





2 We encourage you to go to our website and  
3 sign up for our Township Times News. The  
4 reason we ask you to do that, we are not going  
5 to sell the data base out to solicitors. That  
6 is one of the quickest ways we can get  
7 information out to the residents about  
8 situations like this.

9 Also our township website and t.v.  
10 stations was putting out as much information as  
11 possible. When the power goes out you can't  
12 see what's going on. So the best thing to do  
13 is sign up for the Township Times News on our  
14 website. We'll send you an e-mail. You can  
15 print that information, have it on hand in case  
16 your lights go out in the case of an emergency.  
17 Take an opportunity to do that. I would  
18 appreciate it.

19 Also, we're sorry Commissioner Graham is  
20 not feeling well. We wish her the best and  
21 hope for a speedy recovery.

22 Committee reports. Need a motion to  
23 review and approve the bills and payroll.

24 COMMISSIONER MCGINN: So move.

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1 COMMISSIONER FULGINITI: Second.

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

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

7 PRESIDENT STIGALE: I need a motion to  
8 review and approve the treasurer's report.

9 COMMISSIONER MCGINN: So move.

10 COMMISSIONER OSBORN: Second.

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

14 (Whereupon, all Commissioners

11AstonTwpBdofComm2112  
present vote "aye.")

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PRESIDENT STIGALE: Need a motion to review and approve the minutes of the regular meeting of October 17, 2012.

COMMISSIONER MCGINN: Make a motion to approve the minutes of October 17, 2012.

COMMISSIONER FULGINITI: Second.

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

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

PRESIDENT STIGALE: Now we're moving onto Committee Reports. Commissioner Robinson, please.

COMMISSIONER ROBINSON: Thank you, Commissioner Stigale. The Aston Township recycling report for the month of October, 2012. Seven point one tons of newspapers dropped off at the container. Aluminum cans, 97 pounds collected by the Aston Lions Club for the month of October, .73 tons of scrap metal for \$144.00 a ton for \$104.40. Lorco of Maryland, 200 gallons of waste oil, \$160.00, Newman and Company, newspapers, \$71.00, ReCommunity Corporation, \$756.98. Total revenue for October, \$1,092.38.

On Thursday, November the 22nd and Friday November 23rd, the Aston Township Administrative Offices and Public Works Department will be closed for the Thanksgiving holiday. There will be no trash, recycling, or bagged leaf pick up on these days. Regular pick up will resume on Monday, November the

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26th.

Also, on October the 27 the Boy Scouts of  
Page 4

3 Troop 225, St. Joseph's Church here in Aston,  
4 completed another highway cleanup on Concord  
5 Road. They collected 15 bags of trash and had  
6 14 scouts and 11 adults participate in the  
7 cleanup. Their next cleanup is scheduled for  
8 March 2013. That's all I have.

9 PRESIDENT STIGALE: Thank you,  
10 Commissioner Robinson. Commissioner Osborn,  
11 please.

12 COMMISSIONER OSBORN: Thank you.  
13 Financial report for November 1st to  
14 November 16, 2012. Cash on hand as of 1/1,  
15 \$1,295,465.34. Receipts, \$9,074,245.96,  
16 expenditures, actual payments made,  
17 \$7,885,801.71. Cash on hand as of 11/16,  
18 \$2,483,909.59. The breakdown of cash on hand,  
19 the TD Bank general fund, \$2,323,704.69. TD  
20 Bank liquid fuel, \$160,204.90, and the TD T  
21 Bill, \$1,054,541.29. As I always say, I have  
22 details for all of this if anybody wants to see  
23 it. That's all I have at this time. Thank  
24 you, President Stigale.

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1 PRESIDENT STIGALE: Thank you,  
2 Commissioner Osborn. Commissioner Higgins,  
3 please.

4 COMMISSIONER HIGGINS: Thank you. I have  
5 the permits and licenses report dated  
6 November 17, 2012. Following is a report for  
7 the permits and licenses issued for the month  
8 of October, 2012. Beginning balance  
9 \$338,921.00, total income from building permits  
10 and general contractors licenses, \$9,534.00,  
11 licenses and permits, electrical, \$554.00,  
12 plumbing and heating, \$2,823.00, income from  
13 other licenses and permits, \$958.00, income  
14 from other licenses, rentals, inspections and  
15 permits, vendors, \$9,933.00. Certificates of

11AstonTwpBdofComm2112  
16 Occupancy permits, \$6,250.00, total revenue  
17 collected during the month of October,  
18 \$30,052.00. Total for 2012, \$368,973.00, and  
19 the total collected at this time last year,  
20 \$296,704.00, so there's significant increase in  
21 the collections.

22 Brief comments on the Southwest Sewer  
23 Authority. Sewer Authority is currently  
24 reviewing a draft of the sewer lateral

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1 ordinance. It's reviewed by them and also by  
2 the Pennsylvania DEP. Also looking at the  
3 sewage pre-treatment program ordinance and also  
4 they're in the process of reviewing a global  
5 agreement between Southwest and Middletown  
6 Sewer Authority in regards to the working  
7 between the two Authorities prior to, during  
8 and after the transfer of treatment operations  
9 to DELCORA. That's all I have. Thank you.

10 PRESIDENT STIGALE: Thank you,  
11 Commissioner Higgins. In the absence of  
12 Commissioner Graham, we'll call on Commissioner  
13 Osborn please.

14 COMMISSIONER OSBORN: Thank you. The fire  
15 reports for October are as follows. Aston  
16 Beechwood Volunteer Fire Company, fire calls  
17 for October, 57, ambulance calls for 2012,  
18 October is 142. Call breakdown Aston Beechwood  
19 local calls 21, automatic fire alarms six,  
20 building fires one, wires three, trash one,  
21 investigations one, motor vehicle accidents  
22 three, EMS and PD assists three, gas spills/gas  
23 leaks two, service calls one. Mutual aid  
24 responses 36, 34 of those were for Green Ridge

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1 Fire Company, one for Chester Heights and one  
2 for 22 at NCC.

3 Green Ridge Fire Company, month of  
Page 6

4 October, fire calls 68, EMS 21, drills three,  
5 total 92, average per alarm 12. Fire company  
6 would like to commend the residents and  
7 business owners for heeding the township's  
8 warning with Hurricane Sandy.

9 The fire company will be escorting Santa  
10 around in our locale Saturday, December 8  
11 starting at 10:00 p.m. -- a.m. My apologies.

12 The fire company will be having Breakfast  
13 with Santa at Applebees on Sunday, December 9  
14 from 8:00 a.m. to 10:00 a.m. Cost is \$7.00 for  
15 adults and \$5.00 for children. That's all I  
16 have at this time.

17 PRESIDENT STIGALE: Thank you,  
18 Commissioner Osborn. Commissioner McGinn.

19 COMMISSIONER MCGINN: Yes. Police Report  
20 incidents handled 694, accident investigations  
21 48, criminal investigations 47, Clearance Rate  
22 Part I Crimes 33 percent, Clearance Rate Part  
23 II Crimes, 69 percent.

24 From the Aston Senior Citizens. The Aston  
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1 Senior Citizens Christmas Luncheon, tickets  
2 will be sold at the monthly November meeting by  
3 calling Bonnie Craig up to November 30. The  
4 Christmas party will be held at the Boothwyn  
5 Ballroom at 12 noon, December 13. Please don't  
6 arrive before 11:30. Contact Alice Bushman at  
7 610-494-3534 for upcoming trips. Submitted by  
8 Gloria Brazunas, secretary, Aston Senior  
9 Citizens. That's all I have.

10 PRESIDENT STIGALE: Thank you,  
11 Commissioner McGinn. At this time I would like  
12 to open up the floor to the public for agenda  
13 items only please. If you have anything please  
14 step to the podium. Seeing none, we'll move  
15 on. Oh, state your name and address.

16 A VOICE: Kennie Opdenaker, 1 Little Lane,

17 Media, PA.

18 PRESIDENT STIGALE: Would you speak into  
19 the microphone please?

20 A VOICE: Kennie Opdenaker, 1 Little Lane,  
21 Media.

22 PRESIDENT STIGALE: Is that part of Aston?

23 A VOICE: No. I own property in Aston.  
24 419 Crozerville Road. Two years ago when I

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1 rented to -- the house is a rental income there  
2 for me. Two years ago when I rented to  
3 students from Neumann College --

4 PRESIDENT STIGALE: Excuse me, is that  
5 part of our agenda which is in front of you?

6 A VOICE: No. Do I take my seat and wait  
7 until --

8 PRESIDENT STIGALE: We'll open up the  
9 floor to the public for other comments at a  
10 later time. We are addressing right now what's  
11 on the agenda for this evening. Thank you.

12 THE WITNESS: Okay.

13 PRESIDENT STIGALE: Any others? Seeing  
14 none, I would like to call on Commissioner  
15 Higgins, please.

16 COMMISSIONER HIGGINS: Thank you. I make  
17 a motion to place the meeting in sine-die.

18 COMMISSIONER MCGINN: Second.

19 PRESIDENT STIGALE: Motion and second.  
20 Questions or comments? All in favor? Opposed?  
21 The "ayes" have it.

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

24 PRESIDENT STIGALE: Seeing none, I would  
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1 I like to turn the floor over to our township  
2 solicitor, Ms. Naughton-Beck.

