

**MINUTES  
BOROUGH COUNCIL MEETING  
APRIL 20, 2006**

The Media Borough Council met in Council Chambers on the above date with the following officials present: Mayor McMahon, President Daly, Vice-President Hall, Councilpersons Alyanakian, Simpson, Derrickson, Williamson and Tyson. Also present were Borough Manager Smith, Engineer Walton and Solicitor Middlebrooks. Treasurer Gioggia was absent from the meeting.

President Daly called the meeting to order at 8:00 p.m. and led the salute to the flag. President Daly observed a moment of silence for the tragic death of David Smith, who was a resident of the Borough, employed by the Delaware County Chamber of Commerce and volunteered for many activities/events within the community.

**March 16, 2006 Executive Session**

President Daly announced the reasons for the March 16, 2006 Executive Session. The following issues were discussed: litigation with Media Real Estate pertaining to 300 E. State Street, update on lawsuit involving a resident wanting to subdivide a property on N. Edgmont Street and litigation involving the Police Department and a claim of excessive use of force.

**E-mails During Borough Council Meetings**

President Daly mentioned that questions from viewers at home should be e-mailed to [questions@mediaborough.com](mailto:questions@mediaborough.com) and Council will address them during the meeting.

**Approval of the Minutes**

Vice-President Hall made a motion to approve the March 16, 2006 Borough Council Meeting minutes. Councilwoman Simpson seconded the motion. The motion carried unanimously.

**Mayor's Report** – Mayor McMahon

Mayor McMahon reported the Police Department received and investigated 953 complaints during the month of March. There were two (2) reported burglaries during the month of March, both occurred at a residence on Edgmont Street. A 12 year-old male from Upper Providence has been charged as a juvenile and is awaiting adjudication.

## **Council Committee Reports**

### **Health, Historic Preservation & Library – Mr. Tyson**

Councilman Tyson mentioned the Media Historical Society held their annual dinner on Wednesday, April 19, 2006, at the Media Theatre. Two (2) buildings were honored during the evening. The first was Paul and Christine Robinson's home on East Fifth Street, which was built in 1885. The second was Christ Church on South Orange Street, which dates back to the late 1850's. Bob Linn, local architect, was the guest speaker and made a presentation on the adaptive reuse of the Armory.

Councilman Tyson announced the Media-Upper Providence Library is sponsoring a puppet show entitled "Bartholemew Bear's Moon Misadventure", on May 5, 2006 at 4:00 p.m. in the Community Center.

Councilman Tyson noted that he was shocked to hear of David Smith's tragic death and mentioned he will be missed. He was always willing to lend a hand during events held within the Borough.

### **Recreation, Technology, Media Business Authority & Lighting –**

Mrs. Simpson

Councilwoman Simpson made a motion to appoint Drew Arata of Earth & State to the Media Business Authority to fill the unexpired term of Jack Wolf, which will expire on December 31, 2006. With no other nominations brought forward, the motion carried unanimously.

Councilwoman Simpson made a motion to appoint Rachel BenAri of BenAri Jewelers to the Media Business Authority for a term of three (3) years, which will expire on December 31, 2008. With no other nominations brought forward, the motion carried unanimously.

Councilwoman Simpson made a motion to appoint Lynne Toye of Posh to the Media Business Authority for a term of three (3) years, which will expire on December 31, 2008. With no other nominations brought forward, the motion carried unanimously.

Councilwoman Simpson announced the following for the Media Business Authority:

- The Americana Roots Ramble will be held on Saturday, April 22, 2006 from 8:00 p.m. – 1:00 a.m. throughout the business district.
- The Town Fair will be held on Friday, June 16, 2006 from 9:00 a.m. – 4:00 p.m. on State Street and will coincide with that evening's Media Five Mile Race.
- To register for the Media Five Mile Race, please visit [www.media5milerace.com](http://www.media5milerace.com). Volunteers are welcome to contact the Recreation Department.

Councilwoman Simpson announced the following events for the Recreation Board:

- Thai Chi classes are forming for Monday evenings. Details to follow.
- Senior aerobics are held on Wednesdays at 1:00 p.m. in the Community Center. Cost is \$1.00 per session.
- Summer Camp registration is ongoing until the third week in May.
- The Phillies Home Run Derby will be held on Saturday, June 3, 2006.
- Tennis Clinics are upcoming and will be held at Barrall Field with Dan Sears as the instructor.

