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ASTON TOWNSHIP
BOARD OF COMMISSIONERS
September 19, 2012

Transcript of the ASTON TOWNSHIP BOARD OF
COMMISSIONERS MEETING, taken before Lorraine Evans,
Court Reporter-Notary Public, at the Township
Building, 5021 Pennell Road, Aston, Pennsylvania
19014, on Wednesday, September 19, 2012,
commencing approximately at 7:00 p.m.

BOARD MEMBERS

JAMES M. STIGALE, PRESIDENT
MICHAEL J. HIGGINS, VICE-PRESIDENT
V. MICHAEL FULGINITI
MARK T. OSBORN
GARY C. ROBINSON
CAROL GRAHAM

JOSEPH J. VISCUSO, ENGINEER
GEORGE NEEDLES, ADMINISTRATIVE ASSISTANT
ELIZABETH NAUGHTON-BECK, TOWNSHIP SOLICITOR

LORRAINE EVANS
COURT REPORTER-NOTARY PUBLIC
28 S. New Middletown Road
Media, Pennsylvania 19063
(610) 566-0394 7evanslorraine@comcast.net

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MR. BATHON:

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PRESIDENT STIGALE: Good evening everybody. At this time I would like to call the Aston Township Board of Commissioners meeting for Wednesday, September 19, 2012 to order. We can all rise for the Pledge of Allegiance.

(Pledge of Allegiance)

PRESIDENT STIGALE: I need a motion to review and approve the bills and payroll.

COMMISSIONER OSBORN: So move.

COMMISSIONER HIGGINS: Second.

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

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

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

COMMISSIONER OSBORN: So move.

COMMISSIONER HIGGINS: 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
Page 2

2 present vote "aye.")

3 PRESIDENT STIGALE: Need a motion to
4 approve the minutes of the regular meeting of
5 July 18, 2012.

6 COMMISSIONER OSBORN: So move.

7 COMMISSIONER HIGGINS: Second.

8 PRESIDENT STIGALE: Motion and a second.

9 Any questions or comments? All in favor?
10 Opposed?

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

13 PRESIDENT STIGALE: Need a motion to
14 approve the minutes of the special meeting of
15 August 28, 2012.

16 COMMISSIONER OSBORN: So move.

17 COMMISSIONER HIGGINS: Second.

18 PRESIDENT STIGALE: Motion and a second.

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

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

23 PRESIDENT STIGALE: Moving onto
24 Proclamations. I would like to call on

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1 Commissioner Osborn, please.

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

5 Whereas, the Board of Commissioners,
6 Township of Aston, Delaware County,
7 Pennsylvania, desires to honor a family who
8 operated a business in our community for over
9 50 years; and

10 Whereas, on February 14, 1959, John
11 Venuti, Sr. opened his business on Concord
12 Road. His two sons, John, Jr. and Bill began
13 working in the store when they were fifteen,
14 assisting their father and learning the

15 business. Their mom, Ellamae, helped take care
16 of the store whenever needed. Their aunt,
17 Carrie Venuti, reported to the store everyday;
18 and

19 Whereas, John Venuti, Sr. started his
20 business selling everything from bullets to
21 housewares and eventually decided to specialize
22 in hardware; and

23 Whereas, this family-owned business was
24 not only a hardware store but also a place for

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1 residents to gather. On any given day at the
2 back of the store in The Bullpen you would see
3 residents of Aston and friends of the family
4 drinking coffee and eating doughnuts.

5 Now, therefore be it proclaimed that the
6 Board of Commissioners recognizes The Venuti
7 Family in appreciation of their service to
8 Aston Township and the residents and Venuti's
9 Hardware will be sorely missed.

10 Duly proclaimed this 19th day of
11 September, 2012, Aston Township Board of
12 Commissioners. By James M. Stigale, President,
13 Michael J. Higgins, Vice-President, Michael
14 Fulginiti, Commissioner First Ward, Mark
15 Osborn, Commissioner Third Ward, James W.
16 McGinn, Commissioner Fifth Ward, Carol Graham,
17 Commissioner Second Ward, Gary C. Robinson,
18 Commissioner Fourth Ward, and attested to by
19 Richard D. Lehr, township secretary manager.
20 Congratulations.

21 (Applause)

22 PRESIDENT STIGALE: If you'd like to come
23 forward please. Ask everyone to stay for a
24 minute. At this time I would like to call up

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1 Maryann Bullen from the Aston Business
2 Association.

3 MS. BULLEN: On behalf of the Aston
4 Township Business Association and the Aston
5 residents we are proud and happy to announce
6 that the Venuti Brothers will be our Grand
7 Marshal for the parade this year for Community
8 Day.

9 (Applause)

10 PRESIDENT STIGALE: At this time I would
11 like to recognize Chief Dan Ruggieri from the
12 Aston Township Police Department and Ann Iacono
13 from State Representative Steve Barrar's office
14 to come forward please.

15 CHIEF RUGGIERI: Good evening. I am here
16 this evening to honor five of our police
17 officers for exemplary behavior in the line of
18 duty. Two separate incidents. The first
19 police officers I would like to recognize are
20 Officer Joshua Micun and Officer Kevin Hall.
21 I'll give you a brief background into the
22 incident.

23 On May 26, 2012, Officers Micun and Hall
24 responded to the report of an unconscious

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1 person in the vehicle at 17 Village Drive.
2 Upon their arrival, they found the 74 year old
3 resident of this location unresponsive in his
4 vehicle and without a pulse.

5 Officers Micun and Hall immediately
6 removed the subject from the vehicle and
7 started CPR until medics arrived. Upon arrival
8 of the medics they managed to regain the pulse
9 of this gentleman and transported him to the
10 hospital, and without their efforts this
11 subject certainly may not have lived. For
12 their efforts I would like to present Officers
13 Micun and Hall with a Commendation of Merit
14 from the Police Department. I would ask at
15 this time that they come forward.

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(Applause)

CHIEF RUGGIERI: The merit simply reads:
In recognition of achievement above and beyond
the call of duty and exceptionally outstanding
service, you are hereby awarded Commendation of
Merit for your lifesaving efforts of the 74
year old male from Village Drive.

(Applause)

CHIEF RUGGIERI: And I believe Mrs. Iacono
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from Representative Barrar's office has
something for you as well.
MS. IACONO: Representative Barrar is very
sorry he's unable to attend this event. On
Representative Barrar's behalf, I would like to
present flags that were flown over our Capital
in Harrisburg for the following officers,
Officer Michael Castagliuolo, Officer David
Gasirowski, Officer Dennis Killian, Officer
Joshua Micun and Officer Kevin Hall. The flags
were flown in honor of the officers for their
Service Commendation Bar Award. Representative
Barrar would like to extend congratulations to
these officers for a job well done.
Congratulations.

(Applause)

PRESIDENT STIGALE: Congratulations.
CHIEF RUGGIERI: The remaining officers I
would like to recognize are Officer Dennis
Killian, Office David Gasirowski and Officer
Michael Castagliuolo. On May 28, 2012 these
officers responded to 2130 North Bent Lane for
the report of a suicidal subject with a gun.

Upon the arrival of all three officers it
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was learned this subject was in the basement
area of the home. As they descended down the
steps they confronted the 51 year old male who
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(Applause)

CHIEF RUGGERI: I have one more. I will be brief. I stand before you this evening with great pride, as I would like to honor one of our crossing guards, Joan Gusler, who recently celebrated 25 years of service to our community.

Two words come to mind when describing

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Joan, dependable and dedicated. Rain or shine there is one thing I am certain of, is that Joan will be on her post. We often forget the important role crossing guards play in our community, crossing our children at some of the busiest intersections in town. We the community have placed the utmost faith and trust in our crossing guards by asking that they keep our children safe as they travel to and from school.

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I would personally like to thank Joan for 25 years of dedicated service to our community and all her hard work and effort in keeping our children safe and secure during the school year. Ladies and gentlemen, she is a true gem. At this time I would ask Joan Gusler to come forward please.

18

(Applause)

19

CHIEF RUGGERI: It's a wrap for me.

20

PRESIDENT STIGALE: On behalf of the Board of Commissioners we would like to congratulate the recipients of the awards tonight and we appreciate your dedicated service to our township. Thank you very much for all you do.

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(Applause)

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PRESIDENT STIGALE: At this time in recognition of 2012 Outstanding Citizen of the Year, call on Commissioner Osborn, please.

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5 COMMISSIONER OSBORN: Thank you. Township
6 of Aston, Delaware County, Pennsylvania,
7 Proclamation. Whereas, the Board of
8 Commissioners, Township of Aston, Delaware
9 County, Pennsylvania, desires to honor a
10 resident of Aston Township who has donated much
11 of her time and talent to make Aston a better
12 community; and

13 Whereas, Mrs. Katherine, Kit, Irene Spayd
14 has served on the Veterans Memorial Board, the
15 Citizens Advisory Committee, the Recreation
16 Committee and was recently appointed
17 Chairperson of the Sub-Committee, "Smiles in
18 the Playground" project, which will help plan
19 and purchase playground equipment for special
20 needs children in our township. She is very
21 active with Autism Speaks and Girl Scouts of
22 America; and

23 Whereas, Kit prepared and officiated the
24 Aston Township Easter Egg Hunt for the last

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1 five years and prepared and officiated coat
2 drives, Halloween parties, park clean up days,
3 Easter Egg Hunts and Christmas parties for
4 Aston's Second Ward; and

5 Whereas, Kit has served as Trustee and
6 Vice-President for the Aston-Beechwood Fire
7 Company and is currently serving her second
8 term as President. She has received the
9 President's Award for three straight years.
10 Kit has helped plan or chair the "Everyone Goes
11 Home" dinner and presentation for the State
12 Fire Commissioners, pancake breakfasts, movie
13 night, fire and EMS open house, karaoke nights
14 and barbeques, as well as the Delaware County
15 Fireman's Parade in 2010.

16 Now, therefore be it proclaimed that the
17 Board of Commissioners recognizes as Aston

18 Township Outstanding Citizen of the Year 2012
19 Mrs. Katherine, Kit, Irene Spayd in
20 appreciation of her service to Aston Township
21 and the residents.

22 Duly proclaimed this 19th day of
23 September, 2012. Aston Township Board of
24 Commissioners, James M. Stigale, President,

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1 Michael J. Higgins, Vice-President, V. Michael
2 Fulginiti, Commissioner First Ward, Carol
3 Graham, Commissioner Second Ward, Mark T.
4 Osborn, Commissioner Third Ward, Gary C.
5 Robinson, Commissioner Fourth Ward, James W.
6 McGinn, Commissioner Fifth Ward and attested to
7 by Richard D. Lehr, township secretary/manager.
8 Congratulations.

9 (Applause)

10 PRESIDENT STIGALE: I would like to move
11 onto Committee reports. Commissioner Robinson.

12 COMMISSIONER ROBINSON: Thank you. The
13 Aston Recycling Report for the month of July,
14 2012. Single stream recycling collected
15 curbside, in July, 80.50 tons commingled,
16 newspapers dropped off at the container, 7.34
17 tons, aluminum cans collected by the Aston
18 Lions Club, 135 pounds, scrap metal collected
19 for the month of July, point four seven tons,
20 \$200 a ton for \$201.00. Lorco of Maryland, 595
21 gallons of waste oil \$505.75. Newman and
22 Company, newspapers, \$73.70, ReCommunity
23 Corporation, Inc., \$1,786.28. Total revenue
24 for the month of July, \$2,566.73.

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1 Recycling report for the month of August,
2 commingled, 84.45 tons, 8.26 tons newspaper
3 dropped off at the container, aluminum cans,
4 126 pounds collected by the Aston Lions Club,
5 point 33 tons of scrap metal collected, \$52.80.

9AstonTwp1912

6 Lorco of Maryland, 325 gallons of waste oil,
7 \$260.00, Newman and Company, newspapers,
8 \$82.60, ReCommunity Corporation, \$1,048.03, for
9 a total revenue for the month of August,
10 \$1,048.43. I am sorry, \$1,443.43.

11 Chester Ridley Crum Watersheds Association
12 and Aston Township invite you to attend Simple
13 Steps to Successful Composting, Thursday,
14 October 18, 2012, from seven p.m. to 8:30 p.m.
15 in the Aston Township Municipal Building.
16 Presenter, Sam Barnett, Master Gardener of
17 Delaware County. Sam will present how to
18 construct a compost pile, how to manage it and
19 how to use it. Again, that's October 18, here
20 at the township building from seven to 8:30
21 p.m.

22 Starting Monday, October 1st, the Aston
23 Township Public Works Department will be
24 running a pilot program in which they will be

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1 collecting your recycling weekly on the same
2 day as your regular trash. This program will
3 run until the end of the year when a cost
4 benefit analysis of the program will be
5 prepared. We ask all residents to place all of
6 your recyclables in either blue recycling
7 containers or containers clearly marked as
8 recycling. Please recycle as much as possible
9 and make this program a success.

10 Bagged leaf collection is set to start on
11 Monday, October 29. Please make sure you place
12 your leaves in brown paper bags or plastic
13 trash containers. No plastic bags. The
14 collection will be on your regular trash day
15 and will run until Friday, December 21. We
16 will have the paper bags for sale here at the
17 township building upstairs Monday through
18 Friday 8:30 a.m. to 4:00 p.m., five bags for

19 \$1.00, until they run out. Once they run out
20 they are gone.

21 On behalf of the Public Works and Code
22 Department, I would like to thank those
23 residents who received notices regarding the
24 weeds and overgrowth at the curb and street

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1 area for taking the time to remove the
2 overgrowth.

3 This is just as important as keeping the
4 lawn mowed as it keeps the neighborhoods
5 looking clean and not overgrown when you drive
6 down the township streets.

7 Again, thank you to those that have
8 cleaned that area and to all the residents,
9 please keep this area free of weeds and
10 overgrowth as per the ordinance.

