

**MINUTES
BOROUGH COUNCIL MEETING
APRIL 15, 2004**

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 Alyanakian, Krull, Sherwin, Tyson and Whitaker. Also present were Treasurer Gioggia, Solicitor Middlebrooks, Engineer Mulvena, Borough Manager Smith and Administrative Assistant Chester.

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

Approval of the Minutes

Vice-President Robinson made a motion to approve the minutes of the March 18, 2004 Council Meeting and the March 24, 2004 Special Meeting. Councilperson Whitaker seconded the motion. Motion carried unanimously.

Privilege of the Floor

Bob Nelson, Center for the Blind and Visually Impaired, mentioned the Bike 4 Sight event, which will take place on Sunday, May 2, 2004 at 8:00 a.m. in front of the Court House. Mr. Nelson mentioned the Center for the Blind and Visually Impaired has been serving the area since 1941. Mr. Nelson reported that Delaware County has the fourth (4th) largest population of visually impaired residents out of all of the counties in Pennsylvania. Pennsylvania is the second highest state in the country with the amount of visually impaired residents (Florida ranks #1). Registration forms for this worthwhile event can be obtained through the Borough Hall office or from the website: www.bike4sight.com.

Randy Zeitman, a website designer located in Lansdowne, offered his services pro bono to do a redesign of the Media Business Authority website. Mr. Zeitman prepared a mock-up, which he distributed to Council members. Councilperson Sherwin inquired as to whether Mr. Zeitman had approached the Media Business Authority to pitch the idea. Mr. Zeitman responded that he was instructed to make a presentation at the Borough Council meeting. Mr. Zeitman will make an appointment to meet with the Borough Manager to discuss his proposal in further detail.

Proclamation #2004-04

Mayor McMahon read Proclamation #2004-04, which proclaims April 2004 to be "Fair Housing Month" within the Borough of Media urging all citizens to join in creating and promoting fair housing opportunities for all people.

Mayor's Report – Mr. McMahon

Mayor McMahon reported the Police Department received and investigated 817 complaints during the month of March. There was one (1) reported burglary on March 5, 2004, which a homeowner on West Street reported an unknown individual walked into their unlocked home.

Council Committee Reports

Recreation, Code Enforcement & Properties – Mr. Tyson

Councilperson Tyson mentioned that the Borough is currently at a point to decide whether to opt in or out of the Uniform Construction Code (UCC). The Borough has decided to opt in and continue Code Enforcement internally. With that said, Councilperson Tyson made a motion to authorize the Solicitor to advertise an ordinance creating a Uniform Construction Code (UCC). The Borough of Media will continue with our current code enforcement processes and procedures. Vice-President Robinson seconded the motion. Motion carried unanimously.

Last month Borough Council authorized the Solicitor to draft an ordinance pertaining to neglected vehicles. This ordinance allows the Borough to have a greater ability of enforcement as it relates to vehicles on public or private property that do not run, have broken windshields, missing wheels, etc. Councilperson Tyson made a motion to authorize the Solicitor to advertise the ordinance pertaining to neglected vehicles. Councilperson Krull seconded the motion. Motion carried unanimously.

Councilperson Tyson mentioned the Borough of Media received a letter from the Media-Upper Providence Library mentioning they are requesting financial assistance from Council for minor capital projects to their building. This will be presented to Council in May. Mr. Tyson mentioned that he hopes Upper Providence Township will also consider providing financial assistance to the library.

Public Safety – Ms. Whitaker

Councilperson Whitaker made a motion to appoint Don Fredericks to the unexpired term on the Civil Service Commission. His term will expire on December 31, 2008. Vice-President Robinson seconded the motion. Motion carried unanimously.

Councilperson Whitaker made a motion to remove Patrolman Matt Bellucci from the six (6) month probationary period of the Police Department. Vice-President Robinson seconded the motion. Motion carried unanimously.

Councilperson Whitaker announced the Media Borough Police Association will host a Vendors Day on Saturday, May 1, 2004 in the Community Center from 9:00 a.m.-5:00 p.m. There will be 19 vendors (i.e. Tupperware, Avon, etc.) taking orders to raise funds for the Police Association.

Councilperson Whitaker also announced the Pennsylvania Freemasons will host a Child Identification Program (CHIP) on Saturday, May 1, 2004 in the Mansion Parlor Room from 9:00 a.m.-4:00 p.m. This event will include fingerprinting, DNA, CD with audio and photo of minor children at no cost to parents and guardians.