3 MS. NAUGHTON-BECK: Thank you, President  
4 Stigale. Commissioners, tonight you have

5 before you the conditional use hearing of Grace  
6 Real Estate Investment Partners. They have  
7 submitted an application to construct 235 age  
8 restricted apartments on 10.4 acre parcel of  
9 land located at 104-105 Old Pennell Road in the  
10 institutional district.

11 Proof of Publication of the notice for  
12 tonight's hearing will be marked as Township  
13 Exhibit One. It was in the November 9 and 14  
14 edition of the Delaware County Daily Times, and  
15 the property was posted.

16 (Whereupon, a document is  
17 produced and marked as Township  
18 Exhibit 1 for identification.)

19 MS. NAUGHTON-BECK: Present for the  
20 applicant is Michael Dignazio, the attorney for  
21 Grace Real Estate Investment Partners, and Mr.  
22 Grace himself is here as well.

23 By the way of a brief history, and  
24 Mr. Dignazio and Mr. Grace will go into more

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1 detail, this property is currently approved to  
2 have constructed 175 age restricted  
3 condominiums, 45 independent living units and  
4 45 intensive care units.

5 What the applicant is seeking in their  
6 current application is to change the use to 235  
7 age restricted apartments. Under the  
8 institutional district age restricted housing  
9 is permitted by way of conditional use  
10 application. That's why it's before you today.  
11 At this point we'll call on Mr. Dignazio.

12 MR. DIGNAZIO: Good evening. I am Michael  
13 Dignazio. I am an attorney with offices in  
14 Media. What actually prompted this was the  
15 change in the ordinance, the zoning ordinance,  
16 which the Board of Commissioners enacted on  
17 December the 21st of last year. Which, to my

18 knowledge, was the first time that Aston  
19 Township enacted an expiration of previously  
20 granted conditional uses. And because of the  
21 conditional uses that had been granted to my  
22 client previous to that enactment, they would  
23 have sundowned on December 21st, 2012 under  
24 your ordinance.

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1 However, in an abundance of caution,  
2 because Governor Corbett in July of this year  
3 signed into Law Act 87 of 2012 which extends  
4 implementation of any land development  
5 previously approved until July of 2016. We  
6 made it -- I spoke with my client. He thought  
7 that we would come forward and just ask,  
8 although we think the state statute exempts --  
9 preempts your ordinance in that regard, we  
10 wanted to give acknowledgment and also to  
11 modify what had been previously approved.

12 I have, I don't know whether you gentlemen  
13 have it before you, I have the resolution dated  
14 2010 of 122. Do you have that? I have copies  
15 for you if you don't. That resolution was  
16 adopted on September 15, 2010, and what that  
17 resolution did was to approve this plan, which  
18 I have on the easel, for the amendments of  
19 final plan for the Residences at Star Hill.

20 This entire project is approved with  
21 conditional uses for 199 continuing care units,  
22 45 assisted living units and 40 skilled nursing  
23 units, total of 284 units. What we are asking  
24 of the Board through our application this

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1 evening is to modify the plan to provide for  
2 235 age restricted apartments, which is  
3 permitted as part and parcel of the conditional  
4 use. Nothing else on this plan changes.

5 Every bit, the site development plan, the  
Page 10

6 general details and production, amendment to  
7 final plan, everything that was previously  
8 approved does not change. The only thing we  
9 are asking the Commissioners to do is what I  
10 have highlighted up here on the site  
11 development plan dwelling unit summary. This  
12 is the only change, the only modification we  
13 are asking of the Commissioners so that we can  
14 build 235 age restricted apartments. Nothing  
15 else on this land development plan changes  
16 whatsoever.

17 And since, as your solicitor has  
18 indicated, age restricted housing is permitted  
19 as a conditional use, and in essence, the 199  
20 units were going to be condominium units  
21 anyway, the only thing we are talking about is  
22 a change of ownership. Instead of giving  
23 condominium deeds to the 199 units, we're going  
24 to have one ownership on this plan and 235 age

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1 restricted apartments. That's the totality of  
2 the application. And my client is here to  
3 answer any questions that you may have with  
4 regards to the plan.

5 MS. NAUGHTON-BECK: I have a few questions  
6 that I want to start off with, if I can have  
7 Mr. Grace step up and be sworn in.

8 JOSEPH A. GRACE, JR., having  
9 been called as a witness and  
10 having been duly sworn, was  
11 examined and testified as  
12 follows:

13 BY MS. NAUGHTON-BECK:

14 Q Thank you, Mr. Grace. If your counsel's  
15 representation is correct, the footprint of the  
16 buildings is not going to change at all; is that  
17 correct?

18 A Not at all.

19 Q Now, are there four buildings or five  
 20 buildings in this plan?  
 21 A Only one building in that plan.  
 22 Q Just one?  
 23 A Just one. It's one continued building  
 24 connected. You look at the plan that was approved

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1 in 2010.  
 2 COMMISSIONER HIGGINS: If I recall, they  
 3 were connected by a breezeway, for lack of a  
 4 better term.  
 5 MR. DIGNAZIO: Everything is connected.  
 6 COMMISSIONER HIGGINS: In effect, there's  
 7 four units with connectors, major units with  
 8 connectors.  
 9 THE WITNESS: Yes.

10 BY MS. NAUGHTON-BECK:

11 Q And the same structure with the  
 12 connections will remain?

13 A Exact same structure.

14 Q How many one bedroom versus two bedroom  
 15 units will be there?

16 A We are not certain of that number. We are  
 17 doing a market study to come up with that. That's  
 18 still uncertain. Has to fit within that footprint.  
 19 The footprint will not change one iota. If  
 20 anything, it might be less.

21 Q Will it be one or two story apartments?

22 A Size of the building that was approved  
 23 there.

24 Q Understood. Sometimes there are

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1 apartments that are --

2 A One story apartments.

3 Q All right. Would you accept a condition  
 4 of approval that whatever construction you end up  
 5 proceeding with would comply with the township's  
 6 parking requirements?

7 A Yes.

8 Q What about recreational areas? Do you  
9 have any interior or exterior recreational plans?

10 A There's interior recreation and possibly  
11 some -- little bit of exterior, possibly an outdoor  
12 pool.

13 Q Start with the interior. What would be  
14 the plan for that?

15 A There's about 9,000 square feet of  
16 recreational area.

17 Q Per building?

18 A No. For all of it, the whole thing,  
19 common space, common use, not just recreation,  
20 computer rooms or --

21 Q Do you have any idea of the layout of each  
22 of the individual buildings, what that's going to be  
23 in terms of common room in each building or --

24 A One common room.

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1 Q For use by all four areas?

2 A Yes.

3 Q You spoke about an outdoor pool?

4 A Possibly, yes.

5 Q Where would that go?

6 A It would fit -- I believe we showed one on  
7 that plan before, it would fit next to where the  
8 entrance is at.

9 Q Is there a pool on that plan?

10 A Not on that diagram, no.

11 Q Would it be fair to say you don't have the  
12 details as to the interior dimensions?

13 A The architect is still working on the  
14 diagrams for the inside. Same building, same  
15 exterior, same roof.

16 Q All right. What about laundry facilities?  
17 Is there going to be a laundry room?

18 A No. Each unit would have a separate  
19 laundry room.

20 Q No public laundry facilities?  
 21 A No.  
 22 Q What about a rental or management office?  
 23 Will there be one?  
 24 A Yes.

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1 Q And how many?  
 2 A Just be one office.  
 3 Q Which building will it be located in?  
 4 A In the main lobby area. The main building  
 5 where the common space is at for recreation and  
 6 other uses.  
 7 Q And which of these buildings is the main  
 8 lobby located?  
 9 A Shown right here (indicating). This would  
 10 be the main building right here where you come in,  
 11 little port-a-share in the front.

12 COMMISSIONER FULGINITI: Are they numbered  
 13 at all so we can reference it that way?

14 THE WITNESS: It's just one continual  
 15 building.

16 BY MS. NAUGHTON-BECK:

17 Q So the building that you just identified  
 18 with the turn around in the front, the portico,  
 19 that's going to be the building that will house the  
 20 common area?

21 A Common area and the office area, yes.

22 Q What sort of security do you envision?  
 23 Will there be a doorman or security cameras?

24 A Cameras and possibly a security --

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1 maintenance people on site at all times.

2 Q And will either maintenance people or  
 3 management live on-site?

4 A Yes.

5 Q That was a compound question on my part.

6 A There will be a manager who would live on  
 7 site.

8 Q That will live there?

9 A Yes.

10 Q Other than the swimming pool, any other  
11 recreational area outside that you envision?

12 A No.

13 Q What about refuse collection receptacles,  
14 where would they be located?

15 A I believe they would be located in that  
16 top parking lot against the Holefelder property.

17 Q If you're looking at the plans, top left  
18 portion?

19 A Yes. Top right portion if you're looking  
20 at the plan from my angle.

21 Q Top right. How will the refuse  
22 receptacles be screened?

23 A A fencing, screened fence. There may be  
24 indoor refuse storage also. We have indoor parking.

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1 Q Your attorney referenced the 55 and older  
2 nature of this proposed apartment building. How  
3 will you enforce the 55 and older requirements?

