

**MINUTES  
BOROUGH COUNCIL MEETING  
JUNE 19, 2003**

The Media Borough Council met in Council Chambers on the above date with the following officials present: Mayor McMahon, President Hagan, Vice-President Robinson, Councilpersons Gibian, Whitaker, Alyanakian, Krull and Sherwin. Also present were Borough Manager Smith, Administrative Assistant Chester, Treasurer Gioggia, Engineer Mulvena and Solicitor Middlebrooks.

President Hagan called the meeting to order at 8:00 p.m. President Hagan led the salute to the flag.

**Approval of the Minutes**

Vice-President Robinson made a motion to approve the minutes of the Council meeting of May 15, 2003. Councilperson Whitaker seconded the motion. Motion carried unanimously.

**Appointment of Lieutenant**

Councilperson Whitaker made a motion to appoint Richard Johnson as Lieutenant of the Media Police Department. Vice-President Robinson seconded the motion. Motion carried unanimously. Mayor McMahon led the swearing in of Lieutenant Richard Johnson. The Lieutenant thanked Council members for their support of his promotion. President Hagan mentioned there were three (3) fine candidates to choose from and that Police Chief Wusinich is fortunate to have such fine personnel on the force.

**300 Block of East State Street**

President Hagan reported that the applicant for a proposed multi-unit apartment building on the 300 block of East State Street has asked for a continuance and is expected to go before the Zoning Hearing Board on July 24, 2003. President Hagan mentioned since the continuance was requested, Borough Council would not be making any decisions on the property this evening, however would hear comments from residents.

Melissa Sabatino, 305 E. State Street, mentioned her concerns regarding density in the area, traffic flow and the impact on schools with the addition of a 45-unit apartment building. Ms. Sabatino mentioned existing serious parking issues and concerns and that the 79 proposed parking spaces for this building would not be adequate for the tenants and their guests. Ms. Sabatino suggested that the parking lot on Radnor Street that is owned by the applicant be made available to the tenants of this proposed building and be figured into the deed of this property in case the lot was sold.

President Hagan noted certain issues could be considered when reviewing the plan for this property such as traffic flow and public safety. President Hagan does not believe Council could oppose solely based on the impact to schools. Ms. Sabatino expressed concerns that Media

Elementary School's first grade was filled to capacity this past school year. Vice-President Robinson mentioned the importance of having an elementary school within walking distance to most residents. Councilperson Whitaker noted that members of Council were very active in retaining the school solely for the reason of being able to have children walk to school and it is, therefore, very important that such an option remain.

President Hagan mentioned that the applicant has the right to build something on their property. At this point, it is a question of whether it will be a use-by-right plan or a luxury building.

In regards to traffic flow, Ms. Sabatino mentioned the intersection of Radnor and State Streets as a trouble spot due to the fact there is not a stop sign. President Hagan responded that if the intersection meets the traffic warrants, the Borough may be able to erect a four-way stop sign.

A resident of the 300 block of E. State Street mentioned he is also concerned about the density of an already congested area, including the new office building on Baltimore Pike in the rear of the proposed apartment building.

Mary Lou Kline, 27 W. 8<sup>th</sup> Street, expressed her concern regarding the height variance that would be needed for such a project.

### **Privilege of the Floor**

Mrs. Kline also noted concerns regarding the tot lot fence, indicating it is not an appropriate fence for children as it may be a safety issue. Councilperson Gibian mentioned the issue is being addressed as the fence will be modified.

Maggie Reed Brook requested the Borough look into signage regarding general public health concerns and she has noticed individuals spitting on the streets and sidewalks as we currently do to notify residents to clean up after dog waste.

