

**MINUTES
BOROUGH COUNCIL MEETING
DECEMBER 20, 2007**

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, Williamson, Derrickson, Simpson and Tyson. Also present were Borough Manager Smith, Treasurer Dimond, Solicitor Scott and Engineer Walton.

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

Approval of the Minutes

Councilman Williamson made a motion to adopt the minutes from the November 15, 2007 Council Meeting and December 6, 2007 CDBG Public Hearing. Vice-President Hall seconded the motion. The motion carried unanimously.

Announce Reason for November 15, 2007 Executive Session

President Daly mentioned that the reason for the November 15, 2007 Executive Session was to discuss the police department employment contract.

Presentation of Donation Checks

Councilman Tyson mentioned a donation check for the Media Historic Archives Commission, which maintains their historic documents/artifacts at the Media-Upper Providence Library.

Councilwoman Simpson presented a donation check to Mercy Home Health Services, which was gratefully accepted by Corrine Shipley.

Vice-President Hall presented a donation check to the Media Historical Society. Monika Rehoric accepted the donation on behalf of the Historical Society and thanked Council for their generosity.

President Daly presented a donation check to the Media Fire Company, which was accepted by Larry Bak. Mr. Bak, Treasurer of the Fire Company, thanked Council for their continued support and generosity over the years.

President Daly mentioned that a donation check will be forwarded to the Center for Resolutions, formerly Community Dispute, which occupies the carriage house behind the Media Borough Municipal Center.

Councilman Derrickson presented a donation check to the Media Fellowship House. Jerry Duffy, accepted the check on behalf of the Fellowship House, and mentioned the funds will be put to good use. The Fellowship House offers two (2) very important programs to the community: Delaware County Homeownership First Housing Program and Emergency Mortgage Assistance Program. Mr. Duffy announced a Dr. Martin Luther King Day Celebration on Sunday, January 20, 2008, 2:30 p.m, at First United Methodist Church with Congressman Sestak and Dr. Joan Duvall Flynn, President of the Media Area Unit NAACP, as speakers.

Councilman Alyanakian presented a donation check to the Delaware County S.P.C.A., which was graciously accepted by Nicole Wilson, Executive Director. Ms. Wilson mentioned that the S.P.C.A. takes in approximately 8,000 animals annually and has plans to renovate their current site and expand as well. Councilman Tyson mentioned that the S.P.C.A. provides a wide range of services. More information can be found by visiting delcospca.org.

Presentation to Councilman Tyson

Mayor McMahon presented a plaque and restaurant gift card to Councilman Tyson in recognition of his years of service to Borough Council. Mayor McMahon thanked Councilman Tyson for his service and his involvement in many areas of the community, including the Media Theatre. Councilman Tyson mentioned that it has been an honor and privilege to serve on Council and mentioned that the Borough's staff is the best of any municipality in Delaware County and it has been a pleasure to work with them.

Public Comment & Privilege of the Floor

President Daly reminded viewers watching the meeting at home they can e-mail any questions/comments to Borough Council at questions@mediaborough.com and they will be addressed during the meeting.

Christy Dick, 113 Pennock Place, thanked Councilman Tyson for his service on Council and mentioned that she was grateful for his opposition to the hotel application.

Christy Dick inquired about the status of her Right-to-Know request regarding a newly submitted by-right hotel application. Borough Manager Smith mentioned that her request has been approved and that perhaps the Code Enforcement Department was awaiting plans, but that she should contact the Code Enforcement Department about the status.

John Sammartino, 109 Haldeman Street, thanked Councilman Tyson for his work on Council and in the community and is glad that he will continue to serve in some capacity.

Letitia Jeavons, 216 N. Monroe Street, inquired if an FAA noise hotline number could be posted on the website for residents to contact regarding low flying planes.

Engineer's Report

Engineer Walton provided a NPDES Phase II report. Engineer Walton mentioned that helicopters with infrared technology have been flying over streams, creeks, etc. to determine pollution levels. It is anticipated that a new permit will be issued to the Borough of Media, which will indicate Total Maximum Daily Load (TMDL) levels. The cost of operation and maintenance with regard to stormwater management will increase significantly over the coming years in order to be in compliance with this unfunded mandate.

Mayor's Report – Mayor McMahon

Mayor McMahon reported the Police Department received and investigated 770 complaints during the month of November. There were no reported burglaries during the month of November.