4 A I would have to work that out with Mike  
5 Dignazio, with the attorney.

6 Q All right. What sort of limitations do  
7 you have in mind?

8 A Again, I would have to work that out with  
9 Mike.

10 Q Where will these apartments be marketed?

11 A When you say where, I don't understand.

12 Q Are there particular target areas or  
13 audience?

14 A Delaware County.

15 Q Particular type of demographic to attract  
16 to come to the apartments?

17 A Demographic for just decent apartments for  
18 seniors.

19 Q What do you estimate the rental charges to  
20 be?

21 A We haven't done a full formula on that.  
22 We have just begun the drawings on this.

23 Q Do you anticipate tenants with subsidized  
24 income?

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1 A No. These would be -- I don't want to use  
2 the word upscale because it would be unfair, but on  
3 the higher end of the market rate apartments, with  
4 amenities that -- I don't think there's been a  
5 complex built in this region that -- in eastern or  
6 northern Delaware County that will have such  
7 facilities that we plan on having.

8 Q What sort of amenities are you talking  
9 about?

10 A Computer, theatre room, work out rooms.

11 Q Do you anticipate the exterior lighting of  
12 the property to be any different, 55 and older  
13 apartment versus condo?

14 A No, no. We have a lighting plan that was  
15 approved with that. That will be the same lighting  
16 plan we would produce for these apartments.

17 Q Will you have interior storage areas for  
18 the residence?

19 A No.

20 Q How about exterior storage?

21 A No.

22 Q Do you anticipate the traffic pattern to  
23 change at all as between an apartment versus  
24 condominium?

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1 A No.

2 Q How about on-site retail? Do you  
3 anticipate having any on-site retail establishments?

4 A No.

5 MS. NAUGHTON-BECK: Those are the  
6 questions that I have at this point in time.  
7 The Commissioners are going to have some  
8 questions and I may have some more.

9 PRESIDENT STIGALE: Commissioner  
10 Fulginiti.  
11 COMMISSIONER FULGINITI: I don't have any  
12 at this time. Through the construction stuff  
13 there's areas but at this time I don't have  
14 any.  
15 PRESIDENT STIGALE: Commissioner Robinson.  
16 COMMISSIONER ROBINSON: Thank you,  
17 Commissioner Stigale. So Mr. Grace, if I  
18 understand you correctly, as of this time  
19 there's no floor plan for the apartments as of  
20 this time?  
21 THE WITNESS: We have sketches that fit  
22 within that footprint.  
23 COMMISSIONER ROBINSON: There's a lot of  
24 senior in the restricted communities that are  
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1 normally gated. Do you plan on gating this  
2 community?  
3 THE WITNESS: No.  
4 COMMISSIONER ROBINSON: That's all the  
5 questions I have.  
6 PRESIDENT STIGALE: Commissioner Osborn.  
7 COMMISSIONER OSBORN: I am fine at this  
8 time. The questions were answered. I think  
9 the footprint I am interested in -- oh, there  
10 is one question. You mentioned you had garage  
11 parking.  
12 THE WITNESS: Garage parking. That's what  
13 was approved on that plan.  
14 COMMISSIONER OSBORN: And you have  
15 exterior parking as well for visitors?  
16 THE WITNESS: Yes.  
17 PRESIDENT STIGALE: Thank you,  
18 Commissioner Osborn. Commissioner Higgins.  
19 COMMISSIONER HIGGINS: Thank you. How are  
20 you, Mr. Grace?  
21 THE WITNESS: I apologize. I got a cold.

22 COMMISSIONER HIGGINS: You're looking  
23 good. Couple questions. Unless I am reading  
24 the wrong thing here, which I think the counsel

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1 put in, I am looking at 175 age-restricted  
2 condominiums. This was the original one the  
3 last time you were in, 175 age restricted  
4 condos, 45 independent living and 45 intensive  
5 care, which takes it to 265 where you're  
6 looking to go with 235, reduction of 30. But  
7 the counselor said 199 was your starting  
8 number, so where are we?

9 MR. DIGNAZIO: It was my mistake. The  
10 plan as approved was 199 units, continuing care  
11 units. One ninety-nine condominiums, plus 45  
12 care, assisted living units, and 40 skilled  
13 nursing units, for a total of 284.

14 THE WITNESS: That's what was approved.

15 COMMISSIONER HIGGINS: Okay. This  
16 question is for the engineer, and I don't know  
17 if he has, off the top of his head, is there  
18 any difference in parking requirements per  
19 condo unit versus per apartment unit?

20 THE WITNESS: No. I don't think there  
21 would be any difference. It's really bedroom  
22 dependent, which is why the question was asked  
23 about complying with parking.

24 COMMISSIONER HIGGINS: If there are some

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1 two bedroom units versus one bedroom units,  
2 that could change the parking, that would have  
3 a bearing on the parking?

4 MR. VISCUSO: Correct.

5 COMMISSIONER HIGGINS: If the parking  
6 changes drastically in either direction, I am  
7 thinking that the township fire marshal would  
8 certainly have some input into the parking as  
9 far as fire engines to get through. If the

10 parking went up could it have an impact on fire  
11 trucks getting through and so forth, I am  
12 assuming.

13 MR. VISCUSO: Any parking arrangements up,  
14 down, sideways would have to meet the  
15 requirements of the fire marshal.

16 COMMISSIONER HIGGINS: I don't remember  
17 how far we went last time when Mr. Grace was  
18 in.

19 MR. VISCUSO: The plan was fully approved.  
20 It got through the review. Any change in  
21 parking would still --

22 COMMISSIONER HIGGINS: Up or down, still  
23 looking at that. Wanted to clarify that. As  
24 far as last time, I am not sure, it's been

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1 awhile. As far as Sewer Authority issues, how  
2 far we went with that. I am thinking that  
3 would have to be addressed and looked at.

4 MR. VISCUSO: Again, that's -- they got  
5 the planning module approved based on the flow  
6 rate for the 284 units, and you would have to  
7 do an analysis of that -- his engineer has to  
8 do an analysis of that 284 versus the 235. And  
9 again the mix of one and two bedrooms would  
10 come into play for total flow rate.

11 COMMISSIONER HIGGINS: Good. Just wanted  
12 to understand that because it's been awhile.  
13 Mr. Grace, this would be 100 percent age  
14 restricted, right?

15 THE WITNESS: That's what we are looking  
16 at, yes.

17 COMMISSIONER HIGGINS: Has there been  
18 any -- I guess directing this to Mr. McGinn,  
19 has there been conversation with the adjacent  
20 residents on this?

21 COMMISSIONER MCGINN: Yes.

22 COMMISSIONER HIGGINS: Okay, that's all

23 the questions I have.

24 PRESIDENT STIGALE: Thank you,  
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1 Commi ssi oner Hi ggi ns.

2 MS. NAUGHTON-BECK: Before we turn this  
3 over I have a request to Mr. Dignazio. I am  
4 sorry.

5 PRESIDENT STIGALE: Commi ssi oner McGi nn.

6 COMMI SSI ONER McGI NN: No, I have met with  
7 the residents. They're aware and they are fine  
8 with the plan. That's all I have.

9 PRESIDENT STIGALE: Do you have any  
10 questi ons?

11 COMMI SSI ONER McGI NN: No.

12 PRESIDENT STIGALE: Ms. Naughton-Beck.

13 MS. NAUGHTON-BECK: Sorry about that. The  
14 request that I have relates to more detail as  
15 to the age restricted nature. If you and your  
16 attorney could meet and provide us with a  
17 description as to how 55 and older is enforced  
18 and what your requirements are going to be in  
19 applications, then we can take that into  
20 considerati on.

21 MR. DIGNAZIO: Okay.

22 PRESIDENT STIGALE: Anyone el se have a  
23 questi on? Anyone from the publi c have a  
24 questi on? Okay, seei ng none, Commi ssi oner

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1 Osborn.

2 COMMI SSI ONER OSBORN: I make a moti on to  
3 take this meeting out of sine-die.

4 COMMI SSI ONER McGI NN: Second.

5 PRESIDENT STIGALE: Moti on and a second.

6 Any questi ons or comments? All in favor?

7 Opposed? The "ayes" have it.

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

10 PRESIDENT STIGALE: Movi ng onto old  
Page 20

11 business. Consider an ordinance to amend  
12 Chapter 1860.09F of the Aston Township Codified  
13 Ordinances to increase the frequency at which  
14 undeveloped land shall be mowed. Commissioner  
15 Fulginiti, please.

16 COMMISSIONER FULGINITI: Thank you.  
17 Whereas, the Aston Township Board of  
18 Commissioners previously adopted an ordinance  
19 which requires undeveloped lands which are  
20 devoid of trees to be mowed three times a year;  
21 and

22 Whereas, the Aston Township Board of  
23 Commissioners believe that the grass on vacant  
24 lots should be maintained more frequently,

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1 particularly during warmer weather; and

2 Whereas, the Aston Township Board of  
3 Commissioners believe that requiring  
4 undeveloped land to be mowed on a monthly basis  
5 during the months of March through November is  
6 in the best interest of the health, safety and  
7 welfare of its citizens.