11 That statement is from Paula Turnbach, our
12 code officer and Russ Palmore, our road
13 foreman.

14 Aston Township offices and Public Works
15 Departments will be closed on Monday, October
16 8, 2012 in observation of Columbus Day. All
17 Monday and Tuesday trash and recycling will be
18 picked up on Tuesday, October 9, 2012. That's
19 all I have, President Stigale.

20 PRESIDENT STIGALE: Thank you,
21 Commissioner Robi nson. Commi ssi oner Osborn,
22 please.

23 COMMI SSI ONER OSBORN: We have the
24 financial reports for both August and

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1 September. For August 2012, cash on hand,
2 \$1,295,465.34. Receipts, \$5,383,764.03.
3 Expenditures, actual payments, \$5,340,946.71.
4 Cash on hand, \$1,338,282.66. The breakdown of
5 the cash on hand, we have the TD General Fund,
6 \$946,782.33. TD Liquid Fuel, \$391,533.00 and
Page 12

7 the Capital Reserve, which is the TD T bill in
8 the amount of \$1,051,366.05.

9 For September, 2012, cash on hand,
10 \$1,295,465.34. Receipts, \$6,962,156.11.
11 Expenditures, \$6,010,606.33. Cash on hand,
12 \$2,247,015.12. The breakdown of the cash on
13 hand in the TD General Fund, \$1,865,877.17. TD
14 Bank Liquid Fuel, \$381,137.95 and the Capital
15 Reserve, T Bill, \$1,051,455.10.

16 As I have stated before, that's the
17 overview. The entire report is here. If
18 anyone wants to look at it, just see me.
19 Additionally, I want to mention that the
20 Finance Committee has started preliminary
21 meetings for the 2013 fiscal year. The
22 committee is doing everything they can to keep
23 the tax rate down as low as we can. We are
24 meeting with vendors for the -- to collect the

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1 business privilege and mercantile taxes and
2 EIT, earned income taxes, has already been
3 awarded. That's a County thing. We don't have
4 anything to do with it. That's all I have.

5 One more tidbit. Representative Barrar's
6 Annual Fall Fair, Saturday, September 22nd,
7 2012, ten a.m. to one p.m. Endo
8 Pharmaceuticals, 100 Endo Boulevard in Chadds
9 Ford. This is a free family-friendly event for
10 the opportunity to take advantage of health
11 screenings and gather information from area
12 government and non-profit organizations. Again
13 that's Saturday, September 22nd, ten to one at
14 100 Endo Boulevard, Chadds Ford, Pennsylvania.
15 You can look all this up on Representative
16 Barrar's website, [www dot steve barrar dot com](http://www.dot.steve.barrar.dot.com)
17 for e-mail or Facebook dot come back slash
18 representative barrar. Anyone that wants to
19 see this, I will leave it up here. Now, that's

20 all I have.

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

23 COMMISSIONER HIGGINS: Thank you, Mr.
24 President. Permits and license report for the

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1 month of August. Following is a report for
2 permits and licenses issued for the month of
3 July 2012. Beginning balance \$246,971.00.
4 Total income from building permits and general
5 contractors licenses, \$12,927.00. Electrical
6 permits, \$3,500, plumbing and heating permits,
7 \$4,522.00, income from other licenses and
8 permits, Board of Health, \$200.00, income from
9 other licenses, rentals, inspections and
10 permits from vendors, \$11,430.00.

11 Certificate of Occupancy, total income
12 from CO's, \$2,675.00, total revenue collected
13 during the month of July, \$35,254.00. Total
14 for 2012, \$282,225.00. At this time last year
15 it was \$205,870.00.

16 Same permits and licenses report for the
17 month of September, dated September 9, 2012.
18 Beginning balance \$282,225.00. Total income
19 from building permits and general contractors
20 licenses, \$20,932.00. Electrical permits,
21 \$1,263.00. Plumbing and heating permits,
22 \$2,543.00. No Board of Health issued. Income
23 from other licenses and rentals inspections and
24 permits, \$1,845.00. Certificates of Occupancy,

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1 total income from CO's, \$455.00. Total for
2 August, total revenue collected, \$27,038.00.
3 Total for 2012, \$309,263.00, and that total
4 collected same time last year, \$234,612.00.
5 Quite an increase.

6 I want to talk a little bit about the
7 Sewer Authority, and we are going to have a

8 little bit of a presentation. During the July
9 Board of Commissioners meeting we discussed the
10 importance of eliminating rain water from
11 entering the sanitary sewer collection system
12 so that the Sewer Authority would only be
13 required to treat and process normal daily
14 waste flow and not any extra peak flow that
15 occurs during a rain event. This puts severe
16 stress on the treatment process and capacity.

17 Rain water can enter or infiltrate the
18 sanitary sewer collection system in a number of
19 ways. There's three ways. From a defective
20 property lateral. That's the line that comes
21 from the house to the curb, from a vent pipe
22 located at or below ground level, and from a
23 sump pump connected to the sanitary waste
24 system.

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1 Tonight I would like to focus on rain
2 water entering the vent pipes located at or
3 below ground level. Gentlemen, would you bring
4 the front lawn over in the front? Bring that
5 end over last, the tub. This is Bob Naef and
6 Don Miller, from the Southwest Municipal
7 Authority. Bob, you want to get a close up?
8 What we have there on Bob's left side, your
9 right, is a typical vent pipe that comes up
10 from the ground and it's supposed to simulate
11 being at the ground level or below ground
12 level.

13 What happens is when there's a rain storm
14 the water comes down your lawn and gets into
15 the vent pipe down into the lateral and into
16 the water to be treated, so that's not a good
17 thing. This happens to come from my front
18 lawn, which was not in shape. Bob, show what
19 happens, what can happen as you remove the vent
20 and the collar that's there. Pull it out of

21 the dirt.

22 MR. NAEF: What we're trying to show here
23 is a lot of existing vents and the vent is to
24 allow air to get into the sewer system. The

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1 sewer system is a flow that needs air to have
2 the system function properly. Over time a lot
3 of these vents have sunk in the ground and they
4 basically become an Inlet for water. They
5 drain the front property. The vents are
6 generally located in the front and they drain
7 the property and allow the rain water to enter
8 the sewer system. This is basically clean
9 water, but it goes into the sewer system and
10 has to be treated. So that's cost to the
11 treatment process which it doesn't need to be
12 treated, but it adds cost to the treatment
13 process.

14 The Sewer Authority is working along with
15 the township now and DEP, Pennsylvania
16 Department of Environmental Protection, to
17 eliminate as much of this rain water in the
18 sewer system as possible. And one of the ways
19 to do it, if you have a sewer vent, and the
20 sewer vent looks like this, and it's in a
21 casing -- this casing is broken (indicating).
22 This is at ground level or slightly below
23 ground level, and what happens, when this gets
24 below ground level, the water enters the vent

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1 and goes into the sewer system and creates this
2 flow.

3 One of the simple ways to correct this
4 problem is that you could buy material at Home
5 Depot. This vent, a professional can take the
6 vent off and they can put a rubber coupling
7 that goes on with a screw driver onto the
8 existing pipe and put a little piece of pipe in

9 that and put a cap over top of it. That
10 basically raises the vent above the ground
11 level which would prevent flow into the
12 lateral.

13 What we have done here, we have some
14 drawings, the Sewer Authority prepared some
15 drawings, that you can take a look at for
16 different situations and if you have any
17 work -- what we are trying to do tonight, if
18 you have work being performed at your home by a
19 plumber, and you can ask them to take a look at
20 your vent and see whether or not you can be in
21 compliance with the drawings as shown here
22 tonight. And that's what we are trying to do
23 is make people aware that an easy way to remove
24 the storm water from the sewer system is

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1 through having the proper venting and a proper
2 elevation of the vent above the ground level in
3 your front lawn. Anything that you wanted to
4 add?

5 COMMISSIONER HIGGINS: Doesn't have to be
6 as high as it is in front of Bob. Roughly four
7 inches.

8 MR. NAEF: This is -- everything is
9 exaggerated here to try to provide a
10 demonstration, but what you want is the vent
11 pipe, the top of the vent pipe, to be this high
12 above ground level, about four inches. That
13 will prevent any rain water from entering the
14 sewer system, and the vent is necessary to
15 allow the gravity system to flow properly.

16 COMMISSIONER HIGGINS: Thank you, Bob.
17 That's all I have.

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

20 COMMISSIONER GRAHAM: Thank you,
21 Commissioner Stigale. The Aston Beechwood

22 9AstonTwp1912
Volunteer Fire Company fire report for July,
23 2012. Fire calls 31, ambulance calls 119.
24 Aston Beechwood Volunteer Fire Company fire

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1 report for August, 2012. Fire calls 28,
2 ambulance calls 114. These were submitted by
3 Chief John Lloyd.

4 Green Ridge Fire Company Report for the
5 month of July, 2012, runs 43, time in service
6 23 hours, 24 minutes. Dispatches 20, responses
7 17, first emergencies 12, second emergencies
8 eight, third emergencies zero.

9 For August 2012, runs 54, time in service
10 27 hours, 35 minutes, dispatches 16, responses
11 11, first emergencies nine, second emergencies
12 seven, third emergencies nothing.

13 Green Ridge Fire Company would like
14 everybody to know that September marks 70 years
15 of volunteer service for members to the
16 residents and businesses of Aston Township.
17 Also they wanted to remind everybody school is
18 back in session. Please use caution when
19 driving for the children.

20 October is Fire Prevention Month. Any
21 school, Daycare or community group wanting to
22 have a fire prevention demonstration or lesson,
23 please contact the firehouse.

24 And October 27 the Green Ridge Fire

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1 Company will be having a Halloween Beef and
2 Beverage at the firehouse located at Dutton
3 Mill Road. You can look for more information
4 on www dot green ridge 63 dot com or Green
5 Ridge Volunteer Fire Company Facebook page or
6 Twitter page. That's all I have.

7 PRESIDENT STIGALE: Thank you,
8 Commissioner Graham. Return back to
9 Commissioner Osborn please.

10 COMMISSIONER OSBORN: Thank you, President
11 Stigale. Police report for the month of July,
12 2012. Incidents handled, 682, accident
13 investigations 26, Criminal investigations 64,
14 25 Part I Crimes, 38 Part Two Crimes, Clearance
15 Rate for Part I, 48 percent, Clearance Rate for
16 Part II crimes 70 percent.

17 Police report for August 2012, incidents
18 handled 733, accident investigations 37,
19 criminal investigations 71, 28 Part I Crimes,
20 27 Part II Crimes, Clearance Rate Part I, 11
21 percent, Clearance Rate Part II, 56 percent.
22 That's all I have.

23 PRESIDENT STIGALE: Thank you,
24 Commissioner Osborn. At this time I would like

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1 to open the floor to the public for agenda
2 items only please. Okay, seeing none -- yes.

3 A VOICE: Good evening, Commissioners. My
4 name is Sean Flynn. I am a resident of Hope
5 Lane and also represent the Spring Valley
6 Estate Homeowners Association. I notice that
7 you have a resolution for final dedication.
8 Many of my neighbors are very excited they
9 won't be driving over manhole covers anymore.
10 So we look forward to that.

11 One concern we've had come out of some of
12 our meetings is proper drainage of the
13 retention basin for the community. It's my
14 understanding that the township engineer will
15 do final inspection prior to dedication.

16 We would ask that that's taken care of,
17 especially with the health concerns this summer
18 of the West Nile mosquitos. As an Association
19 we did treat the pond for the community and our
20 surrounding neighbors. It does appear it does
21 not drain properly. My impression is it should
22 fill up with water when it rains and empty when

23 it's not raining. That's our one item we ask
24 to be considered prior to the final vote of
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1 dedication. Thank you for your time. Let us
2 know if you have any questions.

3 PRESIDENT STIGALE: Thank you very much.
4 Anyone else, agenda items only? Seeing none,
5 I would --

6 A VOICE: Non-agenda.

7 PRESIDENT STIGALE: We'll come back to
8 you. Moving on, Commissioner Higgins.

9 COMMISSIONER HIGGINS: Make a motion to
10 place the meeting in sine-die.

11 COMMISSIONER OSBORN: So move.

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: At this point of the
18 meeting I would like to turn it over to our
19 township solicitor, Ms. Naughton-Beck.

20 MS. NAUGHTON-BECK: Thank you, President
21 Stigale. Before you, Commissioners, is the
22 conditional use application of Michael
23 Saunders. At this time I would like to call up
24 Mr. Saunders and his attorney. As they get

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1 themselves seated, for purposes of the record,
2 this is a conditional use application of
3 Michael J. Saunders to park heating, fuel and
4 diesel delivery trucks on property located at
5 16 Crozerville Road, located within the LI
6 district.

7 Tonight's hearing was advertised in the
8 Delaware County Daily Times on September 5 and
9 September 12, 2012. I have Proof of
10 Publication of this advertisement, which I will

11 mark for the record Township Exhibit One.

12 (Whereupon, a document is
13 produced and marked as Township
14 Exhibit 1 for identification.)

15 MS. NAUGHTON-BECK: Specifically,
16 Commissioners, the relief that is being sought
17 is pursuant to Section 1278.03A, requires that
18 limited industrial district conditional use is
19 required for storage of fuel oil for sale and
20 distribution.

21 Mr. Saunders by his attorney, Matt Bathon,
22 will now present their testimony as to the
23 basis for the relief they are seeking, and for
24 purposes of the members of the public, after

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1 the applicant has submitted his evidence, the
2 Commissioners will have an opportunity to ask
3 any questions they have and open up to the
4 public for any questions or comments they may
5 have.

