

**MINUTES
BOROUGH COUNCIL MEETING
OCTOBER 15, 2009**

Media Borough Council met in Council Chambers on the above date with the following officials present: Mayor McMahon, President Daly, Vice-President Hall, Councilwoman Simpson, Councilmen Cunningham, Williamson, Derrickson and Alyanakian. Also present were Borough Manager Smith, Treasurer Deitch, Solicitor Scott and Engineer Walton.

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 passing of Walter Strine, Sr., Phillip "Flip" Sheridan and Dorothy Laws.

Announce Reason for Executive Session – Tuesday, October 13, 2009

President Daly announced that real estate and litigation matters were discussed in executive session on October 13, 2009. Councilman Cunningham mentioned his belief that the Borough taxpayers are owed an explanation on the payment of school taxes on a Borough-owned property where the tenant is delinquent. President Daly responded that this is an Executive Session matter. Councilman Cunningham inquired if the Borough should take official action to pay the real estate taxes on the property. Solicitor Scott mentioned that the Borough is subject to pay the taxes as owner of the property if the tenant does not.

Approval of the Minutes

Councilman Derrickson made a motion to adopt the September 3, 2009 Workshop Meeting minutes, September 17, 2009 Public Hearing minutes and September 17, 2009 Council Meeting minutes. Vice-President Hall seconded the motion. The motion carried unanimously.

Public Comment & Privilege of the Floor

Craig Matthews, 203 N. Providence Road, expressed concerns regarding the upcoming closure of Suburban Music School as it relates to the shared driveway between his property and the school. President Daly suggested that Mr. Matthews attend an upcoming Community Development Committee meeting in order to express his concerns. Councilman Williamson mentioned that the committee meets on the last Wednesday of each month. Councilman Williamson mentioned sending correspondence to Mr. Matthews inviting him to the next meeting. Solicitor Scott suggested that Jim Jeffery, Code Enforcement Director, prepare a brief summary of what is within the project file on this matter.

Engineer's Report

Engineer Walton highlighted items on the Engineer's Report. Councilman Cunningham mentioned that he had an opportunity to review the report and was disappointed that the Engineer did not accept his proposed suggestions regarding parking spaces in the vicinity of State and Monroe Streets. Councilman Derrickson mentioned that it is anticipated that this will be a matter for discussion during the next Workshop meeting.

Mayor's Report – Mayor McMahon

Mayor McMahon reported that the Police Department received and investigated 780 complaints during the month of September. There were no reported burglaries for the month of September.

Mayor McMahon mentioned that two Borough police officers were instrumental in the apprehension of suspects involved in burglaries in Nether Providence Township.

Mayor McMahon read Proclamation #2009-08 designating October 23-31, 2009 to be Red Ribbon Week within the Borough of Media.

Mayor McMahon announced that the Veterans Day Parade will be held on Wednesday, November 11, 2009 at 11:30 a.m. along State Street.

Police Chief Wusinich provided an update on the transition of dispatchers to the County 911 Center. Chief Wusinich mentioned that it was a smooth transition for the radio and telephone systems. There were some glitches on the reporting system with regard to the in car system where officers are able to retrieve information. There have not been any complaints regarding the transition from residents or businesses. Chief Wusinich thanked all four (4) dispatchers for their many years of service to the Borough. Chief Wusinich reminded everyone to call 911 for all emergency and non-emergency calls. Public Information Officers are on duty at the Media Municipal Center from 8:30 a.m.-8:30 p.m., Monday through Friday—except holidays, and emergency phones have been installed outside of the facility.

Council Committee Reports

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

Councilman Cunningham mentioned that Jane Valdes-Dapena has asked not to be reappointed as Chairman of the Shade Tree Commission in 2010. Councilman Cunningham mentioned that it may be appropriate to honor Ms. Dapena for her years of dedicated service during the December Council meeting.

Media Business Authority, Technology & Fair Trade Committee – Mrs. Simpson

Councilwoman Simpson mentioned that a full report concerning the Media Business Authority's Dining Under the Stars events during the summer months will be available for the next Workshop meeting.

Councilwoman Simpson mentioned that the Media Annual Food & Craft Festival was well attended with a 30-35% increase in sales over last year.

Councilwoman Simpson announced that the 7th Annual Jazz by Night Celebration will be held on Saturday, October 17, 2009 from 7:30 p.m.-1:00 a.m.

On behalf of the Media Business Authority, Councilwoman Simpson displayed a new advertisement for Media within the Brandywine Magazine.

Councilwoman Simpson announced that the Halloween Parade will be held on Saturday, October 31, 2009 at 2:00 p.m.

Councilwoman Simpson mentioned that Borough businesses are continuing to thrive in spite of the economy and announced the arrival of three (3) new businesses: Lotus (tea and Mediterranean food), an Italian restaurant/pizza shop and a home furnishing/retail store.

Councilwoman Simpson announced that Media Borough merchandise is now available at various retail stores throughout the business district.