Community Development – Mr. Robinson

Vice-President Robinson made a motion to approve the Minor Land Development Application for 217-219 W. State Street in order to construct a 642 square foot deck. Councilperson Whitaker seconded the motion. Motion carried unanimously.

Vice-President Robinson made a motion to authorize the Secretary and Council President to enter into a right-of-way lease agreement with the tenant at 217-219 W. State Street. This lease agreement pertains to the stairs from the deck, which will be placed in the right-of-way along with a dumpster enclosure that will be shared with more than one (1) establishment. Councilperson Whitaker seconded the motion. Motion carried unanimously. To clarify, President Hagan mentioned that the responsibility to clean up the area around the dumpster enclosure will fall upon the leaseholder.

Vice-President Robinson made a motion to approve the Final Subdivision Application for 509 N. Olive Street. Councilperson Whitaker seconded the motion. Motion carried unanimously. Vice-President Robinson mentioned the applicant will come back next month with a Land Development Plan for approval.

Vice-President Robinson mentioned that he recommends Council not oppose a Zoning Hearing Board Application for 20 Manchester Avenue to install a deck on a corner lot. All other residents on this block have a deck and Vice-President Robinson sees no reason to oppose the application.

Vice-President Robinson mentioned that he recommends Council not oppose a Zoning Hearing Board Application for 845 N. Jackson Street, Horizon Plumbing. The applicant entered into an agreement with the Borough to retain a structure on this property. Horizon has agreed to dismantle the structure if and when they are no longer a tenant on this property.

Vice-President Robinson reported that the Comprehensive Plan Task Force Committee will convene in the near future. Vice-President Robinson mentioned he will contact the original members to inform them. If anyone is interested in serving on the Committee, please send a letter of interest and resume to Borough Manager Smith. There is no guarantee that positions will be available, but send your information in case would like to be considered. Councilperson Alyanakian inquired as to when the last time this Committee met. Vice-President Robinson responded that they met approximately 10-12 months ago and that they met for approximately a year. Due to various business commitments, the group met less often than anticipated. Councilperson Alyanakian mentioned that the Comprehensive Plan has not been updated since 1986. Vice-President reported on a couple of stumbling blocks. At the time, the County was not interested in participating. Also, there previously was no money in the budget for this effort and Vice-President mentioned that he was able to put money in the 2004 budget specifically for this project in order to obtain a professional planner to assist us. Councilperson Alyanakian requested to be made a member of this Task Force. Vice-President Robinson noted that if there are any openings he would be happy to consider him. Councilperson Alyanakian mentioned that he has been asking for notes on the previous Comprehensive Plan Task Force meetings for two (2) months. Vice-President Robinson noted that he was not aware of his request. Councilperson Alyanakian reported that Borough Manager Smith said Vice-President Robinson would provide the notes from the meetings, but has not seen them to date. Vice-President Robinson reiterated that he was not aware that he was looking for the information. President Hagan reported that

Councilperson Tyson has been appointed to the Task Force. If there are any openings, President Hagan mentioned that Councilperson Alyanakian would be considered to serve on the Comprehensive Plan Task Force.

Vice-President Robinson reminded everyone that the Media Five Mile Run will be held on Friday, June 18, 2004 at 7:00 p.m.

Personnel & Highway – Ms. Hagan

President Hagan mentioned she would entertain a motion to advertise an ordinance pertaining to NPDES Phase II. Councilperson Krull made a motion to authorize the Solicitor to advertise an ordinance pertaining to NPDES Phase II stormwater management requirements. Councilperson Whitaker seconded the motion. Motion carried unanimously.

President Hagan mentioned she would entertain a motion to adopt a resolution applying for County Aid. Councilperson Krull make a motion to adopt Resolution #2004-01, which applies for County Liquid Fuel Tax Funds in the amount of \$8,000 to be used for milling and resurfacing of various Borough streets. Councilperson Whitaker seconded the motion. Motion carried unanimously.

President Hagan mentioned she would entertain a motion to adopt a resolution pertaining to the PSAB Borough Management Caucus. Councilperson Whitaker made a motion to adopt Resolution #2004-02, authorizing the participation of Borough Manager Smith in the PSAB Borough Management Caucus at a cost of less than \$25 per year. Vice-President Robinson seconded the motion. Motion carried unanimously.

President Hagan noted that Dale Dimond resigned from her position as Facilities Usage Coordinator for scheduling of the Community Center and Mansion Parlor Room. This is a part-time position with flexible hours. Anyone interested in applying should send a letter of interest and resume to Borough Manager Smith.