6 MICHAEL J. SAUNDERS, NICK
7 FALCONE, having been called as a
8 witness and having been duly
9 sworn, was examined and
10 testified as follows:

11 MR. BATHON: Mr. President, Madam
12 Solicitor, my name is Matt Bathon, here
13 representing Michael Saunders in connection
14 with the conditional use application before
15 you. We will have a brief presentation. Did
16 you bring the exhibit? We'll have a brief
17 presentation. I will ask Mr. Falcone to
18 testify first. He's the owner of the property.

19 BY MR. BATHON:

20 Q Mr. Falcone, would you state your name?

21 A Nick Falcone.

22 Q Are you familiar with the property known
23 as 16 Crozerville Road?

24 A Yes.

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1 Q In Aston Township. How are you familiar
2 with that property?

3 A I own it.

4 Q Now, do you own it personally?

5 A I'm a partner.

6 Q All right and what entity actually owns
7 the property?

8 A NFS Realty.

9 Q What is your title with them?

10 A President.

11 Q I am going to show you what I am marking
12 as Exhibit A and ask you if you can identify that.

13 A It's my deed.

14 Q And that shows NFS Realty, LLC?

15 A Yes.

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

19 MS. NAUGHTON-BECK: Could you step closer
20 to the microphone?

21 THE WITNESS: Yes.

22 BY MR. BATHON:

23 Q So that is your deed for the property?

24 A Yes.

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1 Q So you're the owner of the property. I
2 will show you what's been marked as Exhibit B. I
3 will ask you if you can identify that.

4 A That's the lease.

5 Q And who's the tenant on the lease?

6 A Michael Saunders.

7 Q And is that -- what is the purpose of that
8 lease, Mr. Falcone?

9 A Rental of the property.

10 Q To Mr. Saunders?

11 A Yes.

12 Q For what use?

13 A Parking vehicles.

14 Q What kind of vehicles?

15 A Fuel trucks.

16 Q Fuel trucks?

17 A Yes.

18 Q Was it also intended that he might also
19 operate a business out of there as well?

20 A Yes.

21 (Whereupon, a document is
22 produced and marked as Exhibit B
23 for identification.)

24 MR. BATHON: Beth, do you want me to move
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1 to have these admitted or are they just
2 automatically admitted?

3 MS. NAUGHTON-BECK: You can do it at the
4 end.

5 BY MR. BATHON:

6 Q Mr. Falcone, I will show you what's been
7 marked as Exhibit C and ask you if you can identify
8 that.

9 A It's the area on the property where
10 they're going to park.

11 Q Okay, so that's an aerial photograph of
12 the property?

13 A Yes.

14 Q And does the area that's noted on there
15 that states office and leased area, is that
16 generally the area that Mr. Saunders is leasing from
17 you?

18 A Yes.

19 Q Okay, so that adequately describes the
20 leased area?

21 A Yes.

22 (Whereupon, a document is
23 produced and marked as Exhibit C
24 for identification.)

1 BY MR. BATHON:

2 Q And then I will show you what's been
3 marked as Exhibit D, and ask you if you can identify
4 that.

5 A It's a plot plan of the property.
6 (Whereupon, a document is
7 produced and marked as Exhibit D
8 for identification.)

9 BY MR. BATHON:

10 Q So, okay, does that generally describe the
11 outlines of the property?

12 A It does.

13 Q In question, all right. Now in your
14 lease, Mr. Falcone, the lease is to Mr. Saunders of
15 Brandywine Fuel. Who do you view as your tenant?

16 A Mike Saunders.

17 Q Do you view Brandywine Fuel, whoever that
18 might be, as your tenant?

19 A No.

20 Q Now, with regard to the topography of that
21 particular property, is it hilly? Flat?

22 A Basically flat.

23 Q It is flat. The area where Mr. Saunders
24 would be requesting to park the trucks, is that area

1 flat?

2 A Yes.

3 Q Is there any -- are there any walls or
4 fences or anything around the property, if you could
5 describe that for the Commissioners?

6 A The whole property has a wall around it.

7 Q What kind of wall is it?

8 A Concrete block wall and the front has a
9 fence.

10 Q How high is the fence?

11 A Eight foot.

12 Q Does that fence have any screening on it?

13 A Yes.

14 Q So, if Mr. Saunders were granted
15 permission to park the trucks there, would the
16 trucks be visible from the street?

17 A Probably not, no.

18 Q Now, just recognizing the area that
19 surrounds your property, could you just generally
20 describe for the Commissioners what types of uses
21 are going on around the property in question at 16
22 Crozerville Road?

23 A It's industrial, pretty much.

24 Q What type of uses? A lot of machinery?

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1 A Machinery, vehicles parking, there's other
2 fuel trucks and whatnot.

3 Q So there are other fuel trucks in the
4 area?

5 A Yes.

6 Q If you know, where might they be located?

7 A Generally don't know. They are in the
8 area.

9 Q Are they actually parked in neighboring
10 properties as well?

11 A Yes.

12 Q What about fuel storage? Are there a lot
13 of fuel tanks there, diesel tanks?

14 A Yes.

15 Q Off road diesel tanks?

16 A Yes.

17 Q Within the general vicinity of your
18 property?

19 A Yes.

20 Q And of course you're familiar with Mr.
21 Saunders' intended use of the property. Would you
22 view his use consistent with that and compatible
23 with that of the neighboring properties?

24 A I would, yes.

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1 Q Is Mr. Saunders authorized to be here
2 before the Board of Commissioners to request this
3 conditional use by you as the owner of the property?

4 A Yes.

5 MR. BATHON: I don't have any further
6 questions for Mr. Falcone.

7 MS. NAUGHTON-BECK: Why don't we do Mr.
8 Saunders, and all of your testimony and go from
9 there.

10 MR. BATHON: Sure.

11 BY MR. BATHON:

12 Q Mike, would you approach the microphone
13 and state your name for the record?

14 A Michael Saunders.

15 Q And Mr. Saunders, what do you do?

16 A I am co-owner of a fuel oil company.

17 Q What is the name of that fuel oil company?

18 A Brandywine Fuel.

19 Q What is going on right now at Brandywine
20 Fuel?

21 A My partner and I are not getting along.
22 The company is in receivership and basically it.

23 Q Are you the tenant at 16 Crozerville Road?

24 A I am.

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1 Q All right. You heard Mr. Falcone's
2 testimony. Is there anything inaccurate about that
3 or anything you want to clear up with regard to what
4 Mr. Falcone said?

5 A No.

6 Q If you could briefly explain to the
7 Commissioners how you intend to use the property in
8 question.

9 A My intention is to, if granted, to run a
10 fuel oil business out of it. Tonight's purpose is
11 to get permission to park trucks there.

12 Q And how many trucks do you envision
13 parking there?

14 A Four to six.

15 Q Okay, and can you describe the trucks for
16 the Commissioners in terms of how much fuel they
17 hold, et cetera?

18 A They're just normal oil delivery trucks,
19 capacity of 2,800 gallons, nothing fancy about them
20 at all.

21 Q So, with regard to parking the trucks
22 there, you heard Mr. Falcone testify there's a fence
23 going along there and there's a concrete wall around
24 the property. Would you agree with that?

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1 A Absolutely.

2 Q Do you envision the trucks being visible
3 from the street?

4 A No, they're not visible.

5 Q Now, I will show you what was marked with
6 Mr. Falcone as Exhibit C, and ask you would you
7 concur with Mr. Falcone that the area shown on
8 Exhibit C is the area that you're leasing from him?

9 A That's correct.

10 Q And with regard to that, I am going to put
11 a red mark on Exhibit C to generally locate where
12 the trucks would be parked, is that accurate?

13 A That's accurate.

14 Q The topography, you heard Mr. Falcone
15 testify that the property is flat.

16 A It's flat. Trucks are going to be
17 definitely flat.

18 Q The trucks are definitely flat, okay.
19 Would you view your intended use of the property to
20 park the trucks there, for the purposes of this
21 evening's hearing, compatible and consistent with
22 other neighboring uses?

23 A Yes, less intense than what's going on
24 over there.

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1 Q I am going to show you what's been marked
2 as Applicant Exhibit E and ask you if you can
3 identify this exhibit.

4 A Yes, I can.

5 Q What does this exhibit show, Mr. Saunders?

6 A It's an example of the type of industry
7 that is back in the area back there, storage of fuel
8 tanks that are back in the area and the type
9 businesses that are going on back there.

10 (Whereupon, a document is
11 produced and marked as Exhibit E
12 for identification.)

13 MR. BATHON: I know you can't see the
14 pictures, and we are happy to pass it around.
15 I will ask Mr. Saunders to briefly go through
16 because they're coordinated by letters.

17 BY MR. BATHON:

18 Q So Mr. Saunders, if you could, just
19 basically talk about the letter of the picture and
20 show what is located there. Is this an aerial
21 photograph of the area?

22 A Yes, it is.

23 Q And if you could just generally talk about
24 the picture, the letter of the picture, and show

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1 what it is and what the use is.

2 A Letter A is Davies Tree Company and it's
3 depicting parking of similar trucks, tri-axle trucks
4 and just parking of heavy trucks.

5 Q How about B?

6 A B is an excavator with a thousand gallon
7 fuel tank sitting next to it.

8 Q What type of fuel is that, if you know?
9 Is that diesel type product?

10 A I would assume that would be an off-road
11 product, diesel product, yes.

12 Q Could you describe for the Board of
13 Commissioners what is shown in the picture marked as
14 C and also if you would, just for the purposes, this

15 is C right here, point to that.

16 A C which is on Bodley Road is just
17 depicting the use of the facilities back there where
18 they are parking heavy trucks.

19 Q How about picture D and show where it is.

20 A Picture D is also on Bodley Road depicting
21 a thousand gallon fuel tank.

22 Q So there's a thousand gallon fuel tank in
23 that picture. Where is that located on the map?

24 A Right there (indicating).

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1 Q Just for the record, can you show where
2 the site is generally? Hopefully the Commissioners
3 can see the site right here (indicating).

4 A Site that I am renting is right there
5 (indicating).

6 Q How about picture E?

7 A Again on Bodley Road, 2,000 gallon fuel
8 tank. I believe there's a couple more in the back.

9 Q All right. Picture -- that was E. F.
10 Lost my place.

11 A F is another thousand gallon fuel tank.

12 Q Where is that located?

13 A Directly behind the site in which I am
14 interested in.

15 Q Would you also say it might be next to the
16 site off of Crozerville Road?

17 A Yes, it is.

18 Q How about picture G?

19 A Five hundred gallon fuel tank.

20 Q H?

21 A Another 500-gallon fuel tank.

22 Q Are they the only tanks on these two
23 sites?

24 A No. Behind this one here, G, is 250

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1 gallon tank and on H behind this one there's another

2 500 gallon tank.

3 Q Are those -- the area where the pictures
4 were taken for G and H, is that right next door to
5 your site?

6 A Yes, right here.

7 Q How about picture K?

8 A K is on Mount Pleasant Road, 1,000 gallon
9 fuel tank with the 250 gallon fuel tank sitting
10 right next to it.

11 Q How about -- so there's on the other side
12 of the building, is that the same building for K?

13 A Another thousand gallon fuel tank.

14 Q So there's two one thousand gallon fuel
15 tanks?

16 A Yes.

17 Q Where is K on the aerial photograph?

18 A K is on Mount Pleasant Road.

19 Q Let me go on, show me if you would -- tell
20 me what you're seeking, what the pictures -- there's
21 three pictures marked I. Can you show the
22 Commissioners where that is on the aerial map?

23 A I is at the intersection of Mount Pleasant
24 and Bodley, it's a fuel company.

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1 Q What's the name of that fuel company?

2 A Haggarty Fuel, trucks very similar to what
3 I am asking to park.

4 Q Now, just generally speaking, are all of
5 these pictures in proximity to the site in question,
6 16 Crozerville Road, are all those within a thousand
7 or so feet of the property that you're intending?

8 A Approximately, yes.

9 MR. BATHON: Do you want me to --

10 MS. NAUGHTON-BECK: You can leave it right
11 there.

12 BY MR. BATHON:

13 Q So Mr. Saunders, generally with regard to
14 Exhibit E that's before the Commissioners as we
15 speak, what is the general theme that that exhibit

16 is intended to show?

17 A That there's a heck of a lot more fuel
18 back there than what I intend to put back there.

19 Q Within roughly a thousand feet of the
20 location that you're leasing, how many gallons?

21 A Minimum three thousand gallons. That's
22 just the ones behind me.

23 Q Those are in tanks right around you?

24 A Right.

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1 Q What would you describe as your
2 neighborhood in connection with the 16 Crozerville
3 Road property?

4 A It's an LI district.

5 Q Would you say that the neighborhood in
6 question here before the Commissioners tonight is
7 the LI district?

8 A Yes, it is.

9 Q To the best of your knowledge, Mr.
10 Saunders, is the intended use that you're requesting
11 here tonight consistent or appropriate with the
12 other uses in the neighborhood and the general
13 vicinity of your property?

14 A Yes, it is.

15 Q With regard to the size topography and
16 natural features, would your use pose any danger to
17 those or any danger to the natural features of the
18 site, and would the topography or the size of the
19 premises indicate to you that there's any enhanced
20 risk?

21 A No, absolutely not.

22 Q Do you envision any risk to the waters or
23 wetlands or slopes or any mature trees by virtue of
24 your intended use?

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1 A Absolutely not.

2 Q Let's talk about accessibility. Is your

3 property, the property in question, accessible to
4 the street?

5 A Yes, it is.

6 Q And with regard to that accessibility, do
7 you envision any impact on traffic to the premises?

8 A None whatsoever.

9 Q Could you describe for the Commissioners,
10 if you would, how often your trucks come and go?

11 A Trucks normally leave in the morning and
12 come back in the late afternoon.

13 Q So once in once out?

14 A For the most part.

15 Q Do you envision that your intended use
16 would interfere or detract from the neighborhood or
17 any of the adjoining properties?

18 A No. No way.

19 Q Do you envision that your intended use
20 would present any adverse impact with regard to
21 noise, lights, glare, odors, smoke or anything of
22 that nature?