Mayor McMahon mentioned that the part-time police officers have started and will be officially sworn in at the February 2008 Council meeting.

Council Committee Reports

Shade Tree Commission, Homeowners Association (HOA) & Environmental Advisory Council – Mr. Alyanakian

Councilman Alyanakian announced a vacancy on the Environmental Advisory Council. Anyone interested should submit a letter and resume to Borough Manager Smith.

President Daly read an e-mail that was received on the questions account pertaining to the new camera angle.

Highway, Recycling, Emergency Management & Police Committee – Mr. Derrickson

Councilman Derrickson made a motion to adopt Ordinance No. 1042, pertaining to Traffic Ordinance Amendments. Councilman Alyanakian seconded the motion. The motion carried unanimously.

Councilman Derrickson made a motion to adopt Resolution #2007-11 and Resolution #2007-12, pertaining to Community Development Block Grant (CDBG) applications. Councilman Alyanakian seconded the motion. The motion carried unanimously.

Councilman Derrickson announced a vacancy on the Civil Service Commission due to the fact that Jerry Duffy wishes to step down from this commission. Anyone interested should submit a letter and resume to Borough Manager Smith.

On an emergency management note, Councilman Derrickson reminded everyone to pack extra supplies in the vehicle when taking trips—enough for a few days in case of an emergency.

Councilman Derrickson read two (2) letters that commended the Police Department personnel. One (1) letter in particular thanked Officer Bellucci for his superior service on a fraudulent check investigation.

Councilman Derrickson mentioned that the Highway Department did a fine job during the last snowstorm.

Community Development – Mr. Williamson

Councilman Williamson mentioned the status of the Hampton Inn & Suites hotel application. While this application is still going through the appeal process, the applicant has submitted a by-right plan, which will not require variances. It is anticipated that the Planning Commission will review this application on January 8, 2008 at 7:30 p.m.

Councilman Williamson made a motion to approve the Change of Use/Minor Land Development Application for 112 S. Jackson Street contingent upon the implementation of the comments from the Code Enforcement Director and Borough Engineer.

Councilman Williamson mentioned a Zoning Hearing Board Application for 306 E. Baltimore Avenue. The block has been demolished. There are two pieces of property in question with a borough-owned road that separates them. The application is for a three (3) story building on the front property and a parking garage on the rear property, which will be connected by a pedestrian walkway. The applicant is seeking several zoning variances as follows: height of the building at one (1) corner of the property, setback variances along the public road splitting the properties in half, and a use variance for parking. Councilman Williamson noted that the Planning Commission reviewed this application under the Baltimore Avenue Overlay District Ordinance. The proposal meets the requirements of the Ordinance and the Planning Commission is recommending that Council not oppose. Councilman Williamson also mentioned that this application will need to come back before Council again in the future for land development. Councilman Tyson commented that he believes this application is too far outside the Zoning Code and doesn't understand how this is acceptable. Councilman Alyanakian mentioned that he believes development along Baltimore Avenue should be smaller in scale and that he does not agree with massive construction along this corridor. Vice-President Hall inquired how this proposal is different from the Flagship Building. Councilman Williamson responded that the building on this application is not as tall, it is set back farther off Baltimore Avenue, will have more opportunity for trees and shrubs and there is a vertical variety on the building (featuring five (5) inset sections and three (3) set out). Councilman Tyson made a motion to oppose the Zoning Hearing Board Application for 306 E. Baltimore Avenue. Councilman Alyanakian seconded the motion. Borough Manager Smith took roll call on the vote. The motion was defeated 5-2, with President Daly, Vice-President Hall, Councilwoman Simpson, Councilman Williamson and Councilman Derrickson casting the majority votes. Councilman Williamson mentioned that anyone interested in this application should plan on attending the January 3, 2008 Zoning Hearing Board meeting at 7:00 p.m.

Councilman Williamson announced a vacancy on the Zoning Hearing Board, due to the fact that Willis Glenn does not wish to be reappointed after serving many years on the board. Anyone interested should submit a letter and resume to Borough Manager Smith. Mr. Glenn will be honored during the January Council meeting.

