



YEAR 2008 ROLL CALL

MOTION: To Purchase Fence Material for Third Street Bridge

DATE OF MEETING: October 16, 2008 Council Meeting

| COUNCILPERSON | YES | NO |
|---------------|-----|----|
| CUNNINGHAM | | X |
| SIMPSON | | X |
| HALL | X | |
| WILLIAMSON | X | |
| DERRICKSON | | X |
| ALYANAKIAN | | X |
| DALY | X | |

Motion defeated 4-3

Council President should be last during roll call.



YEAR 2008 ROLL CALL

MOTION: __To Oppose Zoning Hearing Board Application – 311 W.
Jefferson Street_____

DATE OF MEETING: __October 16, 2008 Council Meeting_____

| COUNCILPERSON | YES | NO |
|---------------|-----|----|
| CUNNINGHAM | X | |
| SIMPSON | | X |
| HALL | | X |
| WILLIAMSON | | X |
| DERRICKSON | | X |
| ALYANAKIAN | X | |
| DALY | X | |

Motion defeated 4-3

Council President should be last during roll call.



YEAR 2008 ROLL CALL

MOTION: __ To Pay Bills

DATE OF MEETING: __ October 16, 2008 Council Meeting

| COUNCILPERSON | YES | NO |
|---------------|-----|----|
| | | |
| CUNNINGHAM | | X |
| SIMPSON | X | |
| HALL | X | |
| WILLIAMSON | X | |
| DERRICKSON | X | |
| ALYANAKIAN | | X |
| DALY | X | |

Motion carried 5-2

Council President should be last during roll call.

**MINUTES
BOROUGH COUNCIL MEETING
OCTOBER 16, 2008**

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, Cunningham and Williamson. Also present were Borough Manager Smith, Treasurer Deitch, Solicitor Ewald 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 Cunningham noted a revision to the September 18, 2008 Public Hearing Minutes as follows: Jack Doyle's comment under Public Comment & Privilege of the Floor should reference the closing of Edgmont Street in lieu of Manchester Avenue. With the above referenced revision, Councilman Cunningham made a motion to adopt the minutes from the September 18, 2008 Public Hearing and September 18, 2008 Council Meeting. Vice-President Hall seconded the motion. The motion carried unanimously.

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 Public Comment & Privilege of the Floor segment of the meeting.

Councilwoman Simpson in conjunction with Councilman Derrickson and Art Brown, Media 5 Mile Race Co-Director, presented checks to the following organizations representing proceeds from the 5 Mile Race: Media Upper-Providence Library, Media Fire Department, Media Police Victims Fund, Media Fair Trade Committee, Fellowship House, Domestic Abuse of Delaware County, Media NAACP, Media Youth Center, John K. Barrall Scholarship Fund and the Borough's Capital Revenue Fund.

Engineer's Report

Councilman Cunningham inquired about the status of a traffic study at Third and Lemon Streets. Engineer Walton mentioned that he visited the site twice, but has not completed the study as of yet. Engineer Walton is awaiting an accident history report from the Media Police Department. From observations during the site visits, Engineer Walton indicated that he did not witness speeding vehicles, but did reference bushes that may obstruct ones view. Engineer Walton believes that his observations during his site visits will not meet the warrants of a stop sign, however, he can put down loops in order to get traffic counts and speed if Council so desires. Councilman Cunningham inquired if the

problem in this location appears to be site distance. Engineer Walton confirmed that this appears to be the issue. President Daly mentioned that perhaps the property owner at this location could be contacted with regard to the hedges. Borough Manager Smith will follow-up on this matter.

Councilman Cunningham mentioned a report from the engineer containing estimates on repairs to sidewalks and crosswalks on State Street between Orange and Monroe Streets. Councilman Cunningham requested the amount to repairs the crosswalks (only) in these locations. Engineer Walton mentioned an approximate amount of \$24,000.

Mayor's Report – Mayor McMahan

Mayor McMahan reported that the Police Department received and investigated 791 complaints during the month of September with no reported burglaries.

Mayor McMahan announced that the Veterans Day Parade will be held on Tuesday, November 11, 2008 at 11:00 a.m. Harry Kalas will be the announcer during the event and the theme will be women in the military. This will be a prelude to the Veterans Museum movie opening in March entitled Women in the Military. Councilman Cunningham commended Mayor McMahan for featuring women in the military.