23 A None whatsoever.

24 Q In your opinion would the use serve the

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1 best interest of the township?

2 A Having another fuel oil company in the
3 township could only possibly keep everyone honest
4 and keep the prices down.

5 Q Do you envision your intended use to have
6 any effect on the public safety, health or welfare
7 of the township?

8 A None.

9 Q Any impact on fire or police?

10 A No.

11 Q Any impact on community services or
12 facilities?

13 A None.

14 Q With regard to parking, you have indicated
15 there would be four to six trucks parked there,
16 which you had envisioned. Does that depend on

17 anything with regard to Brandywine Fuel?

18 A If I get the business.

19 Q When you say you get the business --

20 A It's in receivership, so it's going to be
21 decided.

22 MS. NAUGHTON-BECK: If I can jump in,
23 could you explain to the Commissioners what it
24 means by it's in receivership?

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1 MR. BATHON: Yes, would it be okay if I
2 just generally addressed that? I believe the
3 board has before it an Order of Court dated
4 July 18 or at least it was submitted earlier.

5 MS. NAUGHTON-BECK: I have it. They have
6 not seen it yet.

7 MR. BATHON: You'll be presented with an
8 Order of Court that Brinker Simpson and Company
9 was appointed by Judge Burr of the Court of
10 Common Pleas in Delaware County to act as
11 receiver, basically to come in and take control
12 of Brandywine Fuel and to resolve certain
13 issues.

14 And in connection with what's been
15 submitted, you will note that the property 16
16 Crozerville Road, is a property that the
17 receiver is to consider possibly moving the
18 business to. Now obviously Mr. Saunders -- so
19 the receiver is basically appointed by the
20 Court to be in charge, if you will, of the
21 business, and to make all major and material
22 decisions with regard to that. Is that
23 satisfactory?

24 MS. NAUGHTON-BECK: Yes.

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1 BY MR. BATHON:

2 Q At this juncture, Mr. Saunders, is a
3 receiver still in place?

4 A Yes, he is.

5 Q And in connection with that, your
6 intentions are either to buy the business out once
7 the receiver is done; is that correct?

8 A That's correct.

9 Q And if that doesn't happen, what are your
10 intentions?

11 A I am going to obtain other trucks and put
12 them there.

13 Q If granted?

14 A Yes.

15 Q Let's just briefly talk, also with regard
16 to parking, is your -- you'll have one car in, one
17 truck out?

18 A There's going to be adequate parking for
19 employees. Mr. Falcone has made parking spaces for
20 us, basically one car in, one truck out.

21 Q Okay, with regard to safety, the trucks,
22 can you explain for the Commissioners briefly what
23 safety measures are in place concerning those
24 trucks? Concerning any fuel oil truck in the fuel

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1 oil delivery business.

2 A They are governed by DOT. At any point in
3 time you can be stopped going down the street and go
4 through a full inspection. They are pretty intense
5 with their inspections.

6 Q Do they look at the trucks to make sure
7 there are no leaks?

8 A Absolutely, check the leaks, voids, the
9 brakes, mirrors, lights, horns, windshield washers,
10 it's pretty intense.

11 Q Are any trucks that you intend to park
12 there, will they always be in compliance with all
13 federal and state laws, to the best of your ability?

14 A Yes.

15 Q Are they always in compliance all the
16 time?

17 A Sometimes there's minor things.
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18 Q Have you ever had a problem with regard to
19 a leak?

20 A No.

21 Q With regard to a leak, is that something
22 that you would immediately address?

23 A It's liquid gold, yes.

24 MR. BATHON: That's all I have. Will I

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1 have an opportunity to address the
2 Commissioners and argue at the end?

3 MS. NAUGHTON-BECK: That's possible. What
4 I would like you to do, I did receive a fax
5 letter from James DeLizzio, but I don't submit
6 evidence, so, perhaps you would want to explain
7 to the Commissioners what this letter was. I
8 am assuming this letter was produced at your
9 request to establish for the Board that Mr.
10 Saunders has permission.

11 MR. BATHON: I believe Mr. DeLizzio is
12 here and I did ask him -- Exhibit F.

13 MS. NAUGHTON-BECK: Sure.

14 (Whereupon, a document is
15 produced and marked as Exhibit F
16 for identification.)

17 MR. BATHON: Exhibit F is a letter
18 addressed to the Aston Township Board of
19 Commissioners. Shall I read it?

20 MS. NAUGHTON-BECK: He can verify the
21 documents? Bring him up and he can verify the
22 document.

23 JAMES DeLIZZIO, having been
24 called as a witness and being

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1 duly sworn, was examined and
2 testified as follows:

3 BY MR. BATHON:

4 Q Mr. DeLizzio, I will show you what's been

5 marked as Exhibit F and ask you if you can identify
6 it.

7 A Yes. It is a letter that was written as
8 temporary receiver in connection with this issue at
9 16 Crozerville Road.

10 Q What's attached to the letter?

11 A The attachment is the July 18, 2012 order
12 appointing Brinker Simpson as a temporary receiver.

13 Q Did you write the letter?

14 A Yes.

15 Q Are you employed by Brinker Simpson?

16 A Yes.

17 Q Are you the party that is acting on behalf
18 of Brinker Simpson with regard to the Brandywine
19 Fuel Inc. matter?

20 A Yes.

21 Q So this letter represents your position?

22 A Yes.

23 MR. BATHON: Is that satisfactory so we
24 can distribute it?

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1 MS. NAUGHTON-BECK: That's fine.

2 MR. BATHON: Okay. Thank you. I don't
3 have any other questions. I have a whole pile
4 of exhibits I would like to move into evidence.

5 MS. NAUGHTON-BECK: Commissioners, would
6 you like to see those documents now?

7 COMMISSIONER HIGGINS: What's the letter
8 about?

9 MS. NAUGHTON-BECK: Do you have copies of
10 it?

11 MR. BATHON: I do. I am happy to read it
12 too.

13 MS. NAUGHTON-BECK: Why don't you read it?

14 MR. BATHON: It's addressed to Aston
15 Township Board of Commissioners. I won't into
16 all the addresses. It's in reference to
17 application of Michael J. Saunders, conditional
18 use, 16 Crozerville Road, Aston. It's

19 addressed to Ms. Naughton-Beck.

20 Dear Ms. Naughton-Beck, this letter is
21 intended to be submitted at the hearing this
22 evening before the Aston Township Board of
23 Commissioners regarding the above referenced
24 application. Attached please find an Order

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1 dated July 18 signed by Charles B. Burr the
2 Second, of the Delaware County Court of Common
3 Pleas.

4 This Order appoints Brinker Simpson and
5 Company LLC as temporary receiver of Brandywine
6 Fuel, Inc. I am the member assigned to this
7 matter by our firm. As temporary receiver of
8 Brandywine Fuel Inc. we are not opposed to the
9 Board granting the conditional use requested.
10 Additionally we believe that the granting of
11 the conditional use may be deemed to be in the
12 best interest of all parties.

13 Finally, although we make no
14 representation that Brandywine Fuel Inc. will
15 utilize the site in question, pursuant to the
16 Court's Order, 16 Crozerville Road, the lease
17 referenced as Exhibit F in the Order is a site
18 we are to consider as an alternative location
19 for Brandywine Fuel Inc.

20 Should you have any questions, please do
21 not hesitate to contact me. Signed very truly
22 yours, James T. DeLizzio, CPA, Brinker Simpson
23 and Company LLC.

24 There's a copy of the Order attached and

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1 the reason for clarification with regard to
2 Exhibit F is so that the Board understands that
3 the Order only references Exhibit F, but
4 Exhibit F was referenced in the Complaint
5 filed. So, it's actually -- Exhibit F is your

6 Exhibit B. So I would move that Exhibits A
7 through F for the applicant be entered into
8 evidence.

9 MS. NAUGHTON-BECK: And the attachment is
10 copy of an Order with the caption of Michael J.
11 Saunders, Brandywine Fuel Incorporated, and
12 Andrew Panarello, Junior. So that copies of
13 those are being submitted to the Commissioners
14 along with your other exhibits.

15 MR. BATHON: Yes.

16 MS. NAUGHTON-BECK: I have a few questions
17 I would like to go over with Mr. Saunders and
18 then turn it over to the Commissioners for any
19 questions they may have.

20 BY MS. NAUGHTON-BECK:

21 Q Mr. Saunders, just to clarify, pursuant to
22 the terms of the lease and your testimony today, at
23 this point your sole intended use of the property is
24 to park these fuel oil trucks at the property, is

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1 that correct?

2 A That's correct.

3 Q And will you be cleaning the vehicles in
4 anyway?

5 A Not really. Maybe a hose down once in
6 awhile, but no.

7 Q When you say a hose down, the interior of
8 the vehicles or the exterior of the vehicles?

9 A Probably the exterior, just a wash.

10 Q As part of your washing or hosing down of
11 the vehicles, will any fuel oil or fuel diesel
12 product be running off?

13 A No, absolutely not.

14 Q Will fuel be transferred from one vehicle
15 to another?

16 A No.

17 Q Will you be engaging in any activity with
18 the trucks other than parking them over night?

19 A None whatsoever.

20 Q Am I correct you take them off-site to
21 fill them before going out for your deliveries?

22 A That's correct.

23 Q Whatever fuel is in the trucks at the end
24 of the day is residual from what didn't get

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1 delivered during the day, is that correct?

2 A That's correct.

3 Q Are these trucks licensed with any
4 regulatory agency?

5 A Department of Transportation.

6 Q How often are they inspected?

7 A Whenever they feel like it.

8 Q It's not like your personal vehicle, once
9 a year?

10 A The trucks for just general inspection are
11 done twice a year. As far as keeping them in
12 compliance for DOT specifications, which is a lot
13 more stricter than general inspection, it's random.
14 Could be once a year, they can get you twice a
15 month.

16 MS. NAUGHTON-BECK: I think everything
17 else you and your attorney addressed during
18 your evidence. At this point I will turn it
19 over to the Commissioners.

20 PRESIDENT STIGALE: Commissioner
21 Fulginiti.

22 COMMISSIONER FULGINITI: I don't have any
23 questions. I think it's very detailed and I
24 think the questions that Beth had asked were

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1 questions that we had as well.

2 My concern with the whole parking the
3 diesel trucks, which is number two home heating
4 oil or diesel, which runs all the equipment in
5 the industrial park, would be the safety issue,
6 and in light of the presentation, I don't see

7 where there would be any additional risks.
8 Quite curious, you had a pretty good layout of
9 all the tanks in there. Do you deliver to any
10 of them?

11 THE WITNESS: Majority of them.

12 COMMISSIONER FULGINITI: I was wondering
13 how you knew they were all there. I really
14 don't have any questions. You have answered
15 the concerns that I have. I will leave it at
16 that. Thank you.

17 PRESIDENT STIGALE: Thank you,
18 Commissioner Fulginiti. Commissioner Robinson.

19 COMMISSIONER ROBINSON: Thank you,
20 Commissioner Stigale. Mr. Saunders, so I am
21 clear with this, you do or do not have a
22 partner at this time?

23 THE WITNESS: I do.

24 COMMISSIONER ROBINSON: You do. Let me

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1 ask you a question. Have you or your partner
2 ever delivered home heating oil to a member of
3 this board free of charge?

4 THE WITNESS: Yes.

5 PRESIDENT STIGALE: I don't think that's
6 relevant at this time.

7 COMMISSIONER ROBINSON: All our questions
8 are relevant. I have a few other questions, if
9 you don't mind.

10 COMMISSIONER HIGGINS: I don't want to
11 put --

12 COMMISSIONER ROBINSON: I didn't accuse
13 anybody. I'm just asking questions, like
14 anybody else gets to ask questions. Tell me at
15 this time how many times over what period of
16 time this was done?

17 PRESIDENT STIGALE: Again, I don't see
18 relevancy.

19 COMMISSIONER ROBINSON: Again I think
20 these are my questions.

21 PRESIDENT STIGALE: That should be
22 discussed outside of the public area.

23 COMMISSIONER ROBINSON: I strongly
24 disagree. It's your opinion.

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1 PRESIDENT STIGALE: Do you have any other
2 questions?

3 COMMISSIONER ROBINSON: Yes, I do. Can
4 you answer that question for me, Mr. Saunders?

5 PRESIDENT STIGALE: Again, I don't think
6 that's necessary to answer that question.

7 COMMISSIONER ROBINSON: What are you
8 trying to tell me, Commissioner Stigale? That
9 the questions I have that you're going to
10 instruct Mr. Saunders not to answer, is that
11 what you're telling me?

12 PRESIDENT STIGALE: I am saying that the
13 question is not relative to what we are trying
14 to do at this point. If it's about his
15 business --

16 COMMISSIONER ROBINSON: It is about the
17 business and it goes to the credibility of the
18 business.

19 PRESIDENT STIGALE: You're making an
20 accusation that --

21 COMMISSIONER ROBINSON: I am making no
22 accusations whatsoever.

23 MR. BATHON: Mr. President, Mr. Robinson,
24 if I may be heard, I would be happy to make Mr.

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1 Saunders available to the Commissioners at any
2 time.

3 PRESIDENT STIGALE: I would appreciate
4 that.

5 MR. BATHON: At any time as Mr. Saunders
6 would be agreeable to come back and present
7 evidence at any time as well, so if it's

8 something that you need to -- all of you need
9 to work out, that's fine, and we'll be happy to
10 answer those questions at a different time.

11 COMMISSIONER ROBINSON: How do you want to
12 handle that?

13 PRESIDENT STIGALE: We'll take care of it
14 after the meeting. Do you have any other
15 questions?

16 COMMISSIONER ROBINSON: Obviously you're
17 going to tell Mr. Saunders not to answer.

18 PRESIDENT STIGALE: If it's about the same
19 topic, yes.

20 COMMISSIONER ROBINSON: I want it on
21 record that I totally oppose the treatment that
22 I have -- I am being given at this time. Thank
23 you, Mr. Saunders, for your honesty, and I have
24 no more questions.