8 Now, therefore, be it resolved and adopted  
9 this 21st day of November, 2012, by the Aston  
10 Township Board of Directors that Chapter  
11 1860.09F shall read as follows:

12 1860.09f, Vegetation weed control.  
13 Undeveloped land exceeding a normal lot size  
14 but which is devoid of trees shall be mowed at  
15 least once a month during the months of March  
16 through November. However, the banks along the  
17 road or streets shall be kept mowed so that at  
18 no time will these areas be allowed to grow to  
19 more than a height of six inches.

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

22 Repealer, any prior ordinance or parts  
23 thereof inconsistent with this ordinance are

24 hereby repealed.

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33

1 Severability, the provisions of this  
2 ordinance and code sections adopted hereby are  
3 severable, and if any clause, sentence or  
4 section thereof shall be adjudged invalid or  
5 unconstitutional, such decision or judgment  
6 shall not affect the validity of the remaining  
7 provisions.

8 By James M. Stigale, President, Board of  
9 Commissioners, attested to by Richard D. Lehr,  
10 in the form of a motion.

11 COMMISSIONER ROBINSON: Second.

12 PRESIDENT STIGALE: Motion and second.

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

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

17 PRESIDENT STIGALE: Item B, consider an  
18 ordinance to repeal Ordinance 317, Chapter 880  
19 of the Aston Township Codified Ordinances  
20 establishing an amusement tax. Commissioner  
21 Fulginiti.

22 COMMISSIONER FULGINITI: Thank you.

23 Whereas, the Board of Commissioners of Aston  
24 Township, Delaware County, Pennsylvania

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1 previously adopted Ordinance 317, Codified as  
2 Chapter 880 of the Aston Township Codified  
3 Ordinances, to set forth an Amusement Tax to be  
4 enforced against any person conducting any  
5 place of amusement, sport, recreation, bowling  
6 or pastime where the general public may, upon  
7 payment of an established price, attend or  
8 engage in any amusement; and

9 Whereas, since the adoption of this  
10 Ordinance in 1966, additional ordinances have  
11 been adopted which have rendered the amusement

12 tax difficult to enforce and duplicative of  
13 other taxes.

14 It is therefore ordained and enacted this  
15 21st day of November, 2012, by the Aston  
16 Township Board of Commissioners, Delaware  
17 County, Pennsylvania, that Ordinance 317,  
18 Chapter 880 of the Aston Township Codified  
19 Ordinances, is hereby repealed.

20 Effective date, this Ordinance shall be  
21 effective immediately.

22 Repealer, any prior ordinance or parts  
23 thereof inconsistent with this ordinance are  
24 hereby repealed.

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1 Severability, the provisions of this  
2 ordinance and code sections adopted hereby are  
3 severable, and if any clause, sentence or  
4 section thereof shall be adjudged invalid or  
5 unconstitutional, such decision or judgment  
6 shall not affect the validity of the remaining  
7 provisions.

8 By James M. Stigale, President, Board of  
9 Commissioners, attested to by Richard D. Lehr,  
10 township secretary manager, in the form of a  
11 motion.

12 COMMISSIONER ROBINSON: Second.

13 PRESIDENT STIGALE: Motion and a second.

14 Any questions or comments? All in favor?

15 Opposed? The "ayes" have it.

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

18 PRESIDENT STIGALE: Line Item C under old  
19 business, announce the notice of intent to  
20 adopt an ordinance regulating the inspection of  
21 private sanitary sewer lateral connections.  
22 Commissioner Fulginiti.

23 COMMISSIONER FULGINITI: Thank you. I  
24 would like to announce the notice of intent to

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1 adopt an ordinance regulating the inspections  
2 of private sanitary sewer lateral connections.

3 PRESIDENT STIGALE: Thank you. Moving  
4 onto New Business. Line Item A, consider  
5 approving the contract for the composition of  
6 the 2013 Aston Township Newsletter.  
7 Commissioner Osborn.

8 COMMISSIONER OSBORN: Make a motion to  
9 approve a contract for the composition of the  
10 2013 Aston Township Newsletter with Kenneth  
11 Stark, in the form of a motion.

12 COMMISSIONER ROBISON: Second.

13 PRESIDENT STIGALE: Motion and a second.  
14 Any questions or comments? All in favor?  
15 Opposed?

16 COMMISSIONER OSBORN: I have one comment.  
17 If anybody is interested, the contract is on  
18 file and here if anyone wants to see it.

19 PRESIDENT STIGALE: By signing up with the  
20 e-mail you receive the Township Times  
21 Newsletter on a monthly basis, the same you  
22 would pick up in most of the stores in the  
23 Aston Township area. We have this in the form  
24 of a motion. Any other questions or comments?

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

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

4 PRESIDENT STIGALE: Line Item B, consider  
5 approving the 2013 Aston Township preliminary  
6 budget. Commissioner Osborn.

7 COMMISSIONER OSBORN: Thank you. 2013  
8 we're expecting the revenues for the township  
9 to stay flat. The increase in overall revenue  
10 on a preliminary budget is represented by an  
11 increase of \$20.00 a home in the recycling and  
12 trash service. I'll explain this in a minute

13 after I read it. Charge, and point three two  
14 mill increase on the property tax.

15 On the expense side we are up 6.83 percent  
16 in total administrative costs and 6.89 percent  
17 in public safety expenses. In our sanitary and  
18 highway departments we are fighting increases  
19 in costs and funding cuts. The fee to dump  
20 waste at the Delaware County Solid Waste  
21 Facility has been increased for 2013 and the  
22 cost of fuel to keep the trucks on the road is  
23 also increasing, as we all know.

24 2013, our Highway Department will see a

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1 decrease in funding from the state liquid fuels  
2 program. This line item goes towards the  
3 paving of roads and paying for the electric  
4 bill for the street lights. The budget does  
5 not see any major capital projects for 2013.

6 The preliminary budget does include  
7 allocations for the replacement of some  
8 equipment in the Public Works Department. The  
9 budget revenue for 2013 is projected at  
10 \$11,145,000 including cash on hand. The  
11 budgeted expenses right now are \$11,360,000,  
12 which is about a \$215,000 short fall.

13 Remember this is still a preliminary  
14 budget. All of us on the board and people  
15 working in the township building are working  
16 very hard to push this budget back down. What  
17 is currently realized is on a home assessed at  
18 \$175,000, the increase, including the recycling  
19 and trash service, would be \$76.00 per family.  
20 I make a motion to approve the preliminary  
21 budget.

22 COMMISSIONER FULGINITI: Second.

23 PRESIDENT STIGALE: Motion and a second.

24 Any questions or comments?

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1           COMMISSIONER OSBORN: I have a comment on  
 2 my own. I want to make it clear and those of  
 3 you that watched this last year, we are by law  
 4 required to present a preliminary budget. The  
 5 final budget by law has to be done by December  
 6 31st. That will be done. The work done  
 7 between now and then, as it was last year,  
 8 hopefully will make the situation much better.

9           The one thing that we do have not in our  
 10 favor is the municipal waste fee that's come to  
 11 us. We have no choice. We are under contract,  
 12 as all Delaware County is, for that. That is  
 13 not something that we can get away with or get  
 14 away with not paying. Other than that, we are  
 15 working on capital expenditures and the budget  
 16 to try to push it down. Thank you.

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

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

22           PRESIDENT STIGALE: Line Item C, consider  
 23 approving proposal for collection of the  
 24 current amusement device tax, delinquent

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1 amusement device tax, and delinquent garbage  
 2 service fees with Municipal Resource Recovery  
 3 Systems, LLC. Commissioner Osborn.

4           COMMISSIONER OSBORN: I make a motion to  
 5 approve the proposal for collection of current  
 6 amusement device tax, delinquent amusement  
 7 device tax, and delinquent garbage service fees  
 8 with Municipal Resource Recovery Systems, LLC.,  
 9 subject to the review and approval by the  
 10 solicitor, form of a motion.

11           COMMISSIONER MCGINN: Second.

12           PRESIDENT STIGALE: Motion and a second.

13 Any questions or comments? All in favor?

14 Opposed? The "ayes" have it.

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

17 PRESIDENT STIGALE: Line Item D, consider  
18 approving the refund of a rental inspection fee  
19 to Griffith Management. Commissioner Higgins.

20 COMMISSIONER HIGGINS: I make a motion to  
21 approve the refund of \$75.00 for the rental  
22 inspection fee to Griffith Management for  
23 unrented property in the 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 PRESIDENT STIGALE: Line Item E, consider  
7 approving refund duplicate tax payment to Phil  
8 Bachetti. Commissioner Osborn.

9 COMMISSIONER OSBORN: I make a motion to  
10 approve the refund of \$736.01 for a duplicate  
11 tax payment to Philip Bachetti for his property  
12 at 26 Weathervane Road, Aston, PA 19014, in the  
13 form of 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: Line Item F, consider  
21 approving proposal number CM2012-00236 from CM3  
22 Building Solutions for duct work modifications  
23 in the Aston Township Building. Commissioner  
24 Robinson.