Public Properties, Fire Committee, Personnel, Finance & Insurance – Mr. Daly

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

General Fund	\$ 217,004.03
Recreation Fund	\$ 9,301.54
Liquid Fuels Fund	\$ 96.16
Capital Fund	<u>\$ 110,438.04</u>
Total	\$ 336,839.77

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

President Daly made a motion to adopt Ordinance No. 1040 pertaining to an amendment to the Emergency and Municipal Services Tax Ordinance. Solicitor Scott explained that this ordinance is necessary due to recently adopted state legislation stipulating income requirements (\$12,000), payment schedule and disabled veterans exemptions. Councilman Alyanakian seconded the motion. The motion carried unanimously.

President Daly made a motion to adopt Resolution #2007-09, Local Services Tax. Solicitor Scott explained that this resolution is necessary to set the tax collector, which is the Central Tax Bureau. Councilman Alyanakian seconded the motion. The motion carried unanimously.

President Daly made a motion to adopt Resolution #2007-10, Unified Fee Schedule. Borough Manager Smith explained that Jim Jeffery, Code Enforcement Director, made the recommendation for the increase in fees, which were subsequently reviewed by the Community Development Committee and Finance Committee. Councilman Williamson seconded the motion to adopt Resolution #2007-10. The motion carried unanimously.

President Daly mentioned that a Request for Proposals was advertised for a Tax Anticipation Note in the amount of \$500,000. First Keystone submitted the most attractive proposal at 2.75%, which will be formally accepted at the January 7, 2008 Reorganization meeting.

President Daly made a motion to award a proposal for video taping services of Council meetings to Warren Thomas as the Borough will no longer receive these services free of charge from Comcast. Councilman Alyanakian seconded the motion. President Daly amended the motion to award the proposal with a flat fee (Option B). Councilman Alyanakian seconded the motion. The motion carried unanimously.

President Daly made a motion to award a proposal for the renewal of workers compensation insurance to Brokerage Professionals, Inc. of Media. Councilman Williamson seconded the motion. The motion carried unanimously.

President Daly mentioned that a Request for Proposals was advertised for auditing services. Two (2) proposals were received. The Finance Committee interviewed the company that was significantly lower and another meeting will be held with Borough staff. President Daly anticipates making a recommendation at the January 7, 2008 Reorganization meeting.

President Daly made a motion to award a proposal for parking consultant services to UrbanTrans Consultants, Inc. to perform a comprehensive parking study of the Borough. The Parking Committee reviewed the three (3) proposals received and recommended UrbanTrans. Councilman Alyanakian seconded the motion. The motion carried unanimously. The Borough received a grant from the Delaware Valley Regional Planning Commission (DVRPC) to cover a portion of the study.

President Daly made a motion to approve a \$1,000 donation to the Society for the Performing Arts to sponsor their Gala Event. Councilman Alyanakian seconded the motion. The motion carried unanimously.

After many negotiating sessions, President Daly made a motion to ratify a five (5) year Memorandum of Agreement with Delaware County Lodge 27 Fraternal Order of Police (FOP). The wage increases for the five (5) years are as follows: 3.25% first year, 3.5% second year, 3.5% third year, 3.75% fourth year and 3.75% fifth year. Councilman Derrickson seconded the motion. The motion carried unanimously.

President Daly mentioned a Public Hearing held earlier in the evening, which featured a PowerPoint slide show presentation detailing the 2008 General Fund, Capital Fund, Liquid Fuels Fund and Recreation Fund Budgets. President Daly noted that the budget is in balance and that due to several outstanding capital projects (including the Third Street Bridge, CMAQ, etc.), the Borough needs to start saving for the future. With that said, the Finance Committee is recommending a millage increase from 2.0 to 3.0. Councilman Tyson mentioned that he has a difficult time supporting such a huge millage increase. Councilman Alyanakian mentioned that there were numerous recommendations made to Council over the years, including selling the former Borough Hall property, in order to avoid large millage increases. Councilman Alyanakian also indicated that he was unable to support this millage increase from 2.0 to 3.0. Vice-President Hall asked Councilman Williamson to summarize millage rate comparisons for other surrounding municipalities. Councilman Williamson summarized this by indicating that the average millage rate is 6.0. With those municipalities that offer trash collection, 6.7 mills is the average. Those municipalities having an Earned Income Tax, just fewer than 8.0 mills is the average. An average home in the borough is assessed at \$125,000, which means the average property tax bill will increase from \$250 to \$375. The average household income is \$60,000. With that information, Councilman Williamson believes that the millage rate increase for the Borough is not out of line with other municipalities. Councilman Tyson believes that the municipality comparison is not apples to apples and thinks that the tax increase should be a last resort. President Daly mentioned that there have not been any recommendations to cut services in the Borough. President Daly noted again that Borough Council should start saving for future projects. Councilman Tyson inquired about selling the former Borough Hall. President Daly responded that he supports the selling of this property provided that a proposal is received for the appraised value. Vice-President Hall reminded everyone that five (5) individuals were not serving on Council two (2) years ago and that Council should consider the present financial state of the Borough. With all of this said, President Daly made a motion to adopt Ordinance No. 1041, setting the 2008 millage rate at 3.0. Councilman Williamson seconded the motion. Borough Manager Smith took roll call on the vote. The motion carried 4-3, with Councilmen Tyson, Alyanakian and Derrickson casting the dissenting votes.