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1 PRESIDENT STIGALE: Commissioner Osborn.

2 COMMISSIONER OSBORN: My only concern,
3 somebody may know the answer, my only concern
4 is you mentioned washing off the vehicles. My
5 only concern, any residual that would wash down
6 or into the water flow. Is there anything that
7 controls that, or any of the industrial park?

8 THE WITNESS: It's no more than you
9 washing your car.

10 COMMISSIONER OSBORN: I don't know.
11 That's why I am asking, as long as the
12 ordinance --

13 MS. NAUGHTON-BECK: That was my only
14 question about wash off. We were talking about
15 standard dirt that would be washed off with the
16 water, or are we talking about some sort of
17 fuel or diesel? That's why I asked the
18 question.

19 COMMISSIONER OSBORN: As long as legally
20 we are settled then I am fine. Thank you.

21 PRESIDENT STIGALE: Anything else?
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22 Commissioner Higgins?

23 COMMISSIONER HIGGINS: Yes, thank you. Do
24 you know of any restrictions that DEP might put

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1 on businesses such as yours as to storing
2 residual fuel at nighttime? I am wondering if
3 there's any regulation that says you can or
4 can't.

5 THE WITNESS: There's none that I know of
6 but every fuel company does it. There's no way
7 that, you know -- I am not going to say that I
8 am not going to bring the truck back with 300
9 gallons on it.

10 COMMISSIONER HIGGINS: You don't know.

11 THE WITNESS: That's right.

12 COMMISSIONER HIGGINS: I have been through
13 that park many times. I guess I never noticed
14 there was other fuel companies there, and the
15 tanks are fairly well hidden. Are you closer
16 down to Bodley Road than you are up to Birney
17 Highway?

18 THE WITNESS: Yes.

19 COMMISSIONER HIGGINS: You're making a
20 number of deliveries to those tanks as
21 customers?

22 THE WITNESS: That's correct.

23 COMMISSIONER HIGGINS: They're receiving,
24 not dispensing?

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1 THE WITNESS: Yes.

2 COMMISSIONER HIGGINS: I think that's all
3 I have. Thank you.

4 PRESIDENT STIGALE: Commissioner Graham.

5 COMMISSIONER GRAHAM: Thank you. Mr.
6 Saunders, I have a question. The property, I
7 am looking on this site view, the property that
8 you're renting, the back of that property, I

9 might not be able to understand it. Does that
10 back of the property, is that the bank going
11 down to the creek?

12 THE WITNESS: I don't know. That's all
13 filled with dirt. Mr. Falcone has that all
14 pretty well --

15 COMMISSIONER GRAHAM: Looks to me that it
16 is. I want to be sure what I am looking at.

17 THE WITNESS: I believe it's a five acre
18 property and the parcel that I am renting is
19 completely up at the front. I have no business
20 going in the back. It's not -- I am not
21 renting that. I have no business going back
22 there. And Mr. Falcone is filling that in. He
23 stores dirt back there so to get to the end of
24 the --

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1 MR. BATHON: Could we use this for the
2 record (indicating)?

3 COMMISSIONER GRAHAM: From what I am
4 looking at, it looks like the back of that
5 property where it's at, goes to the creek.

6 MR. BATHON: No. I'll hold it so
7 everybody can see. I think what you're
8 referring to is this swale that comes through
9 here (indicating). I believe that that is low.
10 If I had a color printer you would be able to
11 see it better. I believe that area is low.
12 There's other exhibit that you'll see where the
13 area that Mr. Saunders is leasing is way up
14 here (indicating), in the front of this
15 property. And then it's relatively flat.

16 I will show you the rear view of the
17 property. This is standing -- the trucks would
18 be parked just to the left of this, which is,
19 for the record, the rear view site.

20 BY MR. BATHON:

21 Q Mike, maybe you can come up and make sure
22 you agree with what I am saying so that it's

23 preserved. So this bottom part of Exhibit E shows
24 the rear view of the site, is that correct?

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1 A Yes. This is all the dirt back here.
2 Like I said, keep in mind this is a five acre
3 property. My trucks would be up here towards the
4 front of the --

5 Q And the berm that we are seeing here,
6 which is the pile of dirt in the back, that's way
7 back here (indicating), probably just above the
8 white marking that says site?

9 A Correct.

10 Q Would that be several hundred feet away
11 from where you intend to park the trucks?

12 A Oh, God yes, six, eight hundred feet easy.

13 COMMISSIONER GRAHAM: If something were to
14 happen, accident where the oil would be -- say
15 the hose broke or something through the night
16 and you didn't know it because you're not
17 really operating the business from there, just
18 parking the trucks there, right?

19 THE WITNESS: Correct.

20 COMMISSIONER GRAHAM: What would you have
21 in place for HASMAT or something like that, if
22 you had a full tank, 2,800 gallons?

23 THE WITNESS: If the hose was to break, it
24 wouldn't dump out the 2,800 gallons. Something

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1 like that would only be what was in the hose,
2 which is only a couple gallons.

3 You would have to engage the pump to get
4 to the fuel that is in the body of the truck.

5 COMMISSIONER GRAHAM: So, the actual body
6 of the truck would have to leak?

7 THE WITNESS: You said if the hose were to
8 break.

9 COMMISSIONER GRAHAM: How would it leak if

10 there was an accident then for the trucks?

11 THE WITNESS: Probably won't leak.

12 PRESIDENT STIGALE: Any other questions?

13 COMMISSIONER GRAHAM: No.

14 PRESIDENT STIGALE: I had one question.

15 You're going to store the fuel trucks there.

16 Are you going to conduct business on the
17 premise? And is that out of a building or
18 another --

19 THE WITNESS: I hope to conduct business
20 out of there.

21 PRESIDENT STIGALE: Would that be in one
22 of the buildings or a trailer?

23 THE WITNESS: There's going to be a
24 trailer there.

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1 MR. BATHON: For the record, I don't know
2 if the Commissioners are aware, we do have a
3 pending application before the Zoning Hearing
4 Board next week, and if that is granted, then
5 he'll be conducting business out of a trailer.
6 If it isn't granted, then what is your
7 intention with regard to offices?

8 THE WITNESS: I have an off-site office.

9 MR. BATHON: Are you going to try to get
10 something in close proximity?

11 THE WITNESS: Five minutes away.

12 MR. BATHON: I had a couple of questions
13 in light of Commissioner Higgins and
14 Commissioner Graham's questions, if that's
15 okay.

16 COMMISSIONER FULGINITI: I have another
17 question. Is there a possibility you would be
18 able to rent space in the building that is
19 already there from Nick Falcone? Is that a
20 possibility?

21 THE WITNESS: Yes, it is.

22 COMMISSIONER FULGINITI: So there would be
23 a possibility you would be operating your

24 business on that site?

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1 THE WITNESS: I would hope to at some
2 point. Right now I can't do it.

3 COMMISSIONER FULGINITI: Okay.

4 MR. BATHON: Because of the cost?

5 THE WITNESS: Because of financial. I
6 can't afford the rent for the building right
7 now. So I hope to one day.

8 COMMISSIONER FULGINITI: We welcome the
9 tax revenue having another business in the
10 township.

11 THE WITNESS: My intentions are to rent
12 from him, just not at this point. I can't
13 afford it.

14 COMMISSIONER FULGINITI: Thank you.

15 PRESIDENT STIGALE: Would you like to
16 address the two questions?

17 BY MR. BATHON:

18 Q With regard to washing off the vehicles,
19 would that be any different than road dirt you wash
20 off your car?

21 A Only time you do it is basically in the
22 winter, road salt on it, hose it down so it looks
23 pretty.

24 Q Is there any build up or residue when you

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1 pump fuel oil off the truck? You know, sometimes
2 you get that film of oily substance on the outside.
3 Do you get any of that?

4 A No.

5 Q And then with regard to Commissioner
6 Graham's question about a leak, that 2,700 gallons
7 in the fuel oil tank, are there separations in those
8 tanks?

9 A On some trucks there are.

10 Q So, all 2,700 gallons on some trucks

11 wouldn't leak out unless you had a breach in both
12 tanks or two or three tanks?

13 A It would have to be something off the
14 wall.

15 Q Somebody would probably have to make a big
16 hole in it.

17 A Yes.

18 Q A pin hold?

19 A No.

20 MR. BATHON: I respected the question. I
21 wanted to clarify. That's all I have.

22 PRESIDENT STIGALE: I would like to move
23 on to any questions from the public.

24 MR. PIETRANGELO: My name is Bill

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1 Pietrangelo. I am an attorney in Media. I
2 represent Brandywine Fuel Inc. in this
3 litigation with Mr. Saunders.

4 COMMISSIONER HIGGINS: Spell your name
5 please.

6 MR. PIETRANGELO: Certainly,
7 P-i-e-t-r-a-n-g-e-l-o. Mr. Saunders did not
8 indicate to the Commissioners who owns those
9 trucks. The trucks are owned by Brandywine
10 Fuel Inc. They are not owned by Mr. Saunders.

11 MR. BATHON: Is Mr. Pietrangelo
12 testifying? If he is, he should be sworn in.

13 MR. PIETRANGELO: Let me ask Mr. Saunders,
14 which trucks do you intend to bring into --

15 PRESIDENT STIGALE: Excuse me. We are
16 not -- I'm not going --

17 COMMISSIONER ROBINSON: If my question
18 wasn't relevant -- number one, he's not an
19 Aston resident. We are not here to litigate --

20 PRESIDENT STIGALE: We're not going to
21 litigate who owns the trucks or who's right,
22 who's wrong. That's not our responsibility.
23 What is asked of us as the Board of
24 Commissioners is whether to grant a conditional

1 use for an oil business in our L and I
2 district. That is all that was brought before
3 us. As far as who owns them and disputes
4 between the partners, that has no impact on us.

5 MR. PIETRANGELO: The testimony that was
6 presented earlier by Mr. Saunders was he
7 intended to park four to six fuel oil delivery
8 trucks there. His lease is for a 40 by 65 foot
9 parking area. These are large fuel oil
10 delivery trucks, 27, 30 feet in length.

11 MR. BATHON: Are we testifying?

12 MR. PIETRANGELO: This is the document.
13 This is the document. This is the document.

14 PRESIDENT STIGALE: That is not my
15 decision to make. You need to take that up
16 with another, the zoning or something else, and
17 the time to do that. That has nothing to do
18 with what we are trying to do. I am not going
19 to handle anymore questions that reference to
20 the dispute between the two partners. End of
21 it.

22 MR. PIETRANGELO: I will not -- what I am
23 addressing is the commercial lease that was
24 submitted as an exhibit.

1 MS. NAUGHTON-BECK: At this point, two
2 things. One, you need to have a witness here
3 to testify, ask questions of Mr. Saunders, or
4 bring up Mr. Panerello. Two, you need to
5 establish what standing you have to make this
6 objection, how it is that Brandywine Fuel, Inc.
7 is affected by the applicant, Mr. Saunders.

8 Mr. Saunder's testimony was pretty clear,
9 his intention is to park fuel delivery trucks
10 at this location. He did not identify that
11 they were going to be Brandywine Fuel Inc

12 trucks. He said fuel delivery trucks. With
13 that said, I don't understand what basis
14 Brandywine Fuel Inc. may have, what standing
15 they have to object to Mr. Saunder's
16 application in the way it's been submitted.

17 MR. PIETRANGELO: If you look at Ordinance
18 1278.06, the size of the premises should have
19 an 80,000 square feet --

20 MS. NAUGHTON-BECK: That doesn't answer my
21 question. What standing do you have to be here
22 today to object to this application?

23 MR. PIETRANGELO: Well, Mr. Panerello is
24 here.

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1 MS. NAUGHTON-BECK: Would he like to
2 testify?

3 PRESIDENT STIGALE: I am not going to go
4 through a debate between the two partners.
5 This is something that you need to handle in
6 the Court of Law. This is not a Court of Law.
7 Conditional use was asked of us by an
8 individual and we are going to vote on that. I
9 do not want to hear any debate between the
10 two parties.

11 MR. PIETRANGELO: I would reference, sir,
12 that pursuant to the ordinance --

13 PRESIDENT STIGALE: I had enough. I have
14 stated our position. We stated our position.
15 All we are here to do is act as a conditional
16 use. We are going to take -- we know the
17 ordinances and all the bearings. We are going
18 to take that into consideration for our vote.
19 If you have other issues, that's not to be
20 addressed at this meeting. Thank you. Any
21 other questions from the public? Seeing none.

22 MR. BATHON: Should I make a summation?
23 It's not necessary. Thank you. I very much
24 appreciate it. Lawyers like to hear themselves

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1 talk. I will shut up.

2 COMMISSIONER HIGGINS: I make a motion to

3 take the meeting out of sine die.

4 COMMISSIONER FULGINITI: Second.

5 PRESIDENT STIGALE: Motion and 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: I would like to

11 consider approving the Aston Township

12 consolidated police contract. Commissioner

13 Osborn, please.

14 COMMISSIONER OSBORN: I make a motion to

15 approve the Aston Township consolidated police

16 contract, in the form of a motion.

17 COMMISSIONER FULGINITI: Second.

18 PRESIDENT STIGALE: Motion and a second.

19 Any questions or comments? All in favor?

20 Opposed? The "ayes" have it.

21 (Whereupon, all Commissioners

22 present vote "aye.")

23 PRESIDENT STIGALE: Line Item B, consider

24 a resolution approving the Hoag Lane Road

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1 dedication request from J&V Developers.

