

**MINUTES  
BOROUGH COUNCIL MEETING  
MARCH 18, 2010**

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

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

**Approval of the Minutes**

Vice-President Simpson made a motion to adopt the February 4, 2010 Workshop meeting minutes. Councilman Cunningham seconded the motion. The motion carried unanimously.

Vice-President Simpson made a motion to adopt the February 18, 2010 Public Hearing minutes. Councilman Cunningham seconded the motion. The motion carried unanimously.

Vice-President Simpson made a motion to adopt the February 18, 2010 Council meeting minutes. Councilwoman Rehoric seconded the motion. The motion carried unanimously.

**Public Comment & Privilege of the Floor**

Drew Arata, Vice-Chair of the Media Business Authority, presented two (2) donation checks to Borough Council to be used for Media's Green-up Clean-up Day and the Media Fire Company.

**Engineer's Report**

Councilman Cunningham inquired about the status of the exploratory excavation for sinking crosswalks along State Street, specifically the crosswalk at State and Monroe Streets. Engineer Walton responded that he anticipates this work to be started within the next few weeks under the current maintenance contract. Solicitor Scott mentioned that the Borough is able to utilize the current maintenance contract until April 30, 2010.

Councilman Alyanakian inquired if Engineer Walton has inspected the Third Street Bridge/Dam recently in light of the large amount of rain we received over the last few weeks. Engineer Walton mentioned that he has looked at the dam and also the trees in this vicinity. Engineer Walton believes that the dam came through in good shape in spite of the amount of rainfall received. Engineer Walton and Code Enforcement Director, Jim Jeffery will inspect the area further. Engineer Walton noted serious seepage under the pipe that has not gotten worse over the last couple of months.

## **Solicitor's Report**

Councilman Cunningham inquired about late night soliciting within the Borough and mentioned that it was brought to his attention that Upper Providence Township adopted an ordinance pertaining to this matter. Solicitor Scott mentioned that religious organizations are able to solicit until 9:00 p.m., which is protected under the Constitution. Councilman Cunningham inquired about non-profit organization. Solicitor Scott mentioned that he will research this matter and report back to Council. Mayor McMahon mentioned that soliciting organizations are required to register at the Borough office. Borough Manager Smith indicated that once an organization has registered with the Borough, they are issued a small permit card with the dates and hours of solicitation.

## **Mayor's Report** – Mayor McMahon

Mayor McMahon reported that the Police Department received and investigated 796 complaints during the month of February. There were no reported burglaries during the month of February.

Mayor McMahon mentioned that the police department performed 20 traffic details during the month of February.

Councilman Cunningham inquired if the Police Department is pursuing the hiring of additional part-time officers. Mayor McMahon responded that the department intends to hire two (2) part-time officers. Currently, background checks on candidates are being performed.

## **Council Committee Reports**

### **Media Business Authority, Environmental Advisory Council & Recycling** - Dr. Stein

Councilman Stein mentioned that Loic Barnieu of LaBelle Epoque and Picasso's Restaurant as well as other restaurant owners have requested an extension of the previously approved Dining Under the Stars outdoor dining application. This request is being made for a three (3) year timeframe so that the restaurants do not need to apply with the Pennsylvania Liquor Control Board (PLCB) annually. However, the Media Business Authority will need to apply annually for this Mass Gathering Permit Application through the Borough. Councilman Stein made a motion to approve the request to extend Dining Under the Stars outdoor dining application so that participating restaurants do not need to apply annually with the PLCB. Councilwoman Roe seconded the motion. The motion carried unanimously. Borough Manager Smith suggested that Solicitor Scott review a draft of the letter to the PLCB.

Councilman Stein announced the following upcoming events for the Media Business Authority:

- April 17, 2010 – Americana Roots Ramble
- April 25, 2010 – Spring Super Sunday (Town Talk Newspapers event)
- May 19, 2010 through September – Dining Under the Stars on Wednesday evenings
- May 31, 2010 – Memorial Day Parade

Councilman Stein announced that the Chester-Ridley-Crum Creek Watersheds Association is sponsoring the annual streams clean up at Glen Providence Park on Saturday, May 1, 2010.

Councilman Stein mentioned that plans are underway to hold a business breakfast in either April or early May for the purpose of networking within the business community.

Councilman Stein mentioned that the Environmental Advisory Council is planning to hold a strategic planning meeting in April 2010.

**Infrastructure, Code Enforcement, Health & Historic Architectural Review Board - Mr. Cunningham**

Councilman Cunningham mentioned that he is the new chairman of the Infrastructure Committee of Council.