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1 COMMISSIONER ROBINSON: I make a motion to  
2 approve the proposal number CM2012-00236 from  
3 CM3 Building Solutions for duct work  
4 modifications in the Aston Township Municipal  
5 Building in the amount of \$2,800.00 in the form  
6 of a motion.

7 COMMISSIONER OSBORN: Second.

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

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

13 PRESIDENT STIGALE: Line Item G, consider  
14 accepting the bids for out of service Police  
15 and Public Works vehicles. Commissioner  
16 McGinn.

17 COMMISSIONER MCGINN: I would like to make  
18 a motion to accept the following bids for out  
19 of service Police and Public Works vehicles.  
20 Chicago Motors, Inc. for \$1,007 for the  
21 advertised 2004 Ford Crown Victoria, \$607.00  
22 for the advertised 2001 Ford Crown Victoria,  
23 KNF Auto Wholesalers, \$277.00 for the  
24 advertised 1969 Ford tractor, Mike Veneziano,

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1 \$3,601 for the advertised 1996 International  
2 trash truck, in the form of a motion.

3 COMMISSIONER FULGINITI: Second.

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

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

9 PRESIDENT STIGALE: We are going to move  
10 on to escrow releases. Commissioner Higgins.

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

16 Whereas, the township engineer and the New  
17 Construction Committee approved the request for  
18 escrow funds released for J&V Developers, slash  
19 Colebrock, slash Baldwin Run Estates.

20 Now, therefore, be it resolved that Aston  
21 Township execute such action as required by  
22 township secretary and President of the Board  
23 of Commissioners to release the sum of  
24 \$46,720.00 to J&V Developers and the sum of

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1 \$220.00 to Aston Township for engineering fees.

2 Duly adopted this 21st day of November,  
3 2012, Township of Aston, James M. Stigale,  
4 President, Board of Commissioners, attested to  
5 Richard D. Lehr, township secretary manager in  
6 the form of a motion.

7 COMMISSIONER MCGINN: Second.

8 PRESIDENT STIGALE: Motion and a second.

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

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

13 COMMISSIONER HIGGINS: Another escrow  
14 release, to release funds to J&V Developers,  
15 Spring Valley slash Trotters Run. Release the  
16 sum of \$15,000 to J&V Developers and the sum of  
17 \$220.00 to Aston Township for engineering fees,  
18 form of a motion.

19 COMMISSIONER FULGINITI: Second.

20 PRESIDENT STIGALE: Motion and second.

21 Questions or comments? All in favor? Opposed?  
22 The "ayes" have it.

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

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1 COMMISSIONER HIGGINS: Another release for

2 a Certificate of Occupancy at 1001 Crystle Road  
3 for Lyle Sell, Aston File No. 1212-04, to  
4 release the sum of \$4,000 to Lyle Sell, in the  
5 form of a motion.

6 COMMISSIONER FULGINITI: Second.

7 PRESIDENT STIGALE: Motion and 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: Last one of this  
13 type for Rescom Real Estate for 207 Marionville  
14 Road, 1212-01, sum of \$5,000.00 to Rescom Real  
15 Estate by Russell Carlson, form of a motion.

16 COMMISSIONER FULGINITI: 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: Following escrows  
23 are for engineering fees to be paid to Aston  
24 Township for the month of October. Clemens,

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1 812 Lampost Lane, inground pool, \$962.50,  
2 Neumann Chapel, \$770.00, McCutcheon, 15 Kent  
3 Lane, \$513.00, Sprint cell tower, 4500 Concord  
4 Road, \$357.50, Barnaby's Pennell Road, \$110.00,  
5 Aston Pawn Shop, \$55.00, all in the form of a  
6 motion.

7 COMMISSIONER FULGINITI: Second.

8 PRESIDENT STIGALE: Motion and a second.

9 Any questions or comments? All in favor?

10 Opposed? The "ayes" have it.

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

13 COMMISSIONER HIGGINS: That's all for the  
14 escrows.

15 PRESIDENT STIGALE: Thank you,  
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16 Commissioner Higgins. I want to go back to a  
17 line item I missed, Line Item H, Commissioner  
18 Osborn, please. Announce the date and time of  
19 the 2012 winter fun festival and Christmas tree  
20 lighting event.

21 COMMISSIONER OSBORN: This year's annual  
22 Winter Fun Festival and Christmas Tree Lighting  
23 will be held on Friday, December 7, 2012. The  
24 event will run from 6:30 to 9:30 p.m. at the

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1 Community Center and will feature Pictures with  
2 Santa, crafts, Letters to Santa, hot chocolate,  
3 a reading by Mr. Malcolm, sounds from the Aston  
4 and Pennell Elementary School Chorus. It is  
5 going to be a great time. So everyone come out  
6 and enjoy the fun. Rumor that we will also  
7 have a visit from Minnie and Mickey.

8 PRESIDENT STIGALE: That was a successful  
9 night last year and wonderful event that the  
10 Recreation Committee put on. If you can attend  
11 that, that's a wonderful time for the kids.

12 Moving on, we would like to open up the  
13 floor to the public for one half hour. Please  
14 step to the podium.

15 A VOICE: My name is Nandor Mulner, 212  
16 Edgar Avenue. This is going to be just to Mr.  
17 Osborn.

18 COMMISSIONER OSBORN: Edgar Avenue?

19 THE WITNESS: Yes. Mrs. Graham has been  
20 trying to silence the siren for the fire. And  
21 there was other people trying to help. Wait a  
22 minute. Wait a minute. Let me talk. You got  
23 me hot. 4:20 that sucker went off, on the  
24 18th. I figure that's okay, it went off. You

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1 people always saying it's not going off after  
2 eight o'clock. My wife went to the meeting

3 with the fire chief. She came home and said as  
4 long as that guy is the fire chief this ain't  
5 going to stop.

6 It went off that day at four in the  
7 morning -- eighteen after it stopped. Okay, we  
8 talked it over, try to go back to sleep.  
9 Twenty-five of five the sucker went off again.  
10 By then I was smoking. I went in the kitchen,  
11 got the Aston Township telephone book and went  
12 down the line. If I had -- I woke you up and I  
13 call him up too (indicating), but my problem is  
14 you were very rude and arrogant. I asked your  
15 wife is this the Osborn residence. Yes. Is  
16 your husband home? I would assume he's home  
17 sleeping. If he is could you get him to the  
18 phone. You came on that phone and you started  
19 rattling off on me and told me do you know what  
20 time it is? And I told you bingo. You won the  
21 prize now. Now you know what time it is, and I  
22 know what time it is. It's 25 minutes to five.

23 Now, this got to stop. We came into the  
24 meeting and the sucker went off again. You

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1 took all day Friday to find my number, because  
2 you asked me who are you talking to and I told  
3 you you'll find out today. And Friday night,  
4 8:30 you called me. I answered my phone,  
5 Mulner residence. You said to me are you the  
6 gentleman that called my house 4:30 in the  
7 morning? I said yup, and you told me well, I  
8 am going to have you served by the police for  
9 harassment. This is what you told me.

10 You didn't have to get threatening or  
11 nasty. He didn't get nasty. I called him. He  
12 didn't get nasty. I want this panel to know  
13 that what is going on because everyone believes  
14 it's not running. It's running. It rang all  
15 day today too. This is the only township that  
16 has that. All the other ones, they go with the

17 beepers.

18 Earlier this summer my wife got out 1:30  
19 in the morning in her polka dot red pajamas and  
20 Phyllis Diller hair-do because she was  
21 sleeping, and went down to the fire station and  
22 here they are coming back with the truck and  
23 she told them what happened. No we don't go by  
24 that siren. We got our own stuff. The fireman

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1 parked the truck and is telling my wife and  
2 only takes four of you to hit that and it would  
3 be over with.

4 But you, I wouldn't pay you. You wouldn't  
5 work for me. I am an Aston Township resident.  
6 You can smile all you want. You were rude. I  
7 just want to bring the attention to someone in  
8 the panel that it's going on and it's a  
9 harassment. We don't need it.

10 Technology -- guys, I am talking. Don't  
11 be shutting me out. A guy in California on a  
12 commercial and the daughter is in Chicago, hey  
13 dad, can you start the car up? You see that  
14 commercial on t.v.? They can do it. Why can't  
15 we tell three blocks away a fire chief, his  
16 command to come on, we got a fire going on? So  
17 I did the best thing I could, wake you all up  
18 at 4:30 in the morning and you were rude. I  
19 don't think you should be on this panel.

20 Now, you got something to say?

21 COMMISSIONER OSBORN: Absolutely. Facts  
22 are a little bit incorrect, Mr. Mulner. Number  
23 one, I did not talk to you at 4:30 in the  
24 morning. You talked to my wife -- and you're

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1 not going to argue. You had your peace. I  
2 kept my mouth shut. You do the same.

3 Number one you woke my wife up. You

4 talked to her. Your wife substantiated this.  
5 You talked to her. By the time I got to the  
6 phone she asked who it was. You said what you  
7 just said now, he'll find out who I am, and you  
8 hung up.