2 Commissioner Robinson.

3 COMMISSIONER ROBINSON: Township of Aston,

4 Commonwealth of Pennsylvania, Resolution 2012.

5 Whereas, the Board of Commissioners of the

6 Township of Aston, previously approved the land

7 development plan of J&V Developers, for the

8 land development project known as the Spring

9 Valley subdivision, Phase Four; and

10 Whereas, the land development plan of J&V

11 Developers prepared by GD Houtman and Son, Inc.

12 dated September 29, 2003, last revised

13 November 9, 2004 included the development of
14 Hoag Lane in accordance with all township
15 specifications; and

16 Whereas, the dedication of Hoag Lane was
17 envisioned upon the approval of the Plan; and

18 Whereas, the property owners J&V
19 Developers has now expressed its interest and
20 intention to dedicate Hoag Lane, having
21 complied with the terms and conditions of the
22 land development plan and having satisfied the
23 township that the road specifications are in
24 accordance with township specifications, as

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1 described more fully in the proposed deeds,
2 copies of which are attached hereto and
3 incorporated herein by reference; and

4 Whereas, the proposed dedication has been
5 reviewed and approved by the township engineer
6 subject to the receipt of certification that
7 had all modifications had been set; and

8 Whereas, the Board of Commissioners of
9 Aston Township believe that acceptance and
10 proposed deed is in the best interest of the
11 health, safety and welfare of all its citizens.

12 Now, therefore, be it resolved and adopted
13 this 19th day of September, 2012, Board of
14 Commissioners of Aston Township hereby accepts
15 the deed of dedication of Hoag Lane from J&V
16 Developers subject to review and approval of
17 the dedication plan by the township engineer
18 and solicitor.

19 Written confirmation from the Spring
20 Valley Homeowner's Association that they will
21 release the developer from the requirement to
22 construct a tot lot, the posting of \$10,368.75
23 with WSFS Bank as financial security, and
24 hereby authorizes the township manager to

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1 accept the approved deeds of dedication and
2 have same recorded with the recorder of deeds
3 in the County of Delaware, Pennsylvania once
4 the aforementioned items have been satisfied.

5 James W. Stigale, President, Board of
6 Commissioners, attested to by Richard D. Lehr,
7 township secretary, form of a motion.

8 COMMISSIONER FULGINITI: I have a
9 question, before we go through that. Just for
10 clarification, I want to make sure that the
11 storm water issue that Hoag Lane had with their
12 retention pond is addressed and functional the
13 way it's designed to function.

14 And B, that there's enough in escrow to
15 cover these for this issue should additional
16 expenses be necessary to correct it.

17 MR. VISCUSO: I think I have kind of given
18 that thought. I thought that it would
19 probably -- later on in the meeting you have an
20 escrow release before you. We are going to
21 release all but this \$10,000. Maybe when we
22 get to that portion we should hold some
23 additional monies to make sure that issue is
24 taken care of.

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1 I think there may be some -- I heard the
2 residents say about it's not draining properly.
3 Again, the retention basins today are designed
4 to hold water and infiltrate, so they do hold
5 water longer. We have to make sure it's
6 infiltrating properly. My suggestion would be
7 to wait until we get to the escrow releases to
8 handle it.

9 COMMISSIONER FULGINITI: My concern was
10 the things mentioned to me, mosquitos all
11 summer, they had to treat it themselves. We
12 want to make sure that development is taken
13 care of.

14 MR. VISCUSO: And one of the things that
15 Commissioner Robinson just read, we are still
16 waiting for the couple of documents. We are
17 approving this subject to receipt and review
18 and approval of this.

19 COMMISSIONER FULGINITI: Maybe the thing
20 is hold enough to get escrow and decide.

21 MR. VISCUSO: Right.

22 COMMISSIONER FULGINITI: Thank you.

23 PRESIDENT STIGALE: Do you have a number?

24 MR. VISCUSO: To hold back, yes.

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

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

6 PRESIDENT STIGALE: Under new business,
7 Line Item A, consider authorizing township
8 secretary manager to advertise for the bid sale
9 of the 1996 International trash truck and other
10 Township vehicles. Commissioner Robinson,
11 please.

12 COMMISSIONER ROBINSON: Make a motion to
13 authorize the township secretary manager to
14 advertise for the bid sale of the 1996
15 International trash truck and other township
16 vehicles, in the form of a motion.

17 COMMISSIONER FULGINITI: Second.

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

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

23 PRESIDENT STIGALE: Line Item B, consider
24 approving the proposal from Keystate

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1 Publishers, Inc. for the codification of
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2 township ordinances. Commissioner Fulginiti.

3 COMMISSIONER FULGINITI: I make a motion
4 to approve the proposal from Keystate
5 Publishers, Inc. for the codification of the
6 Township ordinances in the amount of
7 \$13,545.00, in the form of a motion.

8 COMMISSIONER OSBORN: Second.

9 PRESIDENT STIGALE: Motion and a second.

10 Any questions or comments? All in favor?

11 Opposed? The "ayes" have it.

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

14 PRESIDENT STIGALE: Line Item C, consider
15 appointing Aston Township fire marshal Thomas
16 Morgan to act as a consultant to the fire
17 department's consolidation committee.
18 Commissioner Graham.

19 COMMISSIONER GRAHAM: I make a motion to
20 appoint Aston Township fire marshal Thomas
21 Morgan to act as a consultant to the fire
22 department's consolidation committee, in the
23 form of a motion.

24 COMMISSIONER FULGINITI: Second.

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1 PRESIDENT STIGALE: Motion and 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 D, consider
7 authorizing the township engineer to prepare
8 bid specs in accordance with Arle Grant
9 Agreement number 069363. Commissioner
10 Robinson.

11 COMMISSIONER ROBINSON: I make a motion to
12 authorize the township engineer Joe Viscuso, to
13 prepare bid specs for the LED traffic light
14 conversion project in accordance with the Arle

15 Grant Agreement number 9AstonTwp1912 069363, in the form of a
16 motion.

17 COMMISSIONER FULGINITI: Second.

18 PRESIDENT STIGALE: Motion and a second.

19 Any questions or comments? All in favor?

20 Opposed? The "ayes" have it.

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

23 PRESIDENT STIGALE: Line Item E, consider
24 approving the 2013 minimum municipal obligation

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1 for the police pension fund. Commissioner
2 Osborn.

3 COMMISSIONER OSBORN: Make a motion to
4 approve the 2013 minimum municipal obligation
5 for the Aston Township Police Pension Fund in
6 the amount of \$1,157,979.00, in the form of a
7 motion.

8 COMMISSIONER FULGINITI: Second.

9 PRESIDENT STIGALE: Motion and a second.

10 Any questions or comments? All in favor?

11 Opposed? The "ayes" have it.

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

14 PRESIDENT STIGALE: Line Item F, consider
15 approving the 2013 minimum municipal obligation
16 for the non-uniform pension fund. Commissioner
17 Osborn.

18 COMMISSIONER OSBORN: I make a motion to
19 approve the 2013 minimum municipal obligation
20 for the Aston Township non-uniform pension fund
21 in the amount of \$87,814.00, in the form of a
22 motion.

23 COMMISSIONER FULGINITI: Second.

24 PRESIDENT STIGALE: Motion and a second.

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1 Any questions or comments? All in favor?

2 Opposed? The "ayes" have it.

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

5 PRESIDENT STIGALE: Line Item G, consider
6 a resolution to install a handicapped No
7 Parking sign on Scarlet Avenue. Commissioner
8 Osborn.

9 COMMISSIONER OSBORN: Whereas, the Aston
10 Township Board of Commissioners, County of
11 Delaware, Commonwealth of Pennsylvania, is
12 hereby authorized by ordinance to establish by
13 resolution; and

14 Whereas, the Aston Township Board of
15 Commissioners desire to erect a Handicap Only
16 parking sign in the vicinity of 29 Scarlet
17 Avenue as designated by the Aston Township
18 Traffic Safety Officer, hereby restricting
19 parking in the vicinity of 29 Scarlet Avenue,
20 and

21 Whereas, the installation of this Handicap
22 Only parking sign in the vicinity of 29 Scarlet
23 Avenue is recommended by the Aston Township
24 Traffic Safety Officer; and

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1 Whereas, the installation of the Handicap
2 Only parking sign is hereby authorized by the
3 Aston Township Board of Commissioners.

4 Now, therefore, be it resolved this 19th
5 day of September, 2012, by the Aston Township
6 Board of Commissioners, form of a motion.

7 COMMISSIONER FULGINITI: Second.

8 PRESIDENT STIGALE: Motion and second.

9 Any questions or comments?

10 A VOICE: Yes, it is 30 Scarlet Avenue
11 ladies and gentlemen. Also could you make it
12 for 30 only? Because if you put one spot there
13 I am going to end up in the same situation I am
14 in now.

15 COMMISSIONER FULGINITI: I can comment on

16 that. These Handicap Parking spots, regardless
17 of where they're located, anybody can park
18 there that has a handicapped placard or
19 disability plate. They're not private parking
20 spots.

21 A VOICE: Both me and my mother have them.
22 She has very bad cancer.

23 COMMISSIONER FULGINITI: I know times when
24 these are gotten people said they are only for

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1 them. Under state law anyone that has a
2 placard or handicapped plate is permitted to
3 park there. We need to clarify if this is
4 actually 30 or 29.

5 A VOICE: Thirty. I sent a letter to the
6 township and Mr. Stigale.

7 PRESIDENT STIGALE: We're going to make a
8 motion to accept the handicapped parking for 29
9 or 30, depending on Chief Ruggier's
10 recommendation, in the form of a motion.

11 COMMISSIONER FULGINITI: Second.

12 PRESIDENT STIGALE: Any questions or
13 comments?

14 THE WITNESS: Well, I only live at 30.

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

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

20 PRESIDENT STIGALE: Line Item H, consider
21 a resolution to install a handicap No Parking
22 sign on Harrison Avenue. Commissioner Osborn.

23 COMMISSIONER OSBORN: Whereas, the Aston
24 Township Board of Commissioners, County of

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1 Delaware, Commonwealth of Pennsylvania, is
2 hereby authorized by ordinance to establish by
3 Resolution; and

4 Whereas, the Aston Township Board of
5 Commissioners desire to erect a Handicap Only
6 parking sign in the vicinity of 1 Harrison
7 Avenue as designated by the Aston Township
8 Traffic Safety Officer, hereby restricting
9 parking in the vicinity of 1 Harrison Avenue;
10 and

11 Whereas, the installation of this Handicap
12 Only parking sign in the vicinity of 1 Harrison
13 Avenue is recommended by the Aston Township
14 Traffic Safety Officer; and

15 Whereas, the installation of the Handicap
16 Only parking sign is hereby authorized by the
17 Aston Township Board of Commissioners.

18 Now, therefore, be it resolved this 19th
19 day of September 2012. Aston Township Board of
20 Commissioners, in the form of a motion.

21 COMMISSIONER FULGINITI: Second.

22 PRESIDENT STIGALE: Motion and a second.

23 Any questions or comments? All in favor?

24 Opposed? The "ayes" have it.

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

3 PRESIDENT STIGALE: Line Item I, consider
4 appointment to the Civil Service Commission.
5 Commissioner Osborn.

6 COMMISSIONER OSBORN: I make a motion to
7 appoint Captain John McKenna from Donnelly
8 Avenue to fill term of Otto Zittarelli to the
9 Civil Service Committee in the form of a
10 motion.

11 COMMISSIONER FULGINITI: 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 9AstonTwp1912
PRESIDENT STIGALE: Escrow releases.
18 Commi ssi oner Hi ggi ns.
19 COMMI SSI ONER HI GGI NS: Thank you. Mr.
20 Viscuso, I have the escrow release here that's
21 in question, releasing the sum of \$92,254.26 to
22 J&V Developers, Spring Valley, Trotter's Run,
23 for Hoag Lane.
24 MR. VISCUSO: That's right.

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1 COMMI SSI ONER HI GGI NS: Right now it stands
2 at releasing the sum of \$92,254.26. Is there a
3 recommendation on what's to be released, what
4 would be held?

5 MR. VISCUSO: Just so we all understand,
6 this is already short -- we have already taken
7 out the request of \$10,000 that you have
8 already held, so because they originally
9 requested some \$102,000 I am going to suggest
10 without another \$15,000, so we really
11 understand this problem, so the ninety-two less
12 fi fteen.

13 MS. NAUGHTON-BECK: Now we have to do
14 math.

15 PRESIDENT STIGALE: Do we have to go
16 through this again? The motion to release it
17 if everything's okay?

18 MS. NAUGHTON-BECK: Next month you can
19 release the bal ance when it's determi ned.

20 COMMI SSI ONER FULGI NI TI: Wi thhold
21 twenty-five total, not in addition to the ten?

22 MR. VISCUSO: The ten is already held for
23 18 months as back up for the road.

24 COMMI SSI ONER FULGI NI TI: What are we

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1 subtracting from the 92?

2 MR. VISCUSO: Fi fteen.

3 COMMI SSI ONER FULGI NI TI: \$77,254.26.

4 COMMI SSI ONER HI GGI NS: Are you okay, Mi ke?
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5 Escrow releases, Aston Township Delaware
6 County, Pennsylvania Resolution, 2012 dash.
7 Whereas, Ordinance 240 and Ordinance 360
8 provide for escrow funds for completion of
9 improvements; and

10 Whereas, the Township engineer and the New
11 Construction Committee has approved the request
12 for escrow funds to be released for J&V
13 Developers slash Spring Valley, slash Trotter's
14 Run.

15 Now, therefore be it resolved that Aston
16 Township execute such action as required by the
17 township secretary and the President of the
18 Board of Commissioners to release the sum of,
19 revised amount, \$77,254.26.

20 Duly adopted this 19th day of September,
21 2012, Township of Aston, James M. Stigale,
22 President, Board of Commissioners, and attested
23 to by Richard D. Lehr, township secretary
24 manager in the form of a motion.