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

Vice-President Hall mentioned that the Environmental Advisory Committee is coordinating a cigarette butt scan from the Plum Street Mall to Monroe Street along State Street. New cigarette butt receptacles will be installed along State Street and the Plum Street Mall. Also, the Borough will make available small individual ashtrays.

Vice-President Hall announced the dedication of the solar array at the Media Youth Center on Saturday, October 24, 2009 at 2:30 p.m.

Vice-President Hall mentioned that the energy audit of the Media Municipal Center determined that the Borough is operating near high efficiency.

Vice-President Hall mentioned that the Media Arts Council's Icons Exhibit was a success.

Vice-President Hall mentioned that the Media Arts Council is sponsoring a film festival to take place the last weekend in February 2010.

Vice-President Hall mentioned that the Media Green Exchange meets on Saturdays, 10:00 a.m., at the Plum Street Mall in an effort to create a more environmentally friendly Borough.

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	\$ 341,395.59
Recreation Fund	\$ 2,804.43
Liquid Fuels Fund	\$ 0
Capital Fund	<u>\$ 9,514.90</u>
Total	\$ 353,714.92

President Daly motioned that bills be paid when properly approved for all funds. Councilman Simpsom seconded the motion. Councilman Cunningham inquired if CMAQ and Third Street Bridge project invoices or invoices related to the attorney representing the Borough on a real estate matter were included with the bills. Treasurer Deitch responded there is a \$2,368 charge pertaining to CMAQ, \$2,085 charge for the Third Street Bridge project and \$2,400 for the real estate matter. The motion to pay the bills carried 5-2, with Councilmen Cunningham and Alyanakian casting the dissenting votes.

President Daly deferred to Borough Manager Smith to discuss awards for miscellaneous request for proposals for maintenance work. Borough Manager Smith mentioned that the Borough received three (3) proposals for the installation of heat in the basement of 1 W. State Street. ServiceMark was the low bidder at \$5,161. President Daly made a motion to award the installation of heat in the basement of 1 W. State Street to ServiceMark in the amount of \$5,161. Councilman Williamson seconded the motion. The motion carried unanimously.

Borough Manager Smith mentioned that the Borough received three (3) proposals for air conditioning repair/replacement in Council Chambers. ServiceMark was the low bidder at \$8,680 for the condenser and air handler replacement (option 2), which was recommended by the Borough Engineer. President Daly made a motion to award the air conditioning repair/replacement in Council Chambers to ServiceMark in the amount of \$8,680. Councilman Williamson seconded the motion. The motion carried unanimously.

Borough Manager Smith mentioned that the Borough received four (4) proposals for window capping at the Media Municipal Center, however, the proposals need to be revised to reflect the same amount of windows on each proposal.

Borough Manager Smith mentioned that the advertisement of bids for the continuation of the installation of sprinklers at the highway garage is listed under Councilman Derrickson's agenda this evening.

Borough Manager Smith mentioned that the Borough received three (3) proposals for maintenance work on the Olive Street parking garage. Engineer Walton mentioned his recommendation of High Concrete's proposal in the amount of \$15,000. President Daly made a motion to award the repair work (seal cracks, etc.) at the Olive Street parking garage to High Concrete Group in the amount of \$15,000. Councilman Williamson seconded the motion. The motion carried 6-1, with Councilman Cunningham casting the dissenting vote. Engineer Walton will discuss the completion of this work prior to the winter months with the contractor.

Borough Manager Smith mentioned sewer ejector pump repair work at 1 W. State Street. President Daly made a motion to approve the sewer ejector pump work at 1 W. State Street as follows: Tillman & Sons (maintenance) in the amount of \$3,800 and Smith Tree Service (welding) in the amount of \$1,000. Councilman Williamson seconded the motion. The motion carried 6-1, with Councilman Cunningham casting the dissenting vote.

President Daly mentioned that since the Media Municipal Center is no longer open 24 hours a day, Council may want to consider a proposal from South Penn Lock & Safe Co. to provide additional security (locks). President Daly made a motion to approve the South Penn Lock & Safe Co. proposal in the amount of \$2,481 to upgrade security and add to existing key systems at the Media Municipal Center. Councilwoman Simpson seconded the motion. The motion carried unanimously.

President Daly mentioned that the Finance Committee has begun the 2010 budget process. Meetings will be held next week with various departments, boards/commissions, etc.

Councilman Cunningham made a motion to direct the Borough's pension fund consultant to instruct the investment advisor for the Trust to remove approximately \$156,000 from the Borough's pension plans out of GE stock and place it in other investments due to the fact that GE's Chief Executive Officer has been supplying components to Iran that have been used to construct IED bombs that are the single biggest killer of American troops in Iraq and Afghanistan. President Daly seconded the motion. The motion carried unanimously.