President Hagan announced the Walk of Fame Ceremony will be held on Wednesday, May 26, 2004 at 4:00 p.m. All nominations are due to the Borough by April 20, 2004. The Walk of Fame recognizes deceased Borough residents who had a profound effect on the community in past years.

President Hagan reported that the Borough is in the process of updating our agreement with towing contractors within the Borough. We will forward a survey to other municipalities in an attempt to gather more information in order to make our agreement more uniform with other municipalities.

President Hagan reported that she and Councilperson Alyanakian met with representatives from the County and Broomall's Lake Country Club to discuss the Third Street Bridge project. We are in the process of submitting paperwork for this project to the State. The Borough is working on signing an agreement with the County and Broomall's Lake in regard to maintenance, inspection, etc. President Hagan noted that it is imperative that we move forward with this project and submit the necessary paperwork as soon as possible due to the fact that Penn Dot and the State is looking to cut funding for various projects.

President Hagan noted that a meeting will be held after the Council meeting to discuss personnel issues.

Finance, Insurance & MBA – Mr. Sherwin

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

General Fund	358,615.31
Liquid Fuels Fund	<u>8,325.39</u>
Total	366,940.70

Councilperson Krull seconded the motion. Motion carried unanimously.

Councilperson Sherwin made a motion to approve the consent decree authorization pertaining to the Moyer Landfill, which was declared a superfund site. This left the Borough and other municipalities without a place to dump trash for a couple days. The Borough along with the other municipalities have been named in a class action law suit. Councilperson Whitaker seconded the motion to approve the consent decree authorization. Motion carried unanimously.

Councilperson Sherwin announced Media's 22nd Flower Show will be held on Wednesday, April 21, 2004 from 1:00-7:00 p.m. and Thursday, April 22, 2004 from 10:00 a.m.-7:00 p.m. in the Community Center. This event is sponsored by the Garden Club and Media Business Authority.

Councilperson Sherwin also announced the Americana Roots Music Festival will be held on Saturday, April 24, 2004 from 8:00 p.m.-1:00 a.m. in various locations throughout the business district. This event features folk, blues and jazz music. The Media Firehouse has been added this year as an additional venue. The Media Business Authority appreciates the use of the firehall. Tickets are \$10 in advance. Please access the website at www.statestreetblues.com for more information.

Councilperson Sherwin reminded everyone of the following upcoming Media Business Authority events:

- Super Sunday – Sunday, April 25, 2004 from 9:00 a.m.-5:00 p.m.
- Bike 4 Sight - Sunday, May 2, 2004 at 8:00 a.m.
- Blues Stroll – Saturday, June 12, 2004 from 8:00 p.m.-1:00 a.m.

Recreation, Grants, Recycling & Streetscape – Mrs. Krull

Councilperson Krull thanked the Recreation Commission for a successful Easter Egg Hunt on Saturday, April 3, 2004.

Councilperson Krull announced the summer camp registration is open to residents on April 17, 2004 and April 21, 2004. Sign up in person is required along with full payment. Cost for Borough residents is \$30.00 per week for 1 child, \$40.00 per week for 2 children and \$45.00 per week for 3 children. A separate fee schedule and different registration dates are schedule for non-Borough residents. For more information, please contact the summer camp hotline at 610-566-5210, ext. 575.

Councilperson Krull announced the following upcoming Recreation Commission events:

- Teen Night – Friday, April 23, 2004 from 7:00 p.m.-10:00 p.m.
- Blue Rocks Game (w/fireworks) – Wednesday, June 23, 2004, tickets are \$5.00 each for Borough residents
- Phillies Game – Saturday, June 10, 2004

Councilperson Krull reported that a map has been created indicated various destinations throughout the Borough, which we will want to place in a pedestal. Councilperson Krull made a motion to approve a bid award to purchase five (5) pedestal parking maps to Signs by Tomorrow in the amount of \$1,335 each for a total of \$6,675. Vice-President Robinson seconded the motion. Motion carried unanimously.

Councilperson Krull mentioned that due to a \$26,000 recycling equipment grant the Borough received, we are required to publish quarterly newsletters. Judy Fowler, the Borough's Grants Administrator, is working on an article for the next newsletter.

Councilperson Krull reported that our Grants Administrator is also working on submitting an Elm Street Grant, which expands the main street grant into residential areas. Funds may be available to purchase street lights, walk ways, etc.

