and Patterson? Everyone who comes to
3 come enjoy the fireworks seems to think that
4 last block is a good place to dump the trash,
5 use the facilities that don't exist there and
6 park in our driveways so the residents in that
7 direct area cannot enjoy the fireworks. We
8 wind up policing our properties the entire
9 time.

10 COMMISSIONER HIGGINS: As I told you in
11 our conversation, I do speak with the Chief a
12 couple of times a week. I assure you that in
13 time for the fireworks he will know that what
14 took place on your property last year down
15 there, I don't want to get into the facts,
16 people will not be urinating on your property,
17 but we can only put so many police out there
18 for this affair.

19 The number of police that are out there
20 are higher than normally out on a regular
21 shift. There are other shifts, so the
22 situation will be explained and they will do
23 the due diligence to make sure they check the

24 areas. But I can't put someone down there to

LORRAINE EVANS

1 stand at your property all night and watch your
2 few houses there. They are covering a very
3 large area.

4 THE WITNESS: I understand what you're
5 saying, however, in years past they're right at
6 the entrance to Sun Valley. That's where they
7 stay until the kids come back and start
8 destroying property and we have to call. It
9 would be nice to extend that and make sure.

10 PRESIDENT STIGALE: We'll get that item on
11 the Police Committee for discussion prior to
12 the fireworks.

13 I have a question, since this whole
14 drainage issue we have answers to some
15 questions. What is the next step?

16 MR. VISCUSO: Well --

17 MR. LEHR: Township doesn't have
18 responsibility.

19 PRESIDENT STIGALE: I know but what would
20 a recommendation for her be?

21 MR. VISCUSO: Try to work with her
22 neighbor to try to correct the situation.

23 PRESIDENT STIGALE: Survey the next step?

24

THE WITNESS: I do need to get it surveyed

LORRAINE EVANS

1 to take this to the next level. I know it's
2 very simple for people to sit up here and say
3 it's the residents' responsibility. But I
4 really think if someone would take the time and
5 stand there and look and clearly see that the
6 water all the way up winds up coming down to my
7 area, and now it's such a rut and that's what
8 took my cherry tree out in the first place.
9 You can clearly see on the neighbor's side it's
10 completely worn away. Everybody's water comes
11 down there.

12 They have their sump pump pumping into
13 that area, so yes, I own the property.
14 However, had that house never been put there,
15 again, conversation from 15 years ago, we
16 fought it. Mr. McGinn, I don't know if you
17 remember or not, we fought it tooth and nail
18 explaining that this was going to happen. We
19 were going to have a water issuing. It's been
20 nothing but a headache. I feel, I have to be
21 honest, I feel every time I come to the
22 township I get turned away.

23 PRESIDENT STIGALE: That's what I am

24 trying to address now.

LORRAINE EVANS

1 THE WITNESS: I am going up the flag pole
2 now because I don't think it's fair. It's all
3 falling on me. I am a corner house and at the
4 end I have the township drainage and
5 everybody's water comes my way, and it's --

6 PRESIDENT STIGALE: That's what I am
7 trying to ask the questions now. We have the
8 answers to some of the questions. Do you have
9 a copy of the deed with your dimensions?

10 THE WITNESS: No. I have the old
11 fashioned deed.

12 PRESIDENT STIGALE: We can give you that.
13 A survey would be the next step.

14 MR. VISCUSO: She should clearly know
15 where the property corners are so she knows
16 what are her damages and the neighbor's
17 damages. The plan was done in '97, as you
18 indicated, that whole terra cotta pipe is
19 indicated on this plan. It says even back
20 then, there's off-site drainage conveyed
21 through the Elliott property via terra-cotta
22 plastic pipes. Obviously something's been
23 going on for a long time before this house was

24 built.

LORRAINE EVANS

1 PRESIDENT STIGALE: Let's take that next
2 step. Like I said, we'll give you copies of
3 the deeds so you'll get the outline of what
4 your property is, which would help hopefully
5 not pay so much for someone to come out and
6 survey your land.

7 THE WITNESS: I have to have it surveyed
8 because Rick's Trees won't even touch it until
9 I can prove that it was on my property.

10 PRESIDENT STIGALE: You asked what to do
11 next. That might be your next step and we are
12 here to help. We are trying. We have the
13 answers to some of the questions you gave us.
14 We gave you a little direction here, one step
15 at a time and we'll get to a solution hopefully
16 for you.

17 THE WITNESS: I am trying to do it before
18 it rains a lot. Thank you.

19 MR. SARAZIN: I will try to keep it short.
20 Stephen Sarazin, 730 14th Avenue, Prospect
21 Park. I'm the director of the Aston Public
22 Library and I am here to give my very brief
23 library report.

24

Storyteller Mr. Malcolm is returning to

LORRAINE EVANS

1 the library next Wednesday, April 25, at
2 6:30 p.m. to tell Beatrix Potter stories for
3 the kids. It's primarily for ages three to
4 seven but all ages are welcome. Go to Aston
5 Library dot org to register.