Community Development – Mr. Williamson

Councilman Williamson made a motion to approve the Wireless Communication Application for 635 N. Monroe Street with the condition of the Borough Engineer's review and approval. Vice-President Hall seconded the motion. The motion carried 6-1, with Councilman Cunningham casting the dissenting vote.

In reference to the proposed Sunoco Pipeline Junction, Councilman Williamson mentioned that a letter has been sent to the applicant requesting that they pay the Solicitor and Engineer review fees on the Borough's behalf pertaining to this matter. As of today, the Borough has not heard back from the applicant. Borough Council is waiting on a draft of the easement agreement at this time.

Public Safety, Highway & Emergency Management – Mr. Derrickson

Councilman Derrickson made a motion to authorize the advertisement of bids for the continuation of the installation of a fire suppression system (sprinklers) at the highway garage. Vice-President Hall seconded the motion. NDI Engineering will prepare a draft of the bid specification. The motion carried unanimously.

Councilman Derrickson made a motion to approve the Mass Gathering Application for the Veterans Day Parade to be held on Wednesday, November 11, 2009 at 11:30 a.m. Councilwoman Simpson seconded the motion. The motion carried unanimously.

Councilman Derrickson congratulated the Police Department for a smooth transition of dispatching services to the 911 Center.

Councilman Derrickson mentioned that the NAACP health fair was a success.

Councilman Derrickson mentioned that the Police Department, Highway Department and Sanitation Department continue to do a great job.

Councilman Derrickson mentioned that an emergency management tabletop exercise is being scheduled in the near future.

Councilman Cunningham mentioned that there is some confusion among residents regarding the pick up of small electronic items (i.e. microwaves, computer screens, etc.) as trash items. Borough Manager Smith indicated that the Borough's Solid Waste Ordinance lists televisions, computer towers, etc. as bulk items. It is a question of whether Council would like to amend the ordinance. Household hazardous waste pick-ups through the County are available a few times per year for items such as televisions, computers, etc. Councilman Derrickson indicated that these items are currently being labeled and will continue this way until Council decides if they want to amend the ordinance.

Councilman Cunningham mentioned that there is some confusion as to whether or not parking meters are enforced on Saturdays. Communication should be directed to the Media Business Authority in order to get this information out to the merchants. Zubair Khan, Executive Director of the Media Business Authority, mentioned that the enforcement rules can sometimes be confusing as Saturdays are listed on the meters.

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

Councilman Alyanakian made a motion to award the Barrall Park Enhancements bid to Ellis Construction, Inc. from Glen Mills, PA in the amount of \$28,000. Councilman Williamson seconded the motion. The motion carried unanimously. Councilwoman Simpson inquired if the restrooms will become ADA complaint. Councilman Alyanakian responded that they will become ADA compliant as a results of these enhancements.

Councilman Alyanakian made a motion to adopt the final Parking Report as prepared by UrbanTrans Consultants. Councilman Williamson seconded the motion. The motion carried 6-1, with Councilman Cunningham casting the dissenting vote.

Councilman Alyanakian made a motion to send a letter to State Representative Killion and Senator Pileggi in support of anti-texting legislation. Councilman Williamson seconded the motion. The motion was further clarified and amended to limit anti-texting to vehicles only. The motion carried unanimously.

Councilman Alyanakian announced that the Recreation Board is sponsoring yoga classes on Monday evenings beginning on October 19, 2009.

Councilman Alyanakian announced the Halloween Extravaganza to take place on Saturday, October 24, 2009.

Councilman Alyanakian announced that the Senior Luncheon will be held on Saturday, November 14, 2009 at the Towne House Restaurant.

Councilman Alyanakian announced that the Media-Upper Providence Library Book Sale will be held on October 17, 18 and 19 in the Community Center. The Friends of the Library will have a table in an effort to raise funds.

Public Comment & Privilege of the Floor

Jane Rowland, E. Second Street, inquired about the upcoming leaf schedule. Borough Manager Smith indicated that the leaf schedule has been posted on the cable channel and website. It will be forthcoming in Town Talk Newspapers. Councilman Derrickson read the leaf schedule.

Michael Jordan, 620 N. Monroe Street, inquired about billing situation for a bulk trash pick-up at his residence. It was determined that he will receive a credit for items not picked up by the Borough.

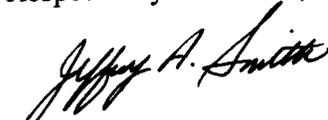
Zubair Khan, Executive Director of the Media Business Authority, inquired about leaf collection along Baltimore Avenue. Councilman Derrickson indicated that he will look into this matter.

Kitty McFarland, 510 N. Lemon Street, congratulated Public Works Director Ralph DeRosa and his entire staff for the cleanliness of the town after each event.

Adjournment

Councilwoman Simpson motioned to adjourn the meeting at 9:30 p.m. Councilman Derrickson seconded the motion. The motion carried unanimously.

Respectfully submitted,



Jeffrey A. Smith
Borough Manager/Secretary