Mayor McMahan read Proclamation #2008-13, recognizing October 23-31, 2008 to be National Red Ribbon Week: Working Toward a Drug-Free Community within the Borough of Media.

Mayor McMahan noted that the recent presidential campaign rally went very well considering the limited amount of space in the Borough. President Daly agreed that the event was handled professionally by all departments (Highway, Fire, Police, Code Enforcement, Emergency Management, etc.). Councilman Derrickson also agreed that this event went well and that there was good communication with the Secret Service.

Councilman Cunningham inquired how many police traffic patrols were located at intersections over the last month. Mayor McMahan responded that he was not sure and that he would check with the Police Chief and get back to him. Councilman Cunningham also requested to be informed of the police overtime for the previous month.

Council Committee Reports

Shade Tree Commission, Historic Preservation & Lighting – Mr. Cunningham

Councilman Cunningham mentioned that the final draft of the Historic Preservation Overlay District Ordinance has been submitted to the Delaware County Planning Commission for review. Councilman Cunningham made a motion to conduct a Public Hearing regarding this ordinance on Thursday, November 20, 2008 at 7:00 p.m. Councilman Williamson seconded the motion. The motion carried unanimously. Borough Manager Smith will follow-up regarding the scheduling of the Public Hearing and placing the advertisement.

Councilman Cunningham mentioned that a meeting was held recently with the County of Delaware regarding the Briggs Tavern. The County will prepare a study on the site and will report back to the Borough on this matter. Solicitor Ewald inquired if there would be a continuance on the demolition permit. It was determined that there would be a continuance on the demolition permit.

Councilman Cunningham mentioned that approximately 10 new streetlights have been installed over the last two (2) months. Any areas of the Borough that are considered poorly lit should be reported to the Borough office.

Technology & Media Business Authority – Mrs. Simpson

Councilwoman Simpson announced the following events for the Media Business Authority:

- The annual Jazz by Night Festival will be held on Saturday, October 18, 2008 from 8:00 p.m.-1:00 a.m.
- The Halloween Parade will be held on Saturday, October 25, 2008 at 1:00 p.m. with a rain date of Sunday, October 26th.

Councilwoman Simpson made a motion to appoint Candice Caprice to the Media Business Authority for a term of three (3) years, expiring on December 31, 2010. Councilman Williamson seconded the motion. The motion carried unanimously.

Councilwoman Simpson made a motion to appoint Kevin Schramm to the Media Business Authority for a term of three (3) years, expiring on December 31, 2010. Councilman Williamson seconded the motion. The motion carried unanimously.

Councilwoman Simpson mentioned the Media Business Authority has approximately nine (9) sub-committees to address the following: holiday events, welcoming committee for new businesses, music series, website, Dining Under the Stars, Antiques Day, public relations and event review board.

Councilwoman Simpson mentioned that the Borough is in receipt of the master plan from the landscape architect pertaining to the Houtman and Philip Green Parks grant. Councilman Williamson mentioned that he had an opportunity to review the final plan and mentioned that perhaps a presentation could be made during an upcoming meeting so Council and residents have an opportunity to see the plan.

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

Vice-President Hall mentioned the following for the Media Arts Council:

- The Media Icons Photography Contest was held recently. The winners are displayed at Tango 411 on Gayley Street.
- A poetry critique circle will be held on Tuesday, November 11, 2008, 7:00 p.m., at Harvest Book Co. This event is free.
- A poetry reading will be held on Thursday, November 20, 2008, 7:00 p.m., at the Delaware County Institute of Science. This event is free.
- Seven Stones hosts a poetry open mic night on the third Wednesday of each month starting at 7:00 p.m. This event is free.

Vice-President Hall mentioned the following for the Environmental Advisory Council:

- The Yard Waste Collection program was over in September. It will begin again in January.
- The last household hazardous waste collection date for the year as sponsored by the County was held today. Councilman Derrickson added that anyone interested can check the County's website for the next collection date.
- The Borough recently received a 904 recycling grant from the state for approximately \$30,000. This is one of the largest recycling grants that the Borough has received. Vice-President Hall congratulated Karen Taussig-Lux, Grants Administrator, for her coordination of this effort. President Daly encouraged everyone to do their part and recycle more. Councilman Cunningham mentioned that more participation by the businesses is key.