Councilperson Krull made a motion to adopt Resolution #2004-03, which formally requests the Pennsylvania Liquor Control Board to relax their regulations when obtaining Special Occasion Permits. Councilperson Krull noted that this was brought to Council's attention as something that may be needed when the Recreation Commission was having their adult dance. Vice-President Robinson mentioned he obtained guidance on this issue from our State Representative. President Hagan clarified that the Borough should probably amend the resolution to reflect any group that is municipally connected, not just the Recreation. Broadening the definition may be needed to support such groups as the Minshall House, etc. Councilperson Krull made a motion to amend the motion to reflect that the resolution be changed to "non-profit entities, such as the Recreation Board and/or other municipally affiliated non-profits, conducting events throughout the year." Vice-President Robinson seconded the motion. Motion carried unanimously. Councilperson Tyson commented that he does not believe State Representatives should be contacted by individual Council members on behalf of the Borough unless Council deems it appropriate. Councilperson Tyson mentioned he believes this is something that can be done as a citizen of the Borough. Councilperson Tyson further mentioned that when he and Councilperson Alyanakian approached the representative on this issue, he had no idea what they were talking about. Vice-President Robinson responded that he could clarify the date and time that he spoke with the representative. Councilperson Tyson reiterated that he feels Council should address these issues as a whole and that individual members do not have a right to approach representatives on their own. President Hagan noted that another matter came up recently where individuals of the opposite political party did the very same thing that they are saying should not be done. Councilperson Alyanakian responded that it was another elected official that was contacted.

Health & Shade Tree Commission – Mr. Alyanakian

Councilperson Alyanakian noted that he and Councilperson Krull are chairing a newly formed Environmental Advisory Committee to address issues such as increasing the tonnage of recycling, stormwater, etc. The Borough is fortunate to have members on this committee who

are experts in the field of stream and creek management. Since we own approximately 37 acres along Ridley Creek Watershed, the group may be interested in addressing this area.

Councilperson Alyanakian made a motion to award the bid for installation of solar panels at the Media Armory to Mesa Environmental Sciences in the amount of \$36,341. Councilperson Tyson seconded the motion. Motion carried unanimously.

Councilperson Alyanakian made a motion to award a two (2) year telecommunications bid to ATX pending review of contract terms and conditions by the Solicitor. By accepting this proposal we intend to save over \$9,500. Councilperson Tyson seconded the motion. Motion carried unanimously.

Councilperson Alyanakian noted that the Borough is fortunate to have many canopy trees on our streets. Councilperson Alyanakian reported that the Shade Tree Commission looks at the overall health of trees before deciding on removal. Taken into consideration is also the property owner's sidewalk and whether or not it needs to be replaced. This may become a tricky situation as some sidewalks have been heaved due to Borough-owned trees. Through the Department of Community and Economic Development (DCED) the Borough applied for a Sidewalk Assistance Grant, which will provide \$5,000 of funding for property owners throughout the Borough who need to have their sidewalk replaced. Councilperson Alyanakian noted that the funds will be available on a first-come first-served basis. Councilperson Alyanakian thanked Senator Pileggi for his support on this effort. Councilperson Alyanakian mentioned we will await final approval of this grant funding. President Hagan mentioned that the Borough should look at the criteria to receive funding in lieu of allowing this to be available on a first-come first-served basis. Councilperson Whitaker inquired as to how this grant fits into our current sidewalk assistance program. President Hagan noted that perhaps we should examine the criteria and how it relates to our current program.

Due to the 25th anniversary of the Media Five Mile Run, Councilperson Alyanakian made a motion to move the ending of the race back to State and Jackson Streets in order to help the business district. Councilperson Tyson seconded the motion. Vice-President commented that the person making the motion should be aware as to why the race currently ends where it does. Vice-President Robinson asked if Councilperson Alyanakian knows why the race ends on Jackson Street. Councilperson Alyanakian responded that the thought it was due to a safety issue. Councilperson Alyanakian believes Jackson Street may have been logistically pleasing for the police, fire and ambulance. Vice-President Robinson said that was one (1) reason, but not the main reason. Vice-President Robinson noted that the main reason was due to the fact that the race is now operated with computer chips and the ending place could not be the same as the starting place. Vice-President Robinson did not believe that it's fair to ask the Delaware County Road Runners Association to move the race 30 to 40 days prior to the race, but he would be glad to bring it up to them to determine if they can move it closer to State Street. President Hagan mentioned she could not support this request as it is not Council's decision to make. President Hagan could support that we request, not require, them to make the change. Councilperson Alyanakian amended the motion to reflect that the Borough advise the race organizers to finish the race at State and Jackson. Councilperson Tyson seconded the motion. Councilperson Sherwin noted he would support the motion if it could be worked out logistically. Councilperson Krull noted that the race was changed last year to move the ending point of the race as close to State Street as possible. Councilperson Alyanakian reported that he is making this request for one (1) year, the 25th anniversary race. Councilperson Krull noted that as a runner of the race

she does not generally go to a restaurant or bar when she completes the race. Councilperson Krull makes a stop at home first and then returns to State Street, where the excitement of the race is still in the air. Motion to advise that the Delaware County Road Runners Association move the ending of the race for 2004 to State and Jackson Streets carried 4-3, with Vice-President Robinson, Councilpersons Whitaker and Krull casting dissenting votes.