In response to an inquiry at last month's meeting, Frank Daly of 207 West Street reported on the Media Minutes Foundation's involvement with the Media Five Mile Run. Mr. Daly reported proceeds from the race have gone to various organizations/events throughout the Borough such as the Recreation Commission, Media Fire Company, Media Upper-Providence Library, Media Elementary School's 100 Book Challenge, Media Elementary PTG (for their playground), Blues Stroll, Americana Roots Ramble etc. Most notably the Foundation sponsors the John K. Barrall award, which distributes an annual award to honor the most outstanding graduate of Penncrest High School. Checks are made out directly to the student's college of their choice. In total the Media Minutes Foundation, Inc., which Frank Daly is the President, has distributed over \$30,000 within the last eight years. Anyone interested in receiving a complete copy of the report should contact Frank Daly.

On the above issue, President Hagan responded that the Media Minutes Foundation would have been within their rights to keep all proceeds from the Five Mile Run if they wished to do so for political purposes but instead distributes the proceeds.

Monica Simpson, 502 N. Orange Street, inquired about the status of traffic control on Orange Streets, particularly near the intersections of 4<sup>th</sup> & 5<sup>th</sup> Streets. President Hagan reported the Borough is unable to post a stop sign on Orange Street because it is a state-owned road, however, the Borough will institute a traffic-calming program. This involves investigating the purchase of a portable speed-timing device and installing raised brick pavers.

Ms. Reed reported she witnessed vehicles not obeying speed limit and stop signs on Haldeman Street. President Hagan made a plea for anyone witnessing such events to contact the police immediately. Mrs. Kline suggested placing a police vehicle in random locations throughout the Borough as a means to compel vehicles to obey traffic signs.

Deputy Fire Chief Lou Bellace announced Media Fire Company will hold a housing for their new Snorkel truck on Saturday, June 21, 2003 at 7:00 p.m. President Hagan welcomed Deputy Chief Bellace home from the Air Force. He was stationed overseas during Operation Iraqi Freedom.

Bill Tyson, 325 N. Edgmont Street, inquired about Mr. Daly's comments on the proceeds of the Media Five Mile Run and if the Borough is reimbursed for expenses. President Hagan stated she believes the Delaware County Roadrunners Association handles reimbursing the Borough. Bill Tyson also expressed interest in the John K. Barrall award and inquired if the winners of this award are children of parents involved with the Media Minutes Foundation. Frank Daly responded that winners have been from all political denominations. Vice-President Robinson noted the Rose Tree Media School District makes recommendations on the award winners, who are chosen based on merit, including his daughter.

Dolly Hernandez, 327 E. State Street, mentioned the new Starbucks sign and wondered if anything could be done to enhance the "Welcome to Media Borough" sign located right next to it as it seems to be overshadowed by their sign. It was determined we will allow Starbucks to fully complete the installation of their sign and then the Borough will discuss options with Starbucks and Quiznos.

#### **Mayor's Report – Mr. McMahon**

Mayor McMahon reported the police department received and investigated 813 complaints during the month of May. There was one reported burglary on the 400 block of Linden Lane.

Mayor McMahon congratulated Robin Otto, Frank Daly and Bob Linn on their efforts in securing a lease with Trader Joe's. It will be a valuable addition to the Borough.

#### **Council Committee Reports**

##### **Grants & Recycling – Mrs. Krull**

Councilperson Krull made a motion to execute a lease agreement for the first floor of the Armory with Trader Joe's, a national retail food store. Vice-President Robinson seconded the motion. Motion carried unanimously. Councilperson Krull went into the agreement details by stating the

Borough has entered into a ten (10) year lease with five (5) year options in the amount of \$175,000 per year payable to the Borough. In order to prepare the building for the tenant, some repairs will need to be made including a new roof, façade repairs (i.e. new windows), sprinkler system, etc. Councilperson Krull noted this will be a great economic benefit for the Borough and bring the convenience of food shopping to residents. Concessions with respect to size of signage were made during lease negotiations, but feel the benefits definitely out way any negative impact on the Borough. Vice-President Robinson commented that the signage issue is not significant considering the revitalization aspect to the Borough, but would have liked the signs to be in compliance with our ordinance. He will continue discussions with the tenant on this issue.