Properties, Personnel, Finance & Insurance – Mr. Daly

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

| | |
|-------------------|--------------------|
| General Fund | \$ 205,548.39 |
| Recreation Fund | \$ 7,241.70 |
| Liquid Fuels Fund | \$ 15,971.97 |
| Capital Fund | <u>\$ 5,590.40</u> |
| Total | \$ 234,352.46 |

President Daly motioned that bills be paid when properly approved for all funds. Councilman Williamson seconded the motion. Councilman Cunningham inquired if CMAQ and Third Street Bridge project invoices were included with the bills. Treasurer Deitch responded that invoices for these projects are included this month. Borough Manager Smith took roll call on the vote. The motion carried 5-2, with Councilmen Cunningham and Alyanakian casting the dissenting votes.

With regard to the Third Street Bridge project, President Daly mentioned that the Borough sent letters to Representative Killion and Senator Pileggi requesting assistance in obtaining additional funding from the Commonwealth of Pennsylvania in the amount of 15%. Mayor McMahon mentioned that he will follow-up on this request.

President Daly noted that Engineer Walton prepared a sketch for fence installation with gates along Third Street so that pedestrians are unable to cross the bridge. While the Borough sent correspondence to Broomall's Lake, County of Delaware and Upper Providence Township, it was determined that these entities are not willing to provide financial assistance for the fencing. Borough Manager Smith mentioned that the Borough received three (3) quotes and the highest price was \$11,850 for the fencing and the installation. If the cost exceeds \$10,000, the Borough would need to put this item out for bid. The other option is to purchase the fencing material and have the Borough's Public Works Department install. President Daly asked the Borough Engineer his opinion on having the Public Works Department install the fencing. Engineer Walton responded that it will take longer, but it will be adequate. With that said, President Daly made motion to install the fencing material with gates along Third Street as designed by Engineer Walton and to have the Borough's Public Works Department install the fencing

with the right to go back to other parties involved in order to recoup funds. Councilman Williamson seconded the motion. Councilman Alyanakian inquired about the cost for Public Works to install the fencing. Borough Manager Smith responded that it would cost approximately \$4,000 for the installation. Councilwoman Simpson inquired if this cost would include the gates. It was determined that it does include the gates. Councilman Cunningham believes that the Borough should erect concrete barriers in order to block the street, as this may cost less. Councilman Alyanakian noted a report from Schnabel Engineering claiming that the bridge is dangerously eroded. Engineer Walton mentioned that there is severe erosion and exposed utility pipes on the south side of the bridge. Engineer Walton also mentioned that there is the possibility that the bridge may collapse further if we encounter a severe storm. Engineer Walton indicated that the Schnabel report indicates that the bridge is unsafe. Engineer Walton also mentioned that the north side of the bridge is safe for pedestrians today. President Daly mentioned that since he lives in the vicinity he personally witnesses pedestrians in the area every evening and that people do not want to be cut off from the area. Councilman Cunningham mentioned that the Third Street Bridge project is a financial bottomless pit for the Borough and is against spending any funds on this. Councilman Williamson mentioned that he is convinced the Borough should spend the funds to purchase the fencing and have Public Works install. Councilman Cunningham made a motion to table the motion to purchase the fencing material for the Third Street Bridge. Councilman Alyanakian seconded the motion and noted that he will not recuse himself as a member of Broomall's Lake Country Club on the vote. Borough Manager Smith took roll call on the motion to table and it was defeated 4-3, with President Daly, Vice-President Hall, Councilwoman Simpson and Councilman Williamson casting the majority votes. Borough Manager Smith took roll call on the vote to purchase fence material for the Third Street Bridge and it was defeated 4-3, with Councilmen Cunningham, Derrickson, Alyanakian and Councilwoman Simpson casting the majority votes. Councilwoman Simpson made a motion to block off the area by erecting concrete barriers. Councilman Cunningham seconded the motion. Councilman Alyanakian inquired about the cost for this. Engineer Walton responded that it would cost a few thousand dollars (approximately). Borough Manager Smith mentioned that the Public Works Department has some temporary barriers. Councilman Alyanakian would like to amend Councilwoman Simpson's motion to include signage. Councilwoman Simpson withdrew her motion to erect the concrete barriers. Councilman Cunningham made a motion to authorize the Public Works Department to take the necessary steps to block off the Third Street Bridge area and install signage. Councilwoman Simpson seconded the motion. The motion carried 6-1, with President Daly casting the dissenting vote.