**Public Safety, Media Arts Council & Streetscape – Mr. Hall**

Vice-President Hall made a motion to approve the Mass Gathering Application for the Bike 4 Site event, which will be held on Sunday, May 21, 2006. Councilwoman Simpson seconded the motion. The motion carried unanimously.

Vice-President Hall made a motion to authorize the drafting and advertising of Mass Gathering Ordinance amendments. Council Derrickson seconded the motion. The motion carried unanimously.

Vice-President Hall announced a brochure pertaining to information on the Media Arts Council will be available at the ticket booth on State Street during the Americana Roots Ramble. The last Media Arts Council Second Saturday event was a success.

Vice-President Hall reported that the Streetscape Project is moving forward. The trees have been planted and tree grates were installed. Please keep in mind the trees will grow quickly. Within a few years, they should be almost full grown providing a nice looking canopy. If you have any questions pertaining to Streetscape, please feel free to e-mail Vice-President Hall at [brian.c.hall@hotmail.com](mailto:brian.c.hall@hotmail.com).

**Personnel, Public Properties, Finance & Insurance – Mr. Daly**

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

General Fund	\$ 592,920.98
Recreation Fund	\$ 3,226.96
Liquid Fuels Fund	<u>\$ 13,200.62</u>
Total	\$ 609,348.56

President Daly motioned that bills be paid when properly approved for all funds. Councilman Tyson seconded the motion. The motion carried unanimously.

President Daly made a motion to authorize the release of \$85,000 for Fire Department capital improvements. Councilman Alyanakian seconded the motion. The motion carried with Councilman Tyson abstaining due to his affiliation with the Fire Department. Councilman Tyson noted that the funds are for structural enhancements that are needed and architecture details, which will fit in nicely with the Streetscape Project. Councilman Tyson mentioned that the Borough owns the building and is responsible for outside enhancements and the Fire Department is responsible for all inside work.

President Daly announced the Finance Committee is scheduled to meet on April 26, 2006 to discuss the purchase of Highway Department and Police Department vehicles. The purchase of these vehicles has been placed on hold until a review of Borough funds has been made.

Immediately following the Finance Committee meeting, the members will meet with representatives from three (3) banks that have submitted proposals: Commerce Bank, First Keystone Bank and Sovereign Bank.

President Daly mentioned that the Parking Committee will reconvene on April 26, 2006 to discuss the implementation of the recommendations in the report that have not been addressed to date.

President Daly announced he is recruiting for volunteers to serve as marshals during the Media 5 Mile Race. If interested, please e-mail President Daly at [fwd@dalylawfirm.com](mailto:fwd@dalylawfirm.com). Various organizations, such as Healthy Community Initiatives, have volunteered a number of their employees. Councilwoman Simpson noted that there are a number of individuals who have expressed interest in volunteering and mentioned it is very rewarding to see the community help out with this event. Vice-President Hall indicated that, as a runner, it is nice to have people come out and cheer you on during the race. President Daly asked Borough Manager Smith to send a memo to the various boards/commissions seeking marshals.

President Daly read an e-mail received during the meeting regarding the trees within the Streetscape Project. President Daly noted that Vice-President Hall addressed the question during his committee report.

President Daly reminded businesses with dumpster enclosures to keep their gates closed at all times. Councilman Tyson noted that with the help of the Borough's Highway Department, the Fire Department has partnered with the Koffee Korner to obtain a dumpster enclosure.

#### **Code Enforcement and Community Development** – Mr. Williamson

Councilman Williamson made a motion to approve the Preliminary Reverse Subdivision of all properties within the city block bounded by Radnor/Manchester/Franklin/Baltimore into one (1) parcel. Councilman Alyanakian seconded the motion. The motion carried unanimously.

Councilman Williamson made a motion to approve the Preliminary Subdivision Application for the city block bounded by Radnor/Manchester/Franklin/Baltimore into three (3) separate parcels contingent upon the applicant meeting the terms of the NDI Engineering review memo. Councilman Derrickson seconded the motion. The motion carried unanimously. Councilman Williamson mentioned that the applicant has agreed to provide stormwater management, unified lighting and brick pavers to match the Streetscape Project area.