Councilperson Alyanakian made a motion to require that the Delaware County Road Runners Association and Media Minutes Foundation forward the proceeds of the Media Five Mile Run to the Fellowship House, the Media-Upper Providence Free Library and set up a special capital fund for playground equipment, etc. Councilperson Tyson seconded the motion. The motion was defeated 4-2 by President Hagan, Vice-President Robinson, Councilpersons Krull, Sherwin and Whitaker. President Hagan mentioned she could not support the motion to tell the organizations where to place the funds. Councilperson Whitaker noted that Council has no right to direct organizations what to do with the proceeds of their event. Councilperson Alyanakian commented that most Borough events do not use the police protection that this event uses. President Hagan agreed, but stated that a separate committee can be created to review how the Borough is reimbursed for staff expenses. Vice-President Robinson made a motion to request the Delaware County Road Runners Association and Media Minutes Foundation direct the proceeds of the race to the Fellowship House and Media-Upper Providence Library if they see fit. Councilperson Whitaker seconded the motion. Motion carried unanimously.

Privilege of the Floor

Vice-President Robinson noted that the Federal Aviation Association (FAA) held a meeting pertaining to the pending changes of the runway at the Philadelphia International Airport that would effect not just the Borough, but the entire County. Vice-President Robinson thanked Linda Cartisano for putting together the very informative meeting. Vice-President Robinson urged all residents to write their Congressman and Senators in order to keep open communication on this issue. Vice-President Robinson mentioned all plans should be open for review. Councilperson Whitaker noted that all plans are available for viewing on the FAA website.

President Hagan announced that the Parents of Murdered Children organization will hold their annual candlelight vigil on Wednesday, April 21, 2004 at 7:00 p.m.

President Hagan also announced that Media Little League will hold their opening day ceremonies at Saturday, April 17, 2004, beginning at 9:00 a.m.

Councilperson Alyanakian mentioned a clean-up effort at Glen Providence Park is scheduled for Saturday, May 1, 2004 at 10:00 a.m. Everyone is welcome to participate.

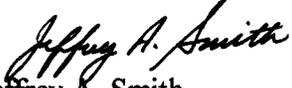
Zubair Khan, Executive Director of the Media Business Authority, announced First Keystone Bank will be hosting a business mixer on Wednesday, April 28, 2004 from 5:00-8:00 p.m. at the Fellowship House.

Jane Rowland, E. Second Street, inquired as to if the Code Enforcement Department makes inspections due to the fact that she does not see inspectors out on the street. Councilperson Tyson assured Ms. Rowland that Jim Jeffery, Code Enforcement Director, and his three (3) part-time assistants do make inspections during new construction as well as annual inspections.

Adjournment

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

Respectfully submitted,


Jeffrey A. Smith
Borough Manager/Secretary

**BOROUGH OF MEDIA
SPECIAL MEETING MINUTES
MARCH 24, 2004 @ 7:00 P.M.**

The Media Borough Council met in the second floor meeting room at the Municipal Center on the above date with the following officials present: President Hagan, Councilpersons Krull, Sherwin, Alyanakian and Tyson. Also present were Engineer Mulvena and Borough Manager Smith.

President Hagan called the meeting to order at 7:05 p.m.

Construction of a Surface Parking Lot at 15-17 E. Baltimore Avenue – Bid Award

Councilperson Sherwin made a motion to award the construction of a surface parking lot located at 15-17 E. Baltimore Avenue to JMC Contractors, Inc. in the amount of \$221,240, which include lot 1.1, 1.2, 1.3 (option) and 1.4 (option). Councilperson Alyanakian seconded the motion. Motion carried 4-1, with Councilperson Tyson casting the dissenting vote. Option 1.5 (diamond design pavers on concrete option was not accepted/awarded.

Privilege of the Floor

No other business was presented before Council.

Adjournment

Councilperson Tyson made a motion to adjourn the meeting at 7:10 p.m. Councilperson Krull seconded the motion. Motion carried unanimously.

Respectfully submitted,



Jeffrey A. Smith
Borough Manager/Secretary