With regard to the mid-year budget update, President Daly made a motion to move \$30,000 into additional paving for intersections as per the report of Engineer Walton. Councilman Cunningham seconded the motion. The motion carried unanimously.

President Daly mentioned that the Finance Committee of Media Borough Council is beginning the 2009 budget. The first meeting with department heads will take place on October 21, 2008. Borough Council will consider a preliminary budget in November and final budget in December.

Community Development – Mr. Williamson

Councilman Williamson mentioned that a Public Hearing was held earlier this evening to discuss an inter-municipal transfer of a liquor license for Shere-E-Punjab, LLC (208 W. State Street). Councilman Williamson noted that the applicant has agreed, among other things, that alcohol sales shall not exceed 35% and not to re-sell the liquor license within the Borough. The Borough's Solicitor will draft a mutually agreed upon contract. With that said Councilman Williamson made a motion to adopt Resolution #2008-10 pertaining to the inter-municipal transfer of a liquor license for 208 W. State Street. Councilman Derrickson seconded the motion. Councilman Cunningham mentioned that although the business owner is an asset to the business community, he is against the transfer due to the fact that there are multiple liquor licenses in the Borough and he does not believe that the Borough needs another one. Councilman Alyanakian mentioned that he does not agree with this assessment and believes that Council should review on an individual basis. Councilwoman Simpson mentioned that she believes the business owner's representative made a good presentation during the Public Hearing and she is in favor of this transfer. The motion to adopt Resolution #2008-10 pertaining to the inter-municipal transfer of a liquor license for 208 W. State Street carried 5-2, with President Daly and Councilman Cunningham casting the dissenting votes.

Councilman Williamson mentioned his recommendation that Borough Council not oppose the Zoning Hearing Board Application for 311 W. Jefferson Street, which would convert the building next to Sterling Nursing Home into their education facility. Councilman Williamson noted that if the nursing home were to close, the variance on this property would no longer be valid. Councilman Cunningham made a motion to oppose this application due to the fact that it would reduce the amount of residential housing in the Borough and would also drive up housing prices. Councilman Alyanakian agreed that the Borough should retain this property as a residential unit. Councilman Williamson mentioned that this area is not in tact as a residential neighborhood and he believes it does not merit keeping this property residential. Borough Manager Smith took roll call on the vote. The motion to oppose the Zoning Hearing Board Application for 311 W. Jefferson Street was defeated 4-3, with Vice-President Hall, Councilwoman Simpson and Councilmen Williamson and Derrickson casting the majority votes.

Councilman Williamson made a motion to approve the Preliminary/Final Land Development Application for 16 W. Front Street, which is a use-by-right plan. Vice-President Hall seconded the motion. The motion carried unanimously. Councilman Cunningham inquired as to why a permit cannot be issued for this application. Councilman Williamson responded that this is an improvement to a commercial property and it is a state law that they seek minor land development.

Public Safety, Highway & Emergency Management – Mr. Derrickson

Councilman Derrickson mentioned that the 2008 leaf collection schedule will begin during the week of October 14, 2008. The schedule can be viewed on the Borough's website.

Councilman Derrickson mentioned that residents of Delaware County are invited to enroll in "Delco Alert," a regional community alert system, which transmits emergency text messages of public warnings. More information can be obtained from the Borough's website.

With regard to the Federal Aviation Administration airspace redesign, Councilman Derrickson noted that there is ongoing litigation regarding this matter and numerous meetings are being held.

Councilman Derrickson made a motion to adopt Ordinance No. 1050 pertaining to Traffic Ordinance Amendments. Councilman Cunningham seconded the motion. The motion carried unanimously.

As per the recommendations of the Engineer, Councilman Derrickson made a motion to award the maintenance contracts as follows: JMC Contractors, Inc.—Lots 1, 2, 3, 6 & 7 not to exceed \$25,000 and A.F. Damon—Lots 5 and 6 not to exceed \$25,000 and Lot 4 not to exceed \$228,000. Councilwoman Simpson seconded the motion. The motion carried unanimously.

Councilman Derrickson made a motion to approve the 2008 road improvements program and intersection repairs in the amount of \$30,000. Councilman Cunningham seconded the motion. The motion carried unanimously.

Councilman Derrickson made a motion to approve a Mass Gathering Permit Application for Four Paws Shoppe from 11:00 a.m.-4:00 p.m. on Saturday, October 25, 2008. Vice-President Hall seconded the motion. The motion carried unanimously.