6 We also have a book cover design re-design
7 contest running through May 19. All ages can
8 enter. Answer the question when you read a
9 book what do you see, by drawing, photographing
10 or creating a new cover of your favorite book
11 or of a book you'll one day write. Pick up
12 your entry forms with complete rules at the
13 library desk.

14 The Science in the Summer program for kids
15 entering grades two to six will be returning
16 this year from July 16 to 19. Parents can
17 apply at the library for spots from May 1st to
18 May 31st.

19 There are still spaces available for the
20 six week chair yoga class. It's free. Chair
21 yoga class on Wednesday starting May the
22 second. Go to Aston Library dot org to
23 register for that.

24

Last month was our busiest March yet for

LORRAINE EVANS

1 book check out. Any questions of me?

2 PRESIDENT STIGALE: We'll get that air

3 conditioning working real quick.

4 THE WITNESS: Thank you. We appreciate

5 it.

6 THE WITNESS: Carol Cannon, 804A Birney

7 Highway. We just talked about township maps

8 and water and the flood plain. And there's

9 some construction going on behind my house and

10 it's in the flood plain. And my neighbor next

11 door to me, her property stands to be damaged

12 from what's going on. I want to know if the

13 township will assume that responsibility or is

14 that going to be her responsibility? I hear

15 this lady has to take care of her own.

16 PRESIDENT STIGALE: Construction as in a

17 building being built?

18 THE WITNESS: The ground has been totally

19 disturbed, trees removed, brushings have been

20 removed, things flattened out. I don't know

21 what's happening.

22 The other thing is the township maps,

23 because I heard that mentioned by Mr. Higgins.

24 My husband came up to see about putting the

LORRAINE EVANS

1 fence that my one neighbor across to me, there
2 is a right-of-way that on the township map says
3 it's a road, a paper street, but on my document
4 it says I own to half of that and my neighbor
5 next door owns the half, and I asked about
6 having it deeded back to me. I haven't gotten
7 a response about that yet. So I would like to
8 know what is it? We are all neighbors and I
9 want to get along with all my neighbors and I
10 don't want to see anyone harmed, I want to see
11 people enjoy their homes and see their rights
12 protected, their property protected.

13 PRESIDENT STIGALE: I understand that.
14 From what I was told about the situation, it's
15 not construction. It's actually clean-up of
16 dead debris that was there and there's going to
17 be some additional planting, and it was cleared
18 through the proper channels as far as
19 environmental, that that would be done and it
20 has been. As far as the easements, I think
21 that's a personal issue between the two
22 neighbors. That really is not our
23 responsibility.

24

THE WITNESS: The two neighbors concerned

LORRAINE EVANS

1 are just me and my next door neighbor. There's
2 access to that ground directly from the person
3 who owns it now. There's no reason to have a
4 right-of-way.

5 COMMISSIONER MCGINN: We haven't abandoned
6 that right-of-way.

7 MR. LEHR: It's not a township
8 right-of-way. It's a private matter.

9 PRESIDENT STIGALE: No access to that
10 matter.

11 THE WITNESS: It's not land locked. It is
12 connected to the person who owns it, the
13 properties connect.

14 PRESIDENT STIGALE: From what I was told
15 it would landlock the property behind. What we
16 have, apparently a little dispute between
17 neighbors down there that publicly is not the
18 way to try to resolve at this meeting. If you
19 would provide me with your questions, give me
20 time to research it, I will call for a meeting
21 with the proper authorities. We can get some
22 answers to you.

23 Again, from your comments now, what has

24 been done has been approved and again we'll try

LORRAINE EVANS

1 to solve this, not in the public.

2 THE WITNESS: It looks great. I have to
3 tell you, when I look out, it looks wonderful.
4 It really does, but I don't want it to harm
5 anybody.

6 PRESIDENT STIGALE: Environmentally it's
7 not. That's what we were told. There's a lot
8 of people were asked if that work can be done.
9 They approved it. It was done. Like I said,
10 this issue with the land locking or the
11 easement or something like that, let's do that
12 non-publicly. I will be more than happy to sit
13 with you and the parties involved and try to
14 come up with a solution. Honestly, I am not
15 fully aware of the situation and to debate it
16 now, we'll go on all night.

17 THE WITNESS: I understand.

18 PRESIDENT STIGALE: Send me your
19 questions, I will have it researched and we'll
20 set up a meeting.

21 THE WITNESS: Thank you.

22 PRESIDENT STIGALE: Anyone else? Seeing
23 none, moving on to other business.

24 Commissioner Osborn.

LORRAINE EVANS

1 COMMISSIONER OSBORN: I have nothing.

2 PRESIDENT STIGALE: Commissioner Higgins.

3 COMMISSIONER HIGGINS: Comments regarding

4 stop sign violations and speeding violations in

5 the township. I am increasingly concerned

6 about the number of motor vehicle operators

7 that consistently drive too fast for conditions

8 that violate the stop sign law in our

9 residential areas both in the Seventh Ward and

10 the township in general.

11 I'm especially concerned now that the

12 school year is coming to an end and children

13 out playing during daylight hours. The

14 violators are all ages, teenagers, young adults

15 on through seniors. There's absolutely no

16 reason for any resident or non-resident driver

17 to be traveling too fast for conditions,

18 especially where the street is lined with

19 vehicles where children maybe all of a sudden

20 come out from between vehicles and drivers not

21 be able to stop on time. The speed limit is

22 posted in residential areas and needs to be

23 respected.