9 THE WITNESS: No, I didn't.

10 COMMISSIONER OSBORN: Yes, you did. I am  
11 not going to argue facts. Your story is out.  
12 Now my story is going to come out.

13 I didn't talk to you at 4:30 in the  
14 morning. I did look you up on caller I.D. and  
15 I did in fact call you that night and you did  
16 in fact answer the phone, and I asked you  
17 exactly what you said. Are you the gentleman  
18 that called me at 4:30 in the morning and you  
19 said yes. And I said do you realize what you  
20 did? I said we have a sick grandchild. You  
21 upset my wife. Do you recall any of this? I  
22 had the same conversation with your wife. I  
23 said now 4:20 in the morning is no time to call  
24 anyone.

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1 I understand about the fire siren.  
2 Believe it or not it is being worked on. But  
3 you were loud and also rude on the phone, and I  
4 did say -- I didn't say then, and I didn't say  
5 I was going to call. I did talk to Chief  
6 Ruggieri. I said if you call me again and wake  
7 my wife up at 4:30 in the morning I will call  
8 the police. I absolutely said that. When I  
9 talked to you --

10 THE WITNESS: You talked to me. I am  
11 going to steal Vice-President, that's a bunch  
12 of malarkey you're saying right now.

13 COMMISSIONER OSBORN: We finished the  
14 conversation, you continued to get rude,  
15 conversation ended. I said there's no more to  
16 say and I hung up on you. Five minutes later  
17 the phone rings again from your house and I

18 answered the phone and it was your wife and I  
19 spoke to her for almost twenty minutes in a  
20 civil fashion and she explained this whole  
21 thing to me again, and we had a civil  
22 conversation, and it ended on a good note.

23 You failed to mention all of that. Now  
24 that is what happened, Mr. Mulner. We are

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1 taking care of it whether you think I was rude  
2 or not, and I think to this day it was entirely  
3 inappropriate for you to wake people up at 4:20  
4 in the morning.

5 THE WITNESS: No, it's not.

6 COMMISSIONER OSBORN: You can have your  
7 opinion, sir. I wanted it on the record what  
8 happened here. I was not -- if you had gotten  
9 me out of bed and I would have answered the  
10 phone, it would have been different. We had a  
11 sick grandchild and you upset my wife, that  
12 upset me. She thought there was something  
13 wrong. I told your wife this.

14 THE WITNESS: I don't care what you said  
15 to my wife. You and me talked on the telephone.  
16 You came to the phone and do you know what time  
17 this is.

18 COMMISSIONER OSBORN: I did not talk to  
19 you at 4:30 in the morning.

20 PRESIDENT STIGALE: We understand your  
21 point.

22 COMMISSIONER ROBINSON: Jim, if I may, I  
23 would like to address. Mr. Mulner, you called  
24 my home at 4:30 in the morning as well.

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1 THE WITNESS: You didn't say anything.

2 COMMISSIONER ROBINSON: You called me, you  
3 got me out of bed and you talked to me. And I  
4 asked you who you were. You refused to

5 identify yourself. I looked on the caller I.D.  
 6 I saw it was you. In doing that, to address  
 7 your concern, I immediately called the Sergeant  
 8 on duty, Sergeant and the police officer on  
 9 duty. Talked to Officer Simpson. I asked him  
 10 if that fire alarm had gone off. He said he  
 11 would find out. I said find out and call me  
 12 back right now. I'll be up. And I waited. He  
 13 called me back. He called Delcon and he called  
 14 the fire board. He called me back in 10  
 15 minutes. The fire whistle did not go off.

16 Let me finish, because you got me out of  
 17 bed as well. It did not go off. I said did  
 18 anybody else's go off. He said fire board  
 19 reported Upper Chichester went off at the exact  
 20 times that you just quoted.

21 Now, if you don't want to believe me,  
 22 that's up to you. I went that distance because  
 23 you called me and got me out of bed and got my  
 24 wife out of bed and got my daughter out of bed.

LORRAINE EVANS

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1 And if you have a concern, that's one thing and  
 2 you can address that. I have to agree with  
 3 Commissioner Osborn, to call us all that early  
 4 in the morning to get our families out of bed,  
 5 that was a little rude, but that's my opinion.

6 But I want you to know that I did, in  
 7 fact, and I think that Chief Ruggieri is here  
 8 tonight. He can attest that -- because I spoke  
 9 to him the next morning. I have a document  
 10 from the fire board. I have a document from  
 11 Delcon that says no one at Delaware County set  
 12 that fire alarm off.

13 Upper Chi's siren, when it goes off it can  
 14 be heard in our wards and it can be heard here,  
 15 depending on which way the wind is blowing.  
 16 That night that you're saying that fire whistle  
 17 went off, I am telling you it did not.

18 THE WITNESS: I live behind the fire ward.

19 The second time it came on I opened the door  
20 and that came from here. I don't care what he  
21 said. That came from here. Previously my wife  
22 drove up to the fire house 1:30 in the morning.

23 COMMISSIONER ROBINSON: Delcon and the  
24 fire board have no reason to lie.

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1 THE WITNESS: I am saying what happened.  
2 I heard it.

3 COMMISSIONER ROBINSON: I am addressing  
4 your concern in regards to stating and applying  
5 that that whistle went off that early in the  
6 morning. I wanted to find out whether it did  
7 or didn't.

8 THE WITNESS: It went off two times.

9 PRESIDENT STIGALE: The point got across.  
10 We understand it's something we have been  
11 working on. We as a Board of Commissioners  
12 have to look at the safety and well-being of  
13 the township residents as far as safety issues.

14 Now, there was not a Fire Committee  
15 Meeting last month due to the hurricane, but  
16 it's being addressed. We'll have something  
17 resolved hopefully by the end of the year. But  
18 it's being addressed. It was on the agenda for  
19 last meeting. Hurricane Sandy comes in, our  
20 concentration went to that.

21 No matter what, it will never be turned  
22 off. We need to have that as an emergency  
23 siren. But as far as fire calls, we are going  
24 to address that issue of it. Give us a chance

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1 to work on this. We'll try to do what we can.

2 THE WITNESS: I commend Mr. Robinson, he  
3 didn't get nasty like he did. He didn't  
4 because I was polite. Whatever he told you, he  
5 lied.

6 PRESIDENT STIGALE: We can debate this all  
7 night.

8 THE WITNESS: I came to tell you my piece.  
9 I am a resident. I have a concern and I said  
10 to my wife I am going to bring this concern to  
11 someone's attention when I call at 4:30 in the  
12 morning, and I think I did.

13 PRESIDENT STIGALE: Yeah, you did.

14 THE WITNESS: He don't have to make up a  
15 story and call me up the next day and threaten  
16 me with the police. Don't do that no more.

17 PRESIDENT STIGALE: We have everything  
18 documented. We understand. Thank you for  
19 bringing it to our attention. Give me  
20 sometime, we'll get this resolved by the end of  
21 the year.

22 THE WITNESS: Thank you for your time.

23 PRESIDENT STIGALE: You're welcome.  
24 Anyone else?

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1 THE WITNESS: Kennie Opdenaker. I own a  
2 home on 419 Crozerville Road as an investment  
3 property. For two years I rented it to college  
4 students from Neumann who totally destroyed my  
5 home.

6 Let me back up. There is parking  
7 ordinance that Mr. Fulginiti put in on  
8 Crozerville Road. They did a traffic study for  
9 him. I have to park 123 feet from the entrance  
10 of my home down hill. And I am not renting to  
11 college kids anymore. I am renting to -- I  
12 have a young couple with two small children. I  
13 want the parking place. I want two parking  
14 spots in front of my house reinstated.

15 The house was built in 1905. There's  
16 never been a driveway. I called -- I have a  
17 list of people that I have called to look for  
18 driveways, and the one fellow I got --

19 PRESIDENT STIGALE: You're asking us to  
Page 38

20 lift the restrictions on parking on rental  
21 property?

22 THE WITNESS: Yes, I am. I will never  
23 rent to college kids.

24 PRESIDENT STIGALE: It's still rental  
LORRAINE EVANS

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1 property then.

2 THE WITNESS: Still a rental property. My  
3 investment.

4 COMMISSIONER FULGINITI: Good evening.  
5 For those that don't understand Crozerville  
6 Road, it's a narrow road and parking became a  
7 grave safety hazard on Crozerville Road, and I  
8 inquired to our Police Department because at  
9 times fire trucks couldn't get through there  
10 with the congestion, New Road and Crozerville  
11 Road. So I asked our Police Committee if we  
12 could have a traffic study to make that area  
13 safe for the neighbors because that's our  
14 primary concern.

15 So a traffic study was done -- was  
16 completed and the recommendation from the  
17 traffic safety police department were  
18 implemented for the safety and welfare of all  
19 the community there. And that's what has  
20 occurred.