Councilman Williamson made a motion to approve the preliminary Land Development of lots #2 and #3 within the city block bounded by Radnor/Manchester/Franklin Baltimore contingent upon the applicant meeting the terms of the NDI Engineering review memo. Councilman Alyanakian seconded the motion. The motion carried unanimously.

Councilman Williamson noted that the Planning Commission recommends Borough Council not oppose the Zoning Hearing Board Application for 405 N. Providence Road. The applicant proposes to build a garage and an addition to the house. The home sits sideways on the lot and there would be little or no visual impact to the neighborhood.

Councilman Williamson noted that the Planning Commission recommends Borough Council not oppose the Zoning Hearing Board Application for 427 Vernon Street. The applicant would like to contract twin homes on these two (2) lots that are in the R-1 Zoning District.

Councilman Williamson noted that the Planning Commission recommends Borough Council oppose the Zoning Hearing Board Application for 36 W. Eight Street. The applicant is seeking relief from the front yard setback. It is the Planning Commission's opinion that the applicant did not present a hardship in this instance in order to obtain the relief. Councilman Williamson made a motion to authorize the Solicitor to attend the next Zoning Hearing Board meeting to represent the Borough on this matter. Councilman Derrickson seconded the motion. The motion carried unanimously.

Councilman Williamson made a motion to authorize the drafting and advertisement of an ordinance accepting a Deed of Dedication of Open Space in the rear of Astor Square. Councilman Derrickson seconded the motion. The motion carried unanimously.

Councilman Williamson made a motion to appoint Kevin Matson to the Planning Commission to fill his unexpired term, which will expire on December 31, 2008. With no other nominations brought forward, the motion carried unanimously.

Councilman Williamson made a motion to authorize the drafting and advertisement of an ordinance expanding the Planning Commission to nine (9) members. Councilman Alyanakian seconded the motion. The motion carried unanimously.

Councilman Williamson made a motion to authorize the drafting and advertisement of an ordinance adopting miscellaneous International Building Code (IBC) appendices. Councilman Derrickson seconded the motion. The motion carried unanimously.

Councilman Williamson noted that the Borough previously did not approve a Subdivision Application for 217 N. Edgmont Street, which ultimately went to litigation. A settlement with the applicant has been reached to relocate the driveway on this property onto the new lot. Councilman Williamson made a motion to authorize the Solicitor to finalize a written settlement agreement and authorize the appropriate Borough officials to execute this agreement. Vice-President Hall seconded the motion. President Daly abstained from the vote. Councilman Tyson stated that he did not agree with the principal of this motion and argued that he has not seen any plans for this property. Solicitor Middlebrooks stated that she believes plans have been drawn up, but she has not seen them to date. President Daly announced there will be a Special Meeting on April 26, 2006 at 7:00 p.m. to discuss this issue. Councilman Williamson withdrew his motion pending the outcome of the Special Meeting.

**Highway, Recycling & Emergency Management** – Mr. Derrickson

Councilman Derrickson reported that all is going well with Aqua Pennsylvania's infrasture improvement program and will be replacing water mains on various streets throughout the Borough.

Councilman Derrickson mentioned that the new recycling hauler began their contract during the first week of April and everything is going well.

Councilman Derrickson reported that PennDOT will be repaving Baltimore Avenue in the very near future.

Councilman Derrickson received a complaint regarding a traffic issue within the 600 block of N. Providence Road. Per Police Chief Wusinich, this issue has been resolved.

Councilman Derrickson made a motion to obtain identification badges for all Borough employees. Councilman Williamson seconded the motion. The motion carried unanimously.

Councilman Derrickson made a motion to adopt Resolution #2006-06, which applies for \$8,000 in County Aid for milling and resurfacing of various Borough streets. Councilman Williamson seconded the motion. The motion carried unanimously. Councilman Derrickson intends to meet with the Highway Department and Borough Engineer to develop a priority list for milling and resurfacing of various streets.