24 In regard to stop signs, PA Motor Vehicle

LORRAINE EVANS

1 Code calls for a motor vehicle operator to come
2 to a complete stop at a stop sign before
3 proceeding through the intersection. The
4 following are not considered to be a complete
5 stop, tapping the breaks and proceeding through
6 the intersection without stopping, slowing down
7 and doing the old California roll through the
8 intersection, not slowing down but instead
9 disregarding the stop signs altogether.

10 I have received a number of complaints
11 about stop sign violations in the Seventh Ward
12 and speeding in residential areas and have
13 witnessed it myself. Last week as I was
14 leaving for work I witnessed a driver run the
15 stop sign at Donnelly and Raydon Drive and
16 proceed to do the same thing at the
17 intersection of Donnelly and Concord Road,
18 state highway, crossing traffic without even
19 slowing down at either sign. What's the rush?
20 This is no way a reflection on the Aston
21 Police. They cannot be everywhere at all
22 times.

23 However, I totally support the efforts of

24 our officers to enforce the Motor Vehicle Code

LORRAINE EVANS

1 when it comes to motor vehicle operators who
2 disregard stop signs and drive too fast for
3 conditions. Slow down and stop. The safety of
4 our residents is first and foremost. Period.

5 Thank you.

6 PRESIDENT STIGALE: Anything else?

7 COMMISSIONER HIGGINS: That's all I have.

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

10 COMMISSIONER GRAHAM: I have a couple of
11 things. First I would like to thank everybody
12 who helped make our first Bunny Brunch and
13 Easter Egg Hunt such a success. Members of our
14 Parks and Recreation Committee, especially
15 Nancy Bowden, who first initiated the idea of
16 the brunch, Gina Ruggieri, Donna Herring,
17 Lorraine Dillon who handled decorations, Maggie
18 Berry, Cindy Lachinski, who designed and
19 assembled the beautiful background drop for the
20 Easter Bunny, Jackie Willoughby for all the
21 graphics and Kit Spayd who collected and
22 coordinated all the registrations in
23 alphabetical order for our breakfast, and also

24 actually ran the actual Easter Egg Hunt, and to

LORRAINE EVANS

1 our numerous volunteers.

2 Just to mention some, Donna and John
3 Vorboso, Jean Spring, Jack Sperry, Jim Graham,
4 John Carline, Laura Lachinski, George Needles
5 and Evelyn Spade. And of course our very
6 special volunteer Annie Favinger.

7 The committee was very fortunate in
8 receiving many donations from many generous
9 businesses and residents, Rick and Terry from
10 Rick's Sheds, Commissioner Jim McGinn, the ABA,
11 Viso's Bakery, Pretzel Boys, Dairy Queen, and
12 to our Aston Beechwood and Green Ridge Fire
13 Companies, who always come out to help.

14 Also our Second Ward was quite a success,
15 our Easter Egg Hunt and I would like to mention
16 Pretzel Boys, Gino's, Memories Grill, Kit
17 Spayd, Jackie and Bob Willoughby, of course
18 Annie Favinger, Lawrence Fisher and our Aston
19 Beechwood Fire Company.

20 And last but not least, I would like to
21 thank you, Stephen, very much for coming every
22 month and keeping us updated on our library
23 because, as I said before, I think it does

24 mirror our community, and thanks Cindy, for

LORRAINE EVANS

1 coming too. I appreciate it. Thank you.

2 PRESIDENT STIGALE: Thank you,

3 Commissioner Graham. Commissioner McGinn.

4 COMMISSIONER MCGINN: Yes, first I would

5 like to say to the young lady, I have been on

6 this board for 33 years. I remember the plan.

7 You know how many plans I have been through?

8 I would like to take this time to wish

9 some of my family members, it's a busy month

10 for me, birthdays, my son Matthew, today's his

11 birthday, my stepson Tommy, his birthday's the

12 26th, sister Joan, her birthday is the 25th,

13 last of all, my mother would be 95 the 23rd of

14 this month. Thank you. Happy birthday gang.

15 Thank you.

16 PRESIDENT STIGALE: Thank you,

17 Commissioner McGinn. Mr. Viscuso.

18 MR. VISCUSO: I have nothing.

19 PRESIDENT STIGALE: Ms. Naughton-Beck.

20 MS. NAUGHTON-BECK: I have nothing.

21 PRESIDENT STIGALE: Mr. Lehr.

22 MR. LEHR: Nothing.

23 PRESIDENT STIGALE: Not seeing any other,

24 motion to adjourn.

LORRAINE EVANS

1 COMMISSIONER MCGINN: So move.

2 COMMISSIONER OSBORN: Second.

3 (Whereupon, the hearing is

4 concluded at 7:55 p.m.)

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LORRAINE EVANS

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

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

10

11

12 Respectfully submitted:

13

14

15

Richard D. Lehr,
Township Secretary/Manager

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LORRAINE EVANS