Councilman Cunningham mentioned a major tree that came down along Centennial Avenue during the recent storm. Councilman Cunningham mentioned that there was minimal damage considering the size of the tree and praised the Shade Tree Commission's tree trimming efforts.

Councilman Cunningham mentioned that the Borough will review the snow removal plan/efforts of the Public Works Department from this past winter. Please contact the Borough with comments or suggestions for improvement.

Councilman Cunningham mentioned a request for changing traffic patterns along W. Fifth Street and thanked residents who participated in a survey on this matter. Councilman Cunningham mentioned that the general opinion of the residents is that one-way traffic is not necessary on this roadway. Most residents did not want parking restrictions either. There were concerns raised regarding speeding vehicles. Suggestions included more traffic details and the installation of traffic signs. Councilman Cunningham mentioned the possibility of erecting a four-way stop sign at Third and Lemon Streets. President Williamson suggested that the Public Safety Committee discuss this matter during their next meeting.

**Properties, Personnel, Technology, Fire & Emergency Management - Mrs. Simpson**

Vice-President Simpson announced that the Media Fire Company handled 37 fire calls and 177 EMS calls during the month of February.

Vice-President Simpson mentioned that the Media Fire Company is looking for volunteers. Please feel free to call the firehouse and leave a message for the fire chief.

With regard to the status of 1 W. State Street, Vice-President Simpson mentioned that a public hearing was held last month in order to obtain feedback regarding the property. Vice-President Simpson mentioned that a lot of good input was received at the hearing. Additional input was obtained from the last meeting of the Media Business Authority.

With that said, Vice-President Simpson made a motion to authorize the Borough Solicitor to prepare the necessary paperwork/documents to advertise the sale of 1 W. State Street and to draft a lease agreement. Borough Council would like to make both available to prospective bidders. Councilwoman Roe seconded the motion. Councilman Cunningham inquired if one document would have a negative impact on the other and if there would be an air of uncertainty. Vice-President Simpson mentioned that moving in this direction would keep options open and not limit Council. Councilman Alyanakian indicated that he would not support this motion as most lease agreements are customized to the type of business and, at this point, the Borough has no way of knowing what type of business would lease the building. Council Alyanakian indicated that he would like Council to sell the building. Solicitor Scott mentioned that Borough Council can authorize the preparation of both documents if they wish to do so. Solicitor Scott mentioned that he can have both documents prepared in time for the next Workshop meeting if the motion passes this evening. Solicitor Scott mentioned that there would not be sealed bids on the lease as there would be with the sale of the property. Councilwoman Rehoric inquired about the term of the lease. Solicitor Scott responded that it is a five (5) year term with possible renewal options. After more discussion, Vice-President Simpson mentioned that she will keep the motion "as is" to authorize the Borough Solicitor to prepare the necessary paperwork/documents to advertise the sale of 1 W. State Street and to draft a lease agreement. Borough Manager Smith took roll call on the vote. The motion carried 4-3, with Councilwoman Rehoric and Councilmen Cunningham and Alyanakian casting the dissenting votes.

**Community Design, Finance, Stormwater & Sanitation - Mr. Williamson**

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

General Fund	\$ 129,700.85
Recreation Fund	\$ 354.08
Liquid Fuels Fund	\$ 0
Capital Fund	<u>\$ 13,048.70</u>
Total	\$ 143,103.63

President Williamson motioned that bills be paid when properly approved for all funds. Vice-President Simpson seconded the motion. Councilman Cunningham inquired if CMAQ and Third Street Bridge project invoices were included with the bills. Treasurer Deitch responded there is one (1) bill in the amount of \$120 for CMAQ. The motion carried 6-1, with Councilman Cunningham casting the dissenting vote.

President Williamson mentioned that the Borough solicited bids for banking services. The Finance Committee narrowed down the proposals to the top three (3) banks, however, no decision has been made as of yet. The committee asked the Borough staff to take a further look.

President Williamson deferred to Borough Manager Smith regarding the insurance renewal proposals. Borough Manager Smith mentioned that the Borough accepts proposals for insurance renewal every couple of years. The Borough received three (3) bids. The Finance and Insurance Committee recommended moving forward with BPI (current broker) for casualty and liability insurance in the amount of \$77,840. President Williamson made a motion to accept the proposal as indicated above. Vice-President Simpson seconded the motion. The motion carried unanimously.

President Williamson made a motion to ratify Council's decision to purchase a Ford backhoe in the amount of \$56,218.57 from Modern Equipment, which includes a credit towards the trade in of the old backhoe. Vice-President Simpson seconded the motion. The motion carried unanimously.