Councilman Derrickson made a motion to provide three (3) residential parking spaces on Front Street between Jackson and Monroe Streets. Councilwoman Simpson seconded the motion. Councilman Alyanakian believes this not to be a good idea and feels it will set a precedent within the Commercial District. Councilman Alyanakian inquired as to when this request came to the Borough. It was determined that it arrived during the January/February timeframe. Councilman Tyson moved to table this issue until further study has been completed. Councilman Alyanakian seconded the motion. The motion carried unanimously. President Daly noted that the Borough will give the Parking Committee three (3) months to review and address this issue. Councilman Alyanakian mentioned he felt this was an unacceptable timeframe due to the fact that we received the

original request a few months ago. Councilwoman Simpson believes waiting a few more months will not be a problem considering it takes much longer to obtain items such as stop signs, etc. Councilman Tyson agreed with Councilwoman Simpson. Vice-President Hall noted that he believes a few more months is a reasonable amount of time to make certain the right decision is being made on this issue.

President Daly inquired about speed humps on E. Front Street in front of the Media Elementary School. Councilman Derrickson reported that an application was made to PennDOT for two (2) speed humps and was ultimately turned down. The Borough is currently looking into purchasing and installing them ourselves. Engineer Walton reported that the cost for a speed hump is \$4,250 each and mentioned that we need to determine if we meet the criteria to install them in this area.

#### **Shade Tree Commission & Environmental Advisory Council – Mr. Alyanakian**

Councilman Alyanakian mentioned the Environmental Advisory Council has accepted a proposal from 3R Consulting, which outlines a business plan to encourage recycling among commercial businesses. The Environmental Advisory Council will partner with the Media Business Authority in an effort to increase the commercial recycling tonnage.

Councilman Alyanakian announced Green-up Clean-up Day will be held on Saturday, April 22, 2006 at 8:30 a.m. in conjunction with Earth Day. A rain date is scheduled for April 29, 2006. Residents are asked to clean their yards and possibly volunteer to spruce up their particular neighborhood. If you need assistance, please contact the Borough Administrative office in advance as volunteers may be available to provide assistance. This event is held in conjunction with the Media Business Authority and various businesses such as Kenny's Flower Shoppe.

Councilman Alyanakian reported there was a great turnout for the Business Mixer that was held earlier that evening at Cycle Sport.

President Daly inquired about the species of trees within the Streetscape area. It was determined that the following species have been planted: Golden Raintree, Silver Linden, Male Ginkgo and Yellow Wood.

#### **Public Comment & Privilege of the Floor**

Jane Rowland, E. Second Street, inquired about the location of the Bike 4 Site event. Vice-President Hall responded that this will take place in front of the Court House.

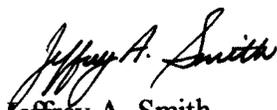
Jane Rowland also inquired about the speed humps that Councilman Derrickson referred to in his report. President Daly noted that speed humps on Jefferson Street were installed as a pilot program and are currently looking into other areas (i.e. Front Street school zone).

Kitty McFarland inquired as to the likelihood of the Borough applying for grant funding to extend the Streetscape area throughout the entire length of State Street. While the Streetscape project looks great, she believes it would be even better if it was extended beyond the business district. Mayor McMahon responded that the Borough could certainly apply for grant funding again, however, he mentioned this process takes a very long time. He noted that the Borough made application for the current Streetscape Project approximately seven (7) or eight (8) years ago.

### **Adjournment**

Vice-President Hall motioned to adjourn the meeting at 10:00 p.m. to enter into Executive Session to discuss legal matters. Councilman Derrickson seconded the motion. The motion carried unanimously.

Respectfully submitted,



Jeffrey A. Smith  
Borough Manager/Secretary



MEDIA BOROUGH COUNCIL  
ABSTAIN FROM VOTE

COUNCIL MEMBER: BILL TYSON

MOTION ON THE TABLE (Please describe): ALLOCATE \$85,000  
IN CAPITAL FUNDING TO MEDIA FIRE  
COMPANY

REASON FOR ABSTAINING: I SERVE AS PRESIDENT OF  
MEDIA FIRE COMPANY - AVOID ANY  
APPEARANCE OF CONFLICT OF INTEREST

SIGNATURE: Bill Tyson 4/20/06  
Council Member

SIGNATURE: Jeffrey H. Smith 4/20/06  
Borough Manager