21 THE WITNESS: You can say that with a  
22 straight face?

23 COMMISSIONER FULGINITI: I am sorry?

24 THE WITNESS: There's a man who lives down  
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1 the road called I think his name is Chalmerlo  
2 Jr. He was the one that used to complain of  
3 the college kids parking. That house was built  
4 in 1905. There were a lot of kids parking,  
5 cars parked on both sides of Crozerville Road.  
6 They implemented 126 feet parking from my front

7 door, from the entrance to my property. You  
8 can't do that. That's discrimination.  
9 I am asking you -- let me back up. I got  
10 Keller Excavating to come over, \$70,000 to put  
11 a driveway because of the high bank and all the  
12 way back to the back of the property. I don't  
13 have \$70,000. He also didn't even want to do  
14 this job because he had just finished a job, a  
15 little road that runs, Drayton Road, behind us,  
16 a homeowner had a driveway put in. It was a  
17 sister lot or whatever you call it. He said  
18 the zoning person, whoever that was, he said he  
19 put this homeowner through hell. He said I  
20 don't want to touch this job.  
21 I don't have the money for a driveway.  
22 There's a young couple with two small children.  
23 I want you to put -- where you put the signs  
24 down the road. I want the sign put Parking

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1 Residents Only. Allow for two cars, two cars.  
2 I understand your point with the college  
3 kids because there are always 10, 20 cars  
4 parked there. There's parking on Crozerville  
5 Road in the 418 block, which is down to the  
6 left. There's parking all along the road up  
7 there. You know, you go from Vance's house,  
8 then there's some little houses up there.  
9 COMMISSIONER FULGINITI: I understand  
10 where you're referring to. This was completely  
11 a traffic study.  
12 THE WITNESS: It's a bogus traffic study.  
13 COMMISSIONER FULGINITI: I can't address  
14 that. That was our Police Department. The  
15 Safety Department that conducted the traffic  
16 study. That was their finding. Because of the  
17 -- it's a corner there. It's not straight  
18 through, and there's -- parking was adjusted  
19 based on their study.  
20 If you would like, I can certainly talk to

21 the Chief again and have him re-visit it, but I  
22 have no say in it. I am not going to be  
23 responsible for the lack of safety in this  
24 neighborhood and this community. That's not

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1 going to fall on my shoulders. That's why we  
2 have this department. I went to the  
3 department, I asked them for a study, requested  
4 recommendations to clean this up and make it  
5 safe for everybody. I followed the  
6 recommendation. That was not my  
7 recommendation. That was the traffic study.

8 THE WITNESS: Thirty foot parking  
9 ordinance in Aston from the property. You're  
10 showing me --

11 PRESIDENT STIGALE: Is that a private or  
12 is that a rental?

13 THE WITNESS: It's a rental.

14 PRESIDENT STIGALE: What you just quoted,  
15 30-foot.

16 THE WITNESS: I don't know. That's what  
17 one of your people told me anyway. I pay the  
18 permit fees. Paula comes out. It's a  
19 beautiful house inside. I cannot afford to  
20 lose this house. This couple has two small  
21 children. The college kids, I went through  
22 hell with them. I spent over \$20,000.00 just  
23 in repairs over the two rentals.

24 COMMISSIONER FULGINITI: We understand.

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1 The community went through the same thing with  
2 the situation that occurred there and created  
3 the safety hazards which is why the study was  
4 requested. Our neighborhood and neighbors,  
5 they understood the frustration because they  
6 were living it everyday, having to wait up at  
7 the top of the hill for a car to come down and

8 no emergency vehicles to get through.  
 9 I am well aware of the frustration in that  
 10 area, which is why the request was made and  
 11 which is why our Chief of Police went out with  
 12 the traffic team to study that road to try to  
 13 make it safe as it could be. I can only ask  
 14 them to look at it again, but in no way am I  
 15 suggesting any changes be made, because I will  
 16 not make them. That would be entirely up to  
 17 that crew that is responsible.

18 THE WITNESS: Crozerville Road is -- that  
 19 was before this study was done when the VFW  
 20 doesn't have parking. That alleviated the  
 21 parking. They were parking out in front of the  
 22 house. I couldn't get a parking space for  
 23 myself. But the VFW, everybody has parking but  
 24 me. I cannot afford --

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1 COMMISSIONER FULGINITI: Again, I will ask  
 2 that to be re-visited to make sure that it  
 3 still needs to be that way for safety or some  
 4 things can be done that would make it safe. I  
 5 will discuss that with Chief Ruggieri and let  
 6 him take the lead on that. Whatever their  
 7 findings are for the safety of that community  
 8 is what it will be.

9 THE WITNESS: I want parking for two cars  
 10 in front of the house on Crozerville Road. I  
 11 don't know how wide it is, but the people that  
 12 live up in that other little group of houses,  
 13 they park on Crozerville Road. There's no No  
 14 Parking behind. That's a long way to walk.  
 15 It's a long way and it's not right. You're  
 16 discriminating against me as a homeowner,  
 17 senior citizen and a taxpayer.

18 COMMISSIONER FULGINITI: Thank you.

19 PRESIDENT STIGALE: If you can just stay  
 20 after the meeting so that we can get your  
 21 contact information, as Commissioner Fulginiti

22 mentioned, we'll have somebody look at it and  
23 get back to you with the findings.

24 THE WITNESS: Thank you.

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1 PRESIDENT STIGALE: Anyone else? How are  
2 you?

3 A VOICE: I'm good. How are you? Steven  
4 Sarazin, 730 14th Avenue, Prospect Park. I'm  
5 the Director of the Aston Public Library and  
6 I'm here to give my short monthly report for  
7 the library.

8 The library is holding an art contest for  
9 youth in grades K through 12. The deadline is  
10 December 31st. For more information about the  
11 rules go to [www dot Aston Library dot org](http://www.dot.AstonLibrary.org).

12 There are a few spaces left in our free  
13 chair yoga classes. They are running the next  
14 three Wednesdays and plan to have some more in  
15 January as well. Sign up through the calendar  
16 at [www dot Aston Library dot org](http://www.dot.AstonLibrary.org). Chair yoga  
17 is a gentle form of yoga that's practiced  
18 sitting on a chair or standing, using a chair  
19 for support.

20 We have some new educational toys for  
21 young children in our picture book area. These  
22 were provided through a pre-school connections  
23 grant we got from the state library and more is  
24 going to be coming through that program. The

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1 library is the place to go if you have a child  
2 learning how to read.

3 The library will be part of the Christmas  
4 event on Friday, December 7, including a visit  
5 from Santa, lighting of the Christmas tree, and  
6 Mr. Malcolm's story time. The library is going  
7 to be open specially that night until 8:00 p.m.  
8 for the event.

9 Thanks to a grant from the Ethel Sergeant  
 10 Clark Foundation and generous support from the  
 11 Glen Riddle Rotary Club we have been able to  
 12 upgrade our phone system. You can now access  
 13 information and leave a message when we are  
 14 closed. The staff will now also have cordless  
 15 phones so we are not dragging a 20 foot phone  
 16 cord across the circulation desk anymore.

17 The Friends of the Library are having a  
 18 Christmas gift basket raffle. That's  
 19 continuing through December the 12th. You can  
 20 get a ticket for \$2.00, three for \$5.00 and  
 21 seven for \$10.00. Have a look at the basket at  
 22 the library in the display case.

23 We're still setting records for book check  
 24 out. This was our busiest October ever for

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1 circulation. Any questions for me?

2 PRESIDENT STIGALE: Thank you. Great job  
 3 as always. Thank you for your report. Anyone  
 4 else? Seeing none, I would like to move onto  
 5 other business. Commissioner Fulginiti,  
 6 please.

7 COMMISSIONER FULGINITI: Thank you. Just  
 8 a few comments. On recycling, Gary will  
 9 mention things since he heads up the Public  
 10 Works. With the cost that the County passed  
 11 onto us again this year, I am sure it will  
 12 continue, it would be prudent of all of us  
 13 residents to recycle as much as humanly  
 14 possible. That currently we get paid for what  
 15 we have to pay for. So sometimes it's just a  
 16 matter of a mind set. Right now we think  
 17 everything is trash, and oh, this is recycle,  
 18 this is recycle. I would make a recommendation  
 19 to try to switch the mind set to say the big  
 20 container in the kitchen is recycle.  
 21 Everything is recycle. Oh, coffee grounds,  
 22 that's trash. If we do that, you'll be

23 surprised at the amount of recycle you have,  
24 and you probably would only need a trash pick

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1 up once a month.

2 If we as residents can do this, it will  
3 save us the increases. We'll be able to make  
4 up the loss that we incur. So again, try to  
5 have the mind set of everything is recycling in  
6 your house and then whatever isn't would be  
7 trash. Other than that, I want you to have a  
8 safe and happy Thanksgiving.

9 PRESIDENT STIGALE: Thank you,  
10 Commissioner Fulginiti. Commissioner Robinson.

11 COMMISSIONER ROBINSON: Just to follow up  
12 on Mike's comments, the new trial program of  
13 picking up the recycling every week is really  
14 going in the right direction. The tonnage is  
15 going up. We are not where we would like to be  
16 yet, but it's very favorable.

17 I want to compliment all of the residents  
18 that are making a more conscious effort to  
19 recycle the things that you might not have  
20 thought in the past were recyclable. It's  
21 evidenced by the numbers that people are taking  
22 a more conscious look instead of just recycling  
23 glass and cans. All of the plastics that we  
24 use and all the plastic containers that your

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1 butter comes in, your yogurts, puddings, all  
2 those things, you look at the bottom, they have  
3 a recycling stamp on the bottom of them. They  
4 can be recycled, and it's quite evident by the  
5 tonnages that the numbers are going up.