President Daly made a motion to adopt the Final 2008 General Fund, Capital Fund, Liquid Fuels Fund and Recreation Fund Budgets. Councilman Williamson seconded the motion. Borough Manager Smith took roll call on the vote. The motion carried 5-2, with Councilmen Tyson and Alyanakian casting the dissenting votes.

Code Enforcement, Media Arts Council, Streetscape & Litter Task Force – Mr. Hall

Vice-President Hall made a motion to authorize the Solicitor to draft and advertise amendments to the Fireworks Ordinance in order to be consistent with the state statute. Councilman Williamson seconded the motion. The motion carried unanimously.

Vice-President Hall mentioned the following have been appointed to the Media Arts Council Board: Chris Deitrich, Mike Berman and Crystal Gloistein.

Vice-President Hall encouraged everyone to attend the next Media Arts Council Second Saturday event in January along State Street.

Recreation, Technology, Media Business Authority & Lighting –

Mrs. Simpson

Councilwoman Simpson announced the following for the Recreation Board:

- The Recreation Board is in receipt of a grant for Barrall Park enhancements in order to be ADA compliant. The Borough also received a commitment from the Rose Tree Media School District, Media Rotary and Media Girls Softball to assist with these enhancements.
- The Adult Dance has been rescheduled for February 23, 2008.
- Yoga, Tai Chi and Senior Aerobics are being offered once again. Please call the Recreation Office Manager at 610-566-5210, ext. 255, for more information.
- The Recreation Board is in the final interview process to secure a landscape architect/park consultant in response to a \$10,000 grant the Borough has received. More information will be provided next month.
- Councilwoman Simpson thanked the Recreation Board members for their assistance throughout the year, as their volunteer work brings a lot of service to the community.

Councilwoman Simpson announced the following for the Media Business Authority:

- Please visit www.visitmediapa.com to view the full holiday event schedule through the end of the year. Councilwoman Simpson thanked and congratulated the Holiday Committee for their work coordinating the events.
- The Promotions Committee began in late 2006 and have been very active in developing an identify for the business district, getting advertisements in print, local promotions, obtaining new banners, creating a web portal, etc. The Promotions Committee is comprised of volunteers who have done an excellent job with their efforts.
- Santa Claus will be at the Franklin Mint Federal Credit Union.

Councilwoman Simpson noted that 2008 technology initiatives will include freshening up the Cable Channel 10 television announcements, going to paperless Council meetings and a study of the Borough office technology infrastructure.

Health, Historic Preservation & Library – Mr. Tyson

Councilman Tyson announced a vacancy on the Historical Archives Commission, which meets every other Thursday at the Media-Upper Providence Library. Interested individuals should submit their letter of interest and resume to Borough Manager Smith.

Councilman Tyson thanked the people of Media for their support during his tenure on Council and mentioned he is proud to say he is from the Borough. Councilman Tyson is excited to have Jim Cunningham replace him on Council.

Public Comment & Privilege of the Floor

Vice-President Hall inquired about trash collection over the Christmas holiday. Councilman Derrickson responded that collection will take place on Christmas Eve, but will not be collected on Christmas Day. Those individuals who have their normal collection on the holiday, will have it collected the next day.

Adjournment

Vice-President Hall motioned to recess the meeting at 10:00 p.m. until January 7, 2008 at 6:00 p.m. Councilwoman Simpson seconded the motion. The motion carried unanimously.

Respectfully submitted,



Jeffrey A. Smith
Borough Manager/Secretary