President Williamson mentioned that the Hampton Inn & Suites application is currently going through the Planning Commission process. President Williamson indicated that this is a complex proposal, which may take a month or two before any Council review is required. Councilman Cunningham inquired about the impact of this proposal if the sewage inflow is greater than the former medical building. Solicitor Scott mentioned that this may have a fatal effect on the project ultimately, but that Council needs to process the subdivision/land development application accordingly. The approval may be conditioned upon sewer and other external approvals. Councilman Alyanakian mentioned that determining the direction of the inflow is up to Aqua. President Williamson mentioned possible pump station problems that Aqua must address per the Department of Environmental Protection (DEP). Engineer Walton mentioned that the pump stations are overloaded as the I&I (inflow and infiltration) is heavy. Engineer Walton mentioned the possibility that this may be considered a whole new connection and not compared to the medical center building. Engineer Walton indicated that this matter will not be taken lightly by DEP. President Williamson mentioned that the Borough intends to stay on top of the state and federal regulations.

President Williamson made a motion to adopt Ordinance No. 1072 – Zoning Ordinance Amendment allowing for the enlargement of non-confirming uses by special exception. Councilman Cunningham seconded the motion. President Williamson mentioned that Solicitor Scott prepared the ordinance and mentioned that a public hearing was held earlier this evening. Solicitor Scott mentioned that the Zoning Hearing Board has the ability to impose conditions on approvals. The motion to adopt Ordinance No. 1072 carried unanimously. President Williamson thanked Councilman Cunningham for bringing this issue to Council's attention.

Councilman Cunningham inquired about the zoning in the area of the 300 block of W. State Street. President Williamson indicated that this will be a matter on the next Community Design Committee agenda.

Councilman Cunningham requested an update on the discussions with the County of Delaware pertaining to the Third Street Bridge. President Williamson mentioned that the Borough is currently discussing (with the County) the sharing of the financial burden of the Third Street Bridge project. President Williamson mentioned that 80% funding will come from the state and 20% is the local share. President Williamson mentioned that the ownership matter is in litigation. After President Williamson and Councilman Alyanakian met with County officials, it was determined that some willingness to assist with the financial burden was expressed on the County's part. President Williamson indicated that he is hesitant on making a motion on the notice to proceed with design work until the Borough receives a concrete commitment.

President Williamson mentioned that the Borough received no bids for the installation of the sprinkler system at the highway garage. President Williamson made a motion to advertise the sprinkler system bids again in the near future. Vice-President Simpson seconded the motion. The motion carried unanimously.

**Police, Public Safety, Lighting & Media Arts Council - Mrs. Roe**

Councilwoman Roe made a motion to approve the Mass Gathering Permit Application for Town Talk Newspapers' Media Art Show & Craft Fair to be held on Sunday, June 6, 2010. Vice-President Simpson seconded the motion. The motion carried unanimously.

Councilwoman Roe made a motion to approve the Mass Gathering Permit Application for Media Arts Council's Second Saturday Bastille Day Celebration to be held on Saturday, July 10, 2010. Vice-President Simpson seconded the motion. The motion carried unanimously.

Councilwoman Roe made a motion to approve the Mass Gathering Permit Application for Media Business Authority's State Street Blues Stroll to be held on Saturday, June 12, 2010. Councilman Stein seconded the motion. The motion carried unanimously.

Councilwoman Roe mentioned the police overtime log for February as follows: 60 hours of court time (versus 70 hours in January), 27 shift coverage hours (versus 8 hours in January), 2 hours of investigation, 89 regular overtime (versus 310 hours in January). Councilwoman Roe indicated that the increase in shift coverage hours is due to the fact that three (3) full-time officers are currently out.

**Historic Archives Commission, Historic Society & Fair Trade Committee - Mrs. Rehoric**

Councilwoman Rehoric made a motion to appoint Katherine LoRusso to the Historic Archives Commission to fill the unexpired term of Sue Carl, which will expire on December 31, 2012. Councilwoman Roe seconded the motion. The motion carried unanimously.

Councilwoman Rehoric mentioned that Ed Homa submitted a letter of interest to serve on the Historic Archives Commission. The Borough will hold his information in the event that a similar position is vacated.

Councilwoman Rehoric mentioned that the Fair Trade Committee is sponsoring a photo contest from now through May 1, 2010. The grand prize winner will receive an 18-speed mountain bike, which will be on display at the Franklin Mint Federal Credit Union. Other prizes will be awarded as well.