6 Like Mike said, we are not going to be  
7 able to offset the total cost of what the  
8 County has passed onto us for the transfer of  
9 our trash down to the trash to steam plant in

10 Chester, but we can make a significant impact  
11 on it the more recycling that we do.

12 He's absolutely correct by saying that  
13 more recycling, it's a win/win situation for  
14 the environment and win/win situation for the  
15 township because we collect revenue versus it  
16 being a debit for us. So again, thank you for  
17 your cooperation. Please continue, and it  
18 looks like the program is going to be a big  
19 success.

20 The second thing, I would like to give  
21 some recognition to our Sun Valley Marching  
22 Band. They had an outstanding season this  
23 year. They walked away with six first places  
24 in competitions that they were in this year

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1 from Chichester, Ridley, Owen J. Roberts,  
2 Unionville, Coatesville and Hatborough,  
3 Horsham. They scored first place in everyone  
4 of those competitions along with taking awards  
5 in the percussion area, color guard areas and  
6 the drum major.

7 And also to cap off their season, they  
8 went to the 2012 Pennsylvania Cavalcade of  
9 Bands Championship in Hershey, Pennsylvania and  
10 came in second place. We have got the second  
11 best band in the State right here in our school  
12 district. And the color guard also placed  
13 fifth place at the States. Congratulations to  
14 their band director, Mr. Tim Pry, and  
15 everybody associated with that band program and  
16 parents. They did an outstanding job and  
17 congratulations to them. That's all I have.  
18 Happy Thanksgiving to everyone.

19 PRESIDENT STIGALE: Thank you,  
20 Commissioner Robinson. Before I call on  
21 Commissioner Osborn, I would like to take care  
22 of some other business.

23 Consider approving proposal for collection  
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24 of the current delinquent business privilege

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1 and mercantile taxes that we collect.

2 Commissioner Osborn.

3 COMMISSIONER OSBORN: Make a motion to  
4 approve the proposal for the collection of  
5 current and delinquent business privilege and  
6 mercantile taxes with E-Collect, subject to the  
7 review and approval of the township solicitor,  
8 in the form of a motion.

9 COMMISSIONER FULGINITI: Second.

10 PRESIDENT STIGALE: Motion and second.

11 Any questions or comments?

12 COMMISSIONER HIGGINS: I have some  
13 comments, please. Just a few comments. This  
14 is in regard to the E-Collect motion. There's  
15 a motion in front of the board to name  
16 E-Collect Plus as the tax collector for Aston  
17 Township for the Act 511 enabling taxes.  
18 That's the business privilege tax and the  
19 mercantile tax.

20 E-Collect is a fairly new company located  
21 in Pittsburgh. One of the partners of  
22 E-Collect is the former Centax Vice-President  
23 who was responsible for and headed up the tax  
24 collection operations at their local Aston

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1 Township office.

2 In effect, this individual was our account  
3 representative. This included the collection  
4 of business privilege and mercantile tax for  
5 Aston Township. Centax is now out of business,  
6 and in litigation in counties throughout the  
7 Commonwealth. My review of tax collection  
8 reports shows that the collection of these  
9 taxes was not executed consistently and there  
10 are significant numbers of businesses that have

11 gaps in making payments and have not paid their  
12 511 taxes. The actual responsibility was with  
13 the local office headed by the former  
14 Vice-President.

15 Based on this, I have concerns that we'll  
16 face the same results if E-Collect is awarded  
17 the contract. I feel I have a fiduciary  
18 responsibility to our residents, business  
19 owners and the township and thus cannot vote in  
20 favor of this motion. Thank you.

21 PRESIDENT STIGALE: Any questions or  
22 comments? I have a motion and a second. All  
23 in favor? Opposed?

24 COMMISSIONER HIGGINS: Opposed.

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1 PRESIDENT STIGALE: Poll the board.

2 MR. LEHR: Mr. Fulginiti.

3 COMMISSIONER FULGINITI: Aye.

4 MR. LEHR: Mr. Robinson.

5 COMMISSIONER ROBINSON: Aye.

6 MR. LEHR: Mr. Osborn.

7 COMMISSIONER OSBORN: Aye.

8 MR. LEHR: Mr. Higgins.

9 COMMISSIONER HIGGINS: Nay.

10 MR. LEHR: Mr. McGinn.

11 COMMISSIONER MCGINN: Aye.

12 MR. LEHR: Mr. Stigale.

13 PRESIDENT STIGALE: Yes.

14 MR. LEHR: Motion carries.

15 PRESIDENT STIGALE: Motion carries. Any  
16 other business?

17 COMMISSIONER OSBORN: I have no other  
18 business.

19 PRESIDENT STIGALE: Commissioner Higgins.

20 COMMISSIONER HIGGINS: Thank you.

21 Remember a few years back, maybe six years ago,  
22 when the Sun Valley Band couldn't get 20 people  
23 for the band. And I must commend them for  
24 where they went from then to now. It's quite

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1 an accomplishment.

2 During the recent hurricane emergency I

3 spent a good bit of time overnight with the

4 emergency people. The police, the fire folks,

5 Public Works employees, and everybody else

6 involved did an exemplary job. I got to take

7 my hat off to some of the folks who I observed

8 throughout the night who took charge of things.

9 And that's Tom Hardy with the Aston Police

10 Department, who acted calm and cool and

11 collected himself and directed the Police and

12 others around the town. Sean Joyce, who was

13 the on-site emergency management person

14 throughout the night. George Needles who spent

15 the whole day from three o'clock in the

16 afternoon to well past 6:30 the next morning

17 documenting every incident, 121 or more

18 incidents. All night he wrote and wrote and

19 wrote and worked with the shortwave radios and

20 with the police. And of course Public Works,

21 who had to go out and close down roads and

22 other things involving trees. I have to

23 commend everyone that was involved with that

24 operation. And finally Happy Thanksgiving to

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1 everybody. Thank you.

2 PRESIDENT STIGALE: Thank you,

3 Commis sioner Higgi ns. Commis sioner McGi nn.

4 COMMI SSIONER McGI NN: Wi sh everybody a

5 happy Thanksgi vi ng. That's all I have.

6 PRESIDENT STIGALE: Mr. Lehr.

7 MR. LEHR: Just wish everyone a happy

8 Thanksgi vi ng.

9 PRESIDENT STIGALE: Ms. Naughton-Beck.

10 MS. NAUGHTON-BECK: Happy Thanksgi vi ng.

11 PRESIDENT STIGALE: Mr. Vi scuso.

12 MR. VISCUSO: Same. Great holiday.  
 13 PRESIDENT STIGALE: All right. Just to  
 14 get back to Commissioner Higgins' comments on  
 15 the E-Collect, we have done extensive research  
 16 in trying to get information for that and we  
 17 feel confident that with the contractor we have  
 18 in place with them, that none of these failures  
 19 would exist, so I wanted to bring that out to  
 20 your attention.

21 The other one is I really want to do a  
 22 thank you to the Aston Business Association.  
 23 Their Night Out in Aston where everybody went  
 24 out and had something to eat and donations were

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1 to go for Neighbors Helping Neighbors, to feed  
 2 families at Thanksgiving was a huge success.  
 3 We were able to provide hot meals for a lot of  
 4 people in need, and I just wanted to thank  
 5 Barnaby's, Casa Prego, Hennessy's, Ice Works,  
 6 Pub and Grill, Pretzel Boys, Capriottis, Cocco's  
 7 Pizza, Ice Works Cafe, Memories Grill and Zac's  
 8 Hamburgers, for participating in that event,  
 9 and once again the Aston Business Association  
 10 for heading that up. That was Thanksgiving.

11 Now Christmas is around the corner so the  
 12 Aston Business Association again is trying to  
 13 help families at Christmas. And they're in the  
 14 process of doing a Toys for Tots. We have toy  
 15 bins located right now at the Aston Township  
 16 Community Center, the Aston Township building,  
 17 Iron Workers Bank, Rick's Sheds, and there's a  
 18 lot of businesses that want to participate in  
 19 this event, so you'll be seeing a flier on a  
 20 tin in the local businesses in Aston, if you  
 21 want to support us.

22 We'll take gift cards to Walmart, Target,  
 23 Giant, anything you can do to help us help  
 24 others for the holiday. And I just want to

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1 remind you the deadline is December 14 for  
2 those items that we are going to try to  
3 collect.

4 Again I want to thank everyone. Please  
5 get to our website, sign up for the Township  
6 Times Newsletter, very important information,  
7 especially in an emergency that can be sent to  
8 you, and I wish everybody a Happy Thanksgiving.  
9 Need a motion to adjourn.

10 COMMISSIONER OSBORN: Motion.

11 COMMISSIONER FULGINITI: Second.

12 PRESIDENT STIGALE: Meeting adjourned.

13 (Whereupon, the hearing is  
14 concluded at 8:30 p.m.)  
15  
16  
17  
18  
19  
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21  
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23  
24

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

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

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