Councilperson Whitaker mentioned it has been a very long time since the Borough had a retail food market. Councilperson Gibian noted many residents have approached him concerning this very subject ever since he was first elected to serve on Council. Councilperson Krull thanked everyone who worked tirelessly to make this deal happen including Frank Daly, Bob Linn, Robin Otto and Gail Whitaker, who planted the seed many years ago. President Hagan noted Trader Joe's will have dedicated parking for their store. Negotiations with property owners are still being held to acquire additional parking. Councilperson Krull mentioned Trader Joe's hours will be 9:00 a.m. until 9:00 p.m.

Councilperson Krull mentioned the success of the Media Town Fair and Blues Stroll on June 14, 2003 and thanked the Media Business Authority for a job well done.

**Health & Shade Tree Commission** – Mr. Alyanakian

Councilperson Alyanakian reported on Dr. Harold Russell's resignation as the Health Officer within the Borough of Media. The Borough will advertise for the position and is looking for a certified health inspector to fill this position. Interested, qualified individuals should submit their resume to Borough Manager Smith.

Councilperson Alyanakian read Proclamation #2003-06, which proclaims June 21-26, 2003 to be Nursing Assistants' Week in honor of quality caregivers to the elderly, frail and disabled citizens within our community.

**Finance & Insurance** – Mr. Sherwin

Councilperson Sherwin made a motion to authorize the Solicitor to advertise an ordinance that summarizes the terms and conditions of a Commerce Bank note, which will be used to fund various capital projects within the Borough. Councilperson Whitaker seconded the motion. Motion carried unanimously.

Councilperson Sherwin read the finance report. The Finance Committee reported checks drawn on the Central Disbursement account for the following funds:

General Fund	480,208.94
Liquid Fuels Fund	<u>4,628.28</u>
<b>Total</b>	<b>484,837.22</b>

Vice-President Robinson seconded the motion. Motion carried unanimously.

Councilperson Sherwin made a motion to adopt Ordinance No. 975, which is an amendment to the current Historical Archives Commission Ordinance to allow one (1) non-Media resident to serve if so desired. Councilperson Whitaker seconded the motion. Motion carried unanimously.

**Personnel** – Ms. Hagan

President Hagan mentioned the Borough is currently in negotiations with the Fraternal Order of Police, as their contract will expire at the end of this year.

President Hagan stated she would accept a motion to adopt Resolution #2003-08 pertaining to the Police Pension Plan. Vice-President Robinson made a motion to adopt Resolution #2003-08 protecting the Police killed-in-service benefits and bring the Borough plan into compliance with Act 30 (State Legislation). Councilperson Krull seconded the motion. Motion carried unanimously.

President Hagan stated she would accept a motion to authorize the Borough Engineer to perform a study as it relates to stormwater management (drainage) in the vicinity of the condominium complex at 6<sup>th</sup> & Olive Streets. Vice-President Robinson made a motion to authorize the Engineer to conduct a study at 6<sup>th</sup> & Olive Streets and surrounding area. Councilperson Whitaker seconded the motion. Motion carried unanimously.

President Hagan stated she would accept a motion to proceed with the asbestos and lead paint removal at the Armory. Councilperson Whitaker made a motion to authorize the Engineer to advertise and prepare bid specifications for asbestos and lead paint remediation at the Armory. Councilperson Krull seconded the motion. Motion carried 7-1, with Councilperson Gibian abstaining as the company he is employed with may bid on the project.

President Hagan stated she would accept a motion to authorize an appraisal of properties associated with a proposed public parking lot. Councilperson Whitaker made a motion for the appraisal of properties as a starting point in negotiations. Councilperson Krull seconded the motion. Motion carried unanimously.

**Community Development** – Mr. Robinson

Vice-President Robinson reported a home-based business ordinance was discussed during a Public Hearing prior to this evening's Council meeting. Vice-President Robinson made a motion to adopt Ordinance No. 973 allowing for no-impact home-based businesses throughout the Borough. Councilperson Whitaker seconded the motion. Motion carried unanimously.