Councilwoman Rehoric announced a Fair Trade dinner to be held at Lotus Tea House on April 18, 2010 at 5:30 p.m. and 7:00 p.m. Tickets are \$50/person.

Councilwoman Rehoric mentioned that the Media Historical Society awards banquet will be held on April 21, 2010, Generations, at 6:00 p.m. Tickets are \$35/person.

Councilwoman Rehoric announced that she will be participating in the 25<sup>th</sup> annual Putnam County Spelling Bee at the Media Theatre on March 24, 2010.

**Special Projects, Recreation, Parking & Library - Mr. Alyanakian**

Councilman Alyanakian made a motion to authorize the Solicitor to draft and advertise Residential Parking Ordinance amendments. Councilwoman Roe seconded the motion. The motion carried 6-1, with Councilman Cunningham casting the dissenting vote. Councilman Cunningham believes that residential parking requests within the Borough are getting out of control due to Council designating individual parking spaces for residential parking.

Councilman Alyanakian made a motion to approve a handicapped-parking request for 12 E. Ridge Road. Councilman Cunningham seconded the motion. The motion carried unanimously.

Councilman Alyanakian mentioned parking issues at the Media Youth Center. Councilman Alyanakian made a motion to install no parking signs in the vicinity of the Media Youth Center property. Councilwoman Roe seconded the motion. The motion carried 6-1, with Councilman Cunningham casting the dissenting vote. Councilman Cunningham mentioned his belief that the Media Youth Center should attempt to work these issues out without government involvement. Councilman Alyanakian responded that the Media Youth Center has attempted to work these issues out previously.

Councilman Alyanakian made a motion to enter into a grant agreement with the Department of Community and Economic Development (DCED) in the amount of \$20,000 for solar trash receptacles. Councilman Cunningham seconded the motion. The motion carried unanimously. Councilman Alyanakian thanked Representative Killion's office for the grant. Vice-President Simpson inquired about the cost that would be incurred by the Borough. It was determined that there will be no cost incurred by the Borough.

Councilman Alyanakian made a motion to regretfully accept the resignation of Camille Holstein from the Recreation Board. Councilwoman Rehoric seconded the motion. The motion carried unanimously.

With the vacancy on the Recreation Board, Councilman Alyanakian urged interested individuals to submit a letter of interest and resume to Borough Manager Smith.

Councilman Alyanakian announced the following for the Recreation Board:

- Latin dance classes to be held on Wednesday evenings at 7:30 p.m.
- Easter luncheon to be held on March 27, 2010 from 11:30 a.m.-1:00 p.m.

Councilman Alyanakian announced an appliance-recycling program through PECO, which will pay residents up to \$35 for the disposal of working refrigerators and air conditioners. This program is on a first-come first-served basis.

Councilman Alyanakian announced the following household hazardous waste events:

- March 27, 2010 – Marple Transfer Station
- April 24, 2010 – Sharon Hill Emergency Training Center (computer drop-off event)

Councilwoman Simpson mentioned that the Latin dance classes are \$100/person. A discount is offered for couples.

Councilman Stein mentioned that he attended a PECO event recently and noted a refund on an energy audit. Councilman Stein mentioned a new program from PECO for the installation of new meters, which will put more control of electricity usage in the hands of residents.

Councilman Alyanakian mentioned that the County of Delaware is beginning to implement some of the recommendations within the parking report (i.e. transit check, etc.).

Councilman Stein mentioned that energy is the main topic area on the Environmental Advisory Council's (EAC) agenda and that they will be looking at this as a main issue of strategic planning.

Engineer Walton mentioned that the County has taken a portion of the Amber & Citron Street parking lot and reserved it for van parking.

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

Councilman Cunningham mentioned that he would like to honor Everett Knapp through a letter of appreciation to his wife and family on the 65<sup>th</sup> anniversary of the Battle of Iwo Jima.

Councilman Cunningham recognized Tax Collector Robert Dimond for his services.

Robert Dimond, Tax Collector, mentioned that Media Rotary will be sponsoring a pancake breakfast at Media Elementary School this Saturday.

Kitty McFarland, Lemon Street, mentioned her disappointment regarding the 5<sup>th</sup> Street traffic decision, but thanked Council for taking the request seriously.

**Adjournment**

Councilman Cunningham motioned to adjourn the meeting at 9:53 p.m. Vice-President Simpson seconded the motion. The motion carried unanimously.

Respectfully submitted,



Jeffrey A. Smith  
Borough Manager/Secretary