Councilman Derrickson made a motion to authorize the Solicitor to draft and advertise an amendment to Dogs and Animals in Public Places in order to allow service dogs (i.e. seeing eye dogs) in public places. Councilman Alyanakian seconded the motion. The motion carried unanimously.

Councilman Derrickson announced that the Second Baptist Church will hold an educational enrichment session on October 18, 2008 at 9:30 a.m.

Councilman Derrickson congratulated President Daly on a recent award he received from the Delaware County Democratic Party.

Councilman Derrickson noted that the NAACP Health Fair went well.

Councilman Cunningham inquired about his previous question regarding a sanitation truck accessing Valley Place. Councilman Derrickson responded that the Public Works Director is investigating the complaint.

Councilman Cunningham inquired about a previous request to lower the speed limit along Providence Road from 35 to 25 miles per hour. Borough Manager Smith mentioned that preliminary analysis indicates that it appears the proper speed limit is designated along this roadway and that there is no speeding. Borough Manager Smith noted that he expects a report by the end of the month.

Councilman Cunningham requested the erection of pedestrian signs on the north/south cross streets at Baltimore Avenue. Councilman Derrickson mentioned that the Public Safety Committee had a different idea that would be more visible and that he would discuss in further detail at the next Workshop meeting.

Recreation, Fire, Parking, Library & Homeowners Association (HOA) – Mr. Alyanakian

Councilman Alyanakian announced that the Media-Upper Providence Library will hold their book sale on October 18-20, 2008 from 10:00 a.m.-6:00 p.m. in the Community Center.

Councilman Alyanakian announced that the Media-Upper Providence Library will conduct a lecture on the Great Gatsby on October 29, 2008.

Councilman Alyanakian mentioned the Media-Upper Providence Library's Fall for a Book program, which is a "book of the month club" type of program.

Councilman Alyanakian announced that the Recreation Board will host a cooking class in the Community Center with a holiday menu. Cost is \$35 per person.

Councilman Alyanakian reported that the Media Fire Company received 55 fire emergency calls and 156 EMS calls during the month of September.

Councilman Alyanakian mentioned that the Media Fire Company is planning a memorial at Rose Tree Park to honor Firefighters Marion Baker and Morgan Wood, Jr. Firefighters Baker and Wood are the only 2 members of the Media Fire Company to have died in the line of duty.

Councilman Alyanakian mentioned that the Youth Center is expanding their facility with an addition and will also expand their services. Councilman Alyanakian thanked Mr. Strine for funding this project.

Public Comment & Privilege of the Floor

Monika Rehoric, 110 W. State Street, suggested separate recycling containers for papers and newspapers. Ms. Rehoric mentioned that the Restaurant Association is working together in order to contract with a recycling hauler.

Monika Rehoric mentioned the amendment to Dogs and Animals in Public Places and inquired how this would be enforced. Councilman Derrickson mentioned that Council is amending to make this more consistent with state guidelines and noted that more people need to get involved when noticing a dog at an event. Perhaps the Media Business Authority can work with Council on this issue.

Councilman Alyanakian mentioned that the Environmental Advisory Council is considering solar cell trash compactors for the business district.

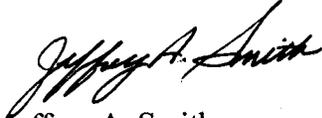
Edward Gibson, 648 N. Monroe Street, mentioned that he is not pleased with SEPTA moving the Route 118 bus from Jackson Street to Monroe Street. It was noted that a Media Borough resident petitioned SEPTA in order to request this bus route change and that Mr. Gibson should contact SEPTA on this matter. Engineer Walton noted that SEPTA probably held a Public Hearing prior to the bus route change and there usually is a temporary trial for six (6) months after a bus route change. Borough Manager Smith mentioned that he will follow-up with SEPTA to determine Mr. Gibson's best course of action at this point.

Councilman Cunningham mentioned the passing of Lawrence Dotts, who was civic-minded and very active in the Borough. Councilman Cunningham suggested that a letter of condolences be sent to the Dotts family.

Adjournment

Councilman Cunningham motioned to adjourn the meeting at 10:30 p.m. Councilwoman Simpson seconded the motion. The motion carried unanimously.

Respectfully submitted,

A handwritten signature in cursive script that reads "Jeffrey A. Smith".

Jeffrey A. Smith
Borough Manager/Secretary