Vice-President Robinson reported an ordinance pertaining to a sign amendment was discussed during a Public Hearing prior to this evening's Council meeting. The ordinance will allow for an additional 15 square feet of signage on Baker and Jasper Street properties. Vice-President Robinson made a motion to adopt Ordinance No. 974 pertaining to sign ordinance amendments. Councilperson Whitaker seconded the motion. Motion carried unanimously.

Vice-President Robinson reminded everyone about the Media Five Mile Run, which will take place on Friday, June 20, 2003. He mentioned certain streets will be closed from approximately 6:30 p.m. until 8:00 p.m.

Vice-President Robinson reported the Planning Commission recommends not opposing a Zoning Hearing Board application for Iron Hill Brewery to erect a nine (9) foot fence around their trash compactor. Our current ordinance allows for a six (6) foot fence, however, the compactor is nine (9) feet tall.

**Public Safety** - Ms. Whitaker

As a follow-up to Deputy Chief Bellace's announcement, Councilperson Whitaker mentioned the Media Fire Company will hold their housing of the new Snorkel Truck on Saturday, June 21, 2003 at 7:00 p.m. at the firehouse. Councilperson Whitaker urged everyone to attend, as it will be a memorable event. Councilperson Whitaker mentioned the Fire Company has been very fortunate to be able to replace outdated equipment over the years due in part by the forward thinking of the Borough, led by Treasurer Gioggia, and the Media Fire Company who came up with a plan years ago to secure funds for this purpose.

**Recreation & Code Enforcement** – Mr. Gibian

Councilperson Gibian reported the tot lot located at 4<sup>th</sup> & Monroe Streets has officially opened. A dedication ceremony was held this evening prior to the Council meeting. There are a couple items that need to be addressed including the modification of the fence and landscaping around the play area. Special thanks to Councilperson Krull, Karen Taussig-Lux, Dawn Kodoma, Claire Brille, Engineer Mulvena, Borough Manager Smith and the Public Works Department who all played an important role in the construction of the tot lot.

Councilperson Gibian announced the Recreation Commission will have a 4th of July celebration at Barrall Field beginning at 10:00 a.m. This will include refreshments, arts and crafts and games for the children.

Per a suggestion from Monica Simpson and as a spin-off of the Health Communities Initiative, Councilperson Gibian reported that the Recreation Commission is interested in organizing a youth panel to target teenagers within the Borough. The Recreation Commission believes it would be beneficial to obtain feedback from teens to help plan events.

Councilperson Gibian reported the Borough is close to signing a lease agreement with the Society for the Performing Arts as it relates to the Media Theatre. Agreement should be ratified by the July Council meeting. President Hagan noted that any delay in signing the agreement will not affect the current schedule of shows to appear at the Theatre.

Councilperson Gibian made a motion to award the fixed auditorium seating bid proposal at the Media Theatre to The Essay Company from Huntingdon Valley in the amount of \$112,435. Vice-President Robinson seconded the motion. Motion carried unanimously.

Councilperson Gibian reported on an open bid for repairs and renovations to the Media Theatre. Sealed bid proposals will be opened on July 9, 2003 at Borough Hall. More information can be obtained from the Borough or Bob Linn's office.

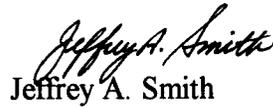
**Privilege of the Floor**

Frank Daly suggested Council recognize Dr. Russell for his dedicated service over the years. Mr. Daly believes Dr. Russell played an important role in getting the Health Department in the Borough up and running as he basically re-wrote the rules and regulations as it applies to health inspections for the restaurants throughout the Borough. Dr. Russell's role is a very important one due to the fact that Delaware County does not currently have a Health Department.

**Adjournment**

Vice-President Robinson made a motion to adjourn the meeting at 9:30 p.m. Councilperson Whitaker seconded the motion. Motion carried unanimously.

Respectfully submitted,



Jeffrey A. Smith  
Borough Manager/Secretary