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1 COMMISSIONER FULGINITI: 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: Next escrow release
8 is a release of funds for Knight Brothers,
9 Incorporated, File No. 12-03, and that's
10 \$10,000 to Knight Brothers, Incorporated, in
11 the form of a motion.

12 COMMISSIONER FULGINITI: 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.")

6 Gallagher, in the form of a motion.

7 COMMISSIONER FULGINITI: Second.

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

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

13 COMMISSIONER HIGGINS: Next escrow for
14 Verizon Wireless, 5611 Pennell Road, File No.
15 1210, the sum of \$832.50 to Advantage
16 Engineers, LLC, in the form of a motion.

17 COMMISSIONER FULGINITI: Second.

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

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

23 COMMISSIONER HIGGINS: Release to Verizon
24 Wireless, 4900 Tompkin Road, File No. 2011-43,

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1 \$657.00 to Advantage Engineers, LLC, in the
2 form of a motion.

3 COMMISSIONER FULGINITI: Second.

4 PRESIDENT STIGALE: Questions or comments?
5 All in favor? Opposed? The "ayes" have it.

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

8 COMMISSIONER HIGGINS: Next one for Apex
9 Plumbing/Aston Vo-Tech, 1212-28, releasing the
10 sum of \$282.50 to Aston Township for
11 engineering fees and the sum of \$715.50 to Apex
12 Plumbing and Heating Incorporated, in the form
13 of a motion.

14 COMMISSIONER FULGINITI: Second.

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

18 (Whereupon, all Commissioners

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7 \$55.00, Aston Pawn Shop, 4715 Pennell Road,
8 \$55.00, all in the form of a motion for July.
9 COMMISSIONER OSBORN: Second.
10 PRESIDENT STIGALE: Questions or comments?
11 All in favor? Opposed? The "ayes" have it.
12 (Whereupon, all Commissioners
13 present vote "aye.")
14 PRESIDENT STIGALE: For August, following
15 escrows are for engineering fees to be paid to
16 Aston Township. Neumann University Chapel,
17 \$357.00, John McCutchen, 15 Kent Road, \$293.00,
18 Donald Culp, 700 Birney Highway, \$275.00, Gary
19 Whelan, 2901 Dutton Mill Road, Dr. Kessler,
20 \$110.00, Gary Whelan, 2901 Dutton Mill Road,
21 EDIS, \$110.00, Neumann University Library,
22 \$110.00, Aston Pawn Shop, \$55.00, all in the
23 form of a motion.
24 COMMISSIONER FULGINITI: Second.

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1 PRESIDENT STIGALE: Questions or comments?
2 All in favor? Opposed? The "ayes" have it.
3 (Whereupon, all Commissioners
4 present vote "aye.")
5 COMMISSIONER HIGGINS: That's all.
6 PRESIDENT STIGALE: At this time I would
7 like to open the floor to the public for one
8 half hour please.
9 MS. BULLEN: Maryann Bullen, 3235 Darwin
10 Circle. The 11th Annual Community Day will be
11 held on Saturday, October 6, 2012, 11:00. a.m.
12 to 4:00 p.m at the Aston Community Center. The
13 rain date is Sunday, October 7, 1:00 p.m. to
14 6:00 p.m. The day will begin with a parade
15 starting at Neumann University and conclude at
16 the Community Center. Anyone interested in
17 participating in the parade contact Nancy
18 Bowden at 610-494-5490 or e-mail nbowden at
19 comcast.net.

20 Immediately following the parade and
21 opening ceremonies the Business Expo, which is
22 held inside the Community Center, will be open.
23 This is sponsored by the Aston Business
24 Association. This is a great way to introduce

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1 and advertise your business. Anyone interested
2 in the Business Expo contact Chairperson Terry
3 Yannuzzi, terry at rick's sheds dot com.

4 Throughout the day we plan to have a
5 number of different events, games and
6 activities. We have added two new rides this
7 year along with our regular giant slide, Sesame
8 Street running town, trackless train, photo
9 booth, a mechanical bull, and our famous climb
10 and dangle rock wall, all featured by Betty's
11 Bounce. There will be hot dogs and hamburgers,
12 drinks and entertainment from our local
13 musicians in Aston.

14 Local non-profit organizations are welcome
15 to set up a table outside with information
16 about their organizations. You may hand out
17 literature, advertise upcoming events and have
18 activities at your table. This would be a
19 great opportunity for you to encourage
20 additional members to your organization.

21 Local Aston residents, please join our
22 famous food court. This will give you the
23 opportunity to present your facility by handing
24 out samples of your food, giving coupons that

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1 will invite residents to visit your facility
2 throughout the year.

3 One rule does apply for all outside
4 tables. Selling of any goods, raffle tickets
5 or sales of any type are not permitted on the
6 outside grounds of the Community Center during
7 this event. We are asking all Community

8 businesses and organizations to help make this
9 a wonderful event that will bring our community
10 together and convey an awareness of many
11 businesses and opportunities in Aston, and most
12 important, a fun filled day for our residents.

13 Advance wristbands are now available at
14 the Community Center, for a donation of two
15 dollars each or six for ten, which you will
16 need for Community Day festivities. Wrist band
17 donation will be three dollars each the day of
18 the event and proof of Aston residency will be
19 asked to be provided on day of donation.

20 For more information on this event or to
21 volunteer your help contact myself at
22 610-494-2337 or mimi bull at comcast dot net.
23 For the parade, Nancy Bowden, 610-494-5490,
24 e-mail nbowden at comcast dot net, for the

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1 Expo, Terry Yannuzzi, terry at rick's sheds dot
2 com, 610-497-4019.

3 There's less than 22 days until Community
4 Day. Anyone interested -- included again this
5 year is the Young Children's Bike Contest. At
6 this time I would like to invite Chairperson --
7 Maureen isn't here tonight. But we have a
8 special guest from Neumann, Karen May, RN MSN,
9 from Neumann to explain a special fun-filled
10 event that will take place for the children
11 during the -- actually before Community Day,
12 before the parade. Karen.

13 MS. MAY: In conjunction with Neumann's
14 Department of Nursing, we had suggested that
15 since the children are often involved in
16 Community Day in the parade we would like to
17 take this opportunity to talk with them about
18 bike safety as well as health and nutrition.

19 There is currently a program that's put
20 out by the National Transportation Safety

21 Administration that looks specifically at bike
22 clinic, and gives you very detailed plans in
23 terms of looking at the way children put their
24 bike helmets on, are their bikes operating

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1 safely, and then going through a various check
2 list with kids in terms of walking safety and
3 bike safety.

4 What we had planned is that the kids will
5 come in and register, go through the various
6 check points and go through an interesting
7 obstacle course and they'll get prizes and
8 Certificate of Completion from the National
9 Transportation Safety Administration.

10 It's a great way to involve the community
11 with health activities and at the same time
12 continue to enforce with families the needs for
13 helmets and safety. We wanted to let you know
14 this is one of things we are going to do with
15 the community and continue to enforce Neumann's
16 commitment to engage with the community and
17 take care of its citizens.

18 MS. BULLEN: We are very happy that Karen
19 stepped up to the plate and is doing this for
20 us this year. I appreciate Neumann helping us
21 out. Anyone interested, please contact us.
22 We're trying to wrap things up and make it a
23 fun day for everyone.

24 There's registrations going out to all the

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1 schools so they'll be going out with the
2 children in their bags and I think it can also
3 be found on the web channel and the t.v.
4 channel, and on the website where you can
5 actually register. Take advantage for your
6 children.

7 PRESIDENT STIGALE: Thank you. Just come
8 forward.

9 MR. FUSCO: My name is Mike Fusco. I live
10 on Franciscan Way in Aston. I'm with a group
11 called Friends of the Chester Creek Branch. We
12 are working on developing a rail trail in Aston
13 and Middletown Township. Just wanted to give
14 an update. We are just about completed with
15 the engineering study and right now a timeline
16 has been developed with PennDOT and the
17 Delaware Valley Regional Planning Commission.
18 We'll be going to bid for construction in March
19 of 2013, expect to award construction
20 contractor in May, and begin construction July
21 16 of 2013. Fourteen month time frame right
22 now is expected for construction. We'll keep
23 you informed as things move forward.

24 PRESIDENT STIGALE: Please do. Are you

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1 still looking for storage?

2 THE WITNESS: That is an area that we are
3 still exploring as part of the construction.

4 PRESIDENT STIGALE: I think we have
5 something we can help you with, contact George
6 when you're ready. I think we have something
7 lined up for you.

8 THE WITNESS: Thank you.

9 MR. SARAZIN: Stephen Sarazin, 730 14th
10 Avenue, Prospect Park. I'm the director of the
11 Aston Public Library. I am here to give my
12 short monthly report. The Friends of the
13 Library are having their annual Big Book Sale
14 during Community Day, Saturday, October 6 from
15 10:00 a.m. to 5:00 p.m. Find a bargain and
16 support the library.

17 Also during Community Day the library will
18 be holding a child's I.D. event provided by New
19 York Life, from 11:00 a.m. to 3:00 p.m. At
20 this free event parents will be provided with a
21 photo I.D. for their child, including

22 fingerprints and other useful information in
23 the event of an emergency.

24 Come stop by the library when you're at

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1 Community Day to see what we have to offer.

2 We're open all day that day.

3 Kids storytimes for age two to six are
4 still being offered each week at the library.

5 There are currently spaces available. The
6 current class is Tuesdays at 10:30 a.m. Sign
7 up by stopping by the library or going to Aston
8 Library dot org.

9 Our current chair yoga class is full but
10 we do plan to offer another one soon. Watch
11 Aston Library dot org for dates and specifics.
12 Classes fill up very quickly. Sign up right
13 away when the class is available.

14 We are currently recruiting volunteers for
15 the library. Volunteers play an important role
16 in our operation. If you have gotten a book
17 off our shelves, it was probably put there by a
18 volunteer. If you receive a call when a book
19 arrives, you were probably called by a
20 volunteer. To apply for volunteering
21 opportunities go to Aston Library dot org or
22 pick up an application at the library.

23 I would like to specifically recognize two
24 volunteers who have been a huge help to us,

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1 Angie Franzin has been a volunteer at the
2 library for many years. She adds many of the
3 new books we get to our library catalogue.
4 Thanks to her you're able to get the new best
5 sellers quickly when they come out. Suzanne
6 Salker has been shelving our adult books for
7 more than a year. Thanks to her it is now much
8 easier to find the specific James Patterson
9 book you wanted without having to look through

10 hundreds of his books mixed together with
11 Richard North Patterson's books and all the
12 other PAT authors.

13 This was the busiest summer ever for the
14 library, over 31,000 items were checked out
15 from the library between June and August.
16 There were also more than 1,500 attendees at
17 our library programs and more than 5,000 public
18 computer sessions over those three months.

19 July was our busiest month ever in terms
20 of book circulation with more than 11,000 items
21 checked out just that month. Any questions for
22 me?

23 PRESIDENT STIGALE: As always, thank you
24 for a great job.

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1 A VOICE: Vic Kushto, 900 Ford Avenue in
2 Aston. I wanted to address the board
3 concerning the sewer project. I spoke to
4 Mr. Higgins about this already and if I
5 understand what I was told right at the Sewer
6 Authority Meeting, it appears all the
7 preliminary planning and everything is done and
8 they're all set to go.

9 Apparently DELCORA is anxious to get our
10 business. It appears that the only thing left
11 to do is the pipeline. So I am here to ask
12 each and every one of you Commissioners and
13 private citizens, I was told at the Sewer
14 Authority meeting to ask you people to help
15 them. Not interfere, as you explained to me.
16 You can't interfere with them. They said talk
17 to the Commissioners, see if they couldn't
18 help.

19 Apparently they feel there's something you
20 might be able to do to help this project get
21 done sooner. It's not a very very long
22 distance. It appears most of it's in the

23 floodplain if it's correct. So I am trying to
24 find out what the hold-up might be, why it will

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1 be from now to 2015, who can we bug as
2 citizens, whatever. How do we get this done
3 sooner? Everybody in the township benefits
4 from it.

5 PRESIDENT STIGALE: First off, what we do
6 as a Board of Commissioners, we appoint members
7 to that Board. We really can't tell them what
8 to do.

9 THE WITNESS: They didn't ask me to ask
10 you to tell them what to do.

11 PRESIDENT STIGALE: Hear me out. As far
12 as us assisting them with any of their
13 requests, as you can see by the demonstration,
14 we are more than willing to help them with
15 anything they need as far as what we can do. I
16 don't know why this question keeps coming up.
17 That's been told to that Board several times.
18 So I don't know why this question keeps coming
19 up. We put people there to handle the
20 situation and they have our support. We are
21 here to help them. I don't know why this keeps
22 coming up.

23 THE WITNESS: Is there anything you're
24 aware of that's making this thing run slow?

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1 PRESIDENT STIGALE: There's a lot of
2 speculations. Until I get an update I can't
3 comment, but --

4 COMMISSIONER FULGINITI: We have board
5 members here very actively involved. They
6 could probably confirm that we are doing
7 everything we can to support them. It's a very
8 complex situation between DELCORA, Southwest,
9 Middletown, it's been going on for -- 50 year
10 contract we entered into.

11 THE WITNESS: Does Middletown have
12 anything to do with this pipeline?

13 PRESIDENT STIGALE: At this time there's
14 things happening that we can't comment on
15 because things have not -- I don't want to
16 jeopardize anything. When decisions are made
17 by the Sewer Authority, they'll be made public
18 to everybody, but at this time I would rather
19 not comment because of the situation.

20 THE WITNESS: I can't ask you to do
21 something to threaten anything. Two other
22 quick things. You're doing paving in the area,
23 part of Ford Road for some reason. They
24 apparently did a section down on Mount Road and

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1 then moved up. Their trucks are sitting there,
2 the trucks are sitting there full of tar
3 waiting for all the equipment to get moved up
4 there, little section there and little section
5 there. Seems like there's a lot of manpower
6 and time wasted that you might as well have
7 stayed in one section. Any comments?

8 MR. VISCUSO: We took bids, they were the
9 low bidder. If they want to sit out there all
10 day, they can sit out there all day. We're not
11 paying them by the hour is what I'm saying.

12 THE WITNESS: You might not be paying by
13 the hour, but I'm sure they worked that into
14 the bid. They have to move the equipment.

15 MR. VISCUSO: When you do a paving job you
16 got to wait for materials to come from the
17 quarry, sometimes there's traffic issues. We
18 have an inspector out there with them.

19 THE WITNESS: It's a question of moving
20 everything. They weren't waiting for material.

21 MR. VISCUSO: There is quite a bit of
22 movement. I think we're doing 25, 30 streets.

23 THE WITNESS: Why all the little section

24 at a time? Wouldn't you get more for your

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1 money if you did -- Ford Road obviously needs
2 more than what you did.

3 MR. VISCUSO: We always pick out the worst
4 sections, between the Commissioners, the road
5 foreman, the township manager, we pick out the
6 worst pieces every year.

7 COMMISSIONER FULGINITI: With the funds
8 that are available.

9 THE WITNESS: Only other comment that I'm
10 kind of unhappy about. We got a lot of
11 employees upstairs, and you make a phone call,
12 no one answers the call. You go into voice,
13 leave a message, no one calls you back.

14 PRESIDENT STIGALE: They were instructed
15 to check their messages one half hour prior to
16 leaving the office. They have time to return
17 phone calls.

18 THE WITNESS: Why can't somebody answer
19 the phone when you call?

20 PRESIDENT STIGALE: There's been a lot of
21 misdirection and phone calls not going to the
22 appropriate departments. We felt this was a
23 more efficient system to get the call where it
24 needed to go.

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1 THE WITNESS: I don't care for it, just my
2 opinion.

3 THE WITNESS: Hi. Kit Spayd, 804 Birney
4 Highway. Two things. Thank you very much for
5 giving me the Citizen of the Year award. I am
6 certainly up there with some pretty important
7 people, especially in my life.

8 And two, the Smiles in the Playground
9 project is having their first fundraiser
10 Tuesday the 25th, September 25 from four to
11 nine at Zac's. I am going to send a flier to

12 George to see if we can get it up on the
13 township channel and website.

14 I am going to ask Mr. Fulginiti if he
15 would mind putting it up on the sign for me if
16 I send him the information.

17 COMMISSIONER FULGINITI: It's my pleasure.
18 I have never said no to you, absolutely.

19 THE WITNESS: I would love to have
20 everyone come out. This is a really really
21 great project, certainly near and dear to my
22 heart, having a child with special needs. It's
23 pretty important. Thank you again.

24 PRESIDENT STIGALE: Any other questions or
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1 comments from the public? Seeing none, we are
2 going to move onto other business.
3 Commissioner Fulginiti, please.

4 COMMISSIONER FULGINITI: I want to thank
5 the Venuti's for the many years of business in
6 the township. I think that when you can stay
7 in a business for 50 some years, you're doing
8 some really good things for the township and
9 they did some really good things for the
10 township and the township supported them. So
11 congratulations to them again.

12 There's a few people who asked where I was
13 in the July meeting. It's probably the first
14 one I missed. I apologize for that. I
15 committed to going on a mission trip to Swan
16 Corner, South Carolina to help some families
17 get back in their homes, to do some work, for
18 10 days, so that's where I was. I wasn't
19 looking to get out of a meeting. I enjoy being
20 here.

21 Joan Gusler, 25 years of service to Aston
22 Township, greatly appreciated.

23 We are going to recycle twice a week
24 October 1st. I think it's really important

1 that the more we recycle, the more money we
2 make, the less it costs the township. We are
3 talking about taxes and service fees. If we
4 can do a better job of recycling, which is why
5 we are going to every week, because we realize
6 every two weeks, everybody's recycling can
7 overflows. We get lazy and say my can is too
8 full. This is going here in the regular trash,
9 and we are paying for that.

10 We really would like strong effort from
11 every resident in this township, if we could
12 recycle everything, that has a great impact on
13 the service fees in this township. So, just be
14 aware of that. The more we recycle, the more
15 we make, the less it costs us.

16 The Southwest, excellent presentation,
17 Mike Higgins, Bob Naef and Don Miller. Again
18 that is an expense to the taxpayers. For every
19 gallon of water into that system illegally or
20 because we don't have the right caps on, we are
21 treating that water. We pay for every gallon
22 we treat. If we can take thousands of gallons
23 of rain water out of the system, it creates
24 thousands of dollars of savings to each and

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1 every sewer payer in the township. And we have
2 overflows. We know when it rains we are
3 getting a lot of infiltration in the system,
4 whether it's from gutters, sump pumps and
5 basements or a lack of height on the vents. So
6 again, there's things that we can do as
7 residents that will make a big difference and
8 impact on our cost. So, we hope we can follow
9 through and get someone's attention, if not
10 everybody's attention, to help out in this
11 cause.

12 Maryann Bullen, if you can get me
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13 something pertaining to the Community Day, get
14 it to my son, we'll take care and put it up on
15 the sign for you. Maybe You and Nancy can get
16 together pertaining to that and drop it off.

17 Paving, I want to thank everyone in the
18 First Ward. We know there's inconvenience when
19 roads are paved. It's for the betterment of
20 the township and each ward is allotted so much
21 money. We try to get to the roads that are the
22 worst to make this township a better place.
23 There will be inconveniences. We ask everyone
24 for the next couple days to understand that we

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1 are doing the best we can. And other than
2 that, good night.

3 PRESIDENT STIGALE: Commissioner Robinson.

4 COMMISSIONER ROBINSON: Do you want me to
5 do this first?

6 PRESIDENT STIGALE: Under other business,
7 consider approving proposal from CM-3 Building,
8 Solutions, Inc. for repairs to the Community
9 Center HVAC unit in the amount of \$2,592.00.
10 Commissioner Robinson.

11 COMMISSIONER ROBINSON: Make a motion to
12 approve the proposal No. CM2012-2 0606 from CM
13 Building Solutions Inc for repairs for the
14 Community Center HVAC unit in the amount of
15 \$2,592.00, in the 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 ROBINSON: I want to echo
23 Commissioner Fulginiti's sentiments and
24 congratulate all our award recipients, well

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1 deserved.

2 And also again, you probably think we
3 sound like a broken record with the recycling.
4 Look at the numbers. Nothing more true than
5 the math regarding the recycling. And don't
6 forget your paper, your cardboard, pizza boxes,
7 anything that's of the paper nature you can
8 recycle as well. Either put them in a paper
9 bag next to the recycling can, they'll be
10 picked up the same day. Paper is starting to
11 come back, cardboard is coming back a long way.
12 Don't forget your newspapers and your
13 cardboard. That's all I have.

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

16 COMMISSIONER OSBORN: I will do the broken
17 record thing too. My congratulations to all
18 the recipients tonight, the Venuti's, for all
19 their contribution over the years. I was a
20 kid, used to pass in there, my father used to
21 send me up on the bicycle to get bolts and
22 nuts. It's a sad day when the mom and pop
23 businesses go under.

24 My congratulations to Joan and Kit and the
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1 police officers, and I would like to echo the
2 recycling thing briefly. So we really need to
3 do it. My example is I went from one can of
4 recycling and three cans of trash to three cans
5 of recycling and one can of trash. It can be
6 done. It would help the township and your
7 taxes. Thank you. Good tonight.

8 PRESIDENT STIGALE: Thank you,
9 Commissioner Osborn. Commissioner Higgins. At
10 this time we would like to consider approval
11 of the conditional use request by Michael J.
12 Saunders, park heating, fuel and diesel
13 delivery trucks on property located at 16

9AstonTwp1912

14 Crozerville Road, located in the L1 district.
15 Commissioner Higgins.

16 COMMISSIONER HIGGINS: I make a motion to
17 approve the conditional use request of Michael
18 J. Saunders to park heating, fuel and diesel
19 trucks on property located at 16 Crozerville
20 Road, located in the L1 district. There
21 weren't any conditions coming out of the
22 conditional hearing, but it's also conditional
23 upon any restrictions that the Zoning Hearing
24 Board bring out at the hearing, in the form of

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1 a motion.

2 COMMISSIONER FULGINITI: Second.

3 PRESIDENT STIGALE: Motion and a second.
4 Any questions or comments?

5 MS. NAUGHTON-BECK: If I could comment,
6 that the conditional use application is a
7 separate -- doesn't have any connection to the
8 Zoning Hearing application.

9 COMMISSIONER HIGGINS: I will read it
10 again. Make a motion to approve the
11 conditional use request of Michael J. Saunders
12 to park heating and fuel and diesel delivery
13 trucks on the property located 16 Crozerville
14 Road located in the L1 district in the form of
15 a motion.

16 COMMISSIONER FULGINITI: Second.

17 PRESIDENT STIGALE: Any other questions or
18 comments? All in favor? Opposed?

19 COMMISSIONER GRAHAM: Opposed.

20 PRESIDENT STIGALE: Mr. Needles, poll the
21 Board.

22 MR. NEEDLES: Commissioner Graham.

23 COMMISSIONER GRAHAM: I say no. I am not
24 convinced at this time as to the environmental

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1 safety because of the proximity of the property
2 to the West Branch of the Chester Creek, so I
3 say no.

4 MR. NEEDLES: Commissioner Higgins.

5 COMMISSIONER HIGGINS: Aye.

6 MR. NEEDLES: Commissioner Stigale.

7 PRESIDENT STIGALE: Aye.

8 MR. NEEDLES: Commissioner Osborn.

9 COMMISSIONER OSBORN: Aye.

10 MR. NEEDLES: Commissioner Robinson.

11 COMMISSIONER ROBINSON: Aye.

12 MR. NEEDLES: Commissioner Fulginiti.

13 COMMISSIONER FULGINITI: Aye.

14 PRESIDENT STIGALE: Thank you.

15 COMMISSIONER HIGGINS: Okay, I also want
16 to congratulate all the recipients, all the
17 award winners for their efforts and want to
18 thank Bob Naef and Don Miller for carrying the
19 front lawn in front of everyone and
20 demonstrating the breather valves for the
21 laterals. I think Bob and Don would be glad to
22 answer any questions anyone has after the
23 meeting. There are some things up there that
24 you're welcome to take that show good vents and

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1 bad vents. That's all I have.

2 PRESIDENT STIGALE: Before we go on to
3 Commissioner Graham, I want to mention Mr.
4 Saunders, you and your lawyer, stay after the
5 meeting. I would like to speak with you after.
6 Thank you. Commissioner Graham, please.

7 COMMISSIONER GRAHAM: I want to
8 congratulate everyone and thank everyone for
9 coming here tonight. It's almost 9:30. Been a
10 long night. I also wanted to mention, I don't
11 want to close without mentioning the loss of a
12 good old friend of mine, Betty McHale, who
13 passed away a couple of weeks ago, lifelong
14 resident, born here, to keep her in your

15 prayers.

16 PRESIDENT STIGALE: Thank you,
17 Commissioner Graham. Mr. Needles.

18 MR. NEEDLES: I would like to welcome back
19 Mr. Lehr.

20 PRESIDENT STIGALE: We are all happy to
21 see you.

22 (Applause)

23 PRESIDENT STIGALE: He's been sitting in
24 that front row the last three months. Anything

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1 else? Ms. Naughton-Beck?

2 MS. NAUGHTON-BECK: Nothing.

3 PRESIDENT STIGALE: Mr. Viscuso?

4 MR. VISCUSO: Just one follow-up on the
5 road program. As has been stated, we are
6 moving through the township and moving quickly,
7 probably be done by Tuesday of next week. I
8 did just forward to Mr. Needles the schedule
9 that I got late today from the contractor, but
10 they are moving sequentially through the ward,
11 first, second, third, fourth. Schedule calls
12 them to be out of here, moving the milling
13 equipment to Chichester tomorrow. They'll be
14 out of here by Tuesday. They have been -- I am
15 not sure where they are taking the mill. They
16 had a disposal place for the millings. That's
17 all I have.

18 PRESIDENT STIGALE: Once again, I would
19 like to thank the officers and all the
20 residents that help make this township what it
21 is. I would like to do a personal shout out to
22 Paula Turnbach, the Code Department, for one of
23 my pet peeves was the property maintenance in
24 the township. I am very happy with the

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1 businesses that have cooperated and the

2 residents that have cooperated. It's a
3 pleasure driving around Aston Township now. It
4 makes you more proud, just a little maintenance
5 and things start to look a lot better. We are
6 happy that's moving forward.

7 And the other issue, if you have the
8 opportunity, you're on a computer, visit the
9 township website. There's a section there to
10 sign up for the Township Times Newsletter that
11 goes out. The other reason we want you to sign
12 up for that, sometimes we had a situation where
13 they were spraying for the West Nile Virus. We
14 weren't able to get the information out to
15 everybody. We are going to use that as an
16 emergency notification and/or community events.
17 We're not going to try to make it a junk mail.
18 It will be kept private within the township,
19 but just to keep you updated on what's going on
20 in emergencies and what to do in a situation.
21 Please try to take advantage of that. We'll
22 have more information to follow. With that, I
23 need a motion to adjourn.

24 COMMISSIONER OSBORN: So move.

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1 COMMISSIONER FULGINITI: Second.

2 (Whereupon, the hearing is
3 concluded at 9:25 p.m.)
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REPORTER' S CERTIFICATION

I HEREBY CERTIFY that I was present upon the hearing of the above-entitled matter and there reported stenographically the proceedings had and the testimony produced; and I further certify that the foregoing is a true and correct transcript of my said stenographic notes.

Lorraine Evans
Reporter-Notary Public
My Commi ssi on Expi res
October 25, 2014

Respectfully submitted:

Richard D. Lehr
Townshi p Secretary/Manager

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